

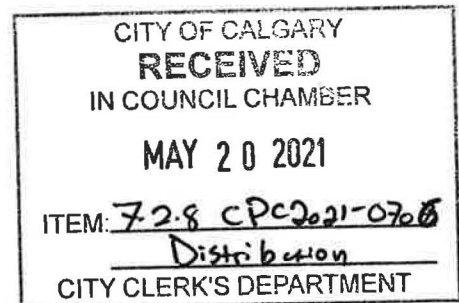


## Calgary Chinatown Community Association

卡加利華埠街坊會

May 14, 2021

The City of Calgary  
Secretary to the Calgary Planning Commission  
P.O. Box 2100 Station M  
Calgary, AB T2P 2M5  
[cpc@calgary.ca](mailto:cpc@calgary.ca)



**File Number:** LOC2020-072 – 121 2 Avenue SW

**Planner:** Colleen Renne-Grivell

Dear Calgary Planning Commission

Thank you for allowing the Calgary Chinatown Community Association (CCCA) the opportunity to provide comments on Land Use Amendment Application LOC2020-072. We are saddened and disappointed by the applicant's letter and their indication of submitting the same Development Permit as previously appealed. We are also concerned with their absence of public engagement prior to the applicant submitting this application for re-zoning. To us, it indicates that they do not intend to work with the community to come to a reasonable solution. We ask that you strongly consider not approving this application.

Our concerns with the application stem from such comments as "... and the proposal was designed to fit contextually within the fabric of Chinatown, in alignment with the requirements outlined in the revised land use bylaws 38P2015, 179D2015, and the Chinatown ARP."

If the development fit within the Bylaws and the Chinatown ARP we would not have had grounds to appeal the application and these revisions would not be required. We believe they are using this as an opportunity to revise a Land Use to suit a plan instead of altering the plan to suit the approved Land Use. The applicant often refers to adding flexibility to the DC, but the currently approved DC guideline was already tailored to their project as per their original specifications. Adding flexibility to the DC guidelines speaks to the fact that the project is not solidified and plans that were submitted and are going to be resubmitted are speculative only.

We are also concerned with the timing of the application. The city and the community have begun the process of working on Tomorrow's Chinatown, the new Cultural Plan, Local Area Plan (LAP) and Area Redevelopment Plan (ARP). We recommend that this application not be considered until these documents are in place and can be used as guiding documents. This application is premature and requires extensive scrutiny by the planning and transportation departments.

Finally, as a representative of the residence, tong and business owners of the community, we have always stated that we do not believe that it fits within the context and culture of the community. Should not those that are part of the culture be the final judge of what is in context to that culture?



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### DC Tied to a Plan and Concurrent DP Application

Should the CPC decide that this revised Land Use be considered prior to the completion of Tomorrow's Chinatown, the new Land Use and Development must comply with the eight (8) Chinatown Development Guiding Principles, as approved by Council, the existing Chinatown ARP and existing Chinatown Handbook of Public Improvement.

**We also respectfully request that the approval of the proposed new DC Bylaw be tied to a Plan and that a concurrent Development Permit application be approved with no appeals prior to acceptance.** Given the history of the file and applicant, we feel that this is a prudent and required step. The previous Land Use Amendment was withheld third reading until an approved Development Permit was obtained. The applicant waited until just before the expiry date to submit an application, received third reading and then withdrew the Development Permit when it was appealed. We do not feel that they fulfilled the requirement of receiving the 2015 Land Use. We believe that tying the Land Use to a Plan it will lessen the likelihood of the same issues recurring.

Below are our comments on the requested modifications to the DC Land Use Amendment. However, as there is no such thing as a revised DC Land Use Application and this must be a completely new Land Use, we would like the Development Authority and Council to consider some of the other shortcomings of the approved Land Use. **It is important to note that Land Use Guidelines not only serve the interests of the property owner but also serve the overall public interests in Chinatown and the downtown area.**

### Site Access

- In the previous design, the applicant had all the underground parking access located on 2 Avenue SW. We feel strongly that this is not appropriate. As per the Chinatown ARP, 2 Avenue SW is classified as a local road and has several seniors residences located on both sides of the street. We take the safety of our residents, especially our seniors, very seriously and do not believe that the parking access on 2 Avenue SW takes this into consideration. Additionally, 2 Avenue SW is effectively only a single block long, as it does not extend west beyond 1 Street SW and to the east is the lighted intersection at Centre Street, with the priority given to the traffic on Centre Street. The approval of the Green Line development and the increase of BRT traffic on Centre Street will only perpetuate this issue. It would be more appropriate to locate all vehicle access on 3 Avenue SW as this is more of a traffic corridor with better access east and west.

### Location of Uses

- We would also ask that consideration be given to the uses on site. In the previous application, the applicant located the hotel on 2 Avenue SW and the residential buildings on 3 Avenue SW. We suggested numerous times that it would make more sense for the residential to be on 2 Avenue SW as it is surrounded by other residential buildings. The hotel is more conducive to being located on 3 Avenue SW due to the improved pedestrian, vehicle, taxi and bus access. Additionally, there is the possibility that a connection to the +15 network could be sought from the hotel should it be located on 3 Avenue SW.

### 8(a)(ii) Floor Area Ratio

We are not in support of revising the word "and" to the word "or". Diversity is very important to the community and we believe that the wording in the Land Use is intentional and reflective of this goal. The Tong Houses are of significant importance to the community, it is our concern that if this wording





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is revised that this development will lose these important cultural spaces. 9.0 FAR is a significant increase in area and we believe it is not too much to ask that the space be diverse in its uses.

### 8.1 Mandatory Residential

We are not in support of the revision to revisit the 60% residential rule. We do not believe that this has anything to do with the phasing, as it clearly reads that 60% of the FAR for **any building** must be comprised of one or more of the following uses: Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development or Tong House. Therefore, all the buildings on the site must meet this clause independent of phasing.

As with 8(a)(ii), this clause speaks to the diversity of the site and the fact that we are a Residential neighbourhood. The applicant refers to the protection of this diversity in their rationale by indicating that 8(a)(ii) ensures the diversity but has also asked to revise that clause. This is another strong reason that we are requesting that the Land Use be tied to a Plan.

### 11(1) Use Area and 11.1 Retail Storage Frontage

We have some concerns with the revision to the maximum use area and the maximum frontage widths. The maximum use areas and widths of individual units are proscribed to fit with the contextual neighbourhood. The small storefronts are an important part of the cultural identity of Chinatown and therefore are an important part of the planning document. It is important to the community that the main floor retail enhance the pedestrian-oriented public realm that contributes to the ambiance of Chinatown.

Additionally, we do not believe that a multi-tenanted food hall type of venue is appropriate on the main floor of the development. We would be willing to accept a larger use area on the second floor, especially if a +15 was contemplated.

### 12 Building Setbacks

We are strongly opposed to any revision to the setbacks and in fact, would prefer that the setback was increased. There was a lot of thought and time put into this matter by Council when the existing DC was approved. The 1.5 meters is already below the 2.134 meters in the Chinatown Handbook for Public Improvement. We would be willing to accept the removal of the maximum depth of 3.0 meters should the minimum depth of 1.5 meters remain. This would provide flexibility and assist in the addition of outdoor patio spaces and a more pedestrian-friendly environment.

We also have concerns with the lack of addressing the side setbacks and rear setbacks in DC179D2015. We understand that the *front property line* is defined as

- (a) the property line separating a parcel from an adjoining street;
- (b) in the case of a parcel that adjoins more than one street, the shortest property line that is parallel to the direction of travel on the street;

For the subject site this would be 1 Street SW. We would like it added that for a side setback and rear setback where the parcel shares a property line with any street, the front setback area requirement applies. We strongly believe that this was the intent of Council and is part of the CC-X zoning. This is a loophole that needs to be closed.



