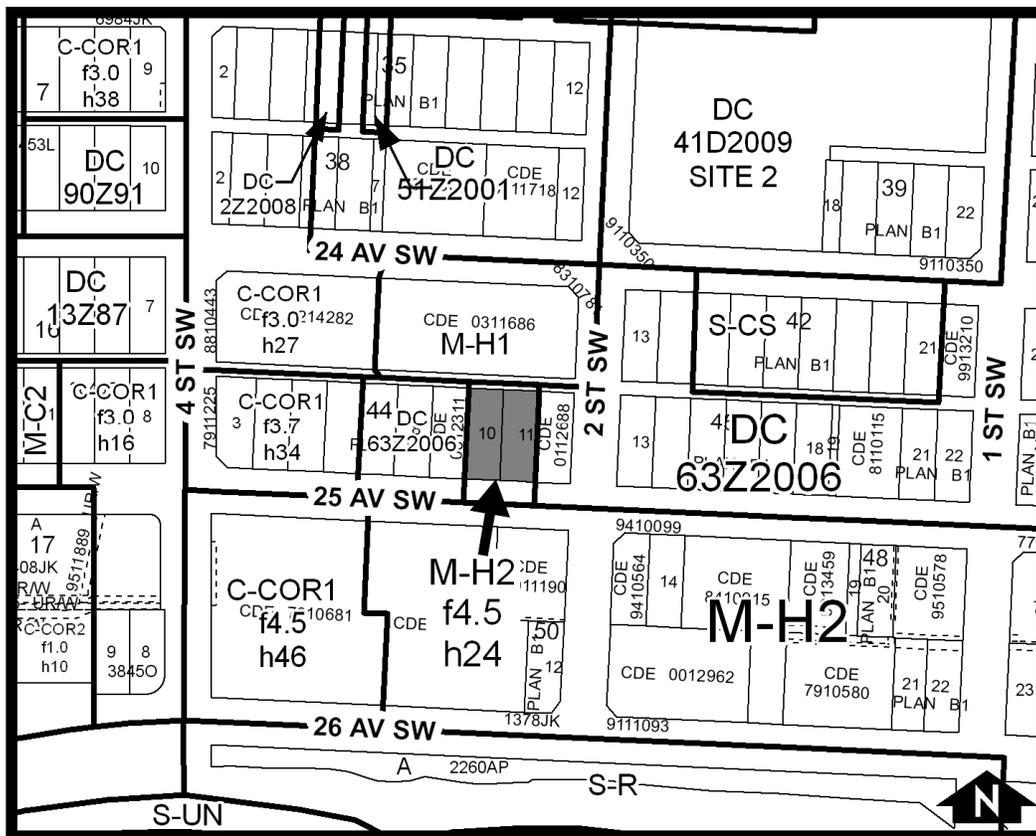


POLICY AMENDMENT AND LAND USE AMENDMENT	ITEM NO: 03	
	FILE NO:	LOC2012-0025
	CPC DATE:	2013 March 28
	COUNCIL DATE:	2013 June 10
	BYLAW NO:	15P2013
	BYLAW NO:	44D2013

MISSION
(Ward 8 - Alderman Mar)



RECOMMENDATION:

CALGARY PLANNING COMMISSION RECOMMENDATION TO COUNCIL:

That Council:

1. **ABANDON** the proposed bylaw to amend the Mission Area Redevelopment Plan, in accordance with the Corporate Planning Applications Group recommendation; and
2. **ABANDON** the proposed bylaw to redesignate 0.121 hectares \pm (0.299 acres \pm) located at 306, 308, 310 and 312 – 25 Avenue SW (Plan B1, Block 44, Lots 10 and 11) from DC Direct Control District to Multi-Residential—High Density Medium Rise (M-H2f4.5h24) District, in accordance with the Corporate Planning Applications Group recommendation.

