

University Heights Community Association Submission to Calgary Planning Commission re: the Proposed Area Redevelopment Plan (ARP) for the Stadium Shopping Centre (SSC)

The University Heights Community Association welcomes moderate, community sensitive, densification in the redevelopment of Stadium Shopping Centre that is designed through the type of collaborative planning process to which the city has already committed itself. The proposed ARP fails to meet either of these technical and procedural planning principles. Therefore, the University Heights Community Association, which represents the local community most affected by this redevelopment that is entirely within its boundaries, respectfully requests that the Calgary Planning Commission deny approval to the proposed ARP for SSC Redevelopment.

Introduction

The C-C2 zoning endorsed in the proposed ARP allows for a massive development on a small site of only 2.48 hectares. 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.

To put this in perspective, this would be:

1. More than 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 3x larger than the 270,000 sq foot development that the UHCA successfully appealed at the Subdivision and Development Appeal Board in 2008.
3. Equivalent to 83 percent of Market Mall floor area, on 20% of the land area of the Market Mall site!

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.

The Position of University Heights Community Association

This submission documents the technical and compliance concerns of the residents of University Heights, the community directly affected by the proposed ARP and associated SSC redevelopment. Despite ceaseless efforts, we have been unable to engage in an informed, sustained way with the City Administration (or with the developer) on these issues.

UHCA continues to recommend that the future draft of the ARP (as well as the subsequent site Master Plan and Development Permit Application) be a sustained collaborative process where the City and the developer work with University Heights representatives to cooperatively seek reasonable compromises on the key issue of balancing the goals of increased density and the sustaining of neighbourhood sensitivity/compatibility. Through such collaborative processes, we can minimize the type of community distrust, anxiety and time consuming controversy that is increasingly being caused by the current vagueness of the proposed ARP and the non-consultative process for its development to date.

We believe these concerns and ARP deficiencies justify the Calgary Planning Commission's rejection of the proposed ARP re SSC Redevelopment

(A) COMPLIANCE WITH CITY PLANS AND POLICIES

1. The proposed ARP is incompatible with the MDP's definition of the Stadium Shopping Centre as a Neighborhood Activity Centre (NAC) -- which emphasizes intensification that is moderate in nature and in a form that respects the scale and character of the neighbourhood. (SSC is also defined as a NAC in the strategic objectives section of the South Shaganappi Communities Area Plan or SSCAP)

Section 3.3 of the MDP (2009) describes the scale and type of development that the MDP encourages in an NAC: (NOTE: underling for emphasis has been added by UHCA to emphasize key points)

“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 too large for the 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))

Within the **South Shaganappi Communities Area Plan (SSCAP)**, there are a number of site specific policies relating to Stadium Shopping Centre; these are called SS1 Policies (found on pg .97 of the SSCAP). These SS1 policies identify 4 major points:

- i) An explicit intention to follow the "purpose and intent of the current Land Use District (C-C2)", which is effectively an endorsement for 800, 000 square feet of density on the site, and a 46 m height restriction (ie buildings up to 14 stories may be approved);
- ii) An endorsement of discretionary uses in C-C2, including a hotel;
- iii) A recommendation that the Municipal Reserve land adjacent to 16th Ave NW be incorporated into the development; and
- iv) The development will have multiple access points. (Given that the proposed development currently only has one access point to the site, this potentially would also lead to the incorporation of the municipal reserve lands to gain right of way access.)

Fundamentally, these points conflict with the core definition of a Neighbourhood Activity Centre (NAC) in the MDP which emphasizes intensification that is moderate in nature and in a form that respects the scale and character of the neighbourhood. These points are also directly at odds with the repeatedly expressed concerns and objections of a large majority of UH residents.

2. The superficial and inadequate manner in which University Heights residents were informed, consulted and accommodated by the City in the development of this proposed ARP is contrary to the letter and intent of City policies on community engagement.

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.