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### 13 Residential Window Separation for Property Line

We do not support a revision to the window separation as the separation of the new building from the existing surrounding residential towers is important to maintain. No one wants to look into their neighbours' windows.

### 14(1), 14(3), 14(4) Required Motor Vehicle Parking Stalls

We do not support a reduction in parking anywhere in Chinatown. The community is an important hub for all of Calgary and many people come to the community via single passenger vehicles, especially in the evenings and weekends. We have repeatedly asked that no relaxations be granted and that any applicant be encouraged to supply on-demand spots for hourly parking. This is also supported in both the Chinatown ARP and Chinatown Handbook of Public Improvement.

We do not support the request that the cash-in-lieu be suspended. This is in line with the original DC zoning, the DC zonings of the rest of the community, the Chinatown ARP and the Chinatown Handbook of Public Improvement. We ask that this fund please be used to provide public parking in Chinatown to rectify the shortage of parking in the community.

### 15(d) Sunlight Protection

We do not support any type of relaxation to the shadowing requirements. The park and the Seniors Centre are important parts of the community. The current DC guideline is very clear on these requirements and is in line with the previous DC guideline and the Chinatown ARP. The applicant's argument that the property to the west will cast a shadow should not be considered as this is speculation. We do not know what form or when any development on that parcel will take place.

### 16 Building Height and 17 Podium Height

We do not support a reduction in the 20 meter setback from 2 Avenue SW, especially as the applicant does not indicate what sort of change they are looking for. This was carefully thought out by Council and a thoroughly discussed element with the approval of the current DC guideline. The 46 meter height and 4-storey podium limit within this 20 meter setback are there to ensure that the new building interfaces with the contextual height of the neighbouring buildings. 2 Avenue SW is a residential street and as such any new development should fit into the existing fabric of the neighbourhood.

### 19 Architectural Motifs

We do not support this change as this is of critical importance to the community. We object to the wording proposed as we do not believe that the Development Authority has the right to judge Cultural significance if they are not part of that culture. The City is currently in the process of developing Tomorrow's Chinatown and upon completion, this document will improve the direction of development in the community going forward.

Should this Land Use Amendment go through prior to the completion of Tomorrow's Chinatown the incorporated motifs and architectural elements should only be evaluated by the Urban Design Review Committee alongside a committee of delegated Chinatown members to act as a cultural authority.





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Should you have any questions or require any clarifications please reach out. We are more than willing to work with the city and the applicant on the future development of the property.

Sincerely,

Ed Tam  
President, Calgary Community Chinatown  
Association  
t. 403-617-7911 e. [ccca.yyc@gmail.com](mailto:ccca.yyc@gmail.com)

Tiffany Whitnack, M.Arch, Architect, AAA, MRAIC  
Secretary, Calgary Community Chinatown  
Association  
t. 403-813-6959 e. [TWhitnack@shaw.ca](mailto:TWhitnack@shaw.ca)



May 19, 2021

The City of Calgary  
 Attention: Calgary Planning Commission Members  
 P.O. Box 2100 Station 'M'  
 Calgary Alberta T2P 2M5

Re: Policy Amendment and Land Use Amendment in Chinatown (Ward 7) at multiple properties,  
 LOC2020-0072, CPC2021-0706

Your Worship, Madame Chair and Members of the Calgary Planning Commission

It has come to our attention that the Chinatown Business Improvement Area (BIA) public feedback on the requested amendment to District Control (DC) District (Bylaw 179D2015) and to Chinatown Area Redevelopment Plan (ARP) on behalf of the 200+ corporate, retail, dining, and professional services taxpayer ratepayers and property owner landlords have not been included in the City Planning File Manager's Report. As a mixed residential / commercial district, the input of these businesses is critically important to Calgary's tourism industry and cultural destination. Please accept this direct submission accordingly.

**The Chinatown BIA and its ratepayer members respectfully request that the Calgary Planning Commission (CPC) give very careful consideration to amending the Direct Control District (Bylaw 179D2015) and the Chinatown Area Redevelopment Plan (3P86) as the amendments:**

- **WILL FOREVER CHANGE THE CULTURAL CHARACTERISTICS OF CHINATOWN**  
*"Chinatown is a unique cultural enclave of Calgary which visitors and tourist alike come to experience Alberta's Chinese Canadian history and heritage" cited Mayor Nenshi at a Hong Kong Canada Business Association Dinner (2016).*

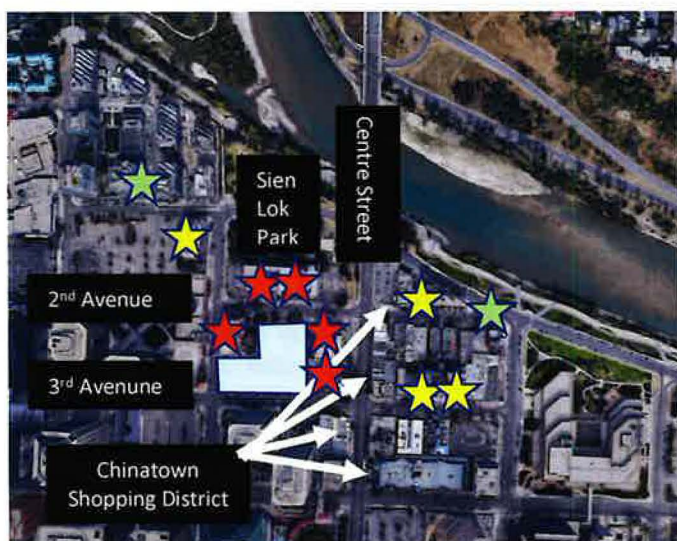
Chinatown is a treasured low-density residential/commercial district with a population of approximate 2,500. Approximately 1,800 residents (as denoted in Red and Yellow Stars on the satellite map view) live within 1 block of the proposed 'redesignation site' and most speak a foreign Asian based language (i.e. Cantonese, Mandarin, Tibetan, etc.). Approximately 32% or 1,600+ (2016 census) are seniors over the age of 65.

Ten percent (10%) of Calgary's population identify themselves as immigrants of Chinese origin and many frequent Chinatown for its cultural heritage. Additionally, there are over 100 different Chinese Ethno-Cultural Associations in Calgary with members from all parts of Calgary that visit Chinatown for family, social, medical, shopping and dining reasons.

It is important that the Direct Control District Bylaw explicitly respect the wishes of the community and local businesses that, 'Calgarians want an authentic Alberta Chinatown'.



All future land use and development permits must reflect Chinatown's 110+ year history and heritage and not be associated with parts of Asia do not bearing to Calgary's Chinese cultural heritage. The proposed Direct Control District Bylaw does not explicitly refer to Calgary's Chinatown heritage as an expression of architecture and Asian motif. The Chinatown Area Redevelopment Plan – Chinatown Handbook for Public Improvement is a better guide of historical and heritage relevance and should be directly referenced.



In 2016, City Council approved eight (8) guiding principles for which were based upon public engagement feedback. Critical to these stakeholders were the need to preserve Chinatown's cultural and historical relevance, status as a residential-mixed use community, a pedestrian friendly experience with a high walkability index, housing for all ages, a variety of options to travel into Chinatown, place of public gathering, safety and cleanliness standard, and commercial activities to support the community.

As Chinatown is centrally located within 1 block of Centre Street, adherence to these 8 principles is critically important.

