

Planning & Development Report to
Calgary Planning Commission
2018 December 13

ISC: UNRESTRICTED
CPC2018-1401

**Land Use Amendment in Legacy (Ward 14) at 250 Legacy Village Link SE,
LOC2018-0136**

EXECUTIVE SUMMARY

This land use amendment application was submitted by IBI Group, on behalf of the developer, Stealth Homes Ltd, and with authorization from the owner, West Pine Creek Developments Ltd on 2018 June 13. This application proposes to change the designation of the property from Commercial – Community 1 (C-C1) District and Special Purpose – Future Urban Development (S-FUD) District to Commercial – Corridor 2 f1.0h10 (C-COR2 f1.0h10) District to allow for:

- commercial and mixed use developments (e.g. commercial strip mall, commercial storefronts with apartments or offices above);
- maximum building height of 10 metres;
- a maximum floor area ratio (FAR) of 1.0; and
- the uses listed in the proposed C-COR2 designation.

This proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *East Macleod Area Structure Plan*. A development permit application (DP2018-4651) for a commercial development was submitted on 2018 September 28, and is under review.

ADMINISTRATION'S RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 1.93 hectares ± (4.77 acres ±) located at 250 Legacy Village Link SE (Plan 16'11382, Block 23, Lot 2) from Commercial – Community 1 (C-C1) District and Special Purpose – Future Urban Development (S-FUD) District **to** Commercial – Corridor 2 f1.0h10 (C-COR2 f1.0h10) District; and
2. Give three readings to the proposed bylaw.

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2018 DECEMBER 13:

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 1.93 hectares ± (4.77 acres ±) located at 250 Legacy Village Link SE (Plan 1611382, Block 23, Lot 2) from Commercial – Community 1 (C-C1) District and Special Purpose – Future Urban Development (S-FUD) District to Commercial – Corridor 2 f1.0h10 (C-COR2 f1.0h10) District; and
2. Give three readings to **Proposed Bylaw 51D2019**.

Opposition to Recommendations:

Against: Commissioner Palmiere

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PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

This land use amendment application was submitted by IBI Group, on behalf of the developer, Stealth Homes Ltd, and with authorization from the owner, West Pine Creek Developments Ltd on 2018 June 13. As noted in the Applicant's Submission (Attachment 1), this application was submitted to accommodate a range of commercial uses, including a Car Wash - Multi Vehicle use. The subject site currently has two land use districts and is predominantly designated as Commercial – Community 1 (C-C1) District with a small 0.14 hectares L-shaped portion is designated as Special Purpose – Future Urban Development (S-FUD) District. This S-FUD area runs adjacent to the west and south property lines of the adjacent cemetery, which is also designated as S-FUD. As a result, the applicant is seeking the redesignation of the entire site to Commercial – Corridor 2 f1.0h10 (C-COR2 f1.0h10) District to realize a future commercial development and update the land use boundaries to match the existing property line boundaries.

