

Planning & Development Report to  
Calgary Planning Commission  
2020 March 05

ISC: UNRESTRICTED  
Corrected CPC2020-0189

## **Policy Amendment, Road Closure and Land Use Amendment in Belvedere (Ward 9) at multiple addresses, LOC2018-0275**

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### **EXECUTIVE SUMMARY**

This application was submitted by O2 Planning and Design on 2018 December 21 on behalf of the landowner, Minto Communities Inc. The application proposes to redesignate approximately 10.73 hectares (26.51 acres) of greenfield land in the southeast Community of Belvedere.

The lands are currently designated as Special Purpose – Future Urban Development (S-FUD) District. The intent of this application is to enable two blocks for multi-residential development and a block of low-density residential development by providing for:

- a number of land uses to accommodate a higher-density residential development with an open space network that begins the southwest neighbourhood of Community D and provides a logical extension within the Community of Belvedere;
- approximately 1.58 hectares (3.91 acres) for mixed-use developments (MU-1f3.0h20);
- approximately 5.63 hectares (13.91 acres) for townhouse dwelling units (M-1);
- approximately 0.61 hectares (1.52 acres) for low-density dwelling units such as single, semi-detached, rowhouse, or duplex dwellings (R-G);
- approximately 1.41 hectares (3.48 acres) of Municipal Reserve intended for a public park (S-SPR);
- approximately 1.51 hectares (3.74 acres) of Environmental Reserve and Crown-claimed reserve land to protect existing wetland (S-UN); and
- approximately 0.07 hectares (0.17 acres) of remnant portions of the parcel that are planned to be part of a roadway that are intended to remain Special Purpose – Future Urban Development (S-FUD) District because the land use district of the adjacent parcel is S-FUD.

The road closure would enable consolidation of unused road right-of-way created during a previous subdivision of the site, which did not result in development.

An amendment to the *Belvedere Area Structure Plan (ASP)* is required to accommodate the proposed land use redesignation. The proposal conforms with the ASP as amended and conforms to the relevant policies of the *Municipal Development Plan*.

This application has been applied for with the support of a related outline plan application (CPC2019-0188) to provide the future subdivision layout for the site's development. Conditions have been incorporated into the outline plan to effectively address the site's development. The proposed land use amendment and road closure were developed in accordance with the general policies and intent of the *Belvedere ASP*, as amended.

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**ADMINISTRATION RECOMMENDATION:**

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

1. **ADOPT**, by bylaw, the proposed amendments to the Belvedere Area Structure Plan (Attachment 4);
2. Give three readings to the proposed bylaw;
3. **ADOPT**, by bylaw, the proposed closure of 1.35 hectares  $\pm$  (3.33 acres  $\pm$ ) of road (Plan 1711148, Area 'A') adjacent to 17 Avenue SE with conditions (Attachment 3); and
4. Give three readings to the proposed bylaw;
5. **ADOPT**, by bylaw, the proposed redesignation of approximately 10.73 hectares  $\pm$  (26.51 acres  $\pm$ ) located at 8705 - 17 Avenue SE, 8501, 8517, 8520, 8536, 8550, 8567, 8570, 8660, 8585, 8605 and 8621 - 18 Avenue SE, 8516, 8522, 8544, 8560, 8582 and 8650 - 19 Avenue SE and 1880 - 84 Street SE and closed road adjacent to 17 Avenue SE (Plan 1858AD, Block 2; Plan 5307AF, Block 1, Lots 9 to 32; Plan 5307AF, Block 2, Lots 1 to 40; Plan 5307AF, Block 3, Lots 1 to 20; Plan 5307AF, Block 4, Lots 9 to 20; Plan 18T58AD, Block 8; Plan 1711148, Area 'A') from Special Purpose – Future Urban Development (S-FUD) District and Undesignated Road Right-of-Way to Mixed Use - General (MU-1f3.0h20) District, Multi-Residential – Low Profile (M-1) District, Residential – Low Density Mixed Housing (R-G) District, Special Purpose – School, Park and Community Reserve (S-SPR) District, and Special Purpose – Urban Nature (S-UN) District; and
6. Give three readings to the proposed bylaw.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

This application was submitted by O2 Planning and Design on 2018 December 21 on behalf of the landowner, Minto Communities Inc. The application proposes to redesignate approximately 10.73 hectares (26.51 acres) of greenfield land in the southeast Community of Belvedere. O2 Planning and Design have provided a summary of their proposal in the Applicant's Submission (Attachment 1).

