

June 1, 2015

City Clerk,
Mayor,
City Councillors

RE: Proposed re-zoning file LOC2013-0102: 1344 Northmount Dr. N.W. (June 15th, 2015)

Your Worship, honourable Councillors and other concerned parties:

Calgary City Council will meet June 15th, 2015 to consider an application for Land Use amendment at 1344 Northmount Dr. N.W. The existing use is Commercial Neighbourhood 2 (C-N2) District, whereas the proposed use is Commercial Corridor 1 f2.0h15 (C-COR1f2.0h15).

The Brentwood Community Association has commented previously regarding both the concerns regarding, and the unsuitability of this proposed land use change (e-mail to Mr. Stuart Gripton, File Manager Land use Planning and Policy (LUPP) #8117 City of Calgary, June 8, 2014) as attached below. It was, and remains the opinion of the Brentwood Community Association and the resident membership of the our community that Brisebois Dr. and Northmount Dr. are both neighbourhood residential streets and that they are not, nor should they become commercial corridors, as implied by the proposed re-zoning.

The Brentwood Community Association is unchanged in its conclusion that the proposed land use change provides no additional community benefit that cannot be achieved within the existing land use. We and our residents have not been presented with sufficient justification or rationale for the proposed change in land use, by the applicant, our city councillor or city administration, other than that the "intended retail/commercial uses at grade would represent an opportunity to enhance the existing commercial node and encourage street activity". This community benefit can be achieved by the current C-N2 designation.

We note that there is an excess of commercial vacancies in our community, typified by the significant vacant commercial space in, Brentwood Mall, Northland Mall and the two completed University City towers adjacent Brentwood LRT station. The provision of additional commercial space does not increase population density, as do the residential developments approved in the Station Area Redevelopment plan, like University City.

We also argued previously that it is inappropriate to consider the proposed change until the effects of other developments, notably the Brentwood Station Area Redevelopment Plan and the recently proposed blanket rezoning of R-1 properties to R-1S, are studied and understood. The current implementation of the Brentwood Station Area Redevelopment plan makes additional commercial densification both premature and currently unnecessary.

Most residents nearby the affected property oppose the inferred impacts on parking, traffic and shadows, which they infer as detrimental to both the value of their properties and their quality of life, that are inherent in the proposal.

We recommend that council not change the land use designation of this property.

Respectfully,

Kirk Osadetz

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Attachment: e-mail to Mr. Stuart Gripton, File Manager Land use Planning and Policy (LUPP) #8117 City of Calgary, June 8, 2014

Mr. Stuart Gripton,

File Manager, Land use Planning and Policy (LUPP) #8117
City of Calgary,
(403) 268-1097

Dear Mr. Gripton:

RE: Application for Land Use Amendment: LOC2013-0102; 1344 and 1348 Northmount Drive Northwest

Below is the Brentwood Community Association response to File LOC2013-0102: 1344 Northmount Dr. N.W. (Amended). Ms. Farrell and her office are copied as a matter of course and practice. The copy to the Mayor is provided in response to my undertaking to certain affected residents who expressed strong opinions regarding the application, and who are BCC'ed.

Application for Land Use Amendment

Existing Use: Commercial Neighborhood 2 (C-N2) District, similar to current commercial properties along Northmount Drive from 19th Street westward.

Proposed Use: Commercial Corridor 1 f2.0h15 (C-COR1f2.0h15), potentially a 15m or a five storey building.

Summary:

1. The applicant has applied to change the land use designation of the property at 1344 and 1348 Northmount Drive, situated at the northwest corner of the Northmount Drive and Brisebois Drive intersection, from C-N2 to C-COR1f2.0h15.
2. The applicant provides one specific indication of community benefit that would result from the proposed land use change. In the applicant's own words, the "intended retail/commercial uses **at grade** would represent an opportunity to enhance the existing commercial node and encourage street activity". This community benefit can be achieved with a one storey building, as is permitted by the current C-N2 designation.
3. The current implementation of the Brentwood Station Area Redevelopment plan makes additional densification both currently unnecessary, and premature, until the impacts of the University City buildings, which are the first phase of the Station Area redevelopment, can be studied and analyzed.
4. The majority of affected residents, specifically owner occupied homes, are strongly against the proposed change.
5. In Brentwood, Brisebois Drive and Northmount Drive are predominantly tree-lined single family residential streets and not commercial corridors. In fact, all of Brisebois Drive and Northmount Drive, west of 19th Street, have the same character. The Brentwood Community Association (BCA) is most strongly opposed to the proposed land use amendment and the BCA insists that no change of C-N2 properties within the Brentwood Community be made without appropriate studies, public consultation and process. BCA suggests that the adjacent Triwood Community Association should be included in such discussions as they pertain to Northmount Boulevard west of 19th Street.

