

February 13, 2017

**Submission of Affected Property Owners of Elysian Villas  
regarding Application for Land Use Amendment LOC2013-0091;  
Location 7327 26 ave. s.w.**

**1. SUBMISSION OF AFFECTED ADJACENT PROPERTY OWNERS**

The contact person regarding this submission is Gordon Meurin, 19 Elysian Cres. S.W.; phone 403 228 7914; email: [gmeurin@telus.net](mailto:gmeurin@telus.net).

I wish to be able to address the Mayor and Councillors on this matter when it comes up. I have been informed it is set for February 13. If the date changes, please advise.

- A. The purpose of this submission is not to oppose this application, except to the extent it has serious potential for flooding of adjacent landowners, and to ensure that any approval sets conditions to deal with that issue.
- B. The affected property owners are those landowners occupying the West side of Elysian Villas, (condominium plan No. 0711156), on Elysian Crescent S.W. All of those owners, including myself, reside to the East and to the South of the proposed development. All of these property owners have a high potential of being flooded by the proposed development if proper planning is not adhered to.
- C. There already exists to the South of this proposed development, another development (the Rockport Development), which also abuts Elysian Villas. That development has caused flooding onto Elysian Villas properties and onto other properties to the South of it. Those other properties have been flooded several times and a

lawsuit or lawsuits are pending against that developer, Rockport and the City for damages.

- D. When the Planning Commission met and approved this application going forward to City Council, those members did not have our submission before them. That submission is now attached to this submission as Exhibit A.
- E. Shawn Small, the City employee handling this file essentially dismissed those flooding concerns when he stated in his submission to the Planning Commission by stating in part:  
“..concerns are outlined as follows: overland drainage and flooding.....

Overland drainage will be captured by storm drains within the road right-of-way and by an overland drainage swale along the south and east boundary of the site. The overland drainage swale will connect with the existing swale to the south. Overland drainage will be reviewed through the future development permit or development agreement.”

- F. After the Planning Commission meeting Mr. Small admitted to the writer he was not an engineer, nor had he had anyone in the water department or any other department review the concerns expressed in Exhibit A. He further suggested it was the writer who should contact the water department to express my concerns. Further, the memory sticks I have attached for this submission (1 for each Councillor and the Mayor), show an email I sent to Mr. Small on July 25, 2016, attaching the videos. I take offence to my having to contact others at City Hall, and I suggest that those doing the approving should do their due diligence.
- G. The attached memory sticks show previous Rockport flooding during rainstorms in 2015 and 2016 onto Elysian Villas.
- H. **The Municipal Government Act**, section 617, dealing with planning matters states:

The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and

(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

**without infringing on the rights of individuals** for any public interest except to the extent that is necessary for the overall greater public interest. (my emphasis)

- i. When the City requires Environmental Assessments, as have been done in this case, consultants have inquired into hazards such as asbestos and leaky gasoline tanks, Those reports are not only looking at protecting the people who become owners on that land, they're also protecting adjacent landowners, such as Elysian Villas.
- ii. There is no reason why the City should not similarly inquire into and be assured that the development will not flood adjacent landowners of a severely sloped development.
- iii. Putting houses on that land should not mean that adjacent owners will be flooded, where no flooding occurred before.

I. Given that:

- i. The proposed site slopes down toward the Elysian Villas by approximately 40 feet (approximately 4 stories of a commercial building);
- ii. The proposed site presently does not flood Elysian Villas because it is primarily all grass, which absorbs the rainfall;
- iii. The Rockport development has already flooded properties to the South of it, resulting in lawsuit(s), and has flooded Elysian

Villas property, although no damages have occurred to any existing Elysian Villa residences.

- iv. This developer, by proposing to drain to and join the Rockport drainage swale, will only exacerbate the flooding potential to the South, both for Elysian Villas properties and properties to the South of Rockport;
- v. Shawn Small, the City's employee handling this file, in dismissing the above concerns, has also chosen to ignore:
  - 1. *The proposed **dense** development, once completed, will result in a substantial loss of drainable area, since grass will be replaced by buildings, driveways, and the road, as well as any decks constructed. None of those absorb water. Any drainage calculations will have to take into effect the loss of absorbable area.*
  - 2. *The slope of the roadway, the slope of the proposed cul de sac, and the size of any storm drains, could result in the water draining onto the roadway, gathering **momentum** and rushing past any storm drains, and onto Elysian Villas.*
  - 3. *What would happen to rainwater **during construction** when the topsoil is completely removed, leaving an impermeable clay. Clearly, during construction, the risk of flooding is far higher. See the Rockport videos.*
  - 4. *None of these concerns have been addressed by the City, and the City should do so.*
  - 5. *Given the present economy, it's not unreasonable to predict it could be 5 years from the time top soil clearing begins, until all lots were developed, built on, sold, and landscaped with grass. The Rockport development is not complete, and has been under construction for several years, and flooding is still occurring.*
- J. In 2016, someone (whether it was the City or Rockport is not known), placed a form of sandbags on the Rockport drainage swale, presumably to slow the water flow to the southern



(previously flooded) properties. Those sandbags merely diverted the rainwater onto Elysian Villas. The flooding in these videos occurred during common summertime rainstorms, and not the extraordinary one that flooded the City in 2013.

