

# Background and Planning Evaluation

## Background and Site Context

Situated along 17 Avenue SW and east of 14 Street SW, the site is centrally located along one of Calgary's active Neighbourhood Main Streets where there has been tremendous amounts of effort and investment in the implementation of the 17 Avenue Streetscape Master Plan to improve the pedestrian realm. The site is approximately 0.22 hectares in size and is approximately 40 metres wide by 54 metres long. The site fronts onto both 16 and 17 Avenues SW. Surrounding development is characterized by a mix of commercial developments to the south, east and west, with multi-residential development to the north.

The site is ideally located to accommodate mixed-use or commercial development that fronts onto 17 Avenue SW to complement a number of existing amenities in close proximity in the Greater Downtown.

## Community Peak Population Table

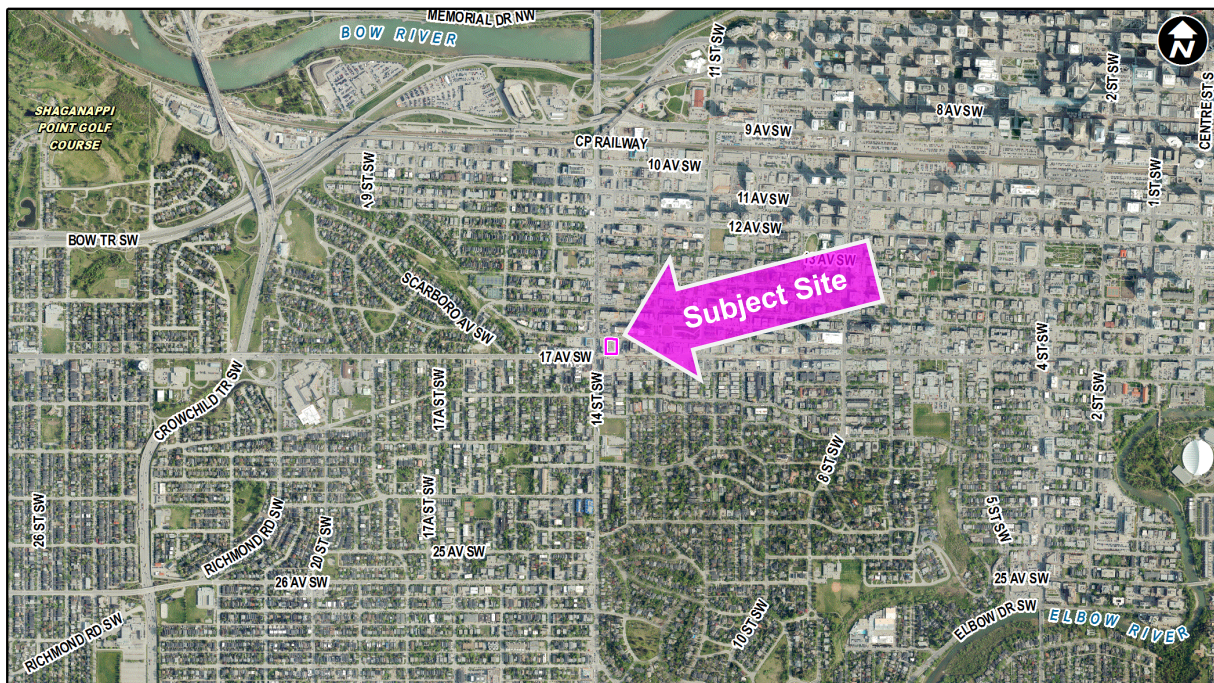
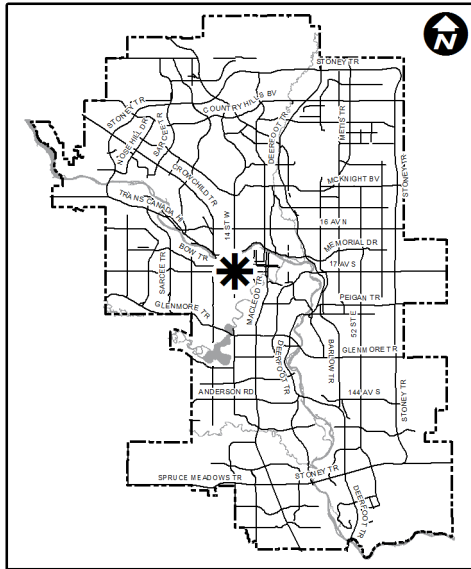
As identified below, the community of Beltline reached its peak population in 2019, and the population has remained the same.

