

From: [vk](#)
To: [Public Submissions](#)
Cc: [Rockley, Matt A.](#); [CAWard7 - Dale Calkins](#); [Lisa Chong](#); [Liz](#); [Mom](#); [Dad](#); [Victor Shiu](#)
Subject: [EXT] Public Hearing Dec 16, 2019 - LOC2019-0058 (CPC2019-1293)
Date: Friday, December 06, 2019 1:08:21 PM
Attachments: [12. Summary of What We Heard Report Responses \(Dec 6, 2019\).pdf](#)
[0. Council - LOC2019-0058 \(Dec 6, 2019\).pdf](#)

To all members of the City Council,

On behalf of my family as directly affected residents, I would like to submit the attached letter and support for review in regards to **LOC2019-0058 (CPC2019-1293) scheduled for Public Hearing on December 16, 2019**. Due to large file size, please use the below link to access/download all of the attachments referred to my letter. We truly hope that you will have enough time to review our comments and concerns prior to the meeting.

<https://drive.google.com/drive/folders/1caf7mC28YjwRI3EL-7HrPK97ce2bg1Qo?usp=sharing>

If we wish to speak against this Application at the Public Hearing, do we have to sign up for the Speaker's List?

Thank you in advance for your time and consideration. I would be more than happy to provide any further information or discuss any of our concerns regarding this Application.

Sincerely,

Victor Shiu, on behalf of my family including Liz Wong, Isabella Fung, and Joseph Shiu
216 15th Street NW, Calgary

403-390-8890
vkshiu@gmail.com

----- Forwarded message -----

From: **Holberton, Kimberly** <Kimberly.Holberton@calgary.ca>
Date: Mon, Nov 25, 2019 at 3:07 PM
Subject: RE: [EXT] Fwd: CPC Re: LOC2019-0058
To: Vic S <vkshiu@gmail.com>
Cc: Planning Advisory & Coordination <PAC@calgary.ca>

Hello Vic

Yes, LOC2019-0058 (CPC2019-1293) is scheduled to go to the December 16th Public Hearing of Council.

You will be able to view a copy of the report on the [Public Hearing for Planning Matters webpage](#) on Thursday November 28th.

The Council Agenda will be available on Wednesday December 11th on the [Council and Committee Agendas, Minutes and Video webpage](#).

You can provide written submissions, that will be included in the Council Agenda, by emailing PublicSubmissions@calgary.ca between Thursday November 28th until 12pm Monday December 9th.

You can speak at the Public Hearing on December 16th, you will have 5 minutes for your presentation, then members of Council may ask you questions.

To speak at the Hearing you basically just need to show up and when Mayor Nenshi ask for people to speak For or Against an item you would go up to the podium, however, if the item is high profile the Clerk's Office will set up a Speaker's Sign-up List. If you would like to sign up on the Speaker's List you can let Clerk's know in advance when you make your submission to PublicSubmissions@calgary.ca.

Thanks

Kim

From: Vic S <vkshiu@gmail.com>

Sent: Monday, November 25, 2019 2:21 PM

To: Holberton, Kimberly <Kimberly.Holberton@calgary.ca>; CPC <CPC@calgary.ca>

Subject: Re: [EXT] Fwd: CPC Re: LOC2019-0058

Hi there, I understand that LOC2019-0058 has been scheduled for public hearing with City Council on December 16, 2019.

- 1) Where/when will I be able to find the agenda for this public hearing?
- 2) If I wish to provide written letters to Council Members for LOC2019-0058, how do I do that?
- 3) if I wish to speak at the public hearing to Council Members, how do I do that?

Thank you for your help!

Victor

On 10/24/2019 3:54 PM, Holberton, Kimberly wrote:

Hello Victor

Here is the [link](#) for the Minutes from October 17th CPC meeting.

Thanks

Kim

From: vk <vkshiu@gmail.com>
Sent: Thursday, October 24, 2019 3:10 PM
To: CPC <CPC@calgary.ca>
Subject: [EXT] Fwd: CPC Re: LOC2019-0058

Hi there, is it possible to have a copy of the minutes from the October 17, 2019 CPC meeting?

