

Planning & Development Report to
Calgary Planning Commission
2019 June 06

ISC: UNRESTRICTED
CPC2019-0735

**Development Permit in Legacy (Ward 14) at 1411 and 1555 – 210 Avenue SE,
DP2018-2164**

EXECUTIVE SUMMARY

This application was submitted by Gibbs Gage Architects on 2018 May 04 on behalf of the landowner, Royop (Legacy) Development Ltd and proposes the development of a commercial phase of the planned South Macleod Centre Area Structure Plan's Community Activity Centre, including:

- 3 single-storey buildings oriented around a central surface parking area;
- 5,630 square metres (60,602 square feet); and,
- Large grocery store anchor, commercial services, and pedestrian plaza with art feature.

The application aligns with the *Municipal Development Plan (MDP)* and the *South Macleod Centre Area Structure Plan (ASP)*.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission **APPROVE** the proposed development permit application DP2018-2164 for a New: Supermarket, Retail and Consumer Service, Restaurant: Food Service Only - Medium, Liquor Store, Financial Institution, Drive Through, Cannabis Store (3 buildings) at 1411 and 1555 – 210 Avenue SE (Plan 1611206, Block 38, Lot 1 and Plan 1413264, Block 13, Lot 2), with conditions (Attachment 2).

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

Council adopted the new *South Macleod Centre Area Structure Plan (ASP)* on 2017 September 12, which contained policies specifically crafted to guide the development of a 25 hectare mixed-use area, serving as a town centre for the communities of Legacy and Walden. This application is the third major development permit for the general commercial area in the plan.

An outline plan and land use amendment application (LOC2016-0210) was approved concurrently with the *South Macleod Centre ASP* at the 2017 July 27 meeting of Calgary Planning Commission, and by Calgary City Council in September 2017. The outline plan implemented the vision of the ASP and contained targeted conditions to guide the subdivision and development of the site.

An application for subdivision (SB2017-0412) to dedicate the public roads and create the first 5 development parcels in the northern portion of the plan area was approved by the Subdivision Authority on 2018 October 30 and the associated legal plan is currently in circulation with Administration. A second subdivision application (SB2018-0321) for the southern portion of the ASP plan area was submitted on 2018 September 12 and is currently under review.

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A Street Name application (SN2018-0009) for the streets in this area was approved by City Council at the 2018 December 10 Public Hearing. The approved street names are Aldersyde, Cayley, Hartell, Longview, and Naptha in tribute to southern Alberta communities.

Two commercial Development Permit applications, for Lot 3 (DP2018-0932) and Lot 6 (DP2018-1300) on this site were approved by Calgary Planning Commission on 2019 May 16.

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Site Context

The subject site is on the northeastern edge of the *South Macleod Centre ASP's* plan area which has been branded by the developer as "Township", located in the southeast community of Legacy. This proposed development is located on Lot 7 of Township and is located directly adjacent to 210 Avenue SE on the north, directly west of Legacy Village Link SE and east of Lot 6, in the Township development.

Located to the north across 210 Avenue SE are single detached and townhouse dwellings in the developing community of Walden. East of this site, across Legacy Village Link SE, additional commercial development and an undeveloped parcel designated as Multi-Residential – Medium Profile Support Commercial (M-X2) District exists. South of this parcel, on land that will be developed as a future stage of the Township development, is an existing RV storage facility that is expected to remain in the short term and will be removed when the developer is ready to build in that area.

This application proposes development of the northern portion of Lot 7, covering approximately 80 percent of the approved parcel area. A development permit application for a child care facility on the southern portion of the lot was submitted on 2019 May 21 and review is currently underway by Administration.

The 2.86 hectare ± (7.07 acre ±) site is currently undeveloped and has been graded and cleared of vegetation to facilitate the proposed development.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Land Use and Bylaw Relaxations

The subject site is located within Site 1 of DC Direct Control District (Bylaw 308D2017, included in this report as Attachment 3). This DC District was designed in accordance with the vision and development objectives for this area contained in the ASP. The DC District consists of two sites (Site 1 and Site 2) that are based on the Commercial – Regional 3 (C-R3) District with the added residential uses of Live Work, Dwelling Unit and Multi-Residential Development.