- **FAILURE TO ENGAGE**

Through 2015, 2016, 2018 and 2020/21, the Owner of the property 'El Condor Lands' have ignored the Chinatown BIA's request to meet and discuss amendments to the Direct Control Bylaw, Chinatown ARP, Tomorrow's Chinatown ARP, and an appealed Development Permit which was subsequently withdrawn before appearing before the Sub-Division Appeal Board. Numerous attempts to connect were made by the BIA's Executive Director through the City Planner, Development Applicant, and the owners directly. Aside from the general public information sessions, there were no formal meetings ever including this application to amend the Direct Control Bylaw and the Chinatown ARP.

- **NO DEVELOPMENT PERMIT INTENTIONS SUBMITTED**

On November 12, 2018, City Council gave 3<sup>rd</sup> reading to the Direct Control Bylaw 179D2015 and Chinatown ARP Amendment following Calgary Planning Commission approval of a Development Permit (DP2018-2769, CPC2018-1093). The DP was immediately appealed on grounds that the Development Authority did not take into account the policies of the ARP, Municipal Development Plan (MDP), DC Bylaw, access and transportation requirements, compatibility with surrounding developments, and the appropriateness of the development for the site. The applicant decided

to cancel the DP application before the hearing by the Subdivision and Development Appeal Board. The Applicant has stated the amendment to the DC Bylaw (179D2015) is intended to add clarity and flexibility as well as correct some clerical errors.

If the intentions of the DC Bylaw amendment are to resolve the DP issues identified with the SDAB appeal in 2018, it remains a community interest to receive, review and comment on a newly revised DP. Chinatown is anxious to develop the community for the introduction of more business and residential improvements. Failure to provide a concurrent DP application leads to speculation that a future development is not forthcoming and doubt that a new DP will be submitted anytime soon. Calgary's economic and market conditions are no different in 2021 than it was in 2018 with the exception of the pandemic.

- **DELETION OF SECTION 17(3), (4)(a)(b) MOTOR VEHICLE PARKING STALL REQUIREMENT**  
The Chinatown BIA is not supportive of the deletion of Section 17(3) and (4)(a)(b) as availability, accessibility and affordability of parking in Chinatown is a perennial concern. Many patrons to Chinatown arrive in private vehicles as their journey often is a family trip with 3 or more people, a grocery shopping trip where numerous bags including 50lbs bags of rice are often purchased, and part of a multi-destination journey that often includes other downtown destinations.

**(3)** For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.

**(4)** For all **uses** other than **Dwelling Units**:

(a) a minimum of 75 percent and a maximum of 100 per cent of the required parking stalls must be provided on site unless limiting transportation and engineering constraints are demonstrated; and

(b) a cash-in-lieu payment must be provided for the difference between the total number of required parking stalls and the number of parking stalls provided within the **development**. Such payment will be based on the cost of constructing the required number and type of parking stalls in accordance with **Council's** policy and calculated at a rate per parking stall established by **Council** at the time payment is made.

The current at-grade parking lot contains over 250 parking stalls for community and downtown use. With the potential of a six-storey commercial/office podium, hundreds of residential units, and the provision of bike storage and commercial waste removal and shipping dock facilities on the property, any loss of on-demand or monthly parking on this site would be very detrimental to Chinatown's economic and business viability.

- It is understood that removal of this requirement means parking requirements reverts to the Land Use Bylaw (1P2007). The planned bylaw upgrades are unknown but there is high probability that parking requirements will be reduced as indicated in the Greater Downtown Plan.



Additionally, the Chinatown BIA submitted comments to the Development Authority on July 24, 2020 (last year) which are not included in the Proposed Amendment package. This is attached for your consideration, however, in summary the concerns expressed at that time include:

- Lack of Public Engagement
- Inappropriate Public Notice – Signboard Obscured Behind Bushes
- Failure to Submit a Concurrent Development Permit
- Failure to Abide by the Eight (8) Chinatown Development Guiding Principles
- Failure to Align the Particular Type of Residential Use with the Needs of the Community
- Failure to Acknowledge How Multi-Tenant Food Hall Venue Could Ever Be Accommodated
- Failure to Provide Minimum Setback of 3M
- Failure to Provide Residential Window Separation
- Failure to Continue the Cash-in-Lieu Parking Program
- Failure to Abide by Council Policy for Sunlight Protection at Sien Lok Park
- Reduction of the 20M Setback on Development along 2<sup>nd</sup> Ave SW
- Failure to Acknowledge the Requirement for an Alberta-Chinese Cultural Motif Guided by the Tomorrow's Chinatown Cultural Plan
- Failure to Protect 2<sup>nd</sup> Avenue SW as a Low Density, Low Traffic Volume Residential Roadway
- Failure to Designate 3<sup>rd</sup> Avenue SW as the Primary Commercial Roadway
- Failure to Provide a Plus15 Network Connection
- Failure to Restrict Hotel Development on 2<sup>nd</sup> Avenue SW
- Failure to Provide a Minimum 1000 sq ft of Tong Association Space
- Failure to Provide On-Street Festival and Events Performance and Viewing Venue
- Failure to Replace Current On-Street Parking for Monthly Parking and Off-Street Commercial Parking

Finally, The City's Tomorrow's Chinatown - Cultural Plan will be reaching its conclusion 3Q2021 and followed by a Chinatown Local Area Plan in 2022. The proposed amendment to DC Bylaw (179D2015) and Chinatown ARP (3P86) is ignorant of the outcome of momentous replacement of the Chinatown ARP with a modern Local Area Plan.

Sincerely,



Grace Su,  
Chinatown BIA Chair

cc: Mayor Nenshi  
Colleen Renne-Grivell, The City of Calgary  
Ed Tam, Chinatown Community Association  
Malcolm Chow, Chinatown Cultural Centre  
Liza Chan, Calgary Chinese Elderly Citizens Association  
John Dong, Sien Lok Society



Terry Wong,  
Chinatown BIA Executive Director







July 24, 2020

The City of Calgary  
Planning and Development Department  
Circulation Control IMC 8201  
P.O. Box 2100 Station M  
Calgary, Alberta T2P 2M5  
Attention: Colleen Renne-Grivell

File # LOC2020-0072 – 121 2<sup>nd</sup> Ave SW

Dear Ms. Renne-Grivell,

Thank you for the opportunity to review Land Use Amendment Request – LOC2020-0072 as requested by the 'Applicant' - Perkins and Will Architects and the 'Owner / Developer' - 2236796 AB Ltd. or El Condor Lands.

Thank you also for following up on our inquiry about the public notice sign placement on 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SW. The sign subsequent placement has raised the Chinatown community's awareness of this amendment request as additional adjacent property owners and concerned Chinatown stakeholders have approached the Chinatown BIA in recent days thus delaying out reply until now. We agree with their concerns and some are included in this response.

#### **Who we are, the Chinatown BIA**

Established November 8, 2015 by Calgary Municipal Bylaw, the Chinatown Business Improvement Area (Chinatown BIA) as a non-profit organization representing the Chinatown businesses and merchants to promote and improve the Chinatown business district and to fund activities to promote and improve economic vitality of this area.

