

**POLICY AMENDMENT AND LAND USE AMENDMENT  
SUNNYSIDE (WARD 7)  
MEMORIAL DRIVE NW AND 9 STREET NW  
BYLAWS 51P2017 AND 287D2017**

**MAP 21C**

**EXECUTIVE SUMMARY**

This is a land use and policy amendment application in the community of Sunnyside. The site is located at 924 Memorial Drive NW. The application seeks to redesignate the subject parcels from Multi-Residential – Contextual Grade-Oriented (M-CG) District to a Direct Control based on the Multi-Residential – High Density Low Rise (M-H1) District to accommodate multi-residential development.

An amendment to the Hillhurst/Sunnyside Area Redevelopment Plan is required in order to accommodate the proposed land use redesignation. The proposed site specific amendment allows for the additional building height, density as well as density bonusing on the site.

A development permit is currently under review for the subject parcel.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION(S)**

2017 July 13

That Calgary Planning Commission recommends **APPROVAL** of the proposed Policy Amendment and Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaws 51P2017 and 287D2017; and

1. **ADOPT** the proposed amendments to the Hillhurst/Sunnyside Area Redevelopment Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 51P2017.
3. **ADOPT** the proposed redesignation of 0.10 hectares ± (0.24 acres ±) located at 924 Memorial Drive NW (Plan 1710361, Block 16, Lot 41) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** DC Direct Control District to accommodate multi-residential development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 287D2017.

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**REASON(S) FOR RECOMMENDATION:**

The proposed redesignation is in keeping with applicable policies in the Municipal Development Plan. The proposed Direct Control District is compatible with adjacent land uses and provides for a focused increase in residential density at a location well connected to the community, city and local amenities.

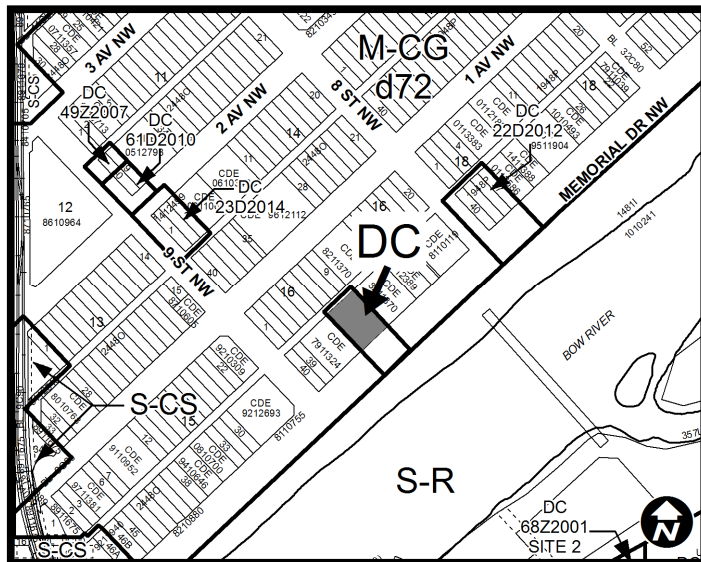
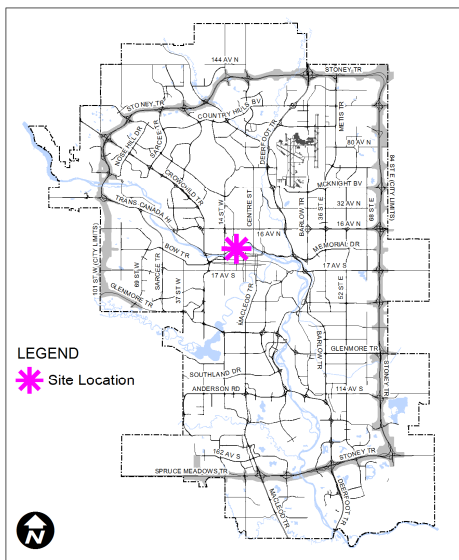
**ATTACHMENTS**

1. Proposed Bylaw 51P2017
2. Proposed Bylaw 287D2017
3. Public Submissions

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the Hillhurst/Sunnyside Area Redevelopment Plan (APPENDIX II).

**Moved by: L. Juan**

**Carried: 5 – 1**

Opposed: R. Wright

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.10 hectares  $\pm$  (0.24 acres  $\pm$ ) located at 924 Memorial Drive NW (Plan 1710361, Block 16, Lot 41) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District to DC Direct Control District to accommodate multi-residential development with guidelines (APPENDIX III).

**Moved by: L. Juan**

**Carried: 5 – 1**

Opposed: R. Wright

Reasons for Approval from Ms. Juan:

- I support this application and believe the height and density proposed is appropriate for Memorial Drive NW. The extra requirement of 1 metre for the floodway has increased all heights of future developments along Memorial Drive NW. Intensifying will add a positive change to Memorial Drive NW.

Reasons for Approval from Mr. Foht:

- I supported Administrations recommendation to accept the application. The project is an attractive multi-residential with an appropriate density. The adjacent buildings have significant density similar to the application. The addition of a roof patio to take advantage of the views of the river and the downtown skyline. This will make a significant positive addition to Memorial Drive NW and the Hillhurst/Sunnyside community.

Reasons for Opposition from Mr. Wright:

- The rationale for supporting this land use change is flawed. The SSRP and MDP commentary this proposal “aligns” or “encourages...higher density” and therefore worth supporting. However, the ARP was developed explicitly to address the MDP goals of higher density and has developed a logical approach as to where density should be placed. By ignoring the ARP and essentially undertaking spot zoning suggests that community efforts in working with the City in preparing an ARP that encourages higher densities for nought. Will the next project allow for 25 or 30 metre height? The application of discretion is critical in these instances and I see a too dense, too high structure that is out of context with adjacent parcels and in fact, out of context for the vision outline in the ARP for this part of Memorial Drive NW.

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2017 July 13

**MOTION:** The Calgary Planning Commission accepted correspondence from:

- Hillhurst Sunnyside Community Association dated 2017 July 10; and
- CivicWorks dated 2017 July 12;

as distributed, and directs it to be included in the report in APPENDIX V.

