

Policy Amendment and Land Use Amendment in Beltline (Ward 8) at 1422 – 17 Avenue SW, LOC2019-0100

RECOMMENDATION(S):

That Calgary Planning Commission recommends that Council:

1. Refuse the proposed bylaw for the amendments to the Beltline Area Redevelopment Plan, and abandon the proposed Bylaw (Attachment 3).
2. Refuse the proposed bylaw for the redesignation of 0.22 hectares \pm (0.55 acres \pm) located at 1422 – 17 Avenue SW (Plan A1, Block 116, Lots 3 to 8) from Centre City Commercial Corridor District (CC-COR) to DC Direct Control District to accommodate the additional use of Drive Through, and abandon the proposed Bylaw (Attachment 4).

HIGHLIGHTS

- This application was presented to Calgary Planning Commission (CPC) on 2021 February 04. At that meeting CPC referred the application back to Administration to provide additional guidance, in the form of DC District rules and amendments to the *Beltline Area Redevelopment Plan* (ARP), for the development of a drive through on this site.
- Administration is still recommending refusal of the proposed ARP amendments and land use amendments as the proposal does not align with the direction to support the development of a pedestrian-oriented Main Street along 17 Avenue SW.
- What does this mean to Calgarians? Refusal of this proposal would protect the pedestrian-oriented mixed-use environment of 17 Avenue SW Main Street. Pedestrian safety and comfort along 17 Avenue SW are a priority to realize a vibrant 17 Avenue Main Street.
- Why does this matter? The proposed policy amendments to the *Beltline ARP*, and DC District were reviewed and revised with minor changes as supported by the applicant. The proposal does not support a pedestrian-oriented environment or reflect the approximately \$46 million investment already made by The City to implement the 17 Avenue SW Construction Project. Though drive throughs may be supported elsewhere in the city, the use is not appropriate in this location.
- There is no previous Council direction regarding this proposal.
- Strategic Alignment to Council's Citizen Priorities: A city of safe and inspiring neighbourhoods.

DISCUSSION

This policy and land use amendment, in Beltline, was submitted by IBI Group on 2019 June 25 on behalf of the landowners, McDonalds Restaurants of Canada Limited. The 0.22 hectare site is located mid-block on the north side of 17 Avenue SW, just east of 14 Street SW.

On 2021 February 04, a proposed policy and land use amendment for a DC District were brought forward to CPC with a recommendation of Refusal from Administration. The application was referred back to Administration by CPC, to provide detailed guidance for development of a Drive Through, should CPC and Council choose to approve the policy and land use amendment

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application. In general, the referral motion (Attachment 9) directs Administration to prepare a DC District and policy amendments to the *Beltline ARP*, to address developing a new drive through on the site.

Administration has worked with the applicant to develop additional policies and regulations that would be appropriate for this site. As the applicant was explicit in their intention to maintain the 17 Avenue SW vehicle access as proposed in their development concept, the proposed policy amendments and minor additions to the DC District reflect this discussion.

The proposed amendments to the *Beltline ARP* (Attachment 3) have been revised to include additional policies that:

- direct the building to be oriented towards 17 Avenue SW and have a high degree of transparency;
- minimize driveway widths to reduce pedestrian and mobility conflict;
- require varied textures and high-quality building materials to improve the pedestrian experience;
- support the provision of a generous, continuous, unobstructed sidewalk supported by high quality landscaping;
- enhance the interface between the building and the public realm;
- increase site security through design strategies such as greater permeability between public and private space, lighting, urban plaza and patio placement; and,
- require a Crime Prevention Through Environmental Design Assessment (CPTED) and Transportation Impact Assessment (TIA) at the time of development permit application, to identify site safety and access concerns. Any identified concerns are to be addressed to the satisfaction of the Development Authority.

The proposed DC District (Attachment 4) has been revised to include the following rules to optimize the active building frontage along the sidewalk:

- the length of the building façade that faces 17 Avenue SW must be a minimum of 60 per cent of the property line; and
- unobscured glass must occupy a minimum of 65 per cent of the façade adjacent to 17 Avenue SW allowing for views into and out of the building.

