

Williams, Debbie D. (City Clerk's)

From: mazum <mazum@telus.net>
Sent: Thursday, January 03, 2019 1:18 PM
To: Public Submissions
Subject: [EXT] Objection to Application #LOC2018-0104 for proposed Land Use Amendment at 96 Royal Birch Pt NW
Attachments: Notice of Public Hearing.pdf; LOC2018-0104.pdf
Importance: High

Hello Members of Council,

Thank you for your attached "Notice of Public Hearing on Planning Matters" related to Application #LOC2018-0104 (also attached) for proposed Land Use Amendment at 96 Royal Birch Pt NW. Due to some ongoing illness in the family, the undersigned will not be able to represent their objection to the application through presenting ourselves physically before the City Council Public Hearing scheduled for Jan 14, 2019 at 9:30 AM. However, we would be enormously grateful if the content of this correspondence-of-objection is reviewed in its entirety and treated according to its merit by The Council on the said date before The Council proceeds with taking a decision on this issue.

As had been communicated to The City earlier with reference to the attached notification of application for Land Use Amendment #LOC2018-0104 for location as indicated at 96 Royal Birch Pt NW, please treat this correspondence as our **official objection** to the purpose and intention laid down on the said application suggesting further urban development in the indicated area. We have been residents at the address below for over 15 years now and no time in the past our living conditions have been 'threatened' purportedly as it is now, through this proposed venture. If the applicant to this proposed Land Use Amendment is allowed to proceed with this venture, there will be an obvious but unwarranted shift-of-balance in the areas/topics below affecting the living conditions and lives of the adjacent property owners:

-- The adjacent property owners' decisions to purchase their current properties were positively and particularly influenced by the current configuration of the cul-de-sac. Any subsequent development impacting the neighboring conditions adversely is an infringement to the interests of the current neighbors and residents and therefore violates the premise effecting their retrospective decisions to inhabit the area.

-- The delicate ecological balance in this (and surrounding) mature environmental habitat will be threatened to no ends from this proposed development. This environmental habitat is the current home of a vast species of small animals and birds and their receding habitat will put undue pressure on their lives, sustenance and existence and on the city's overall ecological balance.

-- Current property owners will experience a surge in traffic and traffic-related noise, possible safety-violation issues, pollution, additional pressure on streets and other infrastructure from this proposed additional settlement after construction-completion that will be detrimental factors to the lifestyles of the current property owners.

-- The construction phase also presents its own appalling conditions with heavy construction vehicles making innumerable trips, with noisy pile-drivers and the resultant loose dust, typical of a construction site resulting in the total decimation of the living conditions of this quiet cul-de-sac and adversely impacting the lives of its inhabitants.

We sincerely hope that good sense will prevail in the end and The City will make desperate attempts to stop this proposed development. It is therefore the correct decision to reject this application in the light of the above-mentioned factors, conforming to The City's nature and natural habitat conservation initiatives in an effort to conserve and promote native biodiversity in Calgary that we are so proud of.

Kindest regards,

Arpita & Raj Mazumdar

Residents of 51 Royal Birch Point NW

Calgary, AB T3G 5P9

(403)230-0545 (Home)

mazum@telus.net



NOTICE OF PUBLIC HEARING ON PLANNING MATTERS

www.calgary.ca/development

02 0 0000384*

IMC 8062

ARPITA and RAJ MAZUMDAR
51 ROYAL BIRCH PT NW
CALGARY, AB
T3G 5P9

Why did I receive this letter?

The City of Calgary has received an application to amend the Land Use Designation (zoning) for the property described in the attachment. As the owner of an adjacent property you are hereby advised that City Council will hold a Public Hearing in the Council Chambers Calgary Municipal Building 800 Macleod Trail SE, on Monday, January 14, 2019, commencing at 9:30 a.m.

Can I review the application in more detail?

A copy of the proposed bylaws and documents relating to these items may be inspected beginning on Thursday, December 27, 2018, between 8:00 a.m. and 4:30 p.m. Monday to Friday at the Office of the City Clerk, Corporate Records Section, located on the main street level of the Administration Building, 313 - 7 Avenue SE. The proposed bylaws and documents relating to these items are available on the City of Calgary website www.calgary.ca/planningmatters. The information available on the website is not provided as an official record but is made available online as a public service for the public's convenience.

Can I submit my comments to City Council?

Persons wishing to submit a letter, public opinion poll or other communication concerning these matters may do so provided they are printed, typewritten or legibly written and include the name of the writer, mailing address, electronic address (as applicable) and must focus on the application and its planning merits. Submissions with defamatory content and/or offensive language will be filed by the City Clerk and not printed in the Council Agenda or shared with Members of Council. Only those submissions received by the City Clerk not later than 12:00 p.m. (noon), Monday, January 07, 2019, shall be included in the Agenda of Council. Submissions must be addressed to Office of the City Clerk, The City of Calgary 700 Macleod Trail SE P.O. Box 2100, Postal Station 'M' Calgary, Alberta T2P 2M5. Submissions may be hand delivered, mailed, faxed to 403-268-2362, or emailed to PublicSubmissions@calgary.ca.

The personal information in submissions made is collected under the authority of the Alberta Freedom of Information and Protection of Privacy Act, Section 33(c) for the purpose of public participation in land use decision making. Submissions meeting criteria will be included in the public meeting Council Agenda as received. The personal information included in the submission will be publicly available, in accordance with Section 40(1) of the FOIP Act. If you have any questions regarding the collection of this information please contact 311 for the FOIP Program Administrator, Planning & Development Department, IMC#8115, P.O. Box 2100, Stn "M", Calgary, Ab T2P 2M5.

What if I submit my comments late?

Late submissions will not be accepted in the City Clerk's Office.

