

**POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
BYLAWS 19P2016 AND 94D2016**

MAP 15C

SUPPLEMENTARY REPORT

Calgary Planning Commission Directives:

Calgary Planning Commission (CPC):

1. Files and abandons Administration's recommendation of REFUSAL;
2. Directs Administration to prepare an amendment to the Beltline Area Redevelopment Plan (ARP) to indicate an acceptable destination for any heritage density transferred from the subject site to the site to the immediate northwest (catty/kitty corner) and return as soon as possible to CPC with the proposed amendment;
3. Subject to CPC's review of the proposed ARP amendment:
 - a. Recommends APPROVAL by Council of the proposed Land Use Amendment to CC-X;
 - b. Recommends that Council withhold second and third readings of the Land Use and ARP amendment subject to Council designation of the subject site as a Municipal Heritage Resource.

A draft version of the recommendation outlined in this report was reviewed by CPC members, who expressed support for the proposed solution and indicated that it addressed concerns outlined by CPC in 2015 April.

ADMINISTRATION CONSULTATION WITH APPLICANT

Administration has:

- shared the proposed approach, including the wording of the proposed amendments to the Beltline ARP with the applicant.
- Initiated discussions between the applicant and The City's Senior Heritage Planner with respect to obtaining Council designation of the subject site as a Municipal Heritage Resource.

AMENDED PLANS:

None.

PREVIOUS COUNCIL DIRECTION

None.

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ADMINISTRATION RECOMMENDATION(S)

2016 March 10

That Calgary Planning Commission recommends **APPROVAL** of the proposed Policy Amendment and Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 19P2016 and 94D2016; and

1. **ADOPT** the proposed amendments to the Beltline Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give first reading to the proposed Bylaw 19P2016; and
3. **WITHHOLD** second and third readings pending Municipal Historic Designation of the site or until any other mechanism to ensure such designation is in place.
4. **ADOPT** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District to Centre City Mixed Use District (CC-X), in accordance with Administration's recommendation; and
5. Give first reading to the proposed Bylaw 94D2016; and
6. **WITHHOLD** second and third readings pending Municipal Historic Designation of the site or until any other mechanism to ensure such designation is in place.

REASON(S) FOR RECOMMENDATION:

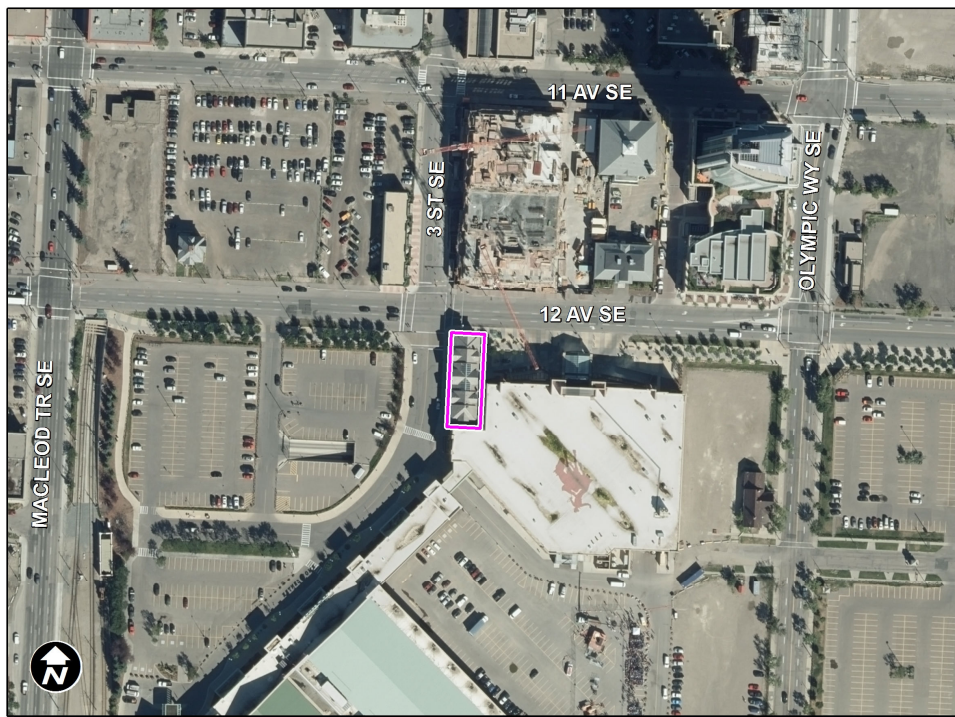
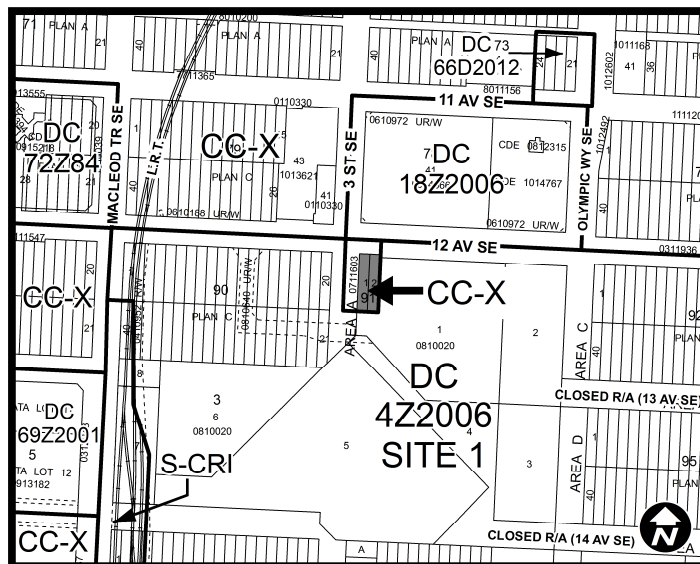
The recommendation clearly aligns with CPC's directive and leads to an outcome that contributes to The City's overall objectives relating to continued redevelopment in the eastern Beltline while facilitating the applicant's overall aspirations for their sites.

