

LAND USE AMENDMENT
BRITANNIA (WARD 11)
8 STREET SW AND 50 AVENUE SW
BYLAW 57D2018

MAP 4C

EXECUTIVE SUMMARY

This land use amendment application proposes the redesignation of a residential parcel in the southwest community of Britannia from Residential – Contextual One (R-C1) to DC Direct Control District. The proposed DC Direct Control District retains the R-C1 uses and rules and adds the use of “Parking Lot – Grade”, as an additional discretionary use. A Development Permit has been submitted and is on hold, pending the outcome of the land use amendment application. The parcel is currently undeveloped with high voltage power transmission lines traversing over the site. Current development options for this parcel are constrained by the overhead power lines.

Administration is not in support of the application based on non-conformance with applicable policies, the lack of rationale submitted with the application, and the Applicant’s non-acceptance of a temporary use for their application. Administration recommends refusal of the proposed land use amendment.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)	2017 December 14
That Calgary Planning Commission recommends REFUSAL of the proposed Land Use Amendment.	
RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION	
That Council hold a Public Hearing on Bylaw 57D2018; and	
<ol style="list-style-type: none">1. REFUSE the proposed redesignation of 0.17 hectares ± (0.42 acres ±) located at 904 – 50 Avenue SW (Portion of Plan 3700GO, Block 2, Lot 6) from Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to allow for the additional discretionary use of Parking Lot – Grade, in accordance with Administration’s recommendation; and2. ABANDON the proposed Bylaw 57D2018.	

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REASON(S) FOR RECOMMENDATION:

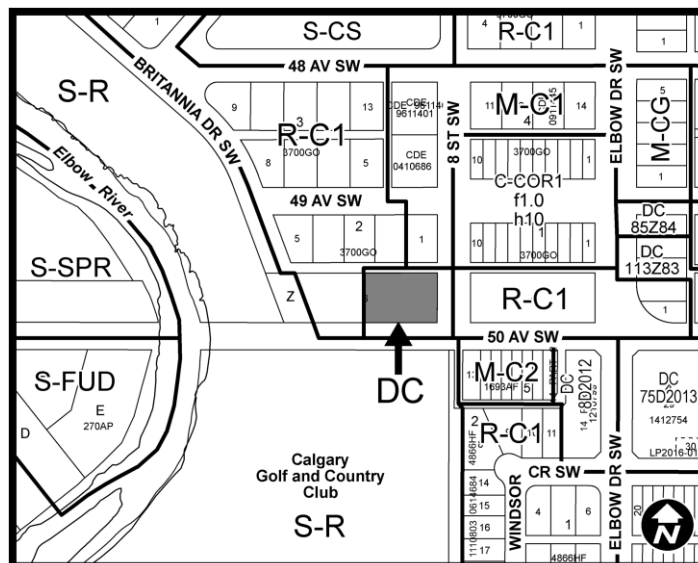
Administration is not in support of the proposed land use amendment from R-C1 to DC, with Parking Lot – Grade as an additional discretionary use, for the following reasons:

1. The proposal is contrary to the intent of the policies outlined in the Municipal Development Plan (MDP) and the Calgary Transportation Plan (CTP).
2. Generally, Administration does not support parking as a standalone use. The Land Use Bylaw requires uses to provide parking requirements associated with that particular use.
3. Recently approved developments in the general area have been granted parking relaxations. These relaxations have been supported by appropriate planning and transportation data and rationale. The provision of surface parking on this parcel contradicts the rationale supporting the relaxations granted by the Development Authority for developments in close proximity.
4. Administration acknowledges that, due to the overhead power lines, development on this parcel is currently limited. In light of this constraint, Administration suggested provisions within the land use district to allow parking as a temporary use. Administration proposed an initial five year term for the Development Permit, with options for renewal. The Applicant has indicated that they are not amenable to this solution.
5. The applicant has elected to not provide requested planning and transportation materials in support of their proposal. Administration requested this information to evaluate potential demand and impacts associated with the proposed use. In the absence of this information, Administration is unable to rationalize the demand for the proposed use.

ATTACHMENT

1. Proposed Bylaw 57D2018
2. Public Submissions

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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **REFUSE** the proposed redesignation of 0.17 hectares \pm (0.42 acres \pm) located at 904 – 50 Avenue SW (Portion of Plan 3700GO, Block 2, Lot 6) from Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to allow for the additional discretionary use of Parking Lot – Grade.

Moved by: R. Vanderputten

Carried: 5 – 4

Opposed: M. Foht, D. Leighton,
J. Gondek and
C. Friesen

Reasons for Opposition of the Refusal recommendation for Mr. Friesen:

- I supported this Land Use and voted against the recommendation for refusal. Although the information was ambiguous there appeared to be a need for more parking. To have a piece of land like this unused and not maintained seems to be a mistake. If Parks was to purchase it and create a park that might be acceptable but this seems unlikely. Private interests were willing to provide this service and create a facility that the community wanted. Some solution which works for the proponent should be found and the land use supported.

Reasons for Opposition of the Refusal recommendation for Mr. Foht:

- I did not support the Refusal recommendation of Administration for the following reasons;
 - Britannia has grown into a vibrant shopping, dining and service area. With the new developments, a diversity of uses such as office, service, medical/dental and addition retail uses have been added to an original small mall.
 - With growth, the district has a regional (if not city wide) appeal. The local establishments such as Owl's Nest Books, Britannia Hardware and local restaurants cannot rely on neighbourhood clientele alone.
 - Parking has become an issue.
 - The applicant has addressed this issue by seeking to provide parking for the employees of the tenants and others to relieve the parking issue.
 - The lands are not able to be developed due to the Altalink powerlines.
 - The use sought for the lands is tied to the existence of the power lines. Once the lines are removed, the Applicant is prepared to develop the lands.
- In light of the above facts, the use applied for by the Applicant is sensible and warrants approval.

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2017 December 14

MOTION: The Calgary Planning Commission accepted correspondence from:

- Certus Developments Inc dated 2017 December 07;

as distributed, and directs it to be included in the report as APPENDIX V.

