

**LAND USE AMENDMENT  
FOREST HEIGHTS (WARD 10)  
FOREST CRESCENT SE AND FOREST PLACE SE  
BYLAW 120D2016**

**MAP 14E**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel from a Residential - Contextual One Dwelling (R-C1) District to a Residential - Contextual One Dwelling (R-C1s) District to allow for a Secondary Suite or Backyard Suite. The site, which contains an existing Single Detached Dwelling, does not have a Secondary Suite or a Backyard Suite at this time, and this application was not submitted as a result of a complaint.

**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)**

2016 April 07

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 120D2016; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 311 Forest Crescent SE (Plan 7411090, Block 19, Lot 3) 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 120D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district allows for two additional residential uses (Secondary Suite and Backyard Suite) which are compatible with and complementary to the existing low density 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.

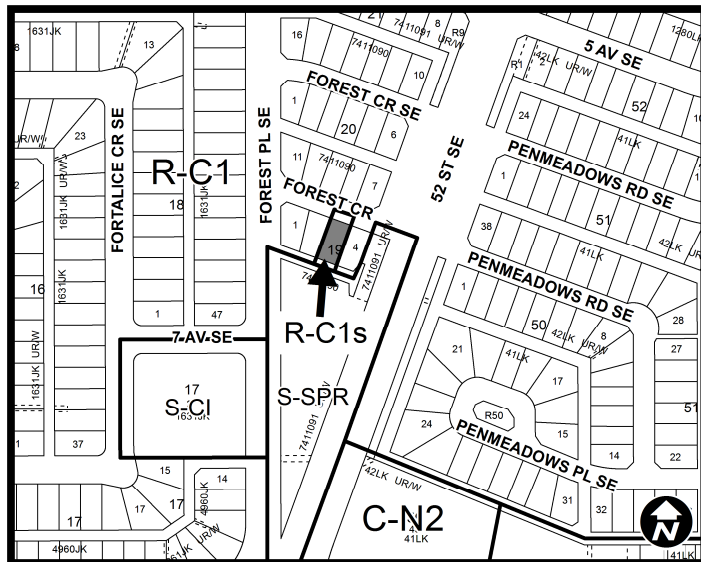
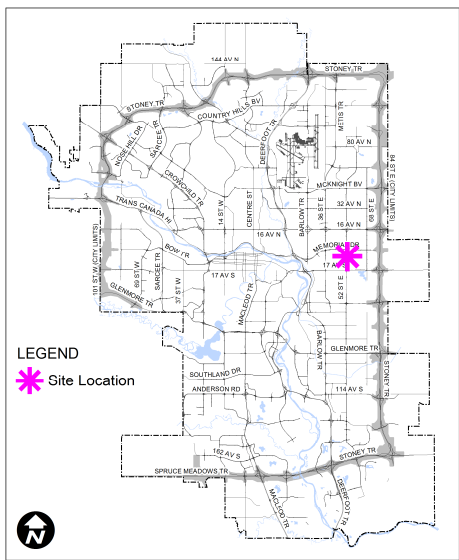
**ATTACHMENT**

1. Proposed Bylaw 120D2016

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 311 Forest Crescent SE (Plan 7411090, Block 19, Lot 3) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

**Carried: 9 – 0**

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**Applicant:**

Melvin Maschmeyer

**Landowner:**

Linda Maschmeyer  
Melvin Maschmeyer

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Forest Heights, the parcel is approximately 15.3 metres by 30.5 metres in size. The parcel is developed with a single detached dwelling with a detached double car garage that is accessed from the rear lane. Single Detached Dwellings exist to the east, west and north of the site with semi-detached dwellings to the east. City owned park space and neighbourhood commercial developments are located to the south of the site.

**LAND USE DISTRICTS**

The proposed R-C1s district allows for a Secondary Suite or a Backyard Suite on parcels that contain a Single Detached Dwelling. 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 allows for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development/building permit process. The parcel conforms to all Land Use Bylaw 1P2007 requirements. A development permit is required if a Backyard Suite or a Secondary Suite that does not conform to all Land Use Bylaw 1P2007 requirements is proposed to be developed on the site. Otherwise only a building permit is required for a Secondary Suite that complies with Land Use Bylaw 1P2007 requirements.