History of this Application for Land Use Amendment:

The Brentwood Community received notification of a proposal to change the the existing land use for the property at 1334 and 1348 Northmount Drive, which is situated at the northwest corner of the intersection of Northmount Drive and Brisebois Drive from Commercial Neighborhood 2 (C-N2) District to Commercial – Corridor 1f2.0h15 (C-COR1f2.0h15). Both properties are indicated on the map circulated with the initial application. The applicant initially submitted that they proposed to construct a two-storey commercial building, and justified their application for change of land use based on the Floor Area Ratio and 300 square metre maximum on certain uses, that are part of the current land use designation. The original submission indicates no community benefit associated with proposed change in the land use. The original application indicated no reason why the application sought a 15 m maximum height for the property as is implied by C-COR1f2.0h15 land use when the current C-N2 designation permits three stories. The application was subsequently ammended by the applicant. The material changes of the ammended application being that the applicant proposed a "4-storey mixed-use building" and the inclusion of a single community benefit, specifically that "the intended retail/commercial uses at grade would represent an opportunity to enhance the existing commercial node and encourage street activity."

Scope of the request and structure of the response:

The Brentwood Community Association can only comment on the land use amendment application, as this is not a development application and the applicants own actions indicate that proposed developments may seek to maximize the provisions of permitted land use. The Brentwood Community Association was concerned that the application requests comment, but it did not include – perhaps because this is not a development proposal – the Community Context Questionnaire that is commonly circulated. The Brentwood Community Association believes that some of the questions in the Community Context Questionnaire are useful to consider when responding to the request to comment on this applied for change in land use.

In the response below we propose to provide:

- A Local Context which the City Planning Commission and City Council will consider when addressing this application.
- Provide land use information related to supporting or objecting to the proposal.

- Identify important issues that the community association thinks should be addressed.
- Provide Community perspective as regards the implementation of local planning policy such as local Community Plans, Area Redevelopment Plans and Area Structured Plans, and in addition,
- To reflect the comments and sentiments of property owners, residents and small business owners in the community.

Local Context:

The property occurs on the northwest corner of Brisebois and Northmount drives in the community of Brentwood. There are commercial C-N2 properties on all four corners, those on the eastern side both being a single storey, and the one on the southwest corner being a mixed use commercial-residential building three storeys in height. The parcel at 1344 and 1348 Northmount Drive is a vacant lot that was occupied by a gas station. All the residential properties adjacent the four commercial properties at this intersection are single storey, single family dwellings. Not all are owner occupied.

The area is tranquil, tree-lined and residential. Both Northmount Drive, west of 19th Street, and Brisebois Drive, up to Crowchild Trail are predominantly single storey or split level single family residences on tree-lined streets, except for the commercial properties at major intersections (19th St.; Charleswood Drive; Brisebois Drive).

There is considerable pedestrian and bicycle use of the intersection, although no designated bikeway. Many Brentwood residents use this intersection. They work or are students at the University of Calgary or in the University Research Park, or they are downtown worker/transit commuters who walk from their homes to the Brentwood LRT station. We know of several people who walk home and back to work during their lunch hour from the Research Park. In addition, the northern sidewalk of Northmount Drive is used by student groups from schools (St. Luke's, Brentwood Elementary, and Senator Patrick Burns) who have activities at either the public library, the public swimming pool/fitness centre or the Brentwood Sportsplex arena. commonly during school hours.

Neither Northmount Drive nor Brisebois Drive are commercial corridors.

Existing businesses are patronized by local residents, many as pedestrians. Many have been operated for more than 20 years under the same owner/proprietor. All business provide parking on their properties, the paved boulevard on the northeast corner of the intersection, and there is essentially no commercial street parking related to the existing businesses, even on weekends.

We are aware that many single family homes in Brentwood have either approved or unapproved secondary suites that are commonly rented to students. There have been two by-law related issues related to such suites in the last year.

As a result the current density of the neighborhood is reasonably inferred to be slightly higher than that indicated by census data because many of the suites are not approved or registered.

