

**POLICY AMENDMENTS, DISPOSITION OF RESERVE AND LAND
USE AMENDMENT
TUSCANY (WARD 1)
TUSCANY WAY NW AT THE INTERSECTION OF TUSCANY
VALLEY PARK NW
BYLAWS 3P2015 AND 10D2015**

MAP 17W

EXECUTIVE SUMMARY

This application proposes a land use redesignation for 0.62 hectare (1.53 acres) at 345 Tuscany Drive NW from Special Purpose – School, Park and Community Reserve (S-SPR) District to Special Purpose – Community Institution (S-CI) District to accommodate an emergency response station.

This land use redesignation application is proposed in conjunction with the disposition of reserve, and minor amendment to the Revised West Scenic Acres Area Structure Plan (ASP) to enable the creation of a parcel for an emergency response station. Some changes to the Revised West Scenic Acres (ASP) are housekeeping to update the land use/ transportation map information and minor textual amendment in reference to the emergency response station and the existing Tuscany LRT station.

EXECUTIVE SUMMARY (FOR DISPOSAL OF RESERVE)

The site is currently vacant and is owned by The City of Calgary and The Calgary Board of Education. The Joint Use Co-ordinating Committee at its meeting of 2014 June 19, approved a request by Corporate Properties & Buildings to dispose of 0.62 hectare (1.53 acres). Compensation for these lands is being made by money in place of reserve which will be deposited into the Reserve Fund. The land has been appraised at \$2,716,049.38 per hectare (\$1,100,000 per acre). Based on this value and dependent upon the final survey approximately \$1,683,950.62 will be deposited into the Reserve Fund.

PREVIOUS COUNCIL DIRECTION

NONE

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ADMINISTRATION RECOMMENDATION(S)

2014 November 20

That Calgary Planning Commission recommends **APPROVAL** of the proposed Policy Amendment, Disposal of Reserve, and Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

The Calgary Planning Commission **FILED** Administration's recommendation and recommends that Council hold a Public Hearing on Bylaws 3P2015 and 10D2015 and the proposed Disposition of Reserve; and

1. **REFUSE** the proposed amendments to the Revised West Scenic Acres Area Structure Plan; and
2. **ABANDON** the proposed Bylaw 3P2015.
3. **REFUSE** the proposed disposition of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (portion of Plan 0510046, Block 18, Lot 4 MSR) with compensation to be deposited in the Joint Use Reserve Fund in the amount of \$1,683,950.62 dependent on the final survey.
4. **REFUSE** the proposed redesignation of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (Portion of Plan 0510046, Block 18, Lot 4 MSR) from Special Purpose – School, Park and Community Reserve (S-SPR) District **to** Special Purpose – Community Institution (S-CI) District; and
5. **ABANDON** the proposed Bylaw 10D2015.

REASON(S) FOR RECOMMENDATION:

The future emergency response station will improve the emergency response time and coverage to residents of Tuscany and surrounding communities.

The proposed land use Special Purpose – Community Institution (S-CI) District allows for emergency response station (Protective and Emergency Service). The use of Protective and Emergency Service is compatible and complimentary to the context and surrounding of the community.

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REASON(S) FOR RECOMMENDATION (FOR THE DISPOSAL OF RESERVE):

In lieu of the disposition of reserve, the emergency response time and coverage will improve for the community of Tuscany and compensation will be deposited into the reserve fund. With the proposed disposition, Tuscany will still have 10 percent reserve dedication and park space.