Moved by: E. Woolley

Carried: 9 – 0

AMENDMENT: Delete DC guideline 7 in its entirety and renumber the guidelines accordingly.

Moved by: M. Foht

LOST: 4 – 5

Opposed: E. Woolley,
A. Palmiere, L. Juan,
J. Scott and
R. Vanderputten

MOTION: The Calgary Planning Commission **FILED** Administration's recommendation of **REFUSAL** and recommends that Council:

1. **ADOPT**, by bylaw, the proposed redesignation of 0.17 hectares \pm (0.42 acres \pm) located at 904 – 50 Avenue SW (Portion of Plan 3700GO, Block 2, Lot 6) from Residential – Contextual One Dwelling (R-C1) District **to** DC Direct Control District to allow for the additional discretionary use of Parking Lot – Grade, as amended; and
2. Give three readings to the proposed Bylaw.

Moved by: M. Foht

LOST: 4 – 5

Opposed: E. Woolley,
A. Palmiere, L. Juan,
J. Scott and
R. Vanderputten

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Applicant:

Certus Developments

Landowner:

Altalink Management Ltd

PLANNING EVALUATION

SITE CONTEXT

Located in the southwest community of Britannia, the parcel is located on the north side of 50 Avenue SW, immediately west of 8 Street SW. The parcel, which is currently vacant and undeveloped, is approximately 0.35 hectares and the proposed land use amendment only applies to the easternmost ± 0.17 hectares. The Applicant has conditionally purchased the most easterly portion of the parcel to allow for a proposed gravelled surface parking lot. The parcel forms part of a larger utility corridor which runs parallel to 50 Avenue SW and is currently owned by Altalink. High voltage power transmission lines (240 kV) traverse over the parcel. To Administration's knowledge, there is no immediate plan to bury the power lines, to facilitate redevelopment.

Single detached dwellings and a three-storey multi-residential building exist to the north of the parcel. A paved surface parking lot, associated with the Britannia Shopping Plaza, exists to the east. The Calgary Golf and Country Club is located to the south. Britannia Slopes Park and the Elbow River escarpment exist to the west of the parcel.

According to data from The City of Calgary 2017 Census, the following table identifies Britannia's peak population and year, current population and the population amount and percentage difference between the peak and current populations.

Britannia	
Peak Population Year	1968
Peak Population	1,187
2017 Current Population	668
Difference in Population (Number)	-519
Difference in Population (Percent)	-44%

DEVELOPMENT OVERVIEW

The surrounding area consists of both low density and medium density residential developments, mixed-use buildings, and the Britannia Shopping Plaza. This grouping of uses meets the Municipal Development Plan's criteria for a Neighbourhood Activity Centre. The area has been identified as a Neighbourhood Activity Centre in the 50 Avenue SW Area

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Redevelopment Plan. To service the Britannia Shopping Plaza, there are several existing at-grade parking areas including parallel and angled parking along 49 Avenue SW, a 120 stall asphalt parking lot, and regulated and unregulated on-street parking in the general vicinity.

A two-storey commercial retail and office building has recently been developed by the same applicant subject to this application. This development, located on the northwest corner of 49 Avenue SW and Elbow Drive SW, received a 57 motor vehicle stall parking relaxation. The applicant provided sufficient planning and transportation rationale to demonstrate that the relaxation was appropriate from a parking demand/supply perspective.

A five-storey commercial retail and office building, located on the southwest corner of Elbow Drive SW and 50 Avenue SW, was developed in 2014. An underground parkade services this development. Since its original development approval, several parking relaxations have been granted for additional applications on this site. Planning and transportation information was provided to rationalize these relaxations.

A six-storey mixed use commercial retail and residential building, located on the southeast corner of Elbow Drive SW and 50 Avenue SW, has recently been approved by the Development Authority and is under construction. The original development was planned as primarily a mixed use commercial retail and office building. However, the office component has largely been replaced by multi-residential, creating a surplus in parking accommodated within the underground parkade.

LAND USE DISTRICTS

The existing R-C1 land use district is intended to accommodate existing residential development and contextually sensitive redevelopment in the form of Single Detached Dwellings in developed areas. A Parking Lot – Grade is not an allowable use under the R-C1 land use designation. This application is proposing to redesignate the R-C1 parcel to DC Direct Control to allow Parking Lot – Grade, as an additional discretionary use.

Although the parcel is currently designated for residential uses, the parcel is encumbered with overhead high voltage power transmission lines that restrict development. In recognition of the existing limited development potential of the parcel, a Direct Control District was proposed to the applicant (see APPENDIX IV). Specific provisions for landscaping and screening were incorporated into the bylaw to mitigate concerns from adjacent residents and create an appropriate interface with adjacent streets. Additional provisions included within the bylaw allow for a surface parking lot as a temporary discretionary use. There are no specific restrictions in the bylaw restricting renewal of future development permit applications for the same use. This provision was intended to allow the Development Authority the flexibility to evaluate the feasibility and congruence of the proposed use over time, as the area redevelops.

The applicant has reviewed the proposed DC bylaw and is not amenable to the temporary

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development permit requirement.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP) (2014)

The parcel is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). The SSRP makes no specific reference to this site.

Municipal Development Plan (MDP) (2009)

Based on the MDP, the subject parcel is:

- located within the *Residential Developed Established* area;
- located at the terminus of a *Neighbourhood Main Street* (50 Avenue SW);
- located immediately adjacent to a *Neighbourhood Activity Centre*; and
- located in close proximity to *Primary Transit Networks* (i.e. Elbow Drive SW and 50 Avenue SW).

As the subject parcel is located in immediate adjacency to the aforementioned areas, the intent of the policies outlined in the MDP are considered. Policies within the MDP for these key areas generally:

- encourage “appropriate densities,” a “mix of uses,” and “a pedestrian friendly environment”;
- encourage uses that support public transit and support investment in public transit;
- discourage auto-oriented uses;
- discourage uses that require extensive surface parking;
- discourage the use of large amounts of land at a low intensity; and
- discourage uses that have a negative impact on the pedestrian environment.