A heritage building with legal protection from the Province of Alberta is located on the subject site. The owner does not intend to modify, change or alter in any way the structure or appearance of the building, or to change the existing uses carried on at the site.

The purpose of this land use amendment is to enable the owner to offset the higher costs of repair and maintenance associated with the historic building by allowing for transfer of the additional building floor area density that would be gained through this land use amendment.

ATTACHMENTS

1. Proposed Bylaw 19P2016
2. Proposed Bylaw 94D2016

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the Beltline Area Redevelopment Plan; (SUPPLEMENTARY APPENDIX I)
2. Give first reading to the proposed Bylaw; and
3. **WITHHOLD** second and third readings pending Municipal Historic Designation of the site or until any other mechanism to ensure such designation is in place.

Moved by: M. Wade **Carried: 8 – 0**
Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.
4. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X).
5. Give first reading to the proposed Bylaw; and
6. **WITHHOLD** second and third readings pending Municipal Historic Designation of the site or until any other mechanism to ensure such designation is in place.

Moved by: M. Wade **Carried: 8 – 0**
Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

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SUPPLEMENTARY APPENDIX I

**PROPOSED AMENDMENTS TO THE
BELTLINE AREA REDEVELOPMENT PLAN**

- (a) Deleting existing Map 3 entitled “Land Use Concept” and inserting the revised Map 3 entitled “Land Use Concept” (SUPPLEMENTARY APPENDIX II).
- (b) Under Section 4.6 Special Policy Areas, deleting “A Special Policy Area is being created” and replacing with “Special Policy Areas are being created”.
- (c) Under Section 4.6 Special Policy Areas, inserting a new subsection after subsection 4.6.1 as follows:

4.6.2 Special Policy Area 2

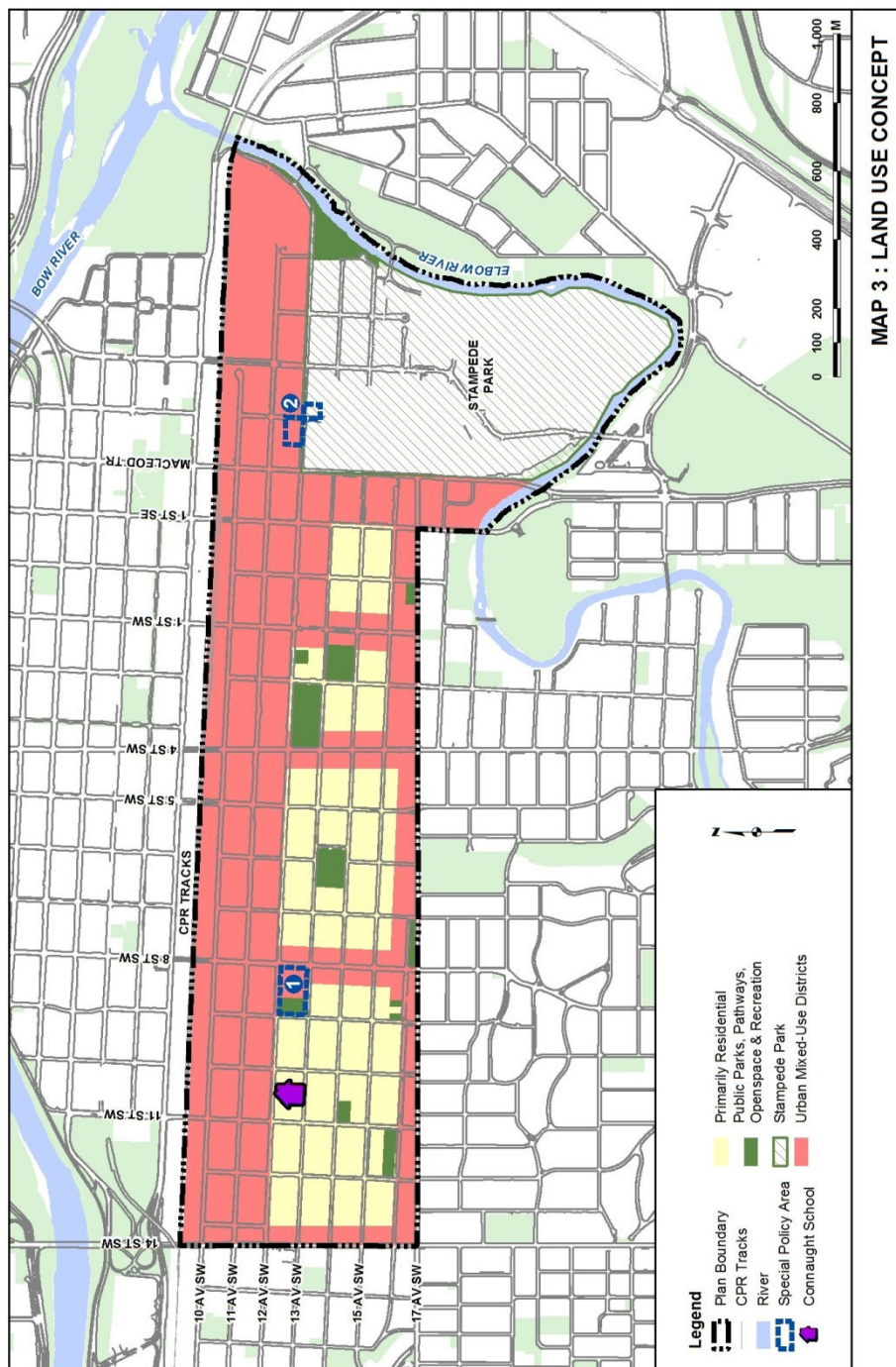
General Policies

- a) *Notwithstanding Section 5 of this plan, a maximum of 9 FAR may be allowed within Site 1 of Special Policy Area 2 provided the Dafoe Terrace is designated by bylaw as a Municipal Historic Resource pursuant to normal City process.*
- b) *Any unused surplus density from Site 1 of Special Policy Area 2 must only be transferred to Site 2 of Special Policy Area 2.*

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SUPPLEMENTARY APPENDIX II



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SUPPLEMENTARY REPORT

Calgary Planning Commission Directives

The Calgary Planning Commission REFERRED the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District to Centre City Mixed Use District (CC -X) back to the Administration to address the following:

- Clarify issues of precedence so as not to “re-open” Heritage Designated sites across the city;
- Fairly balances the requested density transfer with other existing bonusing mechanisms so as not to undermine public benefit; and
- Ensure that the receiving area for this density transfer is a high-quality achievement of policy aspirations within the Beltline (potentially through a concurrent LOC/DP);

and return to Calgary Planning Commission no later than Q4 of 2015.

