

Objection to Land Use Re-designation
File # - LOC2019-0196
September 2020

- Objection to land use re-designation from MC-2 to M-H1f3h22d425
- Resides at Brisebois Place 306 - 333 2nd Ave NE (southside, across the alley from the proposed site).
- People who live in the community do so for very specific reasons which are referenced in 2.2 - Community Vision and Goals on page 8 of the Crescent Heights ARP document.

2.2 Community Vision and Goals

Vision:

Crescent Heights in the future continues to be a safe, clean, welcoming community - a good place to raise a family and to grow old. There is a feeling of neighbourliness, something like a small town with everyone feeling welcome in all aspects of community life. There is less traffic within the community than there has been and there is a more peaceful feeling. People are involved together in many activities in the community. Crescent Heights has a clear identity in the city. There is a range of retail, cultural and social activities within walking distance of the residents.

Residential and commercial development has continued with the new buildings fitting in harmoniously with the existing buildings. The community has retained a large number of apartments and townhouses providing a wide range of housing opportunities. There are more opportunities for seniors to stay and live in the community as they age. The low-density areas have been strengthened and new development has respected and reflected the heritage flavour and sense of history in the community. Better home maintenance is occurring, and the level of home ownership is increasing.

Along Centre Street and Edmonton Trail, there are more small businesses serving the neighbourhood, more pedestrian traffic and street beautification improvements. The shops are more enjoyable to visit and the streets are safer to cross. Centre Street is less of a barrier in the community. There is more of a mix of land uses in the commercial areas. More people work out of their homes keeping the community active throughout the day. Crescent Heights is a pleasant place to live, work and visit.

Goals:

1. Help create an attractive, safe and active community which residents are proud of.
2. Maintain and strengthen the detached housing areas of the community.
3. Improve the multi-unit residential areas by addressing traffic, open space and design issues.
4. Improve the business environment of the retail areas and encourage a mix of commercial services for community residents.
5. Review the road system in the community, and revise if necessary, to ensure safe movement for pedestrians, cyclists and motorists and reduce the impact of short-cutting traffic.
6. Support city-wide planning goals in a manner sensitive to the goals and objectives of the Crescent Heights community.
7. Encourage and accommodate residents of differing ages, family sizes and income through a variety of housing types and community programs.
8. Encourage new development which contributes to achieving the goals of the ARP.
9. Encourage long term commitment to the community on the part of residents.

10. Promote community well being through social service and community initiatives.

- Application is also based on a draft of the North Hill Communities Plan that is not concluded. This will prematurely set precedent if approved prior to the finalization of the Plan.
- Below are some of our concerns based on the initial drawings of the project:

Height – too high in relation to the existing neighbourhood buildings. Rooftop decks pose an added higher imprint with privacy and noise issues to the 23 south facing decks at 333 2nd Ave. NE, those at 351 2nd Ave NE (Francois Apartments) and the balconies of the buildings occupying the southside of 1st Ave NE across from the project and the dwellings to the east.

Density – is over 3 times the minimum M-H1 limit and has too large of a footprint considering the existing buildings, the approval of the Bridgeland Car Wash project (186 units plus commercial), the dead-end cul-de-sac, narrow streets and one way in and out of the neighbourhood.

Safety – fire lane access is questionable and poses a safety concern as there is no access from the alley and limited access from 1st Ave. NE.

Property Lines – too close to the steep existing alley where multiple past vehicle accidents have occurred to the former houses occupying the application lots, including City waste removal trucks.

Shadow Study - it is evident that the added height will adversely affect the privacy and loss of sunshine, an issue for the residents on the south side of Brisebois Place and the Francois Apartments.

Parking – building entrances, parkade entrance and fire lanes will eliminate most if not all the street parking currently on the north side of 1st Ave NE and 3rd St NE (narrow street). This will also be impacted by the additional expected public parking issues for the Car Wash project; adding to the problem. In a conversation with Ray Blasetti, President of the Italian Cultural Centre, he had indicated that the Meredith Block (611 Meredith Road NE) had contacted him regarding the rental of 50 parking stalls during the day. This is evidence of the current stress on neighbour parking and that approved developments aren't providing enough.