The proposal is contrary to the intent of the policies of the MDP. The proposed use will exclusively accommodate motor vehicles in a low density, single-use form. Additionally, the subject land is a gateway to the Britannia Slopes Park and the Elbow River escarpment. The proposal may create negative impacts for pedestrian movement through the subject lands.

These policies summarized above are referenced more specifically and in greater detail in APPENDIX III.

Calgary Transportation Plan (2009)

Policies in the Calgary Transportation Plan generally:

- encourage walking and cycling as the preferred mobility choices for more people;
- encourage limiting long-stay parking where high-quality alternative modes of travel are available;

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- encourage alternatives, such as the use of technology and transportation management, to address parking issues rather than increasing supply; and
- discourage the provision of additional parking where the availability of parking leads to people rejecting other modes of transportation that are available.

The proposal is contrary to the intent of the policies of the CTP. The CTP prioritizes public transit, walking, and cycling as the preferred mobility choices for more people. The proposed use will exclusively accommodate motor vehicles in a low density, single-use form. Additionally, the proposed use has the potential to detract from the investment in transit within the general area.

The policies summarized above are referenced more specifically and in greater detail in APPENDIX III.

50 Avenue SW Area Redevelopment Plan (2013)

Although the parcel is located immediately adjacent to the 50 Avenue SW Area Redevelopment Plan boundary, the parcel is contemplated from a conceptual standpoint within the Plan. The parcel is located to the west of the Tri-Community Neighbourhood Activity Centre (NAC), across 8 Street SW. The guiding principles of the 50 Avenue SW Area Redevelopment Plan strive for

- walkable and safe streets;
- improved pedestrian, cycling and transit connectivity and route choice;
- a reduction of auto-oriented uses; and
- enhancement of important junctions and focal points with gateways, parks and public spaces.

The parcel is located at intersection of the *Neighbourhood Main Street* and the Britannia Slopes Park, and as such, is considered an important junction or focal point. The proposal may create negative impacts for pedestrian movement through the subject lands and is not viewed as an ideal use for an “important junction or focal point.”

The policies summarized above are referenced more specifically and in greater detail in APPENDIX III.

TRANSPORTATION NETWORKS

The Calgary Transportation Plan (CTP) classifies Elbow Drive SW as a Parkway and 50 Avenue SW as a Neighborhood Boulevard. The CTP also identifies Elbow Drive SW and 50 Avenue SW as Primary Transit Networks. Currently, bus route #3 runs along Elbow Drive SW and forms a part of the Primary Transit Network.

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A Transportation Impact Analysis was not required for this application. Administration requested a Parking Study be submitted with the land use amendment application. The applicant elected to not provide the requested Parking Study with their application. The latest Parking Study for the area was completed in May 2016, and was undertaken to rationalize a parking relaxation for an application in the general area. The result of this Parking Study suggests that there is adequate on-street and off-street parking to service the area residents and businesses. The area is within Residential Parking Zone BEW.

UTILITIES & SERVICING

As the development is proposed as a parking lot, there is no requirement for a water or sanitary service to the proposed development.

Presently there isn't a storm sewer adjacent to the site for servicing needs. At the Development Permit stage, any storm sewer infrastructure upgrades or extensions will be determined.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment (ESA) was not required for this application.

GROWTH MANAGEMENT

The proposed land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

PUBLIC ENGAGEMENT

Community Association Comments

Administration received a letter of support for the proposed surface parking lot from the Britannia Community Association, provided that a green connection is established through the site (APPENDIX II).

Reasons stated for support are summarized as follows:

- It would provide parking for employees, patrons and visitors to Elbow and 50 Avenue Neighbourhood Activity Centre;
- It would provide parking for visitors to Britannia Slopes Park; and

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- A 5 year term would allow for flexibility and gradual transition to less car dependent traffic in the area.

Administration also received a letter of support for the proposed surface parking lot from the Elboya Heights Community Association (APPENDIX II):

Reasons stated for support are summarized as follows:

- Will assist with overflow parking pressures the community is faced with; and
- Parking needed for existing retail businesses and the area in general.

Citizen Comments

Administration received three (3) letters in support of the application.

Reasons stated for support are summarized as follows:

- On-street parking is difficult to find;
- Additional surface parking will provide relief to area residents and businesses; and
- There is a lack of affordable parking in the area.

Administration also received five (5) letters in opposition of the application.

Reasons stated for opposition are summarized as follows:

- Creation of parking area will increase traffic in the adjacent laneway which services residential lots;
- Impact to wildlife using the utility corridor;
- Commercial area should encourage walking, biking and use of public transportation vs. encourage automobile use;
- Street parking is available;
- Loss of greenspace in the community;
- Parking area shall be paved not gravelled surface as per the Development Permit;
- Subject lands are important junction within the 50 Avenue Area Redevelopment Plan;
- Increase in dust and noise in the area; and
- Increased risk of property damage to residential structures.

Public Meetings

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

Certus Developments Inc has conditionally purchased the above referenced lands from Altalink and applies for approval to build an at-grade surface parking lot on a portion of the property. In order to so, Certus wishes to revise the current Land Use District from RC-1 to a Direct Control based upon RC-1 with the additional provision to permit an at-grade surface parking lot.

The land parcel is located on the north side of 50th Avenue immediately west of 8 Street in SW Calgary. This land is currently used as a Utility Corridor, more specifically for an overhead high voltage power transmission line. The land is approximately 0.88 acres and is currently zoned as RC-1. The entire site is subject to a Utility Right of Way encumbrance that will prevent the erection of any permanent structures in the future.

Certus is applying to develop the most easterly portion of these lands (\pm 0.4 acres) with said at-grade surface parking lot that will accommodate 58 automobiles.

The Britannia area, both the commercial district (the Britannia Shopping Centre, the OPUS 6 story commercial building, and Arlington's Windsor development), and the surrounding residential districts are experiencing parking shortages at certain times of the day. Much of these shortages are attributable to the demands of employees in the area requiring full day parking.

