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ENDORSEMENT STATEMENT ON TRUTH AND RECONCILIATION, ANTI-RACISM, EQUITY, DIVERSITY, INCLUSION AND BELONGING

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First name [required]Michael

Last name [required]Wilhelm

How do you wish to attend?In-person

You may bring a support person should you require language or translator services. Do you plan on bringing a support person?No

What meeting do you wish to comment on? [required]Council

Date of meeting [required]Jul 15, 2025

What agenda item do you wish to comment on? (Refer to the Council or Committee agenda published [here](#).)

[required] - max 75 characters7.2.19 LOC2024-0278 CPC2025-0470

Are you in favour or opposition of the issue? [required]Neither

ATTACHMENT_01_FILENAME

2025 0409 Shaganappi Community Letter - LOC2024-0278 - 1408 33 ST SW - Support Withheld - Final.pdf

ATTACHMENT_02_FILENAME

Comments - please refrain from providing personal information in this field (maximum 2500 characters)

The written community response omits materials provided to the Development Authority on April 9, 2025 that are relevant to Council's review, and directly addresses the CPC members response. My verbal submission will address the information in the suppressed document and will answer the CPC member's question.



April 9, 2025

Asia Walker
Senior Planner, South Team, Community Planning
The City of Calgary
5th Floor, 800 Macleod Trail SE
Calgary, AB T2G 2M3
Email: asia.walker@calgary.ca

Dear Asia:

**RE: LOC2024-0278 - 1408 33 ST SW (as supported by DP2025-00969)
Initial Comments and Withheld Support**

Eight Years of Prior Community Association Engagement on this Single-Family Lot

This is the second attempt by O2 Design to seek a land use redesignation on this site (see LOC2020-0147 – Direct Control), as supported by the third Development Permit (“DP”) presented to us (see also DP2017-2423 - FAAS Architecture pre-application to apply within the existing M-C2 land use, DP2021-0147 – Lola Architecture; Direct Control district).

This building is important to get right, particularly as the lot resides on a main street already supporting significant new density of a high standard. We believe success of the City’s neighbouring re-acquired Westbrook lands and the City’s biggest ever investment in a transit station would require a high bar for a lot at this location.

We would ordinarily have no general objection to using the MU-1 stock land use district proposed here on 33rd Street, as the street functions well as a developing main street and access point for multi-modal public transit. Shaganappi was the first community to strongly support the use of the district, as intended, on 17th Avenue in support of our official Main Streets pilot project in 2017.

As with the three previous applications, we are challenged by what the proposed redesignation and design would set as a precedent. This time, we have been presented with a concurrent DP that already proposes more building mass than MU-1 contemplates, and we believe this reinforces our view that MU-1 would normally contemplate more than a single 50 x 111 foot lot for its purpose. If the subject site was even consolidated into two lots, the building would be greatly improved, and the project would gain all the opportunities offered by the MU-1 stock district.

Shaganappi Community Association
2516 – 14 Avenue SW
Calgary AB T3C 3V2

April 9, 2025

Re: LOC2024-0278 - 1408 33 ST SW (as supported by DP2025-00969)

Initial Comments and Withheld Support

To accommodate the proposed building, the applicant has already indicated a need to justify the following immediate, and significant, relaxations:

- 0 Resident Vehicle Parking Stalls proposed (24 stalls required)
- 1 Visitor Vehicle Parking Stall proposed (4 stalls required)
- 191m² Amenity Space proposed (215m² required)
- Levels 2-6 and the rooftop appear to partially encroach into the northern laneway setback
- Northern portion of Levels 2-6 and potentially the Level 1 staircase/entrance landing appear to encroach into the 2.134m Public Realm Setback along 33 Street SW

We've opposed a single lot massing concept this before on a similar single lot site adjacent to a transit station – please refer to the outcome of the CA's appeal of a building with a less density (3.0 FAR) on a larger lot at SDAB2020-0018 - 1403 26 Street SW, immediately adjacent to Shaganappi Point Station, which says, in part:

"The Board finds the fact that numerous relaxations would be required is an indication that the site is overdeveloped."

We will not support these relaxations. MU-1 is a stock district that presents already significant flexibility on consolidated lots. It is appropriate that no existing stock district would contemplate similar density and massing on a 50 x 111 foot lot.

If the redesignation is approved, we would require the DP drawings be fully re-worked to fit within the site context and proposed land use bylaws before further engagement or discussions take place.

