

**Albrecht, Linda**

CPC2014-106  
ATTACHMENT 3  
LETTER 1

**From:** Natalie Bach [natalie\_a\_bach@yahoo.ca]  
**Sent:** Tuesday, August 19, 2014 3:39 PM  
**To:** Albrecht, Linda  
**Subject:** Bylaw 100D2014 and 11C2014  
**Attachments:** Bucci Development.docx

Dear City Clerk,

We oppose this change of DC designated road way to DC multi-mixed use until a proper study of the accumulative traffic impacts of the lane-way behind is done and it is determined that this land will not be needed to create a safer traffic area including a roadway or entrance from 10th Street. We recognize the ARP does not encourage an entrance off of 10th street. The developer and the city have demonstrated the ARP holds no weight. Please see attached document appendix for dishonoured ARP directives. Perhaps continuing to go against the ARP by putting an entrance off of 10th would be the best and safest solution however we don't know this at this time and a delay in approving this landuse redesignation is prudent until after the laneway study is complete.

Natalie Bach  
234 10A Street NW

RECEIVED  
2014 AUG 19 P 3:43  
THE CITY OF CALGARY  
THE CITY CLERK'S

Natalie Bach, MBA and Serge Soolsma, MD  
234 10A Street NW  
Calgary, AB T2N 1W6  
403-283-0773

TO:

Ken Melanson, Senior Planner  
Ken.melanson@calgary.ca

Mayor Nenshi  
Themayor@calgary.ca

City of Calgary: Planning Commission  
Rollin Stanley, General Manager  
Rollin.stanley@calgary.ca

City of Calgary: Ward 7 Office  
Druh Farrell, Councillor Ward 7  
Druh.farrell@calgary.ca

Hillhurst Sunnyside Community Association: Community Planning Committee  
hscaplanning@gmail.com

Bucci Developments Ltd.  
Mike Bucci, President  
mbucci@bucci.com

RE: Carpenter's Union Hall Development  
233-303 10th St. NW

RECEIVED  
2014 AUG 19 P 3:43  
THE CITY OF CALGARY  
CITY CLERK'S

Dear Mr. Melanson,

Let us start by saying we in principal do not oppose a six story, mixed use building that satisfies the goals of Transit Oriented Development (TOD) as outlined in the ARP (Area Redevelopment Plan). What we are against is the multitude design features, procedures and assumption that are in conflict with the ARP, CTP (Calgary Transportation Plan), MDP (Municipal Development Plan, the DC (Direct Control) bylaw, property right assumptions, safety, and low design standards. We have outlined our concerns below and have included an Appendix for further detail and references.

1. LANE: P. 54 ARP "Improved function of rear lanes." The lane directly adjacent to the development is an absolute safety hazard now. We are asked to comment on the design of the building without a proper study of the cumulative effects of the current and proposed development. Improving function/safety of this lane would affect the design of the building including the Enmax box on the property edge and the parking lot which would likely have cars hang over onto the lane further narrowing a pinch point. A larger set back than 5M is likely the solution and a study would determine the safest approach. The lane study must be complete and a plan for the lane considering the cumulative effect must be done with accountability to both the city and any new developer to design within the lane way recommendations to further function and safety.
2. PRIVACY: ARP p. 67 "Private and/or public outdoor amenity space should be located and designed to ensure privacy of adjacent low density residential areas." The design of this building has 36 private balconies adjacent to the low density residential area. This is in direct contradiction of the ARP. Please remove these balconies from the back and do not design the building in contradiction to this ARP policy.
3. CONSTRUCTION LIABILITY: Our house is over 100 years old. The developer is asking for rights to shore under our property and potentially swing a crane over our house or neighbors houses depending on crane option 1 or 2. We have met twice with the developer and do not have any further information about liability, potential, compensation, reparation of damage etc. Also, according to the lawyer we consulted, he states "I know of no legal right that Bucci has to use your airspace without your consent." Please delay moving the DP forward until all affected residents have given proper consent, liability insurance, compensation and reparation plan for shoring and airspace rights.
4. SHADOWING: Appropriate setback as the building rises would address both shadowing and privacy issues (ARP p. 53)
5. PARKING: As a TOD area, the developer is providing more parking than required. This feature is a design contradiction to the TOD plan. Reduce the parking to the required standard. Land use amendment Feb. 14, 2013 states no surface parking. Remove the surface parking from the plan.

6. Please refer to Appendix on our other concerns and suggestion re:

- a. Automobile access
- b. Aesthetics
- c. Family living
- d. Current state of lane
- e. Ground water in the area
- f. Cleanliness during construction
- g. Construction conflicts with Lido

We have outlined a multitude of concerns with one development. As the rest of Kensington develops it will set a dangerous precedent of a unsafe and unchanged laneway, breach of privacy upon low density residents, residents uninformed of liability before DP feedback closure time, lack of developer's effort to minimize shadowing, low standard design and character of building, lack of effort to design for incoming families, and adding to the car count by exceeding parking requirement to name a few. The City created the TOD, MDP, CTP, ARP and bylaw with a vision of a great city while not compromising existing areas. We ask both the City of Calgary and Bucci Developments implement the City policy and bylaw now before the whole neighbourhood is compromised.

