

## **Applicant's Response to Comments**

### **Comments:**

1. The street is already overcrowded and narrow with no parking available.
2. The only way this works is if there are 2 parking stalls per unit.
3. Rear alley is already congested, is unpaved and is a steep hill.
4. Lack of Suitability For Secondary Suite.
5. Difficult Rear Lane Access.
6. Crime increase.
7. The lot is too narrow to accommodate 3 units.
8. 11 metre height maximum would dwarf the neighbouring houses.
9. If for renters – they will likely create a nuisance in the neighbourhood.
10. Overpopulate the already dense neighbourhood, devaluing existing residences.
11. Loss of Trees (And Effect on Climate Change).
12. Rear Setbacks (And Shading Effect on Neighbours).
13. Lack of Community Benefits.
14. Too Many Garbage/Recycling Bins in Rear Lane.
15. Reduced Green Space.
16. Structural Integrity of Neighbouring Properties.
17. Increase in Foot Traffic.
18. Loss of Character homes.
19. No Fit in The Neighbourhood.
20. Set Precedence for Other Applications Like This.
21. Only Concerned About Developer Profit.

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### 1. The street is already overcrowded and narrow with no parking available

Nearly every home on parkhill street has a rear double detached garage or two parking spaces available off the rear lane. My home is one of the few that only has one off street parking stall. My design will double the off street parking available. Front garages are not allowed on parkhill street which will keep nearly the entire street available for parking into perpetuity.

### 2. The only way this works is if there are 2 parking stalls per unit

Currently there is a lack of a garage on the property. There is one parking stall accessible from the rear. Under the City of Calgary Land Use Bylaw section 341 (6). "in the Developed Area a driveway accessing a street must not be constructed, altered or replaced except where: it is located on a laned parcel and 50.0 per cent or more parcels on the same block face have an existing driveway accessing a street (City of Calgary, n.d.). This means that the only area where on site parking may be provided is from the rear lane. The current land use is R-C2. Under section 443 of the R-C2 land use, 2.0 parking stalls must be provided on site (for new development). (City of Calgary, n.d.) The proposed land use is R-CG. Under section 546 of the R-CG land use, the minimum number of motor vehicle parking stalls for a Contextual Semi-detached Dwelling is 1.0 stall per Dwelling Unit. Additionally, secondary suites under 45M<sup>2</sup> can have their on site parking allowance reduced to 0.0 (City of Calgary, n.d.).

According to the Rocky Mountain Institute (RMI), a group working to decrease America's reliance on fossil fuels, they expect car ownership to begin to decrease as soon as 2020. They see this occurring due to "continued investment in public transit, rising costs for gas, and decreased cost for renewable fuels like solar and wind". This think tank sees, "the widespread embrace of shared, autonomous electric vehicles. When deployed in a way that complements growing transit systems and improved walking and biking infrastructure, these types of vehicles can offer an efficient transportation solution that's more affordable than car ownership for everyone." (Walker, 2017)

There are many alternative transportation methods available other than a personally owned vehicle at this Parkhill location. Car2Go, a popular car sharing service, is available in the Parkhill community (Car2Go). As previously mentioned, the CTrain station is located 500m from the property, providing quick access around the City. Mission, with its many businesses including a Safeway Grocery Store is within a walking distance of 1.4km or 17 minutes (Google Maps, n.d.).

Statistics Canada has very solid data that the average household size is decreasing. The average number of children per family has decreased from 2.7 in 1961 to 1.9 in 2011. During the same period, the average number of people per family has declined from 3.9 in 1961 to 2.9 in 2011 (Statistics Canada, n.d.). This makes it critical to provide new housing forms and types in existing neighbourhoods that meet the current household trends including providing a new housing type called the "missing middle".

The City of Edmonton, in its "Missing Middle" Design Competition, describes the "missing middle" as follows:

*The term "missing middle" refers to multi-unit housing that falls between single detached homes and tall apartment buildings. It includes row housing, triplexes/fourplexes, courtyard housing and walk-up apartments. These housing forms are considered "missing" because there has been a decline in their development in recent decades in many cities and they were never widely developed in Edmonton.*

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*Encouraging this type of housing is essential for welcoming new people and homes into older neighbourhoods and creating complete communities with a variety housing options for people at every stage of life and income level.* (City of Edmonton, n.d.)