Thank you.

Victor Shiu

----- Forwarded message -----

From: vk <vkshiu@gmail.com>
Date: Thu, Oct 10, 2019 at 11:56 AM
Subject: CPC Re: LOC2019-0058
To: <cpc@calgary.ca>, <matthias.tita@calgary.ca>, <ryan.vanderputten@calgary.ca>, <George.chahal@calgary.ca>, <evan.woolley@calgary.ca>, <mfoht@royop.com>, <andrew.palmiere@o2design.com>, <lourdesjuan@me.com>, <jscott@pbaland.com>, <paul.gedye@gwlr.com>, <KSchmalz@genstar.com>
Cc: Rockley, Matt A. <Matt.Rockley@calgary.ca>, CAWard7 - Dale Calkins <caward7@calgary.ca>, Lisa Chong <lisa.c@hsc.ca>, Liz <stubbycactus@hotmail.com>, Mom <seeseefung@hotmail.com>, Dad <ckshiu@hotmail.com>, Victor Shiu <vkshiu@gmail.com>

To all members of the Calgary Planning Commission,

On behalf of my family as directly affected residents, I would like to submit the attached letter (and attachments) for review in regards to **LOC2019-0058 scheduled for CPC on October 17, 2019**. We truly hope that you will have enough time to review our comments and concerns prior to the meeting, as we were only advised of the CPC date less than a week ago on October 4th.

Thank you in advance for your time and consideration. I would be more than happy to provide any further information or discuss any of our concerns regarding this Application.

Sincerely,

Victor Shiu, on behalf of my family including Liz Wong, Isabella Fung, and Joseph Shiu
216 15th Street NW, Calgary

403-390-8890
vkshiu@gmail.com

"What We Heard" Report

Verbatim Feedback categorized as "Supportive Responses" by Applicant

SUMMARY	Correct Category after Review	
TOTAL Verbatim Feedback categorized as "Supportive Responses" by Applicant	28	
LESS:		
Respondent # 22 - Paid Contractor hired by Ocgrow (Metro Glass) Note 1	-1	
Respondents #24-28 - Pro-development Enthusiast Online Forum (SkyRise Calgary) Note 2	-5	
EQUALS: Legitimate Responses from Community out of 28 categorized as "Supportive"	22	100%
Supportive	13	59%
Concerned	5	23%
Mix of Support / Concern	1	5%
Neutral	3	14%
All Non-Supportive Responses	9	41%

[Note 1](#) Comment was not from the community - written by [Metro Glass](#), a paid contractor Ocgrow hired on one of their other projects.

[Note 2](#) Not from the community. Review was copied from a [pro-development enthusiast online forum called SkyRise Calgary](#). Both the dates and comments match word for word as to what is posted on the forum page.
<https://calgary.skyrisecities.com/forum/threads/calgary-211-221-14th-st-nw-26m-8s-ocgrow.29875/>

