

# Community Association Response



April 2, 2021

Christine Leung  
Senior Planner | Community Planning, South Team  
The City of Calgary  
5th Floor, 800 Macleod Trail S.E.  
Calgary AB T2G 2M3

Dear Christine:

**Re: LOC2020-0002 @ 1404-1410 27th Street SW – JEMM Properties  
LAND USE AMENDMENT**

Thank you for the extension to the original deadline for comments. This allowed the applicant to meet with us and numerous residents in the immediate area to provide more details concerning their plans for the five-lot site.

Further to the two rounds of consultations with residents, O2 Design, LOLA and JEMM Properties, the Shaganappi Community Association supports the position of residents from the immediate area who have written letters of objection to you. The main issues have been captured in an additional letter of April 1, 2021 signed by [REDACTED], the local community representative for the adjacent residents.

In Shaganappi, our operational model is to support development and to get to “yes.” We have followed a similar engagement process on several projects successfully and through negotiation and initiative, have helped to create some highly successful projects.

Our website provides positive direction for developers who might want to build outside of policy: “We recognize that the Land Use Regulations and Guidelines cannot cover all the possibilities and solutions for achieving a high standard of design and development. As such, we are willing to enter into two-way discussions with proponents to find mutually beneficial solutions for all concerned; we value high quality design that will enhance Shaganappi as a desirable place to live and further a wider community interest.”

## **Current Shaganappi Policy Context**

Shaganappi has two very new ARPs, and a third very recent ARP amendment made to accommodate Main Streets. Additional changes to City policy have brought a recent flurry of applications in response to expected favourable new outcomes from the ongoing Westbrook Local Area Plan process. We believe these applicants expect the election to introduce risk to that process and are trying to secure approvals

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around current policy without the City having fully completing the supporting engagement and planning work for that policy. This applicant has directly referenced expectations of Westbrook in this application.

This area for this application is covered by the Shaganappi Point ARP, which was initiated by City staff in 2011 and implemented in November 2014. The ARP created appropriate development and interfaces with the 12<sup>th</sup> Avenue frontage adjacent to Bow Trail and the Shaganappi Point LRT Station while being sensitive to the established community that is approximately only two blocks wide between its Bow trail and 17th Avenue edges. With our substantive support, in 2017, City staff subsequently implemented significant land use intensification in support of Main Streets medium rise re-designations on 17th Avenue. Both recent processes involved extensive consultation with adjacent residents to establish the criteria for the area and for these properties.

These recent planning outcomes are working. In contrast, the results of academic and aspirational Transit Oriented Development objectives are evident at Westbrook, where the availability of ambitious and non-viable land use has promoted vacant and speculative land outcomes. Not every transit station is created equal, and we believe a mixed and pragmatic approach to development around them is more viable. The subsequent Shaganappi Point ARP and Main Streets areas are already attracting more interest from developers looking to implement a mix of lower intensity ideas, the “Missing Middle” with various entry points still at reasonable cost.

Ours is an older, established community with some homeowners that have been living here for 35-40 years. We have also been very successful in attracting new families, with the 2019 census confirming the 25–35 year-old age group as our number one demographic at 28% of residents. We think this has occurred, partly, because we have very recent and appropriate planning policy. This policy was thoughtfully derived, through collaboration, and has already achieved both the affordability objectives of young families while still setting the broader goal of densification.

The trade-off in supporting density for both old and new residents is an expectation of stability. In our meetings with the applicant, new young entrants to the community told us that their decision to invest in a new home adjacent to the applicant’s site was based on a view that the density in the Shaganappi Pont ARP was reasonably aspirational and appropriate. In this a situation, with policy already working, it is not prudent for the City to consider a proposal outside of the framework of a relatively new ARP unless the community fully supports it. Or the applicant justifies it. Ideally both.

If it is justified solely on the premise that we (probably meaning the City) should be grateful for the investment we all should push back; if the applicant wants something beyond the policy they should earn it through good design and appropriate scale.