On September 24, 2018, Calgary City Council approved amendments to the R-CG land use based on lengthy stakeholder engagement and analysis. One of the desired outcomes was “encouraging more street-oriented rowhouse developments on both corner and **mid-block locations** and increasing side yard setbacks that provide a buffer between new development on corner parcels and the backyard of the neighbouring property.” (City of Calgary Administration, 2018)

The two documents that make up the rules for parking in Calgary are the Alberta Traffic Safety Act and Calgary's Traffic Bylaw 26M96. Neither of these specify that parking rights are attached to private property.

This is where the Bylaw states you can park on a public street: PARKING OR STANDING ON STREETS 13. (1) Unless specifically permitted by the other provisions of this Bylaw, no operator or owner shall park or permit to be parked any vehicle on any roadway or public place for any period longer than is permitted by the applicable traffic control device.

The applicable traffic control device in this case would be a 'parking' sign, or an absence of a 'no parking' sign. If the city hasn't put up a device, and limitations aren't specified in the Bylaw or the Act, you can park on any street.

All roads are considered highways under the Traffic Safety Act and as such as considered public property.

The Calgary Parking Authority offers further guidance on this discussion; “most parking issues in residential areas can be resolved by neighbours discussing the problem and working toward a mutually beneficial solution for all involved. Remember, the road space in front of your house does not belong to you. The public roadway belongs to all Calgarians. It is not for the primary use of the adjoining property owner.” (Calgary Parking Authority, n.d.)

### **3. Rear alley is already congested, is unpaved and is a steep hill, with many vehicles being unable to make it up the hill**

Neighbouring properties have garages that are accessible despite the grade. On the north end of the lane, there is a steep grade as well and double garages have been constructed without accessibility issues. This is a development permit and design issue. The garage can be set back more than the minimum to allow for easier entry if required due to an oversized lot depth of 140m. If residents feel the lane is inaccessible, they can call 311 to voice their concerns as this is a city/roads maintenance issue.

### **4. Difficult Rear Lane Access**

It can be acknowledged that the rear lane slope is quite steep offering some entry challenges, especially in the winter. The original design has been modified for a 20 foot setback offering two additional parking spaces on site as well as ease of turning into the garage. Additional room for the garbage and recycling bins is provided off the public lane to provide for unencumbered vehicle access.

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### 5. Too Many Garbage/Recycling Bins In Rear Lane

This issue was addressed by City Administration in their report to the Calgary Planning Commission on July 26, 2018. They state:

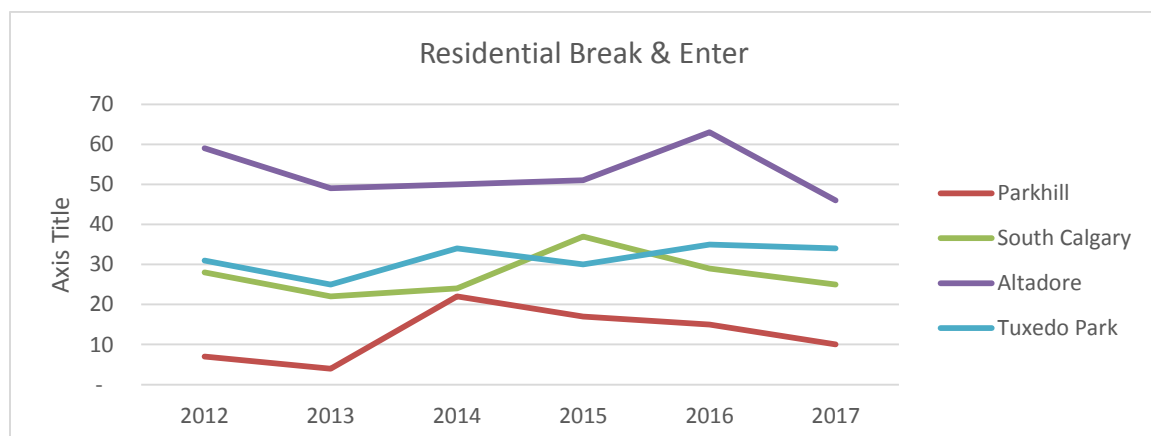
*In addition, since the monitoring report was released another non - policy issue has been noted at public hearings regarding the increased number of Waste and Recycling carts stored in the alley due to the increased number of units in rowhouse developments. There are existing regulations and processes in place that adequately regulate the location and storage of the carts therefore the issue is managed through Bylaw enforcement options. The Waste and Recycling Bylaw requires blue, black and green carts to be placed out no earlier than 7:00 pm the day before collections and to be removed by 7:00 pm from the street or alley on collection day. The development permit plans for rowhouses indicate on - site storage locations for these carts for owners to use between collection days. When carts are left out in the alley, individuals can report the issue to The City and these situations will be addressed by Bylaw enforcement. (City of Calgary Administration, 2018)*

