

de Grood, Anna

To: shep secter
Subject: RE: [EXT] Fwd: reference Number:LOC2019-0096 bylaw 203D2019

From: shep secter <shepsecter@gmail.com>
Subject: reference Number:LOC2019-0096 bylaw 203D2019
Date: October 5, 2019 at 6:10:34 PM MDT
To: Brian Rogers <brogers@mcleod-law.com>, ward11@calgary.ca

My wife and I have lived on 40th Ave sw for 26 years. We STRONGLY oppose this relaxation of the bylaw. The lot is too small to be subdivided and the result will NOT be in harmony with the rest of the streetscape. It will result in a horrible precedent and reduce the land value of the whole neighbourhood!

I also find the sign for the proposed change not just misleading but an outright lie! It is not for "a maximum of one dwelling " but has EVERY intention of THREE dwellings! That is a big change from what is currently allowed. Also , since when can we have secondary suites on this street? And there has NEVER been a 3 story home allowed on this side of 40th ave sw, and when we were building our home that was flat out rejected. The neighbours homes would be detrimentally affected by an extremely tall house next door, let alone 3 tall homes.

We are very upset with this planned change to our street which has already suffered very badly from the flood of 2013, and now the city wants to further destroy our neighbourhood!

DO NOT ALLOW THIS CHANGE TO PROCEED

Shep Secter

Shep Secter
shepsecter@me.com
cell 403-818-4918

333 40th ave s.w.
Calgary AB T2S 0X5
Canada

October 8, 2019
Kent Brown
3432 - 7 St SW
Calgary AB T2T 2X9

Dear City of Calgary Councillors and Mayor,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their

constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.

- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,
Kent Brown

From: [Arndt, Andrea](#) on behalf of [O'Leary, Thomas P.](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); president@elbowpark.com; [O'Leary, Thomas P.](#)
Subject: [EXT] Rezoning of 313 - 40 Avenue SW (File # LOC-2019-0096)
Date: Monday, October 07, 2019 8:54:54 AM
Attachments: [2019.10.07 ltr to The City of Calgary regarding rezoning of 313 - 40 Avenue SW.PDF](#)

Sent on behalf of Thomas P. O'Leary

Good Morning,

Please find attached my submission with respect to the rezoning of 313 – 40 Avenue SW.

Thank you,

Tom O'Leary



Andrea Arndt

Assistant to Tom O'Leary and David Konkin

D +1 403 268 6324
andrea.arndt@dentons.com
[Website](#)

Dentons Canada LLP
15th Floor, Bankers Court, 850 - 2nd Street SW Calgary, AB T2P 0R8 Canada

[Larraín Rencoret](#) > [Hamilton Harrison & Mathews](#) > [Mardemootoo Balgobin](#) > [HPRP](#) > [Zain & Co.](#) > [Delany Law](#) > [Dinner Martin](#) > [Maclay Murray & Spens](#) > [Gallo Barrios Pickmann](#) > [Muñoz](#) > [Cardenas & Cardenas](#) > [Lopez Velarde](#) > [Rodyk](#) > [Boekel](#) > [OPF Partners](#)

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THOMAS P. O'LEARY
c/o 15TH FLOOR, BANKERS COURT
850 – 2 STREET S.W.
CALGARY, ALBERTA
T2P 0R8
PHONE: (403) 268-7303
FAX: (403) 268-3100
E-mail Address: thomas.oleary@dentons.com

October 7, 2019

VIA EMAIL (publicsubmissions@calgary.ca)

The City of Calgary
800 Macleod Trail SE
Calgary, AB T2G 2M3

Attention: Councillors and Mayor

Dear Sirs/Mesdames:

Subject: Rezoning of 313 -40 Avenue SW
File LOC-2019-0096

I would like to let you know that I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed rezoning is for the purpose of allowing two (2) homes to be constructed on 37.5 foot wide lots. This particular lot does not have a back alley laneway as it backs on the Elbow River. The 2 front drive garages required for the proposed rezoned lots will ruin the streetscape of 40th Ave. There are few, if any, front driveway homes on 37.5 foot lots in that part, or any other part, of Elbow Park. Such is entirely inconsistent with the remainder of the community. This is particularly true of the Eastern part of Elbow Park where this lot is located, and of homes along the Elbow River.

The proposed rezoning would seem to be the first such rezoning ever in Elbow Park and would set a very undesirable precedent for Elbow Park as well as for other inner city communities. It effectively serves notice to developers that the protection offered by existing zoning in these areas is non-existent and it will be easily altered to allow in-fill construction, even along the Elbow River. It should be noted that the rezoning now proposed, while for the purpose of building 2 homes, would allow for subdivision and construction of three (3) separate homes, each with 25 feet of lot frontage and each with front garages.

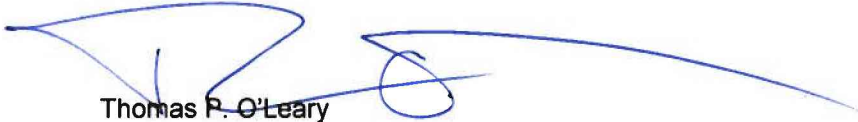
Further, this lot is located in a flood zone and the idea of increasing density along the floodway is contrary to flood mitigation principles that should be guiding planning decisions after the catastrophic floods of 2013.

The unique character of Elbow Park is important and deserving of protection. The neighbourhood is a magnet for young families as civic census figures demonstrate. That character and the neighbourhood demographic that results, is important and worthy of protection.

In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1. It is surprising and distressing that the fruits of this City led initiative are now being ignored by the Planning Commission in recommending this rezoning.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City by voting against this application.

Yours truly,



Thomas P. O'Leary
TPO/aea

cc councillorweb@calgary.ca
cc themayor@calgary.ca
cc president@elbowpark.com

de Grood, Anna

From: Carol Kearl <kearlsc5@gmail.com>
Sent: Tuesday, October 08, 2019 11:24 AM
To: Public Submissions
Subject: [EXT] File: LOC-2019_0096 - 31340th Ave SW REZONE

OCT 08, 2019

Carol Kearl

336 39 Ave SW

Calgary, Ab T2S 0W7

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order

to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Carol Kearl

From: [Ganczar, Lindsey E.](#)
To: [Public Submissions](#)
Subject: FW: Application to Re-zone 313 40 Ave. SW CPC2019-1054
Date: Monday, September 30, 2019 3:53:39 PM

From: WILLIAM DAVITT [mailto:wedavitt@shaw.ca]
Sent: Monday, September 30, 2019 9:47 AM
To: Ganczar, Lindsey E. <Lindsey.Ganczar@calgary.ca>
Subject: [EXT] : Application to Re-zone 313 40 Ave. SW

Sept. 30,2019
Dear Sir/Madam,

The following has brought to our attention:

“URGENT ACTION REQUIRED FROM ELBOW PARK RESIDENTS”

Re: Application to Re-zone 313 40 Ave. SW

The Elbow Park Development Review Committee recently reviewed an Application to re-zone the river front property at 313 40 Ave. S.W. from R-C1 to R-C1N.”

We live in a house on a 50 foot lot at 333 38 Avenue SW. If the 75 foot 40th Avenue lot can be subdivided into 3 25 foot lots, we should be able to subdivide our lot, when we sell our house, into two 25 foot lots, as will anyone selling their house in Elbow Park.

In no way do we support subdividing lots into 25 foot lot size in Elbow Park. We appreciate the unique features of the Elbow Park area and would like to see them reserved for all the residents.

Your actions in this matter are critical in preserving our area.

Yours sincerely,

Arlene & William Davitt
333 38 Ave SW
Calgary, Alberta T2S 0V7

<wedavitt@shaw.ca>
403-287-1769

cc:
Ms Lindsey Ganczar
Planning, Deveopment, and Assesment #8201
Lindsey.Ganczar@calgary.ca

Councillor Jeromy Farkas
ward11@calgary.ca

Donna Conway, Chairperson of the EPRA Development Review Committee
at conwayd@shaw.ca

de Grood, Anna

From: Mary Jensen <marykjensen@yahoo.com>
Sent: Tuesday, October 08, 2019 11:31 AM
To: Public Submissions; Councillor Web; Office of the Mayor
Cc: president@elbowpark.com
Subject: [EXT] Opposition to Rezoning in Elbow Park (File LOC-2019-0096)

Oct 8, 2019

Mary Jensen

3803 6 St. SW
Calgary AB
T2S 2M9

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

I have recently moved “home” to Elbow Park after spending 20+ years living outside Calgary. We specifically chose Elbow Park for our family because of the unique combination of inner city living, historical architecture and community engagement. As you may know, the City supported the residents of Elbow Park in developing a Charter to help preserve the character of our community. Overriding the existing zoning, disregarding the Charter and ignoring the feedback from residents/homeowners seems like an affront and a violation of trust.

The community leaders of Elbow Park have done an excellent job of informing residents of this issue. I fully stand behind the remaining positions stated in this letter, as written about our Residents Association.

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Unfortunately, I am unable to attend the hearing on October 21. Therefore, I respectfully submit this letter so that you may understand our position.

Regards,

Mary Jensen

de Grood, Anna

From: Linda McFarlane <linda.mcfarlane@yahoo.com>
Sent: Tuesday, October 08, 2019 12:18 PM
To: Public Submissions
Cc: Office of the Mayor; Farkas, Jeromy A.; Councillor Web
Subject: [EXT] Re: Opposition to the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

Oct 8, 2019

Linda McFarlane

915 38th Ave SW, Calgary

T2T2J3

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner-city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back-alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application. Thank you.

Regards,

Linda McFarlane

Background Information

- The Planning Commission approved an application to rezone the property located at 313 40 Ave SW from RC1 to R-C1N (Narrow lots)

- The Final Approval for this application will be made by City Council at a Public Hearing to be held on October 21 at approximately 9:30 am
- Many Elbow Park residents are opposed to the rezoning of this lot for the following reasons.
 - - RC1N (Narrow) allows for 25 foot wide "Narrow" houses (In-Fills) to be built on the property. There are currently NO 25 foot lots in Elbow Park.
 - The main concern about "re-zoning" this lot is the PRECEDENT it sets. Once the City Planning department sees that there has been RC1N zoning approved in our community, they will feel that it is reasonable to approve any requests to rezone lots in the future. The precedent will be set and as time progresses, more and more Narrow homes will be built using our current 50 and 75 foot lots.
 - Once more and more Narrow homes are built, the streetscape will change drastically.
 - Some people argue that we need to increase density in ALL neighbourhoods in Calgary. Others argue that some historical neighbourhoods should be protected in order to share 100 year history with future generations.
 - Many other Cities protect specific historical neighbourhoods as other areas around the protected area increase in density.
 - Many homeowners in Elbow Park choose, at an extra cost to themselves, to preserve the heritage home they have purchased. Instead of tearing it down, they painstakingly renovate it. Why?
 - - The front porch is maintained.
 - The space between their neighbour remains unchanged.
 - The heritage home and the history of the person that built it is preserved for future generations.
 - The Streetscape is preserved.
 - The trees in the front and back yard are protected.
 - The "feel" of Elbow Park is maintained.
- In 2003, EPRA worked with the City to develop the "Elbow Park Community Charter". The Charter reflects the characteristics, valued attributes and developmental design elements that contribute to maintaining the unique character and integrity of Elbow park.
- Although hours were spent by volunteers and City employees working together, the "Elbow Park Community Charter" is ignored by the City planning department.
- Another document, entitled, "Low Density Housing Guidelines for Established Communities" reiterates maintaining RC1 in inner City communities, however, it is also ignored by the Planning department.



Public Submission

City Clerk's Office

Please use this form to send your comments relating to Public Hearing matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name Claudia

* Last name DiMaio

Email dimaio@rogers.com

Phone 4032878499

* Subject Reference File #: LOC-2019_0096 Address of Rezone: 313 40 Avenue SW

Dear Councillors and Mayor,

I would like to let you know that I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

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

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the

ISC:

1/2

Unrestricted

Oct 8, 2019

1:08:30 PM



Public Submission

City Clerk's Office

Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Regards

de Grood, Anna

From: Suzanne Devonshire Baker <devonshirebaker@shaw.ca>
Sent: Tuesday, October 08, 2019 1:19 PM
To: Public Submissions
Cc: Councillor Web; Office of the Mayor; president@elbowpark.com
Subject: [EXT] 313 40th Avenue SW

- **Reference File #:** LOC-2019_0096
- **Address of Rezone:** 313 40 Avenue SW

8 October 2019

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
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- 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.

- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

I respectfully request that you vote against this application for the reasons stated above.

Suzanne Devonshire Baker

Suzanne Devonshire Baker M. Arch.

devonshire baker
703 32 Avenue S.W.
Calgary, AB
T2S 0S5
T 403 243-5972

de Grood, Anna

From: Claudia Dimaio <dimaio@rogers.com>
Sent: Tuesday, October 08, 2019 1:22 PM
To: Office of the Mayor; Public Submissions; Jeromy.Farkas@calglary.ca; Councillor Web
Cc: president@elbowpark.com
Subject: [EXT] Reference File #: LOC-2019_0096 Address of Rezone: 313 40 Avenue SW

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at [313 40 Ave SW](#)(File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Best,

Claudia

Claudia A. Di Maio

Managing Director

Di Maio & Partners

Direct Line: 403.287.8499

Email: dimaio@rogers.com

Email: cadimaio@gmail.com

de Grood, Anna

From: Scott Kearl <sdk@bdplaw.com>
Sent: Tuesday, October 08, 2019 1:32 PM
To: Public Submissions
Subject: [EXT] LOC-2019_0096 - 313 40th Ave SW rezoning application

Dear City of Calgary Councillors,

I am a concerned resident living in Elbow Park, and I am opposed to the proposed rezoning of the property **(LOC-2019-0096)** up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constituents and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the

neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Scott Kearl

de Grood, Anna

From: Caroline Pierce-Strangemann <piercestrangemann@gmail.com>
Sent: Tuesday, October 08, 2019 1:59 PM
To: Public Submissions
Cc: Councillor Web; Office of the Mayor; president@elbowpark.com
Subject: [EXT] 313 40th Ave, Reference File# LOC-2019_0096

Oct 08, 2019

Caroline Pierce-Strangemann

3905 4A St. SW

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

It is unconscionable to think the city would not honour and respect the RC-1 Zoning in Elbow park. The entire community has consistently provided clear direction that they oppose any zoning other than RC-1, so how is this proposal any different?

