

**ROAD CLOSURE AND LAND USE AMENDMENT
WEST HILLHURST (WARD 7)
NORTH SIDE OF KENSINGTON ROAD NW,
BETWEEN 18 STREET AND 19 STREET NW
BYLAWS 4C2016 AND 21D2016**

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EXECUTIVE SUMMARY

This application is for the Kensington Legion redevelopment in the community of West Hillhurst. The comprehensive redevelopment plan envisions a phased development of two sites, with two buildings, as well as a bisecting new public road segment on the former 18A Street NW road plan.

The proposal on the subject site consists of two components:

- 1) Road closure of a portion of the surplus road widening located on the north boundary of the Kensington Road NW road right-of-way;
- 2) Redesignation of the parcels (Site 1 and Site 2) and the closed road from Special Purpose – Community Institution (S-CI) District, DC Direct Control District and undesignated road right-of-way to DC Direct Control District. The Direct Control District is based on the Commercial – Corridor1 (C-COR1) District and will allow for redevelopment of the site to a vibrant, pedestrian oriented mixed-use (residential, retail and office) node within the established community. The proposed floor area ratio on Site 1 is 2.1 and building height no greater than 21.0 metres. The proposed floor area ratio on Site 2 is 4.3 and building height no greater than 31.0 metres.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 December 17

That Calgary Planning Commission recommends **APPROVAL** of the proposed Road Closure and Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 4C2016 and 21D2016; and

1. **ADOPT** the proposed closure of 0.026 hectares ± (0.064 acres ±) of road (portions of the street widening on Plan 2369HF lying south of Lots 1 and 2 Block 14 Plan 2369HF containing 0.026 hectares (0.064 acres) more or less) adjacent to 1908 and 1910 Kensington Road NW, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Closure Bylaw 4C2016.

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3. **ADOPT** the proposed redesignation of 0.77 hectares \pm (1.90 acres \pm) located at 101, 109 and 118 – 18A Street NW and 1908 and 1910 Kensington Road NW and the closed road (Plan 6219L, Block 19, Lots 12 to 14; Plan 2369HF, Block 14, OT; Plan 2369HF, Block 14, Lots 1 and 2; portions of the street widening on Plan 2369HF lying south of Lots 1 and 2 Block 14 Plan 2369HF containing 0.026 hectares (0.064 acres) more or less) from Special Purpose – Community Institution, (S-CI) District, DC Direct Control District and Undesignated Road Right-of-Way to DC Direct Control District to accommodate mixed use development, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 21D2016.

REASON(S) FOR RECOMMENDATION:

The proposal advances the Municipal Development Plan (MDP) goals and policies for building complete communities, supporting intensification and greater housing choice in concert with the provision of high quality urban environments and primary transit services. The proposed land use amendment is not aligned to the MDP urban design policies regarding building height maximums related to a one to one road right-of-way ratio on Neighbourhood Corridors without a local area plan and policies regarding the encouraged land use and form characteristics of Neighbourhood Corridors. However, careful design solutions and planning considerations that respond to the unique characteristics of this large site address these issues of non-conformance and provide the potential for proposed comprehensive, higher density development. Site specific guidelines within the Direct Control District will guide the design of future development on site and ensure they are responsive to both their existing and planned context.

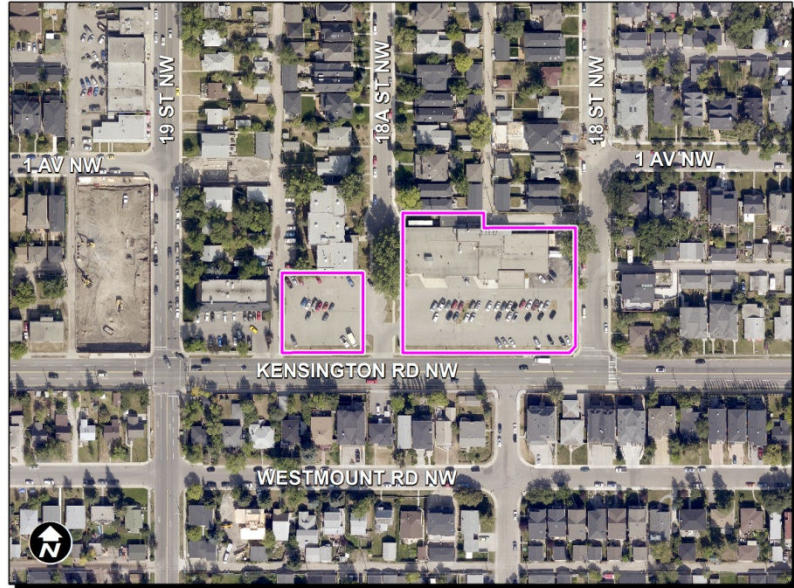
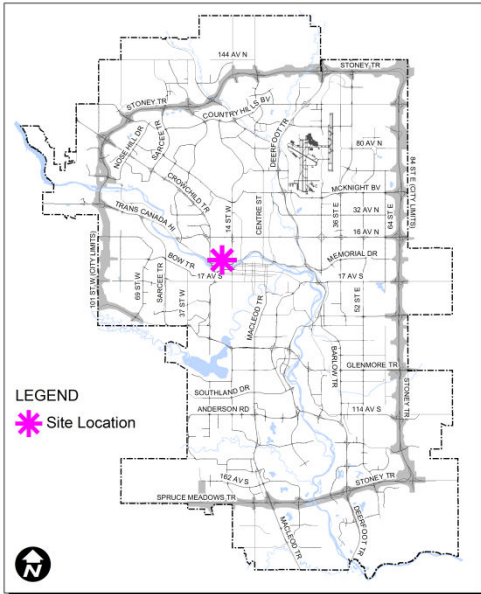
ATTACHMENTS

1. Proposed Bylaw 4C2016
2. Proposed Bylaw 21D2016
3. Public Submissions

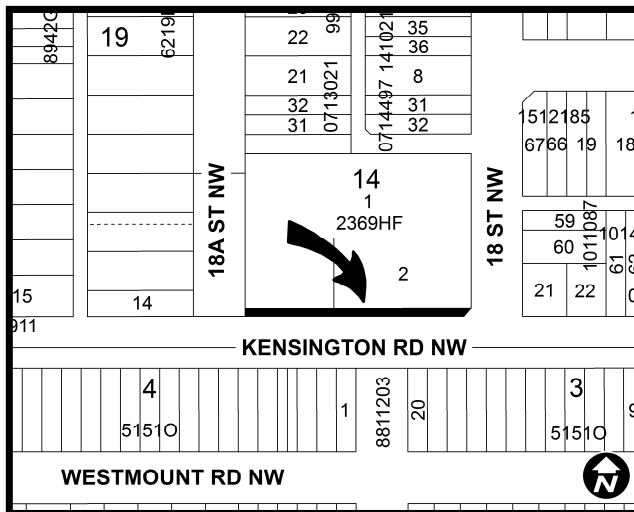
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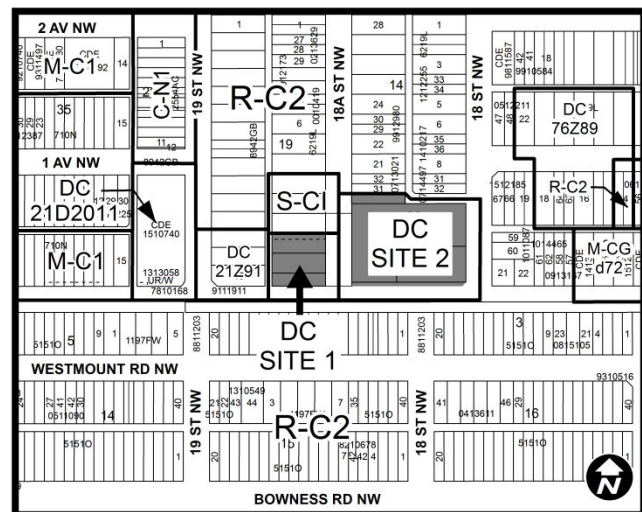
LOCATION MAPS



Road Closure Map



Land Use Amendment Map



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed closure of 0.026 hectares \pm (0.064 acres \pm) of road (portions of the street widening on Plan 2369HF lying south of Lots 1 and 2 Block 14 Plan 2369HF containing 0.026 hectares (0.064 acres) more or less) adjacent to 1908 and 1910 Kensington Road NW, with conditions (APPENDIX II).

Moved by: S. Keating

Carried: 9 – 0

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.77 hectares \pm (1.90 acres \pm) located at 101, 109 and 118 – 18A Street NW and 1908 and 1910 Kensington Road NW and the closed road (Plan 6219L, Block 19, Lots 12 to 14; Plan 2369HF, Block 14, OT; Plan 2369HF, Block 14, Lots 1 and 2; portions of the street widening on Plan 2369HF lying south of Lots 1 and 2 Block 14 Plan 2369HF containing 0.026 hectares (0.064 acres) more or less) from Special Purpose – Community Institution, (S-CI) District, DC Direct Control District and Undesignated Road Right-of-Way to DC Direct Control District to accommodate mixed use development with guidelines (APPENDIX III).

Moved by: S. Keating

Carried: 9 – 0

Reasons for Approval from Mr. Wright:

- Key project both in terms of its potential social energy associated with the Legion and the well overdue redevelopment of a very unique site.
- Secondly the applicant has introduced a new level and style of citizen engagement that hopefully will raise the bar for subsequent engagement processes throughout the City

Reasons for Approval from Ms. Gondek:

- Although we are a technical review body, our mandate to focus on good planning principles is based on the provision of thoughtfully planned spaces and places for people. To that end, we must also include the less tangible, more qualitative components of planning in deliberations. Thus, we must consider concepts like sense of community, sense of belonging and social cohesion. The Legion provides all of these things within the community, but it is faced with transitioning from its traditional operations to something that is more reflective of the times and the diverse community it can serve. The proposed land use and development allow for the transition of the Legion from a somewhat private organization to a much more inclusive and community-focused hub. The Legion provides heritage in a non-built form manner; it provides a means to link generations together through a shared space that allows for transfer of history. This application should be recognized as the sincere intentions of the Legion to become more integrated within the community at large, and the recognition that self-sufficiency and sustainability of the Legion is directly tied to

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offering other uses within their building.

Reasons for Approval from Ms. Wade:

- The Applicant and Administration have listened to comments, adjusted and revised plans to address community concerns in a respectful manner.
- The legion is a part of the community and works to provide services to seniors, community members and a historical reminder of our democratic country.
- The land use meets our MDP, Main Street direction and neighbourhood corridor in a creative response design.

Reasons for Approval from Mr. Morrow:

- This is the kind of project that will define “Calgary 4.0” – from traditional city, to post war city, to new suburbs, to the need to grow in and up in ways that are compatible with existing communities. This project does just that. It is a high quality design and while some might consider it too tall, it is important to understand the maximum height is not throughout the site, since the building makes and appropriate transitions to the neighbourhood. This is an innovative way of sustaining and important institution and will result in a positive contribution and amenity to the area.

Reasons for Approval from Mr. Friesen:

- I supported this land use but have some significant reservations. The legion and its members are clearly worthy of community support. I have been involved in extensive work with veterans groups and have found it a very worthwhile activity. Also the site is large and warrants a major redevelopment investment.
- The land use planned, particularly for the residential site allows for very large building mass which is not in harmony with the surrounding community. The likelihood of additional buildings of this scale being built on Kensington in the medium term future is low since many properties have been rebuilt recently at a much smaller scale.
- The residents seem to be voicing significant opposition to this scale of development. The extensive communication and engagement program is admirable. I am however concerned about extensive engagement when what is apparently the key community concern is not resolved. Is this type of engagement insincere and approaching tokenism.
- The architecture of the buildings also concerns me since it seems to emphasize the height and mass of the buildings on the Kensington side of the site when this is the main problem with the project for some. This will be more of an issue when the DP application for the residential building is considered.

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MOTION:

- The Calgary Planning Commission received correspondence from:
- West Hillhurst Community Association dated 2015 December 16;
 - Kensington Legion Re-Development, dated 2015 December 16;

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- Tara Branter, dated 2015 November 01;
- Royal Canadian Legion, North Calgary Branch #264, dated 2015 November 16;
- Tony Zhang, dated 2015 December 16; and
- Susan Cardinal, dated 2015 December 16;

as distributed, and directs it to be included in the report in APPENDIX VII with a proviso to Council that due to the amount correspondence that was received, it has not been thoroughly review by Planning Commission.

Moved by: J. Gondek

Carried: 9 – 0

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Applicant:

Civic Works Planning + Design

Landowner:

The Royal Canadian Legion North
Calgary Branch No. 264

The City of Calgary

PLANNING EVALUATION

SITE CONTEXT

The subject site is located in the community of West Hillhurst along the north side of Kensington Road NW between 18 Street and 19 Street NW. The site is comprised of six contiguous parcels approximately 0.77 hectare in total size. A single storey building (home of the Royal Canadian Legion North Calgary Branch 264 – also known as the “Kensington Legion”) and its surface parking lot exist on the site. The immediate surrounding development and land use context is primarily comprised of single detached and semi-detached dwellings within the Residential – Contextual One/Two Dwelling (R-C2) District. To the immediate north of the westerly parcel is a three storey multi-residential development (General deLalanne Lodge) under Special Purpose – Community Institutional (S-CI) District. To the west is a two storey local commercial building and surface parking facility under DC Direct Control District. The subject site is also located along the Primary Transit Network (Bus Rapid Transit Route 305) on Kensington Road NW.

LAND USE DISTRICTS

Proposed Land Use District

The proposed land use district is a DC Direct Control District based on the Commercial – Corridor 1 (C-COR1) District of Land Use Bylaw 1P2007. Although Administration generally discourages the use of Direct Control Districts, the use of a Direct Control District is in this case is appropriate due to the following:

- The subject site is unique to the area in that the parcel is relatively large section of land assembly along the corridor and has greater depth (approximately 60 metres parcel depth) than the other parcels along Kensington Road. The parcel size and depth provide unique development potential that is different than other parcels along the remainder of the corridor.
- The proposed Direct Control District is guided by the objective to create a pedestrian oriented, livable and vibrant neighbourhood node along the corridor, while respecting the existing local context. Specific regulations on setbacks, building step backs, a transitional height using angular planes are embedded in the Direct Control District to ensure the site is developed in an appropriate and context sensitive manner. These specific regulations do not exist in other land use districts.

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- The parcels are not subject to a local area plan. Given the location and size of the parcel, a comprehensively planned development using a Direct Control district is appropriate.

In addition to allowing for appropriately scaled mid-rise mixed use development (residential, retail and office), the Direct Control District has a number of key provisions:

- Allow for comprehensive site development of the parcel into Site 1 and Site 2;
- Allow for a maximum floor area ratio of 2.1 on Site 1 and maximum floor area ratio of 4.3 on Site 2;
- Allow for a maximum building height of 21.0 metres on Site 1;
- Create a transitional building height using angular planes on Site 2, up to 31.0 metres;
- Allow for uses that generate pedestrian activities and contribute to an active street to be located on the ground floor of buildings;
- Protect the public realm by limiting vehicle access from Kensington Road NW;
- Require step backs to mitigate the perception of height mass and create comfortable pedestrian conditions; and
- Allow for strategic building setbacks along the commercial street for amenity space and architecture interest.

LEGISLATION & POLICY

Municipal Development Plan (MDP)

The Municipal Development Plan (MDP) identifies the site as located within the Developed Inner City area on the Urban Structure Map (Map 1) and identifies Kensington Road NW as a Neighbourhood Corridor and part of the Primary Transit Network. The MDP recognizes Neighbourhood Corridors as areas that might change and transform in the future to support a greater mix of housing types and uses to serve changing community needs. The MDP outlines the characteristics and future development considerations related to these streets.

Neighbourhood Corridors serve as main streets of a community and currently or will have the potential to provide a social function to the neighbourhood by supporting a moderate mix of uses and residential development as ground-oriented and low density apartment housing within a quality pedestrian friendly environment.

The MDP provides overall policy direction for a more compact city with efficient use of land that enhance the vitality and character of local neighbourhoods while providing for a variety of housing options. The MDP encourages high quality development along Neighbourhood Corridors which support increased job and housing options.

The proposal is consistent with the MDP's City-wide land use objectives:

- to create walkable environments;
- to create a range of housing opportunities and choices;
- to strategically direct and manage redevelopment opportunities within existing areas;
- and

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- to support compact urban development.

The proposed land use amendment meets the overall objective of the MDP but specifically, the MDP urban design policies regarding building height maximums related to a one to one road right-of-way ratio on Neighbourhood Corridors without a local area plan and policies regarding the encouraged land use and form characteristics of Neighbourhood Corridors are not met. However, careful design solutions and planning considerations that respond to the unique characteristics of this large site address these issues of non-conformance and provide the potential for proposed comprehensive, higher density development. Site specific guidelines within the Direct Control District will guide the design of future development on site and ensure they are responsive to both their existing and planned context. Due to the proximity of the bordering low scale residential district surrounding the site, consideration was given to address site and specific building design requirements including specific regulations on setbacks, building step backs, pedestrian scale design, and appropriate transition of building scale and height with the lowest height on the north edge of the site and have the height gradually increase toward Kensington Road NW.

See APPENDIX V for summary Municipal Development Plan policies.

Main Street Initiative

The Main Street Initiative is a study of all 24 identified main street areas (Urban and Neighbourhood Corridors) across Calgary. The Main Street Initiative will build upon the Municipal Development Plan's direction for Corridors and identify ways to strengthen the unique features of each Corridor. Kensington Road between 10 Street and Crowchild Trail NW is identified as a Neighbourhood Corridor and is therefore included in the Main Street Initiative.

The Initiative is in its second phase. This phase analysis of the inputs from community consultation will be undertaken and market research will be conducted to plan for future growth along Main Streets. Please refer to APPENDIX IV for comments received from the Main Street team. These comments have been taken into consideration in the review of this application.