When the community consultation on the SSCAP was done in June of 2010 and January of 2011:

1. It was done at a high strategic level; the consultation was framed around broad and vague principles and not specific information about the scale or form of the proposed development.
2. Meaningful community consultation did NOT occur for the SS1 policies or the ARP.
3. Four major points in the SS1 policies are directly at odds with the repeatedly expressed concerns and objections of a large majority of UH residents
4. It is in conflict with the core definition of a NAC in the MDP .

The apparent strategy by the City Planning Department is to use the SS1 policies in SSCAP as a starting point for the ARP and a justification of its controversial content. The City Planning Department argues that C-C2 zoning, discretionary uses such as a hotel, incorporation of the MR land, and multiple access points are a fait accompli because of Council approval of the SSCAP.

As a community, we are strongly of the view that this approach is misleading and disturbingly incompatible with the City's stated commitment to the type of openness, transparency and community consultation.

The ARP should be the proper forum to engage the most affected publics on key issues. The SSCAP was never intended to circumvent wide public consultation on the SS1 policies and using the SSCAP as a starting point precludes the ability of the ARP to impartially and effectively address the five key issues of:

1. Density
2. Discretionary Use
3. incorporation of Municipal Reserve Land
4. Multiple Access
5. Associated issue of zoning.

Such a biased and unacceptable outcome could pose a significant risk of an ARP process that is polarizing, that undermines trust and relationships – and that therefore fails to be the orderly and cooperative process of consensus-building envisaged by the City in the Public Engagement policies. This undermines the commitment made by the Mayor and Council for openness and transparency in meaningful public engagement.

3. 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 that 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.)

4. The redevelopment of SSC that could be permitted by the proposed ARP conflicts with 1P2007's requirement that C-C2 development be not only modest in scale but also appropriate in nature in terms of being sensitive to and satisfactorily integrated into the surrounding residential communities.

As the City Planning Department itself stated in August 2008 in its Detailed Team Review (DTR) Report to the Calgary Planning Commission concerning SCC redevelopment:

“Not to be undervalued, the subject 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 independent shop owners.” (p 3)

To try to address this community and planning concern, the Planning Department stated that its objective was “To improve on the sustainability of the community shopping centre”. The UHCA strongly agrees that this continues to be the primary objective in evaluating the current ARP and SSC redevelopment proposal.

This anticipated large scale redevelopment constitutes an unacceptable territorial proliferation of institutional uses into the actual boundaries of UH. It therefore is very likely that the cumulative adverse impacts of such a massive and disproportionate development will irretrievably undermine the viability of Stadium SC's historic and cherished role as “the heart” of the community --, 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. The institutional character of the proposed large buildings will serve as a pivotal tipping point in the longstanding effort to maintain a reasonable balance between institutional and residential uses in the community of UH. It is our understanding that the City's commitment to densification is meant to be custom-designed and sensitively implemented so as not to subvert such broadly supported quality of life community objectives.

5. The development does not comply with the requirement of section 764 of 1P2007 that “the maximum use area in a C-C2 District is 6000 sq. metres.”

We submit that the definition of “use area” in 1P2007 should be interpreted in a manner that is consistent with its purpose of encouraging reasonably sized and mixed uses in a C-C2 District, especially when that definition is very vague, as it is in the

draft ARP. The intent of ByLaw 1P2007 on this key issue is not to define “use area” to allow huge buildings into small shopping plazas in small residential areas. (We understand that the average office building in Calgary, such as the Standard Life building, has about 12,000 sq ft floors.)

6. The Municipal Government Act requires that discretionary uses be judged on their merits.

Evidence obtained to date strongly indicates that the developer proposes a 14 story hotel as well as various medical and office uses within the SSC redevelopment. Such uses are deemed to be discretionary uses within this C-C2 (Commercial-Community 2) Land Use District. Therefore, pursuant to S 687(3) of the Municipal Government Act, this development proposal must be judged on its merits. The draft ARP provides almost no empirical evidence to justify or to demonstrate the merits of the extraordinary mass/height and land use mix outlined for this development on this specific small site, given its unique circumstances.

(B) DENSITY

7. The C-C2 zoning for the site exceeds the purpose and intent of both the Municipal Development Plan and the Land Use Bylaw 1P2007.

The C-C2 zoning endorsed in the SSCAP allows for a massive development on a small site; the potential exists for about 800,000 square feet of development, which is 1250% greater than the existing development of 64,000 sq ft and equivalent to 83 percent of Market Mall floor area, on 20% of the land area of the Market Mall site. The scale of the development is well beyond the intensity targets of Major Activity Centre (MAC), the highest category of intensification that the city uses. As indicated above, discretionary use could allow for a 14 floor hotel adjacent to an elementary school and a mid-high school, creating intense safety concerns among parents of students at both Westmount Charter School and University Elementary School, as well as area residents generally. These safety concerns are not at all alleviated by the City’s consultation with Calgary Police Services safety design group.

8. The SSC site is now classified as a Neighbourhood Activity Centre (ie up to 100 jobs and people per ha) but the likely development under C-C2 zoning will inflate it past a Community Activity Centre (ie up to 150 jobs and people per ha) to beyond an immense Major Activity Centre (over 200 jobs and people per ha)

To put this transformation into perspective: the 8.5 million sq ft of development approved for West Campus (which, unlike University Heights, is not surrounded by many other MAC's) will be spaced over an immense 160 acre parcel of land, such that its resulting FAR is only 1.3 as compared to SSC's FAR of 3.0. In short, this proposed ARP effectively circumvents the MDP by such a multi-levelled mushrooming of the development level within the SSC. The reclassification of the SSC site status as an NAC to a MAC are clearly not the intentions of either the MDP or the South Shaganappi Community Area Plan. 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.

(C) THE PROPOSED ARP IS NOT PROPERLY SENSITIVE TO THE UNIQUE CIRCUMSTANCES OF THE COMMUNITY OF UNIVERSITY HEIGHTS

9. The following unique contextual aspects of University Heights already result in extraordinary transportation congestion problems even without this massive proposed additional development at SSC

a) University Heights is a long established but very small community (about 450 houses) in which the Stadium Shopping Centre (the community's only shopping centre) has continuously served as the "urban village core", the "heart" and the gathering place of the community

b) The community of University Heights is unique in Calgary and perhaps in all of Canada in that it is, in effect, a small island that does not abut any other residential area but is instead totally surrounded by a large variety of institutional uses and Major Activity Centres (MAC's), as listed below:

- Foothills Medical Centre directly to the south across 16th Ave NW;
- Foothills Professional Centre to the SW, across 16th Avenue
- University Heights Elementary School directly to the west;
- The Westmount Charter school directly to the NW
- The Queen of Peace Church directly to the north of the site

Also, in close proximity to UH are the following additional uses:

- The University of Calgary
- The Children's Hospital in the West Campus of U of C
- The Foothills Athletic Park
- Mc Mann Stadium
- A neighbourhood park directly to the SW
- St Andrew's Park to the SE
- Office building & other small commercial developments at 16 Ave & Uxbridge

In addition, large expansions are planned for the Baker Cancer Centre at the corner of 29th St NW and 16th Ave NW, and at the Foothills Fieldhouse (a soccer sportsplex with a 10,000 stadium capacity)

d) The subject site is not "on" the major thoroughfare, 16th Avenue NW; there is no entrance from or onto 16th Ave from the site. Instead, and this is very consequential, the site is on a **residential street**, Uxbridge Drive, and only accessible by that **residential street**.

e) In view of all this proliferation of large nearby institutional uses and the site's lack (and impossibility of) direct access to 16th Ave, UH is extraordinarily and uniquely burdened already by:

- i) traffic congestion on 16th Avenue and at the intersection of Uxbridge Dr/29th St and 16th Avenue;
- ii) traffic congestion on other roads and intersections on the periphery of the community,
- iii) by non-local traffic taking short cuts through our residential streets and
- iv) by the use of the site in question as well as our residential streets as overflow parking locations.

(D) THE VAGUENESS AND UNCERTAINTY OF THE PROPOSED ARP

10. 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 which deals with 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 simply 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:

Land Use (including density);
Interface and Edges (including Uxbridge Drive, the Northern Laneway, the Schoolyard and Park and 16th Avenue);
Public Realm (including the Municipal Reserve, Open Space Network and Internal/External Streets);
Form, Massing and Design of Buildings (including building heights, shadow minimization and building architecture) and
Transportation (including Transit, Streets, Walking/cycling, Vehicles and Parking)

11. Uncertainty Is Further Compounded By The ARP’s Four References To Possible Waivers From Compliance With City Requirements

12. Not only are there four waiver references in the proposed ARP, but they are also unaccompanied by the provision of any details specifying the circumstances / threshold levels that will be considered by the City when the developer seeks a waiver.

Such an omission therefore makes it virtually impossible to make a transparent, impartial and informed evaluation of the acceptability of that waiver request by the developer, causing even more risk and anxiety for UH residents.

A worrisome example (from the perspective of UH) of the lack of evaluative criteria relative to possible waivers is the following:
 The draft ARP adopts a minimalist approach to the amount of parking required by stating that “Parking should not be provided in excess of the minimum requirements established by the City’s land use bylaw (IP2007)”. The document then compounds the potential problem of inadequate parking by providing for the following waiver from even this minimum by stating: “Reduced provision of

parking is encouraged where analysis by a professional engineer can demonstrate efficiencies due to:

Sharing of parking spaces between uses with different peak periods
 Encouragement of walking, cycling and transit, and
 Support for carpooling and carsharing.”

(NOTE: Specifically how will be this supposedly independent and informed engineer determine if such subjective efficiencies will in fact be achieved, unless there is sub-stancial local resident input?)

13. Even additional uncertainty is caused by the proposed ARP’s failure to comply with the “Plain Language Policy” recently adopted by Calgary City Council.

The proposed ARP fails to comply with Council’s requirement that City documents be written so that its messages can be readily understood by people who are not trained in the field of land use planning, municipal policy and other academic fields typical of City staff.

In adopting this new “Plain Language” policy, the Mayor and several councillors explained that government exists to serve the public and therefore their communications, by design, should be intended to clearly impart information, not obscure it. (This should especially be the case for municipal governments because they are the government level closest to and most impactful on the people.)

Compliance with the Plain Language policy would have resulted in the City drafters of the proposed ARP “coming clean” and educating concerned publics that C-C2 zoning potentially permits a FAR of 3.0, up to 800,000 sq ft of development involving large scale and potentially 46 meter high commercial offices and an undefined hotel -- rather than just community-oriented retail and eating/drinking units and a public space which dominates the so-called illustrative (but actually quite deceptive) photos and sketches reassuringly incorporated in the document. A concerned local resident shouldn’t need to be a professional land use planner, shouldn’t have to spend hours obtaining and reviewing the MDP, the Land Use Bylaw and the SSCAP or shouldn’t have to hire a lawyer to become aware of all the pertinent but unwritten facts and implications associated with the ARP proposed for his own community.

14. 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.

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” by including:

- a) At least 5177 sq m of retail, consumer service and eating/drinking uses
- b) At least 225 dwelling units and
- c) No more than 11,084 sq m of gross floor area for medical clinics.