### 6. Increase In Crime (Break and Enter)

There is an implication by some opponents that this application will increase crime in the neighbourhood. City of Calgary crime statistics are available month by month going back to 2012 (Calgary Police Service, n.d.). Two specific categories of crime were considered as they came up during stakeholder engagement, "Residential Break & Enter" and "Theft from Vehicle". It should be useful to compare crime statistics of other inner city neighbourhoods that have seen a rise in infill activity to note whether they are seeing more or less crime than the city averages to make an inference if infill activity reduces or increases crime. The neighbourhoods selected for comparison are South Calgary, Altadore, and Tuxedo Park.

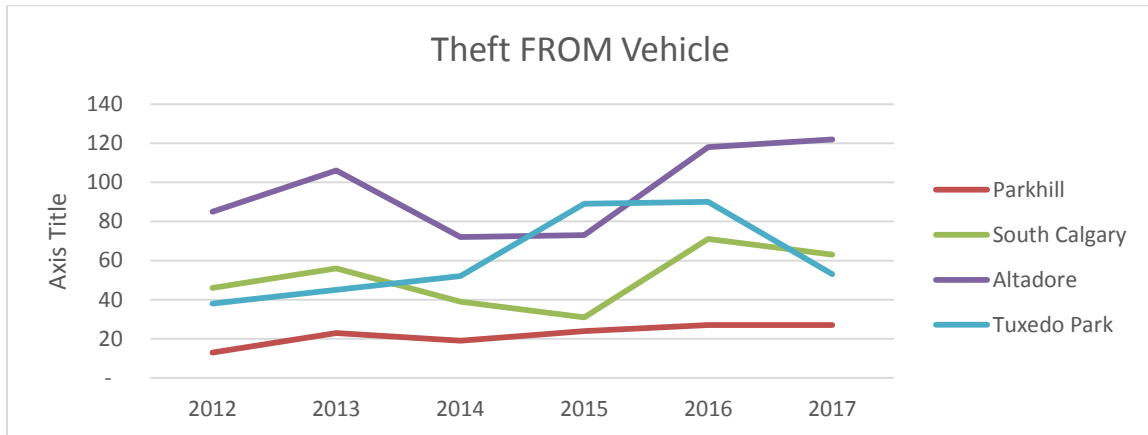
Community residents are right to be concerned about crime in the neighbourhood. Between 2012 and 2017, Residential Break & Enter in Parkhill increased by 43% while this crime category increase by only 19% in Calgary as a whole. In the bucket of comparison infill communities, this crime category decreased by 11% over the same time frame.

Use bar charts instead pasted as pictures with arrow denoting the increase from 2012 to 2017 along with a cumulative total.

