

Community Association Letters



INGLEWOOD COMMUNITY ASSOCIATION
1740 24TH AVE SE
CALGARY, ALBERTA
T2G 1P9
PHONE: 403-264-3835
EMAIL: info@icacalgary.com

November 8, 2019

Development Circulation Controller
Development and Building Approvals #8201
Box 2100, Station M
Calgary, Alberta
T2P 2M5

Dear Yuping Wang:

Re: LOC2019-0149, 1025 – 9 Avenue SE

The Planning Committee (PC) has reviewed the land use amendment application to accommodate MU-2 at the above noted address. Based upon the PC's review of the application notice and the applicant's submission, the PC has motioned to not support the application (as presented).

A conflict was identified when comparing the application description (from DC to MU-2) and what was described in the applicant's submission (change to a DC with a MU-2 base). The applicant's submission did not include a mention of the project's height, which we understand as being 39m per the City's planning and development website. The applicant's submission, in the absence of a DC, is our only concrete source of information about the applicant's plans for the site. Their submission is missing any parameters on how the increase of density will occur on the site, leaving the PC with only the project's proposed height and proposed FAR to make its assessment.

The PC is not opposed to the zoning being requested (MU-2), but does object to the building's height (39m) and FAR (7.4). It should be noted that we are not opposed to development along this important commercial corridor – some high-density residential projects have been supported along 9th Avenue – projects that respected the maximum height of 20 metres and FAR of 3.0 within their zoning restrictions.

As 9th Avenue is the only remaining historical commercial streets of its kind remaining in Calgary, we feel it is imperative that buildings along 9th Avenue respect the maximum height of 20 metres and with a FAR not exceeding 3.0 to respect, preserve, and enhance 9th Avenue's unique character and vibrant pedestrian-oriented streetscape.

We do not complete the Community Context Questionnaire as a matter of policy as we find it to be no substitute for our Committee assessment of any given permit. If you have any questions, please call me at 403-619-0559.

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Kind regards,

INGLEWOOD COMMUNITY ASSOCIATION
Planning Committee

A handwritten signature in blue ink, appearing to read 'Erin Standen', with a stylized flourish at the end.

Erin Standen, Chair

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June 19, 2020 (UPDATED FROM NOVEMBER 8, 2019)

Development Circulation Controller
Development and Building Approvals #8201
Box 2100, Station M
Calgary, Alberta
T2P 2M5

Dear Yuping Wang:

Re: LOC2019-0149, 1025 – 9 Avenue SE

The Planning Committee (PC) has reviewed the land use amendment application to accommodate MU-2 at the above noted address. Based upon the PC's review of the application notice, the applicant's submissions, and the draft Direct Control (DC) bylaws provided for review the PC has moved to not support the application (as presented).

The initial LOC was provided for review in November 2019, the revised LOC was provided for review on March 23, 2020 with the first draft of the DC being provided to the PC on May 13, 2020 and a revised DC draft provided on June 8, 2020.

The PC first wants to articulate the challenges we have reconciling whether the City and/or the applicant find themselves in a conflict of interest (actual or perceived) when the opportunity to draft the initial DC is offered to the applicant – in a sense giving the developer a chance to write their own rules. We acknowledge the first draft of the DC submitted by the developer is starting point in terms of negotiations with the City (and other stakeholders) but we question the objectivity of this process, particularly in terms of a development of this size which could have massive impacts/ramifications for the community. We wonder whether or not the community might find itself in a better or worse position based on this arrangement based whatever the applicant/developer tells the City it is willing to offer in exchange for the (often multiple) relaxations they are seeking.

The PC is not opposed to the zoning being requested (MU-2) but does object to the building's height (reduced from 56.0 metres to 50.0 metres to 45.0 metres) and FAR (reduced from 7.4 to 6.8 to 6.5). It should be noted that we are not opposed to development along this important commercial corridor – some high-density residential projects have been supported along 9th Avenue – projects that respected the maximum height of ~20 metres and FAR of 2.0 within their zoning restrictions/conditions.

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In terms of the public benefits/amenities being offered to the community “in exchange” for the additional height and density, the “cash contribution” of \$300,000 to the City’s Heritage Incentive Reserve Fund for the initial increase in FAR from 2.0 to 4.5 is woefully inadequate in terms of the economic value/benefit associated with the additional FAR being gained by the developer. The value of the additional height and density to the developer relative to the community benefit of the cash contribution does not seem reasonable – what formula was used to determine how the \$300,000 cash contribution results in this FAR increase (from 2.0 to 4.5)?

The further increase in FAR from 4.5 to 6.5 (reduced from 7.4 to 6.8 and now 6.5) for the publicly accessible private open space along with the public art, again do not seem to provide a reasonable public benefit relative to the value of the additional density/height being gained by the developer. The publicly accessible private open space appears to be something the developer would surely create/develop regardless – particularly with active commercial uses at grade (which are described in the purpose of the DC bylaw) which are intended to promote activity at the street level.

The initial draft of the DC provided to the PC in mid-May mentioned public amenities such as street furniture, trees and/or patio spaces – again, all of which would be provided by the developer to meet the DC’s purpose and additionally to market ground floor retail spaces to tenants which amenities such as patio spaces. Again, what formula was used to determine how the publicly accessible private open space and public art result in this FAR increase (from 4.5 to 6.5)?

The applicant outlined, in the application notice package circulated to the PC in advance of the April PC meeting that the City’s Urban Strategy/Main Streets team indicated that additional density and height would be supported if the ‘public realm’ improvements are provided to a higher standard. We are unsure whether the public benefits being proposed – the cash contribution to the Heritage Reserve Fund, publicly accessible private open space, and public art meet a “higher standard”.

Following the PC’s April meeting which had representatives from the applicant along with the project File Manager, the PC expressed three items presented by the applicant’s representatives that the PC felt strongly about having reflected in the DC, namely: the 3.5 metre setback along 9th Avenue, the increased public sidewalk width and a sensitive transition in height to the National Hotel. The final item was addressed in the DC, as part of its purpose (Section 1(c)) but neither of the other two items appear to have been reflected in the drafted DC received by the PC on June 8, 2020. The setback along 9th Avenue and the increased width of the sidewalk were deemed as critical in terms of the pedestrian experience in relation to a building of this size/massing. The setback along 9th Avenue proposed in this DC is insufficient at only 2.0 metres, a setback of 3.5 metres was proposed in a PC meeting in April 2020 with the applicant’s representatives and the City to which the applicant’s representatives indicated they would take it under consideration.

As 9th Avenue is the only remaining historical commercial streets of its kind remaining in Calgary, we feel it is imperative that buildings along 9th Avenue respect the maximum height of 20 metres and with a FAR not exceeding 2.0-3.0 to respect, preserve, and enhance 9th Avenue’s unique character and vibrant pedestrian-oriented streetscape.

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Our typical review process would involve presenting the motions to either support or not support applications at our monthly general meetings (except for July/August which are combined) where ICA members are in attendance. Due to the COVID-19 crisis and with community associations being closed, motions concerning these applications are being made at the ICA Board-level.

We do not complete the Community Context Questionnaire as a matter of policy as we find it to be no substitute for our Committee assessment of any given permit. If you have any questions, please call me at 403-619-0559.

Kind regards,

INGLEWOOD COMMUNITY ASSOCIATION
Planning Committee

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Erin Standen, Chair