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quickel.charlotte@gmail.com - Charlotte Quickel, KCA President

Re: Proposed Redesignation 7304 Elbow Dr. SW – R-C2 to DC, LOC2022-0013

Kingsland Community Association (KCA) and the Kingsland Planning Committee remain opposed to the Land Use Amendment application to change 7304 Elbow Drive from R-C2 to DC. The location of the proposed commercial parcel is completely inappropriate being a mid-block parcel accessed solely by a residential lane developed in the 1950's. With a commercial vacancy rate at the highest levels Calgary has seen there are many vacant commercial spaces where commercial uses can be accommodated without impacting an area of Kingsland that is only residential in nature.

We have been advised the applicant plans to propose a Direct Control (DC) District to allow for an ocular clinic in a residential area of Kingsland. The challenge for KCA and the adjacent residents is that we were not provided the proposed DC. Our Planning Committee members have been informed by a couple of residents that they were uncertain about what is proposed. KCA has not had the opportunity to review the proposed DC as it was not included in the circulation package we received. **A response regarding this application is premature until we have a clear understanding of what is proposed in the DC.** Simply adding a use to the R-C2 district to allow for the ocular clinic will not address other development matters that are typically seen in a commercial district - for example, the commercial FAR, building setbacks, and landscaping requirements found in a commercial district, and the General Rules for Commercial Land Use districts (landscaping, garbage enclosures). In addition to our other concerns noted below, we are now concerned this site, if approved, would be built under the residential rules, rather than the commercial rules. **Once the DC is drafted the proposed DC should be recirculated to KCA and the adjacent residents, ensuring plain language so there is a clear understanding of what is proposed.** KCA does not support the commercial mid-block use (concerns further outlined in this letter), and we do not believe the remedy should be to move this use into a residential base district.

In addition, this application should not proceed to a public hearing as the consultation with the community outlined in the application letter has yet to take place. A public hearing at this stage would be premature. KCA has not had the opportunity to learn more from the applicant about the revised application. We also have



not had the opportunity to hear from the thoughts of impacted residents at this open house promised by the applicant and indicated in their application letter. We believe 'impacted residents' are defined as all those businesses and residents on the west and east side of the proposed alley access between 75th Avenue and 69th Avenue. An open house notification should be posted in the community newsletter, utilize the KCA social media, and a letter should be sent to the owners via a title search within this area (as many of the residents in this area renters). KCA can assist with advertisements on social media and in the community newsletter.

The Kingsland Community Association and the Kingsland Planning Committee continue to oppose this application for the following reasons:

Commercial is an inappropriate land use in this location

1. The proposed land use district **does not align** with the current discussions underway through the Heritage Communities **Local Area Plan (LAP)**, which calls for this area of Elbow Drive to be residential, with commercial uses located within commercial nodes, commercial corridors, or commercial centres. The redesignation of this parcel to a commercial use in this location sets a precedent that goes against what the public has identified for this section of Elbow Drive through two years of engagement. Kingsland has been a part of the LAP discussions and an approval to a commercial use would go against these discussions before the LAP is even adopted.
2. The proposed land use district does not align with the Municipal Development Plan (MDP) section 2.3.2, Respecting and Enhancing Neighbourhood Character. This section states that an appropriate transition between residential and commercial areas should be ensured.
3. The proposed commercial use is **mid-block and is surrounded by residential land uses**. This parcel is located 13 residences north of the Shoppers Drug Mart, and 11 residences south of the 7-11, on Elbow Drive. There is no reason a commercial use would be appropriate at this site. A residential to commercial redesignation would be better suited near the commercial nodes already in Kingsland, for example near the Shoppers Drug Mart at 75th and Elbow Drive.
4. Allowing a Commercial – Neighbourhood 1 **(C-N1) District** on this site **will open up a multitude of uses** that could locate **in an area that is only residential**. Looking through the list of permitted and discretionary uses that could locate on this site once approved, KCA cannot identify one use that would be suitable in this location. It is the understanding of KCA that a concurrent development permit is not tied to this land use redesignation.
5. The proposed land use district **does not meet the Kingsland Community Plan (KCP), a community led Plan**. The development of the KCP included community engagement, at which time, the KCA encouraged commercial development in locations along Macleod Trail and areas with existing commercial development.