The area is presently served by 63 on-street city-owned parking stalls (2 hour limit) on 49th Avenue in front of the retail tenants, and limited street parking in the immediate residential areas. There is a 24 stall underground pay parkade in the OPUS Building on Elbow Drive. As well, there is a 130 stall surface parking lot located behind the Sunterra Building on Elbow Drive. This specific parking lot is monitored and is a restricted lot exclusively for the tenants and customers of the Sunterra Building and adjacent retail uses, and is not accessible to the large number of employees working in the area.

Certus is currently constructing a 2 level 11,400 sf commercial building on 49th Avenue at Elbow Drive complete with 11 surface parking stalls.

Certus submits that the construction of additional at-grade parking in the immediate vicinity would be of great benefit to the retail businesses, their employees and customers, as well as the employees in the area.

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APPENDIX II

COMMUNITY ASSOCIATION LETTERS

Britannia Community Association
4508 Britannia Drive SW
Calgary, AB
T2S 1J6

May 2, 2017

City Planning Department
The City of Calgary
P.O. Box 2100, Station M,
Calgary, Alberta
T2P 2M5
May 1, 2017

Attention: Jeff Quigley, Planner

Re: Certus Developments Inc.
LOC2017-0071
904 -50th Avenue SW

Re: Proposed surface parking lot at 8th Street and 50th Ave SW

The Britannia Community Association (BCA) has been contacted by Ron Ghitter, Director of Certus Developments Inc. requesting support for a surface parking lot near the Calgary Golf and Country Club entrance on 8th Street SW between 50th and 49th Avenue SW.

The BCA endorses the plan for a surface lot in this location because it is needed to support continuing development in this area provided that a green connection (e.g. a pathway through the parking lot) is established. The BCA requests that the City consider adding a pedestrian cross-walk across 50th Avenue SW near the Calgary Golf and Country Club entrance where the existing sidewalk ends.

Regards,



Correna Jones
President, Britannia Community Association

CC:
Mr. David Pidgeon
Mr. Ron Ghitter
Certus Developments

J. Quigley

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City Planning Department
The City of Calgary
P.O. Box 2100, Station M,
Calgary, Alberta
T2P 2M5
May 1, 2017

Attention: Jeff Quigley, Planner

Re: Certus Developments Inc.
LOC2017-0071
904 -50th Avenue SW

Dear Mr. Jeff Quigley,

On behalf of the Elboya Heights Community, a community adjacent to the proposed development we would like to submit this letter in support of the above noted development as proposed by Certus Developments Inc.

Certus has worked tirelessly with our community and it has become clear that the proposed development is supported by our community members.

The community believes that the additional parking is needed not only because of the new buildings in the area but also for the existing retail in Britannia Village and the area in general. The parking pressure from the Opus Building has been felt throughout the neighbouring communities.

Elboya is pleased to support this additional parking and believe this will help tremendously on the overflow parking pressures the community has been dealing with.

Should you have any questions in regards to this, please feel free to contact me.

Thank you,

Olga Knight, President
Elboya Heights Community Association
Cc Mr. David Pidgeon

ELBOYA HEIGHTS COMMUNITY ASSOCIATION
Olga Knight, President • (403) 969-8341 • president@elboyaheights.com

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APPENDIX III

CITY POLICIES

Municipal Development Plan (MDP)

The parcel is located within the *Residential Developed Established* area as per Map 1: Urban Structure Map of the MDP.

Section 3.5.3 (c) states that:

New developments in Established Areas should incorporate appropriate densities, a mix of land uses and a pedestrian-friendly environment to support an enhanced Base or Primary Transit Network. As per Map 2: Primary Transit Network of the MDP, 50 Avenue SW and Elbow Drive SW are part of the Primary Transit Network.

Section 3.4.3 (g) states that:

Auto-oriented uses and designs that generate high volumes of traffic, consume large amounts of land in a low density form, require extensive surface parking, and create negative impacts for pedestrian travel and access should be discouraged.

Section 3.3.4 (e) states:

Auto-oriented uses and designs that generate high volumes of traffic, consume large amounts of land in a low density form, require extensive surface parking, and create negative impacts for pedestrian travel and access should be discouraged.

Section 2.2.2 (g) states:

Develop new mobility management strategies that will reduce the demand for vehicle access and parking.

Section 2.4.1 (c) states:

Identify, preserve and enhance scenic routes and principal views of important natural or constructed features. The subject parcel may be considered to be located along a scenic route and offers "principal views" of "important natural features", in this case the Britannia Slopes and the Elbow River Escarpment.

Section 2.5.2(a) states:

Integrate land use planning with transit investments and service delivery to meet the objectives of both the CTP and MDP.

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Calgary Transportation Plan (2009)

Section 3.1 (b) states:

Pedestrians and cyclists should be given the highest priority in the planning, design, operation and maintenance of transportation infrastructure in Activity Centres and Corridors.

Section 3.9 (c) states:

Long-stay parking in Activity Centres and Corridors should be limited where high-quality alternative modes of travel are in place (such as LRT or BRT). As referenced elsewhere in the report, the parcel is located adjacent to two (2) Primary Transit Networks on Elbow Drive SW and 50 Avenue SW.

Section 3.9 states:

(d) Technology, time restrictions and pricing should be used for addressing parking demand issues, instead of increasing supply in existing areas of the city.

(f) The design of parking facilities should consider adaptability for future uses that may or may not be related to parking.

Section 3.9 states:

The availability of parking is an important factor in what modes of transportation people choose to use. Traditionally, cities have required ample amounts of parking to alleviate parking congestion. However, an abundance of free parking encourages vehicle use, consumes useful land and is expensive to construct and maintain. Solving this problem by providing additional parking further increases parking demand, perpetuating the cycle.

50 Avenue SW Area Redevelopment Plan (2013 – Statutory)

Section 4.2.3 (e) states:

Stand-alone parking lots and parking structures are prohibited, with the exception of the existing parking lots at 720 and 820 50 Avenue SW, which have historically been used as parking for the existing commercial businesses.

