

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 5
DATE:	April 28, 2021	APPLICATION: PRDP20210538
FILE:	03330003	
SUBJECT:	Automotive Services (Minor) / Discretionary use with Variances	

APPLICATION: The proposal is for Automotive Services (Minor), tenancy, including existing accessory buildings, relaxation of the maximum building area, relaxation of the minimum side yard setback requirement [placed without permits], outdoor storage, and relaxation of the minimum rear yard setback requirement.

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) east of 84 St. and 0.81 km (1/2 mile) north of Hwy. 560.

LAND USE DESIGNATION: Commercial, Local Rural District (C-LRD) under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: The proposed development is located in the industrial area of the Janet Area Structure Plan, west of the Transport Industrial Park. The tenant utilizes several existing buildings, approximately 1,382.70 sq. m (14,883.5 sq. ft.) in total building footprint, as storage, truck repair, and office space. An oversize accessory building (repair shop), approximately 302.11 sq. m (3,251.88 sq. ft.) in building footprint, was placed without permits to store equipment and large vehicles. The accessory building is intended to be in place until construction of a new permanent buildings is complete. The outdoor storage areas for truck and trailer storage/parking are approximately 2,748 sq. m (29,579.22 sq. ft.) in total footprint. There are three variances requested and application appears to be consistent with the Commercial, Local Rural District (C-LRD) regulations and the Land Use Bylaw.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210538 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210538 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY

Variance	Requirement	Proposed	Percentage (%)
Minimum Side yard Setback Requirement (Accessory Building)	6.00 m (19.69 ft.)	4.60 m (15.09 sq. ft.)	23.33%
Maximum Building Area (Accessory Building)	190.00 sq. m (2,045.14 sq. ft.)	302.11 sq. m (3,251.88 sq. ft.)	37.70%
Minimum Rear yard Setback Requirement (North Eastern and South Eastern Outdoor Storage Areas)	15.00 m (49.21 ft.)	6.00 m (19.69 ft.)	60.00%

APPLICATION EVALUATION:

The application was evaluated based on the information and site plan submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> <i>Municipal Government Act;</i> Municipal Development Plan; Janet Area Structure Plan; City of Calgary Intermunicipal Development Plan; and City of Chestermere Intermunicipal Development Notification Area. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site Plan / Prepared by Rick Balbi Architecture / dated February 2, 2021 Temporary Building Elevations and Floor Plan / Prepared by Rick Balbi Architecture / dated February 2, 2021
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<ul style="list-style-type: none"> • Land Use Bylaw; and • County Servicing Standards. 	
DISCRETIONARY USE: <ul style="list-style-type: none"> • Automotive Services (Minor) is a discretionary use in the Commercial, Local Rural District (C-LRD) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Parking

- As per Table 5 – Parking Minimums for Automotive Services (Minor), 1 per 100.0 sq. m (1076.39 sq. ft.) gross floor area, 17 stalls are required. 17 stalls are indicated on the site plan.

Landscaping

- Landscaping is concentrated at the front of the site, along Prairie Place with a total of 42 trees and overall landscaping area of 3,294.40 sq. m. (35,460.62 sq. ft.). This meets the 10% landscaping requirement

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

BC/lt

ATTACHMENTS

ATTACHMENT ‘A’: Development Permit Report Conditions
ATTACHMENT ‘B’: Maps and Other Information



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ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1

APPROVAL, subject to the following conditions:

Description:

1. That Automotive Services (Minor), tenancy including existing accessory buildings and outside storage, may take place on the subject site in accordance with the Site Plan, Elevations and Floor Plan submitted with the application as prepared by Rick Balbi Architecture, Job 21-019, dated February 2, 2021
 - i. That the minimum side yard setback requirement for the accessory building is relaxed from **6.00 m (19.69 ft.) to 4.60 m (15.09 sq. ft.)**.
 - ii. That the maximum building area for the accessory building is relaxed from **190.00 sq. m (2,045.14 sq. ft.) to 302.11 sq. m (3,251.88 sq. ft.)**.
 - iii. That the minimum rear yard setback requirement for the north eastern and south eastern outdoor storage areas are relaxed from **15.00 m (49.21 ft.) to 6.00 m (19.69 ft.)**.

Permanent:

2. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
3. That all conditions of PRDP20202204 shall remain in effect, unless otherwise stated within this approval.
4. That the Applicant/Owner shall adhere to any requirements of the signed Development Agreement, with the County, for the upgrade of Prairie Place including the cul-de-sac bulb including obtaining Construction Certificate Completion and Final Acceptance Completion of the constructed infrastructure, through Engineering Services.
5. The lot shall be shaped such that the entire lot drains to on-site storage facilities and no water is discharged off site.
6. That all landscaping shall be in accordance with the Landscape Plan., as prepared by Rick Balbi Architecture, Job 21-019, dated February 2, 2021, Dwg. Site Plan
 - i. That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped areas including the replacement of any deceased trees, shrubs or plants within 30 days or by June 30th of the next growing season.
7. That no potable water shall be used for landscaping or irrigation purposes. Water for irrigation and landscaping shall only be supplied by the re-use of stormwater.
8. That no topsoil shall be removed from the site.
9. That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within landscaped yards.
10. That all on-site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
11. That all garbage and waste for this site shall be disposed of with environmentally-appropriate waste disposal methods. The waste shall be stored in weatherproof and animal proof



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containers in the garbage bins and screened from view by all adjacent properties and public thoroughfares.

12. That there shall be a minimum of 17 identified parking stalls maintained on-site at all times, in general accordance with the Site Plan, as prepared by Rick Balbi Architecture, Job 21-019, dated February 2, 2021, Dwg. Site Plan
 - i. That all customer, employee and business parking shall be restricted to the subject property boundaries.
13. That all outside storage of equipment, materials, and vehicles related to the business shall be contained to the subject property boundaries.
14. That any future signage or future phases of development shall require separate Development Permit approval.
15. That dust control shall be maintained on the site at all times and that the Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
16. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
17. That sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal.

Advisory:

18. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed for the construction of the new permanent building to confirm if a Road Use Agreement will be required for any hauling along the County road system pursuant to the County's Road Use Agreement Bylaw C-8065-2020.
19. That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
20. That during construction, the County's Noise Control Bylaw C-5772-2003 must be adhered to at all times.
21. That a Building Permit, applicable sub-trade permits and demolition permit(s) shall be obtained through Building Services, using the Commercial/Industrial Checklist requirements.
 - i. Note: That all buildings shall conform to the National Energy Code 2011, with documentation provided at Building Permit stage.
22. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
 - i. That any impacts to wetlands will require Alberta Environment and Parks approvals for disturbance and compensation, with the Site Specific Stormwater Implementation Plan accounting for this loss of storage area on the site.
23. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Rick Balbi Architect Ltd. (April Kojima)	OWNER: 1599203 Alberta Ltd.
DATE APPLICATION RECEIVED: February 11, 2021	DATE DEEMED COMPLETE: March 3, 2021
GROSS AREA: ± 1.91 hectares (± 4.72 acres)	LEGAL DESCRIPTION: Block 3 Plan 1820 AM, SW-30-23-28-04; (107 PRAIRIE PLACE)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <p>November 26, 2020: Development Permit (PRDP20202204) Truck Trailer Service and construction of two office/warehouse buildings [amendment to PRDP20171785] Closed-Approved</p> <p>September 13, 2018: Development Permit (PRDP20171785) Truck Trailer Service and construction of two office/warehouse buildings -Closed-Complete</p> <p>April 29, 2016: Development Permit (PRDP20161385) - Truck Trailer Service, construction of a warehouse/shop – File Closed – Withdrawn – New DP #20171785.</p> <p>April 30, 2013: Development Permit (2012-DP-15024) truck trailer service business and construction of a service/warehouse building, with existing dwelling on site to be used as an office – Closed - Expired</p> <p>March 13, 2013: Development Permit (2012-DP-15161) Auto Wrecker (salvage yard) – Closed- Complete</p> <p>September 13, 2011: Development Permit (2011-DP-14664) Truck Trailer Service and construction of an office/warehouse – Closed-Complete</p> <p>Oct 30, 2019: Building Permit (PRBD20193329) Truck Trailer Service and construction of two office/warehouse buildings - Building 1- PSR Not in Compliance - Expired</p> <p>Oct 30, 2019: Building Permit (PRBD20193331) Truck Trailer Service and construction of two office/warehouse buildings - Building 2 - PSR Not in Compliance - Expired</p> <p>Mar 20, 2019: Building Permit (PRBD20190829) Demolition - Removal of Accessory Building (Truck Repair Shop damaged by fire) – Closed - Complete</p> <p>Oct 04, 1984: Building Permit (1984-BP-9727) Construction of a Foundation</p> <p>Aug 03, 1984: Building Permit (1984-BP-9680) Moving a Garage</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

