

Background and Planning Evaluation

Background and Site Context

The subject site is located in the inner southwest community of Bankview along 26 Avenue SW between 18 Street SW and 20 Street SW. The mid-block site comprises eight individual parcels with a cumulative area of approximately 0.50 hectares and a combined road frontage of approximately 110 metres along 26 Avenue SW. Each parcel forming the subject site is developed, containing detached dwellings ranging from one to two storeys and accessory residential buildings, with rear lane access along the northern property line.

Surrounding development includes a mix of low density single detached dwellings and semi-detached dwellings on parcels designated as Residential – Grade Oriented Infill (R-CG) District. There are parcels designated as Multi-Residential – Contextual Medium Profile (M-C2) District approximately 27 metres to the east, which are developed with built forms ranging from three to six storeys. To the west includes a small commercial district and a public park with an area of 0.60 hectares located approximately 90 metres from the subject site at the corner of 26 Avenue SW and 20 Street SW.

The subject site is accessible via transit with an eastbound bus stop located approximately 40 metres (less than a minute walk) and two westbound bus stops located 120 metres (a two minute walk) east and west of the subject site along 26 Avenue SW. These bus stops facilitate access to bus Route 6 which has end of line stops Downtown on 6 Avenue SW and at West Hills Towne Centre commercial district.

The entirety of the subject site is bound by a restrictive covenant registered in 1950, which restricts development on affected parcels to single or semi-detached dwellings. These covenants are registered on the title of affected properties, where used as an early land use planning method before municipalities adopted Land Use Bylaws and other planning policy instrument to govern land use planning and development. 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 who is also subject to the restrictive covenant enforces their right to impose the restrictive covenant.

A development permit ([DP2024-06225](#)) for Townhouse (5 buildings), Secondary Suites (34 suites) and Accessory Residential Building has been applied for and is currently under review.