- K. Now the developer, in this application, is proposing a North-South drainage swale to tie into the existing North-South drainage swale of Rockport, to the South. Increasing the water flow onto the Rockport development property will only exacerbate flooding below.
- L. While in meetings, the Developer's consultants have said the road and storm drains are designed to Code, they have never indicated any backup or plans to deal with construction, or whether the water draining onto the roadway to the end of the cul de sac will stop there or because of its momentum, just keep going onto the Elysian Villas properties.
- M. Any form of Code that the consultant refers to is a bare minimum, and it's doubtful it deals with severe slopes like this proposal.

### **Nuisance and Negligence**

- N. Any discussions regarding liability are unnecessary if things are done properly in the first instance, namely at this stage.

### **Approval (or rejection)**

- O. The National Energy Board attaches conditions to approvals for pipelines. There is no reason why, if this council decides to approve the development, it cannot attach ongoing conditions, particularly regarding the flooding concerns.
- P. If this Council sees fit to approve the development regarding change of density, etc. I suggest the approval be conditional, and such conditions be part of the approval.

- Q. The writer met with Mr. Bob Ding, the President of the developer on January 16, 2017, to discuss the concerns I have expressed. He told me the consultants have done extensive work to alleviate the concerns regarding drainage.
- R. However, there is nothing to suggest any proposed designs (of which I'm not a part, nor could I comment on technically), need to be adhered to upon approval (if that approval merely says the development can go ahead).
- S. I suggested to Mr. Ding, an agreement with the city that would allow a stop order or an injunction, and a form of insurance or bond for adjacent homeowners in the event of flooding. Mr. Ding did not agree to that.
- T. Home insurance policies generally no longer cover overland flooding.
- U. There is no ostensible equity in this property, as the Certificate of Title (Exhibit B), shows (purchase price and mortgage the same amount, and an assessed value by the City in 2015 of \$675,000).
- V. When I practiced law, and people would promise things, but would not commit them to any written form, or measures in the event of breach of their promises, it raised questions of their intention of carrying out those promises.
- W. Consequently, if this application is approved, I suggest conditions should include at least the following:
- i. No flooding onto adjacent lands should occur either during construction or on completion of the development;
  - ii. After completion of construction, there should be no alterations to anything approved on the entire parcel that might affect drainage, such as altering road slopes, cul de sac catch basins, drainage swales, retaining walls, eaves trough drainage, or the like.

- iii. Breach of such conditions resulting in flooding could be enforced both by injunctive relief by any affected party, as well as a stop order by the City, and a claim for damages.
- iv. The developer should post a bond, sufficient to satisfy any damages occurring from flooding, similar to wage and material bonds or completion bonds in construction contracts, that anyone suffering flooding damage could claim against.
- v. There should be a restrictive covenant placed on each lot of this development to ensure continuity and no unilateral, unannounced changes to anything affecting drainage, as well as a requirement for maintenance of drainage matters that covers all owners of this development.
- vi. Planning involves not just density of development, it involves safety to the public and neighbouring properties. The environmental assessments done, the reports filed, are an indication of that kind of concern by the City. Given the unique character of this sloping property, there is no reason why the City should not act with due diligence regarding flooding of neighbouring properties.

**X. In other words, if proper safeguards are taken at this stage, there should be less concern regarding flooding.**

**Y.** All of which is respectfully submitted by  
Gordon Meurin, P. Eng. (retired), Q.C. (retired)

Exhibit A  
(Filed for planning  
Commission)

**Submission of Affected Property Owners and Elysian Villas  
regarding Application for Land Use Amendment LOC2013-  
0091; Location 7327 26 ave. s.w.**

The contact person regarding this submission is Gordon Meurin, 19 Elysian Cres. S.w.; phone 403 228 7914; email: [gmeurin@telus.net](mailto:gmeurin@telus.net)

These respondents realize this land will be developed at some point in time but have concerns and objections regarding certain aspects of this application. They are interrelated, but can be summarized, not necessarily in order of importance, as:

- Flooding, nuisance, liability
- Density
- Shading and privacy issues

**Flooding, nuisance, liability**

This relates to the severe, unusual slope of the proposed development; 12 meters (approximately 40 feet or 4 stories of a normal building). It is urged that anyone who has a part of the approval process should visit the property to get a real physical view of the problems to be faced.