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APPENDIX IV

ADMINISTRATION'S PROPOSED DIRECT CONTROL DISTRICT GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
 - (a) allow for a **Parking Lot – Grade** as an additional temporary *discretionary use*.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The *permitted uses* of the Residential-Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the *permitted uses* in this Direct Control District.

Discretionary Uses

- 5 The *discretionary uses* of the Residential-Contextual One Dwelling (R-C1) District of Bylaw 1P2007 are the *discretionary uses* in this Direct Control District with the addition of:
 - (a) **Parking Lot – Grade.**

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Residential-Contextual One Dwelling (R-C1) District of Bylaw 1P2007 apply in this Direct Control District.

Development Permit Requirements

- 7 A *development permit* for **Parking Lot – Grade** must not be approved for a period exceeding five (5) years.

Front Setback Area

- 8 Where a *parcel* shares a *front property line* with a *street*, the *front setback area* must have a minimum depth of 3.0 metres.

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Side Setback Area

9 Where a *parcel* shares a *side property line* with:

- (a) a *street* or a *lane*, the *side setback area* must have a minimum depth of 3.0 metres;
- (b) a *parcel* designated as a *residential district*, the *side setback area* must have a minimum depth of 3.0 metres.

Rear Setback Areas

10 Where a *parcel* shares a *rear property line* with a *parcel* designated as a *residential district*, or a *special purpose district*, there is no minimum requirement for a *rear setback area*.

Landscaping Rules

11 (1) Where a *setback area* shares a *property line* with a *parcel* designated as a *residential district* or a *lane* that separates the *parcel* from a *parcel* designated as a *residential district*, the *setback area* must:

- (a) be a *soft surfaced landscaped area*;
- (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 30.0 square metres; or
 - (ii) for every 45.0 square metres where irrigation is provided by a *low water irrigation system*; and
- (c) provide trees planted in a linear arrangement along the length of the *setback area*.

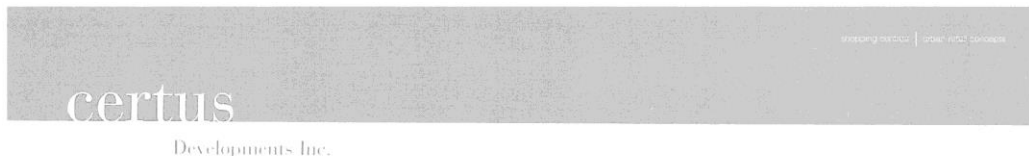
(2) Where a *setback area* shares a *property line* with a *street* the *setback area* must:

- (a) be a *soft surfaced landscaped area*;
- (b) provide a minimum of 1.0 trees and 2.0 shrubs:
 - (i) for every 35.0 square metres; or
 - (ii) for every 50.0 square metres where irrigation is provided by a *low water irrigation system*.

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APPENDIX V



December 7th, 2017

Memorandum to Members of Calgary Planning Commission

Re: Application by Certus Developments Inc. LOC2017-0071
Administration Report for CPC December 14, 2017 meeting
Agenda Item #5.25

Certus Developments Inc. is providing this memorandum related to the above file as a result of our concern that not all relevant information has been provided to members of the Commission in the package which you have received from Administration.

We are providing the following information to supplement the Administration's package:

- Letter dated September 7th, 2017 from Certus Developments Inc. to Mr. Jeff Quigley, Planner, South Area, Community Planning, City of Calgary. This letter was submitted in response to the CPAG Detailed Team Review comments (June 1st, 2017) on the subject LOC2017-0071. This letter submits Certus's rationale related to the LOC application and provides a general summary of our position on the file and specific itemized responses to the CPAG review. This letter was excluded from the CPC materials.
- Letter dated September 12th, 2017 from the Britannia Community Association to Mr. Ron Ghitler (cc'd to Jeff Quigley at the City of Calgary). This letter is an update to the Community Associations letter of May 2nd, 2017 which was included in administration's submission (Appendix II – Community Association Letters). This letter offer's comment on the same Detailed Team Review comments and reiterates the community support for Certus's application. This letter was excluded from the CPC materials.
- Letter dated May 4, 2017 from Bruce Abugov of Abugov Kaspar Architects (on behalf of the owners of Britannia 800 Apartments located at 815 50th Ave SW) to Mr. Jeff Quigley. The owners of this apartment building across from the subject Lands have submitted this letter in support of the application made by Certus Developments Inc. This letter was excluded from the CPC materials.
- Letter dated May 4th, 2017 from Mr. Jim Sherlock, Executive Manager of the Calgary Golf and Country Club to Mr. Jeff Quigley. The golf club is across from and adjacent to the subject Lands. This letter was submitted in support of the application made by Certus Developments Inc. This letter was excluded from the CPC materials.
- Letter dated April 27th, 2017 from Ms. Victoria Sopik, CEO Kids & Company Ltd. to Mr. Jeff Quigley. Kids & Company operate child care business within the new OPUS Building at the

No.210, 815-10th Avenue S.W.
Calgary, AB Canada T2R 0B4
T 403.245.2077 F 403.245.2723

J. Quigley

LAND USE AMENDMENT
BRITANNIA (WARD 11)
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SW corner of Elbow Drive and 50th Ave. This letter was submitted in support of the application made by Certus Developments Inc. This letter was excluded from the CPC materials.

In our view, these above noted materials speak to the need for this parking lot and are indicative of the greater concern within the community related to availability of off street parking. The letters of support from community and neighbourhood stakeholders speak from themselves.

We also note that the Administration's CPC package makes note of 5 letters received in opposition of the application. Certus was copied on 2 of these letters and have subsequently met with the those 2 parties. However, none of these 5 these letters were included for reference and we are of the opinion that certain of these letters may have spoken to both the benefits of the application while making mention of some of the drawbacks. Hence, we feel that these letters should have been included for the benefit of the Commission.

That said, in your deliberations on this file, we might make one suggestion related to the eventual decision: The Administration is apparently concerned about the policies that dictate the ultimate use of these Lands when the high-power transmission lines are removed at some date in the future. Certus would certainly accept a condition wherein if, and when, the lines are removed that Certus would remove the Parking Lot use from the Lands.

