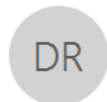


## Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association




Tue 8/7/2018 1:36 PM

Doug Roberts <development@richmondknobhill.ca>

[EXT] Updated Community Association (RKHCA) Comments on LOC2017-0391 -- 2232/36/40 33 AV SW (Courtyard33)

To: Bliek, Desmond

Cc: Lauren Makar; Bob van Wegen; Dennis Cant; Dana Hill; Nancy Miller; Nicholas Milliken; Shamir Charania; Chris Harris; President RKHCA

 You replied to this message on 8/7/2018 3:03 PM.

Mr. Bliek

Further to our February 14, 2018 email to you regarding the captioned land use redesignation application (the "Application"), we understand that it is no longer seeking to redesignate the subject parcels from the existing M-C1 land use district to an MU-2 f4.0 h22 land use district, but is now asking instead for a special Direct Control district to be applied to the subject parcels which is based on MU-2 with the following differences:

- 1) the permitted uses are revised to exclude Liquor Store and include the following newly created uses, being:
  - (a) Permitted Development, being a use that conforms with plans attached to the Direct Control bylaw as Schedule "C", which plans are a simplified version of the applicant's development permit plans for a 6-storey mixed-use building; and
  - (b) Specialized Beer & Wine Merchant, being a licensed retailer of beer, wine and related products, for consumption off-premises;
- 2) the discretionary uses are revised to exclude Liquor Store;
- 3) the maximum floor area ratio for a Permitted Development is 4.0, but for all other purposes is 2.5; and
- 4) the maximum building height for a Permitted Development is 22.0m, but for all other purposes is 16.0m. (the "Revised Application").

The Development Committee for the Richmond/Knob Hill Community Association (the "Association") has reviewed the Revised Application and provides the following updated comments at this time.

The Association is generally supportive of the subject parcels being redeveloped as a medium density mixed-use (retail/commercial at grade with residential above) development, as:

- 1) the subject parcels are located within the boundaries of the Marda Loop Business Improvement Area, and the recently approved Marda Loop Area Redevelopment Plan (the "MLARP") contemplates such development on these parcels;
- 2) the subject parcels' current M-C1 land use designation already allows for medium density multi-residential development, and that land use designation has been in place for many years;
- 3) the subject parcels are currently occupied by a trio of older low density dwellings, which the Association does not consider to be an appropriate use for the subject parcels given their location along this busy stretch of 33 Avenue SW and within the Marda Loop Business Improvement Area;
- 4) a medium density mixed-use development in this location would be of benefit to both the Marda Loop Business Improvement Area and Richmond/Knob Hill, as it would add to the mix of shops, add prospective customers, and help to increase the diversity of available housing options in the area by providing dwelling units that are both:
  - (a) more affordable for first-time homebuyers; and
  - (b) more suitable for seniors and other homebuyers looking to downsize,than the 2- and 3-storey single detached and semi-detached dwelling units that comprise the bulk of the redevelopment that has taken place to date in our community.

However, the Association sees a number of issues that must be addressed, some of which relate specifically to the Revised Application and others of which would relate to any medium density mixed-use development on this block face. These issues include the following:

- 1) Direct Control — Section 20 of Land Use Bylaw 1P2007 ("LUB") provides, among other things, that Direct Control Districts:
  - (a) must only be used for the purpose of providing for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts; and
  - (b) must not be used:
    - (i) in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxations of this Bylaw; or
    - (ii) to regulate matters that are regulated by subdivision or development permit approval conditions.The Revised Application is asking for a Direct Control district to be applied in circumstances that do not satisfy the requirements of Section 20 LUB, as there is nothing unique about the proposed development or the site that could not be accommodated within the MU-2 land use district including, if considered appropriate, a relaxation of the 300m separation rule for Liquor Store uses.
- 2) Permitted Use — Liquor Store is not currently included as a permitted use in the MU-2 land use district, so we do not understand why the proposed Direct Control bylaw purports to exclude it as a permitted use. We also do not understand why it would be considered appropriate for either a 6-storey mixed-use building or the sale of beer and wine to be appropriate uses to be designated as permitted uses, rather than as discretionary uses, for the subject parcels, given that:
  - (a) the only type of building that is currently listed as a permitted use under the MU-2 land use district is an Accessory Residential Building (ie. a garage); and
  - (b) alcohol retailing in any form is not currently a permitted use under the MU-2 land use district, or for that matter under any of the LUB's Commercial land use districts.

## Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association

We would also point out that the proposed Direct Control bylaw doesn't contain any of the restrictions that we would expect to see applied to a "Specialized Beer & Wine Merchant" use, such as a location rule (ie. not on the ground floor) or separation rules (eg. from liquor stores, cannabis stores, schools, etc.). Speaking of separation rules, wouldn't creating a new "Specialized Beer & Wine Merchant" use require that all existing LUB uses that contain separation rules from Liquor Store uses, such as cannabis stores, be amended to require similar minimum distances from this "Specialized Beer & Wine Merchant" use? Finally, it is difficult to foresee how a "Specialized Beer & Wine Merchant" use would particularly benefit from being located off an outdoor amenity space such as a courtyard, given that the beer and wine sold cannot be consumed on-site (except as a special event in a private hospitality area, which presumably does not include a courtyard with public access).

3) Height — At 6 storeys/22m the proposed height limit for a Permitted Development exceeds the 4 storey/16m height limit provided for in the MLARP for this location by 50%/37%, and in the Association's view is excessive for parcels that back onto low density residential developments. Based on the verbatim comments the applicant received at the Community BBQ (being comments 61 to 114 on Page 69 of the applicant's Vision Brief 5.0), half of which expressed concerns about the proposed development's 6 storey/22m height, it is clear that a significant portion of the community feels the same way.

4) Floor Area Ratio (FAR) — The proposed FAR limit of 4.0 exceeds the 2.5 FAR contemplated in the MLARP for this location by 60%, and in the Association's view is excessive for parcels that back onto low density residential developments.

5) Shadowing — Shadow studies prepared by the Association suggest that a 22m high building with the rear setback/stepbacks provided for in Schedule "C" to the Direct Control bylaw will potentially block mid-day sun (ie. when the sun is at its highest point in the sky, and shadow lengths are at a minimum) from reaching the south-facing main floor windows of the homes across the rear lane for approximately 1/3 of the year, from late October to late February, which the Association considers to be excessive.

6) Impact on Area Traffic & Parking — In advance of any further higher density/higher intensity development being approved along this portion of 33 AV SW the Association would like to see a comprehensive transportation plan developed that addresses, among other things:

- (a) vehicle access from 33 Avenue SW;
- (b) traffic calming, including along 21 Street and 22 Street SW;
- (c) parking, including along and to the north of 33 Avenue SW; and
- (d) transit service.

7) Impact on Other Infrastructure — In advance of any further higher density/higher intensity development being approved in this area the Association would like to receive assurances that the water, waste, gas, electricity and stormwater infrastructure in the area has sufficient capacity to handle the additional load of not only this proposed development, but of all development contemplated for this area, or that it will be upgraded in a timely fashion to provide such capacity.

8) Need for Public Realm Improvements/Proposed Road Closure — Any higher density/higher intensity development on this block face will need to be accompanied by significant public realm improvements to be more people-friendly, including to the pedestrian realm along 33 Avenue SW, which is currently quite poor — the City sidewalk is narrow with little "buffer" between pedestrians and the adjacent vehicle traffic, and few public boulevard trees are present. In this regard the Association questions the rationale behind the proposed road closure that accompanies the Revised Application, in which 2.13m of City-owned boulevard across the front of the 2232 parcel is proposed to be consolidated with that parcel. Currently, the City-owned boulevard in front of the 2232 parcel is 5.75m wide, which would allow virtually the entire 6m wide public realm mandated by the MLARP to be accommodated on City-owned land. However, approval of the proposed road closure would only leave 3.62m of City-owned land, making it much less likely that the MLARP's vision for a pedestrian-friendly public realm will be achieved. It would seem to us to make more sense in these circumstances to require the applicant to transfer ownership of the front 2.13m of the 2236 and 2240 parcels to the City, to create a consistent front property line and City-owned public realm that substantially achieves the MLARP's vision.