Respondent	Response	Correct Category after Review	Category Assigned by Applicant
1	Great for the community	Supportive	Supportive
2	Repave the Lane	Neutral	Supportive
3	Provide exterior cleaning for nearby homes	Neutral	Supportive
4	Design to minimize shadows that respects ARP 20 meters	Concerned	Supportive
5	Traffic impact on the lane, 15th street and 2nd avenue needs to be addressed	Concerned	Supportive
6	14th street needs a facelift	Supportive	Supportive
7	Higher density placed where it is needed	Supportive	Supportive
8	Walkability on 14th needed	Supportive	Supportive
9	Laneway is unsafe for the high usage for pedestrians, bikes, loading, parking, it is too narrow (less than standard)	Concerned	Supportive
10	Support adding parking, trees, and pedestrian upgrades on 14th	Supportive	Supportive
11	In favour	Supportive	Supportive
12	back lane at 15 feet need traffic calming, back lane should have a dead end, parking in front of proposed building would slow down 14th and encourage more pan handlers. 14th will look cleaner. In favour of sidewalk improvement if lane and 15st concerns are addressed.	Mix of Support / Concern	Supportive
13	Great project, increase density of 14th street is much needed because of high vehicle traffic, Automotive uses on 14st causes traffic trap. Residential and walking retail is much better.	Supportive	Supportive
14	Would like updates	Neutral	Supportive
15	Kensington is getting a much-needed makeover with this project! Wow, this is impressive and exciting news! Love the vision of this project and the collaborative efforts of OCGrow and the Kensington community. I can't wait to see the finished development. Nicely done!	Supportive	Supportive
16	Good evening, I received your letter and not able to attend above event on 10th as I'm out of town on this date, but I live only 1 block away and are in favour of this development. The traffic along 14th street is so busy and I really like your street rendering of the new look, very classy and big improvement to what's there now, an auto shop with wrecked cars. No-one ever walks by this side of block and think your new pictures of project will really improve this side of street, great job on this and you have my support on this project. Kind regards,	Supportive	Supportive
17	Please stay with in the limits prescribed by the Area Development Plan, which reflects the way we want our community to develop. You are seeking too tall a building - keep it no higher than 20m or 6 storeys) with a Floor Area Ratio of no more than 4.0. You are backing on to low density residential and even at the ARP limits it will totally change the environment for those houses. This e-mail was sent from a contact form on Ocgrow Kensington	Concerned	Supportive
18	Hi there, We live on North end of 15th street & our backyard faces close to your site. It will be nice to have such a nice new project beside us & not the junker old cars coming in and out all the time as is currently the case into the car parking lot behind us. There are tow trucks constantly coming at odd hours of day and night & car parts in the transmission place and undesirable folks behind this car lot all the time. We need a high quality project like this and you have our support on this, we welcome this positive change also to 14th street and your front picture of street side of your building looks so nice, a big improvement to what's here now. If you can, perhaps you can clean-up the alley and any construction mess made during construction to our backyard side? Thank-you. Nicole	Supportive	Supportive