Reasons for Approval or Opposition

Several Commissioners provided reasons for opposition or approval:

- Preference for a negotiated solution involving clear demonstration of public benefits through increased density on the Fairey Terrace site (NW corner of 12 Avenue and 3 Street SE);
- Concern over how artificially creating heritage density may set a difficult precedent and could undermine heritage preservation on other sites throughout the Centre City;
- Perception of an opportunity to reconsider land use policies in the Beltline Area Redevelopment Plan (ARP) for the lands south of 12 Avenue and east of MacLeod Trail SE;

ADMINISTRATION CONSULTATION WITH APPLICANT

Administration has liaised with the applicant, who has indicated that they:

- would like to continue to pursue redesignation to CC-X or a CC-X based DC Direct Control district, allowing for up to 9 FAR;
- see an eventual Development Permit (DP) process at a recipient site as the appropriate time for Commission to evaluate the merits of awarding the eventual density requested
- are willing to revise this application to seek a CC-X based DC district restricting the density transfer to the Fairey Terrace building and surrounding lands located at the northwest corner of 12 Avenue and 3 Street SE; and
- would like to proceed with this application without triggering or participating in a comprehensive review of the policies of the Beltline Area Redevelopment Plan (ARP) for all lands south of 12 Avenue east of MacLeod Trail SE.

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Administration understands the perspective of the applicant with respect to these concerns, but does not support the addition of density to this site for the sole purpose of transfer off-site, in the absence of a comprehensive planning rationale leading to a review of the Beltline ARP policies for all lands south of 12 Avenue east of MacLeod Trail SE.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 December 17

That Calgary Planning Commission recommends **REFUSAL** of the proposed Land Use Amendment.

REASON(S) FOR RECOMMENDATION:

A heritage building with legal protection from the Province of Alberta is located on the subject site. The owner does not intend to modify, change or alter in any way the structure or appearance of the building, or to change the existing uses carried on at the site. The purpose of this land use amendment is to enable the owner to offset the higher costs of repair and maintenance associated with the historic building by allowing for transfer of the additional building floor area density that would be gained through this land use amendment.

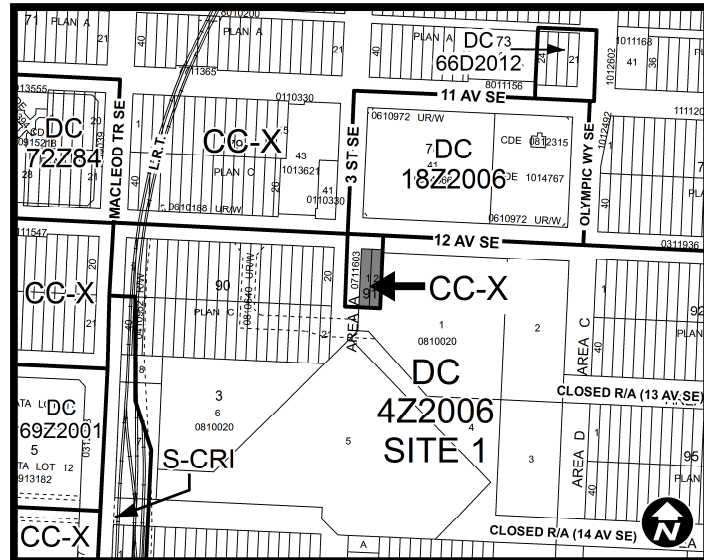
Adjacent sites to the east, west and south of the subject site are included in the same direct control land use district as the subject site with the same maximum building floor area of three times the site area. The CC-X and DC land use districts north of the subject site and north of 12 Avenue SE allow for maximum building floor areas up to nine times the site area. 12 Avenue SE is the boundary between maximum building densities of nine times the site area to the north of the avenue and maximum building densities of three times the site area to the south of the avenue. The proposed land use amendment is not consistent with the maximum building density planning in the Beltline Area Redevelopment Plan.

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In addition to these initial reasons for the recommendation (previous page), which Administration still considers valid, the table below outlines how Administration considered Calgary Planning Commission directives.

CPC Directive	Administration Response
Clarify issues of precedence so as not to 're-open' Heritage Designated sites across the city;	Precedent for heritage sites is to adopt the land use designation that is appropriate, as set out in Council-adopted statutory policy, for those sites and to then facilitate transfer of any excess density at the time of a receiving site making use of this density. In this case, the applicant is requesting a substantial increase in density above and beyond what is set out in the Beltline ARP. This is not the standard approach for heritage sites elsewhere in the city.
Fairly balance the requested density transfer with other existing bonusing mechanisms so as not to undermine the public benefit; and	The application to re-designate to CC-X would allow a future application on a potential receiving site to choose among a variety of mechanisms for obtaining additional density, including heritage density transfer. Council direction as set out in the Beltline ARP does not specifically prioritize or rank the different public benefits that the various bonus items are intended to secure.
Ensure that the receiving area for this density transfer is a high-quality achievement of policy aspirations within the Beltline (potentially through a concurrent LOC/DP).	<p>The applicant has indicated that in their view, CPC "will be able to evaluate the Development Permit (DP) for the Fairey Terrace site when it is submitted at a future date, and at that time determine if the density transfer requested is justified. We recognize that these additional conditions may necessitate a Direct Control designation with CC-X guidelines."</p> <p>Administration's view is that achieving DP level assurance of quality, whether solely through this land use amendment or a potential concurrent application, is not feasible at this time and that the DP process presents CPC with an opportunity to make this determination if and when any significant application makes use of heritage density transfer.</p>

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **REFUSE** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X).

