

Community Association Comments



HOUNSFIELD HEIGHTS – BRIAR HILL

COMMUNITY ASSOCIATION

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Delivered via email (Matt.Rockley@calgary.ca, cpag.circ@calgary.ca)

City of Calgary

Attn: Matt Rockley Re: LOC2019-0160

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Mr. Rockley,

Separate and apart from the land use redesignation application for 1922 & 1924 10 Ave NW (LOC2019-0160) circulated in late 2019 on which the Hounsfield Heights Briar Hill Community Association (HHBH CA) provided comment at the time, please consider the comments from HHBH CA on behalf of the community regarding the subsequent application for an amendment to the Hounsfield Heights Briar Hill Area Redevelopment Plan (HHBH ARP) in respect of 1922 & 1924 10 Ave NW. Although the HHBH CA's comments with regards to the land use redesignation stand, it will not re-iterate them in this submission and instead comment exclusively on the ARP amendment application.

Although the ARP Amendment application was not submitted at the same time as land use redesignation application, it appears that the City of Calgary is appending the ARP amendment application to the land use redesignation application and proposes to consider these applications concurrently. HHBH CA considers this to be inappropriate in that these are independent applications of different scope which deserve to be considered separately and sequentially. Specifically, the HHBH CA requests that the land use redesignation application be put on hold, not progressing further through the planning and development process, until the application for ARP amendment has been fully considered and decided. This position is directly supported by the Detailed Team Review (DTR) issued by the Development Authority in respect of LOC2019-0160 on December 30, 2019 which states:

"Redesignation of existing low density residential to other higher density residential uses is strongly discouraged, so as to protect and maintain the stability

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*and character of the community. Such redesignations are contrary to this Plan and would require an ARP amendment **before** proceeding."* [Bold added for emphasis]

Without the context provided by a decision from Calgary City Council on the ARP amendment, the HHBH CA contends that neither can the Development Authority reasonably and responsibly make an informed recommendation to Calgary Planning Commission nor can the Calgary Planning Commission reasonably and responsibly make an informed recommendation to City Council on the redesignation. Similarly, the land use redesignation application should be re-circulated to community residents and the public for comment having the context and perspective provided by a decision by City Council on an ARP amendment.

With regard to the proposed ARP amendment, exempting 1922 & 1924 10 Ave NW from provisions of our local ARP has significant ramifications for our community-at-large. It is our experience that the majority of our residents choose to live in our community because they enjoy and value its unique nature and established character. There are very few mechanisms available to our community to ensure that redevelopment which occurs within its bounds respects and enhances its nature and character, and the HHBH ARP is probably the most effective tool available to us in that regard. Despite the age of the document, for the portion of the neighbourhood in which 1922 & 1924 10 Ave NW are located it remains entirely relevant, and continues to well represent the community vision commonly shared by our residents. Its relevance is evidenced through both frequency and recency with which it has been and is referenced in respect of proposed redevelopment within the community.

While the HHBH CA acknowledges that the ARP amendment process exists for good reason, these particular parcels are not appropriate candidates for exemption from provisions of the ARP. In cases where there are unique or exceptional circumstances, such as being located on the edge of a community or adjacent to another land use type, there can be logical and valid reasons to exempt a particular parcel from provisions of an ARP. However in this case, the parcels are not extraordinary in any way and are located in the heart of an established area of the neighbourhood characterized by both original and new infill single family detached homes generously spaces across large parcels. In fact the parcels in question are much more representative of the norm than any exception.

The HHBH CA agrees with the Development Authority's conclusion in the DTR that the proposed redesignation is contrary to the HHBH ARP which has also been acknowledged by the applicant with its submission of an application for an ARP

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amendment. Hence, while the necessity of applying for an ARP amendment is apparent, the appropriateness of granting such an ARP amendment is not. The applicant has provided no justification whatsoever as to why the provisions the ARP should not apply to these parcels. Without reasonable justification, the prospect of arbitrarily exempting particular parcels from provisions of an ARP renders the ARP entirely ineffective in fulfilling its mandate of providing specific direction relative to the local context. As such, arbitrary exemptions of particular parcels from provisions of an ARP can never be allowed.

The HHBH CA acknowledges the Local Growth Planning initiative which the City of Calgary is proposing to imminently launch for the Riley Communities (i.e. Local Growth Area 4) will result in the replacement of the current HHBH ARP with a new Local Area Growth Plan. However, this provides no valid justification to override the provisions of the existing in force ARP by allowing a site specific exemption from it. To frame this proposal in the context of Local Growth Planning (as outlined at <https://engage.calgary.ca/Riley?redirect=/area4lap>), the fabric of the local area around 1922 & 1924 10 Ave NW is consistent and well established and, as evidenced by the large number of submissions from HHBH residents on the proposed redevelopment, the community's vision for the evolution of the area is well defined and unanimously agreed upon. In that the proposed redevelopment will neither integrate with nor enhance the existing fabric of this area and does not align with the community vision for the area, it would almost certainly also be contrary to future Riley Communities Local Growth Plan.

As such, the HHBH CA respectfully requests that the Development Authority recommend the REFUSAL of this application to exempt 1922 & 1924 10 Ave NW Avenue NW from provisions of the HHBH ARP on the basis that there is no compelling reason to do so, and the precedent which would result from doing would substantially limit the future effectiveness and utility of our ARP which remains both relevant and in force.

The HHBH CA kindly requests the Development Authority provide it with written notice of the Development Authority's decision along with reasons in respect of its requests to consider the ARP amendment and land use redesignation applications separately and sequentially prior to issuing a recommendation to Calgary Planning Commission on either application. The HHBH CA also asks to be notified in writing of any recommendation the Development Authority makes to the Planning Commission on either application.