

Planning & Development Report to  
Calgary Planning Commission  
2019 September 05

ISC: UNRESTRICTED  
CPC2019-1066

**Road Closure and Land Use Amendment in Seton and Residual Sub-Area 12I  
(Ward 12) at 20607 – 56 Street SE and 21410 – 40 Street SE, LOC2019-0062**

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**EXECUTIVE SUMMARY**

This road closure and land use redesignation application was submitted by Urban Systems on 2019 May 01, on behalf of the landowners, South Seton GP Inc and Carma Ltd. The application proposes to close a portion of 210 Avenue SE between 20607 – 56 Street SE and 21410 – 40 Street SE and redesignate the closed road right-of-way and a portion of two parcels to Special Purpose – City and Regional Infrastructure (S-CRI) and Special Purpose – Future Urban Development (S-FUD) District to allow for:

- infrastructure and utility facilities (e.g. permanent stormwater pond);
- protection of lands for future urban forms of development by restricting premature subdivision and development; and
- the uses listed in the S-FUD and S-CRI Districts.

The proposed land use amendment aligns with the applicable policies of the *Municipal Development Plan* and *Ricardo Ranch Area Structure Plan*.

The road closure and redesignation are required to facilitate the construction of a permanent stormwater pond and a sanitary trunk. The location, function and capacity of the stormwater pond were reviewed and approved as part of the Seton Stage 1C outline plan (LOC2017-0047).

**ADMINISTRATION RECOMMENDATION:**

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

1. **ADOPT**, by bylaw, the proposed closure of 1.30 hectares ± (3.22 acres ±) of road (Plan 1911408; Area 'A') adjacent to 20607 – 56 Street SE and 21410 – 40 Street SE with conditions (Attachment 3); and
2. Give three readings to the proposed closure bylaw.
3. **ADOPT**, by bylaw, the proposed redesignation of 7.42 hectares ± (18.33 acres ±) located at 20607 – 56 Street SE, 21410 – 40 Street SE and the closed road (Portion of SE1/4 Section 16-22-29-4; Portion of E1/2 Section 9-22-29-4; Plan 1911408, Area 'A') from Undesignated Road Right-of-Way, Special Purpose – Future Urban Development (S-FUD) District and Agricultural and Natural Resource Industry (ANRI) District of Rocky View County Land Use Bylaw C-1725-84 to Special Purpose – City and Regional Infrastructure (S-CRI) District and Special Purpose – Future Urban Development (S-FUD) District; and
4. Give three readings to the proposed bylaw.

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**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 September 5:**

That Council hold a Public Hearing; and

1. ADOPT, by bylaw, the proposed closure of 1.30 hectares  $\pm$  (3.22 acres  $\pm$ ) of road (Plan 1911408; Area 'A') adjacent to 20607 – 56 Street SE and 21410 – 40 Street SE with conditions (Attachment 3); and
2. Give three readings to **Proposed Bylaw 12C2019**.
3. ADOPT, by bylaw, the proposed redesignation of 7.42 hectares  $\pm$  (18.33 acres  $\pm$ ) located at 20607 – 56 Street SE, 21410 – 40 Street SE and the closed road (Portion of SE1/4 Section 16-22-29-4; Portion of E1/2 Section 9-22-29-4; Plan 1911408, Area 'A') from Undesignated Road Right-of-Way, Special Purpose – Future Urban Development (S-FUD) District and Agricultural and Natural Resource Industry (ANRI) District of Rocky View County Land Use Bylaw C-1725-84 to Special Purpose – City and Regional Infrastructure (S-CRI) District and Special Purpose – Future Urban Development (S-FUD) District; and
4. Give three readings to **Proposed Bylaw 199D2019**.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