Thank you.

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

**Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association**



3130 16 Street SW  
Calgary, AB, T2T 4G7

February 6, 2018

Circulation Control  
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Attn: Desmond Bliek [desmond.bliek@calgary.ca](mailto:desmond.bliek@calgary.ca)

SENT BY EMAIL

Dear Mr. Bliek;

RE: Community Association Feedback for LOC2017-0391 (MU-2f4.0h22.0)

Thank you for allowing us the opportunity to provide comments on this application that reflect the vision of the Marda Loop Communities Association (MLCA). The following comments have been written with extensive consideration towards what is best for our communities and our city.

The applicant has, to the best of our knowledge, advertised this project extensively to the communities and given residents an opportunity to provide feedback through their project website as well as in person at the Marda Gras Festival and a Community Engagement BBQ. To-date, the MLCA has taken part in the following engagement with RNDSQL, CivicWorks, and 5468796 Architecture:

- Community Engagement BBQ on September 22, 2017.
- Meeting with the MLCA, Richmond Knob Hill Community Association, Marda Loop BIA, Madeleine Krizan with the City of Calgary, and Brienne Biblow from Councillor Evan Woolley's Office on January 24, 2018.
- Project email updates from CivicWorks throughout the process.

The MLCA recognizes the amount of effort the applicant has put into a design that is innovative, of high quality, and endeavours to be a landmark feature at the gateway to our communities. We appreciate the design facets that could benefit the communities by way of engaging the public through their courtyard space, the "arcade" feature, and a showcase staircase, as well as attempting to activate the lane way via the micro-retail units.

Marda Loop Communities Association Vision:  
An evolving, vibrant, urban community that is engaged, connected, and desirable.

**Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association**

Community Association Feedback for LOC2017-0391  
Page 2 of 2

Despite the above efforts, the MLCA has concerns with the misalignment of this proposal with the Marda Loop ARP. The proposed six storey (22 metre) building is a significant departure from the Marda Loop ARP, which identifies the maximum height at this location to be four storeys in 16 metres. As the Marda Loop ARP was created just four years ago it is not evident to the MLCA what has changed so drastically during this time period to warrant consideration of such an increase in height. Many MLCA volunteer hours and a considerable amount of our community members' time went into the development of the Marda Loop ARP. We also anticipate contributing a substantial amount of resources to engagement on the Main Streets Initiative in the coming months. If our communities are to continue to actively participate and provide input into our redevelopment, we feel that disregarding this thoughtfully developed plan discourages future engagement.

With the Main Streets Initiative for 33<sup>rd</sup> Avenue SW currently underway, and an anticipated timeline of redesignations occurring by mid-2018, it is our opinion that approval of this application would be detrimental to the process. Approval would set the precedent for six story heights along the north side of 33<sup>rd</sup> Avenue SW without the benefit of the comprehensive review of 33<sup>rd</sup> Avenue SW and the surrounding streets and avenues that we expect the Main Streets Initiative will provide. The communities should be given the opportunity to take a proactive role in re-envisioning our Main Street rather than view the process as predetermined by a stand-alone application.

Based on the above, the Marda Loop Communities Association does not support this land use redesignation application. To-date the MLCA has not received any feedback from the residents of our communities. If you have any questions regarding these comments, please contact Lauren Makar at your convenience. Thank you in advance for considering these comments when assessing the merits of this application.