Moved by: D. Farrell

Carried: 6 – 1

Opposed: G. Lowe

Reasons for Opposition from Alderman Lowe:

This is a case where the ARP, even though only 5 years old is so prescriptive and without any opportunity to even consider modification on either a site by site versus precinct by precinct basis that we lose opportunities to consider development which would meet or enhance the goals of the MDP.

Reasons for Approval from Mrs. Gondek:

This application raises some interesting points. It is an easy decision if we follow the ARP and there is clear provision for what is and is not acceptable. However, if we look at the spirit of the MDP that was approved after the ARP, this application is speaking to current economic realities.

Prior Commission items that have been challenged to increase densities have been equally troubling. With those discussions in increasing densities in an ASP by ASP manner, I have consistently stated that policy must be revisited rather than individual exceptions. I echo the same sentiment here.

To respect the time and commitment of the community, I must support Administrations recommendations.

<p>PROPOSAL: Amendments to the Mission Area Redevelopment Plan.</p> <p>To redesignate 0.121 ha ± (0.299 ac ±) located at 306, 308, 310 and 312 – 25 Avenue SW (Plan B1, Block 44, Lots 10 and 11) from DC Direct Control District to Multi-Residential—High Density Medium Rise (M-H2f4.5h24) District.</p> <p style="text-align: right;">(Map 10C)</p>
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<p>APPLICANT: Davis Jensen Law</p>	<p>OWNER: Radoslav Prodanovic William A MacDonald</p>
<p>CURRENT DEVELOPMENT: Four single detached dwellings</p>	

<p>ADJACENT DEVELOPMENT:</p> <p>NORTH: Lane, and four/five storey multi-residential development (M-H1)</p> <p>SOUTH: 25 Avenue SW, three storey multi-residential development (M-H2) and sixteen storey multi-residential development (M-H2)</p> <p>EAST: Three storey multi-residential development (Bylaw 63Z2006)</p> <p>WEST: Three storey multi-residential development (Bylaw 63Z2006)</p>

SUMMARY OF CIRCULATION REFEREES	
<p>ENVIRONMENTAL MANAGEMENT</p>	Not applicable.
<p>COMMUNITY ASSOCIATION Cliff Bungalow-Mission Community Association</p>	The Community Association does not support the application as it conflicts with the objectives, policy, and intent of the comprehensive plan for the area (see APPENDIX II).

PLANNING EVALUATION

Introduction

This land use application seeks a redesignation to a Multi-Residential—High Density Medium Rise (M-H2 f4.5 h24) District to increase the maximum allowable height from 15 metres to 24 metres, and a Floor Area Ratio (FAR) from 3.5 to 4.5 to accommodate a multi-residential use.

Site Context

The four subject parcels are located north of 26 Avenue SW, and east of 4 Street SW in the Community of Mission. Identified in the Municipal Development Plan as an Inner City Area, the community is distinguished by its grid road network, older housing stock, and range of newer residential development projects from single detached to multi-residential buildings.

A single detached building sits on each of the subject four parcels. Each is situated within the multi-residential Bylaw 63Z2006 land use district. This district is also applied to the adjacent multi residential developments east and west of the subject sites. To the north is a multi-residential building that is designated Multi-Residential—High Density Low Rise (M-H1) District with a height of 16 metres. To the south, two multi-residential buildings are designated Multi-Residential—High Density Medium Rise (M-H2) District.

Proposed Land Use District

The existing Direct Control District accommodates multi-residential development, with a maximum floor area ratio (FAR) of 3.5, and height of 15 metres.

The proposed Multi-Residential—High Density Medium Rise (M-H2 f4.5 h24) District is to accommodate a multi-residential building, with a maximum FAR of 4.5, and maximum height of 24 metres. The purpose of the M-H2 district is to provide for flexibility in building form and dwelling unit size and number, in the form of a multi-residential development. The M-H2 district also allows for a limited range of support commercial multi-residential uses, restricted in size and location within the building. However, the proposed Area Redevelopment Plan (ARP) amendment would prohibit such uses to maintain the intent of residential policies of the Mission ARP.