Respondent	Response	Correct Category after Review	Category Assigned by Applicant
19	Hello I am a neighbor across the alley that received a letter in the mail regarding this development. I have two concerns/asks; <ul style="list-style-type: none"> the existing alley will be damaged by large trucks doing excavating / concrete pouring so I would request that the alley is repaved after. I would also request that the block of houses and garages across the alley (mine included) receive a wash after the project is done to remove dust created by the project. Thanks Jocelyn This e-mail was sent from a contact form on Ocgrow Kensington	Concerned	Supportive
20	I live only few blocks away and have been a Hillhurst/Kensington homeowner and resident here for over 25 years, and can confidently say love this new project! Just heard about this when reading the community website yesterday and feel sorry I missed the open house last week. Will you be having another presentation soon? I'm in full support of this project and Kensington needs more of this kind of new developments on 14th street, its so much better than the run down automotive place which is currently there. It would add so much to our community with new retail stores as well, and you have my full support!	Supportive	Supportive
21	I think this would be a great addition and improvement to the area.	Supportive	Supportive
22	We were on so proud of working on a just finished project for OCGROW Group of Company for River Heights in Cochrane, AB. This project is a commercial retail center in the Cochrane, AB. During the construction period, the project management team along with the ownership of OCGROW showed great leader ship and professionalism. Below is our experiences in this project: Their team is very responsive in execute contracts and change orders, respect our trade expertise, good coordination with other trades. 30 days payment term and the shortest waiting time for release holdbacks. this is the smoothest construction project in all aspects our company has experienced in recently years. Metro Glass is looking forward to work with OCGROW Group of Company for up coming Kensington Project.	Not from the community (paid contractor Metro Glass)	Supportive
23	I'm definitely in favor & this Ocgrow project will have a huge positive benefit to 14th Street & we really need more projects like this to replace the old run down existing buildings. This looks so much better than what's here on this location now & it has my full support!	Supportive	Supportive
24	Ocgrow is proposing to develop an 8 storey mixed-use development on the site of the current yellow National Transmission building on the west side of 14th St NW between Kensington Road and 2nd Ave NW. 22,500 sq ft total 12,600 sq ft retail 140 Residential units http://engageocgrowkensington.com No DP yet but they're starting doing open houses. There are some massing images on the website. Not sure why they're showing on street parking. It would be nice if 14th had on street parking, especially both sides, but I don't think that will happen anytime soon. Looking at the site plan further, perhaps they intend to propose to the city to allow shifting the sidewalk west and squeeze in a parking lane. It will be great to have more pedestrian oriented retail units with no setback. Hopefully more developments follow suit.	Not from the community. Review was copied from a pro-development enthusiast online forum called SkyRise Calgary. Both the dates and comments match word for word as to what is posted on the forum page.	Supportive
25	Scale is perfect. It's a little bit higher than the current ARP height, but not much higher. If half decently designed, it'll probably get approved.		Supportive
26	A project of this scale, in that location should easily be approved, but there will be opposition from some residents for sure. My feeling without seeing the end design is that it should be okay, they aren't asking for the moon here.		Supportive
27	The great question: will this trigger a controlled, signaled intersection at 14th & 2nd Ave? It's an urban pedestrian-focused land use vs. historic auto-centric transportation corridor throw-down! For 14th to ever be tamed into the kind of urban place that 10th Street is, it'll have to happen. The continuous "green-wave" heavy traffic needs to be broken up as the streets switches to interchanges both south (e.g. Memorial - 10th Ave) and North (5th Ave - 20th Ave) and has no full-stop intersection for 550m between 5th Ave and Kensington Road. Otherwise it will remain a street that is terrible for everyone - congested and dangerous for cars, terrible pedestrian and transit environment, suicidal bicycle environment. As the city continues to grow and densify, this type of project will happen more and more - a dense urban design in a completely hostile, autocratic environment. MacLeod Trail and Marda Loop both have examples of this already. The city will need to come to terms with it's side of the bargain - with plenty of internal/external struggles I am sure - taming and controlling the traffic flow to reflect the more urban reality that is emerging in pockets.	https://calgary.skyrisecities.com/forum/threads/calgary-211-221-14th-st-nw-26m-8s-ocgrow.29875/	Supportive
28	Parking on 14th would also make a difference into making it more like 10th, but yeah, a controlled intersection at 2nd would be of help. They have a ways to go, in getting rid of some of those businesses with parking lots for setbacks.		Supportive

December 6th, 2019

Victor Shiu
216 15 Street NW, Calgary

To: Members of the City Council

**Re: LOC2019-0058 – Ocgrow Kensington
Policy Amendment & Land Use Amendment in Hillhurst (Ward 7) at multiple properties**

Dear Members of the City Council,

On behalf of my family of four including myself, my wife Liz, and my parents Isabella & Joseph, I am writing to express that we are not in favour of the Application as-is in front of City Council.

We are affected residents living adjacent to the subject property, as our family home is on 15th Street NW directly behind the lane of the proposed development. We have been involved with the *Hillhurst Sunnyside Community Association (HSCA)* on this Application since it was first brought to residents' attention in March 2019. Throughout the "engagement" process, we have repeatedly provided comments/suggestions and corresponding rationale to the Applicant. However, I feel that our concerns of **density, shadowing, lane congestion, traffic impact**, amongst others while perhaps "heard" by the Applicant through the formal engagement process, have not been addressed and largely dismissed (albeit indirectly/passively) by the Applicant. For example, nothing that has been proposed by the Applicant would help to mitigate lane congestion and traffic impact.

From our perspective, this Application provides the means for the Applicant to increase the land value of the subject property by roughly 79% (2.8 FAR to 5 FAR). Assuming a nominal value of \$25 psf gross buildable, the Applicant is poised to gain ~\$1.23 million on land value with the approval of this Application. In return as compensation for the negative impacts on the community and adjacent low-density residential, the Applicant has offered nothing more than stepping of the building at the top, partial paving of the lane (northern portion to 2nd Avenue NW), and \$83,420 (assuming the Applicant receives 5 FAR) as cash contribution to the community amenity fund or equivalent in public realm improvements.

