

## What We Heard Report



July 29, 2019

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### **Re: LOC2019-0096 Community Association Meeting Summary**

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Dear Lindsey,

Sturgess Architecture attended the Elbow Park Residence Association meeting to speak to members of the community about our client's (Warren Rylands) land use redesignation request at 313 40 Ave SW. The letter below summarizes the attendees, the introduction provided by Sturgess Architecture to kick off the meeting, comments and concerns associated to the LOC2019-0096 application, and lastly, additional personal comments from some community members. Subsequently Sturgess Architecture has indicated in *italicized* text our response and/or how these concerns will be addressed through the LOC approval process and as we move forward with the anticipated Development Permit application.

#### **Attendees**

- 8 community members
  - Including neighbours directly east and west
- 3 Elbow Park Residence Association (EPRA) committee members: Donna Conway, Margo Copus and Al McDowell
- Warren Rylands, lot owner (WR)
- Kayla Browne, Architect at Sturgess Architecture (SA)

#### **SA Intro to EPRA**

We are proposing to rezone from RC1 to RC1N in order to subdivide the property into two 11.43M wide lots (the single lot is 22.86M wide in total), as the current RC1 zoning does not allow lots smaller than 12M wide. We feel strongly that this solution is contextually appropriate as there are a number of houses on the subject site's 40 Ave SW block that are of similar size or smaller than what is being proposed. As an example, the neighbours directly west of our lot have a house on a 7.62M wide lot. There is only a 570mm (+/- 22") difference between the RC1 allowable lot width and what is proposed. The difference in house / lot size will not disrupt the existing rhythm of the street and is likely not noticeable to the naked eye. In an effort to be fully transparent, we tried for a subdivision with a relaxation on lot width. Ultimately our application got denied with the subdivision team stating they "do not practice relaxations on lot width". What we are proposing is consistent with the City's MDP, as such this is a moderate intensification in a form and nature that respects the scale and character of the neighbourhood.

#### **Responses in Opposition of our Proposal**

- **Residents are worried this rezoning to RC1N will set a precedent in the neighbourhood for additional RC1N's to get passed.**

*What we are proposing is a very gentle way to increase density within existing RC1 communities that is aligned with goals of the MDP. The difference of a 570mm (+/- 22") of width per lot will not be visibly noticeable when compared to a typical RC1 lot in the area.*

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- **The EPRA questioned why the City was allowing densification at all on the flood plain if the river continually floods and ruins houses.**

*We cannot speak on behalf of the City, but Sturgess Architecture will design flood responsive dwellings. We have extensive experience designing homes on the flood plain in Calgary. We have been able to achieve a desirable interface between the street to dwelling and then dwelling to river in light of the extensive flood plain bylaw requirements from the City.*

- **If the river should flood again the residents don't want another garbage bin on the streets associated to another house that needs remediation.**

*The natural phenomenon of the river flooding is out of our control. However, we will do our best to design a flood responsive home and attempt to mitigate any need for remediation. Dumpsters in front of houses after a major flood event are not a development by-law item.*

- **Concern was raised that, if given the RC1N zoning, would WR subdivide into 3 lots vs the committed 2. With RC1N zoning dividing into 3 lots is simply permitted without community consultation (7.5M wide x 3 = 22.5M. WR has a 22.86M wide lot).**

*If granted LOC approval, WR intends to build on both lots to live in one house and sell the other. His ideal house size is +/- 3,000SF and we would not be able to achieve a house of this size on a 7.5M wide lot.*

- **The neighbours to the west (property owners on the 7.62M wide lot) voiced concerned about shadow being cast in their side yard windows should WR build on his lot.**

*Regardless of a single larger home or two smaller homes a shadow would be cast. Shadows cast on neighbouring side yard properties are not a development by-law item in this LOC application context.*

- **A number of EPRA members were concerned that a narrow lot would produce a house with only a garage fronting the street.**

*All houses backing on to the river have a garage facing the street, and we will make great effort to minimize the visual impact of a garage on the street. For example, there are many ways to integrate a garage door with the façade of the home. The home directly to the west is on a 7.62M wide lot and there is no concern with their garage frontage. We are confident with our additional 3.81M in comparison to this lot the community will be pleased with our design solution*

- **Donna Conway ended on if we let WR have this subdivision simply because he wants to have this subdivision, then they should let every request go through simply because said person wants something, and there really is no sound reason besides that.**

*We believe gradually increasing density is everyone's and every community's responsibility. This sentiment aligns with the City's MDP. Our proposal is for two single family parcels to be permitted on 570mm (+/- 22") less width than what is currently permitted in RC1 zoning, and we feel this is contextually appropriate as per our opening statement.*

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### Additional Personal Comments

- One member directly addressed WR stating that for what it's worth if he continues to peruse this subdivision he will be extremely unpopular in the community, as she's not seen any good developments in 35 years in the neighbourhood.
- The neighbour to the east, who sold WR the lot, sent her 3 children as representatives who voiced that if their mother had known WR wanted to subdivide she would have never sold her lot to him. The children also voiced that this whole process is putting undo stress onto her and for her mental health's sake asked WR if he could please stop this subdivision process.

Sincerely,

  

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Kayla Browne  
Senior Associate  
STURGESS ARCHITECTURE

### Enclosed

WR personal letter addressing the ERPA the night of the meeting  
Flier for the EPRA meeting

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**Re: LOC2019-0096 Response to Circulation Comments and Opposition Letters**

Dear Lindsey,

The following summarizes the comments generated from the circulation and notice posting at 313 40 Ave SW received by the City of Calgary from the Elbow Park Residents' Association (EPRA) and opposition letters received from the neighbours. Please see our comments addressing the neighbours concerns below in *italicized* text.