History

The Mission area has undergone significant and rigorous planning that culminated in the recent Area Redevelopment Plan and the current land use on the subject parcels through a mediated solution. A background section describing this history is included in APPENDIX III of this report.

Legislation & Policy

Municipal Development Plan (MDP)

The subject property is located within the *Inner City Area* of the Municipal Development Plan (MDP). Sites within the Inner City may intensify particularly in transition zones adjacent to areas intended for higher densities (i.e. neighbourhood corridors). The Inner City Areas are expected to intensify in a sensitive manner compatible with the existing character of the neighbourhoods.

The MDP also identifies City-wide policies to reinforce the stability of Calgary's neighbourhoods and ensure housing quality and vitality of its residential areas (Part 2, Section 2.2.5). The City promotes redevelopment that is sensitive, compatible, and complementary to the existing physical patterns and character of neighbourhoods. Identification of compatible development, and appropriate transitions of development intensity, is to be defined with the community through the preparation of a Local Area Plan (Part 2, Section 2.3.2).

Area Redevelopment Plans in existence prior to the approval of the Municipal Development Plan are recognised by the MDP as policies providing specific direction relative to the local context (Part 1, Section 1.4.4).

Mission Area Redevelopment Plan (ARP)

The subject parcels fall within the Mission ARP. The plan identifies two residential land use areas within Mission: a high density residential sector and a medium density residential sector identified through the Land Use Policy Plan, Map 4. The intent of this map is to direct where and what type of future development will take place within Mission.

The area south of 25 Avenue SW, bounded by 4 Street SW to the west and Elbow River to the south and east, is designated high density residential. The former ARP (1982) had identified development south of 25 Avenue SW as high density and consequently this designation continued through to the new ARP, respecting the already established high density character.

The subject parcels are located within medium density residential sector which is bounded by 18 Avenue SW, 25 Avenue SW, and 2 and 4 Street SW. The intent of the Mission ARP policies is to support apartment redevelopment that is sensitive to the existing community character by requiring new developments to be more compatible with the existing residential streetscape, and to implement a floor area ratio density system (as opposed to a units per hectare approach) to allow for greater flexibility of unit sizes. The subject parcels are located within the medium density land use and are subject to a maximum density of 3.5 FAR with a maximum height of five storeys (6.1.3(2)).

Area Redevelopment Plan Minor Amendment

The proposed land use is not in keeping with the existing policies of the Mission ARP. As such, a minor amendment is necessary to accommodate the land use redesignation. This amendment is contained within APPENDIX IV of this report. The minor amendment will limit the proposed intensity to the subject parcels and removes the supportive commercial uses allowed in a M-H2 district. Administration is not in support of an ARP amendment for the reasons outlined below.

Analysis

The land use redesignation application is to increase the FAR to 4.5 and to increase the maximum allowable height to 24 metres allowing for the possibility of an eight storey building. Section 6.1.3 (2) of the Mission ARP does not support this scale and intensity of use at this location. Development in Mission has yet to meet its full development potential under the existing land use. Opportunities for intensification also exist within the Mission ARP area along neighbourhood corridors such as 17 Avenue SW and 4 Street SW and in the high density residential area south of 25 Avenue SW as well as the Holy Cross site and Cathedral district. The development of the Mission ARP policies underwent significant scrutiny and analysis as part of a full public consultation process. While the specific local impacts of this application may be modest, administration is not supportive of redesignating parcels within this area on a site by site basis. Should Council see merit in reviewing the Mission ARP policies, Administration feels it would be more appropriate that Council direct Administration to undertake such work as part of a broader stakeholder consultation process. Such a project is not on the current council approved work program.

Site Access & Traffic

If the application were to be approved by Council, a Transportation Impact Assessment (TIA) would be required if the proposed density results in more than 100 vehicle trips/hour (approximately 160-200 residential units).

Subject to approval of a land use redesignation, future access to the site shall be designed and located to the satisfaction of Transportation Planning.

Parking

A parking evaluation was not required.

