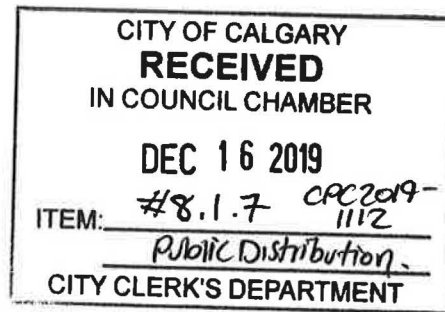


From: Pat Churchman
Sent: December 15, 2019 10:46 AM
To: churchmanpat@gmail.com;
Subject: Last minute changes



LOC 2019-0076 OBJECTIONS

Due to the late stage amendment revision changing the desired land use from C-COR-1 to DC with MU-1 guidelines, the submitted comments I previously made no longer apply. The following technical review of the requested Land Use Amendment to change land from R-C1 and DC to DC with MU-1 guidelines with variations in the community of Glendale replaces the previous submission.

POLICY

- 1) High level policy needs to be referred to in the absence of local area plans.
- 2) The Municipal Development Plan does not include this area in the corridor development map.
- 3) Planning (City of Calgary) deliberately left this section of 17th Avenue out of the corridor work.
- 4) Planning indicated that this area was not slated for corridor development.
- 5) Previous LOC applications have been refused in the absence of a local area plan.
- 6) Planning was directed to include this area in the next corridor work they undertake.
- 7) Planning has now started the Westbrook study which is now underway.
- 8) This will generate some local policy to use as guidance.
- 9) When the study is complete, we may have an indication as to the appropriate land use here.
- 10) Any approval of spot land use designation prior to the completion of the community policy work is premature at best and inappropriate at worst. Further, the inappropriate designation of land at this early stage of community development will have significant detrimental effect on proper future development.

TRANSIT ORIENTED DEVELOPMENT (TOD)

- 11) This land is located at the centre of the 600m radius of land that defines the TOD area.
- 12) Current TOD policy does not support Drive Through uses in a TOD station area.
- 13) TOD policy indicates that auto oriented uses are undesirable in TOD station areas.
- 14) Intensification (densification) is a desired feature in TOD areas.
- 15) Support of the several billion dollar expenditure in LRT is desirable in TOD areas.

LAND USE BYLAW 1P2007 MU-1 (bylaw section)

- 16) The proposed use is all commercial, no mixed use. (1365-1-a)
- 17) There are no residential uses proposed. (1365-1-b)
- 18) MU-1 designations are to be used only when the local area plan supports the uses. -- As there is no local area plan, this is an unsuitable land use designation.(1365-2)
- 19) Considering this as an interim development is unsuitable. The life of the development is 30-50 years which precludes economically removing it for the ultimate development. This is not a phased interim use to be added on to in the future, as all elements of this initial development are dependant on the rest.

LAND USE BYLAW 1P2007 MIXED USE GENERAL

- 20) Mixed use designations are intended to range from 4-6 stories in height. (1333-a) Plans do not indicate this.
- 21) Developments are to be street oriented in building design. (1333-b) No information provided.

- 22) Buildings could be 2-6 stories if designed to be proportional to the street width. (1333-c) It does not.
- 23) This designation is supposed to promote housing. (1333-f) It does not.
- 24) Length of the building facade facing the commercial street must be a minimum of 80% of the property line on that street. This is not close to being provided.
- 25) If the area labelled "programable community open space" is used, how do the businesses function without parking and drive through?
- 26) The modifier in the Direct Control District alludes to the provision of a "public community open space". A parking lot and loading bay hardly qualify as this. Further, (119) prohibits the use of required parking and loading to be used in any other way than in the approved function.

