

**LAND USE AMENDMENT
HILLHURST (WARD 7)
WESTMOUNT ROAD NW AND 16 STREET NW
BYLAW 194D2017**

MAP 17C

EXECUTIVE SUMMARY

The proposed land use amendment seeks to redesignate a Multi-Residential – Contextual Grade Oriented (M-CGd72) District parcel in the community of Hillhurst to Multi-Residential – Contextual Grade Oriented (M-CG) District. The proposed redesignation retains the M-CG base district and removes the density modifier. The maximum density of the base district is 111 units per hectare. The current density modifier allows up to 8 units, and the proposed M-CG district would allow a maximum of 13 units. A concurrent Development Permit application has not been submitted.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION

2017 April 20

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 194D2017; and

1. **REFUSE** the proposed redesignation of 0.12 hectares ± (0.29 acres ±) located at 1705 Westmount Road NW (Plan 5151O, Block 17, Lots 36 to 40) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** Multi-Residential – Contextual Grade-Oriented (M-CG) District; and
2. **ABANDON** the proposed Bylaw 194D2017.

REASON(S) FOR RECOMMENDATION:

The proposed land use redesignation is compatible with the changing and diverse character of Hillhurst, and provides a modest density increase in alignment with policy direction.

The proposed density increase conforms to the relevant policies of the Municipal Development Plan (MDP), Hillhurst/Sunnyside Area Redevelopment Plan (ARP), and allows for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

The M-CG District fits contextually with the adjacent multi-residential and low density residential uses and will allow an appropriate diversity of housing options within the neighbourhood.

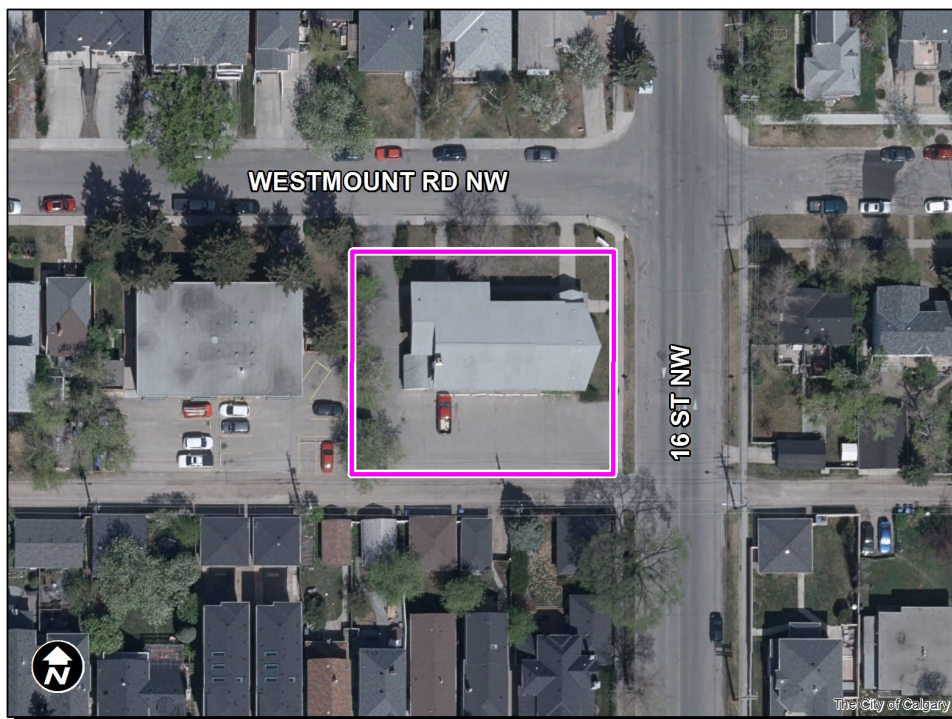
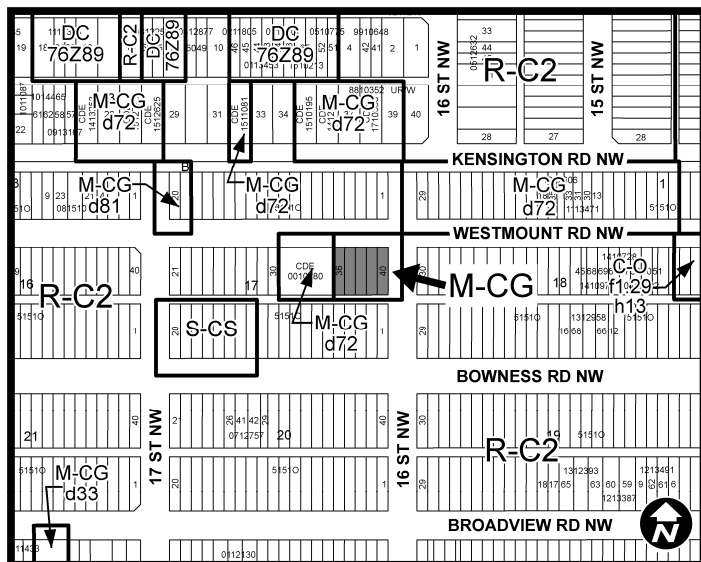
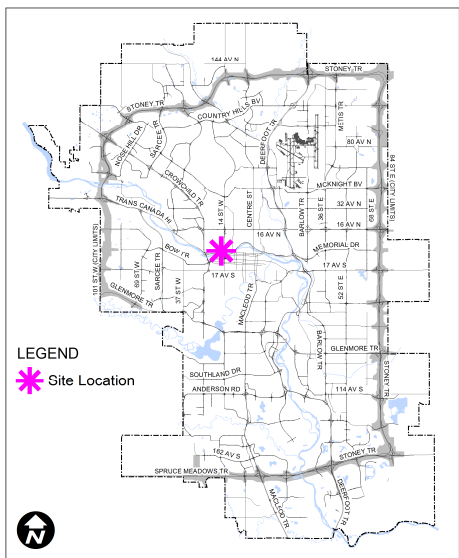
ATTACHMENTS

