



Public Submission

CC 968 (R2024-05)

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ENDORSEMENT STATEMENT ON TRUTH AND RECONCILIATION, ANTI-RACISM, EQUITY, DIVERSITY, INCLUSION AND BELONGING

The purpose of The City of Calgary is to make life better every day. To fully realize our purpose, we are committed to addressing racism and other forms of discrimination within our programs, policies, and services and eliminating barriers that impact the lives of Indigenous, Racialized, and other marginalized people. It is expected that participants will behave respectfully and treat everyone with dignity and respect to allow for conversations free from bias and prejudice.

First name [required]

Colin

Last name [required]

MacLeod

How do you wish to attend?

You may bring a support person should you require language or translator services. Do you plan on bringing a support person?

What meeting do you wish to comment on? [required]

Council

Date of meeting [required]

Sep 10, 2024

What agenda item do you wish to comment on? (Refer to the Council or Committee agenda published [here](#).)

[required] - max 75 characters

Land Use Amendment - 206 26 Ave SW - LOC2024-0094

Are you in favour or opposition of the issue? [required]

In opposition



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ATTACHMENT_01_FILENAME Sept 10th Oppose.pdf

ATTACHMENT_02_FILENAME

Comments - please refrain from providing personal information in this field (maximum 2500 characters)

I want to express my strong opposition to the proposed land use amendment - the rationale is attached.

Colin MacLeod
#304 220 26th Ave SW
Calgary, Alberta
T2S 0M4



Mladen Kucic File Manager IMC#
800 Macleod Tril SE P.O. Box 2100,
Postal Station 'M'
Calgary, AB T2P 2M5

Re: Application for Land Use Amendment: LOC2024-0094: Public Hearing September 10th, 2024.
Location: 206 26 AV SW

Dear M. Kucic:

I am writing to express my strong and determined opposition to the land use amendment as proposed.

This opposition is based **on the radical departure of this proposal** from the original CBRE/Ledcor proposal. This proposal calls for a high density, micro size apartment building with 15 floors, 136 units, 8 units per floor, **only 63 parking stalls**, with 92 of the 136 units being a one bedroom 475 sq ft in size.

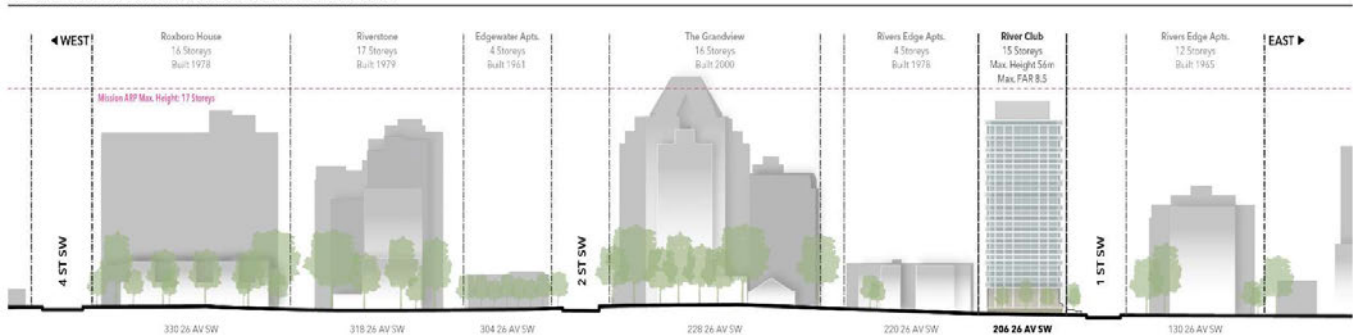
The Lecor proposal, 15 floors, 45 units, only 3 units per floor, with 45+ parking stalls, was billed as a “luxury boutique product catering to the discerning downsizer community.”

The Mission area **is already a high-density neighbourhood** and as such already has its’ fair share of the associated problems such as noise, traffic congestion, parking shortages and crime. Further densification will worsen, not ease these problems and risks overwhelming local infrastructure. It would seem to be inappropriate to attempt to increase density in neighbourhoods that have already reached saturation.

