

Planning & Development Report to  
Calgary Planning Commission  
2019 August 15

ISC: UNRESTRICTED  
CPC2019-0889

**Land Use Amendment in Legacy (Ward 14) at 22200 - 28 Street SE, LOC2016-0161**

**EXECUTIVE SUMMARY**

This application was submitted by Stantec Consulting on behalf of the landowner West Pine Creek Developments on 2016 June 15. The land use redesignation consists of approximately 22.57 hectares (55.77 acres) of undeveloped greenfield area in the southeast community of Legacy.

The subject lands are currently Multi-Residential – At Grade Housing (M-G) District, Residential – Narrow Parcel One Dwelling (R-1N) District, Residential – One Dwelling (R-1s) District and Special Purpose – Urban Nature (S-UN) District. The proposal provides for a number of land uses to accommodate a range of residential development and open space, including:

- Approximately 21.35 hectares (52.76 acres) of residential development (R-G) in the forms of single detached, semi detached, duplex and rowhouse residential uses;
- Approximately 1.15 hectares (2.84 acres) of residential development (R-Gm) in the forms of semi detached, duplex and rowhouse residential uses;
- Approximately 0.04 hectares (0.10 acres) of multi-residential development (M-X1); and
- Approximately 0.03 hectares (0.07 acres) of lands dedicated as Environmental Reserve, for the protection of an escarpment area (S-UN).

This application is accompanied by an outline plan application (CPC2019-0884) to provide the future subdivision layout for the site's development. Conditions have been incorporated in the outline plan to effectively address the site's development.

This proposal aligns with applicable policies of the *Municipal Development Plan* and the *East Macleod Area Structure Plan*.

**ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission recommends that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed designation of 22.57 hectares ± (55.77 acres ±) located at 22200 – 28 Street SE (a portion of W1/2 Section 8-22-29-4) from Multi-Residential – At Grade Housing (M-G) District, Residential – Narrow Parcel One Dwelling (R-1N) District, Residential – One Dwelling (R-1s) District and Special Purpose – Urban Nature (S-UN) District to Residential – Low Density Mixed Housing (R-G) District, Residential – Low Density Mixed Housing (R-Gm) District, Multi-Residential – Low Profile Support Commercial (M-X1) District and Special Purpose – Urban Nature (S-UN) District; and
2. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 AUGUST 15:**

That Council hold a Public Hearing; and

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1. Adopt, by Bylaw, the proposed designation of 22.57 hectares  $\pm$  (55.77 acres  $\pm$ ) located at 22200 – 28 Street SE (a portion of W1/2 Section 8-22-29-4) from Multi-Residential – At Grade Housing (M-G) District, Residential – Narrow Parcel One Dwelling (R-1N) District, Residential – One Dwelling (R-1s) District and Special Purpose – Urban Nature (S-UN) District to Residential – Low Density Mixed Housing (R-G) District, Residential – Low Density Mixed Housing (R-Gm) District, Multi-Residential – Low Profile Support Commercial (M-X1) District and Special Purpose – Urban Nature (S-UN) District; and
2. Give three readings to **Proposed Bylaw 191D2019**