How will my comments/submission be used?

Submissions received by the published deadline will be included in the Council Agenda, and will only be used for Council's consideration of the issue before them.

Can I address City Council in person?

Any person who wishes to address Council on any matter mentioned herein may do so for a period of FIVE MINUTES. The five (5) minutes shall be exclusive of any time required to answer questions. Persons addressing Council shall limit their comments to the matter contained in the report and the recommendations being discussed. Contact the City Clerk at 403-268-5861 for further information.

Can I distribute additional material at the meeting?

Anyone wishing to distribute additional material at the meeting shall supply the City Clerk with thirty-five (35) copies at the time of presentation. It should be noted that such additional material will require the approval of the Mayor before distribution to Members of Council. The personal information is collected under the authority of the Municipal Government Act, Section 606 and bylaw 44M2006 and is used as part of the agenda of the Public Hearing of Council. If you have questions on the use of this information you may contact the City Clerk at 403-268-5861.

If the Public Hearing is still in progress at 9:30 p.m., Council may conclude the matter under discussion and will reconvene at 1:00 p.m. of the next business day, unless otherwise directed by Council.

Laura M. Kennedy, CITY CLERK

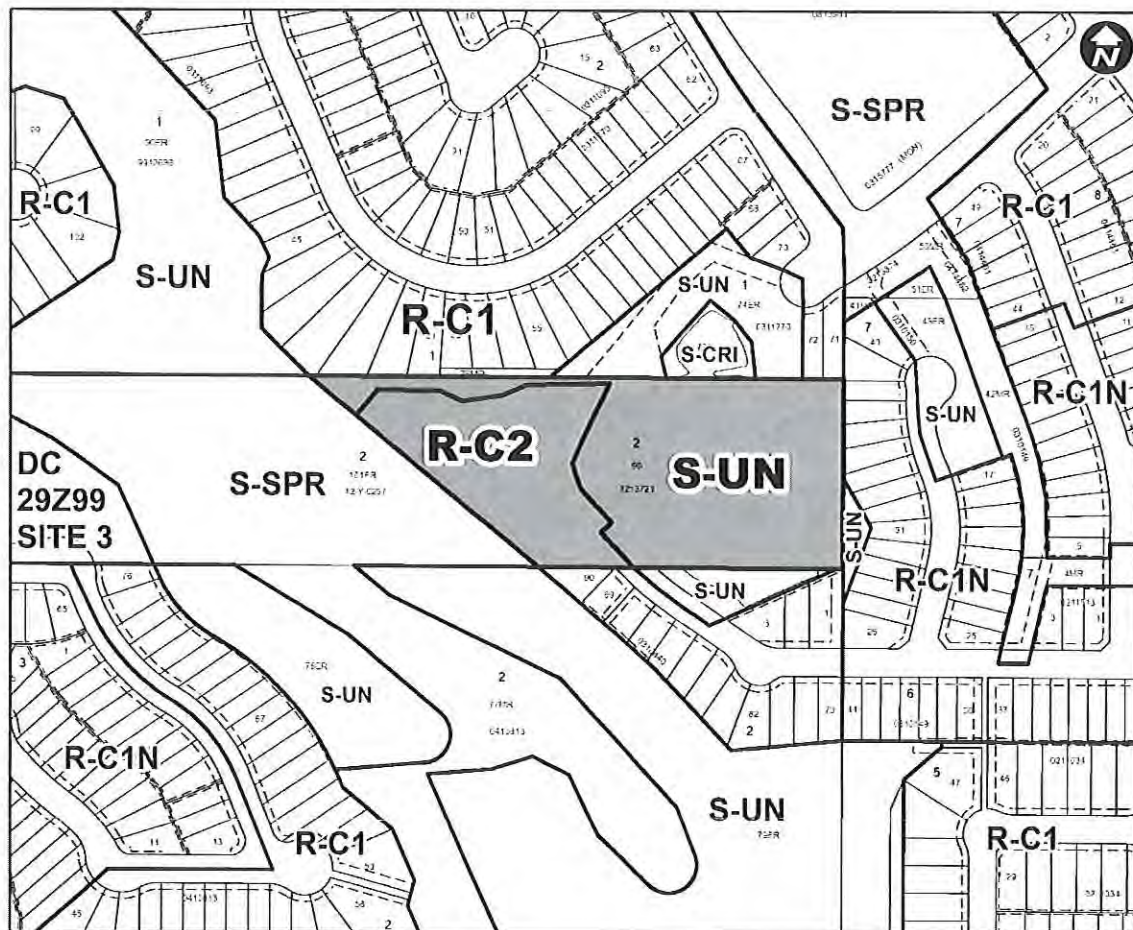
The uses and rules that apply to different land use designations are found in the Land Use Bylaw 1P2007 www.calgary.ca/landusebylaw except those for the DC District which are available from Planning & Development. Please direct questions with regard to the matters mentioned herein to 403-268-5311.

Learn more or comment
calgary.ca/development
or 403.268.5311

LAND USE REDESIGNATION

ROYAL OAK BYLAW 32D2019

To redesignate the land located at 96 Royal Birch Point NW (Plan 1213721, Block 2, Lot 90) from Residential – Contextual One Dwelling (R-C1) District and Special Purpose – City and Regional Infrastructure (S-CRI) District **to** Residential – Contextual One / Two Dwelling (R-C2) District and Special Purpose – Urban Nature (S-UN) District.





PLANNING & DEVELOPMENT
www.calgary.ca/development

8201

ARPITA and RAJ MAZUMDAR
51 ROYAL BIRCH PT NW
CALGARY, AB
T3G 5P9

Application for Land Use Amendment: LOC2018-0104
Location: 96 ROYAL BIRCH PT NW

The City of Calgary has received an application for a Land Use Amendment on the subject property highlighted on the attached sketch. As the owner of an adjacent property, you may wish to submit written comments on the application.

