

Albrecht, Linda

From: Minnema, Peter <pminnema@assante.com>
Sent: Thursday, July 20, 2017 9:10 AM
To: City Clerk
Cc: Peter Minnema
Subject: [EXT] Land Use Designation
Attachments: DOC071917.pdf

RECEIVED
2017 JUL 20 AM 9:21
THE CITY OF CALGARY
CITY CLERKS

Please accept the attached submission re application to amend the Land Use Designation (containing) 730
Elbow Drive SW (Plan 3215HG, Block 6, Lot 46).

Peter Minnema
7219 7 St SW
Calgary, AB
T2V 1G2
Res: 403-253-9429
Cell: 403-703-5816
Email: pminnema@shaw.ca

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July 18, 2017

Office of the City Clerk,
The City of Calgary,
700 Macleod Trail SE,
P.O. Box 2100, Postal Stn M,
Calgary, Alberta T2P 2M5

Re: Application for Land Use Designation – 7304 Elbow Dr. SW (Plan 3215HG, Block 6, Lot 46)

Please accept this and the attached as one letter in response to the above noted application.

The Kingsland Community Association has, in their letter of May 14, 2017 indicated their support **conditional** to certain undertakings and promises by the applicant/developer.

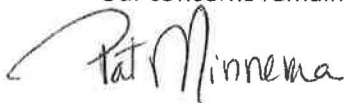
We have a growing concerns as to the **enforceability** to have the applicant /developer **honouring** their undertakings **after approval** has been granted. What means or mechanisms exist to have them, and or any successor owners, should they sell the property(s) follow through on the undertakings?.

We have great desire to act in good faith and trust in the applicant/developer but it risks erosion due to the ongoing neglect and deterioration of the subject property effecting the value and privacy of our property. This has a significant effect on our property value.

In our previous letter, (attached and which forms part of this letter) responding to land use amendment application, file LOC2017-0115 we itemized the following concerns:

- Privacy
- Elevation/Height restrictions
- Restricted parking
- Increased density
- Peaceful enjoyment
- Property values and conformity

Our concerns remain the same.



Pat Minnema
7219 7 Street SW
Calgary, T2V 1G1
403-253-9429



Peter Minnema
7219 7 Street SW
Calgary, T2V 1G1
403-253-9429

May 11, 2017

Sabrina Brar, File Manager,
Planning and Development, IMC #8073,
P.O. Box 2100 Station M,
Calgary, Alberta, T2P 2M5

*July 18/17
Part of letter to city clerk.
grailed
Thurs. May 11/17*

Re: Application for Land Use Amendment: LOC2017-0115, and subsequent Application for a Development Permit.

Dear Ms. Brar

Please accept this letter of response to the above application. We are the owners and occupants of 7219 7 Street S.W, T2V 1G1. Our property is within 60 meters of the subject property, 7304 Elbow Drive, of this application. While we are not opposed to rezoning or redevelopment, we do make the following comments of concern and objections to the application.

1. Privacy

Our property, as are several on our street, is a reverse plan, meaning that our living and dining rooms face out to our back yard. Our living room has a "picture window", 10 feet wide and 4 feet high. This window has been there since the original construction in about 1957. The dining room has a bay window. It is not unusual for us to notice people looking into our living and dining room from their elevated decks or from the alley/laneway. The subject property is at a higher elevation than ours, which enables individuals to look down onto and into our property. Building a two storey "in-fill" on the elevation above our house would be like a three storey building looking into our back yard and living room. We have done our best to maintain our privacy including maintaining the health of an aging spruce in our back yard. This tree is rapidly deteriorating from age and will not be with us much longer.

2. Elevation and Height Restrictions

Elbow Drive is at a higher elevation than our house on 7 Street SW. The subject property, 7304 Elbow Dr, at its east border along the property line alone, has an immediate vertical height increase of 3 feet and at a 90 degree right angle above the grade of the alley/laneway. We calculate an additional Down ward slope from the alley/lane of an additional 8 inches at our back fence alone. This means that there is 3 to 4 feet (one to two meters) elevation difference from their back yard to our back yard let alone the elevation difference from Elbow Drive. This will mean that it would be like a 3 storey building from the perspective of our property.

- **Any request or application or potential application for a relaxation of the current height restriction will be unreasonable and we object to such a request or proposal.**
- The proposed buildings will affect our privacy which would be further aggravated if decks or balconies above grade should be applied for at the development stage.
- During rain storms rain water flows downward from west to east, towards our property.
- However the storm sewer drainage is from south to north in the alley/laneway with some elevation from the subject property to the nearest storm drain. This then makes it impossible for all of the water to flow to the storm drain creating flooding, large puddles and a great deal of mud problems behind our house.

- We believe that two buildings on the existing property will result in greater runoff into the alley/laneway thereby worsening the problem. We request that additional storm drains be added and that the laneway be properly graded.

