

**LAND USE AMENDMENT  
BOWNESS (WARD 1)  
BOWWATER CRESCENT NW EAST OF BOWNESS ROAD NW  
BYLAW 33D2015**

**MAP 35W**

**EXECUTIVE SUMMARY**

This land use amendment proposes redesignation of a residential parcel from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District to allow for a Backyard Suite.

**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 January 29

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 33D2015; and

1. **ADOPT** the proposed redesignation of 0.07 hectares  $\pm$  (0.17 acres  $\pm$  ) located at 5836 Bowwater Crescent NW (Plan 4610AJ, Block 10, Lots 24 and 25) 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 33D2015.

**REASON(S) FOR RECOMMENDATION:**

This proposal is in conformance with the applicable policies of the Municipal Development Plan and the local area plan. The subject parcel exceeds the lot area, width, and depth requirements, has lane access, and is able to accommodate the parking requirements set out in the Land Use Bylaw.

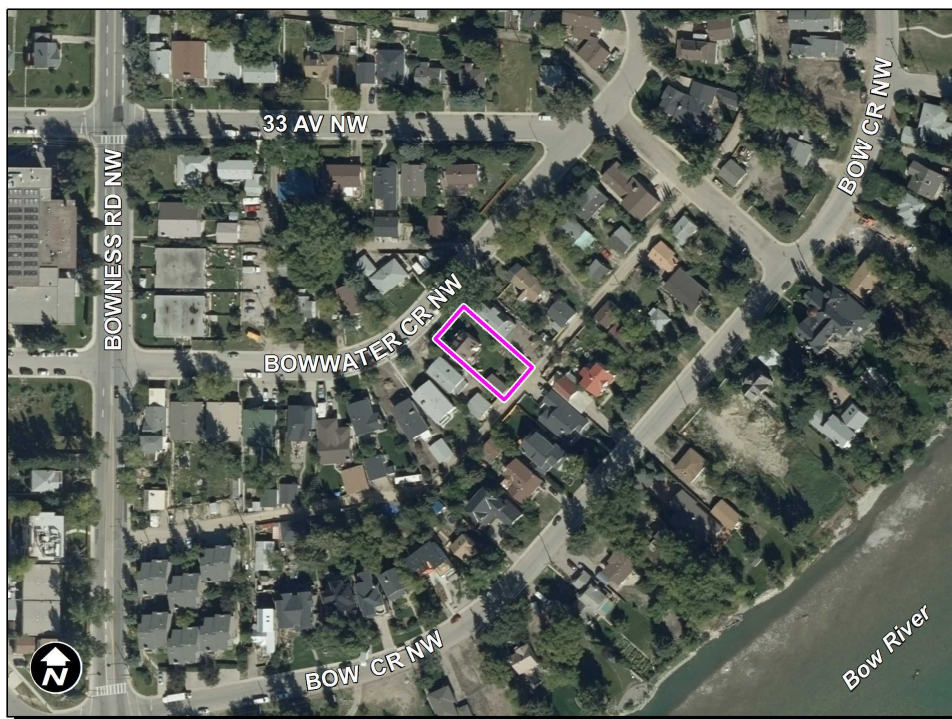
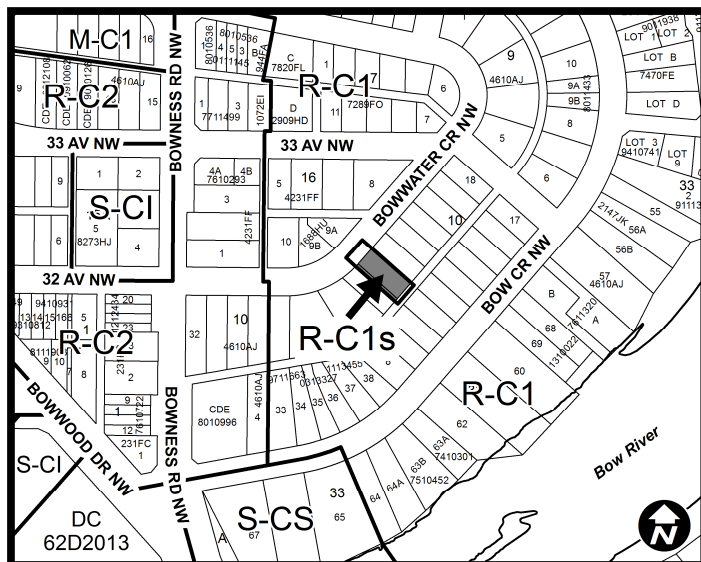
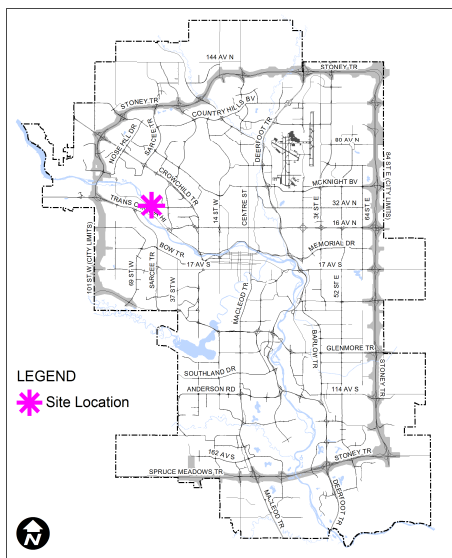
**ATTACHMENT**

