

**LAND USE AMENDMENT
FOREST LAWN (WARD 10)
SOUTH OF 17 AVENUE SE AND EAST OF 36 STREET SE
BYLAW 87D2017**

MAP 10E

EXECUTIVE SUMMARY

This Land Use Amendment application seeks to redesignate a single residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a Secondary Suite or a Backyard Suite. A suite does not currently exist, and there are no current complaints on file for illegal dwelling units.

PREVIOUS COUNCIL DIRECTION

On 2013 September 16 Council directed Administration to remove fees associated with land use amendment and development permit applications for secondary suites to encourage the development of legal and safe secondary suites throughout the city.

ADMINISTRATION RECOMMENDATION(S)

2017 January 26

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 87D2017; and

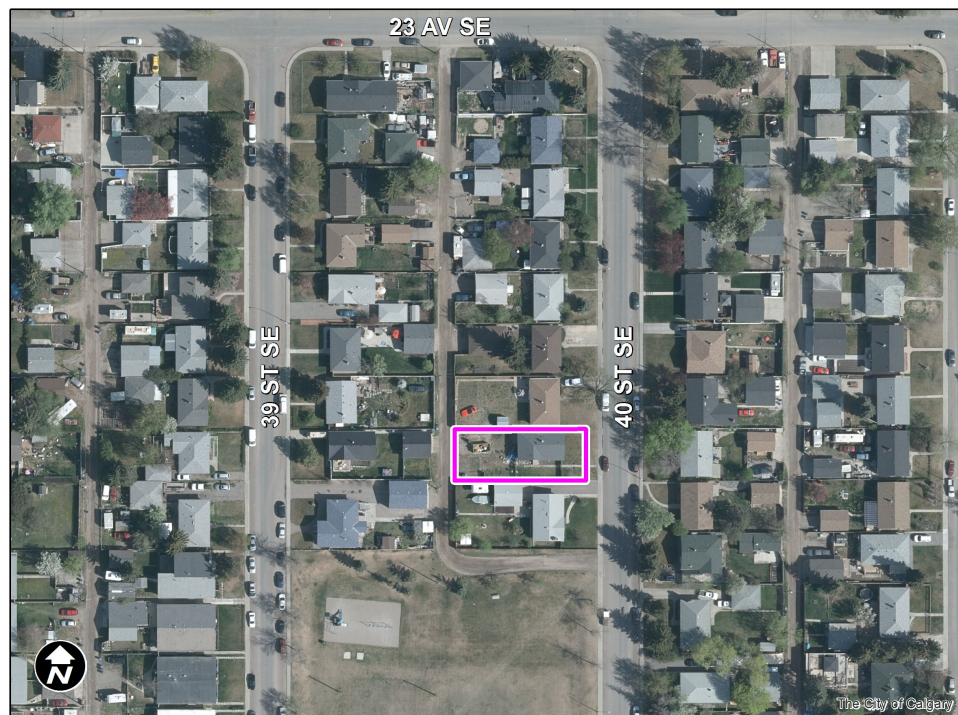
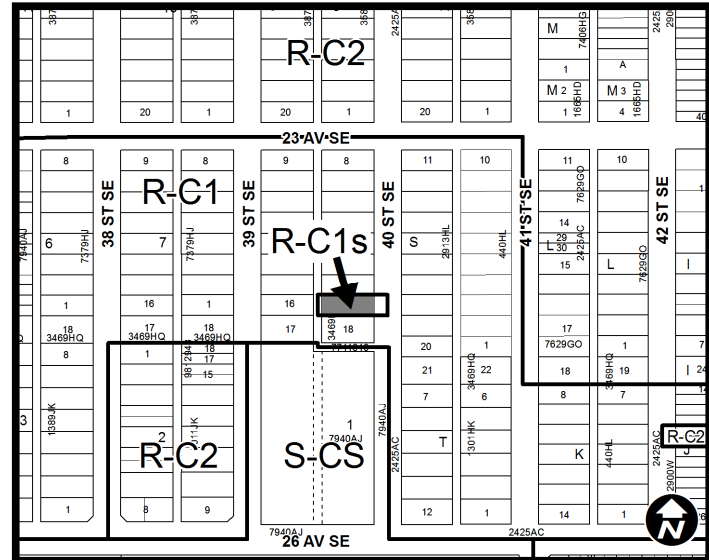
1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2431 - 40 Street SE (Plan 7379HJ, Block 8, Lot 1) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 87D2017.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district, which allows for two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with complementary with the character of the community. This proposal conforms to the *Municipal Development Plan* (MDP) and allows for development that has the ability to meet the intent of *Land Use Bylaw 1P2007* (LUB).

