

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

EXECUTIVE SUMMARY

This application was submitted by Ben Barrington on 2019 May 24 on behalf of the landowners, Lance Lee Dowd, Anna Justine Dowd, Chris Jones and Nicole Westman-Jones. The application proposes to redesignate the subject properties from DC Direct Control District and Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District based on the Mixed Use - General (MU-1) District to facilitate the development of a small commercial centre with a drive through use.

The proposed DC District would allow for:

- A mix of residential and commercial uses in the same building or in multiple buildings;
- A maximum building height of 10 metres (an increase of 1 metre from the current district);
- A maximum floor area ratio (FAR) of 2.5; and
- The uses listed in the MU-1 District with the additional use of Drive Through.

The Administration recommendation for a refusal is based on the following grounds:

1. The subject site is located approximately 80 metres away (or a two-minute walk) from the 45 Street LRT Station, and proposed development should provide transit-oriented development (TOD) uses, whereas the primary purpose for the application is to accommodate a drive through anchor on the site.
2. The proposal does not comply with the applicable policies of the *Municipal Development Plan* and the *Transit-Oriented Development Policy Guidelines*, which both recommend non-support for any vehicular-oriented uses in proximity to an LRT station.
3. Support for a drive through use in such close proximity to an LRT station contradicts the City's current policies on TOD, and would severely limit the site's potential to achieve existing policy direction through redevelopment of the site once a drive through is established in the community.

A development permit has not yet been submitted. The applicant has prepared a development concept that has been shown to Administration and the community. The applicant has been advised that the development concept is not in alignment with TOD policy as the proposal is solely for commercial uses and excludes a residential portion, and the proposed mid-site driveway would create a disruption to the street wall and pedestrian amenity of the site frontage and public realm.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommends that Council hold a Public Hearing; and

1. **REFUSE** the adoption of the proposed land use redesignation of 0.17 hectares \pm (0.43 acres \pm) located at 4503, 4507, and 4511 - 17 Avenue SW (Plan 2002GS, Block 24, Lots 29 to 31) from DC Direct Control District and Residential – Contextual One Dwelling (R-C1) District to DC Direct Control District to accommodate a small commercial centre with drive through, with guidelines, and abandon the proposed Bylaw (Attachment 5).