TRANSPORTATION NETWORKS

A Transportation Impact Assessment (TIA) was submitted in support of the land use amendment and development permit applications for Site 1 and Site 2 (single document). In conjunction with the approval of the land use amendment by Council, 18A Street NW (1916 Kensington Road NW) will be designated as public road right-of-way. Eighteen A Street NW will serve as primary access and egress to Site 1, as well as primary egress to the commercial uses for Site 2. Eighteen A Street will also serve as an active modes connection to the existing neighbourhood to the north, connecting the community by foot and bike use, and will accommodate ten on-street, paid public parking stalls.

Access to the commercial use on Site 2 is accommodated along 18 Street NW, and egress provided along 18A Street NW. The access is located south of the existing lane along the north boundary of Site 2. Vehicular use of the lane along the west side of the legion building (Site1) is limited to waste and recycling services, as well as provides kitchen access and three short term

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staff parking stalls.

The lane along the north side of Site 2 will be upgraded to a paved lane, with activation through sidewalk and building access along the west side of the lane, and landscape enhancements along the east side of the lane to provide visual screening to the adjacent residential lot. The existing lane will be used for residential access and egress only to Site 2, and access to the homes north of the lane will remain unchanged.

The site access and circulation strategy is intended to limit and consolidate the number of vehicle accesses from the high traffic multi-modal Kensington Road NW, reduce number of vehicle and pedestrian conflicts along the main street where priority is placed on pedestrians, seeks to create a vibrant mixed-use corridor, and minimizes the potential of vehicular trips through the adjacent community.

COMMUNITY ENHANCEMENT

Several community street enhancements were identified in support of the proposed land use amendment and development permit applications. The community raised concerns during the application review process around pedestrian safety and mobility, particularly children walking to and from the nearby Queen Elizabeth School along 18 Street NW. As a direct response to this issue, and working in partnership with the Developer, the Developer identified several streetscape enhancements that will be designed and constructed by the Developer at its sole expense in conjunction with the proposal, including:

- Curb bulbs at 6 Avenue NW, 3 Avenue NW, and Kensington Road NW;
- Pedestrian-actuated crossing signals at 3 Avenue NW (primary pedestrian crossing to the Queen Elizabeth elementary and high schools); and
- Street trees and soft-landscaping enhancements along 18 Street NE and at 6 Avenue NW, 3 Avenue NW, as well as on Kensington Road NW along the boundary of the site.

The Developer has agreed to pay for the design and installation of all the streetscape enhancements in support of this application, and the proposed community enhancements are supported by The City. The 18 Street NW corridor was identified as the most significant area of concern by the public in terms of the potential of increased development-generated traffic, vehicle speeds, and reduced pedestrian safety with a key focus on the school-aged children using this corridor to move north-south from the school within the community.

Curb bulbs along Kensington Road NW were considered, but are not recommended at this time. As with review of on-street parking along Kensington Road NW, the intent is to review streetscape and street design of Kensington Road NW in conjunction with the ongoing Main Streets Initiative, allowing Main Streets the flexibility and ability to complete a comprehensive review, and develop an implementation plan for the entire Kensington Road NW Main Street.

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The design and construction of the proposed community enhancements will be provided at the expense of the developer in conjunction with Site 2 development permit (DP2015-4956).

UTILITIES & SERVICING

A sanitary servicing study was submitted and approved by Water Resources.

Existing services are available from the following locations:

- Water connection is available from 18A Street NW and Kensington Road NW.
- Sanitary sewer connection is available from 18A Street NW and Kensington Road NW.
- Storm sewer connection is available from north utility right of way.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was not required for these parcels.

ENVIRONMENTAL SUSTAINABILITY

The proposed land use allows for a mix of uses along the Neighbourhood Corridor and optimizes population and job growth within walking distance of Primary Transit. An analysis of site specific measures that would contribute toward an environmentally-friendly development will be conducted at the development permit stage.

GROWTH MANAGEMENT

This land use amendment proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time. The proposal is in alignment with the MDP references associated with growth management matters.

PUBLIC ENGAGEMENT

Public engagement with the community was an important component of this application to both Administration and the Applicant. Prior to any engagement activities, an engagement plan was discussed and agreed on between both parties that outlined the goals and objectives. Both Applicant led and City led public engagement was completed for this application.

Applicant led engagement

The applicant held an extensive engagement process with the community to obtain feedback on

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their proposed land use and development vision for the overall site. Over the engagement process, activities included:

- Meeting with the West Hillhurst Community Planning Committee on 2015 May 13 to review project vision and proposed engagement process;
- Advance notice of applicant engagement through Planning Committee update in June 2015 edition of West Hillhurst Warbler (community newsletter), an update in the August 2015 edition, as well as updates from the Planning Committee in subsequent newsletters;
- Dedicated project website (www.engage264.ca), launched 2015 July 15; the website remains active today;
- Media notification of public engagement process launch with coverage from several print and television news outlets in second and third weeks of July 2015;
- Direct mail-out notice of engagement to 350 resident addresses within a 250 metre radius of the site;
- On-site sandwich board engagement signage;
- Engagement Storefront hosted at the Legion - 14 open house sessions (Wednesdays afternoons and evenings and Saturday afternoons) over 42 hours in July and August;
- On-site physical 'Sounding Board' with project information and direct feedback posting opportunity, 24/7 presence in July and August 2015; and,
- E-news with on-going sign-up and updates.

Participants in Engagement Process:

- 160 one-on-one conversations at Engagement Storefront;
- 220 individual notes on the sounding board;
- 820 unique website visits and/or input responses on the project website; and
- Across all engagement input methods, over 1,200 individual ideas were recorded.

The proposal has been responsive to the community and made tangible off-site community investments, and design changes based on a significant and progressive public engagement effort. The applicant has summarized the findings from their public engagement in their "What We Heard Report": <http://engage264.ca/pdf/what-we-heard-report.pdf>

City led engagement:

The community consultation included the following:

- The land use amendment application was circulated to residents within 60.0 metre radius of site;
- Notice posting signage was placed onsite to advise that the application has been submitted with file manager's contact information;
- The application was circulated to the Hillhurst Sunnyside and West Hillhurst Community Association between 2015 July 20 and 2015 August 13;
- Project webpage: www.calgary.ca/legion launched 2015 September 25. The webpage was used to outline the application process, timelines, and engagement opportunities

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available. It also served as a resource for project information and documents submitted in support of the application (i.e. TIA), links, and contact information;

- The City received a number of comments on this proposal and responded to concerns and questions.
- A public information session was held on 2015 November 04 at the Kensington Legion location. This event was intended to share updated information on the proposal and plan revisions that were made based on Administration's review of the application, and to provide residents with an opportunity to ask City planning staff questions about the proposal and the planning process. This session was attended by approximately 200 residents and interested parties.
- Transportation Planning staff attended the 2015 November 10 West Hillhurst Community Association Annual General meeting to answer the Community Association Board and community member questions.

Community Association Comments

Although the subject site is located in the community of West Hillhurst, given the site proximity to Hillhurst/Sunnyside community, the application was circulated to both Community Associations. Comments from the Hillhurst Sunnyside Community Association (HSCA) were received on 2015 August 13, these comments relate to the original application submission. Subsequently, the applicant amended the application based on feedback from the public engagement and City's technical review. HSCA provided further comments on the proposed development on 2015 December 03.

The West Hillhurst Community Association (WHCA) submitted their original comments on 2015 August 24. The WHCA Planning Committee recently gone through a renewal of its leadership and provided further comments on the proposal on 2015 November 04. Since these comments were received after the public engagement process, they were not specifically addressed in the applicant's "What We've Heard Report". West Hillhurst Traffic Committee also provided comments to the proposed land use amendment (see APPENDIX VI).

Resident's comments

In response to the notice posting and other applicant and City led engagement, 95 represented residents sent in comments regarding the proposed development. The comments have been summarized below. Since the development concepts (renderings and proposed development on Site 2) and Development Permit application on Site 1 for proposed Legion building was circulated at the same time as the land use amendment application, the comments received are based on all shared information of these various applications.

The following are comments in support of the proposed development:

- This development has a high quality, aesthetically pleasing design.
- The proposed terraced design of the building is appreciated.
- Support development of a new home for the Legion.
- Redevelopment is a better use of the currently underutilized site.

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- Support increase density and variety of land use.
- Support the proposed development as long as transportation and servicing concerns address adequately.
- Support increasing density for the neighbourhood and adding vitality to the community.
- The proposed development is better than the recent two to four unit redevelopments which may be underdeveloped.
- Great to have more commercial development in the community.

The following concerns were also noted:

Theme	Feedback	Response
Density	Concern that the proposed density (approx. 210 units for the mid-rise building) is too high and will change the community character; need to ensure existing infrastructure can support an increased population.	Kensington Road is located on a neighbourhood corridor (as defined by the MDP) supported by primary transit, which is an ideal location to support this kind of development. Additional studies (transportation, sanitary servicing) are being reviewed by the City to ensure the infrastructure can support the proposed development.
Building Height	Proposed 10 storey building is too high; the maximum height allowed in Hillhurst/ Sunnyside is 8 storeys; building height should not be higher than 4 storeys, a range of 6 to 8 storeys was deemed more appropriate; does not fit in context of low density neighbourhood; The proposed development will set a precedent or "game changer" and will lead to the degradation of the community's character	The proposed development is not located within the Hillhurst/Sunnyside Area Redevelopment Plan area. The applicant has adjusted the building height on Site 2 from 36m (proposed 10 storey building) to 31m (proposed 8 storey building) and the on Site 1 to 21 metres (proposed 4 storey building). Provisions in the proposed Direct Control District include setbacks, and building step backs, articulations/ recesses to help mitigate the perception of mass and height. The building's terrace design will also help create a compatible height interface with the low density development adjacent to the site.
Property Values	Concerns related to potential loss in property values due to proposed development.	Property value is not a planning matter that can be considered during the planning process.
Construction impacts	Concerns related to construction activities and resulting noise, dust, safety issues; long construction time frame.	If the application is approved, construction management mitigation measures will need to be adhered.

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<p>Traffic, parking, safety</p>	<p>Concerns related to potential increase in traffic and reduced parking availability; concerns with safety of children walking to and from to the school along 18 Street NW.</p>	<p>A transportation study is assessing impacts of the development on traffic patterns and volumes. All Land Use Bylaw parking requirements must be met onsite. The applicant has also proposed offsite community enhancements for pedestrian safety and mobility improvements for 18th Street.</p>
<p>Landscaping and public space</p>	<p>Landscaping onsite appears inadequate.</p>	<p>The applicant has revised the application with additional landscaping and public realm improvements, including new street trees along 18A Street and Kensington Road NW. Details will be reviewed at the Development Permit stage.</p>
<p>Quality of life</p>	<p>Concern that the proposed development will decrease quality of life.</p>	<p>Communities can change over time; the City sees merits in the proposed development suggesting it can contribute to quality of life. The proposal will add new people to populate the local school, community facilities, retail shops, services, enhanced public space, community energy and vitality.</p>
<p>Built form</p>	<p>Concerns with sun shadowing impact, loss of views, loss of privacy, wind impact.</p>	<p>In terms of shadowing impacts, one of the applicant's goals for the project is to minimize the shadow impact on the existing low density development to the north, hence the building distributed the tallest building height towards Kensington RD. Sun shadow studies have been provided by the applicant and the City is satisfied with how shadowing has been addressed.</p> <p>Generally speaking, there is no right to privacy. Redevelopment occurs on parcels of different size, orientations, distance from adjacent properties and proposed development tend to be in different built form and scale. There is no practical, reasonable and enforceable design standards have been devised which would allow the full use of land whilst guaranteeing complete privacy for every neighbour. Planning does review and ensure a reasonable degree of privacy is respected when reviewing proposed developments. The applicant addressed privacy by proposing a landscaped screening buffer along the common amenity area. Outdoor balconies also include non-transparent materials. Details and the exact location</p>

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		<p>of balconies will be reviewed at the DP stage. Trees proposed along the new paved north lane provide a green landscaped buffer.</p> <p>Access to view is not regulated in the Bylaw and generally not a planning matter that can be considered.</p> <p>Administration did not request a wind assessment for this proposal. Although local wind patterns and snow drift will always be impacted when new structures are constructed, we would not expect to see any issues of wind impact here to be experienced between the new Legion and midrise mixed-use buildings being proposed.</p> <p>Details will be reviewed at the Development Permit stage.</p>
Application process	<p>Concern with lack of notification/ communication regarding the proposed development; the City should have mail drop notification for every residents in the community; concern that public engagement was held during the summer months and did not include all community members.</p>	<p>The land use redesignation application was circulated to residents within a 60-metre radius of the development site. Notice posting signage was placed onsite to advise that the application had been submitted, and the application was circulated to the Hillhurst Sunnyside and West Hillhurst community associations between July 20 and August 13. The City has received a number of comments on this proposal and has been responding to concerns and questions.</p>
Concurrent application process	<p>Although the applicant is utilizing the concurrent DP/ LOC, there were concerns that the DP for Site 2 has not been submitted at the same time as the LOC and Site 1 DP; concerns that the actual development of the proposed building may not be like the concept drawings.</p>	<p>The land use amendment application was used to inform the detail design of the proposed building on Site 2, therefore the DP was submitted at a later stage. DP2015-4956 has now been submitted and is currently under review.</p> <p>Residents wanted more assurance that the built form, design will take the form as presented. The proposed DC district is to provide greater certainty on the outcome of the proposed land use.</p>

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<p>Lack of local area policy for this site</p>	<p>Concern that a local area redevelopment plan has not been developed for West Hillhurst; Main Streets initiative is underway but not finalized.</p>	<p>The City does not have plans to prepare an area redevelopment plan for West Hillhurst at this time. The Main Street Initiative highlights a shift to focus strategic planning on areas (corridors) that can and are most likely to change and accommodate increased density. The Main Street initiative is underway and has not been finalized yet. Comments from the Main Street Initiative team have been provided in this report (APPENDIX IV).</p>
<p>Commercial development</p>	<p>Concern with proposed commercial uses (noise, traffic, crime); Community needs more local groceries and a mixed of uses along Kensington Road.</p>	<p>Kensington Road is a neighbourhood corridor (as defined by the MDP) supported by primary transit, Administration supports development of a mix of residential and commercial/retail uses along this corridor (main street).</p>

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APPENDIX I

APPLICANT'S SUBMISSION

APPLICANT SUBMISSION STATEMENT (LOC2014-0156) – Land use amendment

The subject property is located in West Hillhurst along Kensington Road NW and is comprised of six contiguous parcels approximately 0.89 hectares in total size. The property maintains a single-storey structure approximately 18,000 square feet in size, which is the current home of a Social Organization (The Royal Canadian Legion North Calgary Branch 264 - 'Kensington Legion'). The balance of the subject property is a surface parking facility. Majority-owned by the Kensington Legion, a portion of the subject property is owned by The City of Calgary and under the stewardship of Corporate Properties and Buildings. This portion of land is a former Road Plan or a portion of 18A Street NW that previously connected to Kensington Road NW. These are lands now deemed surplus and are being leased by The City to the Kensington Legion for surface parking uses. The surrounding development and land use context is primarily comprised of single-detached and semi-detached dwellings within Residential - Contextual One/Two Dwelling (R-C2) District. To the immediate north is a three-storey multi-residential building (General DeLalanne Lodge) under Special Purpose - Community Institution (S-CI) District. To the immediate west is a two-storey local commercial building and surface parking facility under Direct Control (21Z91) District based on Local Commercial (C-1) District.

A progressive partnership and redevelopment model is proposed between a private developer-builder (Truman Development Corporation) and a local social organization (Kensington Legion) to revitalize an aged and fiscally unsustainable facility, and create a vibrant mixed-use node on an under-utilized established community site. The Legion's proposed new and modernized home, to be constructed by Truman, will be a mix of social organization uses (similar to what exists today -- supporting food services, as well as social, recreational and cultural activities) and market-rate office space wholly-owned by the Legion and intended to create a new long-term revenue stream for the organization. Once a new Legion home is constructed, the balance of the lands are proposed to be transferred to Truman to create a mixed-use, mid-rise market-rate development, which Truman believes strikes the right balance among the Legion's goals, the established community development context, and The City of Calgary's growth goals both city-wide and for the Kensington Road corridor. The proposed mid-rise, mixed-use vision has been informed by progressive urban design principles.

The comprehensive redevelopment strategy envisions a phased development of two sites/buildings, as well as a bisecting new public street segment on the former 18A Street NW Road Plan (this will be a cul-de-sac type street with no through connection to 18A Street NW). The first site on the westerly portion of the property will be 0.17 hectares in size and the proposed building is to be the new home of the Kensington Legion. This site will include a Social Organization and Office uses in a vertically-mixed building achieving a floor area ratio no greater than 2.1 and building height no greater than 21 meters (or an approximately four storey commercial building-type). The second site on the easterly portion of the property will be 0.61 hectares in size (inclusive of proposed acquisition of City-owned surplus road widening along Kensington Road NW). The proposed building will contain a commercial-retail podium with vertically-mixed multi-residential uses above-grade within a mid-rise building format that achieves a floor area ratio no greater than 4.3 and a building height no greater than 31 meters (or approximately 8 storeys, with a single commercial building-type ground floor storey and 7 storeys of residential building-type above).

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There is no applicable Local Plan. The Municipal Development Plan identifies the subject property as part of a Neighbourhood Corridor (or the 'Main Street' of one or more communities), which encourages a minimum intensity threshold of 100 jobs and population per gross developable hectare. The property is also located along a Neighbourhood Boulevard Street which forms part of the Primary Transit Network (Bus Rapid Transit Route 305), where there is high-frequency transit service that operates every ten minutes or less, for fifteen hours a day, seven days a week.