Site Servicing for Utilities

Site servicing is available for the proposed land use.

Environmental Site Assessment

An Environmental Site Assessment was not required for this land use application.

Community Association Comments

The Cliff Bungalow-Mission Community Association (CBMCA) provided a letter (APPENDIX II) in opposition to the proposal. A number of issues were identified by the Community Association including but not limited to the following:

- the application does not meet the intent and policies of the ARP;
- an extensive amount of volunteer hours were dedicated to researching, consulting, and developing the ARP;
- the ARP is a relatively new document (2006);
- the application is a form of spot zoning; and
- developers have been successful building in Mission under Bylaw 63Z2006.

Adjacent Neighbour Comments

A number of residents submitted letters of objection in addition to three petitions, indicating the following concerns:

- The proposed land use would allow increased intensity that will result in increased traffic, parking, and safety issues on 25 Avenue SW and in the rear lane.
- The proposed height could block views of downtown and cast shadows upon adjacent residential units.
- The proposed intensity is not seen as pleasant or consistent with the agreed upon maximum allowable height.
- Residents don't want to see existing homes removed due to their unique character, and ability to provide different housing options to the community.
- The proposed intensity will be a significant deterioration to the streetscape reducing the quality of life for residents.
- The character of the neighbourhood will change with approval of a land use redesignation.

As well, a number of residents expressed concern that the application does not meet the policies and vision of the Mission ARP. It was expressed that if the application were approved, it would undermine the entire content of the plan, as well as the extensive research, work and time dedicated to writing the Area Redevelopment Plan.

CONCLUSION

Administration recommends refusal of this application as it does not comply with section 6.1.3(2) of the Mission ARP, and does not represent complementary infill development as identified in the approved existing Direct Control district and ARP. Should Council see merit in reviewing the Mission ARP policies, a broader stakeholder consultation process should take place.

CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION: REFUSAL

A. Recommend that Council **ABANDON** the proposed bylaw to amend the Mission Area Redevelopment Plan as follows:

(a) In Section 6.1.3, entitled "Policy", delete policy 2 and insert the following:

"2. A medium high density residential policy allowing a maximum density of 3.5 FAR with a maximum height of five storeys is recommended for the area bounded by 18 Avenue SW in the north, the Elbow River in the east, 25 Avenue SW in the south and 4 Street SW in the west, excluding:

- the parcels located at 306, 308, 310 and 312 25 Avenue SW where a maximum density of 4.5 FAR and a maximum height of 24 metres is allowed. Commercial uses are prohibited on these parcels;
- the Holy Cross site which is addressed in Section 7.0; and
- the Cathedral District which is addressed in Section 8.0."

The reasons for Refusal are:

1. The proposed amendment does not represent complementary infill development as identified in the approved existing Direct Control district, and Area Redevelopment Plan;
2. There still exist many redevelopment opportunities within the area.

B. Recommend that Council **ABANDON**, the proposed bylaw to redesignate 0.121 hectares \pm (0.299 acres \pm) located at 306, 308, 310 and 312 – 25 Avenue SW (Plan B1, Block 44, Lots 10 and 11) from DC Direct Control District to Multi-Residential—High Density Medium Rise (M-H2f4.5h24) District, for the following reasons:

1. Intensification beyond the existing land use district, Bylaw 63Z2006, does not meet the intent of the Mission ARP.
2. The proposed land use does not implement the policies of the Mission Area Redevelopment Plan.
3. The land use redesignation application does not represent complementary infill development as identified in the approved existing Direct Control district, and Area Redevelopment Plan;
4. The application submitted does not comply with Section 6.1.3(2) of the Mission Area Redevelopment Plan (ARP), approved by Council in 2006.

Amber Osadan-Ullman
March, 2013

Applicant's / Owner's Submission (LOC2012-0025)

Land Use Amendment Application
306, 308, 310 & 312 - 25 Avenue SW, Calgary, Alberta

1. PURPOSE OF THE APPLICATION

This application is to accommodate a proposed 38 unit apartment type condominium building. The proposed building cannot be accommodated within the existing "DC" land use district.