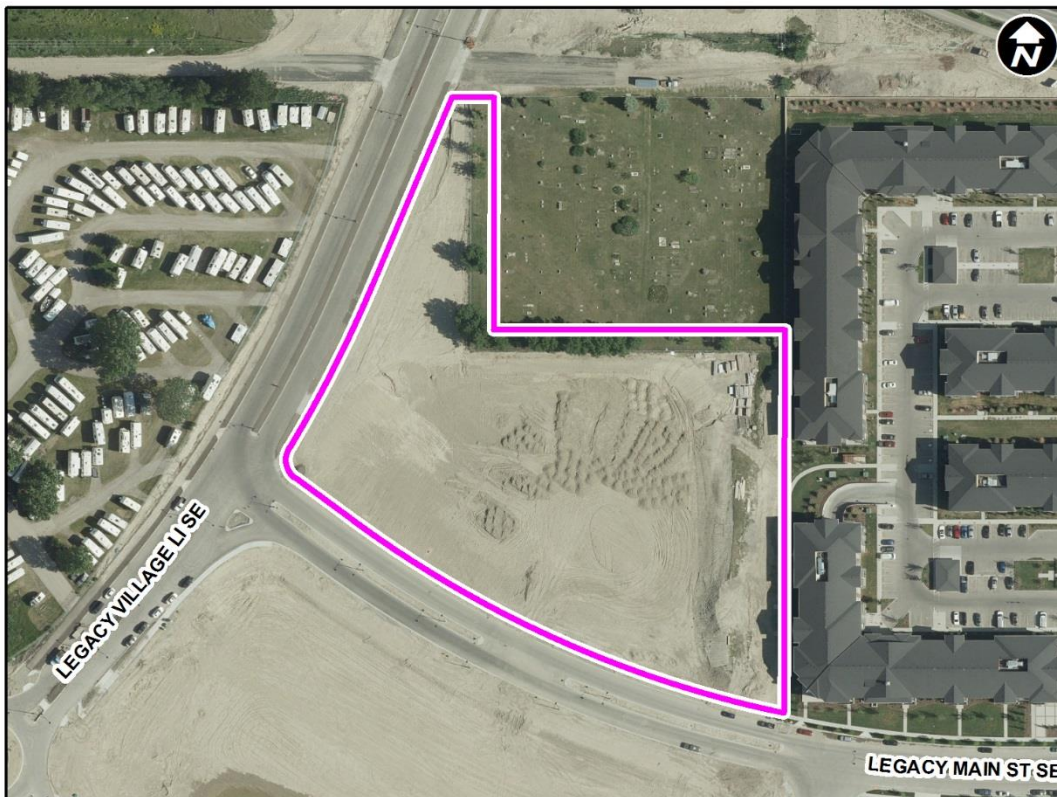
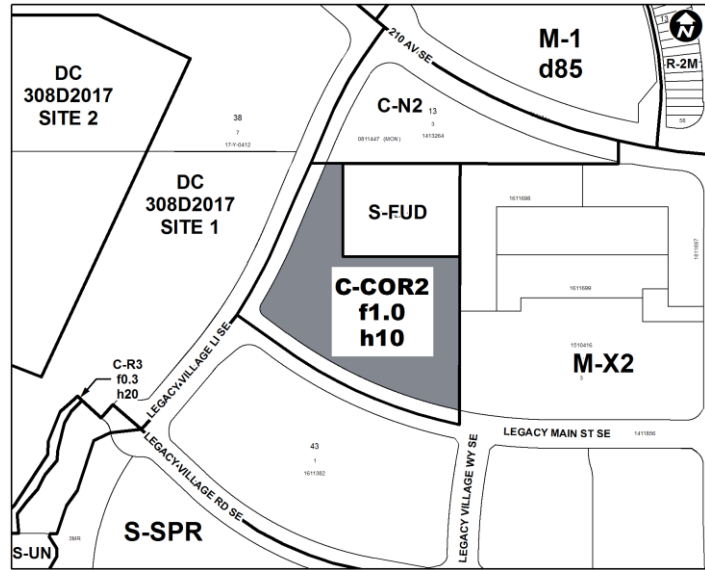
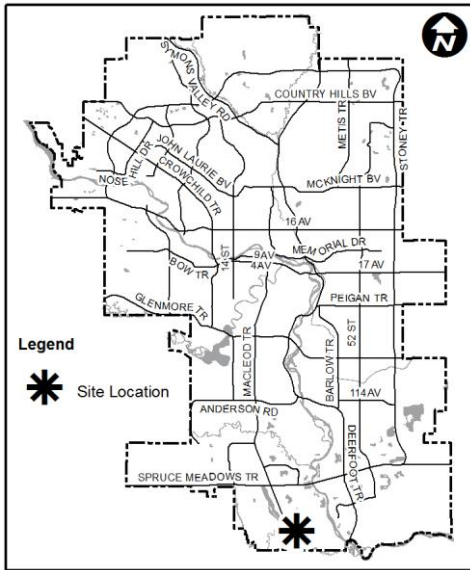
On 2018 September 28 Administration received a development permit (DP2018-4651) for the subject site for a commercial development consisting of five one storey buildings ranging in height from approximately 7.0 to 10.0 metres, and totaling 5,130 square metres in size. Proposed uses include Retail and Consumer Service, Office, Medical Clinic, Child Care Service, Car Wash – Multi Vehicle, and Sign Class C (two Freestanding Signs) uses. This application is currently under review by Administration. No decision will be made on the development permit until Council has made a decision on this land use redesignation application.

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Location Maps



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Site Context

The subject site is located in the southeast community of Legacy at the northeast corner of Legacy Village Link SE and Legacy Main Street SE. Lands to the north consist of a recently developed commercial development and the Pine Creek Cemetery. To the east and south are multi-residential developments and sites designated as Multi-Residential – Medium Profile Support Commercial (M-X2) District. Vacant lands located to the west are intended for a future comprehensively designed regional commercial development.

The subject site is approximately 1.93 hectares (4.77 acres) and is currently undeveloped and graded with no existing structures on site. A chain link fence just south and west of the shared property line with the adjacent cemetery separates the subject site from the cemetery.