1. Proposed Bylaw 194D2017
2. **Public Submissions**

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.12 hectares \pm (0.29 acres \pm) located at 1705 Westmount Road NW (Plan 5151O, Block 17, Lots 36 to 40) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** Multi-Residential – Contextual Grade-Oriented (M-CG) District.

Moved by: J. Ramjohn

LOST: 2 – 5

Opposed: R. Wright, A. Palmiere,
L. Juan, M. Foht and
G.-C. Carra

2017 April 20

MOTION: The Calgary Planning Commission accepted correspondence from:

- Valerie and Paul Hatch dated 2017 April 13; and
- Thirty-five adjacent owners dated 2017 April 14;

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

Moved by: S. Keating

Carried: 6 – 1

Opposed: R. Wright

MOTION: The Calgary Planning Commission **FILED** Administration's recommendation of **APPROVAL** and recommends that Council:

1. **REFUSE** the proposed redesignation of 0.12 hectares \pm (0.29 acres \pm) located at 1705 Westmount Road NW (Plan 5151O, Block 17, Lots 36 to 40) from Multi-Residential – Contextual Grade-Oriented (M-CGd72) District **to** Multi-Residential – Contextual Grade-Oriented (M-CG) District; and
2. **ABANDON** the proposed Bylaw.

Moved by: A. Palmiere

Carried: 5 – 2

Opposed: J. Ramjohn and
S. Keating

Reasons for support of the Refusal recommendation from Mr. Palmiere:

- Existing density modifier better represents the intent of the ARP.
- The existing density modifier results in a maximum of 8 units which can feasibly fit within the MC-G envelope and create a positive built form in the community.

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Reasons for support of the Refusal recommendation from Ms. Juan:

- A 62 percent increase in density is inappropriate.
- Not adhering to policies set out in the ARP and New Residential Guidelines.
- Eight units would be a more appropriate sensitive development.
- Public engagement and community consultation should have been more rigorous.

Reasons for support of the Refusal recommendation from Mr. Wright:

- I am opposed to the approval of the proposed land use change, as it is overwhelming in terms of height and massing. While some may argue discretion at development permit stage can address such issues, I believe we should exercise discretion at the land use stage where it is apparent the district is too intensive for the area. Hillhurst is not an anti-development community and seldom opposes redevelopment activity. However, when the Hillhurst/Sunnyside Community Association raises issues, it sends a red flag for me.

