

October 24, 2022

COMBINED MEETING OF COUNCIL
November 1, 2022, 9:30 AM

Re: File number LOC2021-0190

This submission is to state our opposition to the above captioned Land Use change request for the property at 901 22 Avenue NW.

The property in question is zoned as “Residential – Contextual One / Two Dwelling (R-C2) which we understand to be restricted to detached, semi-detached or duplex residences no more than 10 meters tall. The Land Use Change request is proposing a change to “Residential – Grade-Oriented Infill (R-CG) (R-CGex) which if approved, the applicant has indicated in their application for re-zoning that their plan is in fact to build a 4 unit rowhouse up to 11 meters tall.

The “Planning & Development Services Report to the Calgary Planning Commission” that was tabled on September 1 stated that “**(R-CG) provides modest density increases within neighbourhoods while being sensitive to adjacent homes**“. We are arguing that in this case the Planning Commission has erred in recommending approval because they have not properly considered the **sensitivity** to the adjacent property and the significant impact that this change will have on it.

According to the North Hill Communities Local Area Plan, the property in question is located in Neighbourhood Local and the policy provides for support for 3 or four residential units in the following areas subject to some restraints, one being impacts “**to sunlight and shade on adjacent parcels**”.

In our case there will be a significant loss of sunlight with the resulting drop in temperature on our adjacent property which will devastate our specialty garden and our quality of life.

We live directly west adjacent to the property in question and so the four unit rowhouse would be directly east of our property. If this rowhouse is built we would in fact end up with an up to 11 meter tall wall stretching a significant length of the property north to south effectively creating a huge shadow onto our property for multiple hours each day particularly in Spring, Summer and Autumn when the front and back yards are most desirable to sit in and enjoy and when our plants, including trees, fruits and vegetables can thrive.

While many homeowners spend little time in their front and back yards and in fact even find lawn cutting to be a chore, we spend nearly every day in the Spring, Summer and Autumn in our yard producing and maintaining what neighbours and passerby's have said is the showiest garden in Mount Pleasant. Many of the residents and visitors to Mount Pleasant have told us that they plan their walks around visiting our front gardens to view the changes to our specialty alpine garden, our espaliered apple tree that contains five different varieties of apples and our varied flowered beds filled with rare and unusual shrubs and perennials. We have received cards (copies of a couple are included in our submission) and even gifts from unknown community residents thanking us for the gardening that we do in creating such a display.

Last week we had a City of Calgary Park's pick-up truck come to a stop in front of our yard and ask to take pictures and get advice about our trees and perennials. A couple of springs ago we even had a local well known Calgary Horticultural TV and radio guest stop and spend several hours with us going through our front and back gardens and taking photographs. She even asked if she could use them in her talks.

We have spent countless hours and years and dollars building this inventory of plants and gardens. In the back we have multiple mature

grape vines (three varieties) and mature kiwi fruit vines whose fruit we use for making juice and for fresh eating. Each year we plant 6 or more tomato plants and other vegetables to harvest during the summer and early autumn. Some pictures of the front and back are attached.

We have also built a sunroom with a glass ceiling and walls at considerable expense in the back to capture and enjoy the morning sun in those spring and fall days when the temperatures are still cool and sitting outside is not ideal.

The deep cold shade that a possible 11 meter high wall of a rowhouse would create along the length of our property would effectively prevent the full use of either of both the front and backyard through **significantly dropping the temperature** in both yards due to lack of significant morning sun and the **deep shade created will retard the growth of the plants** preventing the ripening of the apples, grapes and other fruit as well as tomatoes, ground cherries and other annual fruits and vegetables we grow each year.

The deep cold shade will shorten the growing season when the sun is lower in the horizon by delaying the spring growth and blossom time as well as the fall ripening and harvest time and throughout the summer the rowhouse will result in later sunrises sometimes only by 20-30 minutes but enough to slow down growth and ripening.

In summary, there are many reasons that a 4 unit rowhouse adjacent to a property is not ideal e.g. loss of privacy (you now have windows of four neighbours two meters away looking into your yard versus having no windows/neighbours that close), additional parking issues, garbage bins scattered in the alley, a permanent loss of greenery and trees replaced with concrete, lack of drainage during summer rains, etc. **However we see loss of sunlight which would be replaced with cold building shade as the most significant degradation to the use of our property and our quality of life.**

If we include ourselves, the City, the developer/owner and the Community as the principal stakeholders for this issue the best scenario for a win, win, win, & win is to keep the existing zoning in place. We keep the use of our yard, the city receives 100% increase in tax revenue (rowhouse units sell from between 625K and 750K in Mt Pleasant), the developer will receive profit by doubling their revenue with selling two homes for the price of one, the community maintains its opportunities for preserving the tree canopy and the existing community look and feel. If the re-zoning proceeds and a rowhouse is built, then the City will receive a windfall, the developer will receive a windfall but the community forever loses opportunities for this property to help maintain and grow the urban forest and add to the current character and atmosphere of the community, and, of course, we lose much of the use of our property and our quality of life.