Residential alley access as the only vehicular access

6. The **sole access** to the parcel will be **from a residential lane**. This lane is unique in that it is a continuous lane running north-south from 69th Avenue to 75th Avenue SW uninterrupted, and for some residents is the primary access to their garage. The lane has a keyed gate (for garbage collection purposes) at the north end with no access to 69th Avenue; a cul-de-sac is not located at the closure location. The gate was installed to calm traffic in the lane and reduce short cutting through the Kingsland. A narrow east-west access at the north end of the lane to 7th Street SW has a small turning radius, with a catchbasin and power pole on the north side. The landowner on the south side of the lane has installed metal poles to protect their fence. In the winter the alley is covered in snow and ice, which is not maintained by The City, and is frequently in a state that is difficult for existing residents to navigate. A commercial use accessing this parcel with multiple vehicle trips per day will only add to these access challenges.



Alternative vacant commercial options

7. A commercial business would be **better suited in one of the existing and vacant commercial properties near Kingsland**. To redesignate a residential parcel that has no nearby commercial uses is intrusive and will disrupt the residential nature of this area of Kingsland. To name only a few alternative vacant commercial options, and from what we understand, there are currently commercial vacancies at the sites located below. It is our understanding the landowner currently has their business located at one of the nearby commercial sites noted below.
- Kingsland Junction on Macleod Trail (Trico site)
 - Kingsland Village on Macleod Trail (Marshall's site)
 - Centre 70 on Macleod Trail (Script Pharmacy site)
 - Mayfair Place on Elbow Drive
 - Chinook Professional Tower at Chinook Centre

To redesignate a parcel to commercial in a residential area of Kingsland that is only residential is inappropriate, particularly given the other commercial options available.



Developability and servicing in the long term

8. With additional parcel coverage, rain events may not be sufficiently accommodated, thereby impacting adjacent parcels with significant runoff and flooding. Seven parking stalls with a paved surface were shown in the proposed building drawings, heightening this concern for KCA.
9. In discussions with the developers' consultant KCA was told that dry wells were proposed under the parking lot for this site. Kingsland frequently has basement flooding occurring and many residents have had to install sump pumps. The use of dry wells to accommodate the stormwater from this site rather than tying into the existing storm system is deeply concerning to KCA, as this practice could result in the flooding of nearby parcels.
10. The elevation differential across the parcel may be difficult to accommodate. The proposed drawings presented to KCA identified retaining walls to allow for the development proposed. Fencing with adjacent residential parcels to the north and south was not contemplated by the developer in the proposed drawings presented to KCA.



Neither the Kingsland Community Association nor the Kingsland Planning Committee will support the continued redesignation of parcels along Elbow Drive until studies are prepared to confirm the compounded impacts of development along Elbow Drive from Heritage Drive to Glenmore Trail. These studies include:

- a. The ability for back lanes to support continued residential redesignations and development along this stretch of Elbow Drive without upgrades. In some cases, these lanes continue for several hundred metres, are uninterrupted, and gated for traffic control purposes;
- b. The capacity of the storm sewer system that these parcels will tie in to, and the ability for this infrastructure to take on additional compounded storm water if all parcels are redesignated;
- c. The capacity of the sewer system that these parcels will tie in to, and the ability for this infrastructure to take on significantly increased compounded sewer discharge if all parcels are redesignated (it is already the case that properties downhill from Elbow Drive on 5th Street SW struggle with basement flooding due to inadequate sewer system design and capacity);



- d. The capacity of the water system that these parcels will tie in to, and the ability for this infrastructure to service these parcels if all parcels are redesignated; and
- e. The ability of all utility systems (internet, electrical, etc.) to adequately service these parcels if all parcels increase beyond the current density.

For the above reasons, Kingsland Community Association opposes this proposed redesignation. Any form of commercial development at this site will trigger an appeal to SDAB at the Development Permit stage by KCA.

Thank you for the opportunity to submit comments regarding this application. If there are any questions please contact the undersigned.

Regards,

Brandy MacInnis
Planning Committee Chair
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