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This is increasing density on a lot located in the flood zone and makes no sense.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Regards,

Caroline Pierce-Strangemann

[Unsubscribe](#)

de Grood, Anna

From: John Kroeger <johnkroeger@shaw.ca>
Sent: Tuesday, October 08, 2019 2:20 PM
To: Public Submissions
Subject: [EXT] I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

OCT 8, 2019

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

I want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

I request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Regards,

John Kroeger

3207 7 St SW

Calgary AB T2T 2X8

de Grood, Anna

From: DONNA EVANS <donna.evans@shaw.ca>
Sent: Tuesday, October 08, 2019 2:46 PM
To: Public Submissions
Subject: [EXT] 313 40th Avenue SW (LOC-2019-0096) Public Hearing on October 21, 2019
Attachments: Elbow Park rezoning opposition Oct 2019.docx

Please find attached my letter stating my reasons for OPPOSING the rezoning of 313 40th Avenue SW (LOC-2019-0096) which is in violation of the Elbow Park Community Charter

Regards

Donna Evans
3407 11 Street SW
Calgary T2T 3M2

Donna L. Evans
3407 – 11th Street S.W.
Calgary, Alberta T2T 3M2

October 8, 2019

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property at 313 40th Avenue SW (**LOC-2019-0096**) up for Public Hearing on [October 21, 2019](#).

I respectfully ask for **no zoning change on this parcel**.

I am an enthusiastic supporter of smart, planned urban development.

I believe that Calgarians buying into a community have a right to understand the “character” of the community that they are buying into. The character criteria for Elbow Park were achieved through open discussion and consultation. It is this process that resulted in the creation of such documents as “Low Density Housing Guidelines for Established Communities” and the “Elbow Park Community Charter” which is very clear in its opposition to changing our neighbourhood wide zone designation of R1. Prior to any rezoning, the City has a responsibility to again go through the open discussion and consultation process and build consensus before authorizing projects that do not fit within the established criteria.

Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Rezoning needs to be done within the context of the strategic documents established for the community and should not be allowed when it violates the parameters that have been developed through open discussion and consultation.

The existing zoning was determined by the City as being appropriate for the neighbourhood after much much work with the community. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual thinks he’s entitled to special treatment

Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree with this application for revised zoning. The City of Calgary claims they are “open for input” and have a desire to “Engage in Meaningful dialogue” in order to make Informed Decisions. If this is true then create the opportunity to revisit the development plan for Elbow Park and let us have our say before you arbitrarily started to approve zoning that is outside the agreed zoning. When resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions become very difficult.

The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application**.

Regards,

Donna Evans

de Grood, Anna

From: Colin Schieman <colin.schieman@gmail.com>
Sent: Tuesday, October 08, 2019 3:24 PM
To: Public Submissions
Subject: [EXT] Ref File LOC-2019_0096

OCT 8, 2019

Dear City of Calgary Councilors,

I am a concerned neighbor living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighborhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighborhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighborhood for reasons of historical preservation.
- Elbow Park residents are opposed to policy that disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree with. Residents of Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- To allow rezoning based on a whim would set a dangerous and disrespectful precedence that would make a sham of the zoning processes and allow anyone to rezone on a whim.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be

possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.

- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighborhood’s zoning. This zoning was determined by the City as being appropriate for the neighborhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park an R-C1 neighborhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighborhoods Calgary and **vote Against this application.**

Regards,

Colin Schieman & Family

October 8, 2019

3631 7A St. SW

de Grood, Anna

From: Kayla Browne <Kayla@sturgessarchitecture.com>
Sent: Tuesday, October 08, 2019 4:05 PM
To: Councillor Web; Office of the Mayor
Cc: Ganczar, Lindsey E.; Civitarese, Dino; Public Submissions
Subject: [EXT] LOC2019-0096: 313 40 Ave. S.W.

Hello all,

I wanted to forward an email we have received in support of our LOC2019-0096 application at 313 40th Ave SW in the community of Elbow Park.

Thank you for your time,

KAYLA
SENIOR ASSOCIATE
403.263.5700 (241)
www.sturgessarchitecture.com

From: Warren Rylands [mailto:warren@weigl.com]
Sent: Tuesday, October 08, 2019 10:13 AM
To: Jeremy Sturgess ; Kevin Harrison ; Kayla Browne
Subject: Fwd: 313 40 Ave. S.W.

See below.
W

From: Deborah Petriuk <petriuk@me.com>
Subject: 313 40 Ave. S.W.
Date: October 8, 2019 at 9:44:59 AM MDT
To: warren@weigl.com

Dear Mr. Rylands,
Thank you for your letter of October 7, 2019 clarifying your proposed development on 40 Ave. S.W. I am thrilled to see development along the river. This neighbourhood needs it. Far from changing the character of the neighbourhood, it will enhance a neighbourhood devastated by the 2013 flood. I see this as a positive step for all concerned. I have been supportive of the development since the beginning. I hope my neighbours will take the time to read your letter so that they can more fully understand the issues.

Regards,

Deborah Petriuk
403.630.4739

de Grood, Anna

From: Brenda B <bbiddell7@gmail.com>
Sent: Tuesday, October 08, 2019 5:38 PM
To: Ganczar, Lindsey E.; Public Submissions; Councillors; Office of the Mayor
Cc: Civitarese, Dino
Subject: [EXT] File #: LOC2019-0096

To whom it concerns;

We the neighbors at 329 37 avenue SW are in support of the Land Use Resignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

There are other houses on similar sized lots in the area which do not negatively impact the street scape- one of which is directly west of this lot. There are several "mega houses" in the area which probably do negatively affect the streetscape but they were allowed to proceed anyway.

For these reasons (and many others) we are supportive of the proposed development and subdivision.

Regards, Brenda Biddell & Barry Paxton

de Grood, Anna

From: kbowden <kbowden@telusplanet.net>
Sent: Tuesday, October 08, 2019 6:12 PM
To: Public Submissions; Councillor Web; Office of the Mayor
Cc: EPRA
Subject: [EXT] File LOC-2019-0096

Oct 8th, 2019

Kathy Bowden
313 37 ave SW
Calgary, Alberta
T2S 0V3

Dear Councillors and Mayor,

I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096), for the following reasons:

--The proposed zoning allows for three (3) narrow homes to be built on a lot that used to allow for only one.

--This opens the door for similar future development in our community given that it sets precedent for Elbow Park and other innercity neighbourhoods

-- This is a highly sought after neighbourhood for developers. Homes are considerably devalued due to the 2013 flood and economy.

--There is no back alley on this lot which will lead to changes to the streetscape with increased parking.

--Most importantly, this lot is located in the flood zone

--development of greenspace in a floodzone is counterproductive to flood prevention measures. In a floodzone, the value of grass and trees over concrete and bricks is well documented.

-- there has been no movement regarding upstream mitigation measures to protect residents. This area remains at risk of flooding every year with no foreseeable end to the floodrisk.

--Unless you lived in our neighbourhood during the flood of 2013, you have NO understanding of the emotional, physical and financial impact felt then, and every year since.

-- There are some uncontrolled intersections in the neighbourhood. Increased development means increased traffic especially if the vote sets a precedent for development

-- demographic of residents in the neighbourhood are families with children. Increased traffic and children do not mix well.

-- In 2002, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing the neighbourhood wide zone designation of R1.

--The city oftens requests input from residents regarding future projects, initiatives and development

-- I ask that you honour the input from residents and not vote in favour for development that will set a precedent for high density development in an innercity neighbourhoods

Regards,

Kathy Bowden
313 37 ave SW
Calgary Alberta
T2S 0V3

de Grood, Anna

From: Ellen Borak <eborak@shaw.ca>
Sent: Tuesday, October 08, 2019 9:39 PM
To: Public Submissions
Subject: [EXT] Reference File #: LOC-2019_0096, rezone of 313- 40th Ave SW
Attachments: Letter to City re- Rezoning 313 40 Ave.pdf

Please see attached letter in opposition to the rezoning approval of 313-40th Ave SW Calgary.

OCT 8, 2019
E. Borak
820 Riverdale Ave SW

Dear City of Calgary Councillors,
I am a concerned neighbour living in Elbow Park, and I am opposed to the approval to rezone the property 313 40 Ave SW (**LOC-2019-0096**), up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am supporter of established community Guidelines for Established Communities.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter" (2003). These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions. The Approved RC1N (Narrow) at this property allows for 25 foot wide "Narrow" houses (In-Fills) to be built on the property. There are currently NO 25 foot lots in Elbow Park.
- This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. We do not want to be a City that erases the stories of our past.
- THE REZONE OF THIS LOT WILL SET A DISTURBING PRECEDENT THAT WILL SIMPLY SEND A MESSAGE TO DEVELOPERS THAT ELBOW PARK IS NOW OPEN FOR DEMOLITION and that they can build whatever they want in Elbow Park. ONCE THE CITY PLANNING DEPARTMENT SEES THAT THERE HAS BEEN RC1N ZONING APPROVED IN OUR COMMUNITY, THEY WILL FEEL THAT

IT IS REASONABLE TO APPROVE ANY REQUESTS TO REZONE LOTS IN THE FUTURE. The precedent will be set and as time progresses, more and more Narrow homes will be built using our current 50 and 75 foot lots. Elbow Park is an historic neighbourhood, and is NOT Altadore, Windsor Park or South Calgary.

- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Councillors must listen to the feedback we have given and continue to provide.
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that AN APPLICANTS STATED INTENTIONS ARE NOT A BINDING AND THEREFORE NOT A CONSIDERATION IN THE RE-ZONING PROCESS. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City

as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because one individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

E. Borak
Ward 11

de Grood, Anna

From: noreply@calgary.ca
Sent: Tuesday, October 08, 2019 10:13 PM
To: Public Submissions
Subject: Reference File #: LOC-2019_0096
Attachments: Letter to City re- Rezoning 313 40 Ave.pdf; Public Submission to the City Clerk's Office.pdf

Public Submission from Ellen Borak

OCT 8, 2019
E. Borak
820 Riverdale Ave SW

Dear City of Calgary Councillors,
I am a concerned neighbour living in Elbow Park, and I am opposed to the approval to rezone the property 313 40 Ave SW (**LOC-2019-0096**), up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am supporter of established community Guidelines for Established Communities.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter" (2003). These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions. The Approved RC1N (Narrow) at this property allows for 25 foot wide "Narrow" houses (In-Fills) to be built on the property. There are currently NO 25 foot lots in Elbow Park.
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- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Councillors must listen to the feedback we have given and continue to provide.
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that AN APPLICANTS STATED INTENTIONS ARE NOT A BINDING AND THEREFORE NOT A CONSIDERATION IN THE RE-ZONING PROCESS. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City

as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because one individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

E. Borak
Ward 11



Public Submission

City Clerk's Office

Please use this form to send your comments relating to Public Hearing matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name Ellen

* Last name Borak

Email

Phone 403 287 8486

* Subject Reference File #: LOC-2019_0096

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

Please see attached letter in opposition to rezoning of 313 40th Ave SW

de Grood, Anna

From: Mary Saucier <msaucier@shaw.ca>
Sent: Wednesday, October 09, 2019 6:30 AM
To: Public Submissions; Councillor Web; Mayor's Office
Subject: [EXT] FW: File LOC-2019-0096 - East Elbow Park

Dear Mayor Nenshi and City of Calgary Counselors, ,

A neighbour has pointed out to me that there may be an error in judgment coming up to which I should respond at once. I am referring to the application for re-zoning a lot at 313 - 40th Ave. SW in East Elbow Park. The owner's hope is to build at least two homes on a lot that allows, under current R- 1 zoning rules, only one home.

For me, the problem with this proposal is that it will, in future, open doors to developers who may not even live in the area, and who are not interested in Elbow Park except as it may serve their own interests.

We are just recovering from the flood of 2015 with no plan yet in place for flood mitigation.

This must be the first priority of civic and provincial governments now! Our property values have plummeted since that time and because of lack of mitigation, so we are "ripe" for developers who wish to take advantage of the situation , I believe.

Please maintain our R-1 zoning in Elbow Park.

Sincerely,
Mary Saucier
214 - 38th Ave. SW,
Calgary
T2S0V6

de Grood, Anna

From: sharie miller <blowout1@icloud.com>
Sent: Wednesday, October 09, 2019 8:49 AM
To: Councillor Web; Office of the Mayor; Public Submissions
Cc: president@elbowpark.com
Subject: [EXT] Reference File # LOC-2019_0096
Attachments: LOC-2019-0096.pdf; LOC-2019-0096page 2.pdf

Adress of rezone.

Pease note my strong opposition to this application .

OCT 9, 2019

Your Name *Sharie Miller*

Your Address *318-37 AVE. S.W., Calgary, AB
T2S 0V2*

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (LOC-2019-0096) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the

whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Your Name

SHARIE MILLER, Shari Miller



Public Submission

City Clerk's Office

Please use this form to send your comments relating to Public Hearing matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name: Susan
 * Last name: Timmermann
 Email: susantimmermann@shaw.ca
 Phone: 4036054856
 * Subject: Reference # LOC-2019-0096

OCT 9, 2019

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (LOC-2019-0096) up for Public Hearing on October 21, 2019. I live across the street from this particular property and I am appalled that rezoning of the 313 40th avenue SW has been passed despite the strong opposition from the Elbow Park neighbourhood.

I want it to be known that the current owner of the property a 313 40th Avenue SW, Warren Rylands, purchased the property from the Gosbee family indicating that he was intending to build ONE home for himself and his future family. Clearly, the gentleman can not be trusted knowing he has applied for rezoning which will allow him to build 3 homes on this lot.

I respectfully ask for no zoning change on this parcel, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

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

My most compelling reasons include:

The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These docu-



Public Submission

City Clerk's Office

ments were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.

Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?

Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?

Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive nei

Palaschuk, Jordan

From: Eric Hobson <hobsongonefishin@gmail.com>
Sent: Wednesday, October 09, 2019 12:31 PM
To: Public Submissions
Subject: [EXT] Fwd: Submission Regarding Proposed Rezoning- LOC-2019-0096; 313 40th Ave. S.W.