Elysian Villas is the existing condominium development immediately to the east of the proposed development and the first to be affected by runoff and the potential for flooding.

This submission is made on behalf of those in Elysian Villas immediately adjacent and below the proposed development, and the Condominium Corporation itself. This area has not been flooded by the proposed development land, given that rainfall is presently absorbed.

Issues relating to flooding are:

1. the present vegetated area will be substantially replaced by houses, decks, driveways and a street.
2. With the proposed increased density of 11 lots, and the proposed secondary suites, the footprints of houses, patios, decks and driveways would likely be larger than single family dwellings.
3. the single street will have a substantial slope, ending in a cul de sac. The proposal is a 2 storm sewer drainage inlets at the end of the cul de sac, and a 2% upslope at the eastern end of the cul de sac to catch or stop the water.
4. This raises 2 issues:
  - a. the capacity of the storm sewer and catch basins to carry the increased amount of water that is presently absorbed by all the vegetation; and
  - b. the momentum of the water flowing down the street during a storm. Are the catch basins large enough to handle that water, and secondly, is the slope upward at the eastern portion of the cul de sac sufficient to stop the water from continuing on the the Elysian Villas property and buildings. Most people have probably stood on a sloped street during a rainfall or heavy melt, and seen water rushing past a catch basin. If that was to happen in this case, the water would flow directly onto Elysian Villas, and could result in severe flooding damage, not to mention inconvenience.
5. 5. During meetings with the developer and his consultants, a 10 foot berm at the eastern boundary was discussed, for both absorption and drainage. Their proposal was that this eastern berm and a southern

berm would drain south and join the Rockport berm to the south. This would only worsen drainage issues for both Elysian Villas and property owners to the south of Rockport Development, who have already been flooded.

6. 6. Another substantial issue will predate the above concerns, **namely what happens during construction?**

Normal construction practice is to remove all topsoil until residences are completed. This would leave a substantial area with a relatively impermeable clay on the surface that would absorb little if any water during a rainfall, and if not planned for properly, would flood Elysian Villas.

Flooding has occurred below the development immediately south of this one (Rockport Development), and will continue to occur with the lack of vegetation to absorb rainfall. These floods have occurred in what can be called ordinary summer storms.

7. If any approval is given, it should include conditions to prevent flooding during construction, including security of some sort for potential damage, as well as stop orders, should conditions not be adhered to.

### **Nuisance**

Flooding would result in a lawsuit for nuisance. The legal concept of nuisance is one person altering his land so as to cause damage to his neighbours. Putting a dam on your property so water runs onto a neighbour's is an obvious example, but so would this development be a nuisance if it resulted in flooding to Elysian Villas where none occurred before.

## **Liability**

Those that cause the wrong are liable for it. This includes the developer, the consultants of the developer if their design is faulty, the City itself.

Additionally City employees and elected officials have only a very limited exemption from liability under the Municipal Government Act, namely only if they have acted in good faith (unlike the exemption of gross negligence involving snow and ice on roadways). It would not be good faith to approve a development where flooding is eminently foreseeable and they do nothing to prevent it.

## **Density**

1. This issue has already been touched upon above
2. The number of lots do not fit with the general scheme along Elvedon Drive S.W
3. The secondary suites will only exacerbate parking and driveway issues on a small street. Garages will have to be entered from the street, and parking will be at a premium, resulting in demand for larger driveways, lessening absorbable vegetation.
4. No dedicated, practical use, community reserve is part of this proposal, particularly for the east boundary. Any proposed berm there should be increased, for absorption, drainage and community reserve.

## **Shading and Privacy issues**

This larger number of lots would result in houses being closer to, and looking into and onto, not only the yards and private decks of Elysian Villas, but their bedrooms.

If there were fewer lots, such houses would be further removed from the bedrooms of Elysian Villas. If the berm was wider, houses would also be further from Elysian Villas

Additionally street lights, presumably at the end of the cul de sac, would shine into the Elysian Villa bedrooms.

Headlights from vehicles travelling east on the proposed street would shine their lights onto Elysian Villas.

The close proximity of houses at the east end of the proposed development would put the Elysian Villas in substantial shade.

### **Possible Solutions**

In meetings, the developer's consultants have proposed a form of retaining walls and landscaping at the east end of the cul de sac. At one of the meetings with these affected parties, the developer proposed a 10' or 3 meter berm for drainage purposes, which would also set the houses further west. That aspect doesn't appear here.