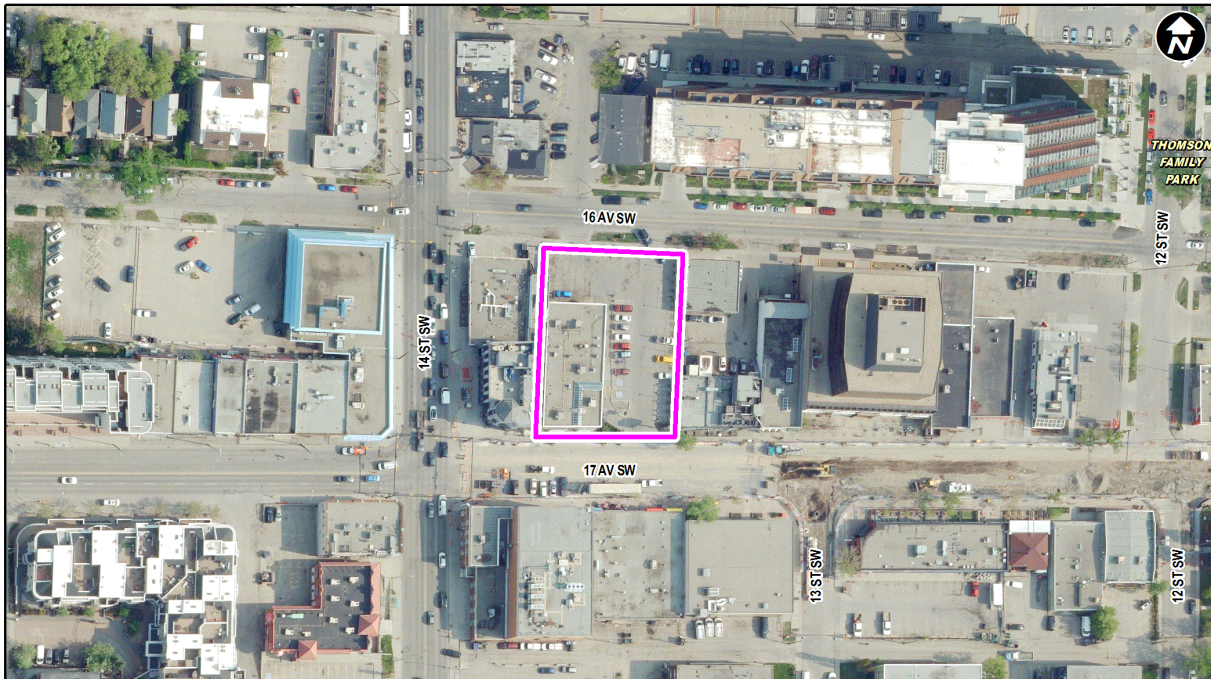
<b>Beltline</b>	
Peak Population Year	2019
Peak Population	25,129
2019 Current Population	25,129
Difference in Population (Number)	0
Difference in Population (Percent)	0%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Beltline Community Profile](#).

# Location Maps





## Previous Council Direction

None.

## Planning Evaluation

### Land Use

The existing CC-COR District accommodates commercial developments on both sides of the street, storefronts along a continuous block face and opportunity for commercial uses on the ground floor of buildings and residential and office uses on the upper floors. CC-COR allows for a maximum of between 3.0 and 7.0 floor area ratio (FAR), depending on the uses proposed and whether density bonusing is pursued. There is no maximum height in CC-COR District.

The proposed DC Direct Control District is based on the CC-COR District with the additional use of Drive Through. The current owners and applicant had formal pre-application meetings with Administration in December 2016, and again in April 2018, where they received preliminary feedback based on their proposal to amend the *Beltline ARP* and redesignate the site to allow for a drive through. Since 2016, clear direction was provided by Administration that the proposal would not be supported as it did not meet the Main Street goals of the MDP, *Beltline ARP* or the intent of the CC-COR District in the Land Use Bylaw. The parcel is subject to the regulations for the entirety of the parcel, including both 17 and 16 Avenue SW frontages. With 17 Avenue SW being the focus of the MDP, Administration suggested that limiting vehicle access to 16 Avenue SW would allow for either a continuous building face or for a publicly accessible patio amenity on 17 Avenue SW, which Administration was willing to consider with supporting regulations and policy. Since the proposal was submitted, the applicant has not brought forward any changes to the DC Direct Control District or policy amendment to the *Beltline ARP* to reflect these discussions or address the concerns raised by Administration. The development concept in

included in the Applicant Submission (Attachment 4) has also not been revised since these discussions.