The Municipal Government Act mandates of a BIA include:

- Improve, beautify, and maintain property in the area;
- Develop, improve and maintain public parking;
- Promote the zone as a business or shopping area; and

the BIA achieves this through:

- Enhancing Chinatown's economic development through promotion and marketing;
- Improving the physical environment (i.e. cleaning, maintenance, beautification, etc.) of public spaces in commercial areas;
- Developing, improving and maintaining public parking;
- Advocating for policies and practices that support economic vitality in the commercial areas;
- Playing a leading role in area revitalization
- Working with their communities on public safety and crime prevention efforts;
- Investing in public art (e.g. ice sculptures, murals, etc.) and sponsor some of Calgary's most popular events (e.g. Chinatown Street Festival, Chinese Lunar New Year, etc.);
- Collaborating with The City to address operational issues in the community (e.g. parks, land use, urban design, redevelopment, physical improvements, public safety, maintenance, traffic, transit, cycling, parking, etc.); and,
- Providing input on policies to support economic health.

Chinatown BIA Response to:  
 File # LOC2020-0072 – 121 2<sup>nd</sup> Ave SW  
 July 24, 2020  
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In the strategic plan of the Chinatown BIA, the ratepayers have adopted three fundamental goals to improve Chinatown and economic vitality:

1. Keeping Chinatown Clean and Safe
2. Making Chinatown a Must Visit Destination; and
3. Establishing a Great Visitor Experience.

The Chinatown BIA undertakes serious consideration of initiatives to improve Chinatown through good urban design (i.e. cultural plan, local area plans, transportation and transit plan, etc.), land use policies (i.e. area redevelopment plans, land use bylaws, etc.), well-considered development plans and quality constructed buildings.

**Land Use Amendment – 121 2<sup>nd</sup> Ave SW  
 and other addresses on the permit application  
 File # LOC2020-0072**

Scope of the Review and Comments

Thank you for the opportunity to review, comment and submit our thoughts and concerns about

- the proposed amendments to Direct Control Bylaw (DC179-2015);
- the implications to other aspect of the proposed 'new' DC Bylaw; and,
- the ramifications of other City policy commitments and considerations

The Chinatown BIA supports urban growth and development plus the economic revitalization and opportunities that these commitments and investments bring tomorrow and in the future to Chinatown.

We have been guided since 2016 by a long-term vision and series of ten (10) guiding principles established by the Chinatown Community Stakeholders' Committee (CCSC) when it first addressed Owner/Developer's initial land use amendment request. This community-based understanding was intended to focus the community when dealing with land use planning discussions, place making initiatives, landscape and building design, real estate and property development, business growth and development, and plans for municipal infrastructure additions and improvements.

The following is the Vision Statement; the guiding principles are found in Attachment 1.

**Calgary Chinatown is an iconic place and cultural community  
 that prides itself for its heritage, open space and Asian streetscape and architecture.**

**It is a most walkable, accessible and livable community,  
 a thriving authentic small-business district,  
 an intergenerational social and community hub, and  
 a most visited local and tourist destination.**

Of the guiding principles, the ability to maintain a 'human-scale' is of great paramount consideration. **The Chinatown BIA has great concern that these land use amendments and other expectations under Direct Control Bylaw 179D2015 will dwarf and overshadow the other vital elements, sites and social aspects of Chinatown.** It is with this concern where the following comments have established context.



Chinatown BIA Response to:  
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### General Comments

Since the initial Direct Control Bylaw was established in 2016, Calgary has faced changes that must be addressed in the new Direct Control Bylaw for these properties, specifically,

- **8 Guiding Principles for Chinatown Development** (Council approved - 2016)
  - it is imperative that each of the 8 guiding principles be explicitly specified in the Direct Control Bylaw;
  - that the DC bylaw provide the technical specifications and desired expressions of appearance, function, or utility; and
  - the cultural articulations and aesthetics be defined.
- **Green Line LRT Alignment and BRT Expansion** (Council approved – 2020)
  - it is imperative that a Traffic Impact Assessment be reconsidered, if not re-evaluated, consistent with traffic and transit accessibility study along 2<sup>nd</sup> and 3<sup>rd</sup> SW
    - to and from Centre Street South and the Centre Street Bridge
    - to and from Riverfront Avenue SW
    - to and from 3<sup>rd</sup> Avenue SW
  - it is imperative that a pedestrian and cyclist impact assessment be conducted along 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SW and 1<sup>st</sup> Street SW
    - to and from Centre Street South and the Centre Street Bridge
    - to and from Sien Lok Park and Riverwalk;
    - to and from 2<sup>nd</sup> Ave / 2<sup>nd</sup> Street Green Line LRT
- **Downtown Strategy** (underway)
  - It is highly advisable that the Applicant consult the City Downtown Strategy Project Team with respect to Calgary downtown revitalization strategies related to 'Live', 'Work', and 'Play' urban planning considerations. The downtown core currently has close to 30% office vacancy, 9% retail vacancy, and growing concerns about long term recovery due to COVID-19, downturn in the oil and gas economy, the lack of economic diversification plan, and 8.6%% unemployment rate. We cannot afford to build excess capacity before its time.
- **Plus15 Network Policy update** (underway)
  - Chinatown has long hoped that the City's Plus15 Network boundary extends into Chinatown and especially along 3<sup>rd</sup> Ave SW between the Sun Life Building and the El Condor Lands project. The Urban Design Review Committee even made this suggestion in their review of the previously submitted Development Permit in 2018.
- **ramification of Local State of Emergency** (i.e. COVID-19 lessons learned)
  - this global pandemic has forced government and society to recognize the need for
    - social distancing,
    - sheltering in place,
    - sanitizing stations,
    - provision of daily living and life support
    - 'environmentally-healthy' building designs which is unconducive to the broad spread of unhealthy pathogens (airborne or surface growth)
- **Public Unrest, Damage and Looting** – recent protests following anti-racism movements highlight the need for greater CEPTED evaluation to prevent unwanted gathering, hiding, and ultimate physical damage to buildings and surrounding public infrastructure, public art, and monuments
- **Homelessness, Rough-Sleepers, Encampments** – due to recent economic downturns, downtown office vacancies, job and income loss, and increases in mental health population, Calgary Chinatown has seen a significant increase in this city's homeless and rough sleeping crowd and an increase in illegal public encampments. A more thorough CEPTED review is required.

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### **Comments on the Applicant's Submission for Land Use Amendments**

Please and thank you for receiving these comments provided with the greatest of respect by the Chinatown BIA and its representative business / merchant ratepayers.

#### **Comment #1 - Public Engagement**

It is our understanding that The City of Calgary encourages Applicants to engage, inform and consult adjacent property owners, related community associations (CA), business improvement areas (BIA), and other stakeholders prior to applying for land use amendment application.

We are certain that the applicant has not engaged the public, the Chinatown BIA or any other stakeholders. We encourage the Applicant to engage the public and the Chinatown community and to provide Chinese language translation support.

The Chinatown BIA has received insights on this land use amendment along with unsolicited advice on how to assess and comment from the Ward Councillor office. It is concerning to the Chinatown BIA that the Applicant has elected to consult with the Ward Councillor and not with the public or with the Chinatown BIA who are prescribed on the City's land use and development permit circulation list. The Applicant is also aware of the Chinatown BIA's role in advancing the Tomorrow's Chinatown – Cultural Plan and Local Area Plan initiative through the City and in the community and yet missed us in consultations prior to Application.

The Chinatown BIA is and will continue to be available to assist developers, architects, builders, and property owners in their pursuit of welcomed development in Chinatown. Our aim is to support our mandate and goals. Thus, going forward, the Chinatown BIA would expect the Applicant to engage, inform and consult (if not collaborate) with this office prior to filing a land use amendment or development permit application.

#### **Comment #2 - The City of Calgary Public Notice**

The Chinatown BIA became aware of the proposed land use amendment through the City's circulation process on June 9, 2020. The notice indicated an amendment from DC to CCX land use designation. This was determined by The City to be incorrect just prior to the noted deadline date of July 1<sup>st</sup> for public submissions.

