

Background and Planning Evaluation

Background and Site Context

The subject site is located in the southeast community of Forest Lawn at the northwest corner of 38 Street SE and 26 Avenue SE, approximately 150 metres (three-minute walk) east of 36 Street SE, which is part of the Primary Transit Network. The Forest Lawn Community Association, located on 26 Avenue SE, is approximately 160 metres (three-minute walk) to the east; and 17 Avenue SE, the Urban Main Street and commercial corridor, is located approximately 800 metres (13-minute walk) to the north. There are three schools situated across 26 Avenue SE to the south.

Surrounding development is primarily characterized by a mix of single and semi-detached dwellings designated Residential – Contextual One Dwelling (R-C1) District and Residential – Contextual One / Two Dwelling (R-C2) District with a neighbourhood commercial area located at the intersection of 26 Avenue SE and 36 Street SE.

The site is currently developed with a single detached dwelling and a detached garage. Vehicle access is available from the rear lane along the west side of the site.

Community Peak Population Table

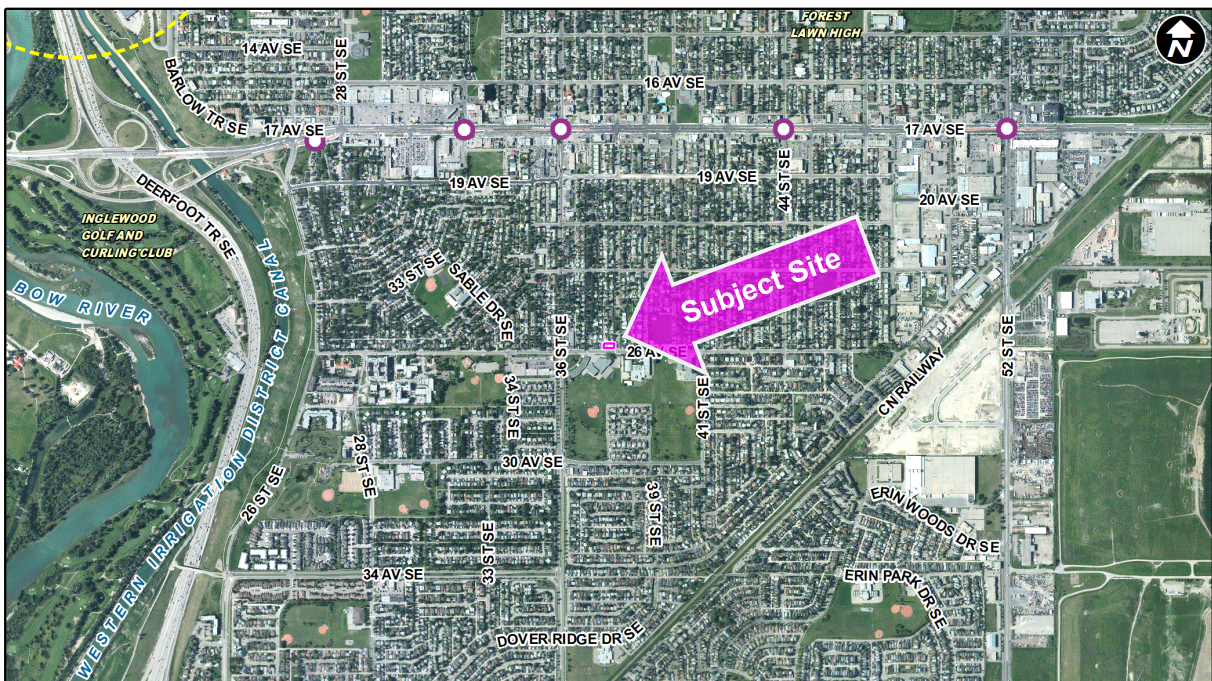
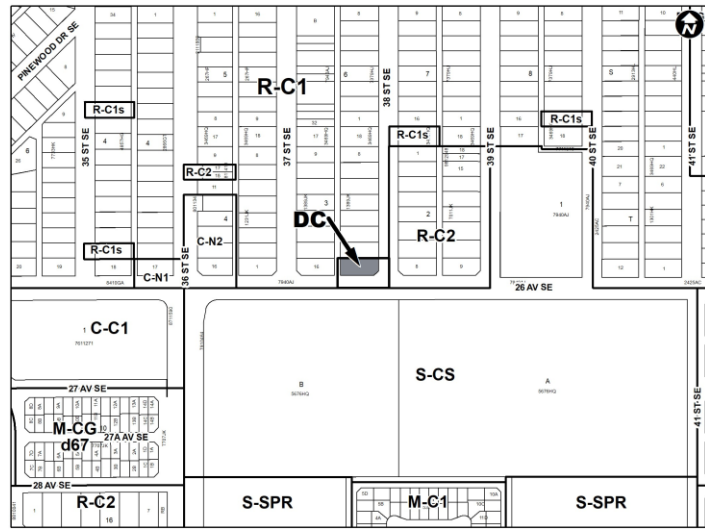
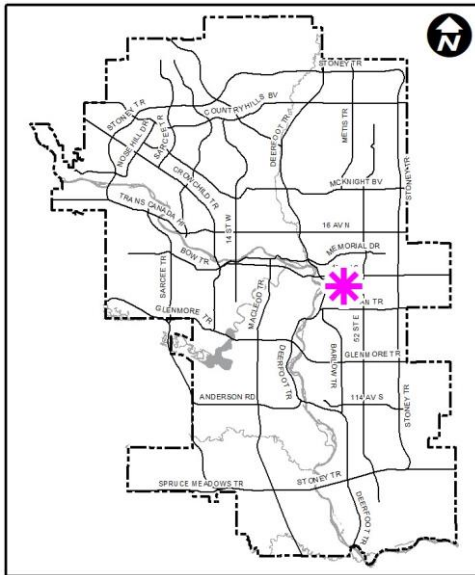
As identified below, the community of Forest Lawn reached its peak population in 1982.