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

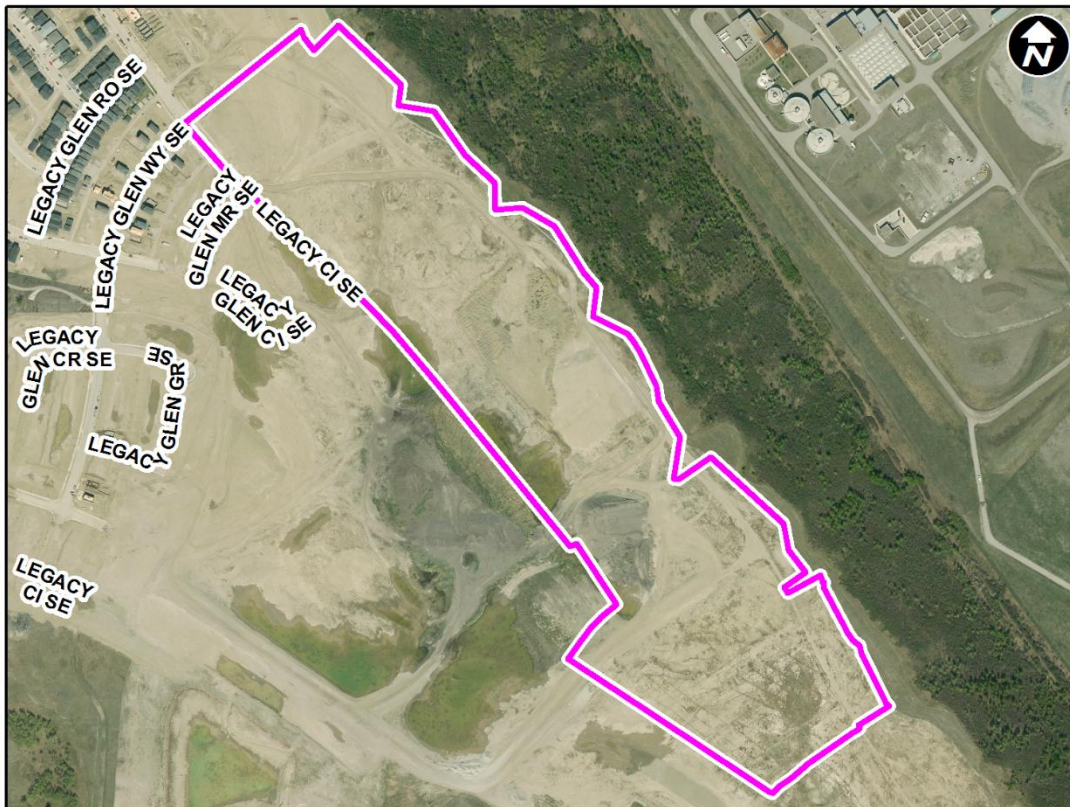
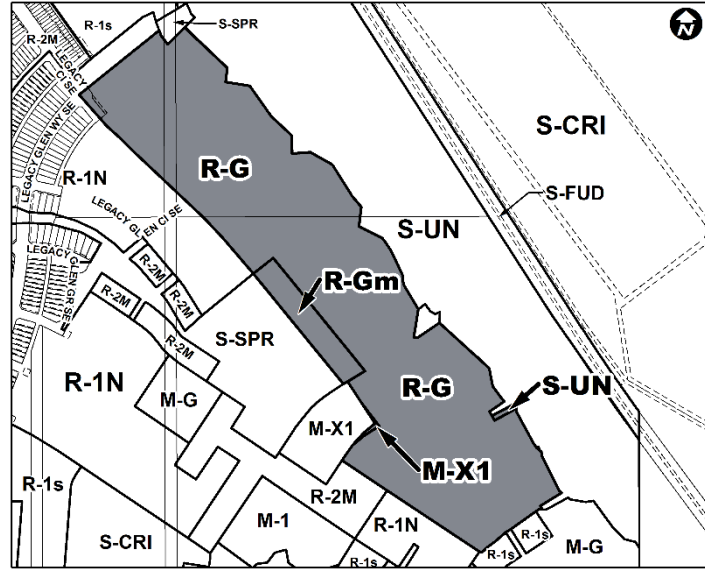
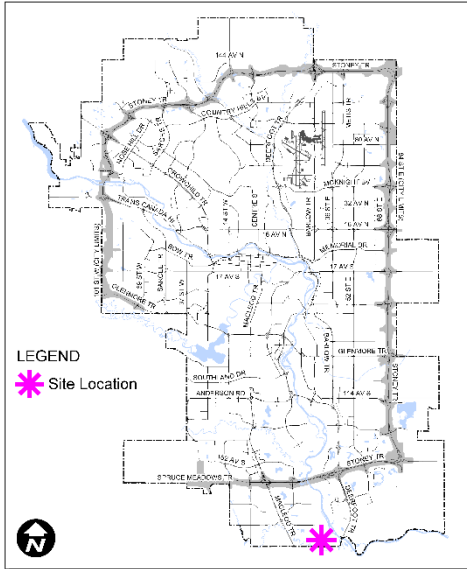
**BACKGROUND**

This application was submitted by Stantec Consulting on 2016 June 15, on behalf of the landowner West Pine Creek Developments in the southeast community of Legacy. The applicants have provided a summary of their proposal in the Applicant's Submission (Attachment 1).

The original outline plan and land use amendment for Legacy was approved in 2013 (LOC2012-0012), prior to the Residential – Low Density Mixed Housing (R-G) (R-Gm) District being added to the Land Use Bylaw. This application amends a portion of a previously approved land uses to include the Residential – Low Density Mixed Housing (R-G) (R-Gm) District.

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**Location Maps**



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## Land Use Amendment in Legacy (Ward 14) at 22200 - 28 Street SE, LOC2016-0161

### Site Context

The subject site, 22200 – 28 Street SE, is situated in the southeast quadrant of the city in the community of Legacy. The lands are currently vacant and were formerly cultivated for agricultural use. Escarpments exist on both the south and east portions of the subject site. The site has been graded and is being prepared for development subject to the approved outline plan and corresponding land use amendment.