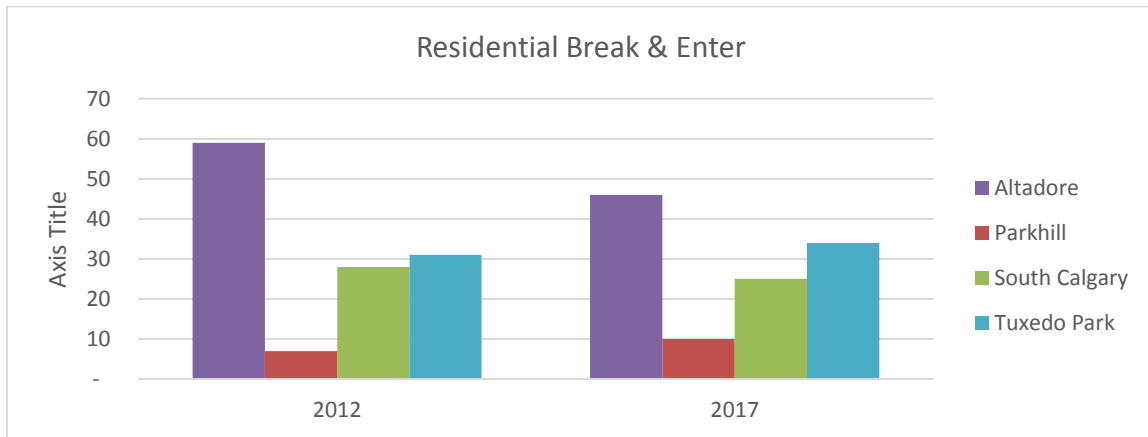


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The Theft from Vehicle crime category increase by 108% in Parkhill from 2012 to 2018 compared to an increase of 47% for the City of Calgary. The infill comparison communities experienced a 41% increase, slightly lower than the City of Calgary average.

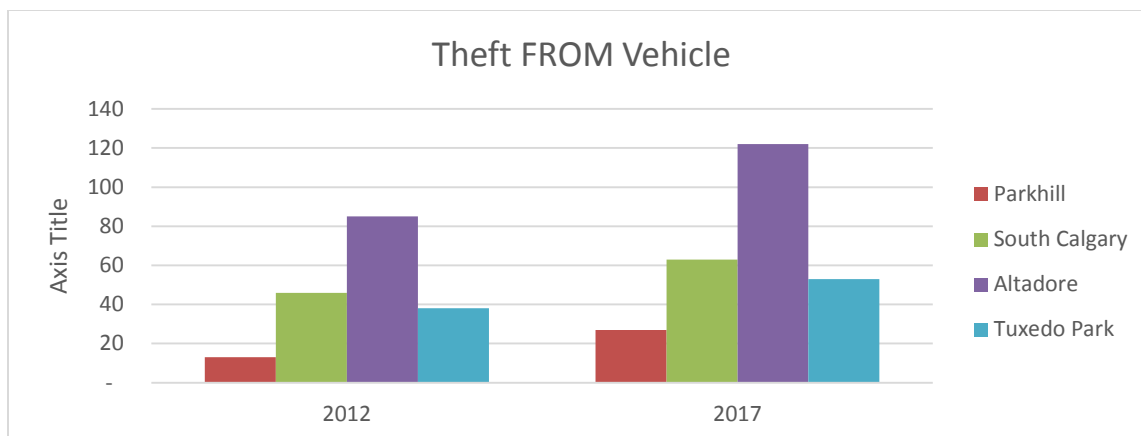


Looking at the crime data, one can understand why Parkhill community residents are concerned about crime. Crime in the community is increasing at higher rates than the City overall. However, by comparing crime rates in rapidly densifying communities, a correlation between higher density and higher crime rates cannot be established.



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### 7. The lot is too narrow to accommodate 3 units

The current property's value is assessed by the City of Calgary at \$430,000 (City of Calgary, n.d.). This is the 8<sup>th</sup> lowest single family assessed value home in the neighbourhood (City of Calgary, n.d.).

Councillors are expected to vote on proposals according to their Representative Roles (Office of the Councillors, n.d.):

- Represent the electorate as the well as the whole municipality
- Gather information and assess in light of what is the common good and;
- Balance the wants of the individual constituents with the needs of the entire community

Further to this, the Municipal Government Act (Province of Alberta, n.d.) provides additional light into how councillors must assess land use redesignations. Under Part 5, Division 3, Section 153, Councillors have the following duties:

- to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- (a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;

The City of Calgary has recently updated the R-CG land use to include more guidance on the secondary suite 0.0 on site parking exemption. Under section 546 (2) The minimum number of motor vehicle parking stalls for a Secondary Suite is reduced to 0.0 where

- the floor area of a Secondary Suite is 45.0 square metres or less;*
- the parcel is located within 600.0 metres of an existing or approved capital funded LRT platform or within 150.0 metres of frequent bus service; and*
- space is provided in a building for the occupant of the Secondary Suite for storage of mobility alternatives such as bicycles or strollers that:*

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- (i) is accessed directly from the exterior; and*
- (ii) has an area of 2.5 square metres or more for every Secondary Suite that is not provided with a motor vehicle parking stall (City of Calgary, n.d.).*

Walking via 39<sup>th</sup> Ave SW, this property is located a 6 minute walk or 500m from the 39<sup>th</sup> Avenue CTrain station and would qualify for this exemption (Google Maps, n.d.).