The purpose of the DC District is to allow for comprehensively planned and designed regional and locally-oriented commercial development with opportunities for mixed-use and multi-residential development throughout the site.

In an effort to encourage development of the site with a pedestrian-oriented core with high streets, mid-rise developments and a centrally located pedestrian plaza/promenade, a number of auto-oriented uses within the base C-R3 District have been excluded from Site 2.

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In recognition of the ASP's form-based code controls that are intended to guide development of the site and in an effort to optimize overall development flexibility, the DC Direct Control District allows for:

- a maximum floor area ratio of 0.64 for the plan area with the ability for distribution across Site 1 and Site 2; and
- removal of the base C-R3 District's setback rules in favour of the form-based controls for building placement and orientation in the ASP.

A number of relaxations related to landscaping and rooftop mechanical screening are proposed in conjunction with the approval of this development permit, and are listed in the following Bylaw Relaxations table:

Bylaw Relaxations		
Regulation	Standard	Provided
694 Landscaping for Large Parking Area	(3) Islands provided in the parking area must: (c) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres;	Plans indicate multiple islands that have an area less than 12.0m ² . <i>Islands with irregular shapes exceed requirement on one side and fall short on the other - Administration supportive of relaxation</i>
	(d) provide a minimum of 1.0 trees and 2.0 shrubs; and	Plans indicate 27 (-4) trees and 54 (-8) shrubs provided on required islands within the parking area. <i>Plantings moved to adjacent areas to avoid utility conflicts - Administration supportive of relaxation</i>
691 Planting Requirements	(3) Deciduous trees min. calliper of 50 mm, 50.0% of the provided trees must have min. calliper of 75 mm.	Plans do not indicate the caliper size for proposed Amur Maple deciduous trees. <i>Species is multi-stemmed and therefore is measured by height - Administration supportive of relaxation</i>
696 Mechanical Screening	Mechanical systems or equipment that are located outside of a building must be screened.	Plans do not indicate screening is provided for the roof top mechanical units. <i>Screening provided by parapets – Administration supportive of relaxation</i>

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Application Review

Administration reviewed the initial application and requested that several changes be made. Specifically, the initial application proposed buildings adjacent to Longview Common SE that were not presenting a façade towards the future central core that was considered to be compatible with the character envisioned for that area, as required in the ASP.

There were also several other technical revisions required, such as reconfiguration of the building and drive through placement for Building N to avoid conflicts with multiple drive aisles and pedestrian crossings in close proximity.

The applicant worked with Administration to address many of Administration's concerns through their amended plan submissions. Several other minor issues are outstanding and need to be resolved prior to release of the development permit, and permanent conditions will apply through the life of the permit (Attachment 2).

City Wide Urban Design

Each iteration of the application was reviewed by the City Wide Urban Design team. The Urban Design team deems the development to now satisfy urban design requirements for developments of this scale and context.

Urban Design Review Panel

This application was reviewed by the Urban Design Review Panel (UDRP) on two occasions. It was first reviewed by UDRP on 2018 June 13, shortly after submission, allowing UDRP's comments to be included in Administration's first Detailed Team Review (DTR) document, and to be addressed comprehensively by the applicant in their amended plan submission. UDRP's comments at that stage are included in Attachment 4 of this report, and focused on activation of the streets and pedestrian circulation.

UDRP acknowledged the strong pedestrian connections and architectural design quality throughout the site but called for particular attention to be paid to the building placement on the site, especially with regards to Building N and the associated drive through. Concerns related to strengthening the sense of entry, Crime Prevention Through Environmental Design (CPTED) and retail street diversity were noted, and were addressed by the applicant with the submission of amended plans that combined two individual buildings along 210 Avenue SE into one, (as shown on the plans in Attachment 1) with the drive through placed along 210 Avenue SE, away from the pedestrian realm and creating a more diverse building facade. The applicant's detailed responses to all UDRP comments is included in Attachment 4.