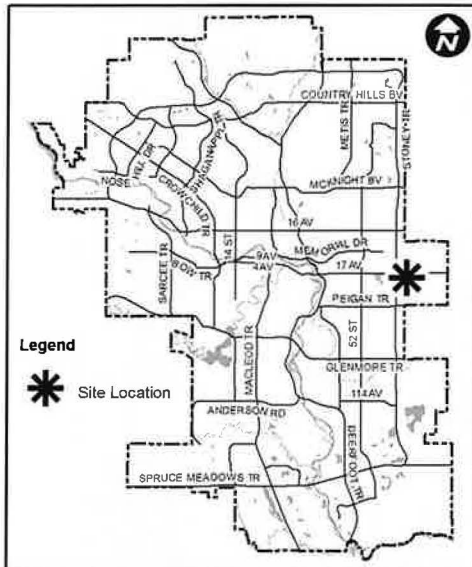
The subject lands were part of an annexation from Rocky View County in 2007, which includes the area now known as Belvedere. Development in Belvedere is ongoing, as depicted in Attachment 8.

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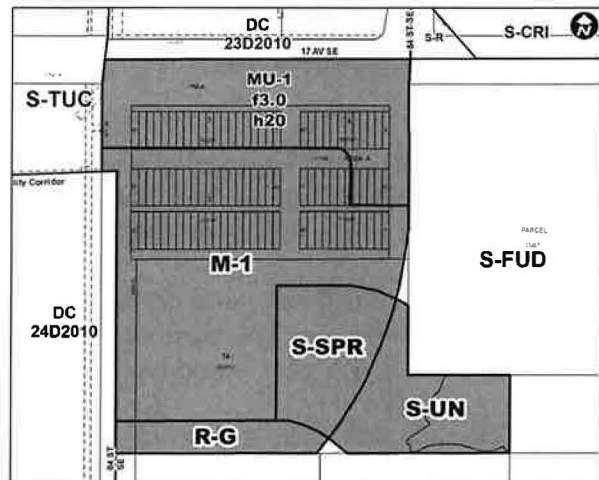
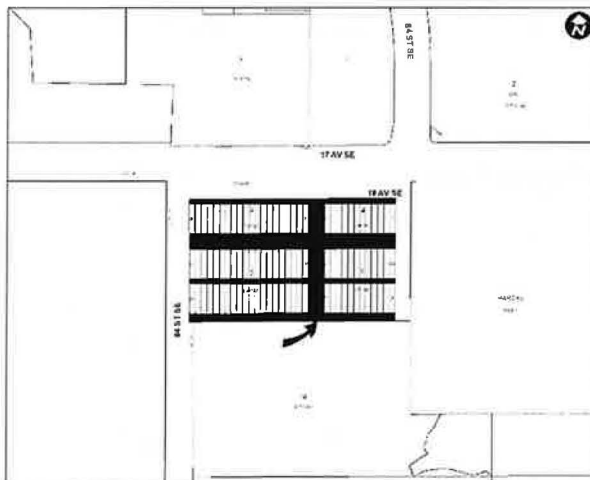
**Location Maps**



Road Closure



Proposed Land Use



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### Site Context

The site is located at the intersections of 17 Avenue SE and 84 Street SE, in the Community of Belvedere, in eastern Calgary. The site is generally flat, slopes down to the east, and is developed with a single detached dwelling and an ancillary garage.

DC Direct Control Districts based on the Commercial – Regional 3 (C-R3) District exist to the north and east of the site. The East Hills Shopping Centre exists to the north of the site, whereas the site to the east is undeveloped.

To the northeast of the site is an area with an approved, primarily residential outline plan (LOC2016-0186).

Country residential and undeveloped properties exist to the west and south of the site, designated either Special Purpose – School, Park and Community Reserve (S-SPR) District or a direct control district based on S-FUD that prevents further subdivision, to control premature, fragmented development.

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A disturbed, Class 5 wetland exists within the southeast corner of the site and continues east of the site.

A non-approved, non-operating landfill exists to the east of the site. The subject site is subject to the *Subdivision and Development Regulation* (SDR) setback for the landfill. Further information can be found in the Environmental and Strategic Alignment sections of this report.

