

**Smith, Theresa L.**

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**From:** Terry Arnett [arnett@telusplanet.net]  
**Sent:** Monday, April 27, 2015 2:41 PM  
**To:** Albrecht, Linda  
**Cc:** FJ Togstad; planning@hillhurstsunnyside.org  
**Subject:** Re: "Osteria Land Use Redesignation" CPC 2015-053 (Bylaw 12P2015 & Bylaw 50D2015)

North Haven supports the Hillhurst Sunnyside Community Association's position for Council to REFUSE the land use redesignation application for the corner of 10<sup>th</sup> Street NW and Kensington Road. Approval of the increased height, FAR and uses would effectively render community involvement irrelevant in determining community character and accommodating growth. This application undermines the principles of community engagement in the planning process and should not be approved.

Terry Arnett, Chair  
North Haven Community Association  
Development Review Committee

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THE CITY OF CALGARY  
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**Albrecht, Linda**

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**From:** msbeckman@att.net  
**Sent:** Wednesday, April 22, 2015 8:03 PM  
**To:** Office of the Mayor; Farrell, Druh; Albrecht, Linda; HSCA Planning  
**Cc:** roxannebeckman@gmail.com  
**Subject:** Opposition to Proposed Amendment to Bylaw CPC 2015-053 - 201 10th NW: Osteria de Medici Property

I am writing to express my strong opposition to the proposed amendment to the Hillhurst / Sunnyside ARP. The ARP was arrived at through extensive community consultation and any changes should have the support of the community. This proposed change clearly does not have the support of the community. There is a long list of reasons why this proposed change is bad for the community however the most important, in my opinion, is the precedent of amending the ARP without the support of the affected community.

Thank you  
Mark Beckman

926 5 A ST NW  
Calgary, AB  
T2N 1R6

Sent from my BlackBerry 10 smartphone on the TELUS network.

RECEIVED  
2015 APR 23 AM 7:49  
THE CITY OF CALGARY  
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**Smith, Theresa L.**

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**From:** Peter Bolton [PBolton@troutriverenergy.ca]  
**Sent:** Tuesday, April 28, 2015 8:46 AM  
**To:** Albrecht, Linda  
**Cc:** hscaplanning@gmail.com; Farrell, Druh  
**Subject:** May 11th Council Meeting, proposed bylaws 12P2015 and 50D2015

**The Office of the City Clerk, City of Calgary**  
**RE: Proposed Bylaws 12P2015 and 50D2015**

**Dear Councilors;**

I am writing to request that the councilors of the City of Calgary vote to **REFUSE** the proposed bylaws **12P2015 and 50D2015**. The proposed bylaws and changes to the height and density of the Osteria Site at 201-10<sup>th</sup> St. NW are significantly in excess of the height and density guidelines that have been laid out in the Hillhurst Sunnyside Area Redevelopment Plan. The proposed bylaw changes have been recommended for **Refusal by the city of Calgary Planning Department, and Refusal by the Calgary Planning Commission.**

As many of you know, this ARP was a multiyear negotiation between the community, residents, business, landowners, developers and the city of Calgary. It sought input and compromise from all parties. Since the ARP was implemented, a number of developments respecting the guidelines set out there in have been approved and either built or are in the process of being built. In the ARP, and I believe at the request of the current landowners, the subject site was given special treatment due to its position and granted both height and density allowances that are 40% and 25% higher than the height and density allotted to the immediately adjacent properties on the west side of 10<sup>th</sup> street. The applicant has now requested to further increase the height allowed from 26M to 36M and the Density from a FAR of 5 to 7. An increase of 30% in height and 40% in density over the ARP guidelines. The proposed zoning would allow for a building that is 80% higher with 40% greater density than the immediately adjacent sites. The purpose of the ARP was not to create a new baseline for additional height and density requests, it was to provide a frame work for developers and land owners to work within. I respectfully request that the Councilors honor the height and density guidelines as set out in the ARP and **REFUSE** the proposed amendments.

In addition, the applicant has requested a number of other changes to the zoning, including a "restaurant large" without providing the required parking and to amendments to regulations around a special events tent to allow it to skirt the community consultation process. Again I request that the Councilors **REFUSE** the request.

Thank you,  
Peter Bolton, Resident and Community Member.

Peter Bolton  
VP Exploration and COO  
Trout River Energy Inc.  
1700, 521-3<sup>rd</sup> Ave SW  
T2P 3T3  
Main: 587-296-7181  
Cell: 403-540-1332

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2015 APR 28 AM 8:51  
THE CITY OF CALGARY  
CITY CLERK'S

Smith, Theresa L.

**From:** Lorraine Bolton [LBolton@serinusenergy.com]  
**Sent:** Friday, April 24, 2015 3:40 PM  
**To:** Albrecht, Linda  
**Cc:** hscaplanning@gmail.com; Farrell, Druh; peggi.mcdougall@gmail.com  
**Subject:** RE: Osteria Development

RECEIVED  
015 APR 24 PM 3:36  
THE CITY OF CALGARY  
CITY CLERK'S

Office of the City Clerk  
City of Calgary

I am joining fellow community members in writing to request that City Council **REFUSE** the proposed **BYLAWS 12P2015 AND 50D2015**.

I will attend the May 11th meeting to **object to the following**:

1. Plans for a 36 m tall tower, rather than 26 m.

The ARP has worked with the City for over 3 years and the prominence of the site was recognized with a height of 26 m.

**Hereby request that Councillors please respect and adhere to the agreed upon ARP.**

2. The Floor Area Ratio (FAR) increase from 5 to 7. This exceeds the current density allowed and is an increase of 40%. The ARP has worked with the City and reached an agreement on a FAR of 5.

**Hereby request that Councillors please respect the agreed upon ARP.**

3. The original plan for the building is already large enough and no "Special Function Tent" should be allowed. During special functions that are currently held at the site, the noise level is extremely disruptive to the Community and neighbouring residents. With a restaurant and hotel as large as has been proposed there should be **NO NEED for a Special Function Tent**. (Please see 6 below)
4. Narrow lane width behind the complex and increased lane traffic and transportation issues. The lane access for a building of this proposed density is ill-conceived. This will massively increase traffic in the narrow lane and create safety issues.
5. The Hillhurst-Sunnyside zoning does not support the traffic, density and **parking** for this large of a restaurant / hotel / condo complex.
6. The plaza space is not enough of a compensation to the public and Community with a building of this size and density. Where will the "Special Function Tent" be placed? On the public plaza? No resident or visitor to the Community would want the "Special Function Tent" to be squeezed into the public plaza.

There is no agreement on how much of the plaza will be public space and how much will be used as a restaurant patio or for special functions, that will only be of benefit to the owner of the restaurant.

Please **REFUSE the proposed BYLAWS 12P2015 AND 50D2015.**

Thank you,

Lorraine Bolton  
Resident and Community Member



c/o Eau Claire YMCA, 101 3 Street SW  
Calgary, Alberta T2P 4G6

info@eauclaireca.com  
www.eauclaireca.com

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April 29, 2015

City of Calgary  
City Clerk

**Re: "Osteria Land Use Redesignation" CPC 2015-053 (Bylaw 12P2015 & Bylaw 50D2015)**

Dear Sir or Madam:,

Community residents, Community Associations, City Planners and representatives of Developers all give a lot of thought and spend a lot of time, much of it volunteer time, to the preparation of Area Redevelopment Plans. These ARPs form the basis for consideration of development proposals for communities.

We would urge Council to consider very carefully prior to changing the law in favour of a one off development. Such developments rarely remain "one off" as nearby owners/developers soon request similar relaxations for their properties.

We support the Hillhurst Sunnyside Community Association in opposing this bylaw change.

Yours truly,

Roger Brundrit  
Chair – Planning Committee

CC. Druh Farrell Councillor Ward 7  
HSCA Community Association - Planning

RECEIVED  
2015 APR 30 AM 8:04  
THE CITY OF CALGARY  
CITY CLERK'S

**Albrecht, Linda**

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**From:** Smillie, Corrie A.  
**Sent:** Thursday, April 16, 2015 10:27 AM  
**To:** Albrecht, Linda  
**Subject:** FW: DEVELOPMENT PROPOSAL at 201-10 St NW

Please datestamp, thanks.

-----Original Message-----

**From:** Muscoby, Shawneen  
**Sent:** Thursday, April 16, 2015 8:40 AM  
**To:** Smillie, Corrie A.  
**Subject:** FW: DEVELOPMENT PROPOSAL at 201-10 St NW

RECEIVED  
2015 APR 16 AM 10:27  
THE CITY OF CALGARY  
CITY CLERK'S

-----Original Message-----

**From:** Cope, Ian  
**Sent:** Thursday, April 16, 2015 8:27 AM  
**To:** Muscoby, Shawneen  
**Subject:** FW: DEVELOPMENT PROPOSAL at 201-10 St NW

For May Public Hearing

Ian Cope, Principal Planner  
Secretary to Calgary Planning Commission  
City Wide Planning Functions Mail Code: 8062  
T 403-268-5483 F 403 537-3024  
[ian.cope@calgary.ca](mailto:ian.cope@calgary.ca)

ISC: Protected

-----Original Message-----

**From:** Susan Cardinal [<mailto:susancardinal@hotmail.com>]  
**Sent:** Wednesday, April 15, 2015 8:21 AM  
**To:** Farrell, Druh; Office of the Mayor  
**Cc:** Stanley, Rollin; Sutherland, Ward; Magliocca, Joe; Stevenson, Jim E.; Chu, Sean; Executive Assistant - Ward 5; Pootmans, Richard; Woolley, Evan V.; [giancarlo.carra@calgary.ca](mailto:giancarlo.carra@calgary.ca); Chabot, Andre; Pincott, Brian; Keating, Shane; [diane.colleyurquhart@calgary.ca](mailto:diane.colleyurquhart@calgary.ca); Demong, Peter  
**Subject:** DEVELOPMENT PROPOSAL at 201-10 St NW

I am writing about the proposal by the owners of Osteria de Medici restaurant to build a 10-storey tower at Kensington Rd. and 10th St. N.W. I live in this neighbourhood.