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Applicant:

Seika Architecture

Landowner:

Westmount Projects Inc

PLANNING EVALUATION

SITE CONTEXT

The subject site is located in a predominantly low-density residential setting in the inner city community of Hillhurst. The parcel is a corner lot which lies directly adjacent to Westmount Road NW and 16 Street NW. It is located in close proximity to Kensington Road NW which is identified as a "Main Street". The site is approximately 38 metres wide by 32 metres deep, is developed with a church building, and has a parking area accessed from the rear lane.

The subject is surrounded by predominantly lower density residential development consisting of single and semi-detached residential dwellings designated Residential – Contextual One / Two Dwelling (R-C2) District. The parcel immediately to the west of the subject site is developed with a 2.5 storey condominium, designated as M-CGd72, and other M-CG designations of varying modifiers also exist in the general area.

The site was previously designated as RM-2 under the Land Use Bylaw 2P80, and was redesignated to M-CGd72 with the adoption of 1P2007.

Hillhurst	
Peak Population Year	2015
Peak Population	6,737
2016 Current Population	6,737
Difference in Population (Number)	0
Difference in Population (Percent)	0%

LAND USE DISTRICTS

The proposed Multi-Residential – Contextual Grade-Oriented (M-CG) District is intended to accommodate multi-residential developments in close proximity or adjacent to low density residential development. The proposed maximum density of 111 units per hectare allowable under the base district rules would allow for a total of 13 units to be built on the parcel, subject to development permit approval. This is an increase from the maximum of 8 units permitted under the existing land use designation.

A concurrent Development Permit application has not been submitted. Any future Development Permit will be reviewed against the Land Use Bylaw requirements and the local ARP policies for the area. That review will determine the actual number of units approved on the site.

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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 subject site is within the Developed - Inner City Area of the Municipal Development Plan. Key features of these areas are a grid street network, older housing stock in the form of low to moderate housing densities, and a finer mix of land uses along many of the edge streets (Section 3.5.2).

The modest proposed increase in density supports the objective of the MDP to accommodate intensification in existing communities in a sensitive manner (Section 2.2.5), and furthers the MDP goals of “Compact City” and “Great Communities”.

Hillhurst/Sunnyside Area Redevelopment Plan (ARP)

The subject site is located in “Residential Character Area 6” of the Hillhurst/Sunnyside ARP, which is characterized by its older buildings, small lot sizes, and wide named streets. The ARP envisions family-oriented infill development that is compatible with the character and scale of existing dwellings. The proposed land use amendment meets the intent and policies of the Hillhurst/Sunnyside ARP, and an amendment to the plan is not required.

The ARP contains extensive development guidelines which will be applied at the time of Development Permit review, and will determine the actual number of units that may be developed on the site.

TRANSPORTATION NETWORKS

The subject site is located at the corner of Westmount Road NW and 16 Street NW and has a rear lane. The site is located less than 100 metres walking distance from transit on Kensington RD NW (Route 1, Primary Transit Network).

A Traffic Impact Assessment (TIA) was not required as part of the Land Use Amendment application. Preliminary indications are that site access would be to and from the lane only, with the existing driveway to Westmount Road to be closed and rehabilitated at the owner's expense at the Development Permit stage.

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UTILITIES & SERVICING

Water, sanitary, and sewer services are available and can accommodate the potential addition of 13 dwelling units without the need for off-site improvements at this time.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required.

ENVIRONMENTAL SUSTAINABILITY

The site benefits from an inner-city location and close proximity to Primary Transit. Further environmental sustainability considerations will be reviewed at the Development Permit stage.

GROWTH MANAGEMENT

This Land Use Amendment proposal does not require additional capital infrastructure investment at this time and therefore no growth management concerns have been identified.

PUBLIC ENGAGEMENT

Community Association Comments

This application was circulated to the Hillhurst/Sunnyside Community Association and comments were received (APPENDIX II). The Hillhurst Sunnyside Planning Committee has indicated that it is strongly in favour of sensitive redevelopment of the subject site; however, they do not support the proposed amendment on the following grounds:

- The request for additional density is referred to as “unprecedented” and “far too ambitious”;
- They question the contextual compatibility with adjacent R-C2 uses;
- The subject site is not located in the Transit Oriented Development study area; and
- Concerns about additional traffic and on-street parking.