Traffic – in the neighbourhood will be adversely affected by the one way in & out of the proposed project, the potential cross cutting issues through Crescent Heights, the current and future activity at the Italian Cultural Centre and the Car Wash project. Much of the existing infrastructure (narrow streets) can not handle the growth.

Building Form – although the applicant expresses the 3 buildings will alleviate the single monolithic building approach, it only replaces one for the other; not much of an easement.

Landscaping – proposal seems minimal with not much green space.

- There's no mention of a traffic study or the impact on adjacent buildings from digging into the hill for the proposed parkade.
- We are seeing a pattern of developer greed leading to overdevelopment in many Calgary communities including Downtown, China Town, Kensington, Sunnyside, Inglewood and the

East Village as well as a City Council that hasn't listened to the affected constituents. This has led to an excess in real estate inventory. Further, it has the potential to create transient, transitional neighbourhoods; ones that don't support solid community growth. It also devalues the existing properties where people have invested in building a sustainable neighbourhood.

- If the City continues to approve zoning density that only compounds future neighbourhood problems rather than approve developments the community can get behind, opposition will follow. The only neighbourhood project to receive community support was the Dragonfly proposal. It was deemed to be reasonable and fit the existing vision (ARP) of the community.
- It's concerning that the City is willing to sacrifice the quality of life for owners/residents living in the neighbourhood for the benefit of financial gains by a developer.
- We are asking Council to do the right thing for the community residents affected and reject the application. We also ask that any future land use re-designation applications be tied to a development permit to ensure proper community consistency prior to re-designation.

Thank you for your consideration.

Respectfully submitted by,

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**From:
Doug Kuss
403-230-5881**

RE: File # - LOC2019-0196

4 pages including title page.

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Public Submission

City Clerk's Office

Please use this form to send your comments relating to matters, or other Council and Committee matters, to the City Clerk's Office. In accordance with sections 43 through 45 of Procedure Bylaw 35M2017, as amended. The information provided may be included in written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to Matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 636, for the purpose of receiving public participation in municipal decision-making. Your name, contact information and comments will be made publicly available in the Council Agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

* I have read and understand that my name, contact information and comments will be made publicly available in the Council Agenda.

* First name Devamonie

* Last name Naidoo

Email d_d_naidoo@yahoo.com

Phone

* Subject 14 September 2020 Public Hearing on Planning - comments submission with multiple signees

* Comments - please refrain from providing personal information in this field (maximum 2500 characters)

Please see attached.
Let me know if this is the appropriate format for more than one signee.
A confirmation of receipt would be appreciated.

7 September 2020

Office of the City Clerk, The City of Calgary
P.O. Box 2100, Postal Station 'M'
Calgary, AB T2P 2M5

Attn: PublicSubmissions@calgary.ca

RE: LOC2019-0196 (CPC2020-0872) – Amending the Crescent Heights ARP

Thank you for the opportunity to comment with respect to the Land Use Amendment to 201, 207 and 209 – 3 Street NE and 330, 334, 340, 344 and 346 – 1 Avenue NE. The Applicant seeks a new land use designation [LUD] of M-H1 f3.0 h22 d425 (per 31 December 2019 circulation package) that would replace the existing M-C2. We are strongly opposed to such ad hoc rezoning by means of this application for several reasons.

For reference, below is a map of the land use policy from the Crescent Heights Area Redevelopment Plan [ARP]. The outlined site is situated along the escarpment which has a pronounced impact on building feasibility, built forms, and traffic.



