



PLANNING

TO: Council

DATE: February 22, 2022 **DIVISION:** 6

TIME: Morning Appointment

FILE: 03308007 **APPLICATION:** PL20200061

SUBJECT: Redesignation – Business Use

APPLICATION: To redesignate the subject land from Residential, Rural District (R-RUR) to Industrial, Light District (I-LHT) to facilitate the operation of a landscaping business.

GENERAL LOCATION: Located approximately 0.81 kilometres (0.50 miles) south of Township Road 232 and west of Range Road 284.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8059-2020 on June 23, 2020. The Bylaw has been amended to reflect the new land use districts under Land Use Bylaw C-8000-2020. Council held a public hearing on March 23, 2021, and subsequently tabled the application with the following motion:

MOVED by Councillor Hanson that Bylaw C-8059-2020 be tabled to consider an alternative Land Use District that is more conducive to the transitional nature of the parcel to surrounding residential uses and more in alignment with the proposed business.

Following the motion of Council, the Applicant has remained steadfast in their desired land use designation. The Applicant has requested a new public hearing without following Council’s previous direction on the application, and has submitted their understanding of Administration’s recommendation for refusal.

The subject ± 3.62 hectare (± 8.95 acre) parcel is located within the Intermunicipal Development Plan between Rocky View County and the City of Calgary (IDP) and the Shepard Area Structure Plan, 2001 (ASP). The property currently has a dwelling and accessory structures that are serviced by a Private Sewage Treatment System and water well. Access is through a shared approach from Range Road 284 which is a 7.5-metre wide gravel road crossing the Canadian Pacific Railway immediately south of the subject parcel.

The application was reviewed against the policies within the Growth Corridors/Areas and Annexation policies of the IDP, the Business Development policies within Section 14.0 of the County Plan, and Section 5 Business Area Land Use Policies of the ASP. The subject lands are identified as Business within the Phase 3 lands in the ASP.

The application is consistent with the relevant policies of the ASP with the exception of policies requiring proposals to be supported by a local plan. The ASP requires all applications for redesignation, subdivision, and/or development for Business Uses to be guided by a conceptual scheme. The conceptual scheme is to include items such as a Traffic Impact Analysis, Performance Standards, Development Guidelines, and Stormwater Management Plan.

The application is inconsistent with the IDP, as it proposes redesignation that is not supported by the area ASP.

The application is inconsistent with the County Plan as the application is not following the requirements of the Shepard ASP with regards to having an approved local plan in place prior to redesignation.



ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #3.

OPTIONS

- Option #1: Motion #1 THAT Bylaw C-8059-2020 be amended in accordance with Attachment C.
- Motion #2 THAT Bylaw C-8059-2020 be given second reading, as amended.
- Motion #3 THAT Bylaw C-8059-2020 be given third and final reading, as amended.
- Option #2: That Bylaw C-8059-2020 be tabled to allow for the preparation of a conceptual scheme and Traffic Impact Assessment in accordance with the Shepard Area Structure Plan.
- Option #3: That application PL20200061 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:





APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • City of Calgary/Rocky View County Intermunicipal Development Plan; • Municipal Development Plan (County Plan); • Shepard Area Structure Plan, 2001; • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • N/A
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POLICY ANALYSIS:

Intermunicipal Development Plan

The subject land is identified as a City of Calgary Industrial Growth Corridor within the IDP. The plan states identified City of Calgary growth areas should be governed in accordance with the applicable planning policy documents. The application was circulated to the City of Calgary and no comments were received. The application is inconsistent with Policy 8.1.2 which requires the lands to be developed in accordance with the statutory and local area plans; the application is not consistent with the ASP as the area redevelopment is not guided by an approved conceptual scheme.

County Plan

Section 14.0 of the County Plan provides the policy framework for business development in the County. The plan requires business areas to have an adopted area structure in place to guide development. The subject parcel falls within the ASP. Policy 14.8 of the County Plan directs new commercial and industrial development to existing, identified regional business centres and requires development to comply with the existing area structure plans.

Shepard Area Structure Plan, 2001

The ASP identifies the subject land as “Business” and within Phase 3. As per Policy 5.1 e), all applications for redesignation for business uses shall be required to be within the context of a conceptual scheme. The purpose for requiring a local plan is to provide detailed planning and design of the entire transition area (one quarter section), and to ensure the land use pattern is an extension of the established lands and is supportive of approved policies that apply to the lands west of the transition area. In addition, important aspects of development including transportation, stormwater, environmental considerations, and lot layouts would all be addressed through a comprehensive local plan.

Redesignation applications within Phase 3 should complete a Traffic Impact Assessment and shall consider edge treatment to deal with the transition to the proposed residential areas to the south. A conceptual scheme, a traffic impact assessment and edge treatments were not provided to support the redesignation application.

Land Use Bylaw

The proposed landscaping business would fall under the Industrial (Light) use, which is a permitted use in the proposed Industrial, Light District (I-LHT). All regulations would be evaluated at the time of development permit application. Given the future subdivision potential of the lands and the fact that the remainder of the quarter section to the southwest of the rail line has not been fragmented, the proposal would benefit from a conceptual scheme. The subject parcel exceeds the minimum parcel size of 1.0 hectares (2.47 acres) and would have the ability to apply for further subdivision.



Administration recommended to the applicant to possibly pursue other land use designations that may be more conducive to their proposed landscaping business. The proposed landscaping business proposes to utilize up to three (3) employees, with the main activities being landscaping and snow removal for the surrounding acreages. Possible suitable land use designations include the Special, Future Urban Development District (S-FUD) and Business, Live-Work District (B-LWK).

Upon further consideration, the applicant chose to continue with the I-LHT land use district and proceed with the application as originally submitted. Administration has concerns with redesignation to I-LHT prior to the completion of comprehensive planning for the remaining lands within the ASP, which would include the feasibility of infrastructure within the area; namely servicing, roadways, and rail crossings. Furthermore, the I-LHT district allows for more intensive uses such as Animal Health (Inclusive) and Care Facility (Minor) as permitted uses, and Alcohol Production, Cannabis Retail Store, Industrial (Heavy and Medium), and Recycling/Compost Facility as discretionary uses. It is to be noted that there is an existing dwelling onsite; under the proposed I-LHT District, a dwelling unit is only considered as a discretionary use accessory to the principal use, which is expected to be non-residential in nature.

Interim use redesignation to S-FUD or B-LWK districts would limit the ability for future large-scale development while allowing the proposed landscaping and snow clearing business to proceed.

ADDITIONAL CONSIDERATIONS:

The subject property is developed with a dwelling, and accessory structures. The site is currently serviced by a Private Sewage Treatment System and water well. It is expected that holding tanks and cisterns would be utilized for future industrial or commercial uses.

The subject property is accessed by a mutual approach to Range Road 284, shared with the property to the north. Range Road 284 is currently a graveled road. At the future development permit stage, further assessment would be required, as the proposed district would allow for more intensive uses a Traffic Impact Assessment may be required at the Development Permit stage to assess upgrades to the transportation network.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Byron Riemann”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

LC/lh

ATTACHMENTS:

- ATTACHMENT ‘A’: Application Information
- ATTACHMENT ‘B’: Application Referrals
- ATTACHMENT ‘C’: Bylaw C-8059-2020 and Schedule A
- ATTACHMENT ‘D’: Map Set
- ATTACHMENT ‘E’: Applicant’s Submission
- ATTACHMENT ‘F’: Public Submissions