Secondly, neither we or the public were aware of the public notice signboard until just before the public submission deadline date as the physical sign boards were hidden. The sign board at the southwest corner of 3rd Avenue / 1st Street SW was hidden behind a white wood fence and the second public notice board at 2nd Avenue SW was obscured behind a white picket fence and shrubbery.

Additionally, the signboard indicated a change from DC to DC and a submission deadline date of July 3<sup>rd</sup>. This led to confusion within the community which was clarified only after the BIA made inquiries. None of the public notices were in the community's other languages - Traditional Chinese and Simplified Chinese - thus a sector of the Chinatown community was not engaged or had misunderstood the public notice.

#### **Comment #3 - Submission of a Concurrent Land Use Amendment and Development Permit Application**

Per the Applicant's Submission of May 14, 2020 included in the LOC2020-0072 file, it asserts that

**'This application outlines the proposed amendments to the DC bylaw. The amendments were a result of scrutiny throughout the DP process. These amendments would allow for the resubmission of the previously approved development permit application.'**

Chinatown BIA Response to:  
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The Chinatown BIA disagrees with the Application as all concerns scrutinized prior to Development Authority approval (November 23, 2018) were resolved with the approval.

We challenge that the requested amendments reflect the scrutiny following the Sub-Division Appeal Board (SDAB 2018-0194) appeal by members of the Chinatown community. The Appeal questioned the DP approval process and non-compliance with the Direct Control land use bylaw (DC179D2015) requirements.

Secondly, the **Applicant** also cites that

**‘These amendments would allow for the resubmission of the previously approved development permit application.’**

If this is true, the Applicant should be willing to file a concurrent Development Permit Application with the ‘previously approved development permit’ plan and application. However, given the amendments and relaxations, we suspect that there will be substantial change to the development plans which warrant a full review once again.

The Chinatown BIA would strongly urge The City to request and require that a concurrent development permit application and plan be submitted for review, comments and approval.

Relative to this subject group of properties the Owner/Developer and the Applicant recently have a history and propensity of not being transparent in fully disclosing their intent, the full designs, and the development timeline (i.e. all-at-one, phases, stages, etc.) to the public. The Chinatown BIA respectfully request the Applicant to submit a complete and comprehensive development permit including a phasing proposal ideally prior to submission so the affected stakeholders can evaluate the proposal and density per the Direct Control bylaw.

#### **Comment #5 - Calgary's Eight (8) Chinatown Development Guiding Principles**

At the December 5th, 2016 City Council meeting, City Administration - Community Planners submitted the ‘Chinatown Area Redevelopment Plan (ARP) Scoping Report’ C2016-0864 to City Council. This report recommended City Council approve the **eight (8) Chinatown Development Guiding Principles** and to direct Administration to utilize these principles when developing land use policy (i.e. land use bylaws) and approval of development permits. These guiding principles were established after The City conducted an extensive, and expensive \$400,000 public engagement process after the Owner/Developer repeatedly failed to fulfill the requirements for public engagement when the first sought to amend the existing Direct Control 70Z84 Bylaw and the 1986 Chinatown Area Redevelopment Plan (Chinatown ARP).

On May 14, 2020, the Applicant filed this request for land use amendment (LOC2020-0072). In the Applicant's Submission they cite that their previous ‘Applicant Withdrawn’ Development Permit (DP2018-2769)

**‘adhere to the 8 Guiding Principles’**

thus implying that these land use amendments and relaxations are compliant with the guiding principles.

The Chinatown BIA challenges this assertion as the requested amendments and relaxations is a significant change from the previous Direct Control Bylaw. The Chinatown BIA has not had the time to complete this assessment nor provide comment to support or contest its compliance with the Guiding Principles since there is no new Development Permit Plan.



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The Chinatown BIA requests the entire Direct Control Land Use Bylaw with the complete proposed land use bylaw (including all amendments and relaxations) be assessed using the Eight (8) Chinatown Development Guiding Principles to ensure compliance and referential integrity and the recommended Direct Control Land Use Bylaw include specific requirement and specifications in context with each guiding principle. The Chinatown BIA respectfully requests to be a participant in this assessment

**Comment #6 - Applicant's Request for Land Use Amendments and Relaxation**

The Chinatown BIA offers the following comments specific to the Applicant's land use amendment requests:

Firstly, in the Applicant's Submission, it refers to this site as

**'...lies on the Chinatown – Centre City border'**

and

**'The proposed project added a strong edge to the community...'**

Both statements are incorrect. Their site is closer to the center of Chinatown. The west border is 2<sup>nd</sup> Street SW and development at 2<sup>nd</sup> Street SW including the Green Line LRT that will define Chinatown's edge. The Development Authority must regard their site as crucial to the heritage and cultural fabric of Chinatown.

We disagree that the previous development permit application conforms with the **8 Chinatown Development Guiding Principles** as the community challenges many of the characterizations to the Development Authority. The development permit did not offer proper attention or substantial reference. Secondly, it's was likely that they were not qualified to make these unique cultural determinations. Additionally, the Applicant's quote that they heard from over 600 people including qualified Chinese cultural authorities during public engagement yet, the final development permit plan submissions did not reflect any of their input. As an example, the red color is clearly stated in the Chinatown Handbook for Public Improvement, yet the Applicant ignored this prime consideration and continued to use grey stone.

**Comment #7 – Specific Comments to Applicant's Request for Land Use Amendments and Relaxation**

- **4(a)(ii) "Residential Sales Centre"**  
 The Chinatown BIA is not opposed to extending the timeframe for the residential sales centre from 4 years to a period where sufficient marketing / sales effort is complete. This does not imply support to permit construction of the site beyond 4 years from the start of site preparation for excavation. The project must be completed within 4 years.
- **6(b)(ii) Uses**  
 The Chinatown BIA does not object to amending for the correct spelling of marijuana.
- **8(a)(ii) Floor Area Ratio**  
 The Chinatown BIA strongly opposes replacing the word 'and' for the word 'or'. The Chinatown BIA believes the distribution of mixed residential uses as listed is appropriate for the site. Secondly, the significant increase in FAR would justify including each type of residential use.

A strong residential mix supports the long-range vision and Chinatown's 10 guiding principles. Today and tomorrow's Chinatown will not strictly be for one or two types of citizens, we must prepare for young, old, disabled, infirmed, and more. This site possesses significant residential density to meet the housing needs

of this community and has capacity and flexibility to incorporate the same in any of the site buildings. The current article on providing these diverse residential types goes a long way to fulfilling Calgary and this community's housing needs and we would find it surprising if City Council would disagree.

Secondly, the provision for a Tong House was missed in the previous development permit. A Tong House is a mandatory carryforward of this requirement in the previous DC 70285 Direct Control Bylaw and included in the Chinatown ARP. A Tong House not only serves as community gathering and celebration space for Chinatown cultural associations, but it will also serve as a respite area for Chinese residents in the building, those in the other 7 apartment / condominium buildings in Chinatown, and those visiting from suburbia.

Chinese benevolent societies, associations and tongs form a vital fabric to this community and the lack of a place for association and service is very detrimental. A properly resourced Tong House would provide the social, recreational, physical and mental health support, food service, and companionship support. Again, we should find it surprising if City Council would disagree and deny this use in such a large mixed residential / commercial development and in a community where vacant land will become even more limited after this development.

### **8.1 Mandatory Residential**

The Chinatown BIA strongly opposes amending the mandatory residential minimum of 60% residential of the floor area ratio of any building to comprise one or more of the following uses: Assisted Living, Dwelling Unit, Live Work Unit, Multi-Residential Development, or Tong House.