The proposed application is not supported by Administration as drive throughs are specifically not permitted through a policy in the *Beltline ARP* and not supported by Main Streets policy in the MDP. A drive through may require a substantial Land Use Bylaw relaxation as outdoor speakers cannot be located within 23.0 metres of a property line of a parcel that is designated a residential district (a multi-residential district is located directly north across 16 Avenue SW from this property). The proposal also represents a significant underbuilding of the site that does not enable efficient use of land or infrastructure.

### **Development and Site Design**

This is a proposal for a land use redesignation and does not include a concurrent development permit application. If the proposed DC Direct Control District were to be approved, a development permit would need to be submitted. The development application would then be evaluated against the applicable land use policies, the rules of the proposed DC District, and feedback from the Urban Design Review Panel (UDRP). The application would need to address considerations such as building height, massing, landscaping, access, and parking. Additional items to be considered through the development permit process include, but are not limited to:

- ensuring building and site design allow for future expansion;
- mitigation of future drive through and parking lot design;
- ensuring active building frontages that prioritize pedestrian connections from public sidewalks;
- extensive site landscaping with the retention of the existing mature vegetation, where possible; and
- how the proposed development addresses green building, climate resiliency and adaptation considerations.

The design of the site is critical due to a multi-residential development directly north of the subject site. Locating a drive through and speakers at the north end of the site as shown in the Applicant Submission (Attachment 4) may have negative impacts on the adjacent residents such as noise, and air pollution, particularly in the evening during the summer months.

### **Crime Prevention Through Environmental Design (CPTED)**

The development concept has been reviewed for Crime Prevention Through Environmental Design (CPTED) principles by the Calgary Police Service (CPS) at the pre-application and land use stage. While a number of concerns have been raised, the review of the application before Committee and Council can only focus on whether the use is appropriate for the site and whether the appropriate site design regulations have been incorporated into the proposed DC District or in the policy amendment as conditions for a development permit cannot be applied through a land use application. The CPTED review concurs with Administration's recommendation that the drive through use is not appropriate in this location.

The following items can only be addressed through the development permit and cannot be conditioned through the land use process. The CPTED review raised concerns that the location and operations of the drive through will create crime, noise and safety impacts for adjacent residents. Auto-oriented site design in high density areas tend to provide opportunities for vehicles to congregate at night, causing noise impacts on the surrounding residents. The development concept shows the location of the order board speakers potentially being within

23 metres of a residential district that is not separated by a building, which would require a Land Use Bylaw relaxation. There are also a number of operational challenges which can only be addressed through appropriate site design and internal layout of the building at the development permit stage. CPS has noted with the current development concept (Attachment 4), there is a higher risk for loiterers due to the internal layout and location of seating within the building and social disorder challenges with limited lighting, limited surveillance and uncontrolled access at the side of the building. While these issues were raised in the CPTED review, the applicant has yet to provide a revised development concept to address the issues raised in the report.

### **Urban Design Review Panel (UDRP)**

This land use amendment application was presented to the UDRP on 2020 September 30 as a drive through has significant design impacts on pedestrian-oriented areas, particularly on Main Streets that have already received substantial investment. Development context and street type (Main Street) should be considered in site design and building form to enhance the pedestrian experience and reinforce the character of the street. The UDRP contends a drive through facility on this site does not achieve this goal, regardless of the efforts to diminish the created negative urban design impacts. The proposed DC Direct Control District would allow for the site to remain an auto-oriented use for the 20 to 30-year lifespan of the new building. Allowing this development in its current proposal to proceed would be a major failure that diminishes the ambitions of the Main Streets initiative.

UDRP recommends further review at the time of development permit application.

The complete list of UDRP comments are included in Attachment 6. The applicant has responded to UDRP's comments in their Applicant Submission (Attachment 4).