2015 December 17

MOTION:

The Calgary Planning Commission **FILED** Administration's recommendation of **REFUSAL** and recommends that Council:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X); and
2. Give three readings to the proposed Bylaw.

Moved by: G.-C. Carra

WITHDRAWN

Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

MOTION:

The Calgary Planning Commission **TABLED** the Item to the end of the Agenda to so Administration and the Applicant can consult with the Law Department to craft a recommendation that reflects the discussion had with CPC.

Moved by: G.-C. Carra

Carried: 9 – 0

Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

The Calgary Planning Commission **LIFTED THE ITEM FROM THE TABLE.**

MOTION:

1. The Calgary Planning Commission **FILED** Administration's recommendation of **REFUSAL**; and
2. **REFERRED** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1

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and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X) back to the Administration; and

3. **DIRECTS** Administration to prepare an amendment to the Beltline Area Redevelopment Plan to indicate an acceptable destination for any heritage density transferred from the subject site to the site immediate northwest (catty/kitty corner) and return to Calgary Planning Commission as soon as possible.

Moved by: G.-C. Carra

Carried: 8 – 0

Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Reasons for Approval from Mr. Friesen:

- I supported this rezoning since it appeared that a workable agreement had finally been reached by the owner and the City regarding how the extra FAR would be allocated. Why this had not happened sooner is unclear but it seems that CPC was finally able to act as a forum to resolve the matter. Perhaps this is an example of CPC doing what it is meant to do.
- It seemed clear that the zoning was wrong in the first place and the mistaken notion of significantly different zoning on opposite sides of a street was raised again during the discussion. The owner has been very responsible in caring for these historic sites and is quite willing to pursue historic designations. This type of attitude should be encouraged whenever possible.

Comments from Ms. Gondek:

- This does not have to be perceived as a precedent setting recommendation. It the perspective is that the subject site should have been included into the CC-X district rather than the Stampede DC district, then this land use change that permits density transfer becomes more of a housekeeping item.
- A DC based on the CC-X district will dictate the terms of any contemplated density transfer, including if there should be a specific receiving site.
- The DP process will review the proposal and allow the Development Authority to determine if density transfer is appropriate for the receiving site and if the design is of the standard and quality desired.

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EXECUTIVE SUMMARY

The proposed land use amendment is to replace the existing DC Direct Control District with the Centre City Mixed Use District (CC-X). This would increase the maximum building floor area from a maximum of 3 times the site area to a maximum of 9 times the site area. A legally protected heritage building is located over the subject site. If the proposed land use amendment is approved, the landowner's intent is to transfer the new additional density to a different development site in accordance with the heritage density transfer policies of the Beltline Area Redevelopment Plan. The applicant has stated that the funds gained through the heritage density transfer would be used to offset the higher maintenance costs of the historic property.

An increase of development potential at the subject site is not supported by Local Area Planning and Implementation. Redevelopment of the site is not supported or allowed given the heritage designation of the building. Therefore, an increase to the maximum allowable building floor area is not warranted.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 April 23

That Calgary Planning Commission recommends **REFUSAL** of the proposed Land Use Amendment.

REASON(S) FOR RECOMMENDATION:

A heritage building with legal protection from the Province of Alberta is located on the subject site. The owner does not intend to modify, change or alter in any way the structure or appearance of the building, or to change the existing uses carried on at the site. The purpose of this land use amendment is to enable the owner to offset the higher costs of repair and maintenance associated with the historic building by allowing for transfer of the additional building floor area density that would be gained through this land use amendment.

Adjacent sites to the east, west and south of the subject site are included in the same direct control land use district as the subject site with the same maximum building floor area of 3 times the site area. The CC-X and DC Land use districts north of the subject site and north of 12 Avenue SE allow for maximum building floor areas up to 9 times the site area. Twelfth

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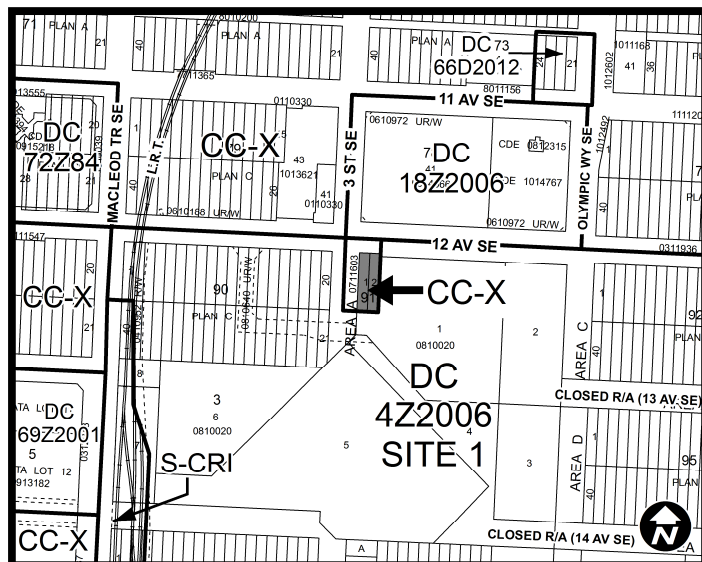
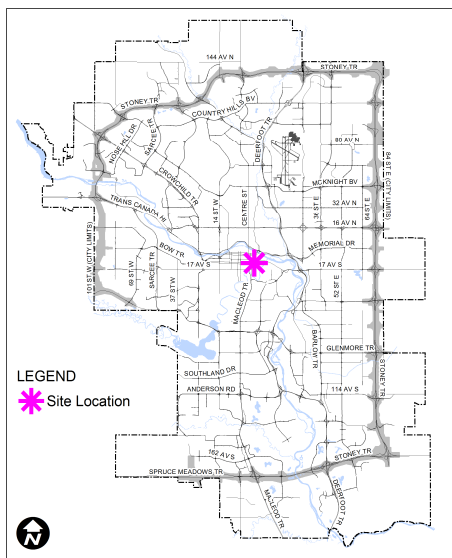
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Avenue SE is the boundary between maximum building densities of nine times the site area to the north of the avenue and maximum building densities of three times the site area to the south of the avenue. The proposed land use amendment is not consistent with the maximum building density planning in the Beltline Area Redevelopment Plan.