1. Proposed Bylaw 33D2015

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LOCATION MAPS



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BYLAW 33D2015

MAP 35W

**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.07 hectares  $\pm$  (0.17 acres  $\pm$  ) located at 5836 Bowwater Crescent NW (Plan 4610AJ, Block 10, Lots 24 and 25) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: S. Keating**

**Carried: 8 – 0**

Comments from Ms. Wade:

- Clarity on what is meant by “environmentally friendly development will be conducted at Development Permit stage”. This should be discussed with the Applicant. Statement is vague and the intent is not clear.

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**Applicant:**

Seven Designs

**Landowner:**

Kyle Kay  
Karine El Hashemi

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

\*Issue - Yes, No or Resolved

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MAP 35W

## PLANNING EVALUATION

### SITE CONTEXT

The subject parcel is located in the Community of Bowness, on Bowwater Crescent NW east of Bowness Road NW. Surrounding development consists of low density residential dwellings. The subject site benefits from rear lane access off of Bowness Road NW and 33 Avenue NW.

### LAND USE DISTRICTS

The proposed R-C1s District allows for the development of a secondary suite in addition to a Single Detached Dwelling on a single parcel.

The subject site exceeds the R-C1s parcel size requirements. As such, the parcel is large enough to accommodate a secondary suite and its associated Land Use Bylaw 1P2007 requirements such as minimum motor vehicle parking stalls. Relaxations to various land use provisions may also be considered at the development permit stage.

### LEGISLATION & POLICY

#### Municipal Development Plan (2009 – statutory)

The subject site is identified as Developed Residential Area - Inner City on Map 1 – Urban Structure of the Municipal Development Plan (MDP). Although the document makes no specific reference to the site, the proposed land use amendment is in keeping with a number of overarching MDP policies.

- *Neighbourhood Infill and Redevelopment* policies encourage higher residential densities and redevelopment that is similar in scale and nature, and that increases the mix of housing choices including accessory suites.
- *Housing Diversity and Choice* policies encourage the provision of a wide range of housing types, tenures and densities that may meet affordability, accessibility, life cycle and lifestyle needs of different groups; an adaptation of the City's existing housing stock to enable changing households to remain in the same neighbourhood for longer time periods through allowing accessory suites in low density areas.

Notwithstanding the above, section 1.4.4 of the MDP states that Area Redevelopment Plans (in this case the Bowness Area Redevelopment Plan) in existence prior to approval of the MDP are recognized by the MDP as policies providing specific direction for the local context.

The subject site is located in the Residential Single-Detached District as identified on Map 10 of the Bowness Area Redevelopment Plan (ARP).

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**TRANSPORTATION NETWORKS**

A Transportation Impact Assessment was not required.