I am totally against 10 storeys in the heart of Kensington. I also oppose the whole notion of the City horse trading two extra storeys for a bit of "public space" and some cash. Please don't approve this.

Best regards,

Susan Cardinal

[susancardinal@hotmail.com](mailto:susancardinal@hotmail.com)



Smith, Theresa L.

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**From:** Susan Cardinal [susancardinal@hotmail.com]  
**Sent:** Friday, April 24, 2015 3:35 PM  
**To:** Albrecht, Linda  
**Cc:** Lisa Chong  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

Dear City Clerk,

I am totally against the proposal by the Osteria owners to build a 10-storey tower at 10th and Kensington Rd. N.W. This is in contravention of the existing by-law and the Area Redevelopment Plan which stipulates a max of eight storeys. I do not see any community value in horse trading two storeys for "public space" that could well end up being an outdoor patio for Osteria itself.

I also do not like to hear reports of threats against volunteers with the Hillhurst Sunnyside Community Association and City planner(s) by an Osteria family member. This kind of behaviour is abhorrent and plain bad.

I am a long-time resident of the neighbourhood, keen to preserve the character of the community while welcoming development. This development does not work, and I urge all city councillors to respect the voice of many of us in the community as well as Calgary's own Planning Commission and City Planning Department. Please vote against this rezoning proposal and restore my faith in City Hall and its willingness to listen to its citizens and staff, not a developer.

Sincerely,  
Susan Cardinal

[susancardinal@hotmail.com](mailto:susancardinal@hotmail.com)

RECEIVED  
2015 APR 24 PM 3:36  
THE CITY OF CALGARY  
THE CITY CLERK'S

Albrecht, Linda

**From:** nancy casciato [nancydca@yahoo.ca]  
**Sent:** Monday, April 20, 2015 3:12 PM  
**To:** Albrecht, Linda  
**Subject:** 'OSTERIA' redevelopment proposal

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2015 APR 20 PM 3:47  
THE CITY OF CALGARY  
CITY CLERK'S

'OSTERIA' REDEVELOPMENT

Please note – I support inner city densification!

Regarding the 'Osteria and plaza project', 10<sup>th</sup> Street and Kensington Road, NW, I have no reason to believe that the points listed below are not accurate. Based on this information I add my support to the community in their recommendation to have this application refused.

1. The proposed building is taller by 10 m (26-26 m and increases the FAR (Floor Area Ratio) from 5 to 7. This means the floor area will increase from 5 times the lot size to 7 times the lot size. **The ARP already gave special consideration in allowing this lot to increase in height to 26 m and have a FAR of 5.** All the other buildings on the west side of this block of 10th St. have a height of 20 m and an FAR of 4 **This building is 80% taller and has a 75% increase in FAR than if it weren't already given special consideration.**

2. Lane transportation issues. **This lane is 4.57 m wide and the city standard is 7 m for a residential lane.** The building **will not be allowed to have car access to 10 St or Kensington.** That means, all traffic to and from the building will dump into the little lane. Adding height and density means extra floors, which **will increase lane traffic more than was calculated in the ARP.**

I do not understand why we have an ARP when it is seldom honoured. As a long-time resident of Hillhurst with massive residential redevelopment directly on all sides of me (for many years now), residents are constantly fighting to have structures adhere to the ARP where invariably, relaxations are granted to the developer. I find this *extremely* frustrating.

Sincerely,  
Nancy Casciato  
618 – 16<sup>th</sup> Street NW  
Calgary

320 10A Street NW  
Calgary, Alberta  
T2N 1W6

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2015 APR 27 AM 7: 33

THE CITY OF CALGARY  
CITY CLERK'S

April 26, 2015

Office of the City Clerk  
The City of Calgary  
700 Macleod Trail SE  
P.O. Box 2100  
Postal Station 'M'  
Calgary, Alberta  
T2P 2M5

Re : Osteria Site Redevelopment-Proposed BYLAWS 12P2105 and 50D2015 2015

As a long-time resident of 10A Street NW, I am writing to strongly voice my concern about the Osteria site redevelopment and would ask that City Council refuse the proposed bylaws 12P2015 and 50D2015 2015.

There was considerable consultation and collaboration involved in developing our Community's ARP and it should be respected. Both the City Planning Department and the Calgary Planning Commission have recommended refusal of the proposed application by Osteria.

I am very concerned of the impact this proposed redevelopment will have to our street as well as to our community. Our back laneway width is 4.57m which is significantly less compared to the city standard of 7m. All traffic from this new building will go into our already congested lane.

I see no benefit to our neighbourhood of the proposed Osteria site redevelopment and again, I ask that City Council refuse the proposal.

Sincerely,

Ms. T. Cleveland

**Smith, Theresa L.**

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**From:** Terry Craig [cranbrookkid@gmail.com]  
**Sent:** Wednesday, April 29, 2015 12:31 PM  
**To:** Albrecht, Linda  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

To Whom It May Concern:

I am a resident in Hillhurst (411 13 St NW) and would like to voice my opposition to Proposed Bylaws 12P2015 and 50D2015 because, if granted, the project would:

- dominate and shadow the seniors building and balconies to the west
- cast shadow west down Kensington Road and its sidewalks which are at present sunny and bright
- create a canyon on 10 Street and Kensington Road where annual festivals and special events are enjoyed by hundreds and visitors and residents
- add traffic problems and parking needs to an area where these are already issues in the community
- most importantly its proponents are ignoring the ARP and zoning that at present allow appropriate scale to a walking community.

Regards

Terry Craig  
411 13 St NW  
403-283-8405

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2015 APR 29 PM 12: 32  
THE CITY OF CALGARY  
CITY CLERKS

Smith, Theresa L.

**From:** Catherine Coutts [couth1@telus.net]  
**Sent:** Sunday, April 26, 2015 3:13 PM  
**To:** Albrecht, Linda; Farrell, Druh; hscapanning@gmail.com  
**Subject:** Refusing bylaws 12P2015 and 50D2015

I am writing to oppose and ask that City Council **REFUSE** the proposed **BYLAWS 12P2015 AND 50D2015**.

I regret that I will be unable to attend the May 11th meeting; if I were able to attend I would want to **object to the following**:

1. Plans for a 36 m tall tower, rather than 26 m. In the interests of the Community and residents in the area 26 m is already too tall.
2. The Floor Area Ratio (FAR) increase from 5 to 7. This exceeds the current density allowed.
3. The original plan for the building is already large enough and no "Special Function Tent" should be allowed. During special functions that are currently held at the site, the noise level is extremely disruptive to the Community and neighbouring residents. With a restaurant and hotel as large has been proposed there should be **NO NEED for a Special Function Tent**. (Please see 6 below)
4. Lane width and increased lane traffic and transportation issues. The lane access for a building of this proposed density is ill-conceived.
5. The Hillhurst-Sunnyside zoning does not support the traffic, density and **parking** for this large of a restaurant / hotel / condo complex.
6. The plaza space is not enough of a compensation to the public and Community with a building of this size and density. Where will the "Special Function Tent" be placed? On the public plaza? No resident or visitor to the Community would want the "Special Function Tent" to be squeezed into the public plaza.

Please REFUSE the proposed **BYLAWS 12P2015 AND 50D2015**.



**Catherine Coutts**  
**Administrator**  
**MoMo Mixed Ability Dance Theatre**  
PO Box 61148 Kensington RPO  
Calgary, AB T2N 4S6  
P 403.283.3445

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THE CITY OF CALGARY  
CITY CLERKS

Toll free 1.866.283.3445

**Smith, Theresa L.**

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**From:** Vincent Dansereau [v\_dansereau@hotmail.com]  
**Sent:** Monday, April 27, 2015 11:40 AM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh; hscaplanning@gmail.com  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

I strongly oppose the proposed 10 story plan for the Osteria site. 10 stories is too tall and is not appropriate for the area. It should not be allowed.

Regards,

Vincent Dansereau  
1007 2 ave N.W.  
403-466-3004

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2015 APR 27 PM 1:55  
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RECEIVED

2015 APR 29 PM 2:41

THE CITY OF CALGARY  
CITY CLERK'S

310-10A Street N.W,  
Calgary, Alberta T2N 1W6  
(403) 283-1475

April 28, 2015

Office of the City Clerk  
P.O. Box 2100, Stn. M, #8117  
Calgary, Alberta T2P 2M5  
cityclerk@calgary.ca

**RE: CPC 2015-053**  
**Application for Land Use Amendment Bylaw 12P2015( # LOC2013-0097)**  
**And**  
**Amendment to Hillhurst/Sunnyside ARP Bylaw 50D2015**  
**( #LOC 2013-0097)**  
**201 – 10 Street N.W.**

**Cc:** City of Calgary: Ward 7 Office  
Druh Farrell, Councillor Ward 7  
Druh.farrell@calgary.ca

City of Calgary: Chief Planner's Office  
Rollin Stanley, Chief Planner  
Rollin.Stanley@calgary.ca

Hillhurst Sunnyside Community Association: Community Planning Committee  
hscapanning@gmail.com

Dear His Worship Mayor Nenshi and members of City Council,

We are lifetime residents of Hillhurst for the past 65+ years and have seen many changes over the years. We are not opposed to change but would like the changes to respect other residents' rights and freedoms in regards to safety and enjoyment of their homes.