APPLICANT SUBMISSION STATEMENT (LOC2014-0156) – proposed road closure

The proposed Road Closure is for a portion of road widening that has been deemed surplus which is located on the north boundary of the Kensington Road NW road right-of-way, immediately adjacent to the southern boundary shared with 1908 and 1910 Kensington Road NW. The proposed Road Closure is 2.965 meters in width and 87.647 meters in length, and is a total area of 252.4 square meters in size.

The Land Use Redesignation Application Subject Property is comprised of six contiguous parcels approximately 0.89 hectares in total size (inclusive of the proposed Road Closure parcel). Currently the portion of the Subject Property that represents the Road Closure area is utilized as grassy boulevard adjacent to a private surface parking lot and this area is outside of the area standard separate sidewalk infrastructure located within the north side of the Kensington Road NW road right-of-way.

This existing road widening parcel is isolated along Kensington Road NW (generally described as that segment of road right-of-way between 14 Street NW and Crowchild Trail SW), and no subsequent widenings have been taken. It is the Applicant's understanding, through pre-application dialogue with both City Transportation and Corporate Properties, that the widening is not required to grow the right-of-way of Kensington Road NW in the future and the lands have already been deemed surplus. Given this, the Applicant is of the opinion that a Road Closure is appropriate, and seek to close the road with the purpose of it being privately acquired and incorporated into the Subject Property for LOC2014-0156.

The Land Use Redesignation Application has been formed on a progressive partnership and redevelopment model proposed between a private developer-builder (Truman Development Corporation) and a local social-community organization (Kensington Legion) to revitalize an aged and fiscally unsustainable facility, and create a vibrant mixed-use node on an underutilized established community site. The comprehensive redevelopment strategy envisions a phased development of two sites/buildings, as well as a bisecting new public street segment on the former 18A Street NW Road Plan.

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APPENDIX II

PROPOSED ROAD CLOSURE CONDITIONS

1. The developer is responsible for all costs associated with the closure including all necessary physical construction, removal, rehabilitation, utility relocation, etc.
2. All existing utilities within the right-of-way are to be protected by easements or to be relocated at the developer's expense. All easements are to be registered concurrently with the registration of the final instrument.
3. That any relocation of utilities be at the developer's expense and to the appropriate standards.
4. That the closed right-of-way be consolidated with the adjacent land at 1908 and 1910 Kensington Road NW.

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APPENDIX III

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) provide for pedestrian oriented mid-rise mixed-use **development**;
 - (b) allow for sensitive redevelopment of a **parcel** that is larger in size and with greater **parcel depth** than the majority of other **parcels** on Kensington Road NW;
 - (c) create a built form where **building height** transitions from high to low from Kensington Road NW to the low density residential **development**;
 - (d) use **building** design to reduce the sense of **building** massing, reduce shadow impacts, and help mitigate the pedestrians perception of **building height**; and
 - (e) allow for **uses** that generate pedestrian activity and contribute to an active **street** to be located on the ground floor of **buildings**.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definition

- 4 In this Direct Control District,
- (a) “**Commercial use**” means the **permitted use** and **discretionary use** of Commercial - Corridor 1 (C-COR1) District of Bylaw 1P2007, other than **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Unit, Live Work Unit and Residential Care**.

Permitted Uses

- 5 The **permitted uses** of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

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Discretionary Uses

- 6 The *discretionary uses* of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District.

Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Commercial – Corridor 1 (C-COR1) District of Bylaw 1P2007 apply in this Direct Control District.

Building Orientation

- 8 (1) The main *public entrance* to a *building* must face a *property line* shared with a *street*.
- (2) The maximum *building setback* from a *property line* shared with Kensington Road NW is 4.0 metres, excluding those portions of the *building* that form recesses providing *amenity space at grade*, architectural interest, or entrance recesses.
- (3) *Motor vehicle parking stalls* and *loading stalls* must not be located between a *building* and Kensington Road NW.

Building Façade

- 9 (1) The length of the *building* facade that faces Kensington Road NW must be a minimum of 80.0 per cent of the length of the *property line* it faces.
- (2) In calculating the length of the *building* facade, the depth of any required *setback areas* referenced in sections 16 and 22 of this Direct Control District will not be included as part of the length of the *property line*.

Vehicle Access

- 10 Vehicular access must not be from Kensington Road NW.

Location of Uses within Buildings

- 11 (1) The following *uses* must not be located on the ground floor of *buildings*:
- (a) **Assisted Living;**
 - (b) **Catering Service – Minor;**
 - (c) **Child Care Service;**
 - (d) **Counselling Service;**
 - (e) **Dwelling Unit;**
 - (f) **Health Services Laboratory – With Clients;**
 - (g) **Instructional Facility;**
 - (h) **Live-Work Units;**
 - (i) **Office;**
 - (j) **Place of Worship – Small;**

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- (k) **Post-secondary Learning Institution;**
 - (l) **Residential Care;** and
 - (m) **Veterinary Clinic.**
- (2) There is no minimum **gross floor area** for **commercial uses** within a **building**.
- (3) **Commercial uses** and **Live Work Units**:
- (a) may be located on the same floor as **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** and **Residential Care**; and
 - (b) must not share an internal hallway with **Addiction Treatment, Assisted Living, Custodial Care, Dwelling Units** or **Residential Care**.

Site 1
(0.17 hectares ±)

Application

12 The provisions in sections 13 through 17 apply only to Site 1.

Floor Area Ratio

13 The maximum **floor area ratio** is 2.1.

Building Height

14 (1) The maximum **building height** is 21.0 metres.

- (2) Notwithstanding the definition of **building height** in Bylaw 1P2007, **building height** in this section includes **ancillary structures**.

Front Setback Area

15 There is no minimum requirement for a **front setback area**.

Rear Setback Area

16 (1) Where the **parcel** shares a **rear property line** with a **parcel** designated as:

- (a) a **commercial district**, there is no requirement for a **rear setback area**;
- (b) a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
- (c) a **special purpose district**, the **rear setback area** must have a minimum depth of 3.0 metres.

- (2) Where the **parcel** shares a **rear property line** with:

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- (a) a **street**, the **rear setback area** must have a maximum depth of 3.0 metres;
- (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **rear setback area** must have a minimum depth of 3.0 metres; and
- (c) a **lane**, in all other cases, there is no requirement for a **rear setback area**.

Side Setback Area

- 17 (1) Where the **parcel** shares a **side property line** with a **parcel** designated as:
- (a) a **commercial district**, there is no requirement for a **side setback area**;
 - (b) a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres; and
 - (c) a **special purpose district**, the **side setback area** must have a minimum depth of 3.0 metres.
- (2) Where the **parcel** shares a **side property line** with:
- (a) a **street**, the **side setback area** must have a maximum depth of 3.0 metres;
 - (b) a **lane** that separates the **parcel** from a **parcel** designated as a **residential district**, the **side setback area** must have a minimum depth of 3.0 metres; and
 - (c) a **lane**, in all other cases, there is no requirement for a **side setback area**.

Site 2

(0.60 hectares ±)

18 The provisions in sections 19 through 25 apply only to Site 2.

Floor Area Ratio

19 The maximum **floor area ratio** is 4.3.

Building Height

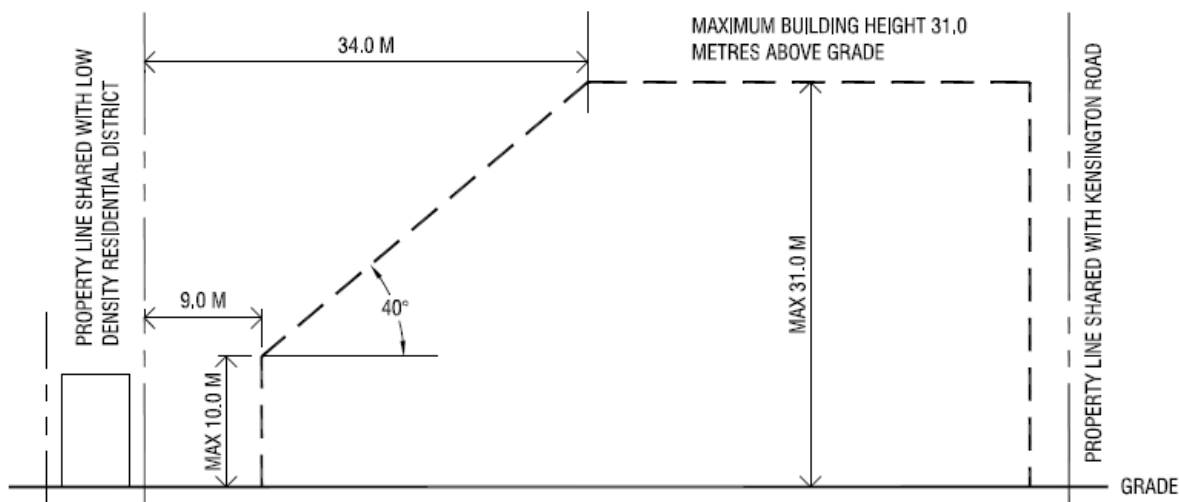
20 (1) The minimum **building height** is 10.0 metres.

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- (2) The minimum height of the **storey** closest to **grade**, containing **commercial uses** and facing a street is 6.0 metres.
- (3) Unless otherwise referenced in subsection (4), the maximum **building height** is 31.0 metres.
- (4) (a) The maximum **building height** within 9.0 metres of the **property line** shared with a **low density residential district** is 10.0 metres and increases proportionately at a 40 degree angle to a maximum of 31.0 metres measured at **grade** at a distance of 34.0 metres from the **property line** shared with a **low density residential district**, as shown on Illustration 1.
- (b) Notwithstanding the definition of **building height** in Bylaw 1P2007, **building height** in this section includes **ancillary structures**.

Illustration 1: Building Height in subsection 20(4).



Front setback Area

- 21 There is no minimum requirement for a **front setback area**.

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Rear Setback Area

- 22 (1) Where the *parcel* shares a *rear property line* with a *parcel* designated as:
- (a) a *commercial district*, there is no requirement for a *rear setback area*;
 - (b) a *residential district*, the *rear setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *special purpose district*, the *rear setback area* must have a minimum depth of 3.0 metres.
- (2) Where the *parcel* shares a *rear property line* with:
- (a) a *street*, the *rear setback area* must have a maximum depth of 3.0 metres, excluding portion of the *building* that form part of recesses that provide *amenity space* at *grade*, architectural interest, or entrance recesses.
 - (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *rear setback area* must have a minimum depth of 6.0 metres; and
 - (c) a *lane*, in all other cases, there is no requirement for a *rear setback area*.

Side Setback Area

- 23 (1) Where the *parcel* shares a *side property line* with a *parcel* designated as:
- (a) a *commercial district*, there is no requirement for a *side setback area*;
 - (b) a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
 - (c) a *special purpose district*, the *side setback area* must have a minimum depth of 3.0 metres.
- (2) Where the *parcel* shares a *side property line* with:
- (a) a *street*, the *side setback area* must have a maximum depth of 4.0 metres, excluding those portions of the *building* that form recesses providing *amenity space* at *grade*, architectural interest, or entrance recesses.

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- (b) a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres; and
- (c) a *lane*, in all other cases, there is no requirement for a *side setback area*.

Projections Into Setback Areas

- 24
- (1) Unless otherwise referenced in subsections (2), (3), (4) and (5) *buildings* must not be located in any *setback area*
 - (2) Eaves, architectural overhangs, *balconies* of a *building* may project into any *setback area* to a maximum of 2.5 metres.
 - (3) Parkade ramps, associated curbs, guard rails, and venting may project into any *setback area*.
 - (4) Portions of a *building* below the surface of the ground may extend into any *setback area*, only when those portions are used as a parking structure.
 - (5) *Signs* may be located in any *setback area*, and where so located, must be in accordance with Part 3, Division 5 of Bylaw 1P2007.

Building Design

- 25
- (1) Façades facing a *street*, when located above the floor closest to *grade* containing *commercial uses*, must step back a minimum of 2.0 metres from the façade of the floor closest to *grade*, excluding *balconies* and façades that are for distinctive *building* articulation.
 - (2) Façades facing a *street*, when located above 24.0 metres, must step back a minimum of 2.0 metres from the façade of the *storey* below.
 - (3) The ground floor must provide minimum of two of the following features to articulate the base of the *building* and to distinguish the base of the *building* from the rest of the *building*:
 - (a) façade articulation;
 - (b) design elements, such as cornice lines, window bays, canopies;
 - (c) texture; or
 - (d) *building* materials.

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-
- (4) The façade of **commercial uses** located on the floor closest to **grade**, and facing a **street** must provide windows with unobscured glass that:
- (a) allow for views of the indoor space or product display areas; and
 - (b) occupies a minimum of 60.0 per cent of the façade between a height of 0.6 metres and 3.0 metres.

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APPENDIX IV

MAIN STREET INITIATIVE COMMENTS

Re: Municipal Development Plan review of **File# LOC2014-0156**
Date: October 2015

The Main Streets Initiative seeks to implement the policies of the Municipal Development Plan in all identified 24 main streets areas (Urban and Neighbourhood Corridors). The Main Streets Initiative has completed extensive public engagement in all main street areas and is still developing recommendations for Council review to support the evolution of these strategic growth areas. Comments provided are based on existing Municipal Development Plan policies and public comments received during the Main Street engagement sessions.

Based on plans reviewed October 2015 for LOC2014-0156, the policies within the Municipal Development Plan are supportive of the proposal. The proposal complies with the majority of policies regarding Corridors in the Municipal Development Plan, although, several policies regarding building height transition and built form are not met (2.2.1.b., 2.2.5.a, 2.3.2.b, 3.4.1.q.), but the proposal does provide an appropriate transition within the site. Only comparing land use district to adjacent land use district rules, there is a large change in intensity, building height and mass, but the proposed building and site design does comply with several other transitional policies in section 2.2.1.b & 3.4.3.f. Section 2.4.2. states that a tall building is generally defined as a building whose height is greater than the width of the right-of-way of the street that it fronts. The proposed building would be considered a tall building by this measure, but complies with rules of section 2.4.2.f. that describe the integration of tall buildings into an existing community. Overall the proposal creates a built form, range of uses and transportation network supportive project that achieves the goals of Neighbourhood Corridors as detailed in the Municipal Development Plan.

Kensington Road between 14 Street and Crowchild Trail has very limited opportunity to meet the MDP intensity thresholds as most properties are small parcels with a multitude of property owners making it difficult to assemble property for large scale development, also many of the sites contain newer low density buildings that have a long lifespan. Likely this will result in limited small scale redevelopment over a long period of time. Also the double frontage along the southern edge of Kensington Road compounds this issue.

An exception to this pattern is the subject parcel; the large size and deep parcel depth from Kensington Road allows for building height transitions within the parcel, to an appropriate scale. In terms of existing built form and the adjacent building heights and forms allowed in the current adjacent land use districts, the proposal is out of scale and context. The stakeholder comments received aligned greatly with MDP policy; creating a walkable, high quality public realm surrounded by a variety of uses and compact building form of high quality architecture. There were specific stakeholder comments suggesting a maximum height of 4 storeys.

Although out of scale with the existing context, the limited opportunity for large redevelopment sites along Kensington Road, along with the proposal providing many of the outcomes desired by the community, and aligning with numerous MDP policies, the proposal achieves a positive contribution to the community and provides an appropriate increase in intensity in this strategic growth area.

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APPENDIX V

SUMMARY OF MDP POLICIES

Municipal Development Plan – City Wide and Typology Policies

Municipal Development Plan PART 2 - CITY-WIDE POLICIES			
2.2 SHAPING A MORE COMPACT URBAN FORM			
2.2.1 VIBRANT, TRANSIT-SUPPORTIVE, MIXED-USE ACTIVITY CENTRES AND CORRIDORS			
	Compliance	Non-Compliance	Comments
2.2.1.a. Direct a greater share of new growth to the Activity Centres and Corridors identified on Map 1, in a manner that			
i. Provides compact, mixed-use, high-quality urban development;	●		
ii. Concentrates jobs and people in areas well served by primary transit service, located close to transit stations and stops;	●		
iii. Achieves the residential and employment intensity thresholds of the applicable activity Centre and Corridor contained in Part 3 of the MDP;	●		Neighbourhood Corridor MDP target threshold is 100 jobs, people per hectare. <ul style="list-style-type: none"> For the length of the Kensington main street (from Crowchild Trail to 10 Street NW), it current has 65 jp/ha, and existing land use allows for 68 jp/ha. The main street section from Crowchild Trail NW to 14 Street NW currently has 48 jp/ha and the existing land use allows for 59 jp/ha. The proposal would increase intensity to about 60 jp/ha for section of Crowchild Trail to 14 Street NW. This proposal is for 638 jp/ha on site.
iv. Concentrates urban development in a built form that helps to optimize existing public investment, municipal infrastructure and facilities;	●		
v. Provides a mix of employment, residential, retail and service uses that support the needs of adjacent communities;	●		
vi. Supports a range of housing opportunities in terms of type, tenure, unit size and affordability; and,	●		

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vii. Creates an urban environment and streets that promote walkability and local connectivity.	●		
2.2.1.b. Plan the development of Activity Centres and Corridors appropriate to the local context by:			
i. Maintaining compatibility, avoiding dramatic contrast in height and scale with low density residential areas through limits on allowable heights and bulk of new development;		X	<ul style="list-style-type: none"> The subject site is an approximately 66m deep lot that has the ability to provide appropriate transition within the site (height transition from high to low from Kensington Road NW to the low density residential development), but comparing land use district to land use district, there is a large contrast. To comply would require an increase to the intensity of adjacent low density residential districts.
ii. Creating transitions in development intensity between low density residential areas and more intensive multi-unit residential or commercial areas;		X	<ul style="list-style-type: none"> The subject site is an approximately 66m deep lot that has the ability to provide appropriate transition within the site (height transition from high to low from Kensington Road NW to the low density residential development), but comparing land use district to land use district, there is a large contrast. To comply would require an increase to the intensity of adjacent low density residential districts.
iii. Locating the tallest buildings and highest densities closest to transit stops and stations, and stepping down heights and densities away from transit;	●		
iv. Massing new development to frame adjacent streets in a way that respects the existing scale of the street;	●		The adjacent street is a neighbourhood corridor with an existing ROW of 20 metres. The proposal allows maximum of 31 metres with the greatest height along the street. The proposal also includes generous street setbacks and building step backs as well as articulations to reduce building massing and help mitigate the pedestrian's perception of height.
v. Limiting the impacts of shadowing on neighbouring streets, parks and properties; and,	●		

