



Redesignation Item: Business

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Electoral Division: 6

File: PL20220081 / 05307009

Date:	September 10, 2024
Presenter:	Christine Berger, Planner 2
Department:	Planning

**REPORT SUMMARY**

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The purpose of this report is to assess redesignation of Lot 3, Block 1, Plan 0212613 within NE-07-25-28-W04M from Residential, Country Residential District (R-CRD) to Business, Live-Work District (B-LWK) to allow for the operation of a landscaping/paving business on the parcel.

The application was evaluated pursuant to the policies and regulations of the Calgary Metropolitan Region Growth Plan (Growth Plan), the Municipal Development Plan (County Plan), and the *Land Use Bylaw*.

The subject parcel is located outside of an area structure plan, and the scale of the proposed development does not meet the definition of a home-based business. The proposal was found not to align with the respective rural employment area and business policies of the Growth Plan (Section 3.1.6) and the County Plan (Section 14.0), which direct business uses to be located within identified areas supported by an area structure plan.

Additionally, the application does not align with Bylaw C-8451-2023, which includes a list of specific parcels allowed to apply for redesignation to the B-LWK District; the subject parcel is not located within an area that can be considered for redesignation to B-LWK. Therefore, the application is not aligned with the *Land Use Bylaw*.

**ADMINISTRATION’S RECOMMENDATION**

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THAT application PL20220081 be refused.

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### BACKGROUND

#### Location (Attachment A)

Located approximately 1.21 kilometres (0.75 miles) east of the city of Calgary, south of Township Road 252 and west of Range Road 285.



#### Site History (Attachment B)

The subject subdivision was registered with Alberta Land Titles on August 2, 2002.

The subject site was redesignated from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) on September 21, 2021.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

This application was circulated to The City of Calgary in accordance with the Rocky View County / City of Calgary Intermunicipal Development Plan; no response was received.

#### Landowner Circulation (Attachment D)

The application was circulated to fifty (50) adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in response were received.

### ANALYSIS

#### Policy Review (Attachment E)

The application was evaluated in accordance with the Calgary Metropolitan Region Growth Plan (Growth Plan), the Municipal Development Plan (County Plan), and the *Land Use Bylaw*.

Section 3.1.6 of the Growth Plan speaks to Rural Employment Areas; Policy 3.1.6.2 stipulates that Rural Employment Areas shall not be located within 2 kilometres of an urban municipality. The subject parcel is approximately 1.3 kilometres east of the city of Calgary, and therefore does not meet this criterion. Additionally, Policy 3.1.6.3 states Rural Employment areas must be planned through an Area Structure Plan. The subject quarter section is directly adjacent to two Area Structure Plans; the OMNI Area

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Structure plan is located immediately North of the subject parcel, and the Conrich Area Structure Plan is located immediately south.

Section 14.0 (Business Development) of the County Plan allows for home-based businesses to locate throughout the County. However, the application cannot be considered under the Home-Based Business (Type II) definition, as the operations, including outdoor storage, would cover a significant portion of the overall site (approximately 39%). Policies 14.19 through 14.22 speak to other business development within the County, however, the Applicant was unable to satisfy Policy 14.21, which states that applications to redesignate land for business uses outside of a business area shall provide a rationale that justifies why the proposed development cannot be located in a business area. Additionally, as per Policy 14.22, proposals for business development outside of a business area should meet the following criteria:

- (a) be limited in size, scale, intensity, and scope;
- (b) have direct and safe access to a paved County road or Provincial highway;
- (c) provide a traffic impact and intersection assessment; and
- (d) minimize adverse impacts on existing residential, business, or agricultural uses.

As the application proposes to utilize approximately 39% of the subject site for business operations, the proposal is not limited in scale. Therefore, the proposal must be located within an identified business area as per Map 1 of the County Plan.

Furthermore, the Applicant has failed to provide the traffic generation memo requested by Administration to determine if (c) above would be required. As such, Administration is unable to analyze the impacts of this proposal on the transportation network.

Lastly, the application does not align with the *Land Use Bylaw*; as per Bylaw C-8451-2023, passed by Council on October 31, 2023, the subject parcel cannot be considered for redesignation to B-LWK.

## COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

## IMPLICATIONS

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### Financial

No financial implications identified at this time.

## STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

## ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

## ATTACHMENTS

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- Attachment A: Map Set
- Attachment B: Application Information
- Attachment C: Application Referral Responses
- Attachment D: Public Submissions [No Letters Received]
- Attachment E: Policy Review
- Attachment F: Draft Bylaw C-8572-2024

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**APPROVALS**

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Manager:	Dominic Kazmierczak
Executive Director/Director:	Brock Beach, Acting
Chief Administrative Officer:	Byron Riemann