**LEGISLATION & POLICY**

**Municipal Development Plan (Statutory - 2009)**

The site is located within a "Residential Developed – Established Area" as identified on the Urban Structure Map (Map 1) in the Municipal Development Plan (MDP). While the MDP makes no specific reference to this site, the proposal is consistent with MDP policies including: Developed Residential Areas policies (Section 3.5.1), 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 (Statutory – 1995)**

The parcel is located within a low density conservation area in the Forest Lawn-Forest Heights/Hubalta Area Redevelopment Plan (ARP) (Map 3: Land Use Policy Areas). The

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proposal is in keeping with the low density conservation policies and Residential Land Use Policies 3.1.4 a, which intends to keep the existing neighbourhood quality and character of the area while permitting redevelopment that is compatible with the surrounding streetscape.

**TRANSPORTATION NETWORKS**

Pedestrian and vehicular access to the site is available from Forest Crescent SE and a rear lane. The area is served by Calgary Transit bus service with bus stop locations within 140 metres walking distance of the site on 52 Street SE. On-street parking adjacent to the site is unregulated.

**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.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration received a response stating that there is neither objection nor support of the application at this time.

**Citizen Comments**

No comments received by CPC Report submission date.

**Public Meetings**

No comments received by CPC Report submission date.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

This property is located at the end of the neighbourhood of Forest Heights and the rear of the house faces the triangular park at Forest Place SE, 52 St SE and 8 Avenue SE.

There are bus routes on 8 Avenue SE and 52 St SE, both within easy walking distance from the house. The 52 Street stops include the 72/73 Circle Route which and takes one to the Mount Royal terminal, The University of Alberta, McMahon Stadium and The Alberta Children's Hospital as well as throughout the City in all directions. A quick bus trip takes you to the LRT station at Marlborough.

There is plenty of shopping available within easy walking distance or on the bus route to Marlborough Shopping Centre and Franklin Centre. There are medical clinics, dentists, and chiropractors within walking distance also. There are schools from Kindergarten to High School and the Forest Heights Community Centre all within easy walking distance, plus the Forest Lawn library, Bob Bahan swimming pool, and the Ernie Starr skating rink.

The property has a two car garage which can be shared as only one half of the garage is required by us. Although street parking cannot be considered, there is plenty available as nearly all of the residences on the block have garages.

There will soon be a requirement for a considerable increase in affordable housing due to the arrival of Mid-East refugees and this could conceivably allow for a single person or a couple to stay on a property with another family to guide them, or the reverse, where a 5 bedroom house could be available with a single person or couple on site to help them transition.

On a personal note, we need to have someone else on site in order to remain in our own home. We are in our 70s and Mr Maschmeyer has progressive multiple sclerosis which has restricted his ability to care for the yard and a 4-level split house and Mrs. Maschmeyer has arthritis.

After considerable investigation of available affordable housing, there is little available to us at this time. Due to reduced income, our bank tells us that obtaining new mortgaging will be very difficult.

We are very pleased to have the opportunity to apply for this change of designation which would make staying in our home possible for the foreseeable future.

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**APPENDIX II**

**LETTERS SUBMITTED**

From: Gary Ursu [REDACTED] Sent: Mon 3/7/2016 8:52 PM  
To: Zago, Kathryn  
Cc:  
Subject: Permit number LOC2016-0014

Kate, further to our phone discussions regarding Melvin Maschmeyer's request to amend usage of his property as planning rep. for our community, I am unable to forward a yes or no to his proposal. I don't have the knowledge required to comment on his request. We will abide by your decision. However should his request be granted and the issue of secondary suites comes to light, our community may have comments to make on this issue.

Thank you  
Gary D. Ursu  
President  
Forest Heights Community Association  
Hall 403 272-0212