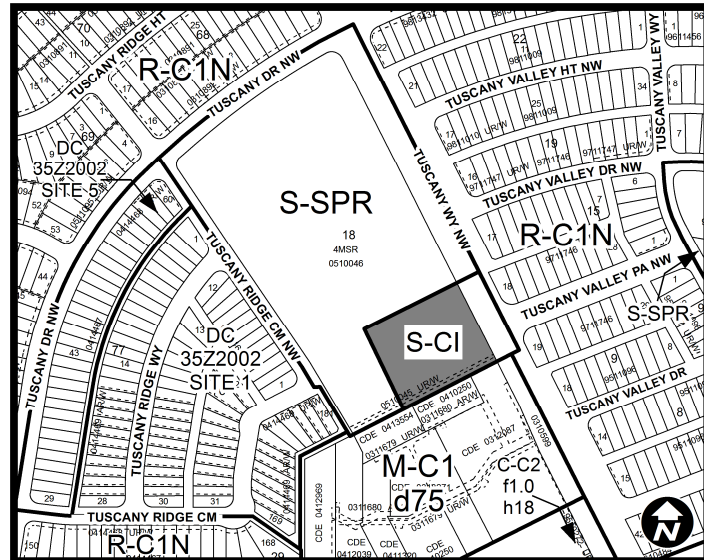
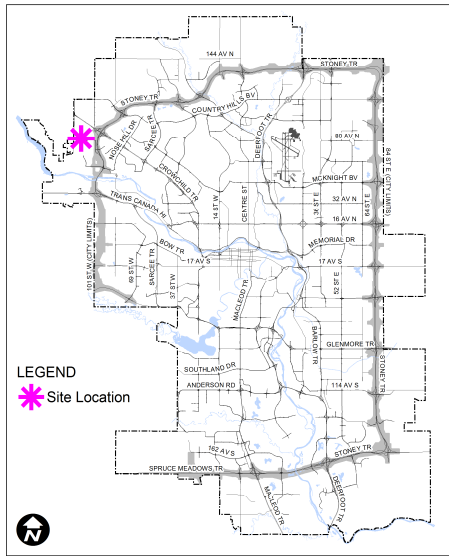
ATTACHMENTS

1. Proposed Bylaw 3P2015
2. Proposed Bylaw 10D2015
3. Public Submissions

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LOCATION MAPS (LAND USE AMENDMENT AND DISPOSITION OF RESERVE)



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ADMINISTRATION RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the Revised West Scenic Acres Area Structure Plan (APPENDIX II).

Moved by: R. Wright	LOST: 1 – 7
Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.	Opposed: G. Morrow, C. Friesen R. Wright, G.-C. Carra, S. Keating, J. Gondek and R. Honsberger
2. Recommend that Council **ADOPT**, by Resolution, the disposition of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (portion of Plan 0510046, Block 18, Lot 4MSR) with compensation to be deposited in the Joint Use Reserve Fund in the amount of \$1,683,950.62 dependent on the final survey.

Moved by: R. Wright	LOST: 1 – 7
Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.	Opposed: G. Morrow, C. Friesen R. Wright, G.-C. Carra, S. Keating, J. Gondek and R. Honsberger
3. Recommend that Council **DIRECT** a designated officer to notify the registrar of the Southern Alberta Land Titles Office that the requirements of the Municipal Government Act have been complied with and request the removal of the Municipal Reserve Designation.

Moved by: R. Wright	LOST: 1 – 7
Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.	Opposed: G. Morrow, C. Friesen R. Wright, G.-C. Carra, S. Keating, J. Gondek and R. Honsberger
4. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (Portion of Plan 0510046, Block 18, Lot 4MSR) from Special Purpose – School, Park and Community Reserve (S-SPR) District to Special Purpose – Community Institution (S-CI) District.

Moved by: R. Wright	LOST: 1 – 7
Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.	Opposed: G. Morrow, C. Friesen R. Wright, G.-C. Carra, S. Keating, J. Gondek and R. Honsberger

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MOTION:

The Calgary Planning Commission **FILED** Administration's recommendation of **APPROVAL** and recommends that Council:

1. **REFUSE** the proposed amendments to the Revised West Scenic Acres Area Structure Plan; and
2. **ABANDON** the proposed Bylaw; and

Moved by: G.-C. Carra

Carried: 7 – 1

Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Opposed: M. Logan

3. **REFUSE** the proposed disposition of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (portion of Plan 0510046, Block 18, Lot 4 MSR) with compensation to be deposited in the Joint Use Reserve Fund in the amount of \$1,683,950.62 dependent on the final survey, and

Moved by: G.-C. Carra

Carried: 7 – 1

Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Opposed: M. Logan

4. **REFUSE** the proposed redesignation of 0.62 hectares \pm (1.53 acres \pm) located at 345 Tuscany Drive NW (Portion of Plan 0510046, Block 18, Lot 4 MSR) from Special Purpose – School, Park and Community Reserve (S-SPR) District to Special Purpose – Community Institution (S-CI) District; and

5. **ABANDON** the proposed Bylaw.