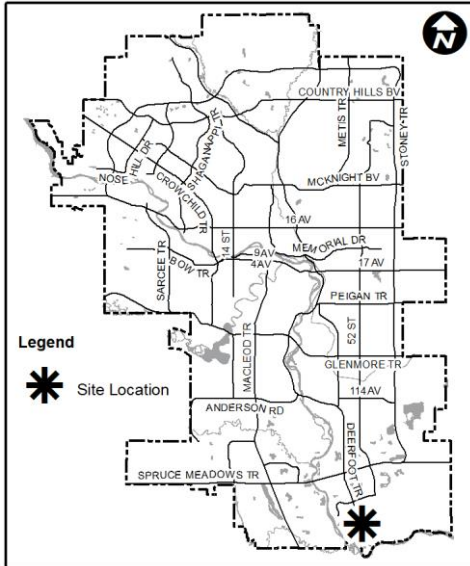
This application was submitted by Urban Systems on 2019 May 01, on behalf of the landowners, South Seton GP Inc and Carma Ltd. A summary of the proposal can be found in Attachment 1.

The road closure and redesignation are required to facilitate the construction of a stormwater pond as part of the conditions of approval of the previously approved Seton Stage 1C outline plan (LOC2017-0047), and to facilitate construction of the Rangeview sanitary trunk.

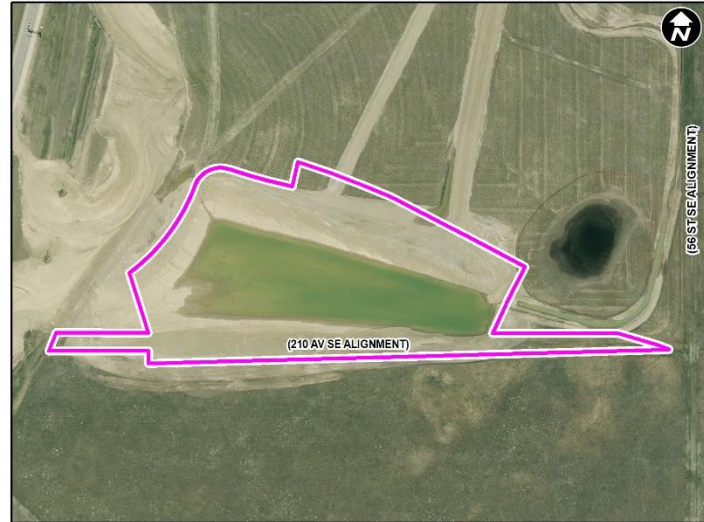
The location of the permanent stormwater pond was approved as a temporary pond during the Seton Stage 1A outline plan (LOC2016-0102). The pond was intended to provide interim servicing before a permanent pond is developed. With the approval of Seton Stage 1C outline plan (LOC2017-0047), a permanent pond that services the community of Seton to the north and future development in lands within the proposed *Ricardo Ranch Area Structure Plan* to the south is required.

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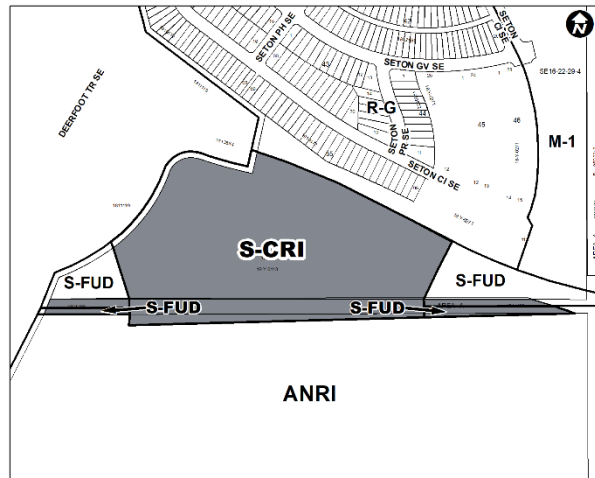
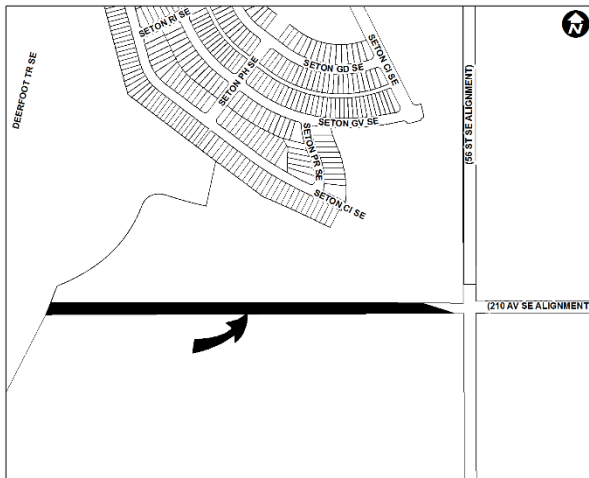
Location Maps