The application proposes to redesignate the land use for the property listed above:

From: R-C1, R-C1, S-CRI, S-CRI
To: R-C2, S-UN, R-C2, S-UN

Learn more or comment www.calgary.ca/development or 403.268.5311

This application is currently being circulated to City departments, external referees and all adjacent owners. Circulation comments will be duly considered and a recommendation on the application will go forward to the Calgary Planning Commission.

The Calgary Planning Commission will review the application and make a recommendation to be forwarded to a public hearing of City Council for the final decision. You will be notified by letter when this item is scheduled to be heard at the public hearing and how you can be involved in the process should you wish to make representation to City Council, either in person or by filing a written submission.

If you have any comments regarding this Land Use Amendment application, please send your written response by June 23, 2018 to:

COLEEN AULD File Manager IMC #8043
800 Macleod Trail SE P.O. Box 2100, Postal Station 'M' Calgary, Alberta T2P 2M5
Phone: (403) 268-1522 Fax: (403) 268-3636 Email: coleen.auld@calgary.ca



Land Use Redesignation Applicant's Submission

Not Including Secondary Suites

PL 1263 (R2017-09)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this form to ensure it will fit the space requirements of the report. Supplementary information can be provided separately in your application if required.

Introduction

96 Royal Birch Point NW is located in northwest Calgary in the community of Royal Oak and is 2.25 hectares (5.56 acres) in size. The subject site received outline plan approval in 1999 and 2002, was rezoned for development in 1999 and was approved for subdivision in 2014. The subject site has now been purchased by a new developer who has a modified vision for the development

Vision

The vision for the subject lands is a conservation design subdivision where a compact development site is established allowing for the majority of the land to be conserved as natural areas and open space. It is intended that the compact design is sensitive to the surrounding neighbourhood residents in terms of building form, height and separation while expanding the choice of housing in the area. The pathway and sidewalk system will be extended to connect the development with surrounding amenities and transit.

Proposed Development

The developable portion of the site is approximately 0.75 hectares (1.86 acres) in size and is envisioned to be developed for approximately 20 side-by-side bungalows of one store in height. The units will be situated along a private road that extends from Royal Birch Point NW. The units will face the surrounding open space. The existing pathway connecting the site from the northeast will be widened to 6 metre to accommodate an emergency access to the site. The site is proposed to be redesignated from Residential – Contextual One Dwelling (R-C1) to Residential – Contextual One/Two Dwelling (R-C2) to accommodate the proposed development.

Open Space

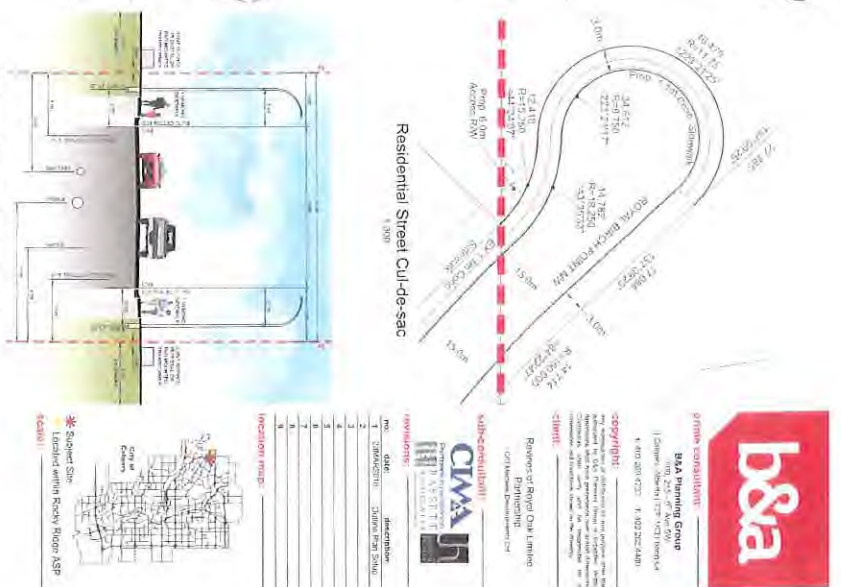
1.43 hectares (3.53 acres) or 63% of the subject site will be conserved as public open space in the form of Environmental Reserve. This open space area will conserve the existing wetlands, trees and grasslands. A pathway will be extended through the open space to offer access to this area to the public. The open space portion is proposed to be rezoned to Special Purpose - Urban Nature (S-UN) to recognize the Environment Reserve character of the land.

Policy Considerations

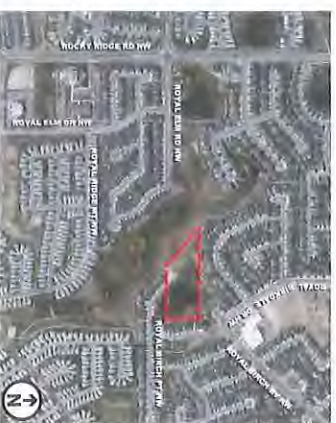
The subject sites fall under the Rocky Ridge Area Structure Plan (ASP) and this plan identifies the subject site to be within the Residential and Related Uses area. The ASP anticipates that the predominant form of housing in Rocky Ridge to be single-family but does encourage other housing types in appropriate locations to achieve a mix of housing types.