In regards to the above proposed Land Use Amendment to the Hillhurst/Sunnyside Redevelopment Plan to allow an increase in density & height **we are strongly opposed** to such a change in the ARP.

We do not feel that increasing height & density is going to increase the village feel of the Kensington area as has been suggested. In fact, it will destroy the sense of a village as you drive into the area from the Louise Bridge. The proposed increased height will be overpowering.



The present building on the corner of Memorial Drive & 10<sup>th</sup> Street is not overpowering because the apartments are set back from the corner. The section of that building that is on the corner of 10<sup>th</sup> St. and Kensington Road is only two stories high thus not an overpowering building.

The proposed height increase stated for this building is not within the limits in the ARP, a document that outlines what is appropriate for the area in question. It appears that the proposed increased height will be for the benefit of the applicant not for the residents of the houses on surrounding streets. Increased height as proposed will impact privacy and increase shadowing for all 10A Street single family dwellings. The proposed height could directly impact approximately 24 + homes at any given time of day during the year. These single family dwellings should not be penalized for the profit of a few developers.

It is NOT reasonable nor the right thing to do to ignore the nearby residents' rights with regards to living in the area affected by this proposed building. We have a right to privacy in our yards and a right to safety.

The present T-shaped lane between 10A Street and 10<sup>th</sup> Street is presently unsafe as other letters to City Planning have outlined. With the major increase of traffic due to two newly proposed developments on 10<sup>th</sup> Street, there may well be additional significant issues of safety in such a narrow lane. As well the 10A laneway will be the main access for this development adding another undisclosed number of vehicles travelling on an already stressed lane.

Future developments along the west side of 10<sup>th</sup> street will surely be planned and they will increase the overall impact on the laneway.

Comments on the problems with this laneway have been stated in letters for the Bucci development for the Carpenters Union site on 10<sup>th</sup> Street as well as at a meeting of 10A Street residents and the City on May 24, 2014. Many of us in our letters to City Planning regarding the Bucci development stated that we thought that development should not be approved until the laneway problems were lessened. Obviously that has not happened nor have any of the 10A Street residents heard from the City regarding the lane situation. Our views have not changed. The laneway will be even worse with two proposed developments in action – Bucci and Osteria. Our comments and concerns re the laneway seem to have been ignored.

Increase in laneway usage should not be allowed until this lane has a new traffic usage study by the City. Any approval of new developments before any such study is not appropriate. The safety and rights of the present residents on 10A Street and other users are being ignored.

The owners of the Osteria site are suggesting that in exchange for increased height and density the community will be getting more public space The public space on that

particular corner may be a welcome addition to the village feel but if a good portion of that area is going to be dedicated to the outdoor patio for the Osteria restaurant proposed to occupy the ground floor that will most certainly decrease the sense of public realm. There is no guarantee that this space will indeed be "public".

Some of the other options other than the public space listed on the web survey were just as negative. There are numerous public spaces already available in a two block area from the proposed building. Seems the applicant is trying to appease the neighbouring residents with an area that the applicant will most certainly control by placing a patio there. Presently Osteria has patio space outside the restaurant and would be reluctant to lose any outside area attached to the proposed building.

Kensington has often been referred to as "The Village in the City" but by allowing an increase in height & density the "village feel" will be lost and it will become another high rise filled neighborhood without the character of a small town that it once had and still has in some sections of the neighbourhood. It was that feeling that encouraged people to move here and to restore their century homes.

If this development of 10 stories and the change of Land Use Amendment goes through, a "Pandora's Box" will be opened for other developments. If one development is allowed to increase height and density, other developers will expect the same considerations by the City. The proposed amendment for the 201- 10<sup>th</sup>. Street development does not adhere to the current ARP guidelines. If approved by the City what use then is the ARP – just a piece of paper it seems with no impact.

Yours sincerely,

Gloria Dalton      [msgdalton@yahoo.ca](mailto:msgdalton@yahoo.ca)

Mary Ann Dalton      [springersall@yahoo.ca](mailto:springersall@yahoo.ca)

**Albrecht, Linda**

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**From:** Susan Dedrick-Bruneau [Susan.DB@shaw.ca]  
**Sent:** Tuesday, April 21, 2015 7:12 AM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh; hscaplaning@gmail.com  
**Subject:** The Osteria Project

Office of the City Clerk  
The City of Calgary  
700 Macleod Trail SE  
P.O. Box 2100  
Postal Station "M"  
Calgary, Alberta T2P 2M5

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2015 APR 21 AM 8:01  
THE CITY OF CALGARY  
CITY CLERKS

I am writing to voice my opposition to the Osteria Project on 10<sup>th</sup> Street NW.

The additional height requested, as well as lot coverage are unacceptable.

I am also incredibly concerned about what this will mean to our alley. It is extremely narrow.. so narrow that we have already had people run into our garage and back fence. Adding more traffic to such a small laneway is absurd.

I hope council will honour the respects of the community and city planning department. If you are considering approving this PLEASE come visit the site for yourself... walk the alley and talk to neighbours about the type of impact this will have. There are valid reasons why BOTH the planners and the CPC have rejected this proposal.

Thanks for your consideration,

Susan Dedrick

10A Street NW



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

**Albrecht, Linda**

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**From:** Jane Ebbert [jane.ebbert@gmail.com]  
**Sent:** Tuesday, April 21, 2015 9:44 PM  
**To:** Albrecht, Linda  
**Subject:** Proposed Bylaws 12P2015 and 50D2015(LOC 2013-00097) Osteria de Medici - May 11th

Dear City Clerk,

Please ensure that this letter is included in the submissions for the May 11th Council review of Proposed Bylaws 12P2015 and 50D2015(LOC 2013-00097) Osteria de Medici.

Calgary Councillors and Mayor Nenshi,

As a 20 year Kensington homeowner, I am very concerned about this proposed Osteria de Medici project at the corner of 10th St and Kensington Road.

This project is out of scale for 10th St. and is not appropriate for a commercial project in such a residential neighbourhood. And open space offered in trade-off does not show benefit back to the community. Why can this developer not simply abide by the rules of the ARP?

The City Planning Department and the Calgary Planning Commission have both recommended refusal and I think we should respect their judgment here. Please do not approve this project as proposed. If they scale it back to the limits established by the ARP, then I would have no issue with this.

Sincerely,

Jane Ebbert and Kevin Johnston

316 13th St NW

RECEIVED  
2015 APR 22 AM 8:30  
THE CITY OF CALGARY  
CITY CLERKS

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2015 APR 20 PM 1:23

THE CITY OF CALGARY  
CITY CLERK'S

To:  
City Clerk,  
The City of Calgary,  
700 Macleod Trail SE  
PO Box 2100  
Postal Station M  
Calgary,  
T2P 2M5

Re: Proposed BYLAWS 12P2015 and 50D2015 2015

We (in the neighbourhood) understand the 10 story OSTERIA project application is going forward to City Council on 11 May 2015.

This is despite the recommendations of the City Planning Department and the City Planning Commission that this application be refused.

All the many valid and strenuous objections to the proposal are reasonable and appropriate. They have already been stated and/or put forward to the City.

Individual Councillors should consider carefully the arrogance and implications involved in ignoring the strong neighbourhood objections and the well-considered professional opinion of their City Planning Department.

REFUSE to pass the proposed Bylaws.

With sincere regards



E. GOODEY  
17th April, 2015

**Smith, Theresa L.**

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**From:** Lisa Chong [hscaplanning@gmail.com]  
**Sent:** Thursday, April 30, 2015 7:02 AM  
**To:** Albrecht, Linda  
**Subject:** Proposed Bylaws 12P2015 & 50D2015 | May 11 Council Hearing

----- Forwarded message -----

**From:** [leanne.ellis@nucleus.com](mailto:leanne.ellis@nucleus.com) <[leanne.ellis@nucleus.com](mailto:leanne.ellis@nucleus.com)>  
**Date:** 30 April 2015 at 01:31  
**Subject:** RE: Proposed Bylaws 12P2015 & 50D2015 @ May 11 Council Hearing  
**To:** [planning@hillhurstsunnyside.org](mailto:planning@hillhurstsunnyside.org)

You have our support with regards to your opposition of this application, and are welcome to reference that support. The proposal creates too much massing and overshadowing, and is not respectful of the context in which it is being proposed. Kensington's draw is because of its pedestrian scale and walkability-- such an application puts both of these, as well as community character, at risk, and should NOT be approved. It is important that this unique jewel/whole community be preserved for current and future residents of the local and larger community. You have our support.

Regards,

Leanne Ellis

Rutland Park CA VP Development and Traffic

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27 April 2015

Office of the City Clerk  
City of Calgary  
Box 2100, Station M  
Calgary, Alberta T2P 2M5

VIA EMAIL

Dear Mayor Nenshi and Councillors Wards 1 to 14:

**Re: 11 May 2015 CPC 2015-053, proposed BYLAWS 12P2015 AND 50D2015**

On behalf of the Hillhurst Sunnyside Planning Committee (HSPC), we respond to the Application to re-designate 201 – 10 Street NW (Plan 5609J, Block E, Lots 7 to 10), currently occupied by Osteria de Medici restaurant, to a revised DC District (the **Application**). We request this material be added to the 11 May 2015 Council Land Use Hearing Agenda.

The HSPC, Hillhurst Sunnyside Community Association (HSCA) and majority of our community do **not** support the proposed Hillhurst-Sunnyside Area Redevelopment Plan (**ARP**) Policy Amendment and Land Use Amendment. Two expert levels, City Planning and Calgary Planning Commission, considered the application for amendments and recommended **refusal**. We support those decisions and raise these important issues for City Council's consideration.