Members of the Board of Directors and Executive of the Brentwood Community Association are all elected residents of Brentwood and like our politicians we represent our constituents.

Land use information related to the proposal:

Both Northmount Drive and Brisebois Drive are predominantly single family residential streets and the existing commercial complexes are predominantly adjacent, across the street or alleyway from single storey, single family homes. Most of these homes are still owner occupied and the adjacent properties pleasant yards and decks and consideration must be given to shadows, traffic, parking and other impacts that will result from any development on the site. There are four schools on Northmount Drive adjacent or between Charleswood Drive and Northland Drive. There is also a home for seniors, a library, a city pool/fitness centre, a community centre with a hockey rink and four tennis courts. There is considerable pedestrian traffic, including unaccompanied children walking between neighborhood homes and these institutions and amenities.

The neighborhood low-rise C-N2 commercial buildings at the corners of Brisebois and Northmount Drive are in the character of the neighborhood and the previous gas station that was on the site was about one and a half storey in height. The residents are well served by larger commercial complexes and malls on the periphery of the community, adjacent Crowchild Trail and on Northland Drive. There are commonly vacant storefronts in the commercial complexes on the periphery of the community suggesting that there is no pressing need for additional commercial space. Similar C-N2 commercial nodes exist at major intersections eastward along Northmount Drive where the characteristics of the current commercial buildings are similar to those at the intersection in question.

There is a genuine concern that a change in the land use on one CN-2 property will result in other commercial property owners along Northmount Drive seeking similar land use changes and that, by either accident or lack of plan, will transform a predominantly single family home street that traverses both Brentwood and Triwood into a commercial corridor, without proper studies, community-based consultations or due process. On the western periphery of Brentwood there is a large area of active redevelopment, and densification, related to the implementation of the Brentwood Station Area Redevelopment Plan. This development is only just beginning to be constructed and occupied. This development will result in a doubling of population density in Brentwood, from its current levels and the impacts of this increased density and associated traffic are not yet established. The Community Association has worked positively and constructively to facilitate the Brentwood Station Area Redevelopment Plan and its implementation. Unlike other communities, such as Parkdale, the Brentwood Community Association has decided, based on the experience and situation in communities like Parkdale, to increase density solely by additional housing created in association with the Brentwood Station Area Redevelopment Plan and to leave the essential character of the community unchanged outside of the limits of the Brentwood Station Area. The Brentwood Station Area coincides essentially with properties currently owned and managed by the Calgary Coop and Rio-Can Developments, also known generally as "University City". Our city councilor gave her assurances that no additional densification of other parts of the community would even be proposed until the analysis of the Station Area Redevelopment plan impact was well advanced, which it is not.

