



Local Plan & Redesignation Item: Business

Electoral Division: 5

File: PL20230146/PL20240141  
05314001

Date:	October 22, 2024
Presenter:	Oksana Newmen, Senior Planner
Department:	Planning

REPORT SUMMARY

The purpose of this report is to assess a proposed Master Site Development Plan (MSDP), and redesignation of a 32.66 acre parcel within SE-14-25-28-W04M from Agricultural General District (A-GEN) to Industrial, Heavy Industrial District (I-HVY) to facilitate permitting of an auto-dismantling facility.

The application has come forward due to enforcement action; the application does not have land use or a development permit for the uses being undertaken on site.

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

The applications were found to not align with the majority of the relevant policies of the County Plan, including those within Section 8.0 (Agriculture); Section 14.0 (Business Development); and, Section 17.0 (Utility Services). The plan also does not align with the majority of the relevant sections of the ASP, including Section 7.0 (Conrich Development Strategy); Section 13.0 (Agriculture Interface); Section 23.0 (Utility Services); and, Section 24.0 (Stormwater).

The Applicant submitted technical studies on October 3, 2024, including a Potable Water Demand Analysis, Conceptual Stormwater Management Plan, and Wastewater Demand Analysis. No updated MSDP reflecting the studies was submitted. Administration will endeavor to review the reports in time for the public hearing, but was unable to complete the review as part of the staff report due to the lateness of the Applicant's submission.

Based on the inconsistencies with the County Plan and ASP, Administration recommends refusal of both the land use redesignation and MSDP applications.

ADMINISTRATION'S RECOMMENDATION

THAT application PL20230146 (redesignation) be refused.

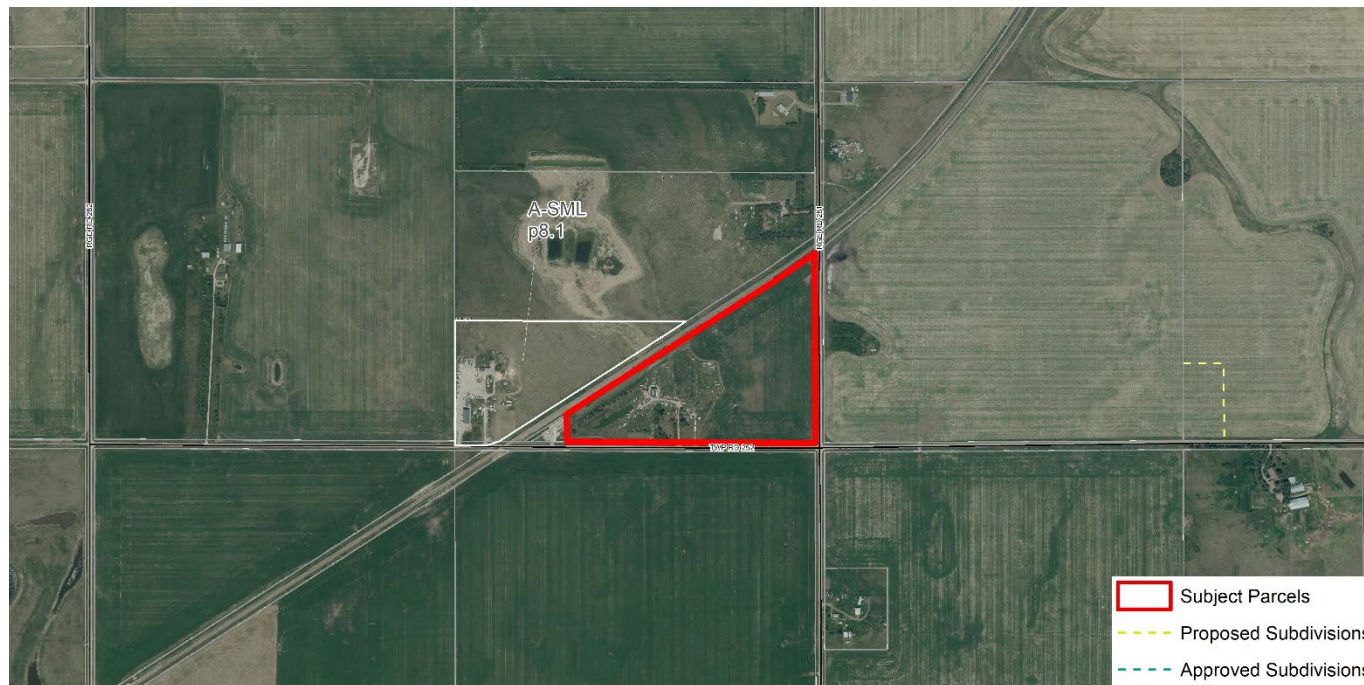
THAT application PL20240141 (MSDP) be refused.

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### BACKGROUND

#### Location (Attachment A)

Located in the Conrich ASP, northwest of the junction of Range Road 281 and Township Road 252, approximately 7.60 kilometres (4.70 miles) east of the city of Calgary.



#### Site Context (Attachment B)

The subject lands include two existing single-family dwellings, a 236 sq. m (2545.57 sq. ft) accessory building (farm building), three small accessory buildings (sheds), and a 20.85 sq.m (224.41 sq. ft.) steel frame building. The site is serviced by well and septic. The vicinity is composed of agricultural lands under active farming.