**Moved by: G.-C. Carra**

**Carried: 6 – 0**

**RECONSIDERATION:** Motion to reconsider the vote on the proposed redesignation of 0.10 hectares  $\pm$  (0.24 acres  $\pm$ ) located at 924 Memorial Drive NW (Plan 1710361, Block 16, Lot 41) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** DC Direct Control District to accommodate multi-residential development.

**Moved by: J. Ramjohn**

**Carried: 6 – 0**

**MOTION:**

1. **ADOPT**, by bylaw, the proposed redesignation of 0.10 hectares  $\pm$  (0.24 acres  $\pm$ ) located at 924 Memorial Drive NW (Plan 1710361, Block 16, Lot 41) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** DC Direct Control District to accommodate multi-residential development, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw.

**Moved by: L. Juan**

**Carried: 5 – 1**

Opposed: R. Wright

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**Applicant:**

Civicworks Planning + Design

**Landowner:**

Martru Ltd (Truman Development Corporation)

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is located in the northwest quadrant of the city in the community of Sunnyside along Memorial Drive NW. The subject site is contained within an area of Sunnyside is designated as a Multi-Residential – Contextual Grade-Oriented (M-CGd72) District. The immediate area is comprised of low density housing to the north - across the rear lane, a five storey existing non-conforming multi-residential building to the east with an associated surface parking lot to the rear of it; north east of the subject site, a four storey existing non-conforming multi-residential building to the west and the Bow River pathway to the south across Memorial Drive NW. The Sunnyside C-Train station is located approximately 300 metres from the site and the Peace Bridge is located approximately 75 metres from the site.

The subject site consists of one titled parcel of land developed with three existing single detached residences.

<b>Sunnyside</b>	
Peak Population Year	2016
Peak Population	3,990
2016 Current Population	3,990
Difference in Population (Number)	0
Difference in Population (Percent)	0%

**LAND USE DISTRICTS**

The subject site is contained within an area of Sunnyside is designated as a Multi-Residential – Contextual Grade-Oriented (M-CGd72) District. This designation allows for a maximum of 12 metres in height, grade oriented units, and a maximum of 72 units per hectare (7 units on this parcel).

The proposed DC Direct Control District is based on the Multi-Residential – High Density Low Rise (M-H1) District and is intended to accommodate a multi-residential building with a maximum height of 17 metres for the principle building with additional height up to 22 metres to allow for a stepped back common amenity space. The Direct Control District also removes the support commercial uses of the M-H1 District as this site is not deemed appropriate for

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commercial uses. In addition to allowing for medium density mid-rise multi-residential developments, the key components of DC Direct Control District include:

- It allows for a maximum height of 22 metres and a maximum density of 0.72 FAR, contextually consistent with the properties to the east and west of the site; and
- It allows for the implementation of the density bonus provisions in the Hillhurst/Sunnyside Area Redevelopment Plan. The ARP allows for an increase in density to a maximum floor area ratio of 3.35 through the density bonus provision.

A shadow study was submitted as part of the review of the application and minimal impacts were observed to the low density residential to the north of the subject site.

## **LEGISLATION & POLICY**

### South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

### Municipal Development Plan (MDP)

The site is located in the Developed Inner City according to the MDP. The MDP encourages shaping a more compact urban form, directing growth to strategic areas that can support neighbourhood and economic vitality, and reinforcing character.

The MDP encourages strong residential neighbourhoods with higher residential densities in areas of the community that are more extensively served by existing infrastructure, public facilities and transit.

The subject site is located within close proximity of primary transit, major services and amenities. The proposed DC Direct Control District respects the context and massing of the adjacent properties while increasing residential density at a location that is extensively served with existing infrastructure.

### Hillhurst/Sunnyside Area Redevelopment Plan

The Hillhurst/Sunnyside Area Redevelopment Plan identifies the subject site as being located within the Low Density Multi-Unit typology. This Plan indicates that small multi-unit developments are appropriate for this area, as well as a maximum of 75 units per hectare.

An ARP amendment is required to accommodate the proposal (APPENDIX II). The ARP amendment would amend Part I of the Plan with a text amendment to include site specific provisions to acknowledge the increase in height and density on this site. This is intended to accommodate new development in a form that is compatible with the existing adjacent context.

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The site is flanked on either side by higher massed buildings which are non-conforming when reviewed against the existing ARP (also identified as low density multi-unit typology). As such, the proposed increase in density and height is contextually appropriate at this location in context with existing adjacent structures.

This amendment would also recognize and address the density bonusing items described in Part II of the same Plan (APPENDIX II) in order to enact the density bonus provisions.

In 2012 November, Council approved an amendment to the Hillhurst/Sunnyside ARP to include density bonus provisions, which allow for a density increase up to the maximum floor area ratio specified in the ARP. The density increase is subject to a contribution to the community amenity fund. This fund has been established as means of gaining public amenities in exchange for a level of density that surpasses the allowable base density under the provisions of the land use district.

## **TRANSPORTATION NETWORKS**

The Sunnyside LRT Station is located approximately 300 metres to the northwest with the Peace Bridge located approximately 75 metres to the southeast. Access would be provided from the rear lane and no vehicular access would be provided to Memorial Drive NW. No TIA was required as part of this application.

## **UTILITIES & SERVICING**

Water, sanitary, and storm sewer mains are available and can accommodate the potential redevelopment of the subject. Further review of this infrastructure may be required at the development permit stage.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

## **GROWTH MANAGEMENT**

This redesignation proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time. The proposal is in alignment with the MDP references associated with growth management matters.



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**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Community Association submitted a formal response on 2017 January 26 (APPENDIX IV). The major concerns of the Community Association were that the proposed district does not align with the approved area plan and that the proposed land use district has a height that exceeds that of the appetite of the community.

**Citizen Comments**

Eleven letters were submitted in opposition to the proposal and one letter of support. The main concern in the letters of opposition was the increased height on the site.

**Public Meetings**

Prior to any engagement activities, an engagement strategy was discussed and agreed upon between the Applicant and Administration.