A strong presence of residential units in all sites and buildings support Chinatown's long range vision and the 10 Guiding Principles. The previous Development Permit (DP2018-2769) met these requirements in each of the three buildings. Developing this site in phases should, therefore, not disqualify the mandatory residential requirement per building.

Secondly, while the BIA is generally in favour of phased development, if the mandatory residential requirement is not met in the initial phase of development, there is serious concern whether it will ever be fulfilled by the current owner / developer given the economic climate. This mandatory requirement ensures a strong and ever-present residential development on this site.

- **11(1) Use Area and 11.1 Retail Storage Frontage**

The Chinatown BIA does not support this amendment as it cannot understand or see how the Applicant's rationale for multi-tenanted food hall type venue could or would ever be facilitated on the main level of any building on this site. This type of food hall (or food court) is typically on mezzanine or upper podium floor development with complimentary Plus 15 connectors to neighbouring commercial retail / office buildings.

Secondly, the individual retail units on the main level were intended to provide small independent food and retail business operations at ground level for both site and community enjoyment. Diminishing this potential in favour of a multi-tenant food hall does not support the strength of small, boutique style and sized retailers that would add to the diversity of commercial offerings in Chinatown.

- **12 Building Setbacks**

The current minimum 1.5M setback is already too little to provide a comfortable perspective of human scale. The prominence of the podium and building height would be overbearing. The Chinatown BIA would consider a wider range of setbacks with a minimum of 2.134M as per the Chinatown Handbook for Public

Improvement except in certain areas 2.134M would not be possible; in this case, the minimum 1.5M setback is required.

Establishment of a higher maximum setback greater than 3M is highly desirable to enable a pedestrian friendly orientation, to establish greater open space ambiance, to provide room for street side, sidewalk patios and public buskers, and to facilitate larger public gathering / public performance / cultural event space. In today's COVID-19 and requirement for social distancing, a greater setback would be appropriate provided the space is activated for use and not passive display.

Currently, the designated front setback area is 1<sup>st</sup> Street SW as this is the shortest street on the site but for development and use, it is widely held that 2<sup>nd</sup> or 3<sup>rd</sup> Avenue SW would be the front. Both amendments to the minimum and maximum setback would be applicable to the front setback area and to the side and back setback areas.

- **13 Residential Window Separation for Property Line**

The Chinatown BIA does not support amending the minimum horizontal window separation as public space for the residential unit residents and for adjacent residents in neighbouring residential buildings is crucial to strong physical and mental health. The lack of sunlight and the imposing view of neighbouring property and residents is a detriment to health and privacy concerns.

- **14(1), 14(3), 14(4) Required Motor Vehicle Parking Stalls**

The Chinatown BIA represents over 150 business and merchant ratepayers in Chinatown. Capacity and access to on-demand parking both on-street and off-street is a perennial concern for business owners, customers and visitors. The Chinatown BIA does not support any relaxation or reduction in motor vehicle parking stalls. In fact, it would advocate for a minimum number of parking stalls dedicated for hotel guests and visitors, at least 100 on-demand (daily or hourly) parking stalls for community visitors and commercial customers, and preservation of on-street parking for visitors, commercial loading, and tour bus parking. In 2015, a Chinatown study showed 74% of Chinatown patrons lived greater than 20 blocks away and 50% use personal vehicles to visit Chinatown. This vehicle use and parking pattern has been demonstrated through history and documented in the Chinatown ARP and Chinatown Handbook for Property Improvement.

The Chinatown BIA does not support suspension, cancellation or removal of the cash-in-lieu. The inability to provide public parking on the site should not preclude the contribution of cash-in-lieu for public parking elsewhere in Chinatown.

- **15(d) Sunlight Protection**

The Chinatown BIA does not support relaxation of sunlight protection requirements especially on this community's very limited City Parks green space. Sunlight on the pathway in Sien Lok Park also serves as an ice-abatement measure on this pathway to the Calgary Chinese Elderly Citizens' Association - Senior Centre building. The Applicant's statement that adjacent property development would impact sunlight protection is speculation and beyond his control to determine. The Chinatown BIA will address this speculation if, and when, it ever arises.

- **16 Building Height / 17 Podium Height**

The Chinatown BIA does not support reduction of the 20M setback on development along 2nd Avenue SW which would allow an increase in building and podium height. The current setback policy was accepted by the Owner/Developer during approval of the current Direct Control Land Use Bylaw (DC179D2015) in 2016 despite the community's request for an even wider setback. Secondly, as stated earlier, the Chinatown BIA



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expects that 2nd Avenue SW be restricted to its current lower density mixed residential / commercial use with public space (horizontal and vertical) be preserved for community use.

While it has been relayed that the Applicant no longer requires this amendment, the Chinatown BIA reserves these comments until the final amendments are proposed.

- **18 Podium Design**

The Chinatown BIA cannot comment on this amendment as the Applicant has not describe the rationale for the amendment or a legal review. The Chinatown BIA reserves comment on this amendment until it is clarified.

- **19 Architectural Motifs**

The Chinatown BIA does not support this amendment to allow the Development Authority the discretion to decide architectural Chinese motifs as the Development Authority has no competence to make these determinations. Any development should be guided by the upcoming Chinatown Cultural Plan and Local Area Plan through the Tomorrow's Chinatown initiative. If guidance through a Chinatown Cultural Plan is not possible due to the lack of an approved policy, the Urban Review Design Committee should review alongside a Chinatown / Chinese cultural authority.

- **22 Parking Lot - Grade (Temporary)**

The Chinatown BIA is in favour of extending the temporary parking lot through to December 31st, 2030.

**Comment #8 - Additional Request for Land Use Amendment and Relaxation**

Approval of the Applicant's request for amendment to the existing Direct Control Bylaw - DC179D2015 will result in the establishment of a new Direct Control Bylaw. Consequently, the Chinatown BIA requests that The City consider these requests to amend Direct Control Bylaw DC179D2015.

- **Protect and Preserve 2nd Avenue SW between Centre Street and 1st Avenue SW for low density mixed use residential and commercial like Direct Control Bylaw DC70Z84.**

As this transportation corridor and the adjacent properties, residents and businesses are

- the location of four (4) high density apartment, condominium and independent / assisted living complexes with close to 1,000 of the community's seniors;
- the public space where Chinatown's senior population rely on 2nd Avenue SW as quiet, serene, and safe street to enjoy public space and as a corridor to the Calgary Chinese Elderly Citizens' Association Centre (CCECA) and the Chinatown Seniors Centre Foundation located in Sien Lok Park with entrance on 2nd Avenue / Centre Street SW
- the prime and centroid location of Calgary's Chinese culture located in the Chinese Cultural Centre where annual festivals, parades, and events are held both indoors and outdoors on 1st Street and 2nd Avenue SW

it is vital that 2<sup>nd</sup> Avenue remain a safe, quiet haven for local Chinatown and visitors. A hotel should not be placed on this street.