2. BACKGROUND

The existing "DC" land use (DC 63Z2006) was created in 2006 as an outcome of the Mission Area Redevelopment Plan Bylaw (2P2004). This district was applied to most of the subject ARP area, incorporating the then RM-6 Residential High Density Multi-Dwelling District guidelines, but limiting the maximum height to 5 storeys not exceeding 15 metres at any eaveline - versus the 6 storeys and 16 metres at any eaveline in the conventional district.

The DC district also provided for relaxations from the conventional requirements where "heritage development" might be preserved or where "comprehensively developed dwelling units" were proposed in the rear yard of an existing residential building.

3. THE NEED FOR THE PROPOSED CHANGES

The existing "DC" district was prepared for general application to the non-DC sites remaining within the Mission ARP district. The proposed redesignation site sits sandwiched between an MH-1 district on the north is a higher density/ form MH-2 district to the south and two modest condominium subdivided buildings on both the east and west, within the existing DC land use district.

The applicant believes that the existing 4 single detached homes on the site have reached a critical junction in their economic life and proposes a more dense built form that will attractively fit within the Mission community and respond to the objectives of the *Calgary Municipal Development Plan* (Bylaw 24P2009), in particular:

- moderate intensification in a form and nature that respects the scale and character of the neighbourhood (Policy 3.5.1.a)
- appropriate transitions between adjacent area (Policy 3.5.1.b)
- redevelopment should support the revitalization of local communities by adding population (and a mix of other uses) (Policy 3.5.1.c)
- sites within the Inner City Area may intensify, particularly in transition zones adjacent to areas designated for higher density ... (Policy 3.5.2.a)
- buildings should maximize front door access to the street and principal public areas to encourage pedestrian activity (Policy 3.5.2.d)
- City must take an active role in supporting the strategic intensification of Developed Areas ... implementation of a wide array of planning and urban design initiatives in order to support intensification (Policy 5.2.4)

This amendment, if approved, will require some minor consequential changes to the *Mission Area Redevelopment Plan* Bylaw 12P2004.

4. OBJECTIVE / PLANNING RATIONALE

The proposed land use amendment will provide the applicant with a more economic opportunity for redevelopment of the site. The amendment is a more appropriate transition from the existing M-H2 district to the south and the modest M-H1 development to the north. The subject site is sandwiched between two existing condominium buildings that are unlikely to redevelop in the near or intermediate future.

Cliff Bungalow-Mission Community Association

Mailing Address:
#462, 1811 – 4TH STREET SW
CALGARY AB T2S 1W2
Phone: (403) 245-6001

Location of Community Hall:
2201 CLIFF STREET SW,
(West of 5th Street on 22nd Avenue SW)

August 24, 2012

Development Committee Director: Rick Williams
Phone: 403-246-3878 Email: rkwilliams@shaw.ca

Application #: LOC2012-0025

Application Description: Land Use Amendment

Site Address: 306 25 Avenue SW B1;44;11

Community: Mission LUD: DC 63Z2006

File Manager: Giyan Brenkman

Dear Mr Brenkman;

The Cliff Bungalow-Mission Community Association (CBMCA) has reviewed application LOC 2012-0025. Thank you for extending the time for our comments to allow completion of our review process.

The CBMCA is adamantly opposed to this application on a number of levels, but is most concerned that the application is in direct conflict with the objectives, policy and intent of the Mission Area Redevelopment Plan, most specifically in sections 1.0.2, 6.1.1, 6.1.2, and 6.1.3 (see below). This application for spot upzoning under the guise of 'transitioning' in fact does not constitute best practise in planning. It is an arbitrary and unreasonable application to change land use in a very small restricted area at variance with an overall comprehensive plan.