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vi. Providing public systems, including connecting pathways, that facilitate direct, convenient, comfortable and safe pedestrian movement to transit, recreational uses and other services.	●		
2.2.1.c. Co-ordinate planning and public investment decisions to support the development of a greater variety of medium and higher density housing forms in Activity Centres and Corridors.			N/A on individual site proposals
2.2.1.d. Support Activity Centres and Corridors as locations for the growth and intensification of major employment uses (including post-secondary and medical institutions) by linking them to the Primary Transit Network.			N/A on individual site proposals
2.2.1.e. Identify the appropriate jobs and population ratio and planning area boundaries for Activity Centres and Corridors through the Local Area Planning process.			N/A on individual site proposals
2.2.1.f. Identify appropriate locations and scales of Activity Centres and Corridors required to support urbanization of the Future Greenfield areas through future Regional Context Study processes.			N/A
2.2.2 A TRANSIT-SUPPORTIVE LAND USE FRAMEWORK			
	Compliance	Non-Compliance	Comments
2.2.2.a. Locate transit-supportive land uses, including higher density residential and employment developments, within Activity Centres and Corridors supported by the Primary Transit Network.	●		
2.2.2.b. Increase development densities in proximity of the Primary Transit Network by targeting residential and employment intensities within 400 metres of transit stops, in areas deemed appropriate through the Local Area Planning process and in accordance with the Typology thresholds identified in Part 3.			N/A on individual site proposals
2.2.2.c. Locate land uses that will generate counter-flow transit ridership during peak-hour commuting times and support non-peak hour ridership.	●		

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2.2.4 COMPLETE COMMUNITIES			
	Compliance	Non-Compliance	Comments
2.2.4.a. Support the development of complete communities to ensure a compact and well-designed urban form that efficiently utilizes land and infrastructure, provides housing choices at transit-supportive densities, local services and employment and promotes mobility options.	●		
2.2.4.b. Communities should be planned according to the following criteria for complete communities and provide:			
i. A range of housing choices, covering a mix of built forms and ownership tenures, at densities that support transit viability, local commercial and other services;	●		
ii. Diversified employment opportunities that are integrated into the community or easily accessible by a number of modes of travel;	●		
iii. Neighbourhood stores, services and public facilities that meet day-to-day needs, within walking distance for most residents;	●		
iv. Public transit that is supported by good service and ease of access;	●		
v. Distinctive, attractive neighbourhoods that feature architectural and natural elements that contribute to a local identity and strong sense of place;			N/A on individual site proposals
vi. Public spaces, parks and recreation facilities that provide access to nature, cultural events and social gathering areas, and support sports, relaxation and outdoor activities;			N/A on individual site proposals
vii. Spaces for community gardens and local food production;			N/A on individual site proposals
viii. Local schools, social infrastructure, places of worship and community services;	●		

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ix. A connected street and mobility network that promotes comfortable, safe and universally accessible travel;	●		
x. A healthy natural environment with street trees and greenery, connections to the city's open space system and an integration of local natural systems with an urban development pattern that respects the natural function of the landscape;	●		
xi. Public infrastructure and services that are provided in a timely fashion and sustained over the long term by stable community populations; and,			N/A on individual site proposals
xii. Green infrastructure and energy-efficient community design and site planning (see Section 2.6).			N/A on individual site proposals
2.2.4.c. Promote a greater balance of residential and employment within communities and across the city by:			
i. Increasing residential housing opportunities in areas close to existing employment concentrations;	●		
ii. Increasing employment opportunities in areas close to existing residential concentrations; and,	●		
iii. Creating better mobility linkages between existing concentrations of residential and employment populations.	●		
2.2.5 STRONG RESIDENTIAL NEIGHBOURHOODS			
	Compliance	Non-Compliance	Comments
2.2.5.a. Encourage growth and change in low-density neighbourhoods through development and redevelopment that is similar in scale and built form and increases the mix of housing types such as accessory suites, semi-detached, townhouses, cottage housing, row or other ground-oriented housing.		X	<ul style="list-style-type: none"> • The proposal has a scale and built form greater than the existing adjacent low density residential development. • Given the existing context, the proposed built form is designed to create a more sensitive height transition with the lowest height next to low density development and gradually increase toward the main street. • Proposal increases the mix housing

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			types.
2.2.5.b. Support development and redevelopment that provides a broader range of housing choice in local communities to help stabilize population declines and support the demographic needs of communities..	●		
2.2.5.c. Encourage higher residential densities in areas of the community that are more extensively served by existing infrastructure, public facilities and transit, appropriate to the specific conditions and character of the neighbourhood.	●		
2.2.5.d. Encourage redevelopment that incorporates green infrastructure solutions and shared energy efficiencies (See Section 2.6).	●		
2.2.5.e. In Developed Areas, require comprehensive plans when large sites (greater than 1.0 hectare in size) become available for redevelopment. To the greatest extent possible, new development should be integrated into the fabric of the surrounding communities.	●		Proposed development is integrated into the fabric of the community. Site area, including land transferring to City of Calgary for road (18A Street NW) is 0.889ha.
2.3 CREATING GREAT COMMUNITIES			
2.3.2 RESPECTING AND ENHANCING NEIGHBOURHOOD CHARACTER			
	Compliance	Non-Compliance	Comments
2.3.2.a. Respect the existing character of low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.	●		
2.3.2.b. Ensure an appropriate transition of development intensity, uses and built form between low-density residential areas and more intensive multi-residential or commercial areas.		×	Proposal does provide an appropriate transition within the site, but comparing land use district to land use district, there is a large change intensity, to comply would require an increase to intensity of adjacent low density residential districts.
2.3.2.c. Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.	●		

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2.3.2.d. Ensure that the preparation of Local Area Plans includes community engagement early in the decision making process that identifies and addresses local character, community needs and appropriate development transitions with existing neighbourhoods.			N/A on individual site proposals
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2.3.4 PARKS, OPEN SPACES AND OUTDOOR RECREATION			
	Compliance	Non-Compliance	Comments
2.3.4.v. Recognize the role of complete streets and the sidewalk system as another means to provide amenity and recreation opportunities, particularly in dense neighbourhoods such as the Centre City, Activity Centres and Corridors, where additional land for traditional park space is more difficult to assemble.	●		
2.4 URBAN DESIGN			
2.4.2 BUILT FORM SITE AND BUILDING DESIGN			
	Compliance	Non-Compliance	Comments
<p>2.4.2. A tall building is generally defined as a building whose height is greater than the width of the *right-of-way of the street that it fronts. Well designed tall buildings can make a positive contribution to the city and create an interesting skyline. Tall buildings can also act as landmarks which, when appropriately located and designed, can contribute to orientation and way finding within urban areas. Tall buildings, by their nature, can have greater impacts on a larger area than small buildings and, thus, they have a larger civic responsibility and require additional built form principles to be applied to their design.</p> <p>* Right-of-way (ROW) is defined by the MDP as “publicly-owned land containing roads and streets and/ or utilities.</p>			<ul style="list-style-type: none"> • Existing Kensington Road ROW (property line to property line) is 20.0 metres. Proposed building height is 31 metres. • The proposal would be considered a “Tall Building” since the proposed building is taller than the road ROW width.
2.4.2.a. Promote high quality standards of urban design and construction that ensures that development builds upon and adds value to the existing character of communities.	●		
2.4.2.b. The ground and lower levels of developments should demonstrate a strong relationship to the human scale and contribute positively to the public realm and street.	●		

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<p>2.4.2.e. Tall buildings are appropriate in the Centre City, Major Activity Centres, or Community Activity Centres and Urban Corridors where deemed appropriate through a Local Area Plan.</p>		<p>X</p>	<p>There is no local area plan in place for the subject site and the site is located along a Neighbourhood Corridor. While not in keeping with this policy, there is no direct and unequivocal contradiction with the proposal in this situation. The policy in section 2.4.2.e does not indicate that those typologies (Centre City, CAC, MAC, and Urban Corridors) are the only locations where tall buildings are appropriate.</p> <p>While the proposed building height is 31m and is considered a tall building by definition, the proposal more closely resembles a mid-rise built form. The proposed mid-rise built form recognize the existing context of low density development by using various design solutions to mitigate overall visual and shadowing impacts of a taller building (i.e. stepped profile, setbacks, step backs, etc). Also, as mentioned before, the subject site is unique that it is the only parcel on Kensington Road with the building depth to provide the height transition within the site. Other sites on this neighbourhood corridor may not qualify for the same height consideration.</p> <p>Administration also recognizes that building height is only one aspect of the building design. What's important is to consider how the overall proposal will fit into the existing context and contribute positively to the overall character of the main street. The extra building height will allow for a higher floor to floor height on the ground floor to facilitate commercial uses and generate pedestrian activities along the main street; the building height allows for the FAR to be distribute in a way that respects the low density development to the north; and allow the building architecture to conceal roof top mechanical equipments (otherwise would be protruding beyond the allowable building height).</p> <p>*Specific site and building design regulation are included in the Direct Control District.</p> <p>*The proposal complies with the tall building policies 2.4.2.f (i – iv) below.</p>
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2.4.2.f. Plans and designs for tall buildings should ensure that they are:			
i. Sited and architecturally designed to contribute positively to the skyline of the city;	●		
ii. Designed with pedestrian scale at the base and a prominent roofline;	●		
iii. Integrated with adjacent areas by stepping down to lower-scale buildings and neighbourhoods; and,	●		
iv. Considerate of the shadow impacts on adjacent residential areas and parks and open spaces.	●		

Municipal Development Plan | PART 3 - TYPOLOGIES FOR CALGARY'S FUTURE URBAN STRUCTURE

3.4 CORRIDORS

3.4.1 GENERAL CORRIDOR POLICIES

	Compliance	Non-Compliance	Comments
3.4.1.a. Corridors should provide for a broad mix of residential, employment and retail uses.	●		
3.4.1.b. The highest densities and tallest buildings on the Corridor should be concentrated into "nodes" that occur at the intersections of the Corridor with other major transit streets. Between the nodes, lower scales of commercial, residential and mixed-use development are appropriate.	●		
3.4.1.c. Commercial development along the Corridor should be oriented to the transit street and public sidewalk.	●		
3.4.1.d. Develop an active street environment by encouraging retail and service uses at-grade with residential and office uses on upper floors.	●		

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<p>3.4.1.e. Recognizing that the Corridor is pedestrian and transit oriented, large format retail should support a good pedestrian frontage along the transit street and public sidewalk by:</p>			
<p>i. Locating buildings close to the transit street and sidewalk; and,</p>	●		
<p>ii. Creating active building frontages by incorporating smaller retail units, public accesses and display areas visible to the sidewalk.</p>	●		
<p>3.4.1.f. On corner sites, buildings should be placed adjacent to streets wherever possible to create defined street edges.</p>	●		
<p>3.4.1.g. Retail buildings should provide front-door openings facing the transit street and principal public areas.</p>	●		
<p>3.4.1.h. Appropriate transition of building scale between developments in the Corridor and adjacent areas should be provided. These transitions should be sensitive to the scale, form and character of the surrounding buildings and uses.</p>	●		Transition to low density edge provided on site.
<p>3.4.1.i. When designing new streets or retrofitting existing streets within the Corridor, use the Complete Streets policies and guidelines in the CTP.</p>	●		
<p>3.4.1.j. Make pedestrian connections to the Corridor from adjacent communities. These connections should occur primarily within streets that will facilitate good pedestrian and cyclist movement.</p>	●		
<p>3.4.1.k. The impact on surrounding residential areas should be limited by providing a mix of short-stay and longer-stay parking for different users, bicycle parking and on-street parking.</p>	●		
<p>3.4.1.l. Pedestrians and cyclists should be given the highest priority in the planning, design, operation and maintenance of transportation infrastructure in Corridors.</p>			N/A on individual site proposals

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<p>3.4.1.m. A strong pedestrian environment should be created along the transit corridor by discouraging on-site parking in front of the building and providing parking alternatives on street, and to the side and rear of buildings.</p>	<p>●</p>		
<p>3.4.1.n. Priority and high-quality parking locations should be provided for bicycles, carpool and car-sharing vehicles, and vehicles with low environmental impacts.</p>	<p>●</p>		
<p>3.4.1.o. Driveway access to parcels fronting onto Corridors should be consolidated and new accesses minimized to provide a continuous building façade and safer pedestrian zone.</p>	<p>●</p>		
<p>3.4.1.p. Site layout, vehicular circulation and loading zones should be planned to minimize the impact of vehicles on the pedestrian realm.</p>	<p>●</p>		
<p>3.4.1.q. Create a human-scale environment along the Corridor by generally encouraging a maximum of a 1:2 building height to right-of-way width ratio. Additional height should be considered through a Local Area Plan.</p>		<p>×</p>	<ul style="list-style-type: none"> Existing Kensington Road ROW (property line to property line) is 20.0 metres. Policy encourages a height of 10m (same as a single detached home). Proposed building height is 31 metres. <p>Section 1.7 of the MDP: “Policies that use active tense or “should” are to be applied in all situations, unless it can be clearly demonstrated to the satisfaction of The City that the policy is not reasonable, practical or feasible in a given situation. Proposed alternatives must be to the satisfaction of The City with regards to design and performance standards.</p> <p>Policy 3.4.4.q policy does not use strictly mandatory language; Administration understands that the policy is a “generally encouraging” policy rather than a “should” policy; therefore section 1.7 does not apply.</p> <p>Further the proposed development does achieve what the MDP policy intends that it does achieve a human scale environment through the effective uses of building setback and step backs to articulate the mid-rise built form. Setbacks</p>

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			along the primary pedestrian edge and public realm on Kensington Road range from 4.5 to 12 metres, which create a generous human-scale zone and give relief space to the pedestrian as they experience the street between the curb and building face. In addition, by including building step backs of 2.0 metres above the ground floor, and above 24m (80% of building height), the pedestrian perception of the mass and height of the mid-rise building is reduced. Conceptual design for the building also includes blade signage, awnings, street trees, public art, street furniture and upgrading sidewalk surface to enhance the pedestrian experience.
3.4.1.r. For Corridors that run east-west, building heights should be designed to allow solar penetration through the block and reduce shadows cast onto public sidewalks on the north side of the street. Where practical, encourage taller buildings to locate on the north side of the corridor.	●		
3.4.1.s. For Corridors that run east-west, south facing public open spaces and plazas should be incorporated in the buildings fronting the north side of the Corridor.	●		
3.4.1.t. Public investment in key elements of the public realm should be provided to support intensification along Corridors.			N/A on individual site proposals
3.4.1.u. Urban design should be used to ensure that the intensification of land use occurs in a sensitive manner and that new buildings contribute to a pedestrian-friendly streetscape with the following characteristics:			
i. Reduced building setbacks from public sidewalks; and	●		
ii. Where appropriate, existing setbacks should be used to enhance the pedestrian interface (e.g., street furniture, landscaping, street trees, pedestrian level street lighting, wider sidewalks, etc.).	●		
3.4.3 NEIGHBOURHOOD CORRIDORS			

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	Compliance	Non-Compliance	Comments
3.4.3.b. Opportunities for additional Neighbourhood Corridors will be identified through an amendment to Map 1.			N/A
3.4.3.c. Local Area Plans for a Neighbourhood Corridor should provide a land use framework to achieve a minimum intensity threshold of 100 jobs and population per gross developable hectare. Individual Neighbourhood Corridor densities and the appropriate job and population distributions will be established through a Local Area Plan or within an Implementation Guidebook.			N/A on individual site proposals
3.4.3.d. For Neighbourhood Corridors that have no Local Area Plans, areas for intensification should include those parcels that front directly onto the proposed Neighbourhood Boulevard (as defined in the CTP).	●		
3.4.3.e. Encourage ground-oriented housing, low-scale apartments and mixed-use retail buildings within the Neighbourhood Corridor, with the highest densities occurring in close proximity to transit stops and in locations where they merge with Activity Centres or Urban Corridors.		×	<p>The proposal is not ground-oriented housing, low scale apartment form but it is higher density located close proximity to primary transit.</p> <p>Careful design solutions and planning considerations that respond to the unique characteristics of this large site provide the potential for proposed comprehensive, higher density development. Site specific guidelines within the Direct Control District will guide the design of future development on site and ensure they are responsive to both their existing and planned context. Due to the proximity of the bordering low scale residential district surrounding the site, consideration was given to address site and specific building design requirements including specific regulations on setbacks, building step backs, pedestrian scale design, and appropriate transition of building scale and height with the lowest height on the north edge of the site and have the height gradually increase toward Kensington Road NW.</p>

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<p>3.4.3.f. An appropriate transition between the Neighbourhood Corridor and the adjacent residential areas is required. Transition should generally occur at a rear lane or public street. These transitions should be sensitive to the scale, form and character of surrounding areas, while still creating opportunities to enhance the connectivity with the community.</p>	<p>●</p>		
<p>3.4.3.g. Auto-oriented uses and designs that generate high volumes of traffic, consume large amounts of land in a low density form, require extensive surface parking, and create negative impacts for pedestrian travel and access should be discouraged.</p>	<p>●</p>		
<p>3.4.3.h. The Neighbourhood Corridor should generally coincide with a Neighbourhood Boulevard street type.</p>	<p>●</p>		

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APPENDIX VI

COMMUNITY ASSOCIATION COMMENTS

From: [REDACTED] on behalf of [West Hillhurst Planning Committee](#)
To: [Leung, Christine N.](#)
Subject: LOC 2014-0156
Date: August 24, 2015 3:59:17 PM

Hi Christine,

The West Hillhurst Planning Committee has reviewed the Land Use Change for LOC 2014-0156.

