

**LAND USE AMENDMENT
FOREST LAWN (WARD 10)
CORNER OF 21 AVENUE SE AND 46 STREET SE
BYLAW 39D2015**

MAP 10E

EXECUTIVE SUMMARY

This land use amendment application seeks to redesignate a single residential parcel in the community of Forest Lawn from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a secondary suite. The subject site currently contains a secondary suite, but 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)

2015 February 12

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 39D2015; and

1. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.15 acres \pm) located at 2040 – 46 Street SE (Plan 8271HN, Block 12, Lot 10) 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 39D2015.

REASON(S) FOR RECOMMENDATION:

The proposed R-C1s district allows for Secondary Suites or Backyard Suites which are compatible and complimentary residential uses with the established low density character of the community. This proposal also conforms with the relevant policies of the Municipal Development Plan and allows for development that has the ability to meet the intent of the Land Use Bylaw 1P2007.

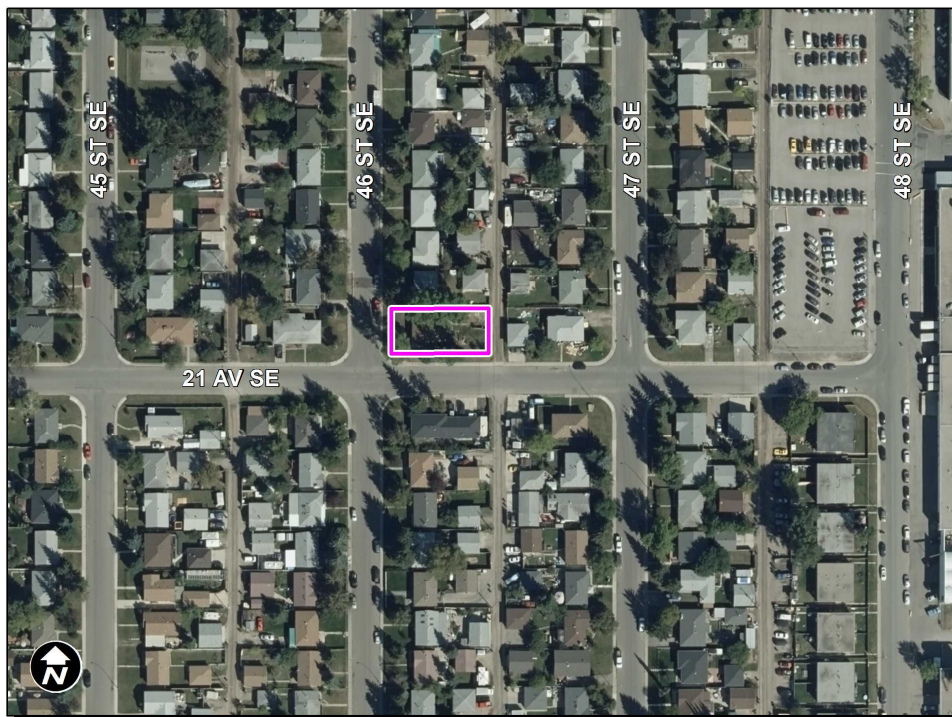
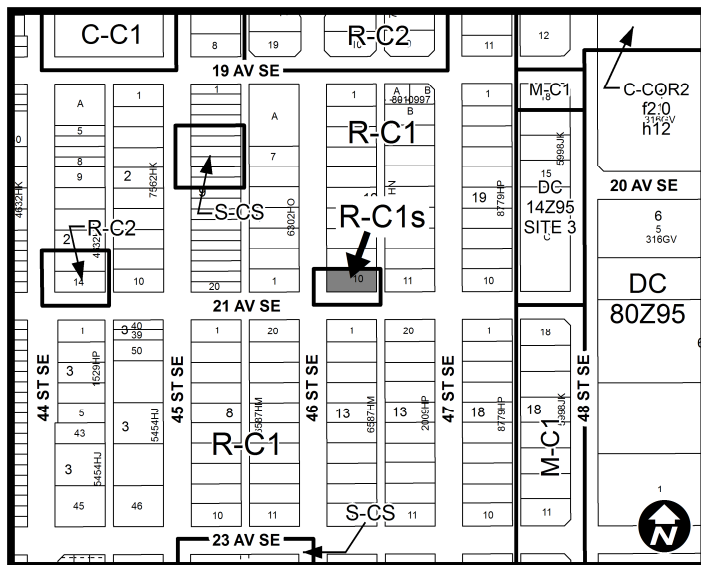
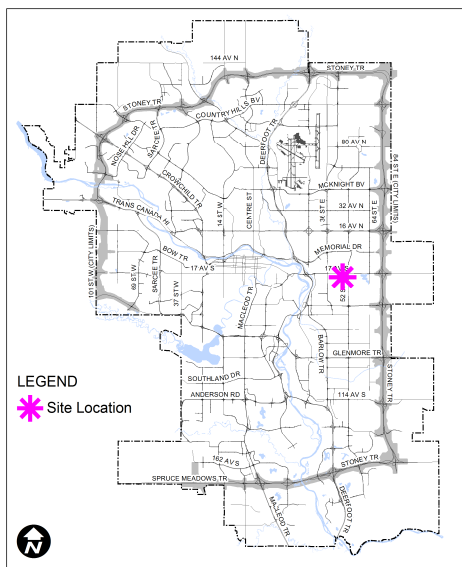
ATTACHMENT