In order to ensure our concerns are heard, I initially attempted to setup a meeting with Ward 7 Councillor Druh Farrell in June 2019. It was my hope that in addition to written comments, my family could verbally communicate and better convey the day-to-day concerns we have from an adjacent resident perspective. I was advised that due to resource capacity her office is unable to meet with individual residents on land use matters. Her office has offered the option to meeting with individuals from the community association planning committee. Since August 2019, myself and other residents involved in the HSCA, have asked for the *Hillhurst Sunnyside Planning Committee (HSPC)* to request a meeting with the Ward office to have a discussion on this file.

Unfortunately, as of the date of this letter the HSPC has remained non-committal and advised they are in discussion about the request for a meeting. As a result, my family and I have not yet been provided with the opportunity to meet with Councillor Farrell and discuss our concerns. For clarity, we are not in objection to all development on the subject property. We are specifically not in favour of the development currently as proposed in this Application, especially without a concurrent DP application to provide more details.

I would like to further bring the following to your attention:

- 1. City Administration received 17 letters from surrounding residents, of which 15 of them were letters of opposition.**
- 2. The Applicant's "What We Heard" report contained 30 verbatim feedback, of which the Applicant categorized 28 as supportive responses and 2 as concerned responses. This is false and misleading. **Out of the 28 "supportive" verbatim responses as categorized by the Applicant, only 13 were truly supportive responses.****

The rest were incorrectly categorized by the Applicant, or simply not comments from the community (paid contractor and pro-development enthusiast online forum). I have included as attachment #12 a table showing the details to back up the misleading nature of the categorization of these results.

- 1 response was from a contractor, *Metro Glass*, hired by the Applicant on another project
- 5 responses were copied from a pro-development enthusiast online forum *SkyRise Calgary* (<https://calgary.skyrisecities.com/forum/threads/calgary-211-221-14th-st-nw-26m-8s-ocgrow.29875/>)
- 5 responses expressed concerns
- 1 response was a mix of support and concerns
- 3 responses were neutral in nature
- Only 13 responses out of 28 were supportive in nature

- 3. The Application requests for a maximum height of 26 metres at first glance, however in reality the request is for 30 metres.** The fact that the additional 4 metres can only be used for indoor common amenity space does not change that it is increasing the physical height of the proposed building. The effective result is that the Applicant gets a taller building. Instead of placing any indoor common amenity space below the 26 metre height, the Applicant can utilize the equivalent density for additional residential units and increase their profit.

Additionally, the 30 metre height was a surprise to the community at large until the Calgary Planning Commission meeting in October, as the Applicant has consistently presented their ask to be for a maximum height of 26 metres. We only discovered this upon reviewing the materials prepared for the CPC provided by City Administration.

We would truly appreciate it if City Council would take into consideration our concerns, and impose on this Application at a minimum the three suggested requirements/conditions in the following pages.

1. Reduce the proposed maximum FAR and building height to respect the existing ARP maximum of 4 FAR and 20 metres.

Rationale: The proposed DC land use is for a 5 FAR (79% higher than Base FAR, 25% higher than ARP max), with an effective building height including indoor common amenity space of 30 metres (88% higher than Base Height, 50% higher than ARP max). The 30 metre height was a surprise to the community at large until the Calgary Planning Commission meeting, as the Applicant has consistently presented their ask to be for a maximum height of 26 metres. We only discovered this upon reviewing the materials prepared for the CPC provided by City Administration.

The Applicant claims that they must achieve the proposed FAR and building height for their project to be financially feasible. Regardless of whether that claim is true, the Applicant as a private enterprise chose to pursue the subject property while fully aware of its existing land use and potential maximum per the in-place ARP.

