

LAND USE AMENDMENT  
FOREST LAWN (WARD 10)  
NORTH OF 26 AVENUE SE AT 44 STREET SE  
BYLAW 18D2016

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. The application was not submitted as a result of a complaint. There is no existing secondary suite in the dwelling.

**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 Calgary.

**ADMINISTRATION RECOMMENDATION(S)**

2015 December 17

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 18D2016; and

1. **ADOPT** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 2617 – 44 Street SE (Plan 4920HN, Block A, Lot 9) 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 18D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s land use district allows for two additional residential uses (Secondary Suite, Backyard Suite). These uses can be compatible with and complimentary to the existing low density residential character of the neighbourhood; therefore, the proposed R-C1s district is appropriate for the site.

**ATTACHMENT**

1. Proposed Bylaw 18D2016



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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 2617 – 44 Street SE (Plan 4920HN, Block A, Lot 9) 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:**

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 37 metres deep. 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. There is some neighbourhood commercial development to the site on the southwest corner of 26 Avenue SE and 44 Street SE.

The parcel is approximately 15 metres from the nearest bus stop.

**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 single parcel. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site meets the minimum R-C1s parcel size requirements. As such, the site can accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements, including the minimum parking requirement and the amenity space provisions. If any relaxation may be required, these may be considered at the development permit stage.

Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

**LEGISLATION & POLICY**

**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.

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## TRANSPORTATION NETWORKS

Pedestrian and vehicular access is available from 44 Street SE with vehicular access to the existing detached garage via the rear lane. The area is served by Calgary Transit with a bus stop located across the street, 15 metres away. The number 29 bus stop stops at this location. An additional bus stop is located 180 metres away located along 26 Avenue SE, also served by route 29, heading the opposite direction.

Street parking is permitted along 44 Street SE.

## 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 depending on the type of a secondary suite proposed. This aspect would be determined at the development permit stage.

## ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

## GROWTH MANAGEMENT

This land use 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 the MDP references associated with growth management matters.

## PUBLIC ENGAGEMENT

**Community Association Comments:** no comments received

**Citizen Comments:** Administration received one letter in support to the application. Reasons stated for support are summarized as follows:

- This existing illegal suite will require much needed renovations and improvements through this application.

**Public Meetings:** no meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

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

Below are a few reasons as to why my application should be approved:

- 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 Alberta building codes and fire codes.
- Allowing the development of legal secondary suites will provide the municipality better opportunity for ensuring minimum health and safety standards.
- A new rear quadruple detached garage exists on the property, which will more than meet the minimum parking requirements for my proposed land use.
- Secondary suites are a cost effective way of addressing rental housing needs; whilst also providing tenants with more choice in low-priced housing supply.