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

The proposal allows for a range of uses that are compatible with the context of the site. The proposal is consistent with applicable policies, as discussed in the Strategic Alignment section of this report.

#### **Planning Considerations**

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

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

The application proposes to close portions (approximately 1.35 hectares) of the undeveloped road right-of-way between various parcels, as depicted in Attachment 2 and designate them as MU-1f3.0h20 and M-1 Districts. The Conditions of Approval for the proposed road closure are contained in Attachment 3.

##### ***Subdivision Design***

The intent of this application is to enable two blocks for multi-residential development and a block of low-density residential development.

Two east-west oriented roads are proposed between Old 84 Street SE and the realigned 84 Street SE.

Municipal Reserve (MR) is owing on the site. Based on the context and the proposed type of development, the ten per cent reserve requirement is proposed to be provided as a public park, which will be integrated with the development.

Environmental Reserve (ER) lands are proposed to protect the Class 5 wetland.

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

The site is currently designated Special Purpose – Future Urban Development (S-FUD) District which is intended to be applied to lands that are awaiting urban development and utility servicing to protect lands from premature subdivision and development.

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To implement the corresponding outline plan's design, the following land uses are proposed:

- Mixed Use - General (MU-1f3.0h20) District;
- Multi-Residential – Low Profile (M-1) District;
- Residential – Low Density Mixed Housing (R-G) District;
- Special Purpose – School, Park and Community Reserve (S-SPR) District; and
- Special Purpose – Urban Nature (S-UN) District.

Approximately 0.07 hectares (0.17 acres) of remnant portions of the parcel within proposed roadways are intended to remain Special Purpose – Future Urban Development (S-FUD) District until land use redesignation applications for the adjacent parcels on the other side of the road are approved.

#### Mixed Use - General (MU-1f3.0h20) District

MU-1 is intended to be located along commercial streets where both residential uses and commercial uses are supported at grade facing the commercial street, to allow for a mix of uses in the same building, and to respond to the context with maximum building heights, as per subsection 1365(1) of Land Use Bylaw 1P2007 (LUB). MU-1 should only be located where a local area plan or other policy provides direction for it, as per subsection 1365(2) of the LUB.

Whereas there are other commercial and multi-residential districts that provide opportunities for mixed use development, the uses and rules of the MU-1 are suitable and well-tailored for transit-oriented development areas, such as the northern portion of the subject site.

The proposed MU-1 is not located along a commercial street and the location is not specified as appropriate by a local area plan, as identified in the intent statement for the land use district in LUB. However, given the proximity to higher order-transit, and transit-oriented design supportive policies and guidelines in the MDP, *Transit-Oriented Development Policy Guidelines*, and the *Belvedere Area Structure Plan* (ASP), Administration supports the proposed land use. Further information on how the proposal implements municipal planning ambitions is detailed in the Strategic Alignment section.

#### Multi-Residential – Low Profile (M-1) District

M-1 is intended to provide for Multi-Residential Development in a variety of low height and medium density forms and is intended to be in close proximity or adjacent to low density residential development;

The proposed land use is consistent with the intent of the LUB, and with the proposed policy amendment, will be consistent with the intent of the ASP. Further information on how the proposal implements municipal planning ambitions is detailed in the Strategic Alignment section.



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### Residential – Low Density Mixed Housing (R-G) District

R-G is intended to apply to low density neighbourhoods in master planned communities in suburban greenfield locations and is intended to accommodate a wide range of low density residential development.

The proposed land use is consistent with the intent of the LUB, and with the proposed policy amendment, will be consistent with the intent of the ASP. Further information on how the proposal implements municipal planning ambitions is detailed in the Strategic Alignment section.

### Special Purpose – School, Park and Community Reserve (S-SPR) District

S-SPR is intended to provide for schools, parks, open space, and recreation facilities of various sizes and use intensities, where land is dedicated as school reserve, municipal school reserve, community reserve, public reserve, and/or reserve.

The proposed S-SPR is intended to be a public neighbourhood park on land dedicated as a Municipal Reserve.

The proposed land use is consistent with the intent of the LUB.