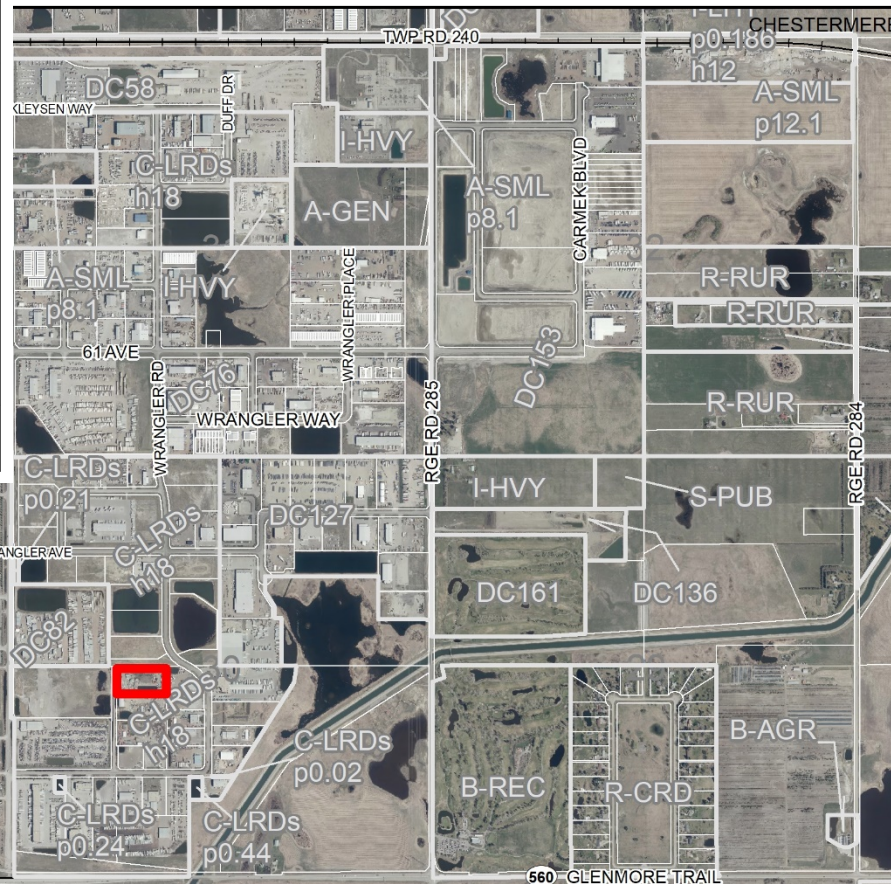
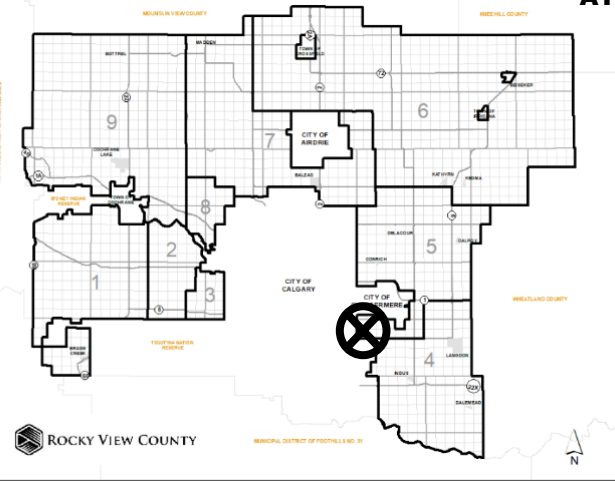


Location & Context

Development Proposal

Automotive Services (Minor), tenancy, including existing accessory buildings, relaxation of the maximum building area, relaxation of the minimum side yard setback requirement [placed without permits], outdoor storage, and relaxation of the minimum rear yard setback requirement.