Citizen Comments

Administration received 38 letters of objection from community residents. Concerns are summarized as follows:

- Proposed density increase does not align with the objectors’ interpretation of the ARP;
- General objection to additional density;

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- General objection to condominium or apartment style development;
- General objection to any redesignations without updating the ARP;
- Concerns about compatibility with adjacent uses;
- Concerns regarding additional vehicular traffic and on-street parking;
- Concerns regarding increased pedestrian traffic; and
- Concerns regarding potential massing and overlooking issues of future development.

Public Meetings

The applicant presented the proposed redesignation and a potential design concept to the Hillhurst Sunnyside Planning Committee and approximately 40 attendees on 2017 January 10. The attendees expressed a desire for sensitive redevelopment of the site and voiced objections to the density increase and potential design concept.

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APPENDIX I

APPLICANT'S SUBMISSION

Land use re-designation at 1705 Westmount Road N.W. Calgary (Plan 5151 O / Block 17 / Lot 36-40)

**Please accept our application for the re-classification for the above noted property
from MCG-d72 to MCG-d111**

Site Context and Background

The total land is 0.124ha(0.3ac). The north part of the land faces lane.

South part of the land faces Westmount road NW. East part the land faces multi residential development. West side of the land faces 16 street N.W.

The area surrounding the subject site consists of lands designated as MCG-d72, R-C2 pattern throughout most of the area. The majority of the existing built form is characterized by a mix of two to three storey developments containing a variety of residential buildings.

Proposed Land Use District

The proposed Multi Residential –Contextual Grade- Oriented MCG-d111 height 14meters District is generally characterized by variety of housing forms, close proximity or adjacent to low density residential development.

Site Characteristics

The subject site has a significant flat that increases appropriateness to develop with most economical buildings configuration. The site is located at the intersection of Westmount road and 16 street N.W. It will provide more value to develop the land with more appropriate uses for multi residential development.

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UTILITIES & SERVICING

Water, sanitary and sewer services are available and can accommodate the potential development without the need for off-site improvements at this time. Adjustments to on-site servicing may be required and will be determined at the development permit stage.

Plan it Calgary- Integrated Land use and Mobility Plan

The location of the subject site is supporting the following Sustainable principals of the land use mobility plan.

- (a) **Principle 2-** Create walkable environment.
- (b) **Principle 3-** Foster distinctive, attractive communities with a strong sense of place.
- (c) **Principle 4-** Provide a variety of transportation options.
- (d) **Principle 6-** Mix land uses.
- (e) **Principle 7-** Strategically directed and manage redevelopment opportunities within existing areas.
- (f) **Principle 8-** Support compact development.
- (g) **Principle 9** Connect people, goods and services locally, regionally and globally.
- (h) **Principle 10-** Provide transportation services in a safe, effective, affordable and efficient manner that ensure reasonable accessibility to all areas of the city for all citizens.
- (i) **Principle 11-** Utilize green infrastructure and buildings.

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Built form of the proposed development-

The four story residential building is design base on following key consideration

- (1) Town house type two storey units facing to three sides (Westmount road, 16 street N.W. and lane) of the proposed development. These townhouse have at grade access from the surrounding streets.
- (2) 4th floor level, setback from the 3rd floor level to reduce the building mass.
- (3) The proposed development demonstrate that it has given priority to the contextual influence of neighboring properties and made a delight effort to arrange a careful relationship between existing and new development through detailing, building form, building materials and exterior colours.
- (4) The proposed building form, balconies with planters, and entrance enhance with existing character of the context, provide an aesthetically pleasing view for the neighboring residence.
- (5) The interface of the town house type units at grade will allow gradual transition from existing two storey(with peak roof) development to four storey multi residential development.
- (6) The development will provide variety of housing types. The sensitive integrated different types of housing into a community in order to allow people to age in place as well as provide for grater densities within communities to better utilize existing infrastructure.

Area Structure Plan-

Hillhurst / Sunnyside Area Redevelopment Plan.