The site is bounded by Foothills County to the south and include the community of Heritage Pointe and the Heritage Pointe Golf Course. The Bow River escarpment and Pine Creek Wastewater Treatment Plant are to the east of the site and other portions of Legacy are to the north and west. Adjacent development to the north includes a mix of newly constructed single detached homes as well as homes under construction.

Due to the proximity of the Pine Creek Waste Water Treatment Plant, a 300 metre development setback has been applied to ensure compliance with Section 12 of the Government of Alberta's Subdivision & Development Regulation (as shown in Attachment 2, the dashed magenta line at the back of lots along the escarpment). The 300 metre setback would restrict the development of residential land use (amongst others that are not applicable).

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

This land use amendment, along with the associated outline plan application (Attachment 2), will facilitate the development of a residential neighbourhood that will contribute to the growth of the Legacy community as envisioned by the policies of the *Municipal Development Plan* and the *East Macleod Area Structure Plan*.

The proposed package of land uses, which include Residential – Low Density Mixed Housing (R-G) District, Residential – Low Density Mixed Housing (R-Gm) District, Multi-Residential – Low Profile Support Commercial (M-X1) District and Special Purpose – Urban Nature (S-UN) District, represent an opportunity to develop a comprehensive residential neighbourhood at a higher density than is currently enabled.

### Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

#### ***Land Use***

This application proposes a land use amendment that is primarily from Residential – One Dwelling (R-1s) District to Residential – Low Density Mixed Housing (R-G) (R-Gm) District. The redesignation allows for the flexibility to develop the lands as single detached, semi-detached, duplex and rowhouse dwellings, whereas the R-1s District primarily accommodates for single detached dwellings with the option of secondary suites. The application also proposes other minor boundary adjustments between land use districts as listed in Table 1: Land Use Statistics

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below. The outline plan area is approximately 0.53 hectares (1.31 acres) larger than the accompanying land use amendment application area because the outline plan includes areas that are to remain as Special Purpose – Urban Nature (S-UN) District.

Table 1: Land Use Statistics

Current Designation	Proposed Designation	Area
R-1s Residential – One Dwelling District (with secondary suites)	R-G Residential – Low Density Mixed Housing District	19.52 ha± (48.24 ac±)
R-1N Residential – Narrow Parcel One Dwelling District	R-G Residential – Low Density Mixed Housing District	1.70 ha± (4.21 ac±)
M-G Multi-Residential – At Grade Housing District	R-G Residential – Low Density Mixed Housing District	0.01 ha± (0.01 ac±)
S-UN Special Purpose – Urban Nature District	R-G Residential – Low Density Mixed Housing District	0.12 ha± (0.30 ac±)
R-1s Residential – One Dwelling District (with secondary suites)	R-Gm Residential – Low Density Mixed Housing District (with single-detached dwellings allowed)	1.15 ha± (2.85 ac±)
R-1s Residential – One Dwelling District (with secondary suites)	M-X1 Multi-Residential – Low Profile Support Commercial District	0.04 ha± (0.10 ac±)
R-1s Residential – One Dwelling District (with secondary suites)	S-UN Special Purpose – Urban Nature District	0.03 ha± (0.07 ac±)
S-UN Special Purpose – Urban Nature District	to remain S-UN Special Purpose – Urban Nature District	0.53 ha± (1.31 ac±)
<b>Total</b>		<b>23.10 ha± (57.09 ac±)</b>

**Density**

The anticipated density for all of Legacy is based on 75 percent of the maximum number of units for both Stage I and Stage II which is equivalent to 22.23 units per hectare ± (9 units per acre ±). This exceeds the *Municipal Development Plan* requirement of 20 units per hectare (8 units per gross developable acre) and the *East Macleod Area Structure Plan* requirement of

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17.3 units per gross developable hectare (7 units per gross developable acre). This application would amend land uses on an approximately 23.1 hectare site within Stage II.

This application proposes a higher projected density for the site than was originally proposed. There is a site to the south that also has an active application to redesignate and that will lower the density of that site, but considered together, there is still a net increase in density. The proposed R-G and R-Gm District is anticipated to accommodate an anticipated 408 housing units (23.91 units per hectare); a net increase of 130 units

A separate land use amendment application to the south, on a 4.32 hectare ± (10.67 acre ±) site (also owned by West Pine Creek Developments), proposes to decrease the number of housing units by approximately 52 units. Combined, there would be an anticipated density increase of 78 dwelling units to the original Legacy Stage II Outline Plan.