The proposed development has **136 units but only 63 parking stalls**. This means that, at minimum, 73 drivers (and most likely many more) will be trying to find a parking spot on adjacent streets which are already full to capacity daily.

This development **completely misjudges the character and nature of the neighbourhood** along 26 Ave between the Elbow River and 4th St., as shown below. These 2 blocks are home to luxury, high end apartment blocks including RoxBoro House, The Riverstone, The Grandview, the Rivers Edge Apartments, all of which could be described as some of the premium and most expensive residential buildings in the city. The proposed development is of a size far too large for the property and has an architecture which is not at all in tune with the neighbourhood.

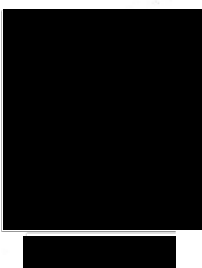
26 AV SW CONTEXTUAL STREET SECTION LOCAL AREA POLICY & SURROUNDING BUILT FORM SCALE



The construction of this 15-story behemoth ***will adversely affect the quality of life for those already in the neighbourhood.*** This will be felt most dramatically for the it's immediate neighbours at 220 26th Ave S.W., as well as 130 25th Ave S.W., and 201 25th Ave S.W. all of which are immediately adjacent to the proposed development, are small 4 story apartment buildings, and will be cast in perpetual darkness as a result.

There will be a development at 206 26 Ave, but it should not be this one. We would welcome as a neighbor a midrise building that complies with the current MH-2 designation and enhances rather than degrades the aesthetics of our street without compromising the quality of life for current residents.

I therefore urge you to reject the application for land use amendment that this project would require.





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First name [required] Zaakir

Last name [required] Karim

How do you wish to attend? In-person

You may bring a support person should you require language or translator services. Do you plan on bringing a support person? No

What meeting do you wish to comment on? [required] Council

Date of meeting [required] Sep 10, 2024

What agenda item do you wish to comment on? (Refer to the Council or Committee agenda published [here](#).)

[required] - max 75 characters LOC2024-0094

Are you in favour or opposition of the issue? [required] In opposition



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ATTACHMENT_01_FILENAME

LOC2024-0094 – 206 26 Avenue SW - Comments Hassan Karim.pdf

ATTACHMENT_02_FILENAME

Comments - please refrain from providing personal information in this field (maximum 2500 characters)

Date: September 3, 2024

File. LOC2024-0094 – 206 26 Avenue SW

Position: **Opposed – may fail to comply with Municipal Government Act**

Summary

While we are supportive of the Applicant’s request for increased units/ha and FAR in theory, we are unable to support this LOC Application in its current form. We primarily oppose the shallow setbacks (1m-4m proposed) that would result from the interaction of an 8.5x FAR and a 15-storey height limit.

| Current Zoning | Proposed LOC | Position of 2392618 Alberta Ltd. | Comment |
|----------------|--------------|----------------------------------|---|
| Units/ha | 395 | 1,200 Support | A higher unit count will allow for smaller suites, which are more affordable, well aligned with a TOD location and well aligned with market demand. |
| FAR | 5.0x | 8.5x Support | The location of this parcel within Cliff Bungalow-Mission makes it a good candidate for higher density |
| Height | 15-storeys | 15-storeys Against | The implied setbacks and lot coverage implied by a tower with an FAR of 8.5x and a 15-storey height would have many adverse impacts. A taller building in this location would eliminate most of these adverse impacts. There is reasonable context to allow for a taller building in this location. |

Exhibit 1. We oppose the LOC Application due to the insufficient setbacks implied by the proposed FAR and height. Appropriate setbacks can be achieved by allowing for a taller, more slender building.

Specifically, the shallow setbacks required to make such a development workable result in numerous adverse impacts affecting immediate neighbors, future residents, the community and the environment. These adverse impacts include noise, shadowing, wind, visual, loss of sky view, drainage, and public realm.

Most importantly, we believe the Land Use Application – as currently proposed – may fail to comply with the Municipal Government Act by materially infringing on the ability of 2392618 Alberta Ltd to redevelop it’s contiguous parcel at 207 25 Avenue SW in the future. We outline this reasoning in this note.