The Applicant-led engagement strategy included:

- An open house held 2017 January 18 that coincided with the Hillhurst/Sunnyside Community Association (HSCA) farmers market;
- Notice of applicant engagement through HSCA electronic community forum, Mighty Bell;
- Dedicated project website ([engagememorial.com](http://engagememorial.com)) launched November 2016; the website remains active today;
- Downloadable application overview brief;
- Online feedback form;
- Dedicated email address;
- Dedicated phone line;
- Direct mail-out notice of engagement to 812 resident addresses within 200 metre radius of the site;
- Large format on-site signage board launched January 2017; the sign remains on the site today.

As a result of the engagement process, the applicant re-designed the at-grade environment of the building, incorporating entrances to units and a more permeable landscaping plan along Memorial Drive NW in order to create a more street-oriented feel. In indicating privacy concerns, the applicant generated a side yard relationship diagram indicating privacy and sightline conflicts. The applicant also shared a series of sun-shadow diagrams in response to some participants requesting a single storey reduction in building height. These diagrams illustrate the impact of the building design in relation to the concurrent development permit application submission.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Land Use Redesignation – FROM Multi-Residential – Contextual Grade-Oriented (M-CG) District to Direct Control District based on Multi-Residential High Density Low Rise (M-H1 f3.35/h20) District.

The subject property is located in Hillhurst-Sunnyside along Memorial Drive NW and is comprised of three (3) residential parcels to be consolidated into one parcel measuring 0.098 hectares in total area. The parcels currently maintain a single-detached dwellings and accessory garage structures which will be removed or demolished prior to development. The immediate adjacent blocks are comprised of a mix of single-detached, semi-detached, and multi-storey apartment-style multi-residential buildings within the Multi-Residential – Contextual Grade-Oriented (M-CG) District. The proposed building fronts onto a City classified Parkway (Memorial Drive). These City classified Major and Livable Streets focus on pedestrian and cyclist movements and accommodate all modes of transportation (typically 4-lane and carrying between 20-30k vehicles per day).

Generally described, the development proposal by MarTru (Truman Development Corporation) calls for removal of three existing single-detached dwellings to allow for the construction of a multi-storey apartment-style multi-residential building. We believe the proposal is contextually appropriate in type and height within the established multi-residential development of comparable type on the street today. The proposal is inclusive of thirty-nine (39) dwelling units within a five (5) storey building with an additional 1,200 sq. Ft. Rooftop amenity space. The proposed building will achieve a floor area ratio of no greater than 3.35 and a height of no greater than twenty two (22) meters in height. The proposal will be varying from the minimum soft surfaced landscaped area requirements as per the General rules for Multi-Residential Land Use.

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**APPENDIX II**

**PROPOSED POLICY AMENDMENT**

- (a) Under Part I, Section 2.0 Residential Land Use, subsection 2.3.3 Medium Density, after the first paragraph, add the following:

“Parcel located at 924 Memorial Drive NW is considered appropriate for medium density development with a maximum height of 22 metres and a maximum density of 3.35 FAR. In order to achieve the maximum density as set out in the land use district the developer may provide one or more bonus items described in, and in accordance with, part II, Section 3.1.5 of this Plan.”

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APPENDIX III

PROPOSED DIRECT CONTROL GUIDELINES

**Purpose**

- 1 This Direct Control District is intended to:
- (a) provide for a **Multi-Residential Development** in compliance with the policies of the applicable local area redevelopment plan;
  - (b) allow for a building form that responds to the surrounding context;
  - (c) establishes specific **building setback** and **building height** stepback requirements; and
  - (d) implement the density bonus provisions of the Hillhurst/Sunnyside Area Redevelopment Plan.

**Compliance with Bylaw 1P2007**

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

**Reference to Bylaw 1P2007**

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

**Permitted Uses**

- 4 The **permitted uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

**Discretionary Uses**

- 5 The **discretionary uses** of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:
- (a) **Convenience Food Store;**
  - (b) **Counselling Service;**
  - (c) **Information and Service Provider;**
  - (d) **Office;**
  - (e) **Outdoor Café;**
  - (f) **Place of Worship – Medium;**
  - (g) **Place of Worship – Small;**
  - (h) **Power Generation Facility – Small;**
  - (i) **Print Centre;**
  - (j) **Restaurant: Food Service Only – Small;**
  - (k) **Restaurant: Neighbourhood;**

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- (l) Retail and Consumer Service;
- (m) Service Organization;
- (n) Specialty Food Store; and
- (o) Take Out Food Service.

**Bylaw 1P2007 District Rules**

- 6 Unless otherwise specified, the rules of the Multi-Residential – High Density Low Rise (M-H1) District of Bylaw 1P2007 apply in this Direct Control District.

**Floor Area Ratio**

- 7 (1) Unless otherwise referenced in subsection (2), the maximum **floor area ratio** is 0.72.
- (2) The **floor area ratio** may be increased to a maximum of 3.35 in accordance with the bonus provisions contained in section 10 of this Direct Control District.

**Setback Area**

- 8 The depth of all **setback areas** must be equal to the minimum **building setback** required in section 9 of this Direct Control District.

**Building Setbacks**

- 9 (1) Unless otherwise referenced in subsection (2), the minimum **building setback** from a **property line** shared with a **street** is 6.0 metres.
- (2) The minimum **building setback** from a **property line** shared with a **street** for a **street-oriented multi-residential building** may be reduced to zero metres.
- (3) The minimum **building setback** from a **property line** shared with a **lane** is zero metres.
- (4) The minimum **building setback** from a **property line** shared with another **parcel** is 1.2 metres.

**Building Height**

- 10 (1) Unless otherwise referenced in subsection (2), the maximum **building height** is 22.0 metres.
- (2) Within 6.0 metres of the eastern **property line** of the **parcel**, the maximum **building height** is 17.0 metres.

**Location of Units**

- 11 **Units** may not be located above 17 metres in **building height**.

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**At Grade Orientation of Units**

**12** All **units** in a **Multi-Residential Development** that front onto Memorial Drive NW and that are located on the floor closest to **grade** must have:

- (a) an individual, separate, direct access to **grade**; and,
- (b) an entrance that is accessible from the **street** that the **unit** faces.

**Density Bonus**

**13 (1)** For the purposes of this section: "Cash Contribution Rate" means: \$17.85 per square metre for the year 2017. The Cash Contribution Rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Calgary.