#### **Design Justification for Direct Control (“DC”) and ARP Amendments Not Supported by Application**

JEMM’s proposal involves a five-lot consolidation and increased Floor Area Ratio (“FAR”) and building height that will allow a massive development to protrude well into the interior of a single-family neighborhood that has already supported significant policy changes in support of increased density.

Issues of building design and scale are Development Permit (“DP”) matters, but the applicant has been very clear that no concurrent DP will be provided to support this land use. As an alternative, a series of DC districts and ARP amendments have been offered, with details not yet available. We expect these policy and bylaw modifiers to be used as a proxy for a DP here, and the justifications for those amendments will be made by reference to built form and design. These ideas have already been

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presented to us to foreshadow intentions, and therefore, despite generally being DP issues, it is appropriate to discuss them here.

- The built form of this five-lot consolidation involves little, or no massing mitigations or step backs employed at the 12th Avenue, or 27th Street edges. There are very minimal step downs towards the adjoining homes. While the applicant has split the mass across the width and moved it to create a shift in setbacks, the uniform and massy design proposed does not create a compelling built form. Despite showing us images intended as inspiration, their own design is blocky and massive with no redeeming features.
- The applicant has asked for a building height of 26 meters, but 6 stories tall where a maximum height of 18 to 20 meters would be adequate. The design has a sloped roof, up to two-stories in height, to help “blend in with surrounding homes”. In a building of this size, it is massive, intrusive, and perhaps even old fashioned. Moreover, it ends up increasing the height ask considerably to accommodate a slope that makes the problem it is trying to solve worse. We would urge the applicant to reconsider this roof form.
- The design attempts to create a townhome feel to the base as a material design concession, but in the absence of any step back, it just reads as banding, and really is not an effective tool to create an interesting form.
- The applicant has not provided enough parking and is seeking a bylaw relaxation (0.5 stalls per unit) citing that they plan to market the building to non-car owners. We do not think this is an appropriate building form or type for our neighborhood. We question the assumptions concerning market demand, and when pressed on the issue the applicant cited market research that they admitted did not exist. Why will they pick Shaganappi over communities like East or West Village on the edge of downtown in the free fare zone, Kensington at one train stop from SAIT, or Bridgeland one train stop from Bow Valley college, the East Village and downtown.
- Street parking in Shaganappi is already tight and is an issue for this proposed development due to an adjacent development with minimal (but ARP compliant) parking. There is no lane in the block immediately to the west, which puts additional pressure on 27<sup>th</sup> Avenue.

In summary, we strongly feel that the proposed development is oversized, uninteresting, and its success is dependent on conditions that do not exist here now and may not exist here in future. Nothing in the intended design would justify any amendment or relaxation from existing policy or bylaw. Particularly if secured by way of DCs which, if used in the manner proposed here particularly with parking, could severely restrict if not practically eliminate our residents’ legitimate right to appeal.

This project needs to be done right if it is done at all. The numerous variances from City policy as specified in the residents’ letters and the applicant’s actions to date cause us to conclude that the applicant is unwilling to respect very recently set policy set through extensive consultation processes.

We also believe the applicant expects a better outcome from the Westbrook Local Area Planning Process than from policy Shaganappi has now. We ask that prospective policy, not yet approved by Council, not be considered in approving this land use application, especially policy that will need to be supported by a Guidebook for Better Communities outcome that has been very difficult for Council to approve.

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Seemingly justified by a fashionable development concept and limited coherent details, we are concerned that this consolidation might allow the applicant secure land now for different options later.

As such, we cannot support the application in its current form.

Thank you.

Yours truly,  
Shaganappi Community Association



Michael Wilhelm  
President



Ramneet Cheema, B. Arch, M.Arch, M.A. Housing &  
Urbanism, Development Committee Member



Ron Goodfellow, FRAIC  
Advisor, Planning and Development

Cc: Evan Woolley, Zev Klymochko, Ward 8 Office, City of Calgary  
Breanne Harder, Peter Schryvers, Heloisa Ceccato Mendes, Westbrook LAP Team  
Development Committee, Shaganappi CA  
Brian Horton, Shawn Small, O2 Design  
Edan Lindenbach, JEMM Properties



May 7, 2021

Christine Leung  
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Dear Christine:

**Re: LOC2020-0002 @ 1404-1410 27th Street SW – JEMM Properties  
LAND USE AMENDMENT**

Further to the two rounds of consultations with residents, O2 Design, LOLA and JEMM Properties, and two subsequent rounds with members of our Development Committee the Shaganappi Community Association ("CA") continues to support the position of residents from the immediate area who have written letters of objection.

