

**LAND USE AMENDMENT
SHAWNEE SLOPES (WARD 13)
SHAWNEE DRIVE SW AND SHAWNEE BOULEVARD SW
BYLAW 179D2016**

MAP 4S

EXECUTIVE SUMMARY

This Land Use Amendment application proposes a new DC Direct Control District for the redevelopment of portions of the former Shawnee Slopes Golf Course. The original District rules are being modified to accommodate the loss of all deciduous trees as a result of the snowstorm in September 2014 as well as other minor development adjustments.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 May 19

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 179D2016; and

1. **ADOPT** the proposed redesignation of 21.94 hectares \pm (54.2 acres \pm) located at 820 James McKeivitt Road SW and 995 Shawnee Drive SW (Portion of Plan 1413460, Block G, Lot 2; Plan 8811677, Block D) from Residential – Contextual One Dwelling (R-C1) District, Residential – Contextual One Dwelling (R-C1s) District and DC Direct Control District to Residential – Contextual One Dwelling (R-C1) District, Residential – Contextual One Dwelling (R-C1s) District and DC Direct Control District to accommodate multi-residential development, in accordance with Administration’s recommendation; and
2. Give three readings to the proposed Bylaw 179D2016.

REASON(S) FOR RECOMMENDATION:

This Land Use Amendment facilitates the redevelopment of the former Shawnee Slopes Golf Course according to the Developer’s vision statement for the area, as “A thoughtfully designed, high quality residential neighbourhood that embraces and respects the character landscape and vibrancy of one of Calgary’s most desirable established communities.” This application is in line with the Special Residential Area policies written for this redevelopment cell in the Revised Midnapore Phase 2 Area Structure Plan, and meets the Municipal Development Plan’s call for moderate intensification of established residential communities.

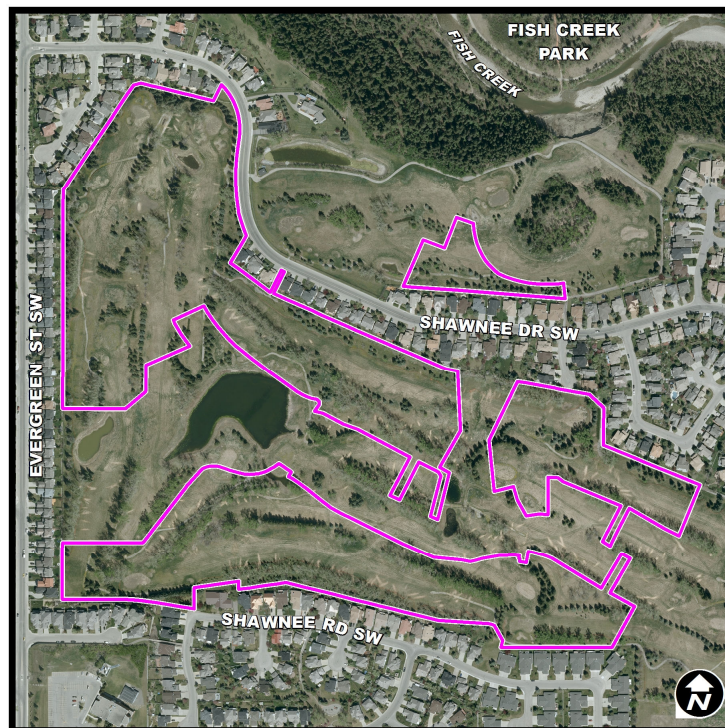
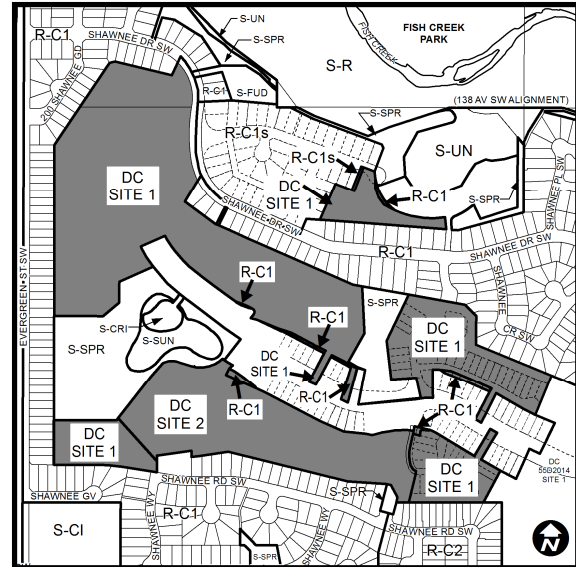
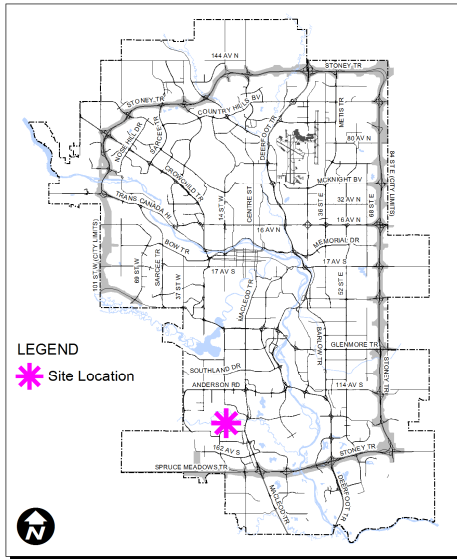
ATTACHMENTS

1. Proposed Bylaw 179D2016
2. Public Submissions

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 21.94 hectares ± (54.2 acres ±) located at 820 James McKeivitt Road SW and 995 Shawnee Drive SW (Portion of Plan 1413460, Block G, Lot 2; Plan 8811677, Block D) from Residential – Contextual One Dwelling (R-C1) District, Residential – Contextual One Dwelling (R-C1s) District and DC Direct Control District **to** Residential – Contextual One Dwelling (R-C1) District, Residential – Contextual One Dwelling (R-C1s) District and DC Direct Control District to accommodate multi-residential development with guidelines (APPENDIX II).