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **REFUSE** the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X).

2015 April 23

MOTION: The Calgary Planning Commission accepted correspondence from:

- Beltline Planning Group dated 2015 April 06;

as distributed, and directs it to be included in the report in APPENDIX III.

Moved by: G.-C. Carra

Carried: 7 – 1

Absent: Mr. Wright left the room
due to a pecuniary conflict
of interest and did not take
part in the discussion or
voting.

Opposed: M. Logan

MOTION: The Calgary Planning Commission **FILED** Administration's recommendation of **REFUSAL** and recommends that Council:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.06 hectares ± (0.14 acres ±) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District **to** Centre City Mixed Use District (CC-X);
2. Give first reading to the proposed Bylaw;
3. **WITHHOLD** second and third readings pending appropriate amendment to the Beltline Area Redevelopment Plan, in accordance with Administration's recommendation; and
4. **DIRECT** Administration to prepare an appropriate amendment to the Beltline Area Redevelopment Plan.

Moved by: R. Honsberger

LOST: 4 – 5

Absent: Mr. Wright left the room
due to a pecuniary conflict
of interest and did not take
part in the discussion or
voting.

Opposed: G. Morrow, M. Wade,
G.-C. Carra, M. Logan
and R. Stanley

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Reasons for Opposition from Mr. Morrow:

- This file should be referred back to Administration to find a negotiated solution. The property probably should not have been included in the Stampede grounds DC. That said, we also do not want to set a precedent for owners of historic property to request up-zoning for the explicit goal of transferring/selling that density. A transfer/zone change for this site maybe desirable but we need to see the receiving site and what the public benefits of additional density may be.

Reasons for Opposition from Mr. Logan:

- I do not support the artificial addition of density for the purpose of transfer. The property has a real FAR of 3.0 that provides excess density available to transfer. They also have opportunities to increase the FAR transfer quantity by undertaking further restoration. An artificial increase at this stage undermines the program objectives of incenting further heritage preservation.

MOTION:

The Calgary Planning Commission **REFERRED** the proposed redesignation of 0.06 hectares \pm (0.14 acres \pm) located at 1204 - 3 Street SE (Plan C, Block 91, Lots 1 and 2) from DC Direct Control District to Centre City Mixed Use District (CC-X) back to the Administration to address the following:

- Clarify issues of precedence so as not to “re-open” Heritage Designated sites across the city;
- Fairly balances the requested density transfer with other existing bonusing mechanisms so as not to undermine public benefit; and
- Ensure that the receiving area for this density transfer is a high-quality achievement of policy aspirations within the Beltline (potentially through a concurrent LOC/DP);

and return to Calgary Planning Commission no later than Q4 of 2015.

Moved by: G.-C. Carra

Carried: 4 – 3

Absent: Mr. Wright left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Opposed: R. Honsberger, J. Gondek and S. Keating

Reasons for Approval from Ms. Wade:

- Amend the Beltline Area Redevelopment Plan to include Heritage site which allows policies to apply to the site.

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- Identify what is the bonus that could be applied to Heritage site.
- There was discussion from Applicant that they may have a donor site and discussions with Administration. It is encouraged that a donor site may be identified for any transfer of density in line with the current policies.

Reasons for Approval from Mr. Friesen:

- The preservation of this heritage building warrants including it in the zoning to the north. In fact it is generally not desirable to have significantly different land use rules on opposite sides of a street. Streetscape integrity and good quality urban design are very difficult to achieve with zoning split at the middle of a street. Apparently the power of the Stampede organization led to this boundary location and if there was a mistake in terms of planning and urban design this is where it arose.

Reasons for Opposition from Ms. Gondek:

- This site was unfortunately not included in the original adoption of parcels across the street into the CC-X District. Whether that was intentional or an oversight (i.e. who is to blame) is not the important factor in this decision. The significant point here is that we have an opportunity to remedy a situation.
- There is desire to transfer the density to a designated site kitty corner to this site. If changing the land use on this site to CC-X is not appealing to Administration, then an option is to change the land uses to “giving” and “receiving” DCs on the “giving” and “receiving” sites.

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Applicant:

Abugov Kaspar

Landowner:

Giammarco & Co (Western) Division Ltd

Planning Evaluation Content	*Issue	Page
Density <i>Is a density increase being proposed?</i>	Yes	6
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment?</i>	No	6
Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns?</i>	No	7
Transportation Networks <i>Do different or specific mobility considerations impact this site?</i>	No	7
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern?</i>	No	7
Environmental Issues <i>Other consideration? eg. sour gas or contaminated sites.</i>	No	7
Growth Management <i>Does this site have the appropriate growth management direction?</i>	N/A	8
Public Engagement <i>Were major comments received from the circulation</i>	No	8

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located at the southeast corner of the 12 Avenue and 3 Street SE intersection. Adjacent land uses include a casino to the south and east, surface parking lot to the west and a high density residential development is under construction to the north. A legally protected heritage building occupies the site. It is not possible to develop the proposed additional density on the subject site.

LAND USE DISTRICTS

The current land use district for the site is Direct Control (Bylaw 4Z2006). The purpose of Bylaw 4Z2006 is:

- to provide for the long-term development of Stampede Park as a year-round multi-use facility in a park-like setting;
- to contribute to Calgary's urban vitality, to link with the local community and to preserve and promote southern Alberta's unique western heritage and values;
- to integrate a range of compatible uses that include open space, entertainment, gaming, education, interpretive, exhibition, agricultural and viable commercial facilities; and
- to ensure that these uses evolve in accordance with a long range concept plan, function efficiently, take account of the community context, and are sensitive to the river valley environment and to the cultural heritage of the site.

