

Applicant Submission

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On behalf of Pat Boyd & Patti Paulson, O2 is proposing to redesignate the three parcels located at 2352, 2356, & 2364 Capitol Hill Crescent NW from 'Residential – Contextual One Dwelling' (R-C1) to 'Direct Control' (DC) based on the 'Mixed Use – General' district with a maximum density of 4 FAR and a maximum building height of 20 metres (MU-1f4.0h20). Redesignation of the subject site will enable a vibrant six storey multi-residential, transit-oriented development (TOD) that increases housing options near community amenities and transit.

The subject site is located along Capitol Hill Crescent, south of 24 Avenue NW, east of Crowchild Trail NW, and directly adjacent to the Banff Trail LRT station (30 metres). Each parcel contains one residential dwelling and a detached garage with surrounding parcels characterized by single detached dwellings. Recent development permit applications for secondary suites and a rowhouse development (DP2023-05562) demonstrate a shift towards modest intensification, including smaller units to diversify available housing stock in Banff Trail.

The subject site is well-served by transit, with access to the Banff Trail LRT Station across the street (30 metres), and bus connections available south on 16th Avenue NW (500 metres). Future intensification on the site will benefit from key destinations like Foothills Medical Center, University of Calgary, William Aberhart High School, and McMahon Stadium located within a 2-kilometre radius of the site, creating opportunities for individuals to take transit, cycle or walk to work. On-street cycling connections are available north on 24 Avenue and south on Banff Trail, supporting active travel to everyday destinations. Intensification on the site will also benefit from a variety of neighbourhood parks and open spaces such as Banff Trail Park, Exshaw Park, and Confederation Park to support daily recreation needs.

The subject site is regulated by the Banff Trail Area Redevelopment Plan (ARP) which designates the site as "Medium-Density Mid Rise," planned to accommodate 5-6 storey multi-residential development with a maximum building height of 20 metres. The proposed development will bring the site into alignment with the "Medium-Density Mid Rise" designation, creating a transit-oriented development consistent with the vision of the ARP. In addition, the site is located within the boundary of the city-initiated South Shaganappi Communities Local Area Plan (LAP). The LAP is currently in progress and set to enter Phase 3 by Spring 2024. Available draft mapping designates the site as 'Existing Focus Areas for Growth', permitting new development four storeys or higher. Future intensification on the site aligns with the LAP's initial vision for growth, ensuring consistency with the proposed built form and future development in the area.

To achieve the development vision, a land use amendment is required to re-designate the site to conform with the broader policy vision outlined in the ARP. A Direct Control District (DC) based on the Mixed Use – General (MU-1) stock district was selected as the most appropriate land use to achieve the 6-storey multi-residential development vision of the site. The MU-1 district provides flexibility to incorporate ground floor commercial uses and achieves the vision of the Banff Trail ARP, proposing multi-residential development in proximity to an LRT station and active travel networks.

In addition, the Direct Control district is required to require a minimum density to address the restrictive covenant placed on the legal titles of all three properties in 1952. The restrictive covenant currently limits development on each parcel to one single family dwelling unit and a private garage. This restriction was placed on title over 60 years ago, at

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which point the Banff Trail LRT Station did not exist and the surrounding context and infrastructure was very different. The restrictive covenant is no longer appropriate given the transit-oriented nature of the site and policy framework of Calgary's Municipal Development Plan (MDP) and Banff Trail Area Redevelopment Plan (ARP). The removal of the restrictive covenant on these lands more appropriately aligns with the policy direction of Banff Trail, increasing residential units to support the current housing demand including diversifying available housing stock to support more Calgarians.

The proposed DC imposes a minimum density requirement more appropriate with the current and future context of the site, transitioning towards intensification near transit stations. The proposed density also directly conflicts with the provisions of the restrictive covenant. If approved, the proposed DC would provide legal justification for the property owners to request removal of the restrictive covenant on the basis it conflicts with the newly approved land use designation.

In summary, the proposed land use enables a development that will:

- Diversify the available housing stock with new residential units in proximity to an LRT Station and valuable community amenities.
- Provide Transit Oriented Development to help increase transit ridership and enable the city to leverage more on their investments in transit infrastructure.
- Increase density while mitigating GHG emissions due to the available mobility infrastructure.
- Implement the policy vision and intent of the Banff Trail Area Redevelopment Plan and draft South Shaganappi Communities Local Area Plan.