1) Height impacts:

- i. Development is already permitted up to 5 storeys under M-C2 without requiring any amendment to our ARP. This would still be higher than the apartment buildings immediately adjacent to the north and south that are all 3-4 storeys.
- ii. The maximum height would increase by almost 40% from 16m under M-C2 to 22m under this M-H1. With a height for each storey that is generally around 3-3.1 m, buildings could be constructed up to 7-storeys high.
- iii. The added height will adversely affect the privacy of all residents in the immediate vicinity. In particular, residents on the north side (in the Brisebois and Francois apartment buildings) are separated from the site by a very narrow, gravel lane with wooden power poles. They will, in addition, be negatively impacted substantially by the loss of sunshine.

2) Density designation:

- i. The maximum density for approval by Council is d425 per the City's circulation package (31 December 2019 – Page 1). However, this conflicts with the Applicant Submission in the same document for "465 units per hectare" (Page 2).
- ii. As evident from the preceding map, this part of Crescent Heights (between 2nd and 3rd Streets, and south of 7th Ave NE) already has the highest residential density away from the Main Streets.
- iii. "Neighbourhood - Low-Rise" dwellings under M-C2 represent "Character Areas" and are desirable aspects of inner-city living that should be maintained as affordable housing options.

3) From residential to multi-use:

- i. There could be commercial storefronts under this M-H1 LUD which is inappropriate in the heart of an M-C2 residential community.
- ii. There are ample redevelopment locations within Crescent Heights for mixed use zoning along Centre St, 4th St NE, and Edmonton Trail.
- iii. The City-initiated Main Streets Project creates a suitable area for this exact M-H1 zoning. The Crescent Heights community has been accepting of these increased density objectives but extending this beyond these areal limits is not justifiable.

4) Additional negative changes from M-C2 to M-H1:

- i. Changing the maximum floor area ratio [FAR] from 2.5 under M-C2 to 3 under this M-H1 LUD represents a substantial building floor area increase of 17%.
- ii. The FAR of 3 requested by the Applicant is actually an underestimate because it does not take into account the rooftop patio areas in the Developer's current plans.
- iii. The required landscaped area to be provided at grade will decrease from 90% to 50%.
- iv. The minimum building setback with the lane will decrease from 1.2 to 0 metres.

5) Traffic patterns and connections:

- i. Access to this site is heavily constrained by the natural topography of the steep hill. At most, only the lower two-thirds can be accessed from the narrow, east-sloping 1st Ave NE that ends in a tight cul de sac. The upper third is situated between thin

stairs to the south and an alley to the north. The even narrower 3rd St NE at the base of the hill is south-sloping.

- ii. With the 220-unit Minto developments (at the intersection of 4th St NE with 1st Ave NE and Marsh Rd) slated for construction, we already expect an increase in traffic in our vicinity.
- iii. In view of anticipated Main Street changes as well, we request a Transportation Impact Assessment as to what is feasible for this site prior to any rezoning.

6) Parking limitations:

- i. The streets bordering this site are narrow but at least provide some parking for adjacent buildings (resident/visitor cars, Inn from the Cold vans, taxi cabs, etc).
- ii. Public parking availability in our vicinity is expected to become a problem with the construction of the 220-unit Minto tower and town-homes (at the intersection of 4th St NE with 1st Ave NE and Marsh Rd).
- iii. There will be little to no surplus capacity to accommodate both customers for commercial businesses and the larger number of guests for a M-H1 LUD development at this site.
- iv. Under the Developer's current plans, most if not all the street parking for existing residents would be eliminated by the building entrances, parkade entrance and fire lanes.
- v. A 3- to 4-level underground parkade would be required on a site that has a significant slope – as shown in the photo below. Nonetheless, this challenge is not addressed in the Applicant's submission.