Proposed development will provide the following benefits

- (1) To implement the policies of the Calgary General Municipal Plan, the Inner City Plan
- (2) Prosperous economy: the proposed amendment provides more choice to residents of Westmont road , utilizes existing infrastructure, and is classified as a support service.
- (3) Shaping a more compact urban form: the proposed amendment helps to optimize Infrastructure, and provides redevelopment potential with compatible uses.
- (4) Creating great communities: The proposed land use amendment provides amenity and service which help aid neighbourhood focused living.

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- (5) To encourage a diversified demographic mix for the community, with a particular emphasis on increasing the number of families residing in the area.
- (6) To provide for a variety of residential units which is tied to the demographic goal of the community.
- (7) All the required parking at the parkade and development proved aesthetically pleasing for the context.
- (8) The proposed land use change is appropriate as it is complimentary to the established land use pattern of the area and allows for a more efficient use of the land.

If you need any additional information, please contact me.

Regards



Ajith Karunasena

Architect AAA, and Urban Designer

B.Sc. (BE), M.Sc. (Arch), MUDS (M.Sc. Urban), RIBA (UK), AIA (SL), MRAIC, LEED AP

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APPENDIX II

Community Association Comments



January 12, 2017

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

Re: LOC2016-0312. 1705 Westmount Road NW, Land Use Amendment from M-CGd72 (8 units) to M-CGd111 (to allow for 13 units).

Dear Mr. Shane Gagnon,

The Hillhurst Sunnyside Planning Committee ("HSPC") respectfully submits its comments on the above land use application. We understand that the applicant/landowner has applied to rezone the site from M-CGd72 to M-CGd111 to allow for a higher density building. They intend to build 5 more units than the current zoning permits. We understand that there is no Development Permit at this time. We also understand that they wish to build above the 12 meter height maximum as permitted under the M-CG Land Use District (a variance request for 14m on the application's submission and 13m as stated at the Hillhurst Sunnyside Planning Committee meeting on January 10, 2017).

The HSPC is deeply disappointed to see application after application from the developer's architects/representatives with no changes to reflect community feedback or the guidelines in the Hillhurst Sunnyside Area Redevelopment Plan ("ARP"). Public engagement from this **developer** has been reactive so far (see below). There has been a large community interest, especially from affected neighbours in LOC2016-0312.

HSPC has the following comments on the proposed rezoning for the site at 1705 Westmount Road NW. Please refer to letters from affected residents for area-specific concerns.

Density

- The request for additional density is far too ambitious. M-CGd111 is unprecedented in this primary residential area of Hillhurst Sunnyside; the density modifier of 111 units/ha is already at the absolute maximum for the M-CG Multi-Residential – Contextual Grade-Oriented Land Use District.
- M-CGd72 is an already higher density than that of the surrounding areas; this parcel is surrounded by lands designated as R-C2; the requested density and height is not contextually sensitive. M-CGd72 is most prevalent in areas closer to the Transit Oriented Development walkshed in the area between 14th Street NW and 5A Street NW and more recently, has been applied for on the north side of Kensington Road.

Public Engagement

- The public engagement thus far has been driven by the affected neighbours and the Hillhurst Sunnyside Community Association; neighbours/volunteers handed out 120 flyers to the homes on the surrounding streets for each iteration of the below applications. The HSCA sent emails to approximately 34 affected neighbours, shared information via social media and the monthly newsletters to inform residents about the application and to provide information as to encourage residents to get involved in the planning process.
- The HSCA aims to achieve a balanced point of view when it prepares its formal submissions to the City of Calgary Planning Department. We invited the developer's current architect to

S. Gagnon

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our regular monthly meeting on January 10, 2017 to facilitate conversation and gain more clarity about **LOC2016-0312** and their project.