An application for a salt storage depot (redesignation and MSDP) was made in December 2015, and subsequently abandoned. The files were closed by the County in October 2018 for inactivity after no response was received from the Applicant regarding status.

On February 21, 2023, Rocky View County Enforcement Services began inquiry into a complaint regarding vehicles being brought onto the subject lands. The operation continued to grow, and staff made numerous visits and attempts to encourage the Applicant to make required applications for land use and development permits. Two preapplication meetings (May 28, 2023, with Planning, and December 6, 2023, with Planning and Enforcement) detailed the concerns and steps needed to seek to bring the operation into compliance.

A date of February 12, 2024, was given as a deadline to submit a complete application, to be composed of a land use redesignation application and MSDP, to include the required technical studies.

A redesignation application form was submitted on December 8, 2023, and after a subsequent extension to May 24, 2024, an MSDP was received on July 16, 2024. Staff circulated and reviewed the file, finding the MSDP incomplete and lacking any detail or technical study.

A stop order was issued on August 16, 2024, which was subsequently appealed. The Subdivision and Development and Appeal Board (SDAB) held a hearing on September 12, 2024, and the decision gave the deadline to comply with the order to remove all equipment, vehicles, materials, structures or modifications to the lands associated with the unauthorized business be extended to no later than 4 p.m., November 29, 2024. As well, the deadline to comply with the order to immediately cease all activity on

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the lands associated with the business remains unchanged from the original deadline of 4 p.m., August 19, 2024. The full Board Order is provided as Attachment H: September 27, 2024 Decision of the Subdivision and Development Appeal Board.

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

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

This application is not within an area guided by intermunicipal policy or requirements.

Comments from CN were received, requiring minimum building setbacks, and required fencing, and the opportunity to review detailed site plan and stormwater recommendations.

Engineering requested a traffic impact assessment, wastewater servicing study, water demand analysis at this time, and biophysical impact assessment at future development to address mitigation and compensation for onsite impacts to wetlands.

### **Landowner Circulation** (Attachment D)

The application was circulated to 39 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); one letter in support, and six letters in opposition sent from two parcels were received.

## **ANALYSIS**

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### **MSDP Overview**

The MSDP proposed compliance of an enforcement file of an “un-serviced industrial storage yard to accommodate a professionally managed and maintained dismantling operation that capitalizes on low proximity to residential neighbours”.

The subject lands include a single-family dwelling and associated accessory buildings, as well as Quonset building for equipment storage. Servicing is provided by an existing private sewage treatment system (PSTS) and groundwater well. Access is provided from Township Road 252 via an existing approach and gravel driveway.

Comments regarding basic business operations (site layout, hours of operation, specific operations, etc.) were not provided. Topic headings relating to historical resources, biophysical, geotechnical, architectural design, landscaping, lighting, signage, fencing, traffic, utilities and agricultural boundary design consideration were included, but no detail, technical study, or specific policy matters were provided.

Administration notified the Applicant that the MSDP was incomplete on August 28, 2024, at which time agency comments from the circulation were also provided, and adjacent landowner comments. No revised MSDP was submitted to address the noted deficiencies.

The Applicant did submit technical studies on October 3, 2024, including a Potable Water Demand Analysis, Conceptual Stormwater Management Plan, and Wastewater Demand Analysis. However, no updated MSDP reflecting the studies was submitted. Regardless of the completeness of the MSDP and technical documents, Administration finds that the proposal does not meet the wider policy requirements of the County Plan or Conrich ASP, as highlighted below.

### **Policy Review** (Attachment E)

The application was reviewed pursuant to the Conrich Area Structure Plan, County Plan, and *Land Use Bylaw*, and was found to be largely inconsistent.

The application was evaluated pursuant to the County Plan, and was found to not align with the policies of Sections 6.0 (Financial Sustainability); 7.0 (Environment); 8.0 (Agriculture); Section 14.0 (Business Development); Section 16.0 (Transportation); and, Section 17.0 (Utility Services).

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The plan also does not align with various sections of the ASP, including Section 7.0 (Conrich Development Strategy); Section 13.0 (Agriculture Interface); Section 19.0 (Natural Environment); Section 20.0 (Reserves); Section 22.0 (Transportation); Section 23.0 (Utility Services); Section 24.0 (Stormwater); Section 25.0 (Solid Waste); Section 27.0 (Implementation).

The application aligns with Section 11.0 (Industrial) of the ASP, and with the *Land Use Bylaw*.

### 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 as this operation has been under enforcement for an extended period without sufficient progress toward obtaining legal operations.

### ATTACHMENTS

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Attachment A: Map Set

Attachment B: Application Information

Attachment C: Application Referral Responses

Attachment D: Public Submissions

Attachment E: Policy Review

Attachment F: Master Site Development Plan

Attachment G: Draft Bylaw C-8571-2024

Attachment H: September 27, 2024 Decision of the Subdivision and Development Appeal Board

### APPROVALS

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Manager:	Dominic Kazmierczak
Executive Director/Director:	Matt Boscariol
Chief Administrative Officer:	Reegan McCullough