City Administration has assessed this issue with their recent updates to the R-CG land use.

*Discussions with stakeholders regarding secondary suites and backyard suites focused on some basic principles regarding suites in rowhouse developments:*

*Providing the option for a small rental unit without the added cost of a parking stall was generally thought to be of value by providing housing options generally not otherwise available in low density residential neighbourhoods.*

*The option for a suite without on-site parking should only be available in locations where living without a car is reasonably convenient. The measure of this convenience is indicated based on the availability of other mobility options, such as public transit, and access to nearby shops and services. (City of Calgary Administration, 2018)*

### **8. 11 metre height maximum would dwarf the neighbouring houses**

Current r-c2 land use is a maximum height of 10m whereas R-CG is a maximum height of 11m from grade. Due to the difference in how they are calculated (grade vs. building height) they are very similar if not the same.

The two neighbouring homes are of a similar vintage to my home, early 1900's. The home to the south is approximately 500 SF so any property would dwarf it. The property to the north currently dwarfs mine as it is two stories. The property to the south of the property south of mine dwarfs the neighbouring properties as well but has been built to city land use guidelines.

The proposed massing is shown below that does not appear out of scale for the street:



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### **9. If for renters – they will likely create a nuisance in the neighbourhood**

Once constructed, the units are intended to be sold at market rates at preliminary estimates of \$500-525 PSF. This would equate to a price for each unit of at least \$600,000. With a down payment of 10% (\$60,000) and CMHC Fees of \$16,740 this would translate to a mortgage of \$556,740. RBC posts a current 5 year closed fixed mortgage rate of 3.89% (Royal Bank of Canada, n.d.). On a 25 year amortization, this equates to a monthly mortgage payment of \$2,895.46. Using a mortgage stress test of a maximum gross debt servicing of 32% supported by all lenders and using the current 5.34% stress test interest rate (Canadian Mortgage Calculator), this would equate to a minimum household income of approximately \$125,000 in order to purchase each one of these properties. Based on the OECD income inequality calculator, an income of \$125,000 per household registers in the top 10% of Canadian household incomes (OECD, n.d.). Although this development would register to be a "missing middle" development type favored by the City, the new residents of these units would be of a strong upper middle class income bracket in order to afford the targeted sales prices.

### **10. The proposal would overpopulate the already dense neighbourhood, devaluing existing residences**

In a 2011 article in the Atlantic magazine, density and crime was analyzed. A comment was made that "to offer a policy observation, higher density helps reduce street crime in an urban environment in two ways. One is that in a higher density city, any given street is less likely to be empty of passersby at any given time. The other is that if a given patch of land has more citizens, that means it can also support a larger base of police officers. And for policing efficacy both the ratio of cops to citizens and of cops to land matters. Therefore, all else being equal a denser city will be a better policed city." (Mcardle, 2011)

### **11. Loss Of Trees (And Effect On Climate Change)**

There are two large trees in the middle of the lot that impede any further lot development until they are removed. Over the years, neighbours have expressed concerns regarding branches falling on their properties as the branches extend up to two properties away. The branches are very large and if they were to break, could cause significant neighbouring home damage. There is one additional tree located in the backyard. R-CG land use requires that "a minimum of 2.0 trees must be provided for each unit of a Contextual Semi-detached Dwelling, Rowhouse Building or Semi-detached Dwelling." (City of Calgary, n.d.) This will result in a net gain of 1 tree with 4 new trees being planted to replace the loss of 3 trees. The cost burden associated with tree removal will be covered in the development costs.