#### ***Environmental***

The environmental impacts of this development were previously reviewed and addressed with the Legacy Stage II Outline Plan (LOC2012-0012). This proposed amendment does not raise any additional environmental concerns or risks. This is a greenfield site which has remained in a natural condition with limited agricultural uses in the past.

#### ***Transportation***

Regional access is via 210 Avenue SE to the north and via Legacy Circle SE to the rest of the community. Transit service is planned on Legacy Circle SE, with bus stops on this collector roadway. Generally, the road network proposed in the plan area follows the previous outline plan, with the exception of creating new lanes to support the anticipated housing options. The modifications from the original outline plan include a lane to service the south side of Legacy Point Terrace SE, which will remove front driveways along the planned regional pathway on this roadway. The R-Gm District and lane will remove front driveways on Legacy Circle SE across the street from a school, helping to reduce conflicts between vulnerable users and vehicles.

#### ***Utilities and Servicing***

The utilities and servicing for this development area have been previously planned with the Legacy Stage II Outline Plan (LOC2012-0012). The proposed minor change in use, density, and layout, does not significantly impact the proposed services for the area which have capacity to service the proposed development. Due to the increase in density and site coverage allowable under the R-G District, some minor adjustments have been made to the overall stormwater management plan to account for the anticipated increase in surface water run-off.

#### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised online.

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There is no community association in this area. No letters of objection or support from adjacent landowners or the general public were received by Administration. No public meetings were conducted by the applicant or Administration in direct relation to this outline plan application. Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

#### **Strategic Alignment**

##### ***South Saskatchewan Regional Plan (2014)***

The recommendation by Administration in this report has considered and is aligned with the policy direction of the *South Saskatchewan Regional Plan* (SSRP) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

##### ***Interim Growth Plan (2018)***

The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed land use amendment and policy amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

##### ***Municipal Development Plan (Statutory – 2009)***

Map 1: Urban Structure of the *Municipal Development Plan* (MDP) identifies the subject site as being within the Developing Residential Area, which includes communities that have an approved Area Structure Plan (ASP). The community is referenced as a Planned Greenfield Community in the MDP with an approved ASP.

The MDP supports the development of complete and diverse neighbourhoods which provide a range of housing choices including a mix of built forms and ownership tenures (Section 2.3.1). The mix of housing type can include single detached, duplexes, row houses, attached housing, accessory dwelling units and secondary suites, medium and higher density and mixed-use residential developments. This application proposes a wider range of housing types and densities, which aligns with the intent of the MDP.

##### ***East Macleod Area Structure Plan (Statutory – 2007)***

The subject site is identified as a Residential Area in the *East Macleod Area Structure Plan* (ASP) on Map 3: Land Use Concept. Single family housing, semi-detached housing, and low to medium density multi-dwelling housing forms of varying heights are anticipated within the Residential Area where determined to be compatible and appropriate.

The ASP also provides direction for the community to achieve sustainability principles, including creating a range of housing opportunities. In addition to single detached

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dwelling on conventional-sized lots, a mixture of alternative forms of housing are encouraged and supported within the community in order to meet the needs of different income groups and lifestyles. Alternative forms of housing may include, but are not restricted to: semi-detached and duplex dwelling units, multi-dwelling housing, and secondary suites. (Section 8.1.2). The proposed R-G District allows the opportunity for various forms of housing and meets the intent of the ASP.

The minimum density required in the ASP is 17.3 units per gross developable hectare (7 units per gross developable acre). Under the existing Residential – One Dwelling (R-1s) District, the land is anticipated to be developed as approximately 300 single detached dwellings (18.75 units per hectare) with the potential for secondary suite development. The R-G district is anticipated to accommodate 345 residential units (21.56 units per hectare). As a result, an increase of 45 residential units is anticipated. The proposed density exceeds the minimum density requirement of the ASP. The proposed outline plan and land use redesignation are consistent with the policies of the ASP.

**Social, Environmental, Economic (External)**

The proposed outline plan amendment and land use redesignation provides for a range of residential opportunities that may accommodate the needs of different demographic categories.

**Financial Capacity**

***Current and Future Operating Budget***

There are no known impacts to the current and future operating budgets at this time.

***Current and Future Capital Budget***

The proposed amendment does not trigger further capital infrastructure investment and therefore there are no growth management concerns at this time.

**Risk Assessment**

There are no significant risks associated with this proposal.

**REASON(S) FOR RECOMMENDATION(S):**

This proposal aligns with applicable *Municipal Development Plan* and the *East Macleod Area Structure Plan*. The changes proposed are minor in nature and will result in an overall increase to the build-out density of the community.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Proposed Outline Plan
3. **Proposed Bylaw 191D2019**