Moved by: R. Wright

Carried: 7 – 0

2016 May 19

MOTION: **DIRECT** Administration to have the Development Permits in the Transit Oriented Development areas, of the subject site, be presented to Calgary Planning Commission for decision.

Moved by: G.-C. Carra

Carried: 6 – 1

Opposed: J. Gondek

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Applicant:

Brown & Associates Planning Group

Landowner:

Cardel Land Holdings Ltd
Shawnee Lands Management Ltd

PLANNING EVALUATION

SITE CONTEXT

The subject site was formerly the site of the Shawnee Slopes Golf Course. The privately-owned golf course was sold, and closed in October 2011. The land was subsequently redesignated to accommodate new residential developments under Land Use and Outline Plan application LOC2010-0005, approved by Council at the 2014 February 11 Public Hearing. That application faced significant opposition from the community, and therefore a considerable amount of community consultation and negotiation was involved.

A further amendment to the Land Use was passed by Council on 10 June 2014 to satisfy a Notice of Motion to redesignate the corner of Shawnee Drive SW and 6 Street SW to a more Transit Oriented Development (TOD) appropriate use, in addition to some housekeeping amendments.

The entire redevelopment site (the former golf course) contained nearly 2500 mature trees at the time of passage of the original DC Bylaws. The Land Use and Outline Plan application focused much attention on the preservation of those trees, and as such, strict tree preservation requirements were included in the DC Bylaws for this area. Unfortunately, many of the mature deciduous trees were nearing the end of their expected life, and the snow storm in September 2014 caused extensive damage to many of the trees on the site.

The Applicant commissioned a professional Arborist to produce an Arborist's Report to assess the status of the trees on the site. The City's Urban Forestry division reviewed the report (with requests for further information and clarifications), and concurred with the report's findings that all deciduous trees on site are in poor condition and should be removed to avoid potential risks associated with tree failure, including collapse. The existing deciduous trees represent 33 percent of all trees in the Landscape Buffer Area as identified on Schedule C in APPENDIX II, and 48 percent of the trees in the interior of the site, defined as the remainder of the areas covered by this DC Bylaw (also identified on Schedule C in APPENDIX II).

LAND USE DISTRICTS

The overall redevelopment site of the former golf course is characterized by four distinct redevelopment areas that are reflected in the four existing Direct Control Bylaws on the site. This application proposes the redesignation of the areas covered by existing DC Direct Control

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District Bylaws 51D2012 and 52D2012, referred to as Sites 1 and 2. These areas are the western portions of the redevelopment site, and contain the tree preservation requirements for the area. The eastern portions of the site, known as Sites 3 and 4, are higher density, more transit-oriented development areas. Those sites, 3 and 4, are not subject to this application and are expected to develop in accordance with the approved Outline Plan.

This land use amendment proposes notable changes to several sections of the DC Direct Control Guidelines, with respect to tree preservation, tree replacement, fencing and building heights.

The current DC Bylaws governing these areas distinguishes two distinct regions of the site; a “landscape buffer area”, defined as the area extending 20 metres into the site from the property line of the existing residential development, and an interior area, which includes all other portions of the DC area that are not defined as “buffer”. These areas are identified on Schedule C in APPENDIX II of this report.

Of the 2500 trees originally located on the former Shawnee Slopes Golf Course site, and referred to earlier in this report, 1344 trees are located on the lands that are subject to this application. The remainder of the trees were located on other portions of the former golf course site that are not subject to this redesignation. Of the 1344 trees that are subject to this application, 508 trees are located in the landscape buffer area, and 836 are located on the interior portions of the site.

Tree Preservation

The new DC proposes a decrease in the tree preservation requirements, as a result of a combination of the loss of all deciduous trees, as well as developmental constraints that the developer has encountered while planning the site.

	Landscaper Buffer Area (Tree Preservation %)	Interior Site Area (Tree Preservation %)
Existing DC	98%	70%
Proposed DC	65%	28%
	-33%	-42%

Landscape Buffer Area

The current Bylaw requires preservation of 98 percent of all trees in the 20-metre buffer area adjacent to the existing residences. The loss of all deciduous trees represents 33 percent (165) of trees in the buffer area, therefore reducing the number of viable trees to 67 percent. The applicant has indicated that due to grading and servicing requirements, the removal of an

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additional 2 percent (11 trees) is required beyond the 33 percent of deciduous trees that must be removed due to poor health, amounting to a total proposed loss of 35 percent of trees in the landscape buffer area. Therefore, this application proposes retention of 65 percent of existing trees in the 20 metre landscape buffer area, down 33 percent from the current 98 percent requirement.

