

VICTORIA PARK
urban calgary

Jan 23, 2014

Colleen Renne-Grivell

The City of Calgary
Development and Building Approvals #8201
P.O. Box 2100 Station M
Calgary AB, T2P 2M5

RE: LOC2013-0060

Dear Colleen,

Overall, we support the LOC2013-0060 and feel that the development will be a positive contribution to Victoria Park. The added residential population in the area will help to support the business environment along 1 Street SW and Hotel Arts. The increase in density additionally helps to support community amenities and the arts and culture spaces in the area. The continued partnership between the applicant and the Parks department has contributed greatly to the public realm through the redevelopment of Haultain Park into a high-quality amenity. We applaud the applicant's adaptive reuse of the Underwood Building's historic façade through its integration with the proposed development.

In addition, the applicant has been a long time community partner and has allowed the BRZ to use the vacant site for community benefit, including the construction of a parklet and use as an events space.

The Victoria Park BRZ would like to provide the following comments on LOC2013-0060:

- 1) **We highly recommend the applicant return Haultain Park to its original state.** We encourage the applicant to take all possible measures during and after the re-construction of the park to ensure the longevity of the trees, plants and grasses. We encourage the soccer field be returned to its original state as it is a highly used amenity in our area. In addition, we encourage the applicant to maximize visual and physical permeability from the development and the promenade to the park to increase natural surveillance of the public space.
- 2) **We highly recommend the applicant explore opportunities to integrate the design of the waste and recycling facilities facing 14 Avenue SW into the overall development.** The proposed design of the waste and recycling facility facing 14 Avenue SW is shown as separate and distinct from the overall development. We believe this element detracts from the high-quality public realm environment that is being cultivated in this area.

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- 3) **We encourage the applicant to explore opportunities to enhance the public realm and maximize pedestrian comfort and safety in the construction phase of development.**
Opportunities include the use of modified shipping containers for pedestrian safety measures and enhanced screening and artistic hoarding applications.

- 4) **We encourage the applicant continue to explore opportunities to mitigate the impacts of construction on adjacent businesses.** Streetscape improvements and the construction of the 13 Avenue Heritage Greenway has created a persistent environment of construction in the area. Projects have resulted in long term street closures, interim removal of on street parking and interruption in the pedestrian connectivity to the area. This has negative impacts to at-grade businesses that depend on short stay parking access. All measures should be taken to mitigate noise and traffic flow interruptions, limit the removal of on street parking, and maximize pedestrian comfort.

Thank you for providing the Victoria Park BRZ with the opportunity to respond to this application.

Kind regards,



David Low
Executive Director
Cc. Counsellor Evan Woolley, Ryan O'Conner

January 26, 2014
Drew McDonald
#1 – 222 – 13 Ave SW
Calgary AB T2R0K2

RECEIVED
2014 JAN 29 P 1:34
THE CITY OF CALGARY
CITY CLERK'S

Office of the City Clerk
The City of Calgary
700 MacLeod Trail SE
PO Box 2100 Postal Station M
Calgary AB T2P2M5

Re: Public Hearing on Planning Matters

Beltline Bylaw 14D2014, 215 and 221 13 Ave SW Union Square

Dear Madam Clerk:

I reside at #1 – 222 – 13 Ave SW facing the playground in Haultain Park. My landlords are Roger and Gill Bowles ("the Bowles"), people whom I have known for 33 years. Throughout that time, I have also acted as an employee and advisor to them through my profession as a Chartered Accountant. They have asked me to address the impact of the proposed land use change application for the above mentioned application. They have provided me with the video presentation made to City Council in 2005 for the prior application for phase 1. I have watched this with particular interest to see if what the developer has said agrees to my perception.

First, let me explain that I have relatively high standards for the communities in which I live, seeking to improve the nature of the communities. I currently own 2 rental properties in the University area which I rent to tenants with below market rents and also allow pets. This is to encourage the tenants to enjoy the property, care for it in the nature of an owner manager, and provide for a disadvantaged class of tenants who own pets. I am also proud of my involvement with community associations (being a director) and serving on committees for the United Way and other non-profit organizations. I am aware of the need for community and support it.