3. Restricted Parking

Access/egress restrictions off Elbow Dr. will lead to parking issues in the alley/laneway. It is our understanding that a successful rezoning from R-C1 to R-C2 will result in a restriction of vehicle access and egress from Elbow Drive, ie: closure of existing driveways on Elbow Drive.

Are there other neighbourhoods where similar rezoning has occurred and been restricted from using their drive ways and on street parking?

The only access/egress will therefore be through the alley/laneway in the rear of the property. We believe that, because of the current grading and flooding problems, the alley/laneway is not equipped to handle increased traffic without it being properly upgraded. It is our understanding that two "in fill" buildings, each with a secondary suite, for a total of 4 residential units, are proposed on this property. We also understand that the current requirement is for 1 parking stall per residential unit. Should rezoning be granted we ask for the following:

- **Facility for a minimum of 6 parking stalls; 3 for each building to accommodate for ownership of multiple vehicles and guest parking.**
- **An enforceable parking restriction in the alley/laneway.**

4. Increased Density

A successful rezoning resulting in two buildings and two secondary suites, will increase density from one family unit to 4. **This is a 400% increase** which is radical increase in density. That is over reaching. An increase to 200% is more reasonable with two buildings and no secondary suites.

We object to the addition of secondary suites.

5. Peaceful enjoyment

Increased density with its increased traffic and reduced privacy will have a negative effect on the enjoyment and value of our property. A traffic increase will result in increased dust and noise from the alley. **Speeding from the existing traffic flow is already a problem** and , if this application is approved, will occur with greater frequency. The subject property, and some of the adjacent properties have had tenants in the past who have had loud parties day and night. An increase in density will increase this problem.

6. Property Values and Conformity

A change in zoning does not conform to, or with, the current adjacent properties or those of the neighbourhood. **Nor do the proposed buildings, as per the drawings presented to the Kingsland Community Association, conform to the character of the neighbourhood.** This precedent will lead to a serious change in the makeup of the neighbourhood with a negative impact on property values. **We ask for serious consideration of this at the development stages.**

The applicant will no doubt propose to construct according to certain undertakings. Our question of the city is **"to what extent does the city hold the applicant/developer accountable to be true to designs submitted, with the submissions being the basis of rezoning, subdivision and development approval"**. An element of trust comes into play here; for example we refer to a vacant lot about 3 blocks from us, 7812 Elbow Dr. where similar application and the approval was granted about 2 years ago on the basis that a principal residence for personal use by the applicant and an extended family member would be constructed. This property, as we are led to believe was sold within weeks of approval of the application and has been sitting vacant ever since. It now an unsightly, dirty mess overgrown with weeds. In addition and prior to the fire leading to this application, 7304 Elbow Dr. has a history of numerous cars parked on the lawn and the boulevard as well as barking dogs etc. We are led to believe that the owners of the property had been requested to correct this but no such successful action had been taken.

7. General

Included with the letter from Planning and Development was a short submission from the applicant. In this submission the applicant states that the property is 65 feet X 10 feet. This is probably a typing error as we are guessing that the property is about 65 by 110 or greater. **We ask for the lot size to be clarified.**

The applicant also states that they and/or their representatives have met with the community association, the residents and the neighbours. We are aware that they have met with the community association, but, they have not met with ourselves or, to our knowledge any of the other neighbours. One of our neighbours did receive a letter of a very general nature that was hand delivered to their mailbox in late March, but no discussion or face to face meeting has taken place.

We no longer trust that the applicant will follow through on what was discussed with the community; IE: 3 parking spots per proposed building.

We are aware that there have been discussions with the community association and are aware of their support in principle but no information meeting for the community at large has taken place. The community association was given drawings of the proposed buildings as mentioned in section 6 "Property values and Conformity" and they have kindly let us have a look them. **They are a radical departure of the character of the neighbourhood.**

A copy of this letter, has been sent to Planning and development #8076, in response to their file number SB2017-102. A letter from them was sent to one of our neighbours but not to us. We believe that we are within the 60 meter radius and would like to know why we were omitted.

We thank you in advance for taking our comments into consideration.



Pat Minnema
7219 7 Street SW.
Calgary, T2V 1G1



Peter Minnema
7219 7 Street SW.
Calgary, T2V 1G1

APPLICANT'S SUBMISSION

We are seeking approval to redesignate the property located at 7304 Elbow Drive SW from RC-1 to RC-2. The current existing residential property was struck by lightning resulting in severe damage to the house. Rather than re-construct the house back to its original form, the property owners preferred to use this opportunity to make better use of the lot, and to provide for the growing housing need in the community.

The property owner would like to ultimately subdivide the existing 65 feet x 10 feet lot into one 30 foot and one 35 foot lot, respectively. They would then like to put a detached house on each new lot with legal basement (secondary) suites.