Interior Portion of Site

This application also proposes a decrease in the tree retention requirements for the interior portion of the site as well, also due to the loss of all existing deciduous trees, as well as servicing and developmental constraints. 48 percent (403 trees) of the existing trees located in the interior portion of the DC area are deciduous trees that will require removal. The current land use requires the preservation of 70 percent of all trees in the interior area. Given the requirement to remove the deciduous trees, representing 48 percent of the trees, the tree retention requirements for both the interior and the buffer areas could not be met, thus necessitating this land use redesignation.

The applicant has presented several drafts of concept plans for the redevelopment of this site in an attempt to maximize tree preservation for the site while balancing the requirement for an acceptable density. The Concept Plan included in APPENDIX IV proposes the retention of 28 percent of the existing trees on site, accounting for 48 percent loss due to deciduous tree health, and an additional 24 percent loss to accommodate the specific grading and servicing requirements.

Due to the location of the trees on site that conflict with intersections and utility connections, in addition to the logical placement of housing, preservation of trees on this site directly results in a reduction in the number of housing units. This proposal reduces the proposed density for this redevelopment cell (including the R-C1/R-C1s areas on the interior of the site) from 606 units as proposed in the original Outline Plan application to 500 units as shown on the Concept Plan in APPENDIX IV. The Developer has indicated that a further reduction in density beyond the proposed 500 units may render the project financially unsustainable. The previous Outline Plan's 606 units resulted in a density of 20.6 units per hectare, whereas the proposed plan, at 500 units, reduces the density to 17.0 units per hectare. This remains in line with the surrounding community which has densities ranging from 12 to 17 units per hectare.

Tree Replacement

This application also proposes some changes to the tree replacement provisions in response to the current situation. The application would retain the existing 2:1 replacement ratio for all trees in the landscape buffer area, but proposes reduction in the tree replacement ratio from 2:1 to 1:1 for deciduous trees in the interior portion of the site, largely due to the fact that these trees require removal due to poor health. As such, the intent is to replace the trees, but not penalize the Developer for the necessary removal with a 2:1 replacement ratio, as it currently exists. The replacement ratio for coniferous trees on the interior of the site would remain at the 2:1 ratio as it currently exists.

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	Deciduous		Coniferous	
	Existing Bylaw	Proposed Bylaw	Existing Bylaw	Proposed Bylaw
Site Interior Ratio	2:1	1:1	2:1	No change
Buffer Area Ratio	2:1	No change	2:1	No change

Replacement Tree Specifications

In addition to the tree replacement ratios, changes are proposed to the specifications of the replacement trees. The current DC specifies that replacement deciduous trees must have a minimum caliper of 75-millimetres, and replacement coniferous trees should have a minimum height of 3.0 metres. The new DC proposes to introduce a differentiation between deciduous ornamental trees and deciduous canopy trees, with slightly varied requirements for each.

Deciduous canopy trees would retain the minimum caliper requirement of 75-millimetres throughout the site, however deciduous ornamental trees would retain the minimum 75-millimetre caliper requirement in the buffer area, with a reduced 60-millimetre caliper requirement for the interior portions of the site. The requirement for a minimum height of 3.0 metres for replacement coniferous trees will remain unchanged.

Specifications for Trees Required for Development

In addition to the above replacement planting requirements, the application proposes to revise the planting requirements for the development. The Bylaw currently requires one tree per two bare land units, which lists a minimum caliper of 50 millimetres for deciduous trees and 2.0 metres for coniferous. The applicant has proposed an amendment to this section in line with the other planting requirements for the site, as outlined above. The new DC would require an increase in the minimum size of these trees from 50 millimetres to a 60-millimetre caliper for deciduous ornamental trees, 75-millimetre for deciduous canopy, and an increase in minimum height from 2.0 metres to 3.0 metres for coniferous trees.

Buffer Fencing

The landscape buffer area will ultimately become Common Property owned by the Condominium Association for the adjacent phase of new development. Public access easements will be registered over these areas at the subdivision stage in order to ensure that the land will become an amenity for all area residents. The current DC Bylaw prohibits fencing along the buffer area, but this application proposes to amend that rule to require fencing along the perimeter of the landscape buffer area. The fencing requirement is intended to clearly delineate the privately-owned, publically-accessible amenity space in the buffer area adjacent to the new development.

There was widespread concern expressed by the existing community members that without the delineation that fencing would provide between the landscape buffer area and the new development, the space would appear to be an extension of the new development's back yards. The requirement for the developer to provide transparent-style fencing along the boundary of

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the new development will benefit both the new and existing residents by clearly defining the extent of the land that is available for public use.

Building Heights

This application proposes changes to the maximum building height on the site. The proposal would retain the existing 10 metre maximum building height for parcels that are adjacent to the buffer area, and therefore, interfacing with the existing residential development. The application proposes to increase the maximum building height for the interior portion of the site to 11 metres in order to accommodate varied architectural styles, roof pitches, and grading challenges on the site.

This application also proposes a maximum building height of 13 metres for townhouses on Site 2. The area covered by Site 2 is currently subject to Bylaw 52D2012, which lists a maximum building height of 14 metres for townhouses in this area. Therefore, this change represents a 1 metre decrease in the maximum height for this use in this location from the existing DC Bylaw.

Relaxations

This Land Use Amendment introduces the provision for relaxations of 3 sections of the proposed DC Bylaw. The sections that could be subject to relaxations at the discretion of the Development Authority are the two tree preservation sections 9 (1) and 9(2) and Section 16(b) requiring fencing along the landscape buffer area.