Road Closure Map



Proposed Land Use Map



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### **Site Context**

The subject lands are located at the border of the southeast communities of Seton and Residual Sub-Area 12I. The area is east of Deerfoot Trail SE and west of the 56 Street SE road alignment.

The road right-of-way has an area of approximately 1.30 hectares (3.22 acres) and the entire area for this land use amendment application, including the road right-of-way, is approximately 7.42 hectares (18.33 acres).

The proposal is intended to accommodate a permanent stormpond under the S-CRI District. A portion of the undesignated road will be under the S-FUD District for future urban development.

Developments to the north are currently under construction and consist of Residential – Low Density Mixed Housing (R-G) District and Multi-Residential – Low Profile (M-1) District.

Lands south of the proposed location are under the Agricultural and Natural Resource Industry (ANRI) District from Rocky View County's Bylaw C-1725-84. The City of Calgary retained the existing district during the 1989 annexation while the area awaits future urban development.

The subject area falls within the proposed *Ricardo Ranch Area Structure Plan*.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposed S-CRI District is needed for a utility facility that provides service to the surrounding communities and the S-FUD District is compatible with the uses and developments in the surrounding area. Further information on how this proposal aligns with applicable policies is found in the Strategic Alignment section of this report.

### **Planning Consideration**

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

#### ***Road Closure***

The application proposes to close a portion of the undeveloped road right-of-way between 20607 – 56 Street SE and 21410 – 40 Street SE and designate it to S-CRI and S-FUD Districts. The Conditions of Approval are contained in Attachment 3.

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***Land Use***

The two proposed districts are Special Purpose – City and Regional Infrastructure (S-CRI) District and Special Purpose – Future Urban Development (S-FUD) District.

The S-CRI District is intended to provide for infrastructure and utility facilities. The district also allows uses operated by Federal, Provincial and Municipal levels of government. The purpose of the proposed redesignation to S-CRI for this application is for the construction of a permanent stormwater pond and sanitary trunk in the area.

The S-FUD District is intended to be applied to lands that are awaiting urban development and utility servicing while allowing for a limited range of temporary uses that can easily be removed when future land use redesignation for urban development occurs. The district protects lands for future urban forms of development by restricting premature subdivision and development of parcels of land.

Both S-CRI and S-FUD Districts are in keeping with the surrounding land uses.

As identified in *Figure 1*, the proposal is to redesignate S-FUD, ANRI and Undesignated Road to S-CRI and a portion of the undesignated Road to S-FUD.

*Figure 1: Proposed Land Use Amendment*

<b>From</b>	<b>To</b>	<b>Hectare (Ha)</b>	<b>Acres (Ac)</b>
S-FUD	S-CRI	5.80	14.33
ANRI	S-CRI	0.33	0.82
Undesignated Road	S-CRI	0.75	1.85
Undesignated Road	S-FUD	0.54	1.33

***Development and Site Design***

The S-CRI District for this application is meant for a permanent stormwater pond for the area. The construction of the pond would meet City standards and will be to the satisfaction of Administration.

The S-FUD District allows for a limited range of temporary uses that can easily be removed. Further land use redesignation is required for future developments and the built-form will be guided by applicable policies and the land use district at that time.

***Environmental***

An Environmental Site Assessment was not required as part of this application.

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### ***Transportation***

The surrounding road network was previously approved with the Seton Stage 1C outline plan (LOC2017-0047). The vehicular accesses to the S-FUD lands will be from the south through lands legally known as NE9-22-29-4, not from Deerfoot Trail SE and 210 Avenue SE. An access easement and restrictive covenants are required for related subdivision application (SB2019-0113).