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

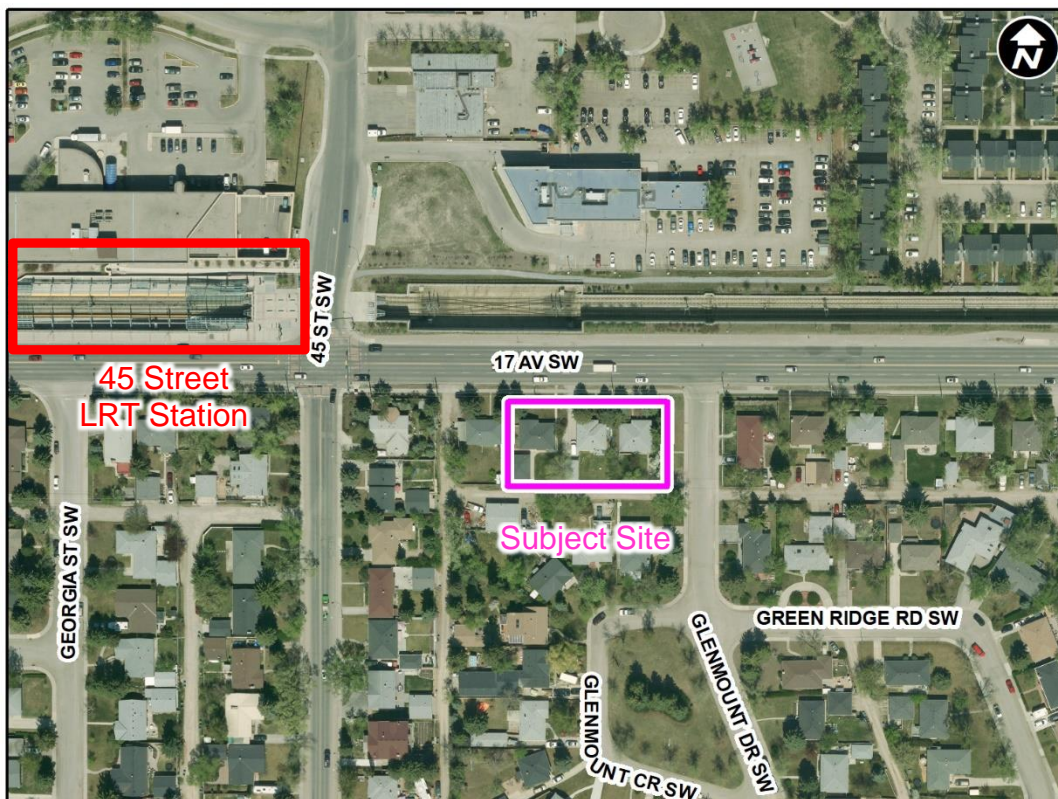
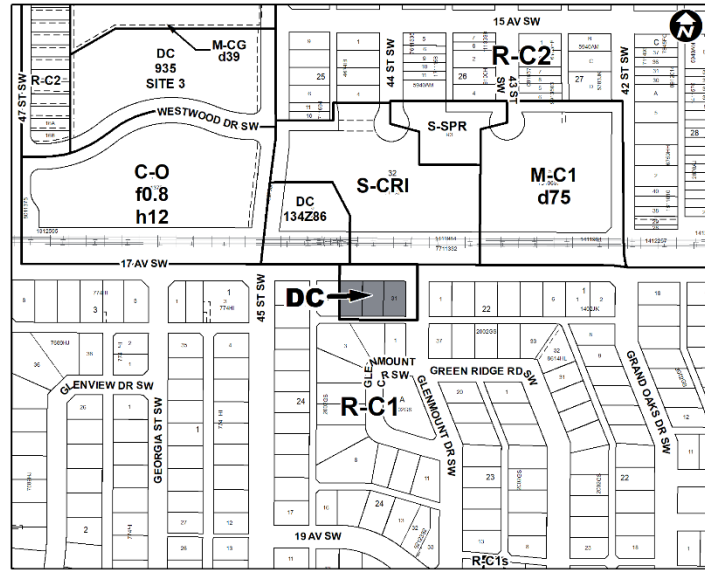
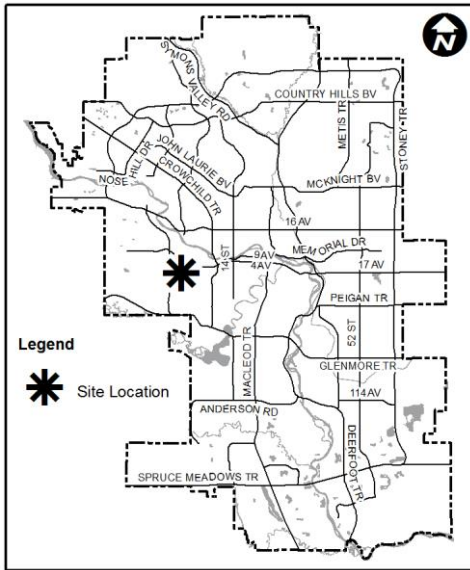
This application was submitted by Ben Barrington on 2019 May 24 on behalf of the landowners. No development permit has been submitted at this time; however, as per the attached Applicant Submission (Attachment 1) and the conceptual development scheme (Attachment 7), the applicant intends to submit a development permit for a small commercial development with drive through should the land use amendment be approved.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue
SW, LOC2019-0076

Location Maps



Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Site Context

The subject site is located in the southwest community of Glendale on the south side of 17 Avenue SW between 45 Street SW and Glenmount Drive SW, and consists of three parcels. The easternmost parcel (corner parcel) is designated [DC Direct Control District \(Bylaw 65Z97\)](#) and is based on the Residential – Single Detached (R-1) District in Land Use Bylaw 2P80, which includes the listed uses in R-1 such as single detached dwellings, accessory building, and home occupations with the additional use of Medical Clinic. The two remaining parcels to the west are currently designated R-C1 District which allows for a maximum of one dwelling unit on each property and a maximum building height of 10 metres.

The subject site is approximately 0.17 hectares in size with dimensions of approximately 57 metres by 30 metres, and currently contains three single detached dwellings (one on each parcel). The site has rear lane access to the south.