The intent of allowing relaxations to the tree preservation requirements in Sections 9(1) and 9(2) is to accommodate unforeseen or unavoidable circumstances that may occur in the future, that would preclude the development from achieving the intended tree retention percentages. This provision is intended only to be used in situations where the requirement could not reasonably be met, such as the 2014 snow storm that resulted in the loss of a large portion of trees on this site, and that necessitated this land use amendment.

The provision for relaxation of the fencing requirement in Section 13(b) is intended to accommodate situations where the installation of a fence along the development boundary would not be appropriate due to such things as grading challenges and/or retaining wall requirements, existing tree stand preservation, or other unforeseen challenges. The intent is for the fence to be required along the buffer area unless it is not reasonable, at the discretion of the Development Authority, at the Development Permit stage.

Other Land Use Amendments

Due to the shifting of roadways in order to accommodate current road standards, some of the land use lines adjacent to Shawnee Boulevard SW have also been included as part of this application. These changes retain the intent of the original outline plan and can be considered housekeeping in nature. The changes are reflected on the proposed land use map as attached.

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LEGISLATION & POLICY

The Municipal Development Plan identifies this area a Developed Residential Area, characterized by predominantly low density residential development, and calling for moderate intensification that respects the scale and character of the neighbourhood. This application includes many provisions in which the sole purpose is to respect the interface between the existing community and the proposed new development. It presents densities that integrate well with the surrounding communities and is therefore considered to be in line with the MDP's goals for moderate intensification in Developed Residential Areas.

The Revised Midnapore Phase 2 Area Structure Plan (ASP) establishes the entire former golf course property as a Special Residential Area. Specific policies to guide the redevelopment of the site were developed concurrently with the Outline Plan and Land Use application in 2012. The ASP policies call for "*predominantly low density residential development, interfacing with adjacent established low density residential in the community.*" The policy also states that rules for the preservation of existing trees must be guided by Direct Control Districts for this area, and calling for the sensitive integration of new development into the surrounding community.

This application respects the policies in the ASP by including provisions to protect the sensitive interface with existing residential development. The concept plan for the site also clusters development cells in a manner to protect the greatest number of existing trees while still enabling a high quality redevelopment.

TRANSPORTATION NETWORKS

This application proposes a reduction in density for the subject site, and does not include any changes to the approved Outline Plan. A Transportation Impact Assessment (TIA) was completed and approved as part of the original application and remains in place guiding this redevelopment.

An updated Traffic Capacity Analysis was requested during the review of this application, and it indicated that due to the potential decrease in density on this redevelopment site, there are no anticipated traffic impacts associated with this application.

UTILITIES & SERVICING

Servicing arrangements will comply with all appropriate City Standards and will be required to meet the conditions laid out in the approved Outline Plan for this site. This Land Use Amendment does not introduce any new utility or service demands.

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ENVIRONMENTAL ISSUES

There are no issues relating to environmentally sensitive areas that are impacted by this Land Use Amendment application. No changes to environmentally significant lands that were part of the original Outline Plan area are being affected.

ENVIRONMENTAL SUSTAINABILITY

The preservation of some of the existing trees in this area represents an effort to promote environmental sustainability. Additionally, the applicant has agreed to include a new provision in the DC Bylaw to include transplantation of viable trees in order to preserve the existing healthy, mature tree stock on the site.

GROWTH MANAGEMENT

There are no Growth Management concerns for this application.

PUBLIC ENGAGEMENT

Community Association Comments

The Shawnee-Evergreen Community Association (SECA) has been engaged prior to and throughout the course of this application, and has submitted a letter in response to this application, as attached in APPENDIX III. The Applicant and Administration have been attending the monthly SECA meetings and have been working with the Community to ensure that their concerns are heard, considered, and acted upon. Administration and the Applicant have worked with SECA to reach a mutually agreeable solution on the majority of the aspects of this application.

In the most recent communication on 2016 May 04, SECA indicated agreement with many of the changes proposed in this DC, but has outstanding concerns with the 1:1 replacement ratio for deciduous trees on the interior of the site. SECA is satisfied with the provision to require fencing along the landscape buffer area, but is concerned with how relaxations to the rule will be applied. Additionally, while they would prefer to see higher tree preservation numbers, they have indicated that they understand the need to balance the tree preservation with the overall objective of achieving a high quality, viable development and have therefore accepted the preservation rates as proposed.

Citizen Comments

This application was circulated to adjacent property owners upon receipt of the application. In addition, notices were sent to members of the Shawnee, Evergreen and Millrise

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Communities to advise them of the City Open House and how to provide additional comments online.

Thirty public submissions were received, the majority of which cited concerns with tree preservation decreases, density increases, traffic congestion in the area, access to the buffer and privacy concerns. Inquiries were responded to and all comments were taken into consideration. A Public Information Session was scheduled subsequently, in order to answer the Community's questions and provide an opportunity for open dialogue with members of the public early on in the application process.