Density	FAR	Source
Base FAR	2.8 FAR	C-COR2f2.8h16
Max FAR (Area B)	4.0 FAR	ARP (page-65)
Proposed DC Land Use	5.0 FAR	LOC2019-0058

Building Height	Metres	Source
Base Height	16.0 m	C-COR2f2.8h16
Tallest Existing Bldg (same block)	17.0 m	Applicant Package (page-10)
Max Height (Area C)	20.0 m	ARP (page-67)
Proposed DC Land Use (Base)	26.0 m	LOC2019-0058
Proposed DC Land Use (incl. common amenity space - indoors)	30.0 m	LOC2019-0058

In 2017, my wife and I relied on the ARP as one of the factors in making our decision to purchase and live where we do. Then in 2018, my aging parents also made the decision to downsize and move in with us at our family home. Just as the Applicant chose to make an investment, my family and I made an investment on our property. We made the decision while considering that any redevelopment which might occur would be in accordance with the current land use, or at most up-zoned to within the ARP limits. It is unfair for us (and other adjacent residents along 15th Street NW) to have our quality of life unduly impacted negatively, just because the Applicant (a private business) potentially paid too much for the subject property at their own discretion. All property owners (whether individual homeowners or business enterprises) should be required to adhere to the same rules and treat each other fairly.

The Applicant claims that the mid-block position of the subject property is equivalent in context to higher profile parcels at the intersections of 14th Street NW & Kensington Road NW. This is factually false even if the Applicant dismisses the community's position as merely "semantic" in their DTR response. Although unconfirmed, it has come up in discussions that the Applicant has additional ownership interests in other parcels along the 14th Street NW corridor. If this Application is approved, it is clear that the Applicant (and other property owners along the corridor) would rely on this as a precedent for increased density/building height for the whole block along 14th Street NW.