We now ask that the applicant better articulate their plans through the provision of a Development Permit ("DP").

The main issues have been captured in additional letters of April 1, 2021 and May 6, 2021 signed by [REDACTED], the local community representative for the adjacent residents. These points are further reinforced in additional letters from [REDACTED], the resident leader for successful engagement on the adjacent Giordano project, and [REDACTED], a new resident directly across the street who purchased his home after thoroughly researching the recently established Shaganappi Point ARP for this site.

#### **Current Shaganappi Policy Context**

Expected changes to City policy have brought a recent flurry of applications in response to expected favourable new outcomes from the ongoing Westbrook Local Area Plan ("LAP") process. We believe these applicants expect the upcoming election to introduce risk to that process and to secure approvals for anticipated policy outcomes without the City having fully completed the supporting engagement and planning work for that policy.

This applicant has directly referenced expectations of Westbrook in this application.

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### **Significant Direct Control (“DC”) & ARP Amendments Requested & Not Supported by a Concurrent DP**

Our website provides positive direction for developers who might want to build outside of policy: “We recognize that the Land Use Regulations and Guidelines cannot cover all the possibilities and solutions for achieving a high standard of design and development. As such, we are willing to enter into two-way discussions with proponents to find mutually beneficial solutions for all concerned; we value high quality design that will enhance Shaganappi as a desirable place to live and further a wider community interest.”

Issues of building design and scale are DP matters, but to date the applicant has been very clear that a concurrent DP will not be provided. As an alternative, a series of DC districts and ARP amendments are proposed with the justifications for those amendments made by reference to a general design concept.

We see this DC approach being used to partially address potential community concerns while mitigating the applicant’s financial exposure prior to closing a contingent land purchase. Therefore, despite normally being DP issues, it is appropriate to discuss those design changes here.

### **Considerations on Ability to Execute on a Favorable Project Design**

- We acknowledge that the preliminary concept supported by the DC has been improved since our last letter, with increased step backs, an improved flat roof, and improved renderings.
- Massing mitigations and step backs at 12th Avenue and 27th Street edges are improved but remain minimal in the context of overall building mass.
- Despite these improvements in intended design, the building is too large.
- When challenged on the building size, the applicant points to a minimum size required by their business model. However, the applicant is incapable or unwilling to provide details concerning that model; details other applicants provide, based on our experiences to date.
- We continue to question assumptions concerning market demand as supported by market research cited that the applicant subsequently admitted did not exist. As presented to us, the application therefore still appears to be, perhaps unintentionally, speculative.
- These details, when taken together, signal intent rather than a commitment to a final design and we are therefore left to trust the reputation of the applicant in delivering a high-quality product.
- The applicant’s reputation should not be a planning consideration in evaluating the scale of building proposed.

### **Consistency of Applicant’s Approach as Compared to Others in a Newly Established Policy Area**

- In seeking policy and bylaw amendments, other applicants acknowledge our policy and meet a deeper obligation to thoroughly engage with adjacent interests on details, not intentions.
- This applicant’s approach is therefore unique for our area. Our community has new policy throughout by way of new ARPs. As a result, DP support is customarily provided for projects of

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this scale and variance with policy, with 3 other pending applications recently received with concurrent DPs. (See DP 2021-2356+2354; DP 2021-0147 and DP2021-0337)

- This applicant has directly referenced favorable policy revisions by way of the Westbrook LAP and a DP may have therefore been considered unnecessary. However, that policy is not approved by Council, and may result from a Westbrook LAP process not yet completed or reviewed by stakeholders.