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- **Designate**
  - **2nd Avenue SW between Centre Street and 1st Avenue SW**
  - **1st Street between Riverfront Avenue and 3rd Avenue****as a low capacity vehicle load and maximum 40 kph roadway.**

To

- protect the senior residents in these apartment / condominium residents, the young children who attend the Chinese Public School located at 128 2nd Avenue SW, and the visitors to the Calgary Chinese Cultural Centre,
  - designate 2nd Avenue SW roadway as a cultural zone for future festivals, events, and pedestrian promenades,
  - designate 1<sup>st</sup> Street SW as a pathway to the 2nd Street / Riverfront Avenue Green Line LRT station, and
  - provide protected east-west and north-south bike path
- 2<sup>nd</sup> Ave and 1<sup>st</sup> Street should be a low capacity vehicle zone.
- **Designate 3rd Avenue SW between Centre Street and 2nd Street SW as a commercial roadway, location for a hotel, and access to the underground parkade.**
- This would provide for and support commercial vehicles including tour buses for the downtown office, hotels, and entertainment districts.
- **Conduct a new a new Traffic Impact Assessment to consider the impacts of the Green Line LRT on the designation of 2nd, 3rd, and 4th Avenue SW and the ramifications of the proposed land use amendments**  
 The recent approval of the Green Line LRT project complete with dedicated centre lanes on the Centre Street Bridge for BRT transit introduces traffic access and traffic control conflicts at 2nd, 3rd and 4th Avenue SW along Centre Street. Traffic diverted to 2nd and 3rd Avenue and the associated conflicts are unknown. A traffic assessment review must be conducted prior to approval of the land use amendments.
  - **Provide a 2nd floor mezzanine on buildings fronting 3rd Avenue SW and Plus 15 support** to connect with the Sun Life Building for multi-tenant retail and open space food services.
  - **Provide transparent ceiling open space to establish protected public space.** A glass covered open air promenade would allow for year-round use of this public space especially Mid-Autumn and Chinese Lunar New Year Festivals.
  - **Limitation of hotel use, ideally at 1st St SW, and underground parking access to 3rd Avenue SW** away from the residential aspects of 2nd Avenue SW. The placement of a hotel and underground parkade entrance on 1st Street or 3rd Avenue SW will preserve and protect the Chinatown / Chinese culture and heritage on 2nd Avenue SW including the residents who live there, the children who attend Chinese public school there, the visitors other Calgary Chinese Elderly Citizens' Association - Seniors Centre and the Chinese Cultural Centre.
  - **Provisioning of a Tong Association use space of minimum 1,000 sq. ft.** in the building on 2nd Avenue SW. would comply with the Direct Control Land Use Bylaw and the Chinatown ARP.
  - **Provisioning of public gathering space on 2nd Avenue to support cultural and festival activities** and the cultural diversity and promotion of Chinese heritage through festivals and events.

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- **Provisioning of underground parking**
  - Dedicated for hotel guest and visitor use exclusive of Chinatown community use.
  - of minimum 100 underground parking spaces and bike storage racks for Chinatown on-demand, daily / hourly use.
- **Establish Chinese-Asian building design, motif, and public art as defined through the Tomorrow's Chinatown Cultural Plan, Local Area Plan, and Area Redevelopment Plan**

#### **Comment #9 - Tomorrow's Chinatown**

In 1910, Calgary established its 3rd Chinatown at this location of 2nd Avenue / Centre Street following displacement from two previous locations since 1883. Chinatown has faced public and private pressure to displace, transform, develop, and eliminate its cultural place and heritage several times in its 110-year history.

In 2016, The City of Calgary recognized that future development in Chinatown was severely constrained as the current Area Redevelopment Plan was 'technically obsolete'. Consequently, Council approved the establishment of an administrative team to develop a Cultural Plan for Chinatown (the very first for Calgary) and an associated Local Area Plan that would contribute to updating, if not replacing, the current Chinatown Area Redevelopment Plan. This initiative was supported by the Chinatown community (including the Chinatown BIA) and is about to embark on this 2+ year initiative.

When the current Land Use Designation - Direct Control Bylaw (DC179D2015) was established in 2016, it was understood that development could proceed without consideration of Tomorrow's Chinatown and Cultural Plan.

As this Land Use Amendment will trigger a new Direct Control Land Use Bylaw and the Applicant's and the Chinatown BIA's request for amendments would entail significant deviation from the existing Direct Control Bylaw, it would be prudent to ensure future land use amendments and development permit applications be concurrent with the Tomorrow's Chinatown initiative through planning liaison.

Respectfully Submitted



Grace Su,  
Chinatown BIA Chair



Terry Wong,  
Chinatown BIA Executive Director



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## **Attachment #1 – Chinatown Community Stakeholder’s Committee – 10 Guiding Principles**

### **KEEP OUR CULTURE VIBRANT**

The unique culture of Calgary's Chinatown must be kept vibrant.

### **PROMOTE DISTINCTIVE CULTURAL RECOGNITION**

Calgary's Chinatown must be promoted as a unique place to experience Chinese culture.

### **CREATE CULTURAL AND SOCIAL PLACES OF GATHERING**

Calgary's Chinatown must have adequate and suitably designed public and commercial spaces and facilities to support the cultural and social functions of its users – individuals and groups.

### **BE A HUMAN SCALE ENVIRONMENT**

Calgary Chinatown must remain one of Calgary's 'Most Walkable Communities' with access to the river and parks and preserving human scale development.

### **DEVELOP MORE CHINATOWN HOUSING**

Calgary Chinatown must remain a mixed use, medium density community that is primarily residential with supportive commercial retail and an adequate supply of affordable and suitable housing.

### **ENHANCE PUBLIC SAFETY**

Calgary Chinatown must be clean, safe and secure.

### **PROVIDE AUTHENTIC 'MOM & POP' RETAIL AND DINING EXPERIENCES**

Calgary Chinatown must provide and promote a strong retail and dining experiences that include unique, affordable, assorted and convenient choices.

### **BUILD FOR ECONOMIC VIABILITY**

Calgary's Chinatown property and business owners must earn a reasonable return on investments so that their investments remain viable.

### **IMPROVE MOBILITY AROUND CHINATOWN**

Calgary Chinatown must have ease of pedestrian access and complimentary flow of vehicular traffic in a safe and efficient manner.

### **ENHANCE PARKING IN CHINATOWN**

Calgary Chinatown must possess available, affordable and accessible parking especially for Calgarians who live outside convenient transit corridors or for those who require personal vehicle.



## **SDR Management Ltd.**

#803, 205 Riverfront Ave., S.W. Calgary, Alberta T2P 5K4 Phone : (403) 261-9913 Fax : (403) 261-9896

July 24, 2020

Via Email: colleen.renne-grivell@calgary.ca

The City of Calgary  
Planning & Development  
P.O. Box 2100, Station "M"  
Calgary, AB T2P 2M5

Attention: Colleen Renne-Grivell

Dear Ms. Renne-Grivell:

**RE: Land Use Amendment application LOC2020-0072;  
Properties: 129, 125, 123, 121 and 117 2 Avenue SW and 116, 120, 124 and  
130 3 Avenue SW. So-called EI Condor Lands**

Our company, SDR Management Ltd., is the registered property owner of the property 303 Centre Street SW, located to the immediate southeast of the lands that are the subject of the land use amendment application. Our property encompasses the City Plaza Shopping Centre which contains several businesses that service the community of Chinatown. We received a notice letter from The City of Calgary regarding the subject LOC application. Below are our comments with respect to the application.

### **Incorrect Notice Posting**

The notice letter we received, we believe, incorrectly indicate that the amendment is to re-designate the subject lands from DC to CC-X. If this is truly in error, this is misleading the public to believe this is a simple redesignation/ land use amendment application to a stock district of the Land Use Bylaw. If the application is for a new DC Bylaw for the subject lands, then the recipients of this notice must be informed to allow them the opportunity to comment on the entire Direct Control bylaw, not just the amendments.

On a second point, as I often walk between my commercial property and my Chinatown residence and notice that the two public signboards are hidden behind a fence and overgrown bushes. This is not clearly visible for the public and not in Chinese to allow them to understand and engage.