In summary, these matters are:

- Dramatic deviation from the Hillhurst Sunnyside Area Development Plan;
- Unresolved transportation and use issues;
- Insufficient information provided to assess the plaza;
- Significant density bonusing shortfall; and,
- Architect who proposed, designed and presented the project to Planning and the CPC has quit the application
- Community Engagement Reveals Opposition and Unreceptive Applicant.

**1. Dramatic Deviation from the Hillhurst Sunnyside Area Development Plan**

The applicant's lot abuts a low-density residential environment, and an established, historically significant district of single-family residences. During three years of extensive consultation between the Community and the City of Calgary to develop the ARP, particular attention was paid to the applicant's site. More specifically, during the ARP consultations, the subject property was given generous and fair "distinctiveness" because of its location. The subject property was assigned the greatest FAR (5.0) in the ARP. The Applicant did not seek further relaxation during the extensive ARP consultation and accepted the ARP's allocated height and FAR in its application LOC2012-0010.

The Applicant requests both a maximum height and FAR far in excess of those permitted, to exceed even the added density granted this unique position. The FAR (5.0) and height (26 m) granted in the applicant's original approved land use amendment (LOC2012-0010) was not opposed and is already the highest of all adjacent parcels in this block to the west on Kensington Road (FAR 2.8) and north on 10th Street (FAR 4.0). There is no evidence of material changes other than the applicant wants 40% more massing and 38% more height above the increased massing and height already granted for this site. This building is 80% taller and has a 75% increase in FAR compared to the other buildings on this block. HSPC states a deviation from the ARP of this proportion is unwarranted and is not supported by the community. The Application disregards the compromises made with the Community during the ARP consultation and does not "respect the low-density residential environment particularly where it is immediately adjacent to the commercial areas." (see page 57 of the ARP) The nearest home is located within 12 m of the subject parcel.

## **2. Unresolved Transportation and Use Issues**

Substantial developments on 10<sup>th</sup> Street NW between Kensington Road and 3<sup>rd</sup> Avenue NW seriously impact the 4.57 m laneway between 10<sup>th</sup> Street and 10A Street NW. This narrow lane is used by pedestrians and cyclists, and shared with commercial and residential vehicles. Laneway congestion is repeatedly identified as a **significant public safety issue**. Since Nov 2013, the Applicant has not attempted to address vehicle access, loading and building service issues to the site. Other new 4.0 FAR developments in the block accumulate the problems. Without transportation and parking studies, including of the cumulative effects of multiple developments all using the lane, it would be reckless to allow an increase in FAR for this site. Also, the City allocated resources to transform the lane in unique ways, which has community support. Approving this application would prematurely undermine those efforts.

The Applicant's significant parking relaxation, approximately 103 stalls, is also opposed. A restaurant (or any other use) must have sufficient parking for users or else the residents and local businesses suffer because of the shortfall. Only the applicant benefits. The community already has parking issues.

The Applicant has not provided a rationale for increasing the permitted or discretionary uses beyond those in C-COR 1. Many uses do not comply with the ARP and some attract nuisance and/or traffic issues. For instance, there has been widespread public opposition to the Applicant's Calgary Stampede tent each year. Amending the permitted uses to include "Special Function – Class 1" would eliminate the community's ability to respond to applications for these permits.

## **3. Insufficient Information Provided to Assess the Plaza**

The proposed plaza is not an adequate tradeoff for an additional 2 FAR and 10 m in height, resulting in a height and FAR greatly above those levels agreed in the ARP. There is insufficient information for Council to approve this trade off, such as the proposed location of the plaza without which no one can assess the value of a public plaza. Other issues with the plaza proposal include significant impacts from traffic and shading at this congested intersection. The definition of *public open space* is insufficient and the Applicant does not commit for the space to be continuously open to the public. It is impossible to assess whether a plaza will benefit the public or only the Applicant. Also unknown is how the proposed *public open space* will be managed. At the 26 Feb CPC hearing, the City Parks representative stated the Parks Department does not wish to be responsible for the plaza. A plaza that is not appropriately managed has the potential to



result in nuisance and public safety concerns. Nuisances impact locals, Calgarian's enjoying community attractions, and tourism. Three other plazas are located within 1 block of this parcel.

The HSPC therefore objects to approving this Application when significant matters about the *public open space* remain unknown.

#### **4. Significant Density Bonusing Shortfall**

An independent consultant compared the value of an additional 4.2 FAR and the value of a 278 square metre public open space. The Coriolis Report (12 March CPC agenda: LOC 2013-0097, Appendix V) valued the open space at approximately \$936,872, and the total amenity contribution for a density of 4.2 FAR at \$1,920,752, a difference of approximately \$980,000 that the Applicant should provide in addition to the proposed open space. Coriolis points out that it is impossible to determine the opportunity cost to the Applicant without knowing the location of the plaza. For example, any area located within the setback does not have an opportunity cost. No mention is made of the Applicant's accrued benefits from renting parking under the plaza, sales from outdoor restaurant space or special function tents.

There is no basis for suggesting the Community will accept or has agreed to a bonusing scheme for FAR above those in the ARP even if the Applicant pays a higher value for increased density. We address this point to draw attention to the dramatic shortfall in compensation proposed.

#### **5. Architect of the Project resigns**

Sturgess Architects who brought the concept to the applicant, made preliminary designs and brought the project to the City Planning Department and represented the applicant at CPC has recently resigned from the project. His design is no longer relevant. The City of Calgary and the community now have no assurances about what, or what design, will be built on this site.

#### **6. Community Engagement Reveals Opposition and Unreceptive Applicant**

The HSPC worked with the Applicant's representatives from 2013, to engage Hillhurst Sunnyside residents. Together, the HSPC and the Applicant created an online and mail-based public survey that allowed residents to answer questions and comment on the project.

The survey produced approximately 600 responses and the survey results unambiguously identified a plaza as a potentially attractive amenity to the community. Ultimately, however, the HSPC had significant issues with the validity of the survey results, the primary concerns were that the survey had been compromised.

Approximately 1/3 of responses were submitted in blocks of about 25 entries each time. These block entries: were submitted within a short time-frame; and had email addresses (where provided) that appeared nonsensical (created at random or related to spam/trolling). In addition, they had identical answers to the "rank by number" questions; did not contain text-based comments; and strongly favored the development. The HSPC holds that it is statistically unlikely 25 separate individuals submitted identical responses to a 7-question survey almost concurrent in time, multiple times during the course of the survey, from nonsensical email addresses.

Excluding the questionable or compromised results, the analysis is that 70% of respondents did not favour increased height and FAR in return for a plaza. This result was consistent with the 23

resident letters opposing this project. As such, the HSPC's conclusion from the survey is accurate, that the community does not support the application. The survey documentation is available for detailed review.

The HSCA has a track record of collaboration with developers and negotiation for intensification, for example, the recent experience with a significant land use change and ARP amendment on Memorial Drive. In this same spirit, the HSCA devoted significant volunteer time to working with the applicant (landowner's) representatives, including on the compromised survey. However, in HSCA's opinion, despite our efforts, the application reflects no input from the HSCA or the community at large, and is antithetical to concepts of "support" and "collaborate".

It is the HSPC / HSCA opinion that the Community has clearly shown support for new development, Transit Oriented Development, intensification, density, and multi-family residences in historic Kensington, provided that such developments comply with our ARP. The role of the HSPC is to act as a conduit for community opinion. The HSPC has acted in good faith with a balanced approach to working with community members as well as with the Applicant and its representatives. The HSPC requests that the Mayor and City Councillors take into consideration the opinions of all stakeholders in the community in deciding this Application.

Thank you again for allowing the HSPC to address our concerns about this Application and proposed DC. If you would like more information about this or to meet with members of the HSPC, please contact Lisa Chong, Community Planning Coordinator, HSCA ([hscaplanning@gmail.com](mailto:hscaplanning@gmail.com))

Sincerely,

**Hillhurst Sunnyside Planning Committee**

Robert McKercher, Dan Murray, Decker Butzner, Patrick Mahaffey and Kimberly Setrakov

cc: Ward 7 Councillor Druh Farrell ([druh.farrell@calgary.ca](mailto:druh.farrell@calgary.ca))  
Members, Hillhurst Sunnyside Planning Committee ([hscaplanning@gmail.com](mailto:hscaplanning@gmail.com))  
Jeremy van Loon, HSCA Board President ([jeremy.vanloon@gmail.com](mailto:jeremy.vanloon@gmail.com))  
Lisa Chong, Community Planning Coordinator, HSCA ([hscaplanning@gmail.com](mailto:hscaplanning@gmail.com))  
Steve Jones, Senior Planner City of Calgary ([steve.jones2@calgary.ca](mailto:steve.jones2@calgary.ca))

**Smith, Theresa L.**

---

**From:** Jasmine Ing [jasmine.ing@gmail.com]  
**Sent:** Wednesday, April 29, 2015 7:23 AM  
**To:** Albrecht, Linda  
**Cc:** Chett Matchett; Farrell, Druh; hscaplanning@gmail.com  
**Subject:** Opposition to Bylaws 12P2015 and 50D2015

Jasmine Ing and Chett Matchett  
509, 206 10A Street NW  
Calgary, AB T2N 4P4

April 29, 2015

Office of the City Clerk  
The City of Calgary  
700 Macleod Trail SE  
P.O. Box 2100  
Station M  
Calgary, AB T2P 2M5

Via email [cityclerk@calgary.ca](mailto:cityclerk@calgary.ca)

RE: Bylaws 12P2015 and 50D2015

To whom it may concern,

We are writing today to express our opposition to bylaws 12P2015 and 50D2015. These bylaws are related to the 10 storey Osteria project with a plaza development intended for 10 Street and Kensington Road NW.