We could support a land amendment with an identical (or even higher) FAR and units per ha count, but allowing for a building up to 25-storeys in height and specifying deeper minimum setbacks and maximum lot coverage.¹

Discussion

A 15-storey building with an FAR of 5.0x implies a lot coverage of ~46%, while the proposed LOC Application requesting a 15-storey building with an FAR of 8.0x implies a lot coverage of ~66%. This increase in lot coverage results in a material decrease in setback depth, both with regards to neighboring parcels and public roadways (both along 1st Street SW and along 26 Avenue SW). Assuming the setbacks from the property line shared with a street is 6.0m, we believe the implied setback from the north property

¹ A 22-storeys could reduce the implied lot coverage from 66% to 49%, while allowing for a similar FAR. There is local context to go upwards of 20-storeys in this location due to the height allowance provided at the Holy Cross Site a couple blocks north, the parcel’s location on the periphery of Mission, and align with draft Local Area Plan (“LAP”).

line would need to be reduced by ~6.6m to make the proposed application workable. This is outlined in the table below.²

| Parcel Area | Storeys | FAR | Implied Lot Coverage | Implied setback from north property line ¹ |
|-----------------------------------|---------|------|----------------------|---|
| 12,500 sf | 15 | 5.0x | 46% | 10.2m |
| 12,500 sf | 15 | 8.0x | 66% | 3.6m |
| Implied setback reduction: | | | | 6.6m |

¹Assumes maximum balconies depth of 2.8m

Exhibit 2. The implied setback is substantially reduced when increasing the allowable FAR while holding height constant.

The proposed setbacks are not aligned with urban design guidelines in Canada and result in numerous adverse impacts with regards to noise, shadowing, wind, visual and loss of sky view as summarized below.³

- **Sky view.** The ability to retain adequate sky view in between building masses is essential to maintain the character, usability, and quality of streets, parks, open space, and neighbouring properties. Lack of sky view can also negatively affect the microclimate and sense of pedestrian scale at grade.
- **Wind.** If towers are located too close together negative impacts may include heightened street level wind effects.
- **Privacy.** Privacy objectives, particularly for residential units, are achieved when tower orientation, appropriate facing distances, and setbacks combine to mitigate overlook between the windows or balconies of one building and those of another.
- **Daylighting.** Access to natural light in the building interior is an important component of residential liveability, workplace productivity, and sustainable building practice. An adequate level of daylighting is achieved for residential buildings when natural light reaches the main living space for part of the day. Tall buildings with small floor plates and adequate separation provide enhanced opportunity for daylighting.
- **Noise.** If towers are located too close together negative impacts from noise emanating from residents and mechanical infrastructure such as generators and parkade exhaust fans are elevated.

Urban design guidelines for towers in large municipalities across Canada prescribe smaller floor plates with generous setbacks to allow for access to natural light, privacy, open up sky views, and mitigate shadowing impacts. **A review of these urban design guidelines outlines setback requirements for towers at 11.5m-15m, substantially deeper than the 1m-4m proposed by the Applicant. We have summarized these setback requirements in the table below.**⁴

² In reality, Urban Design Guidelines typically prescribe deeper setbacks from property lines shared with neighboring parcels and shallower setback for property lines shared along the street.

³ These adverse impacts below have been shamelessly plagiarized from Toronto’s Tall Building Guidelines, the link to which can be found in Footnote 3

⁴ Literature as follows:

Mississauga - https://www.mississauga.ca/wp-content/uploads/2021/09/07121602/W4_4615_Urban_Design_Study_June2021.pdf

Ottawa - https://documents.ottawa.ca/sites/documents/files/design_guide_tall_bldgs_en.pdf

Vancouver - <https://guidelines.vancouver.ca/bulletins/bulletin-west-end-tower-form-siting-setbacks.pdf>

Toronto - <https://www.toronto.ca/wp-content/uploads/2018/01/96ea-cityplanning-tall-buildings-may2013-final-AODA.pdf>

| City | Setback guideline between tower and private property line (m) |
|-------------|---|
| Mississauga | 15 |
| Vancouver | 12.2 |
| Toronto | 12.5 |
| Halifax | 12.5 |
| Edmonton | 12.5 |
| Ottawa | 11.5 |

Exhibit 3. Tower setback requirements as outlined in Urban Design Guidelines of major cities in Canada

As one example, the guidelines for the City of Toronto specifically outlines a minimum tower setback for small corner parcels without a laneway, specifying a 3m setback to the street and a 12.5m setback to the property line shared with another parcel. This is circled in red in the diagram below.