The maximum building floor area for this site under Bylaw 4Z2006 is 3 FAR.

The proposed land use district is the Centre City Mixed Use District (CC-X).

The Centre City Mixed Use District:

- (a) is intended to provide for a mix of commercial, residential and a limited range of light industrial uses on sites within the Centre City area;
- (b) is intended for mixed uses that are sensitive to adjacent districts that allow residential uses;
- (c) provides intense development where intensity is measured by floor area ratio;

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- (d) provides a building form that is street oriented at grade; and
- (e) has a maximum base density with the opportunity for a density bonus over and above base density to achieve commercial-residential mixed use, public benefit and amenities within the same community.

The maximum building floor area with bonusing in the CC-X district is 9 FAR for sites located east of Macleod Trail S.

LEGISLATION & POLICY

The site is located within the Stampede Park/North Stampede Entranceway portion of the Beltline Area Redevelopment Plan. Density bonusing is not contemplated in the Beltline Area Redevelopment Plan for the Stampede Park area.

Adjacent sites to the east, west and south of the subject site are included in the same direct control land use district as the subject site with the same maximum building floor area of 3 times the site area. The CC-X and DC Land use districts north of the subject site and north of 12 Avenue SE allow for maximum building floor areas up to 9 times the site area. Twelfth Avenue SE is the boundary between maximum building densities of nine times the site area to the north of the avenue and maximum building densities of three times the site area to the south of the avenue.

A Beltline Area Redevelopment Plan amendment would be required to add this site into the density bonusing area of the plan if this land use amendment is approved.

TRANSPORTATION NETWORKS

No impact.

UTILITIES & SERVICING

No impact.

ENVIRONMENTAL ISSUES

No impact.

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ENVIRONMENTAL SUSTAINABILITY

Not applicable.

GROWTH MANAGEMENT

No impact.

PUBLIC ENGAGEMENT

Community Association Comments

Written comments of support were received from the Beltline Community Association on 2014 June 11. The proposed increase in density is deemed acceptable if the Historic Dafoe Terrace is preserved and the additional density is not developed on the heritage site.

Business Revitalization Zone Comments

Comments stated support in principle, conditional upon the Dafoe Terrace remaining as it stands today.

Calgary Stampede Comments

Comments stated support in principle, conditional upon the Dafoe Terrace remaining as it stands today.

Citizen Comments

No comments received by CPC Report submission date.

Public Meetings

No public meetings.

**POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
BYLAWS 19P2016 AND 94D2016**

MAP 15C

APPENDIX I

APPLICANT'S SUBMISSION

The parcel and the building known as Dafoe Terrace is located in SE Calgary adjacent and bordered on 3 sides by the Calgary Stampede lands. The parcel is the only privately held parcel within Stampede DC district. More anomaly than part of the Stampede district, the building form and functions are part and partial to Beltline rather than the current land use district.

Designated as Provincial Historic Resource in April of 1987 (together with Fairy Terrace located on opposite side of 12 Avenue), the Dafoe Terrace is representing building type commonly built in the period from 1906 to 1914. Built in 1910 by J C Dafoe, the building originally intended as accommodation for workers and small business owners, was used for most part of the twentieth century for that purpose. Current uses include restaurant, commercial and office uses. Dafoe Terrace is significant as an example of the style of apartment blocks built before World War One. It illustrates the evolution of urban form at the beginning of twentieth century.

The owner wishes to remove the property from the Stampede Lands, Site 1 and locate the site with the Beltline Community as a Centre City Mixed Use District currently adjacent to site north of 12 Avenue. It is the owner's intention to afford to the building additional protection by designating the property as Municipal Historic Resource in addition to the current provincial designation. This would allow the owner to offset higher costs of repair and maintenance associated with the historic building by allowing for residual density transfer within the Centre City properties, subject to rules contained in the Beltline Area Redevelopment Plan. It is not the owner's intention to modify, change or alter in any way the structure or appearance of the building, or to change the occupancies within.

The requested Centre City Mixed Use District (CC-X) is suggested as the site is directly adjacent to the CC-X District of the Beltline where it should have been included rather than part of the Stampede Lands District. The CC-X designation would allow for density transfer calculation based on maximum achievable of 9.0. This in consideration of historic designation and in consideration of higher maintenance cost of the historic property.

**POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
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MAP 15C

GIAMMARCO & CO. (WESTERN) DIVISION LTD.
1208 – 3RD. Street S.E.
Calgary, Alberta T2G 2S9

April 13, 2015

Calgary Planning Commission
PO Box 2100, Stn "M"
Mail Code #8001A
Calgary, AB T2P 2M5

Attention: Ms. Kimberly Holberton, Administrative Assistance to Calgary Planning Commission

Re: Land Use Redesignation LOC2014-0076, Redesignation of the Dafoe Terrace Building From DC (Stampede Land) to Centre City Mixed Use– CCX

Giammarco & Co. is family owned, attracted to invest in Victoria Park in 1978 by purchasing the Dafoe Terrace. In doing so we saved it from the wrecking ball. The company spent in excess of \$500,000 to restore it to function as an 18 suite apartment building. In 1981 the Fahey Terrace and some surrounding homes. In 1986 a presentation was made in Edmonton to the Alberta Heritage Society to have the Dafoe and Fahey Terraces be designated as provincial resources. Complimented by the Society for voluntarily coming forward, rather than the Society trying to save a historical structure just before the wrecking ball and in 95% of the time it would be too late to do so.

I participated with the redevelopment committee for four years on the East Victoria Park ARP, approved in 1984, in the early 1990's was recruited by the community association and was elected president for 8 years. Collaborated with Alderman Barb Scott, Mayor Al Duerr, and later with Alderman Jon Lord and with the 2005 World Fair Committee with a vision to redevelop East Victoria Park. This led to a mutual agreed mixed use expansion of the Calgary Exhibition and Stampede and what we are witnessing today north of 12th Avenue across the street from the Dafoe Terrace.

