

Community Association Comments



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

City of Calgary
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Mr Rockley,

Please accept the following submission from the Hounsfield Heights Briar Hill (HHBH) Community Association (CA) which both encapsulates the many, many comments that we have received from our residents regarding the proposed land use redesignation (LOC2019-0160) for 1922 & 1924 10 Ave NW and expands upon them in the context of our community's history and evolution. The **HHBH CA respectfully requests that City of Calgary Planning and Development recommend to City Council REFUSAL of redesignation application LOC2019-0160 for 1922 & 1924 10 Ave NW** on the basis that it is entirely inappropriate not only from a community planning perspective but also as a result of the inadequacy of the site to sustain such a redesignation. It should be further noted that the HHBH CA has not received even a submission from a single resident in support of either the land use redesignation application or larger redevelopment proposal. In our experience this is without precedent.

Community Planning Perspective

Most important to the CA and our residents is maintaining a healthy and vital environment in which to conduct our daily lives. We embrace investment and redevelopment within our neighborhood that enhances this environment. Unfortunately, not only does the proposed land use resignation of 1922 & 1924 10 Ave NW NOT enhance it, if approved as proposed, the redesignation would be to the detriment of the long term health and vitality of our community as outlined below:

Overview of the Community Architecture of Hounsfield Heights Briar Hill

The heart of Hounsfield Heights Briar Hill is one of the last remaining examples of a neighborhood of single family dwellings built on generously sized lots in such a fashion as to create a feeling of open natural space throughout the neighborhood. This community architecture was introduced through greenfield development in the 1950's during which time both parcel and dwelling size increased from that which had been build in previous decades. It proved such a popular model during that period that as of a quarter century ago it was likely the predominant community architecture throughout the area of Calgary we now generally refer to as the "inner city". As such, diversification in the inner city to introduce other architectures (and

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thereby a greater variety of dwelling types) was both inevitable and necessary, and has subsequently occurred. However, at present, said diversification has been so successful that there remain only a very few communities where this architecture persists with contiguity in more than isolated copses. Additionally, of that which remains, HHBH's share is arguably some of the most centrally located, has the best access to transit, and is within walking distance of the widest variety of retail, educational, and institutional amenities. **Maintaining the existing community architecture found in the heart of HHBH is very much about retaining a lifestyle choice for every Calgarian.**

This, however, is not to say that the heart of HHBH has remained static and unchanged since its inception. That diversity in the built form of dwellings has exploded over the years has only strengthened the character of the neighborhood. Through infill redevelopment, many original bungalows have been replaced by homes ranging in architectural style from traditional to modern and in function from larger two storey homes for families to more accessible bungalows catering to the needs of retirees and empty nesters. Secondary suites are welcomed in the heart of community in the context of furthering single family use of dwellings such as the co-accommodation of older relatives, adult children and extended family. However, in other neighborhoods previously developed in this style, when parcel size has diminished, lot coverage has increased and building separations have diminished, the character of the community has fundamentally changed with it. **The key to sustaining and perpetuating the existing style of single family living amid open natural space in the heart of HHBH is not about the built form of the dwellings but instead the generous parcels defined by well established minimums for size, width, separation and a maximum coverage.**

It is worth noting that while sometimes historical community architectures phase out over time in that they are no longer desirable and fall out of demand, this is very much *NOT* the case with regard to the long standing community architecture of the heart of HHBH. This architecture supports a "single family living amid open natural space" lifestyle and remains very much in demand. While the neighborhood has many long term residents, there are likely just as many, if not more, who have sought out real estate in and relocated to the heart HHBH explicitly for this lifestyle. This is demonstrated by the fact that both land and dwelling value in the heart of the neighborhood remain at or above the city average and the rolling inventory of real estate for sale in the heart of the community remains consistently low. Further, the observed trend is that as the community architecture found in the heart of HHBH continues to disappear from other communities, demand for it in HHBH continues to increase. A decreasing supply of any commodity that is in demand is harmful in that it increases prices and decreases affordability. **In this instance, from a market perspective there is absolutely no impetus for land in the heart of HHBH to be redesignated for other uses as current demand more than sufficient to sustain the existing supply.**

