

Community Association Response



Triwood Community Association

"The Heart of the Community"

March 27, 2023

Re: LOC2022-0098 (3502 Charleswood Drive NW) Land Use Redesignation from R-C1 to H-GO

The Triwood Planning Committee (TPC) is not supporting this land use designation for the following reasons:

1. The City previously converted the land to Park to compensate for a loss of greenspace when an adjoining rectangular park was bisected by the widening of the Crowchild Trail right-of-way. The land was not redesignated as a municipal reserve to avoid seeking approval from the Joint Use Committee to utilize Community Reserve Funds, but it was agreed that it would become park under its historic land use of R1.
2. The proposed change in zoning advances the land to an extremely high density of use, allowing a prudent developer to install up to 21 units with a need for only 10 parking spaces in a neighborhood with predominantly low height bungalows. Furthermore, the property has only lane access for parking, deliveries, and garbage.
3. The change will result in negative effects to the neighbor's property and appears to be opposed by all nearby neighbors. The designation of this parcel to a high-density 'Inner City' land use is inappropriate given the age, use and experimental nature of the proposed H-GO zoning. Furthermore, there has been insufficient consultation by the City of Calgary Real Estate department. The TPC has been forced to FOIPP several tranches of information and is currently awaiting a decision by the Access to Information officer as to why we cannot have access reports underpinning the application. We ask that the City at least provide the requested background materials and hold a public meeting before proceeding with a decision.
4. The non-standard use of 'Inner City' is inappropriate and unfair for zoning in areas such as Triwood, that is deemed Inner City for some bylaws and policies and deemed to be outside of even the Established communities for others.
5. Triwood is concerned that the Real estate and Development Department of the City is acting in the best interests of their department, and not in the best interests of the community or city. The change in land use is being conducted prior to the planned sale of the property in order to maximize revenue, and is not based on community needs or a request for development.

Further details are provided in the background information that follows this letter.

Sincerely, The Triwood Planning Committee

Triwood Community Association
March 27, 2023

Background

The following details document explains the numbered points in the above summary. Throughout the document, the term City refers to Real Estate and Development Services. The City met with the TPC in 2022, on March 15, 2023 (with revised zoning). The TPC has received both the original 2022 Land Use Redesignation and the revised 2023 Land Use Redesignation (H-GO) and a link to the material on <https://www.calgary.ca/planning/projects/faqs-housing-choices.html>.

Current Status of Parkland

The land was purchase in 1987 and the existing dwelling was demolished to allow for a detour during the construction of the Charleswood Drive overpass. Once complete, the Charleswood redevelopment resulted in an existing park (Municipal Reserve 8172HS;1) being diagonally bisected by a new realignment of Morley Trail, with the old alignment of Morley Trail being left in place, only closed at 3502 Charleswood due to the overlap of the road alignments.

After much work by Alderman (as she was) Teresa Baxter, an agreement was entered into preserve the lands as park in exchange for the loss of parkland due to Morley Trail realignment (Access to Information Request 2022-G-0241 at page 26 of 26):

"The L.R.T. Construction Division will landscape the lands comparable to the park site prior to construction, including the vacant lot at 3502 Charleswood Drive N.W. In consideration of the maintenance obligation and the equal land area the Parks Department will not seek a cash contribution for the disposed reserve lands as had been their previous position."

The land was redeveloped as parkland been maintained as such ever since. The lot/park currently has 14 large caliper trees that are part of the City Tree Inventory, and landscaping including a bench.

The City did not redesignate the land from R1 (at the time) to MR because of Parks and Recreation 'policy' although we have not been able to determine just what this policy was. The current land use (R-C1) does allow for Park as an approved use so it was not considered at risk of disposal with the above agreement in place.

TPC acknowledges that attempts were made in 1989 to sell the land to the neighboring church for parking. The outreach, led by Ald. Baxter sought a solution that was acceptable to all parties and recognized that the land could be redeveloped as an R1 dwelling '*except that no[sic] on street parking could not[sic] be provided adjacent to the home.*' The land was ultimately swapped as compensatory land for dividing 8172HS;1 which survey plan does not show the bisecting road (Spin 2@ alta.registries.gov.ab.ca.)