Landscaping, while a partial solution would not result in any long-term solution for Elysian Villas. The 2 most easterly lots, where the landscaping and retaining walls would be located, would not want the expense of maintaining retaining wall and landscaping on their own.



The solution would be to have a restrictive covenant on all lots, however many are approved, requiring all lots to bear the cost and responsibility of maintaining these.

Similarly, the developer has proposed in meetings, to have all drainpipes draining onto the street, rather than the back of each lot so there would not be excess water flowing onto Elysian Villas.

A number of problems arise with that approach.

1. Conditions that the developer might agree to, would not necessarily be binding on a subsequent builder of houses, nor would it bind property owners unless a restrictive covenant attached to all lots.
2. Similarly, driveways and decks and patios could be expanded almost indefinitely, again disrupting drainage patterns.

Any deviation from a restrictive covenant should result in stop orders, injunctions and damage claims.

The developer has limited assets, on the surface, to comply; a search of the title shows a corporate owner purchasing the land for \$1.8 million and an immediate mortgage for the same amount to another corporation, leaving no equity in the land.

**Summary of relief or conditions requested:**

1. Rejection of the increased density;
2. Rejection of the secondary suites
3. Ensuring proper design and construction during ALL periods so no flooding occurs, either initially, or after completion of all development. This should also

include a proper engineering factor of safety built into the design

4. A larger drainage berm on the east side, giving more privacy and assurance of no flooding
5. Street lighting such that they are directed away from the Elysian Villas
6. Landscaping and retaining walls for both drainage and privacy of Elysian Villas
7. All of the above attached to the entire development by a restrictive covenant and at their cost.

Attached to the email accompanying this submission is the letter of concern/support of the condominium corporation of Elysian Villas to this submission. There are 36 units in the corporation, but the ones below have the most potential to be affected. If flooding did occur, it would likely affect the saleability and market price of those units, and could affect the pricing of all units in the complex.

This is also sent on behalf of the following Elysian Villa property owners most immediately affected by this application, namely;

Laurie Galipeau, unit 3  
Hannah Christensen, unit 7  
Kim Devlin, unit 11,  
Don McPherson, unit 15  
Gordon and Linda Meurin, unit 19  
Anatoli and Bluma Schtivelman, unit 23  
Dodi Salt, unit 27

All of which is respectfully submitted.

Gordon Meurin, Q.C. (former P.Eng.-retired)



Exhibit B

LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0015 883 052           3530AK;A;16           131 050 184

LEGAL DESCRIPTION

PLAN 3530AK  
BLOCK 'A'  
THE WEST HALF OF LOT SIXTEEN (16)  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;2;24;10;SE  
ESTATE: FEE SIMPLE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 071 454 123

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
131 050 184	28/02/2013	TRANSFER OF LAND	\$1,800,000	\$1,800,000

OWNERS

ELVEDEN DEVELOPMENTS LTD.  
OF UNIT 5, 2702 - 48 AVENUE SE  
CALGARY  
ALBERTA T2B 0M7  
(DATA UPDATED BY: CHANGE OF NAME 161018394)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
131 051 462	01/03/2013	MORTGAGE MORTGAGEE - YUCHANG DING UNIT 5, 2702-48 AVENUE SE CALGARY ALBERTA T2B0M7 ORIGINAL PRINCIPAL AMOUNT: \$1,800,000

TOTAL INSTRUMENTS: 001

( CONTINUED )

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 24 DAY OF MARCH,  
2016 AT 10:04 A.M.

ORDER NUMBER: 30343299

CUSTOMER FILE NUMBER: 19439klym



\*END OF CERTIFICATE\*

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THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

## VIDEO SUBMISSIONS – Letter 1

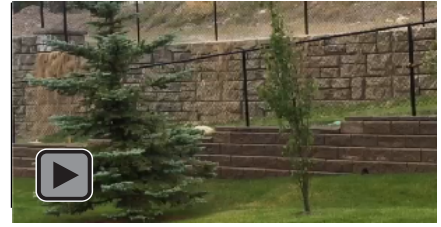
1



2



3



The videos submitted as a part of this public submission can be viewed online at <http://agendaminutes.calgary.ca/> in Attachment 3 of this item for the 2017 February 13 Combined Meeting of Council, or via the distributed electronic agenda packet (internal only)

Smith, Theresa L.

