



*A historical community in the heart of Calgary*

1136 - 8<sup>th</sup> Street S.E. Calgary AB T2G 2Z7

Mr. Geoff Walker  
Development and Building Approvals  
City of Calgary

September 23, 2008  
Via Email Only

**RE: DP2008-2676. 2012 Spiller Road S.E. Application for Change of Use – Liquor Store.**

Thank you for the opportunity to comment on the above-noted change of use Development Permit Application for a discretionary use within C-N2 commercial zoning.

The Civic Affairs Committee (The Committee) of the Ramsay Community Association, after reviewing the discretionary defined use regulations, is unanimous in its disapproval of locating a liquor store at this address. General community concern by neighbors who reacted to the Public Notice posted at the address has been vocal and also unanimous in its disapproval. Copies of letters and petitions from community residents were sent to LUPP under separate cover.

**Community Overview**

The strip mall located at 2012 Spiller Road S.E. contains a 24 hour 7-11 store, a restaurant / bar and a pay telephone booth, all of which contribute to social problems in the neighborhood. The strip mall has 16 vehicle parking stalls in total, for three business establishments. Anecdotal information from community residents suggests that at any given time of the day or evening, all of the parking stalls are in use, forcing mall patrons (mostly non-resident) to double park or park illegally on the neighborhood streets which are controlled by zone permit parking. The strip mall does not have a proper loading, delivery or refuse disposal area behind or at the sides of the mall out of public view. Deliveries to the 7-11 store are done from 21<sup>st</sup> Avenue, where delivery vehicles, mostly large trucks, park and idle in front of private homes or a bus stop on the south side of the avenue. Presently there is a waste bin (dumpster) enclosure at the north end of the mall partially blocking the front entrance and windows of the strip mall bay for which the change of use is being applied for. This area, screened from Spiller Road, has become a favoured location for illegal activities.

The Committee notes that Bylaw Services and the Calgary Police Service are being circulated for comment on the parking and CPTED issues attendant on this location. The Committee looks forward to receipt of comment from these authorities regarding issues of safety and parking that are shared concerns for community residents.

**Detailed Analysis**

With reference to Land Use Bylaw 1P2007, Part 4, Division 2, Section 225 "Liquor Store", the Committee notes the following for discretionary defined uses:

225 (a) “means a use where alcoholic beverages are sold for consumption off the retail outlet premises, that has been licensed by the Alberta Gaming and Liquor Commission;”. The Committee notes that the Shamrock Hotel is an AGLC licensed establishment located two blocks east of 2012 Spiller Road S.E., which has “off sales” of alcoholic beverages, advertises that fact on its building façade, and therefore by definition serves the function of a liquor store on its premises. Anecdotal information from residents living in proximity to this hotel, bar and off sales location suggests that it attracts crime and social problems to the community. Adding a second liquor store outlet in proximity within a residential community is not condoned by the Committee.

225 (c) “...must only be located on a parcel with a front property line on a major street or a primary collector street.” Spiller Road S.E. is defined in the Ramsay ARP (4.3 Policies,p.50) as a collector road, not a primary collector road or street. The distinction was confirmed in our recently completed (2007) traffic-calming initiative, supported by Transportation Development. The City of Calgary Transportation Bylaw maps also define Spiller Road as a collector road, with a design traffic flow of 1,500-5,000 vehicles per day (vpd). On this basis, the Committee respectfully suggests that a liquor store cannot be located within the strip mall at 2012 Spiller Road S.E. We do not welcome any additional traffic volumes on our neighborhood streets which are already failing from daily volumes well above their designated capacities, most notably Spiller Road S.E and 8<sup>th</sup> Street S.E.

225 (d) *must not be located within 300.0 metres of any other Liquor Store,...*” The Committee respectfully suggests that the Shamrock Hotel serves the function of a Liquor Store (225 a) and is within 300 metres of 2012 Spiller Road S.E. We request that the Planning Authority establish the distance and consider this proximity in its ruling.

225(e) “...must not be located within 150.0 metres of a parcel that contains a School...” The Committee notes that both of Ramsay’s schools (St. Anne School at 162.65m and Ramsay Elementary School at 221.25m – Google Earth ref.) are technically outside the bylaw restriction area but that both schools are in close proximity to the address in question. St. Anne School is a senior high school and its students are often 18 years of age or older, allowing them to access a liquor store close by their school if desired. This proximity was part of the basis for the community’s concern and disapproval.

225(f) “requires a minimum of 5.0 motor vehicle parking stalls per 100.0 square metres of gross usable floor area;” The Committee notes that the ground plan A-02 attached to the application indicates that the “liquor store area” is 110.18 square metres and the applicant suggests that the allocation of parking stalls is based on the “net retail area of 40.04 square metres”. The Committee respectfully requests that the Planning Authority provide clarity on “gross usable floor area” in its ruling – ie. does it include counters, shelving units and refrigeration equipment space?

We also reference Alberta Gaming and Liquor Commission (AGLC) license application information {Form LIC/504-1 (04/03)} which states “In the metropolitan areas of Calgary and Edmonton, retail liquor stores must be a minimum of 92.9 square metres (1,000 square feet)”. We respectfully suggest that the applicant must reference the AGLC minimum 92.9 square metres or higher, as the usable floor area, whether gross or net, in order to qualify for a license to operate. The Committee finds the AGLC and City Bylaw size

requirements poorly defined, which can lead to misunderstanding and misrepresentation of retail store size as it relates to required number of parking stalls.

Our calculations indicate that the liquor store may require as many as 6 dedicated vehicle parking stalls in order to qualify for the AGLC license size requirements and also meet City of Calgary bylaw regulations. The Committee notes that Bylaw Services have been asked to comment on the parking stall situation at this address, and we hope this Authority can provide the necessary clarity.

The Community of Ramsay welcomes development that respects the history and emerging character of the neighborhood, complies with the Area Redevelopment Plans and bylaws, and will be a benefit to the people who live here.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Benoit". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

Michael Benoit  
VP External, Chair Civic Affairs  
Ramsay Community Association