Economic Circumstances Raised by the Applicant

- The Giordano, adjacent to the east, had tied its land purchase to the approval of land use as supported by a concurrent supporting DP. This precondition for a building plan supported engagement with the CA and residents on the design of that project. As a result, the project was approved unanimously by Council in 2018 with full support of the CA (DP2017-2379/LOC 2017-0121).
- This application has tied its land purchase to approval of land use only. We expect final design will not be achievable within timelines set to facilitate timing of the land purchase.
- The City, through the planning process, should not become a party to an applicant's need to manage private transaction risk. This risk should be addressed directly between counterparties to the transaction.
- Facilitating a commercial outcome not otherwise be better supported by a DP is not a planning consideration.

Therefore, we cannot support the application in its current form without a supporting DP to allow us to evaluate fully the merit of the project and its ability to provide a community benefit. We would therefore like the applicant to proceed to a DP before final Council approval.

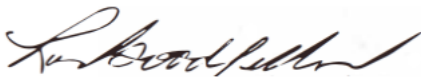
Yours truly,  
Shaganappi Community Association



Michael Wilhelm  
President



Ramneet Cheema, B. Arch, M.Arch, M.A. Housing &  
Urbanism, Development Committee Member



Ron Goodfellow, FRAIC (retired)  
Advisor, Planning and Development



Mia Leung, BA, Urban Studies  
Development Committee Member

Cc: Evan Woolley, Zev Klymochko, Ward 8 Office, City of Calgary  
Breanne Harder, Peter Schryvers, Heloisa Ceccato Mendes, Westbrook LAP Team  
Development Committee, Shaganappi CA  
Brian Horton, Shawn Small, O2 Design, Edan Lindenbach, Joe Osinski, JEMM Properties

May 11, 2021

Christine Leung  
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Dear Christine:

**Re: LOC2020-0002 @ 1404-1410 27th Street SW – JEMM Properties  
LAND USE AMENDMENT**

Further to our conversation, the letters of April 1, 2021 and May 6, 2021 signed by [REDACTED], the local community representative for the adjacent residents are an integral part of the Shaganappi Community Associations position on this application and should be considered as such by CPC. [REDACTED] has been formally delegated to fulfill this role directly by our development committee.

These letters were incorporated by reference in our prior two letters, and we re-attach these as part of our official submission to CPC.

Thank you.

Yours truly,  
Shaganappi Community Association



Michael Wilhelm  
President

Cc: Evan Woolley, Zev Klymochko, Ward 8 Office, City of Calgary  
Development Committee, Shaganappi CA

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2021 0511 Shaganappi Community Association - CPC Submission - Documents Incorporated by Reference

May 6, 2021

Christine Leung, RPP, MCIP, LEED Green Assoc  
Senior Planner  
Community Planning, South Team  
Planning & Development  
The City of Calgary Mail

**\*BY EMAIL [Christine.leung@calgary.ca](mailto:Christine.leung@calgary.ca)\***

Dear Ms. Leung,

**Re: Shaganappi Proximal Residents' Opposition  
Land Use Amendment Number: LOC2021-0002; 1404 – 1410 27 Street SW  
Second Letter of Opposition**

I write further to and in the same capacity as my letter of April 1, 2021 (copy attached).

Thank you for the opportunity to submit this second letter on behalf of the Residents.

Not every proposed building is a good fit for an existing neighbourhood. Similarly, just because something can theoretically be approved if existing policy is sufficiently tortured doesn't mean it should be built. Both of these statements apply to JEMM's proposed development in Shaganappi (the **"Proposed Development"**).

The Residents repeat the concerns expressed in our letter of April 1 and the many letters delivered on behalf of individual residents. As you know, many of those residents made decisions to invest and raise their families in this neighbourhood in reliance upon the scope of permissible development at the north end of our streets as articulated in the ARP. No one contemplated a 23 metre high building consuming 40% of one of two city blocks comprising this predominantly low density residential neighbourhood towering over them, invading their privacy and blocking sunlight. And, respectfully, no one ought to have such a structure forced upon them over their legitimate reliance upon existing policy simply to advance the business and financial interests of a single developer.

This brings me to the focus of this letter: what if anything has changed since April 1?

The short answer is: nothing.