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**From:** Perry and Karen McCormack [mccormackkarenandperry@gmail.com]  
**Sent:** Thursday, February 02, 2017 6:26 AM  
**To:** City Clerk; Pootmans, Richard; Executive Assistant Ward 6; planning@springbankhill.org  
**Subject:** Objection to Landuse redesignation for 7327-26 Ave SW Plan 3530AK, Block A Lot 16  
**Attachments:** Objection to Land Use Zone Bylaw 7327 - 26 Ave.docx

RECEIVED  
2017 FEB -2 AM 8:01  
THE CITY OF CALGARY  
CITY CLERK'S

RECEIVED

January 30, 2017

Perry and Karen McCormack  
10 Elveden Heights S.W.  
Calgary, AB, T3H 0L1

2017 FEB -2 AM 8:02  
THE CITY OF CALGARY  
CITY CLERK'S

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
P.O. Box 2100, Postal Station "M"  
Calgary, AB, T2P 2M5

**RE: OBJECTION to LANDUSE REDESIGNATION for land located at 7327 – 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s**  
**CPC 2017-042 / LOC 2016-0091**  
**BYLAWS 7P2017 AND 46D2017**  
**Public Hearing Monday, February 13 at 9:30am**

**Dear Honorable City Clerk, City Councilors, Mayor and Administration,**

We are writing today regarding the above application. We support the land use designation from DC to R-1s however we strongly object to the proposed amendment to the East Springbank Area Structure Plan for this development, which proposes a change in density and lot size from 1.0 – 3.0 units per acre and minimum 10,000 ft<sup>2</sup> lot size to 4.0-7.0 units per acre and no minimum lot size.

The location of this development site is situated on the corner of Elveden Drive and 26 Ave (noted below in red cross hatch). All the development around the hill (Yellow Outline) is 1.0 – 3.0 unit per acre, estate home and acreage developments. All infill developments approved in the area have been approved at the ASP designated lower density. There is a clear dividing line of 26 Ave to the North and along the East Boundary of the subject property that distinguishes the low density from high density development.

We strongly feel that the proposed subject bylaw amendments should be rejected for the following reasons:

1. If high density development is approved on this lot it will decrease the property values of the offsetting estate homes that line Elveden Drive and Elveden Hill.

2. The proposed lot sizes along with the overland drainage easements for the proposed 11 home site development will result in very small homes that do not fit into the area.
3. The subject site sits outside the LRT infill density radius for high density development and the City will not benefit from density in this area.
4. The proposal for this development suggest that leaving the 40ft+ mature spruce trees on the SE corner of the intersection of Elveden Drive and 26 Ave is appropriate however having lived in this area for over 3 years it creates a huge blind spot for traffic turning off and onto Elveden Drive and extremely dangerous for pedestrians crossing the street! With the construction of the new school (Griffith Woods) on the NW corner of the intersection it will create even further safety concerns with children crossing the street in the area. We support saving mature vegetation when possible and if appropriate, however in this instance it is a gross oversight to leave those trees in place with the alignment of the intersection as is.
5. The proposed grading of this site appears to be created from a cost savings perspective rather than creating a development that makes sense and fits into the community. The extreme grade changes coupled with the small lot sizes will create a very "choppy" development that will not be functional to the internal development and not esthetically pleasing to the offsetting properties.

**Figure 1. Elveden Hill**





We appreciate the City Councils and administrations desire for increased densification of urban neighborhoods however we feel the proposed densification in this development is inappropriate and poorly engineered for this site. We request that City Council reject the proposed development and bylaw amendments and maintain the East Springbank Area Structure Plan as it is currently drafted to maintain the integrity, safety and flow of the Springbank Hill Community and specifically Elveden Hill.

Thank you in advance for your time and consideration and we trust you will make the correct decision.

Best Regards,

Perry and Karen McCormack

cc.

Alderman Pootmans ([richard.pootmans@calgary.ca](mailto:richard.pootmans@calgary.ca))

Ward 6 Community Liaison ([Ward6@calgary.ca](mailto:Ward6@calgary.ca))

Executive Assistant to Ward 6 ([eaward6@calgary.ca](mailto:eaward6@calgary.ca))

Springbank Hill Community Association ([planning@springbankhill.org](mailto:planning@springbankhill.org))

**Smith, Theresa L.**

---

**From:** Waseem Sinjakli [wsinjakli@gmail.com]  
**Sent:** Wednesday, February 01, 2017 10:18 PM  
**To:** City Clerk  
**Cc:** Pootmans, Richard; Commn. & Community Liaison - Ward 6; Executive Assistant Ward 6; planning@springbankhill.org  
**Subject:** Objection to land use redesignation for land located at 7327 - 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
**Attachments:** Objection to Land Use Zone Bylaw 7327 - 26 Ave.WSinjakli.docx

To the attention of the City Clerk,

I am writing to submit my objection to the proposed land use re-designation and ASP amendment (Bylaws 7P2017 and 46D2017). Please refer to the attached letter outlining my concerns.