Sincerely,

Natalie Bach

&

Serge Soolsma

## Appendix

ISSUE	SUGGESTION	REFERENCE
<p>There are three areas in the ARP that encourage families with children The development is very small square foot apartments with 54 x 1 bedrooms, 18 x 2 bedrooms and no 3 bedrooms. This configuration does not encourage families.</p>	<p>Create a few more 3 bedrooms and bigger square foot apartments or 2 story dwellings.            Bucci: 24.6% family units (18 2beds/73 1beds)            CITY: defines a family unit as a 2 bedrooms. 25% of building should be 2 bedroom or more. No wording for 3 bedrooms.</p>	<p>ARP (Area Redevelopment Plan)            p.51, p. 59 6 and 7</p>
<p>Locate higher density development in low impact locations where shadowing and traffic impact are limited. The mechanical on the roof, although allowed by bylaw, exceeds 20 M height and adds to the shadowing. Shadowing reduces the feasibility for the residents to use solar, use their back yards in sunlight, grow their own food and will increase the need for electrical light.</p>	<p>The mechanical penthouse needs to be relocated to decrease the height of the building. The shadow pictures provided by Bucci did not include the mechanical penthouse. A set back (20m) from the rear lane and setbacks higher up could alleviate both shadow concerns and laneway concerns.</p>	<p>ARP p. 53</p>

<p>Private and/or public outdoor amenity spaces should be located and designed to ensure privacy of adjacent low density residential areas. Bucci has 36 private balconies located adjacent to the low density residential areas.</p>	<p>ARP suggests rear lane ground floor residential and residents would find a public or private outdoor amenity space on the second floor rear acceptable. To respect the ARP and the residents, no balconies on floors 3-6 or rear rooftop. Rear apartment without floor to ceiling windows. Balconies build on north south and east side. CITY: this ARP point needs to be enforced. There are many design possibilities that can solve this.</p>	<p>ARP p. 67 MDP (Municipal Development Plan) p. 3-15 (f) "An appropriate transition between the neighbourhood corridor and residential areas is required..."</p>
<p>Automobile access and commercial loading is designed such that traffic is directed toward the major road network and away from residential. The parked entrance and loading dock is on a shared residential lane way and uses this lane way as its major road network.</p>	<p>The land between the development south currently crosses pedestrian traffic. Once this land is developed 10th street access which is uncontrolled by a crosswalk will no longer exist. Creating the garage entrance on the east side of the building at an existing traffic light would alleviate traffic on the back lane, provide safe pedestrian crossing and in the long run be net 0 addition crossing a pedestrian path.</p>	<p>ARP p. 88</p>
<p>There are 3 areas in the ARP and one in the MDP that address the aesthetics of the building. Has Bucci used the highest standards to meet the ARP? Or, Bucci has not used the highest standards to meet the ARP</p>	<p>Both city and Bucci must address this. Aesthetics is only partially subjective with large policy goals that are measurable and objective. Materials must be used to reduce greenhouse gas emissions, such as 20% maximum glass surfaces, and using 60% wood and stone façade . This reduces bird fatalities, need for air conditioning (another GHG producer), ensures privacy, and is neutral on the issue of marketability.</p>	<p>ARP p53, 55, 67 MDP p. 2-21 (a) Clean Air Strategy Alberta Climate Change Central City of Calgary policy for reduction of GHG emissions.</p>

<p>Improve function of rear lanes. Currently the existing parking lots associated on the north and south side of the Carpenters union hall are used for pull outs to pass cars and the space is used to assist residents with pulling in and out of their garages. Enmax boxes and angled parking on the back of the building will remove the opportunity to pass in these areas. The angled cars, with exception to compact cars, will encroach onto lane. See HSCA drawing. Also, the parking garage entrance and loading in the back will create a huge traffic challenge. Note there are points in lane way that narrow 3.8 and 4.5 M between fences and telephone poles. St John's residents use this lane as a non-planned for shortcut, thus increasing the traffic.</p> <p>Further, blocking this lane occurs when garbage, recycling and maintenance trucks stop in lane to service businesses without loading bays. Resident need several point turns to get in and out of garages.</p> <p>Any unexpected events, such as accidents, stalled vehicles, or service issues, make the lane unusable for long periods of time with no safe place to</p>	<p>CITY: A proper study with a plan that includes the cumulative effect of proposed and potential developments must be done. This includes laneway, and utility, shadowing. This development must be delayed until a proper understanding of the cumulative effects of ALL development are understood by all stakeholders and a plan to accommodate potential growth with a timeline to implement is achieved. Bucci has commissioned a study and the residents affected do not have this study before the May 9 deadline to make an educated decision.</p> <p>The lane could be a very pleasant space, resembling mews in London or the narrow streets of Japan that accommodate slow-moving traffic, pedestrians and cyclists, while remaining safe pleasant spaces. The lane could be bi-directional with pull out passing spaces, traffic calming measures, enforced speed limits and improved lighting. Power/utility buried and snow clearing in winter.</p> <p>According to the Residential Street Design Policy lanes should be 7M wide. We like this city standard.</p>	<p>ARP p.54 CTP (Calgary Transportation Plan) p. 1-6 (goal 2 safety) CTP p.1-8 "evaluating impacts of new development" MDP 2.3.7 (d) "ensuring necessary resources" Residential Street Design Policy p 2 Lanes "7 M rear lanes"</p>
---	--	---