As identified in Figure 1, Legacy’s peak population was in 2017, reaching 3,919 residents

Figure 1: Community Peak Population

Legacy	
Peak Population Year	2017
Peak Population	3,919
2017 Current Population	3,919
Difference in Population (Number)	0
Difference in Population (Percentage)	0

Source: The City of Calgary 2017 Civic Census

Additional demographic and socio-economic information may be obtained online through the [Legacy](#) community profile.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This proposal allows for a wider range of commercial uses than currently exists for the site. The proposal meets the objectives of 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.

Land Use

This application is to redesignate the entire site to Commercial – Corridor 2 f1.0h10 (C-COR2 f1.0h10) District. The subject site currently has two land use districts, including a small 0.14 hectares L-shaped portion of the site designated as Special Purpose – Future Urban Development (S-FUD) District, and the 1.79 hectares remainder of the site designated as

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Commercial – Community 1 (C-C1) District. Both land uses were approved as part of the outline plan and land use amendment application LOC2007-0126, which redesignated approximately 183 hectares of land to facilitate the future development of the community of Legacy. The existing C-C1 District is intended for small to mid-scale commercial development within a community and allows for a maximum height of 10 metres and a maximum floor area ratio of 1.0. The proposed amendment is also intended to update the land use boundaries to reflect the property line boundaries.

The proposed C-COR2 f1.0h10 District is intended to accommodate commercial and mixed use development with buildings located varying distances from the street, and opportunities for residential and office uses to be in the same building. The proposed district allows for a range of uses, a maximum building height of 10.0 metres, and a maximum floor area ratio of 1.0. The proposed C-COR2 District also has rear and side setback area depths of 5.0 metres adjacent to a parcel designated as a special purpose district, which allows for a continuous buffer to exist with the adjacent cemetery. The proposed C-COR2 District aligns with the relevant policies, while allowing for a range of pedestrian and automotive-oriented uses to serve adjacent residents.

Development and Site Design

The rules of the proposed C-COR2 f1.0h10 District will provide guidance for site development, including appropriate uses, height, building setbacks, and landscaping. Given the site's unique location and the range of surrounding existing uses, future commercial development will need to account for and address the distinct transitions in building placement and site layout. For example, design considerations to ensure appropriate transitions will be different for the comprehensively designed regional commercial development to the west and for the adjacent Pine Creek Cemetery to the north. Design considerations for future commercial development should also account for pedestrian accesses from Legacy Village Link SE and Legacy Main Street SE to ensure future development has sufficient pedestrian permeability, as well as ensure a direct pedestrian access to adjacent multi-residential developments to east is accounted for in the site layout.

A development permit (DP2018-4651) for the subject site is currently under review by Administration. No decision will be made on the development permit until Council has made a decision on this land use redesignation application.

Environmental

No environmental issues have been identified at this time. An Environmental Site Assessment was not required for this application.

Transportation Networks

Pedestrian and vehicular access to the site is currently available from Legacy Village Link SE and Legacy Main Street SE. Legacy Village Link SE is classified as an Arterial Street as per the

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Calgary Transportation Plan. The site is currently serviced by Calgary Transit bus service Route 168 Walden / Legacy with a bus stop directly in front of the site on Legacy Village Link SE. Bus service is provided to the site every 30 minutes during the morning and afternoon peak hours.

A Traffic Impact Assessment (TIA) was not required as part of the land use application, as a TIA was submitted instead as part of the development permit submission. The Transportation Impact Assessment identified that offsite improvements are required to support the development and the developer is required to contribute to the cost of the signalized intersection at Legacy Village Link SE and Legacy Main Street SE. The cost of the signalization contribution will be collected through the development permit process.

Utilities and Servicing

The site can be serviced by the utilities installed in association with the Legacy Phase 50 subdivision. The existing servicing has capacity to support the proposed change of land use. Servicing requirements and details for the site will be determined at the development permit stage.

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. No public meetings were held by the applicant or Administration in association with this application.

Administration received two letters of support, including one from the M.D. of Foothills, and five letters of objection in response to the notice posting and circulation.

Reasons stated for support included:

- the proposed C-COR2 District adjacent to Legacy Main Street SE is an appropriate transition to the larger retail center from multi-residential areas;
- the site was always intended for neighbourhood commercial with building orientation onto Legacy Main Street;
- any future development permit would have to adhere to the direction provided by the area developer for Legacy;
- the proposed C-COR2 District provides an appropriate transition and interface to the cemetery to the north; and
- specific details with respect to the interface between the commercial uses and cemetery use can be addressed at the development permit stage of the approval process.