One of the founders of Victoria Park Business Revitalization Zone. In the Early 2000's was one of many who were instrumental in the unification of the Communities of Victoria Park and Connaught which became the Beltline Communities. A member of the Beltline Planning Committee which participated in developing the Beltline Communities Area Redevelopment Plan. I sat on the Heritage Committee which was tasked to identify all the provincial, municipal heritage buildings and potential future designated ones in the Beltline. This information was catalogued and is a wealth of Calgary's early history. I brought to the committee my experience as a heritage buildings owner, "How to change the mindset of owners, architects and developers not to just think clear site for developments but rather to incorporate ". In doing so, extra costs would be incurred. The committee realizing the added redevelopment budget required brought forward incentives to be made available to heritage owners and developers who incorporated the structure in their redevelopment vision. These incentives were discussed and researched with other cities in North America and the Heritage Committee brought forward the following: parking relaxations, grants available for restoration projects, density transfers and off site bonuses, etc. Upon the committee completing its task it waited for the overall ARP to be finalized, numerous years passed before the Beltline Area Redevelopment Plan was approved, heritage committee's recommendations were inserted as part of the plan.

Due to Calgary becoming a finalist for the 2005 World Fair and the vote taking place in Monaco/Monte Carlo I had the privilege to go back to Italy, my birth place after 39 years having immigrated. Saw my birth house which was built in 1885, it was in disrepair abandoned for 30 years, roof leaking and caving in and under a demolition order from the township. Purchased it from 21 owners and started the preservation and restoration of my great, great grandfather house. Created 8 villas in a rural setting for the "greening tourism" to discover and become submerge 100% in the Italian culture.

M. Rockley

**POLICY AMENDMENT AND LAND USE AMENDMENT
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This project in Italy has been ongoing since 2004. In the meantime the Beltline Area Redevelopment Plan was approved where a line was drawn down 12 Avenue S.E. separating the Stampede from the mixed used residential/commercial uses on the other side of the street.

The Dafoe Terrace, because I was out of the country was included in the Stampede zoning, we are the only private ownership identity south of 12 Avenue inside the Stampede grounds. It was assumed that everything south of 12th Avenue belonged to the Stampede and was zoned for their uses.

In 2012, started discussions with the City, Beltline Community and Victoria Brz on possible uses for the Fairey Terrace and its surrounding lands that would incorporate a heritage parking component for the surrounding historical sites. It was then that this anomaly came to the foreground; the Dafoe Terrace does not have the same zoning as its twin in the Kiddy corner site.

Have been trying for the last three years to have this error in zoning become a housekeeping item for the City but have been met with resistance and that is why we are before your commission and eventually to City Council to do so. Our current use of the building has not changed from before or after the ARP was approved, attached you will find a list of our current commercial tenants and their use of the leased premises. According to the zoning they are all operating illegal but instead they have been issued permits and licenses, charged property taxes and business tax as if they were zoned the same as north of 12 Avenue.

My request from the commission is to correct this anomaly that occurred and in doing so the Dafoe Terrace will have the same advantages for the ongoing cost associated for maintenance and preservation of a heritage structure such as: re-pointing of bricks, rehabilitation of sandstone always on going, new roof cedar shakes to period time, new wooden doors and windows, higher utilities and operating costs due to the age of the Terrace, to date have spent in excess of a million dollars in doing so. With this correction to the error that occurred the Dafoe Terrace will have the same incentives that are available to all the other surrounding heritage buildings. Attached is a list of heritage and potential heritage sites within a 500 meter radius of the Dafoe Terrace.

I thank you for your support for allowing us to continue with our heritage planning in the new and exciting Victoria Park.

Michael Giammarco,

Giammarco & Co. (Western) Division Ltd.

Cc: Mayor Naheed Nenshi
Cc: Councilor Evan Wooley
Cc: Councilor Shane Keating
Cc: Councilor Gian-Carlo Carra
Cc: Councilor Druh Farrell
Cc: Councilor Ray Jones

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
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April 13, 2015

DAFOE TERRACE

Commercial Tenants

1. La Vita E BellaItalian Restaurant
2. Highfield Exploration Oil Drilling company, in Alberta & Saskatchewan
3. Stony MountainWaste Management company in Oil Industry
4. Chrysalis & Rigid Energy..... Oil and Gas supply company, Accounting Firm
5. A.A.H.S. Hair Studio Women Beauty Parlour
6. Rockfield EngineeringProvides services to Oil &Gas companies
7. Gowan Brown Ltd. National Construction Management company
8. Ivy Massage and Spa Insurance Claims, General Public
9. Local Crew SecuritySecurity for all events Scotiabank Saddledome
10. Nettech Consulting.....Provides services to Oil & Gas companies
11. Katherine Suarez.....Manicure and Nail Treatment
12. Giammarco & Co. Property Management

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
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- | | |
|--------------------------------------|---|
| 1. Moor House 9,000 sq ft | 10. Biscuit Block 51,000 sq ft |
| 2. Upside Eng. 26,000 sq ft | 11. Fahey 10,000 sq ft |
| 3. Alberta Trade Centre 83,000 sq ft | 12. Dafoe 14,500 sq ft |
| 4. Bell Block 31,000 sq ft | 13. Demcor Building 25,098 sq ft |
| 5. Louise Block 26,112 sq ft | 14. Tourism Calgary 41,000 sq ft |
| 6. Ribtor West 47,900 sq ft | 15. Braemar Building 11,000 sq ft |
| 7. Ribtor East 49,850 sq ft | 16. Flamingo 17,000 sq ft |
| 8. Pickington Building 51,000 sq ft | 17. Customs Building 43,000 sq ft |
| 9. Abugov Kaspar 18,000 sq ft | |
| | BLOCK 313- Main Street Chelsia = 18,432 sq ft |
| | Total Square Footage 572,892 sq ft |

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
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MAP 15C

APPENDIX II

LETTERS SUBMITTED



Box 97, 1500 14 ST SW
Calgary, AB
T3C 1C9
(403) 670-5499 ext. 3

June 11, 2014

CPAG Circulations
Centre City Planning & Design
City of Calgary Municipal Building
800 MacLeod Trail SE
Calgary, Alberta

RE : LOC2014-0076 232 1204 3 St SE: Dafoe Terrace

To Whom it May Concern,

Beltline Planning Group (BPG) welcomes opportunities to preserve significant heritage assets in our community district. The applicant's desire to re-designate the Dafoe Terrace site from the existing land use to CC-X is acceptable, provided the density is transferred to another suitable site in Beltline. There should be a provision to prohibit the additional density provided by the CC-X re-designation from being used on the Dafoe site.