Second, I will also like to vouch that the Bowles have similar standards. Such standards are reflected in both the residential, commercial and community nature of the building I live in. The property is always well maintained, clean, and provides unique combinations of both commercial and residential aspects including a lovely renovated 105 year old building, a newer duplex building with unique architectural features (you should drive by sometime!). It is an example of good mix of residential and commercial integrating and enhancing the community. The Bowles have also been involved in bettering the community personally by leading various initiatives including BRZ, community involvement, seniors aid, child safety and protection and supporting Big Brother/Sisters Soap Box Derby. The company operated video services for the Olympic Games in 1988, been involved in sponsoring Chuckwagons and supporting

KSPS TV. The tireless work for better practices by nightclubs and late night establishments to help security and provide a welcome environment to all visitors. Talk about civic pride!

Finally, I want to let you know what my perception is of what the development known as Union Square is and what it is not, based on the representations they made in 2005.

1. The eyes on the park by the 100 plus residents of the Union Square that were claimed by the developer in the prior application as a reason for the development simply are too far from the action to be a realistic claim of beneficial. It has not proved to be the case.
2. The parking spots along 13 Ave greenway are always full of parkers who park for extended periods of time – indicating that the required parking spots provided to tenants is insufficient.
3. The project claimed to provide commercial parking for the commercial establishments yet the parkade is the only parking area, and is accessed by keypad only.
4. The visitor parking that they claim to have is either non-existent or fully used at all times since parking and traffic is created along 13 Ave throughout the day, and the parking on the side of the playground creates problems for children who may dart between the cars.
5. The park facing side of the building is not used often if at all except for a once – a – year BBQ for residents only.
6. There has been no noticeable increase in the use of the park as a result of the development and only some reduced level of negative behaviour, mainly due to increased policing not the development.
7. The developers, contrary to what they professed, have not advertised in the neighbourhood or even knocked on the door to see what we think – they operate in a vacuum – not neighbourly at all. I have had no notice of any development made to me until it was brought to my attention by the Bowles.

At the end of this letter I am left with many questions as to why we should believe them this time and why they think another stack of one-bedroom condos will add to the community. Why this development and not something that ties to the heritage building concept?

Yours sincerely,



Drew McDonald, CA, CFP

January 27, 2014

RECEIVED

Office of the City Clerk, The City of Calgary

2014 JAN 29 P 1:35

700 MacLeod Trail SE, P.O. Box 2100 Postal Stn. M

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Calgary, Alberta T2P 2M5

BELTLINE BYLAW 14D2014 LOC2013-0060 UNION SQUARE

This is a Postscript to my October 31, 2013 LOC2013-0060 submission to City Planning (Exhibit A. hereto).

My letter assumed that the Applicant would reverse eight years of refusals to make direct contact with adjacent property owners . **WRONG**. That attitude persists, with added attempts to mislead the authorities about communication with immediate neighbors. See Exhibit B.

What do the developers want to hide? Inadequate capital, probably. Ex Aldermen King and Mar would not meet either, presumably because they anticipated due diligence questions.

The attached Exhibit C. Appendix IV to Union Square CPC December 19, 2013 filing, is annotated to show present site conditions after almost a decade of construction assaults on Haultain Park.

How long is too long to accept inept development practice?

My three grandchildren passed through high school and university without a single days access to Haultain School playing field. A park wedding might have been nice too.

Five Olympic Games will have been and gone before athletic training can be restored to Haultain Park. Soccer, rugby, frisbee, sun bathing and cricket, with white flannels no less, had to go elsewhere.

During the many years Union Square has languished in the mire, competent contractors could have built **TWO Bow Buildings** and **THREE Peace Bridges**.

What is the subsidy value of involuntary community contributions to Union Square?

More than enough to demand promised performance (2005 Eyes ON The Park) not 2016 Eyes FROM The Park on to Slumville. On top of this indignity, attempts to prevent or correct physical damage have been woefully inadequate.

Union Square should be charged for commandeering civic resources and penalized for failing to return them to the community in good order and by date certain. Performance bonds and delay penalties are needed here.

When will The City and Beltline Community Association stop diverting public assets to thoroughly unworthy developers?

When Calgary becomes a *World Class City*.