Thank you in advance for you time and consideration.

Sincerely,

Waseem Al Sinjakli  
[wsinjakli@gmail.com](mailto:wsinjakli@gmail.com)

RECEIVED  
2017 FEB -2 AM 8:05  
THE CITY OF CALGARY  
CITY CLERKS

RECEIVED

2017 FEB -2 AM 8: 05

THE CITY OF CALGARY  
CITY CLERKS

Waseem Al Sinjakli  
6 Elveden Heights S.W.  
Calgary, AB, T3H 0L1

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
P.O. Box 2100, Postal Station "M"  
Calgary, AB,  
T2P 2M5

January 31, 2017

RE: OBJECTION to LANDUSE REDESIGNATION for land located at  
7327 – 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
CPC 2017-042 / LOC 2016-0091  
BYLAWS 7P2017 AND 46D2017  
Public Hearing Monday, February 13 at 9:30am

Dear Honorable City Clerk, City Councilors, Mayor and Administration,

I am writing today regarding the above application. My family and I are new residents to the community, and live in a new home immediately adjacent to the proposed properties. The proposed development directly impacts my family, our property, and our neighbours, and I hope and trust that you take the concerns that my neighbours and I are raising into advisement when you consider your decision.

While I support the land use designation from DC to R-1s, I **strongly object** to the proposed amendment to the East Springbank Area Structure Plan for this development which proposes a change in density and lot size from 1.0 – 3.0 units per acre and minimum 10,000 ft<sup>2</sup> lot size to 4.0-7.0 units per acre and no minimum lot size.

The location of this development site is situated on the corner of Elveden Drive and 26 Ave (noted below in red cross hatch). All of the development around the hill (Yellow Outline) is 1.0 – 3.0 unit per acre, estate home and acreage developments. All infill developments approved in the area have been approved at the ASP designated lower density. There is a clear dividing line of 26 Ave to the North and along the East Boundary of the subject property that distinguishes the low density from high density development.

I strongly recommend that the proposed subject bylaw amendments be rejected for the following reasons:

1. If high density development is approved on this lot it will decrease the property values of the offsetting estate homes that line Elveden Drive and Elveden Hill.
2. The proposed lot sizes along with the overland drainage easements for the proposed 11 home site development will result in very small homes that do not fit into the area.
3. The site in question sits outside the LRT infill density radius for high density development and the City will not benefit from density in this area.



Sincerely,

Waseem Al Sinjakli

cc.

Alderman Pootmans ([richard.pootmans@calgary.ca](mailto:richard.pootmans@calgary.ca))

Ward 6 Community Liaison ([Ward6@calgary.ca](mailto:Ward6@calgary.ca))

Executive Assistant to Ward 6 ([eaward6@calgary.ca](mailto:eaward6@calgary.ca))

Springbank Hill Community Association ([planning@springbankhill.org](mailto:planning@springbankhill.org))

**Smith, Theresa L.**

---

**From:** Wasseem Sinjakli [waseem\_sinjakli@rogers.com]  
**Sent:** Wednesday, February 01, 2017 10:21 PM  
**To:** City Clerk  
**Cc:** Pootmans, Richard; Commn. & Community Liaison - Ward 6; Executive Assistant Ward 6; planning@springbankhill.org  
**Subject:** Letter outlining objections to land use redesignation for land located at 7327 - 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
**Attachments:** Objection to Land Use Zone Bylaw 7327 - 26 Ave.FSinjakli.pdf  
**Importance:** High

Dear City Clerk,

I am writing to submit my objection to the proposed land use re-designation and ASP amendment (Bylaws 7P2017 and 46D2017). Please refer to the attached letter outlining my concerns.

Thank you in advance for you time and consideration.

Sincerely,

Felix M. Sinjakli

RECEIVED  
2017 FEB -2 AM 8:05  
THE CITY OF CALGARY  
CITY CLERKS

RECEIVED

2017 FEB -2 AM 8:05

THE CITY OF CALGARY  
CITY CLERK'S

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
P.O. Box 2100, Postal Station "M"  
Calgary, AB,  
T2P 2M5

Felix M. Sinjakli  
6 Elveden Heights S.W.  
Calgary, AB, T3H 0L1

January 31, 2017

RE: OBJECTION to LANDUSE REDESIGNATION for land located at  
7327 – 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
CPC 2017-042 / LOC 2016-0091  
BYLAWS 7P2017 AND 46D2017  
Public Hearing Monday, February 13 at 9:30am

Dear Honorable City Clerk, City Councilors, Mayor and Administration,

I am writing today regarding the above application. My family and I are new residents to the community, and live in a new home immediately adjacent to the proposed properties. The proposed development directly impacts my family, our property, and our neighbours, and I hope and trust that you take the concerns that my neighbours and I are raising into advisement when you consider your decision.