Despite following the concurrent LOC/DP process for the Legion site, we are disappointed that the larger, residential tower on the East side of the site wasn't included in this application.

West Hillhurst is a community dominated by single-family homes. Kensington Road was designated as one of the Main Streets parcels, and we understand that there is going to be more mixed-use development along the corridor in the future, that development needs to be sensitive to the existing community.

We are deeply concerned with the requested height on the East side of the parcel. At 36 meters, this building envelope would be 10 meters taller than any existing or proposed building on 14th Street NW or 10th Street NW, both corridors which are significantly more developed than this portion of Kensington Road. Additionally, a building of this height would not only throw significant shade on homes to the north, but would plunge backyards along the south side of Kensington Road NW into shadow, even on June 21, as per the shadow studies provided by the Applicant.

The 20 meter requested height on the West side of the parcel isn't as concerning, however we do worry about the knock-on effect that could result as future developments use the 20m height as context to apply for ever-taller envelopes.

Thank you,

Kathryn Watson
On Behalf of the West Hillhurst Planning Committee

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Dear Ms. Leung,

The West Hillhurst Planning Committee (WHPC) is pleased to provide additional comment on LOC2014-0156, the Kensington Legion Site 2 land-use re-designation application. Our comments reflect substantial feedback from residents, including an online survey of 235 residents, and our common desire for the redevelopment of Kensington Rd. into a successful and complete neighbourhood corridor. Kensington Rd. does not currently serve the community to its full potential and would benefit from a mixed-use development of the quality presented, but with a more appropriate height.

The current application does not include a concurrent development permit for Site 2. Therefore, our comments at this time are limited to the proposed land use re-designation for that site; specifically, regarding the amended height of 31 metres.

We support densification along the corridor and a greater diversity of housing, retail, and employment. The Legion site is the most significant single opportunity to define the corridor and how it relates to the community. We recognize that the proposed development will bring many benefits to the community and bring the City closer to meeting its development goals. We also recognize that any corridor-appropriate scale of development for the site would have an impact on adjacent residents and this is unavoidable in a process of overall community improvement.

However, the proposed height fails to meet important policies of the MDP regarding neighbourhood corridors and built form (see appendix). Furthermore, residents of our community have expressed opposition to the height, with the majority (60% surveyed) preferring a four-storey limit. The WHPC supports four-storey mixed-use development along Kensington Rd. and believes that to be a suitable community scale.

That said, we understand that this site is unique, located on the community corridor, and it may be appropriate for a distinctive, high quality, and well-designed development of up to a maximum of five storeys (as per the HSCA ARP for the block directly east of 18th St.). The current proposal outlined in the applicant's *What We Heard* report meets our expectations except for two key issues: 31 metres is too high and, with only a land-use application, we have no assurances as to the quality of the actual future development. Due to the high impact of this site, we feel it should require either a concurrent Development Permit or a Direct Control re-designation.

Finally, the terraced design of the development attempts to reduce shadowing to the North while exacerbating shadowing to the South. The tallest part of the development should be on the West side, so that afternoon and evening shadows fall predominantly on the Legion site itself. The lowest part of the development should be to the East in order to minimize shadowing of adjacent residences to the East. The development proposal is exactly the inverse of this and it seems an improvement is possible by building the Legion's desired 4 storey building on the corner of Kensington and 18th, moving the higher part of the development to the middle of the block and better aligning to the scale of the existing context on all sides of the site.

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Appendix: MDP Policies of Concern and Further Comment

Unfortunately, we do not yet have the Main Streets guidance for Kensington Rd. or an ARP for our community. As mentioned above, we recognize many aspects of this proposal support the MDP, but are concerned that it also contradicts some important provisions. This includes, but is not limited, to the following:

2.2.1 Vibrant, transit-supportive, mixed-use activity Centres and Corridors

b. Plan the development of Activity Centres and Corridors appropriate to the local context by:

- i) Maintaining compatibility, avoiding dramatic contrast in height and scale with low density residential areas through limits on allowable heights and bulk of new development;*
- ii) Creating transitions in development intensity between low density residential areas and more intensive multi-unit residential or commercial areas;*
- iii) Locating the tallest buildings and highest densities closest to transit stops and stations, and stepping down heights and densities away from transit;*
- iv) Massing new development to frame adjacent streets in a way that respects the existing scale of the street;*
- v) Limiting the impact of shadowing on neighbouring streets, parks and properties;*

The DTR 1 states that “*policies in s.2.2.1(b) shall be respected and will be evaluated accordingly at the Development Permit stage*”. The differentiation between land use designation and development permit details is understood, but the proposed height of 31 metres is a land use issue that has not yet been demonstrated to conform to these policies.

The existing scale of Kensington Rd. is not a standard we wish to maintain. It currently features strip-mall, surface parking, newer low-density dwellings, and residential rear fences. In this case two wrongs do not make a right – the corridor can not be balanced by the proposed development. Instead, it may further undermine the desired incremental development of a successful main street. Changes will need to happen over time and be incremental in nature. The scale of the proposed Legion development has the potential to be ‘too much’ all at once.

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2.3 Creating Great Communities:

“Future growth does not undermine what Calgarians value most in their neighbourhoods.”

2.3.2 respecting and enhancing neighbourhood character

“... Corridors and other comprehensive redevelopments provide some of the greatest opportunity for positive change. However, significant change can impact adjacent low density residential neighbourhoods. Attention must be paid to ensuring that appropriate local context is considered when planning for intensification and redevelopment.”

- a) *Respect the existing character of low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.*
- b) *Ensure an appropriate transition of development intensity, uses and built form between low-density residential areas and more intensive multi-residential or commercial areas.*
- c) *Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.*

West Hillhurst is no longer the suburban community it was 70 years ago. However, residents have expressed concern that a 31 metre building does not respect or enhance the character of the neighbourhood and undermines what they value most. An appropriate increase in density and distinctiveness could be accomplished without such a dramatic contrast.

2.4.2 Built form

- f. *Plans and designs for tall buildings should ensure that they are:*
 - iii. *Integrated with adjacent areas by stepping down to lower-scale buildings and neighbourhoods; and,*
 - iv. *Considerate of the shadow impacts on adjacent residential areas and parks and open spaces.*

The applicant has presented a conceptual design that illustrates the max 31 metre height on south portion of the building, stepping down to the north in order to minimize the summer shadowing on residences directly to the north. This is an appreciated consideration. However, the year-round impact of shadowing on properties will be greater than suggested by a diagram of the sun angle at noon in September. There simply is not enough space to consider the stepped massing an effective integration. Shadowing will not only impact the residents' enjoyment of their property, but also their access to opportunities for passive or active solar energy as encouraged by section 2.6.5 of the MDP.

3.4.1 General Corridor policies

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- b. The highest densities and tallest buildings on the Corridor should be concentrated into "nodes" that occur at the intersections of the Corridor with other major transit streets. Between the nodes, lower scales of commercial, residential and mixed-use development are appropriate.*
- g. Appropriate transition of building scale between developments in the Corridor and adjacent areas should be provided. These transitions should be sensitive to the scale, form and character of the surrounding buildings and uses.*
- a. Create a human-scale environment along the Corridor by generally encouraging a maximum of a 1:2 building height to right-of-way width ratio. Additional height should be considered through the Local Area Plan.*

The amended height of 31 metres and a F.A.R. of 4.3 remains a dramatic contrast with a sharp transition to the adjacent properties. The height still far exceeds the public realm policy of building height to right-of-way.

3.4.2 Neighbourhood Corridors

- e. Encourage ground-oriented housing, low-scale apartments and mixed-use retail buildings within the Neighbourhood Corridor, with the highest densities occurring in close proximity to transit stops and in locations where they merge with Activity Centres or Urban Corridors.*
- f. An appropriate transition between the Neighbourhood Corridor and the adjacent residential areas is required. Transition should generally occur at a rear lane or public street. These transitions should be sensitive to the scale, form and character of surrounding areas, while still creating opportunities to enhance the connectivity with the community.*

The Legion site, while unique, is not a node or adjacent to an Activity Centre or Urban Corridor. The use of the lane as the parking entrance is not a transition that is sensitive to the adjacent residential properties.

Access from within the site on 18th St is more appropriate. Traffic on 18th St. should be minimized to ensure the safety of children going to and from Queen Elisabeth School. Accordingly, the primary road access to the development should be from Kensington Road, not from 18th St.

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WHCA Traffic Committee comments on the development proposal at the Legion site.

The WHCA Traffic Committee agrees with the proposed changes suggested for 18th street NW shown in the What We Heard document put together by Trueman. However a few additional items need to be added to make us feel comfortable with Pedestrian safety.

1. Kensington Road.
 - a. We like the added on street parking in front of the building. This will allow more parking for the development.
 - b. With the new parking, Pedestrians are harder to see. We would like to see Bulb-Outs facing south placed on the North side of Kensington Road be on both sides of 18th street. This way Pedestrians are visible and ahead of the parked cars.
 - c. Several students use the crossing at 18th street and Kensington Road. A red light (similar to the red light on Memorial at 7 St NW (Sunnyside) at that crossing would make everyone feel safer with the added parking and traffic at this intersection.
2. Speeding.
 - a. There are no improvements on speeding. We would like to see Speed Tables added to 18th Street to help slow down traffic. These tables could be placed on 18th street between 1st and 2nd and 2nd and 3rd. Tables further up the street might also help with speed but we realize they can also interfere with buss parking.
3. Traffic flow.
 - a. We would like to make the users of the new development to use the southern half of 18th street and Kensington Road. The above mentioned Traffic Tables, the proposed pedestrian lights at 2nd will help influence drivers to turn south on 18th street.
 - b. By having the internal parkade traffic only being able to turn south on 18th street this will also keep traffic away from the schools on 18th street.
 - c. We would like to add Traffic Tables to 2nd Ave between 19th and 18th Street. This will also influence drivers and keep them from using 2nd as a cut through for the neighbourhood. It will also help control speed on this street.
4. School Crossing:
 - a. We really like the flashing lights and Bulb-Outs suggested around the crossing at 3rd. This is where most people cross and it will help with visibility.

Sincerely,
Kerry Baird
WHCA Traffic Chair

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August 13, 2015

Christine Leung,
Senior Planner, South Area Planning
Local Area Planning & Implementation.
The City of Calgary

Emailed to Christine.Leung@calgary.ca

**RE: Kensington Legion Redevelopment Proposal
LOC2014-0156 & DP 2015-2379 @ 101, 109, 118 - 18A Street NW & 1908, 1910
Kensington Road NW**

Dear Ms. Christine Leung

Thank you for the opportunity to comment on LOC2014-0156 & DP2015-2379, the Kensington Legion redevelopment project in the community of West Hillhurst. The Hillhurst Sunnyside Planning Committee ("HSPC") is pleased to provide comments on this important redevelopment project in the community. We would also like to thank the developer/applicant for providing supplemental material on the proposal; it is refreshing to see this extensive and creative form of public engagement strategy.

Our comments have been compiled with thoughtful regard to feedback received from concerned community residents and using the framework within the City of Calgary's Integrated Land Use and Mobility Plan and the policy contained in the City of Calgary Municipal Development Plan.

Please find our completed copy of the Community Context Questionnaire for the proposed development at 101, 109, 118- 18A Street NW & 1908, 1910 Kensington Road NW.

We have divided our comments into two parts. Our first comments are for DP2015-2379 and for the Land Use Amendment of the west section to C-COR1 (f1.9h20). Our second comments are for rezoning of the east section to C-COR1 (f4.3h36) based on the working drawings that have been presented to local residents by the applicant.

Thank you,

Glenn Wierzba
Member
Hillhurst Sunnyside Planning Committee

Lisa Chong
Community Planning Coordinator
Hillhurst Sunnyside Community Association

cc: Development Permit Circulation (dp.circ@calgary.ca)
Robert McKercher, Chair, Hillhurst Sunnyside Planning Committee
Members, Hillhurst Sunnyside Planning Committee
Jeremy van Loon, Chair, Hillhurst Sunnyside Community Association
Kathryn Watson, President, West Hillhurst Community Association
David White, CivicWorks Planning + Design, Applicant Representative
Ward 7 Councillor Druh Farrell

C. Leung

**ROAD CLOSURE AND LAND USE AMENDMENT
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Community Context Questionnaire – Development Permit

Development Permit Number: **LOC2014-0156 & DP2015-2379**

By providing feedback on the proposed development that is enclosed in this package, you are providing your community association's perspective as the "eyes of the community." This helps City staff better understand what is important to your community as we work with the applicant who has proposed this development, and it enables us to make an informed decision about whether to issue this development permit. In the course of this development permit evaluation, the planning department will review all relevant statutory plans including the Municipal Development Plan, Area Redevelopment or Area Structure Plans as well as the Land Use Bylaw.

Please provide your Community Association perspective and respond to the following questions:

**PART 1: LOC2014-0156: West re-zoning to C-COR1 (f1.9h20) & DP2015-2379
(Kensington Legion building and offices)**

What are the strengths and challenges of the proposed development?

Strengths:

- Use and size of building are appropriate for the site.
- Quality of design is excellent.
- Helps achieve MDP targets and adds vitality to the Corridor or Main Street of Kensington Road west of 14th Street.

Challenges:

- None notable.

1. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?

No changes appear necessary.

2. Provide comments on:

a. The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)

The use of an office building is appropriate for the site and we support the zoning change to accommodate this use.

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b. The site design

- The building setbacks are all appropriate.
- Privacy for neighbours is not being compromised inappropriately.
- From what we can tell, parking seems adequate.
- Pedestrian access and landscaping are also sufficient.

c. The building design

The building design and quality of architecture is excellent for the institutional use of the building and will be a valuable addition to the community.

We would like to suggest seating and street furniture for the public areas when the application moves to a later design stage.

You may wish to consider height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to question #3.

3. Has the applicant discussed the development permit application with the Community Association? If yes, what information was provided?

We were provided a basic copy of the plans from the City of Calgary planning department.

4. Please provide any additional comments or concerns regarding the proposed development.

This is a welcome redevelopment opportunity that would help activate the streetfront as a part of the urban environment and phase out the existing 1950's style strip-mall development with parking at the front.

Please provide your Community Association perspective and respond to the following questions:

PART 2: LOC2014-0156: East re-zoning to C-COR1 (f4.3h36) & working plans presented to community members (mixed-use building)

NOTE: These comments are based only on the re-zoning application and the working drawings which have been presented to residents in open houses by the applicant.

What are the strengths and challenges of the proposed development?

Strengths:

- Building has unique architectural features which provide visual interest and minimize shading on neighbours to the direct north.
- Quality of design is very good and we appreciate that the building materials incorporate a warmer tone.

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- The ground level retail should help increase the walkability of Kensington Road west of 14th Street NW and contribute to a main street type environment.
- Applicant has expressed an interest in adding eco-friendly initiatives to the building.

Challenges:

- Proposed size (height) and upper floor setbacks are inappropriate for surrounding area; the height of the proposed building will be an anomaly within the neighbourhood.
 - Development should be more appropriate to the local context: the MDP has specific policy under Section 2.2 to maintain *“compatibility [and] avoiding dramatic contrast in height and scale with low density residential areas through limits on allowable heights and bulk of new development.”*
- The single family and semi-detached infills to the east of the development on 18th Street and Kensington Road are recent redevelopments; it is unlikely that a multi-lot consolidation will occur in the foreseeable future to allow for larger scale multi-residential developments to complete the transition of this site to a higher density development.
 - There is a lack of transition as *“development intensity between low density residential areas and intensive multi-residential or commercial areas”* as specified in the MDP, Section 2.2.
- Proposed design brings a significantly higher volume of traffic to local residents near 18th St NW and the elementary school two blocks away.

1. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?

- The size of the building could be decreased from 36 metres (FAR 4.3).
- The building could be set back on the upper floors along the 18th Street elevation to minimize the impact of the large size difference between this proposed development and the single family or semi-detached homes on 18th Street NW which are directly beside it.
- The parking garage entrance ramp could be reversed to run west to east (instead of the current east to west). This would result in residents and visitors entering the site internally from Kensington Road NW. The current proposal has the entrance coming off 18th St NW which will add traffic to the local streets and bring more vehicles driving past the elementary, junior, and high schools located just north on 18th St NW as well as more traffic and shortcutting vehicles to what are currently quiet residential streets.
- Traffic flow on Kensington Rd would seem to be adversely affected from 18th St to 19th St as the plans show street parking taking up one lane on Kensington Road between these two blocks. There is also a bus stop on this block. Hopefully indented street parking and a bus stop pull in would address this issue.

2. Provide comments on:

a. The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)

The use of ground floor retail with residential units above is appropriate for the site. This addition of smaller scale retail bays could help contribute to a more walkable human-scaled, vibrant and complete neighbourhood.
We support the Change of Use on the two City of Calgary-owned parcels that have been deemed as surplus roadways (2A and 2B on the applicant's submission).

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HSPC generally supports higher density and compact development as an inner city community. We support a sensitive density increase on Kensington Road west of 14th Street; however, we note that the Hillhurst Sunnyside Area Redevelopment Plan sets a height limit of 15 metres or 5 storeys between 10A and 13th Streets as to better integrate with the surrounding lower density residential areas.

b. The site design

The lack of a setback on upper floors from Kensington Road and from 18th Street creates massing issues with the single family homes around this proposed development. Drawing traffic past the schools on 18th Street to the parkade entrance is inappropriate. From what we can tell, parking seems adequate. More public green space would be appreciated, either along Kensington Road or where the site meets 18A Street.

c. The building design

The building design and quality of architecture are very good. The proposed height is above what would be considered appropriate for the area. The lack of a setback on upper floors from Kensington Road and from 18th Street creates massing issues with the single family homes around it. While we appreciate the thoughtful approach to massing through the addition of setbacks on the north side; however, the building is still very tall and community residents are concerned about shadowing during winter months. The building is quite massive facing Kensington Road; perhaps a greater setback could be explored on the ground floor(s) to further accentuate the podium/tower building style and to better integrate with the street and pedestrian environment. The building's front elevation being right on Kensington Road NW fails to provide green space for the public.

