

Land Use Amendment in Forest Lawn (Ward 9) at 3816 – 26 Avenue SE, LOC2023-0105

RECOMMENDATION:

That Calgary Planning Commission recommend that Council:

Give three readings to the proposed bylaw for the redesignation of 0.07 hectares ± (0.16 acres ±) located at 3816 – 26 Avenue SE (Plan 1389JK, Block 3, Lot 1) from Residential – Contextual One Dwelling (R-C1) District to Direct Control (DC) District to accommodate the additional use of Child Care Service, with guidelines (Attachment 2).

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2023
 DECEMBER 21:**

That Council give three readings to **Proposed Bylaw 59D2024** for the redesignation of 0.07 hectares ± (0.16 acres ±) located at 3816 – 26 Avenue SE (Plan 1389JK, Block 3, Lot 1) from Residential – Contextual One Dwelling (R-C1) District to Direct Control (DC) District to accommodate the additional use of Child Care Service, with guidelines (Attachment 2).

HIGHLIGHTS

- This application seeks to redesignate the subject property to allow for Child Care Service, in addition to the building types already listed in the Residential – Contextual One Dwelling (R-C1) District (e.g. single detached dwellings and secondary suites).
- The proposal allows for development that is compatible with the character of the existing neighbourhood and is in keeping with the applicable policies of the *Municipal Development Plan (MDP)* and the *Forest Lawn-Forest Height/Hubalta Area Redevelopment Plan (ARP)*.
- What does this mean to Calgarians? The proposed land use would allow for an additional use that is an important service and community amenity.
- Why does this matter? Child care services provide an important service to communities and the proposed DC District would allow for more convenient child care options for nearby residents.
- A development permit for an addition and Child Care Service has been submitted and is under review.
- There is no previous Council direction related to this proposal.

DISCUSSION

This application, in the southeast community of Forest Lawn, was submitted by Rick Balbi Architect on behalf of the landowner, Calvin Fankem Mengaptche, on 2023 April 20. A development permit (DP2023-08527) for an addition and Child Care Service has been submitted 2023 December 4 and is under review.

The 0.07 hectare (0.16 acre) site is located on the northwest corner of 38 Street SE and 26 Avenue SE. Three schools are located directly south, along 26 Avenue SE. The parcel is currently developed with a single detached dwelling and a detached garage accessed from the rear lane. The proposed DC District would allow for the additional use of Child Care Service

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within the existing building. The house may continue to operate as a residential dwelling if the child care use does not materialize or is discontinued in the future.

A detailed planning evaluation of the application, including location maps and site context, is provided in the Background and Planning Evaluation (Attachment 1).

ENGAGEMENT AND COMMUNICATION

- Outreach was undertaken by the Applicant
- Public/interested parties were informed by Administration

Applicant-Led Outreach

As part of the review of the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties and the Community Association was appropriate. In response, the applicant contacted the Forest Lawn Community Association and sent out approximately 44 letters to residences within a 150-metre radius to outline the application intent. The Applicant Outreach Summary can be found in Attachment 4.

City-Led Outreach

In keeping with Administration's practices, this application was circulated to the public/interested parties, notice posted on-site and published [online](#). Notification letters were also sent to adjacent landowners.

Administration received two letters of opposition from the public, which included the following areas of concern:

- increased traffic and parking issues;
- increased noise;
- odour and unhygienic waste from kids' diapers, trash, etc; and
- devaluation of neighbouring properties.

No comments from the Forest Lawn Community Association were received. Administration contacted the Community Association to follow up and no response was received.

Administration considered the relevant planning issues specific to the application and has determined the proposal to be appropriate. The number of children, on-site parking and waste management will be reviewed and determined at the development permit stage.

Following Calgary Planning Commission, notifications for a Public Hearing of Council for the land use amendment application will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

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IMPLICATIONS

Social

The proposed land use would allow for a child care service to be located within a residential community at a scale that fits with the neighbourhood. Child care services are important to creating complete communities and accommodating the needs of parents and caregivers within the community.

Environmental

The applicant has indicated that they may pursue specific measures, including solar panel, EV charging, and tree retention as part of a future development permit. This aligns with the *Calgary Climate Strategy – Pathway to 2050* (Programs B, F and K).

Economic

The proposed land use amendment would allow for a child care service within the residential community of Forest Lawn. Child care is an important service that allows parents and guardians to participate in the labour force and provides employment opportunities for staff of the business.

Service and Financial Implications

No anticipated financial impact.

RISK

There are no known risks associated with this proposal.

ATTACHMENTS

1. Background and Planning Evaluation
2. **Proposed Bylaw 59D2024**
3. Applicant Submission
4. Applicant Outreach Summary
5. **CPC Member Comments**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform