



Submission to Calgary City Council, July 2013

Concerns and Position of University Heights Community Association regarding the proposed Area Redevelopment Plan (ARP) for Stadium Shopping Centre (SSC):

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Summary of the University Heights Community Association (UHCA) Submission

Overview:

The University Heights Community Association welcomes moderate and community sensitive densification in the redevelopment of Stadium Shopping Centre (SSC). UHCA also believes that this redevelopment must be designed through the type of community-inclusive collaborative planning process to which the City has already committed itself in the Municipal Development Plan of 2009 (MDP). The proposed ARP fails to meet these substantive and procedural planning principles. To date the ARP process has been conducted at an unreasonably accelerated pace and has not been responsive to the concerns and suggestions of University Heights.

The ARP envisages a massive amount of additional (and inordinately large and tall) commercial buildings on the SSC site. Such a large and disproportionate development on the SSC site is incompatible with the MDP densification policies relative to Neighbourhood Activity Centres like the SSC. In addition, the cumulative adverse impacts of this high densification development creates the risk of irretrievably undermining the viability SSC's cherished role as "the heart" of University Heights --, the people-oriented meeting as well as shopping place, which is so vital to the community's ability to continue being an attractive and sustainable "urban core village" within the City.

Moreover, the ARP fails to provide direction and guidance on a number of key land use and mitigation issues that are vital to the feasibility and quality of the development as well as its compatibility with the surrounding residential neighbourhood. For this reason, while the extreme vagueness of the ARP empowers the developer, Western Securities, with much discretion and certainty, it fails to provide the kind of reasonable clarity and predictability to the local community of University Heights that it has the right to expect concerning a huge development on a small site located entirely within their unique community.

Summary Statement of UHCA's Specific Concerns

(I) The Proposed ARP does not comply with a number of key provisions of the Municipal Development Plan (MDP) and the Imagine Calgary Long Range Urban Sustainability Plan (ICSP) which contributed to its creation. In particular, the ARP fails to comply with City policy for only moderate levels of densification in Neighbourhood Activity Centres and for a collaborative approach to planning that includes the affected local community in addition to the developer being informed about and meaningfully involved in the planning process.

(II) The Proposed ARP allows a level of densification that is totally out of scale for a NAC, allowing instead an extraordinarily massive Major Activity Centre (MAC)– scale development on a relatively small site of 2.48 ha. With a Floor Area Ratio (FAR) of 3.0, the potential exists for about 800,000 square feet of development, including large office and medical clinic buildings as well as structures (including a “hotel”) up to 46 metres or 14 stories in height. Such a development at SSC would represent an intensity of about 700 jobs and people per ha. This compares to a minimum MAC intensity level of 200 and a minimum NAC intensity level of 100. (Also, the site is accessible by just one side of one residential road).

To put this degree of densification in perspective, 800,000 sq ft (and) this would be:

1. About 1250% more developed floor area than the existing SSC development of 64,000 sq ft consisting of only 1 story retail and restaurant units.
2. About 300% larger than the 270,000 sq foot development that the UHCA successfully appealed at the Subdivision and Development Appeal Board in 2008.
3. Equal to 83 percent of Market Mall floor area, on 20% of the land area of the Market Mall site!
4. 235% higher density (ie FAR of 3.0) on the very small, MAC–surrounded SSC site (2.48 ha) than the density (ie FAR of 1.3) for development on the large 160 acre West Campus site.

In short, this Proposed ARP effectively circumvents the MDP by, in effect, reclassifying the SSC site from a small NAC to an immense MAC. Nor was this the intent of the South Shaganappi Community Area Plan.

(III) The ARP for SSC does not give adequate consideration to the very unique context of University Heights: UH is already more densely developed than 125 of Calgary's 150 "Established Communities". And unlike these other communities", the small community of UH is virtually surrounded by heavy traffic generating MAC's : to the south, across 16th Ave, Foothills Medical Centre, (14,500 employees); to the west, Alberta Children's Hospital and the West Campus of U of C with 900,000 sq ft of planned development; to the north, main campus of U of C (9,000 employees and 31,000 students); to the east, McMahon Stadium and Foothills Athletic Park. Moreover, many of these MAC's are undergoing large expansions: the Baker Cancer Centre directly across from SSC; the U of C; and the Foothills Fieldhouse / soccer sportsplex with a 10,000 stadium capacity. These MAC's generate immense traffic congestion on 16th Ave. NW, near capacity failure at the key intersection of 16th Ave and Uxbridge Dr. and a huge amount of vehicle short-cutting through UH by drivers wanting to drive to a MAC without having to deal with the clogged intersections in this congested region. Even more traffic is brought into UH by non-residents bringing their children to the two schools in the community, parishioners attending services at our two churches and patrons of the popular retail stores and restaurants within or adjacent to SSC. Moreover, although TransCanada Highway/16th Ave brings much additional traffic to the UH area, the SSC site is not "on" this thoroughfare in that there is no entrance from or onto 16th Ave from the site. Instead, very significantly, the site is only accessible from Uxbridge Drive which is a mere residential rather than a collector street.

UH is also a established residential area that has no community hall and where Stadium Shopping Centre (the community's only one) has always served as the quintessential type "urban village core" and community "heart" that so many Calgary planning documents are committed to preserving during densification programs.

Moreover, the scale of the proposed development is well beyond the intensity targets of Major Activity Centre (MAC), the highest category of intensification that the city uses. This massive degree of intensification/development is proposed for the very unique site of University Heights that the Planning Dept's Calgary Snapshots (2012) document shows already has a greater level of density (ie 20.3 Units per Ha or 50.1 Units per Acre) than 125 or Calgary's 150 developed communities. The Stadium site is a Neighbourhood Activity Centre (NAC) not a MAC.

(IV) The Proposed ARP's failure to give adequate attention to these unique contextual features of the proposed SSC Redevelopment has resulted in the following serious flaws in both the content of the ARP and the process by which it was developed:

(IV)(1) The Transportation Impact Assessment (TIA), upon which the ARP relies, is seriously flawed by utilizing the "standard" traffic assumptions of city-wide traffic studies and the regional macro-model instead of utilizing a micro-model

that is sensitive to the unique traffic situation facing UH and the subject site. The authors of the TIA further weakened its reliability by generally relying on 7 year old traffic data, by doing very few and brief traffic counts within UH during unrepresentative periods. UHCA believes there are serious concerns with the TIA that need to be addressed prior to relying on its conclusions. A key concern is the intersection of 16th and 29th/Uxbridge, so important for accessing Foothills Hospital as well as UH. It has been identified as presently at failure and, despite planned small upgrades, it will again be put in jeopardy by the cumulative traffic impacts of the SSC buildup this ARP allows combined with other large planned developments nearby, such as the new Baker Cancer Centre and West Campus.

(IV)(2) The ARP suggests that the traffic generated by the SSC redevelopment will be less than a standard development of this size because it is a Transit Oriented Development (TOD) when it clearly is not. Unlike the recent Brentwood ARP, the site is not on an LRT line (the nearest LRT Station, Banff Tr, is over 1 km away) and it has no Bus Rapid Transit (BRT) servicing it. The SSC site area is served only by basic bus service which has low usage because of its infrequency and slowness. Recently Calgary Transit indicated it ranked investment in BRT transit on a West Campus – UC campus loop route as the least attractive option among seven options studied.

(IV)(3) The ARP envisages densification that is more commercial than residential in nature. The ARP suggests that the traffic generated by the SSC redevelopment will be less than a standard development of this size because it is a mixed use development. Unfortunately, because the development is primarily commercial and not residential, the gains from people walking and cycling to work will not be realized. To achieve these suggested trip reductions UHCA would like the ARP to specify that a minimum of 50% of the developed floor area be dedicated to Residential use. This would help this sector of the city in providing more homes close to existing (MAC-related) employment opportunities while supporting and reinvigorating University Heights, thereby achieving a more appropriate balance in the ARP's responsiveness to the needs of the affected communities and the surrounding institutions.

(IV)(4) The ARP envisages a massive amount of additional (and inordinately large and tall, at 46 m) commercial buildings on the SSC site; however, the ARP remains silent about some key issues that are pivotal to the feasibility and quality of the development. For example, it is silent on actual floor size of the residential component and about the total percentage of the development that the residential component will constitute. Nor does the ARP set a minimum for the amount of residential development supported by University Heights or set a cap for the amount of office or hotel development which are of great concern to University Heights. By also being silent on what type of land uses will be in the first phase rather than possible future phases of the development, the ARP fails to provide the required type of reasonable direction to the developer and certainty to UH.

(IV)(5) The ARP fails to require prior completion of required infrastructure for the redevelopment to proceed. The TIA identifies 14 road, intersection and public transit infrastructure enhancements that it states must already be “in place” if the traffic impacts of the proposed densification of the SSC site are to be accommodated. However, while the ARP lists these 14 infrastructure investments (p 27) and acknowledges they are “required to realize the vision of this plan”(p 26), it then fails to link the timing of future redevelopment on the SSC site to the date by which the listed infrastructure enhancements will be already “in place”. Instead the proposed ARP simply states:

“Timing and phasing of these investments will be determined to the satisfaction of the Development Authority through the submission of a phasing strategy as part of the Development Permit process, as well as through other City projects and processes, as applicable.”

This approach inappropriately leaves the issue largely for the developer to decide once the ARP is approved, permitting the developer to argue that full C–C2 buildup has been endorsed by Council through the ARP. This is unfair to the directly affected community of University Heights and contrary to the intent and purpose of an ARP to provide reasonably clear direction to the developer and certainty for the community well before the Development Permit stage at which advanced point the developer is typically very resistant to making any significant changes to his proposal.

This ARP failure to link the SSC redevelopment to prior completion of the required infrastructure improvements is particularly significant in view of the costly damage done to City and private property because of the unprecedented flooding that occurred in June 2013. University Heights respectfully submits that a very important reminder flowing from this flood experience is that, whether the impact risk is from a foreseeable flood of river water or project-generated traffic, timely budgeting and completion of required infrastructure prior to any redevelopment is essential for effective risk prevention and mitigation and therefore protection of the broader public interest.

(IV)(6) During the development of the Proposed ARP, UHCA has not experienced meaningful information-sharing, consultation or responsiveness from City Administration in the course of its closed door collaboration with the developer. Both City Administration and the developer have rejected UHCA’s formal request for the kind of community-inclusive collaborative planning process that the City itself committed itself to in the MDP. Two unfortunate consequences flow from this failure to include UH in the collaborative process. First, the relevance, reliability and credibility of the allegedly supporting evidence in the Proposed ARP (and TIA) is greatly weakened because the local residents possessing valuable local expertise were not allowed to be involved. Secondly, This “due process” failure has resulted in a planning process that is polarized, adversarial and publicly unsupported, not “orderly and economic” . The risk is that the avoidable existing contentiousness regarding the ARP, if not fairly addressed, will extend to every future step in the development approval process for the SSC site. This would not be a recipe for achieving the objective of a planning and development process that is based on transparency, collaboration and trust -- and is therefore “orderly and economic” .

ELABORATION re UHCA's Specific Concerns re Proposed ARP for SSC

(I) The Proposed ARP is incompatible with the letter and intent of several key provisions of the Municipal Development Plan (MDP) of 2009 as well as a number of other City policies and plans.

(I)(1) The Proposed ARP is incompatible with the MDP's definition of the Stadium Shopping Centre as a Neighborhood Activity Centre (NAC) and with the MDP's direction that intensification within an NAC should be moderate in nature and in a form that respects the scale and character of the neighbourhood.

Section 3.3 of the MDP (2009) describes the scale and type of development that the MDP encourages in an NAC: (Underlining emphasis by UHCA)

“NAC's are appropriate sites to accommodate moderate intensification over time, with uses and development scales appropriate to the local context and community needs. NAC's will also be an important part of new community designs. They will be locations for medium density housing (eg. ground-oriented to medium density apartments), local retail and services, community facilities and integrated transit stops.”

(NOTE: There is no reference to or MDP endorsement of large commercial structures such as office complexes and medical clinics.)

Section 3.3.4 of the MDP (2009) elaborates:

“Smaller commercial sites located throughout established areas have the potential to provide a diverse mix of uses that fit with the scale and character of the surrounding neighbourhood. Because many residential communities where NACs exist do not have potential for significant intensification, smaller commercial sites provide a good opportunity for moderate mixed-use intensification and new housing forms not available within the community”

(NOTE: The previous MDP (ie pre-2009) evidenced a similar commitment to a neighbourhood-compatible level of density that is proportionate to the size of the land parcel when it provided, in its s.757 (2) that:

“Areas of land greater than 12 ha and less than 3.2 ha should not be designated C–C2 District.”

This SSC redevelopment is much too large for the relatively small site in question. This 2.48 hectare site is about 23% smaller than the minimum 3.2 ha site recommended for C–C2 Districts in s 757(2))

(I)(2) The Proposed ARP is incompatible with the MDP’s land use policy pertaining to Developed Residential Area, stated on s3.5.1 (a):

“Recognize the predominantly low density, residential nature of Developed Residential Areas and support retention of housing stock, or moderate intensification in a form and nature that respects the scale and character of the neighbourhood.”

(I)(3) The process for developing the Proposed ARP was characterized by a lack of meaningful information–sharing, public consultation with and responsiveness to the concerns expressed by University Heights as the directly affected local community. This process is incompatible with the City’s clear commitment in the MDP to a “collaborative planning process” that includes the affected community as well as the developer, the City Administration and other potential stakeholders.

Section 2.3.7 of the MDP (2009) states the City’s commitment to the objective of “Foster community dialogue and participation in community planning.

“All Calgarians should be provided with opportunities to participate in shaping the future of their community. This means encouraging on–going education, engagement strategies and collaborative neighbourhood planning processes that consider MDP strategies and local community–based aspirations. Community planning is a way to engage, in a meaningful way, local residents and businesses in the future of their community and to provide a local interpretation and implementation of the MDP policies. Community planning initiatives should follow The City’s Engage! Policy.”

Section 5.2.4 of the MDP (2009) went on to state the City’s commitment to collaboration with affected communities on the specific issue of intensification:

“The City must take an active role in supporting the strategic intensification of Developed Areas. The City will undertake a review of how intensification of Developed Areas can be facilitated through the City’s planning processes and investment decisions. This will require continued attention to process improvements for development applications; a proactive approach to community outreach and engagement; and the implementation of a wide variety of planning and urban design initiatives in order to support intensification

(I)(4) Being incompatible with important provisions of the MDP, the Proposed ARP is therefore also incompatible with the letter and intent of the relevant sections of the grass-roots driven Imagine Calgary Long Range Urban Sustainability Plan (ICSP) of 2007 which significantly contributed to the revised MDP of 2009.

This incompatibility of the ARP with the ICSP is relevant to Council's evaluation of the ARP's acceptability because Imagine Calgary was a City led - community owned initiative which involved 18 months of grass-roots deliberations. With over 18,000 Calgarians adding their voice to the work of 150 active stakeholders who were responsible for developing the plan, it became the largest community visioning process of its kind anywhere in the world. The significance for all Calgarians of the ICSP was clearly stated in its Introduction:

“As the city continues to prosper and face unprecedented levels of growth, a plan that expresses the aspirations of the community is critical. Now, with a roadmap to get us there, citizens, corporations, community agencies and the civic government of Calgary are working together to shape the city's future.”

The ICSP includes a citizen - promoted and City - adopted series of “goals”, “targets” and “strategies” for achieving the goals. Issues addressed include the subjects of City Governance, Transportation and Goods and Services (including Housing). Each of these is directly relevant to the community collaboration, traffic impact and densification issues that UHCA believes undermine the appropriateness of the Proposed ARP for Stadium Shopping Centre. The following are highlights from the goal, targets and strategies set out in the ICSP for the issues of Governance, Transportation and Goods and Services:

(A) Governance

System Goal

Calgary is a city in which individuals have access to all public information when they need it. They can and do participate in decisions that affect their well-being. Decision-making is an inclusive process in which broad based support is actively sought and contributes to continual improvement in people's lives...”

Target

“By 2016, 80% of Calgarians report that they feel government activity is open, honest, inclusive and responsive.”

Strategy

Ensure all people have equal opportunities to participate in decision-making processes before a decision is made, by using timelines and other constraints that are clear, well understood and fair.”

Substrategies (Information)

- Provide information that is accurate, timely and in plain language.
- Fully use Internet technology to disseminate information.(p 47)

Substrategies (Engagement)

- Clearly inform people at the beginning of the decision-making process about plans and decisions that may affect them; clearly describe constraints, assumptions, uncertainties and risks.
- Develop communications strategies to ensure all residents are informed
- Allow enough time for the public to develop solutions to satisfy all interested parties
- Ensure decision-making is geographically appropriate (from neighbourhood to region) for the issue at hand.
- Encourage community associations to play a greater and more representative role in community matters

(B) Transportation

Target

“By 2016, we increase the residential population within walking distance (600 metres) of LRT Stations and major transit nodes by 100%.”

Strategy

Support land use districts and policies that allow for high-density housing to be integrated with major transit facilities.

Provide policy within the MDP and other planning policies to support higher-density housing close to major transit facilities.(p31)

(C) Goods and Services

Target

“By 2016, we are developing “complete communities” that allow people to obtain daily goods and services within a reasonable walking distance from home.”

Strategy

Develop housing intensification policies for existing communities, particularly in strategic locations like transit stations (p 20 and 23)

(I)(5) The proposed development is incompatible with the intent of the Land Use Bylaw, 1P2007, as expressed in section 757, the Purpose section for the Commercial–Community 2 Land Use District.

Section 757 of 1P2007 states the Commercial–Community 2 District is intended to be characterized by:

i) [s 757(1)(b)] “developments that are on the boundary of several communities” (However, this large and very intensive SSC redevelopment is on the boundary of only one community – the small community of University Heights. that is, in effect, an island that is already surrounded if not besieged by several large and further expanding institutional Major Activity Centres)

ii) [s757(1)(e)] “buildings that are slightly higher than nearby low density residential areas”

(In fact, the current ARP would permit the juxtapositioning of monstrous 14 story commercial buildings onto the nearby residential community, showing disrespect to the surrounding context. Moreover, there are currently no 14 story buildings along 16th Ave NW – so how appropriate is it to permit such extremely dense and high mass development in a small parcel of land that is totally within the small residential community of University Heights?

iii) [s757(1)(g)] “building locations, setback areas and landscaping that buffer residential districts from commercial developments”

(UHCA believes that 14 story buildings are so inherently massive and tall and the land parcel so small that such buildings cannot be effectively buffered from adjacent residential areas by the cosmetic use of landscaping and by setback areas.)

(I)(6) The ARP is inaccurate and misleading when it states: “The redevelopment of the SSC as a more intensive, mixed use NAC was recommended as part of the South Shaganappi Communities Area Plan (SSCAP), approved by Council in 2011.” (p7)

i) The SSCAP of 2011 derives from the South Shaganappi Communities Sustainability Plan (released in July 2007), developed by volunteer representatives of the 5 communities of south Shaganappi. The principles of this Sustainability Plan align very well with several statutory City documents such as the Calgary Plan, Imagine Calgary and Plan it Calgary. The Sustainability Plan recognized the large institutional “Major Activity Centres” surrounding University Heights and the ever-growing traffic, and parking pressures on UH caused by these MAC’s and the continuous process of “institutional creep”; it therefore identified SSC as an “urban village core”. The concept of an urban village core is often referred to as the center of community or a gathering

place, characterized by a mix of residential, local commercial, restaurant, and public service uses, and the encouragement of residential dwelling units over commercial enterprises.

ii) The SSCAP was developed in 2010 and 2011, in the aftermath of the UHCA's successful appeal of the previous SSC development permit at the Subdivision and Development Appeal Board (SDAP) in 2008, shortly after the release of the South Shaganappi Communities Sustainability Plan.

iii) The community consultation on the SSCAP (done in June of 2010 and January of 2011) was done at a high strategic level, being framed around broad and vague principles and not specific information about the scale or form of the proposed development.

iv) Although the SSCAP recognizes that SSC site is in a Neighbourhood Activity Centre, after the consultation process was completed, four "SS1" policies specifically applicable to the matter of SSC redevelopment were later added to the draft SSCAP but never subjected to public consultation, either generally or in the directly affected community of University Heights. (These SS1 policies endorsed the SSC site's C-C2 zoning, discretionary uses such as a hotel, incorporation of the Municipal Reserve land, and multiple access points for the redeveloped site.)

v) These SS1 policies re SSC are fundamentally inconsistent with the core definition of a NAC in the MDP and are directly at odds with the repeatedly expressed concerns and objections of almost all UH residents .

vi) This sequence of events suggests that the apparent strategy by the City Planning Department and the developer is to use the SS1 policies in SSCAP as a starting point for the ARP and a justification for the endorsement it provides for the type of intense development proposed by Western Securities. The City Planning Department argues that the SS1 are in effect a fait accompli because of City Council approval of the SSCAP, giving it the status of a statutory plan.

The highly general discussions that occurred during the process of developing the South Shaganappi Communities Area Plan (SSCAP) was not an adequate alternative to the focused and sustained engagement to which University Heights was entitled.

(II) However, the Proposed ARP allows a level of densification that is totally out of scale for a NAC. Instead, the ARP allows an extraordinarily massive Major Activity Centre (MAC)- scale development on this relatively small 2.48 ha. site.

With a Floor Area Ratio (FAR) of 3.0, the potential exists for about 800,000 square feet of development, including large office and medical clinic buildings as well as structures (including a "hotel") up to 46 metres or 14 stories in height. Such a development at SSC would represent an intensity of about 700 jobs and people per ha. This compares to a

minimum MAC level of 200 and a minimum NAC level of 100. To put this extreme degree of densification in perspective, 800,000 sq ft (and) this would be:

- About 1250% more developed floor area than the existing SSC development of 64,000 sq ft consisting of only 1 story retail and restaurant units.
- About 300% larger than the 270,000 sq foot development that the UHCA successfully appealed at the Subdivision and Development Appeal Board in 2008.
- Equal to 83 percent of Market Mall floor area, on 20% of the land area of the Market Mall site!
- About 235% higher density (ie FAR of 3.0) on the very small, MAC-surrounded SSC site (2.48 ha) than the density (ie FAR of 1.3) for development on the large 160 acre West Campus site.

In short, the scale of the proposed development is well beyond the intensity targets for a Major Activity Centre – the highest category of intensification that the city uses (ie about 700 jobs and people per ha rather than the minimum MAC level of about 200). This excessively commercial-oriented, office-park type development further aggravates the already compromised balance between institutional and residential uses in this area.

Therefore, this Proposed ARP effectively circumvents the MDP by, in effect, reclassifying the SSC site from a small NAC to an immense MAC. Moreover, we also do not believe that such a locally insensitive and unsupported transformation of the SSC's character is consistent with the purpose and intent of the South Shaganappi Community Area Plan or the C-C2 section of the Land Use Bylaw, IP2007. The ARP is to assist in planning an area within its existing typology, not changing the fundamental typology of the site as defined in the MDP.

(III) University Heights is characterized by a very Unique Context and accompanying challenges that any ARP for the SSC site must adequately consider to ensure a reasonable balance between community and institutional needs

(III)(1) University Heights is Totally surrounded by MAC's: University Heights is unlike any other "Established Community" in Calgary or Canada in that it is virtually surrounded by heavy traffic generating MAC's : to the south, across 16th Ave, Foothills Medical Centre, (14,500 employees); to the west, Alberta Children's Hospital and the

West Campus of U of C with 8.5 million sq ft of planned development; to the north, main campus of U of C (9,000 employees and 31,000 students); to the east, McMahon Stadium and Foothills Athletic Park. Unlike any other Calgary community, University Heights is not immediately adjacent to any other residential community on any of its four sides.

Moreover, many of these MAC's are undergoing large expansions: the Tom Baker Cancer Centre directly across from SSC; the West Campus of U of C; and the Foothills Fieldhouse / soccer sportsplex with a 10,000 stadium capacity.

(III)(2) The roads, intersections and parking areas of University Heights are already very heavily burdened with the traffic generated by these numerous high-employment MAC's. In particular, there is immense traffic congestion on the regionally strategic intersection of 16th Ave. NW and Uxbridge Dr. This intersection is already near capacity failure but pivotally important for accessing Foothills Hospital as well as the residents of University Heights who already have great difficulty simply getting into and out of their own community at rush hours. Short-cutting through the community and overflow parking by sports fans attending McMahon Stadium and Foothills Athletic Park are also major problems already. Even more traffic is brought into UH by non-residents bringing their children to the two schools in the community, parishioners attending services at our two churches and patrons of the popular retail stores and restaurants within or adjacent to SSC. The proliferation and expansion of MAC's in the area will only further exacerbate the impacts of these activities.

(III)(3) No Access to SSC site from 16th Ave NW: Although TransCanada Highway/16th Ave brings much additional traffic to the UH area, the SSC site is not "on" this thoroughfare in that there is and will be no direct entrance from or onto 16th Ave from the site. Instead, very significantly, the site is only accessible from Uxbridge Drive which is a mere residential rather than a collector street.

(III)(4) University Heights is already one of Calgary's most densely developed Established Communities. This massive degree of intensification is proposed for the small SSC site in the very unique community of University Heights which the Planning Dept's Calgary Snapshots (2012) document shows already has a greater level of density (ie 20.3 Units per Ha or 50.1 Units per Acre) than 125 or Calgary's 150 developed communities.

(III)(5) SCC is the "urban village core" of University Heights. UH is also an established residential area that has no community hall and where Stadium Shopping Centre (the community's only shopping centre) has always served as the quintessential type "urban village core" and community "heart" that so many Calgary planning documents are committed to preserving during densification programs. The SSC site's relationship to the existing low density residential communities to the north

and west is central to any re-development of the site. The existing Stadium Shopping Centre has served the surrounding communities for many years with several very popular independent shop owners.”

In view of the above unique community characteristics and associated impacts, to allow in addition a high density redevelopment of SSC will create a major adverse cumulative impact on University Heights traffic and parking that cannot be adequately mitigated. At the same time, such a large superimposed development at SSC will increase safety concerns about school-children and significantly detract from the quality of life of University Heights residents through the loss of their Neighbourhood Activity Centre and cherished community “heart”.

(IV) The Proposed ARP’s failure to give adequate attention to these unique contextual features of the proposed SSC Redevelopment has resulted in the following serious flaws and deficiencies in the content of the ARP, the content of the associated TIA and the process by which both documents were developed

(IV)(1) The Transportation Impact Assessment (TIA) upon which the ARP relies, is seriously flawed and deficient in many ways. (UHCA believes these concerns about the TIA need to be addressed prior to relying on its conclusions.)

(IV)(1)(a) Used a standard Macro-Model instead of a more locally sensitive Micro-model: The TIA is flawed because, to forecast the additional traffic to be generated by the proposed SSC redevelopment, it utilized the “standard” traffic assumptions of city-wide traffic studies and the regional macro-model instead of utilizing a micro-model that is sensitive to the unique traffic situation facing UH and the subject site. The TIA’s reliance on a generalized macro-model of traffic therefore results in the assessment failing to provide a reasonably realistic and informed understanding of what the actual traffic impacts will be for the specific SSC site area as a result of the proposed densification. Nor did the TIA author include a cautionary advisory concerning the substantial uncertainty that characterizes the assessment of the development’s impacts on traffic.

(IV)(1)(b) Used old traffic data and insufficient data from University Heights: The authors of the TIA further weakened the assessment’s accuracy by generally relying on 7 year old traffic data, by doing very few and brief traffic counts within UH during unrepresentative periods.

(IV)(1)(c) TIA Methodological Errors/Weaknesses

i) The TIA Conducted its traffic count in UH during the month of February. This timing does not recognize the number of pedestrians and bicycles which are in use during the warmer days of spring/summer fall.

- Students were away during the teacher convention and many families extend their holidays around those days. Thus traffic counts are skewed. Check this; I think Watt tried to adjust for the teacher's convention issue. Stated in the TIA?.
- Only the hardy riders are out on their bikes in Feb.
- On May 14, at 4:10pm, a large number of pedestrians (14) were using the west crossing of 16th Ave.
- Does not account for the traffic during evening peak hours for the Stampeder games.
- The report says that usually because of the month of assessment, seasonal adjustment would be made to the nearest 24 hour count station but that this was not done. Why?

ii) There are problems when traffic counts are Conducted at “peak times”.

- Many university students are not walking/biking at those times
- The majority of the businesses in SSC are not open during the morning peak
- Does not account for the pedestrian lunch traffic from the Foothills Hospital
- Does not account for the pedestrian lunch traffic from the school.

iii) The type of vehicle traffic is not noted in the traffic count.

- How are large school buses reflected in the TIA's count? Their length would affect line ups exiting in the area.
- The TIA does not mention the large service trucks entering the SSC

(IV)(1)(d) Unreasonable assumptions made about impacts of SSC redevelopment on traffic volumes on 29th St. and likelihood of intersection failure at 16th Ave and 29th/ Uxbridge Dr. This intersection has been identified as presently near failure at peak hours, in part because employees and visitors have never significantly taken to using the new Foothills Hospital “west link” interchange with 16th Ave to the west of 29th St. that was completed in about 2006. Nevertheless, the TIA authors quite arbitrarily assume that, despite the anticipated 58% growth in employees at Foothills and the new Baker Cancer Centre, traffic volumes on 29th St will actually go down by 2%. The TIA bases this huge assumption on their confidence that by merely adding signage near Foothills, employees will start using the interchange in large numbers, thus decreasing traffic on 29th St. as well as decreasing the current congestion, queuing, weaving and turning at the already failing intersection at 29th and 16th Ave.

Even with its many assumptions that support intensive development at SSC, the intersection at Uxbridge and 29th is already near failure -- and with the sensitivity analysis of increased traffic it is put into full failure.

(IV)(1)(e) The TIA supports the SSC redevelopment despite its conclusion that its capacity analysis indicated several intersections within or adjacent to University Heights, despite infrastructure improvements, are nevertheless “expected to approach capacity” (The TIA also does not explain with reasonable clarity what this vague phrase in fact means.)

Specifically, the TIA concludes (p ES-3)

- “Even with the widening of 16th Ave by one lane in each direction, the intersection of 16th Ave and Uxbridge Drive will continue to operate at close to capacity during the peak periods.”
- Most of the other study intersections are expected to operate satisfactorily with minimal delays.
- The northbound movement at the intersection of Unwin Rd and Uxbridge Dr is expected to approach capacity during the a.m. peak period.
- The eastbound approach to the intersection of Unwin Rd and University Dr is expected to operate close to capacity during the a.m. peak period.”

(IV)(1)(f) Significant Short Cutting already occurs through the streets of University Heights. While the authors of the TIA acknowledged this “perceived” community concern, the TIA admitted “no formal short-cutting surveys were conducted as part of this study.” Instead, the TIA’s response was to state that “a traffic calming plan is recommended to identify potential mitigation measures that could be implemented along Unwin Rd.” (p ES-5) This anemic TIA response to what the residents know from experience is a very real short cutting problem is compounded by the fact that, as UH residents have repeatedly told DC Watt (the traffic consultant to the developer who also

did the TIA and to Western Securities itself) there are several short cutting routes through University Heights, not just Unwin Rd: These multiple routes are:

1. University Drive to Unwin Rd. to Uxbridge Dr. to 16th and 29th and vice versa.
2. From 24th Ave. to Ulrich Road to Underhill Dr. to Ulysses to Uxbridge Dr. to 16th and 29th and vice versa.
3. From 24th Ave. to Udell Road to Underhill Dr. to Ulysses to Uxbridge Dr. to 16th and 29th and vice versa.
4. Many people from all the development on the West Campus to the west of UH will likely use 24th Ave and then be cutting through the community to get to SSC.

(IV)(1)(g) The scope of the TIA is too narrow. By restricting the scope of the study to the immediate roads around the shopping centre, the intersection connecting Usher Rd, a main connector Rd. within University Heights, was ignored where it connects to Unwin Rd. Currently traffic making left hand turns from Unwin on to University Drive or coming of University Drive onto Unwin block that interchange on a regular bases, let alone when an additional 200 cars per hour are added to Unwin Rd.

(IV)(1)(h) The issue of traffic weaving by westbound traffic on 16th Ave NW, when approaching Uxbridge Dr. and 29th St is not adequately studied by the TIA. Weaving Analysis is partially addressed in the TIA but no analysis was provided as to what would happen if the traffic currently shortcutting via Unwin were to be restricted and forced to weave across 16th Avenue to make left turns onto 29th south. Weaving from the entrance onto 16th Avenue from both Crowchild and University Drive is very difficult during busy periods if FMC staff are utilizing 29th as their main entrance. Also, if more vehicles were to utilize University Dr. to access 16th Avenue, weaving would become a major issue for vehicles on 16th Ave west entering the shopping centre via Uxbridge Dr. cutting off merging traffic onto 16th from University Dr.

(IV)(1)(i) The TIA does not adequately assess the cumulative impacts of SSC redevelopment in combination with other nearby expansion projects (Baker Cancer Centre; West Campus, Foothills Athletic Park Field House; McMahon Stadium)

The focus of the TIA is too confined to the immediate area around the site. It therefore does not adequately consider either the present impact of the unprecedented number of Major Activity Centres that almost completely surround the community of University Heights – FMC, West Campus, U of C, McMahon Stadium and Foothills Athletic Park – or the significant traffic impacts of their approved expansion plans.

And it is in this context of a proliferation of other major traffic generating projects that the proposed SSC ARP is paving the way for a 1200% expansion in the density of development within the small SSC site.

West Campus: The large build-out on West Campus will likely result in greater short-cutting through UH. The route likely to be used is: from West Campus to 24th Ave. to Ulrich Road to Underhill Dr. to Ulysses to Uxbridge Dr. to 16th and 29th and vice versa. With Childrens' Hospital on the West Campus lands, the UH community already has experienced significant increases in shortcutting. With the West Campus development of an additional 2 million square feet of office space, 300,000 square feet of retail, and 6500 residential units planned, it defies common sense that the TIA does not account for additional shortcutting traffic.