Submitted in despair, with only five minutes to remedy a decade of stupidity.

A handwritten signature in red ink, appearing to be 'R. Bowles', written in a cursive style.

Roger G. Bowles

224 - 13 Avenue SW. (Within sight, sound and smell of sheer greed)

Calgary, Alberta T2R 0K2 Tel: 403 263-5401

- Exhibits: A. October 31, 2013 submission to City Clerk.
B. Misleading claims to Calgary Planning Commission.
C. Union Square's own Proposal, Appendix IV. Annotated.

Colleen Renne-Grivell, File Manager
Land Use Planning and Policy, IMC #8117
City of Calgary, P.O. Box 2100 Station M
Calgary AB T2P 2M5
Tel: 403 268-5759 Fax: 403 268-3542

NOTE
Extra copy by hand in case
fax transmission yesterday
failed. Colleen phoned to
say fax received Nov 1
October 31, 2013

Greetings:

LETTER TO CITY PLANNING. RESPONSE TO INVITATION TO OWNERS OF ADJACENT PROPERTIES (Undated?)

UNION SQUARE Bylaw LOC2013-0060. 215-13 Avenue SW + other addresses.

My name is Roger Bowles. I have owned a home and office at 222/224 - 13 Avenue SW since 1988 ... seventeen years longer than Union Square has occupied the "next door" property. Community co-operation and public safety have been my primary concerns all along, with special focus on business contributions to this neighborhood. Please ask for examples.

My present submission focuses on developers' corporate citizenship and questionable planning practices.

As I understand their drawings; **The Applicant now proposes 53 more suites and 212 fewer parking stalls than were approved for Phase 2 in 2005.** The original Union Square LOC2004-0095 was more than generous regarding: Density allowances, Civic welfare, Shadowing and Closure of a public park and children's playground. Their revised plans seek to stretch those concessions far beyond reasonable limits.

I would be less concerned had the Applicant behaved in socially acceptable and expeditious ways during Phase 1 construction. Despite invitations that long predated Phase 1 construction, the Applicant's Architect (BKDI ?) and Contractor (Summa Ellis Don ?) refused to meet with impacted neighbours. Approaching a decade later, their building activities continue to deprive adjacent property owners of enjoyment of public - and even access to their private - property.

The APPLICANT'S Phase 2 SUBMISSION (undated ?) states "... an excellent opportunity exists to meet current rental market demand by increasing the unit count and decreasing the average size of the units". So much - or so little - for the vaunted "... pinnacle of City living ... built to a higher standard ... for accomplished individuals".

It goes on to claim that this "... will satisfy City desire to provide more diverse housing topology in the market". My translation: **We got it all wrong in 2005 and want the public to reward us in 2014 by picking up the tab for our mistakes (*****). Meanwhile, we expect others to suffer comparable economic adversities on their own.**

Since 2005, Union Square's neighbours have suffered setbacks similar to property

developers, without looking to community resources for relief. Many worthy businesses and individuals have been forced to abandon this area to failed land speculators.

Community submissions in 2005 raised important questions about: **Site access off 13 Avenue, Public safety, Traffic, Shadows and, most particularly, Parking deficiencies.** LOC 2013-0060 rezoning plans aggravate those concerns, which were never adequately addressed by City Planning in 2005.

Late arrival Union Square dominates an area notorious for critical parking shortage, yet they want relief from onerous quotas born by nearby properties for many years. It is patently unfair to assault neighbours with hundreds more alien cars commandeering residential spaces. I also understand that fifty existing Applicant stalls are rented to commuters instead of residents and none of their required commercial stalls exist.

Much of the promoters' earlier enthusiastic ("*extremely excited*") support for this development has evaporated in the face of predicted realities ... leaving the dispossessed neighbours with ongoing eyesores and remediation costs.

Too many safety, parking and traffic warnings proved accurate. Not heeding them resulted in a community disaster, which drags on after eight years. Park restoration is still only about 80% complete, not 100% as claimed by the Applicant. Surely, Planners should recognise these results.

The full text of my ten page 2005 submission to City Planning, and the transcript and TV broadcast of the public Council meeting are available. They attest to the legitimacy of community concerns – that are now further escalated. Just another uneconomic development project to be rewarded from the public purse?

