



**West Springs Cougar Ridge Community Association
VIA WEBEX video conferencing.**

Minutes of the WSCRCA Planning Committee Meeting

Tuesday, March 24th, 2020. 7:00 p.m.

ATTENDANCE:

Planning Committee WSCRCA Directors : *L. Nessel, S. Berman*

Regrets: E. Teasdale

Planning Committee Members: *D. Field, D. MacLeod*

Regrets: M. Hammerlindl, P. Sinclair, D. Ho

Guests in Attendance: *None*

Late Arrivals: *None*

Early Departures: *None*

Call to Order and Quorum:

Meeting called to Order by L. Nessel at 7:06 p.m.

Committee members in attendance constituted a quorum (4 of 8 members). L. Nessel acted as Chair.

Approval of Agenda

Agenda was approved.

Approval of Minutes

February 25th, 2020 Planning Committee minutes were approved.

Ripley Land Development, 85th St. & Paskapoo Dr. SW

- Councillor Jeff Davison attended the WSCRCA Board meeting on March 10th, 2020, and gave the following update on this application:
 - For the Ripley application the applicant did several studies that showed the Indigenous sites/artifacts on this land.
 - The City has other studies that show various ancient indigenous sites on Paskapoo Slopes.
 - Parks has spoken to Indigenous elders who say that they consider the importance of this land to be greater than that of Head Smashed In Buffalo Jump. There is a significant buffalo jump there, and a kill sight.
 - Councillor Davison has now spoken to all three land owners - they are all willing to sell.
 - The City is interested in purchasing all 3 sites to make an historical site, including an interpretive centre at the Haas (Scottish Shop) property, hopefully in conjunction with provincial and federal money. (Attractive b/c the Haas property is fully serviced and accessible by the road from the bottom of WinSport.
 - It appears likely that the City would sell the flat portion of the Markin and Ripley lands for housing development.
 - L. Nessel requested that a parking lot for an upper staging area to the Paskapoo Slopes and an off leash dog park be considered on the Markin/Ripley land if this goes through, as there are neither in WSCR at this point.
 - K. Gibson and E. Teasdale requested the small, steep road at the end of 85th St accessing the Ripley land, be closed off to vehicles immediately as nefarious activities are happening there, and cars continually get stuck in the snow.

West Calgary Ring Road:

- WSCRCA Planning Committee members WCRR reps: D. Field, E. Teasdale, and D. Ho.
- E. Teasdale representing WSCRCA in discussions with AT.
- **Controlled Blasting:**
 - AT held 2 information sessions for residents regarding controlled blasting in Nov./19, Jan./20 and on Feb. 12th/20
 - Additional public session was held on March 11th at WinSport.



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- Pathway along west edge of Cougar Ridge:
 - Councillor Jeff Davison attended the WSCRCA Board meeting on March 10th, 2020, and gave the following update:
 - AT has told the City that *at this point* they are looking for funding to complete the pathways by the WCRR.
 - However, as the economy etc changes, any funding may as well.
 - But positive discussions have been had between the City and AT.
 - Councillor Davison strongly supports the importance of finishing this missing link of pathway.
 - **ACTION Remaining:** D. Field to talk to contacts at Bike Calgary wrt what actions they are taking towards pathways along WCRR.

WSCRCA Traffic Update: D. Ho

- D. Ho absent. No update given.
- **ACTION remaining:** Regarding a traffic study of the WS and WR Schools area, this has been delayed as schools are closed due to the COVID-19 situation.