Surrounding development consists of the Calgary Police Service District 2 office to the north, and low-density residential dwellings to the west, south, and east. The site is located approximately 80 metres southeast of the 45 Street LRT Station.

As identified in *Figure 1*, the community of Glendale has seen its population decline since it reached its peak in 1969. The population declined steadily for four decades but has remained stable since 2006.

Figure 1: Community Peak Population

Glendale	
Peak Population Year	1969
Peak Population	3,950
2018 Current Population	2,737
Difference in Population (Number)	-1,213
Difference in Population (Percent)	-30.7%

Source: *The City of Calgary 2018 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Glendale](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal would allow for the development of a small commercial centre with drive through that does not comply with applicable policy as discussed in the Strategic Alignment section of this report.

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

As Glendale does not have a local area plan, development is guided by the policies within the *Municipal Development Plan*, the *Transit-Oriented Development Design Guidelines*, and the *West LRT Land Use Study*.

The current owners and applicant had formal pre-application meetings with Administration in December 2018 and February 2019 where they received preliminary feedback based on their original proposal to redesignate to the Commercial – Neighbourhood 2 (C-N2) District to allow for a drive through. Administration's notes from the February 2019 meeting include clear direction that the proposal would not be supported as initially conceived as it did not enable the TOD goals of various applicable land use policies for this site. The subject site is located within 80 metres of the 45 Street LRT Station and is considered a TOD site. The C-N2 District is characterized by motor vehicle access, limited uses, and small-scale buildings with a maximum floor area ratio (FAR) of 1.0. Future TOD would require further land use amendments to districts where larger building forms and mixed-uses are allowed.

At the time of formal application, Administration suggested the applicant amend their application to propose redesignating to the Commercial – Corridor 2 (C-COR2) District; however, upon further review, Administration determined that the C-COR2 District is not intended for future TOD as it is an auto-oriented land use. The proposed C-COR2 District is intended to be characterized by commercial uses on both sides of the street, buildings with varying distances from the street, and automotive uses such as drive throughs.

Administration and the applicant then decided upon a DC District based on the Mixed Use - General (MU-1) District (Attachment 5). The MU-1 District is intended to accommodate a mix of residential and commercial uses at grade in the same or multiple buildings, and respond to the local area context by establishing maximum building heights. While the MU-1 base district is appropriate for this TOD site, the applicant requires a direct control designation to allow for the drive through use on the site. Administration attempted to negotiate limiting the drive through use to a temporary use with limited time approval, however, the applicant decided to pursue a DC with drive through listed as an unrestricted discretionary use. The landowners do not intend to develop a transit-oriented development at this time.

This application was presented to the Urban Design Review Panel (UDRP) on 2019 August 07 based on the previous C-COR2 proposal. The applicant has responded to UDRP's comments in their Applicant Submission (Attachment 2).

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Development and Site Design

The applicable land use policies, the rules of the proposed DC District, and feedback from the UDRP would provide guidance for future site development including building height, massing, landscaping, and parking. Additional items to be considered through the development permit process include, but are not limited to:

- Ensuring building and site designs allow for future expansion;
- Mitigation of future drive through and parking lot design;
- Mitigation of noise and privacy for adjacent parcels;
- Ensuring active building frontages that prioritize pedestrian connections from public sidewalks; and
- Extensive site landscaping with the retention of the existing mature vegetation where possible.

Environmental

An Environmental Site Assessment was not required as part of this application. There are no environmental concerns associated with the site or this proposal.

Transportation

Pedestrian access to the site is available from existing sidewalks along 17 Avenue SW and Glenmount Drive SW. The site currently has vehicular access from 17 Avenue SW (onto existing parcel at 4507 - 17 Avenue SW), from Glenmount Drive SW (onto existing parcel 4503 - 17 Avenue SW), and from the rear lane (to all three parcels). The design of future accesses would be considered at the development permit stage. On-street parking is not available on 17 Avenue SW, and is restricted on Glenmount Drive SW. On-site parking (as per the Land Use Bylaw) would be required at the development permit stage.