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Following the resubmission of the plans in response to the first DTR and UDRP review, the application was brought back to UDRP on 2019 January 23 with the intent of identifying how the previous comments had been addressed in the revised plans. However, since all three current Township development permit applications (Lot 3, 6, and 7) were being reviewed at that meeting of UDRP, in addition to the fact that several members of the panel had not been present for the initial review, the panel conducted a more comprehensive review of the three developments as contributions to the overall development, and provided the comments in Attachment 5.

The comments from the second review by UDRP focused on the overall connections, pedestrian movements and flow of the three proposals in relation to the ultimate build out of the entire Township development, including the commercial core. Administration notes that the intent of the ASP and outline plan were to ensure that strong pedestrian connections were established between these general commercial developments and the future pedestrian-centred commercial core area, and considers the connections between this site and the commercial core area to satisfy these objectives.

Several concerns with the general size of streets and their impact on the pedestrian experience were noted. However, it should be noted that the street network was established and approved at the outline plan stage and has been finalized through the approved subdivision application. Concerns cited by UDRP with respect to the overall configuration of the sites with buildings framing centralized parking are noted. However, this configuration was determined at the ASP stage as being the appropriate form for this portion of the overall development. Further stages in the core and the southern transitional zone will be required to be designed in a more compact, urban form.

Site and Building Design

This application proposes the third development in Phase 1 of the *South Macleod Centre ASP's* Community Activity Centre, which has been branded by the developer as "Township." This site is the proposed Lot 7 on the approved, but not yet registered, subdivision application shown on Page A0-050 of the development permit plans in Attachment 1. That same application will create the road rights-of-way for Longview Common SE and Hartell Way SE, from which this development will take its main accesses.

The general design character of this site was prescribed by the *South Macleod Centre ASP* in Section 4.2. Building Areas as:

- 1. General Commercial:** *Buildings within this area are to include a variety of façade widths, entrances that typically face surface parking areas, and a mix of stand-alone and contiguous uses.*

The ASP also identifies Naptha Plaza SE, which is adjacent to the southern boundary of Lot 7, as a Community Corridor. Development along that southern edge will be required to develop in accordance with the policies in the ASP for Community Corridors, but those policies do not apply to this application since it does not propose development along that frontage.

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This application proposes two smaller, multi-tenant buildings near the northern portion of the site, and a large supermarket at the southern end of the development area, oriented toward an internal surface parking lot. The two smaller buildings will accommodate a variety of uses including a financial institution, a cannabis store, a liquor store, three retail and consumer service uses and a medium (food only) restaurant with a drive through. The buildings have been designed to be adaptable, easily divisible into smaller units or amalgamated to accommodate a single occupant using several units, allowing the buildings to adapt to changes in the retail industry in the future. The site design also optimizes current demand while still creating opportunities for future infilling along the edges of the site in the longer term.

The large supermarket that is proposed at the southern edge of the site has identified an area for possible future expansion along the eastern edge of the site, which would remove the row of parking and drive aisle along Legacy Village Link SE. The main entrance to the store is near the east side of the building, marked with a large, offset peaked roofline to clearly establish the entry and maximize exposure to the adjacent street.

The buildings are styled with prairie modern architecture, employing a combination of brick, metal cladding, wood, concrete and glazing in a range of neutral colours including greys, browns, blues and reds. Roof lines incorporate a mix of peaks and flat roofs with parapets to provide both visual interest and screening of rooftop mechanical equipment.

Landscaping and Public Realm

The design of the site considered several key pedestrian activities that would need to be accommodated. The site must accommodate foot and bicycle travel from the adjacent community into the site, necessitating intuitive, attractive and unobstructed pathways from 210 Avenue SE and Legacy Village Link SE into this site and through the site towards the future commercial core area.