Questions:

- i) What does “consumer service” entail?
- ii) How large or small could the square footage for the dwelling units be?
- iii) How potentially large could the “hotel” be? (ie In addition to the 240 guest rooms assumed in the TIA, could this hotel also include huge conference and meeting room facilities? Restaurants? drinking lounges? night clubs? surface parking? Outdoor pool?)
- iv) Assuming the hotel is 100,000 sq feet in size, the 3 uses described above

Assuming the hotel will be about 100,000 sq ft and that the residential dwelling units are about 225,000 sq ft – or about an average of about 1,000 sq ft per dwelling), the above 3 uses plus the hotel will total a little under 500,000 sq ft of development to be accounted for. A reasonable question that is left unanswered in the ARP is about how much of the unaccounted for 300,000 sq feet (of the 800,000 sq ft total) will go to “office” buildings rather than the proposed “public realm/central gathering space?”

15. The vagueness and uncertainty also includes the ambiguity of the proposed ARP’s statements regarding the timing and certainty of the actual completion of the 14 road and transit infrastructure enhancements needed to mitigate the traffic congestion predicted to result a C-2 level of development.

The fear of UH residents is that a large SSC redevelopment will be approved but that approval and funding for the mitigating infrastructure will be delayed or rejected, resulting in catastrophic traffic impacts from the unmitigated development.

The MDP (2009) states that one of its “Key Directions” is to “Link land use decisions to transit” (s2.1) and that one of its city-wide policies is to “Integrate land use planning with transit investments and service delivery to meet the objectives of both the CTP and MDP.” (s 2.5.2) Notwithstanding these MDP commitments, the proposed ARP is unacceptably vague about linking the approval of SSC development to the completion of the necessary infrastructure improvements that local users would be depending upon.

For example, the proposed ARP vaguely states: (p 26)

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“Timing and phasing of these (infrastructure) investments will be determined 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.”

In other words, there is no firm commitment of linkage, a source of UH anxiety given the financial constraints facing the City.

(E) THE IMPACT ASSESSMENT AND MITIGATION MEASURES RELIED UPON BY THE ARP DRAFTERS TO JUSTIFY THE HIGH DENSITY OF THE SSC REDEVELOPMENT ARE TECHNICALLY FLAWED AND INADEQUATE

16. The greatly increased traffic resulting from the high density of SSC development proposed in the ARP was assessed through a Traffic Impact Assessment (TIA) that was technically flawed and neither evidence-driven or objective.

a) The argument that a series of improvements will solve the congestion problem on Uxbridge Drive must be disputed. Even the TIA traffic figures show that there are 35% more vehicles on the southern or lower section than is acknowledged in the proposed ARP, which appear to be based on flows near the other end of Uxbridge, near the Unwin junction.

b) There is little sign of any research – other than the Traffic Impact Assessment – being carried out to back up the opinions expressed in the ARP that a series of suggested changes will solve the peak hour traffic congestion. For example, what is the evidence that roundabouts will really work? If anything, they mean that vehicles will be traveling ‘through’ these areas, rather than stopping (as at Unwin’s 3 way stop) to allow pedestrians to pass. This might improve traffic flow but will certainly increase problems for pedestrians crossing the road.

c) In addition. there are bound to be time delays in getting in and out of the parking structure that would be needed. This is another important issue that is not even mentioned in the TIA or ARP.

d) Another unaddressed mitigation issue is where the pedestrian crossings will be located to allow children and senior citizens especially to cross these roads? There is no information in the ARP on this matter. This is a major flaw. Crossings cannot be put on a roundabout, as this decreases safety.

e) In addition, the plan to use the lane at the end of the SSC as an exit, thereby creating an extension of Unwin Road, will surely increase traffic there at peak AM and PM times in an already congested area. Unwin Road will also have increased flows since it will be only one of two routes from outside University Heights to SSC.

f) Finally, if Uxbridge Drive is to become a 'street with shops' there will be a demand for parking outside, which will disrupt traffic flow.

17. The ARP's strong suggestion that the traffic congestion referred to above will be mitigated through the introduction of Rapid Transit is unfounded.

The scale of the allowable development under the current C-C2 Zoning (800,000 sq. ft) seems to be based on the type of Transit Orientated Development (TOD) which is taking place at University City, (Brentwood) However, at SSC there is no equivalent High Speed Transit along 16th Avenue . Also there are no firm City plans for such a development. Hence the credibility of the draft ARP's recommendation of TOD scale densities at SSC is suspect and should be rejected since there are no plans for adequate public high speed transit to serve the site.