We trust our concerns will be taken into account when considering this application for re-zoning.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel MacGregor & Harry Ulmer".

Daniel MacGregor & Harry Ulmer
905 – 22nd Avenue N. W.
Calgary, Alberta T2M1P5

Dear Fenderic Board Neighbour,

Thank you so much for being the shining beacon in our neighbourhood! Through out the 2 years we've been here, you have steadfastly brought us joy & love (my kids skipped the whole street, to come to yours for Halloween).

As we are moving to London, ON. I just want to let you know how much we appreciated you. You will always be remembered as the

loveliest of neighbours. Thank you so much for being there, to show everyone that you care, to make the big people laugh.

Wishing you & yours With Affection &

Gratitude,

A lovely Summer! Neighbour from

716 227 116 NW.

P.S. Wicked sunset of humor, by the way!

Hello!

I have been coming through this neighbourhood for a few years now since my oldest started school, we always enjoy walking past your home and yard with the beautiful landscaping, the changing decor and of course the "wine" board. We wanted to return a little of the joy I am confident you bring to many others, including us!

Have a great day!

Combined Meeting of Council
November 1, 2022

Re: File # LOC 2021-0190

Topics that I will address:

1. The Developer's Submission, errors and mis-representations;
2. The Planning & Development Services Report to the Calgary Planning Commission, clarifications and errors;
3. The Zoning as it relates to the North Hill Communities Local Area Plan

Developer's Submission:

The Developer states that the property has proximity to commercial banks. In fact, the nearest banks are over two kilometers distant in either the North Hill Shopping Centre or on Centre Street at Twelfth Avenue NW.

The Developer states that the property has proximity to exotic restaurants. If a Sushi Take away, a McDonalds outlet and a Sports Pub are "exotic restaurants," then the city of Calgary is inundated with exotic restaurants.

The Developer states that the proposed townhouses will include "Full Front porch to give a communal feel." The drawings we have seen show a set of five stairs ending at a level stoop of a size to allow safe entrance to the front door. This is not a porch, it is an entrance way.

The Developer states "Upper floors enjoy large windows for views of the front street and more eyes on the community for added security." The large windows on the upper floors are windows to the master bedrooms. Most people value their privacy when occupying their bedrooms. I suggest that most people will close their window coverings to ensure that privacy.

The Developer states that there will be "Rear garden on the ground Amenity Space per unit." The developer's drawings clearly indicate that the space to the west of the building where the rear entrances to the units are proposed,

is concrete paved – hardly suitable for a garden. The green space at the south end of the building is 3.17 metres in width and is located on the north side of the Garage units. With the exception of a few mid-morning summer hours, this space will be exposed to minimal sunlight. A rear garden of this area and sun exposure is a rare achievement for even the most ardent gardener.

The reasoning behind listing these deficiencies in the developer's proposal is to point out blatant mis-statements and mis-leading commentary in the proposal. I suggest that the proposal grossly mis-represents the facts concerning the neighbourhood and specifically the site and should be dismissed out of hand along with the re-zoning request.

The Planning & Development Services Report to the Calgary Planning Commission

The report suggests that the “proposal represents an appropriate density increase of a residential site, allows for development that may be compatible with the character of the existing neighbourhood...” We submit that a duplex would be an appropriate density increase of this residential site. The proposed rowhouse development is not compatible with the character of the existing neighbourhood. Mount Pleasant has experienced significant density increases. Our block alone over the past seven years has seen four single family homes replaced by nine replacement residences housing primarily young growing families. There remain only five original homes on our block and that is indicative of the rest of the community. Within one block of our home there are ten new homes where only five previously existed.

The Mount Pleasant Community Association (MPCA) opposed this application in writing on March 20, 2022. In their response, the MPCA stated that “that rowhouses do not “fit in” to the interior of the community – they cover too much of a lot, impose on neighbouring homes, reduce the number of mature trees, and provide minimal greenspace in stark contrast to the single-family and duplex nature of the established community.” Existing rowhouse development within the community has to date led to issues primarily pertaining to parking and waste management. It appears that

approval of re-zoning and eventual building of a rowhouse will just continue to aggravate and increase current problems.

