

May 2, 2021

To: Calgary Planning Commission

Re: **LOC: 2020-0173 - Fish Creek Exchange**



We have sought to work cooperatively on this file with the Graywood Developments and City Administration since before Christmas, in the end, there has been a disappointing lack of cooperation and transparency. We have had meetings with all parties separately and together.

More than once we had requested information about the timeline and access to the Administration's Detailed Review. Though we met with City Administration on April 19 it wasn't until April 29, and then only in response to a request from our Councilor, that these important pieces of information were provided.

**The question before CPC is:**

**Will adding more intensified uses with later hours of operation, associated noise, light, and odour pollution, and without sufficient parking enhance community livability and prevent land use conflict or does it give the landlord a greater range of uses that still do not meet commercial needs?**

The community raised several concerns (that you should have in your package) that were never addressed, except with the stock answer – we will deal with it at the Development Permit (DP) stage. Increasing the intensity of use, traffic and parking, increased noise and light pollution and extended hours of operation in a residential complex is not just a DP issue but goes to the very core of land use planning – *Land use planning's aim is to improve the quality of life in urban areas with the goals of restraint of urban sprawl, minimization of transportation costs, the prevention of land use conflict, and a reduction in exposure to pollutants. [Wikipedia]*

It is important to understand that the building is a fixed asset with limited (if any) ability to accommodate the increased activity and potential conflict between the proposed uses and the residences. We understand there are 11 parking stalls plus 3 handicapped parking spaces for customers and staff. The approximately 90 condo residents have underground parking with 11 surface parking stalls for residential guests. Adjacent street parking is limited because of the design of the road network and restricted parking around the LRT station. We are at a loss to understand why Transportation did not request a parking analysis. It is abundantly clear that the proposed uses will draw larger crowds, from a greater trading area and it is likely that only a few of these customers will be coming by public transit. Residents are already noticing heavy reliance on street parking at peak times with less than half of the commercial space leased. If more intense commercial uses are approved, where are the customers and the staff supposed to park?

The extensive range of commercial uses that are already allowed and accepted by the residents are compatible because their hours of operation are in keeping with residential patterns. We would like to point out a land use proposal (LOC2019-0170) for an adjacent parcel (directly to the north) by the same owner to allow a C-2 land use was overturned by City Council because uses such as gas bars and other 24 hours' drive-thru operations would be disruptive the surrounding residential buildings. In this case the residents are in the same building!

If the land is being planned so that the public can enjoy the benefits that comes from land use planning, we fail to see how the increased range of disruptive and invasive land uses benefit the Community or Residents. The only benefit we see is for the Landlord. When neighbourhood commercial was original proposed with this project the Community questioned if it was needed, given its hidden location and limited trading area. After almost three years of marketing with little or limited success it would seem the real estate market agrees with the Communities position.

This land use if approved would hang over the community forever and require the community to address each DP application with Administration and Calgary's Subdivision and Development Appeal Board.

We believe the land use conflict is real and must be addressed as a land use matter not at the DP stage down the road.

Thank you for your attention to our concerns.

Kind Regards,

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April 20, 2021

**RE: Proposed Land Use Amendment  
(file #LOC2020-0173) Fish Creek Exchange**



Graywood Developments is proposing a new and more intensive range of uses for the Fish Creek Exchange buildings that are in addition to the existing Direct Control (DC) approved uses. While all parties want the commercial spaces to thrive and to contribute to a vibrant community, SECA has some fundamental issues with the new proposed uses.

***Current approved uses:*** addiction treatment, child-care service, convenience food store, counselling service, fitness centre, office, place of worship, print center, neighborhood or small restaurant, retail and consumer service, specialty food store, take-out food service, outdoor café.

***Proposed uses:*** small or medium drinking establishment, brewery, winery or distillery, cannabis store, liquor store, accessory food service, minor catering service, financial institution, instructional facility, market, supermarket, medical clinic, pet care services, veterinary clinic, medium or large restaurant food service only, medium or large licensed restaurant.

In 2020, SECA objected to a land use change from this same applicant for an adjacent property (LOC2019-0170), based on disruptions to neighbouring properties and fit with the community. These arguments resonated with the City Planning, Planning Commission and with Council. In this case, the closest neighbours are condo owners in the same building, and they will experience significant impacts if this land use amendment is approved. Nearby neighbours in townhomes and single-family homes will also be impacted.

For this application the same issues of neighbourhood fit, traffic volume, delivery and waste truck traffic, early morning and late-night noise and lights as well as patio noise, odours, and hours of operation are of concern to nearby neighbours. And in this case, the condo units are more than nearby, they are attached to the commercial spaces with some condo units on the ground floor where vehicle lights and noise will be very disruptive.

Conflict between commercial and resident parking needs is inevitable should these new intensive uses be approved. There is scant parking on-site with just eight (8) regular plus three (3) handicapped spaces for customers and staff members from the up to eight (8) commercial leases. There are just eleven (11) visitor parking stalls for the approximately ninety (90) condos.

Expanding parking on this tight site is not an option. Parking is already overflowing onto with less than half of the commercial space leased. There is limited parking on Shawnee Boulevard and on 6<sup>th</sup> Street SW where parking is restricted to one side only. According to Graywood Developments, their planned adjacent developments will not accommodate overflow parking. It should also be noted that the two large LRT parking lots within the Transit Oriented Development zone, on the west side of Shawnee Gate SW are slated for future high-density development.

We all want the Fish Creek Exchange businesses to thrive. We want to encourage transit use and active transportation and we agree that some customers and staff will be accessing this site by these routes. But will this relatively small number of individuals sustain these businesses? To survive, these businesses will have to reach out to customers who require parking. Where will they park?

The residents of these new buildings chose sleepy suburbia with easy access to the LRT. They did not purchase in this location to live above a brew pub or larger restaurant. If that was their preference, they would have chosen the East Village, Kensington or Bridgeland. While no guarantees were given, they feel like this application represents a bait and switch.

The developer has told us that they will work with City Planners to "curate" prospective leases at the development permit stage. This is not acceptable to SECA. The purpose of the land use process is to insure that uses compatible to the location and neighborhood are approved. Let's make decisions based on operational characteristics of proposed uses that fit in this context at the land use stage.

SECA is committed to finding a good solution for the long term. We prefer to take a holistic, integrated approach rather than approving disruptive uses that may cause a domino effect as adjacent spaces and properties are developed. While some of the proposed uses could fit, the more intense uses are not the answer for this location.



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