You may wish to consider height, privacy, parking, vehicle or pedestrian access and landscaping as you respond to question #3.

3. Has the applicant discussed the development permit application with the Community Association? If yes, what information was provided?

The HSPC has not yet received a copy of the DP application, but the applicant has held open houses on the site for immediate local neighbours based on their proposed development.

4. Please provide any additional comments or concerns regarding the proposed development.

The site is outside the Transit Oriented Development area and does not seem to justify the density being proposed. Kensington Road NW has been designated as a Main Street type area for re-development but most main street designs don't seem to include buildings of this height: the MDP Section

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2.3.2 states "*attention must be paid to ensuring that appropriate local context is considered when planning for intensification and redevelopment*"
The ground floor retail development is a positive proposal for the neighbourhood, provided the spaces get leased.

Name of Planning Representative/s who contributed to this form:

Lisa Chong
Glenn Wierzba
Hillhurst Sunnyside Community Association

Faye Robinson
Kerry Busby
Mark Simpson
Susan Cardinal
Residents, Hillhurst Sunnyside

Date:
August 13, 2015

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December 2, 2015

Christine Leung
Senior Planner, South Area Planning
Local Area Planning & Implementation
The City of Calgary

Emailed to Christine.Leung@calgary.ca

**RE: Kensington Legion – Revised Redevelopment Proposal
LOC2014-0156 & DP 2015-2379**

Dear Ms. Christine Leung

Please find our completed Community Context Questionnaire for the revised Site 2 part of this application. We would like to thank the developer/applicant for keeping us apprised of updates and providing information on the proposed changes.

Thank you for the opportunity to provide comments.

Robert McKercher
Chair
Hillhurst-Sunnyside Planning Committee

cc: Development Circulation Controller
Members, Hillhurst-Sunnyside Planning Committee
Councillor Druh Farrell, Ward 7
David White, CivicWorks Planning + Design, Applicant Representative

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Community Context Questionnaire – Development Permit

Development Permit Number: **LOC2014-0156 & DP2015-2379**

By providing feedback on the proposed development that is enclosed in this package, you are providing your community association's perspective as the "eyes of the community." This helps City staff better understand what is important to your community as we work with the applicant who has proposed this development, and it enables us to make an informed decision about whether to issue this development permit. In the course of this development permit evaluation, the planning department will review all relevant statutory plans including the Municipal Development Plan, Area Redevelopment or Area Structure Plans as well as the Land Use Bylaw.

Please provide your **Community Association perspective** and respond to the following questions:

Site 2: **LOC2014-0156: East re-zoning to C-COR1 (f4h31) & working plans presented to community members (mixed-use building)**

NOTE: **These comments are based only on the re-zoning application and the re-worked drawings which have been presented to residents in open houses by the applicant.**

What are the strengths and challenges of the proposed development?

Strengths:

- Quality of architecture is good.
- The ground level retail should contribute to a main street type of environment.

Challenges:

- We believe that the height of the Site 2 building is completely insensitive and out of scale with the surrounding urban context.
- Development should be more appropriate to the local context – the MDP has specific policy under Section 2.2:
 - to maintain "compatibility [and] avoiding dramatic contrast in height and scale with low density residential areas through limits on allowable heights and bulk of new development."
 - to provide a transition in "development intensity between low density residential areas and intensive multi-residential or commercial areas".

1. Are there changes that could be made to the proposed development to make it more compatible or beneficial to the area?

- The height of the building needs to be decreased to a maximum of 15 metres.
- The building needs to be set back on the upper floors along the 18th Street elevation to minimize the impact of the large size difference between this proposed development and the single family or semi-detached homes on 18th Street NW which are directly beside it.

2. Provide comments on:

a. The use (if identified – not applicable for single-detached houses, semi-detached dwellings or duplexes)

- The use of ground floor retail with residential units above is appropriate for the site.

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- The smaller scale retail bays could help contribute to a more walkable human-scaled, vibrant and complete neighbourhood.
 - We support the Change of Use on the two City of Calgary-owned parcels that have been deemed as surplus roadways (2A and 2B on the applicant's submission).
- b. **The site design**
- Nil
- c. **The building design**
- The HSPC is strongly opposed to the approval of the Legion Site 2's proposed 31-m height and 4 FAR density. Our opposition is based on the following concerns about the project:
 - we believe that its height is completely insensitive and out of scale with the surrounding urban context;
 - we believe it would set a precedent for increased building heights and densities on our community's main streets: 10th and 14th Streets and Kensington Road; and
 - we believe it could create excessive development pressure on our main streets.
 - despite the Legion site being half a kilometre beyond the TOD area, the Site 2 proposal exceeds both the Hillhurst-Sunnyside ARP's maximum density allowed for Kensington Road and almost all of the maximum building heights for Kensington Road and 10th and 14th Streets (TOD Maps 3.2 & 3.3).
 - The lack of a setback on upper floors from Kensington Road and from 18th Street creates massing issues with the single-family homes around it.
3. **Has the applicant discussed the development permit application with the Community Association? If yes, what information was provided?**
- The HSPC has not received a copy of the DP application, but the applicant has held open houses on the site for immediate local neighbours based on their proposed development.
4. **Please provide any additional comments or concerns regarding the proposed development.**
- HSPC generally supports higher density and compact development as an inner city community. We support a sensitive density increase on Kensington Road west of 14th Street; however, the Hillhurst-Sunnyside ARP sets a much more appropriate height limit of 15 metres between 10A and 13th Streets in order to better integrate with the surrounding lower density residential areas.
 - Hillhurst-Sunnyside's ARP TOD policies on height and density limits were arrived at after a long, contentious consultation with community residents. A critical aspect of these policies was the balancing of the values of increased densification with the physical context of the existing 100-year-old residential neighbourhood. The result of this balancing was the maximum FAR and height limits for our main streets at a lower level than what is proposed in the Legion project's Site 2. We are surprised and concerned that similar thinking was not applied to the Legion project.
 - We will consider any desire by the City to approve future projects on our main streets which would exceed the present TOD height and density limits to be a major deviation from our ARP, which will require the same level of public consultation that the present TOD policy did.

Name of Planning Representative/s who contributed to this form:

Lisa Chong
Patrick Mahaffey
Glenn Wierzba
Peter La Bastide
Robert McKercher
Hillhurst-Sunnyside Community Association

Faye Robinson
Kerry Busby
Susan Cardinal
Residents, Hillhurst-Sunnyside

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APPENDIX VII

From: [Gerard V](#)
To: [Logan, Malcolm](#); [Keating, Shane](#); [Stanley, Rollin](#); [Wade, Marianne](#); [Gondek, Jyoti](#); [Morrow, Gregory](#); [Friesen, Colin](#); [Fohrt, Melvin](#); [Cope, Ian](#); [Carra, Gian-Carlo S.](#); [Wright, Roy](#); [Holberton, Kimberly](#)
Cc: [Leung, Christine N.](#); [Kensington Legion Re-Development](#); [Communications & Community Liaison Ward 7](#); [Dave White](#); [Kathryn Watson](#)
Subject: Legion Re-development - Land Use Change Application for Review Dec 17. (LOC2014-0156)
Date: December 16, 2015 1:59:49 PM
Attachments: [WHPC Legion PC Comments 2015-11-04.pdf](#)
[Legion Presentation Open House WHCA.pdf](#)

Dear members of the Calgary Planning Commission (CPC);

On behalf of the West Hillhurst Community Association and residents, please accept our apologies for the lateness of this correspondence. It was our oversight in not being aware what information was being communicated to the CPC by way of City Planning department and we wanted to ensure that you as members of the CPC were given first hand the view of the community and residents as it relates to the proposed Legion site redevelopment.

Firstly, let me re-iterate that our community is supportive of redevelopment, of the Legion and of measured densification. Our community has been actively engaged in this redevelopment process and has gone to great lengths to provide helpful and constructive input to the Legion/Truman joint venture as developers in this proposal. Some of those concerns have been considered, others have not - namely the height and massing that this land use is requesting.

There are hundreds of letters from residents asking that the City / CPC consider an approval at a more appropriate FAR and height for this location - one that is more contextually sensitive and respectful of the existing, single family residences that characterize this location.

Please find attached the formal letter from the West Hillhurst Community Association as submitted in response to the LOC which is being supported for Approval this week. Please also see attached the results of a survey conducted of our community residents relating specifically to the Legion site.

Thank you for all your efforts relating to the continued revitalization of the City of Calgary.

Gerard Van Ginkel
Chair, WHCA Planning Committee

**ROAD CLOSURE AND LAND USE AMENDMENT
WEST HILLHURST (WARD 7)
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Dear Ms. Leung,

The West Hillhurst Planning Committee (WHPC) is pleased to provide additional comment on LOC2014-0156, the Kensington Legion Site 2 land-use re-designation application. Our comments reflect substantial feedback from residents, including an online survey of 235 residents, and our common desire for the redevelopment of Kensington Rd. into a successful and complete neighbourhood corridor. Kensington Rd. does not currently serve the community to its full potential and would benefit from a mixed-use development of the quality presented, but with a more appropriate height.

The current application does not include a concurrent development permit for Site 2. Therefore, our comments at this time are limited to the proposed land use re-designation for that site; specifically, regarding the amended height of 31 metres.

We support densification along the corridor and a greater diversity of housing, retail, and employment. The Legion site is the most significant single opportunity to define the corridor and how it relates to the community. We recognize that the proposed development will bring many benefits to the community and bring the City closer to meeting its development goals. We also recognize that any corridor-appropriate scale of development for the site would have an impact on adjacent residents and this is unavoidable in a process of overall community improvement.

However, the proposed height fails to meet important policies of the MDP regarding neighbourhood corridors and built form (see appendix). Furthermore, residents of our community have expressed opposition to the height, with the majority (60% surveyed) preferring a four-storey limit. The WHPC supports four-storey mixed-use development along Kensington Rd. and believes that to be a suitable community scale.

That said, we understand that this site is unique, located on the community corridor, and it may be appropriate for a distinctive, high quality, and well-designed development of up to a maximum of five storeys (as per the HSCA ARP for the block directly east of 18th St.). The current proposal outlined in the applicant's *What We Heard* report meets our expectations except for two key issues: 31 metres is too high and, with only a land-use application, we have no assurances as to the quality of the actual future development. Due to the high impact of this site, we feel it should require either a concurrent Development Permit or a Direct Control re-designation.

Finally, the terraced design of the development attempts to reduce shadowing to the North while exacerbating shadowing to the South. The tallest part of the development should be on the West side, so that afternoon and evening shadows fall predominantly on the Legion site itself. The lowest part of the development should be to the East in order to minimize shadowing of adjacent residences to the East. The development proposal is exactly the inverse of this and it seems an improvement is possible by building the Legion's desired 4 storey building on the corner of Kensington and 18th, moving the higher part of the development to the middle of the block and better aligning to the scale of the existing context on all sides of the site.

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Appendix: MDP Policies of Concern and Further Comment

Unfortunately, we do not yet have the Main Streets guidance for Kensington Rd. or an ARP for our community. As mentioned above, we recognize many aspects of this proposal support the MDP, but are concerned that it also contradicts some important provisions. This includes, but is not limited, to the following:

2.2.1 Vibrant, transit-supportive, mixed-use activity Centres and Corridors

b. Plan the development of Activity Centres and Corridors appropriate to the local context by:

- i) Maintaining compatibility, avoiding dramatic contrast in height and scale with low density residential areas through limits on allowable heights and bulk of new development;*
- ii) Creating transitions in development intensity between low density residential areas and more intensive multi-unit residential or commercial areas;*
- iii) Locating the tallest buildings and highest densities closest to transit stops and stations, and stepping down heights and densities away from transit;*
- iv) Massing new development to frame adjacent streets in a way that respects the existing scale of the street;*
- v) Limiting the impact of shadowing on neighbouring streets, parks and properties;*

The DTR 1 states that “policies in s.2.2.1(b) shall be respected and will be evaluated accordingly at the Development Permit stage”. The differentiation between land use designation and development permit details is understood, but the proposed height of 31 metres is a land use issue that has not yet been demonstrated to conform to these policies.

The existing scale of Kensington Rd. is not a standard we wish to maintain. It currently features strip-mall, surface parking, newer low-density dwellings, and residential rear fences. In this case two wrongs do not make a right – the corridor can not be balanced by the proposed development. Instead, it may further undermine the desired incremental development of a successful main street. Changes will need to happen over time and be incremental in nature. The scale of the proposed Legion development has the potential to be ‘too much’ all at once.

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2.3 Creating Great Communities:

“Future growth does not undermine what Calgarians value most in their neighbourhoods.”

2.3.2 respecting and enhancing neighbourhood character

“... Corridors and other comprehensive redevelopments provide some of the greatest opportunity for positive change. However, significant change can impact adjacent low density residential neighbourhoods. Attention must be paid to ensuring that appropriate local context is considered when planning for intensification and redevelopment.”

- a) Respect the existing character of low-density residential areas, while still allowing for innovative and creative designs that foster distinctiveness.*
- b) Ensure an appropriate transition of development intensity, uses and built form between low-density residential areas and more intensive multi-residential or commercial areas.*
- c) Ensure infill development complements the established character of the area and does not create dramatic contrasts in the physical development pattern.*

West Hillhurst is no longer the suburban community it was 70 years ago. However, residents have expressed concern that a 31 metre building does not respect or enhance the character of the neighbourhood and undermines what they value most. An appropriate increase in density and distinctiveness could be accomplished without such a dramatic contrast.

2.4.2 Built form

- f. Plans and designs for tall buildings should ensure that they are:
 - iii. Integrated with adjacent areas by stepping down to lower-scale buildings and neighbourhoods; and,*
 - iv. Considerate of the shadow impacts on adjacent residential areas and parks and open spaces.**

The applicant has presented a conceptual design that illustrates the max 31 metre height on south portion of the building, stepping down to the north in order to minimize the summer shadowing on residences directly to the north. This is an appreciated consideration. However, the year-round impact of shadowing on properties will be greater than suggested by a diagram of the sun angle at noon in September. There simply is not enough space to consider the stepped massing an effective integration. Shadowing will not only impact the residents' enjoyment of their property, but also their access to opportunities for passive or active solar energy as encouraged by section 2.6.5 of the MDP.

3.4.1 General Corridor policies

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- b. *The highest densities and tallest buildings on the Corridor should be concentrated into “nodes” that occur at the intersections of the Corridor with other major transit streets. Between the nodes, lower scales of commercial, residential and mixed-use development are appropriate.*
- g. *Appropriate transition of building scale between developments in the Corridor and adjacent areas should be provided. These transitions should be sensitive to the scale, form and character of the surrounding buildings and uses.*
- a. *Create a human-scale environment along the Corridor by generally encouraging a maximum of a 1:2 building height to right-of-way width ratio. Additional height should be considered through the Local Area Plan.*

The amended height of 31 metres and a F.A.R. of 4.3 remains a dramatic contrast with a sharp transition to the adjacent properties. The height still far exceeds the public realm policy of building height to right-of-way.

3.4.2 Neighbourhood Corridors

- e. *Encourage ground-oriented housing, low-scale apartments and mixed-use retail buildings within the Neighbourhood Corridor, with the highest densities occurring in close proximity to transit stops and in locations where they merge with Activity Centres or Urban Corridors.*
- f. *An appropriate transition between the Neighbourhood Corridor and the adjacent residential areas is required. Transition should generally occur at a rear lane or public street. These transitions should be sensitive to the scale, form and character of surrounding areas, while still creating opportunities to enhance the connectivity with the community.*

The Legion site, while unique, is not a node or adjacent to an Activity Centre or Urban Corridor. The use of the lane as the parking entrance is not a transition that is sensitive to the adjacent residential properties.

Access from within the site on 18th St is more appropriate. Traffic on 18th St. should be minimized to ensure the safety of children going to and from Queen Elisabeth School. Accordingly, the primary road access to the development should be from Kensington Road, not from 18th St.

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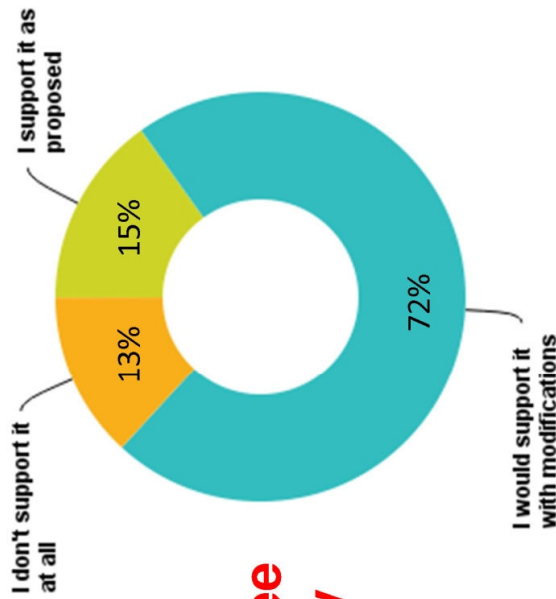
235

Total Responses

Complete Responses: 188

Date Created: Monday, November 2, 2015

Do you support the Legion 264 Development?



WHCA Planning Committee Legion 264 Project Survey

November 2, 2015

Over 1,000 email addresses were contacted with a link to the Survey regarding the Truman / Legion 264 proposal.