### Special Purpose – Urban Nature (S-UN) District

S-SPR is intended to be applied to lands that have either been set aside for the purpose of preserving existing characteristics of a natural plant or animal community or which are undergoing naturalization by provide for natural landforms, vegetation, and wetlands and limit development to improvements that facilitate passive recreational use.

S-UN should only be applied to lands dedicated as Environmental Reserve and/or Crown-claimed reserve lands.

The proposed land use is consistent with the intent of the LUB and the ASP.

### ***Density***

The land use redesignation proposes development that achieves both the *Municipal Development Plan* and the *Belvedere Area Structure Plan* minimum density and intensity targets, as identified in *Table 2*. This will help to support the future transit and community amenities within the greater area.

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*Table 2: Density Requirements*

	Minimums	Municipal Development Plan	Belvedere Area Structure Plan	Anticipated
<b>Density</b>	Units per hectare	20		53.63
	Units per acre	8		21.70
	Units per gross developable residential hectare		20	86.66
	Units per gross developable residential acre		8	35.07
<b>Intensity</b>	People and jobs per gross developable hectare	100 (for primary transit network service)	70	110.88
	People and jobs per gross developable acre	40 (for primary transit network service)	28.33	44.87

**Environmental**

The site is adjacent to a non-approved, non-operating landfill. As per the ASP, Phase 1 and Phase 2 Environmental Site Assessments were required and submitted with regard to the landfill. The reports did not identify concerns requiring additional study or remediation. To allow for residential, food establishment, school, and/or hospital uses, the ASP (subsection 4.28 and Appendix F) provides background info on the Stoddart Landfill. At subdivision and/or development permit applications, the applicant will be required to provide supporting information for uses that require a waiver for consent for variance.

In addition to investigating potential impacts of the adjacent landfill, no significant concerns were identified through the Environmental Site Assessments from previous and existing uses on the site. Minor remediation associated with impacts from the previous uses may be required.

A Level 3 Biophysical Impact Assessment (BIA) was submitted in support of the application.

The site shares the wetland with the nearby landowners. Most of the 7.71 hectare wetland is on the nearby lands, with 0.94 hectares within the subject site. The BIA classified the overall wetland as a Permanent Shallow Open Water Body under the Alberta Wetland Classification System and a Class 5 Permanent Pond under the Steward and Kantrud classification system.

The Province claimed the bed and shore of the portion of the wetland within the site. The survey for the Crown-claimed permanent water edge was done independently from the BIA (Appendix 7). The Environmental Reserve lands provided include the Crown-claimed wetland, as well as the outer part of the wetland, the Low Prairie Zone, and the associated buffer.



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The alignment of 84 Street SE is constrained **spatially** due to the location of the intersection with 17 Avenue SE and the wetland. The road alignment is designed in a way to mitigate impact to the wetlands by providing a 10 metre-wide buffer between the road right-of-way and the outer edge of the wetland. **The road right-of-way includes the required backslope to support the road and does not infringe upon the wetland. As a result, no *Water Act* approval is anticipated.** The approved BIA assures mitigation and rehabilitation measures will be taken during and after the construction of the road to further reduce the impact to the adjacent Environmental Reserve lands.

#### ***Transportation***

The area plan is bounded by 17 Avenue SE to the north, Old 84 Street SE to the west and 84 Street SE to the east. Regarding the area network, the interchange of Stoney Trail and 17 Avenue SE exists to the west of the site, and the Calgary Transit MAX Purple Bus Rapid Transit (BRT) line is routed along 17 Avenue SE. Adjacent to the site, 17 Avenue SE is classified as a Parkway, with planned dedicated bus rapid transit lanes along the centre of the roadway. A BRT station is planned at the intersection 17 Avenue SE and 84 Street SE.

**Currently 84 Street SE south of 17 Avenue SE is located 300 metres west of the 84 Street SE north of 17 Avenue SE. 84 Street SE was realigned as a result of the Stoney Trail and 17 Avenue SE interchange. As outlined in the ASP, a new realigned 84 Street SE south of 17 Avenue SE will match 84 Street SE north of 17 Avenue SE. The existing Old 84 Street SE is planned to remain in place and will become a collector road. Old 84 Street SE will become a right-in/right-out access to 17 Avenue SE when the dedicated BRT lanes are constructed on 17 Avenue SE. As a part of this application, the west half of the realigned 84 Street SE (within the subject site) south of 17 Avenue SE will be constructed in the interim. The east half of the realigned 84 Street SE will be constructed with future development of the lands to the east. During this interim stage, the west half of realigned 84 Street SE will work in tandem with the existing 84 Street SE to service the outline plan area.**

To support the transit-oriented development vision of this area, a modified arterial roadway is proposed for 84 Street SE. The modification is intended to provide a high-quality pedestrian experience on the west side of the road, connecting the site to the BRT station and to provide on-street parking to support commercial activity along the MU-1 development. This section of roadway will function similar to an Urban Boulevard roadway.

