

Smith, Theresa L.

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**From:** rgsmith@shaw.ca  
**Sent:** Tuesday, January 31, 2017 10:25 AM  
**To:** City Clerk  
**Cc:** Carra, Gian-Carlo S.; Executive Assistant - Ward 9; Brar, Sabrina K.  
**Subject:** Land Use Change Application LOC2016-0015 1916 - 62nd Ave SE  
**Attachments:** Land Use Change Appl- LOC2016-0015.pdf

Attached is correspondence which we request be included with the Planning Report that will be on the Council Agenda for February 13, 2017. We believe it is item 39 of the public hearing portion of the Agenda.

Thank you

Rick Smith  
Millican Ogden Community Association

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2017 JAN 31 AM 11:28  
THE CITY OF CALGARY  
CITY CLERK'S



# MILlicAN-OGDEN COMMUNITY ASSOCIATION

January 31, 2017

Calgary City Council

RECEIVED  
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THE CITY OF CALGARY  
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Re – Comments of the Millican Ogden Community Association  
Re: Land Use Change Application LOC2016-0015  
1916 – 62<sup>nd</sup> Avenue SE, Calgary [Ogden]  
Applicant – DigitalWorld Mapping Inc

This letter is intended to express the opposition of the Millican Ogden Community Association to Land Use Change Re-designation Application LOC2016-0015.

As explained in earlier correspondence, this property first came to the attention of the Millican Ogden Community Association in April, 2015. The property had been listed for sale for some time but without success. We were contacted by the owner asking for input into the concern that had become evident – that the dwelling on the site is sitting across two separate lots that each carry a different Land Use designation – one residential, one commercial. The building on the site was originally built and occupied as a home and remains looking very similar to the other residential units on the street, but several years ago it was purchased by the current owner and occupied as a commercial office for a digital mapping company. Admittedly there have never been any complaints about this business operation out of this location.

We are aware that the owner has no plans to develop this property, but rather the primary objective at this time is to sell this property. The Millican Ogden Community Association's concerns that were expressed at the original application stage about extending the commercial zoning remain unchanged. Our primary concern is that there is no plan should the change to C-N2 be approved. As explained, the structure on this property was built as a home – it looks like a home, and fits in with all of the other homes on the street and in the neighbourhood. If this Land Use change is approved, it is unlikely that the property will be marketed to a potential home buyer but rather to a commercial developer. The C-N2 designation contains many uses that the Community Association feels would not be suitable to that location. We had requested that the applicant and the City consider a Direct Control designation for both lots that would identify those commercial uses that would be compatible to a primarily residential street, but more importantly to remove those uses that would not be welcome in the neighborhood. Unfortunately the City planners have advised that this application does not qualify under the City's regulations for Direct Control.

MOCA's primary concern is that the C-N2 designation is quite intensive in its list of permitted and discretionary uses, and if approved, because the current owner is simply trying to sell this property, there is a degree of uncertainty as to what a future purchaser might have planned for the site. If this application was being presented with a specific use attached, our position might be entirely different.

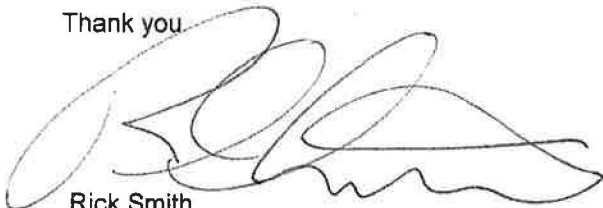
We are aware that at CPC, Councillor Carra introduced a Motion Arising that made reference to the anticipated City-initiated land use re-designations that will be part of the Area Redevelopment Plan that is being proposed and expected to be at Council in the coming months. It is our understanding that the land use re-designations proposed for this corridor through the ARP are less intensive than the C-N2 land use that is proposed by this application and this another reason why we object to the expansion of the existing C-N2 district.

To be clear, we understand and sympathize with the applicant's predicament of trying to sell a building that sits over two lots with different land use designations, and we understand that consistency in zoning would be better for a sale. We also understand that the neighboring property to the east is currently zoned C-N2 and is currently occupied as a neighborhood convenience store. Our struggle at this time is allowing the expansion of commercial uses into a residential street without an indication of what is being proposed and in advance of the Area Redevelopment Plan for the neighbourhood.

In conclusion, it is not our intention to block the applicant's plans to sell the property, but the matter before you today is a Land Use Change to allow commercial uses without knowing what commercial use is being considered for the site. We are not necessarily opposed to a commercial use on the site, but we are opposed to an expansion of the commercial land use district into a residential street without a plan, and without some indication of what the neighbours can expect from a future purchaser. This is not an outline plan of a new subdivision, but rather it is an established neighbourhood that is primarily residential. We believe it to be unfair to leave the local residents with a degree of uncertainty as to what use could possibly show up at that location, and potentially the entire corner with four consecutive commercially zoned lots.

Again, the Millican Ogden Community Association recognizes that the current owner has a problem with two lots where the land use designations do not match, but we understand that the ultimate objective of this application exercise is to put this property into a position where it can be better marketed for sale, and with all due respect, we feel this is not a valid reason to expand the commercial district. We ask that City Council, be extremely cautious in their review of this application in respect of whether the proposed use – Commercial – Neighbourhood 2 [CN-2] District is the highest and best use for this site. The Millican Ogden Community Association is concerned that expanding the commercial zoning at this location, only serves to leave the neighbourhood with a degree of uncertainty as to what they might expect in the way of future commercial redevelopment, and we respectfully request that this application for Land Use change be refused, or alternatively, delayed until after the ARP is approved and there is confirmation of the City-initiated land use re-designations that are being proposed for this corridor.

Thank you



Rick Smith  
President, Millican Ogden Community Association

Cc - Councillor Gian-Carlo Carra

