

Community Association Response

April 27, 2023

Application: LOC2023-0069

Submitted by: Crescent Heights Community Association Planning Committee

Overall, I am/we are:

In opposition of this application

Areas of interest/concern:

Land Uses, Height, Density, Amount of Parking, Lot coverage, Building setbacks, Privacy considerations, Community character, Shadowing impacts, Other

General comments or concerns:

The CHCA Planning Committee is opposed to this LUA for the following reasons

ONE. The lot is within a Heritage Guidelines Area

Many residents choose to live in Crescent Heights because of the character... the streetscape created by mature trees and beautiful old homes that are limited in size. Each new development that comes into the neighbourhood removes landscaping, tree canopy, and in place puts a large structure that inherently changes the streetscape.

This LU amendment would allow for further destruction of the historic character of the neighbourhood. Corner lots are highly visible given the distance of sight lines across the intersections. They display the style/feel of the neighbourhood even more than individual inner-block homes.

TWO: The location is inappropriate for increased densification

CHCA is opposed to increased densification in the 200 Block.

According to the NHCLAP, this lot does not support three or more residential units, as it does not conform with sentences i, ii, or iii below. While it has a lane, we question whether a building with more than 2 units can support the required parking on site, given that most of the duplex infills with double garages built recently have resulted in increased street parking.

Nonconformance to NHCLAP Neighbourhood Local policy 2.2.1.6:

c. Building forms that contain three or more residential units should be supported in the following areas:

i. within transit station areas; (location is not within transition area; refer to NHCLAP 2.5.2

Transit Station Areas Fig 13 map)

ii. near or adjacent to an identified Main Street or Activity Centre;

iii. on higher activity streets, such as where there are adjacent regional pathways or higher volumes of private vehicle or pedestrian activity in a community; and,

iv. where the parcel has a lane and parking can be accommodated on site.

The proposed LU is not “moderate intensification” nor would it “respect the scale and character of the neighbourhood”. The lot is not in a transition zone designated for higher density, nor is it intensification of a type consistent and compatible with the existing character of the neighbourhood.

We refer Planning to 3.5.1 and 3.5.2 of the MDP in assessing this proposed LU amendment:

3.5.1 a. Recognize the predominantly low density residential nature of Developed Residential Areas and support retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood. Local commercial development within residential areas, that is of a scale and intensity that supports residents' commercial needs is supported.

3.5.2 a. Sites within the Inner City Area may intensify, particularly in transition zones adjacent to areas designated for higher density (i.e., Neighbourhood Main Street), or if the intensification is consistent and compatible with the existing character of the neighbourhood. Transition zones should be identified through a subsequent planning study.

The proponent's redesignation rationale does not speak to specific policies in the Municipal Government Act (MGA S.640 6 a ii.) in that it materially interferes with or affects the use, enjoyment or value of neighbouring parcels of land,

We believe redesignation of this lot is incompatible with LUB 35: When making a decision on a development permit for a discretionary use the Development Authority must take into account: (d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;

We believe LUB 36 (1) also provides reason for the Development Authority to deny the application. The Development Authority may approve a development permit application for a discretionary use where the proposed development does not comply with all of the applicable requirements and rules of this Bylaw if in the opinion of the Development Authority: (a) the proposed development would not unduly interfere with the amenities of the neighbourhood.