Despite very clear expression from the Residents that support for the Proposed Development would require less overall height and/or less coverage in terms of number of lots and/or increased parking (to bring it into alignment with the community-supported Giordano building), the developer has refused to budge on any one of those aspects. As a result, there has been no meaningful engagement between Residents and developer, a hallmark of past and current successful development in Shaganappi. A few examples of the Residents' frustration with the process undertaken by the developer include:

- When pressed for an explanation as to why the height, size and parking restrictions are untouchable, the only explanation provided is the developer's own financial model. Yet, the developer refuses to provide any detail on that, despite similar information being supplied by other developers in the area. It strikes us that this developer is making its own financial considerations our problem, as they continue to fail to articulate a case for this development being in the community's interest.
- When asked to explain its confidence in its restricted parking model, the developer references its "market research"; but when pressed to share that research, confesses there is none.

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- When asked why it won't apply for a concurrent development permit, the developer simply says it is not their model to do so and that the Residents should simply "trust" that we will get a great building. Again, the strong feeling of the Residents is that we are being asked to support a concept that has no precedent in a neighbourhood like Shaganappi without the developer investing the time or money to establish some semblance of proof of concept or even a reliable indicator of what the proposed finished product would look like.

We acknowledge that the developer has made some tweaks to its initial design concept, and appreciate the concession to stepdown the height to 10 metres more than 3 metres away from the adjacent single family home. However, as they fail to address the fundamental concerns, they are of limited material consequence to the Residents. Moreover, given the lack of a concurrent development permit, the drawings remain conceptual at best and there is no assurance that what we are being asked to support by way of land use will result in a building that reflects the latest design concepts or respects the existing character of the neighbourhood.

For all of these reasons, the Residents remain steadfast in their opposition to the Proposed Development.

Yours Truly, on behalf of the Residents



[Redacted signature block]

Residents: [Redacted], [Redacted] and [Redacted], [Redacted], [Redacted], [Redacted], [Redacted]  
and [Redacted], [Redacted], [Redacted], [Redacted], [Redacted] and [Redacted], [Redacted], [Redacted]  
[Redacted], [Redacted], [Redacted] and [Redacted] and [Redacted]

CC: [caward8@calgary.ca](mailto:caward8@calgary.ca); [shawn.small@o2design.com](mailto:shawn.small@o2design.com); [development@shaganappicommunity.ca](mailto:development@shaganappicommunity.ca);  
[Breanne.Harder@calgary.ca](mailto:Breanne.Harder@calgary.ca); [Peter.Schryvers@calgary.ca](mailto:Peter.Schryvers@calgary.ca); [Heloisa.CeccatoMendes@calgary.ca](mailto:Heloisa.CeccatoMendes@calgary.ca)  
[Evan.Woolley@calgary.ca](mailto:Evan.Woolley@calgary.ca).

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April 1, 2021

Christine Leung, RPP, MCIP, LEED Green Assoc  
Senior Planner  
Community Planning, South Team  
Planning & Development  
The City of Calgary Mail

\*BY EMAIL [Christine.leung@calgary.ca](mailto:Christine.leung@calgary.ca)\*

Dear Ms. Leung,

**Re: Shaganappi Proximal Residents' Opposition  
Land Use Amendment Number: LOC2021-0002; 1404 – 1410 27 Street SW**

I write as a resident, and on behalf of a group of my fellow residents, of Shaganappi that are proximal to the application site (the "**Residents**") in opposition to the application for the above-referenced land use amendment and proposed development of a 6 storey, (and possibly 8 storey with the addition of a pitched roof), 26 metre high apartment building spread over 5 existing lots (the "**Proposed Development**").

Shaganappi is an established inner-city community. It is also a very narrow neighbourhood from north to south, only 2-3 blocks, bordered by both the Bow Trail and 17<sup>th</sup> Av. SW corridors. The Residents appreciate that the age and condition of a number of the homes in the community combined with the construction of the Shaganappi Point LRT Station mean that development and modest densification of the area can be achieved. Indeed, the Residents welcome thoughtful and respectful development that enhances the community as a whole, while maintaining the integrity of the 2014 Shaganappi Point Area Redevelopment Plan (the "**ARP**"). The ARP provides a very recent statement of goals, objectives and policies to guide appropriate development in the community. It is the result of a significant effort on the part of the City and our Community Association to strike the right balance between the need for development and densification and respect for and preservation of the existing low-density neighbourhood.