Sent from my iPad

Begin forwarded message:

From: Eric Hobson <hobsongonefishin@gmail.com>
Date: October 9, 2019 at 7:23:07 PM GMT+1
To: PublicSubmissions@calgary.com
Cc: councillorweb@calgary.ca, themayor@calgary.ca, president@elbowpark.com
Subject: Submission Regarding Proposed Rezoning- LOC-2019-0096; 313 40th Ave. S.W.



OCT 9, 2019

Eric Hobson and Susan Wigmore

3918 4th St. SW, Calgary, AB, T2S 1Y5

Dear City of Calgary Councillors,

We are concerned neighbours living in Elbow Park that are vehemently opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

We respectfully ask for **no zoning change on this parcel**, not because we are anti-growth, but because we are enthusiastic supporters of smart, planned urban development. Our most compelling reasons include:

- The Proposed Re-zoning is inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.

- Spot Re-zoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constituents and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- To allow re-zoning 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.
- The re-zoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building two houses, and not the three houses that would be permitted under the re-zoning, the City is well aware that an applicant's stated intentions are not binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build three houses, or sell the property and the new owner could build three houses.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building two houses on the property does not meet the minimum lot width under the neighbourhood's zoning.
- This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because one individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in Calgary and vote **Against this Application.**

Regards,

Eric Hobson and Susan Wigmore

Palaschuk, Jordan

From: donald mackimmie <d.mackimmie@icloud.com>
Sent: Wednesday, October 09, 2019 1:57 PM
To: Public Submissions
Cc: Councillor Web; Office of the Mayor; president@elbowpark.com; Woolley, Evan V.; jeromy@jeromy.ca
Subject: [EXT] Proposed rezoning - 313 40 Ave SW (Elbow Park) - Reference File #: LOC-2019 0096

Dear Mr. Mayor and Councillors:

You will hear great opposition to the proposed rezoning of 313 40 Ave SW. Rather than to repeat the myriad arguments, I have pasted below two sample letters prepared by the Elbow Park Residents Association. I, and I daresay all of my neighbours, are in complete agreement with those draft letters.

The essence of the planning argument opposing the rezoning is that it will create a precedent, that once followed by similar rezonings (which will doubtlessly happen), will destroy the character of Elbow Park, one of the City's oldest neighbourhoods and one of the few that retain a sense of history. Without wishing to sound too dramatic, I am astounded that the suggestion of allowing three narrow lot homes where one home previously existed has even been considered much less allowed.

Please take a drive down 38 Ave., 6 St., or any other Elbow Park street and imagine a block where, say, in 10 years every third heritage home on a 50 foot lot is replaced by 2 tall, narrow houses of modern design. The architectural integrity and charm of Elbow Park will be gone. 10 years after that there will be few heritage homes left. This is exactly what has happened in Altadore but, with no disrespect to Altadore, its original housing stock was not of the design quality and did not provide the ambiance of the existing Elbow Park housing stock.

Please do not approve this rezoning application.

Yours truly

Donald MacKimmie

1102 Riverdale Ave SW (Elbow Park)

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much

consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Your Name

Oct —, 2019

Your Name

Your Address

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Regards,

Your name & address

Background Information

- The Planning Commission approved an application to rezone the property located at 313 40 Ave SW from RC1 to R-C1N (Narrow lots)
- The Final Approval for this application will be made by City Council at a Public Hearing to be held on October 21 at approximately 9:30 am
- Many Elbow Park residents are opposed to the rezoning of this lot for the following reasons.
 - - RC1N (Narrow) allows for 25 foot wide “Narrow” houses (In-Fills) to be built on the property. There are currently NO 25 foot lots in Elbow Park.
 - The main concern about “re-zoning” this lot is the PRECEDENT it sets. Once the City Planning department sees that there has been RC1N zoning approved in our community, they will feel that it is reasonable to approve any requests to rezone lots in the future. The precedent will be set and as time progresses, more and more Narrow homes will be built using our current 50 and 75 foot lots.
 - Once more and more Narrow homes are built, the streetscape will change drastically.
 - Some people argue that we need to increase density in ALL neighbourhoods in Calgary. Others argue that some historical neighbourhoods should be protected in order to share 100 year history with future generations.
 - Many other Cities protect specific historical neighbourhoods as other areas around the protected area increase in density.
 - Many homeowners in Elbow Park choose, at an extra cost to themselves, to preserve the heritage home they have purchased. Instead of tearing it down, they painstakingly renovate it. Why?
 - - The front porch is maintained.
 - The space between their neighbour remains unchanged.
 - The heritage home and the history of the person that built it is preserved for future generations.
 - The Streetscape is preserved.
 - The trees in the front and back yard are protected.
 - The “feel” of Elbow Park is maintained.
- In 2003, EPRA worked with the City to develop the “Elbow Park Community Charter”. The Charter reflects the characteristics, valued attributes and developmental design elements that contribute to maintaining the unique character and integrity of Elbow park.
- Although hours were spent by volunteers and City employees working together, the "Elbow Park Community Charter” is ignored by the City planning department.
- Another document, entitled, "Low Density Housing Guidelines for Established Communities" reiterates maintaining RC1 in inner City communities, however, it is also ignored by the Planning department.

[Unsubscribe](#)

Palaschuk, Jordan

From: Byron Brooks <byron@brookwright.ca>
Sent: Wednesday, October 09, 2019 2:46 PM
To: Councillor Web; Office of the Mayor; Ganczar, Lindsey E.; Civitarese, Dino; Public Submissions; Kayla Browne
Subject: [EXT] File #: LOC2019-0096 In support.

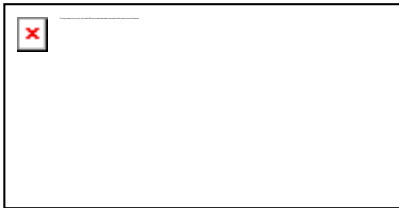
Hello,

I live at 3916 elbow Dr SW and am writing in support of the Land Use Redesignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into a maximum of 2 lots should the LOC get approved.

I think there is room in this neighbourhood for architecturally considered single family development and would love to see people occupying some of the underused lots on 40th Ave. (Provincial flood buyout lots? Lets get those babies back in action too!))

Kind regards,
Byron Brooks
3916 Elbow Dr. SW

--



Byron Brooks

Project Principal - Owner

Brookwright Developments Inc

4030 8 Street SE | Calgary, AB | T2G 3A7

cell: 403.852.5499

web: www.brookwright.ca

DISCLAIMER: This message is confidential and may contain privileged information. We ask that you not use or disclose this message other than with our consent. If you are not an intended recipient, please immediately notify us and delete this message. Thank you.

Palaschuk, Jordan

From: Brenda B <bbiddell7@gmail.com>
Sent: Wednesday, October 09, 2019 3:13 PM
To: Ganczar, Lindsey E.; Public Submissions; Councillors; Office of the Mayor
Subject: [EXT] Re: File #: LOC2019-0096

Please note:

We only support the subdivision of the aforementioned lot into TWO lots and would NOT support a subdivision into three lots.

Thank you, Brenda Biddell and Barry paxton

On Tue, Oct 8, 2019 at 5:37 PM Brenda B <bbiddell7@gmail.com> wrote:

To whom it concerns;

We the neighbors at 329 37 avenue SW are in support of the Land Use Resignation (LOC2019-0096)at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

There are other houses on similar sized lots in the area which do not negatively impact the street scape- one of which is directly west of this lot. There are several "mega houses" in the area which probably do negatively affect the streetscape but they were allowed to proceed anyway.

For these reasons (and many others) we are supportive of the proposed development and subdivision.

Regards, Brenda Biddell & Barry Paxton

Palaschuk, Jordan

From: Graham Bennett <grbbenny@gmail.com>
Sent: Wednesday, October 09, 2019 3:27 PM
To: Public Submissions
Cc: EPRA; Councillor Web; Office of the Mayor
Subject: [EXT] Re: File No. LOC-2019-0096 - 313 40th Ave. S.W.
Attachments: LTO City re rezoning.docx

I have attached a letter submission in connection with the Public Hearing regarding the above-referenced application.

By copying the letter to the councillorweb email address, I would ask that a copy of the letter be provided to all City Councillors.

Thank you.

Graham Bennett

Graham R. Bennett
Laurie J. Strapp
322 38 Ave SW
Calgary, AB T2S 0V8

October 9, 2019

City of Calgary
Mayor and City Councillors

Re: File LOC-2019-0096 – 313 40th Ave. S.W.

Dear Mayor and Councillors

I am writing to you to advise that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This type of ad hoc spot rezoning sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is weak and encourages an assault on that zoning with a view to ultimately make such zoning ineffective.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This Charter is very clear in its opposition to changing our neighbourhood-wide zone designation of R1. It is not clear to us why the City's Planning & Development Department has chosen to ignore the Charter and approve something clearly inconsistent with it.

The owner of the lands in question has circulated a letter to the residents wherein he claims that his application did not request that three lots be created and he states that it is his intention to subdivide the lands into two 37.5 foot lots and thereafter build only two houses on the lands. We do not oppose the creation of two 37.5 foot lots as the neighbourhood has many such lots. Given the landowner's stated position, is it not possible to either (a) approve some sort of Direct Control zoning for this lot that would allow the subdivision of the lands

into two 37.5 foot lots or, alternatively (b) make the zoning change conditional upon the subsequent subdivision of the lands into just two 37.5 foot lots? Either alternative would protect the neighbourhood from the precedent setting approval of 25 foot 'buildable' lots.

Sincerely,

Graham R. Bennett
Laurie J. Strapp

October 9, 2019

John M Clarke

3627 12th Street S.W.

Calgary, Alberta, Canada T2T 3P1

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**), 313 40th Avenue SW, up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

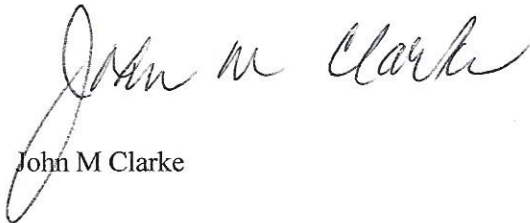
- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning

remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.

- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

A handwritten signature in cursive script that reads "John M Clarke". The signature is written in black ink and is positioned above the printed name.

John M Clarke

October 8, 2019

City of Calgary
Mayor and Council

Rhonda Fulton
3808 9th Street SW
Calgary, AB
T2T 3C9

Dear City Councilors,

I am a concerned neighbor in Elbow Park and I am opposed to the outright bias of the planning department and current council to ensuring “density” a priority without regard to how neighborhoods are historically planned, organized and serviced. I have also noted that this is an individual’s application that does not have the support of the Community where the property is located. (LOC-2019-0096)

While Calgary could use some density, it is not wise or prudent to destroy the character of the city’s history without regard to what is being given back and to do it without the infrastructure planning that is required for density. Currently Marda Loop is an infrastructure disaster! Like it or not, Calgary IS a winter city and we still have cars by need. Proper planning for density is the only way it will work. It should not be subject to individual applications.

Putting 3 lots along the river at 40th Ave makes no sense. 3 times more to deal with in the next flood and for what purpose? This letter is to opposed the proposed zoning changes to LOC-2019-0096. I find it hard not to think the City is quite aware it is establishing precedent for planning liberties into the future by even considering this application.

I respectfully ask for NO ZONING CHANGE on this parcel, not because I am anti- growth but because I am an enthusiastic supporter of SMART, PLANNED URBAN DEVELOPMENT complete with the true infrastructure to support it.

With the help of my VOLUNTEER COMMUNITY ASSOCIATION (which has existed through many many changing councils) my most compelling reasons to decline the proposed rezoning include:

- The proposed rezoning is inconsistent with the “Low Density Housing Guidelines for Established Communities and the Elbow Park Community Charter”. These documents were created in order to ensure that our Community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighborhood that is designed RC1 (Single Family Low Density). RC1 is in place for the preservation of the Elbow Park streetscapes. Elbow Park was established as a neighborhood in 1910 and historical homes, maintained for over 100 years are physical links to our past. The people who built this city and those who maintain it and those who maintain it are residents here. I want to live in a city that cherishes it ties to its past!

- Residents of Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but the RC1 designation in their neighborhood for reasons of historical preservation and for me, as a push-back to the idea that owning a Home is the same as owning a saleable commodity.
- Elbow Park residents are not opposed to increasing density in some areas. Some residents were not even opposed to Secondary Suites (I personally see no use in them as rentable space to help someone pay their mortgage). What residents are opposed to is random changes to the character, nature and history of our neighborhood in the name of profit to shabby builders and owners who flip the house for a profit and leave. These scenarios mean Calgary homeowners just get a higher tax bill the next year and do not improve the quality of life in this city.
- The wishes and desires of the applicant should not supersede the historic and research-based reasons behind RC-1. This designation was provided to the community of Elbow Park (Parkland and other communities too) to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an RC-1 designation. People make lifestyle choices and those who chose RC-1 should not be dismissed.
- To allow rezoning based on a whim would set a dangerous precedent (not to mention creating a lot of distrust of our current leadership).
- The rezone of this lot will set a disturbing precedent that Elbow Park and other such planned communities are now open for demolition.
- While the current owner has stated that he only intends to build 2 houses and not the 3 houses that would be permitted (Why? I ask) that would be permitted under this rezoning, the City is well aware that an applicant's stated intentions are not binding and therefore not a consideration in the re-zoning process. Plans change, owners change, circumstances can change but the zoning remains. As such it is possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses. It is my belief that 3 houses would be contrary to that section of the neighborhood on that lot.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighborhood's zoning. This zoning was determined by the City as being appropriate for the neighborhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park an RC-1 neighborhood should not be disregarded because one individual without any mitigating planning rationale, would somehow be entitled to, or get any special treatment.

My final comment is that many individuals have spent quite a lot of time formulating these letters for your consideration. We are busy people with many priorities in life who have taken our voluntary time to articulate our thoughts. We are not paid, do not have "staff" and lawyers to help. We are individuals who have made Calgary our home and have committed to making a difference in our neighborhood by being involved with our community association, volunteering in our schools etc. These letters take a lot to put together. It is my hope that city leadership consider them respectfully as thoughtful input from those who care about the city now and in the long term.

Sincerely,
Rhonda Fulton



Public Submission

City Clerk's Office

Please use this form to send your comments relating to Public Hearing matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name Mark
* Last name Ertman
Email mark.ertman@gmail.com

Phone

* Subject Reference File #: LOC-2019_0096. Address of Rezone: 313 40 Avenue SW

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

It has come to my attention there is application to re-zone the riverfront property at 313 40 Ave S.W. from R-C1 to R-C1N.