**Responses in Opposition of our Proposal** (the following comments have been grouped by similarity)

- **The proposed lot size is unprecedented in the neighbourhood**
- **Lot width and houses will be out of context/character**
- **South side of 40 Avenue SW should not be used for smaller lot infills**
  - *We are proposing to rezone from RC1 to RC1N in order to subdivide the single lot property into two (2) 11.43M wide lots. Two 11.43 M wide lots are well within the context of the Elbow Park neighbourhood, particularly on 40 Avenue SW. Many parcels widths on this street are less than the minimum allowable 12 M width for RC1 zoning.*
  - *It is our understanding the neighbor directly to our west is on a 7.62 M wide lot with an associated house. This sets a direct proximity-based precedent for smaller sized homes on the street as well we have not heard a concern with regards to their lot width/ house size. With our proposed lots being 3.81 M wider than our neighbours to the west our two homes will not look out of place.*
  - *List of Houses / lot widths of similar size to what we are proposing on our street:*
    - 308 40 Avenue SW
    - 310 40 Avenue SW
    - 317 40 Avenue SW
    - 320 40 Avenue SW
    - 334 40 Avenue SW
- **The zone is unprecedented in the neighbourhood**
- **Unreasonable to allow developers to change zoning in an established neighbourhood**
- **Setting future precedent for subdividing in Elbow Park, negative impact on property values and tax revenue**
  - *RC1-N as a zoning categorization is relatively new. However, lot sizes within Elbow Park historically were approved at 7.62 M wide. This explains the numerous homes on parcels less than 12 M in width, which is currently the minimum width allowed for RC1 zoning. Therefore future subdivision of our subject parcel would be*

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*contextually appropriate to the historic and current context of the neighbourhood.*

- *What we are proposing is a very gentle way to increase density within existing RC1 communities that is aligned with the goals of the City of Calgary MDP. As noted, many of the existing parcels within the neighbourhood are equally as narrow. These existing narrow lots have little impact on property values or tax revenues.*
- **Impact of the massing of three buildings on the neighbours (light, noise, activity)**
  - *This is currently a Land Use application; no development plans have been submitted at this time. Regardless of a single larger home or two smaller homes (the latter is our intention), a shadow would be cast on neighboring properties and there would be additional noise and activity in the community.*
- **Negative effect on the current residents of the neighbourhood**
  - *This comment is not a development bylaw concern.*
  - *Unsure of the 'negative' context of this comment, however our client is a very pleasant man and no doubt would be a positive addition to the neighborhood.*
- **Increased traffic along 40 Avenue where there are small children**
- **Will create more congestion in the neighbourhood**
  - *These comments are not development bylaw concerns.*
  - *The effect on traffic of two new homes opposed to one is negligible.*
- **Disruption to the natural streetscape on 40 Avenue by adding front driveways**
- **No rear lane means driveways will take up most of the lot width, leading to a reduction in street parking, and no space for tree planting**
  - *It is commonplace that houses backing on to the river have a street front garage, as do all the houses on 40 Avenue SW on the river side. Should any future house designs be considered, it is our intention to minimize any visual impact of a street front garage. Having heard the concern, we intend to develop a contextually appropriate response to integrate a garage door with the façade of the home. It is our understanding the home directly to the west is on a 7.62M wide lot and we have not heard a concern with their garage frontage.*
  - *The effect on on-street parking of two new homes opposed to one is negligible.*
- **Increased on-street parking**
  - *The homeowners plan to park in their garages, and again the addition of one home vs two will have a negligible effect on the increase of on-street parking.*
- **Increased density in floodway is inappropriate**
- **Flood mitigation (including Springbank Dam) should occur before subdivision**
  - *This is currently a land use application. Should any future development occur, we are not proposing to build on the flood way, but rather on the flood fringe, which is an acceptable development policy.*
  - *Sturgess Architecture will take every precaution and necessary measure when designing dwellings that are flood responsive. We have extensive experience designing homes on the flood plain in Calgary. We have been able to achieve a desirable interface*

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*between the street to dwelling and dwelling to river by working with the extensive flood plain bylaw requirements from the City.*

- **Proposal does not support the aesthetic of the neighbourhood;**
- **Loss of green space, openness, and spaciousness in the community;**
- **Developer is just trying to maximize his financial return with no regard for neighbourhood character**
- **Will permanently alter the character of 40 Avenue**
- **Elbow Park needs to remain low-density**
  - *Many lots on 40 Avenue SW are narrower than what we are proposing (as outlined in point one above). Our client is not looking to maximize the allowable density on the parcel, but to create two contextually sensitive homes. We strongly believe that building two houses is more aligned with the character of the neighbourhood.*
  - *There is only a 0.57 M (+/- 22") difference between the RC1 allowable lot width and what is being proposed. The difference in house / lot size will not disrupt the existing rhythm of the street and is likely not noticeable to the naked eye.*
  - *Our client is not a developer, but moreover a prior long-standing resident of the Elbow Park community who intends to remain within the community for years to come. The reason our client wants to subdivide his one lot into two is because he does not want to "over-build" a home that is not programme sensitive and contextually appropriate to his needs. If granted Land Use and future development approval, the development will respect lot coverage as per the RC1N zoning.*
- **Narrow lot houses will require relaxations to LUB setbacks and maximum height**
  - *If granted Land Use and future development approval, the development will respect lot coverage as per the RC1N zoning.*
- **Sewage lift station is at capacity and can't accommodate more development**
  - *If the sewage lift station is currently at capacity, whether we were to build one house or two, the lift station would have to be updated.*

Thank you for your attention

Sincerely,

Kayla Browne  
Senior Associate  
STURGESS ARCHITECTURE

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