Moved by: G.-C. Carra

Carried: 7 – 1

Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Opposed: M. Logan

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Reasons for Refusal Recommendation from Mr. Wright:

- Dimensions and specific location on parcel is not ideal. Adjacent to townhouses immediately to the south, one access point, small size of the site that limits manoeuvrability are all downsides. The preferred location would be at the corner of Tuscany Drive and Tuscany Way NW but school site is to be located there.

Reasons for Refusal recommendation from Mr. Honsberger:

- Without seeing, and let alone understanding the existing fire/emergency response zones, I am unclear if this site is indeed the best location.
- The remnant MR immediately west of the proposed fire station site appears to be orphaned and will result in higher maintenance costs for the Parks Department.

Reasons for Refusal recommendation from Ms. Gondek:

- I cannot support a single use Fire Hall at a site that will not serve newly developing communities, like those in the Haskayne ASP.
- We must design our public institutions to maximize usage. They must be multi-functional. Therefore, our schools must be ready to work with the City to create multi-purpose facilities, and departments must also work together.
- With all due respect to Council and Council's decision making authority, I believe it is fully within the mandate of CPC to ask difficult questions that will aid Councillors in their review of applications. If we take a hard line that CPC is only a technical review body, we will fail to perform our role properly.

Reasons for Refusal recommendation from Cllr. Keating:

- There is a need to address other uses such as senior attainable, affordable and private housing uses.

Reasons for Refusal Recommendation from Mr. Morrow:

- There are broad issues to address related to this item (we should not be approving communities with street patterns that explicitly increase response times and infrastructure costs; emergency services should be planned at the time of the initial application).
- Without current response time data, I cannot know whether a station in this location is needed (particularly in relation to the potential need in other communities).
- Public infrastructure such as this should be planned for more multiple services (i.e. cooperation between agencies is necessary to ensure public dollars are spent wisely).

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Applicant:

The City of Calgary

Landowner:

The City of Calgary
The Calgary Board of Education

Planning Evaluation Content	Issue	Page
Density <i>Is a density increase being proposed?</i>	No	N/A
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment?</i>	Yes	6
Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns?</i>	No	6
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	No	7
Utilities and Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern</i>	Yes	7
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	7
Growth Management <i>Does this site have the appropriate growth management direction.</i>	Yes	7
Public Engagement <i>Were comments received from the circulation</i>	Yes	8

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PLANNING EVALUATION

SITE CONTEXT

The subject site is located on the west side of Tuscany Way NW at the intersection of Tuscany Valley Park NW and Tuscany Way NW. The proposed S-CI parcel will be subdivided from the existing parcel; it will be created in the southeast corner of the S-SPR parcel. To the north is a sport field and beyond that the future Tuscany Elementary School site. To the east is Tuscany Way NW and beyond that are low density residential dwellings. To the south are low density multi residential dwellings. To the west is a recreation green space and beyond that are low density residential dwellings. The proposed parcel can have access from Tuscany Way NW.

LAND USE DISTRICTS

The proposed S-CI district has Protective and Emergency Service listed as a permitted use in Land Use Bylaw 1P2007. The future emergency response station has the ability to meet the bylaw requirements of the S-CI district. The proposed development permit application will be subjected to the review of the approving authority.

The proposed emergency response station will be centrally located in Tuscany, close to Tuscany Boulevard and Tuscany Way NW, to provide emergency service coverage for local community residents. This parcel has the ability to access onto Tuscany Way NW both north and south bound directions.

