

Smith, Theresa L.

From: cdbannerman@telus.net [cathar43@telus.net]
Sent: Tuesday, January 19, 2016 4:45 PM
To: City Clerk
Cc: Councillors Office Contact; Brar, Sabrina K.
Subject: Land Use Redesignation LOC2015-0158

Re: Elboya Bylaw 19D2016

To re-designate the land located at 311 - 45 Ave SW (Plan 357GU, Block 4, Lot 12) from Residential - Context One Dwelling (R-C1) to Residential - Contextual One Dwelling (R-C1s) District.

I object to the re-designation of this property as it is a breach of the Restrictive Covenant 4345GS, which ensures all included properties remain as R-C1. I live on a property included in this Restrictive Covenant and was clearly told when purchasing my house that re-designation of the property would not be allowed unless all members of the Restrictive Covenant agreed to it. I signed specific documents referring to this fact, so I am sure all of the other property owners must have had to do the same thing. If we all have entered this legally binding agreement, I don't feel there should be any exceptions.

Also, the Land Use Amendment LOC2015-0158 does not meet the requirements of the City's Land Use Bylaw 1P2007 under Section 295(c) and Section 305(c), requiring 2 parking stalls. I feel there should be no relaxation of the this Bylaw.

I expect my City Officials to abide by all legal agreements and the Bylaws they have created in order to protect the rights of existing property owners.

C. Bannerman
4515 Stanley Drive SW

THE CITY OF CALGARY
CITY CLERK'S

2016 JAN 20 AM 8:04

RECEIVED

Smith, Theresa L.

From: Pam Stevens [pam.stevens@shaw.ca]
Sent: Monday, January 04, 2016 3:24 PM
To: Brar, Sabrina K.; Pincott, Brian
Cc: Albrecht, Linda; Councillors Office Contact
Subject: Re: Land Use Amendment LOC2015-0158, 311-45 Ave SW

Brian Pincott, Ward 11 Counsellor
Sabrina Brar, City File Manager

I am a home-owner living in Elboya. My property is subject to restrictive covenant 4345GS, limiting construction to a single family dwelling, as is the property at 311-45 Ave. I am writing to object to the application for a Secondary Suite as having a secondary suite does not seem consistent with the restriction to single family dwellings. People sign legal agreements and should live up to them.

I also understand Land Use Amendment LOC2015-0158 does not meet the City's Land Use Bylaw 1P2007 with respect to parking requirements (Section 295(c) and Section 305(c)).

I urge you NOT to grant a relaxation of Section 295(c) and Section 305(c) for Land Use Amendment LOC2015-0158.

Brad Stevens
352-46 Ave SW
Calgary, AB
T2S 1B6

RECEIVED
2016 JAN -4 PM 4: 03
THE CITY OF CALGARY
CITY CLERKS

328 46th Avenue SW
Calgary, Alberta
T2S 1B6

December 22, 2015

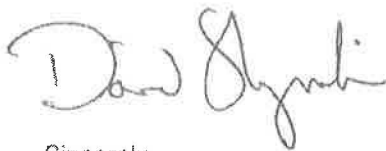
Dear Sir / Madame,

I am writing to oppose then application for a secondary suite at 311 45 Avenue SW (File Number: LOC2015-0158).

In 2006 we purchased and extensively renovated a home in Elboya after living in Tuxedo for over 19 years. The primary reason for us choosing Elboya was the lower density R1 zoning. After living in Tuxedo (R2 zoning) we have become concerned about the safety of the neighbourhood with our young daughters. With R2 zoning we noticed a dramatic increase in the amount of traffic and the speed of that traffic over the years. We were looking forward to living in Elboya, where our daughters could ride their bikes safely, walk to school and when old enough, enjoy the walk to Stanley Park. This application would render this property a defacto RC2 (duplex) property. There is a real risk that this will set a precedent and increased density will spread through our area and decrease the "peaceful" appeal of the R1 area. The other issue with our old house in Tuxedo is the lack of parking with the higher density. There were times when I was unable to park near my own house. The impact of higher density on parking is evident south of 50th Avenue in Windsor Park.

I find it very frustrating that the City is considering ignoring the existing zoning. I also find it frustrating that the City and Alderman can apparently choose to ignore existing zoning laws at their discretion, the same zoning laws that attracted us to Elboya in the first place. I would hope that the rights of the current area residents would have some importance.