- This meeting was filled with affected residents who were extremely concerned over how a development with an M-CGd111 zoning would affect their quality of home life and were perturbed that previous community feedback to the developer's representatives have not been incorporated. Approximately 20 affected neighbours attended this meeting with many more voicing their concerns via email.
- A prior application, **DP2015-4565** dated November 9, 2015 was submitted by the previous architect/applicant. We were informed that the developer did not initially wish to hold public engagement. This application called for 9 units across 2 buildings at 4 storeys high and reached the 12m height limit, included garages on the ground floor, balconies on the top floor and a large amount of paved driveway space. Residents expressed concerns with the design, height, massing, layout and landscaping for the proposal and provided suggestions to review the ARP Design Guidelines at each feedback opportunity.
 - We received a copy of the **amended plans** on the circulation package dated April 13, 2016, which dropped to 8 units, as permitted under the current zoning within 3 buildings; however little change to reflect community input. The HSCA extended an invitation to the previous architect to speak at our monthly meeting on May 10, 2016. Approximately 30 affected neighbours attended this meeting.
 - Due to the controversial nature of the application and after witnessing the negative reaction from the neighbours at the previous meeting, a local development consultant volunteered to speak on behalf of the developer, and to discuss alternative ideas for the site at the September 13, 2016 meeting. Approximately 40-50 affected neighbours attended this meeting.
 - We did not hear back from the developer's representatives after their response timeline for DP2015-4565 passed in July 2016. We received the application for **LOC2016-0312** in late December. We were surprised to see this new Land Use Amendment application despite strong opposition from the community on key areas of increased density and height.

Building Height and Massing

- The HSPC is strongly in favour of sensitive redevelopment on the site.
- The HSPC is strongly **opposed** to the proposed taller and larger ~13m building due to a lack of adherence to the Land Use Bylaw, the ARP and on issues relating to massing, shadowing, privacy and context of the development in the neighbourhood.
- The HSPC supports the residents' preference for a respectful and well-articulated building that does not overlook the houses on the lane and wide landscaped setbacks; this application requests a height relaxation on top of the maximum height permissible under M-CG. The existing built form consists of original and infill single-detached and semi-attached housing with a low-rise condo building (approximate height of <7m) adjacent and to the west of the site. Any redevelopment must be sensitive to this context.

Traffic and Parking

- Parking is already constrained in the neighbourhood. Traffic would increase greatly. 16 Street NW is being used for access into the community from Memorial Drive.
- Increased traffic and street-side parking is a major concern for the affected residents.
- The CBC Calgary site at 1724 Westmount Road NW is a potential large redevelopment site that could further impact traffic and parking in the area.

ARP and Planning Policy

- The ARP does not identify this area as a part of the Transit Oriented Development study area boundaries to accommodate higher density.
- While this proposal has not yet moved to the Development Permit stage, we feel it is important to comment on height/density based on the ARP. The new development must conform to the Residential Guidelines in the Area Redevelopment Plan, specifically:
 - *New developments should not exceed the height of adjacent existing homes by more than 15 percent for the front 3.0 metres of the development. This can be realized with a roofed or open porch, by building to the maximum height only at the rear of the dwelling, or by orienting roof slopes such that their lowest eaveline faces and is parallel to the street. (Section 2.4.1.1)*

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- *If a proposed building exceeds the height of adjacent homes, its front yard should be greater, not less, than the front yards on either side. (Section 2.4.1.1)*
- *In evaluating the height of an infill house, the effect of the shadows on adjacent homes should be considered. (Section 2.4.1.1)*
- *The intent of the low density conservation policy [is] to improve existing neighbourhood quality and character while permitting low profile infill development that is compatible with surrounding dwellings ... New development or redevelopment should be designed in such a way as to be unintrusive and blend with the surrounding housing. (Section 2.3.1)*
- *The suitability of multi-unit projects would be measured by their physical blending with the surrounding houses and their attractiveness/suitability for families with children. (Section 2.3.2)*
- Hillhurst Sunnyside has an existing ARP therefore policy direction in the City of Calgary Municipal Development Plan for increased density along the Main Street of Kensington Road and its transition area does not apply.

We point out that the applicant's submission has been poorly written and contains several errors in regards to the orientation of the site and its request for increased height and density, leading to much confusion. This adds extra burden on the Community Association, residents and the City to decipher its intent and is therefore disrespectful of all our time. We reserve the right to further comment based on the ARP at Development Permit stage.

