



Direct Control Amendment Item: Business

Electoral Division: 5

File: PL20240004 / 06410068

Date:	November 26, 2024
Presenter:	Oksana Newmen, Senior Planner
Department:	Planning

REPORT SUMMARY

The purpose of this report is to assess a site-specific amendment to Direct Control District 99 (DC99) for Lot 1, Block 6, Plan 161 1467 within NW-10-26-29-W4M to allow a reduced setback on the northern side yard to 3.00 metres from 10.00 metres (70% variance); the rear yard setback to 3.00 metres from 10.00 metres (70%); and the southern side yard to 6.00 metres from 10.00 metres (40% variance). The stated purpose of the request is to allow the building locations on the north and south and for rear outdoor storage, and to maximize outdoor storage space on the east side.

The application was reviewed pursuant to the Municipal Development Plan (County Plan), Balzac East Area Structure Plan, and the Balzac Commercial Campus Conceptual Scheme; the application was found to align with the overarching policy.

The application as presented is not consistent with the existing regulations within Direct Control Bylaw C-6031-2005 (DC99), which requires a 10.00 metre setback; however, as the application is seeking to reduce the setbacks in the bylaw, if the bylaw amendments are approved, the proposal would then be compliant.

The southern side yard setback cannot be less than 6.00 metres (as proposed) due to the existing County stormwater trunk line. The Applicant submitted a geotechnical report which addressed all Engineering concerns with the proposed lesser setback and locating a proposed building in close proximity to the existing line. No concerns were raised with the proposed 3.00 metre setbacks on the north and east sides.

As the proposal is not expected to impact adjacent property owners, nor existing County infrastructure, Administration therefore recommends approval.

ADMINISTRATION'S RECOMMENDATION

- THAT Bylaw C-8512-2024 be given first reading.
- THAT Bylaw C-8512-2024 be given second reading.
- THAT Bylaw C-8512-2024 be considered for third reading.
- THAT Bylaw C-8512-2024 be given third and final reading.

## Direct Control Amendment Item: Business

### BACKGROUND

#### Location (Attachment A)

Located approximately 0.40 kilometres (0.25 miles) south of Highway 566 and 1.61 kilometres (1.00 mile) west of Range Road 292.



#### Site History (Attachment B)

The subject lands are currently vacant, though a development permit has been approved for General Industry, Type II for construction of an office/warehouse building (Phase 1). To complete phase 2 plans for two additional buildings, an amendment to DC99 is being requested.

DC99 was adopted by Council in March 2005, and the Balzac Commercial Campus Conceptual Scheme was adopted in July 2008. This specific parcel was part of a larger subdivision which was registered at land titles on June 23, 2016. A site-specific amendment to DC99 was approved in June 2017, allowing for a greater range of uses on site.

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

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

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

Alberta Transportation and Economic Corridors has provided no concerns on the proposed application, noting exemption from Section 25 of the Highways Development and Protection Regulation. The Calgary Airport Authority provided summary comments included information pertaining to maximum building heights, electronic facilities protection, bird hazard, and land use compatibility. There were no stated concerns.

An initial Engineering concern pertaining to an existing stormwater trunk on the property and necessary setbacks was addressed through a geotechnical report submitted by the Applicant. The report was accepted by the County, and resulted in the increased 6m setback requirement on the southern boundary.

#### Landowner Circulation (Attachment D)

The application was circulated to 191 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters were received.

## Direct Control Amendment Item: Business

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was reviewed in accordance with the County Plan, Balzac East Area Structure Plan, Balzac Commercial Campus Conceptual Scheme, and Direct Control District 99 and was found to generally align.

The application was reviewed pursuant to Section 4 (Planning Framework), Section 7 (Environment), Section 14 (Business Development), and Section 17 (Utility Services) of the County Plan and was found to align.

It was also assessed under the Balzac East Area Structure Plan Section 4.3 (Business), Section 4.4 (Business Use Performance Standards and Development Guidelines), Section 4.7.4 (Special Development Area #4), and Section 6.3 (Airports) and was found to align.

The site is located within the Balzac Commercial Campus Conceptual Scheme, and was assessed pursuant to Section 3.0 (Land Use and Subdivision), Section 6.0 (Development Standards), and Section 8.0 (Implementation) and was found to align.

Finally, the application was reviewed pursuant to Direct Control District 99. As the Applicant is seeking to amend DC99 to expand the setbacks, the applicable Policy 3.13.1 was considered. With an approved amendment to the policy, allowing reduced setbacks from the 10 metre requirement, the application will be consistent.

### 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-8512-2024
- Attachment G: DC-99 Redline with Proposed Amendments

**Direct Control Amendment Item: Business**

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**APPROVALS**

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Manager:	Dominic Kazmierczak
Acting Executive Director:	Dominic Kazmierczak
Chief Administrative Officer:	Reegan McCullough