Community Peak Population Table

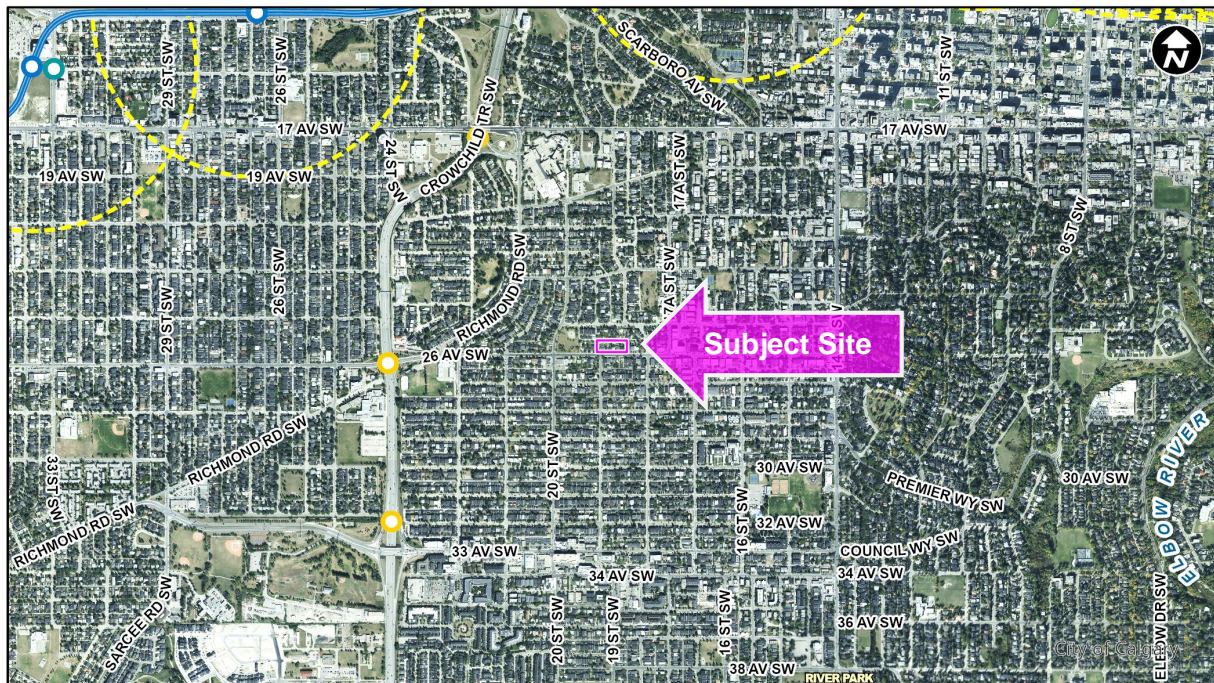
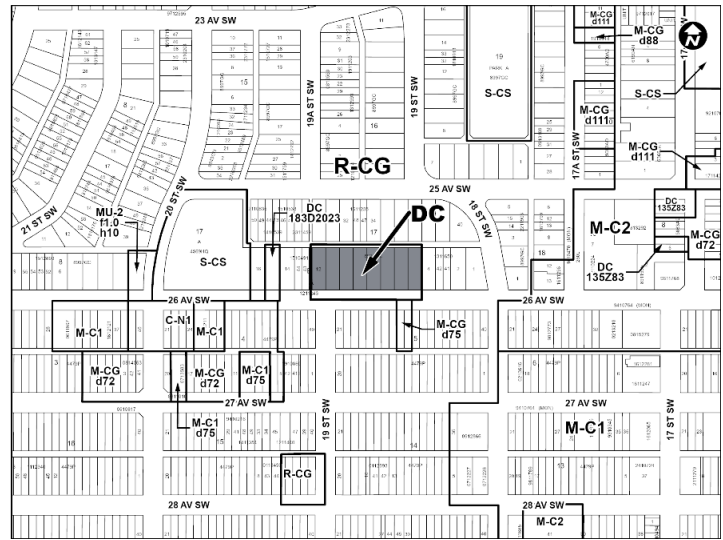
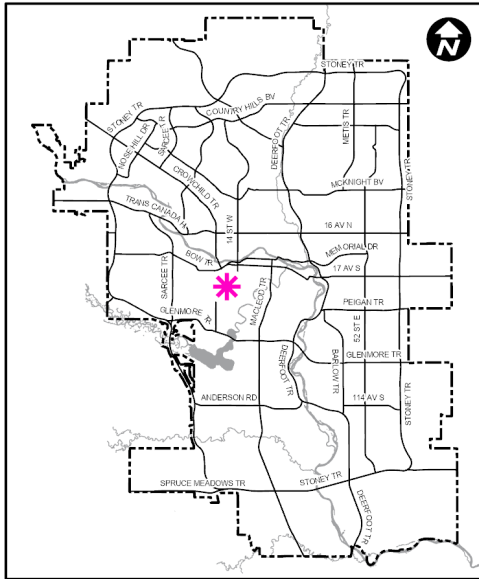
As identified below, the community of Bankview reached its peak population in 1981.

Bankview	
Peak Population Year	1981
Peak Population	5,590
2019 Current Population	5,256
Difference in Population (Number)	-334
Difference in Population (Percent)	-6.0%

Source: *The City of Calgary 2019 Civic Census*

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

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing Residential – Grade Oriented Infill (R-CG) District allows for a wide range of residential grade oriented development from single detached, semi-detached and multi-residential forms to facilitate housing diversity at a low density scale. Multi-residential built forms including rowhouse building and townhouse are discretionary uses in the R-CG District in addition to detached dwellings, semi-detached dwellings, duplex, cottage cluster housing and secondary suites which are permitted uses.

The proposed Direct Control District is based on the R-CG District and will maintain the rules of the R-CG District as prescribed under the current reiteration of the Land Use Bylaw 1P2007. Consequently, future development is restricted to a maximum building height of 11 metres from grade and maximum site density of 75 dwellings per hectare. The Direct Control District excludes Single Detached Dwelling, Contextual Single Detached, Semi-detached Dwelling, Contextual Semi-detached Dwelling, Duplex Dwelling and Cottage Housing Cluster uses as permitted or discretionary uses, to ensure redevelopment of the site is limited to low density residential infill, by way of Rowhouse Buildings and / or Townhouse developments.

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 allow 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 house and a private garage”.

The proposed DC District supports redevelopment that aligns with The City’s approved policy goals and investments, expressed through the *Municipal Development Plan (MDP)* and the *West Elbow Communities Local Area Plan*. The DC Bylaw is necessary to counteract the RC by deliberately conflicting with the objectives of the RC, in turn will support the landowners negotiations in court for the ability to discharge the RC on title in accordance with section 48(4) of the *Land Titles Act*.