### **12. Rear Setbacks (And Shading Effect On Neighbours)**

Under current R-C2 land use, "the minimum building setback from a rear property line is 7.5 metres" (City of Calgary, n.d.). However, there are additional requirements under the General Rules for Low Density Residential Land Use Districts. Under section 347 (3),  
*Where a Contextual Single Detached Dwelling is located on a parcel with a parcel width less than or equal to 10.0 metres the maximum building depth is the **greater** of:*

- (a) 65.0 per cent of the parcel depth; or
- (b) the contextual building depth average. (City of Calgary, n.d.)



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Under the proposed R-CG land use, "the maximum building depth is 65.0 per cent of the parcel depth for a Duplex Dwelling, Rowhouse Building, Semi-detached Dwelling and a Single Detached Dwelling" (City of Calgary, n.d.). As the lot is approximately 140 feet deep, this would mean that minimum building setback from the rear would be 49 feet or 14.94 meters.

Cutting roof line on the north side to provide less shade to the neighbouring parcel

### **13. Lack Of Community Benefits**

The current property's value is assessed by the City of Calgary at \$430,000 (City of Calgary, n.d.). This is the 8<sup>th</sup> lowest single family assessed value home in the neighbourhood (City of Calgary, n.d.) Under Bylaw Number 17M2018, the City of Calgary residential mill rate is set at 0.0039014 (City of Calgary, n.d.) in addition to 0.0024559 payable to the province for a total tax rate of 0.0063573. This means that this property generates \$2,733.64 in annual property tax income. Calgary has been known to have among the lowest residential property tax rates in the country. The City of Edmonton by comparison has a residential tax burden of 0.0086869 (City of Edmonton, n.d.). On a conservative valuation basis (\$500 PSF), the newly built properties (cumulatively) will be valued at \$1,200,000. At 2018 property tax rates, this would generate \$7,628.76 in annual property tax income (or \$4,895.12 in incremental revenue) in addition to building permit fees, development permit fees etc. The problem for the City of Calgary is that the residential tax burden is forecast to rise due to declining downtown office property tax income. In a recent Calgary Sun article, Altus Group stated that "heading into 2019, the Calgary tax rate is currently forecasted to be 17 percent higher than 2018." City staff are also exploring options, including reducing the business-to-residential tax ratio, which can only be done by raising residential property taxes (Thomas, 2018). All residential property owners should prepare themselves for large property tax increases. However, infill development such as this could help provide some subsidy to these large increases. Dissuading infill development will make the property tax increases larger due to lower average property values.

This property is within the walk zone of Rideau Park School. The current enrollment for the school is 397. The average enrollment for grades 4-6 is 26 students per grade. The average enrollment for kindergarten to grade 3 is only 23 students (Calgary Board of Education, n.d.). Some would infer this as a 12% decline in recent school enrollment. These units will be desirable for young families to be within the walk zone of a high-quality school while supporting school enrollment that appears to be dropping. There is precedence for shutting down inner city Calgary schools due to low enrollment. The Montgomery Junior High School was shut down in 2011 due to low enrollment and the remaining students were distributed to school further away (Montgomery junior high closing, 2011)

### **14. Lack Of Suitability For Secondary Suite**

The City of Calgary has recently updated the R-CG land use to include more guidance on the secondary suite 0.0 on site parking exemption. Under section 546 (2) The minimum number of motor vehicle parking stalls for a Secondary Suite is reduced to 0.0 where

- (a) the floor area of a Secondary Suite is 45.0 square metres or less;*
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*Discussions with stakeholders regarding secondary suites and backyard suites focused on some basic principles regarding suites in rowhouse developments:*

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### **15. Reduced Green Space**

Due to the lack of a rear garage and a small home size, the current site coverage is only 19%. This is a dramatic underutilization of a prime inner city lot. Current R-C2 land use provides for site area coverage up to 45%. (City of Calgary, n.d.) The proposed R-CG land use provides for site area coverage of up to 60%. However, due to setback requirements, the proposed build forms will be limited to a site area coverage of approximately 47%, a negligible amount higher than the current maximum. (City of Calgary, n.d.)