By nature a community is not comprised of a single architecture but is instead defined the combination of several. At the same time it is important to note that not every architecture needs to or should exist in every community. **Especially accounting for its small geographic size, HHBH already also hosts a large variety of other community architectures that support a great number of lifestyles from high-rise condo to low rise apartment to clustered townhome to retirement and institutional living.**

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The final aspect to consider regarding HHBH is how its different community architectures are oriented and interact with one another. To illustrate the orientation of HHBH, consider its skyline. For purposes of visualization, if the community were to be flattened out (i.e. take out the hill) and its corners rounded to make it oval rather than rectangular, one could very much envision the skyline reaching up to touch - but not project into - a giant egg hovering over the centre of the community. In other words, taller buildings and thus greater intensity occur exclusively around the periphery of our community with the least intense use thriving at its centre. With regard to interaction, whether through careful design or lucky happenstance, this layout combined with the physical geography of the community results in very harmoniously co-existence. Almost all of the least intense use found in the heart of the community is buffered from the more intense uses on the north by the LRT right-of-way and on the south by green space along the side of the escarpment. **HHBH is fortunate that the existing boundaries between land use designations coincide with geographic separations and as such redrawing said boundaries would not be in the best interest of the community.**

While 19 St W is a necessary traffic collector through HHBH, it provides central access to the community itself and, more importantly, from a community perspective, does not disruptively bisect the neighborhood to the same extent that it does in adjacent communities to the north and south. This is primarily the result of measures that the community has taken over the years to calm traffic along it and diminish its impact on our neighborhood which include the reduction from 4 traffic lanes to 2 traffic lanes and 2 parking lanes, an overhead lit-on-demand crosswalk along with curbs that protrude to the traffic lanes at 12 Ave N and the installation of a cautionary digital speed sign on the hill. **Hence, despite how it might appear on a map, from the perspective of land use, 19 St does not segregate HHBH.** That being said the community is cognizant of the potentially divisive influence it could have on our neighborhood and as such efforts continue to manage its effect. In fact, just yesterday there was significant discussion on our community forum regarding the calming infrastructure at 12 Ave N which resulted in a request being placed with the city to investigate making changes to further improve the safety of this intersection. **From the perspective of endeavoring to continue to diminish its local impact, it is not in HHBH's best interests for change to occur along 19 St W which accentuates its potential to divide the community.**

Similarly it is also necessary to challenge some common misconceptions associated with the need for redevelopment along 19 St W through HHBH. Generally there is a strong correlation in Calgary between thoroughfares and more intense redevelopment. However, it is important to consider why that correlation exists. The usual reason is that as traffic levels increases along thoroughfares, adjacent parcels become less desirable and consequently are often allowed to deteriorate as they are less attractive for revitalization. One method of encouraging said revitalization is to redesignate the adjacent parcels to uses that are less impacted by traffic levels on the adjacent thoroughfare. Ergo the association between intensification and major thoroughfares materializes. However, this is very clearly **NOT** the case for parcels along and proximate to 19 St W through HHBH. Full infill redevelopment within the existing designation has and continues to occur along in both 19 St W as well as at the end of streets that abut it such as 10 Ave W and Briar Crescent. Many of the original dwellings along 19 St W are highly renovated and, as a group, are some of the best maintained homes in the entire neighborhood regardless of their level of renovation. **As one of the healthiest and most vital areas of**

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neighborhood, there is no compelling reason to preferentially consider redesignation along and proximate to 19 St W. In fact, redesignation in this area is less desirable than it might be elsewhere given its potential to disrupt the delicate balance of elusive factors which has resulted in this level of health and vitality.