- (2)** A density bonus may be earned by a contribution to the Hillhurst/Sunnyside Community Amenity Fund, such that:

Cash Contribution Amount = Cash Contribution Rate x Total floor area in square metres above the **floor area ratio** of 0.72.

- (3)** A density bonus may be earned by the provision of an off-site improvement in accordance with Section 3.1.5.4 of the Hillhurst/Sunnyside Area Redevelopment Plan, where the allowable bonus floor area in square metres is equal to the cost of construction of the off-site improvement divided by the Cash Contribution Rate, such that:

Allowable bonus floor area = Total construction cost of the off-site improvement / Cash Contribution Rate.

Total construction cost will not include any construction costs necessary to fulfill the infrastructure requirements of a **development permit** for a **development** equal to or less than a **floor area ratio** of 2.5. Details of the construction cost will be determined through the **development permit** process.

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APPENDIX IV

LETTERS SUBMITTED



January 26, 2017

City of Calgary  
Circulation Control  
Planning & Development #8201  
P.O. Box 2100 Station M  
Calgary AB T2P 2M5

Re: LOC2016-0346 | 922, 926 & 928 Memorial Drive NW | Land Use Amendment from M-CGd72 Multi-Residential – Contextual Grade-Oriented District to DC Direct Control Multi-Residential High Density Low Rise (based on M-H1 f3.35h20) District

Dear Mr. Brad Bevill,

The Hillhurst Sunnyside Planning Committee ("HSPC") is pleased to provide its comments on the above application. We understand that the applicant/developer has applied to rezone the site from *M-CGd72* to a *Direct Control District* to accommodate multi-residential development with guidelines. We understand that the developer wishes to increase the allowable height under the current Land Use District from 12 metres to 20 metres (including ancillary rooftop structures and rooftop amenity space) and to increase the allowable density from 7 units to 39 residential units at a Floor Area Ratio of 3.35. This development will replace three single-detached dwellings with a single condominium building.

We also understand that this application is a part of the City of Calgary's Concurrent Submission and that the Development Permit will follow the Land Use Amendment. It is helpful to see the design renderings of the proposed development so that quality public feedback may be collected at this stage. The HSPC's comments are based on the Hillhurst Sunnyside Area Redevelopment Plan ("ARP"), site context and feedback received from area residents at the developer's open house on January 18, 2017.

HSPC has the following comments on the proposed Land Use Amendment application.

**General**

- This application requests height and density that far exceeds what is permitted under the Residential Character Area of the ARP which would allow a maximum height of 12 metres and a maximum density of 72 units per hectare, or 7 units.
- The parcel does not fall within the Medium-density area of the Transit Oriented Development boundaries in the ARP. Even if it did, the applicant would only be permitted a 16 metre maximum height and a FAR of 2.5.
- The HSPC strongly opposes "Spot Zoning" changes within the areas covered by the Area Redevelopment Plan bylaws. The ARP was established, by the City, and in cooperation with the community to avoid issues such as height, density and setbacks that this land use change exposes. While the Community Association recognizes that no document can address all cases nor should it be static, we believe the validity of the ARP would be called into question if applications such as this one are accepted that permit much greater height and density than that agreed.
- Challenges/merits are listed on the following pages.

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**Height**

- Height was the primary concern for community members. We are concerned that the requested height sets a precedence for taller and taller development along Memorial Drive, which would wall off the community from the river and its views of the downtown.
- The condo buildings adjacent are only 12m and 12.5m. The proposed building, at 20m, is 65% higher than the two adjacent buildings.
- Although we appreciate that the rooftop amenity and ancillary structures on the top of the building have been factored into the overall building height, the current proposal of 20m, along with the developer's statement that the overall building must be raised from the flood plain by 1.1m renders a building that will be significantly out of context to the neighboring buildings as well as all along this section of Memorial Drive.
- The applicant's package shows a building height (20m) to road width right-of-way for Memorial Drive (25m). The intent of this drawing is unclear as the City of Calgary's classification for *Parkways* do not have specific planning policy in the Municipal Development Plan. However, if the applicant's intention was to showcase the integration of this building with the Bow River Pathway, the MDP *Public Realm Policies* encourages a human-scale environment along the Corridors or *Main Streets* with a maximum of 1:2 building height to road right-of-way width ratio. This would mean that a 12.5 metre building would be supported.
- We strongly support a reduction in height to within 15% of the height of the adjacent buildings to integrate with the established streetscape, and so as to be respectful to neighbours to north, west and east in terms of shadowing and privacy/overlooking.

**Density**

- We have not heard major issues with the density being proposed from residents at the time of writing; however there is strong concern that infrastructure (e.g., storm sewers, utilities) is not keeping pace with increased density in Sunnyside. We would suggest an engineering study of the effects of the building on existing infrastructure and of the proposed underground parking on the water table be considered.
- We understand that the intention of the M-CG district is to allow for a low-profile and lower density multi-residential building form and it was designed to integrate with the adjacent established lower density homes. The change to a DC based on M-H1 represents a drastic change on an area that is already zoned for multi-residential buildings. The proposed density at FAR 3.35 creates potential for a more massive building form than the adjacent buildings, especially when combined with the reduced side setbacks proposed. Setbacks (side and rear) should be more sensitive to adjacent properties – see comments on site layout below.

**Public Engagement**

- Generally good public engagement (flyers, website, onsite posting, open house that coincided with the HSCA farmers' market), however the Community Association was not given an opportunity to get involved before the proposed parameters (height/density) were set and the application was formally submitted to the City Planning Department.
- We await the developer's synopsis of the engagement results.

In the absence of DP plans for the site, HSPC offers its preliminary comments on the proposed design based on the concepts provided to us in the applicant's submission package and at their January 18, 2017 open house.

**Site Layout**

- The building footprint appears adequate from the front setback facing Memorial Drive; plantings are appreciated.
- Strong concerns that the side setbacks are too narrow and do not help integrate a building of this size with its surrounding neighbour. Setback rules for M-H1 districts states that the minimum building setback from a property line shared with another parcel is 3.0 metres given that the



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adjacent parcels are zoned as M-CG. Neighbours of the adjacent multi-residential buildings have expressed concerns of decreased sunlight and privacy due to the height of the proposed building and placement of side windows.