### **No Engagement with Stakeholders**

I was involved on this property's original land use amendment in 2016 and again their development permit application in 2018 that resulted in my filing an appeal at the Sub-Division Appeal Board in 2019. Regarding this land use amendment, the applicant and the developer/property owner have again made no attempt to engage me or any other the adjacent property owners, surrounding businesses and other stakeholders in Chinatown like the BIA and Community Association. I was told back in 2016 by The City that this is contrary to the City's engagement policies and to best practices in land use planning.

As a result, how can I believe or trust the intentions in this land use amendment. I don't know if they will build on this property or sell their interest. I would like to know their intentions and to see if they plan on submitting the same development permit plan again or make more modifications. I hope we can see this before this land use amendment is heard by the Calgary Planning Commission and City Council. The true intentions need to be known as this property represents a large part and the fabric of Chinatown.

### **Concerns**

As a former Board Director of the Calgary Chinatown Community Association (CCCA) and a sitting Director of the Chinatown Business Improvement Area (BIA), I have personally received, read and fully agree with their comments submitted regarding the subject application.

### **Negative Impacts on Adjacent Properties & Businesses**

We are concerned that the proposed development that are accommodated by the new DC Bylaw will negatively impact the use, enjoyment and value of our property and unduly affect our tenants' businesses due to transportation issues (traffic and parking) generated by the proposed uses on the site. This may become even worst with the additional traffic congestion and vehicle routing issues created by the Green Line LRT proposal for more BRT buses on Centre Street that will divert cars onto 3<sup>rd</sup> Avenue SW.

The existing DC Bylaw and its content was established in 2016 by City Council following a rigorous process by City Administration and the applicant and with specific directions from City Council that are reflexed in the governing DC Bylaw. City Council then approved the existing DC Bylaw in 2018 that was tailored to a concurrent Development Permit application for the proposed development. The applicant subsequently withdrew the DP application in 2019 following submission of strong appeal arguments which I was an appellant.

It bothers me that the Applicant chose not to fix the development permit plan. Instead they are choosing to 're-write the rules through land use amendments' to get a very poor development permit plan resubmitted. I believe they should fix the problem that this community has identified. The Planning Commission and City Council should not allow them to proceed in this way.



There are no reasons why the applicant cannot submit a DP application for a development on the subject lands that stays within the confines of the existing DC Bylaw and follows the directions of Council as stipulated in the Bylaw.

There is a lack of transparency from the applicant and developer about the proposed wording of the new DC Bylaw provisions. We respectfully request that the subject land use amendment application be accompanied by a concurrent DP application to allow all stakeholders, including surrounding property owners, a proper review of the sought amendments to the existing DC Bylaw. The subject application is unfair to affected stakeholders. Stakeholders should be provided a reasonable opportunity to review the draft of the proposed DC Bylaw in conjunction with a development permit prior to the application being forwarded to Calgary Planning Commission for review.

Our main concern regarding the subject application is that the applicant is seeking to remove the requirement of a minimum of 60 per cent floor area ratio for residential uses in any building. Given the uncertain market conditions, eliminating this requirement would be a significant change to the proposed development as envisioned by the existing DC Bylaw. It should be noted that an important element of the current DC Bylaw is that the subject lands would be developed in a comprehensive and holistic manner.

Eliminating the aforementioned 60 per cent requirement could result in piece-meal developments on the lands. As a result, some portions of the land may never be redeveloped due to unsustainable economic circumstances. This would be to the detriment of the community. It appears the applicant and developer are seeking maximum flexibility in the terms of the DC Bylaw rules at the expense of the community.

#### **Local Area Plan – new Chinatown Area Redevelopment Plan**

The sought amendments are premature considering the new Local Area Plan that is being prepared in association with a Tomorrow's Chinatown - Cultural Plan. Furthermore, the Centre City Enterprise Plan is under review that will have consequences on this community. Finally, the recently approved Green Line LRT with increased BRT service intersecting at 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SW along Centre Street is void of any transportation impact assessment and the TIA submission under the previous DP submission does not include these Green Line LRT / BRT services. In our opinion, these plans should be guiding any new development for the subject lands.

#### **Conclusion**

For the aforementioned reasons, we are opposed to the proposed land use amendment application. Thank you for allowing us to provide our comments regarding the proposed land use amendment.

Sincerely,



SDR Management Ltd., per  
Annette Fung



## SDR Management Ltd.

#803, 205 Riverfront Ave., S.W. Calgary, Alberta T2P 5K4 Phone : (403) 261-9913 Fax : (403) 261-9896

May 19, 2021

VIA E-Mail

The City of Calgary  
Calgary Planning Commission  
P.O. Box 2100 Station 'M'  
Calgary Alberta T2P 2M5

Attention: Calgary Planning Commission Members

Re; **Land Use Amendment application LOC2020-0072;**  
**Properties: 129, 125, 123, 121 and 117 2 Avenue SW and 116, 120, 124 and 130 3**  
**Avenue SW. So-called El Condor Lands**

My name is Annette Fung and my company, SDR Management Ltd., is a registered property owner of the property at 303 Centre Street SW. We are located 60M to the southeast of the subject property that has applied for a land use amendment. I would like to express my objections to the proposed Chinatown ARP amendments and changes to the Direct Control Bylaw (179D2015).

A year ago, July 24, 2020, I submitted a letter of objection to The City of Calgary planner with my objections to these amendments. Upon review of the CPC agenda for May 20<sup>th</sup> I noticed that my letter was not provided. I would like CPC to be aware of my precise concerns and have attached a copy here.

Additionally, upon review of the proposed amendments, I note that the Applicant has requested the removal of mandatory parking requirements from the proposed DC bylaw and relying instead on Land Use Bylaw 1P2007. My concern is that the parking requirements under this Bylaw is insufficient to encompass the parking requirements for:

- Residential occupants
- Commercial business occupants
- Commercial visitors

plus, their previous customers

- Monthly Contract Parking
- On-Demand 'Per Hour' Commercial Parking

plus, the new parking demands

- As The City is removing on-street parking in favour of protected bike lanes
- Return in Downtown office, Chinatown business patrons, and cultural destination visitors once the pandemic restrictions eases

Additionally, I am concerned that this land use will not provide the level of cultural, commercial and community engagement which will sustain, if not grow, the Chinatown community. An increase in residential density from 60% to 80% is good for business but there must be ample commercial/retail/restaurant/cultural space to support improve the appearance and significance of Chinatown as a 'Must Visit Destination' and a 'Great Visitor Experience'.

As a business owner, I've welcomed the opportunity to engage with the owner/applicant but have been disappointed that they have never responded to the community invitation for dialogue. Chinatown is a destination community for Calgarians and visitors from the province and country. They come by the thousands each year. During the public hearings of December 6, 2016 on the land use amendment, I stressed that Chinatown must maintain its

- human-scale pedestrian environment,
- cultural heritage as Calgary's Chinatown of 110+ years,
- 'mom and pop' commercial retail / dining,
- Visitor accessibility by bus, car, and bicycle, and
- low density mixed residential housing form

as this was what Calgary Chinatown was all about. Our Chinatown character is a 'village' where people live, work, play, invest and prosper. It is not a tall tower, high density, hotel visitor, zero car visiting community. There is no other Chinatown across Canada with the proposed level of density as permitted in this land use amendment.

For these reasons and those outlined in my July 24<sup>th</sup>, 2020 letter, I am opposed to the proposed land use amendment application. Thank you for allowing us to provide our comments regarding the proposed land use amendment.

Sincerely,  
SDR Management Ltd., per  
Annette Fung