

# Applicant Submission

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Applicant:

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Planner 2 – City Wide Policy (Heritage Planning)

The City of Calgary

## APPLICANT SUBMISSION - Bankview Direct Control Heritage Area (Pilot Project)

### **Introduction**

The Direct Control proposed with this Land Use Amendment is the outcome of a City of Calgary-initiated pilot program for a new heritage conservation tool called the “Direct Control Heritage Area”.

The Direct Control Heritage Area is one of three new Heritage Area Tools supported by Council through PUD2020-0758, the Heritage Conservation Tools and Incentives Report. Together, the Heritage Area Tools represent the first comprehensive approach to area-based heritage conservation in Calgary, designed to support and complement Administration’s existing work program, which is largely oriented towards negotiated protection and management of individual resources that have been evaluated and listed on Calgary’s Heritage Inventory. The Heritage Area Tools, including Direct Control Heritage Areas, are directed at portions of Calgary’s communities with remaining concentrations of high-integrity historic homes identified, and referred to by Administration as “heritage assets”. All of the Heritage Area Tools were also developed to support and strengthen Calgary’s overall Local Area Planning – facilitating greater sensitivity in managing community growth and change without restricting appropriate intensification or limiting diversity of use.

### **Summary – Heritage Area Tool Implementation**

Since 2020, Administration has been working to implement each of the three new Heritage Area Tools. Per Council direction, Administration will report back to Council in 2024 with an update on the overall success and progress of the program implementation. For the purpose of this attachment, a brief summary of all three tools is provided below, prior to more detailed information on the proposed Direct Control Heritage Area – the focus of this report.

1. Heritage Incentive Area
  - Intended to be implemented through a Land Use Bylaw amendment.
  - Would offer new or additional development options to encourage owners to keep and/or reuse identified heritage assets, rather than demolish and redevelop.
  - Would be available to owners of standalone low-density character homes (built pre-1945) that meet certain criteria within a defined area.
  
2. Discretionary Guideline Areas
  - Created through Local Area Plans, and enabled through discretionary Land Use Bylaw approval processes. Currently approved in the North Hill Communities Local Area Plan, with additional areas pending in the Riley Communities and West Elbow Local Area Plans.

- Focused on conserving certain heritage character-defining elements in areas where groupings of historic blocks have at least 25% of properties identified as a heritage asset.
  - Specific and unique design guidelines are applied in the discretionary review of any new development of a dwelling unit within the specific areas.
  - Continues to allow land use redesignations and new development.
3. Direct Control Heritage Areas
- Applicable only to historic blocks with the highest-integrity in the City (>50% identified heritage assets), this tool creates a unique set of land use district rules for all properties within a defined area with the intent to preserve the heritage character of the blocks and enable additional potential for the properties.
  - Implemented through a land use redesignation to a Direct Control District with the rules to protect heritage elements incorporated into the bylaw.
  - This report represents the implementation of the first Direct Control Heritage Area, the most regulatory of the three policy tools.

### **Direct Control Heritage Area – Detailed Overview**

As the most specific and regulatory of the three Heritage Area Tools, Direct Control Heritage Areas are created with the support of impacted property owners to conserve the heritage built-form context and support additional heritage conservation efforts, while continuing to allow necessary growth and change within the district.

- 1) The proposed Direct Control closely regulates the built form of future infill development on the subject parcels. The intent of this regulation is to:
- 2) Ensure the retention of a sensitive built-form context for the existing heritage assets as growth and change occurs, increasing the likelihood of each heritage asset being retained and conserved (including subsequent protection as a Municipal Historic Resource, where qualifying and owner-supported).
- 3) Provide limited, sensitive opportunities for additional development (including backyard suites) where a heritage asset is retained, to further incentivize heritage asset retention.

Conserve the shared heritage value created by a highly-concentrated grouping of heritage assets, recognizing them collectively as a type of heritage resource with public benefit, and ensuring any future loss of heritage assets is mitigated via compatible infill development.

### **Requirement for a Direct Control District (DC)**

The subject area is a unique, full-block collection of heritage assets, which is a rare occurrence for both the Bankview, and Calgary as a whole. Per Section 20 (1) of 1 P2007, the proposed DC seeks to directly respond to specific elements of this streetscape.

In addition to new geodetic-based height requirements (Schedule C), the proposed DC includes detailed rules which require design sensitivity in new development to the unique site characteristics, in a manner not possible using the existing Land Use District (R-C2), or another standard district.

### **Additional Benefits to Property Owners**

Beyond the heritage conservation benefits listed in the Summary, Administration has worked to provide specific benefit to property owners in recognition of the unusual parcel configuration of the subject site, and conflicts which may arise between historic development and modern Land

Use Bylaw Rules that can limit forms of development available to property owners in other low-density areas, or require significant relaxations for non-conforming structures. These benefits include:

- Elimination of minimum parking requirements, allowing alternate use of parcel space.
- Adjustment of setback rules to specifically support creative options for gentle density (eg. Backyard Suites).
- Bringing all historic houses into compliance with the Land Use Bylaw 1 P2007, avoiding future requirement for relaxation when applying for unrelated development.

### **Pilot Project Status**

After considering several implementation approaches for the Direct Control Heritage Area tool, Administration chose to develop the first district through a limited pilot project, and selected Bankview as the initial location following a staged selection and engagement process with property owners across multiple candidate communities.

The need for a pilot project was determined due to the lack of a precedent tool to share with potentially-interested property owners, and the need for intensive property-owner collaboration in developing the appropriate regulations. A pilot project also allowed development and refinement of an engagement process. All of the lessons-learned throughout the pilot project will be considered for future use of the Direct Control Heritage Area tool.

The block selected for the pilot project includes a complete historic streetscape, where all houses on 25 Avenue SW are identified heritage assets. The heritage assess were constructed between 1911 - 1912, making them all over 100 years old. Following initiation of the pilot project, three of the properties (1501, 1505, 1 507) have also been added to the Inventory of Evaluated Historic Resources by Heritage Calgary. The proposed district includes all seven (7) properties, each of whom have requested that Administration apply for the Land Use Amendment on their behalf.