I oppose this as converting a single home 75' lot to 3 infill 25' lots or even 2 37.5' lots is not in keeping with the aesthetic of East Elbow Park. I would not want this application to become a precedent for future development of infill style housing in this community.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and vote Against this application.

ISC:

1/1

Unrestricted

Oct 9, 2019

5:55:15 PM

From: [Lucas Beck](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); president@elbowpark.com
Subject: [EXT] Rezoning Opposition (LOC-2019-0096)
Date: Thursday, October 10, 2019 8:39:56 AM

October 10, 2019

Lucas Beck
3624 6 Street SW
Calgary, AB T2S 2M7

Dear Councillors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner-city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back-alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours' enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and **vote against this application**.

Sincerely,

Lucas Beck

From: [M.R](#)
To: [Councillor Web](#); [Office of the Mayor](#); [Ganczar, Lindsey E.](#); [Civitarese, Dino](#); [Public Submissions](#); Kayla@sturgessarchitecture.com
Subject: [EXT] RE: File #: LOC2019-0096 at 313 40 Avenue SW
Date: Thursday, October 10, 2019 10:10:00 AM

We the neighbors at **3809 8A street SW** are in support of the Land Use Resignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

Manu Rezvani, 3809 8A Street SW T2T 3B6

From: [Katie McDonald Beck](#)
To: [Councillor Web](#); [Office of the Mayor](#); [Ganczar, Lindsey E.](#); [Civitarese, Dino](#); [Public Submissions](#); [Kayla Browne](#); [Dan Beck](#)
Subject: [EXT] Reference File #: LOC2019-0096
Date: Thursday, October 10, 2019 11:15:09 AM

To Whom it May Concern:

We, the neighbours at 3910 4A Street S.W., are in support of the Land Use Redesignation (LOC 2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into two lots should the LOC be approved.

We believe that the proposed redesignation and development of the lots will enhance our community, particularly on a street that has seen little development and rebuilding since the 2013 flood. We believe that the proposed subdivided lots will be more consistent with the size and nature of other lots and homes in the neighbourhood, than would a very large lot as exists currently. We welcome thoughtful investment in our community and the addition of family homes, which we believe the applicant is planning to undertake.

Please contact the undersigned should you require any further information.

Yours truly,

Katie and Dan Beck
3910 4A Street S.W.
Calgary, AB T2S 1Z6
(403) 818-7577; (403) 617-4395

From: [Julie Paulson](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); president@elbowpark.com
Subject: [EXT] Rezoning Opposition (LOC-2019-0096)
Date: Thursday, October 10, 2019 11:32:58 AM

October 10, 2019

Julie Paulson
3624 6 Street SW
Calgary, AB T2S 2M7

Dear Councillors and Mayor,

I am a concerned neighbour living in Elbow Park and I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File **LOC-2019-0096**).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner-city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back-alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours' enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in Calgary and **vote against this application**.

Sincerely,

Julie Paulson

October 10, 2019

Kahleia and Cameron Murdoch
3631 12th St. S.W.
Calgary, AB
T2T3P1

Dear City of Calgary Councilors,

I am a concerned neighbour living in Elbow Park and I am strongly opposed to the proposed rezoning of the property (LOC-2019-0096) at 313 40 Avenue SW up for Public Hearing on October 21, 2019.

I respectfully ask for NO ZONING CHANGE on this parcel, not because I am anti-growth but because I am an enthusiastic supporter of smart, planned urban development.

We bought our home in Elbow Park over 15 years ago in part due to the historic nature of the area. We need to protect areas in our city that showcase our history. As much as I understand and support the need for increased density of our growing city, this needs to be done in a careful and well thought out manner with calculated forethought and planning in regards to the changes, the infrastructure needs required and the impact on the surrounding areas.

In strongly opposing this rezoning, please find my most compelling reasons included below:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed? Don't we want to protect the limited history we have in Canada?

- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree with. Councillors are elected in order to represent their constituents and Elbow Park residents have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park. Calgary sells itself as a city that supports diversity. We believe in diversity, a variety of differences, options from which people can choose. We are currently surrounded by neighborhoods with higher density – Altadore, South Calgary, North Glenmore, Mardalooop - protect the option of R-C1 designated areas as well so that citizens of Calgary can choose what suits them best. I'd also like to mention that I was at a CBE meeting last night to address the over crowding of Western Canada High School, the designated High School for this area. To increase density in Elbow Park would only exacerbate this problem.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation. We desire to live in a city where people are free to make choices. We chose to live in an R-C1 designated neighbourhood. We paid to do so and yet feel that we are constantly having to fight to protect our choice.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was

determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in Calgary and **vote AGAINST this application**. Thank you for listening to your constituents.

Sincerely,

Kahleia and Cameron Murdoch

From: pchecknita@shaw.ca
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Cc: janevirtue@icloud.com; [Ward11 - Lindsay Seewalt](#)
Subject: [EXT] Oppose 313 - 40 Ave REZONE - LOC-2019-0096
Date: Thursday, October 10, 2019 7:38:59 PM

As a homeowner directly across the street from the subject address, I am strongly opposed to the proposed re-zoning.

The lot is located on the Elbow River and has no back alley. If the parcel were to be subdivided into 3 lots, the street scape of the property would consist of three adjoining driveways and garages.

With 3 driveways on that lot, there would be no street parking available for a third car or visitors. There would also be no opportunity to plant trees, hedges or grass.

If this were allowed on this parcel, you may as well allow for a condo development.

The applicant is obviously trying to maximize his financial return without any regard for the character of the neighborhood. The desirability of the neighborhood reflects the current lot sizes and greenspaces that are currently present.

The applicant should not be allowed to take a financial gain of the character of the neighborhood without contributing to it.

The current R-C1 zoning for a minimum lot width of 39.37' should stand.

Regards,

A handwritten signature in black ink, consisting of a large, stylized initial 'P' followed by a long, horizontal stroke that tapers to the right.

Peter Checknita P.Eng.
312 40 Ave SW
(403) 540-4457 Cell

From: [Filipe Biondi](#)
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Cc: janevirtue@icloud.com
Subject: [EXT] Letter to Oppose 313 - 40 Ave REZONE
Date: Thursday, October 10, 2019 9:34:20 PM

Dear Councillors and Mayor,

I'm a new resident in Elbow Park and I am extremely happy with our decision to move there. We are enjoying to be surrounded by nature, peaceful front yards, and likeminded people in a low density community that allow our children to feel safe and closer to each other. While understanding/respecting the needs for our city to grow, we are concerned that an individual possibility of profit may jeopardy the well being of the community as a whole.

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner city communities. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbours enjoyment because of the loss of light.

We want to retain the unique character of our neighbourhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote Against this application.

Thank you for hearing our concerns,

Henrik, Claire, Rachel and Filipe Biondi
1010 Sifton Boulevard SW

From: [Penny Fagerheim](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Rezoning of 313-40Ave SW
Date: Friday, October 11, 2019 7:45:07 AM

Please accept this for my apposition to application for rezoning east elbow park and elbow park. We need to preserve the beautiful big lots in this area and not put more than one infill home on a single lot. I am opposed to the proposal of building 2 or 3 homes at 313-40 Ave SW.

Penny Fagerheim
3416 8A St SW
Calgary. T2T3B2

From: [Fortitude](#)
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Elbow Park Re-Zoning LOC-2019-0096
Date: Friday, October 11, 2019 8:24:22 AM

Dear City of Calgary Councillors, Mayor Nenshi,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property at 313 40th Ave. SW (**LOC-2019-0096**) from RC-1 to RC1-N, up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**. I do not believe this proposal falls into the category of thoughtful planned urban development. (Such planning should include community consultation and discussion in advance of any proposals for significant change such as this one.)

Elbow Park has already spent much time developing and sharing its vision for the community with the city. It is the character of Elbow Park and other similar neighbourhoods that help to make Calgary internationally known as a very liveable city.

We are concerned that a decision to change the zoning designation on the 40th Ave. lot at will set a precedent that will allow developers to come in, buy up the 50' and larger lots, subdivide and put up tall skinny houses that will:

1. detract from the current look of the neighbourhood
2. negatively impact their neighbours with overshadowing
3. negatively impact the safety of the streets in winter with overshadowing, preventing snow and ice from thawing
3. add to the already tight parking on many streets.

Having put our savings into a new home here 17 years ago, following all the rules at the time, we are fed up with the way the city has since then been continually changing the rules, and now face the possibility that our home could easily be totally overwhelmed by infills that will tower over us and reach from the sidewalk to the lane.

Sincerely,
M. Hope Smith
3839 10th St. SW

From: [Evelyn Main](#)
To: [Public Submissions](#)
Subject: [EXT] Rezoning of 313-40th Avenue SW (LOC-2019-0096) - Opposition
Date: Friday, October 11, 2019 7:47:16 AM

OCT 11, 2019
Evelyn Main
314 Elbow Park Lane SW

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on [October 21, 2019](#).

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for

this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.

- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,
Evelyn Main

Evelyn Main
Elevate
403-829-8293

October 9, 2019

John M Clarke

3627 12th Street S.W.

Calgary, Alberta, Canada T2T 3P1

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**), 313 40th Avenue SW, up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning

remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.

- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

A handwritten signature in cursive script that reads "John M Clarke". The signature is written in black ink and is positioned above the printed name.

John M Clarke

October 8, 2019

City of Calgary
Mayor and Council

Rhonda Fulton
3808 9th Street SW
Calgary, AB
T2T 3C9

Dear City Councilors,

I am a concerned neighbor in Elbow Park and I am opposed to the outright bias of the planning department and current council to ensuring “density” a priority without regard to how neighborhoods are historically planned, organized and serviced. I have also noted that this is an individual’s application that does not have the support of the Community where the property is located. (LOC-2019-0096)

While Calgary could use some density, it is not wise or prudent to destroy the character of the city’s history without regard to what is being given back and to do it without the infrastructure planning that is required for density. Currently Marda Loop is an infrastructure disaster! Like it or not, Calgary IS a winter city and we still have cars by need. Proper planning for density is the only way it will work. It should not be subject to individual applications.

Putting 3 lots along the river at 40th Ave makes no sense. 3 times more to deal with in the next flood and for what purpose? This letter is to opposed the proposed zoning changes to LOC-2019-0096. I find it hard not to think the City is quite aware it is establishing precedent for planning liberties into the future by even considering this application.

I respectfully ask for NO ZONING CHANGE on this parcel, not because I am anti- growth but because I am an enthusiastic supporter of SMART, PLANNED URBAN DEVELOPMENT complete with the true infrastructure to support it.

With the help of my VOLUNTEER COMMUNITY ASSOCIATION (which has existed through many many changing councils) my most compelling reasons to decline the proposed rezoning include:

- The proposed rezoning is inconsistent with the “Low Density Housing Guidelines for Established Communities and the Elbow Park Community Charter”. These documents were created in order to ensure that our Community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighborhood that is designed RC1 (Single Family Low Density). RC1 is in place for the preservation of the Elbow Park streetscapes. Elbow Park was established as a neighborhood in 1910 and historical homes, maintained for over 100 years are physical links to our past. The people who built this city and those who maintain it and those who maintain it are residents here. I want to live in a city that cherishes it ties to its past!

- Residents of Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but the RC1 designation in their neighborhood for reasons of historical preservation and for me, as a push-back to the idea that owning a Home is the same as owning a saleable commodity.
- Elbow Park residents are not opposed to increasing density in some areas. Some residents were not even opposed to Secondary Suites (I personally see no use in them as rentable space to help someone pay their mortgage). What residents are opposed to is random changes to the character, nature and history of our neighborhood in the name of profit to shabby builders and owners who flip the house for a profit and leave. These scenarios mean Calgary homeowners just get a higher tax bill the next year and do not improve the quality of life in this city.
- The wishes and desires of the applicant should not supersede the historic and research-based reasons behind RC-1. This designation was provided to the community of Elbow Park (Parkland and other communities too) to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an RC-1 designation. People make lifestyle choices and those who chose RC-1 should not be dismissed.
- To allow rezoning based on a whim would set a dangerous precedent (not to mention creating a lot of distrust of our current leadership).
- The rezone of this lot will set a disturbing precedent that Elbow Park and other such planned communities are now open for demolition.
- While the current owner has stated that he only intends to build 2 houses and not the 3 houses that would be permitted (Why? I ask) that would be permitted under this rezoning, the City is well aware that an applicant's stated intentions are not binding and therefore not a consideration in the re-zoning process. Plans change, owners change, circumstances can change but the zoning remains. As such it is possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses. It is my belief that 3 houses would be contrary to that section of the neighborhood on that lot.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighborhood's zoning. This zoning was determined by the City as being appropriate for the neighborhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park an RC-1 neighborhood should not be disregarded because one individual without any mitigating planning rationale, would somehow be entitled to, or get any special treatment.

My final comment is that many individuals have spent quite a lot of time formulating these letters for your consideration. We are busy people with many priorities in life who have taken our voluntary time to articulate our thoughts. We are not paid, do not have "staff" and lawyers to help. We are individuals who have made Calgary our home and have committed to making a difference in our neighborhood by being involved with our community association, volunteering in our schools etc. These letters take a lot to put together. It is my hope that city leadership consider them respectfully as thoughtful input from those who care about the city now and in the long term.

Sincerely,
Rhonda Fulton

August 14, 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,

I am writing to express our strong opposition in reference to the above rezoning application. We, as residents living on the same street as the applicant's property, are opposed to the change in zoning and express similar concerns outlined in the Elbow Park Residents Association's review of the application.

The current zoning is R-C1 (Single family low density) and the application is to rezone the property to RC1N (Single family narrow lot). The lot is currently 22.86 M (75') wide and the current R-C1 zoning allows for a minimum lot width of 12 M (39.37'). The proposed R-C1N zoning allows for a minimum lot width of 7.62M (25'). Rezoning the lot to R-C1N would allow for up to 3 lots 7.62 M (25') wide.

The fact that the proposed zoning would allow for 3 dwellings sets a dangerous precedent for Elbow Park as well as other inner city communities. It is not in alignment with the current existing development patterns as there is no lane access and the new lots would be taken up by front drive garages. We feel this out of character with the street and is not consistent with our neighbourhood.