Further, future short cutting volumes from West Campus through the above route will significantly increase the volumes at the Uxbridge and 16th intersection, further increasing the failure rate at this intersection and the entry and exits point to the Stadium development. (Vehicle counters should have been placed on Ulrich Dr. and Udell Dr. to determine the percentage of shortcutters. From this data, an estimate of traffic volumes due to the West Campus build-out could have been calculated and added to the traffic model.)

New Field House at Foothills Athletic Park. Again the TIA suggests that there will be no growth in traffic from Foothills Athletic Park and McMahon Stadium. UH_Community Association, however, expects to see added traffic on this route. The Foothills Athletic Park is in the process of fundraising for a new Field house. In the preliminary Athletic Park expansion, Development Permit drawings that the UH Community Association reviewed showed that the main access was off University Drive adjacent to Unwin Rd. The parking allocation was increased approximately 180 stalls to 779 total stalls. The preliminary trip generation numbers on the City of Calgary website indicate 1968 trips per day. It is reasonable to assume a good percentage of these trips will access Unwin Rd and then go on to Uxbridge Dr. to 16th Ave and 29th St. These traffic volumes should be included in the TIA – but they are not.

Redevelopment of McMahon Stadium The TIA also dismissed the impact of the redevelopment of McMahon Stadium. Presently the events have major traffic and parking impacts on our community. As the University of Calgary redevelops portions of this land while maintaining the actual stadium use, additional traffic will be generated

and should be estimated and accounted for in the TIA. The combined additional volumes from McMahon and the Foothills Athletic Park will add traffic to existing volumes along Unwin Rd, and ultimately to the 16th and Uxbridge intersection. The Volume adjustments of reducing 200 EB left turns from Unwin Road in Table D of Appendix A are not supported by community observation. We also wonder why Underhill Drive and its volumes entering Unwin Road are not put in any of the TIA Figures.

Baker Cancer Clinic / Foothills Medical Centre (FMC): A new Cancer Clinic is to be built at Foothills Medical Centre (FMC). Media reports indicate construction is set to begin in 2015 or 2016. The prime location for this development is on the corner of 29th and 16th Ave adjacent the Stadium Shopping Centre Redevelopment. This will create more congestion at the 29th/Uxbridge and 16th intersection. Further expanded structured parking will be accessed off 29th.

Although the Regional Transportation Model (RTM) does anticipate more growth at FMC, it is unclear what growth has been anticipated by when, and where access will be. The 29th Street access is still the most used point of entry to FMC and the planned new parkade is presently located adjacent 29th. The peak hour adjustments of minus 350 WB left turns assumed in Table A of Appendix 1, and the minus 200 EB left and minus 370 NB left in table B should be verified with traffic counters as community observations do not support these adjustment. These adjustments appear to be conjecture, and are unsubstantiated.

It is unwarranted to assume that these cumulative traffic impacts on the already badly congested roads and intersections near the SSC site will be mitigated by timely and sizeable investments in upgraded infrastructure by the even more cash-strapped post-flood City government. Nor will they be mitigated by what Calgary-Transit has already concluded are cost-ineffective public transit upgrades, or by a rapid abandonment of personal vehicles for bicycles and walking.

(IV)(1)(j) Regional Transportation Model (RTM): We note that the values in Table 9 indicate employment and population figures for the University of Calgary, Children's Hospital, and Foothills Medical Centre, but there are no figures for the most significant component of these institutions: namely, students, and patients, outpatients and visitors. University of Calgary alone has 31,000 students who contribute significant traffic volumes at peak hours. It appears that these large transient populations have not been inputted into the RTM and the assessment.

(IV)(1)(k) Base traffic estimates on the most appropriate type of Land Use: The TIA should generate trips based on medical offices rather than standard offices, which would further raise the traffic count estimate.

(IV)(1)(l) Sensitivity Analysis: The TIA indicates that the intersection at 16 and Uxbridge Drive "would operate at a more congested level" when subjected to an increase in 20 percent traffic. It is noted that they did not include Table E in the body

of the TIA which shows the Uxbridge and 16th intersection summary Level of Service LOS F (Failure), and that Unwin Rd east bound left turns are at failure. This despite numerous upgrades included in the TIA.

(IV)(1)(m) The TIA only uses two time horizons: 2013 and 2039: The TIA only has two time horizons: the existing and the 2039 time horizon – about which no traffic assessment in 2013 can draw reliable conclusions. Although the City’s TIA Guidelines call for short and long term scenarios, this TIA only provides an analysis of conditions that exist today and an analysis of possible conditions a very remote 26 years into the future (2039)--with various potential improvements to the road system and their resulting reductions in trip generation values). The TIA should have modelled interim milestones as is standard in TIA practice.

In summary, the TIA is characterized by a variety of questionable assumptions and significant omissions. These include the use of TOD vehicle generation rates, seemingly arbitrary reductions to the RTM with respect to the 16th and Uxbridge intersection, omission of the shortcutting volumes from West campus, McMahon, Foothill athletic centre as well as omission of all transient loads (students and patients). Interestingly, each of these questionable assumptions and significant omissions all work in the same direction -- to an under-estimation of the increased traffic volumes and failures that will result from the high density development made possible by the Proposed ARP.

Given the increase in the proposed densities and the particular uses that would be added to the site, as well as taking into account the current traffic constraints on the immediate roads and intersections, in particular the intersection with 16 Avenue, UHCA believes it is important that a proper traffic study must be undertaken.

(IV)(2) The SSC Site is incorrectly assumed to be a Transit Oriented Development

(IV)(2)(a) In addition to no LRT line and station, there is currently not even a “Primary Transit Route” to SSC. Many ARP’s developed in recent years, like the Brentwood Station LRT, involved development sites near LRT stations or along major public transit infrastructure. Such easy proximity does not characterize the SSC site, so that it cannot reasonably be assumed that SSC redevelopment can be analyzed as a Transit Oriented Development (TOD). Nevertheless, the trip generators used in the TIA analysis for Office, Medical Office, and Residential are based on (lower) Transit Orient Development (TOD) rates.

The aspirational “Primary Transit Route” may eventually go by the site, but presently no “Primary Transit Route” exists in reality. As well, the SSC site is essentially only serviced

by one bus line (bus 9) . From Stadium Shopping Centre it is 1.4 kilometers to the nearest LRT Station (Banff Trail) whereas the City defines the “walking distance” to an LRT station as no more than 600 metres. Moreover, that 1.4 km walk involves walking through informal routes with often no sidewalks, poor lighting, and therefore with safety concerns after dark. It is further noted that the proposed location of the transit hub on the north side of 16th would send commuters west bound.

As this site is not yet a TOD, the TIA should have a shorter scenario horizon (2019) that evaluates the redevelopment without the benefit of TOD trip generators values. Presently, our understanding is that a long range public transit study is being conducted of this sector of the city but that study won't be completed until 2015 and there are no concrete plans for adding a Bus Rapid Transit to this site.

Therefore, it would be more reasonable and prudent to look at this site without the TOD rate generation values, and with a shorter scenario time line. City transit projects are subject to budgets and increasingly scarce funding. Indeed, Calgary Transit recently rated investments to improve Transit service along 16th Ave NW as having the lowest priority of all the listed Transit investment options. Therefore, assuming whether and when transit improvements will come to fruition is questionable planning.