Summary

The vision for the proposed development is a conservation design subdivision where a compact development site allow for a majority of the subject site to be preserved for the use and enjoyment of the surrounding Royal Oak residents. The site is anticipated to be developed for side-by-side bungalows which, when constructed, will diversify the housing available within the community. In addition, a pathway and sidewalks are proposed to be extended to link the development with surrounding amenities and transit. To help achieve this vision, it is proposed that a portion of the subject site be rezoned R-C2 to allow side-by-side villa bungalows respectively. In addition, it is proposed that portions of the subject lands to be redesignated to S-UN to accommodate the dedication of Environmental Reserve. In consideration of these benefits, we respectfully request City Administration's, Calgary Planning Commission's and Council's support for this application.



Land Use Statistics			
Land Use		Land Use	Hectares
R-C1	10	R-C2	0.75
R-C1	10	S-UNIER	0.77
S-C1	10	R-C2	0.04
S-C1	10	S-UNIER	1.28
Total			2.25



Williams, Debbie D. (City Clerk's)

From: Murray Young <murraydocyoung@gmail.com>
Sent: Thursday, January 03, 2019 7:09 PM
To: Public Submissions
Subject: [EXT] Land use redesignation Royal Oak Bylaw 32D2019

Writer: Murray Young, 147 Royal Birkdale Dr NW Calgary T3G5R8
murraydocyoung@gmail.com

I do not find the information provided (pages 613-623 on the City web site) sufficient to merit approval of the redesignation (Royal Oak Bylaw 32D2019) at this time.

Specifically:

: the design is described a "compact" (up to 20 duplex units when much of the space is urban nature--water-retention), without recognition of the parking difficulties (half-length drive-ways; [little or] no visitor parking spaces), turning radius of common cartage vehicles and moving vans; entry--exit of service vehicles such as fire and ambulance, trash and recycling trucks);

: while the development application proposes to designate a portion of the land 'special purpose--urban nature (S-UN)', it simultaneously calls for widening of the existing walkway to 6 meters. That excavation that would degrade the hillside currently used by students at Royal Oak elementary school for study of the marine and land creatures, birds and flora;

: the topographic descriptions provided to not account for the underground 'spring' and seasonal run-off from higher ground just north of the development boundary and thus impact soil stability in and into the proposed development. Erosion would be strongest in the spring when the run-off creates an above ground, free-flowing stream approaching the north boundary of the requested housing;

: residents of the proposed development who'd have children walking to Royal Oak (elementary) School and/or to Wm D Pratt (middle school) would navigate the walkway described into a cul-du-sac where vehicle traffic is dense (as parents park in order to drop off and pick up children). The accident risk to walkers is exacerbated during the winter as City snow plows use the cul-du-sac to 'pile snow into' rather than clearing the circular road area resulting in vehicles regularly becoming stuck (and then having be pushed and 'dug out' by kind neighbours from adjacent homes).

: the development application states that homes would 'face surrounding open space'. Renderings shown to area residents during public consultation showed that would not be the case for a number of the duplex units. Thus, current home owners in the area are concerned about what other 'inaccuracies' might be present or subsequently appear.

Conclusions

- With further research and community consultation and a reduction in the number of units to be built, it is possible each of these matters can be resolved.
- In my view, these matters must be addressed before re-designation can be approved by Council.

Sincerely,
Murray Young (tel 587-351.3877) email submission 3 Jan 2019

From: Sandra Madden
To: [Public Submissions](#)
Cc: [Dr. GM](#)
Subject: [EXT] LAND USE RE DESIGNATION ROYAL OAK BYLAW 32D2019
Date: Sunday, January 06, 2019 12:13:52 PM

January 6, 2019

Office of the City Clerk
City of Calgary
700 Macleod Trail SE
P.O. Box 2100 Postal Station M
Calgary, AB T2P 2M5

Attention Laura M. Kennedy, City Clerk

Re: LAND USE RE DESIGNATION ROYAL OAK BYLAW 32D2019

Dear Ms. Kennedy,

Thank you for providing opportunity for our input as residents of Royal Oak on the proposed re-designation of the land located at 96 royal Birch Point NW (Plan 1213721, Bock 2 Lot 90) from Residential - Contextual One Dwelling (R-C1) District and Special Purpose - City and Regional Infrastructure (S-CR1) **to** District to Residential - Contextual One/ Two Dwelling (R-C2) District and Special Purpose - Urban Nature (S-UN) District.

My husband and I live at 242 Royal Birkdale Cres. NW. According to the zoning map you enclosed in the Notice of Public Hearing on Planning Matters letter you recently sent us, we are located in the zone R-C2. Our property backs onto the storm pond. There is a fairly steep hill and a walking path between our property and the storm pond.

It is our understanding that the re-designation proposal includes an emergency roadway to replace the walking path. We have serious concerns that by widening the pathway, our property may suffer significant erosion due to the steep incline of the natural landscape. We strongly oppose this development without assurance that every measure will be taken to preserve our property from erosion. One such measure we deem essential would be a supportive retaining wall along the entire R-C2 zone properties.

Once again, thank you for the opportunity to voice our concerns and for your kind consideration in this important matter.

Sincerely,

Sandra Madden, RPC. MPCC. DCC.
Maximized Living
www.sandramadden.org
403-478-7779
sandramadden01@gmail.com

Williams, Debbie D. (City Clerk's)

From: Kathie Robert <kmrobert@shaw.ca>
Sent: Sunday, January 06, 2019 10:26 PM
To: Public Submissions
Subject: [EXT] Land Use Amendment at Royal Birch Point NW, LOC2018-0104 (Bylaw 32D2019)
Importance: High

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
PO Box 2100, Postal Station 'M'
Calgary AB T2P 2M5
PublicSubmissions@calgary.ca

To Whom it May Concern,

I am writing in response to the Notice of Public Hearing on Planning Matters Regarding the Land Use Amendment in Royal Oak (Ward 1) at Royal Birch Point NW, LOC2018-0104 (BYLAW 32D2019).