Transportation

Following the CPC referral motion, Transportation Planning refocused their attention on the referral item 1.c. and re-evaluated the access and egress options to make recommendations in consideration of pedestrian safety and traffic flow (Attachment 2). A Transportation Impact Assessment was submitted to Administration on 2021 March 16, that reviewed two access scenarios. The first was to permit a right-in right-out access at 17 Avenue SW and an all-turns access at 16 Avenue SW. The second scenario was to permit an all-turns access at 16 Avenue SW only. Administration recommends access and egress to the site be provided at 16 Avenue SW only, as per the second scenario as this follows the City's policy direction. The applicant did not support 16 Avenue SW access only, which is reflected in the proposed policy and DC District. While this is not an ideal outcome, one technical option for egress could be a directional "right-out only" at 17 Avenue SW. This would be a possible option to reduce conflict and risk to

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pedestrians and active mode users along 17 Avenue SW. All turns access to 17 Avenue SW is not supported.

Although some changes have been made to the proposed policy amendments and the DC District, these changes will not mitigate the long term impacts of a drive through intersecting with 17 Avenue SW, which is a neighbourhood Main Street. Administration continues to recommend refusal for the reasons outlined in the previous report to CPC (CPC2021-0055, Attachment 1).

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- Outreach was undertaken by the Applicant
- Public/Stakeholders were informed by Administration

Applicant-Led Outreach

In addition to the original community outreach, as outlined in Attachment 1, a web portal was set up with information about the proposal by the applicant, and an online virtual engagement was held on 2021 March 11. The updated Applicant Outreach Summary can be found in Attachment 8.

Through the web portal, the applicant received four responses against and two responses in favour of the application. The concerns raised with the proposal were:

- The existing drive through access from 17 Avenue SW causes vehicle/pedestrian conflicts and the only way to mitigate this is to remove access from 17 Avenue SW.
- The building concept does not do enough to activate the pedestrian realm.
- Drive through is not an appropriate use in this location and sets a dangerous precedent for other developments on 17 Avenue SW.

The responses in support of the application stated:

- Satisfaction that the site would improve from its current.
- Restricting access would negatively impact the property value.
- An anchor business should be supported at the west end of 17 Avenue SW Main Street.

City-Led Outreach

The original outreach by Administration is outlined in Attachment 1, in keeping with Administration's practices. For this referral, Administration ensured that previously engaged stakeholders were aware of the online virtual engagement event hosted by the applicant and encouraged stakeholders to submit comments both to the applicant and Administration. Administration also attended the virtual engagement event to answer process questions from participants.

The Beltline Neighbourhood Association provided a new letter in opposition of the proposal on 2021 April 06. Several concerns are identified within their response (Attachment 5) including, but not limited to, the following:

- Inappropriateness of Drive Through use in urban setting.
- Pedestrian safety concerns.

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- Urban format has not been considered in the development concept.
- Updated proposal does not address CPC's referral and expectation that this application is evaluated for its merits.

The Sunalta Community Association provided a new letter in opposition of the proposal on 2021 April 05. Several concerns are identified within their response (Attachment 6) including, but not limited to, the following:

- Auto-centric proposal is contrary to the policy and desires of increasing the mixed-use, walkable and urban fabric of the area.
- Insufficient pedestrian realm interface.
- Changes do not meaningfully address the conflicts between modes of transport currently experienced with the driveway crossing the sidewalk.

Due to the CPC referral motion, Administration also returned to the Urban Design Review Panel (UDRP) on 2021 March 03 for further discussion on this application. UDRP maintains their position of not supporting this application as there have been no proposed site changes since the original submission. UDRP provided an updated assessment based on the revisions made to the proposed policy and DC District (Attachment 7).

IMPLICATIONS

Social

The proposed application does not meet the vision of the *Beltline ARP* to provide a pedestrian-oriented Main Street for the community.

Environmental

This application does not include any features that specifically address objectives of the [Climate Resilience Strategy](#). The proposed land use enables development that would be contrary to active transportation objectives, which can deliver climate and GHG reduction benefits through low or zero emission transportation modes.

Economic

This application seeks to allow for the development of a drive through on the subject site which is not supported by existing Council policy. Allowing for an auto-oriented use would be a less efficient use of infrastructure and services than a more intensive redevelopment of this site with a pedestrian-oriented frontage.

Service and Financial Implications

No anticipated financial impact

RISK

There are no known risks associated with this proposal.

ATTACHMENT(S)

1. CPC2021-0055 Report
2. Transportation Evaluation

**Planning & Development Report to
Calgary Planning Commission
2021 April 22**

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- 3. Proposed Amendment to the Beltline Area Redevelopment Plan
- 4. Proposed Direct Control District
- 5. Neighbourhood Association Response
- 6. Community Association Response
- 7. Urban Design Review Panel Comments
- 8. Applicant Outreach Summary
- 9. Calgary Planning Commission's Referral Motion

Department Circulation

General Manager	Department	Approve/Consult/Inform