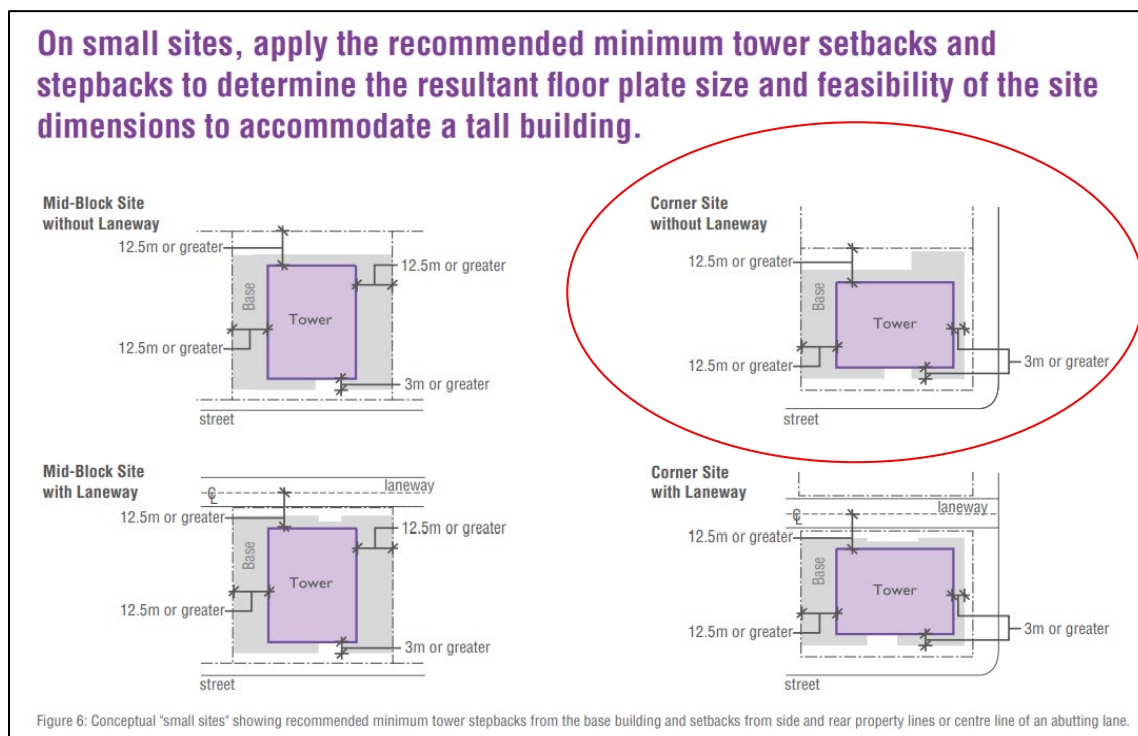


Exhibit 4. Toronto's Tall Buildings Guidelines requires a setback of 12.5m when a parcel abuts a neighboring parcel without a laneway.

Halifax - https://cdn.halifax.ca/sites/default/files/documents/city-hall/boards-committees-commissions/Regional_Centre_LUB.pdf

Edmonton - <https://www.edmonton.ca/public-files/assets/document?path=PDF/TallBuildingGuidelinesDraft.pdf>

As another example, the guidelines for the City of Ottawa explicitly notes that neighbors of adjoining parcels are equally responsible to ensure minimum tower distances are met, requiring each parcel to adhere to the 11.5m setback.