Division: 05
Roll: 03330003
File: PRDP20210538
Printed: March 17, 2021
Legal: Block:3 Plan:1820 AM
within SW-30-23-28-W04M





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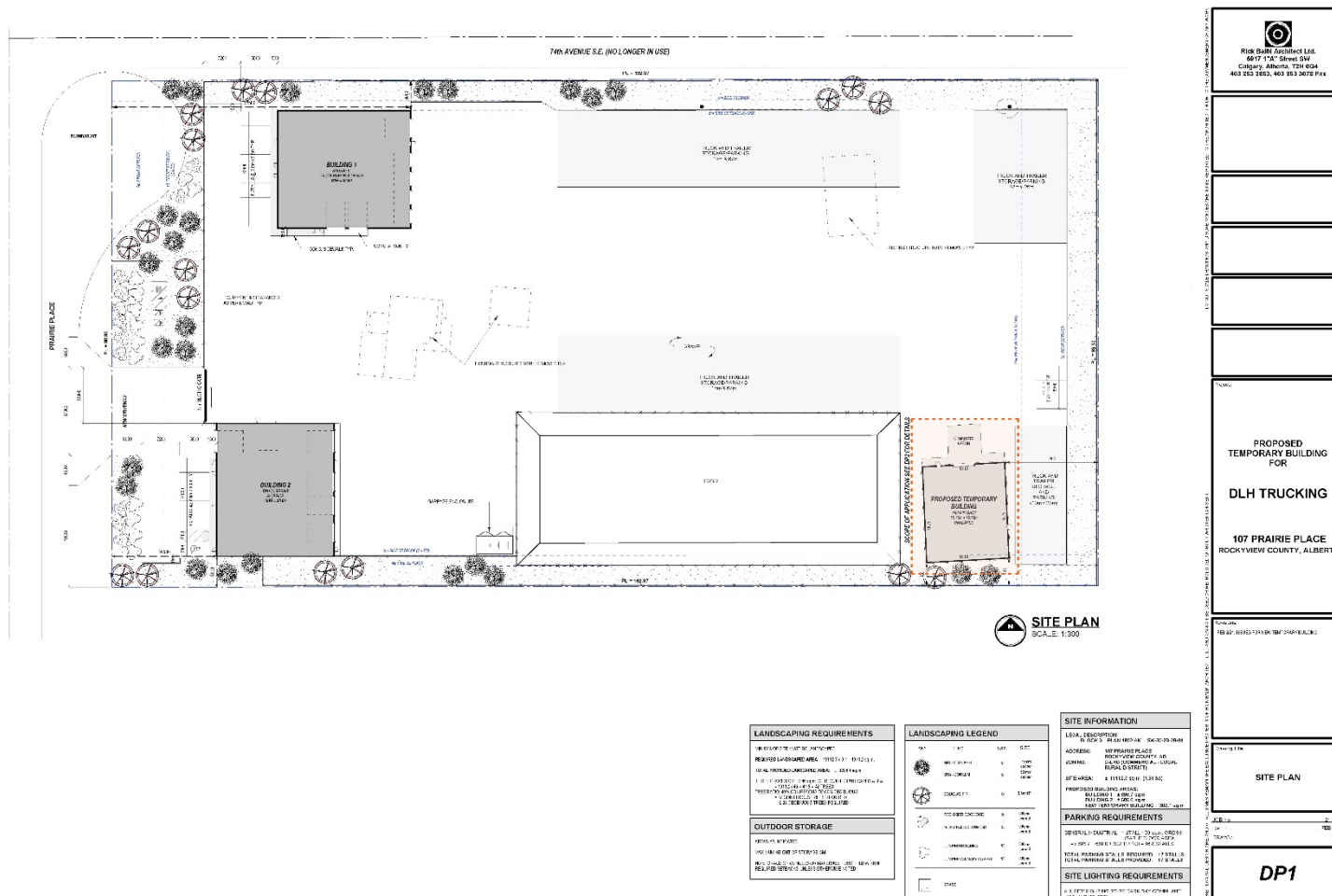


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Site Plan

Development Proposal

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Inspection Photos
March 26, 2021



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