Public Meetings

Administration hosted a Public Information Session at the Trico Recreation Centre on 2016 February 23. The session was attended by 175 members of the public, where a survey and comment sheets were used to collect additional public input. 45 surveys were completed by attendees, with the top priority for residents identified as the Building Setback from existing residences along the buffer area, which is related to the fencing of this area (identified as the second priority for survey respondents) to clearly delineate it from the new development. In response to this request from the Public, fencing will be required along the buffer area (Section 13(b) in the proposed DC Bylaw in APPENDIX II). Additionally, the building setback from the driplines of trees in the buffer area will be honoured, even if the trees have been removed, as included in Section 9 (4). Building Height was identified in the survey as the third priority, and in response to this, the height increase to 11 metres would only apply to the interior portions of the site, with the 10-metre maximum building height retained adjacent to existing residential development.

The Developer also hosted an Open House at the Cardel Recreation Centre in September 2015, in advance of submitting this application for a Land Use Amendment.

APPENDIX I

APPLICANT'S SUBMISSION

Shawnee Lands Management Ltd. and Cardel Land Holdings Ltd. have requested B & A Planning Group to prepare a land use redesignation for 820 James McKeivitt Road SW and 995 Shawnee Drive SW located in the southwest Calgary community of Shawnee Slopes.

The purpose of this land use amendment is to consolidate the existing Direct Control Districts 51D2012 and 52D2012 into a single Direct Control District to address the following main items:

1. Provide a single Direct Control District based on the Multi-Residential Contextual Grade Oriented (MC-G) District;
2. Revise the percentage of trees to be preserved within the Direct Control District's landscape buffer and the interior due to the September 2014 snow storm event and to satisfy both engineering and transportation requirements for the development of the site in accordance with the approved Outline Plan;
3. Provide a mechanism for City administration to accommodate variations in tree health;
4. Minor revisions through further engagement with the Community Association; and
5. Reflect revisions to the land use boundaries associated with Shawnee Boulevard adjustments required by Transportation.

Work in the Shawnee Park neighbourhood is ongoing, including the current development of 17 single family lots in Phase 1 and the multi-family and mixed use sites in Phase 4. This application will enable the creation of a quality infill community that respects the context and urban development pattern of the surrounding community while making concerted efforts to protect and enhance the urban forest in accordance with the intent of the Revised Midnapore Phase 2 Area Structure Plan.

We look forward to Administration, Calgary Planning Commission, and City Council support for this application.

APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 The purpose of this Direct Control District is to:
- (a) allow for clustered residential **development** which respects and retains much of the character of the pre-development landscape, trees and topography;
 - (b) accommodate low density residential dwellings on comprehensively designed sites, under bare land condominium ownership;
 - (c) provide for specific interface conditions with **existing residential development**;
 - (d) ensure appropriate **densities**, built form and setbacks are achieved; and
 - (e) establish rules for tree preservation.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified in this Direct Control District, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District:
- (a) “**landscape buffer area**” means areas within 20.0 metres of a **property line** shared with **existing residential development**, as identified in Schedule C;
 - (b) “**existing residential development**” means **parcels** as identified in Schedule C;
 - (c) “**drip line**” means an area located directly under the outer circumference of the tree branches; and

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- (d) “*existing trees*” means the trees existing on the date of approval of this Direct Control District that are located in the shaded areas identified as “DC Sites 1 and 2” on Schedule C.

Permitted Uses

5 The following *uses* are *permitted uses* in this Direct Control District:

- (a) **Home Based Child Care – Class 1;**
- (b) **Home Occupation – Class 1;**
- (c) **Park;**
- (d) **Sign – Class A; and**
- (e) **Utilities.**

Discretionary Uses

6 The following *uses* are *discretionary uses* in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Backyard Suite;**
- (c) **Bed and Breakfast;**
- (d) **Community Entrance Feature;**
- (e) **Duplex Dwelling;**
- (f) **Home Based Child Care – Class 2;**
- (g) **Home Occupation – Class 2;**
- (h) **Power Generation Facility – Small;**
- (i) **Residential Care;**
- (j) **Secondary Suite;**
- (k) **Semi-detached Dwelling;**
- (l) **Sign – Class B;**
- (m) **Sign – Class C;**
- (n) **Sign – Class D;**
- (o) **Sign – Class E;**
- (p) **Single Detached Dwelling;**
- (q) **Temporary Residential Sales Centre;**
- (r) **Townhouse; and**
- (s) **Utility Building.**

Bylaw 1P2007 District Rules

7 Unless otherwise specified in this Direct Control District, the rules of the Multi Residential Contextual Grade-Oriented (M-CG) District of Bylaw 1P2007 apply.

Specific Rules for Landscaped Areas

8 A minimum of 40.0 per cent of the area of a *parcel* must be a *landscaped area*.

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Tree Protection

- 9 (1) Subject to subsection (2), a minimum of 28.0 per cent of **existing trees** must be preserved.
- (2) A minimum of 65.0 per cent of **existing trees** with trunks located entirely within the **landscape buffer area** must be preserved.
- (3) A **development permit** is required to alter landscaping, including removal of an **existing tree** located within a **landscape buffer area**.
- (4) No portion of any **buildings**, **streets** or **lanes** are allowed within or between the outer **drip line** of an **existing tree** located in the **landscape buffer area**, as it exists at the date of **development permit** approval, or existed on the date of approval of this Direct Control District.
- (5) The **drip line** perimeter of an area identified for tree preservation on a **development permit** must be fenced while any area **adjacent** to it is being excavated, stripped or graded, or is under construction.