A 3.0 metre wide multi-use pathway is being provided along 210 Avenue SE adjacent to the northern edge of the site to provide access to this site, and along Hartell Way SE along the western edge of the site to link users to the other Township development sites including the core. Bicycle racks are also provided in two locations along the front of the supermarket, as well as along the frontage of building N near the proposed restaurant.

The Circulation Network Diagram on Page L0.03 in Attachment 1 illustrates the pedestrian pathways within the site, which connect to the pathways in the adjacent Lot 6 development to the west, then run along the storefronts of buildings N and P, providing east-west connections through the site to the adjacent bus stop, multi-use pathway, and sidewalks. A total of four north-south pedestrian connections are provided through the site, including a wide, winding central pathway lined with trees and marked with raised, cement crossings at both the central drive aisle extending from Longview Common SE, as well as along the front of the supermarket. The western façade of the supermarket (building Q) is directly adjacent to the intersection of Hartell Way SE and the future, private east-west "high street" in the core commercial area. This important terminal vista was a fundamental focus of Administration in reviewing this application. In order to activate this important space and create a strong sense of place, the applicant has

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added a large pedestrian plaza adjacent to the building, with a large art installation incorporated into the plaza and attached to the building. The flowing metal mesh structure will be suspended above the plaza by support columns and will honour the bull trout, an endangered species in our region, which is consistent with the theme that the developer has established for art in this development, honouring endangered species. The plaza will also feature winding pathways and hard landscaping adjacent to the architectural gabion columns featuring river rocks, with cementitious bull trout design panels on the building and mesh. Seating areas with tables and chairs as well as benches and seat walls are provided throughout the plaza to encourage visitors to gather.

Site Access and Parking

Loading areas for the buildings on site have been minimized and screened to limit the visual impact on the site's design, but maintain functionality for the tenants.

This development will take access from two right-in, right-out only driveways onto Legacy Village Link SE, two access points onto Hartell Way SE, as well as from the intersection of Longview Common SE and Hartell Way SE, and from the private drive aisle along the western boundary, which will function as an extension of Hartell Way SE.

A main internal drive aisle is proposed to extend into the site from the intersection of Longview Common SE and Hartell Way SE, with a second drive aisle running adjacent to the parking in front of buildings N and P, and meeting up with the third drive aisle along the front of the supermarket in building Q. As noted in the ASP, the majority of the parking on the site has been centralized, with a row of parking along most store fronts, separating the pedestrian areas from the main drive aisle and allowing easy accessibility for users of the barrier free stalls.

This development permit provides 266 regular and 8 barrier free parking stalls, for a total of 274 stalls, exceeding the 256 stalls required in the DC Bylaw by 18 stalls. However, the parking area adjacent to the east side of the supermarket (building Q) is identified as a future expansion area and contains exactly 18 stalls. Therefore, if the building is expanded into this space in the future, the excess parking will simply be negated. Additionally, 24 class 2 bicycle stalls have been provided, exceeding the 13 required.

Environmental

As noted in the ASP, this development is in close proximity to two astrophysical observatories, a nocturnal preserve and wildlife corridors. As such, the developer has retained an experienced lighting designer to employ dark sky principles to reduce light pollution and glare, and conserve energy. This has been achieved using downlighting (shielded or full cut-off) fixtures, glare reduction and control, and placement to minimize "spill light."

The development also employs sustainability strategies such as directing storm water runoff to landscaped areas prior to entering the underground storm system, choosing drought and chinook resistant species of vegetation in the landscaping, and sourcing construction materials locally where possible.