Anticipated Affordability and Project Cost Arguments

Affordability is a consideration best assessed by City Council in setting broad land use policy and approving specific land use. Approval of MU-1 by Council on 33rd Street would normally be appropriate, and MU-1 is already supported by policies with that objective in mind. However, in this circumstance, approval of MU-1 here would contemplate a very different building than we see in the concurrent DP.

For the proposed building, we expect the applicant or his advisors to attempt to justify the above relaxations with reference to market affordability and project cost. These are political and economic arguments but not planning considerations. We therefore ask the Development Authority to evaluate the building on its merit. That is with consideration to its use, not its users.

More generally, we believe that the applicant's economic interests, specifically cost, should not be seen as justification for making affordability and quality of life mutually exclusive. Applicants should not be allowed to intentionally design buildings to enable the poor to live poorly.

Ongoing Communication Issues with the Applicant's Representatives

We have had extensive direct prior experience with the applicant's advisor, O2 Design, on prior applications for this site, but most recently on an unrelated project (LOC2024-0189). Our collective experience has us anticipating a zero-sum approach from their leadership team in regard to the upcoming negotiation on important planning considerations.

April 9, 2025

Re: LOC2024-0278 - 1408 33 ST SW (as supported by DP2025-00969)

Initial Comments and Withheld Support

To illustrate the tactic, on March 31, 2025 O2 Design has responded to a request for information on the trade offs considered in the approach to the land use redesignation (see attached) in a manner that we might reasonably view as an attempt to pre-restrict the scope of our future discussions by:

- Framing The Shaganappi Community Association as an already unreasonable party opposed to what they would have us believe is a precedent already set with the City of Calgary on an unrelated site.

However, the precedent (DP2024-08922) O2 referenced was represented as a single parcel, and this is only technically, but not substantively true. That 3.8 FAR application comprises two consolidated 50-foot lots, the property is still shown on the City's My Property website as 2 lots, and both of which would be individually 11% deeper at 123.5 feet each (if taken together and divided by 2). This accommodates a superior design and the availability of significant available public amenity space around the perimeter of the structure.

As such, the applicant's precedent strongly supports our position that a lot consolidation would improve the project, and an attempt to build to a MU-1 redesignation would be very challenging on a single unconsolidated 50 x 111 foot lot.

- Citing a representation made by our CA five years ago on the CA's opposition to using Direct Control ("DC") districts to support a weakly supported DC proposal, on their previous application, in support of a parking relaxation. (See: *"A Direct Control district is required to remove parking minimums ..."*, in the attached applicant rationale).

We believe O2 might have inferred that the question about trade-offs in their process was misconstrued as general opposition against DC districts more generally.

We have no such general position. We agree with the City's standing position that DC districts should be used for "for the purpose of providing for developments that, due to their unique characteristics, innovative ideas, or unusual site constraints, require specific regulation unavailable in other land use districts".

We didn't see the parking relaxation as meeting those more aspirational objectives.

- Inferring that City staff may have given the applicant's architect, DAAS Architecture, specific direction concerning the relaxations required at this location to in order to discourage the use of DC districts.

The March 31, 2025 email is our only experience with substantive engagement to date, and for the reasons above, we've elected to share our responses directly with you. In addition, CA help in structuring and leading wider stakeholder engagement has been requested. We would suggest that it is the applicant's responsibility, and our current experience would have us to hesitate in being immediately helpful.

April 9, 2025

Re: LOC2024-0278 - 1408 33 ST SW (as supported by DP2025-00969)

Initial Comments and Withheld Support

We will therefore withhold our support for the application pending adjustments to the nature of engagement with the applicant's representatives, new plans that meet the required criteria of the proposed land use, and our signoff on their specific wider engagement plan for the area. We would also appreciate any assistance the City might provide to creating a constructive go forward plan in that regard.

Sincerely,

The Shaganappi Community Association

A handwritten signature in dark ink, consisting of a series of connected loops and a final horizontal stroke.

Michael Wilhelm
President

A handwritten signature in dark ink, written in a cursive style.

Weston Bronconnier
Westbrook Representative, Development Committee

Cc: Courtney Walcott, Alicia Ta, Ward 8 Office, City of Calgary
Development Committee, Shaganappi CA
Vanessa Develter, Sydney Bailey, Brian Horton O2 Design
DAAS Design and Architecture Studio
Mark Heinke, 2654482 Alberta Ltd., Mazmik Developments Limited

From:
To:
Cc:



Subject: RE: 33 Street Community Engagement
Date: March 31, 2025 8:00:07 AM

Hi Mike,

Thanks for your comments.