The TPC does not agree that this block of parkland should be disposed of, as it was developed as compensation for the loss of other reserve lands. Furthermore, it seems even more inappropriate to rezone the land with a high-density designation simply to maximize the selling price, at taxpayer expense and with the underlying decision being deemed confidential. Arguments that the taxpayer will recoup the money form capital appreciation on sale are somewhat skewed as the same taxpayers seems obliged to provide a steady stream of parkland inventory for disposal, as the cost of our neighborhood's character.

Triwood Community Association
March 27, 2023

High Density Inner-City Land Use

In order to maximize the sale price, the City is proposing a new and untried zoning, H-GO, which seems designed for an area of the City with much higher density. The H-GO includes new requirements that are quite different from the surrounding R-C1 zoning, including:

- o Use of FAR for development instead of units per Hectare;
- o Use if the designation 'Inner City' under the Municipal Development Plan as an requirement, which designation was not really intended to be a zoning designation;
- o Relaxation of parking requirements to half of what is required for neighboring properties, especially when considering that the property has lane-access only;
- o The complete absence of any 'contextual' designation as are in place for the neighboring R-C1 homes;
- o A limitation that each unit have grade access.

Using the proposed H-GO land use designation, the TPC calculates that 21 dwelling units could be constructed on this land, with three-story overlook permissible. This is profoundly out of character with the surrounding residential dwellings. The H-GO zoning also allows for additional secondary suites that are not included in the 21 dwellings stated above.

It is likely that a developer will strive for maximum intensity of use, as it fits within the letter of the H-GO specifications and maximizes their profits. The City and proponents of redesignation have suggested that the number of suites is up to the developer. Additionally it has been stated that it is ultimately up to the SDAB to determine if the development is in keeping with the surrounding community or not, but there are no contextual requirements n H-GO.

Examples property developments were provided by the City to suggest what the ultimate construction would look like, but of course the City could not commit to any of these forms under H-GO. All were significantly larger area, usually a combination of several lots, and all had street access and street parking. There is nothing in the H-GO that holds the development to this form, other than grade-level access to each unit, possibly shared with its secondary suite.

The City indicated they conducted a 'professional' review of the surrounding land use and concluded that H-GO was the most appropriate zoning for this land. The City also claims that this review is confidential, in spite of the fact it was taxpayer funded. The TPC has filed another FOIPP request for this document (2023-G-0132) and believes we should be provided a copy as it is clearly of interest to the neighbors.

The City has responded so far with a copy of the public application submission and no information on the 'professional' review. Similarly, no information has been received from the Access to Information office to date, although the submission was made the day following the City presentation (March 16, 2023.)

It is a simple to conclude that the site will sell for more if the City uses its abilities to remove virtually all development limitations with a change in land use form R-C1 to H-GO. Triwood and it's residents believe insufficient consideration is being given of the land use change to the context of the community.

Effects on Neighboring Properties

The City held a non-publicized session with Triwood and some effected residents on March 15, 2023. Many residents voiced their objections and expressed their preference that the land remain a park as it has been since 1989, and arguably longer in the form of adjoining MR land that was lost in 1987.