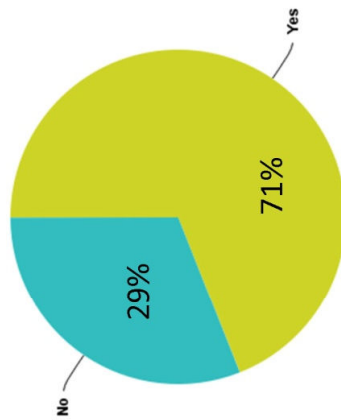
- Email addresses included all members of the WHCA and the Grassroots Legion Group Mailing list
- 235 responses were received.
- 21% of respondents reside outside of West Hillhurst
- 71% of respondents reside within a few blocks of the Legion 264 site
- 61% of respondents support a project 3-4 stories in height
- Over 50% of respondents are 'quite' or 'very' familiar with the proposal

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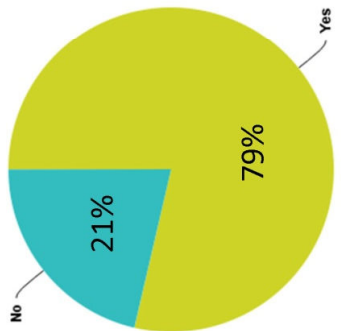
Do you live near (within a few blocks) of the Legion site on Kensington Rd and 18th Street?

Answered: 230 Skipped: 5



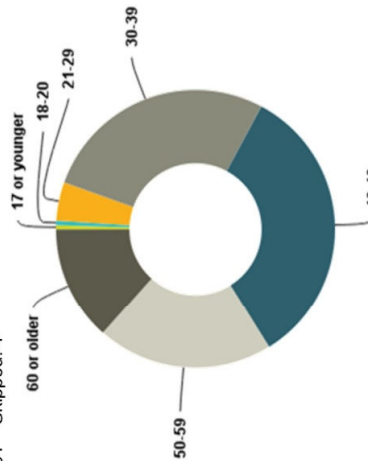
Do you reside within West Hillhurst community boundaries?

Answered: 230 Skipped: 5



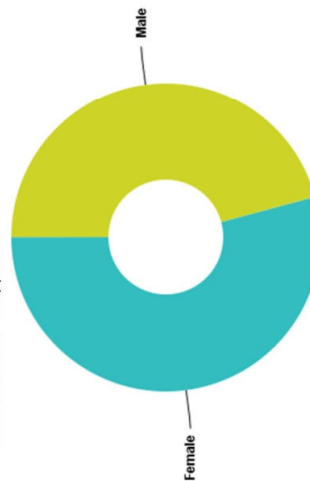
Age Distribution

Answered: 201 Skipped: 4



Gender Distribution

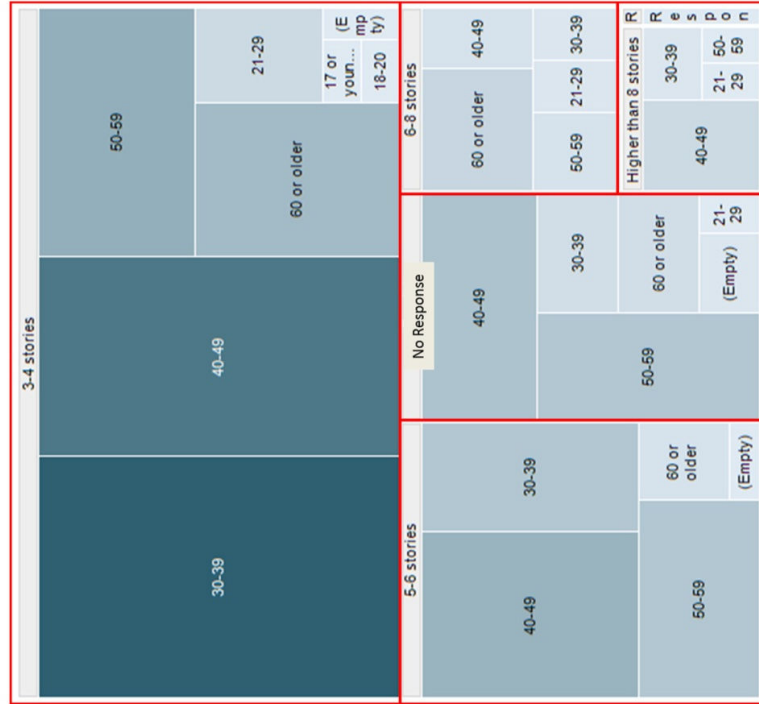
Answered: 203 Skipped: 2



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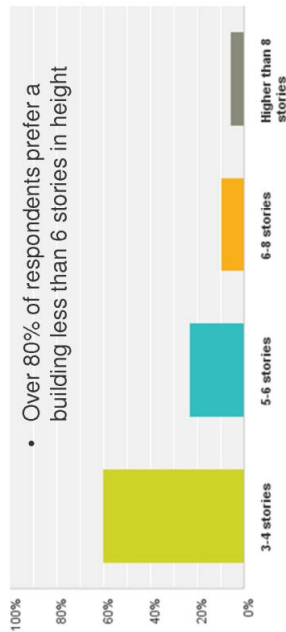
MAP 20C

Height Preference Distribution by Age



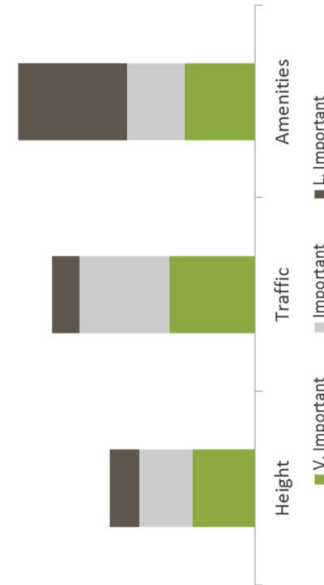
Multi-Family Project Height Preferences

Answered: 201 Skipped: 34



When considering multi-family developments in WHH, rank the following in terms of importance

Answered: 218 Skipped: 17

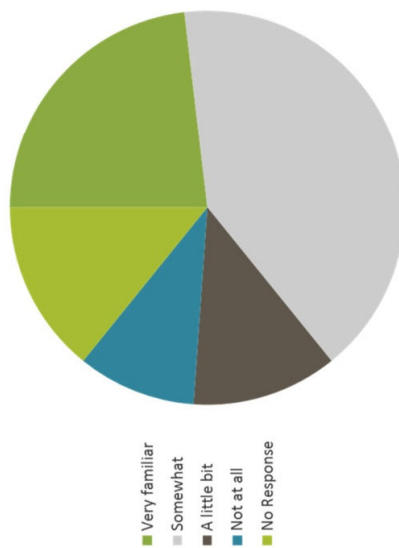


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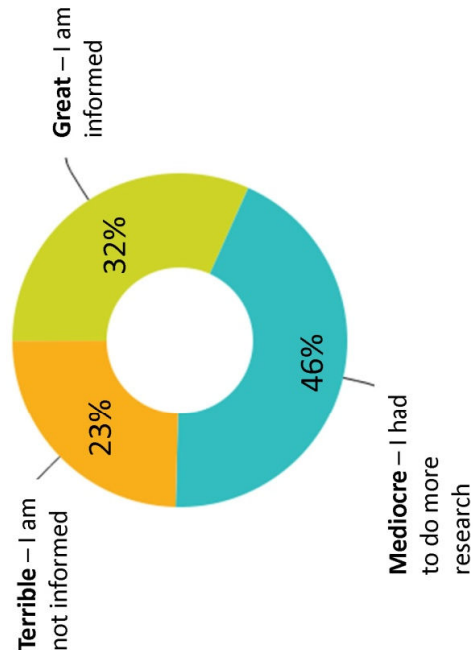
How familiar are you with the details of the
 Legion Redevelopment?

• Answered: 216 Skipped: 19



- Over 50% of respondents are 'quite' or 'very' familiar with the proposal

Regarding community consultation done by
 the Legion Project to inform residents



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From: [Kensington Legion Re-Development](#)
To: [Logan, Malcolm](#); [Keating, Shane](#); [Stanley, Rollin](#); [Wade, Marianne](#); [Gondek, Jyoti](#); [Morrow, Gregory](#); [Friesen, Colin](#); [Focht, Melvin](#); [Cope, Jan](#); [Carra, Gian-Carlo S.](#); [Wright, Roy](#); [Holberton, Kimberly](#)
Cc: [Jeff Mercer](#); [Ben Popadiuk](#); [Benjamin Raval](#); [Brian Fukushima](#); [Cara Squair](#); [Carlana Johnson](#); [Catherine Y. Christine Fraser](#); [Chuck Curry](#); [Dan Gregson](#); [David Fuchs](#); [David Ouaintance](#); [David Sol](#); [Donna Luminoso](#); [Elizabeth Scroggins](#); [Elizabeth Stock](#); [Eloise Moodie](#); [Garry Clark](#); [Gary MacKay](#); [Gary Reynolds](#); [Gerard VanGinkel](#); [Gillian Stark](#); [Glenn Wierzba](#); [Hilary Munro](#); [hilmunro](#); [Holly Carle](#); [Ivy Shi](#); [Jane Channess](#); [Janet Freeman](#); [Janice Bateson](#); [Janice Paskey](#); [Joanne Hart](#); [John Clarke](#); [John Sweazey](#); [Karen Shay](#); [Karen Youri](#); [Ken Jack](#); [Kerry Busby](#); [Kurtis Nishivama](#); [Lindsey Van Ginkel](#); [Ling Wang](#); [Lisa Chong HSCA](#); [Lori Bowes](#); [Lorne Gartner](#); [MacDonald, Steve](#); [Mandy Williams](#); [Mary McKay](#); [Melissa Buirchell](#); [Michael Dyer](#); [Nathan Peters](#); [Patrick Craddock](#); [Patrick Mahaffey](#); [Pierre Gendron](#); [Robyn Benner](#); [Roisin McCormick](#); [Sam Hageahmad](#); [Sherry Daley](#); [Sidd Thakore](#); [Susan Cardinal](#); [Tara Branter](#); [Taryn Moran](#); [Tony Zhang](#); [Warren Keshen](#); [WH Planning Committee](#)
Subject: Re: Legion Re-development - Land Use Change Application for Review Dec 17. (LOC2014-0156)
Date: December 16, 2015 3:34:49 PM

Hello members of the Calgary Planning Committee,

I am a resident of West Hillhurst and also a member of Board of the community association.

First of all, I wanted to let you know that CBC Radio will be airing a story about the Legion development on the EyeOpener show tomorrow morning (I believe on the local news spot at 6:30, 7:30 and 8:30 am). I was one of the residents interviewed as part of the story and so my concerns about the redevelopment proposal are contained therein.

With respect to the Administration Report to the CPC, I feel that the summary under Public Engagement lacks some important context as follows:

(i) while the report says that 95 represented residents sent in comments (page 11), there is no granularity provided as to what the split was between those supporting and those who tabled concerns. As such, I would kindly ask you to refer to the results of the survey conducted by the WH Planning Committee that had 235 respondents and of which only 15% supported the development as proposed while the other 85% had serious concerns about height, density and traffic implications;

(ii) the residents of West Hillhurst held a community meeting about the Legion development on September 9, 2015 which was attended by over 120 people, most of whom had concerns about the proposed development. We were very disappointed that the City Administration declined to attend this meeting to discuss the matters at hand;

(iii) the City-led public information session that was held on November 4, 2015 was conducted on-site at the Legion's premises which was very awkward as they are one of the Applicants; as such, many residents considered it to be both inappropriate and suggested bias.

Thank you for your consideration of the above comments.

Yours truly,

Gary Reynolds

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On Wed, Dec 16, 2015 at 1:59 PM, Gerard V [REDACTED] wrote:
Dear members of the Calgary Planning Commission (CPC);

On behalf of the West Hillhurst Community Association and residents, please accept our apologies for the lateness of this correspondence. It was our oversight in not being aware what information was being communicated to the CPC by way of City Planning department and we wanted to ensure that you as members of the CPC were given first hand the view of the community and residents as it relates to the proposed Legion site redevelopment.

Firstly, let me re-iterate that our community is supportive of redevelopment, of the Legion and of measured densification. Our community has been actively engaged in this redevelopment process and has gone to great lengths to provide helpful and constructive input to the Legion/Truman joint venture as developers in this proposal. Some of those concerns have been considered, others have not - namely the height and massing that this land use is requesting.

There are hundreds of letters from residents asking that the City / CPC consider an approval at a more appropriate FAR and height for this location - one that is more contextually sensitive and respectful of the existing, single family residences that characterize this location.

Please find attached the formal letter from the West Hillhurst Community Association as submitted in response to the LOC which is being supported for Approval this week. Please also see attached the results of a survey conducted of our community residents relating specifically to the Legion site.

Thank you for all your efforts relating to the continued revitalization of the City of Calgary.

Gerard Van Ginkel
Chair, WHCA Planning Committee

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1 November 2015

To: Christine Leung, Senior Planner
Planning, Development and Assessment, City of Calgary

Re: Resident Feedback on Legion 264, "What We Heard Report"
Truman Development Proposal, Kensington Road NW
(Development Permit to be submitted)

After careful review of the Legion 264 "What We Heard Report" I would like to ask that the City request a further refinement to the proposal with a more contextually appropriate height and mass.

It is never easy to represent multiple views, but in order to focus our attention to the primary issue I would like to clarify the following upfront:

- I believe, overall, **the community is supportive of re-development of the site**. Furthermore, a majority would support the proposal of a mixed use, multi-storey building as small scale retail is seen as an overall benefit to the community. Certainly the Main Streets sessions came to similar conclusions; that residents were in favour of this type of development, up to a maximum of 4 stories.
- Additionally, I believe, that the community has proven itself to be **supportive of appropriately scaled densification**. This IS a neighbourhood of ongoing densification; as existing sites with single homes are now being replaced with two new homes, or, multi-residential four-plexes, such as those recently constructed on Kensington Road. We are a community of residents who choose to support existing infrastructure and inner city services; we compromise on big backyards and square footage in order to do so.

For many of us however, the key issue remains that the development proposal at present, with a maximum 31m height, FAR of 4.3, and +/- 200 residential units, remains too tall, and too massive, for this community.

Based on the principles of the Municipal Development Plan (MDP), the expectation is that the City and our Representatives would support that view as well. The MDP encourages appropriate and sensitive redevelopment for the low density residential areas in the inner city and has specific policy under Section 2.2 to maintain "compatibility [and] avoiding dramatic contrast in height and scale with low density residential areas" and to mass "new development to frame adjacent streets in a way that respects the existing scale of the street." Furthermore, Kensington Road, defined in the MDP as a Neighbourhood Corridor is governed by Section 3.4 which outlines that the city should "Encourage ground-oriented housing, low-scale apartments and mixed-use retail buildings..." The MDP further states that "An appropriate transition between the Neighbourhood Corridor and the adjacent residential areas is required" [and] "These transitions should be sensitive to the scale, form and character of surrounding areas."

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Figure 1: The existing streetscape surrounding the Legion 264 - Note (1) the lack of context for a multi-use building of 31m (a tall 8 story building)

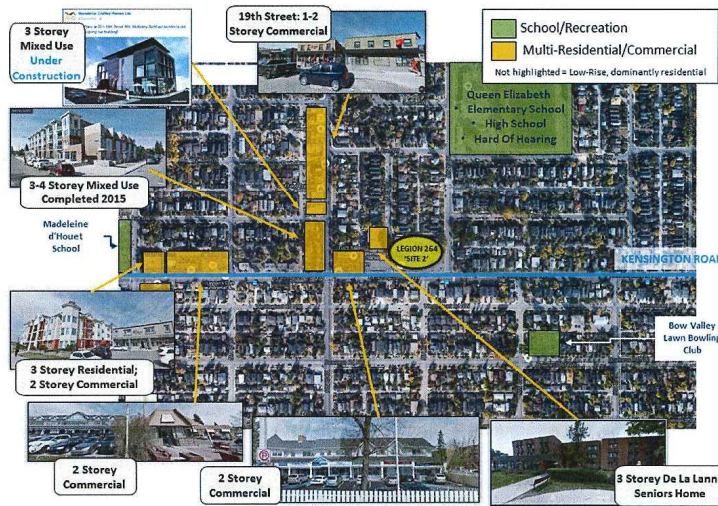


Figure 2. The recent redevelopment of the pre-dominantly low-rise residential neighbourhood - Note the close proximity/juxtaposition of residential neighbors against the proposed development site, with no transitional space.

RE-DEVELOPMENT OF RESIDENTIAL NEIGHBOURHOOD SURROUNDING LEGION SITE
 - Coloured by Build Year (from <http://www.calgary.ca>)



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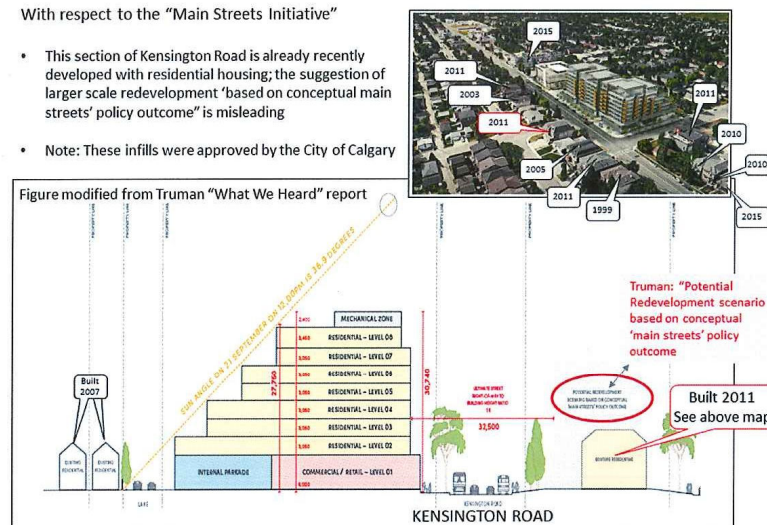
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Our Neighbourhood Corridor, Kensington Road, is part of the Calgary "Main Streets" Initiative, which is referenced in the "What We Heard Report", suggestion potential additional large scale development in front of the proposed site. However this, primarily residential section of Kensington, is increasing density through infill development, and in some cases multi-residential building, but at an appropriate scale and context for the community. This development has, of course, been approved by the City.