The parcel is served by Calgary Transit, with a bus stop 290 metres north west of the site, and another 350 metres north west of the site. Vehicular access is available from the rear lane. Vehicular access design and its location will be reviewed and determined at the development permit stage.

**UTILITIES & SERVICING**

All required services are available for the proposed land use. The existing servicing can accommodate the proposed development without the need for upgrades or adjustments to the existing infrastructure.

**ENVIRONMENTAL ISSUES**

An Environmental site assessment was not required

**ENVIRONMENTAL SUSTAINABILITY**

An analysis of site specific measures that would contribute toward an environmentally friendly development will be conducted at the development permit stage.

**GROWTH MANAGEMENT**

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Community Association has no objection to the proposal (APPENDIX II).

**Citizen Comments**

No comments

**Public Meetings**

No public meetings were held

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MAP 35W

APPENDIX I

APPLICANT'S SUBMISSION

Please accept for your review our application for a land use amendment to 5836 Bowwater Cr NW. This application is for the sole purpose of increasing the current density of the parcel to allow for a *Secondary suite – Detached Garage*. With the current incentives offered by the City of Calgary to increase density, we believe that this is an ideal parcel for such a development. Detailed below are solutions to issues that we believe will be of concern to both the Calgary Planning Commission (CPC) and City Council during their detailed review of this application.

Relaxations

From our initial assessment of the parcel we are confident that the proposed amendment will not require any relaxations to the LUB with regards to the requirements of the R-C1s designation. The subject parcel exceeds the lot area, width and depth requirements. Furthermore the parcel will meet all requirements for the proposed secondary suite as well.

Impact on built form/ massing

If approved, a development permit application will be submitted for a Secondary Suite – Detached Garage. As a new garage with a suite above will be built in accordance of the rules set out for secondary suites – detached garages, there will be an impact on the massing of the site. To aid in reducing the 'out-of place look' the design team will ensure that similar architectural styles, materials and colours are used to make certain that this garage will fit into its surrounding neighborhood.

Parking

The parking requirements set out in the LUB: Part 4, Division 1, Section 295 will easily be met as the parcel in question has lane access and over 17m of property parallel to the rear lane as well as the new garage that will be applied for if this re-designation is approved.

Access to Transit

Bus:

The subject parcel is located to a variety of transit options including:

- 290m (3 min walk) to NB Bowness RD @ 33 AV NW serviced by #1: Bowness and Forest Lawn.
- 350m (5 min walk) to EB 33 AV NW @ Bowwood DR serviced by #40: Northhill.

Drive:

This parcel is conveniently located minutes from the Trans Canada Hwy giving great accessibility to the University of Calgary, Downtown and other North, South, East and West destinations.

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Public Consultation

This parcel falls under the Bowness Community Association and as part of the application they have been contacted regarding this parcel and proposed re-designation. I have forwarded letters to the surrounding properties, all returned with support for this development. I was also invited to speak at the Bowness Community association meeting. I have the communities support for this application and was advised to continue with this application and submit for City review.



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**APPENDIX II**

**COMMUNITY ASSOCIATION LETTER**

December 10, 2014

Dear Jenna,

The Bowness Community Association (BCA) is pleased to have an opportunity to comment on the above rezoning.

The applicant and his architect were contacted by the BCA to present their proposal to the Planning Development Committee in November. Committee members have indicated support as:

- a) The development is in an appropriate transition zone between multi-family, duplex and single family.
- b) The applicant engaged with the neighbours and provided letters from 9 neighbours including the property across the alley. This reflects unanimous support from all those who would be impacted and established that it is a “good fit” for the neighbourhood.
- c) The property is owner-occupied. Any concerns with height, massing, overlooking, etc. will be dealt with at the development permit stage.
- d) The City has promoted secondary suites as a form of “invisible density” and the proposed garage suite adds a very modest density increase to the site while preserving the street appearance of a single family dwelling.

In discussion, the Planning Committee wanted to make it clear that this is not blanket support for garage suites, but in this instance, was a case-by-case evaluation of the merits.

Should you have any questions, please do not hesitate to contact us below.

Thank you,

Lisa Chong  
Planning Coordinator