Respectfully,



Lauren Makar  
Director – Planning & Development  
Marda Loop Communities Association  
[development@mardaloop.com](mailto:development@mardaloop.com)



Doug Fraser  
President  
Marda Loop Communities Association  
[president@mardaloop.com](mailto:president@mardaloop.com)

cc: Councillor Evan Woolley, Ward 8 Councillor, [evan.woolley@calgary.ca](mailto:evan.woolley@calgary.ca)

**Marda Loop Communities Association Vision:**  
An evolving, vibrant, urban community that is engaged, connected, and desirable.



**Letters from the Richmond Knob Hill Community Association, Marda Loop  
Communities Association, and Marda Loop Business Improvement Association**



February 14, 2018

**REGARDING: LOC 2017-0391  
DP 2018-0091**

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The Marda Loop Business Improvement Area board is generally supportive of the Courtyard 33 applications.

**Importance of the site**

This is a very strategic site in Marda Loop. It is both a high-profile western gateway to the Marda Loop business district (a Primary Gateway as defined in the ARP), and a "hinge" site connecting the commercial node along Garrison Gate/22<sup>nd</sup> Street and the main Marda Loop high street along 33<sup>rd</sup> Avenue. Our other commercial node is centred at 33<sup>rd</sup> Avenue and 20<sup>th</sup> Street; at present, the distance between the two main nodes of the Marda Loop business district is a bit gap-toothed, with mostly low-density residential uses on the north side of 33<sup>rd</sup> Avenue, and a large gas station on the south side of 33<sup>rd</sup> directly across from the subject site. Development of a continuous, walkable, commercial streetscape on the western portion of 33<sup>rd</sup> Avenue is desirable and indicated in the ARP.

In this context, the BIA desires a prominent, high quality development on the subject site that provides that gateway/hinge function, and encourages new development to fill in the commercial gaps along 33<sup>rd</sup> Avenue. In our view, this application meets that need, and MU-2 land use is reasonable for the location.

**Commercial contribution**

The building has a strong commercial base with some interesting twists. As a BIA we strive to have variety and retain local, independent businesses. Redevelopment can be a challenge in this regard, sometimes displacing less expensive spaces. In this case, the building adds commercial where there was none, and the micro-retail at the corner of the lane provides unusual, lower-cost space that might draw different retailers and consumers to Marda Loop. The courtyard commercial space is also unusual opportunity. The BIA welcomes interesting spaces for unusual or unique businesses and operators.

## Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association



### **Residential contribution**

We also support the residential component. More residents in the area helps to keep Marda Loop vibrant, supports local business and institutions, and provides local living alternatives for long-time residents who want to downsize from a house. For the BIA, more residents means more customers, and more people who can walk to shop and to work. The unusual design of the building also adds variety to the housing options available in the area.

### **Parking**

We are pleased that the project meets/exceeds parking requirements, for both residential and commercial. This will reduce pressure on on-street parking in the business district, which is important for short term visitors who arrive by car.

### **Courtyard and Stairway**

The interior courtyard, with a mix of commercial and residential use, is another experiment – in the local context at least. This unusual space, and the broad steps from 33<sup>rd</sup> Avenue leading to it could make this building a feature of Marda Loop and a destination for and local and visiting shoppers. We can not be certain that this elevated interior space will be successful as public and commercial space, but we acknowledge that it is the developer/owner and the future tenants who are taking the most risk to make it work. The applicant offers a public access easement to secure this as public space, and we ask that the easement be a requirement of City approvals, as the courtyard is so integral to the project and the argument of extra height. More on this below.

### **Sidewalk area**

In terms of the sidewalk, and the “Public Realm Zone” defined in the ARP, the arcade created by the overhang of the building is high, open and welcoming, providing some protection to pedestrians from the weather and creating visual interest at street level. The broad steps leading up to the courtyard extend into the public realm, inviting entry to the courtyard and helping to foster it as public space. The stairs themselves are a kind of public furniture. While the arcade and the stairs do not meet the letter of the ARP, they enhance and improve public realm. Our main concern (satisfied, we believe) is that there be room for mature trees on both frontages, and adequate passage for pedestrians and those with access issues.