The Cliff Bungalow Community Association, residents of the Mission community and City of Calgary employees utilized a process over a seven year period, spending hundreds of man hours of work and thousands of hours of volunteer capital to draft the Mission Area Redevelopment Plan (2006). There was extensive analysis done by both the City (with the assistance of an external consultant) and the Community (with the assistance of Bev Sandalack of University of Calgary Faculty of Environmental Design) in this process to achieve a land use designation that would ensure the continued vitality of the community through inevitable growth and change and still retain our 'sense of place' and cultural context. The community of Cliff Bungalow-Mission is a walkable, liveable, complete community whose special character and contribution to the inner city urban fabric is outlined in numerous sections of the ARP. The ARP was adopted by Council relatively recently, in July of 2006, and has been incorporated into LUB 1P2007. One of its major platforms was a medium high density residential policy allowing a maximum density of 3.5 FAR with a maximum height of five storeys not exceeding 15 metres. Innovative policies

such as backyard residential development, live-work, walk-out basement suites and corner development were brought forward and areas of the community were evaluated for best use. This consensus was reached to help ensure the contextual quality of the neighbourhood that would attract new residents and businesses to our community and accommodate growth going forward while retaining the essential character and liveability. Density at build out under current ARP and zoning would make Mission one of the highest density neighbourhoods in the city.

The DC zoning that was established in 2006 for the majority of Mission, after many years of negotiation and cooperation with the City and other stakeholders, was designed to protect, encourage and perpetuate the unique history and character of the neighbourhood. City Council, in setting a maximum height of five floors in that DC zone, acknowledged that considerable density could be achieved in Mission while respecting and conforming to the existing scale and traditions in the community. (Rob Jobst, who was CBMCA Planning Director in 2006)

Mission Area Redevelopment Plan relevant sections:

3.2 Goals of the ARP

The goals of the Mission Area Redevelopment Plan are:

1. To ensure that existing and new development contributes to the enhancement of Mission as a unique, safe, vibrant and livable inner-city community;
2. To establish a policy framework for sensitively managing growth and change within the context provided by the Municipal Development Plan (*The Calgary Plan*) while maintaining and protecting the special historical character of the community
5. To encourage new residential and commercial development to be compatible with the special character of Mission;

3.3 Guiding Principles of Smart Growth

7. Encourage growth in existing communities by finding ways for new development to fit in with the older neighbourhood

6.1.1 Context

*There are two residential land use areas within Mission: a high density residential sector and a medium high density residential sector. The high density sector is located south of 25 Avenue SW between 4 Street SW and the Elbow River. No change is recommended for this area. The medium high density residential sector between 2 and 4 Streets SW and 18 and 25 Avenues SW contains a substantial number of older, distinctive homes and apartments. **This sector is subject to a number of policy changes addressing the special character of the community, affordability, mobility and quality of life.***

6.1.2 Objectives

- *Encourage the preservation of the special character homes, apartments and streetscapes of Mission;*
- *Support apartment redevelopment that is sensitive to the existing community character and the older architecture;*
- *Facilitate the provision of affordable housing;*
- *Encourage the preservation of buildings included on the Inventory of Potential Heritage Sites; and*
- *Provide the opportunity for a broad mix of dwelling types.*

6.1.3 Policy

1. *The high density residential policy allowing a maximum density of 395 units per hectare (160 units per acre) and a maximum height of 17 storeys is maintained for the area bounded by 25 Avenue SW in the north, the Elbow River in the east and in the south and the 4 Street SW commercial area in the west.*

2. *A medium high density residential policy allowing a maximum density of 3.5 FAR with a Maximum height of five storeys is recommended for the area bounded by 18 Avenue SW in the north, the Elbow River in the east, 25 Avenue SW in the south and 4 Street SW in the west, excluding the Cathedral District and the Holy Cross site.*

9.0 URBAN DESIGN GUIDELINES

9.2 Implementation

2. *The design of new buildings should complement adjacent development in terms of massing, scale, proportion and façade articulation.*

The community visioning and ARP process led to continuing engagement and awareness of the impact of planning and development on inner city communities. A large number of our residents and CA members participated in Imagine Calgary, the Planit Calgary process and the Municipal Development Plan engagement series. We consider our neighbourhood to be the one of the best models in the City of a rich, vibrant, inner city mixed use culture. The Community Association has contributed to and participated in a number of progressive planning policies, including densification in an established community through our designated areas of mid- to- high and high density zoning, application of mixed residential/commercial use on our High Streets, and the initiation of a concept plan for high density development on the 20 hectare Holy Cross sight.