The property owners and their representatives have already met with the Community Association, residents and neighbours about this proposed plan. They have received positive feedback from those they have notified, including receiving letters showing the community's support of the development. The community have expressed their desire for more housing in the neighbourhood, and are welcome to secondary suites.

To achieve this plan, the first step is to apply for this redesignation application in order to change the existing use from RC-1 to RC-2. A subdivision application (2017-0102) has recently been submitted by Maidment Land Survey Ltd. for the division of the lot. It was recommended by the City that the two related applications be review concurrently.

CPC2017-259
Attachment 2
Letter 3

July 19th, 2017.

Office of the City Clerk,

The City of Calgary,

700 Macleod Trail S. E.

Calgary, Alberta. T2P 2M5

Re: Application to amend the Land Use Designation at 7304 Elbow Drive S.W.

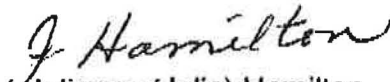
IMC 8062, 010 0 0001817

Thank you for your letter notifying me of the above noted Application.

Attached hereto please find a copy of a letter sent to members of Planning and Development. Attached thereto is a listing of my concerns and comments.

Thank you for your consideration and attention to this matter.

Yours truly,


Julianna (Julie) Hamilton,

7303 - 7th Street S.W.

Calgary, Alberta,

T2V 1G1

Phone - 403-259-3336 I prefer correspondence by lettermail.

RECEIVED
2017 JUL 19 PM12:49
THE CITY OF CALGARY
CITY CLERKS

May 3rd, 2017.

City of Calgary,

Planning & Development, IMC #8073,

P.O. Box 2100, Station M,

Calgary, AB, T2P 2M5

Attention: Sabrina Brar, File Manager

Re: Application for Land Use Amendment: LOC2017-0115, 7304 Elbow Drive S.W.

Dear Ms. Brar

Thank you for your letter received April 27th, 2017.

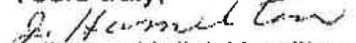
My husband and I purchased our property at 7303 -7th Street S. W. in 1977, which is directly behind the subject property at 7304 - Elbow Drive S. W.. Unfortunately, my husband passed away on May 30, 2015.

You suggested that, if I have comments regarding the Land Use Amendment application, I should send my written response to you.

Enclosed herewith please find a listing of my concerns and comments regarding the whole situation regarding application for Land Use Amendments and Subdivision, File No. SB2017-0102. I have also sent a copy of the listing to Tabatha Helberg, Subdivision Technician.

Thank you for your attention to this matter.

Yours truly,


Julianna (Julie) Hamilton,

7303 - 7th Street S. W., Calgary, T2V 1G1

Phone - 403-259-3336. I prefer correspondence by lettermail.

May 3rd, 2017.

Re: Application for Land Use Amendment LOC2017-0115

Application for Subdivision of Lot 46, Block 6, Plan 3215HG

7304 ELBOW DRIVE S.W., CALGARY, File No. SB 2017-0102

Concerns and comments re the above.

PARKING - Drawings showed 2 double garages. For 4 residential units, I feel that 3 parking stalls for each building would be reasonable. This could include additional stalls on pads on the property. Parking in the alley has been an ongoing problem for us over the years. My garage access faces the alley and parking opposite my garage doors is a problem. The owner of the property is aware of this situation. This will be of particular concern during demolition and construction. Elbow Drive access should remain. At present, there is no vehicular access from the alley. If parking is limited, parking in the alley and on 7th street will occur.

WATER IN ALLEY/RUNOFF - This has been a problem for us for many years. Recently, a letter has been sent to Councillor Pincott's office. City Roads has been notified. They will look into the situation closer to the start of the City's backlane maintenance repair program. My concern is the runoff from the additional buildings on the subject property. We have contacted the City numerous times over the years about this problem and when City workers have come to investigate the situation they have advised that additional storm sewer drains are required between 75th Avenue and the drain North of my property.

PRIVACY - No relaxation of height restrictions. Reduced size of upper windows. Balconies and decks could pose a problem, depending on where situated. The present deck on the property is close to level with my kitchen window. Have had experiences with people gesturing to me while partying.

SPEEDING, DUST -pave alley. Speed bumps which do not impede the flow of water.

The letter I received from Sabrina Brar, File Manager, Planning & Development, IMC #8073, included a page headed "Applicant's Submission". It stated that residents and neighbours have met with the owners and their representatives. To date, I have had no personal contact with any of these people.

I have concentrated mainly on my personal concerns. Others have concerns which I agree with such as enforceable parking restrictions, property values and conformity.

Thank you for your time and consideration to this matter.

J. Hamilton
JULIANNA HAMILTON (JULIE)
7303 - 7 ST. S.W., CALGARY, T2Y 1G1
PHONE - 403-254-3336