As the owner of a property adjacent to the subject site, I know this area well and have concerns about the application.

I do not believe that enough information has been presented in the application summary for approval of this application. The application does not have enough information about the access requirements for the subject site and related impact to land adjacent to the site, which is not only outside of the land use amendment boundaries under review, but currently designated S-UN. Furthermore, because details are either not specified or vague, I am concerned that they would be subject to change after Council approval.

This application indicates that the site to be developed is "located at the end of Royal Birch Point NW which presents a cul-de-sac in excess of 120 meters" and that a "second access is needed and thus an emergency access [will be] provided from the north and will be co-located with the regional path access from Royal Birch Boulevard NW" (p.5, para. 4). While the application does indicate that "the existing pathway connecting the site from the northeast will be widened to 6 meter to accommodate an emergency access to the site" (CPC2018-1362, attachment 1), it does not specifically identify that the land on which this path must be widened is located **outside of the subject land use amendment application** which is **designated S-UN**.

This path slightly varies in width but averages approximately 4M wide and is approximately 125M long. Widening this path to the required 6M would require paving of approximately 250 m² or 0.025 hectares; a sizable portion of this small parcel of S-UN designated land.

Understanding that land designated S-UN (Special Purpose – Urban Nature) is intended to "limit development to improvements that facilitate passive recreational use" (City of Calgary Land Use Bylaw – S-UN, 1021(1)c), I do not believe that widening a route to accommodate emergency access to facilitate residential development should be considered 'passive recreational use'. Regardless of the impact on this application, the City should be considerate of the precedence that is being set when making such exceptions to land designation specifications, especially when they are adjacent to, but not part of, the proposed amendment.

The application indicates emergency access is required because Royal Birch Point is longer than 120 metres (p.5, para. 4; p.6, para.6), yet it does not specify what the total length is anticipated to be as Access Standards differ depending on the total length/distance from a main thoroughfare (NFPA 1141). The application has not indicated that any other possible access route variations have been considered before proposing alteration to the adjacent S-UN designated land.

The application indicates that "the detailed design of the emergency access and regional pathway will be confirmed through the Landscape Construction Drawing process at the time of subdivision" (p.5, para. 4) but considering the lack of specifics around access requirements and the fact that the impacted areas are outside of the land use amendment boundaries in this application on land that is designated S-UN, I am concerned that approval without clarification of these items could create leeway for these items to materially change after Council approval.

Thank you for your time and consideration on this matter.

Sincerely,

Kathie Robert
250 Royal Birkdale Crescent NW
Calgary AB T3G 5R7
(403)969-5687
kmrobert@shaw.ca

Williams, Debbie D. (City Clerk's)

From: Amy Xia <amymxia@gmail.com>
Sent: Monday, January 07, 2019 10:11 AM
To: Public Submissions
Cc: Curtis Miu; linda jin
Subject: [EXT] Response to Royal Oak (Ward 1) at 96 Royal Birch Point NW

Categories: PublicSubmission

Office of the City Clerk

The city of Calgary

700 Macleod Trail SE

PO Box 2100, Postal Station 'M'

Calgary, AB T2P 2M3

PublicSubmissions@calgary.ca

Dear City of Calgary Planning and Development,

I own and reside at the property of 135 Royal Birkdale Dr NW, Calgary, AB T3G 5R8.

Please see below detailing my family and I's concerns pertaining to the proposed development at Royal Oak (Ward 1) at 96 Royal Birch Point NW.

- My family and I are the original owners of our property and were one of the first residents to move into the neighbourhood in 2003. One of the biggest reasons in selecting and staying in this community is the co-existence of urban nature space along with the little remaining wildlife. According to the proposal, widening of the existing pathway circling the North side of the pond requires widening of up to 6 metre. The current pathway of only 3.6 metre would require almost doubling and will most definitely impact both the natural areas and the current residential backyard areas. This natural area is heavily used and enjoyed by not only Royal Oak residents, but also schools and students in the surrounding area educating our next generation on the importance of wildlife protection and the importance of co-existing and respecting the environment.
- The only current natural access point for wildlife to the pond and surrounding natural area is where the proposed development will be. If houses were to be built, it would block and negatively impact the only gateway to the surrounding ecosystem and environment of scarce urban nature areas such as this.
- The proposal is set to be on area that is already designated as lands that are to be retained in their natural state. Thus further development will not only hinder the current scarce environment but deteriorate it.
- The development of this high density duplex dwelling is not consistent with the already built surrounding properties of single family homes.
- With only one two-way traffic road to access and exit into the proposed development area, it will cause not only major congestion, parking concerns, and increased traffic but also deterring wildlife residency.

- Within the proposal, there is no plan and restrictions on the future development of the emergency access road. With the development of this project, the increased traffic as a result of the high density dwelling will cause major congestion as there is to be only one entrance point. Therefore, there must be assurance to existing residents that the emergency access road will not be developed into a regular access road for residents in that area. Gates must be installed and only accessible by emergency vehicles.

I understand that these concerns are shared by many of the adjacent residents. Thank you for your time and consideration in this matter.

Sincerely,

Amy Xia

135 Royal Birkdale Dr NW

Calgary, AB T3G 5R8

403.401.4428

amymxia@gmail.com

Qi Yin and Yunmin Xu
139 Royal Birkdale Dr. NW
Calgary AB T3G 5R8
403 - 993 - 0176
qiqikidd@hotmail.com

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
PO Box 2100, Postal Station 'M'
Calgary AB T2P 2M5
PublicSubmissions@calgary.ca

Dear Sir/Madam;

I am writing in response to the letter received from the City regarding the Notice of Public Hearing on Planning Matters - the Land Use Amendment in Royal Oak (Ward 1) at Royal Birch Point NW, LOC2018-0104.