The mixed-use districts are intended to support buildings typically between 4-6 storeys with no more than 10 storeys with street oriented design. Given the transitional context of the site, with a nearby transit station as well as local area policy that supports up to 6 storeys of mixed use or multi-residential development, we believe the chosen MU-1 land use district is appropriate for the site. When considering alternative land use districts that would allow for 6 storey multi-residential development, MH-1 would be an alternative, however the required setbacks would severely restrict the developability of the site and would not achieve the landowners intended vision of 6 storey multi-residential development. O2 has successfully used a stock MU-1 district for a narrow, single parcel to enable 6 storey multi-residential development, most recently at 121 17 Avenue SE. This parcel currently has an active DP on it for ground floor commercial with residential above (DP2024-08922). While this isn't an apples-to-apples comparison, it does demonstrate that smaller sites can still be appropriate for MU-1 development.

The project team reviewed the use of a DC based on MU-1 versus the stock district and went back and forth internally to determine what relaxations would be required, and if a DC would be accepted by staff. DAAS took forward a pre-application for the DP to discuss the required relaxations with Administration before a formal land use application was submitted. We do not believe that applying for a DC for parking relaxations alone is appropriate, and If I correctly recall, the Community Association previously did not agree with the use of a DC for a parking relaxation either (Letter from April 20, 2021).

O2 is happy to meet to discuss the land use application whenever the group is ready to meet. The DP has been submitted and is under review with Administration. In an effort not to hold up the land use application, please let us know who else we should contact in the immediate area to advertise the land use application so we can prepare for, and complete public engagement on the land use application.

We believe this site is an excellent location for densification and are happy there is a DP

under review to provide additional design details both to your group and Administration.

We look forward to hearing from you.

Best,

Vanessa Develter

MSc, RPP, MCIP

Associate Planner

[REDACTED]

[REDACTED]

O2

From: Mike Wilhelm [REDACTED]
Sent: March 20, 2025 10:49 AM
To: Vanessa Develter [REDACTED]
Cc: Sydney Bailey [REDACTED] 'Christopher Berg'
[REDACTED] Rob McManus
[REDACTED] 'Jon Romalo' [REDACTED]
Subject: RE: 33 Street Community Engagement

Venessa,

No problem. Added our committee and certain other CA reps to this response.

As a general comment, prior to further engagement, we are struggling with the use of the proposed MU-1 land use (which was designed for augment more density on a main street of this type) with the actual building proposed.

The building proposed proposes more building mass than even MU-1 contemplates, as MU-1 would normally anticipate a lot consolidation in this circumstance.

In light of the relaxations required of this stock land use (resident parking, visitor parking, amenity space minimums, encroachment of floor 2-6 into the laneway and public realm setback), would the previous DC approach, which actually had more visitors stalls, more bicycle stalls (almost by a factor of 1.8x this time), be a more direct way to approach an appropriate land use change in support of the planned building?

Mike Wilhelm
President, Shaganappi Community Association
[REDACTED]

From: Vanessa Develter [REDACTED]
Sent: March 20, 2025 10:06 AM
To: Mike Wilhelm [REDACTED]
Cc: Sydney Bailey [REDACTED]; 'Christopher Berg'
[REDACTED]
Subject: Re: 33 Street Community Engagement

Hi Mike,

Apologies, this week has gotten away from me.

I'm tied up this morning but if there's specific development regulations you want to review can you send them along in advance and we can get Christopher and myself to review before to make the conversation more beneficial to all.

Vanessa

Get [Outlook for iOS](#)

From: Mike Wilhelm [REDACTED]
Sent: Thursday, March 20, 2025 9:22:12 AM
To: Vanessa Develter [REDACTED]
Cc: Sydney Bailey [REDACTED]; 'Christopher Berg'
[REDACTED]
Subject: RE: 33 Street Community Engagement

Hi Vanessa,

I left a voicemail early in the week. I have some time to chat further this morning if you're available.

Thanks.

Mike
[REDACTED]

From: Vanessa Develter [REDACTED]
Sent: March 17, 2025 7:35 AM
To: Mike Wilhelm [REDACTED]
Cc: Sydney Bailey [REDACTED] Christopher Berg
[REDACTED]
Subject: 33 Street Community Engagement

Good morning Mike,

I hope you had a nice weekend.