We would be pleased to respond to any inquiries from the Board at the Planning Commission meeting on December 14th, 2017 as we will be present in the room. We apologize for this late submission however we are of the opinion that these materials are important components of the subject file and should not have been excluded from the submission made by Administration.

Regards,

Certus Developments Inc.
Ron Ghitter
Chairman



Copies distributed per below:

Jeff Quigley, City of Calgary – jeff.quigley@calgary.ca
Karen Paul - Elboya/Britannia Community Association – karenpa@telusplanet.net
Olga Knight - Elboya/Britannia Community Association – olgaknight@shaw.ca

Calgary Planning Commission
Mathias Tita - matthias.tita@calgary.ca
Ian Cope - cpc@calgary.ca
Malcolm Logan - malcolm.logan@calgary.ca

J. Quigley

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Jyoti Gondek - jyoti.gondek@calgary.ca
Evan Wolley - evan.woolley@calgary.ca
Melvyn Foht - mfoht@royop.com
Colin Friesen - cepfriesen@gmail.com
James Scott - jscott@pbaland.com
Douglas Leighton - dougleighton@shaw.ca
Lourdes Juan - lourdesjuan@me.com
Andrew Palmiere - andrew.palmiere@o2design.com

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Developments Inc.

September 7, 2017

City of Calgary
Development and Building Approvals (CPAG)
Mail Code: #8073
PO Box 2100 Stn M
Calgary, Alberta T2P 2M5

Attn: Jeff Quigley, Planner, South Area, Community Planning

Re: 904 50th Avenue, SW, Calgary, Alberta
Land Use Amendment – LOC2017-0071

Dear Jeff,

Thank you for your extensive time working with us and meeting as necessary in relation to the above captioned application. We appreciate your efforts to date.

In response to your DTR #1 CPAG comments dated June 1, 2017, we are pleased to offer the following comments and responses.

However, in order to appreciate our responses to the CPAG comments, it is important to understand the context within which this application for Land Use and Development Permit was made.

Certus Developments Inc. is the developer of the newly completed Ghitter Block building at the corner of Elbow Drive and 49th Ave SW at the primary corner of the Britannia shopping area.

When Certus was meeting with the Britannia and Elboya Community representatives in advance of our application for the above noted building, we were advised that they supported our project but that they were concerned over emerging parking issues resulting in parking overflow into their communities.

As a result of our meetings we undertook to explore the possibilities of meeting with AltaLink, the owners of the transmission lines lands, to determine if parking on a portion of their lands to the west of our building would be a possibility.

In negotiations with AltaLink we were able to enter into a purchase agreement for a portion of the Lands, subject to our obtaining City approval to utilizing the lands for parking.

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Calgary, AB Canada T2R 0B4
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J. Quigley

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Leading up to our application to the City for approval of our Land Use and our Development Permit on the AltaLink lands, Certus obtained the enthusiastic support of both the Britannia and Elboya communities, the tenants in the Opus building, the owners of the apartment building on 50th Avenue, the Sunterra Grocery, The Calgary Golf and Country Club, and a number of nearby residents.

We must emphasize that this application for additional parking was not a profit seeking exercise by Certus. The potential revenues generated from +/-56 parking stalls will create a marginal return, if any, in relation to the costs of bringing this project on stream.

Certus, having evaluated and considered the additional costs and conditions imposed upon the project by the City in response to our initial permit application, now sees the project as economically unrealistic.

At a high level, our following comments outline that there are a number of fundamental positions set out by the City that will make our initiative unworkable.

Firstly, setting a 5 year renewal term for the approval of the parking lot use is totally unacceptable. One cannot invest hundreds of thousands of dollars on a project to be subject to the whims of a planning department every five years. Not only is this unacceptable to Certus, any future project financing initiatives cannot be achieved with such a restriction.

Secondly, it has been suggested that a residential use could be a reality for the lands in the future if, or when, the transmission lines are removed or buried. This could happen, but if it does it will be well into the future, as it is our information that AltaLink has no plans in this regard. It could also be predicted that if residential development becomes a possibility for the lands, an owner of the parking lands would in all likelihood take an economic advantage and replace the parking with housing.

Thirdly, the City has suggested that the developer must provide an extensive pedestrian pathway and bicycle system. This should not be an expense of the developer, and if required it should be an expense that should be assumed by the City of Calgary. The Certus plans envision working within the pathway routing layout that is presently in place along the existing laneway, adding some additional way-finding signage for better circulation. Further, the DTR comments also suggest that we pave the site and make full tie in to City stormwater systems. Again, we feel that this is onerous and that alternate solutions, as set out below, would suffice.

The City also suggests that another "Parking Study" be submitted. This is an expensive undertaking that will add nothing to the understanding of the issue, which has been studied and examined on numerous occasions.

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In conclusion, Certus is committed to follow through its undertaking to the communities to develop the AltaLink lands for additional parking. The requirements of the City Planning Department are in our view impractical, costly and onerous, and contrary to the interests of all the stakeholders in the area. If these additional conditions are not amended, then this initiative will fail.

Therefore, further to the above overview and discussion, here, numbered in accordance with the DTR #1 comments dated June 1, 2017 for LOC2017-0071, we are pleased to offer the following itemized comments and responses.

Prior to Calgary Planning Commission Requirements:

Planning:

- 1) With regards to endorsing the Direct Control Bylaw (draft) as provided, we can offer the following comments on the Proposed Direct Control Guidelines (Page 3 of City of Calgary letter):
 1. Certus is unable to accept this approval as a **temporary use**. The limitation of a five year term coupled with the investment required for this project makes the project unfeasible. We are seeking an unconditional DC Bylaw with a **Parking Lot – Grade** as an approved Discretionary Use. Simply put, a temporary five year limited permit would not be feasible from our perspective.
 2. Agreed
 3. Agreed
 4. Agreed
 5. Agreed
 6. Agreed
 7. We are seeking an unconditional DC Bylaw with a **Parking Lot – Grade** as an approved Discretionary Use. Simply put, a temporary five year limited permit would not be feasible from our perspective.
 8. To be finalized once we resolve other layout issues.
 9. To be finalized once we resolve other layout issues.
 10. To be finalized once we resolve other layout issues.
 11. 1(a) Agreed
 - 1(b) No irrigation system is to be provided.
 - 1(c) Agreed.
 - 2(a) Agreed.
 - 2(c) No irrigation system is to be provided.
- 2) Certus Developments Inc. has provided a complete Parking Lot Rationale and Operations Protocol at the end of this document.

