

Background and Planning Evaluation

Background and Site Context

The subject site is located in the northwest community of Banff Trail at the corner of 23 Street NW and 23 Avenue NW. The site consists of two lots that are approximately 0.11 hectares (0.27 acres) in size and approximately 30 metres wide by 36 metres deep. The parcels are currently developed with two single detached dwellings with detached garages.

Surrounding development is characterized by residential development designated as Residential – Grade Oriented Infill (R-CG) District and parcels located north and south of the site along 23 Avenue NW are designated as Direct Control (DC) Districts. Parcels located east of the site are designated as Special Purpose – Community Service (S-CS) District, Commercial – Neighbourhood 2 (C-N2) and Multi-Residential – Contextual Low Profile (M-C1) Districts.

The site is ideally located near schools, parks, public transit and commercial opportunities. Schools, playgrounds and green spaces near to the site include:

- Branton School, approximately 450 metres east (an eight-minute walk);
- St. Pius X School and playground, approximately 750 metres east (a 13-minute walk);
- Capitol Hill School and playground, approximately 850 metres east (a 14-minute walk); and
- Banff Trail Park, Playground and Outdoor Rink, approximately 450 metres southeast (an eight-minute walk).

The Banff Trail LRT Station is approximately 100 metres (a two-minute walk) west of the site. Commercial opportunities are located west of the site approximately 250 metres (a four-minute walk) away.

Many parcels in Banff Trail are subject to a restrictive covenant registered in 1952, restricting development on the affected parcels to single and semi-detached dwellings. These covenants, registered against individual properties and/or entire subdivision plans, were used as an early planning tool before municipalities adopted land use bylaws and other planning legislation designed to govern land development. While these restrictive covenants are not binding on Council or Administration in making land use or development permit decisions, they present a potential impediment to redevelopment at the time of construction should another landowner choose to enforce the restrictive covenant.

Community Peak Population Table

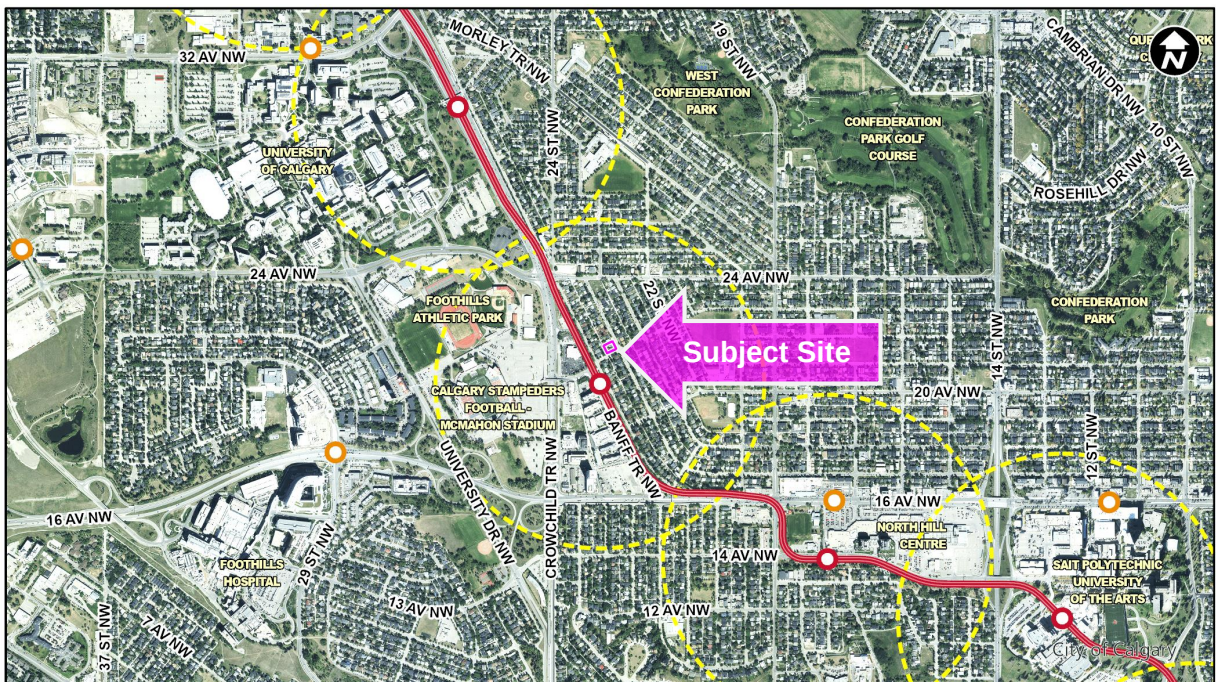
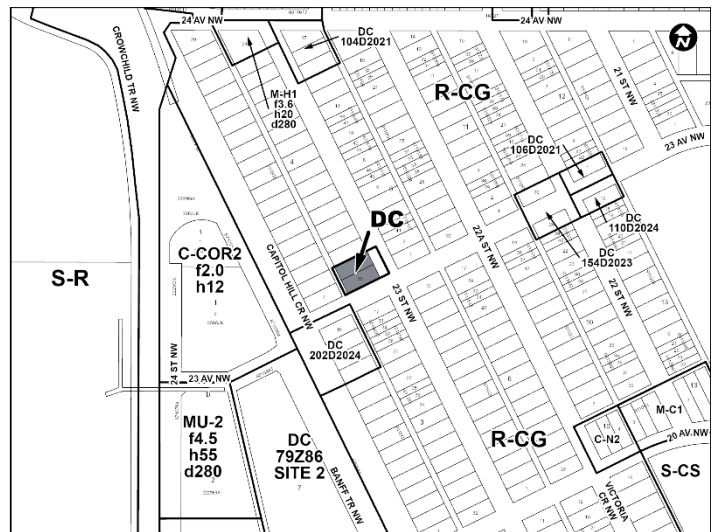
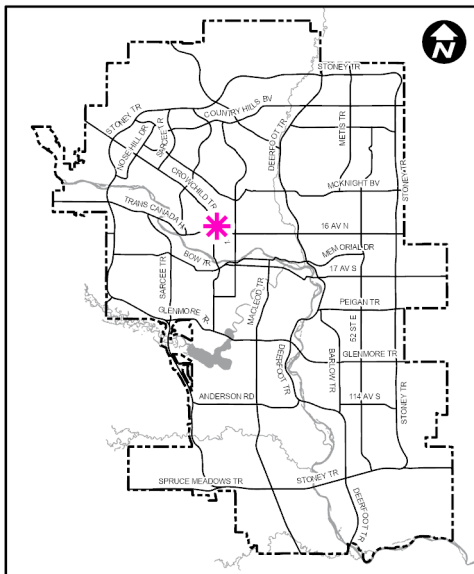
As identified below, the community of Banff Trail reached its peak population in 1968.