If the City is serious about attracting and keeping families in the inner city, they should consider there is significant appeal to families of R1 zoning.



Sincerely
David Shymkiw

cc: Alderman Pincott, Calgary City Alderman

RECEIVED
2015 DEC 28 AM 8:23
THE CITY OF CALGARY
CITY CLERKS

Smith, Theresa L.

From: Pam Stevens [pam.stevens@shaw.ca]
Sent: Friday, January 22, 2016 8:15 AM
To: City Clerk
Subject: Land Use Amendment LOC2015-0158, 311-45 Ave SW

Good Morning,

I am a home-owner living in Elboya. My property is subject to restrictive covenant 4345GS, limiting construction to a single family dwelling, as is the property at 311-45 Ave. I am writing to object to the application for a Secondary Suite as having a secondary suite does not seem consistent with the restriction to single family dwellings. People sign legal agreements and should live up to them.

I also understand Land Use Amendment LOC2015-0158 does not meet the City's Land Use Bylaw 1P2007 with respect to parking requirements (Section 295(c) and Section 305(c)).

I urge you NOT to grant a relaxation of Section 295(c) and Section 305(c) for Land Use Amendment LOC2015-0158.

Pamela Stevens
352-46 Ave SW
Calgary, AB
T2S 1B6

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2016 JAN 22 AM 8:31
THE CITY OF CALGARY
CITY CLERK'S

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Maurice & Doris Lehodey
4547 Stanley Drive SW
Calgary, Alberta T2S 2R6

RECEIVED
2016 JAN 22 AM 8:40
THE CITY OF CALGARY
CITY CLERK'S

January 5, 2016

VIA E-MAIL AND MAIL

City of Calgary
P.O Box 2100, Stn. "M"
Calgary, Alberta
T2P 2M5

Attention: Ms. Sabrina Brar and Counsellor Brian Pincott

Re: Land Use Amendment Application LOC 2015-0158 (the "Application")

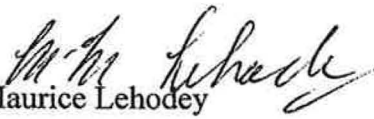
We reside at 4547 Stanley Drive SW, Calgary (the legal description of our property being Plan 357GU, Block 7, Lot 6). Our property is subject to restrictive covenant 4345GS (the "**Restrictive Covenant**"), the same restrictive covenant as attaches to the property at 311 – 45th Avenue SW, Calgary (the "**Subject Property**"), which property is the subject of the Application. We oppose the Application for several reasons, namely:


1. Technically, the Application does not satisfy the requirements of the City of Calgary (the "**City**") Land Use By-law 1P2007 under sections 295(c) and 305(c), in that sufficient parking (2 parking stalls) on the Subject Property does not exist following the development of a secondary suite;
2. It is offensive that the City allows its by-laws and administrative procedures to fly in the face of contractual arrangements made by property owners: specifically, the Restrictive Covenant, which prohibits anything more than a single-family dwelling on the affected properties, including the Subject Property. In that regard, and while we understand that the City is not a party to the Restrictive Covenant, it does, in our view, have a fundamental responsibility to property owners to honour reasonable contractual arrangements among them. We understand that a number of affected property owners are intending to initiate Court action to enforce the Restrictive Covenant as it relates to the Subject Property and, if successful, the Application will be academic. The City should allow affected property owners sufficient time to pursue their remedies under the Courts (which typically takes more time than the City processes) before any decision is undertaken in connection with the Application, as to do otherwise is to preclude property owners the opportunity of enforcing their contractual rights which affect the Subject Property; and
3. The owners of the Subject Property are what we would describe to our grandchildren as "bad people", having agreed in writing on November 19, 2015 to withdraw the Application only to then *not* withdraw it and attempt to move forward with the Application to obtain approval for a secondary suite by diverting the attention of affected residents with what can only be described as a lie evidenced in writing.

Further, it is our view that no relaxation of the sections of the City's Land Use By-law referred to in paragraph 1 should be granted by the City in light of the foregoing circumstances.

If you have any questions whatsoever, please do not hesitate to contact us.

Sincerely,


Maurice Lehodey


Doris Lehodey

cc. David F. Younggren, Q.C.