

Community Association Response

 Wed 3/31/2021 10:27 PM
Jeff Marsh <land.use@hh-bh.ca>
[EXT] LOC2021-0032: HHBH Community Association Comment

To CPAG Circ; Rockley, Matt A.
Cc CAWard7 - Dale Calkins

 You replied to this message on 4/15/2021 2:26 PM.

Message  2019-12-04_HHBH_CA_Submission.pdf (498 KB)  2020-04-28_HHBH_CA_Submission.pdf (595 KB)  2020-07-12_HHBH_CA_Submission.pdf (532 KB)

File Manager Rockley,

Thank you for the opportunity to once again comment on this application. Please find attached all of the Community Association's submissions on the previous application (LOC2019-0160) which was refused at Council. From the perspective of Land Use Redesignation, nothing has substantively changed between the final version of the previous redesignation application considered by Council and this one. As such, the Community Association's position taken on behalf of its residents and the neighbourhood-at-large has not changed and it respectfully requests that these submissions be taken into consideration for the current application.

In particular, the Community Association notes in this application the geometry of the three parcels has been tweaked slightly and acknowledges and appreciates that the applicant has done so to mitigate - to an extent - concerns raised by the community and residents with respect to the previous application. However, for all the reasons set out previously, the aggregate parcel that was originally known as 1924 10 Ave NW is simply not appropriate for redesignation and subdivision into three parcels. As noted before, the Community Association is supportive of redevelopment on the two parcels that the original one was subdivided into several years ago in that redesignation is not required to do so, it aligns with the ARP without amendment, and the additional intensity represented by two parcels does not raise the same extensive concerns as the prospect of three does.

Although the Community Association appreciates that the applicant has submitted development permit applications for each of the three parcels proposed to be created through this Land Use Redesignation, it notes that full approval of this redevelopment proposal will also require two additional applications: one for ARP amendment and one for subdivision. (If this understanding is incorrect, the CA requests immediate clarification from the Development Authority as to why one or both of these applications will not be required!) As such, the CA respectfully suggests that any consideration of this application be deferred until all of the necessary applications have been submitted and can all be considered concurrently.

The Community Association also observes that neither the planning considerations guiding the redevelopment of this parcel nor the approval process have changed since the previous application was considered. On this basis, the Community Association regards submission of this application at this time to be frivolous and a waste of both City and Community resources and hopes that Planning & Development shares this perspective.

More specifically in this regard, the Guidebook for Great Communities policy remains in draft and Council has directed its further revision. Even if it had been approved earlier this month, the Community Association would like to remind Planning & Development that Guidebook policies would still not have been in effect for this parcel in that the development of the requisite Riley Communities Local Area Plan has not yet even commenced. It would be entirely inappropriate to recommend approval of any proposal in anticipation of a future Local Area Plan which has not yet even been drafted much less finalized and enacted by Council. Despite age or other concerns that Planning & Development may have with it, the existing planning rationale currently in effect for this parcel must be that which is used to evaluate this application.

So to summarize, in that

- despite Planning & Development's recommendation for approval, Council refused a previous application for redesignation
- the current application for redesignation is not substantively different from the previous one
- neither the redevelopment rules or approval process have changed in the time since the previous application

the Hounsfield Heights Briar Hill Community Association requests that Planning & Development ask the applicant to consider withdrawing the application, and if the applicant is unwilling to do so, recommend to City Council that this application be REFUSED.

Although it acknowledges that the development authority has no statutory requirement to do so, the Hounsfield Heights Briar Hill Community Association respectfully requests to be kept apprised via email to this address of changes to the status of this application and be notified of any decision made by development authority on it forthwith.

Given delivery problems with past submissions, the Community Association also requests confirmation from the File Manager of receipt of this email.

Please don't hesitate to get in touch if you have any questions or require any further information.

\\ / Jeff Marsh \\ /
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December 4, 2019

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

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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 HHHBH 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

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.**

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**

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**

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**

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 Hounsfield 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 Hounsfield 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.

* 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-CIN designation and this on its own should be sufficient justification for the redesignation application to be REFUSED.

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.



**HOUNSFIELD HEIGHTS – BRIAR HILL
COMMUNITY ASSOCIATION**

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April 28, 2020

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

City of Calgary

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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 HHHB 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 HHHB 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. HHHB 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 HHHB 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

*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

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.



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July 12, 2020

Delivered via online form:

<https://forms.calgary.ca/content/forms/af/public/public/public-submission-to-city-clerks.html>

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Re: Additional Material for inclusion in the Agenda Package for the Public Hearing for LOC2019-0160 (1922 & 1924 10 Ave NW) on July 20, 2020

His Worship, Mayor Nenshi & Members of Calgary City Council,

The Hounsfield Heights Briar Hill Community Association (HHBH CA) seeks to ensure that City Council is aware of its opposition to both the applications for Land Use Redesignation and ARP Amendment for 1922 & 1924 10 Ave NW for the reasons outlined in our previous submissions to the Development Authority which have been included with this submission for your reference. The redevelopment, as proposed, would be to the detriment of the long term health and vitality of our community and thus is not in the best interests of our residents.

In addition, the HHHB CA wishes to provide further perspective on revisions to the Land Use Redesignation regarding which it has not, until now, been afforded an opportunity to provide comment. As summarized by the statement in the Planning & Development Report to CPC:

"The application has been revised to create a total of three parcels instead of four in response to comments from the Community Association and residents."

Although this revision was made concurrently with the addition of the application for ARP Amendment, which required circulation, the Development Authority elected to not concurrently re-circulate the modified Land Use Redesignation even though it would not have incurred delay or cost. **The HHHB CA contends that this is a represents a disregard for due process and transparency as was**

communicated via phone conversation with file manager Matt Rockley at the time of the ARP amendment circulation.

Consequently the application was reviewed by the Calgary Planning Commission without any perspective from either the community or its residents on the revisions. Similarly, although the HHBH CA is taking this opportunity to comment on the revisions, comment on the revised application has and will never be solicited from our residents.

The HHBH CA believes the brief statement regarding the change from four to three parcels is disingenuous in that it also inherently implies that the modification also *addresses* concerns raised by the Community Association and residents. **To be explicit, from the HHBH CA's perspective, the reduction from four to three parcels does not substantively alleviate or mitigate the concerns and/or overall incompatibility of the proposed redevelopment outlined in its previous submissions. As such, despite the revisions, the HHBH CA continues to strongly oppose the revised redevelopment proposal.**

However, in the interests of providing constructive comment whenever possible, the HHBH CA would also like to use this opportunity to express its support for redevelopment of this site with two (or fewer) parcels. Although superficially it seems reasonable to assert that the progression from the single parcel that the site has historically hosted to the four parcels originally proposed would be linear, it is not. There is very significant and consequential difference between creating 2 and 3 parcels on this site. Two parcels can be created – and in fact already have been created by the already approved subdivision application which cleaved 1922 from 1924 10 Ave NW and was not opposed by the HHBH CA – requiring neither a land use redesignation that is disruptive to and incompatible with the adjacent land use nor an amendment to the HHBH Area Redevelopment Plan in that through careful design two compliant dwellings could reasonably be proposed. **If the applicant were to revert to proposing two respectfully designed dwellings for the site, the HHBH CA would happily support and champion the redevelopment in that it would strengthen and enhance the character and vitality of this area of our community.**

In conclusion, the HHBH CA respectfully requests that Calgary City Council REFUSE both applications presently before it to redesignate the zoning of 1922 & 1924 10 Ave NW and to exempt this site from provisions of the HHBH ARP.