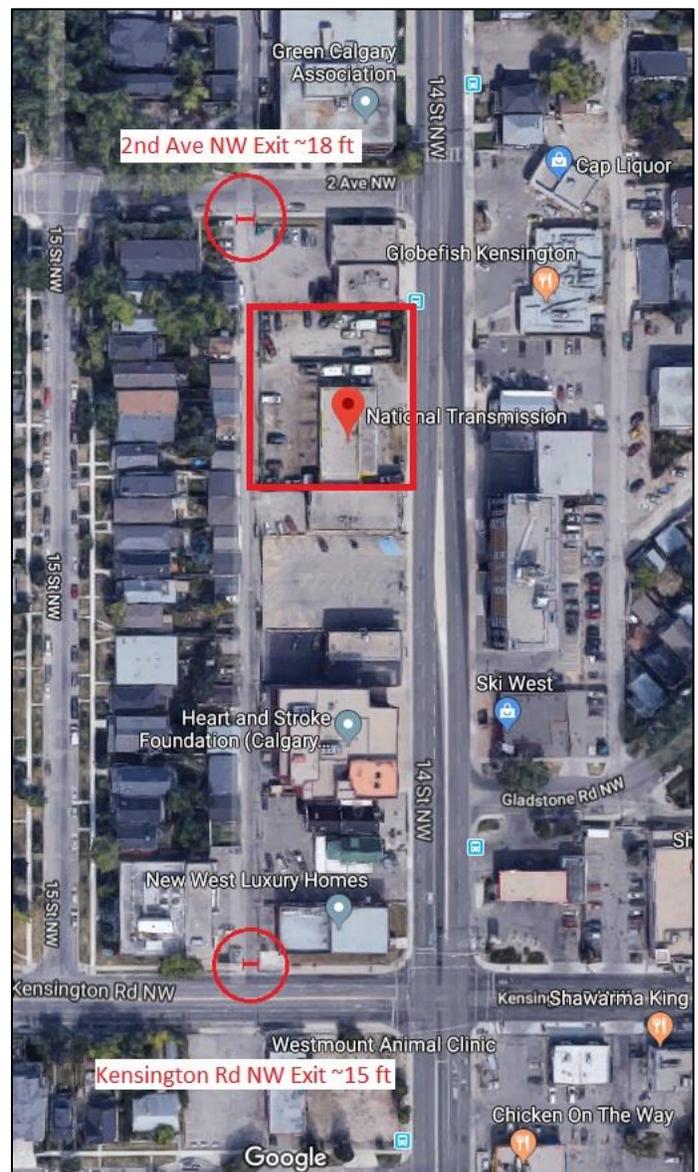


2. Requirement as a condition precedent for the completion of a study/proposal from relevant experts on how the lane can be improved from a day-to-day perspective focused on traffic/speed, safety, usability, and aesthetic. The completion of all lane improvements shall also be made a condition subsequent as part of the Application.
 - a. The study/proposal shall be fully funded by the Applicant but administered through the City/HSCA to ensure objectivity.
 - b. The results outlining possible improvement options shall be made available for review between the Applicant, City, HSCA, and directly affected residents behind the lane.
 - c. All agreed to lane improvements shall be fully funded by the Applicant.
 - d. Scope of the study/proposal and lane improvements shall be for the full length of the lane spanning from Kensington Road NW to 2nd Avenue NW.

Rationale:

To-date, the Applicant has not confirmed any meaningful site improvements in order to mitigate the expected negative impacts to the lane. The only two suggestions by the Applicant so far have been paving of the northern portion of the lane from the subject property, and installation of speed bumps. However, it is my understanding that City Administration has expressed they would not support speed bumps along the lane.

Effectively, the Applicant has offered no realistic site improvements in relation to the lane. Please do note that with Hillhurst being an older neighbourhood, the effective width of the lane in discussion is severely undersized at approximately 14 feet considering the utility poles.



3. Requirement of a concurrent DP submission with this Application, or alternately for land use to be contingent/subject to future DP approval.

Rationale: As evident through the engagement process, DTR comments and other discussions it has become clear many considerations and bonus density trade-offs can only be clearly illustrated/reviewed with a concurrent DP application. These include specifics such as the intended site layout of garbage/recycling/compost receptacles, building envelope stepping, appropriate retail uses and operating hours while being immediately adjacent to low-density residential, amongst many others.

The Applicant has noted that they do not want to incur the costs associated with a DP application without first receiving land use. It is my opinion that the costs associated with a DP application is simply a cost of business at the Applicant's choice, when they decided to pursue above-ARP maximum density and height. It is only fair that they provide the necessary information for proper evaluation and review by all relevant parties (City Administration, CPC, Council, HSCA, adjacent residents) since the Applicant is the party initiating the land use process and the party that would reap the benefits from the subject property.

In consideration of your time, I have tried to summarize only our most pressing concerns in this letter. We have also included with this letter attachments of additional comments, suggestions, and support materials previously sent to Calgary Planning Commission, City Administration, Ward 7 office, HSCA, and the Applicant over the last 8-months. Thank you in advance for your time and consideration. I would be more than happy to provide any further information or discuss any of our concerns regarding this Application.

Sincerely,



Victor Shiu, on behalf of my family including Liz Wong, Isabella Fung, and Joseph Shiu
216 15th Street NW, Calgary
403-390-8890 | vkshiu@gmail.com

Sent by e-mail

Cc: Matt Rockley, Planning & Development, The City of Calgary
Dale Calkins, Senior Policy & Planning Advisors, Ward 7 Councilor's Office
Lisa Chong, Community Planning Coordinator, HSCA

Attachments

- | | |
|--|-----------------------------------|
| 1. Initial Letter to City | June 4 th , 2019 |
| 2. Comments to City on TIA | June 6 th , 2019 |
| 3. Additional Comments to City | June 9 th , 2019 |
| 4. Comments to City after Applicant Presentation | June 12 th , 2019 |
| 5. RK Letter to HSCA after Applicant Presentation | June 13 th , 2019 |
| 6. Response to RK Letter | June 17 th , 2019 |
| 7. Comments to City on DTR | July 10 th , 2019 |
| 8. Comments to City on Proposed Streetscape Improvements | August 22 nd , 2019 |
| 9. Comments to City on RK Response to DTR | September 18 th , 2019 |
| 10. Comments to City on Precedents of Key Architectural Components | September 18 th , 2019 |
| 11. Comments to City on Public Realm Enhancements & Bonus Options | November 13 th , 2019 |
| 12. Summary of "What We Heard" Report Responses | December 6 th , 2019 |