I wanted to touch base with you regarding the 33rd Street land use/DP application.

Have you and others had a chance to review both applications? I'd like to schedule a meeting to discuss the applications and get feedback from adjacent neighbours.

Please let me know if you have talked to others or not.

I have copied a colleague, Sydney as she is taking over for Keith on this file.

Best,

Vanessa Develter

MSc, RPP, MCIP

Associate Planner

[REDACTED]

[REDACTED]

O2

DC Rationale

As noted in our applicant submission, O2 Planning + Design, on behalf of the landowner, are proposing to redesignate the parcel located at 1408 33rd Street SW to a Direct Control (DC) based on the Mixed Use – General (MU-1) District in order to enable the proposed mixed-use transit oriented development. A Direct Control (DC) district is required to remove parking minimums and provide necessary built form and use relaxations to maximize the potential of the site and ensure the viability of the proposed development. Although this application is not being submitted with a concurrent development permit, we are collaborating with the owner's architect as they are developing preliminary designs for the project. The concept design informed the proposed rules of the DC.

Section 20 of Land Use Bylaw 1P2007 states:

Direct Control Districts must only be used for the purpose of providing for developments that, due to their unique characteristics, innovative ideas, or unusual site constraints, require specific regulation unavailable in other land use districts.

For the reasons outlined below, the proposed development meets the criteria for the use of a Direct Control district.

Site Context

The site offers the opportunity to set a new standard for transit-oriented development (TOD), specifically on small urban lots, within the City of Calgary. The Westbrook LRT Station, identified as a Primary Transit Hub, is located less than 50 metres from the site. Several bicycle lanes, pedestrian amenities, parks, and the Killarney Aquatic & Recreation Centre are within proximity of the site. In addition, the Westbrook Mall, which is identified as a Community Activity Centre, is approximately 100 metres from the site, and 17th Avenue SW (identified as a Main Street) is within walking distance. The site is ideally situated to both support the redevelopment plans for the area, and to provide a new housing form that supports active lifestyles and reduces reliance on automobile ownership.

Innovative Idea: Zero Parking Supporting Increased Housing Choice and Reduced Housing Costs

Given the site's significant TOD potential, as well as its proximity to the wealth of existing and planned community amenities, this application seeks a DC that removes minimum parking requirements. Allowing the market to dictate parking supply ensures that the development supports the City's investment in transit, cycle lanes and pathways, and the various initiatives set forth in the MDP and the Westbrook Village ARP. Reducing parking rates also reduces construction costs, allowing the landowner to pass on savings to future tenants. In addition, by reducing the amount of concrete required to construct the project the overall environmental footprint of the building will be reduced.

This is an ideal location to showcase best practices in TOD. Providing higher density near the LRT station ensures that transit is convenient and encourages ridership. The City's TOD Best Practices Handbook recognizes the importance of providing enough parking, but not too much. In our opinion, providing enough parking is best determined by the market rather than by bylaw rates. This allows parking supply to be dictated by site-specific considerations, anticipated tenant profiles, and development vision.

We understand that administration prefers relaxing parking rates at the Development Permit stage. However, given the substantial decrease in parking being sought in order to support redevelopment of the small site, establishing parking rates in a DC will provide administration and the community with certainty, and allow the landowner to proceed with development plans with a clear understanding of the requirements.

Built Form, Urban Design, and Use Relaxations

In order to facilitate the proposed development a number of built form, use, and urban design relaxations from the proposed MU-1 base district (including the General Rules for Mixed-Use Land Use Districts) will also be required in the DC.

These relaxations may include, but may not be limited, to the following:

- Ground floor height minimum reductions for non-dwelling unit uses;
- Consideration of language relaxation regarding units requiring direct, separate, at-grade entrances;
- Provision of office as a permitted ground floor use in a mixed-use building; and
- Minimum lane setback reductions.

Summary

MU-1 is the appropriate base district for the DC to support the proposed Floor Area Ratio and maximum height. MU-1 also provides the flexibility to incorporate active retail uses along 33rd Street SW, should the market support it.

We look forward to working with administration towards facilitating a development that achieves both the development vision and the aspirations of the City, and helps to catalyze additional investment and redevelopment of the Westbrook Village area.