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Transportation

Vehicular access to the development site is provided off 210 Avenue SE via Aldersyde Gate SE and Longview Common SE as well as Legacy Village Link SE and Naphtha Plaza SE. Bus stops are located on Legacy Village Link SE south of 210 Avenue SE. A new proposed bus stop on 210 Avenue SE east of Walden Common SE will be provided with the Township development. The existing bus stops are currently serviced by routes 167 and 168. A regional pathway runs along 210 Avenue SE and along Legacy Village Link SE. Internal to the Township development, a pathway runs along Aldersyde Gate SE, Longview Common SE, Cayley Road SE, and Hartell Way SE to service the active modes movements to the site. The intersection of Aldersyde Gate SE and Longview Common SE as well as Longview Common SE and Cayley Road SE will be signalized to facilitate both vehicular and pedestrian movements.

Utilities and Servicing

The subject site is being serviced under agreement with the Developer as part of the Legacy (Royop) Phase 1 subdivision. Public water, sanitary, and storm sewer mains will be available for connection from Longview Common SE prior to the release of the development permit, and these mains have been designed with adequate capacity to service the proposed development. Details of the on-site servicing and storm water management requirements will be determined Prior to Release of the Development Permit to ensure it conforms with the applicable City of Calgary bylaws, design guidelines, and specifications.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. The application has been advertised at online. The decision made by Calgary Planning Commission as the Development Authority will be advertised in accordance with the Municipal Government Act. As this development permit is for a discretionary use, an appeal may be filed based on the decision on the entire permit, the decision to grant a relaxation, or any of the conditions placed on an approval.

Strategic Alignment

This development permit proposal was evaluated based on its conformance to the applicable policy documents, summarized in the following sections.

South Saskatchewan Regional Plan (2014)

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

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Interim Growth Plan (2018)

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

Municipal Development Plan (Statutory – 2009)

The *Municipal Development Plan* (MDP) identifies the Township development site as a Community Activity Centre (CAC) and calls for a concentration of jobs and population at these strategically located centres. Retail development is an important element of Community Activity Centres, with higher density residential and local employment opportunities encouraged, especially in new communities.

The MDP calls for a minimum intensity threshold of 150 people and jobs per gross developable hectare, which will be required with the completion of the future phases of development, including the higher density commercial core.

Community Activity Centres are also expected to contain a mix of residential opportunities, which will be provided in the future stages of this development, within the CAC, as outlined in both the Area Structure Plan and outline plan.

South Macleod Centre Area Structure Plan (Statutory – 2017)

The *South Macleod Centre ASP* identifies this site as part of the General Commercial zone, characterized by a mix of large, medium and small format commercial development around the periphery of the plan area, promoting it as a destination for shopping and services. Aldersyde Gate SE, which is adjacent to the site along the western boundary of the site, is identified in the ASP as a Community Corridor, providing a link between the surrounding communities and the (future) Core Commercial area. Policies for this corridor call for buildings to offer an attractive interface with the entrance streets, with 50% of the street consisting of building facades. Due to the nature of the street, with high volumes of automotive traffic, they are not intended to have buildings oriented towards them.

This application has been evaluated against the policies in the ASP and is considered to be in conformance with the policies in place for this site.

Social, Environmental, Economic (External)

The proposed development contributes to the commercial economy and provides services to nearby residents.

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Financial Capacity

Current and Future Operating Budget

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

Current and Future Capital Budget

The proposed development does not trigger any current or future capital budget impacts, however the build out of the overall larger site is limited to 400,000 square feet until such time as an interchange is built at either Macleod Trail S and 210 Avenue SE or Macleod Trail S and 194 Avenue SE.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed development meets the intent of City policies. Specifically, the proposal is consistent with the overarching policies of the *Municipal Development Plan* and conforms to the intent and direction of the *South Macleod Centre Area Structure Plan*. The proposed development includes opportunities for multi-modal accessibility for nearby residents, provides much-needed amenities and includes place-making elements. The proposed development meets the intent of the Land Use Bylaw, with supportable relaxations.

ATTACHMENT(S)

1. Development Permit Plans
2. Conditions of Approval
3. Existing Direct Control District Guidelines
4. UDRP Comments 2018 June 13 (including applicant response)
5. UDRP Comments 2019 January 23 (including applicant response)