<p>back up or around the event.</p> <p>Residents walk out of back yards directly on to lane without any safe space i.e. when leaving property, maintaining property or setting out garbage or recycling.</p>		
<p>Current state of lane</p> <p>Noisy</p> <p>Exhaust smell</p> <p>Used by pedestrians: several businesses have entrances from back</p> <p>Bikes: Ridley's uses lane to test repaired bikes and customers to test new bikes</p>		



<p>Ground water in the area: recent survey by the company's planners as well as other projects in the area have discovered that ground water and seepage is a major concern. Is Bucci's plan is pump out any water into an already limited capacity sewer system. Will there be impact of any seepage to other properties in the area when there is an attempt to drain it into a near capacity drainage system. Also, given the recent flood history and suspicion of future flood events, the overtaxed system cannot cope with additional water.</p>	<p>Pump water onto 10th Street not the lane.</p>	<p>Geo Pacific Report Job 11741</p>
---	--	-------------------------------------

<p>Property Value: this building because of many of the aspects addressed in the communities concerns will affect property values to adjacent and eventually the entire community once this precedence is set. The most desirable community in Calgary will become relegated to something akin to downtown living in highrises' shade. Because this building will set a precedence for the entire 10st corridor if will make the community so unrecognizable from what attracts everyone to the area now that many are thinking of moving despite the reduction in property values and their own personal cost. The very character that developers now use in their marketing materials is at risk of being destroyed through buildings that do not respect that character.</p>	<p>CITY: provide grants for carriage housing</p>	
---	--	--

Parking	<p>Since this is a TOD area, parking should be reduced. Specifically the parking lot on the west side of the building as stated in the land use amendment "all parking must be provided under ground. Bucci is providing more than what is required, which encourages additional car ownership, use and trips in private vehicles, which is the opposite intent of TOD. Parking must be reduced to what is required, to encourage newcomers out of their cars and enjoy the values of walk ability and neighbourliness that TOD is designed to promote. This is not a car commute community and the developer markets the building that way. Therefore, additional parking builds a contradiction into the design.</p>	Land use amendment Feb 14, 2013
Cleanliness during and after construction	<p>As an example, St John's construction contributed to a notable amount of garbage in the form of coffee cups and lunch wrappers to packing from materials delivered. Dust was also a problem. We expect the construction phase will produce the same and the construction manager will see that the area is litter free. We expect after construction the building will clean its immediate area of litter.</p>	
Lido build	Ensure lido and Bucci do not block 10th street.	
Crane swing	Bucci ha option 1 and option 2. Both use private residential air space. We would like the city to require Bucci to gain our permission to use this air space.	

**Albrecht, Linda**

---

CPC2014-106  
ATTACHMENT 3  
LETTER 2

**From:** Ronnie Chee [cheer@nucleus.com]  
**Sent:** Thursday, August 28, 2014 9:00 AM  
**To:** Albrecht, Linda  
**Cc:** Farrell, Druh  
**Subject:** Re: Bylaw 100D2014

Does the change for Live/Work units as an acceptable use on the ground floor (12 (4)) affect the 20% use ratio?

To a reasonable person, the Live component would be a residential use and would further reduce the use ratio. There seems to be no language about this.

I want to register my objection to the relaxation of the 20% rule.

This will become the precedent for the other future projects along the west side of 10th Street to request similar relaxations.

The applicant's reasons for this request basically break down to 1) it's hard to have a mixed use floor and 2) it's not profitable. Neither of these reasons pass the relaxation test.

However, there is sufficient wiggle room to allow the amendment to pass.

I would note the Lido project across the street managed to meet the 20% rule – primarily because the relaxation (approximately 9%) would have been unpalatable. Future projects on the east side of 10th Street will have to find similar ways to meet the requirement.

Ronnie Chee  
232 10A St NW  
403-283-8061

RECEIVED  
2014 AUG 28 A 9:03  
THE CITY OF CALGARY  
CITY CLERK'S