**Building Design**

- Proposed building is attractive and incorporates a warm colour palette, though additional use of brick facing may better integrate with the neighboring buildings. Underground parking is appreciated.

**Parking**

- We understand that the developer is requesting a parking relaxation and the rationale for reduced parking is due to the walkability of the site, its close proximity to transit and the downtown, but are concerned about excess car ownership and spillover visitor parking. We would like to ensure that access to on-street permits and visitor parking permits is not granted.

We will comment further once land use, height, and density have been established and the Development Permit plans are submitted. Thank you for the opportunity to provide comments,

Hillhurst Sunnyside Planning Committee  
Hillhurst Sunnyside Community Association

cc: Robert McKercher, Chair, Hillhurst Sunnyside Planning Committee  
Glenn Wierzbza, Decker Butzner, Peter Bolton, Tara Kunst, HSPC Members  
Lisa Chong, Community Planning Coordinator, HSCA  
David White, CivicWorks Planning + Design, Applicant Team Lead for MARTRU LTD.  
Giyan Brenkman, Senior Planner, North Team, Community Planning, City of Calgary  
Dale Calkins, Communications & Community Liaison, Ward 7 Councillor's Office  
City of Calgary Planning and Development Circulation Control

POLICY AMENDMENT AND LAND USE AMENDMENT  
SUNNYSIDE (WARD 7)  
MEMORIAL DRIVE NW AND 9 STREET NW  
BYLAWS 51P2017 AND 287D2017

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APPENDIX V

**From:** [Hillhurst Sunnyside Planning Committee](#)  
**To:** [CPC](#)  
**Cc:** Robert McKercher; "PETER BOLTON"; Decker Butzner; [REDACTED]; [REDACTED];  
[REDACTED]; Beville, Brad C.; Communications & Community Liaison Ward 7; Tita, Matthias; Logan,  
Malcolm; Carra, Gian-Carlo S.; Keating, Shane; Wright, Roy; Foht, Melvin; Friesen, Colin; Palmiere, Andrew;  
Juan, Lourdes; Leighton, Douglas  
**Subject:** LOC2016-0346 | 922, 926 & 928 Memorial Drive NW | July 13, 2017 Calgary Planning Commission Hearing  
**Date:** July 10, 2017 2:30:13 PM  
**Attachments:** [2017-07-10 LOC2016-0346 HSCA Letter re July132017 CPC Hearing.pdf](#)  
[DP2017-0232 922-926-928 MemorialDriveNW HSPC CAFF\(Final\).pdf](#)

Dear Members of Calgary Planning Commission,

Please see attached for additional submissions from the Hillhurst Sunnyside Planning Committee with regards to the above application in advance of the [July 13, 2017 Calgary Planning Commission hearing: Agenda Item 5.02](#).

While we understand that CPC is not a public hearing, representatives from the Hillhurst Sunnyside Community Association will be available at the Thursday hearing, should we be called upon for any questions or clarifications.

Thank you,

**Robert McKercher, Peter Bolton & Lisa Chong** on behalf of:

**Hillhurst Sunnyside Planning Committee**  
Hillhurst Sunnyside Community Association  
1320 - 5 Avenue NW Calgary, AB T2N 0S2  
[planning@hsca.ca](mailto:planning@hsca.ca) | [www.hillhurstsunnyside.org](http://www.hillhurstsunnyside.org)  
Leave a phone message at (403) 283-0554 x229

*This message is intended for the above named recipient and may contain confidential information. If you have received this message in error please notify the sender immediately.*

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MEMORIAL DRIVE NW AND 9 STREET NW  
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July 10, 2017

Calgary Planning Commission Members  
Emailed to: [cpc@calgary.ca](mailto:cpc@calgary.ca)

**RE: LOC2016-0346 | 922, 926 & 928 Memorial Drive NW | July 13, 2017 Calgary Planning Commission Hearing**

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Dear Commissioners:

The Hillhurst Sunnyside Planning Committee (HSPC) would like to submit an additional letter to supplement our comments on LOC2016-0346 dated January 26, 2017. We were surprised to see that our comments on the Development Permit were not included with the CPC report. As this is a concurrent application with DP2017-0232, the building design is explicitly linked to the LOC and cannot be considered separately; our February 15, 2017 letter has been attached.

Through our previous submissions to the City, and through personal communications, the HSCA indicated that we saw certain aspects of the proposal that we believed were positive and that the specific location of the project warranted some negotiation or compromise on the proposal that could satisfy concerns and needs of both parties. Such negotiations or compromise were not forthcoming from the applicant or the City, both of whom appear to have passed over neighbor feedback, feedback from HSCA and all of the feedback the applicant collected at the open house.

We are very disappointed with the complete absence of communication from the applicant between their post-application open house on January 18 and their provision of their "What We Heard Report" on July 5. This report was provided to us only one week prior to the CPC hearing making it impossible for us to consider it in detail or distribute it widely to residents in advance of the CPC hearing. Additionally, the WWH report does not reflect the full range of views as residents provided their feedback to the City File Manager directly and not to the developer.

Communication from City Administration was similarly very dissatisfactory. Despite substantial resident and community association interest, city staff provided no feedback until June 28 when we learned that the application was going to be supported by staff in a form substantially unchanged from that presented to and strongly opposed by us and in fact with an increase in height from 20 metres to 22 metres. Additionally, the CPC report vastly simplified the content of citizens' letters which supported redevelopment of these parcels; however redevelopment should be sensitive to the existing built form.

The staff-supported application for an overall 22 metre high building within the residential character portion of the Hillhurst Sunnyside Area Redevelopment Plan (ARP) is extremely disappointing and unprecedented. Height has been the primary source of concern for this application. We strongly reject city staff contention that 22 metres is "contextually consistent with the height of the properties to the

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east and west of the site". These neighbouring buildings are identified by the applicant as 13 metres and 12.5 metres respectively, making the proposed building 69% and 76% taller respectively. We also reject the implication that the existing 12 metre height restriction is irrelevant when indeed the restriction was developed during the 2009 ARP/Transit Oriented Development process through negotiation and sound planning principles.