(IV)(2)(b) Many practical challenges face a Bus Rapid Transit (BRT) option. A look at a road map suggests many potential problems for BRT.

i) If a BRT bus travels WEST on 16th Avenue and does not drive into UH at Uxbridge, it will have to stop somewhere in the vicinity of the SSC on 16th Avenue. Where can it stop? East of Uxbridge Drive there is a lane on 16th Avenue devoted to turning north into UH and Tim Horton's. Any BRT stop in this vicinity must require a bus either to stop in this lane or to cross this lane to drop or pick up passengers, then to re-enter 16th Avenue and move into the left hand lane to cross Uxbridge Drive. On the other hand, if there is a BRT bus stop on the west side of the Uxbridge intersection, a BRT bus must stop in or cross the lane of traffic that provides a right turn onto 16th Avenue from Uxbridge Drive. Unless the bus intends to travel to Shaganappi Trail, it would then have to merge left into a lane of traffic headed west to Olympic Park. This type of traffic weaving has obvious implications for slowing down traffic and raising the likelihood of accidents, injuries and related traffic stoppages.

ii) Exactly the same types of potential problems arise for a BRT bus travelling EAST on 16th Avenue and intending to drop/pick up passengers at the SSC. What location east or west of the Uxbridge/29th Street intersection works? There is the turning lane off 16th Avenue onto 29th Street heading south that raises the same traffic weaving problem described, and also for the turning lane east onto 16th Avenue from 29th Street driving north and heading east. Unfortunately, the latter lane also becomes the turning lane onto University Drive south from 16th Avenue, so traffic weaving here seems an insurmountable problem. A possible solution would be to build a bus lay-by off 16th Avenue a considerable distance west of Uxbridge Drive, but then BRT bus passengers would have to walk further. Not a happy experience in rain, snow or cold weather.

iii) If a BRT bus were to terminate at SSC, or a BRT bus entered UH to drop or pick up passengers, it would have to get turned around in the SSC area to return to 16th Avenue. This type of access adds to traffic within UH and may be fundamentally inconsistent with the notion of BRT. At peak travel times BRT traffic could seriously worsen the congestion at the Uxbridge/16th Avenue intersection.

iv) Another possibility is that a BRT bus might run north and south along 29th Street, entering and leaving UH via Uxbridge, but the bus would still have to turn around in UH, generating additional traffic problems in UH and more traffic congestion at peak times. In addition, there is the future expansion of the Baker Cancer Centre to generate additional auto traffic on 29th Street and to slow down a BRT bus, and the 30 km zone on 29th St at the bottom of the hill.

There may be technical solutions to all of these potential difficulties, but the city ought to provide solutions before considering SSC redevelopment on the basis of TOD assumptions.

(IV)(3) The ARP envisages densification that is more commercial and residential in nature. The ARP suggests that the traffic generated by the SSC redevelopment will be less than a standard development of this size because it is a mixed use development. Unfortunately, because the development is primarily commercial and not residential, the gains from people walking and cycling to work will not be realized. To achieve these suggested trip reductions UHCA would like the ARP to specify that a minimum of 50% of the developed floor area be dedicated to Residential use. This would help this sector of the city in providing more homes close to existing (MAC-related) employment opportunities while supporting and reinvigorating University Heights, thereby achieving a more appropriate balance in the ARP's responsiveness to the needs of the affected communities and the surrounding institutions. Focusing the densification primarily on residential rather than commercial office development would also render the development (and the ARP) more compatible with SSC's status as a Neighbourhood Activity Centre as well as more compatible with the letter and intent of the Imagine Calgary Sustainability Plan of 2007, the MDP of 2009, and the South Shaganappi Communities Area Plan of 2011.

(IV)(4) The ARP envisages a massive amount of additional (and inordinately large and tall, at 46 m) commercial buildings on the SSC site; however, the ARP remains silent about key issues such as the actual floor size of the residential and hotel components. By also being silent on what type of land uses will be in the first phase rather than possible future phases of the development, the ARP fails to provide the required type of reasonable direction to the developer and certainty to UH.

(IV)(4)(a) The Proposed ARP is unreasonably vague and therefore provides unjustifiable latitude to the developer (Western Securities) in determining the ultimate level of density, scope and composition of the SCC redevelopment while arguing that it is still compliant with the ARP.

Section 1.4.4 of the Municipal Development Plan states that: “ARP’s direct the redevelopment, preservation or rehabilitation of existing lands and buildings, generally within developed communities.”

Therefore, the mandated purpose of an ARP is to “direct” development and not simply be a source of (vague) “principles and guidelines” for “shaping” and “assessing a future master plan. (see section 2: Scope and Intent.) Because the purpose of an ARP is to provide “direction” and therefore reasonable clarity and reassurance to affected residents as well as the developer and City officials, the document’s provisions must be more characterized by directive “shall” verbs rather than by ambiguous and unenforceable “should” verbs. In sections of the Proposed ARP involving City policies with which the development must comply, the permissive verbs “should” or “are permitted or supported” are used 71 times while the mandatory “shall” is only used 12 times.)

This overwhelming use of the merely persuasive verb “should” is all the more unacceptable and worrisome because of the pivotal importance to affected University Heights residents of the policy issues dealt with in section 6 of the draft ARP (ie issues such as the relative emphasis on different land uses, density, building mass / height and traffic etc):

(IV)(4)(b) The Proposed ARP is unclear about the pivotal issue of the specific limitations to the specific types of land uses that will be permitted on the “mixed use” redevelopment of the SSC site.

Despite the repeated expressions of concern by UH residents about what they viewed as the excessive size of the commercial component in the SSC redevelopment plans, at

City Administration's last open house on July 3, 2013 a close look at its information boards revealed that the City and the developer had increased the floor space dedicated to each of the four types of commercial land use (ie medical clinic, office, retail and restaurants) by 20% beyond what was listed for the base case in the TIA. With these 20% increases, the Proposed ARP going to Council involves 119,996 of high traffic generating medical clinics, plus 305,996 sq ft of offices (for a combined total of 425,992 sq ft or about 53% of the total development. In contrast, the combination of retail and restaurants (also increased by 20%) is only 116,401 sq ft (ie 28,804 sq ft of restaurants and 87,597 sq ft of retail) or about 14.5% of the total 800,000 sq ft of development.

Therefore the composition of a full 257,600 sq ft or about 32.5% of the development is essentially unaccounted for in the proposed ARP. While the ARP now indicates the residential development will involve 372 units (instead of 310) and the hotel will have 240 rooms (instead of 240), no information about the dimensions, form or aggregate size of the dwelling units has been provided. Similarly, no information has been provided about the total size of the hotel, including possible convention and meeting rooms, surface parking, bars and restaurants and surrounding grounds and other amenities.

All we know for sure is that because of the 71,000 additional sq ft to be taken up by offices and medical clinics, there is at least that much less residential development that will occur in a site in an Established Community that the City, through its MDP, classifies as a NAC where densification must be moderate, community sensitive and therefore primarily residential in nature.