After the flood of 2013 there was much discussion with regard to whether or not building or rebuilding in the flood way should be allowed at all. The idea of increasing density along the floodway makes no sense in this context. There is also significant impact to adjacent homes regarding the depth and height of the potential future buildings and its impact on loss of light of their existing home.

The Elbow Park Community has always felt strongly about retaining the unique character of the neighbourhood. The Elbow Park Community Charter developed in conjunction with the City was very clear in its opposition to the subdivision of larger lots, creating smaller lots inconsistent with the streetscape. 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.

In conclusion, we as residents of the Elbow Park Community, do not support the proposed rezoning requested for this site. If you have any questions, please feel free to contact me at 403-462-6192.

Sincerely,

Kim and Jay Connell
332, 40 Avenue Sw.

c.c.
Councillor Jeromy Farkas Ward11@calgary.ca
Donna Conway, Chairperson of the EPRA Development Review Committee at conwayd@shaw.ca

From: [Patricia Markin](#)
To: [Public Submissions](#)
Subject: [EXT] Rezoning of Elbow Park Property LOC-2019-0096
Date: Friday, October 11, 2019 11:05:29 AM

OCT 11, 2019

Patricia Markin

3924 Edison Crescent S.W.
Calgary, Alberta
T2S 0W9

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the

well thought out reasons for maintaining an R-C1 designation.

- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Patricia Markin

From: [Sarah Laycock](#)
To: [Public Submissions](#)
Cc: [Office of the Mayor](#); [Councillor Web](#)
Subject: [EXT] (LOC-2019-0096)
Date: Friday, October 11, 2019 11:57:41 AM

October 11 2019
Sarah Laycock
404 38 ave sw
Calgary AB
T2S0V9

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

HOWEVER I AM IN SUPPORT OF REZONING THE SAID LOT INTO 2 LOTS (EACH OF WHICH WOULD BE APPROXIMATELY 37 FEET WIDE) WHICH, ALTHOUGH IS NARROWER THAN MANY LOTS IN THE NEIGHBOURHOOD, IT IS STILL IN KEEPING WITH THE ASTHETICS AND DENSITY OF THE NEIGHBOURHOOD

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear

direction that they oppose any zoning other than RC-1 in Elbow Park.

- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Regards,

Sarah Laycock

Oct 9, 2019

J. Paul Bryden
3635 6 ST SW
Calgary, AB T2S2M6

Dear Councillors and Mayor,

I am writing to register my opposition for the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

I do not feel that the proposal allowing three homes to be constructed on a single lot, regardless if it was originally two lots, has merit in this case. My concern is that this will set a precedent, and signal to overzealous developers that the neighbourhood is open for blanket rezoning. In speaking to many of my friends in Marda Loop, one of the single most contentious points is the seemingly unrestrained amount of development and construction in the area. It has come to a point where the safety of residents is being jeopardized.

A few other salient points to consider:

- As there is no back lane, three driveways will be necessary. It is my understanding that City Planning as a policy discouraged driveways that cut across sidewalks and create barriers.
- The lot in question is located in the flood zone and could easily be purchased by the City and turned into parkland, benefiting the community.

As a former President of the Community Association, I am well aware that in 2002 at the request of the City of Calgary, Elbow Park residents collaborated with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighbourhood wide zone designation of R1, and I humbly ask you to respect those wishes.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and vote against this application.

Regards,

A handwritten signature in black ink, appearing to read 'J. Paul Bryden', with a stylized flourish at the end.

J. Paul Bryden
3635 6 ST SW
Calgary, AB T2S2M6

From: [louise drouin](#)
To: [Public Submissions](#)
Subject: [EXT] Rezoning Request LOC-2019-0096 and Public Hearinh October 21,2019
Date: Friday, October 11, 2019 12:11:47 PM

October 11,2019

Louise Drouin 3221 6 Street SW
Calgary, Alberta T2S 2M2

Dear City of Calgary Councillors,

I reside in Elbow Park, and am writing to ask you to vote for **no changes** to the zoning of (LOC-2019-0096) , the property a block away from our home, during the public hearing on October 21,2019. My reasons for asking you to reject rezoning from single family home (RC-1) to multi (2-3) home are as follows:

- - This rezoning request goes against the Elbow Park Community Charter, The Elbow Park Community Association Board, and the point of view of the residents of this community. Why should the desires of one developer override the opinion of the people who reside in the area ?
 -
 - Allowing one developer an exception to the current RC1 designation establishes a dangerous precedent, allowing others to leverage this inconsistency and potentially altering the character of this neighbourhood. What is the rationale for allowing this developer an exception and why has the feedback of the community been ignored in the application process thus far ?
 -
 - Permitting the building of 2-3 houses on a lot is incongruous in a neighbourhood with mostly restored single family homes and could negatively impact our property values. Why is this change even being considered and why has the permit process been allowed to move forward despite community objections, eroding the trust with the planning department ?
 -
-

We purchased our home in Elbow Park 5 years ago, because we love the historic homes and character of the neighbourhood . We very much enjoy living in Calgary and plan to make this our “forever” city after having lived in many other large cities. If you will permit me a comment, tangential to this issue- this is a wonderful city, thanks to so much good work by its elected officials and city government but there is one issue, related to Elbow Park where I think we are missing the mark.

Great cities understand how to balance development with a modicum of historic preservation. When city planners don't “get” why residents of a historic area comprised of mostly century homes don't want 3 infills on a lot, it shows how immature their thinking is on the topic . I would encourage them

to study cities like San Francisco, Chicago, Nashville where there are measures taken to preserve the facades and street scape of historic neighbourhoods. As a young city we have very little that is old, but Elbow Park is a unique pocket of history worth protecting, because once it's gone- it's gone.

I thank you for your time and consideration on this matter and would ask you to please vote no on this redevelopment application.

Yours truly,

Louise Drouin

3221 6 Street S.W

To: The City of Calgary
Reference: LOC2019-0096

From: Gayla & Brian Rogers
317-40th Avenue SW

Re: Rezoning Application/ Application for Land Use Amendment for 313 40th Avenue SW LOC 2019-0096

My wife Gayla Rogers and I reside at and are the homeowners of 317 40th Avenue South West. We have lived in our home for over 20 years. In our capacity as home owners next to the property referenced above, we are corresponding to you in regard to the Rezoning Application/Application for Land Use Amendment and to the City of Calgary Planning and Development correspondence sent to our home, as well as to the Notice of Review prepared by the Elbow Park Residents Association (EPRA). We have been invited to respond and provide comments to the City of Calgary and to the EPRA. In that regard we have consulted with a planning advisor/ architect. We agree with the comments and serious concerns expressed by the Elbow Park Residents Association Subdivision and Development Permit Review Committee regarding the proposed land use redesignation to rezone the subject property from R-C1 to R-C1N and we have additional comments and concerns as follows:

1. The land use redesignation/subdivision application LOC2019-0096 proposes a new zoning of R-C1N (single family narrow lots). As the Elbow Park Residents Association Subdivision and Development Permit Review Committee points out, the proposed land use redesignation to rezone the subject property from R-C1 to R-C1N would allow for single family narrow lots in an inappropriate area both from a planning and street compatibility perspective. As the EPRA points out, the property referenced in LOC 2019-0096 backs onto the Elbow River where there is no lane and accordingly the proposed lots would require front drive access to front drive garages with construction of new homes pushed towards the river. All of the homes on the south side of 40th Avenue have front drive garages but with the proposed densification, these garages will be close together and will have a detrimental effect on the street scape.
2. In addition to concerns regarding impact on the character of the Street, as noted by the ERPA, the proximity of the Elbow River and impact of flood risk is of particular concern. The creation of 2 single family narrow 37.5' lots as proposed by the applicant, would result in a density increase and the construction of 2 new properties closer to the river than previously existed. Accordingly, the redesignation of this lot that backs on to the Elbow River to R-C1N should not be approved, in general due to planning concerns, the increased risk of flood, and the negative impact on our existing property and residence. There are several vacant lots on 40th Avenue that are 'frozen' until upstream mitigation is in place – it is hard to understand a decision to densify an existing lot, while not allowing building to take place on other lots on the same street. We wonder what the impact of another flood might be with building densification on the proposed lot and has that questioned been answered by any of the City planners?
3. The applicants reference to our property on 317 40th avenue is in error as our property is wider than the applicant indicates. What is of more significant concern however is that we worked in concert with the City to ensure compliance with City guidelines and the City's request that we go to great lengths to ensure privacy between adjacent dwellings. As a result, and as a consequence of responding to City guidelines, the only light to our living spaces on the east side (next to the subject

site) is derived from upper transom windows which, if blocked by new construction on smaller lots, will leave us in a dark tunnel if R-C1N is allowed.

In conclusion, I appreciate this opportunity of responding to the City of Calgary Planning and Building Department, the City of Calgary Corporate Planning Application Group, and the EPRA subdivision and Development Permit Review Committee. We have reviewed the land use redesignation/subdivision application LOC 2019-0096 for 309 40th Ave. SW and we are of the view that the proposed R-C1N in a predominantly R-C1 zone is not acceptable on its own merits but also as this will set precedence and encourage future developments of narrow lots, while traditionally homes in the area consolidated lots to have wider frontages. The R-C1N zoning will erode the character of the neighborhood, in particular to this application where it does not allow for a lane-accessed garage as it backs on the river. Of even more significance, density increase along the river should not be allowed in general due to risks of flood. A front garage on a proposed narrower lot will severely impact the streetscape coupled with the increased developable area of an R-C1N will restrict access to light to our adjacent property. This concern will be aggravated with height increases/relaxations to mitigate flood risks. Accordingly, we provide this correspondence in support of our submission that the applicants request for rezoning not be approved.

Brian and Gayla Rogers
brogers@mcleod-law.com
gaylasrogers@icloud.com

October 11, 2019

Elizabeth Kaufman
311 37 Avenue SW
Calgary, AB
T2S 0V3

Dear Councilors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner-city communities. This ultimately serves notice to developers that the protection offered by the neighborhood zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back-alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

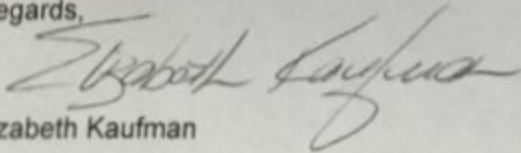
This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbors enjoyment because of the loss of light.

We want to retain the unique character of our neighborhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighborhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighborhoods in the City and vote Against this application.

Regards,



Elizabeth Kaufman

From: [Margo Coppus](#)
To: [Public Submissions](#)
Subject: [EXT] Re-zoning LOC 2019-0096
Date: Saturday, October 12, 2019 4:35:21 AM

OCT12, 2019

Margo Coppus

3920 Elbow Drive SW

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Margo Coppus

From: [Eric Hobson](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Fwd: Submission Regarding Proposed Rezoning- LOC-2019-0096; 313 40th Ave. S.W.
Date: Saturday, October 12, 2019 10:23:26 AM

Sent from my iPad

Begin forwarded message:

From: Eric Hobson <hobsongonefishin@gmail.com>
Date: October 9, 2019 at 7:31:19 PM GMT+1
To: PublicSubmissions@calgary.ca
Subject: Fwd: Submission Regarding Proposed Rezoning- LOC-2019-0096;
313 40th Ave. S.W.

Sent from my iPad

Begin forwarded message:

From: Eric Hobson <hobsongonefishin@gmail.com>
Date: October 9, 2019 at 7:23:07 PM GMT+1
To: PublicSubmissions@calgary.com
Cc: councillorweb@calgary.ca, themayor@calgary.ca,
president@elbowpark.com
Subject: Submission Regarding Proposed Rezoning- LOC-2019-
0096; 313 40th Ave. S.W.

OCT 9, 2019

Eric Hobson and Susan Wigmore

3918 4th St. SW, Calgary, AB, T2S
1Y5

Dear City of Calgary Councillors,

We are concerned neighbours living in Elbow Park that are vehemently opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

We respectfully ask for **no zoning change on this parcel**, not because we are anti-growth, but because we are enthusiastic supporters of smart, planned urban development. Our most compelling reasons include:

- The Proposed Re-zoning is inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Re-zoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they

are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?

- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constituents and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- To allow re-zoning 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.

- The re-zoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building two houses, and not the three houses that would be permitted under the re-zoning, the City is well aware that an applicant's stated intentions are not binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build three houses, or sell the property and the new owner could build three houses.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building two houses on the property does not meet the minimum lot width under the neighbourhood's zoning.
- This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because one individual, without any

mitigating planning
rationale, thinks he's
entitled to special
treatment.

Please vote to maintain the historic
nature of our community and
preserve one of the oldest
neighbourhoods in Calgary and
vote **Against this Application.**

Regards,

Eric Hobson and Susan Wigmore

From: [byron](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Opposition to rezoning LOC-2019-0096 in Elbow Park
Date: Saturday, October 12, 2019 1:23:52 PM

OCT 12, 2019

Byron Grant

510 Sifton Boulevard SW

Calgary, AB T2T 2K7

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely

disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.

- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Byron Grant

October 11, 2019

Rodney Shyba
311 37 Avenue SW
Calgary, AB
T2S 0V3

Dear Councilors and Mayor,

I would like to let you know that I **strongly oppose** the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

This proposed zoning would allow for three (3) narrow homes to be built on a lot that used to allow for only one. This sets a very undesirable precedent for Elbow Park as well as other inner-city communities. This ultimately serves notice to developers that the protection offered by the neighborhood zoning is non-existent and that they can build whatever they want in Elbow Park.

This particular lot does not have a back-alley laneway and, subsequently, the 3 front drive garages will ruin the streetscape of 40th Ave.

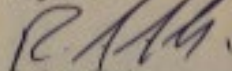
This lot is located in the flood zone and the idea of increasing density along the floodway makes no sense.

The depth and height of 3 Infill houses will also impact the adjoining neighbors enjoyment because of the loss of light.

We want to retain the unique character of our neighborhood. In 2002, at the request of the City of Calgary, Elbow Park residents partnered with the City to develop the Elbow Park Community Charter. This charter was very clear in its opposition to changing our neighborhood wide zone designation of R1.

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighborhoods in the City and vote Against this application.