While I support the land use designation from DC to R-1s, I **strongly object** to the proposed amendment to the East Springbank Area Structure Plan for this development which proposes a change in density and lot size from 1.0 – 3.0 units per acre and minimum 10,000 ft<sup>2</sup> lot size to 4.0-7.0 units per acre and no minimum lot size.

The location of this development site is situated on the corner of Elveden Drive and 26 Ave (noted below in red cross hatch). All of the development around the hill (Yellow Outline) is 1.0 – 3.0 unit per acre, estate home and acreage developments. All infill developments approved in the area have been approved at the ASP designated lower density. There is a clear dividing line of 26 Ave to the North and along the East Boundary of the subject property that distinguishes the low density from high density development.

I strongly recommend that the proposed subject bylaw amendments be rejected for the following reasons:

1. If high density development is approved on this lot it will decrease the property values of the offsetting estate homes that line Elveden Drive and Elveden Hill.
2. The proposed lot sizes along with the overland drainage easements for the proposed 11 home site development will result in very small homes that do not fit into the area.
3. The site in question sits outside the LRT infill density radius for high density development and the City will not benefit from density in this area.





Sincerely,

Felix M. Sinjakli

cc.

Alderman Pootmans ([richard.pootmans@calgary.ca](mailto:richard.pootmans@calgary.ca))

Ward 6 Community Liaison ([Ward6@calgary.ca](mailto:Ward6@calgary.ca))

Executive Assistant to Ward 6 ([eaward6@calgary.ca](mailto:eaward6@calgary.ca))

Springbank Hill Community Association ([planning@springbankhill.org](mailto:planning@springbankhill.org))

**Smith, Theresa L.**

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**From:** Sara Austin [saralaustin10@gmail.com]  
**Sent:** Wednesday, February 01, 2017 9:05 PM  
**To:** City Clerk  
**Cc:** Pootmans, Richard; Commn. & Community Liaison - Ward 6; Executive Assistant Ward 6; planning@springbankhill.org  
**Subject:** Objection to Land Use Re-Designation at 7327 - 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
**Attachments:** Objection to Land Use Zone Bylaw 7327 - 26 Ave.SAustin.pdf  
**Importance:** High

Dear City Clerk,

I am writing to submit my objection to the proposed land use re-designation and ASP amendment (Bylaws 7P2017 and 46D2017).

Please refer to the attached letter outlining my concerns.

Thank you in advance for you time and consideration.

Sara L. Austin  
[Saralaustin10@gmail.com](mailto:Saralaustin10@gmail.com)  
403-475-1789

RECEIVED  
2017 FEB -2 AM 8:06  
THE CITY OF CALGARY  
CITY CLERKS

RECEIVED

2017 FEB -2 AM 8: 07

THE CITY OF CALGARY  
CITY CLERK'S

Sara L. Austin  
6 Elveden Heights S.W.  
Calgary, AB, T3H 0L1

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
P.O. Box 2100, Postal Station "M"  
Calgary, AB, T2P 2M5

February 1, 2017

RE: OBJECTION to LANDUSE REDESIGNATION for land located at  
7327 – 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
CPC 2017-042 / LOC 2016-0091  
BYLAWS 7P2017 AND 46D2017  
Public Hearing Monday, February 13 at 9:30am

Dear Honorable City Clerk, City Councilors, Mayor and Administration,

I am writing today regarding the above application. I am a new resident to the community, and live in a brand new home immediately adjacent to the proposed properties, so this directly impacts my family, our property, and our neighbours. I hope and trust that you take the concerns that my neighbours and I are raising into advisement when you consider your decision.

While I support the land use designation from DC to R-1s, I strongly object to the proposed amendment to the East Springbank Area Structure Plan for this development which proposes a change in density and lot size from 1.0 – 3.0 units per acre and minimum 10,000 ft<sup>2</sup> lot size to 4.0-7.0 units per acre and no minimum lot size.

The location of this development site is situated on the corner of Elveden Drive and 26 Ave (noted below in red cross hatch). All of the development around the hill (Yellow Outline) is 1.0 – 3.0 unit per acre, estate home and acreage developments. All infill developments approved in the area have been approved at the ASP designated lower density. There is a clear dividing line of 26 Ave to the North and along the East Boundary of the subject property that distinguishes the low density from high density development.