### **Transportation**

Pedestrian access to the site is available from existing sidewalks along 16 and 17 Avenues SW. Vehicle access is also provided from 16 and 17 Avenues SW. On-street parking is available on both 16 and 17 Avenues SW. The design of the site, including future access points and on-site parking requirements, would be considered at the development permit stage.

Administration does not support drive through access off 17 Avenue SW as it is in contradiction to the policies in the *Beltline ARP*. Seventeen Avenue SW is a heavily used pedestrian corridor that the City has invested a considerable amount of funds into redeveloping based on the [17 Avenue Streetscape Master Plan](#) and maintaining a vehicle/pedestrian conflict point here is not advisable.

### **Environmental Site Considerations**

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

### **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.

## Legislation and Policy

### **South Saskatchewan Regional Plan (2014)**

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

### **Interim Growth Plan (2018)**

The recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Interim Growth Plan](#) (IGP). The proposed land use amendment and policy amendment does not build on the principles of the IGP by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

### **Municipal Development Plan (Statutory – 2009)**

The proposal conflicts with multiple policies in the [Municipal Development Plan](#) (MDP).

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

- promoting walkability;
- mixing (and providing a variety of) land uses including higher density residential; and
- creating a strong pedestrian environment.

The subject land is located on 17 Avenue SW, a Neighbourhood Main Street, which is also classified as a Neighbourhood Boulevard. Pedestrians are given the highest priority on these streets, which are fully integrated with adjacent land uses and provide the highest level of connectivity of all street types. High quality urban design and green infrastructure strategies are incorporated into Neighbourhood Boulevards.

*Section 3.4.3 Neighbourhood Main Streets* provides direction for development. The proposed drive through use is in direct contravention with many key policies, including:

- moderate levels of intensification of both jobs and population over time;
- appropriate transition of building scale between developments which are sensitive to the scale, form and character of the surrounding building and uses; and
- 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, a drive through or create negative impacts for pedestrian travel and access should be discouraged.

To reach their full potential, Calgary's Main Streets need both public and private investment. The Main Streets program is a continuum that goes from changes to land use that will support development opportunities to a streetscape master plan that is designed to support these changes and can be constructed in a coordinated fashion. The City has developed the [17 Avenue Streetscape Master Plan](#), based on citizen and stakeholder feedback, technical analysis, and financial considerations. Construction is largely complete in this area of 17 Avenue SW that enhances pedestrian safety and comfort, improve mobility options, and support 17 Avenue SW as a destination that will support new and existing local businesses. It is

expected that any new development should complement and support the approximately \$46 million investment that has already been made.

The *Centre City Guidebook* (CCG) and *Developed Areas Guidebook* (DAG) are not applicable to this site. The CCG is Volume 2, Part 2 of the MDP. It provides implementation policy for the Centre City and must be read in conjunction with the MDP, Volume 1 and the Local Area Plan in order to apply. Guidebooks provide common goals, building blocks and implementation policies that provide a starting point for new or significantly amended local area plans. In this case, the *Beltline ARP Part 1* has not yet been amended to implement the CCG.

### **Climate Resilience Strategy (2018)**

This application does not include any features that specifically address objectives of the [Climate Resilience Strategy](#). Other sections of this report have discussed how features of the proposed development are contrary to active transportation objectives, which can deliver climate and GHG reduction benefits through low or zero emission transportation modes.

### **Centre City Plan (Non-Statutory – 2007)**

The [Centre City Plan \(CCP\)](#) applies to this site and this application conflicts with policy in *Section 4.2 Urban Structure Neighbourhoods*. Policy 4.2.12 recognizes the impact that noise has on residential liveability and consider measures to minimize the impact.

### **Beltline Area Redevelopment Plan (Statutory – 2006)**

Several policies in the [Beltline Area Redevelopment Plan \(ARP\)](#) apply to this proposal. The drive through use, as proposed, contravenes with the following objectives and policies.

*Section 4.3 Urban Mixed-Use Areas* allow for a range and mix of uses in many possible configurations within buildings and the local context resulting in vibrant, pedestrian streets. Some uses may be restricted or prohibited where they are adjacent or in close proximity to Primarily Residential areas to ensure compatibility of adjacent uses within and among buildings and properties.

*Section 4.3.2 General Urban Mixed-Use policies, Subsection i*, states that “No new drive-thru facilities are permitted.” Due to this particular policy, an amendment to the *Beltline ARP* is required to allow for a drive through to be located on this specific site (Attachment 2).