Tree Replacement

- 10 (1) Subject to subsections (2) and (3), when an **existing tree** is removed, it must be replaced by at least one tree according to the minimum size requirements as follows:
- (a) deciduous canopy trees must have a minimum **caliper** of 75.0 millimetres at the time of planting;
- (b) deciduous ornamental trees must have a minimum **caliper** of 60.0 millimetres at the time of planting; and
- (c) coniferous trees must have a minimum height of 3.0 metres at the time of planting.
- (2) Where an **existing tree** that is deciduous is removed in the **landscape buffer area** and has a **caliper** of 225.0 millimetres or more at the time of removal, it must be replaced by a minimum of two trees according to the minimum size requirements as follows:
- (a) deciduous canopy trees must have a minimum **caliper** of 75.0 millimetres at the time of planting;
- (b) deciduous ornamental trees must have a minimum **caliper** of 75.0 millimeters at the time of planting; and

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- (c) coniferous trees must have a minimum height of 3.0 metres at the time of planting.
- (3) Where an **existing tree** that is coniferous is removed and has a height of 9.0 metres or more at the time of removal, it must be replaced by a minimum of two trees according to the minimum size requirements as follows:
 - (a) deciduous canopy trees must have a minimum **caliper** of 75.0 millimetres at the time of planting;
 - (b) deciduous ornamental trees must have a minimum **caliper** of 75.0 millimetres at the time of planting; and
 - (c) coniferous trees must have a minimum a minimum height of 3.0 metres at the time of planting.
- (4) Poplar trees must not be planted within the Direct Control District.
- (5) The requirement for the provision of two trees is met where:
 - (i) a deciduous tree has a minimum **caliper** of 225.0 millimetres; and
 - (ii) a coniferous tree has a minimum height of 9.0 metres.

Planting Requirements

- 11 (1) Trees required by this section may be provided through the planting of new trees or the preservation of **existing trees**.
- (2) A minimum of one tree must be provided for every two **bare land units** and must be located between the **building** and **street**, according to the minimum tree size requirements as follows:
 - (a) deciduous canopy trees must have a minimum **caliper** of 75.0 millimetres at the time of planting;
 - (b) deciduous ornamental trees must have a minimum **caliper** of 60.0 millimetres at the time of planting; and
 - (c) coniferous trees must have a minimum height of 3.0 metres at the time of planting.
- (3) **Existing trees** may be transplanted within this Direct Control District if the following requirements are met:

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- (a) the tree has a *caliper* of less than 200.0 millimetres;
- (b) the tree is classified as healthy by a qualified Arborist;
- (c) an adequate tree spade size is locally available as confirmed by a qualified landscaping contractor;
- (d) the tree is accessible and is not expected to experience damage as a result of transplantation, as confirmed by a qualified landscaping contractor; and
- (e) the transplantation occurs in the spring (April- May) or fall (September-October).

Building Setbacks

- 12 (1) The minimum *building setback* from a *property line* shared with an *existing residential development*:
- (a) for **Townhouses**, is 30.0 metres; and
 - (b) in all other cases is 15.0 metres.
- (2) The minimum *building setback* from a *property line* shared with a *low density residential district* is 6.0 metres.
- (3) The minimum *building setback* from a *property line* shared with a *street* is 3.0 metres.
- (4) In all other cases, the minimum *building setback* is 1.2 metres.
- (5) Outdoor *amenity space*, including *patios*, may be located within the *landscape buffer area*.
- (6) Outdoor *amenity space*, including *patios*, must not be located within the 15.0 metre minimum *building setback*.

Fencing Rules

- 13 In addition to the rules in section 571 of Bylaw 1P2007, the following rules apply:
- (a) a permanent *fence* must not be located within 15.0 metres from a *property line* shared with an *existing residential development*, excepting a *fence* along the perimeter *property line*;

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- (b) a **fence** must be located in the **landscape buffer area** at a minimum of 15.0 metres from a **property line** shared with **existing residential development**; and
- (c) a **fence** abutting or within the **landscape buffer area** must be chain-link, wrought iron or other transparent style of **fence**.

Excavation, Stripping & Grading

- 14 (1) A **development permit** is required for all excavation, stripping or grading within a **landscape buffer area**.
- (2) A **development permit** is required for all excavation, stripping or grading of land greater than 50.0 square metres that is not part of the **landscape buffer area**.
- (3) No excavation, stripping or grading is allowed prior to approval of a landscape plan and site plan as part of a **development permit**.

Single Detached, Semi-Detached, Duplex Dwellings and Secondary Suites Rule

- 15 Section 573 of Bylaw 1P2007 does not apply in this Direct Control District.

Relaxations

- 16 The **Development Authority** may relax the rules in sections 9(1), 9(2) and 13(b) provided that the test for relaxation in sections 31 or 36 of Bylaw 1P2007 is met.

Site 1 (16.68 ha/41.22 ac)

- 17 The provisions in sections 18 through 19 apply only to Site 1.

Density

- 18 The maximum **density** is 20.0 **units** per hectare.

Height

- 19 (1) Subject to subsection (2), the maximum **building height** is 11.0 metres.
- (2) The maximum **building height** is 10.0 metres for **parcels adjacent** to the **landscape buffer area**.

Site 2 (5.03 ha/12.43 ac)

- 20 The provisions in sections 21 through 22 apply only to Site 2.

Density

- 21 The maximum **density** is 25.0 **units** per hectare.