Development under the ARP is still in its relative infancy, and we recognize that it will evolve as experience and economic determinants come into play. However, The Proposed Development pays little heed to the ARP, is contextually unsympathetic to the surrounding neighbourhood and there are no economic determinants that warrant a land use redesignation that is such a marked departure from the ARP. Moreover, the applicant has elected to proceed without a concurrent Development Permit application – thereby denying the Residents a detailed picture of the building form and mix of the Proposed Development. We are also concerned that the applicant's strategy of proceeding by way of a DC designation for matters including the requested parking relaxation are intended to, or at least have the consequence of, severely restricting any appeal rights the Residents would otherwise possess.

The conceptual drawings and information provided to date show a boxy building with height of 26 metres over 5 lots with little to no height recession on the 12<sup>th</sup> Ave. or 27<sup>th</sup> St. frontages and no particular architectural interest. This is sufficient information for the Residents to know that the Proposed Development is simply too big, too tall and completely out of scale with the surrounding neighbourhood. If permitted, it would stand a full 10 metres, or up to 3 stories, taller than the recently constructed Giordano apartment building across the lane. If allowed to proceed, it would also consume approximately 40% of the 1400 block of 27<sup>th</sup> St. – one of the only two north-south blocks in this part of the community.

We elaborate on these points below.

**1. Non-Compliance with the ARP**

The application for land use amendments should be evaluated against the existing goals, objectives, policies, and expectations outlined in the ARP.

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Under the heading "Purpose" (Section 1.1) the ARP states that it "provides clear policy direction for key aspects such as the vision, **scale**, urban form and character for Shaganappi redevelopment". It also speaks to a 25-30 year horizon (s.1.2). Numerous Residents have made clear that they made significant investment decisions on the strength of the ARP. Below is an excerpt from the email submission of a young, first-time homeowner who will be living adjacent to the Proposed Development, if approved:

"I am writing you as a resident of 27 Street and neighbour of the proposed high density apartment building on the lots 101-1018. My primary intention of reaching out to you at this point is to voice my concern about this specific land use change and its lack of alignment or respect to the Shaganappi ARP and the City of Calgary's work in ensuring that communities have predictable and consistent access to information about respectful and thoughtful community growth.

While choosing to invest in real estate in the Shaganappi community my partner and I did extensive research into the city's plan for the area and thoroughly read the current ARP. We were excited to explore the city's vision for the community and [were] inspired by the commitment to providing a framework that would guide future development in this area for what was projected in the ARP to be a period of 25-30 years. The ARP and demonstrated ability of developers to successfully work within it, namely by the Giordano building, reassured my decision to invest in my first home in the community and on 27 Street specifically." [REDACTED] March 18, 2021)

The fact is that Shaganappi is experiencing an influx of new, younger homeowners. According to the 2019 census, the single largest demographic in our community is the 25-35 year old age group (at 28%). These new, young homeowners are driving a demand for detached and semi-detached residences and the market is responding as evidenced by the level of new construction activity. Construction of the Proposed Development, with its domineering size and uninteresting architecture, can only serve to dampen the enthusiasm of new investment in the community and potentially cause people to leave. That is not a result which benefits the Residents, the community or the City.