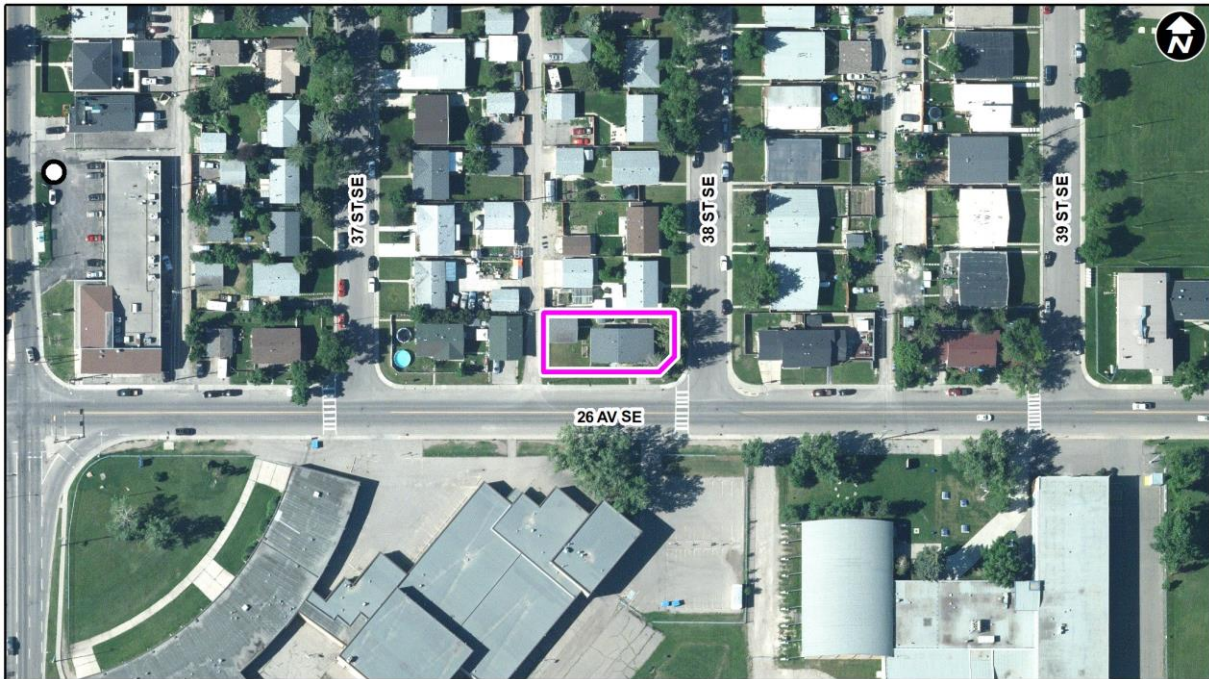
Forest Lawn	
Peak Population Year	1982
Peak Population	9,088
2019 Current Population	7,814
Difference in Population (Number)	- 1,274
Difference in Population (Percent)	- 14.02%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Forest lawn Community Profile](#).

