

Land Use Amendment in Bowness (Ward 1) at 7936 and 7938 – 33 Avenue NW, LOC2023-0018

RECOMMENDATION:

That Calgary Planning Commission recommend that Council give three readings to the proposed bylaw for the redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 7936 and 7938 – 33 Avenue NW (Plan 5960AM, Block 12, Lot 19) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2023 JULY 20:

That Council give three readings to **Proposed Bylaw 144D2023** for the redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 7936 and 7938 – 33 Avenue NW (Plan 5960AM, Block 12, Lot 19) from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One / Two Dwelling (R-C2) District.

HIGHLIGHTS

- This application seeks to redesignate the subject site to allow for semi-detached and duplex dwellings in addition to the building types already allowed (for example single detached dwellings and secondary suites) in the community of Bowness to the Residential – Contextual One / Two Dwelling (R-C2) District to correct an anomaly in the designation of these semi-detached dwellings, bringing them into compliance with the Land Use Bylaw.
- This application aligns with relevant planning policies in the *Municipal Development Plan* (MDP) and the *Bowness Area Redevelopment Plan* (ARP).
- What does this mean to Calgarians? This proposed land use amendment legalises an existing situation bringing existing development into conformance with Land Use Bylaw rules.
- Why does this matter? This land use amendment enables existing homeowners to be in conformance with current planning policies and rules and so allows for future development under the R-C2 land use should this be desired.
- No development permit has been submitted as this time.
- Council passed a Notice of Motion on 2022 February 22 directing Administration to waive fees for redesignation applications on non-conforming semi-detached dwellings.

DISCUSSION

This application, in the community of Bowness, was submitted by Michelle Caffrey, owner of 7938 – 33 Avenue NW, and Alexander Khalil on behalf of Yield Capital Corporation, owner of 7936 – 33 Avenue NW, on 2023 January 20.

The application comprises of two adjacent parcels, 7936 and 7938 – 33 Avenue NW. Each parcel is 0.03 hectares (0.07 acres) in size.

Through various updates to land use bylaws over the years, the current R-C1 land use designation for these parcels has resulted in nonconforming uses on the site. As indicated in the Applicant Submission (Attachment 2), the purpose of this application is to enable the existing

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semi-detached dwellings on the parcels to become legal conforming uses by redesignating to the R-C2 land use designation.

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

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.

One letter of opposition was received, citing concerns over increased density and availability of parking.

With respect to the comments provided, Administration considers the increase in density from R-C1 to R-C2 to be appropriate and in line with planning policy, particularly given the development form on the parcels is not proposed to change. Administration considered relevant planning issues specific to the application and has determined the proposal to be appropriate.

The Bowness Community Association replied to Administration's standard circulation form and indicated no objection (Attachment 3).

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

IMPLICATIONS

Social

No social implications are identified.

Environmental

This application does not include any actions that specifically address the objectives of the *Calgary Climate Strategy – Pathways to 2050*. Further opportunities to align future development on this site with applicable climate strategies will be explored and encouraged at subsequent development approval stages.

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Economic

The existing semi-detached dwellings currently occupying the parcels allow for an efficient use of land, existing infrastructure and services offering housing choice and contributing to compact housing in the community of Bowness.

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. Applicant Submission
3. Community Association Response
4. **Proposed Bylaw 144D2023**
5. **CPC Member Comments**

Department Circulation

General Manager (Name)	Department	Approve/Consult/Inform