My previous suggestions remain largely unaltered with collateral damage of: 15 Broken double glazed windows (vibration), Structural repairs (pile driving) and a Smashed automobile (missing traffic security) as regrettable evidence of dangerous construction practices. Oddly, my insurers had to pay over \$25,000 for those repairs – many months later. NEVER AGAIN.

Respectfully submitted with *cloud* access to digital Exhibits listed below.

Questions welcome. Thank you.


Roger G. Bowles
224 – 13 Avenue SW
Calgary AB T2R 0K2 Tel: 403 263-5401 Fax: 403 237-8329

Cloud Exhibits: Documents, Photos and Video evidence of prior related events.

Don't blame
the bad guys
Blame the architects

EXHIBITS:

Male body fluids, to put it politely, sprayed on parking structure in middle of children's playground.

Total excavation of 1/2 of Haultain Park for three years.

Effective closure of 3/4 of Haultain Park for 5 years.

Shadows destroying morning utility of children's playground indefinitely, and similar invasion of Central Memorial Public Library and several other heritage buildings.

20+ cars in 10 stall private Parks Foundation lot.

Continued air pollution in spite of Cease Work Order.

Atmospheric carried detritus still evident after eight years.

Tenant restaurant manager reportedly imprisoned for street riot and liquor infractions.

Urgent government TV broadcast delayed due to street obstructions. Federal Express delivery prevented TWICE.

Mail delivery to Contractor's office rejected, because contents presumed, correctly, to be a damage complaint.

Contractor damage repair bills.

Union Square

B

Development servicing shall be to City standards, and will be determined through the Development Site Servicing Plan circulation (DSSP) application review process. A DSSP will be required, prior to the release of the future Development Permit as there scope involves a new development on a site where there are existing structures and in order to ensure that the servicing scope will be compatible with the proposed development concept scope.

Road Rights-Of-Way Improvements:

At the Development Permit stage the applicant shall clearly differentiate what improvements and features exist (surface treatments, trees, trenches, bollards, etc.) and what improvements and features are proposed within the adjacent public right-of-way. Proposed surface treatments and features shall be to the satisfaction of Roads. The developer will be required to remit payment towards any related street light upgrading, or deposit towards any required or proposed surface improvements that may be deemed necessary at that time, prior to the release of the Development Permit.

Flood Risk Area Regulations:

As per Council approved "Floodway / Flood Fringe" mapping, the development site is located within the "Overland Flow Zone" flood risk area.

According to City records, the highest adjacent street centre line grade for the site is 1047.15 metres (geodetic). At the development permit stage, the minimum main floor elevation shall be 1047.45 metres (0.3 metres + 1047.15 metres) as per Land Use Bylaw 1P2007, Part 3, Division 3. Said regulations also require all mechanical and electrical systems to be located at or above the minimum main floor elevation, while ensuring that the building be designed in a manner as to prevent structural damage in the event of a floor event.

Environmental Site Assessment

An ESA was not required for the purposes of the proposed scope or site.

Community Association Comments

The Beltline Community Association is in support of this land use application (APPENDIX II).

Who did they ask?

Adjacent Neighbour Comments

Several letters of objection were submitted for the subject land use application and included concerns regarding inadequate visitor parking, additional traffic generated by the proposal, impacts on property values and effect on existing residents during time of construction.

In addition, the applicant held an open house on 2013 December 02 to provide the opportunity to inform both the owners of Phase 1 units in Union Square, as well as the adjacent neighbours, of this proposed land use re-designation application.

NOT TRUE

AERIAL OVERVIEW



Above map is Appendix IV to Report to Calgary Planning Commission on December 19, 2013.

Following annotations are by adjacent property owners and impacted neighbours.

Redevelopment IMPROVEMENTS to Haultain Park by Union Square:

1. Swamp over most area of once lovely block wide Haultain playing field.
2. Pee green open air urinal (fire escape?) beside tot lot play fixtures.
3. Alien parking stalls rented to estimated 75 non-resident commuters.
4. Proposals for adjacent liquor store outlets, without parking facilities.
5. "Eyes on the Park". Sole justification for extraordinary exemptions.