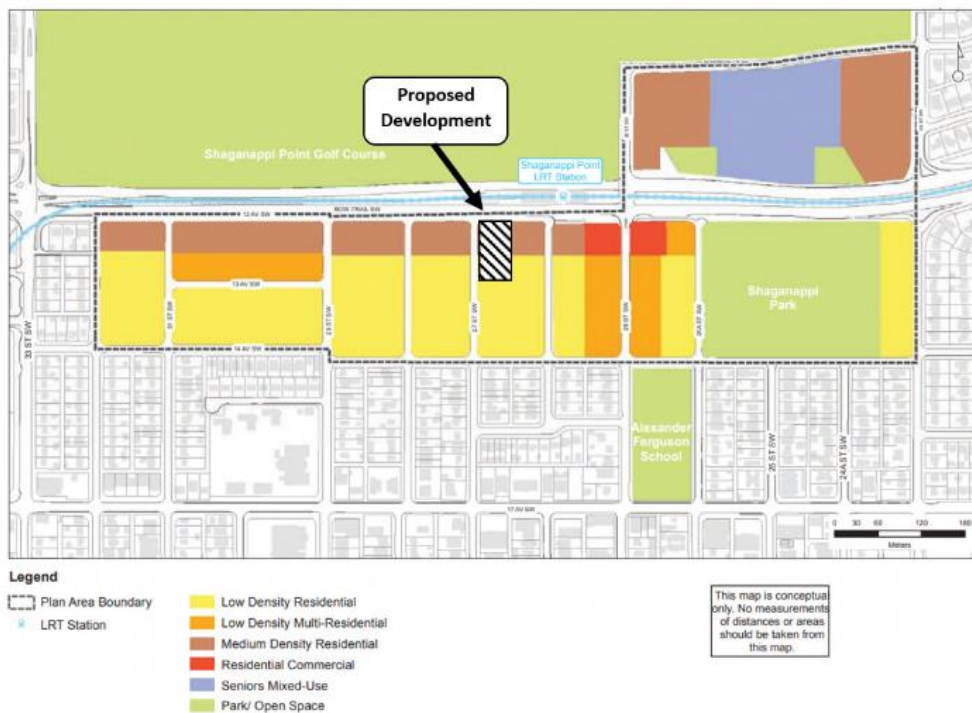
While the Residents appreciate that the ARP is a living document and capable of incremental amendment over time, the Proposed Development purports to shoot a cannon through its core principles, policies and guidelines while the ARP remains in its infancy.

The site of the Proposed Development is intended to be limited to a combination of Low Density Residential, Low Density Multi- Residential and Medium Density Residential, with the medium density being contained to the area adjacent to Bow Trail, as per the below map from the ARP. By contrast, the Proposed Development (outlined in black) seeks re-designation to a Direct Control based on Multi-Residential High Density Low Rise District (M-H1). Under the ARP, there is no provision for high density in the area comprising the site. The advisors, planners and residents who carefully crafted the ARP understood that high density was not appropriate for this specific neighbourhood, and the Residents remain unaware of any coherent policy that would justify altering the ARP on such a fundamental point.

The Residents see no basis for a DC designation other than to avoid the most basic tenets of the ARP, converting what is clearly intended to be a thoughtful blend of low and some minimal medium density residential into spot zoning to permit construction of a significant high density development.

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**Map 2.1: Land Use Policy Areas**



The ARP also provides direction with respect to Built Form & Site Design, including that:

- buildings should “relate well to the street and to each other, provide opportunities to maintain street views and sunlight...and minimize shadowing” (3.0);
- “Building heights vary throughout the Plan area, with primarily a low scale building from proposed throughout most of the area...For larger buildings, building facades should be modulated in width, height and finishing materials to visually break up the building” (3.0/3.1); and
- The maximum building height for the site is 16 metres for the portion adjacent to Bow Trail, decreasing from there as it approaches the existing houses (3.3 and Figure 3.4).

The Proposed Development seeks approval to build to a height of 26 metres, with no modulation in height or width until dropping from 6 storeys to 5 storeys within 9 metres and from 5 storeys to 3 storeys within 3 metres of the existing adjacent houses. There is no modulation in height for the vast majority of the 27<sup>th</sup> St. frontage, leaving residents to look up at a sheer 6 storey wall which will undoubtedly impact privacy and sunlight. Based upon the conceptual drawings shared by the applicant, the balconies are protruding (as opposed to inset) thereby increasing the imposition (and internal floor area) of the structure. As noted, this height is a full 10 metres taller than the recently constructed Giordano, even though the Proposed Development is further from the LRT Station, the acknowledged rationale for increased density. We are not aware of a best planning practice or policy which would justify increasing density as one moves further away from the LRT Station, and the ARP accordingly supports no such increase.