I strongly recommend that the proposed subject bylaw amendments be rejected for the following reasons:

1. If high density development is approved on this lot it will decrease the property values of the offsetting estate homes that line Elveden Drive and Elveden Hill.
2. The proposed lot sizes along with the overland drainage easements for the proposed 11 home site development will result in very small homes that do not fit into the area.

3. The site in question sits outside the LRT infill density radius for high density development and the City will not benefit from density in this area.
4. The proposal for this development suggest that leaving the 40ft+ mature spruce trees on the SE corner of the intersection of Elveden Drive and 26 Ave is appropriate. However, this creates a huge blind spot for traffic turning off and onto Elveden Drive and with the construction of the new school (Griffith Woods) on the NW corner of the intersection it will create even further safety concerns with children crossing the street in the area. I support saving mature vegetation when possible and if appropriate, however in this instance it is a gross oversight to leave those trees in place with the alignment of the intersection as is.
5. The proposed grading of this site appears to be created from a cost savings perspective rather than creating a development that makes sense and fits into the community. The extreme grade changes coupled with the small lot sizes will create a very choppy development that will not be functional to the internal development and not be esthetically pleasing to the offsetting properties.

**Figure 1. Elveden Hill**



I appreciate the City Council's and administration's desire for increased densification of urban neighborhoods, however I feel the proposed densification in this development is completely inappropriate and poorly engineered for this site.

As such, I request that City Council reject the proposed development and bylaw amendments and maintain the East Springbank Area Structure Plan as it is currently drafted to maintain the integrity, safety and flow of the Springbank Hill Community and specifically Elveden Hill.

Thank you in advance for your time and consideration and I trust you will make the correct decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Austin", with a stylized flourish at the end.

Sara L. Austin

cc.

Alderman Pootmans ([richard.pootmans@calgary.ca](mailto:richard.pootmans@calgary.ca))

Ward 6 Community Liaison ([Ward6@calgary.ca](mailto:Ward6@calgary.ca))

Executive Assistant to Ward 6 ([eaward6@calgary.ca](mailto:eaward6@calgary.ca))

Springbank Hill Community Association ([planning@springbankhill.org](mailto:planning@springbankhill.org))

**Smith, Theresa L.**

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**From:** Chris Friesen [friesenchris@shaw.ca]  
**Sent:** Wednesday, February 01, 2017 5:34 PM  
**To:** City Clerk  
**Cc:** Pootmans, Richard; Commn. & Community Liaison - Ward 6; Executive Assistant Ward 6; planning@springbankhill.org  
**Subject:** OBJECTION to LANDUSE REDESIGNATION for land located at 7327 - 26 Ave S.W. (Plan 3530AK, Block A, Lot 16) from DC to R-1s  
**Attachments:** Objection to Land Use Zone Bylaw 7327 - 26 Ave.pdf

Good Evening City Clerk,

Please find attached the following objection to the proposed land use re-designation and ASP amendment (Bylaws 7P2017 and 46D2017)

Thank you in advance for you time and consideration.

Cheers  
Chris

**Chris Friesen**  
Cell: 587.999.0202  
[friesenchris@shaw.ca](mailto:friesenchris@shaw.ca)

RECEIVED  
2017 FEB -2 AM 8:08  
THE CITY OF CALGARY  
CITY CLERK'S

RECEIVED

January 30, 2017

2017 FEB -2 AM 8: 09

THE CITY OF CALGARY  
CITY CLERK'S

Chris and Christy Friesen  
26 Elveden Heights S.W.  
Calgary, AB, T3H 0L1

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
P.O. Box 2100, Postal Station "M"  
Calgary, AB, T2P 2M5

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We strongly feel that the proposed subject bylaw amendments should be rejected for the following reasons:

1. If high density development is approved on this lot it will decrease the property values of the offsetting estate homes that line Elveden Drive and Elveden Hill.

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We appreciate the City Councils and administrations desire for increased densification of urban neighborhoods however we feel the proposed densification in this development is inappropriate and poorly engineered for this site. We request that City Council reject the proposed development and bylaw amendments and maintain the East Springbank Area Structure Plan as it is currently drafted to maintain the integrity, safety and flow of the Springbank Hill Community and specifically Elveden Hill.

Thank you in advance for your time and consideration and we trust you will make the correct decision.

Best Regards,

Chris and Christy Friesen

cc.

Alderman Pootmans ([richard.pootmans@calgary.ca](mailto:richard.pootmans@calgary.ca))

Ward 6 Community Liaison ([Ward6@calgary.ca](mailto:Ward6@calgary.ca))

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