Regards,



Rodney Shyba

From: [Derek D](#)
To: [Public Submissions](#)
Subject: [EXT] Land Use Resignation (LOC2019-0096)
Date: Monday, October 14, 2019 2:13:15 PM

We the neighbors at 309-38 ave SW are in support of the Land Use Resignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

Derek and Silkie Deemter
403-796-4688

From: [STEVE GRANT](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Oppose 313 - 40 Ave REZONE
Date: Monday, October 14, 2019 2:23:19 PM

Hello,

Upon receipt of the notification that there is an application for rezoning residences in Elbow Park we felt compelled to add our voice to the opposition of the rezoning application. Please note we are against it for the reasons stated by the Elbow Park Residents Association and many more. As previously stated we felt compelled to contact city officials to let our voice be heard.

Regards,

Stephen Grant

From: [Engbloom, Robert](#)
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Cc: janevirtue@icloud.com
Subject: [EXT] Rezoning LOC-2019-0096
Date: Monday, October 14, 2019 6:36:13 PM

Dear Councillors and Mayor

I live in Elbow Park and I strongly oppose this proposed rezoning from RC 1 to RC N1.

My reasons are simple. The minimum lot frontage for Elbow Park has been determined under RC 1 - it is 40'. Maybe it should be 42.5' or maybe it should be 37.5' or some other number but entertaining relaxations for no apparent reason than the owner wants a different set of rules to apply to it than the rest of the community is unfair, inappropriate, a huge waste of time and money and creates unnecessary divisions in the community. Let's all live by a common rule - minimum 40' front footage.

The rezoning to RC N1 with a 25 foot frontage would be a ridiculous outcome and only underscores the merits for all in the community to live by the same rules.

Respectfully.

Robert Engbloom
3410 10th St SW.
403 829-5724

Law around the world
nortonrosefulbright.com

CONFIDENTIALITY NOTICE: This email is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately and delete it.

October 14, 2019

Robert Dick

3017 7 St SW

Calgary

Alberta T2T 2X6

I am a concerned Elbow Park resident, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096 located at 313 40 Ave SW**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**. I am certainly not an advocate of no growth, but I am an enthusiastic and strong supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote against this application**.

Best regards,

Robert Dick

bobtdick@gmail.com

3017 7 St SW

Calgary T2T 2X6

October 12, 2019

Grayson Witcher
3611 – 7 Street SW
Calgary, AB
T2T 2Y2

Dear Councillors and Mayor,

I would like to let you know that I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

The key reasons I oppose the rezoning are:

- Neighbourhood schools are collateral damage
- Rezoning primarily benefits homebuilders, not neighbourhood residents
- Above all governments must maintain stability and trust
- To attract a diverse and productive population we must provide them with the diverse supply of inner-city housing options they desire and expect

School

My eldest son attends Elbow Park and my youngest son will attend next year. It is an outstanding school and one of the key reasons for moving into the community. I love the fact that our children can walk to school every day and that most of their friends are also in the neighbourhood. This is surprisingly unique as I lived in different cities in Canada and the U.S. before moving back to Calgary and many community schools have been crippled and sent into a vicious tailspin.

As I am sure you are aware Elbow Park is currently near capacity (my son's classroom was in the hallway atrium last year as they were short a classroom). With this decision the City is setting a precedent for allowing lots to be subdivided into narrow infill lots. So what would happen if the density of the neighbourhood doubled over the next 15-20 years as each 50 foot lots was split into two 25 foot lots?

Clearly Elbow Park School could not accommodate this growth. So where would the additional elementary school go and who would pay for it? I do not know of any open land in our community so would the City buy a city block and evict the homeowners to make room for a school? That would likely cost at least \$30 million. Recent K-4 elementary schools built in Calgary (Evergreen and Cranston) cost \$15 million (so a new K-6 would cost ~\$21 million). Do you think the Alberta government will be excited that the City of Calgary Councillors voted to "force" them to spend \$51 million, especially when the land cost could have been avoided by building in the outlying communities? Probably not.

The other option would be to bus children to another school outside of the community (likely one that would have to be built or renovated, again costing the government, and of course residents, more money). Little research is required to understand bussing children a bad decision. An article from the Guardian newspapers notes that bussing has a "problematic history" and that "most American school districts have abandoned the practice." This would tear apart the fabric of the neighbourhood.

Builders versus Residents

I lived in Altadore before moving to Elbow Park. I enjoyed living in Altadore but made the choice to move to Elbow Park for many reasons. What I found living in a neighbourhood zoned for infills was that builders are the main beneficiary. They buy beautiful, livable homes and tear them down (which as an aside is likely not great for the environment) to build two infills. Those infills look great when they are brand new but the owners soon discover what shortcuts the builders took to inflate their profit. I am sure you have heard many stories but I had windows that failed after 2 years (that should last for 20 years), friends had roof shingles that failed in under 5 years, bathrooms that did not have proper waterproofing and leaked water in under 5 years, poorly made kitchens that literally fell apart in under 5 years, and the list goes on. The common threat here is that builders (who do not live in the neighbourhood) inflate their profits leaving unsuspecting home owners with a string of unnecessary liabilities.

Neighbourhoods zoning should be designed for the benefit of long-term residents, not for the profiteering of homebuilders.

Trust in Government

I don't have to tell you that two critical elements to a country like Canada are stability and trust. Canadians are willing to invest their life savings in buying a house because they believe the laws when they invest hundreds of thousands of dollars are going to be the same as the laws when they go to sell that property. If they believe zoning laws may be changed by a Mayor or Councillors with an agenda do you think Calgarians will be willing to invest in Calgary real estate?

Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood. The character of the Elbow Park, Roxboro and Rideau is one of the key reasons you see generations of residents to move back to Calgary to the neighbourhood they grew up in (including myself).

After decades of stability in the neighbourhood do you want to be the Councillors that break that trust?

Diversity

I believe there needs to be a diversity of housing options to attract and retain talented people in cities. How can Calgary attract and keep a diverse population if the only option for living in inner-city houses are infills on narrow (25 foot) lots? For those who want to live on a narrow lot (like I used to) there are many options (Altadore, South Calgary, Killarney, Mission, Cliff Bungalow and Hillhurst, to name a few). For those who would prefer to live on a slightly larger lot in a beautiful historic home rather than in an infills pumped out by homebuilders, there are currently only a handful of options.

If the city allows those few remaining historic neighbourhoods to be demolished and replaced with new infills on 25 foot lots, what kind of options are we giving Calgarians? Toronto has inner city neighbourhoods with 50 foot lots. So does Vancouver. Do we want to put Calgary at a disadvantage relative to other Canadian cities in attracting people and jobs?

Conclusion

Rezoning the property located at 313 40 Ave SW from RC1 to R-C1N (Narrow lots) would create a dangerous precedent that I believe would turn many of the wonderful benefits of living in Calgary into deterrents.

- The culture and fabric of neighbourhoods would be eroded as schools became overcrowded and communities fractionated.

- Government trust and stability has already been put in question in Alberta. Do you want to further erode this trust by tampering with zoning regulations that have been in place for decades?
- Would allowing infills to be built make life better for Calgarians? In nearby Altadore the average house (infill) costs \$877 000. That is hardly improving affordability as there are many 50 foot lots for sale in Elbow Park for 10-15% more money, and as you likely know land typically holds its value much better than depreciating assets like buildings so the return on that 50 foot lot would be more attractive. In addition, I am certain the typical build quality of a new infill will lead to higher unexpected operating costs for infill owners. This benefits homebuilders, not community residents.
- Does demolishing all inner-city neighbourhoods to erect infills provide Calgarians with options or does it force them to the suburbs, outside the City to neighbourhoods like Springbank, or to other more livable cities?

Please vote to maintain the fabric of our community and vote Against this application.

Thank you.

Grayson Witcher

3611 – 7 Street SW

From: [Donna Conway](#)
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Public Hearing Submission for LOC2019-0096 Rezoning
Date: Monday, October 14, 2019 11:55:59 PM

Attention: Your Worship and Councillors

Re: Public Hearing Reference File #: LOC2019-0096

I respectfully request that Your Worship and the Councillors reject the approval of LOC2019-0096 which would allow for the property at 313 40 Avenue to be re-zoned from R-C1 to R-C1N. This approval would permit 3 houses to be built on a property where only 1 house could be built according to the current R-C1 zoning.

The reasons for requesting that Council refuse this application's approval include:

(1) The river and flooding aspect: (a) Protection of the River from increased density along the river, and

(b) Protection of Citizens's lives and homes. Elbow Park currently lacks flood mitigation that would protect the resident's lives and homes from another 2013 flood event. Until adequate flood mitigation is in place, increasing the density along the river puts resident's lives and homes at needless risk.

(2) Lack of Due Process. The City has designated Elbow Park as a R-C1 neighbourhood. This designation, and the requirements for this designation, as set out in the Land Use Bylaw, were the result of an immense amount of time, considered opinion and public consultation. To disregard this process and decision, in the absence of a sound planning rationale, based on no more than the whim of the applicant, is to make a mockery of the previous work done by the City, Council and the Public Consultation. Re-zoning sends the message that Elbow Park's R-C1 designation can be changed on a whim and is therefore useless. It opens the doors to all kinds of re-zoning.

(3) We recognize that neighbourhoods evolve and change over time; however, changes and re-zoning should arise from a well thought out, comprehensive neighbourhood plan, complete with planning rationale and public input. Not the

result of arbitrary spot re-zoning based on 1 individual's whim.

(4) The applicant has indicated that he intends to build 2 houses; not the 3 that would be allowed under the proposed re-zoning. However, the intentions of an applicant can change, owners can change but the re-zoning allowing 3 houses would remain.

(5) There are significant planning issues with allowing even 2 houses on this property. As this is a river lot, it lacks a back lane. All the other river properties in Elbow Park (with the exception of one), are at least 50 feet wide. Several of them are 75 feet wide or larger. This increased width allows for the property to have a front drive garage which does not dominate the front face of the house and a front yard that is not characterized by a proportionately massive slab of concrete. In short, the extra width allows for housing that does not destroy the neighbourhood character and the streetscape. If this property was to be re-zoned and allowed to divide into even 2 properties, 37.5 feet wide, the streetscape would be negatively impacted forever. Specifically, according to LUB, the 37.5' properties would require at least a 4' side yard on each side. This 37.5' minus 8' (2-4' side yards) would leave 29.5' of remaining width for a building. The building would require a minimum of a 20' width for the required 2 car garage. This leaves 9.5' for "house" entry etc. The double garage will need approximately a 20' width of concrete to service the garage. This is over 1/2 the width of the property. This streetscape is very inconsistent with the character of Elbow Park and as such will have a detrimental impact. Imagining, three 25' properties, as allowed by R-C1N zoning would make the above noted issues exponentially worse.

I appreciate Your Worship and Council taking the time to hear and consider the valid concerns of the public in deciding this re-zoning application and would request that the application's approval be disallowed.

Thank You For Your Consideration,

Donna Scanlan

3816 Edison Cr. SW

Calgary, Alberta

conwayd@shaw.ca

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

October 12, 2019

Grayson Witcher
3611 – 7 Street SW
Calgary, AB
T2T 2Y2

Dear Councillors and Mayor,

I would like to let you know that I strongly oppose the application to rezone the lot located at 313 40 Ave SW (File LOC-2019-0096).

The key reasons I oppose the rezoning are:

- Neighbourhood schools are collateral damage
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- The culture and fabric of neighbourhoods would be eroded as schools became overcrowded and communities fractionated.

- Government trust and stability has already been put in question in Alberta. Do you want to further erode this trust by tampering with zoning regulations that have been in place for decades?
- Would allowing infills to be built make life better for Calgarians? In nearby Altadore the average house (infill) costs \$877 000. That is hardly improving affordability as there are many 50 foot lots for sale in Elbow Park for 10-15% more money, and as you likely know land typically holds it value much better than depreciating assets like buildings so the return on that 50 foot lot would be more attractive. In addition, I am certain the typical build quality of a new infill will lead to higher unexpected operating costs for infill owners. This benefits homebuilders, not community residents.
- Does demolishing all inner-city neighbourhoods to erect infills provide Calgarians with options or does it force them to the suburbs, outside the City to neighbourhoods like Springbank, or to other more livable cities?

Please vote to maintain the fabric of our community and vote Against this application.

Thank you.

Grayson Witcher

3611 – 7 Street SW



Public Submission

City Clerk's Office

Please use this form to send your comments relating to Public Hearing matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Public Hearing Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name Grayson

* Last name Witcher

Email grayson.witcher@gmail.com

Phone

* Subject Reference File #: LOC-2019_0096 Address of Rezone: 313 40 Avenue SW

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

Opposition to rezoning 313 40th Avenue SW. Please see attached document.

From: [Doug Conway](#)
To: [Public Submissions](#); [Office of the Mayor](#); [Councillor Web](#)
Subject: [EXT] Public Hearing Submission for LOC2019-0096 Rezoning
Date: Tuesday, October 15, 2019 12:40:33 AM

Reference Number: LOC2019-0096

Address: 313 40 Avenue SW

As a long-time resident of Elbow Park, I was surprised to learn that the City Planner/Planning Commission had approved the application for the rezoning of this property. In doing so, the Planner/Planning Commission completely ignored the strong public opposition of the Community Residents who were trying to preserve the established R-C1 zoning of this heritage neighbourhood.

As City Councillors, you would be ideally positioned to understand the amount of time and effort that went into the establishment of the City's zoning and Land Use Bylaw. There were extensive consultations with councillors, planners, communities and the public. Significant amounts of information and opinions were garnered, digested and distilled. This lengthy and careful process resulted in a considered planning structure for the City of Calgary, which has been followed for many years.

And yet, in this case, the City Planner/Planning Commission chose to ignore the established neighbourhood zoning requirements; apparently simply because the applicant made a request. There is no compelling planning rationale for this application to be approved. There is, however, considerable risk to the community of Elbow Park should this decision be allowed to stand, as it would signal to all that the previously established planning requirements are no longer active in Elbow Park. Were that the case, we would expect additional applications for non-conforming projects that would negatively and permanently change the nature of this community.

Frankly, in my view, approval of this application by the City Planner/Planning Commission is another example that the Planning Department has forgotten their requirement to work with and for the citizens. Rather, they appear to have taken on the role of deciding the fate of applications without consideration of established neighborhood requirements and by ignoring strong input from the community. Numerous strong letters of opposition were sent to the Planner (in excess of 50 letters) as well as letters of opposition from the Elbow Park Development Committee. They were all disregarded. If this is representative of this department, there needs to be major changes in staffing and/or staff attitudes which allow planners to "check the box" on Community Consultation when in fact the immense public opposition to this application was completely disregarded. This makes a sham of the public consultation process.