## Letters from the Richmond Knob Hill Community Association, Marda Loop Communities Association, and Marda Loop Business Improvement Association



### Infrastructure for public realm animation

The BIA has an interest in decorating and animating the public realm, through Christmas lights, performances, pop-up events, etc. To help facilitate this please include exterior electrical outlets proximate to the trees, the courtyard steps and elsewhere as appropriate. In 2017 we found the electrical outlets at the new Odeon building to be a great asset for our public programming during Marda Pride and Light up the Loop. Elsewhere, we found the lack of outlets was an impediment. Electrical outlets in the public street lights would also be desirable for the same reason.

### Height

In terms of height, the building is higher than the ARP recommends at this site. We recognize this is a consequence of the "big design move" – the interior courtyard. In our view the height is acceptable at this location if it is tied to the provision of the public space, and we ask that this be made as explicit as possible in the land use and the ARP amendment. Ideally, the application would be "tied to plans" to mitigate the risk. We would be concerned, for example, if a land use with this height was approved, but the project did not proceed, and another project went ahead without the high quality public contributions and architecture that mark this application.

Furthermore regarding height: a) we recognize there is precedent for this height at other sites in Marda Loop, and hope that this project will set a precedent for high quality architecture instead; b) being on the north side of the avenue, the building does not shadow commercial sidewalks; c) the site as a gateway/hinge site makes it an appropriate location for a prominent building; and d) the provision of public space and other qualities of the building contribute to the case for additional height, as noted.

### Step back / Façade articulation

Regarding the ARP requirement for taller buildings to step-back somewhere below the fourth floor to minimize massing - we accept the applicant's architectural solution (punch-and-pull façade articulation, etc.) as part of the overall scheme of the building, and note that sidewalk shadowing impacts are not an issue at this location. However, we note the ARP requirement still has value for projects of this size.

**Letters from the Richmond Knob Hill Community Association, Marda Loop  
Communities Association, and Marda Loop Business Improvement Association**



**Conclusion**

The Courtyard 33 proposal is architecturally of high quality; its design is unique and progressive, and will be an asset to the Marda Loop area. While it does push the boundaries of what is defined in the current ARP, and the boundaries of what we might expect, the project is of high merit and meets the needs of this strategic location.

In terms of process, it would be preferable if considerations around height, land use, etc. were more broadly addressed in the community through the upcoming Main Streets process, as we expect they will, but we also appreciate the requirements of an active application which may also be instructive in this regard.

The Marda Loop BIA may have further comments as the process develops.

Thank you to the applicant for reaching out to us and the neighbouring community associations on this project. And to the City, thank you for the opportunity to comment.

Sincerely,

Bob van Wegen  
Executive Director

Cc: Area community associations



**Letters from the Richmond Knob Hill Community Association, Marda Loop  
Communities Association, and Marda Loop Business Improvement Association**



April 30, 2018

To: David White  
Principal, CivicWorks

Re. RNDSQL's Courtyard 33

Dear Dave,

Thank you for your update regarding the Courtyard 33 project.

We would certainly support a Direct Control for the site, as we alluded to in our February 14 letter. This would provide assurance that the quality of what will be built relates to the land use and policy changes being asked for in your application.

Regarding the "Specialized Beer and Wine Merchant" use, for the Brewer's Apprentice opportunity, I haven't had a chance to run it past my full Board but I agree with your rationale and think that such tenant would be a positive addition to Marda Loop. I don't think it would contribute negatively (clustering/proliferation), but rather would be supportive of other offerings in the area. This specialty use would be an interesting evolution of the bylaws like the evolution around craft brewing. Given issues around proximity, I understand you are reaching out to existing liquor stores nearby and I would encourage that.

Sincerely,

Bob van Wegen  
Executive Director

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Marda Loop Business Improvement Area 1638 - 30th Ave SW Calgary, AB T2T 1P4

403.685.5667 | [www.visitmardaloop.com](http://www.visitmardaloop.com)