The role of heritage properties in the Beltline is a significant aspect of the district's appeal. The proposed land use re-designation could help facilitate creative mixed use and parking solutions for the adjacent heritage properties.

Thank you for your consideration.

Sincerely,

Owen Craig, Chair
Beltline Planning Group
planning@beltline.ca
403 670 5499 ext 3

Cc : Evan Woolley (evan.woolley@calgary.ca)
Rollin Stanley (rollin.stanley@calgary.ca)
EA Ward 8 (eaward8@calgary.ca)
CPAG Circulations Controller (CPAG.Circ@calgary.ca)

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
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MAP 15C



January 14, 2014

Richard Goecke
Coordinator, Development Applications
Centre City Planning & Design
Land Use Planning & Policy
The City of Calgary

Dear Richard,

We have been in conversation with Giammarco and Co. the owners of Dafoe Terrace (12th avenue and 3rd Street SE). It has been brought to our attention that Dafoe terrace is part of the Stampede DC land use district while its counterpart across the street (Ferry terrace), is in the CC-X land use district. We were surprised to learn of this as the context from our perspective would seem to indicate that both should share the CC-X designation and be able to take advantage of the heritage density transfers within this land use district.

Recognizing that the Dafoe Terrace is a Provincially-designated heritage site and on the conditions that the building remains in its current state, the Victoria Park BRZ would support a land use resignation of Dafoe Terrace to the CC-X land use district.

Please do not hesitate to contact me if you have any questions regarding the nature of our support.

Sincerely,

A handwritten signature in black ink that reads "David Low".

David Low
Executive Director

Cc: Mike Giammarco

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
BYLAWS 19P2016 AND 94D2016

MAP 15C



December 12, 2013

Richard Goecke
Senior Planner
Centre City Planning & Design
City of Calgary

Sent by Email December 12, 2013

Dear Richard:

Re: Dafoe Terrace Building – Re-designation to Beltline

Mike Glammarco, the owner of Glammarco and Co. (Western) Division Ltd., has been in contact with the Calgary Stampede to discuss a planning proposal to remove the Dafoe Terrace building from the Stampede DC Land Use District.

We understand that Mr. Glammarco intends to proceed with a Land Use amendment to re-designate Dafoe Terrace, which is located at 12th Avenue and 3rd Street SE, Calgary (legal address: Lots 1 and 2, Block 91, Plan C) and is currently part of Site 1 of the Stampede DC District 4Z2006. The proposal looks to include the property with Part 11 Centre City Districts (Beltline) of the Land Use Bylaw 1P2007, with new a Land Use designation of CC-X.

We are aware that the purpose of the re-designation is to take advantage of the heritage density transfers that are currently possible only between the Centre City Districts (Beltline). As the property is a Provincially-designated Heritage site, we would expect that the building would remain exactly as it stands today, without expansion, demolition or other alterations. Conditional to the latter, the Calgary Exhibition and Stampede would support in principle the removal of the site from the Stampede DC Land Use Bylaw.

Yours truly,

Warren Connell, Vice President Park Development
Calgary Stampede

Cc: Mike Glammarco, Glammarco and Co. (Western) Division Ltd. (giammarco40@hotmail.com)
Roy Wright, Roan Consulting (roanconsulting@shaw.ca)

POLICY AMENDMENT AND LAND USE AMENDMENT
BELTLINE (WARD 8)
3 STREET AND 12 AVENUE SE
BYLAWS 19P2016 AND 94D2016

MAP 15C

APPENDIX III



Box 97, 1500 14 ST SW
Calgary, AB
T3C 1C9
(403) 670-5499 ext. 3

April 6, 2015

Calgary Planning Commission
City of Calgary Municipal Building
800 MacLeod Trail SE
Calgary, Alberta

RE : LOC2014-0076 232 1204 3 St SE: Dafoe Terrace

Dear Members of Planning Commission,

Beltline Planning Group (BPG) welcomes opportunities to preserve significant heritage assets in our community district. The applicant's desire to re-designate the Dafoe Terrace site from the existing land use to CC-X is acceptable, provided the density is transferred to another suitable site in Beltline. There should be a provision to prohibit the additional density provided by the CC-X re-designation from being used on the Dafoe site. This density transfer should also not be eligible for use in developments including any above-grade parking.

The role of heritage properties in the Beltline is a significant aspect of the district's appeal. The proposed land use re-designation could help facilitate creative mixed use for the adjacent heritage properties.

Thank you for your consideration.

Sincerely,

Owen Craig, Chair
Beltline Planning Group
planning@beltline.ca
403 670 5499 ext 3

Cc: Councillor Gian-Carlo Carra (gian-carlo.carra@calgary.ca)
Councillor Shane Keating (shane.keating@calgary.ca)
Rollin Stanley (rollin.stanley@calgary.ca)
Malcolm Logan (malcolm.logan@calgary.ca)
Jyoti Gondek (pkgondek@ucalgary.ca)
Robb Honsberger (rhonsberger@shaw.ca)
Marianne Wade (Marianne.wade@brookfieldrdp.com)
Roy Wright (roanconsulting@shaw.ca)
Gregory Morrow (gmorrow@ucalgary.ca)
Colin Friesen (cepfriesen@gmail.com)
Ian Cope (ian.cope@calgary.ca)
Kimberly Holberton (Kimberly.holberton@calgary.ca)
Matt Rockley (matt.rockley@calgary.ca)
EA Ward 8 (eaward8@calgary.ca)

M. Rockley