The process has been anything but open and transparent. The public notice posted by City Planning, indicating there would be an upcoming Public Hearing was **very** misleading. As can be seen in the photo below, while the notice confirmed the use (single detached homes), it failed to indicate the proposed rezoning would allow three houses to be built on the same property where only one was allowed under the current zoning. In other words, the notice failed to address the key issue of the application. Indeed, the notice mapped the current single lot, in colour, and specifically indicated “a maximum of one dwelling unit (no change from what is currently allowed)”, which is very misleading. Such would lead the casual passer-by to assume there was no change to the use of the existing property, when notable change was being requested. When the Planner and her supervisor were notified of this issue, their response was to do nothing(the signage had not changed when checked on the evening of October 14, 2019, five days after a request to amend the information on the sign). Such misleading information is the antithesis of accuracy and transparency.

You are our final chance to repair this circumstance and correct a poorly considered decision that has neither basis in planning nor compelling reason for exceptional endorsement. It is in your power to make this right and disallow the application’s approval.

Douglas G Conway
3816 Edison Crescent SW
douglasgconway@gmail.com



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Conway, Scanlan & Associates Ltd.
Douglas G. Conway, M.Sc., R.Psych.
Senior Consultant

Ph. 403-244-4455
Fax. 403-244-4934
www.conwayscanlan.ca

The information contained in this email is intended only for the individual(s) to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender by reply email and delete or destroy the message.

From: [Les Stach](#)
To: [Public Submissions](#)
Subject: [EXT] File LOC-2019-0096
Date: Tuesday, October 15, 2019 7:27:05 AM

I am a concerned neighbor living in Elbow Park and I am opposed to the proposed re zoning of the property (LOC-2019-0096) up for Public Hearing on October 21, 2019.

To allow re-zoning would set a dangerous precedence of the zoning process and allow anyone to rezone in Elbow Park. The wishes and desires of the applicant should not supersede the reasons behind a zoning designation of RC-1.

L.G. Stach
326 37 Ave SW
Calgary, AB T2S 0V2

Sent from my iPad

From: [Ganczar, Lindsey E.](#)
To: [Public Submissions](#)
Subject: FW: Land Use Resignation (LOC2019-0096)
Date: Tuesday, October 15, 2019 7:51:06 AM
Attachments: [image001.png](#)

FYI

October 21, 2019 Public Hearing
CPC2019-1054

Lindsey Ganczar, RPP, MCIP

Senior Planner | Centre West
T 403.268.5646



Check out www.calgary.ca/pdmap to learn more about the development activity in your community.

From: Derek D [mailto:DDeemter@live.ca]
Sent: Monday, October 14, 2019 2:12 PM
To: Ganczar, Lindsey E. <Lindsey.Ganczar@calgary.ca>
Subject: [EXT] Land Use Resignation (LOC2019-0096)

We the neighbors at 309-38 ave SW are in support of the Land Use Resignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

Derek and Silkie Deemter
403-796-4688

October 14, 2019

Martina Walsh
3811 11th Street SW
Calgary, Alberta
T2T 3M5

Dear City of Calgary Councillors and Mayor,

I am a concerned homeowner and resident in Elbow Park and I am strongly opposed to the proposed rezoning of the property located at 313 40th Avenue SW (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

The proposed rezoning is inconsistent with the "*Low Density Housing Guidelines for Established Communities*" and the "*Elbow Park Community Charter*". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions. Spot Rezoning is inappropriate for a neighbourhood that is designated R-C1 (Single Family Low Density). R-C1 zoning is in place for the preservation of the Elbow Park community, as it currently exists.

Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but an R-C1 designation in their neighbourhood. I am opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree with.

The wishes and desires of the applicant should not supersede the research-based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

The rezoning of this lot will set a very undesirable precedent that will send a message to developers that Elbow Park is now open for rezoning and demolition. This proposed zoning would allow for three (3) narrow homes to be built on a lot that is zoned for only one. This ultimately serves notice to developers that the protection offered by the neighbourhood's zoning is non-existent and that they can build whatever they want in Elbow Park.

While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the proposed re-zoning, the City is well aware that an applicants stated intentions are not binding and therefore, not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to change his mind and build 3 houses, or sell the property and the new owner could build 3 houses.

Furthermore, it must be understood that this applicant is applying for re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width requirements under the current neighbourhood zoning. The current zoning was determined by the City as being appropriate for the neighbourhood, after much consideration and public consultation. As such, this process, and the decision to make Elbow Park a R-C1 neighbourhood, should not be disregarded because an individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Sincerely,

Martina Walsh

From: [Steve Suche](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); "president@elbowpark.com"
Subject: [EXT] Rezoning Application #: LOC-2019_0096 - 313 40 Avenue SW
Date: Tuesday, October 15, 2019 9:35:39 AM

Oct 15, 2019

Steven & Monica Suche
3919 5th Street SW
Calgary, AB

Dear Councilors and Mayor,

Re: Rezoning Application #: LOC-2019_0096 - 313 40 Avenue SW

We are writing to express our **strong opposition to the application to rezone** the lot located at 313 40 Ave SW (File LOC-2019-0096). This proposed zoning would allow a lot currently designated for a single home to have three (3) narrow homes built.

Much of the charm and appeal of the neighbourhood is based on the current 40' lot-width restriction in place for the area. By relaxing the restriction for this developer, **we allow developers to come into a neighbourhood and destroy its appeal and character in order for them to profit without any regard to the existing zoning and residents.** Once the rezoning is granted for this developer, the city will have no choice but to approve every request to rezone in the area.

We want to retain the attractive and family-friendly character of our neighbourhood. We request that you **vote to maintain the existing zoning designation**, preserve one of the oldest neighbourhoods in the City, and **vote against this application.**

Thank you for your consideration.

Steven & Monica Suche

From: [Gordon W. Ross](#)
To: [Councillor Web](#); [Office of the Mayor](#); [Ganczar, Lindsey E.](#); [Civitarese, Dino](#); [Public Submissions](#); Kayla@sturgessarchitecture.com
Subject: [EXT] File #: LOC2019-0096 - Address of Rezone: 313 40 Avenue SW
Date: Tuesday, October 15, 2019 9:37:48 AM

Re: Rezoning 313 40 Avenue SW, Calgary, Alberta

To whom it may concern,

We the neighbours at 918 Lansdowne Avenue SW are in support of the Land Use Resignation (LOC2019-0096) at 313 40th Ave SW from R-C1 to R-C1N and support further subdivision into 2 lots should the LOC get approved.

Should you have any questions, we can be reached at 403-245-2703.

Best regards,

Gordon W Ross and Richard Cote
918 Lansdowne Avenue SW
Calgary, Alberta T2S 1A3

From: [Allan Markin](#)
To: [Public Submissions](#)
Subject: [EXT] FW: Proposed re-zoning of 313 - 40th Avenue SW
Date: Tuesday, October 15, 2019 10:32:16 AM

Good morning:

Further to my email of August 20th email I write to restate my opposition to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.

- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Sincerely,

Allan Markin
3924 Edison Crescent SW
Ph: (403) 606-6363
Email: Allan.markin@ampfinancialinc.com

From: Allan Markin
Sent: August-20-19 2:35 PM
To: Lindsey.Ganczar@calgary.ca; Ward11@calgary.ca
Cc: conwayd@shaw.ca
Subject: Proposed re-zoning of 313 - 40th Avenue SW

Dear Ms. Ganczar & Councillor Farkas:

I write regarding the proposed re-zoning of **313 40 Avenue S.W.** in Elbow Park, which I strongly oppose.

I echo the sentiments previously submitted by my wife, Patricia Markin, that the proposed re-zoning would be very detrimental to the community of Elbow Park. As one of Calgary’s first residential communities, Elbow Park has maintained over many years its history, character and strength as a strong and safe community, while facing great adversity, mostly related to flooding of the Elbow River. The proposed zoning change would change the neighbourhood forever. Squeezing multiple narrow houses into confined spaces would

likely become popular with ambitious developers. The residents would lose the generous green spaces, the openness, the spaciousness of this community. Increasing the population along the Elbow River would be a great mistake and puts more homes at risk of devastating flooding.

Many, many people from other communities walk and ride along the path on the far side of the river. There are few places in Calgary where people can enjoy a breath of fresh air, the beauty of the river, the green spaces, and the lawns that back onto 40 Avenue. Please don't allow further density at 313 40 Avenue S.W., as it would start a precedent that would lead to the loss of all that makes Elbow Park a wonderful community that the entire City of Calgary can be proud of.

Sincerely,

Allan Markin
3924 Edison Crescent SW
Ph: (403) 606-6363
Email: Allan.markin@ampfinancialinc.com

From: [Farrah Yau](#)
To: [Public Submissions](#)
Subject: [EXT] Rezoning Letter - Please Read
Date: Tuesday, October 15, 2019 10:33:42 AM
Attachments: [rezoning 1.docx](#)

To Whom It May Concern:

Please read attached letter.

Farrah Yau

OCT 15, 2019

Farrah Yau

3826 7a st SW

Calgary, AB

T2T2Y7

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.

- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicant's stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Farrah Yau

From: [Will Tunison](#)
Subject: [EXT] Opposition to rezoning (LOC-2019-0096)
Date: Tuesday, October 15, 2019 10:34:05 AM
Attachments: [rezoning 2.docx](#)

Dear Sirs,
Please open and read the attached letter.

OCT 15, 2019

Fredryck William Tunison

3826 7a st SW

Calgary, AB

T2T2Y7

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.

- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicant's stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Fredryck William Tunison

From: [Doug Haughey](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); councillorfarkas@calgary.ca
Subject: [EXT] Elbow Park Re-Zoning Application LOC-2019-0096
Date: Tuesday, October 15, 2019 10:40:39 AM

My wife Karen and I are residents of Elbow Park and are opposed to the captioned re-zoning application for the reasons stated below. To summarize, we are not opposed to higher density areas, but it is not appropriate to ignore the character of a community and approve one-off applications like this, particularly when there are so many arguments to the contrary.

Please do the right thing and reject this opportunistic application that provides no benefits to Calgary and destroys the process around community land use.

Karen Doug Haughey
403-862-1572
doug.haughey@gmail.com

3603-9 St SW
Calgary, Alberta T2T 3C8

Reasons To Reject Application

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
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resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?

- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order to represent their constituents and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the rezoning, the City is well aware that an applicant's stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
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Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

From: [Ryan Yau](#)
To: [Public Submissions](#)
Subject: [EXT] Elbow Park rezoning
Date: Tuesday, October 15, 2019 10:56:30 AM
Attachments: [rezoning 3.pdf](#)

----- Forwarded message -----

From: **Ryan Yau** <rjhyau@gmail.com>
Date: Tue., Oct. 15, 2019, 10:54 a.m.
Subject: Elbow Park rezoning
To: <publicsubmissions@ucalgary.ca>, <councillorweb@ucalgary.ca>, <themayor@ucalgary.ca>, <president@elbowpark.com>

Please see attached letter in opposition to higher density rezoning of Elbow Park.

Thank you!

Ryan Yau

OCT 15, 2019

Ryan Yau

3238 8th Street SW

Calgary, AB

T2T3A6

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

My most compelling reasons include:

- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.
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- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are "open for input" and have a desire to "Engage in Meaningful dialogue" in order to make Informed Decisions, however, when resident's feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Will Councillors listen to the feedback we have and continue to provide?
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- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
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- The rezoning of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicant's stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to "change his mind" and build 3 houses, or sell the property and the new owner could build 3 houses".
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he's entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Ryan Yau

From: [Paul Chapman](#)
To: [Public Submissions](#)
Subject: [EXT] Oppose 313 - 40 Ave REZONE
Date: Tuesday, October 15, 2019 11:01:51 AM

OCT 15, 2019

Dr.Paul Chapman

614 36 Ave SW

Calgary, AB

T2S2S9

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Regards,

Dr.Paul Chapman

From: [Sarah Geddes](#)
To: [Public Submissions](#); [Councillor Web](#); [Office of the Mayor](#)
Subject: [EXT] Opposition of proposed Elbow Park rezoning (LOC-2019-0096)
Date: Tuesday, October 15, 2019 11:02:29 AM
Attachments: [hello@pressandpost.com_20191015_110257.pdf](#)

Please find attached a letter of opposition against the rezoning of 313-40 Avenue SW, LOC 2019-0096.



SARAH GEDDES
Founder & CEO
geddes@pressandpost.com
403-830-2685



@pressandpost
pressandpost.com

October 15, 2019

Submitted by:
Sarah Geddes
3802 6th Street SW
Calgary, AB T2S 2M8

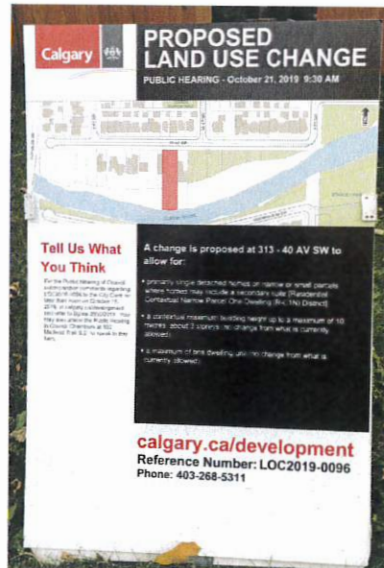
Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property (**LOC-2019-0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel**, not because I am anti-growth, but because I am an enthusiastic supporter of smart, planned urban development.

Beyond all of the points below, this particular piece of property sits right along the Elbow River and was completely flooded. The department of Municipal Affairs warned that until flood mitigation measures are completed, it is absolutely irresponsible to allow new builds on devastated properties and expressed concerns in regard to the impact of increased densification of properties on the Elbow River until such a time as flood mitigation measures are completed.

The City of Calgary also failed to properly consult on this application with the community, advertising false information. The City sign posted on the property indicates a maximum of one dwelling unit and the applicant himself is circulating information saying he intends to build two.