We also believe city staff report incorrect implies that the density bonus provisions allow for "a level of density that surpasses the allowable base density under the provisions of the land use district". Use of density bonus provision should be subject to the limits laid out in the ARP through negotiation and sound planning principles rather than used as a mechanism that facilitates density everywhere.

The applicant's public engagement has largely been a process of supplying information and defending the applicant's position rather than a process of allowing for a more genuine conversation about this development. Height was identified as the single most important issue and no consideration was given by the applicant to this topic. The applicant has also consistently and disingenuously referred to the 600 metre TOD radius to support height and density on this site when the TOD study area boundary was specifically set during the ARP process and excludes this site.

**We request that Calgary Planning Commission refer this application back to City Administration for further refinement with regards to the final building height.** Representatives from the Hillhurst Sunnyside Community Association are available at the July 13, 2017 hearing, should there be any questions or clarification requested by Calgary Planning Commission members.

Thank you,

Hillhurst Sunnyside Planning Committee

- cc: Robert McKercher, Chair Hillhurst Sunnyside Planning Committee  
Peter Bolton, Decker Butzner, Glenn Wierzbza, Lorna Cordeiro and Tara Kunst, Members, HSPC  
Lisa Chong, Community Planning Coordinator, Hillhurst Sunnyside Community Association  
Brad Bevill, Planner, North Planning Area, Community Planning, City of Calgary  
Dale Calkins, Communications & Community Liaison, Ward 7 Councillor's Office
- cc: Matthias Tita, Acting GM, Planning, Development & Assessment, Administration Member, CPC  
Malcolm Logan, GM, Transportation, Administration Member, Calgary Planning Commission  
Gian-Carlo Carra, Councillor, Ward 9, Calgary Planning Commission  
Shane Keating, Councillor, Ward 12, Calgary Planning Commission  
Andrew Palmiere, Citizen Member, Calgary Planning Commission  
Colin Friesen, Citizen Member, Calgary Planning Commission  
Douglas Leighton, Citizen Member, Calgary Planning Commission  
Lourdes Juan, Citizen Member, Calgary Planning Commission  
Melvin Foht, Citizen Member, Calgary Planning Commission  
Roy Wright, Citizen Member, Calgary Planning Commission

Encl: DP2017-0232\_922-926-928-MemorialDriveNW\_HSPC\_CAFF

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February 16, 2017

City of Calgary  
Development Circulation Controller  
Planning & Development #8201  
P.O. Box 2100 Station M  
Calgary AB T2P 2M5

**RE: DP2017-0232 | 922, 926 & 928 Memorial Drive NW | New: Multi-Residential Development (1 building, 39 units) or "Truman Memorial Drive Project"**

Dear Mr. Shane Gagnon,

The Hillhurst Sunnyside Planning Committee ("HSPC") is pleased to provide our comments on the above proposed development. Our feedback incorporates letters from affected neighbours, comments from residents at the developer's January 18, 2017 open house and policy from the Hillhurst Sunnyside Area Redevelopment Plan ("ARP"). We understand that the applicant requests a building with additional height (20m) and density (Floor Area Ratio of 3.35) with 39 residential dwelling units.

As this application is a part of the City of Calgary's Concurrent Submission process, our letter on the prior Land Use Redesignation application (LOC2016-0346) was submitted on January 26, 2017 commenting on the height and density proposed; we also included our preliminary comments on the design as was shown at the developer open house and in their Memorial Drive Application Brief.

Please find further comments on the Development Permit application using the City of Calgary's Community Association Feedback Form template attached.

Thank you,

Hillhurst Sunnyside Planning Committee  
Hillhurst Sunnyside Community Association

cc: Robert McKercher, Chair, Hillhurst Sunnyside Planning Committee  
Glenn Wierzbza, Decker Butzner, Peter Bolton, Tara Kunst, HSPC Members  
Lisa Chong, Community Planning Coordinator HSCA  
David White, CivicWorks Planning + Design, Applicant Team Lead for MARTRU LTD.  
Brad Bevell, Planner, North Team, Community Planning, City of Calgary  
Giyen Brenkman, Senior Planner, North Team, Community Planning, City of Calgary  
Dale Calkins, Communications & Community Liaison, Ward 7 Councillor's Office  
City of Calgary Development Permit Circulation Office

att: LOC2016-0346\_922-926-928\_Memorial\_Drive\_HSPC\_Comments.pdf

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## Community Association Feedback Form

By providing feedback on the proposed development that is enclosed in this package, you are providing your community association's perspective as the "eyes of the community." This helps City staff better understand what is important to your community as we work with the applicant who has proposed this development, and it enables us to make an informed decision about whether to issue this development permit. In the course of this development permit evaluation, the planning department will review all relevant statutory plans including the Municipal Development Plan, Area Redevelopment or Area Structure Plans as well as the Land Use Bylaw.

**File Number:** DP2017-0232

**Name of Planning Representative/s who completed this form:** Glenn Wierzbza, Decker Butzner, Lisa Chong, Peter Bolton, Robert McKercher, Tara Kunst

**Community Association:** Hillhurst Sunnyside Community Association

**Date returned:** February 16, 2017

I commit to the Planning System core values: innovation, collaboration, transparency, accountability, trust, and responsibility. ☒ Yes

### Questions

Please provide your Community Association perspective and respond to the following questions:

**1. What are the strengths and challenges of the proposed development?**

*Strengths:*

- Proposed building is attractive; warm colour palette.
- Good quality green landscaping.
- Front setback is contextually sensitive to the adjacent multi-residential buildings.
- Increased density is less of a concern at this location due to its proximity to Memorial Drive, which is classified as a *parkway* and a major east/west transportation route.
- Information was delivered in a timely fashion; material in the applicant's Memorial Drive Application Brief was succinct and well-presented on what was being proposed.