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

The utilities and servicing for this development area have also been previously planned with the approved Seton Stage 1C outline plan (LOC2017-0047).

The proposed road closure and land use redesignation facilitate the construction of the permanent stormwater pond to service the community of Seton and a portion of the future Ricardo Ranch lands to the south. Construction and dedication of a permanent pond east of Seton Way SE was one of the requirements associated with the approval of the Seton Stage 1C outline plan. Additionally, this application is required to facilitate the construction of The City's Rangeview Sanitary Trunk Project.

Due to conflicts with the new interchange and power transmission lines at Deerfoot Trail SE, the proposed sanitary trunk sewer had to be realigned outside of the existing undeveloped road right-of-way in this area. The developer will provide a utility right-of-way through their lands for the new trunk sewer alignment.

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

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

No citizen comments were received by the Calgary Planning Commission (CPC) report submission date. No public meetings were held by the applicant or Administration for this application.

Following CPC, notifications for a Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. 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.

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

The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed land use 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)***

The subject sites are located within the Developing – Future Greenfield area of the *Municipal Development Plan (MDP)*. The applicable MDP policies specify that lands in the area are to be protected for future urban development by restricting premature subdivision and development on parcels while allowing for a limited range of uses that will not compromise the land for urban purposes. The category is meant for large land areas in the city that do not have an approved area structure plan in place.

The proposed road closure and redesignation application are in keeping with relevant MDP policies, as the S-CRI District is required to provide services to the developed lands to the north and future development to the south. The proposed redesignation to S-FUD aligns with the MDP policies as it restricts urban form development until an area structure plan is in place.

***Intermunicipal Development Plan for the Municipal District of Foothills and The City of Calgary (Statutory – 2017)***

A portion of the area falls within the *Intermunicipal Development Plan (IDP)* area as identified on Map 1: Plan Area Map of the IDP. Although the site is within the IDP area, it is not part of any sub-category within the plan. The goal of the IDP is to provide a consistent approach to facilitate communication and working relationships between the M.D. of Foothills (now Foothills County) and The City of Calgary.

As part of the IDP policies under section 4.1.2, the proposed redesignation was referred to M.D. of Foothills for comments. The M.D. of Foothills responded on 2019 June 20 with no objection.

While a portion of the subject land was once part of Rocky View County, the current southeast boundary between The City of Calgary and Rocky View County is now well to the east of the subject site along Range Road 285 through annexations that took place between 1989 and 2007, and the site is not located within the *Calgary-Rocky View IDP* plan area.

***Southeast Planning Area Regional Policy Plan (Non-Statutory – 2004)***

The area is within the plan area of the *Southeast Planning Area Regional Policy Plan* under the Future Planning Areas – Community Planning Area Cell 'E'. The policies restrict urban development in the area until an area structure plan is in place. The proposed S-FUD District aligns with the direction of the ASP as it prevents premature subdivision and development of the area.

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***Ricardo Ranch Area Structure Plan (Proposed – 2019)***

The subject area is identified as being within Neighbourhood Area 1 in the proposed *Ricardo Ranch Area Structure Plan*. The intent of the area is to allow for an appropriate mix of residential and non-residential uses centred around a neighborhood node. The proposed S-FUD District would limit development of the site until such time as outline plan and land use approvals are in place.

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

The recommended road closure and redesignation would allow for a stormwater pond that is a necessary infrastructure component to enable future development in the area.

**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 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):**

The proposal aligns with the applicable policies of the *Municipal Development Plan* and local area plans. The proposed road closure and redesignation will facilitate the construction of the permanent stormwater pond for the area and allows for a sanitary trunk to be installed. The S-FUD District is compatible with the surrounding land use designations.

**ATTACHMENT(S)**

1. Applicant's Submission
2. Road Plan
3. Proposed Road Closure Conditions
4. Seton Land Use Amendment
5. **Proposed Bylaw12C2019**
6. **Proposed Bylaw 199D2019**