These 20% increases in the base case for each of the 4 land uses (especially the office and medical clinic land uses) raise some additional important issues. Not only was University Heights as the adjacent and host community for the SSC development not consulted, but these changes constitute a material change in the TIA and therefore necessitate a need to redo the TIA's traffic flow forecast, its parking analysis, as well as its assessment of required infrastructure upgrades. And this time University Heights wants to be involved in this additional TIA analysis. Moreover, considerable additional time will be required to plan and conduct this additional TIA analysis as well as to evaluate its implications for the ARP and the proposed SSC redevelopment.

There is yet another very troubling aspect to these 20% increases in the major land uses proposed for the site. While no explanation was offered why this increase found its way into the Proposed ARP, the increase may be based upon the TIA sensitivity case discussed in Appendix M of the TIA, which was intended to examine outcomes when site traffic rose by 20%. This was intended to represent a "high" case for site traffic. To emphasize, these new land uses sizes constitute 20% more than what was examined in the base case of the TIA, and if they represent the previous 20% sensitivity analysis, then they create a new base case. That in turn means the revised TIA no

longer has any sensitivity analysis for any site traffic above the new base case. This further increases the likelihood of an even more rapid failure at the key intersection of 16th Ave and Uxbridge Dr/29th Street. This is like designing a costly new intersection to just accommodate existing levels of traffic, meaning that it passes into “failure” as soon as there is an almost inevitable further increase in traffic using it. This is not prudent or cost-effective planning.

(IV)(4)(c) The ARP fails to even ensure that whatever amount of (UH supported) residential development is committed to by the developer actually gets constructed in the first phase of the development rather than deferred, perhaps indefinitely, to a future unscheduled phase. The ARP suggests that the proposed development at SSC will have to be completed in phases. However, despite the manifest expressions of concern by UH residents about the perceived disproportionate amount of office and medical clinic development, the ARP then fails to ensure that the residential and retail/restaurant components even get built in the first phase of the development. Again, this aspect of phasing is left to the discretion of the developer, who is left free to focus his first phase largely or perhaps exclusively on the more profitable office and medical clinic developments.

In short, the Proposed ARP does not provide the impacted local community with the degree of clarity and certainty that they have a right to expect from an ARP concerning a huge development on a small site located entirely within their community. Instead, the overwhelming intent of the ARP seems to be to provide certainty and an expedited schedule for the developer despite the broader public interests at stake.

(IV)(5) ARP fails to require prior completion of required infrastructure for the redevelopment to proceed. The TIA identifies 14 road, intersection and public transit infrastructure enhancements that it states must already be “in place” if the traffic impacts of the proposed densification of the SSC site are to be accommodated. . However, while the ARP lists these 14 infrastructure investments (p 27) and acknowledges they are “required to realize the vision of this plan”(p 26), it then fails to link the timing of future redevelopment on the SSC site to the date by which the listed infrastructure enhancements will be already “in place”. Instead the proposed ARP simply states:

“Timing and phasing of these investments will be determined to the satisfaction of the Development Authority through the submission of a phasing strategy as part of the Development Permit process, as well as through other City projects and processes, as applicable.”

This approach inappropriately leaves the issue largely for the developer to decide once the ARP is approved, permitting the developer to argue that full C-C2 buildup has been

endorsed by Council through the ARP. This would reverse the usual burden of proof in future development permit applications from the developer's need to defend the merits of its proposal to the concerned community's burden of proving why a development should not proceed despite its alleged consistency with the unreasonably vague principles in the ARP. This large discretion and role reversal granted by the ARP to the developer is extremely unfair to the directly affected community of University Heights; it is also contrary to the intent and purpose of an ARP to provide reasonably clear direction to the developer and certainty for the community well before the Development Permit stage at which advanced point the developer is typically very resistant to making any significant changes to his proposal.

This ARP failure to link the SSC redevelopment to prior completion of the required infrastructure improvements is particularly significant in view of the costly damage done to City and private property because of the unprecedented flooding that occurred in June 2013. University Heights respectfully submits that a very important reminder flowing from this flood experience is that, whether the impact risk is from a foreseeable flood of river water or a project-generated flood of traffic, timely completion of required infrastructure prior to any redevelopment is essential for effective risk prevention and mitigation.

(IV)(6) During the development of the Proposed ARP, UHCA has not experienced meaningful information-sharing, consultation or responsiveness from City Administration in the course of its closed door collaboration with the developer. Both City Administration and the developer have rejected UHCA's formal request for the kind of transparent, community-inclusive collaborative planning process that the City itself committed itself to in the MDP.

(IV)(6)(a) An ARP is the proper forum for proactively engaging affected communities regarding the key issues associated with densification in established communities.

As a community, we are strongly of the view that this approach is misleading, disturbing and clearly incompatible with the City's stated commitment to the type of openness, transparency and community consultation inherent in the MDP's commitment to a "collaborative planning process".

The ARP should be the proper forum to engage the most affected publics on key issues. The South Shaganappi Communities Area Plan (SSCAP) was never intended to circumvent wide public consultation with UH residents on the SS1 policies. Using the SSCAP as a starting point precludes the ability of the ARP to impartially and effectively address the five key issues of:

- Density
- Discretionary Use
- incorporation of Municipal Reserve Land
- Multiple Access
- Land Use mix

(IV)(6)(b) The process for developing the Proposed ARP for the SSC site must not diminish the role of University Heights in the planning process from that of the directly affected local community to the greatly and unfairly diminished role of “just one of many stakeholders.”

Section 5.1.1 of the proposed ARP states that “The Plan area should include a mix of uses intended to meet local needs and support nearby institutional uses” However, to be in compliance with the letter and intent of the MDP (see above), an ARP should be primarily responsive to the most directly affected local community. This assumption that the local communities and especially University Heights is just one stakeholder amongst many has led to a failure by City planners to comply with the City’s commitment to meaningful engagement with local communities and to inadequate responsiveness to the legitimate aspirations and the well documented concerns of University Heights residents.

This principle of primary responsiveness by the ARP to “local needs” rather than “nearby institutional uses” is uniquely applicable to the SCC because of its small size, its special significance to the local community, its total inclusion within the community of University Heights and its proximity to a proliferation of major institutional uses.

(IV)(6)(c) Two unfortunate consequences flow from this failure to include UH in the collaborative process. First, the relevance, reliability and credibility of the allegedly supporting evidence in the Proposed ARP (and TIA) is greatly weakened because the local residents possessing valuable local expertise were not allowed to be involved. Secondly, this “due process” failure has resulted in a planning process that is polarized, adversarial and publicly unsupported. The risk for both the City and for Established Communities subject to densification is that the avoidable contentiousness regarding the ARP, if not fairly and expeditiously addressed, will extend to every future step in the development approval process for the SSC site. This would not be a recipe for achieving the objective of a planning and development process that is based on transparency, collaboration and trust -- and is therefore “orderly and economic” .