Two east-west oriented roads are proposed between Old 84 Street SE and the realigned 84 Street SE. Nineteenth Avenue SE is proposed to be a modified collector roadway with a pathway on one side, supporting the multi-residential developments. Twenty-first Avenue SE is proposed to be a residential roadway servicing low density housing. Vehicular access to the parcels in the site will be only be provided via 19 Avenue SE and 21 Avenue SE.

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A pathway and cycle track are planned for the 17 Avenue SE Parkway. Pathways are proposed on both sides of the street for the realigned 84 Street SE. Pathways are proposed on both sides of Old 84 Street SE. A pathway is planned on the south side of 19 Avenue SE, therefore, the site area will be well-connected for active modes of transportation.

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

Only developer-funded main extensions are required for this development.

Water servicing is available from the existing 400 millimetre water mains at 17 Avenue SE and the Old 84 Street SE. The water servicing needs to be a looped system. The site is within the Glenmore pressure zone.

Sanitary servicing is available from the existing 600 millimetre Great Plains Sanitary Trunk at the Old 84 Street SE. A sanitary collection main will be required to connect directly to this storm trunk.

Storm servicing is available from the existing 1,950 millimetre stormwater trunk at the Old 84 Street SE. The stormwater trunks will collect in the **existing constructed wetland** southwest of the site and drain to Forest Lawn Creek.

#### **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 landowners and the application was advertised online. A second round of circulations to relevant stakeholders and notifications letters to adjacent landowners were sent in December 2019, after amended plans were received in response to the detailed team review document.

Administration received the following correspondence from four (4) individuals in relation to the application:

- One letter of concern regarding capacity of the intersection 17 Avenue SE and 84 Street SE and only having access to the East Hills Shopping Centre from 84 Street SE;
- One letter in opposition to the initially proposed 84 Street SE alignment, and one subsequent letter in favour of the revised proposed 84 Street SE alignment;
- One letter in opposition to the revised proposed 84 Street SE; and
- One letter in favour of the revised street network, requesting a higher-order road standard for 19 Avenue SE.

The applicant held an open house on 2020 February 04. Administration was in attendance. Over 20 participants attended the open house, and primarily had questions, rather than comments related to water servicing for their properties and the plans for regional road network. An outreach summary is provided in Attachment 5.

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Currently, there is no community association for the area.

The application was circulated to the City of Chestermere and Rocky View County, and no comments were received.

Following Calgary Planning Commission, notifications for Public Hearing of Council, in relation to this land use amendment, 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 directions of the South Saskatchewan Regional Plan which directs population growth in the region to Cities and Towns and promotes efficient use of land.

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

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

***Rocky View County/City of Calgary Intermunicipal Development Plan (Statutory – 2012)***

The site is within the Policy Area on Map 1: Plan Area of the Rocky View County/City of Calgary Intermunicipal Development Plan. The proposal is generally consistent with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan.

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

The site is within the Residential - Developing – Planned Greenfield with Area Structure Plan (ASP) area as identified on Map 1: Urban Structure in the Municipal Development Plan (MDP). The MDP defers to the local area plan.

The MDP includes city-wide transit-oriented development policies and policies for creating complete communities with a more compact urban form. The proposal, which focuses mixed-use, higher-density development in proximity of a BRT station, is generally consistent with those policies.

The proposal is generally consistent with the MDP.

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***Transit-Oriented Development Policy Guidelines (Statutory – 2004)***

The Transit-Oriented Development Policy Guidelines generally encourages higher densities, mixed-used development, and pedestrian- and cyclist-friendly environments near and complementary to higher-order transit stations.

The proposal is consistent with the guidelines of *Transit Oriented Development Policy Guidelines*.