Thank you for the opportunity to provide comments on the above file,

Hillhurst Sunnyside Planning Committee

Cc: Robert McKercher, Chair, Hillhurst Sunnyside Planning Committee
Steve Mole and Hillhurst Sunnyside Planning Committee Members
Lisa Chong, Community Planning Coordinator, HSCA
Ajith Karunasena, Seika Architecture, Applicant-Representative for Westmount Projects Inc.
Dale Calkins, Communications & Community Liaison, Ward 7 Councillor's Office
City of Calgary Planning & Development Circulation Control

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APPENDIX III

From: [Valerie Hatch](#)
To: [CPC](#)
Subject: Fwd: New Rezoning Application at 1705 Westmount Road NW (Former Salvation Army Church Site) - LOC2016-0312
Date: April 13, 2017 10:08:03 AM

Hello

Attached is an earlier email concerning the above development. Please excuse the mistake, it should read 13 units. I had sent an email regarding the 9 unit development as well but cannot readily locate a copy to attach to this email. Our concerns expressed below still stand and the prospect of this density being approved sets an extremely unwelcome precedent for our neighbourhood. Please keep us apprised of any news. Thank you for your efforts.

Best regards

Valerie and Paul Hatch
[REDACTED]

More Kindness

Begin forwarded message:

From: "Gagnon, Shane" <Shane.Gagnon@calgary.ca>
Date: December 20, 2016 at 14:37:58 MST
To: "Valerie Hatch" <[REDACTED]>
Subject: RE: New Rezoning Application at 1705 Westmount Road NW (Former Salvation Army Church Site) - LOC2016-0312

Valerie and Paul,

Thank you for your input on this application. Your comments will be included in my report to Calgary Planning Commission.

Please note that the maximum unit count under the proposed redesignation is 13, not 14. I presume that your comments below stand; however, please feel free to contact me at any time should you wish to further discuss this application.

Sincerely,

Shane Gagnon
Planner, North Planning Area
Community Planning
The City of Calgary | Mail Code #8076
Municipal Building, Floor 5, 800 Macleod Trail S.E.
P.O. Box 2100, Station M, Calgary AB Canada T2P 2M5
T: 403.268.8701

-----Original Message-----

From: Valerie Hatch [REDACTED]

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Sent: Monday, December 19, 2016 12:27 PM
To: Gagnon, Shane
Cc: lisa.c@hsc.ca; Communications & Community Liaison Ward 7
Subject: Re: New Rezoning Application at 1705 Westmount Road NW
(Former Salvation Army Church Site) - LOC2016-0312

Hello Shane

We are extremely concerned about the proposed 14 unit condo development at 1705 Westmount. We had a problem with the 9 unit development due to its exceeding the 8 unit limit, lack of architectural fit with the neighbourhood, and the associated significant increase in height and density. The proposed 14 unit development exacerbates these concerns to the extreme, with the penthouse units now adding a lack of privacy to our home at [REDACTED].

This 14 unit development proposal is out of the question. It is non-compliant with existing zoning and we do not support any change in the zoning.

Best Regards
Valerie and Paul Hatch

Sent from my iPad

NOTICE -

This communication is intended ONLY for the use of the person or entity named above and may contain information that is confidential or legally privileged. If you are not the intended recipient named above or a person responsible for delivering messages or communications to the intended recipient, YOU ARE HEREBY NOTIFIED that any use, distribution, or copying of this communication or any of the information contained in it is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and then destroy or delete this communication, or return it to us by mail if requested by us. The City of Calgary thanks you for your attention and co-operation.

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April 14, 2017
Calgary Planning Commission
The City of Calgary
Calgary Municipal Building
P.O. Box 2100, Postal Station M
Calgary, AB, T2P 2M5

Opposition to LOC2016-0312 Land Use Amendment from M-CGd72 (8 units) to M-CGd111 (13 units)

We are a group of residents who live near 1705 Westmount Rd. N.W. – the proposed site of a significant condo development. We have been looking forward to development here (the site of the former Salvation Army Church) because it has been unused and poorly maintained for periods of time over the last few years.

This new application represents a 62.5 % increase in density on this site. This is not a modest density increase and it is not compatible with the Westmount neighbourhood.

The developer is currently allowed to build eight condo units here. This is already a significant increase in density as this has been a church property for decades. We do not see any good reason to increase that density even more – to allow for 13 units.

