

*Via email*

November 2, 2022

To: City of Calgary Mayor  
City of Calgary Councillors  
Chair, Green Line Board  
Eau Claire Improvements Team

**Re: City Intention to Destroy River Run**

Yesterday, River Run families attended the City's information session at Eau Claire Market where the City continued to depict our homes destroyed. Since August 14, 2019, the City has represented to River Run families that:

1. it will take our homes; and
2. it will not respect any of the rights that exist for citizens when a government intends to take homes.

The City has the enormous power to take citizens' homes without consent. To try to prevent a city from abusing this power, rights exist for citizens when a city intends to take homes, such as the right to be reimbursed for the reasonable cost of independent advice.

For years, the City has privately told us it will destroy our homes, publicly depicted our homes destroyed, and, on May 19, 2020, our former Councillor published the City's intention to acquire or expropriate our homes. Although the City intends to take our homes, the City dishonestly pretends that it pressuring us to sell for years is just a typical real estate negotiation where we have no particular rights, which is not true:

1. our homes are not for sale;
2. the City has threatened expropriation for years; and
3. the City has the unilateral power to decide if, and when, it will take our homes.

Even if the City could justify its disregard for our rights as lawful, ethically, why wouldn't the City want to reimburse citizens for the cost of independent advice prior to acquisition discussions, requested by the City for years, under threat of expropriation. Independent advice is a hallmark of a fair process.

The City has the power to take our homes and select its price. If we disagree with the City's selected price, we can ask an independent tribunal to determine fair value. In these circumstances, there is *no possibility* the City will ever pay more than fair value for our homes. *Aside from trying to avoid paying fair value, why does the City continue to refuse to reimburse our reasonable cost for independent advice?*

Independent advice is particularly important where there is a conflict of interest. The City has created a direct, obvious and ongoing conflict with us regarding our homes and the City continues to make taxpayer funds available for only one party to this conflict to have advice, itself.

In a typical negotiation, a buyer wants the lowest possible price. The City using its position of power to try to pay citizens the lowest possible price, while threatening expropriation, is not ethical or lawful. The City keeps saying ‘expropriation is a last resort’, but what the City means is that, when it intends to take homes, the City views a fair process where citizens’ rights are respected as a last resort. There is, of course, nothing preventing the City from respecting citizens’ rights prior to a formal expropriation.

As a practical response to the City’s intention to destroy our homes, for years we have been willing to participate in the City’s requested acquisition discussions, if we have independent advice. We have informed the City that we do not intend to incur the cost for such advice because:

1. we do not wish to sell;
2. we are not the party requesting acquisition discussions;
3. the City continues to pretend this is a typical real estate negotiation where we have no particular rights; and
4. based on the City’s conduct towards River Run, we do not trust the City.

To date, the City’s abusive conduct towards River Run families includes:

1. *Taking away water views without notice.* On July 12, 2019, the City met with River Run and assured us that the planned flood barrier would not take away water views. In January 2022, the City installed a large rusted metal wall that took away water views. On February 3, 2022, the City advised us that it was “impossible” to use a temporary barrier along any part of River Run, which is not true. Temporary barriers are used in dozens of locations along the barrier, including immediately east and immediately west of River Run.
2. *Providing a fake appraisal.* The City provided us an appraisal dated August 17, 2020 that can fairly be described as a fake appraisal. It is a draft “hypothetical” appraisal that considers two low value hypotheticals, neither of which would ever occur, and does not consider the hypothetical that the City takes our homes and we need replacement homes.
3. *Misrepresenting the nature of our property.* On November 20, 2020, the City falsely represented to River Run that the geology of our property will not support a tower, even though the City has approved 14 towers on the 12 acres immediately adjacent to River Run.
4. *Destroying mature trees without notice.* On February 12, 2021, the City destroyed more than a dozen mature trees immediately west of our property without notice. On February 18, 2021, the City claimed that it had pictures of notices placed on such trees well before the City destroyed them. We asked the City to provide such pictures. The City said yes, but has not provided such pictures, because they don’t exist.

The City's abuse towards River Run families, as it tries to take our homes without respecting our rights, shows a remarkable disregard for citizens' well being. Since August 14, 2019, we have repeatedly identified the City's abusive behaviour. The City has yet to meaningfully respond.

River Run is a unique community of four-story townhomes on an acre of downtown, waterfront property. Deciding that that only 23 townhomes would be built on our acre of property adjacent to Calgary's central park was likely a very poor civic planning decision. However, the City's decision to make our property low density and entirely residential created a special community in a location that is second to none. Our large private courtyard shared among only a few families is unique and is constantly used with children playing safely and families gathering for group events. Our iconic green roof, between downtown towers and a forest of trees, is routinely in the backdrop on the evening news. We do not want our homes destroyed and we cannot replace what we have.

Our homes were built in 1995, as decided by the City. The City deciding in 2019, or earlier, that it wants our homes tossed in a landfill is financially and environmentally irresponsible. Further, there was bare land immediately across the street east of us when the City started acquiring land for the industrial train the City wants to run through Calgary's central park. Destroying our homes was not necessary. Despite being the sole author of this terrible situation, the City has yet show any trace amount of accountability. The City has frozen our properties since 2019, and has caused uncertainty on all sides of our homes for many years prior to 2019, which has caused harm to River Run families.

The uncertainty regarding if and when the City will take our homes reduces our quality of life every day. If the City at some point agrees to fair acquisition discussions, where our rights are respected, we continue to be available. Until then, the City's abusive conduct continues to cause harm, as intended.

- River Run Board of Directors