Reasons stated for objection include:

- the introduction of a proposed Car Wash Multi-Vehicle use on the site;
- preference for a storm pond, green space or playground adjacent to the multi-residential development and cemetery instead of commercial development;
- potential negative impact of property values;

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- proximity of commercial development to an active cemetery and interface issues;
- potential for vandalism of the cemetery from increased pedestrian and vehicle traffic on the adjacent site following development completion;
- potential negative impact on traffic from a Car Wash Multi-Vehicle use on site;
- potential suitability of the site for other mixed-use districts and residential districts;
- potential suitability of the site for alternative needs and special needs housing developments;
- request for additional comprehensive planning exercises into the subject site with adjacent development to the west; and
- request for a market study to determine feasibility of a commercial land use district.

The Walden Community Association, who also represents the community of Legacy (as a Community Association in Legacy has yet to be established), was circulated and provided no comments prior to the finalization of this report.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

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

Our Shared Boundary: An Intermunicipal Development Plan for the Municipal District of Foothills and The City of Calgary (Statutory, 2017)

The subject site is located within the boundaries of an existing *Intermunicipal Development Plan* (IDP) and the land use amendment application was circulated to the Municipal District (M.D.) of Foothills. The M.D. of Foothills is also the steward of the adjacent Pine Creek Cemetery. The M.D. of Foothills have no concerns with the proposed land use redesignation, and has been engaged as part of the development permit review process. This land use amendment aligns with applicable policies.

Municipal Development Plan (Statutory, 2009)

The site is located within a 'Community Activity Centre' as identified on Map 1: Urban Structure Map in the *Municipal Development Plan* (MDP). Community Activity Centres (CACs) provide a concentration of jobs and population in strategic locations throughout the city and represent a local destination for multiple communities. CACs offer convenient locations for a range of higher density housing types, local employment and retail services to new communities in areas well served by the Primary Transit Network.

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While the MDP makes no specific reference to this site, the proposal is consistent with the applicable policies. The proposed C-COR2 f1.0h10 District allows for a greater mixture pedestrian and automotive oriented uses that are within a short walking distance of nearby multi-residential developments. The proposed district also allows for a greater range of employment uses, promotes development in the form of commercial and mixed-use buildings with strong pedestrian connections to and between buildings, adjacent public sidewalks, and nearby transit stops.

East Macleod Trail Area Structure Plan (Statutory, 2007)

The *East Macleod Trail Area Structure Plan (ASP)* makes no specific reference to the parcel, which is located both within a 'Residential Area' and a 'Comprehensive Planning Area' as identified on Map 3: Land Use Concept. The 'Residential Area' is intended to accommodate a range of uses, including a diversity of housing types, community-oriented institutional uses, recreational uses, public uses, neighbourhood commercial uses, live-work, and other similar uses where they are determined to be compatible and appropriate. The Comprehensive Planning Area is intended to ensure that the land use components within this area are planned in a comprehensive manner and that all components are provided for and appropriately integrated within the community.

The proposed land use redesignation application is consistent with applicable policies as the C-COR2 f1.0h10 District enables additional commercial uses to be realized on site that serve adjacent multi-residential developments and the broader neighbourhood. The proposed district also enables appropriate transitions between the subject site and adjacent comprehensively planned developments to the west, the cemetery to the north, and multi-residential developments to the east and south by supporting the development of low-profile commercial and mixed-use buildings with varying setbacks. To adhere to the policies of the 'Comprehensive Planning Area', the applicant submitted an updated concept plan to Administration and then an associated development permit (DP2018-4651) on 2018 September 18.

Social, Environmental, Economic (External)

The proposed land use district supports the provision of a greater range of uses that are within a short walking distance of and have direct pedestrian connections to transit and nearby multi-residential developments. The mix of uses to be realized on-site will be determined as part of the review of the associated development permit.

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 land use amendment does not trigger capital infrastructure investment and therefore, there are no growth management concerns at this time.

Risk Assessment

There are no known risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *East Macleod Trail Area Structure Plan*. The proposal allows for commercial and mixed-use development opportunities that serve evolving neighbourhood needs, while providing appropriate transitions between the subject site and adjacent parcels. The proposed amendment also updates the land use boundaries to reflect the existing property line boundaries.

ATTACHMENT(S)

1. Applicant's Submission
2. **Proposed Bylaw 51D2019**
3. **Public Submission**