7) Site analysis:

- i. Per the [The City of Calgary Slope Adaptive Development Policy and Guidelines](#), the Applicant should demonstrate that risks can be mitigated on slopes over 15%. However, the following have not been submitted at the LOC stage:
 - Site Survey
 - Geotechnical Report
 - Preliminary Grading Plan
- ii. Given the Developer's current plan to excavate the slope for a multi-level, underground parkade, we are also concerned about:
 - Drainage
 - Erosion and Sediment Control

- Structural impacts on the buildings to the west and north

8) **Development permit plans:**

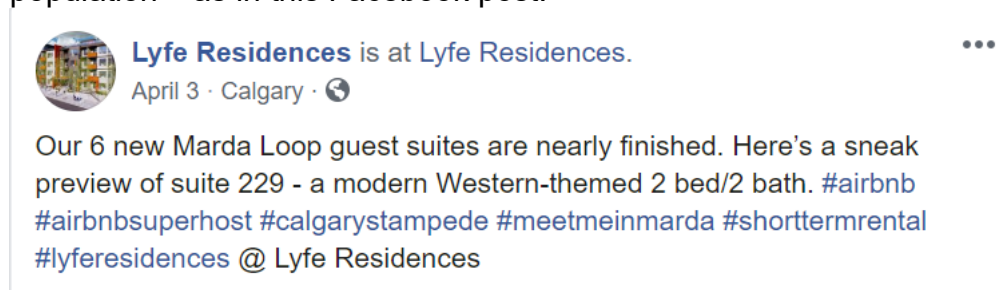
- i. This LOC application is not tied to development permit [DP] plans. With an approved decision in hand, the Developer/Landowner could elect to sell this site to another developer who has made no particular claims to the community. Indeed, any number of external factors could leave the site with M-H1 zoning but unconstrained. Any rezoning ought to be conditionally tied to current DP plans.

9) **Conformance with Calgary's existing development plans:**

- i. The Applicant cites the North Hill Communities Local Area Plan [LAP] but the LAP is not even due for Council approval in 2020. As of now, it is a [work in progress](#) that still has to be aligned with the Guidebook for Great Communities, the Green Line, etc.
- ii. Note that according to the [Municipal Development Plan](#) [MDP], "*In areas where an approved ASP or ARP is in effect when making land use decisions, the specific policies and design guidelines of that plan will continue to provide direction.*" (Page 20)

10) **Condo overdevelopment in Calgary market:**

The glut of condos in Calgary is likely to continue as there are over 5,000 units under construction (Canadian Mortgage and Housing Corporation, July 2020). In fact, the Lyfe project in Marda Loop by the developer, The Providence Group, had to be converted to rentals and its marketing now focuses on attracting a transient population – as in this Facebook post.



Our immediate neighbourhood already includes Homespace and Inn from the Cold housing. We risk becoming a transitional area with such patchwork upzoning, as requested in LOC 2019-0196.

11) **Inclusivity:**

- i. Although the City only notified owners of immediately adjacent properties about this Public Hearing, long-term renters are also a large part of our community. Consequently, we are joint signees on this Objection.
- ii. As the Applicant/Landowner can attest, the previous [Dragonfly Cohousing](#) project had the full support of the neighbours. Therefore, this Objection should not be mistakenly dismissed as anti-development on this site.

12) **Shortcomings in due process:**

- i. A sign was posted and a letter received about this public hearing barely a week before the deadline for submissions. This is very short notice for residents to adequately respond before the long Labour Day weekend.
- ii. The Calgary Planning Commission [CPC] was not provided with the written public responses in opposition; nor were they even mentioned by the City of Calgary planner (Matt Rockley) in his presentation at the 6th August 2020 meeting.
- iii. The Crescent Heights Community Association [CHCA] letter that was attached for the CPC and here to the Council does not include any discussion and input from affected residents. We were unaware that this was on the agenda for the 7th January 2020 meeting and nor had we even received the letters from the City by then.

In conclusion, the Applicant refers in the submission to a “*minor text amendment*” (Page 8) to our ARP. However, as we have documented, the significant upzoning does not respect the scale of this East Crescent Heights block. Consequently, it would be detrimental to our community and result in a decline in property value for existing neighbours. Therefore, I urge the Council to refuse the Applicant’s request and instead, encourage developer proposals under the current M-C2 LUD.

Sincerely,

Names and Addresses are held confidential pursuant to Section 17 (Disclosure to personal privacy) the *Freedom of Information and Protection of Privacy Act*.