The proposed DC District includes a rule that allows the Development Authority to relax Section 6 of the DC District Bylaw. Section 6 incorporates the rules of the base district in Bylaw 1P2007 where the DC District 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.

Density

The proposed DC will reflect the R-CG District which specifies a maximum density of 75 dwellings per hectare, this equates to approximately 38 units for the combined area of the subject site or four units for each individual parcel. Secondary suites are not considered units and do not count toward unit density.

A minimum density of 55 units per hectare is proposed as part of the DC as to ensure that a minimum of three dwelling units are provided on each individual parcel, or 28 dwelling units for the combined site. The R-CG District does not specify a minimum density requirement and is intentionally included as part of the DC to create a deliberate conflict with the Restrictive Covenant which limits development to only two units per parcel.

Site Access

Pedestrian access is gained via sidewalks following the road frontage along 26 Avenue SW. The City of Calgary is currently undertaking detailed design for sidewalk upgrades as part of the [26 Avenue SW improvements project](#) which involves increasing the width of the sidewalk at the site frontage to three metres to support multi-modal transport along the sidewalk including pedestrians and cyclists. The sidewalk upgrade is to be contained within the existing public right of way.

A laneway is constructed along the entire northern boundary of the subject site, which intersects with 18 Street SW to the east and 25 Avenue SW to the north which are local neighbourhood roads experiencing low to moderate traffic volumes. The laneway would be the primary access point for vehicular traffic to and from the subject site.

Transportation

The *Calgary Transportation Plan* identifies 26 Avenue SW as a collector road, which is the classification given to roads which provide for connection of residential neighbourhoods and neighbourhood commercial centres and experience moderate traffic flows with speeds of up to 50km/h. Collector Streets are appropriately designed and constructed to facilitate transit routes.

The subject site is directly adjacent to an eastbound bus stop located approximately 40 metres (less than a minute walk) and two westbound bus stops located 120 metres (a two-minute walk)

east and west of the subject site along 26 Avenue SW. These bus stops facilitate access to bus route service 6 which has end of line stops Downtown on 6 Avenue SW and at West Hills Towne Centre commercial district.

Environmental Site Considerations

No environmental concerns were noted and no reports were required for this land use.

Waste and Recycling

To be serviced via the rear lane.

Utilities and Servicing

The following utilities are available to potentially service the site:

Water	Water is available for connection adjacent to the lot via 26 Avenue SW
Sanitary	Sanitary is available for connection adjacent to the lot via 26 Avenue SW
Stormwater	Storm is available or connection adjacent to the lot via 26 Avenue SW
Electricity / Communication	Enmax electrical infrastructure and overhead transmission lines are located within the rear laneway.
Natural Gas	An active Atco pipe is located within the rear laneway.

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.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Developed Residential - Inner City area as identified on Map 1: Urban Structure of the [Municipal Development Plan](#) (MDP). The MDP regulates for redevelopment focused on intensification, particularly where within an area close to transit in the Inner City.

The proposed DC which reflects the existing R-CG District is consistent with the applicable policies of the MDP where the DC regulates for an intensification of the site through infill that maintains a low density residential form compatible with the adjoining area and close to bus stops providing access to public transportation.

West Elbow Communities Local Area Plan (Statutory – 2025)

The subject site is assigned the urban form category of "Neighbourhood Flex" and assigned "Low" building scale allowing for up to six storeys. The intention of the Neighbourhood Flex area is to support multiple uses and to accommodate multi-residential development in the form of dwelling units which address the street.

The proposed DC District is consistent with the land use intentions of the LAP where the DC reflects the R-CG District. The additional amendments to restrict built form to Rowhouse Buildings and Townhouse aligns with the purpose of the Neighbourhood Flex area where moderate densities are encouraged with preference for development providing for multiple units over singular residential forms.

The [West Elbow Communities LAP](#) includes policy regarding the treatment of restrictive covenants and directs administration to apply decision making which reflects the goals and objectives of the plan. The policy supports administration's ability to endorse the proposed DC to create a conflict with the restrictive covenant, where the DC empowers the LAP.