Lack of Fit of Proposed Redesignation in the HHBH Community Architecture

* The parcel proposed for redesignation is actually located right in the heart of Hounsfield Heights Briar Hill. From an east-west perspective it is smack dab in the middle and from a north-south perspective while slightly more towards the southern boundary than the north it is by no means at the edge of the community. Specifically, the community is only 8 blocks wide and the parcel under consideration is in the 3rd block from the south which places it more towards the centre than the outside. From a distance perspective, the community is 800m wide and the proposed redesignation site is 200m from the south edge of the community. Hence it is 25% or a full one quarter of the way into the neighborhood! From this perspective the application's claim deeming 'the higher order topologies' being 'proximate' to the site is highly misleading. **The parcel under consideration, being in the heart of HHBH, is *NOT* appropriate for redesignation in that there is no impetus to redesignate land in the heart of Hounsfield Heights Briar Hill which remains very much in demand based on its current use.**

* The parcels which would be created under the redesignation are adjacent and/or proximate to 19 St W. **The HHBH CA asserts the application for redesignation should be REFUSED on the basis that it threatens the continued vitality of one of the healthiest areas of our neighborhood.**

* The appeal in the application that the land proposed for redesignation is 'proximate' to the R-C1N and R-C2 parcels to the south is paramount to suggesting that over the longer term the current boundary between the R-C1 designation and the more intense designations to the south could shift to the north. **In that the community believes the land use designation boundaries to be optimally drawn based on their present coincidence with geographic separators, the intimation that the boundary could shift to the north to accommodate this redesignation is NOT a valid argument in support of the application.**

* Also, while the application's claim deeming of 'the higher order topologies' being 'proximate' to the site has already been refuted, it is very important to note that the site is *NOT* 'adjacent' to them. As such, redesignation of this parcel would create an island of R-C1N designation surrounded by area of existing R-C1. Not only is the site surrounded by R-C1 designated land, but that R-C1 designated land is further separated from 'the higher order topologies' by green space. **There is no compelling reason to introduce unnecessary inconsistency and fragmentation into the zoning of our community and the application should be REFUSED on this basis.**

* The proposed redevelopment will result in a relatively tall structure setback a minimum distance from 19 St W. This type of massing, particularly if it established the precedent for future redevelopment along 19 St W, creates a visual impact that emphasizes rather than diminishes the potential of 19 St NW to divide HHBH. **The land use redesignation should be**

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REFUSED on the basis that it is in the best interests of the community to minimize, not emphasize, the divisive potential of 19th St NW.

* The resulting redevelopment from the redesignation will occur along 10 Ave N (*NOT* 19th St W) which is one of the most sedate streets in the entire neighborhood in that this portion of it extends only a single block. As such intensification along it will necessarily cause a higher degree of intensification of this street on the whole than would result on a longer, busier street elsewhere in the neighborhood. **From an overall community perspective, land along 10 Ave N is less desirable for redesignation and the application should be REFUSED on this basis.**

* The width of the narrowest of the 4 parcels proposed under the redesignation will be 7.57m. The other parcels on 10 Ave N range in width from 15.24m to 40.31m which means that the smallest proposed parcel is between 19% and 50% the size of the neighboring ones. The smallest width is also only 62% of the well established minimum lot width of 12.19m in the heart of the community. **The redesignation application should be REFUSED on the basis that lot width is important in terms of upholding the character of HHBH and both the relative difference in width as compared to neighboring parcels and the degree of relaxation required from the well established community minimum are very significant.**

* The area of the smallest of the 4 parcels proposed under the redesignation will be approximately 236 sq m in area. At approximately 560 sq m, the adjacent parcel to the north is otherwise by far the smallest parcel in the immediate area and the smallest new parcel is only 42% of the size of it. The other parcels on the street range from 750 sq m to more than 1000 sq m which places the smallest of the new parcels at between (less than) 24% and 32% of its neighbors on 10 Ave NW. The minimum parcel size under the existing designation is 330 sq m which means that the area of the smallest proposed parcel is only 72% of the established community minimum. In that the minimum parcel size under the proposed redesignation is 233 sq m, the proposed parcels are also just over the minimum size even it allows. **The redesignation application should be REFUSED on the basis that lot size is important in terms of upholding the character of HHBH and the degree of relaxation required from the well established community minimum is very large.**