ATTACHMENT

1. Proposed Bylaw 87D2017

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 2431 - 40 Street SE (Plan 7379HJ, Block 8, Lot 1) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: M. Tita
Absent: G.-C. Carra

Carried: 8 – 0

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Applicant:

1768045 Alberta Ltd (Sameer Premji)

Landowner:

1768045 Alberta Ltd (Sameer Premji)

PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Forest Lawn, the site is approximately 15 metres wide by 38 metres in size and is currently developed. The parcel is developed with a single detached dwelling with a detached garage accessing the rear lane. Single detached dwellings exist to the north, south, east and west of the parcel.

Forest Lawn	
Peak Population Year	1982
Peak Population	9,088
2016 Current Population	7,711
Difference in Population (Number)	-1,377
Difference in Population (Percent)	-15%

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already contain a single detached dwelling on a parcel. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for one additional dwelling unit (in the form of a secondary suite) to be considered via the development permit/building permit process. For a secondary suite, which is a permitted use that meets all of the rules within Land Use Bylaw 1P2007, a development permit is no longer required.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP) (2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

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Municipal Development Plan (MDP) (2009)

The subject site is located within a Residential, Developed-Inner City Area as identified on Map 1: Urban structure of the Municipal Development Plan (MDP). Although the MDP makes no specific reference to the subject sites, the land use proposal is in keeping of overarching MDP policies including: Inner Areas policies (Section 3.5.2), Neighbourhood infill and redevelopment policies (Section 2.2.5) and Housing diversity and choice policies (Section 2.3.1).

Forest Lawn-Forest Heights/Hubalta Area Redevelopment Plan (ARP) (1995)

The subject site is identified as a Low Density Residential/Conservation Area. The intent of this area is to keep the existing neighbourhood quality and character while permitting redevelopment to occur that is compatible with the surrounding streetscape.

TRANSPORTATION NETWORKS

Pedestrian and vehicular access to the site is available from 40 Street SE and the rear lane. The area is served by Calgary Transit, a southbound transit stop is located within 300 metres walking distance to the north on 41 Street SE. Additionally, the parcel is approximately 300 metres north of the eastbound transit stop on 26 Avenue SE serving route 26. A northbound transit stop is located 650 metres east on 36 Street SE serving routes 23, 26, 73, and 125. On-street parking along 40 Street SE is unrestricted, vehicular access to the proposed suite is anticipated to be via the rear lane.

UTILITIES & SERVICING

Water, sanitary, and sewer services are available and can accommodate the potential addition of a Secondary Suite without the need for off-site improvements at this time. Adjustments to on-site servicing may be required if a Backyard Suite is proposed at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment, and therefore no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management matters.

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PUBLIC ENGAGEMENT

Community Association Comments

No comments were received by Administration from the Forest Lawn Community Association.

Citizen Comments

Administration received three (3) letters of objection to the application.

Reasons stated for opposition are summarized as follows:

- Potential decrease of on-street parking;
- Concerns regarding increased noise;
- Loss of privacy for neighbours;
- Transient renters causing instability in the community; and
- Desire to remain in an R-C1 only community.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

I am making this application for a land use redesignation from R-C1 to R-C1s to allow development of a secondary suite.

I intend to develop a (basement) secondary suite. The basement is currently unfinished and therefore the secondary suite will be developed from a clean slate and fully comply with the most current Alberta building and fire codes.

Given, that the subject property will contain a triple detached garage, in addition to two on-site parking stalls, any feature parking required with a secondary suite may be accommodated on-site.

A few reasons why this application should be approved:

- Property is located within walking distance to 17th Avenue SE corridor, transit, shopping, recreation, schools and other amenities.
- Secondary suites are a cost effective way of addressing rental housing needs; whilst also providing tenants with more choice in safe, low priced housing supply.
- Secondary suites allow for modest densification, without significantly changing the character of the existing neighbourhoods.

Thank you for taking the time to consider my application.