We at 139 Royal Birkdale Dr. NW. who have lived in this area for 10 years oppose of the land designation of the Bylaw 32D2019 for the following concerns.

We love our neighbor hood as is. We have beautiful trees, pond, and pathway for residents jogging, bicycling and walking dogs. To widen the pathway for emergency access to the site will erode the existing animal habitat, the living quality of community residents. Also, I know neighboring school students have study activities in this natural area. With this change, we believe this will destroy the nature of our backyard and the calmness of the area. This change have an definitely adverse effect on the original design of this area. Furthermore, if there a land designation, we will have less privacy in which also we will lose a beautiful view that we have.

My kids go to Royal Oak School. The traffic for this area is terribly busy in the mornings and the afternoons. This change will cause more traffic and damage to our environment. The safety of the students is a concern also with this redesaination. We believe kids should have a place to play and enjoy away from the busy traffic. Without a clear directions of the redesignation, we do not want to destroy the nature and the privacy of our back yard.

When we purchased our house in this area is for a lot of good reasons, and the most important reason is for the natural beauty and natural state of this area. And I believe the house price and the property assessment includes these factors as well. If this application approved, I want to know how this will take into account for property assessment and the money we invested in. I feel this is unfair to us and our neighborhood as the living and natural environment will change.


I have noticed that the information about access requirements for the subject site and related impact to land adjacent to the site is not clear enough. A clear details should have obtained prior to Council review and approval. We as residents need to know how the complete redesignation will look like, and will the development of the S-UN impact the pond that we have? There is no clear information on the widened 6 meter of the pathway to accommodate emergency access to the designated land and how this will affect the calm nature of our back yard.

With all this Concern, we are not happy with this decision. Please take this email as our comments for City Council meeting on January 14, 2019.

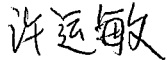
Thank you for your time and consideration.

Sincerely,

Qi Yin



Yunmin Xu



139 Royal Birkdale Dr. NW
Calgary AB T3G 5R8
403 - 993 - 0176
qiqikidd@hotmail.com

January 7, 2019

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
P.O. Box 2100
Postal Station 'M'
Calgary, AB T2P 2M5

By Email

Re: Land Use Designation of 96 Royal Birch Point NW (Plan 1213721, Block 2, Lot 90)
Royal Oak, Bylaw 32D2019

Dear Members of Council:

We are writing to indicate that we support the proposed redesignation of the property described above as indicated on the Notice of Public Hearing on Planning Matters we received as owners of an adjacent property. However we have one concern. We ask that prior to approving this redesignation City Council commits that the “emergency access” required for this proposal remains as a regional pathway connecting the area proposed to be zoned R-C2 on the property in question with the western end of Royal Birch Boulevard NW. We ask that council, before approving this redesignation, commits that this emergency access not be changed or widened and not be developed as a public roadway at this time or in the future. As is outlined in the executive summary accompanying the proposed bylaw, “the detailed design of the emergency access and regional pathway will be confirmed” at a later date. We ask that council limit the potential scope of that detailed design before approving the redesignation.

The current pathway is located directly behind our property (i.e., parallel to our rear property line) and we believe any changes to that pathway (1) are unnecessary, (2) would negatively impact the environmental reserve, and (3) would greatly reduce the privacy and peaceful enjoyment of our property and the other adjacent properties.

1. **Changes are unnecessary.** We recognize that the pathway in question is not within the property in question. However, we note that the developers propose widening the regional pathway to 6 metres for emergency access to their property. We recognize that emergency access is needed for houses on Royal Birch Point NW and the proposed houses for the property in question. However, we know that fire services vehicles can and have accessed this path. We have lived here for 14 and a half years and were present when there was a fire in the Mitra Natural Ravine Park that came up to the existing pathway across from our property and saw that fire trucks were able to access the pathway – the pathway served its purpose in its present width and location. We would ask that the pathway not be widened to 6 metres.
2. **Changes would negatively impact the environmental reserve.** The current pathway is approximately 4.5 metres in width. The land currently used for the pathway is zoned S-UN as an environmental reserve. We support the desire of that zoning to preserve “natural landforms and

vegetation". Widening the pathway to 6 metres, as proposed by the developer, would require taking over 200 square metres of land out of the environmental reserve. While this is undesirable in our opinion, any proposal to change the pathway into a public road would reduce the amount of "natural landforms and vegetation" to an even greater extent and should not be allowed.

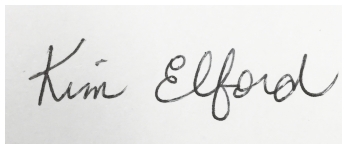
3. **Changes would negatively impact our privacy and enjoyment of our property.** Our property slopes quite steeply from our house to the rear (southeast side) of our property next to the pathway. The current pathway is approximately 1.5 metres lower than and less than 3 metres away from the south side of our property. If the pathway is replaced with a roadway, the privacy of our backyard would be lost. Because of the slope our backyard is totally visible from the pathway. If it was replaced by a road, passengers in vehicles would be able to see directly into our backyard. Our property title has a restrictive covenant requiring that any fencing "parallel to the rear property line, and any fencing perpendicular to the rear property line including fencing on the side yard property lines for a minimum length of six and one-half (6.5) metres from the rear property line, shall be . . . vinyl clad chain link and shall be a maximum of 1.2 metres in height." Therefore, we are unable to put up any fencing to provide privacy or noise reduction to our backyard. Even if we were able to install a fence it would restrict our view of the environmental reserve and pond, thus reducing our enjoyment of our backyard and would not impact the level of noise generated by vehicular traffic. The pathway was in place when we bought the property and we support the continued use of that land as a regional pathway/emergency access. Pedestrian traffic is light and does not impact us too much. However, we believe a public road replacing the existing pathway would negatively impact our privacy and the noise from vehicular traffic would reduce the peaceful enjoyment of our backyard and, thereby, significantly reduce our property value.