The site is located approximately 80 metres (or a two-minute walk) from the 45 Street LRT Station. There are also five East / Westbound transit stops on 17 Avenue SW between 45 Street SW and 37 Street SW (one to 10-minute walks), offering service to the Downtown Core with a frequency of every 15 minutes on Route 2, and with Routes 698 and 699 operating every 15 minutes on school days only.

Utilities and Servicing

Water, sanitary, and storm sewer mains are available and can accommodate potential redevelopment of the subject site without the need for off-site improvements at this time. Individual servicing connections as well as appropriate stormwater management will be considered and reviewed as part of a development permit.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to external stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

The Glendale/Glendale Meadows Community Association was circulated as part of this application, and a response letter (Attachment 6) was received on 2019 July 25. The Community Association supports this application. They believe the requested building height and FAR are appropriate for this location in the neighbourhood, and they state that the proposed development is a good stepping-stone for further investment in Glendale which will set a standard for future high quality commercial and residential development along 17 Avenue SW.

Administration had received nine letters of support and 53 letters in opposition to the application at the time of report writing. Reasons stated in support are as summarized:

- Excitement for a community gathering space;
- Shops are needed adjacent to the LRT station for commuters;
- Ideal size of project for this area of the neighbourhood;
- Opportunity for small local businesses to locate in Glendale;
- Within walking distance for seniors surrounding the site (rather than walking to 37 Street); and
- Improvement to the streetscape on 17 Avenue.

Reasons stated in objection are as summarized:

- Development, before a local area plan is adopted, is not supported;
- Traffic will be an issue at this intersection of 17 Avenue SW and Glenmount Drive SW;
- Potential for drive through conflicts with the pedestrian-oriented design;
- Commercial uses should remain at 37 Street SW;
- Neighbours along the rear lane will be negatively impacted;
- Increase in crime;
- Avoid higher density in Glendale;
- Proposal not in keeping with the character of the neighbourhood;
- Property values will decrease;
- Increased garbage in the area; and
- Increased traffic and dangerous turns onto, and off, 17 Avenue.

The applicant provided a three-part response to Administration, including their Applicant Submission dated 2019 September 30 (Attachment 1), their DTR and UDRP Comments Response dated 2019 September 30 (Attachment 2), and a What We Heard Report dated 2019 July 31 (Attachment 4).

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

The What We Heard Report is divided into five parts:

1. A detailed response to the non-support letters / neighbour concerns;
2. Project Overview;
3. Process & Participation;
4. Feedback & Findings; and
5. Next Steps.

The applicant states that while a transit-oriented development is not being proposed at this time, a land use redesignation to a DC District will allow for the introduction of service commercial uses within the vicinity of the 45 Street LRT Station that do not currently exist.

Since October 2018, the applicant and landowners have had on-going engagement with the community through various different methods as highlighted in the Stakeholder Engagement Chronology (Attachment 3).

Administration considered the relevant planning issues raised by the applicant submission, letters of support and opposition, and the applicant-led engagement, and has determined that the proposed DC District with drive through use is not appropriate in this location within a block of an LRT station.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised online on the City's Development Map.

Strategic Alignment

South Saskatchewan Regional Plan (2014)

The site is located within the City, Town area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the proposal is consistent with policies on Land Use Patterns in Section 8: Community Development.

Interim Growth Plan (2018)

The proposal does not align with the policy direction of the *Interim Growth Plan*. The proposed land use amendment does not build on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Municipal Development Plan (Statutory – 2009)

The proposed land use conflicts with multiple policies in the Municipal Development Plan (MDP).

Section 1.3.3 outlines eight *Key Directions* approved by City Council for use in the MDP. They represent the strategic moves that need to be accomplished in order to guide Calgary towards the vision of imagineCalgary. The proposed development does not comply with Key Direction #4 (Link land use decisions to transit). Providing a drive through that promotes auto-oriented private vehicle use across the street from an LRT station does not support this direction.

Section 2.2 *Shaping a More Compact Urban Form* of the MDP provides direction for fostering efficient use of land, complete communities, and greater mobility choices, as well as transit-supportive land use. The design emphasis around the proposed drive through does not comply with many of the key directions, critical issues or policies in this section, including:

- Linking land use decisions to transit;
- Developing a future land use framework that will support transit;
- Mixing (and providing a variety of) land uses including higher density residential;
- Creating a strong pedestrian environment;
- Locating the right uses close to transit;
- Attracting transit users; and
- Promoting walkability.