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing R-C1 District accommodates residential development in the developed area in the form of single detached dwellings. It allows for a maximum building height of 10 metres and a maximum of one main residential building per parcel. Secondary suites are permitted uses within the R-C1 District. The R-C1 District currently allows for home based child care for up to six children with the Home Based Child Care – Class 1 use. Within this district, commercial child care services are only allowed within schools, community recreation facilities, and places of worship.

The proposed DC District is based on the existing R-C1 District with the additional discretionary use of Child Care Service. All existing rules and regulations in the R-C1 District would be maintained, including height and general massing allowable for any new buildings. The DC District is intended to:

- allow for the conversion of the existing dwelling, or development to a new facility in a dwelling, that meets the R-C1 District rules for a child care service; and
- allow for residential uses consistent with the surrounding developments if the Child Care Service use is not commenced or is discontinued in the future.

Pursuant to Section 20 of the Land Use Bylaw 1P2007, this application for a DC District has been reviewed by Administration and the use of a Direct Control District is necessary to provide

for the applicant's proposed development due to the unique characteristics of a Child Care Service being proposed within an existing low density residential area. This proposal allows for the applicant's intended Child Care Service use while maintaining the R-C1 District base. The same result could not be achieved through the use of a standard land use district in the Land Use Bylaw.

The proposed DC District includes a rule that allows the Development Authority to relax Section 6 of the DC District bylaw. Section 6 incorporates the rules of the base district in bylaw 1P2007 where the DC District does not provide for specific regulation. In a standard district, many of these rules can be relaxed if they meet the test for relaxation of bylaw 1P2007. The intent of this DC District rule is to ensure that rules of Bylaw 1P2007 that regulate aspects of development that are not specifically regulated in this DC District can also be relaxed in the same way that they would be in a standard district.

Development and Site Design

The rules of the proposed DC District and the *Child Care Service Policy and Development Guidelines* would provide guidance for the future development of the site. A discretionary use development permit would be required to enable Child Care Service for more than six children. The maximum number of children on site, parking, location of pick-up and drop-off stalls, site layout and outdoor play area will be reviewed and determined through the development permit process. The child care service operator will require provincial licensing and will be evaluated by the Province under the [Early Learning and Child Care Act](#). This land use redesignation and the subsequent development permit are a prerequisite to get the license.

Transportation

Pedestrian access to the site is available from existing sidewalks along 26 Avenue SE and 38 Street SE. Street parking is available on both 26 Avenue SE and 38 Street SE. Direct vehicle access to the parcel is provided through the rear lane. The site is within 200 metres (three-minute walk) to 36 Street SE, which is serviced by public transit such as Route 43 (McKnight/Westwinds Station – Chinook Station), Route 135 (Marlborough Station – 36 Street SE/Erin Woods), and Route 155 (West Dover).

