

## Residents Association Letter



212 Tuscany Way NW, Calgary, Alberta, T3L 2J6  
403-241-6402

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Circulation Control  
Planning and Development, The City of Calgary  
By Email to [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca)

**Re: File number LOC2019-0133, 157 Tuscany Summit Heath NW**

The Tuscany Residents Association (TRA) is a not for profit company governed by the Companies Act and was created to ensure the long term maintenance and management of certain features, amenities, and facilities of the community for the benefit of the member residents. The TRA sets a desired course for the use of common facilities, such as the Tuscany Club and other Amenities and helps to ensure their fiscal sustainability over time. The vast majority of the homes, townhomes, and condominiums in Tuscany have their title encumbered with the Tuscany Encumbrance Annual Rent Charge which confers membership in the TRA, grants access to the facilities owned and maintained by the TRA, and serves as the primary funding source for the TRA.

The TRA respectfully submits the following comments for consideration regarding this application:

### Comments

- Most recently, Homes by Avi completed a subdivision on a greenfield development site in Tuscany and chose to encumber the households. This immediately provided those new homeowners membership in the TRA.
- By not encumbering the properties within a new development, confusion can occur for future purchasers, especially if a developer is advertising to potential buyers that a recreation facility exists within the community. New homeowners expect immediate membership and may be surprised when they enquire at the TRA for membership privileges and find this is not included with their property.
- Tuscany is an ELM (Enhanced Landscape Maintenance) community. The TRA is one of two Residents Associations that subsidizes enhanced landscaping in the community funded by the annual membership fee. Without the encumbrance on new properties, these new homeowners reap the benefits of an ELM community without contributing, which is not fair to the other nearly 6,000 member households.

As a result of the above, the TRA encourages the City of Calgary to make a condition of the Land Use Amendment the requirement that all properties of this development be encumbered with the Tuscany Encumbrance Annual Rent Charge.

Thank you for your consideration of this submission.

Sincerely,

A handwritten signature in blue ink that reads "Tim Heger". The signature is fluid and cursive.

Tim Heger  
President, Tuscany Residents Association