LEGISLATION & POLICY

Municipal Development Plan (MDP) (Statutory/ Approved by Council – 2009)

The subject site is located within the *Developing Residential Area* and more specifically the *Planned Greenfield with Area Structure Plan*.

Revised West Scenic Acre Area Structure Plan (2004)

The subject site is located within the central portion of the Revised West Scenic Acre ASP area. The proposed amendment to the policy is to update the relevant textual and mapping information in reference to the emergency response station and the Tuscany LRT station.

The proposed policy amendments can be referenced in (APPENDIX II).

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TRANSPORTATION NETWORKS

Vehicular access is available from Tuscany Way NW. Tuscany Way is a collector road with two lanes separated by a median. Separate driveways access can be accommodated for the emergency vehicles. A public separate sidewalk exists on the west side along Tuscany Way.

UTILITIES & SERVICING

Water, sanitary and storm servicing is available for the plan area. All extensions and minor upgrades to service the plan are to be done at the expense of the applicant.

Tuscany is one of the communities within the West Memorial Sanitary Trunk catchment area. The West Memorial Sanitary Trunk system provides wastewater servicing for a large portion of communities in the northwest. A recent Water Resources study determined the trunk is operating at capacity. Developments proposed in the affected area are reviewed on a one by one basis in relation to how they may impact the system.

Council report C2013-0540 provides guidance on how to manage development applications within the West Memorial sanitary catchment area until upgrades to the system are completed. The report addressed applications for "Public Safety and Property Protection", and in relation to emergency facilities, stated:

"Where emergency facilities are required and would add sanitary flow, servicing alternatives will be assessed and accommodated wherever possible in order to support provision of critical services. This approval will allow essential services to protect the public and property of an existing neighbourhood area."

Emergency response stations are deemed to be an essential public service necessary for public safety and property protection.

ENVIRONMENTAL ISSUES

This application does not present any concerns with regards to environmental issues.

GROWTH MANAGEMENT

This application does not present any concerns with regard to the City of Calgary's Growth Management policies and does not require an adjustment of the capital budget.

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PUBLIC ENGAGEMENT

Community Association Comments

No comments were received from Tuscany Community Association by CPC Report submission date.

Citizen Comments

Administration received one objection against the proposed application. Noise was identified as the key concern with the future emergency response station. These comments were considered by administration in the review process; however, it is not uncommon for emergency response station to be in proximity to residential areas. The future emergency response station will meet the needs of the community by improving the emergency response time. The proposed land use can accommodate the emergency response station and has the ability to meet the land use bylaw.

Public Meetings

No meetings were held by the applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION

This application is for the redesignation of a portion of 345 Tuscan Drive NW to accommodate an Emergency Response Station. The subject site is located on the west side of Tuscan Way NW at the intersection of Tuscan Valley Park NW and Tuscan Way NW. The land use redesignation has been submitted in conjunction with an application for disposition of reserve and an Area Structure Plan amendment to enable creation of a parcel for an Emergency Response Station. The proposed station will improve emergency response times in the community.

It is proposed that the southeast corner of the existing reserve parcel (Plan 0510046, Block 18, Lot 4) be redesignated from Special Purpose – School, Park and Community Reserve (S-SPR) District to Special Purpose – Community Institution District (S-CI). Fire services are included in the definition of “Protective and Emergency Services” in Land Use Bylaw 1P2007. Protective and Emergency Services is not a listed use in the existing S-SPR District but is a permitted use in the S-CI District.