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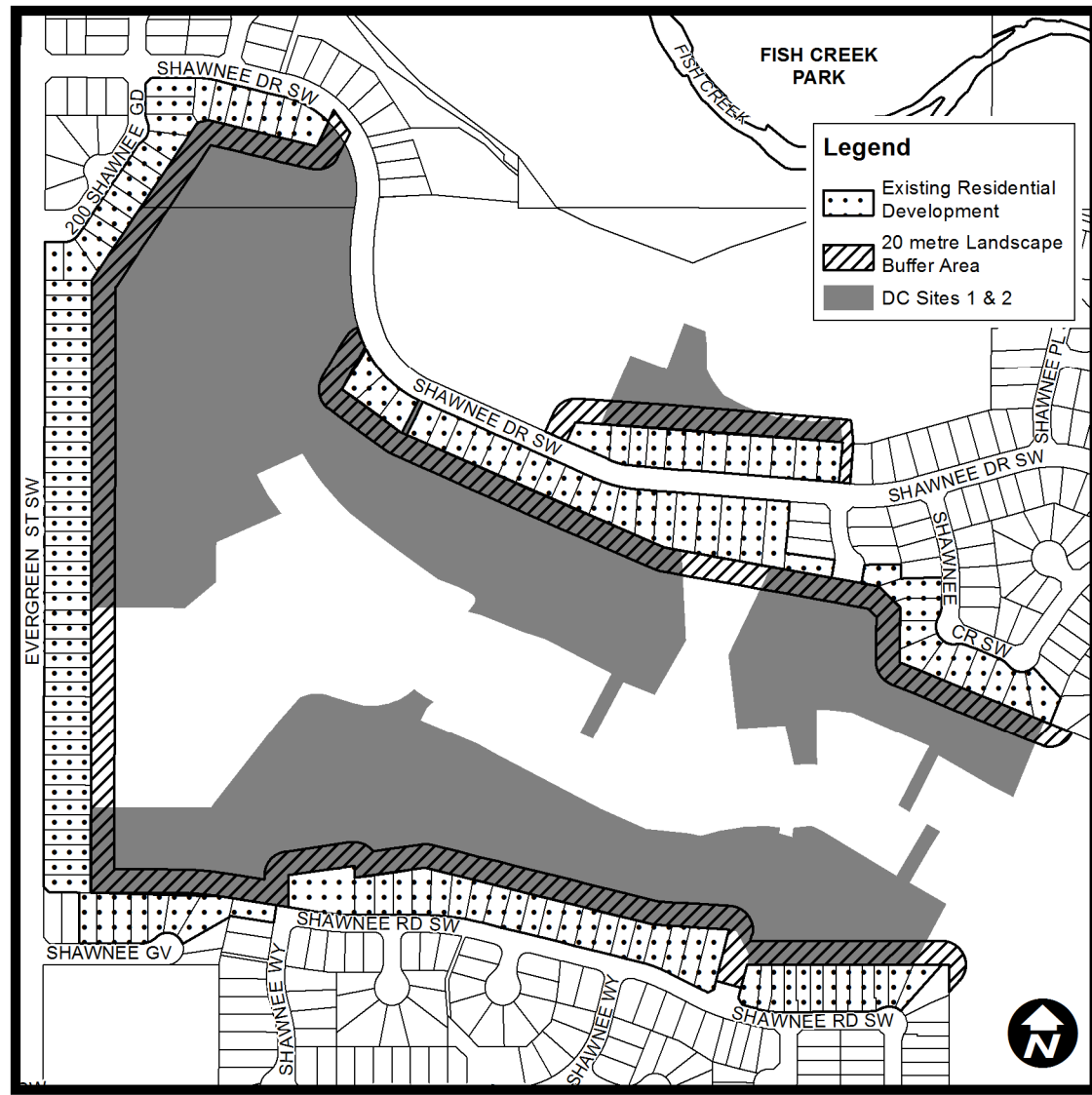
Height

- 22 (1) Subject to subsections (2) and (3), the maximum *building height* is 11.0 metres.
- (2) The maximum *building height* is 10.0 metres for *parcels adjacent* to the *landscape buffer area*.
- (3) The maximum *building height* for **Townhouses** with a *property line* shared with a *parcel* designated as S-SPR is 13.0 metres.

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SCHEDULE C



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APPENDIX III
LETTERS SUBMITTED



Brad Smith, President

March 15, 2016

Angelique Dean
Planner 2, South Area Local Area Planning & Implementation
City of Calgary, Planning Development & Assessment

Re: Community Response – Detailed Team Review (DTR)
Land Use Amendment Number: LOC2015-0180

Angie;

Thank you for your ongoing participation in our SECA Board of Directors meetings, for hosting the City of Calgary open house on Feb 23, 2016, and for sharing your letter of February 11, 2016 addressed to Brown & Associates Planning Group regarding the Detailed Team Review (DTR) of Land Use Amendment Number LOC2015-0180. We appreciate the opportunity for our community to learn more about the Shawnee Park development and to raise concern with City of Calgary representatives.

Further to our initial letter to you dated January 17, 2016 regarding proposed land use amendments for the Shawnee Park property, the following letter contains additional comments from our community regarding your DTR letter.