PARKING REQUIREMENTS

- 27) Parking requirements are already reduced from a required 2.85 (280-e) per 10m² reduced to 1.7 per 10m² (DC request) reduced in TOD by 25% (1352) and then only providing 50 % of that.
- 28) Actual uses include :Restaurant - food service only - small, 1.7 stalls per 10m² = 13 stalls; Drive Through, = 5 stalls; Outdoor Patio, = 0 stalls; and other non specified uses = 4 stalls per 100m² gross = 8 stalls. Total parking required 26 less -25% TOD reduction = 20 net stalls required. 11 provided. Shortfall 9 stalls.
- 29) Under-providing parking will cause problems as the on street parking is restricted due to LRT proximity and local parking prohibitions. Parking is not available on 17th AV.
- 30) Several employees will be attending to the various shops and the cafe. If the parking is used by employees, then there will be no customer parking at all.

OPERATIONAL DETAIL ISSUES

- 31) Outdoor speakers are not permitted within 23m of a residential district. (185-c) Shown as 9m
- 32) Must not have a drive through in a setback area. (185-e) Shown as in the setback.
- 33) Must have 5 vehicle stacking spaces. (185-h) Cannot comply when speaker is placed properly.
- 34) Must have 5 vehicle parking stalls. (185- l) Not provided in the parking count.
- 35) Cannot be a Restaurant food service only-medium. (279-d-1) Not allowed within 45m of a residential district. must be Restaurant food service only-small.
- 36) Primary order window faces residential district. (280-c) Prohibited
- 37) Cannot have operable openings facing residential district (south and west building faces) (280-c) Prohibited
- 38) Cannot have external entrances facing residential district (south and west building faces) (280-d) Prohibited
- 39) Originally, requires parking at a rate of 2.85 stalls per 10m² public area. (280-e) Reduced in the DC designation
- 40) Garbage facilities do not meet solid waste design standards. Loading, turning, and enclosure design non-conforming.

SAFETY

- 41) Will require a restriction of right in-right out only access at 17th AV.
- 42) Other similar uses in the area generate unsafe vehicle operation actions where a double solid yellow line intended to restrict left turns to access the site.
- 43) Each PM time period, traffic backs up in the westbound movement on 17th AV past this site. The temptation for idling motorists from ducking into the site inappropriately will occur.
- 44) Inability to turn left will drive customers to turn south through the community of Glendale to exit the site. In both the PM and AM peak periods, 45 Street backs up past 19th AV. This will further frustrate customers trying to continue their trip after using the drive through.
- 45) Increased traffic and noise will reduce the use and enjoyment of the residents with this increased commercial traffic on the local residential roads.

LIABILITY

46) Accidents as a result of improper traffic movements will cause property damage and bodily injury which is clearly foreseeable and for which the approving authority may have liability for.

47) Other similar drive through facilities developed adjacent to low density communities have had road closures designed to prevent commercial traffic from proliferating the adjacent residential community local roads.

48) Signals may be required at Glenmount Drive to facilitate exiting. Transportation studies will reveal the extent of this intervention. This will reduce the efficiency of 17th AV which already fails during peak periods.

CITY-WIDE INTERESTS

49) Considering a drive through, contrary to established policies in a spot zoning application, will contribute to a flood of applications for the same in other TOD areas. If the established pattern of consistent preference for transit oriented supportive uses is abandoned, public transit will lose its effectiveness.

50) Optimizing the City's tax base by fully utilizing key sites adjacent to LRT is important.

51) This proposal has a FAR (floor area ratio) of .2 with no residential uses in a location that can accommodate a FAR of 2.5. This utilizes only 8% of the site's capacity. If this forms the composition of the first development in a corridor that is followed by example, the utilization of land will fall far short of its potential.

Objectors of this land use designation application hope that the proper processes are followed and that the redevelopment of this site is done with full policy support of the appropriate use(s).

Inappropriate and premature development of a non-comprehensive spot zoning may set the wrong direction for this as yet unplanned area.

Looking forward to speaking on this application at the session of Council and providing any clarifications required.

Respectfully

Pat Churchman

APPI, RPP, MEDes

Retired City of Calgary Senior Transportation Planner, City of Calgary Senior Transit Planner, City of Calgary Land Use Planner.

50 year resident of the community of Glendale

Sent from my iPad