These are very recent initiatives and developments that are closely aligned with the Municipal Development Plan (Bylaw 24P2009 effective 2010 APRIL 1). The site under application is not located in a Major Activity Centre, Community Activity Centre or Urban Corridor, it is mid-block residential currently occupied by Edwardian era houses supporting multi-family rental accommodation.

The Municipal Development Plan states in section **2.3.2 Respecting and enhancing neighbourhood Character:**

Objective: Respect and enhance neighbourhood character and vitality. The “sense of place” inherent in Calgary’s neighbourhoods is a function of their history, built form, landscape, visual qualities and people. Together, the interaction of these factors defines the distinctive identity and local character of a neighbourhood.

And in **Policy c:**

Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.

Urban Design Elements:

Under the thirteen Urban Design Elements: Context and Appropriateness

Other relevant sections occur under **2.4.2 Built form**, for example:

c. Encourage the development of low and midrise buildings to achieve the desired intensity of development.

The context of the application site on the north side of 25th Avenue consists of three story buildings immediately to the east and west, and three and four story buildings for the entire length of 25th Avenue,

from 4th Street to the Scollen Bridge. This avenue, initiated at its eastern boundary by the historic Scollen Bridge, is considered a character streetscape and gateway into the community.

The block across the street on the south side of 25th Avenue is predominantly low rise, consisting of Howyth Court, a three story condo complex, and the garden patio area at the rear area of the Riverstone complex.

The building across the alley to the north, the Xolo condominium, is referenced by the applicant as a reason for a transition zoning. It is, in fact, a newly built three story condominium complex which conforms in spirit and built form with the present DC, and would be especially affected. It would be thrown into shadow and overlooked by an eight story structure along its rear elevation. It must be noted that a 7 to 8 story building on the south side of a 3 story would be marketed as having a spectacular city skyline view and may be a factor in this upzoning request. The applicant himself has stated in the application that the context of the immediate neighbours of the site, as well as the context of the street in all directions, is low rise 3 story apartment buildings and homes. With the exception of the 1910 era houses, which are themselves a heritage context that helps define Mission, all buildings are relatively new. A seven or eight story (23 metre) building in this context would appear massive and intrusive, and dwarf all other buildings in all directions.

It is the understanding of the CBMCA that there have been petitions or comments submitted by one hundred and sixteen residents of the buildings and homes surrounding the proposal. Every building on the block,; Roxboro House, Riverstone and Howsyth Court, has submitted a letter of objection. Objections have also been made by tenants of the historic homes on the site of the application, who exemplify the continuing loss of affordable multi-family dwellings and the loss of diversity of housing opportunities (and diversity of people) as a result of multiple land assemblies and property speculation in Mission and Cliff Bungalow. While every resident may have their own reasons to seek a more reasonable practise of adaptive re-use or redevelopment on this site, the Community Association is overwhelmingly in agreement that this proposal for piecemeal zoning is detrimental to the context of the street and surrounding community and is contrary to the objectives and intent of our policy guidelines. Moreover, it goes without saying that controversial traffic (25 Avenue is a minor collector), parking, and floodplain concerns would become very large issues in any Development Permit application made under this upzoning. Experienced developers have been very successful, both historically and during this period of economic recovery, in redeveloping areas of Mission under the existing DC land use and the principles of the Mission ARP. Land use zoning by definition means there are boundaries where the City and stakeholders define our mixed residential uses and neighbourhood character. One of those boundaries is 25 Avenue.

