

Residents' Association Response

**Elbow Park Residents' Association /
Development Review Committee
800 34th Ave S.W.
Calgary, AB. T2S 0X4**

July 25, 2019

Ms. Lindsey Ganczar
City of Calgary
Planning, Development Assessment #8201
Municipal Building, 800 Macleod Trail S.E.
Calgary, AB T2P 2M5
Sent via E-mail: Lindsey.Ganczar@calgary.ca

Re: LOC 2019-0096
313 40th Ave. SW

Dear Lindsey,

The EPRA Development Review Committee held a meeting on Wednesday July 24th to review the above noted application. The meeting was attended by a number of adjacent neighbors and a number of Elbow Park community members. Both adjacent neighbors, as well as Community members, voiced strong opposition to the proposed rezoning.

Of significant concern is that there is no compelling reason to allow the rezoning. While the applicant would like to rezone and subdivide; his personal wish does not over ride the neighbourhood's zoning of R-C1 which is endorsed by both the City and the neighbourhood. To allow rezoning based on a whim would set a dangerous and disrespectful precedence that would make a sham of the zoning process and allow anyone to rezone on a whim. This is not, of course, the intent of the City, neighbourhood, and LUB.

It is also of note, that the current zoning of R-C1 (Single family low density) allows for a minimum property width of 12 M (39.37') whereas the proposed R-C1N zoning allows for a minimum property width of 7.62M (25'). Rezoning the lot to R-C1N would allow for up to 3 properties 7.62 M (25') wide. While this particular applicant is currently suggesting 2 lots of 11.43 M or 37.5 feet, the fact is that the proposed zoning would allow for 3 properties. Such a subdivision would be exceedingly inconsistent with the neighbourhood.

The applicant points out that here are other 37.5' wide lots in the area making their proposal compatible with existing development patterns. The lots they refer to however are across the street and have lane access and parking can be accessed from the lane. The proposed lots would require front drive access as they back onto the Elbow River and there is no lane. A 37.5' lot requires 4' side yards leaving a maximum house width of 29', the majority of which would be taken up by the front drive garages. We feel this out of character with the street.

Neighbours questioned whether increasing density in the flood way was prudent and defensible after the 2013 flood.

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The adjacent neighbor to the west voiced concerns regarding the depth and height of the potential future building and its impact on the use and enjoyment and loss of light of their in their existing home.

The Elbow Park Community has always felt strongly about retaining the unique character of the neighbourhood. A number of years ago, **at the City of Calgary's request**, Elbow Park partnered with the City to develop the Elbow Park Community Charter. This Charter was very clear in its opposition to the subdivision of larger lots, creating smaller lots inconsistent with the streetscape.

While this Charter is not a statutory document, the Community Association (and the City of Calgary at one point in time) endorsed this principle. The Community still feels strongly about protecting the existing patterns of development and park like setting and maintaining green space between homes rather than creating smaller lots with a lack of green space.

A number of community members who are not adjacent homeowners attended the meeting to voice concern as well regarding the potential precedent set by this rezoning and increasing density that would detract from the unique character of Elbow Park and other inner-city communities.

In conclusion, the EPRA Development Review Committee feels that the lack of compelling reason to support rezoning, coupled with the dangerous precedence that rezoning would set, results in the EPRA being unable to support the proposed rezoning requested for this site and would request that the application be denied.

If you have any questions, please feel free to contact me at 403-245-8361.

Sincerely,

Al McDowell
per ERPA Design Review Committee