Banff Trail	
Peak Population Year	1968
Peak Population	4,883
2019 Current Population	4,153
Difference in Population (Number)	- 730
Difference in Population (Percent)	- 14.9%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Banff Trail Community Profile](#).

Location Maps





Previous Council Direction

In 2013, Council directed Administration to work with interested parties to identify potential areas for modest intensification in Banff Trail. As a result of this direction, the Banff Trail Area Redevelopment Plan (ARP) was amended in 2016 to include several new typologies, including Low Density Rowhouse. The Low Density Rowhouse typology was applied to numerous sites, including the subject parcel.

In 2017, Council approved a City-initiated redesignation (Bylaw 269D2017) to the Residential – Grade-Oriented Infill (R-CG) District of several blocks along strategic corridors in Banff Trail. This action supported the implementation of the Land Use Plan (Figure 2 – Land Use Plan) in the ARP.

In September 2019, Council amended the ARP (Bylaw 56P2019) to remove the Special Study Area overlay from the intersection of Crowchild Trail NW and 24 Avenue NW. The amendment supported redevelopment in alignment with the goals and objectives of the ARP where there was conflict with a restrictive covenant that limited development to one or two dwelling units.

Planning Evaluation

Land Use

The existing Residential – Grade-Oriented Infill (R-CG) District allows for a range of low-density housing forms such as single detached, semi-detached, duplex dwellings, rowhouses and townhouses. The R-CG District allows for a maximum building height of 11 metres and a maximum density of 75 dwelling units per hectare. Based on the subject site parcel area, this would allow for up to eight dwelling units with the potential for secondary suites.

The proposed land use district is a Direct Control (DC) District, based on the H-GO District. The intent of the DC is to allow for development that requires a minimum density of 80 units per hectare (minimum of eight dwelling units). The maximum floor area ratio is 1.5. The DC District also excludes Dwelling Unit as a use and adds the use of Multi-Residential Development.

Section 1386 (d) of the Land Use Bylaw 1P2007 provides locational criteria for where the H-GO District may be considered appropriate. Sites that do not have an approved Local Area Plan (LAP) must be within the Centre City or Inner City and meet at least one of the following criteria to qualify for the H-GO District.

- within 200 metres of a Main Street or Activity Centre as identified on the Urban Structure Map of the MDP;
- within 600 metres of an existing or capital-funded LRT platform;
- within 400 metres of an existing or capital-funded BRT station; and
- within 200 metres of primary transit service.

The subject site is considered appropriate for H-GO as it is located within an Inner City Area and is approximately 100 metres from an existing LRT Station (Banff Trail Station) located along Capitol Hill Crescent NW. Therefore, the subject site is appropriate for redesignation to the H-GO District.

Pursuant to Section 20 of the Land Use Bylaw 1P2007, this application for a DC District has been reviewed by Administration. The use of a Direct Control District is necessary to provide for the applicant's proposed development due to the unusual site constraint created by the restrictive covenant on title, which limits development to a single or two family dwelling and a private garage. The existence of the restrictive covenant prevents the landowners from developing their land in accordance with the approved policies of the ARP.