Triwood Community Association
March 27, 2023

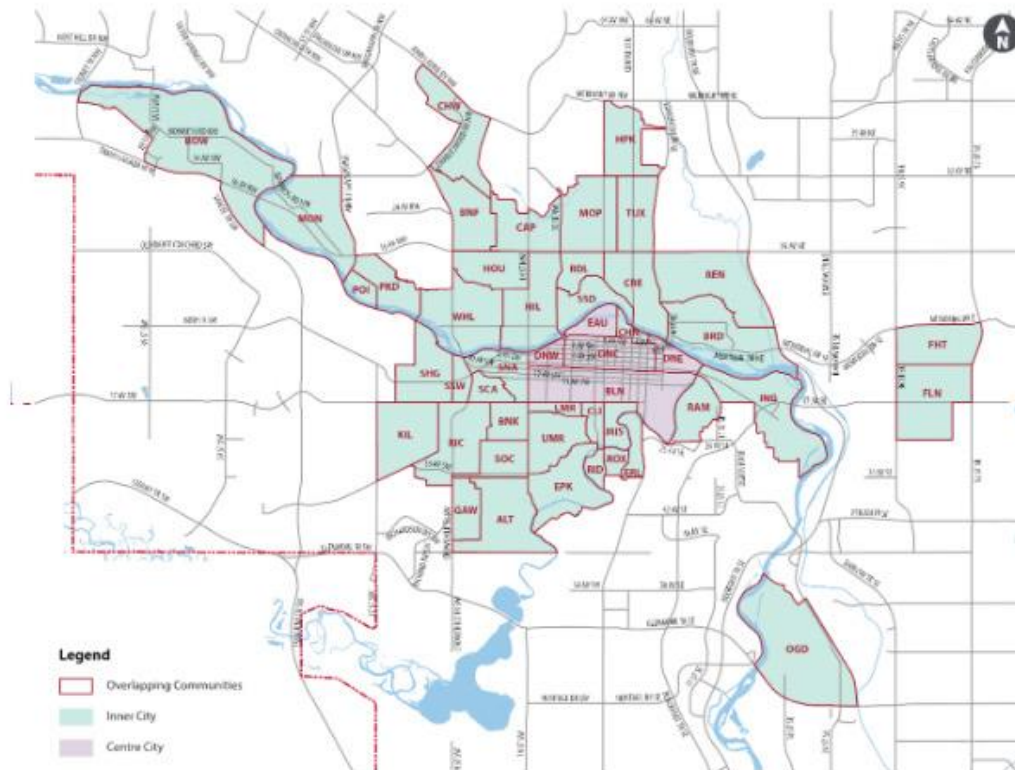
When challenged by neighbors about detrimental effects property values, the City's responded that the resident's recourse is to sell their land to a developer and the developer would be able to redesignate the land H-GO. We feel that telling people to sell rather than stay this very destructive to a community and contrary to the expectations held by many senior and long-time residents.

Again without access to the report on why the land is to be rezoned H-GO, we are baffled with this treatment.

'Inner City' Land Use Designation

H-GO uses the definition of Inner City as a necessary criterion for the higher-density land use. We believe this is the first time 'Inner City' has been used as a necessary designation for zoning. We have concerns that this use was not contemplated when the term 'Inner City' was approved. The area in question does not meet the clear definition of 'Inner City' and it appears the geography has been extended far beyond what is generally accepted in other policies, for example the Low Density Residential Housing Guidelines for Established Communities (referred to as the Infill Guidelines).

The map <https://www.calgary.ca/planning/projects/faqs-housing-choices.html> shows a surprising extension of the Inner City region to the outer boundaries of Charleswood, extending Inner City to John Laurie Boulevard with no reason or context:



Triwood Community Association
March 27, 2023

This map conflicts with Map 1 of the Municipal Development Plan (MDP) and the City has been cited before as defining the area to be:

“... According to the City of Calgary's Municipal Development Plan, the inner-city area comprises residential communities that were primarily subdivided and developed prior to the 1950s,” said Ryan Murray, communications supervisor for planning and development with the City of Calgary.”

We do not understand why the ‘Inner City’ designation has been imposed on Charleswood when older communities in the south and southwest, with proximity to ‘Activity Centres’ are not included in this zone. Charleswood’s ‘Inner City’ status stands to be greatly expanded without public outreach, while providing uneven treatment to older areas inside our community.

The City’s statement that residents ought to sell out to developers and move away is destructive to our neighborhood’s vitality and seems to imply the City wishes to start an H-GO domino effect. T

It is extremely concerning that Triwood is being subjected to vagaries in definition within bylaws and policies as “Inner City” (which is a subset of the “Established” communities) yet, Triwood is excluded from benefits of other bylaws and policies as an “Inner City” or, for that matter, as an “Established” community.