### **16. Structural Integrity Of Neighbouring Properties**

This is a building permit issue and will be addressed by City Administration during the development permit process. There is a lack of proper retaining walls on the North side of the property which currently could provide a risk of soil movement. The current home has a 100+ year old dug out style basement which cannot be developed and is unsuitable for any further development or renovation.

### **17. Increase In Foot Traffic**

In a 2011 article in the Atlantic magazine, density and crime was analyzed. A comment was made that "to offer a policy observation, higher density helps reduce street crime in an urban environment in two ways. One is that in a higher density city, any given street is less likely to be empty of passersby at any given time. The other is that if a given patch of land has more citizens, it can also support a larger base of police officers. And for policing efficacy both the ratio of cops to citizens and of cops to land matters. Therefore, all else being equal a denser city will be a better policed city." (Mcardle, 2011)

### **18. Loss of Character homes**

While it is a sad occurrence that some prominent historical homes of significance are demolished to make way for new developments, the current home cannot be seen as one of any significance or future usability compared to the location and size of the lot. The original home was built in 1910 and it is my understanding that it was built as railroad worker housing. It has undergone several additions over the years to bring it to its current square footage of 680 SF. The basement is a dug out style and offers no

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additional living space. The property cannot be expanded towards the front due to the slope and two large trees directly in front of the current front deck. The property cannot be expanded upwards due to a suspect foundation. Include comment citing the Calgary century homes database and how this home is not on it. Calgary Century Homes (<http://www.centuryhomes.org/tourmap/?cyear=2013>), a resource for Calgary Historic Homes, was consulted for this commentary. Not only is 3833 Parkhill Street SW not included in their 2013 homes list, there are no homes in Parkhill listed in the database. Moreover, the Century Homes project lists neighbourhoods in which they consider historic homes to be over significance, namely, Mount Pleasant, Inglewood, Sunnyside, Hillhurst, Elbow Park, Tuxedo Park, Mount Royal, Ramsay and Bankview.

### **19. No Fit In The Neighbourhood**

The quality and consistency of Parkhill's newer infills can be strongly appreciated. It is my intention to work with a high-quality local architect (MODA) to preserve this style. From the front, the new building will blend in with the current street character and will not be noticeable to the untrained eye. The effect of the first few multi storey infills could have been much larger than at this point of community redevelopment. MODA has been the recipient of 41 design awards including 3 Mayor's Design Awards (<http://moda.ca/press-awards/>). They were recently a finalist in the 2018 World Architecture Festival.

### **20. Set Precedence For Other Applications Like This**

Each land use redesignation application is examined individually by City Council. Many other lots are further than 600m from the 39 ave sw CTrain station and as such would not qualify for the 0.0 on site parking stall exemption for secondary suites. The front and side setbacks are nearly identical to R-C2 land use. Building height limits are the same between land use types. The build form is the same but parking relaxations allow for an additional unit that is more saleable and matches changing Canadian household profiles.

### **21. Only Concerned About Developer Profit**

The City of Calgary Council expects significant community engagement for any land use redesignation. I have tried to be as transparent and open to hearing community stakeholder concerns. To this point, I have done several (optional) initiatives (at significant cost) to notify the community stakeholders of this proposed redesignation:

1. Meeting with Parkhill Community Association Board of Directors. This meeting was also attended by a Councillor Assistant to Councillor Farkas.
2. Hand mail flyer drop to approximately 75 homes on Parkhill Street and 1 Street.
3. Facebook posting advertising open house to 120 followers
4. Email to approximately 360 parkhill community residents

The original site plans have been modified in three ways in order to respect stakeholder concerns:

- a. The front setback has been reduced from 3.0m to 4.5m to comply with minimum R-CG setback requirements. (City of Calgary, n.d.) This is a decrease of approximately 85 SF of site coverage, increasing green space.
- b. The 1 storey double detached garage has been moved 15-20 feet from the rear lane in order to address several concerns:
  - i. This provides two additional on site parking stalls, meeting current R-C2 requirements while also quadrupling the current available on site parking

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- ii. This provides additional ease of access from the rear lane in the winter due to a steep slope.
- iii. This provides additional space for 9 garbage and recycling bins that addresses the stakeholder concerns of too many bins in the lane
- c. The north side of the second storey will be angled in order to decrease shadowing effects. Sample shadow studies are provided.

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