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The Residents understand that the applicant proposes to mitigate the imposing nature of its structure by increased setbacks from what is strictly required under the ARP and to offset the two halves of its structures. With respect, those “gestures” do nothing to take away from the fact that it is simply too large a structure for the neighbourhood. At the second of two sessions we had with the applicant, a straw poll of the Residents revealed a unanimous preference for less height and size of structure over any increased setbacks.

To approve the Proposed Development would, in the Residents’ respectful submission, ignore the City investment and supporting engagement that went into the careful development of the ARP and leave the Residents – and prospective residents/investors in the community – with no reliable indication of the direction of future development in our community. Moreover, the construction of a 6 storey building over 5 lots would significantly impair the use and enjoyment of the surrounding properties and excessively encroach upon the remaining low density neighbourhood. For these reasons, the ARP map clearly indicates that the “medium Density” land use extends to three lots (150 feet), not five lots (250 feet) south of 12<sup>th</sup> Ave, and those restrictions ought to remain in force.

## **2. Parking**

The applicant also seeks a bylaw relaxation for parking, to a ratio of 0.5 stalls per unit. The ostensible justification for this relaxation is that the applicant will market the building to people who do not, and do not wish to, own cars and that tenants will not be allowed to apply for RR parking. There is no track record for a successful building model of this type in Calgary in a comparable community. The applicant has, despite request, been unable to supply any market research to support the viability of its thesis and points to M3 in East Village as its only comparable. Respectfully, East Village and Shaganappi are very different communities and the comparison is tenuous at best. Moreover, we have had at least one resident write to the City (██████████ email dated March 17, 2021) indicating his experience living in a similar style building in Sunnyside and that, as he says, living near the train is not enough to forgo owning a car. That view is made even more clear by our recent experience in Shaganappi. As Resident ██████████ described in his March 23, 2021 letter to the City:

“My last point is that the summary of the development identifies that the developer wishes to have bylaw relaxation for parking stalls. This issue was also addressed in the Giordano negotiations with the Shaganappi Committee Association. The developer addressed the resident’s concerns by increasing the parking in the building to accommodate one car per apartment plus Bylaw required visitor parking. The City also committed to not approving Parking Permit Applications from the Apartment residents based on a statement by the Developer that the Giordano would be marketed to young professionals who weren’t reliant on cars. I see that this claim is being made again. As of March 22nd, 2021 the City Parking Authority has confirmed that the residents of the Giordano Apartment Building have started to apply for RR street Parking Permits. The recent applications have been denied pending appeal. So I find the claims of City Staff and Developers about finding a ‘new’ non car dependent resident to be lacking.”

Street parking in Shaganappi in the area around the Proposed Development is already very tight. If we are experiencing pressure on an already tight situation from the Giordano (a 73 unit building with a 1.0 stall to unit ratio, that is not close to being fully-rented), that situation will become disastrous if the Proposed Development (with its estimated 100-120 units and a 0.5 stall to unit ratio) is permitted the requested parking relaxation. When asked by Residents, the applicant refused to consider incorporating a “no car” provision into its lease agreements. This issue alone has the potential to significantly impair the fabric and enjoyment of the community as people battle their neighbours for insufficient parking. In addition, the block immediately to the west has no lane, and relies on vehicle access exclusively from the street.

Finally, we note from your email dated March 24, 2021 that you are prepared to share the draft DC with us once the applicant has provided additional information. We have also seen reference to a Shadow Study from the applicant and heard that they intend to obtain a View Line Study. In addition, we understand that

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they are required to submit a Parking Plan and draft ARP amendments. We look forward to the opportunity to review as many of those documents as possible and may wish to provide additional comment following that review.

The Residents remain committed to working with the City and developers on thoughtful and respectful development that both protects and enhances the character of our community while the City advances its goal of density. At this time, however, the Residents do not consider the Proposed Development to either protect or enhance our community and have no choice but to signal our opposition.

We thank you for your time and consideration of these submissions.

Yours Truly, on behalf of the Residents



[REDACTED]  
Residents: [REDACTED] and [REDACTED]  
and [REDACTED], [REDACTED] and [REDACTED]  
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