Development Engineering:
No Comments.

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Transportation:

- 3) Our Transportation consultant, Bunt Engineering, has made contact with Al Hopkins and Idi Cheung regarding this application. That said we are of the opinion that a parking study is not required for this approval. In May 2016 Bunt completed an overall parking assessment for the area. We do not feel that there is a requirement for further studies in this regard.

Advisory Comments:

Planning:

- 4) We have reviewed the ENMAX comments. In this case, the comments are all advisory. However, we have retained Primary Engineering and Construction Corporation and their Razeena Jamal will consult with Rijad Tursunovic of Enmax.
- 5) We are seeking an unconditional DC Bylaw with a **Parking Lot – Grade** as an approved Discretionary Use. Simply put, a temporary five year limited permit would not be feasible from our perspective.

Development Engineering:

- 6) Agreed.
- 7) Agreed.
- 8) Agreed.
- 9) Agreed.
- 10) Agreed.
- 11) We will discuss this item with Manager, Infrastructure Planning, as part of the Development Permit stage. We have retained Hussein Bhajji of Civil Engineering Solutions to work with us in relation to this Development Permit and any issues related to the Site Servicing.
- 12) Agreed.
- 13) Agreed.
- 14) Certus has submitted a parking lot layout plan with this application. This plan has an access to the parking lot from 8th Street. As previously mentioned, we feel that the request to construct a 2.5m wide asphalt Local Pathway as per the 50th Ave Area Redevelopment Plan is an onerous requirement to place upon the applicant. This parking lot has not materially altered public walkability thru to the Britannia Drive SW area. The public pedestrian and cyclist can still access the Britannia escarpment via the laneway north of the parking lot much as they do today. Therefore for both logistical and financial reasons we have not added this to the resubmitted plans. The referenced bollards have been excluded as well.

We look forward to discussing each of these items with you and your team at your convenience.

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Yours truly,



David Pidgeon
Certus Developments Inc.

CC: Ron Ghitter, Certus Developments Inc.
CC: Steven Ho, Steven Ho Architect

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**Certus Developments Inc.
Parking Lot Rationale and
Operations Protocol
August 2017**

Rationale:

The lands are being developed as private and public parking for the following purposes:

- To create an affordable option for daytime employee parking for staff employed at the many service businesses in the area.
- To create a reliable and consistent availability of staff parking options, other than residential community streets.
- To create public overflow parking for the Britannia shopping area during peak demand periods.
- To provide additional parking support for public access to the ridge walk.

Parking Allocation:

It is assumed that peak private parking demand will be limited to day time business hours Monday to Saturday with as many as 40 of the 56 stalls serving as reserved staff parking. The balance of stalls will be available for public parking. It is assumed this public parking will need to be price at a very affordable level Monday to Saturday 8am to 6pm, perhaps \$1.00 per hour or \$3.00 for 4 hours. The lot will be monitored by a pay parking machine that requires the entry of a license plate, or stall number. After 6pm all parking will be available free to the public.

Hours of Operation:

Reserved or restricted parking will be in place Monday to Saturday 8am to 6pm. All other times parking will be open to the public.

Customer Base:

The demand for reserved staff parking is coming primarily for lower paid staff employed in service based businesses, day care, restaurant, personal service, grocery, retail, and medical who currently have no affordable options for parking, and therefore look for stalls on neighboring residential sides streets to park.

The intention is that the proximity, safety, reliability and affordability will create better parking options for these employees. Parking demand should therefore

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lighten in the 2 hour on-street parking along 49th Avenue, and along residential side streets.

During times of peak demand 10am to 2pm Monday to Saturday, and 4pm to 7pm Thursday, Friday, and Saturday, additional public parking will be of value to local area businesses and customers.

Parking for medical, personal service, and restaurant visits longer than 2 hours will now be a customer option, as public parking is currently restricted to a maximum of 2 hours.

Maintenance and Operation:

Certus Developments Inc. will use our maintenance staff to provide litter clean up, snow clearing, landscaping, and lighting maintenance. We will do so in conjunction with the maintenance of our building, the Ghitter Block, at 4915 Elbow Drive SW.

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September 12, 2017

Ron Ghitter
Certus Developments Inc.
210, 815-10th Ave SW
Calgary, AB T2R 0B4
Via email: ghitter@icloud.com

Re AltaLink Lands – Proposed Parking Lot at 904 50th Ave SW

Dear Ron

Thank you for your letter of September 7, 2017, detailing your response to the City of Calgary's Detailed Team Reviews for LOC2017-0071 and DP2017-0704.

The BCA agrees that the 5-year renewal term is unreasonable, given the level of investment required. We would support a longer renewal term, acceptable to Certus Developments, given that this site is outside of the of the 50th Avenue ARP.

The BCA agrees that it should not be Certus' sole responsibility to finance and construct a Local Pathway along 50 Ave SW on the City owned parcel that connects to the parklands at Britannia Slopes. The design for the Certus parking lot should consider placement of, and access to, the pathway. This "gateway" pathway is consistent with the 50th Ave ARP, is very important to the communities, and will benefit all of the area residents and businesses located at the Neighbourhood Activity Centre (NAC). This should be a joint project, funded by Parks with the support of all the commercial landowners, including the developers of The Windsor commercial/residential building at Elbow and 50th. The BCA would support removing this condition from Certus, if a plan to construct the Local Pathway is put in place. This may include engagement of local residents in a project to name and enhance the pathway. The community associations of Britannia and Elboya are undergoing a merger. This could be a great project to bring the communities together. The City's Design and Development Plan for River Park, Sandy Beach and Britannia Slopes is nearing completion. The Plan emphasizes that community stewardship opportunities should be offered, and this fits the bill. Such a plan should also address longstanding problems by reducing cut through traffic along the lane south of 49th Ave SW and parking issues for the Park on Britannia Dr.