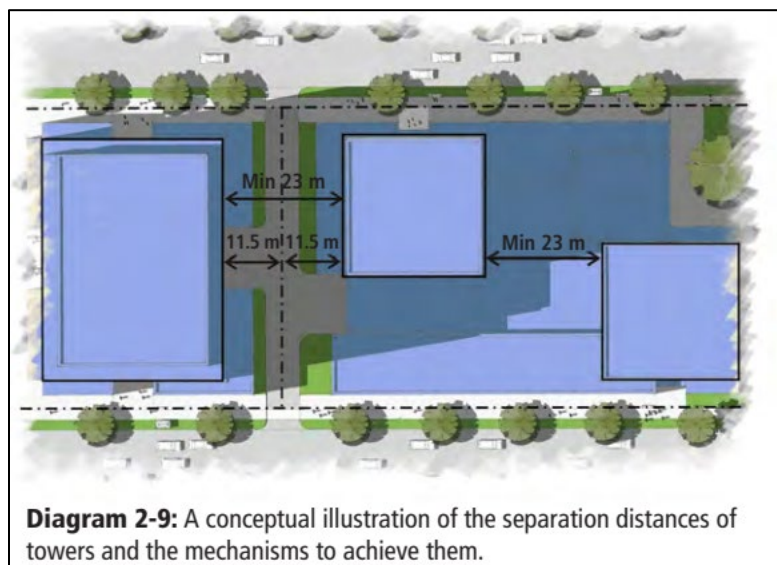


Exhibit 5. Ottawa’s Urban Design Guidelines for High-rise Buildings suggest minimum distances between towers of 23m, equating to setbacks of 11.5m from either side of the property line.

For this specific parcel, the impact of a shallow setback is most acute along the north property line because the primary orientation of suites along the 25 Avenue SW to 26 Avenue SW corridor are north-south. Any adverse impacts of shallow setbacks along the north exposure are further amplified due to the lack of a public laneway separating the two parcels, a feature that typically increases the setback between neighboring parcels by 6m.

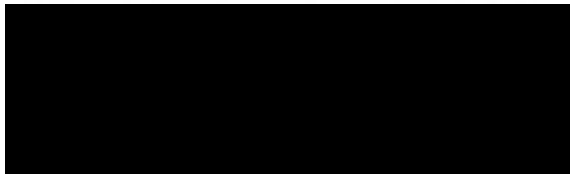
We completed a review of multifamily tower developments in inner-city Calgary from 2000-2024 located in blocks without laneway separation (and along a north-south orientation). Our estimate of setbacks ranged from 8.5m-16.5m. While some of the developments didn’t meet the minimum 11m setback guideline outlined in the literature, they were all “in-the-ball-park.” In contrast, the subject property does not even come close. We summarize this below.

| Development | Year of construction | Neighborhood | Laneway separation | Estimated setback from property line to tower (m) |
|------------------------|----------------------|--------------|--------------------|---|
| Park Point | 2010s | Beltline | No | 16.5 |
| BLVD | 2020s | Beltline | No | 12.5 |
| Portfolio | 2010s | Beltline | No | 11.0 |
| Chocolate | 2000s | Beltline | No | 11.0 |
| Guardian | 2010s | Beltline | No | 9.3 |
| Rouleau Apartments | 2000s | Mission | No | 9.0 |
| Union Square-Underwood | 2010s | Beltline | No | 8.5 |
| Subject property | 2020s | Mission | No | 1-4 |

Exhibit 6. Summary of setbacks for analog developments within Calgary’s inner city

We believe the stark divergence of the proposed setback relative to both urban design guidelines across Canada and analog developments within Calgary makes the land use application imprudent to advance as currently proposed. Furthermore, we believe that the shallow setbacks implied by this Land Use Application potentially fails to comply with Municipal Government Act as it materially infringes on the property rights of 2392618 Alberta Ltd as it relates to developing the contiguous parcel in the future.

Specifically, if towers are permitted to locate too close to side or rear property lines, the result is a “first-to-the-post” development scenario, whereby the need to provide access to sunlight, sky view, privacy, and daylighting, may restrict adjacent sites from developing in a similar manner. One test for the appropriateness of proposed tower setbacks and separation distances is to replicate the proposal on adjacent sites. The cumulative effect should result in acceptable outcomes for shadowing, access to sky view, privacy, and daylighting. As detailed above, if the proposed development was duplicated at 207 25 Avenue SW, it would result in a setback that would be wholly unacceptable, both relative to recent analog developments in Calgary as well as Urban Design Guidelines in major municipalities across Canada.



Hassan Karim, P.Eng., Director
2392618 Alberta Ltd.