* Under the proposed redesignation, the maximum coverage will increase from 45% to 50%. The existing community standard of 45% lot coverage is important parameter to maintain balance between dwellings of disparate scales and has been strictly enforced. **In that maximum coverage is important in upholding the character of HHBH, the CA asserts that this is sufficient basis for REFUSAL of the application, however if the development authority disagrees then, at a minimum, the HHBH CA requests that it restrict the maximum coverage of these parcels to 45% by special provision.**

* The average minimum separation between buildings under the existing designation is 1.8m but under the new designation the minimum separation between buildings on the new parcels is proposed to be 1.5m which is only 83% of the established minimum community standard. **In that minimum separation is important in upholding the character of HHBH, the CA asserts that this is sufficient basis for REFUSAL of the application, however if the development authority disagrees then, at a minimum, the HHBH CA requests that it define minimum**

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side yard setback such that the minimum building separation will be at least 1.8m by special provision.

* Streetscapes in the heart of Briar Hill continue to evolve and while eclectic and highly varied still retain a sense of consistency and flow. The streetscape of 10 Ave is no exception. Given its location along the side of the hill it has always had grand homes and the trend over time has been towards broader dwellings. The introduction of 4 tall and very narrow dwellings is neither consistent with the context of the existing streetscape nor the direction in which it has been evolving. **The redesignation application should be REFUSED on the basis that new development should be designed in a manner which is responsive to the local context.**

* Policy-wise, the aforementioned attributes of the community architecture in the heart of HHBH are largely protected by specific provisions of the Hounsfeld Heights Briar Hill Area Redevelopment Plan, and the Low Density Residential Housing Guidelines for Established Communities. The proposed resignation is in violation of numerous provisions of these policies. In his already delivered submission, Bob MacInnis, an HHBH resident has provided a detailed analysis of these violations with which the HHBH CA concurs. Rather than repeat that information here, Mr MacInnis' submission is included with this one for convenience.

* The HHBH CA also asserts that it is inappropriate to grant a land use redesignation for 1922 & 1924 10 Ave NW at this time on the basis of both the Certificate of Lis Pendens and the Restrictive Covenant currently registered against Provincial Land Title of each parcel. With regard to the Certificate of Lis Pendens, our position is that it is untimely and ill advised to approve a material change to the land use of the parcels while an action remains before the courts with respect to their ownership. As a matter of principle, we also believe that restrictive covenants registered against title should be respected and the proposed redevelopment is in violation of the existing covenant. However, in that HHBH CA mentions these only briefly in that it understands the city's maintains that there is no requirement for it to consider registrations on title and thus they have no bearing on civic planning and development processes.

Site Inadequacies

Notwithstanding the relative location of 1922 & 1924 10 Ave NW in the community, it's physical attributes also make it a particularly poor choice to be redesignated as proposed - in fact it is probably one of the least adequate parcels in Hounsfeld Heights Briar Hill to support the higher intensity use of an R-C1N designation. Specifically, that the site has:

1. No access to a back lane
2. A steep grade from back to front
3. Immediate adjacency to a significant intersection

These factor independently and in combination pose a myriad of complications and challenges in the redevelopment of the site to the detriment of the neighborhood that increase proportionally with intensity.