Our home is only a few meters west of the proposed site and we are concerned about the proposed development for a number of reasons.

Firstly, the proposed development is considerably taller than the surrounding buildings. We are concerned that the proposed development would affect daytime light levels. Further, the significant increase in density would change the quality and character of our neighborhood. The proposed development exceeds the density and height provisions in the ARP by a significant amount and in our opinion does not compensate for this increase in density in a satisfactory way.

Further, the applicant has requested a parking relaxation. While the location of the proposed development is very accessible by pedestrians, cyclists and public transit users, this does not negate the culture of car ownership in Calgary. Every day we witness that there is significant demand for parking in the area directly surrounding the proposed development. This demand extends to both the paid park plus spots along 10 Street and Kensington Road, and to the on-street permitted parking in Hillhurst. It would be naive to think that a new 10 storey building would not increase the number of people looking to park in the area. In our opinion, the applicant should be required to provide parking as specified in the ARP.

Finally, we are concerned about building access. The proposed development locates its vehicular access via the back lane. The lane is quite narrow and congested already and cannot accommodate more traffic. As it stands now, the existing Osteria restaurant has deliveries and visitors that regularly block the back lane way. With an

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additional nine stories of development, it is difficult to conceive how this development would not cause significant traffic problems in this extremely small and busy laneway.

The applicant have proposed to provide a public plaza to compensate for the issues outlined above. However, as nearby residents of the proposed development, we do not feel that the proposed plaza would provide is sufficient compensation to offset the negative effects of the development. Further, there is no plan to maintain the plaza and we are concerned that a plaza in such a busy area could easily become an eyesore without significant maintenance.

We respectfully request that you deny the proposed development application. Unfortunately, we are unable to attend the Council meeting on May 11 to discuss our concerns in person but we hope that our opposition will be registered nonetheless.

Please confirm receipt of this letter by replying to this email.

Sincerely,

Jasmine Ing, MEDES & Chett Matchett  
403-462-1663



CRESCENT HEIGHTS COMMUNITY ASSOCIATION

April 28, 2015

To whom it may concern:

Re: CPC 2015-053

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I am responding on behalf of the Crescent Heights Community Association Planning Committee: thank you for the opportunity to comment.

We are writing out of concern for the proposed development on the corner of Kensington Road and 10 Street NW: it is vastly out of scale with the corner and the community.

Of greater concern is the blatant disregard the developer has shown for the wishes of the community, the Hillhurst Sunnyside ARP and the planning recommendations. A great deal of care and effort is spent preparing a community ARP. The preparation of an ARP is believed to be the best way to express community concerns and guide future development. However, if Council simply disregards the community ARP, then the community is left with the distinct impression that their input and concerns not considered or welcome, and their best efforts are a waste of time.

We fully expect Council to support the community in this instance. Further, we expect any application for development of this property to be within the ARP and to bring benefit to the community.

Regards,

Darlene Jones  
Crescent Heights Community Association

Andrew Kuzma  
318 10A St NW  
Calgary AB  
T2N 1W6

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2015 APR 23 AM 9: 23

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April 23, 2015

City Clerk,  
The City of Calgary  
700 Macleod Trail SE PO Box 2100  
Postal Station M Calgary  
T2P 2M5

**Re: Osteria Site Redevelopment - Proposed BYLAWS 12P2015 and 50D2015 2015 (the "Application")**

I write to you in my capacity as a concerned resident living on 10A Street NW to voice my firm **opposition** to the above-captioned proposed bylaws.

The following list summarizes the main reasons why council must reject the Application:

**Inadequate public consultation** – The City of Calgary must be satisfied with a public engagement and consultation process in any major application. A survey carried out by the applicant involved, at best, dubious results, including repetitive entries and non-existent participant contact information (my house, which is on the same block as the applicant's site, did not receive a survey). Moreover, the data analysis procedure was controlled, or at least overseen, by the applicant. While the results of one survey should not carry considerable weight in the public engagement processes to begin with, less so should be afforded to the applicant's survey in this case, due to lack of legitimacy;

**Inconsistent with the ARP** – The ARP represents years, if not decades of collaboration among several community stakeholders, and should not be ignored. The Osteria site already has generous allowances under the ARP relative to other nearby buildings in terms of FAR. A ten metre increase beyond 26 metres is excessive on all fronts;

**City Planning Department and Calgary Planning Commission Recommendations to refuse Application** – both bodies recommended refusal based on lengthy review and investigations in respect of the Application;

**Laneway impossibilities** – the relatively undersized laneway east of 10A Street simply cannot accommodate the inevitable traffic increase and adverse impact on safety that would result from the Osteria building not having vehicular access from 10<sup>th</sup> Street and Kensington Road. Moreover, the City has already approved a project to narrow the laneway further by building a sidewalk in the laneway;

**No community benefit** – The applicant has not provided an acceptable net benefit back to the community. The proposed "public plaza" has been vaguely described, and even if it were feasible, there is no practical way to enforce public use on private property without a legal mechanism such as a caveat on title (which has not been addressed). For all practical purposes, and given the business operations of the applicant, it is highly unlikely there could exist an open, accessible or meaningful public space; and

**Mr. Sturgess' departure creates additional uncertainty** – the community has lost certainty and vision of the project as the applicant's architect (who also acted as the liaison between the applicant and the community) will no longer be representing the applicant.

In short, I respectfully submit this letter in opposition to the Application.

Sincerely,



Andrew Kuzma

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Bill Latimer  
1406 Gladstone Road NW  
Calgary, Alberta  
T2N 3G4  
(403) 270-0310

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail S  
P.O Box 2100, Stn M  
Calgary, Alberta  
T2P 2M5

April 29, 2015

**Re: Proposed Policy and Land Use Amendment for 210 10<sup>th</sup> St NW - LOC 2013-0097 / CPC 2015-053 (Osteria Site)**

I am opposed to the above noted Land Use Redesignation and Hillhurst / Sunnyside ARP amendment application regarding 201 10th Street NW (Osteria site), for the following reasons.

**There will be significant negative impacts of proposed additional height and density**

Maximum FAR and building heights were established after a lengthy public engagement process. The impacts and level of land use intensification deemed appropriate are represented in the current ARP. The extensive public consultations and planning studies that led to the ARP – TOD Area established a height of 26 metres, with good reason. Singling out one parcel for such a substantive intensification would impact the transition to future commercial redevelopment on 10<sup>th</sup> Street and Kensington as well as the low density residential neighbourhood to the west.

The site in question has already been rezoned in 2013 to conform to the ARP – TOD Area designation of Urban Mixed-Use Area “...to accommodate the highest densities and building heights in the area with minimal impact on the character or quality of nearby residential districts.” (p. 59, Section 3.0 Plan Concept, 3.1.2 Mixed Use Areas). Further increases in allowable height and density are not required to meet the ARP objectives, and in fact would be detrimental in terms of sun shadowing, additional traffic and potential wind tunneling effects.

**The proposed public plaza is not an appropriate trade off for additional height and density**

The applicant proposes a public plaza as a trade-off for the additional height and density requested. This is not a suitable approach for several reasons.

- Adjacent traffic noise, wind gusts related to a 36 metre building height, and afternoon sun shading due to the additional building massing would reduce the benefit of a plaza in this location.
- Other nearby locations are much more suitable, such as the existing Poppy Plaza or the public area in front of the Plaza Theatre which is in the heart of the community.

- Although it would be a desirable amenity, the proposed plaza size is relatively small (approximately 300 square metres) and inadequate to accommodate both the restaurant / special function requirements and public use.
- It is unclear who will primarily use the plaza...seated restaurant patrons or the general public. There is no clearly articulated plan to demonstrate a substantial public benefit.
- An independent consultant has established that the proposed plaza does not sufficiently compensate for the proposed density bonus.

**The proposed additional permitted uses and parking relaxations are inappropriate**

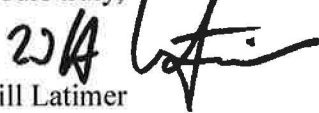
Inclusion of *Restaurant Licensed, large* and *Hotel* as permitted uses would severely limit the ability to enforce the ARP – TOD Area goal of design excellence for a building on this site. In particular, a large restaurant might not fit well with the character of the existing commercial streets, especially if it occupies the entire main floor retail space and effectively utilizes the majority of the outdoor plaza.

The proposed parking relaxation may result in most nearby public parking being absorbed, to the detriment of other existing retail businesses in the area. It is unlikely that the restaurant or hotel patrons will utilize the LRT.

New development, if sensitively executed, can improve our neighbourhood and the City as a whole. This proposal however raises a number of critical issues relating to the continued vitality of our neighbourhood and the need to be vigilant in enforcing the vision of our ARP – TOD Area. Past experience has taught us that it is especially critical to closely examine proposed broad-brush land use redesignations that are not tied to specific building plans. Realistically, one must imagine the *worst* building form that could be realized for any given land use designation, not the best, and use that criteria for evaluating proposed redesignations.

Thank you for the opportunity to comment on this application.

Yours truly,

  
Bill Latimer  
(B. Arch., B. Eng., MAAA)

cc: Community Planning Coordinator  
Hillhurst Sunnyside Community Association  
Druh Farrell – Alderman, Ward 7

Sent by e-mail



**Smith, Theresa L.**

---

**From:** Rebekah Liberman [rebekah.liberman@gmail.com]  
**Sent:** Saturday, April 25, 2015 8:30 PM  
**To:** Albrecht, Linda; Farrell, Druh; hscaplanning@gmail.com  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

I just wanted to send a note, as a mother living in the HillHurst Area, I oppose to this restaurant rezoning and do not agree they should increase either the maximum building height nor the maximum floor area, as this will take away from the wonderful view we currently enjoy and I believe it would become an eye sore.