For these reasons we ask that council, before approving this redesignation, commit that this emergency access not be changed or widened or be developed as a public roadway at this time or in the future. Again, we support the redesignation of the property in question; we simply ask that the existing pathway be protected and any potential change of it into a public road be prohibited.

Sincerely,



Chris Elford
Joint Owner
238 Royal Birkdale Crescent NW
Calgary, AB T3G 5R7
celford@rockymountaincollege.ca



Kim Elford
Joint Owner
238 Royal Birkdale Crescent NW
Calgary, AB T3G 5R7
kimelford4@gmail.com

Williams, Debbie D. (City Clerk's)

From: Edison Lee <edcclee@outlook.com>
Sent: Monday, January 07, 2019 9:09 AM
To: Public Submissions
Subject: [EXT] Re: Comment for BYLAW 32D2019

Categories: PublicSubmission

Hi

Name: De Jiang Feng
Mailing Address: 202 Royal Birkadale Cres. NW

Comments for BYLAW 32D2019

I reviewed the plan and after discussion with my family, we concluded that the plan is not good.

- 1) The land is natural woods and lawn and if it is used for infrastructure to residential, the environment will change a lot.
- 2) There is an elementary school, and we notice sometime students go to that area to enjoy the local natural environment.

Base on that, we, our family do not agree the BYLAW 32D2019 plan.

Thanks

De Jiang Feng

Williams, Debbie D. (City Clerk's)

From: Nicole Slot <nslot@shaw.ca>
Sent: Monday, January 07, 2019 10:59 AM
To: Public Submissions
Subject: [EXT] Land Use Designation Royal Oak Bylaw 32D2019

Categories: PublicSubmission

To: The Office of the City Clerk
From: Nicole Slot
At 55 Royal Birch Green NW Calgary T3G 5L5
Email: nslot@shaw.ca

I am writing with regards to the application to amend the Land use Designation at 96 Royal Birch Point NW/Bylaw 32D2019. I have submitted these concerns to the city back in June 2018 and based on the information supplied on pages 603-627 of the online Documents and Materials for the January 14, 2019 Public Hearing these concerns may in the city's opinion be best mitigated at the development permit stage, however, I would like these comments on the record.

My family lives on Royal Birch Green which is adjacent to the proposed site. We have lived here for 14.5 years and this in my opinion is now an established community. We have gone through all the growing pains of becoming an established community and to potentially go through more growing pains/development close to where we live is less than appealing. The noise and mess that goes hand in hand with development is not something we look forward to.

Specific concerns related to Bylaw 32D2019:

1) 17-24 semi detached dwelling lots proposed: Back in January 2018 and in November 2018 B & A Planning Group presented at the public engagement meetings a visual plan of 17 units in the new R-C2 area. After reading the proposed amendment to the Land Use Designation it is proposed that anywhere from 17-24 units could be built. 24 units is simply too many. This will affect traffic negatively. We live very close into this site and we would share the road with the residents of the new development. The possibility of 24 new units at 2 cars each mean another potential 48 cars coming through. There is only one way in and one way out. There are many children around here and many of them walk to either Royal Oak School or William Pratt Middle School. The increased volume of traffic along Royal Birch Point is of concern and needs to be addressed.

2) 6 meter emergency access: a 6 meter emergency access is proposed at Royal Birkdale Drive and Royal Birch Blvd. We walk along the existing pathway all the time and we wonder how a 6 meter access is even possible without disturbing the current hillside above the pond and the pond itself. At the public engagement in November 2018 we specifically asked about this emergency access and we were told it would not be necessary. However, after reading the proposed amendment to the Land Use Designation it is clear that a 6 meter emergency access is necessary. This emergency access would more than likely run very close to the residents who border on the current pathway and may affect their land as well as the hillside above the pond. We do not want to see unnecessary disruption to the natural land especially when this land along the pathway is to be designated as S-UN.

3) Wetlands: Royal Oak school uses the wetlands regularly to teach the school children about it. It would be very unfortunate if the new development would affect these wetlands and hillside that the school uses on a

regular basis.

4) Natural spring/run off: there is a natural spring on this land. According to the topographic descriptions provided the underground 'spring' is not accounted for. As well the seasonal run-off from higher ground just north of the development boundary is not accounted for. Both these items can impact soil stability in and into the proposed development. Erosion would be strongest in the spring when the run-off creates an above ground, free-flowing stream approaching the north boundary of the new development.

General concerns regarding the proposed development:

1) Completion time: We are concerned about how long it would take for the development to be completed. Based on other developments nearby this could take anywhere from 5-10 years to complete. For us this is a long time to be surrounded once again by construction.

2) Wildlife: this section of land is frequented by many animals such as moose, deer, coyotes, rabbits, owls and many other birds. We are concerned that the construction will affect these animals. As some of the land will be flattened and trees and bushes removed, we are concerned that dens and nests will be disturbed and the animals/birds will be put under duress. This needs to be minimized. We enjoy the nature that this land provides and do not want to see it ruined.

3) This piece of land has a very natural look/feel. The trees and bushes and grasses found here are typical for this type of land. It is important to retain this vegetation as much as possible. Most residents around here bought homes here because of the natural ravines/land nearby. It provides us an opportunity to experience a bit nature within our city and it would be a pity to lose this natural look/feel.

4) Construction noise/dirt/mess: since we live very close to this site we are very concerned about the noise/dirt/mess that go hand in hand with construction. We have a west wind blowing our way almost all the time so we will be the recipients of this dirt and dust. Also the road into our area will be shared with the construction vehicles. These vehicles will track dirt onto our roads making it quite messy. It would be appreciated if an effort is made to keep things as clean as possible for the longtime residents.