The report continues suggesting that “The proposed land use would allow for greater housing choices that may better accommodate the evolving needs of different age groups, lifestyles and demographics.” The wording of this statement alone indicates that the report is at best guessing at future events or, at worst, plagiarizing the introductory chapter of a first-year civic planning textbook. The statement suggests that the building of rowhouses would produce housing to satisfy a lower income citizen.

The rowhouses on 20th Avenue sold in 2020 for approximately \$565,000. The rowhouses on the corner of 5th Street and 22nd Avenue NW sold more than \$700,000 each. We suggest that these rowhouses would not provide a solution to the need for low-income housing. The lot in question, including a tear-down house, was purchased by the developer for \$655,000. Because of its inner-city location, Mount Pleasant properties typically draw a higher initial land cost. Low-income housing could occur in Mount Pleasant, but only with significant government subsidy.

A current report by a local real estate office shows 31 properties for sale in Mount Pleasant. The lowest priced property is a seventh floor 617 square foot condo facing 16th Avenue listed at \$219,900. The highest priced property is a 4,100 square foot single family residence listed at \$2,688,777. The average price for homes in Mount Pleasant currently sits at \$746,811. The proposed rowhouses will not provide low-income housing.

The report states that the site is “served by Route 404 (North Hill) which provides express service to downtown.” In fact, Route 404 is a feeder bus that operates with a frequency of once an hour from 7:05 AM to 8:05 PM weekdays and 6:00 PM weekends. It travels from Mount Pleasant to North Hill Shopping Centre and then continues down to West Hillhurst. There is no express transit service to downtown provided by Route 404. I have rarely seen more than two people on this bus, one being the driver, the other a passenger.

North Hill Communities Local Area Plan

We attended two of the city's community planning open houses for the North Hill Communities Local Area Plan. The discussions we had at the time with city representatives was that higher density residential properties would be supported but only along high traffic arteries going through the community.

Both 8th Street and 22nd Avenue NW are not high traffic arteries. In fact, 22nd Avenue terminates at 9th Street and 8th Street ends at 25th Avenue. A zoning change to allow for four-unit row houses is not consistent with the recently completed North Hill Communities Local Area Plan. Re-zoning defeats years of public consulting and investment to develop the plan in favour of spot zoning which does not address the community's character or the needs of the city.

The maps included with the North Hill Communities Local Area Plan indicate that the majority of residential lots in Mount Pleasant are zoned R-C2. This zone designation was achieved after extensive engagement with citizens and community associations along with other vested stake holders. To accept the application to change the zoning defeats countless hours and months of consultation with vested stake holders and substantially reduces the consultation to costly window dressing.

Other issues

Recently, the city tested a local fire hydrant. Water pressure to homes in our neighbourhood dropped significantly. With the continuous additions of duplex and in-fill homes, water pressure will continue to decline. Zoning to allow for fourplex rowhouses will accelerate that decline.

More building coverage of residential lots will result in less land surface for absorption of rainwater and snow melt. The result could readily be flooding of basements, backup of storm sewers and erosive runoff along gravel laneways. The current plans show concrete paving extending from the west side of the rowhouse to the property line. All rainwater and snow melt from this area will flow directly to our property increasing the risk of basement flooding.

The lane is about 20 feet wide. Vehicles must make a wide sweep to gain access to double garages. Four separate garages require walls between each garage reduces the width of each single garage. A power pole on the opposite side of the lane complicates access to the garages. Winter snows will further complicate access to garages and with four spots, there will be no room to move and/or store snow.

Garbage collection will remain a significant concern. During the summer months, both the green and blue bins are collected on the same day on a weekly basis. That means that eight bins will crowd the lane and will most likely be placed in front of the doors to the garages. These bins, along with the bins on the other side of the lane will further complicate parking access to the garages. Vehicles will end up parked on the street.

In summary, the developer's proposal is fraught with error and misrepresentation. The City Planning Department's report is based upon belief and theory and has errors that do not represent the facts. Finally, the North Hill Communities Local Area Plan that took significant public consultation to build is being specifically side-stepped and the character and nature of Mount Pleasant is being significantly altered, if not irreversibly changed.

For these reasons I request Council to reject the application for re-zoning.

Sincerely,

Daniel C. MacGregor
905 – 22nd Avenue NW