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* That the parcel is laneless, necessitates a front driveway for all four dwellings onto to 10 Ave NW which as compared to the amount of driveway required for the two dwellings the site is presently subdivided for:

i) leaves little, if any, space for trees or landscaping. A lack of trees and landscaping in the portion of the development adjacent to public realm is contrary to the "living amid open natural space" characteristic of the community

ii) requires at least twice as much curb cut in the front side walk. Curb cut is hazardous to sidewalk users, particularly scooter riders. Current residents of 10 Ave N already observe that existing front driveways crossing the sidewalk create a significant icing hazard during winter freeze-melt cycles

iii) will reduce the amount of on street parking available on 10 Ave N despite the proposed redevelopment actually increasing the requirement for on street parking

iv) creates additional safety hazards with twice as many sloped driveways from which twice as much traffic will reverse either onto and off of 10 Ave N on a regular basis within 30m of its intersection with 19 St NW. Southbound traffic on 19th St W forced to wait to turn left onto 10 Ave N is in a precarious position stopped just over the crest of the hill. If traffic or hazards (such as waste, recycling and compost carts) further increase turning time, vehicles remain in that precarious position for longer. In the winter safety concerns are magnified yet again as 10 Ave N is a point at which vehicles northbound on 19 St N often become stuck and will veer onto 10 Ave N as to escape the impassable grade.

* That the parcel is laneless requires waste and recycling services to be rendered via the street at the front. On recycling and compost collection day, there will be no fewer than 8 carts on the street within 31m of a significant intersection with two of those within 8m of the intersection. This is twice as many carts, some of which will invariably be closer to the intersection, as would be present with the two dwellings for which the site is presently subdivided. Depending upon how close the carts are in practice placed to the intersection, the waste services vehicle may not be able to safely collect them without impeding traffic on 19 St N.

* Given that historically there have been problems with stability of the slope on which the site is located there remain outstanding concerns about it (egg that it is not uncommon for sink holes to develop in the area) given the scope of the proposed development, is considerably more substantial than had previously been considered for the site

That the site is laneless, has a significant grade, and adjacent to a significant intersection render it unable to adequately support a higher intensity R-C1N designation and this on its own should be sufficient justification for the redesignation application to be REFUSED.

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Summary

The unsuitability of this site for the redesignation proposed is clear for obvious reasons and has generated community wide concern amongst the residents of HHBH. A community meeting held on November 26, 2019 which CivicWorks, as applicant and representative of the owner, was kind enough to attend, saw 87 HHBH residents come out to express concerns about the redesignation and larger redevelopment proposal. This is the largest attendance recorded at a community meeting in more than 5 years. Upon leaving the meeting every resident was asked if he/she believed the proposed redevelopment would have a positive, neutral, or negative impact on the community. More than 90% of attendees felt the impact would be negative and none felt it would be positive. Residents from 70% of the households located on the same block of 10 Ave NW attended the meeting and all of them believed the redesignation would have a negative impact on the community.

The HHBH CA feels justified in saying that the current owner of 1922 & 1924 10 Ave NW has not been good neighbor since acquiring the (then single property) in December 2017. Although the site has been vacant for more than two years now it remains fenced off with unattractive construction fence that is only intended for temporary use. The owner has allowed graffiti to persist on a trailer that is perpetually parked on the site and in the winter frequently fails to remove snow from the sidewalk along 10 Ave N and 19 St W as required by bylaw (which the CA believes has been enforced against the owner on at least one occasion). Despite the HHBH CA reaching out to the owner through his representatives during the prior subdivision application in early 2019 to request community consultation if anything other than conventional redevelopment was contemplated for the site, the owner or his representatives chose to not reciprocate until after this redesignation application was submitted. In that past actions are often indicative of future behavior, the HHBH CA doesn't not believe that the owner is working with the best interests of the community in mind in proceeding with the proposed redevelopment.

In conclusion, the Hounsfield Heights Briar Hill Community Association respectfully requests that City of Calgary Planning and Development recommend to City Council REFUSAL of redesignation application LOC2019-0160 for 1922 & 1924 10 Ave NW. Furthermore, the HHBH CA requests City of Calgary Planning and Development provide the CA with its recommendation to City Council promptly and in a timely manner. The HHBH also politely asks to be circulated on all documentation generated by the City of Calgary with regard to this application (such as Detailed Team Reports) as soon as it becomes available and can be released.