It would be appreciated if the City Council would take these points into account before the redesignation is approved.

Thank you for your consideration and time. If you have any questions or comments please do not hesitate to contact me via email or phone [403-295-3405](tel:403-295-3405).

Thank you
Nicole Slot

Sent from my iPad

Williams, Debbie D. (City Clerk's)

From: Derrick Penn <derrickpenn@shaw.ca>
Sent: Monday, January 07, 2019 11:21 AM
To: Public Submissions
Subject: [EXT] CPC2018-1362 re 96 Royal Birch Point

Categories: PublicSubmission

Good morning,

I am writing to object to increasing the width of the pathway to become a private roadway within the proposed development CPC2018-1362 regarding 96 Royal Birch Point NW, Bylaw 32D2019. I have written previously regarding this proposal. I was always aware that there would be some sort of development at this location, being a realtor selling in the area, and living here since 2006.

However, with the previous development started and stopped, we have seen a dramatic stop to the wetland environment in terms of wildlife going through the area, due to the tree clearing alone. I don't have a problem with the actual housing development, except that by widening this pathway further into a roadway also changes the scope of the landscape directly behind our homes backing onto this area.

The upsetting factor is at the Nov. 15 forum held at the YMCA by the developer, and in speaking with many members of the team, this roadway expansion was completely downplayed, stating it's a none factor and it was very likely nothing would have to be done, and in fact the City wasn't asking for anything here. Completely misleading replies to direct questions by myself and others involved in the scrum. And in the end, will there have to be street lights installed, and what else will be required?

What I can see happening is this developer awaits approval and in getting the expanded roadway cancels and reapplies for new zoning to get some sort of multi family development going.

We had a brush fire back in 2008 in the ravine that reached this pathway area. The fire trucks and emergency vehicles were able to manage just fine down the existing pathway to deal with the fire. The proposed development simply needs to have an opening between the 2 homes built to meet the current pathway. The emergency vehicles can enter the cul de sac area and leave along Royal Birch Point.

An excellent summary and submission was provided by Kathie and Ernie Robert of 250 Royal Birkdale Crescent including well laid out pictures exposing the current pathway, and the problem the city/developer will have in having to create a long running retaining wall.

In summary, as a realtor working in Calgary since 2002, I have seen several areas of Calgary being re-designated from their existing state to accommodate and benefit developers at the expense of the current stakeholders being the homeowners. It is not necessary to always change the landscape at the expense of the original investors, without their full approval. These changes come at a cost always to the stakeholders, costing many thousands of dollars in lost land value, Harvest Hills being the most current of extreme changes, and costing each homeowner at least \$75,000 in value if they backed directly onto the golf course.

Thank you for receiving and reviewing my comments.

Kind regards,

Derrick Penn
234 Royal Birkdale Crescent NW

Calgary, AB
T3G 5R7
Cell: 403-998-4994

Sent from [Mail](#) for Windows 10

John Clarke

218 Royal Birkdale Cres

Calgary, Alberta

T3G 5R8

January 7, 2019 RE Application for Land Use Amendment : LOC2018-0104,

Location: 96 Royal Birch Drive PT NW

Dear Mrs Auld

I received your information regarding this application in the mail last Thursday. It seems entirely inappropriate to expect home owners to locate the appropriate information and respond in a careful manner over such a short period of time. I was unable to find the material I was looking for on the website you referred to in your letter. I hope the lack of transparency was not intentional for this is a very serious issue for each individual owner.

I purchased this single family home in this location with the expectation that it would be the norm for this part of the community. I expected the existing habitat to remain basically the same. There has already been a reduction in the area as streets were built to the south destroying the existing habitat.

I have watched moose and calves in the ravine, coyotes running through the gulley, rabbits multiply and adapt. I have watched tours of the children walk from the school down through this area. I have walked out the back gate and along the trail behind Royal Birkdale and circled the community. I have walked through the ravine to Rocky Ridge. I have walked and talked to many people who use access to the other accompanying trails as their exercise and recreation. I have watched the geese coming in their flight path to circle and land on the pond.

I understand things must change over time but I do believe Council has a responsibility to serve the existing people in the community to maintain their community and improve on it, not to destroy the existing character and fabric of the area.

In addition to my objection about the type of housing allowed it is my concern that the plan to widen the existing pathways so dramatically and potentially allow a connection to Royal Birch Point is an environmental and engineering error. I do not believe the existing slope and grade could support such a change and I believe it would further erode the nature of this area.

I also believe this plan would destroy the value of our homes and I would expect financial compensation from the City for any loss in value as a result.

Regards

John Clarke

Williams, Debbie D. (City Clerk's)

From: WEI WILKES <weiwei8811@hotmail.com>
Sent: Monday, January 07, 2019 11:41 AM
To: Public Submissions
Subject: [EXT] Land Use Amendment at Royal Birch Point NW, LOC2018-0104 (Bylaw 32D2019)

Categories: PublicSubmission

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
PO Box 2100, Postal Station 'M'
Calgary AB T2P 2M5
PublicSubmissions@calgary.ca

To Whom it May Concern,

I am writing in response to the Notice of Public Hearing on Planning Matters Regarding the Land Use Amendment in Royal Oak (Ward 1) at Royal Birch Point NW, LOC2018-0104 (BYLAW 32D2019).

As the owner of a property adjacent to the subject site, I have concerns about the application. I do not believe that enough information has been presented in the application summary for approval of this application.

Sincerely,

Wang Yu
254 Royal Birkdale CRES NW
Calgary AB T3G 5R7
(403)891-1877