The subject lands fall within the Developed Residential - Established Areas of the MDP. Section 3.5.3.c states that new developments should incorporate a mix of land uses and a pedestrian-friendly environment to support an enhanced Primary Transit Network. The subject lands are located at a primary transit hub; however, the proposal is solely for commercial uses accompanied by a site plan that is designed around a drive through. This does not meet the intent of the policy.

The proposed drive through is not in keeping with various relevant MDP policies.

Transit-Oriented Development Policy Guidelines (Non-statutory – 2004)

The subject site falls within the 600 metre radius surrounding an LRT station, located approximately 80 metres to the southeast of the 45 Street Station. The following sections apply to the proposal and were considered during the review process:

- Section 4.0 provides policy for ensuring land uses around transit stations encourage transit use, and lists drive throughs as “non-transit supportive” use.
- Section 5.0 provides policy for increasing density around transit stations; and
- Section 7.0 provides policy for ensuring each station area becomes a “place” and a hub of mixed-use activity.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

The proposed land use district does not meet the intent of these policies.

West LRT Land Use Study: Summary Report (Non-statutory – 2009)

Several principles of the West LRT Land Use Study apply to this proposed land use redesignation.

Section 3.2 lists the Guiding Principles of the study, and they include:

- Sensitively increasing residential densities within the vicinity of LRT stations;
- Accommodating mixed-use development that includes retail, office, residential, and public services especially around the LRT stations and along major corridors; and
- Enhancing 17 Avenue SW to be comfortable and pleasant for pedestrians.

Section 4.0 provides a Community Values Summary as identified by the public through the West LRT public engagement process. Values specific to the 45 Street Station vicinity include:

- Small-scale, mixed-use developments with higher density next to the station; and
- Mixed-uses should include residential, office, and main floor retail.

Values specific to all stations along the 17 Avenue corridor include:

- Mixed-use street edges that transitions to the adjacent residential; and
- Residential uses should be located above the retail/commercial uses.

The proposed DC District with drive through does not meet the intent of mixed use development as intended in the West LRT Land Use Study.

Local Area Plan

There is no local area plan for the subject area.

Social, Environmental, Economic (External)

The proposed land use with drive through would promote vehicle usage in an area of the City where all future development should be adhering to, and realizing, approved statutory and non-statutory TOD policies.

Financial Capacity

Current and Future Operating Budget

There are no known impacts to the current or future operating budget at this time.

Planning & Development Report to
Calgary Planning Commission
2019 October 17

ISC: UNRESTRICTED
CPC2019-1112

Land Use Amendment in Glendale (Ward 6) at 4503, 4507, and 4511- 17 Avenue SW, LOC2019-0076

Current and Future Capital Budget

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

Risk Assessment

The proposed land use poses the risk that the site is developed for an auto-oriented use which is not in alignment with the TOD policy, and could remain an auto-oriented development in the long term. In general, the proposed drive through may result in conflicts between vehicles and pedestrians, especially over time, as pedestrian activity around the LRT station grows. Should the proposed land use be granted, there is no mechanism to require redevelopment, and in effect, this may delay redevelopment for mixed use, compact urban form, which is complimentary to an LRT station area. Finally, if this land use was granted it could create a precedent for “ignoring” TOD policy.

REASON(S) FOR RECOMMENDATION(S):	REFUSAL
<p>Administration does not support the proposal, and recommends refusal as the proposed land use amendment is not in keeping with the applicable policies in the <i>Municipal Development Plan</i> and the <i>Transit-Oriented Development Policy Guidelines</i>, and promotes vehicular-oriented uses within a transit-oriented development area; specifically the 45 Street LRT Station. While the applicant intends on developing a project that is contextually sensitive to the surrounding neighbourhood, the proposed drive through use and lack of residential uses contradicts City policy for development surrounding LRT stations.</p>	

ATTACHMENTS

1. Applicant Submission
2. DTR & UDRP Comments – Applicant Response
3. Stakeholder Engagement Chronology
4. What We Heard Report
5. Proposed DC Direct Control Guidelines
6. Community Association Response
7. Conceptual Development Scheme