SB2020-0029, 882 - 77th Street SW Subdivision application

- WSCRCA PC sent in comments expressing strong objections to this application to File Mgr. V. Barr, on March 23rd, 2020. Councillor Davison and Mayor Nenshi were cc'd. (See letter below).
- Meeting with file manager V. Barr on March 12th, 2020. L. Nessel & P. Sinclair attended, as well as C. Clark, representative for residents.
- In addition to V. Barr, another member of the Calgary Subdivision Authority was present, as well as a member of the Calgary legal department.
- The Subdivision Authority will make the decision regarding this application. It would be very unusual to send a SB to CPC.
- The City has never seen this situation before so there is no protocol.
- The negotiations in 2000 - 2001 to include the panhandle in other developments did not work out. The City could not force an agreement.
- The first Detailed Team Review (DTR) to be sent out to applicant within the few days after March 12th. There are many questions. After the applicant's response there will be another team review.
- Applicant has indicated he will have a meeting with WSCRCA and residents after first DTR.
- WSCRCA to consider sending another letter to the City after the meeting with the applicant.
- This application may not need a DP, could go right to BP.
- If a DP is required, WSCRCA could appeal an approved DP; but cannot appeal a subdivision approval.
- Subdivision Board needs very specific technical reasons to deny the application.
- Councillor Davison has spoken/met several times with C. Clark and residents regarding this application.
- C. Clark sent letter to file manager, Councillor Davison and Mayor Nenshi on behalf of residents.
- **ACTION:** L.Nessel to send follow up email to Councillor Davison and Mayor Nenshi requesting their attention to this application due to the extremely unusual circumstances.

LOC2019-0177 Medicine Hills Land Use Change, Paskapoo Slopes

- There will be an upcoming Paskapoo Slopes Joint Advisory Committee (PSJAC) meeting in April, 2020.
- Currently there are 3 different Direct Controls Districts for the sites that are identified: Blocks A and B are based on C-COR1 (Direct Control 339D2017); Block H is based on C-COR1 (Direct Control 66D2019); Block I is based on C-R3 (Direct Control 341D2017).
- The base land use districts are not changing: application is proposing to take those three different direct controls and put them under one direct control district with 3 sites.
- Each site would retain their original base district and distinct rules on height, density, etc.
- The applicant is asking for some additional commercial uses and sign types as well as lifting the restriction on commercial uses on the ground floor for site 1 and 2 (both based on C-COR1).



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Meeting Adjournment

The meeting was adjourned at 7:20 p.m.

Next Planning Committee Meetings:

General: Apr. 28th, 2020, 7:00 p.m. via WEBEX video conferencing

General: May 26th, 2020, 7:00 p.m. via WEBEX video conferencing

General: June 23rd, 2020, 7:00 p.m. Location TBA

Signed by:

A handwritten signature in black ink, appearing to read "L. West", is written above a horizontal line.

Chair:

Date: April 28th, 2020

Vice Chair:

A handwritten signature in black ink, appearing to be a stylized "A", is written above a horizontal line.

Date: May 8, 2020



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Community Association

Ms. Vivian Barr
Planning, Development & Assessment
#8201, P.O. Box 2100
Station M
Calgary T2P 2M5

March 23, 2020

Re: SB2020-0029 Subdivision Application for 882 - 77th Street SW

Dear Ms. Barr,

Please find below our comments regarding the subdivision application SB2020-0029, for the property located at 882 - 77 St. SW, in the community of West Springs.

The WSCRCA has historically been opposed to any development on this anomalous segment of land because of negative impacts on many adjacent owners, preferring that a "land-swap" might have been arranged to convert it into a green space.

We now have a further reason for opposing this application for a four unit bare land condominium development: we believe that it effectively seeks the intervention of your office to **frustrate** rather than **execute** the clear will and intention of City of Calgary Council that the land may only be used as a single-family residence with a secondary suite. A close examination of the history of Council's approval of this parcel's current land use designation reveals that it was granted on the *implicit condition* that the use be limited to a single family residence with a secondary suite.

The applicant's express purpose for seeking the 2016 re-designation to R-1s (LOC2016-0218, Bylaw 312D2016) now relied upon, was "to add **a secondary suite to a single family home**": see page 7 of the CPC Report to Council for its December 5, 2016 meeting. In keeping with that, the applicant told Council that he was "proposing one home here" and confirmed ("That's right") when asked whether "at one point you were hoping for four homes on the site but you've settled on **one** in the end". The applicant told Council he was "not sure where I'd put **the** house at this point" or whether the secondary suite would be a basement suite, an above-grade garden suite or a garage suite. In a related "motion arising" Council effectively treated the matter as an application for approval of a single secondary suite and directed "Administration to refund the application costs incurred by the applicant for this Land Use Amendment" on the basis that its practice had been to waive secondary suite development permit fees in other land use contexts, a refund of the \$5000 secondary suite fee for a suite that the applicant does not apparently have any intention of developing.