The BCA wishes to reiterate support for the development of the parking lot proposed by Certus. The parking lot will reduce the impact of street parking on area residents. It will ease some of the growing traffic and pedestrian safety concerns observed as cars circle 49th Ave, Elbow Dr, through the south

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parking lot and along 8th St SW looking for parking, compounded by the comings and goings of delivery trucks. And importantly, it will support the success of new area businesses in the NAC by facilitating ease of access and parking.

The 60-year-old Britannia Plaza had traditionally been a local hub for grocery shopping, daily needs such as banking and pharmacy, some services and an eclectic mix of small retail. The NAC has rapidly expanded but has shifted to a restaurant/food service hub with much higher demand for parking.

This is an affluent area with many seniors and it is unreasonable to expect patrons to come by bus. The volume of new food and beverage services at this NAC is much greater than the local population (within walking distance) can support. We want to see these businesses thrive but they will have to depend on out-of-area patrons. The population and job forecasts in the 50th Ave ARP that would help support these businesses are not likely to be realized for many years. Many parking relaxations have been approved for this NAC in recent years; the BCA has consistently opposed these relaxations, and will continue to do so.

Thank you

Yours truly



BRITANNIA COMMUNITY ASSOCIATION

cc.

Jeff Quigley, Jeff.Quigley@calgary.ca
Gail and Paul Reinhart Gail.Reinhart@themigroup.com
Allan McMillan al.mcmillan@redside.ca
Bob Jones BJones@pembina.com
Councillor Brian Pincott Brian.Pincott@calgary.ca
David Pidgeon davidpidgeon1@me.com
Olga Knight olgaknight@shaw.ca

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p. 403.237.9227
f. 403.237.9230



May 4, 2017

City of Calgary
Planning and Development
3rd Floor – 800 Macleod Trail SE
Calgary, AB T2P 2M5

Bruce D. Abugov, Principal
P.Eng, AAA, MRAIC, LEED AP
Reg. AAA, MRAIC, LEED AP

Frank Kaspar, Principal
P.Eng, AAA, MRAIC, LEED AP

Attention: Mr. Jeff Quigley
Planner

Dear Jeff,

RE: Proposed Surface Parking Lot
LOC2017-0071

Ivan Melnyk, Principal
P.Eng, AAA, MRAIC, LEED AP

Reto Macko, Principal
P.Eng, AAA, MRAIC, LEED AP

We represent the owners of the Britannia 800 apartments located at 815 – 50th Avenue SW. We are submitting this letter in support of the proposal by Certus Developments Inc. to re-designate lands within the AltaLink utility right-of-way to allow construction of a surface parking lot. With the recent completion of Opus Development's Britannia Crossing and Arlington's mixed-use development on the east side of Elbow Drive, street parking in the neighbourhood has become very difficult to find. We have 42 apartment units and have been part of the community since 1964. We have only 16 garage stalls off the lane and parking has become an issue for our tenants who used to be able to find street parking. The additional surface parking proposed by Certus will provide much needed relief to the area residents and businesses.

Yours truly,

ABUGOV • KASPAR

Bruce Abugov, Principal
P.Eng, AAA, MRAIC, LEED AP

cc: Ron Gitter, Certus Developments

architecture
urban design
engineering
interior design

www.abugovkaspar.com
info@abugovkaspar.com

Suite 200, 422 11th Avenue SE Calgary, Alberta, Canada T2G 0Y4 Phone (403) 237-6227 Fax (403) 237-9230

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From: Raelynne Watkins Raelynne@cgandcc.com
Subject: CG&CC - City Parking Lot
Date: May 16, 2017 at 11:23 AM
To: ghitter@icloud.com



Good morning Mr. Ghitter,

Please find attached the letter sent to the city from the CG&CC.

Raelynne

Raelynne B. Watkins

Executive Assistant & Membership
Calgary Golf & Country Club
Box 5788 Stn 'A'
Calgary AB T2H 1Y3
Main: 403-243-3530 Direct: 403-243-3698
Fax: 403-243-7262

email: raelynne@cgandcc.com
website: www.cgandcc.com



Established 1897
Box 5788, Station A, Calgary, Alberta T2H 1Y3
(403) 243-3530

Office of Jim Macleod, Executive Manager

May 4th, 2017

Mr. Jeff Quigley
Planning & Development, IMC #8073
P.O. Box 2100, STN M
Calgary AB T2P 2M5

Re: Parking Lot on 50th Avenue West of Elbow Drive

Dear Mr. Quigley:

This letter is to express support, on behalf of the Membership of the
Calgary Golf & Country Club, of the proposed parking lot at 904
50th Ave SW.

Please feel free to contact me at any time. I thank you for your time

Done 5/5/17

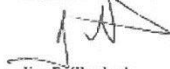
J. Quigley

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and consideration of this letter.

Regards,


Jim P. Sherlock
Executive Manager
JPS:rbw

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SENT VIA MAIL

April 27, 2017

Attn: Jeff Quigley, Planner
City Planning Department
P.O. Box 2100 Postal Station M
Calgary T2P 2M5

Re: LOC2017-0071 address 904-50th Ave. S.W.


Dear Mr. Quigley,

I am writing this letter in support of Certus Developments Inc.'s application to build an at-grade parking lot on a portion of the property referenced above.

Our Britannia Crossing location would benefit greatly from the approval of this application. We have difficulty recruiting qualified childcare workers to this location due to the lack of affordable parking in the area. A parking lot with affordable rates would assist both our employees and our parents, who must park for pickup and drop-off.

If you have any questions or concerns, please do not hesitate to contact me.

Regards,


Victoria Sopik
CEO
Kids & Company Ltd.