Thank you for your attention to this matter

Rebekah Liberman  
587 225 7660

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**Albrecht, Linda**

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**From:** Diana Macdonald [markitgirlz@shaw.ca]  
**Sent:** Thursday, April 23, 2015 3:04 PM  
**To:** Albrecht, Linda  
**Subject:** Review of Bylaws 12P2015 and 50D2015 2015 in Council May 11

**Regarding new development in the 10<sup>th</sup> St. Corridor in Sunnyside/ Hillhurst and the review of proposed Bylaws 12P2015 and 50D2015**

Office of the City Clerk,  
The City of Calgary,  
700 Macleod Trail SE,  
PO Box 2100,  
Postal Station M,  
Calgary, AB T2P 2M5

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2015 APR 23 PM 3:28  
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April 25<sup>th</sup>, 2015

Dear Sir,

Development in the Hillhurst/Sunnyside neighbourhood has been governed by community designed and driven initiatives since 1988 when the first Area Redevelopment Plan was created. I was part of the community planning group that worked on the second part of the plan- The Transit Oriented Development Area portion which was created in 2006. We worked as a group to create new, creative strategies with the city planners and developers that would implement TOD policy in the Kensington area. We intended to serve all the residents and visitors to this neighbourhood with a plan that honored the needs of the differing sectors; from the developers to the retailers to the restaurateurs to the home owners and renters. We wanted to underline the unique character of this community by allowing for the historical nooks and crannies and the energy of the streets while allowing for a neighbourhood that would easily support an enviable quality of life. We worked very hard to accomplish this and were told we had brought together a well designed plan.

I have included a telling section from that document that outlined our point of view and the standards we set for the new guidelines- these were reviewed by committees and agreed upon by all participating members- both from the community and the City.

"Hillhurst/Sunnyside has evolved into an urban village with a unique flavor. The area is characterized by low-rise buildings that establish a fine-grained rhythm of small-scale retail commercial and residential buildings along tree-lined streets. Introducing higher density development into the area has been undertaken with care in order to ensure that new development enhances the qualities of the area that are valued. In this regard, particular attention has been given to the built form and site design elements of placemaking.

**One of the most sensitive components of this Plan, is the height of buildings and the placement of the tallest buildings.** Due to the low-rise nature of the community and the sensitive interface that exists between the retail commercial and residential areas (usually separated by a lane), a midrise format (6-8 storeys) has been employed for the majority of the areas identified for higher density development. In addition, **opportunities to locate taller buildings are limited to locations that will have minimal impact on existing residential areas.**

**Finally, buildings that are 8 storeys or higher are generally expected to be designed as landmark features that provide reference to important destinations within the community – such as the LRT station or Riley Park.** Buildings will be designed with stepbacks on the upper floors in order to reduce the perception of large building masses and to provide opportunities to view open sky."

**Plan Concept 3.0 page 75**

We have seen many portions of this plan set into action with wonderful results for the developers, new residents and the community at large. My question to you all is why, after all this work by such a dedicated group of people, would you allow something that was carefully designed and clearly laid out, to be set aside for a potentially dangerous precedent for a new group of developments?

Although this development does not affect me directly, my overriding concern is that adoption of this first relaxation of the ARP will lead to further adjustments of the redevelopment plan. The next areas that are being considered for redevelopment in the 10<sup>th</sup> St. corridor will affect my properties directly if this proposed direction becomes an accepted trend.

We developed documentation, standards and policies that were in the best public interest. You are being asked to disregard and put aside the clearly drawn up development plan that was the vision of the many to serve the needs of a few.

We ask you to take this into consideration before you vote to approve any further alterations to this well thought out Area Redevelopment Plan.

Many thanks,

Deanne Mudd  
Diana Thompson  
218/220 10A ST. NW  
403-270-8448

Albrecht, Linda

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**From:** peggi.mcdougall@gmail.com  
**Sent:** Wednesday, April 22, 2015 11:23 AM  
**To:** Albrecht, Linda  
**Cc:** hscaplanning@gmail.com; Farrell, Druh  
**Subject:** Osteria Development

2015 APR 22 PM 4:02

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**Office of the City Clerk  
City of Calgary**

**I am writing to oppose and ask that City Council REFUSE the proposed **BYLAWS 12P2015 AND 50D2015.****

I regret that I will be unable to attend the May 11th meeting; if I were able to attend I would want to **object to the following:**

1. Plans for a 36 m tall tower, rather than 26 m.

The ARP has worked with the City for over 3 years and the prominence of the site was recognized with a height of 26 m.

**We request that Councillors please respect the agreed upon ARP.**

2. The Floor Area Ratio (FAR) increase from 5 to 7. This exceeds the current density allowed and is an increase of 40%. The ARP has worked with the City and reached an agreement on a FAR of 5. **We request that Councillors please respect the agreed upon ARP.**
3. The original plan for the building is already large enough and no "Special Function Tent" should be allowed. During special functions that are currently held at the site, the noise level is extremely disruptive to the Community and neighbouring residents. With a restaurant and hotel as large as has been proposed there should be **NO NEED for a Special Function Tent.** (Please see 6 below)
4. Narrow lane width behind the complex and increased lane traffic and transportation issues. The lane access for a building of this proposed density is ill-conceived. This will massively increase traffic in the narrow lane and create safety issues.
5. The Hillhurst-Sunnyside zoning does not support the traffic, density and **parking** for this large of a restaurant / hotel / condo complex.
6. The plaza space is not enough of a compensation to the public and Community with a building of this size and density. Where will the "Special Function Tent" be placed? On the public plaza? No resident or visitor to the Community would want the "Special Function Tent" to be squeezed into the public plaza.

There is no agreement on how much of the plaza will be public space and how much will be used as a restaurant patio or for special functions, that will only be of benefit to the owner of the restaurant.

Also the architect of the project, Sturgess, has resigned and we now have no idea what the design will be.

Please **REFUSE the proposed BYLAWS 12P2015 AND 50D2015.**

Thank you,

Peggi McDougall  
Resident and Community Member

Sent from Windows Mail

**Smith, Theresa L.**

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**From:** hilmunro [hilmunro@telusplanet.net]  
**Sent:** Wednesday, April 29, 2015 2:47 PM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh  
**Subject:** DC for LOC2013-0097

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To City Clerk - City of Calgary

Re: DC for LOC2013-0097

My husband and I live just across 14th St NW and we do much of our shopping and other errands in the Kensington Rd and 10th St. area. Every time I go by the current Osteria building I look at it and wonder how the proposed development would fit the site. This corner is very busy and I can see problems with parking and height.

The Hillhurst-Sunnyside Community Association put a lot of thought and planning into the Area Redevelopment Plan, working closely with the City of Calgary over a number of years to develop it. The result of the ARP was that buildings should be no more than 26 metres in height with a 5 FAR.

The current application completely ignores these guidelines, and offers to create a plaza for the public, in exchange for a larger and higher building. I have concerns about the plaza as I understand that part of it would be used as an outdoor patio for the restaurant. In addition, I wonder about the upkeep and maintenance of this plaza. Should the restaurant owners decide to sell in the future, will a new owner abide by agreements made before their time?

Another concern is traffic and parking issues. The corner of Kensington Road and 10th Street is already a very busy area, with traffic turning onto 10th Street in both directions and with pedestrians crossing, sometimes at their peril. I believe that a larger building which exceeds the ARP guidelines will add to this chaos. Regarding parking: this is difficult enough now but I wonder where the residents and visitors for the proposed condos and businesses will park in the future.

I hope the members of City Council will think very carefully about these concerns when deciding whether to accept the application or not.

With best wishes,

Hilary Munro  
Gerald Borch  
1708 Westmount Rd NW,  
Calgary, T2N 3M3



## ERLTON COMMUNITY ASSOCIATION

PO Box 241, 1811 4 St SW  
Calgary, AB T2S 1W2

Phone: 403.277.5430  
E-mail: [president@erltoncommunity.com](mailto:president@erltoncommunity.com)

April 26, 2015

Office of the City Clerk  
The City of Calgary  
700 MacLeod Trail SE  
Calgary, Alberta T2P 2M5

**Re: Policy Amendment and Land Use Amendment Hillhurst (Ward 7) North Kensington Road NW and West of 10th Street NW. CPC2015-53 (Bylaws 12P2015 and 50D2015)**

Dear Sir or Madam:

We offer the comments and concerns of the Erlton Community Association on the above noted Public Hearing on Planning Matters, which will be before the City Council on May 11, 2015.

Calgary invites its citizens to take part in its governance through voting, community activities, and if working for the City, to do a professional job for the common good. The laws, regulations and rules governing the City are expected to be followed and if variances are seen as desirable, to seek a common ground among affected interested parties. To have Council override the refusals of the City Planning Department, the Calgary Planning Commission, and an affected Community Association, all to the benefit of one party is concerning.

A Council decision overriding the City Planning Department, the Calgary Planning Commission, and an affected Community Association can only lead to civic disengagement and distrust. Our community supports an open and transparent planning process for all Calgarians to promote positive growth, change and development for their neighbourhoods and for their city.

Sincerely,

A handwritten signature in black ink, appearing to read "Natalya Nicholson".