*Challenges:*

- New multi-residential developments are generally ~12 metres along Memorial Drive NW under the current M-CG zoning. Memorial Drive NW has seen two Land Use Redesignation applications in recent years but not to the height and scale that this application requests:
  - 834-840 Memorial Drive NW will have a height of 3 ½ storeys and 10.34m or ~13m including the rooftop mechanical structure at 1.6 FAR and contains 22 units at 1.6 FAR
  - 1134-1160 Memorial Drive NW will have a maximum height of 5 storeys or 16m and contains 93 units at 2.32 FAR.
- The applicant seeks an amendment to the Hillhurst Sunnyside Area Redevelopment Plan.
  - This parcel is in an M-CGd72 area; the higher density land uses of the adjacent multi-residential buildings on both sides were grandfathered prior to the ARP. This block was not included in the Medium-density area (Section 3.1.4) of the TOD boundary, which



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- calls for a modest increase in height and density on the west side of Sunnyside and is limited to a four storey built form that integrates well with its surroundings. We are concerned about the impacts of this larger development on the single family homes (in good condition) to the north on 1<sup>st</sup> Avenue and behind the proposed development.
- We understand that during the community consultations around the Part 2: Transit Oriented Development Area ARP amendment that the discussion around this part of Sunnyside was focused on retaining the vibrant low density street of detached houses and smaller complexes on 1<sup>st</sup> Avenue. There was no interest to increase the height on Memorial Drive beyond the 4 storey heights of the existing buildings. For this reason, we are concerned about the height requested.
  - Strong concerns from immediate neighbours about privacy and overlooking due to side windows and balconies (see #2).
- 2. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?**
- Reduce the overall building height to within 15% of the height of the adjacent buildings; the condo buildings adjacent are only 12m and 12.5m. The proposed building, at 20m, is 65% higher than the two adjacent buildings.
  - Increase the side setbacks to mitigate impacts on the buildings on the east and west sides. Plans show that side setbacks are 1.2 metres on both sides – this fits with the current M-CG Land Use District; however due to the requested higher density zoning to a Direct Control District based on M-H1, there is a different set of rules. The setback from a property line shared with another parcel should be a minimum of 3.0 metres given that the adjacent parcels are zoned as M-CG as a lower-profile multi-residential district.
  - We note that the building incorporates one- and two-bedroom floorplates. We would like to see more variation in terms of number of bedrooms.
- 3. Provide comments on the following. You may wish to consider height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to these questions.**
- a. The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)*
- This application requests height and density that surpasses what is permitted under the ARP and the Land Use Bylaw. The parcel does not fall within the Medium-density area of the Transit Oriented Development boundaries in the ARP. Even if it did, the applicant would only be permitted a maximum height of 16m and a FAR of 2.5.
  - Multi-residential use is an appropriate use of the land; however the height proposed is a key concern.
    - We have not heard major concerns regarding the density proposed: the recently refurbished multi-residential condo building at 916 Memorial Drive was built in 1969 before the 1988 ARP; we understand that and Land Use Amendment was submitted in 2014 to rectify the density of existing building under the current M-CG rules and accommodate 37 units.
  - We note that the 1988 ARP down-zoned this area to prevent the then-trending emphasis on apartment-style 3 to 4 storey multi-residential redevelopment. So far, the newer condos being built in the community have been marketed to higher income single or double occupancies. An important cornerstone of the ARP is to promote

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redevelopment that is attractive to families or has more flexibility in terms of unit sizes. Although community decline and rejuvenation is cyclical, we support the ARP intent to promote housing diversity to mitigate this effect and to ensure that local schools stay in the community.

- *Please refer to additional comments on our January 26, 2017 letter*

*b. The site design*

- There is adequate access from the laneway to accommodate access and egress from the site and the underground parking.

*c. The building design*

- This development benefits from the quality public realm and the multi-modal use of the Bow River Pathway infrastructure. Although not on a City-classified Main Street, the applicant's package shows a building height (20m) to road width right-of-way for Memorial Drive (25m). The Municipal Development Plan Public Realm Policies for the Corridors or Main Streets encourage a human-scale environment with a maximum of 1:2 building height to road right-of way with ratio.
- The proposed height of 20 metres, (including the rooftop amenity level/ancillary structures, and the requirement for new developments on the floodplain to raise the building by 1.1m) is out of step with its adjacent neighbours and the surrounding neighbourhood. The applicant's package states that the building is 5 stories; akin to the building on the east side (however #916 has a sunken first half-storey). We note that including the rooftop spaces, the proposed building will be 6 stories high.

4. **Has the applicant discussed the development permit application with the Community Association?**

☒ Yes

**If yes, what information was provided?**

- The applicant reached out to the HSCA early in January to inform us about their upcoming application, provided an invitation to their engagement website with a link to their contact information and informed us about the techniques used to get the word out (flyers, large onsite signage). They provided advanced content to share on our website and social media. A developer open house was hosted at the HSCA on January 18, 2017.
- The applicant provided hard copies of their applicant brief showing what is being requested, site context and rationale for their application. They have also been amenable to requests for more information. This was much appreciated.
- We await the developer's *What We Heard Report* on the public engagement. See Appendix I for photos of community comments from the development open house.

5. **Please provide any additional comments or concerns regarding the proposed development.**

- We support the position of the neighbours and are largely concerned about the height being proposed and the impacts of a larger building on the adjacent neighbours.
- We are concerned about land speculation in areas outside of the Transit Oriented Development areas that have not been considered for additional height and density.



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Appendix I: Residents' Feedback at the Development Open House on January 18, 2017

**WHAT ARE YOUR THOUGHTS?**

Please share your feedback on the proposal by adding a sticky note below.

Great design  
Contextually appropriate  
Love the rooftop amenity

Concerned with height - 20m seems tall for the area and will impact the view of the river

Level too tall  
Should stay within ARP - 14 levels or less  
Outside of TOD circle  
FAR should be below 2.5

Nice design  
TOD High by 1 story  
What plans for decrease in underground parking (Consider 100% free)

No proposed building is in sightline of other buildings and parking lot

Concern about discrepancy between application and ARP.

Concern about height and impact on adjacent residents

More design but to make better support local business other projects will be coming up so will be better off than the place.

Keep maximum height consistent with other buildings in area

Proposed height windows place more on east side

Proposed building is too high by one story  
It should be consistent with neighboring buildings.

Proposed building is too high by one story  
It should be consistent with neighboring buildings.

Concern about the building's impact on the area  
The building's impact on the area  
The building's impact on the area

Very concerned about the potential of making the ARP.

Other people had building  
Love the end of the building.