This long and narrow property of an original panhandle acreage (15.23m X 183.78m) has had a long and concerning history of applications to the City. The land parcel to the south, which includes West Cedar Point SW, was rezoned in 2001. The CPC report for that application noted that attempts to incorporate the "panhandle" into the 2001 application were unsuccessful and indicated that the panhandle lot could be incorporated within a future application for the adjacent parcel to the *north*. However, in 2002, the application LOC2002-031, Bylaw 49Z2003, for West Cedar Place SW to the north of the parcel, did *not* incorporate the panhandle parcel in question. *Therefore, due to these unfortunate events the adjacent residents and the community are now left with a very undesirable piece of land that does not fit into the community fabric.*

At the WSCRCA Planning Committee meeting on February 25th, 2020, 21 residents, representing 16 of the 24 adjacent homes, attended and expressed grave concerns regarding the current application. The Westpark Residents Association has also contacted us regarding their concerns. These West Springs residents are very opposed to the possibility that a landowner could potentially be granted a *de facto* density increase through subdivision when this was not permitted by CPAG in 2016.

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In addition to this central issue, the WSCRCA has concerns over the following technical aspects of this application:

1. **Property Setbacks:** Three of the four condominium units have frontage onto 77th St. SW of only 1.2m. This is insufficient to claim frontage on the main street of 77th for these three units. (Unit 1 has a frontage of 11.0m on to 77th St. SW). Therefore, the three easterly units, front onto the "private condominium roadway" which then dictates the front and rear property lines. The Land Use Bylaw dictates that the front setbacks should be no less than 3m (Div 6, 455(b)) and the rear setbacks should be 7.5m or more (Section 457). Thus, three of the lots designed in this application do not conform to the Bylaws for the R-1s Land Use District.
2. **Fire Safety:** The current building code identifies that there must be a turn-around facility for any dead end portion of the access route more than 90 m long. It also stipulates (NBC 3.2.5.5 AE) that the principle entrance be located not less than 3m and not more than 15m from the closest portion of the access route. This parcel has a length of 183.78 m and therefore does not meet minimum fire code standards without providing a turn around.
3. **Nonconformity to the Municipal Development Plan:** the application does not fit in with the surrounding single family homes in that it does not "respect the character of the low-density residential areas", does not "complement the established character of the area". In addition, it is certainly against the requirement of: do "not create dramatic contrasts in the physical development pattern" (Section 2.3.2 (a) & (c)). Having the condominium units oriented at right angles to the existing homes and only 1.2 m from rear property lines, is significantly different from any other development in the WSCR community.
4. **Shadowing and impingement of sight lines** will be significant for existing residents to the north and south.
5. **Surface water drainage** is a concern as much of the property will be built on or paved, thus significantly increasing water runoff onto neighbouring properties.

In summary, due to the *extremely unusual circumstances* surrounding this application, the WSCRCA is strongly requesting that the City look for an *exceptional solution* that will require the applicant to conform to the original intent of the 2016 land use change. It is *imperative* that the decision for this application not be made solely by the file manager and Subdivision department. This application needs to be reviewed by a committee be it CPC, Urban Planning, or at the very least there needs to be a requirement for a Development Permit.

We strongly urge the City to undertake all steps necessary to ensure that the applicant not be permitted to subvert the clear intention of Council, deviate from the assurances given to Council and accomplish indirectly what the applicant was unable to achieve directly. In other words, superficial and mechanistic reliance upon the technical land designation would permit the applicant to frustrate the manifest intention of Council and create unjust and inequitable consequences for adjacent owners in the process..

Our comments are based on the application as presented. We reserve the right to comment on any changes that may occur from the current proposal or implications that may arise from the proposed application.

Regards,

Linda Nasset
Director
West Springs/Cougar Ridge Community Association

cc: **Jeff Davison**, Councillor Ward 6. Email: jeff.davison@calgary.ca
cc: **Naheed Nenshi**, Mayor of Calgary. Email: mayor@calgary.ca