I would be very willing to facilitate further communication with our Board and the City of Calgary concerning this and all land use planning policy issues in our community. Please do not hesitate to contact me if you have any questions or comments.

Thank you for your consideration in this matter.

Sincerely;

Rick Williams

Director Development and Planning

Cliff Bungalow-Mission Community Association t: 403.246.3878

e: rwilliams@shaw.ca

Site History

The Mission ARP was adopted by Council 2006 July 18 after an extensive five year public consultation and review process resulting in a mediated solution. As a result, the subject parcels were down-zoned, decreasing the maximum developable intensity.

The first proposed Mission ARP (Bylaw 12P2004) was originally referred to the 2004 July Public Hearing of Council. Prior to conducting the public hearing on this matter, the item was referred back to Administration for a mediated review, with direction to return to Calgary Planning Commission and a Public Hearing of Council. The mediated review was intended to seek resolution on outstanding issues identified by stakeholders, including identifying a maximum allowable height for residential districts.

Upon completion of the mediated review, Council gave first reading to the Mission ARP at its 2005 April 18 Public Hearing. Council directed Administration to address a number of items, including testing building mass to determine if the proposed floor area ratio (3.5 FAR) was achievable with a maximum building height of 5 storeys, to be brought back to Council at second and third readings in a supplementary report.

The resulting land use DC 63Z2006 on the subject parcels was approved by Council (July 18th, 2006) to bring the Land Use Bylaw into conformance with the Mission ARP and to implement the extensive engagement, writing, and review process the ARP underwent. The intention of the Direct Control district was to support a built form of medium density profile development and to encourage a more pedestrian-oriented streetscape.

Prior to the DC 63Z2006 land use, the subject parcels were designated Residential High Density Multi-Dwelling District (RM-6) under Land Use Bylaw 2P80. The RM-6 District's maximum allowable height was six storeys not exceeding 16 metres at any eaveline, with a maximum density of 321 units per hectare (UPH). The current Council approved Direct Control district decreased the maximum developable intensity (from 16 metres not exceeding 6 storeys to 15 metres not exceeding 5 storeys) on the subject parcels effectively down-zoning residential land in the community.

History on Adjacent Land Use Districts

To the north is a 16 metre tall multi-residential building with a Multi-Residential—High Density Low Rise (M-H1) district. The land use applied to this parcel was a part of the 2008 June 1 transition of land use designations from Land Use Bylaw 2P80 to Land Use Bylaw 1P2007. When the building was constructed, the parcel was designated DC 66Z88, based on the former RM-6 District with the additional use of temporary surface parking. At the time, the maximum allowable height was six storeys not exceeding 16 metres. Today the "maximum" allowable building height of the current land use district is 26 metres. Regardless, this maximum height cannot be taken advantage of as the ARP requires development to not exceed 5 storeys. The building is also a condominium and is unlikely to undergo redevelopment for some time.

Two multi-residential buildings built in the 1970's reside south of the subject parcels, and are designated Multi-Residential—High Density Medium Rise (M-H2). Both were also redesignated by the City through the transition between land use bylaw 2P80 to 2P2007 and meet the intent of the Mission ARP.

The remaining residential lands in Mission are predominately designated DC 63Z2006, including the adjacent multi residential developments east and west of the subject sites.

Proposed Amendment to the Mission Area Redevelopment Plan

PART II, Section 6.1.3: “Residential Land Use Policies”

Delete subsection 6.1.3 (2) and replace with the following:

A medium high density residential policy allowing a maximum density of 3.5 FAR with a maximum height of five storeys is recommended for the area bounded by 18 Avenue SW in the north, the Elbow River in the east, 25 Avenue SW in the south and 4 Street SW in the west, excluding:

- the parcels located at 306, 308, 310 and 312 25 Avenue SW where a maximum density of 4.5 FAR and a maximum height of 24 metres is allowed. Commercial uses are prohibited on these parcels;
- the Holy Cross site which is addressed in Section 7.0; and,
- the Cathedral District which is addressed in Section 8.0.

Ariel Photo: Site Location