Objection to Land Use Redesignation

File # - LOC2019-0196

September 8th, 2020

Re: Objection to land use redesignation from MC-2 to M-H1f3h22d425

From: Whitney Bastedo, Resides at Brisebois Place 702 - 333 2nd Ave NE

Hello, my name is Whitney Bastedo and I reside at 702, 333 2nd Avenue NE, southside, across from the alley of the proposed site. I have resided in my unit for the past 6 years and couldn't be prouder to be a part of the Crescent Heights Community. I chose Crescent Heights as it was an attractive and unique community within the city. Over the years, I have watched my community grow with further development along Centre Street and Edmonton Trail and have supported the local business wholeheartedly. I have reviewed the plans of the new project and do have some concerns, professionally, as I work in the A&D community in Calgary and personally, as some design details will directly affect me. Some of my concerns are:

1. The height of the building. If you have ever had the pleasure to visit our community, one of my favorite aspects is that most of the buildings are not higher than 4 stories. This enhances everyone's "right to light" within the community. In my specific unit, I enjoy access to sunlight in the mornings and with this new proposal, it would directly affect not only my privacy but my access to the sunshine. I'm concerned that a proper Shadow Study has not been conducted, which needs to be addressed to my building and those at 351 2nd Ave NE. The design's height will directly affect my unit's property value and views.
2. Density of the proposed project. It has come to my attention that this project is 3 times the minimum M-H1 limit. In my professional opinion, it has too large of a footprint considering the existing buildings in our community. The scale of the proposal isn't consistent with other buildings and I worry about the property lines. As well, if you have never personally travelled to this proposed location, I encourage you to go so that you can experience the dead-end cul-de-sac, narrow streets and one way in and out of the neighborhood. You should also consider the approval of the Bridgeland Car Wash project (186 units plus commercial), which will further impact our small neighborhood.
3. Parking in my neighborhood. Again, I encourage you to come visit the site and you can see that at any given day, most of the street parking is taken up by residents or downtown workers who walk to work. As well, there is very little street parking as the slope of the hill is quite steep which doesn't allow for a lot of spaces. Although I saw that the plan had

dedicated spots for visitors, I do not believe that they will be sufficient and people will take to parking on the already overcrowded and narrow streets. As well, I believe that my building's visitor spots will be affected as this project will have access to them. With the addition of the Car Wash Project and this, our streets will be overtaken with parked cars which inadvertently brings up my next point.

4. Increased Traffic. Due to the increased density of the proposed project and the additional parking that it will require, this will without doubt increase traffic in our already busy and narrow streets. As well, it's important to remember that this is only one way in and out of the proposed project which the existing infrastructure of narrow streets cannot support. As well, I believe the use of the old and pot-hole ridden alleyway between my building and the proposed site is a poorly thought out plan. The alleyway as it is barely allows residents to use it, let alone garbage or fire trucks in the event of an emergency.
5. Safety and Fire Access. In the event of an emergency or fire, how will Fire Trucks access this site? As it is now, our fire lane and access from 1st Ave NE is questionable and poses a safety concern to all buildings adjacent. When fire trucks are called to this neighborhood, they have a hard time maneuvering the streets and exiting fire lanes as it is. If this project is approved, this should be City Counsel's greatest concern and must be addressed.
6. Landscaping and lack of green space. Unfortunately, the proposed plan shows little green space which I think would help enhance our community.

In conclusion, I believe that the proposed project plan is poorly designed and there are many design flaws that will directly impact my community and do not align with Crescent Heights Community Vision and Goals. I would love to support a project that is mindful of the community's existing infrastructure and design elements, adds value to existing residents by not blocking our "right to light" and supports a safe community however, I do not believe that this project is it. I strongly urge City Council to listen to my neighbors and I, please do not sacrifice our quality of life and living for the financial payoff of a developer. Please support projects that enhance Calgary's beloved neighborhoods and work with the residents to support proper community consistency that benefit all stakeholders.

Thank you for your time and consideration,

Whitney Bastedo, B.I.D.