1. Proposed Bylaw 39D2015

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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 0.06 hectares \pm (0.15 acres \pm) located at 2040 – 46 Street SE (Plan 8271HN, Block 12, Lot 10) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

Moved by: G. Morrow

Carried: 8 – 1

Opposed: M. Logan

Reason for opposition from Mr. Logan:

- Applicant has not consulted the adjacent resident on the land use change

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Applicant:

Michel Selim

Landowner:

Michel Selim
Wael Azar

Planning Evaluation Content	*Issue	Page
Density <i>Is a density increase being proposed.</i>	No	5
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	No	5
Legislation and Policy <i>Does the application comply with policy direction and legislation.</i>	Yes	5
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	No	6
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer, storm and emergency response) concerns.</i>	No	6
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	6
Public Engagement <i>Were major comments received from the circulation</i>	No	6

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PLANNING EVALUATION

SITE CONTEXT

Located in a low density residential R-C1 setting in the community of Forest Lawn, the parcel is approximately 16.8 metres wide by 36.6 metres deep and is developed with a single detached dwelling with a single detached garage with access provided from the rear lane.

LAND USE DISTRICTS

The proposed R-C1s district has the ability to accommodate secondary suites on parcels that already 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 redesignation application does not constitute approval of a specific secondary suite type, but rather allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the development permit process.

The subject site meets the minimum R-C1s parcel size requirements. As such, the site can accommodate a secondary suite and associated Land Use Bylaw 1P2007 requirements such as minimum parking and amenity space provisions. If necessary, relaxations to various land use provisions may be considered at the development permit stage.

LEGISLATION & POLICY

Municipal Development Plan (MDP) (Statutory/Approved by Council – 2009)

The parcel is located within a Developed, Residential – Established Area as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of MDP policy areas including: Neighbourhood Infill and Redevelopment and Housing Diversity and Choice policies.

Neighbourhood Infill and Redevelopment policies of the MDP generally encourage higher residential densities and redevelopment that is similar in scale and that increases the mix of housing choices, including accessory suites (secondary suites).

The Housing Diversity and Choice policies of the MDP promotes methods to efficiently use or adapt the city's existing housing stock in order to allow for families to remain in the same homes for longer time periods.

Forest Lawn/Forest Heights/Hubalta ARP (2009)

The site is identified as Low Density Residential/Conservation where an objective is to stop the development of illegal basement suites (3.1.3).

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TRANSPORTATION NETWORKS

Pedestrian access is available from 21 Avenue SE. Vehicular access is available from the rear lane, where there is an existing single detached garage and sufficient space adjacent to the garage to provide a parking pad as required. Un-regulated street parking is available on 21 Avenue SE and 46 Street SE.

The parcel is within 450 metres of the nearest Calgary Transit BRT stop on 17 Avenue SE.

UTILITIES & SERVICING

Water and sanitary/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 secondary suite proposed, with this aspect being determined at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments

The Forest Lawn Community Association has no objections.

Citizen Comments

No comments received by CPC submission date.

Public Meetings

No meetings were held by the applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

The property is located two blocks away from the 17th Ave Corridor Southeast. It has many unique features that makes it ideal for secondary suite usage:

- 550m away from BRT 305 (7 minutes walk)
- Close to all the levels of schools
- Corner lot with lots of parking availability. It has its own garage too.