Important issues to be addressed

1. The property is currently zoned commercial and the Community has no objection considering a development proposal that conforms to the general requirements of the current land use C-N2, but which might seek specific modification of FAR requirements, an example of which we recently supported within the University City development.
2. The application, even as revised, does not identify any community benefits or advantages associated with the proposed land use change. It is entirely possible to provide the community with "intended retail/commercial uses at grade [that] would represent an opportunity to enhance the existing commercial node and encourage street activity", as stated by the applicant, simply with a one storey building, as is the common case at that intersection and which is entirely permitted by the current C-N2 designation.
3. Both affected streets are predominantly single family residential and there is no interest or demonstrated need to see either transformed into a commercial corridor. It is questionable whether the current street width is appropriate for a commercial corridor.
4. Approval of the applicant's submission would establish a precedent that might affect other C-N2 properties on Northmount Drive west of 19th Street, in both Brentwood and Triwood, effectively establishing a redevelopment policy without appropriate: studies (shadows, mobility, etc.), consultation of all affected stakeholders, or process. Because the Brentwood Community Association views the Station Area Redevelopment process as having been successful, so far, we insist that a similar process be followed considering the potential implications to both Brentwood and Triwood should Northmount Drive be transformed from a residential street into a commercial corridor. It is wrong to set development policy by accident or exception (we make no reference to hidden intention, as none is suspected). If there will be a proposal to transform Northmount Drive into a commercial corridor then we should engage in that discussion properly.
5. There is no need currently for additional increase of population density in Brentwood as the Station Area Redevelopment Plan accomplishes a doubling of community population density and none of the impacts of that policy have been either experienced by the Community or analyzed by the City.
6. We have contacted adjacent neighbors to the extent possible. Those directly affected resident who could be contacted (one adjacent property 1352 Northmount appears unoccupied), and who actively volunteered their opinions, were strongly to vehemently against the proposed change.
7. We contacted some small business proprietors, all of whom are tenants, who provide valuable services that are patronized by community members. Concern was expressed that they might face increased rents, or lose or have interruptions of their businesses should their landlords also seek similar changes in land use and subsequent redevelopment of their properties.
8. The ammended proposal could not be reviewed by the Community Association Directors, but it was discussed by the Executive, who directed this submission, as the ammended application was received after our May Board Meeting, but response is required prior to our June Board Meeting. (Had the initial application not been ammended we would have still rejected the proposed change in land use, but proposed other methods to accomplished the originally sought FAR easements related to a previously proposed two storey building. We had recent experience with amending FAR related to University City and were knowledgeable that you don't need permission to construct to 15 me you plan only to build two storeys.)
9. The proposed height limit of 15m does not fit the surroundings and it is not appropriate for the setting of the property, in fact it is completely out of character with that part of the community. We must be of the assumption that if a use is applied for and approved it might ultimately be the basis for a future development proposal.
10. The setting, history and character of the neighborhood are consistent with the current land use C-N2, adjacent area and other commercial properties at other intersections on Northmount Drive west of 19th Street.
11. The community has no reasonable expectation, given previous political undertakings; interest; or motivation to see proposals for additional densification of the Brentwood Community until the impacts of the Brentwood Station Area redevelopment plan can be assessed or analyzed.
12. The Community, has been invited, but we declined to discuss the development proposal with the landowner or his architect, as we are being asked to comment on a proposed change in land use and not a development plan. We see the two as distinctive processes and intentions that may be driven by profit should not guide principles of land use designation, otherwise we would subdivide our National Parks.

Community perspective as regards the implementation of local planning policy:

Brentwood will be strongly impacted by the Brentwood Station Area Redevelopment Plan. The first residents of the first buildings in a complex that will double community population density are only just moving in and the second phase of construction is below ground. It is premature, and contrary to the political undertaking given previously, that any additional densification of the community should be proposed or occur prior to assessing and analyzing the impacts and effects of even the first few buildings within the Station Area Redevelopment Plan. We would all be prudent to wait until those impacts are understood. It would also be consistent with our desire to understand cumulative impacts.

Different communities have addressed densification differently. In Brentwood we have seen the impact on streetscape, parking and atmosphere that attends the "Parkdale" model of densification. We are of the opinion that the plan for Brentwood, of focusing densification near the LRT station and leaving the majority of the community unchanged in character is both prudent and potentially more desirable, with ancillary benefits such as reduced automobile use. Permit the first experiment to be observed prior to embarking on a second one.

If it is, or will be, policy to transform Northmount Drive into a commercial corridor then this should be properly studied, discussed and it

should follow a successful process like the one which resulted in the Brentwood Station Area Plan. Let us not set civic policy or determine future land use by exception or accident.

Local Perspective:

The vast majority of Community residents who have commented on this proposal see no merit in the proposed change. Only one community resident, who will soon be moving to another community, has expressed support for this proposed change in land use, although they will not experience its potential effects. This proposal attracted active responses and potentially affected residents sometimes contacted the Community Association before we could contact them, which is rare. Some opinions were very strongly against, as might be expected, depending on geographic relationship to the property in question. Still, the proposal is viewed as: premature relative to assessing the impacts of University City developments, unneeded for either density or commercial reasons, and completely out of character with the surroundings both locally and through the predominantly residential portions of the neighborhood.

Conclusion:

1. Do not permit the change in land use from C-N2 to C-COR1f2.0h15.
2. The identified community benefits of “intended retail/commercial uses **at grade** [that] would represent an opportunity to enhance the existing commercial node and encourage street activity” can be met within the current C-N2 designation.
3. To set a precedent for this property might affect other properties, resulting in an undesirable method of setting civic development policy by accident or exception.
4. Provide a clear statement of development policy whether Northmount Drive and Brisebois Drive are residential streets, as they are now, or if there will be plans to transform them into commercial corridors.
5. Brentwood Community Association is willing to work with the developer within the current land use designation to accommodate concerns about FAR, etc.
6. Do not attempt or encourage further densification of Brentwood Community until at least the initial impacts of the Brentwood Station Area Redevelopment Plan can be assessed and analyzed.

Respectfully,

Kirk Osadetz

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