**TELL US WHAT YOU THINK**

Please share your feedback on the proposal by adding a sticky note below.

Concerns height of building - window placement (top side)

Proposal is trying to jump/step up to the next level (the building is greater than 20m)  
Should a height limit be set in / around the area to make the building (the building is greater than 20m)

I think it's great!  
It doesn't get any more central than this  
Right around it height doesn't matter

Building design and materials are nice  
Should be able to have the building (the building is greater than 20m)

Strongly support all guidelines in the ARP  
Don't like the height

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From: "Dave White" <[david@civicworks.ca](mailto:david@civicworks.ca)>  
Sent: July 12, 2017  
To: "[gian-carlo.carra@calgary.ca](mailto:gian-carlo.carra@calgary.ca)" <[gian-carlo.carra@calgary.ca](mailto:gian-carlo.carra@calgary.ca)>, "[shane.keating@calgary.ca](mailto:shane.keating@calgary.ca)" <[shane.keating@calgary.ca](mailto:shane.keating@calgary.ca)>, "[roanconsulting@shaw.ca](mailto:roanconsulting@shaw.ca)" <[roanconsulting@shaw.ca](mailto:roanconsulting@shaw.ca)>, "Melvin Foht" <[MFOht@royop.com](mailto:MFOht@royop.com)>, "[cepriesen@gmail.com](mailto:cepriesen@gmail.com)" <[cepriesen@gmail.com](mailto:cepriesen@gmail.com)>, "[andrew.palmiere@o2design.com](mailto:andrew.palmiere@o2design.com)" <[andrew.palmiere@o2design.com](mailto:andrew.palmiere@o2design.com)>, "[lourdesjuan@me.com](mailto:lourdesjuan@me.com)" <[lourdesjuan@me.com](mailto:lourdesjuan@me.com)>, "[dougleighton@shaw.ca](mailto:dougleighton@shaw.ca)" <[dougleighton@shaw.ca](mailto:dougleighton@shaw.ca)>, "[matthias.tita@calgary.ca](mailto:matthias.tita@calgary.ca)" <[matthias.tita@calgary.ca](mailto:matthias.tita@calgary.ca)>, "[malcolm.logan@calgary.ca](mailto:malcolm.logan@calgary.ca)" <[malcolm.logan@calgary.ca](mailto:malcolm.logan@calgary.ca)>  
Cc: "George Trutina" <[george.trutina@trumandevelopment.com](mailto:george.trutina@trumandevelopment.com)>, "Oliver Trutina" <[oliver@trumanhomes.com](mailto:oliver@trumanhomes.com)>, "Tony Trutina" <[tony.trutina@trumanhomes.com](mailto:tony.trutina@trumanhomes.com)>

Subject: CPC July 13, Item 5.021, LOC2016-0346, Truman Memorial Dr. NW

Dear Members of Planning Commission,

On the behalf of George Trutina, President of Truman Development Corporation, I'm writing as the Applicant to share some framing considerations regarding the above-mentioned LOC application. We understand that representatives of the Hillhurst Sunnyside Community Association (HSCA) have recently shared a message with CPC regarding their long-standing opposition to the LOC and have made a request for referral back to Administration for further review and implied negotiation with the HSCA. We're confident in the fundamental ask, planning & design rationale, and engagement process that has resulted in an Administration recommendation of approval. We wish to move forward.

Please find downloadable below a digital copy of the What We Heard Report (WWHR), which reflects the latest-revised design concept (the details are wholly driven by a mature concurrent Development Permit). Following several best practice engagement activities, the public release of the WWHR/Final Application Brief represents the conclusion of a time-intensive and intertwined concurrent LOC-DP review process that occurred through the Winter-Spring of 2017. The WWHR is included on our public engagement website ([www.engagememorial.com](http://www.engagememorial.com)).

For Truman and team, we feel this proposal is a good fit within the developed multi-family block context, and the ask has solid planning and design rationale. The strongest rationale is centered on the Memorial Drive Parkway edge intensification opportunity, the existing active transportation assets, and being within 300 meters of the Sunnyside LRT Station. This ask requires amendment to the ARP and participation in the local density bonusing policies – for the bonus of greater height and intensity, Truman will pay into the local fund (closer to \$50K).

We fully appreciate that the application is not entirely aligned with the 1988 'Residential Character Area' policy portion of the Hillhurst-Sunnyside ARP. Sunnyside's Memorial Drive, east of 10 St. NW, is an under-developed and under-loved edge – an edge along the City's Memorial Drive/Bow River Parkway and its potential has been further unlocked with the active transportation connectivity enabled by the Peace Bridge and recent upgrades in signalized pedestrian crossings. These assets were not there to consider even during the 2009 TOD Part II update of the ARP.

The primary area of feedback during the engagement was around building height – a very common theme of concern in established areas and primarily generated from the perception of greater height having negative impacts. Most folks that have shared feedback asked for a reduction in height (cited as an acceptable 4 storeys), but such a reduction results in a negligible net urban design benefit in terms of shadow impact (demonstrated in our WWHR). While people prefer to chat in storeys, we think it is important to talk meters in this context. We'd emphasize that the principle height of the proposed building is 15.5 meters (less than the 16.0 meter height Medium Density policy area in the ARP or a typical M-C2 District). The additional height ask is related to the newly required floodway grade elevation of 1.1 meters and the remaining height within the design seeks to include a rooftop amenity space (including the modest elevator overrun mass). For Truman, the design hook is the rooftop – a common "living room", a shared indoor/outdoor amenity space that takes full advantage of the Parkway edge and spectacular Bow River, Peace Bridge, and downtown skyline viewshed. Kindly have a look at our latest two renderings attached (the space as grown and the design has been enhanced through the concurrent LOC/DP application process).

Download link: [https://drive.google.com/file/d/0B8N95KfBA\\_bzb3NQUTU5tc2NHVFE/view?usp=sharing](https://drive.google.com/file/d/0B8N95KfBA_bzb3NQUTU5tc2NHVFE/view?usp=sharing)

Thanks for your time and please let me know if you have any questions (email or on my cell at 403.852.8291),  
Dave

DAVID WHITE, M.Sc.Pl., RPP, MCIP  
PRINCIPAL