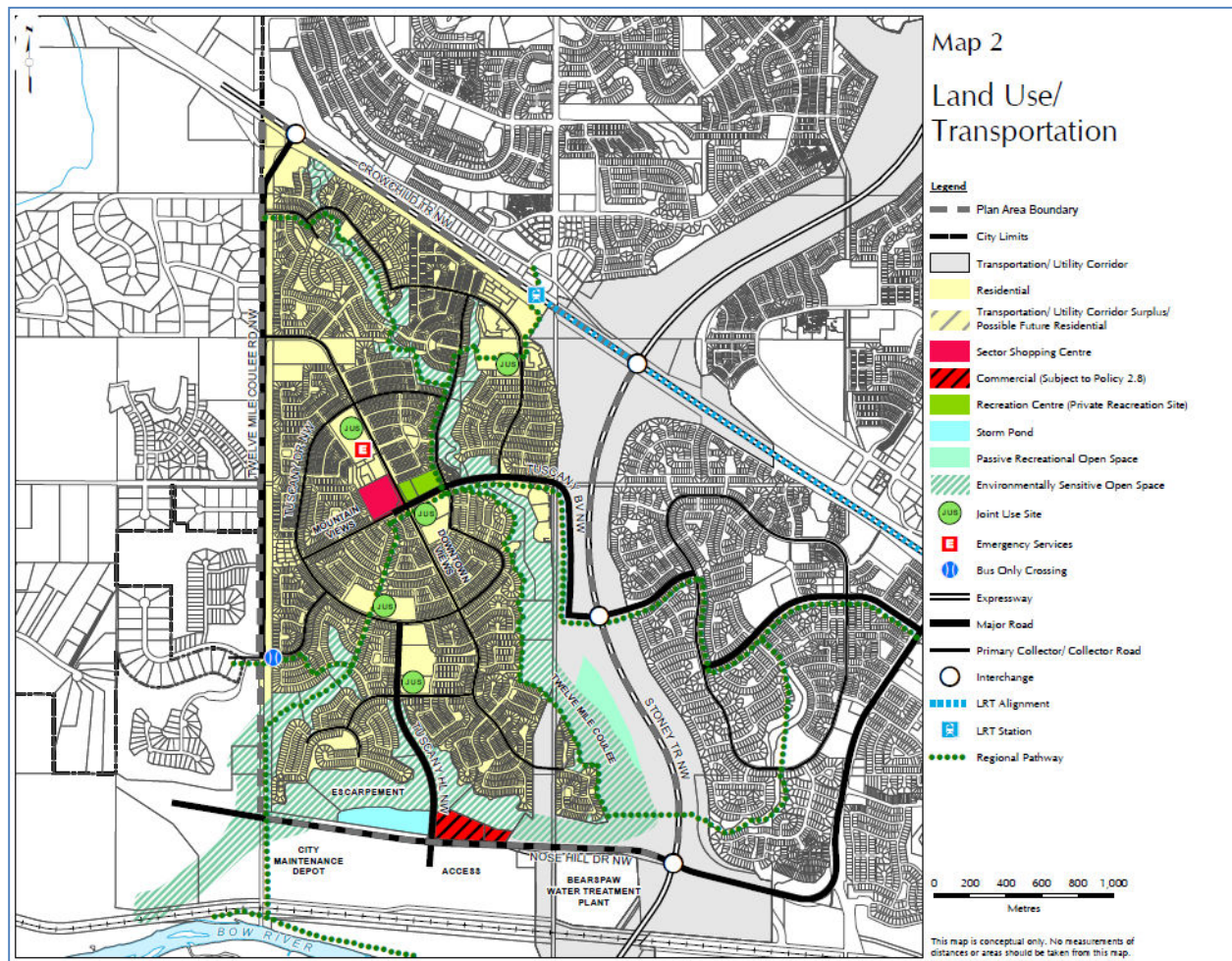
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APPENDIX II

**PROPOSED POLICY AMENDMENTS TO THE REVISED WEST SCENIC ACRES
AREA STRUCTURE PLAN**

- (a) Delete the existing Map 2 entitled “Land Use/ Transportation” and replace with the revised Map 2 entitled “Land Use/ Transportation”, as follows:



- (b) In Section 1.0 in paragraph 4, 5 and 6, delete the word “future” referenced to the LRT station.
- (c) In Section 2.5.2.a Light Rail Transit, delete the words “possible future extension of”.
- (d) In Section 2.5.2.b Light Rail Transit, delete the words “possible future”.