SECA is generally supportive of the conditions being requested by Genstar/Cardel but would like to re-iterate our concerns regarding three key areas:

1. Tree Retention
2. Buffer Fencing
3. Safety concerns in the Shawnee Drive/6 Street SW area.

Tree Retention

As indicated in our January 17, 2016 letter, tree preservation is a key element of the Shawnee Park development. SECA believes the community and developer are aligned on the concept that construction of a well treed, high quality development that preserves value of the overall existing neighbourhood is more important than strict adherence to initial tree preservation targets. We further acknowledge that damage from the September, 2014 snowstorm precludes certain initial tree preservation targets from being reached; however, we do challenge the notion that half the interior trees proposed to be lost in the original bylaw should be allowed to be lost due to development, and we encourage the Corporate Planning Applications Group (CPAG) to push interior tree preservation requirements beyond the currently stated 37%.

Also, Perimeter trees represent the interface between the new and old community and preservation of these trees is even more critical to existing homeowners. We acknowledge a 33% loss due to tree health and encourage dead trees in the perimeter be removed early in the project. We agree that all but 1% of

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live remaining trees should be preserved. Given that high tree preservation and density has been held up as a cornerstone of the project, SECA requests that tree preservation requirements across the site be held at a 2:1 ratio rather than the 1:1 ratio currently contemplated for the project interior and that language be modified accordingly in clauses 3 & 6.

We further agree with Clause 12 and advocate that, as part of tree preservation, transplanting be maximized in the spirit of preserving the maximum possible number of mature trees that presently characterize our neighborhood.

Buffer Fencing

The preservation of a clearly defined, robust perimeter buffer continues to be a primary concern as we do not see this buffer zone being integrated into part of “the backyard” for the new residents. Clause 4 of your letter recognizes this principle but, in our view leaves too much discretion in the hands of the developer. SECA respectfully requests that Clause 4 be changed from a “should” statement to a “shall” statement mandating fencing around the entire project perimeter. We are aware that at, some certain locations, topography or other land features may make such a fence challenging; however, we strongly request fencing be mandated throughout. Suggested language is included below:

Item 4 currently reads: In order to clearly delineate the privately-owned, publicly-accessible amenity space in the buffer area, a transparent-style fencing should be provided at the rear of the new dwellings that abut the buffer area. The Fencing Rules Section (S. 16) to require fencing along those boundaries.

We suggest the following wording: In order to clearly delineate the privately-owned, publicly-accessible space in the buffer area, a transparent-style fencing shall be provided at the rear of the new dwellings that abut the buffer area at a minimum of 15 metres from the Shawnee Park property line adjoining to the existing dwellings. The Fencing Rules Section (S. 16) to require fencing along those boundaries.

We are amenable to some wording changes so long as the fencing mandate is not left at the discretion of the developer. We also agree strongly with Clause 7 that patios and landscaped areas must not be with the 15-meter setback area nor within tree drip lines.

This issue is important to SECA as the buffer space remains the sole preserved greenspace behind homes that used to back onto a golf course. The absence of a fence enables the greenspace to effectively become part of the backyard of the new homeowners which runs contrary to the intent of such space.

Safety & Traffic

As part of the additional lane being added to Shawnee Drive between 6th St and Shawnee Drive, SECA is formally requesting that the City of Calgary mandate the crosswalk presently located at Shawnee Drive and 6 St SW be upgraded to a prominent, fully signalled crosswalk. We assume there is a City of Calgary process for evaluating crosswalk risk and allocating capital for upgrades; however, we believe this instance represents a unique opportunity for the City, as part of your project approval process, to mandate that a project proponent improve a crosswalk that is, and will be, substantially impacted by their project. SECA recognizes that there are cost implications to the developer and likely precedent concerns; however, when considered as part of the road upgrade, we believe the incremental cost of a crosswalk upgrade can be readily absorbed by the developer in service of building a safer, more

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walkable community. It is our understanding that the City of Calgary is presently awaiting resubmission of a draft of the "Step Forward" program and that it will contain recommendations directly aligned with our requests. Crosswalk safety has recently received considerable coverage in the Calgary Herald (Feb 19 & 27) revealing an alarming 9.5 deaths and 383 collisions annually on city streets. The Shawnee crosswalk in question is located at the convergence of three roads, has a sloping grade, and is subject to prominent glare at sunset/sunrise. In service of increased pedestrian safety, we request this crosswalk be fully signed, lit, and upgraded as part of the road widening.

With further regards to traffic, SECA would like to express our appreciation for the increased scope of the traffic capacity analysis (Clause 12) requested by the City. We have maintained from the outset the greatest impact to an already congested traffic situation will be access to MacLeod Trail at Bannister and not just access/egress directly from the new community. We believe this was not considered adequately during initial traffic impact assessments which, in our view, understated cars per dwelling, and overstated use of public transit. We look forward to a more rigorous analysis of projected development impact to the only real northbound access to MacLeod trail.

Concluding Comments:

SECA again appreciates all the time and effort taken by the City and Cardel/Genstar to meet with us and provide the community with project-related information. By way of this letter, and our previous letter dated January 17, 2016, we continue to request that the City consider our fair and reasonable requests as you weigh amendments presently being requested to the existing bylaw. Thank you for your consideration.

Sincerely,
Brad Smith
President, SECA

cc: Councillor Diane Colley-Urquhart
Councillor Gian-Carlo Carra
Councillor Shane Keating
Mayor Nenshi
City of Calgary General Manager, Rollin Stanley
Zoran Carkic - Transportation
Iris Ye - Transportation
Mike Selinger, Cardel
Patrick Brisco, Genstar

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APPENDIX IV

CONCEPT PLAN



CONCEPTUAL ONLY, SUBJECT TO CHANGE