Other compelling reasons to reject this application include:

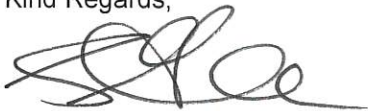
- The Proposed Rezoning is Inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents

were created with City of Calgary support in order to ensure that our community would not be eroded by poor planning decisions.

- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park and historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constituents and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from the whims of individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- 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.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for demolition.
- While this current owner has stated that he only intends on building 2 houses, and not the 3 houses that would be permitted under the re-zoning, the City is well aware that an applicants stated intentions are not a binding and therefore not a consideration in the re-zoning process. Plans can change, owners can change, circumstances can change, but the zoning remains. As such, it could be possible for this applicant to “change his mind” and build 3 houses, or sell the property and the new owner could build 3 houses”.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks he’s entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods Calgary and **vote Against this application.**

Kind Regards,



Sarah Geddes

From: [Jennifer Spencer](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); president@elbowpark.com
Subject: [EXT] Letter of Opposition to Rezoning LOC-2019_0096
Date: Tuesday, October 15, 2019 11:24:27 AM

Dear City of Calgary Councillors,

I am a concerned neighbour living in Elbow Park, and I am opposed to the proposed rezoning of the property 313 40 Avenue SW (**Reference File #: LOC-2019_0096**) up for Public Hearing on October 21, 2019.

I respectfully ask for **no zoning change on this parcel of land** for the reasons below:

- This lot is located in the flood zone and the idea of increasing density on lots located on the river and in the floodway/flood fringe is concerning since there is no large scale flood protection. Until the Springbank dam is built, the city should not be considering increasing density in the flood zone.
- The Proposed Rezoning is inconsistent with the "Low Density Housing Guidelines for Established Communities" and the "Elbow Park Community Charter". These documents were created with City of Calgary support in order to ensure that the Elbow Park community would not be eroded by 'one-off' planning and zoning decisions.
- The R-C1N Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. The possibility of 3 Infill houses that are deeper and higher than existing homes will also be out of character to other homes in the area and set a precedent for re-development that is not consistent with the plans that were made through the "Low Density Housing Guidelines for Established Communities".

We request that you vote to maintain the historic nature of our community and preserve one of the oldest neighbourhoods in the City and **Vote Against this Application.**

Regards,

Jennifer Spencer & Ryan Rawlyk

236 38 Avenue SW
Calgary, AB
T2S 0V6

From: [Tracy Van Brunt](#)
To: [Public Submissions](#)
Cc: [Councillor Web](#); [Office of the Mayor](#); president@elbowpark.com; [Dylan Van Brunt](#)
Subject: [EXT] Opposition to Rezoning of 313 40 Avenue SW- LOC-2019_0096
Date: Tuesday, October 15, 2019 11:51:46 AM
Attachments: [Ltr to Oppose LOC-2019_0096.pdf](#)

All,

Please see the attached letter to oppose the rezoning of 313 40 Avenue SW.

Thank you,

Tracy Van Brunt and Dylan Van Brunt

Tracy Van Brunt and Dylan Van Brunt

3411 6 Street SW
Calgary, Alberta
403-809-6657

tracyavanbrunt@gmail.com

October 15, 2019

VIA EMAIL

They City of Calgary
P.O. Box 2100, Stn. M
Calgary, Alberta T2P 2M5

Attention: City of Calgary Councillors

Dear City of Calgary Councillors:

**RE: Rezoning of 313 40 Avenue SW
Reference File # LOC-2019_0096**

We write this letter to respectfully oppose the proposed rezoning of the above referenced property.

Last year we purchased a home in Elbow Park, 3411 6 Street SW. Purchasing this home was a big achievement for our family. We previously lived in Killarney and Elbow Park was our dream neighborhood. We set a goal that we would purchase a home in Elbow Park and we achieved it. We are incredibly excited to settle into the neighborhood and look forward to our family growing up in the Elbow Park community.

The biggest reason we wanted to relocate from Killarney to Elbow Park is because we wanted to move into a neighborhood that was zoned as R-C1. Our biggest complaint about Killarney is the number of attached homes and narrow in-fills that are built on the majority of the lots. This has greatly increased the traffic in the neighborhood and clogged the streets with parked cars. We were understandably disheartened to learn that the City intends to approve the rezoning of 313 40 Avenue SW. If this rezoning is approved, it will take no time for the redevelopment in Elbow Park to mirror that in Killarney which would be incredibly disappointing and would change the image and character of Elbow Park forever. In our view, with firsthand knowledge of living in a neighborhood that allows for increased density, it is imperative to protect the R-C1 zoning in Elbow Park and protect the unique character of this neighborhood as a neighborhood that does not allow maximum density.

We are already frustrated to learn that a home on the corner of our street on 6th Street has been rezoned to allow for another house to be built on the parcel where there was only one house on a corner lot. The City should understand that individuals who live in Elbow Park and have invested in their homes by buying in Elbow Park, value the current R-C1 zoning of the neighborhood. By granting the rezoning application, the City of Calgary is ignoring the residents of Elbow Park and changing the character of Elbow Park.

There is plenty of land for individuals to build narrow houses on outside of Elbow Park. There are inner city neighborhoods like Killarney, South Calgary, Altadore and Richmond that have allowed for narrow houses to be developed and for lots to be subdivided. If individuals would like to construct narrow houses, they have options, they do not have to build them in Elbow Park. Does the City intend to start allowing developers into Mount Royal and dividing the ¼ acre lots up to fit 4 or 5 houses on lots that previously only accommodated one house? The large lots in Mount Royal are what make the neighborhood special, just like the current zoning in Elbow Park is what gives it its unique character and draws people to invest in the neighborhood, notwithstanding the flood risk. If the City of Calgary changes the zoning in Elbow Park it will destroy the character and prestige of the neighborhood. That is a fact.

31438519.2

The City should not allow the rezoning of lots in Elbow Park from R-C1. The R-C1 zoning is what gives Elbow Park its unique and prestigious feel and to allow building in the neighborhood to increase density for absolutely no reason is unacceptable. In our view, the Elbow Park Residents Association (“**EPRA**”) often opposes things such as triple car garages or architectural controls that are unrealistic. It’s not realistic that people aren’t going to tear down 100-year-old houses because unfortunately people may not want to deal with the liability or the added expense that comes from renovating such a house. However, the opposition of the EPRA and the community to this rezoning is legitimate and should be heard. The approval of this rezoning will make an undesirable impact on the community that will not be able to be reversed.

The City has not provided a reasonable justification for increasing density inner city. Further, the individual applicant for the rezoning has not presented a sufficient reason for requesting the rezoning. Put simply, the applicant who is requesting the rezoning does not require it. They are free to build one home on the lot. The community is not trying to stifle development. However, there is absolutely no reason why they need to build two or three homes on a lot intended for one home. The only reason they would be requesting to build two or three houses on the lot would be for economic reasons---to make money and turn a profit. The property value of everyone’s homes in Elbow Park should not be decreased simply because one individual wants to turn a profit from the lot they’ve purchased and create a precedent that will allow other developers to do the same. This practice should be shut down and the City Councilors should listen to the Elbow Park community. We are pro-development for Elbow Park and we think the applicant should be able to develop a home on their lot---one home, not two and not three.

Further to the above, we also agree with a number of points made by other individuals in Elbow Park as follows:

- In 2003, the EPRA worked with the City to develop the Elbow Park Community Charter (the “**Charter**”). The Charter reflects the characteristics, valued attributes and developmental design elements that contribute to maintaining the unique character and integrity of Elbow park.
- Although hours were spent by volunteers and City employees working together, the “Elbow Park Community Charter” is now being ignored by the City planning department.
- Another document, entitled, “Low Density Housing Guidelines for Established Communities” reiterates maintaining RC1 in inner City communities, however, it is also being ignored by the Planning department.
- The Proposed Rezoning is Inconsistent with the “Low Density Housing Guidelines for Established Communities” and the Charter. These documents were created with the City of Calgary in order to ensure that our community would not be eroded by poor planning decisions.
- Spot Rezoning is inappropriate for a neighbourhood that is designated RC1 (Single Family Low Density). RC1 zoning is in place for the preservation of Elbow Park historic streetscapes. Elbow Park was established as a neighbourhood in 1910 and Historical homes of over 100 years are physical links to our past. Do we want to be a City that erases the stories of our past as if people who came before us never existed?
- Residents in Elbow Park have continuously provided the City of Calgary with clear, unwavering feedback that they do not agree to anything but RC1 designation in their neighbourhood for reasons of historical preservation. The City of Calgary claims they are “open for input” and have a desire to “engage in meaningful dialogue” in order to make Informed decisions, however, when resident's

feedback is ignored, trust is eroded and conversations in order to find meaningful solutions are impossible. Councillors should listen to the feedback of the community.

- Elbow Park residents are not opposed to increasing density in some areas of the neighbourhood. They are not opposed to secondary suites or laneway homes that fit with the natural streetscape nor are they opposed to the concept of inclusive neighbourhoods. They are, however, opposed to policy that completely disregards their feedback and approves applications that they have clearly indicated through public consultation that they do not agree. Councillors are elected in order represent their constants and the constituents in Elbow Park have consistently provided clear direction that they oppose any zoning other than RC-1 in Elbow Park.
- The wishes and desires of the applicant should not supersede the research-based reasons behind a zoning designation of R-C1. This designation was provided to the community of Elbow Park in order to protect it from individuals who do not understand the well thought out reasons for maintaining an R-C1 designation.
- To allow rezoning that is not required and is not supported by a substantive reasoning would set a dangerous and disrespectful precedent that would make a sham of the zoning process and allow anyone to rezone without restrictions.
- The rezone of this lot will set a disturbing precedent that will simply send a message to developers that Elbow Park is now open for increased density.
- Furthermore, it needs to be remembered that the applicant is applying for a re-zoning because his stated intention of building 2 houses on the property does not meet the minimum lot width under the neighbourhoods zoning. This zoning was determined by the City as being appropriate for the neighbourhood after much consideration and public consultation. As such, this process, and decision to make Elbow Park a R-C1 neighbourhood should not be disregarded because 1 individual, without any mitigating planning rationale, thinks they are entitled to special treatment.

Please vote to maintain the historic nature of our community and preserve one of the oldest neighborhoods in Calgary and vote against this application.

Yours truly,



Tracy Van Brunt

From: [Doug Conway](#)
To: [Public Submissions](#); [Office of the Mayor](#); [Councillor Web](#)
Subject: [EXT] Public Hearing Submission for LOC2019-0096 Rezoning
Date: Tuesday, October 15, 2019 10:38:18 AM

Reference Number: LOC2019-0096

Address: 313 40 Avenue SW

As a long-time resident of Elbow Park, I was surprised to learn that the City Planner/Planning Commission had approved the application for the rezoning of this property. In doing so, the Planner/Planning Commission completely ignored the strong public opposition of the Community Residents who were trying to preserve the established R-C1 zoning of this heritage neighbourhood.

As City Councillors, you would be ideally positioned to understand the amount of time and effort that went into the establishment of the City's zoning and Land Use Bylaw. There were extensive consultations with councillors, planners, communities and the public. Significant amounts of information and opinions were garnered, digested and distilled. This lengthy and careful process resulted in a considered planning structure for the City of Calgary, which has been followed for many years.

And yet, in this case, the City Planner/Planning Commission chose to ignore the established neighbourhood zoning requirements; apparently simply because the applicant made a request. There is no compelling planning rationale for this application to be approved. There is, however, considerable risk to the community of Elbow Park should this decision be allowed to stand, as it would signal to all that the previously established planning requirements are no longer active in Elbow Park. Were that the case, we would expect additional applications for non-conforming projects that would negatively and permanently change the nature of this community.

Frankly, in my view, approval of this application by the City Planner/Planning Commission is another example that the Planning Department has forgotten their requirement to work with and for the citizens. Rather, they appear to have taken on the role of deciding the fate of applications without consideration of established neighborhood requirements and by ignoring strong input from the community. Numerous strong letters of opposition were sent to the Planner (in excess of 50 letters) as well as letters of opposition from the Elbow Park Development Committee. They were all disregarded. If this is representative of this department, there needs to be major changes in staffing and/or staff attitudes which allow planners to "check the box" on Community Consultation when in fact the immense public opposition to this application was completely disregarded. This makes a sham of the public consultation process.

The process has been anything but open and transparent. The public notice posted by City Planning, indicating there would be an upcoming Public Hearing was **very** misleading. As can be seen in the photo below, while the notice confirmed the use (single detached homes), it failed to indicate the proposed rezoning would allow three houses to be built on the same property where only one was allowed under the current zoning. In other words, the notice failed to address the key issue of the application. Indeed, the notice mapped the current single lot, in colour, and specifically indicated “a maximum of one dwelling unit (no change from what is currently allowed)”, which is very misleading. Such would lead the casual passer-by to assume there was no change to the use of the existing property, when notable change was being requested. When the Planner and her supervisor were notified of this issue, their response was to do nothing(the signage had not changed when checked on the evening of October 14, 2019, five days after a request to amend the information on the sign). Such misleading information is the antithesis of accuracy and transparency.

You are our final chance to repair this circumstance and correct a poorly considered decision that has neither basis in planning nor compelling reason for exceptional endorsement. It is in your power to make this right and disallow the application’s approval.

Douglas G Conway
3816 Edison Crescent SW
douglasgconway@gmail.com

Conway, Scanlan & Associates Ltd.
Douglas G. Conway, M.Sc., R.Psych.
Senior Consultant

Ph. 403-244-4455
Fax. 403-244-4934
www.conwayscanlan.ca

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Calgary



PROPOSED LAND USE CHANGE

PUBLIC HEARING - October 21, 2019 9:30 AM



Tell Us What You Think

For the Public Hearing of Council, submit written comments regarding LOC2019-0096 to the City Clerk no later than noon on October 15, 2019, at calgary.ca/development and refer to Bylaw 203D2019. You may also attend the Public Hearing in Council Chambers at 800 Macleod Trail S.E. to speak to this item.

A change is proposed at 313 - 40 AV SW to allow for:

- primarily single detached homes on narrow or small parcels where homes may include a secondary suite [Residential - Contextual Narrow Parcel One Dwelling (R-C1N) District]
- a contextual maximum building height up to a maximum of 10 metres, about 3 storeys (no change from what is currently allowed)
- a maximum of one dwelling unit (no change from what is currently allowed)

calgary.ca/development

Reference Number: LOC2019-0096

Phone: 403-268-5311