The DC District would allow for more housing opportunities for inner city living with access to alternative transportation modes and a more efficient use of existing infrastructure. The same result could not be achieved through the use of a standard land use district in the Land Use Bylaw.

The proposed DC District includes a rule that allows the Development Authority to relax most parts of the DC, excepting those that regulate density and land use. Section 6 incorporates the rules of the base district in Bylaw 1P2007 where the DC does not provide for specific regulation. In a standard district, many of these rules can be relaxed if they meet the test for relaxation of Bylaw 1P2007. The intent of this DC rule is to ensure that rules regulating aspects of development that are not specifically regulated by the DC can also be relaxed in the same way that they would be in a standard district.

Development and Site Design

If approved by Council, the rules proposed in the DC District and the policies of the *Banff Trail ARP* would enable a multi-residential development on the subject site.

Given the corner site context, proximity to Banff Trail LRT and that this site might be considered a gateway into the community, additional items that will be considered through the development permit process include, but are not limited to:

- well-considered amenity space design;
- shifting mass away from immediately adjacent parcels;
- mitigating shadowing, overlooking and privacy concerns; and

- ensuring an engaging interface along 23 Street NW and 23 Avenue NW.

Transportation

Pedestrian access is available from the existing sidewalks on 23 Street NW and 23 Avenue NW. On-street parking is restricted along 23 Street NW northbound and southbound (2 hours, 7:00 a.m. – 11:00 p.m., Monday to Sunday) and along 23 Avenue NW westbound (2 hours, 7:00 a.m. – 11:00 p.m., Monday to Sunday).

Existing on-street bikeways, part of the current Always Available for All Ages and Abilities (5A) Network, are located along 22 Street NW, 20 Avenue NW, 24 Avenue NW and Capitol Hill Crescent NW supporting access to and from the site by alternative transportation modes.

The subject site is well served by public transit and has direct access to Banff Trail LRT Station, approximately 100 metres west of the site (a two-minute walk). Bus routes are available along 16 Avenue NW including Route 19 (16 Avenue North), Route 40 (Crowfoot/North Hill) and Route 91 (Foothills Medical Centre) approximately 950 metres (a 16-minute walk) south of the site.

Vehicular access to the proposed development will only be permitted from the rear lane.

A Transportation Impact Assessment was not required as part of this application.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

Water, sanitary and storm services are available to service the subject site. Details of site servicing, as well as appropriate stormwater management will be considered and reviewed as part of any development permit application.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

Administration's recommendation aligns with the policy direction of the [South Saskatchewan Regional Plan](#), which directs population growth in the region to cities and towns, and promotes the efficient use of land.

Growth Plan (2022)

Administration's recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Growth Plan](#) (GP). The proposed land use amendment builds on the principles of the GP by promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Developed – Residential Inner City area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The proposal contributes to achieving applicable MDP policies that encourage redevelopment and modest intensification of inner-city communities to make more efficient use of existing infrastructure, public amenities and transit, while delivering modest and incremental benefits to climate resilience.

Calgary Climate Strategy (2022)

This application does not include any specific actions that address objectives of the [Calgary Climate Strategy – Pathways to 2050](#). Further opportunities to align development of this site with applicable climate strategies will be explored and encouraged at subsequent development approval stages.

Banff Trail Area Redevelopment Plan (Statutory – 1986)

The site is located within the Medium Density Low-Rise area, identified in Figure 2: Land Use Plan in the [Banff Trail Area Redevelopment Plan](#) (ARP). The Medium Density Low-Rise typologies are intended to allow for low-rise built form (approximately 3-4 storeys), including townhouses, apartments and live/work units. Figure 3: Maximum Building Heights identifies a maximum building height of 14 metres.

Section 2.1.2(b) of the ARP also provides specific direction regarding potential for conflict between the policy goals of the ARP and the caveat (restrictive covenant) affecting this site, stating:

“Many parcels in Banff Trail have a caveat registered against the certificate of title which may restrict development. These restrictions include, but are not limited to, restricting development to one or two-unit dwellings. In some cases, this caveat is not in alignment with the goals and objectives of this Plan and where such conflicts occur, the City of Calgary supports the direction of this Plan.”

The proposed land use amendment is in alignment with the applicable policy of the ARP.

South Shaganappi Communities Local Area Planning Project

This site is located in Area 13 (South Shaganappi Communities), which includes Banff Trail and surrounding communities. Administration is currently developing the [South Shaganappi Communities Local Area Plan Project](#). Planning applications are being accepted for processing while the project is in progress, however, applications are being reviewed using existing legislation and Council approved policy only, including the existing *Banff Trail Area Redevelopment Plan* (ARP). The proposal is in alignment with the applicable urban form category and building scale modifier for the subject site in the draft *South Shaganappi Local Area Plan* (LAP).