Natalya Nicholson  
President, Erlton Community Association

RECEIVED  
2015 APR 28 AM 11:05  
THE CITY OF CALGARY  
THE CITY CLERKS

**Smith, Theresa L.**

**From:** Patty Nowlin [Patty@Sunnysidemarket.ca]  
**Sent:** Wednesday, April 29, 2015 5:17 PM  
**To:** Albrecht, Linda  
**Subject:** May 11 Councillors Package

RECEIVED

2015 APR 30 AM 7:59

THE CITY OF CALGARY  
CITY CLERK'S

Hello,  
Please include the following letter in the May 11 Councillors package.  
Regards,  
Patty Nowlin

Greetings,  
My husband Pat Guyn and I are the owners of Sunnyside Natural Market. Our business has been located in Kensington for 18 years. Over the years we've seen numerous changes to the street-scape, and to date have been pleased with the new development along 10th Street and Kensington Road. We're very concerned however with the ARP amendment and re-zoning application submitted by Osteria de Medici Restaurant.

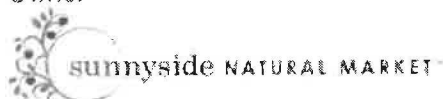
The creation of the current ARP for Kensington involved input from citizens, city employees, consultants and was funded by tax payers. Lots of time, effort and money went into the creation of a document to support all stakeholders needs. It's our understanding a main purpose for creating this document is to create rules and guidelines that developers must adhere to if they wish to develop in the area, so that our area maintains a livability/work ability outlined in the ARP process. As a business owner I understand larger developments mean more people living in the area, and this would be good for business. However, I also know as a business owner that one of the reasons tourists, and non-residents come to the area to shop is for the charm, walk ability, and village like atmosphere. An ambiance that isn't found in any other shopping district in Calgary. If amendments to the ARP are granted to Osteria this will be a signal to other developers to do the same. This will begin to erode the character of the area and Kensington as a shopping district will lose it's uniqueness.

On a financial note if this amendment is granted, it will be a green-light to other developers to apply for amendments and re-zoning. Dealing with these amendment requests will be more cost to the City of Calgary and it's taxpayers. A cost that can be avoided if ARP guidelines are simply adhered to. As a business owner and as a tax payer it makes sense to us to avoid knowingly creating situations or setting precedence that will be costly to the organization. I hasten to think of the additional costs the city has/will incur as a result of the Osteria amendment request. Not approving this amendment request will exhibit to future developers that the ARP is a document that must be adhered to, not a document that is up for challenge.

In addition, the behaviour of the Osteria group could be described as bullying. To suggest that the HSCA or other community groups should negotiate the terms of the amendment would be ludicrous. The Osteria group have not exhibited behaviour that would lead one to believe they would be willing to negotiate. As previously mentioned we truly hope Council makes the decision based on the ARP and declines the re-zoning proposal.

Regards, Patty Nowlin and Pat Guyn

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Patty Nowlin  
Owner



403 270 7477



403 918 3163 (cell)  
403 270 8613 (fax)  
Sunnyside Natural Market

**Smith, Theresa L.**

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**From:** Doreen Orman [doreenorman@me.com]  
**Sent:** Wednesday, April 29, 2015 5:00 PM  
**To:** Office of the Mayor  
**Cc:** druhfarrell@calgary.ca; Albrecht, Linda  
**Subject:** Development Proposal at 201-10 St NW

I have been a resident of Sunnyside for 69 years and have lived in the same house 67 of those years. I have been very involved in this community throughout those years and was president of the H/S Community Association when we designed the Area Redevelopment Plan. I am most concerned with some of the recent developments which in my view are not in keeping with what we envisioned in the ARP. I am encouraged to know that the City Planning Department and the Calgary Planning Commission are recommending refusal of this proposal. I urge City Council to reject this proposal. If it is approved it is the slippery slope to other developments which in the end will destroy what is a beautiful community in every sense of the word. Please do the right thing and reject it.

Sincerely  
Doreen Orman

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2015 APR 30 AM 7:58  
THE CITY OF CALGARY  
CITY CLERK'S

**Albrecht, Linda**

**From:** Jim Ripley [jimripley@shaw.ca]  
**Sent:** Monday, April 20, 2015 10:54 AM  
**To:** Farrell, Druh; hscaplanning@gmail.com; Albrecht, Linda  
**Subject:** Osteria Application  
**Attachments:** City Of Calgary Osteria.doc; ATT00001.htm

April 20, 2015

To: City Clerk,  
The City of Calgary  
700 Macleod Trail SE PO Box 2100  
Postal Station M Calgary  
T2P 2M5

RECEIVED  
2015 APR 20 PM 12: 17  
THE CITY OF CALGARY  
CITY CLERKS

Re: Proposed BYLAWS 12P2015 and 50D2015 2015

**REFUSE** the proposed **BYLAWS 12P2015 AND 50D2015 2015.**

It has come to my attention that the proposed 10 story Osteria Project application is going forward to City Council even though the City Planning Department and the Calgary Planning Commission have both recommended that the application be refused.

I am against any increase in size of the building. (All the other buildings on the west side of this block of 10th St. have a height of 20 m and an FAR of 4)

To add to that, the east lane is 4.57 m wide and the city standard is 7 m for a residential lane. The building will not be allowed to have car access to 10 St or Kensington. That means, all traffic to and from the building will push traffic into the little lane. Adding height and density means extra floors, which will increase lane traffic more than was calculated in the ARP.

The application is for a 100 % parking relaxation. Without it, the site would require approximately 103 stalls for a 600 sq m restaurant. With parking at a premium already in this Community, this request seems self-serving and more beneficial to the applicant and provides no benefit or solution to existing parking issues to the Community.

Their proposed plaza space has not been defined and there is no agreed management and maintenance plan. No agreement on how much will be private and public, or the terms and conditions of use. The number of unknowns and uncertainty is significant and again this request seems more beneficial to the applicant and provides questionable benefit to the Community

I respectfully ask that the City refuses this application and that Council listens to the advice its own City Planning Department and the Calgary Planning Commission that have both recommended that the application be refused.

Sincerely

Jim Ripley

10A Street Resident

**Jim Ripley**  
[JimRipley@shaw.ca](mailto:JimRipley@shaw.ca)  
403-471-9002

**Smith, Theresa L.**

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**From:** Shirl Rowsome [shirl.rowsome@gmail.com]  
**Sent:** Tuesday, April 28, 2015 5:14 PM  
**To:** Albrecht, Linda  
**Subject:** Osteria de Medici Restaurant Development Application

RECEIVED  
2015 APR 29 AM 7:46  
THE CITY OF CALGARY  
CITY CLERKS

To Whom It May Concern:

Dear Mayor:

We are writing to you because we are very concerned about the application the Osteria de Medici Restaurant at 201-10 St. will have in our neighbourhood. They want to develop an 8 to 10 story building with a maximum floor area 7 times its lot size.

We live and own a new business, Sunnyside Art Supplies, 132 10<sup>th</sup> St. NW, here in Kensington, so this will have a big effect on us.

This Osteria 10 story building would be blocking a lot of natural light and view for us and other businesses across the street on 10<sup>th</sup> St. It will be taking up a lot of space right at a major busy corner of 10th St. and Kensington Rd., especially when construction starts. We can see that this will be a very hectic area during construction for drivers, pedestrians, and businesses and a frustration for our community.

There are 2 new condo's going up right now, Lido by Battistella and Kensington by Bucci on 10th St. NW. The city is planning to start construction on a new streetscape on 10<sup>th</sup> St. NW and Kensington Rd. this June. A lot of the businesses in this area will suffer from loss of traffic due to all this construction going on already. Summer is usually a slow period for us and this will have a huge effect on our income, especially because we are a new business.

We are all for change and growth but not at such a fast rate where our businesses and community suffer. This is why we don't want this Osteria development to proceed. We feel that going above the community guidelines and putting up 10 stories would not be good for our community.

Thank you for your time.

Sincerely,

Pat and Shirl Rowsome

## Smith, Theresa L.

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**From:** Rhon Rose [rhon.rose1@gmail.com]  
**Sent:** Tuesday, April 28, 2015 2:32 PM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh; hscaplanning@gmail.com  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

I wish to speak out strongly against to proposed relaxation in height for this site. In doing so I wish to point out that I live and own directly across the street (at 407-10A St. N.W.) from the St. John's condo site, which I never opposed and think has become a good addition to the community. Simply stated I think that the current 8 story limit is enough for our neighborhood. There are plenty of places in the Beltline or East Calgary for 10 or more story buildings, they should buy land there, if they truly just want to build this high. But they don't. They realize that values are higher in Kensington because of the nice blend of homes and smaller apartment and condo buildings. They have no concern with maximizing their profit while causing a small decrease in the appeal of the neighborhood to many, and providing a reason for the next building being 12 stories. But providing a variety of well PLANNED neighborhoods is the mandate of the City Council. Please stick by your staff on this one and uphold their recommendation to reject.

Rhon Rose  
Measurement Schematic Champion  
FacilityStudio  
Cell: 403 875 6310

**Smith, Theresa L.**

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**From:** Jeremy van Loon [jeremy.vanloon@gmail.com]  
**Sent:** Monday, April 27, 2015 8:33 AM  
**To:** Albrecht, Linda  
**Subject:** OPPOSITION TO BYLAWS 12P2015 AND 50D2015 2015

Jeremy van Loon/Fong Ku

306 10A St NW

Calgary AB

T2N 1W6

April 27, 2015

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2015 APR 27 AM 8:39  
THE CITY OF CALGARY  
CITY CLERKS

City Clerk,

The City of Calgary

700 Macleod Trail SE PO Box 2100

Postal Station M Calgary

T2P 2M5

Re: Osteria Site Redevelopment - Proposed BYLAWS 12P2015 and 50D2015 2015 (the "Application")

I am writing as a concerned resident living on 10A Street NW to voice my opposition to the above proposed bylaws.