18. Adequate Parking on the redeveloped SSC site appears not to be guaranteed.

a) The Draft ARP largely ignores parking . Table 17 of the TIA shows the existing City bylaws for parking stalls per sq. metre require at least 2,060 parking stalls for the allowable development, under the proposed land use mix. This is 5 times the existing number (about 444) of surface parking stalls now in the SSC.

b) In addition, the 2,060 stall estimate in the TIA can be questioned as an understatement. The current office-medical space allocation, currently set at 23,690 and 9,290 sq. metres respectively, requires 474 and 558 stalls (for a total of 1032) to comply with the city bylaw standards (2.0 /100 sq.m. and 6.0 /100 sq. m). The ratio should probably be reversed, since proximity to Foothills hospital would almost certainly lead to more medical offices (as in the nearby Foothills Professional Buildings). Given the bylaw requirements, this would lead to parking stall requirements of 1421 for medical and 186 for general office, or 1607 spaces in total. This is 575 more than envisaged by the existing office-medical ratio (1031 spaces)!

c) The ARP is very vague on specifically how the SSC site can accommodate parking of this magnitude, whether at the level of 2,060 or 2,635 parking stalls. Even at half these figures, probably a major underground parking structure that is 2 to 4 levels deep will be required.

d) Why is there no comment that given the cost of such a parking structure developers would ALMOST certainly require paid parking? UHCA believes this is a critical issue that needs to be made explicit. Few of the current retail stores could survive if patrons had to pay for parking.

e) There is a comment in the ARP is that there ‘will be surface parking’ but the issue of How much is not addressed If it is only outside the stores then this could be calculated and should be shown, or at least estimated. Given the needs for access along roads to be constructed within the site, it is very likely that surface parking will not be adequate to keep the shops economically viable. So there will be a major transformation of the type of retail–restaurant facilities in the SSC. Again there is no attempt in the ARP or TIA to evaluate this problem, which will affect both local customers and the existing retailers who have served the community so well over the years.

19. The building shadow assessment and mitigation information in the draft ARP is unreliable.

In s. 5.4.2 of the proposed ARP, it is stated:

“Buildings should not cast shadows on any portion of the school site and parks to the west more beyond a line 25 metres from the western boundary of the Plan area..for a duration exceeding one hour between March 21 and Sept 21...”

However, it is the winter equinox period rather than the summer period that should be used as the standard. This is because from Sept to March, the sun will be lower in the southern horizon, thus causing the buildings to throw longer shadows to the west during the mornings. The community and child sensitive standard would have been to not allow any building height that would result a casting of a shadow “on any portion of the school site and parks to the west more beyond a line 25 metres from the western boundary of the Plan area..for a duration exceeding one hour” at any time of day or month during the year.

(F) THE PROPOSED ARP MUST NOT DIMINISH THE ROLE OF UNIVERSITY HEIGHTS IN THE PLANNING PROCESS TO THAT OF “JUST ONE OF THE MANY STAKEHOLDERS”

20. 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 needs, concerns and aspirations.

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.

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 and well documented concerns of University Heights residents.

(G) ZONING SHOULD BE CHANGED FROM C-C2 TO C-C1

The current C-C2 zoning was put in place in 1970 when the area was characterized by a much lower level of development than it currently is.

If the Stadium development were to be scaled back from the current concept plan to something consistent with C-C L zoning, both the developer and the city would be able to enjoy increased density compared to the current configuration – that is, from the current 64,000 sq ft to about 250,000 sq ft. This zoning change would also generate widespread community support. (In an April 2013 opinion survey, followed by a May 14 general meeting of the UHCA attended by more than 100 residents, there was near universal consensus to support a development consistent with a C-C1 zoning with a 4 story maximum height.)