The community is strongly opposed and believes that this application should be rejected on the following grounds:

1. Location Criteria for Multi-Family Residential Infill not viable on this site.

This is not a large lot (approx. 125' x 107'), approximately the width of five small single family lots. It is a corner lot within the community, not on the edge. Development will have a big impact on neighbouring properties for the following reasons:

- It shares a property line/alley with at least six properties to the west and south. On both the east and north sides of the lot, the massing that rezoning would allow will have a significant impact on these neighbouring properties as well. These are all low-density parcels – as is the case for all corner lots along 16th Street between Kensington Rd. and Memorial Dr. We don't see the corner lot argument as justification for rezoning.
- While the City Planning Department may argue the site has been identified as an appropriate site for intensification due to its inner-city location, corner lot, and proximity to Primary Transit – this has already been achieved by the current zoning of M-CGd72 (eight condo units). Going bigger is not in keeping with community values and the ARP. Please note that this site is outside the TOD corridor.

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MAP 17C

2. Spot zoning in the neighbourhood sets a precedent for future development.

The Hillhurst-Sunnyside ARP underwent a full review with public consultation to take account of transit orientated development. Through this process, areas to accommodate more density were identified within the community. This site at 1705 Westmount Rd. N.W. is **not** in the areas designated for additional density. We consider this to be a case of Spot Rezoning that will undermine the integrity of the neighbourhood.

3. Main Streets argument not applicable.

- One of the Applicant's representatives mentioned the Main Streets initiative in support of the rezoning application. This is **not** a planning document that has been put forward to Council and does not carry the weight of the full consultation of the community that took place during the revision of the ARP. It should not be considered as part of the evaluation of this application.
- Regardless, this lot is **not** on Kensington Road and is **not** part of that corridor.

4. Rezoning very problematic without development plans.

We are concerned that the proposed density of 13 condo units cannot be achieved within the framework of the Land Use Bylaw and the Area Redevelopment Plan (ARP) especially given the developer's track record:

- In the current application, the developer requested a 14 unit building though the zoning for M-CGd111 would only permit 13 units. He also has asked for 14m height limit but only 12m is permitted under M-CGd111. This is a big concern as it demonstrates the developer's inability to respect and meet City zoning requirements. This is not the first time the developer has proposed "stretching" the rules:
 - Please note that in a previous development proposal submitted under the current zoning of M-CGd72, the developer, again, wanted to exceed the height limit (12m) and build more units than allowed (nine units versus eight). As a result, we have lost confidence in the developer's willingness to work with the community and the City.

5. Community consultation lacking despite intense opposition.

- There have been three public meetings that have taken place at the HCSA regarding this site and each one has been well attended by residents objecting to the proposed development. The developer did not attend one meeting.
- At each of the meetings, there was a different representative from the developer. One architect had not even read the ARP, which is telling.
- The community concerns were consistent at each meeting (density, height, massing) but in return, the developer wants to go even bigger. At each meeting, we were told that the developer needed more density/height/size in order to make this project financially viable. **This is not a concern for planning considerations.**

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Our Recommendation is that the CPC refuse this request for rezoning.

This letter is supported and signed by the following residents in the immediate area of the development. Due to privacy legislation, their addresses cannot be included, but approximately 45% of them are on Westmount Road NW, 45% on Bowness Road NW and 10% on Broadview Road NW.

Thank you for your time and consideration,

Alanna & Dwayne Dmyterko	Marc Wachmann
Ali Barbet & Kyle Gerald	Mark & Sarah Greenwood
Bernie & Bonnie de Groot	Oryst Kowal & Donna Weestra
Claire & Robin Logan	Peter Skirving
David Quan & Carol Cheung	Ross Aitken
Diane & Victor Kroeger	Scott Decksheimer & Kara Exner
Garry Haggins & Mickey Gulless	Susan Cardinal & Mark Simpson
George Wheeler	Vladimir Kovacevic & Svetlana Simic
Gerald Borch & Hilary Munro	Paul Kelly
Greg & Carolyn Shaw	Toby Dinter & Barry Siebel
James & Deb Hope	Cassie Palamar
Janet Spensley	Laura Parken
Jenny Ng	Kanchan Prinsloo
Jim & Nicole Wilson	Jennifer Camwell
Bob & Joanne Ramondt	Jenn & Per Lofgren
Judy Shantz	Paul & Verna Jensen
Keith Schultz	Gregory & Jean Gulayets
Kerry Busby	