***Improving Calgary's Entranceways: A Guide for Development Adjacent to Entranceways (Non-Statutory – 2012)***

The proposal is not consistent with the guidelines of Improving Calgary's Entranceways: A Guide for Development Adjacent to Entranceways. It is recognized that the development permit application reviews may be able to address the context.

Seventeenth Avenue SE is identified as an Entranceway on Map 1. The guidelines were created prior to the creation of the MU-1 district, and therefore MU-1 is not classified in Table 7.1 ("A", "B", and "C" Land Use Districts for Sites adjacent to Entranceways). MU-1 is designed for street-facing development, and would be considered a "C" land use district, among other street-oriented land uses districts. Based on the potential for impacts of high speed roads on street-oriented development, additional screening may be required. The Entranceway Guidelines discourage uses that require screening along Entranceways, and therefore MU-1 would be discouraged.

***East Regional Context Study (Non-Statutory – 2009)***

In the East Regional Context Study, the site is within a Residential area on Map 3: Land Use Concept. 17 Avenue SE and 84 Street SE are identified as Major Streets and Proposed Pathway Connections, and 17 Avenue SE is identified as a Potential BRT Route on Map 3: Land Use Concept.

The proposal is generally consistent with the principles, directions, and concept of the *East Regional Context Study*.

***Belvedere Area Structure Plan (Statutory – 2013)***

In the Belvedere Area Structure Plan (ASP), the site is not within a growth management overlay, and therefore land use redesignation and outline plan applications may proceed.

The site is within a Transit Station Planning Area, because it is within 600 metres of a BRT station. The Transit Station Planning Area encourage higher intensities, safe, direct, and convenient travel pathways for pedestrians and cyclists, and consistency with the *Transit-Oriented Development Policy Guidelines*.

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On Map 5: Land Use Concept of the ASP, the site is partially within a Community Retail 2 Centre and a Special Study Area that applies to lands surrounding the neighbouring landfill. The commercial area is intended to be part of a contiguous regional commercial-only area to the north and west, that takes advantage of the location in proximity to the interchange of Stoney Trail SE and 17 Avenue SE. The Special Study Area is intended to be a placeholder until individual applications come in, accompanied by studies determining whether there are issues associated with contaminants from the neighbouring landfill.

The proposal includes a mixed-use component, which allows for commercial uses, and is thereby consistent with the ambition of creating a contiguous commercial area, while allowing for residential uses. Administration is satisfied with the environmental reporting to remove the Special Study Area. Additional analysis on environmental matters will occur during subdivision and development permit application review. A policy amendment is proposed to change the site to be within a Neighbourhood Area to allow for residential uses.

The site is not within a Neighbourhood on Map 6: Community and Neighbourhood Concept of the ASP, but is proposed to be added into the southwest Neighbourhood of Community D through this policy amendment application.

The proposal is generally consistent with the policies of the ASP, and the proposed amendments to the ASP are consistent with the intent of the ASP and will bring the ASP and proposal into alignment.

#### ***Subdivision and Development Regulations (Alberta Regulation – 2002)***

The entire site is within the legislated setbacks from the landfill and is governed by Section 13 of the Province of Alberta Subdivision and Development Regulation (AR 43/2002). These regulations will limit certain uses (residences, food establishments, schools, hospitals) from locating within the prescribed setback (metres from disposal area) through the subdivision and development permit processes.

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

The proposed land use redesignation represents an increase in housing diversity and density, as there will be a wider range of housing product available.

#### **Financial Capacity**

#### ***Current and Future Operating Budget***

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

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***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**

The requirements of the *Subdivision and Development Regulation* will be implemented at the time of subdivision and development permit application reviews, rather than in conjunction with this policy amendment, road closure, land use redesignation, and/or outline plan application review. There is risk that the proposed development may not be able to be realized, if the necessary approvals and waivers for consent for variance are not provided by Alberta Environment and Water.

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

The proposal is generally consistent with the policies and guidelines of the *Municipal Development Plan*, the *Belvedere Area Structure Plan* as amended, and other applicable documents.

**ATTACHMENTS**

1. Applicant's Submission
2. Registered Road Plan
3. Proposed Road Closure Conditions
4. Proposed Amendments to the Belvedere Area Structure Plan
5. Outreach Summary
6. Proposed Outline Plan
7. Wetland Survey
8. Ongoing Development in the Belvedere Area Structure Plan