Figure 3. The ongoing residential re-development of this portion of Kensington Road - Note the lack of "multi-lot" redevelopment potential available on this section of Kensington Road.

With respect to the "Main Streets Initiative"

- This section of Kensington Road is already recently developed with residential housing; the suggestion of larger scale redevelopment "based on conceptual main streets' policy outcome" is misleading
- Note: These infills were approved by the City of Calgary



In summary, there is a compromised design that will benefit the community, the city, the landowner and the developer and I ask that the city push all parties for this; not just ask the community to sacrifice. There are elements of the proposed design that are considerate to the neighbors, and the community, and the developer should be commended for that. However, the core of this design is not directed at the needs of the community, or the city for that matter, but at the restrictions and conditions of the landowner and the subsequent financial goals of the developer. A cleverly designed four (or five) story building on a site of this size would meet all stakeholders needs, and become a project that compliments and adds to our vibrant community. This project doesn't need to go forward at the expense of the existing neighbourhood, setting a dangerous precedent for others in the community when the next outrageous development is put forward.


I have also attached a set of questions that I hope to have addressed at the meeting on the 4th of November, or shortly thereafter.

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Thank-you sincerely for your time,



Tara Branter


CC:
Druh Farrell, Ward 7 Councillor's Office
Gerard Van Ginkel, WHCA Planning Committee
Lisa Chong, HSCA Planning Committee

Attachments:

1. QUESTIONS/CLARIFICATIONS REQUIRED (2 pages)

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QUESTIONS/CLARIFICATIONS REQUIRED

– FOR 4 NOVEMBER MEETING

- What other design options can be put forward to reduce building height and mass? Eight stories, 31m tall, is still completely out of context with the community, and does not represent a design that respects its neighbours. This is still over twice the maximum height of 15m in place in the Hillhurst Sunnyside ARP for the stretch of Kensington Road between 10A and 13th St. NW. (A maximum put in place to better integrate the neighboring residences.)
 - o Would the City please request the developer provide streetscape drawings, that include neighbouring properties, so that the true height and mass relationship is accurately visualized
 - o Would the City please request that the developer provide shadow drawings for Summer Solstice (June) and Fall Equinox (September) but at 6:30pm in the evening? This better represents the time at which families are out enjoying their backyards in the Calgary summer after work.
- How is the transition between established inner-city residential neighbourhoods and new multi-use developments managed? In this case the transition occurs across, in places, as little as an 8m laneway. How can a neighbour on one side be asked to respect height, setback, mass, and privacy (eg; no decks overlooking backyards) as part of the Low Density Residential Guidelines, while the neighbour on the other side, is free of any such restrictions?



As an example, how is neighbours privacy (principle of “eyes on the street” – not on your neighbours backyard) and access to sunlight considered?



- How are the needs of the community, the city, and the developers profit weighted?
- What options can be explored to reduce build time? Is it necessary that one building be complete prior to beginning the other?
- Why hasn't the traffic study been published?
 - o How will they prevent the residents of Legion 264 from using the North-South laneway between homes on 18th Street and 18A Street to circumvent any newly implement traffic calming measures on 18th Street.
- Does the traffic study include safety or is it about infrastructure? Does it include/are they aware that:

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- The intersection on 18th Street is an existing problem (safety perspective) for pedestrians crossing (even with an overhead light, which from personal experience, it appears many motorists do not see)
- By allowing parking on Kensington Road outside Legion 264 it will be even more difficult for cars to exit 18th Street onto Kensington Road. Visibility is already limited due to on street parking to the east
- Truman/Legion 264 have provided suggestions to alleviate traffic and parking concerns, however they admit this is not their decision.
 - What is the City's view on the proposals from Truman? How and when will a decision be made with respect to the following two items?
 - Revisions to Street parking (note Truman diagram on current parking permits has some errors)
 - Traffic calming measures along 18th Street NW
- What is the overall 'plan' for Kensington Road? How do we clarify the contrasting vision?
 - There are new single family/detached/4-plex homes being built along Kensington road, at that same time the Main Streets program is looking to shape this into an "active area(s) that attract Calgarians to socialize, work, shop, dine and celebrate local events." So who approved all these infills?
 - The Main streets vision appears to support pedestrian friendly, multi-use areas but also targets streets where there are high traffic volumes. Why do our main commuter routes / traffic streets make for a good community 'main' street as a backbone for services and entertainment? For example:
 - How is allowing parking / restricting traffic to one lane, on one of the North side of Kensington Road in-line with the need to move 13000* vehicles, plus transit along the road? Do the buses, vehicles and cyclists all share the one lane? (*source: City of Calgary, 2014 Ave daily weekday traffic)
 - How do tall buildings, which obscure the surroundings, the sun, the sky create a warm, open pedestrian friendly area to socialize?
- What would you suggest the Community of West Hillhurst do to either implement an Area Redevelopment Plan or provide a similar document in lieu of this? Although we understand that these documents are not concrete, and a proposal to amend them may be put forward, it is at least a starting point to establish community wants and needs; and a point of reference for discussion that our community is so badly missing.

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Royal Canadian Legion, North Calgary Branch #264
1910 Kensington Road, Calgary Alberta T2N 3R5
Telephone: 403-283-5264; Fax: 403-270-0172
Website: www.kensingtonlegion.ca

16 November 2015

West Hillhurst Community Association
1940 – 6 Avenue NW
Calgary, AB T2N 0W3

**Attn: Mr. Gerard Van Ginkel, Vice President of the Board of Directors and Planning
Committee Chair, West Hillhurst Community Association**

Re: Redevelopment of The Royal Canadian Legion North Calgary Branch No.264

Dear Mr. Van Ginkel,

Dominion Command of the Royal Canadian Legion has referred your 12 November 2015 email inquiry to The North Calgary Branch No.264 for response. Dominion Command does not comment on Branch affairs, as each Branch is autonomous through incorporation under a Federal Charter.

Your email to Dominion Command is included here as this letter response will be posted within our Branch.

From: planning@westhillhurst.com

Our community values and honors the Legion and veterans nationwide and we appreciate having this significant resource in our community.

We are attempting to work with the 264 Branch regarding their proposed redevelopment with Truman however are not having much success in understanding how the proposed changes and local goals of Branch 264 align with the overall goals of the Legion on a national scale. It would be wonderful if an Executive from Dominion Command would be willing to speak with me so I can represent more accurately how this proposal fits with the broader goals of the Legion.

On the surface of the application and the tone of past discussions, it appears that the approach being taken at the 264 Branch is going against the very goals of the Legion nationally by segregating and dividing members from neighbors and potential future members.

I would very much like to discuss with you.

*Respectfully
Gerard Van Ginkel*

We Remember...

**ROAD CLOSURE AND LAND USE AMENDMENT
WEST HILLHURST (WARD 7)
NORTH SIDE OF KENSINGTON ROAD NW,
BETWEEN 18 STREET AND 19 STREET NW
BYLAWS 4C2016 AND 21D2016**

MAP 20C

Our Mission, Need, and Future

The stated mission of the Royal Canadian Legion is to serve veterans, which includes serving military and RCMP members and their families, to promote remembrance and serve our communities and our country. The General By-Laws of the Royal Canadian Legion contains twenty-three objectives to support this mission. Fundamental to the service of this mission is the allowance of individual Branches to acquire, hold, sell or lease real and immovable, personal and movable property.

The North Calgary Branch No.264 was founded in 1953 with just 61 active members. Today, we are one of Canada's largest Branches with nearly 1,500 members. As a long established community service organization within West Hillhurst, we are seeking a renewal of our community hall and facilities to continue our mission.

In the most tangible sense, our community hub is a place for members and their families to gather and socialize, and where the spirit of comradeship and mutual help is fostered. This home is our physical hub for outreach, education, and the promotion of remembrance and duty to Canada.

One of our most essential missions is to ensure that proper attention be paid to the welfare of all who have served and the welfare of their dependents and to see to the maintenance and comfort of those who require special treatment, particularly the disabled, sick, aged and needy, and to promote the welfare of their dependents.

The North Calgary Branch No.264 is at serious risk of being unable to continue to fulfill its mission, as our community hall and facility building is in a state of disrepair and nearing the end of its useful and safe building life. The Branch does not have the financial means to sustain or replace our building.

With increasing costs to maintain our current home, and with the decreasing discretionary spending of our older members, the ability to raise funds to support our legacy of greater community service has also been limited. We seek to renew our volunteer base and grow our fiscal stability to afford the staff that can assist the Branch with outreach activities within the community, beyond our membership.

We used to support the community in a variety of ways and our desire is to do that again in the areas of youth sports, seniors health and wellness, hospital equipment needs, Scouts and Girl Guides, bursaries for students, school educational aids, and the support of other charitable causes. In addition, we will continue our current support of the Calgary Food Bank, Field of Crosses, school visitations, Cadet Squadrons, Flag Parties for funerals, as well as the provision of a gathering place for friends and charitable organizations for darts, cards, shuffleboard, luncheons and meetings.

We are struggling to keep our doors open for our members and the community at-large. We are seeking a way for our home to again be a vibrant neighborhood gathering place and where any number of community activities, including musical and cultural events, can thrive once more.

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Our Redevelopment Vision and Partnership

In 2012, our Branch began a search for a joint-venture redevelopment partner, with the primary redevelopment goal of building a new community hall and facility. A further goal is to create a new sustainable revenue stream for the Branch through building leasable space (market-rate office space) in addition to the essential new community hall and facility.

In return for delivering the Branch a wholly-owned new building and retaining ownership of the lands on which it would be sited, a joint-venture partner would take ownership of the balance of our lands to achieve a market-rate mixed-use development outcome. The redevelopment vision for the portion of lands to be owned and redeveloped by our partner would ultimately be based on our partner's own market goals and the context of City of Calgary growth policies.

The Branch has endeavored to work with two previous joint-venture partners prior to partnering with Truman Development Corporation (Truman). The previous partnerships were unsuccessful for several market-alignment and shifting corporate priority reasons. Since January of 2015, Truman has worked diligently to achieve our Branch's goals. They have undertaken a progressive planning, design, and public engagement program with a key focus on their mixed-use development vision for the balance of the lands. Truman and their team of experts have led this program and The City of Calgary development applications that seek approval for the overall redevelopment vision.

Many Legion Branches across Canada are watching closely and considering this type of joint-venture redevelopment model, as they see great promise in the renewal it offers for its local members and the greater community.

Our Public Engagement and the West Hillhurst Community Association

We understand that the West Hillhurst Community Association (WHCA) has recently gone through a renewal of its leadership. As a membership-based organization like the WHCA, we understand that leaders and institutional knowledge changes with time.

We would like to remind the WHCA that we have formally visited with their Planning Committee three times since 2012 and most recently in May of 2015 with our partner, Truman.

We remind the WHCA that prior to the conclusion of our partner's extensive seven-week public engagement program through July and August and The City of Calgary's application circulation comment period, the only formal correspondence received from the WHCA was a short email note (from the WHCA Planning Committee to The City File Planner, dated 24 August 2015). Otherwise, the Branch and Truman have no record of any member of the WHCA Board of Directors or Planning Committee directly corresponding with the public engagement team or attending any of the forty-two hours of open houses at the public engagement storefront hosted at the Branch in July and August.

We remind the WHCA that we have been diligently and publically working toward redevelopment since 2012, and there has been a robust public engagement effort through 2015 as outlined in the publically available 'What We Heard' Report. As part of the public engagement

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process, the Branch and Truman sought to include the WHCA, as a local organization. The Branch cannot be held responsible for the history of inaction and lack of communication by the WHCA. The Branch and Truman have invested a significant amount of time, energy, and monies to bring our redevelopment vision and The City application to its mature stage, and we will continue to work toward our goal of building a new home for our Branch.

While we fully respect the right of the WHCA and any community member at-large to disagree with the proposed redevelopment vision, we are alarmed by the WHCA's suggestion that the North Calgary Branch No.264 is acting in contravention of our mission, and that our Branch and redevelopment partner is acting to segregate and foster divisions among members and the local community. We find it disappointing that our integrity is questioned, particularly in light of the extensive, professional, and transparent public engagement efforts undertaken by our partner to inform the planning and design process.

Our joint-venture Land Use redesignation application, including the post-engagement amendments to the application, has been thoroughly reviewed within a formal process conducted by The City of Calgary Administration. The application will ultimately be brought forward to a decision of The City of Calgary Council. The WHCA, like any local organization or individual, can participate in the public decision-making process and the Public Hearing of Council.

Sincerely,



William (Bill) Cox

President, The Royal Canadian Legion North Calgary Branch No.264

cc:

Board of Directors, West Hillhurst Community Association

Dominion Command, The Royal Canadian Legion

Councillor Druh Farrell, Ward 7, City of Calgary

Christine Leung, Senior Planner, City of Calgary

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From: [Tony Zhang](#)
To: [Logan, Malcolm](#); [Keating, Shane](#); [Stanley, Rollin](#); [Wade, Marianne](#); [Gondek, Jyoti](#); [Morrow, Gregory](#); [Friesen, Colin](#); [Focht, Melvin](#); [Cope, Jan](#); [Carra, Gian-Carlo S.](#); [Wright, Roy](#); [Holberton, Kimberly](#)
Cc: [Kensington Legion Re-Development](#)
Subject: FW: Legion Re-development - Land Use Change Application for Review Dec 17. (LOC2014-0156)
Date: December 16, 2015 10:29:04 PM

Hello members of the Calgary Planning Committee,

Since I do not think that the community residents' comments are properly included in the Administration report from the Planning department, I am writing this email to express my concerns on this application. I am a resident near the Legion. The proposal of development does not consider the negative affections to the neighborhood. Based on my communications with the applicant and other residents, the reason that the applicant wants to go 8-story massive building is for the profit.

If the developer, Truman, wants to help the Legion that is in financial difficulty, they shall not put the profit as the motivation. If Truman wants to be profit for the project, they shall consider the community's benefits. In the civilization society, it shall NOT be allowed to happen that one unity earns the profit by sacrificing majority of the community.

We are sympathetic to the Legion's difficult financial situation. So, we support the redevelopment that considers the community's benefits. Below is one option:

Legion keeps the current building for their normal activities, and gives the west side land to build a commercial building that can be rented out for their financial support. This option will have the similar financial result to their current plan, but minimum affections to the communities. On their planned development, Legion will lose the east land to Truman, and keeps the west side land and building. Since Legion uses about 50% of it for the normal activities, they can rent about 50% of the building. By offering west side land to a builder, Legion shall get about 50% of the rental income (probably more than their planned now, since the main floor can be rented out with higher price, and the building can be more than 4-stories while the negative affections to the community is still low). Moreover, Legion owns the east side land and the building which could become a Heritage site for long run.

Thanks for your time and considering my comments,

Sincerely,

Tony Zhang,

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On Wed, Dec 16, 2015 at 1:59 PM, Gerard V <[REDACTED]> wrote:
Dear members of the Calgary Planning Commission (CPC);

On behalf of the West Hillhurst Community Association and residents, please accept our apologies for the lateness of this correspondence. It was our oversight in not being aware what information was being communicated to the CPC by way of City Planning department and we wanted to ensure that you as members of the CPC were given first hand the view of the community and residents as it relates to the proposed Legion site redevelopment.

Firstly, let me re-iterate that our community is supportive of redevelopment, of the Legion and of measured densification. Our community has been actively engaged in this redevelopment process and has gone to great lengths to provide helpful and constructive input to the Legion/Truman joint venture as developers in this proposal. Some of those concerns have been considered, others have not - namely the height and massing that this land use is requesting.

There are hundreds of letters from residents asking that the City / CPC consider an approval at a more appropriate FAR and height for this location - one that is more contextually sensitive and respectful of the existing, single family residences that characterize this location.

Please find attached the formal letter from the West Hillhurst Community Association as submitted in response to the LOC which is being supported for Approval this week. Please also see attached the results of a survey conducted of our community residents relating specifically to the Legion site.

Thank you for all your efforts relating to the continued revitalization of the City of Calgary.

Gerard Van Ginkel
Chair, WHCA Planning Committee

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MAP 20C

From: Susan Cardinal [REDACTED]
Sent: Wednesday, December 16, 2015 4:16 PM
To: Wright, Roy; Gondek, Jyoti; Friesen, Colin; Wade, Marianne; Morrow, Gregory; Foht, Melvin; Cope, Ian; Logan, Malcolm; Carra, Gian-Carlo S.; Keating, Shane; Stanley, Rollin Gary Reynolds
Cc: Gary Reynolds
Subject: Kensington Legion Site Land-use Amendment and DP for Building #1

Dear Members of the Calgary Planning Commission,

I live in Hillhurst Sunnyside about a block from the Legion site on Kensington Road. I am writing this note to express our deep concern about the land-use amendment as it will allow for the building of a major tower in the middle of a residential neighbourhood. We have no issue with the four-storey Legion building being proposed (Building #1) but the second building is too high and not compatible with the neighbourhood. I am not sure if you will see these plans as you have only been asked to review the DP for the smaller Legion building which is being submitted with the land-use amendment.

We have participated in public meetings and offered feedback to the developer but we don't see any substantial improvements to the plans. My hope is that the CPC will not approve the land-use amendment until there is more careful consideration given to this important site.

Specific concerns include:

- The new zoning would allow for a 31 m tower which is being proposed by Truman along with the new Legion Building. The size/mass of this building is grossly out of context with the surrounding neighbourhood. This is a mostly residential area with R2 and R1 zoning and some MDCG.
- The surrounding area would lose a lot privacy given the height of the building and the provision for balconies.
- Light will be blocked.
- Traffic issues and safety issues especially for children attending Queen Elizabeth School are a legitimate worry given the provision for 218 condo units in the tower.

We are not against development and would support a six-storey residential complex.

Thank you for your consideration.

Susan Cardinal
[REDACTED]