Below are my main reasons for opposing the proposed bylaws and why I urge council to reject the Application:

**1/ Disregard for the ARP** – The Area Redevelopment Plan is a document representing significant community input over many years. The guidelines of this document should not be ignored. Exceeding the FAR and the 26-metre height limitation as proposed in the Application shows egregious disregard for the community and its long-standing engagement on these issues and thrusts into question the intentions and goodwill of the City as it pertains to Area Redevelopment Plans.

**2/ Laneway** – The laneway between 10<sup>th</sup> Street and 10A Street is not much wider than 4.5 metres at most points, far narrower than the city average of 7 metres, and cannot accommodate the inevitable increase in traffic that will come with this proposed development.



**3/ City Planning Department and Calgary Planning Commission** - Both bodies recommended the Application be refused after significant review and investigation.

**4/ No community benefit** – The applicant has not provided a net benefit to the community. The proposed "public plaza" has been vaguely described, and even if it were feasible, there is no practical way to enforce public use on private property without a legal mechanism such as a caveat on title (which has not been addressed). For all practical purposes, and given the business operations of the applicant, it is highly unlikely there could exist an open, accessible or meaningful public space.

**5/ Departure of the Application's architect (Jeremy Sturgess)** – the departure of a well-known architect associated with the project brings further uncertainty to the community.

In summary, I strongly urge Council to reject this application.

Sincerely,

Jeremy van Loon/

Fong Ku

**Smith, Theresa L.**

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**From:** jverwijs [jverwijs@yahoo.com]  
**Sent:** Monday, April 27, 2015 9:40 AM  
**To:** Office of the Mayor; Farrell, Druh; Albrecht, Linda  
**Cc:** hscaplanning@gmail.com  
**Subject:** Comments on Development Proposal at 201-10 St NW.

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2015 APR 27 AM 9:48  
THE CITY OF CALGARY  
CITY CLERKS

----- Original message -----

From "VERWIJS, Hans (WG MUSTANG)" <Hans.Verwijs@woodgroup.com>  
Date: 04/27/2015 9:35 AM (GMT-07:00)  
To [jverwijs@yahoo.com](mailto:jverwijs@yahoo.com)  
Subject Comments on Development Proposal at 201-10 St NW.

Dear Mayor & Councillors,

I'm writing to comment on proposed plans by the Osteria de Medici group for re-zoning and ARP amendments to increase the maximum building height allowed to 10 stories.

I am vehemently opposed to this proposal because I think if it is allowed to proceed, it will ruin the neighbourhood. As the gateway to Kensington, the corner of 10<sup>th</sup> street and Kensington road is the most important intersection in the neighbourhood. To construct a 10 storey building – in violation of the current zoning and ARP, would create a towering abomination, casting deep shadows and an imposing, unfriendly presence over its neighbours.

Can we not apply the lessons learned from such great cities as Paris and Barcelona that manage to accommodate density and pedestrian friendliness with buildings that do not exceed six stories?

I cannot overstress how dismayed I would be if this proposed amendment is approved by City Council.

Yours Truly,

Hans Verwijs

1636 Westmount Blvd NW,

Calgary, AB, T2N-3G6

Ph. 403-275-3110

PLEASE CONSIDER THE ENVIRONMENT DON'T PRINT THIS EMAIL UNLESS YOU REALLY NEED TO

This email and its attachments may contain information which is confidential and/or legally privileged. If you are not the intended recipient of this e-mail please notify the sender immediately by e-mail and delete this e-mail and its attachments from your computer and IT systems. You must not copy, re-transmit, use or disclose (other than to the sender) the existence or contents of this e-mail or its attachments or permit anyone else to do so.

**Smith, Theresa L.**

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**From:** Melanie Wiebach-Bonar [melanie.wiebach@gmail.com]  
**Sent:** Friday, April 24, 2015 3:37 PM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh; hscaplanning@gmail.ca; David White  
**Subject:** Proposed Bylaws 12P2015 and 50D2015

Hi there,

I was just notified by the HSCA that the Osteria di Medici development is proposing a re-zoning to increase the height from 8 stories to 10. I would like to voice my disapproval of this development.

I live and work in the Sunnyside/ Hillhurst neighbourhood, and went to university for community development and city planning. While I understand the need for housing in a downtown adjacent community, I feel that 8 stories is high enough and 10 stories is a precedent that doesn't need to be set.

I would also like to add that I am employed as a server at one of our many restaurants in "Kensington" and while I would financially benefit from an increased population so close by, I am still opposed to the extra 2 stories.

Melanie Wiebach-Bonar

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2015 APR 24 PM 3:34  
THE CITY OF CALGARY  
CITY CLERK'S

**Smith, Theresa L.**

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**From:** Cameron White [cam.white82@gmail.com]  
**Sent:** Saturday, April 25, 2015 2:03 PM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh  
**Subject:** Osteria de Medici proposed re-development

I live in the community of Sunnyside and am writing to state that I am opposed to the developers application to build a 10 storey building on the current osteria de medici site in Kensington. The size of the building is much greater than any other in the area, and larger than our area's ARP allow for. It has already been refused by the CPC and is opposed by all of the people in Sunnyside and Hillhurst who I have spoken with about it. There will be serious traffic implications from a building of this size on that site, and I do not have faith that the developer will adequately compensate the community with public space which has been proposed as a trade off for the increased size.

I urge city council to vote against this development as currently proposed at the meeting on May 11th.

Sincerely,  
Cameron White

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2015 APR 27 AM 7:42  
THE CITY OF CALGARY  
CITY CLERK'S

**Smith, Theresa L.**

**From:** Doug Roberts [development@richmondknobhill.ca]  
**Sent:** Thursday, April 30, 2015 9:58 AM  
**To:** Albrecht, Linda  
**Cc:** Lisa Chong; Dennis Cant; Dana Hill; Nancy Miller; Joan Faulk; president@richmondknobhill.ca; Executive Assistant Ward 8  
**Subject:** RKHCA Position Regarding LOC2013-0097/CPC2015-053/Proposed Bylaws 12P2015 & 50D2015 @ May 11 Council Meeting

City Clerk

Below please find a note setting out the Richmond/Knob Hill's position regarding the captioned matter, which we understand is to be addressed by City Council at its May 11, 2015 meeting.

Feel free to call or email the writer if you have any questions.

Thank you.

Doug Roberts  
Chair, Development Committee  
Richmond/Knob Hill Community Association  
403-252-8924  
[development@richmondknobhill.ca](mailto:development@richmondknobhill.ca)

RECEIVED  
2015 APR 30 AM 10:00  
THE CITY OF CALGARY  
CITY CLERKS

=====  
RKHCA Position Regarding LOC2013-0097/CPC2015-053/Proposed Bylaws 12P2015 & 50D2015 (Osteria Land Use Redesignation Application)

At the invitation of the Hillhurst Sunnyside Community Association (HSCA) the Development Committee for the Richmond/Knob Hill Community Association (RKHCA) has reviewed the captioned file and, in our capacity as a representative for another inner-city Calgary community that is experiencing significant redevelopment activity, has the following comments thereon:

- 1) Under the current planning system in Calgary, the Area Redevelopment Plan (ARP) is a critically important planning policy document for an inner-city community facing redevelopment, as it is the only statutory planning document that is prepared in cooperation with, and which is intended to reflect the redevelopment priorities and objectives of, the local community.
- 2) Modern ARPs, such as the Hillhurst Sunnyside ARP (HSARP) and the ARP that was approved last year for the Marda Loop Business Revitalization Zone, are the product of significant public consultation and debate and typically reflect a compromise between the differing interests of the various stakeholders, including:
  - (a) the City's interest in achieving the inner-city densification objectives of the Municipal Development Plan;
  - (b) the area residents' interest in making their community an even better place to live;
  - (c) the Business Revitalization Zone's interest in attracting more and better businesses to the area;
  - (d) the area landowners' interest in maximizing the value of their properties; and
  - (e) the development industry's interest in being able to make a reasonable profit on redevelopment projects in the area.

3) Proposed redevelopment projects in areas that have modern ARPs should be expected to comply with the applicable ARP requirements, particularly with respect to critical issues such as maximum building heights and maximum densities, unless it can be demonstrated that either:

(a) something material was overlooked when the ARP was prepared; or

(b) relevant circumstances have changed materially since the ARP was approved, and therefore an amendment to the ARP is warranted.

4) The acceptability of any proposed "density bonusing" arrangement, where maximum building heights and density factors beyond the limits contained in the applicable ARP are sought in exchange for certain public realm improvements or a financial contribution to a community improvement fund, should be left primarily up to the community, as it will be the community that primarily ends up having to bear the consequences of those excesses.

5) In this case, it appears to us that:

(a) the site in question was identified by those who prepared the HSARP as a "special" or "landmark" corner site, and as a result has already benefited from increased maximum building height and density factor limits in the HSARP, relative to the other properties to the west and north;

(b) the "density bonusing" arrangement proposed by the Applicant, in which a 10m height increase and 2.0 FAR density increase has been requested in exchange for some form of public plaza to be incorporated into the development, has been rejected not only by the community, but also by City Administration and the Calgary Planning Commission;

(c) the HSCA is clearly not a "NIMBY" community association, given the number of major redevelopment projects that have and are currently taking place in the surrounding community; and

(d) it is highly unlikely that the additional height and density limits are required for the Applicant to be able to make a reasonable profit on the redevelopment of the site, given the number of other major redevelopment projects that have and are currently taking place in the area that are in compliance with the applicable height and density limits.

Accordingly, we see absolutely no reason for City Council to overrule the positions being taken by the community, City Administration and the Calgary Planning Commission, and would be very concerned about the "message" that would be sent if it were to choose to do so in this case.