A Transportation Impact Assessment was not required as part of this application.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

Water, sanitary sewer, and storm sewer mains are available to this site. Future details for servicing and waste collection facilities will be reviewed at the development stage.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

Administration's recommendation aligns with the policy direction of the [South Saskatchewan Regional Plan](#), which directs population growth in the region to cities and towns, and promotes the efficient use of land.

Growth Plan (2022)

Administration's recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Growth Plan](#) (GP). The proposed land use amendment builds on the principles of the GP by promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Inner City Area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The Inner City Area comprises primarily residential communities in the form of low to moderate housing densities. The MDP speaks to the importance to maintain stable family neighbourhoods in the Inner City Area and city wide policies encourage child care services in residential and mixed-use communities in addition to commercial areas, Activity Centres and Main Streets.

This proposal is in keeping with relevant MDP policies. The proposed DC District maintains a building form that is consistent with the existing development in terms of height, scale and massing, but also supports complete communities by allowing for child care services within a residential area.

Calgary Climate Strategy (2022)

Administration has reviewed this application in relation to the objective of the [Calgary Climate Strategy – Pathways to 2050](#) programs and actions. The applicant indicates the possibility to provide solar panel usage, EV charging, and tree retention as part of a future development and building permits applications. This supports Program B: Existing buildings; Program F: Zero emission Vehicles; and Program K: Nature infrastructure of the *Climate Strategy*.

Forest Lawn-Forest Height/Hubalta Area Redevelopment Plan (Statutory – 1995)

The [Forest Lawn-Forest Heights/Hubalta Area Redevelopment Plan](#) (ARP) identifies the subject site as being part of the Low Density Residential/Conservation category (Map 2: Land Use Policy Areas). The Low Density Residential/Conservation area is characterized as predominantly single and semi-detached dwellings. There are no specific policies related to child care service; however, the primary goal of the ARP is to stabilize and revitalize the community. To achieve this goal, providing local job opportunities for residents and developing the necessary supportive services, including day cares are recommended. The proposed land use amendment is aligned with the ARP.

Greater Forest Lawn Communities Local Area Planning Project

Administration is currently working on the [Greater Forest Lawn Communities local area planning project](#) which includes Forest Lawn and surrounding communities. The proposed land use is in alignment with the applicable urban form category and building scale modifier found in the draft [Greater Forest Lawn Communities Local Area Plan](#). Planning applications are being accepted for processing during the local area planning process and are reviewed using existing legislation and Council approved policy.

Child Care Service Policy and Development Guidelines (Non-Statutory – 2009)

The proposal has been evaluated using the [Child Care Service Policy and Development Guidelines](#). This is a non-statutory policy intended to guide the development of child care services in a variety of districts and a variety of sizes across Calgary, including in the low density residential areas. This policy also provides development guidelines to manage the impacts within low density residential areas, which would be reviewed at the development permit stages.

Policies within this document note that child care is an integral part of complete communities, and that Child Care Services for greater than six children may be considered for a land use redesignation in low density areas provided the parcel meets the site selection criteria and development guidelines contained within this policy. The parcel and proposed DC District generally align with the applicable site selection criteria as noted below:

- located across the street from three schools and close to the community association to the east;
- the site has the ability to accommodate an outdoor play area;
- the site can accommodate on-site parking accessed from the rear lane, and includes dual frontage for the provision of pick-up and drop off;
- the site is located on a collector road;
- the site is located on a corner parcel; and
- no other child care services are noted on the same block.

The development guidelines are intended to inform more specific site and building design details at the development permit review stage. This includes parking, maximum capacity, privacy considerations, orientation of any outdoor play areas and signage. A preliminary review indicates the site's characteristics would allow for these development guidelines to be applied.