

## PLANNING

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<b>TO:</b>	Council	
<b>DATE:</b>	May 31, 2022	<b>DIVISION:</b> 6
<b>TIME:</b>	Morning Appointment	
<b>FILE:</b>	05308008	<b>APPLICATION:</b> PL20210100
<b>SUBJECT:</b>	Redesignation Item – Business, Live-Work	

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**APPLICATION:** The purpose of this application is to redesignate the subject lands from Agriculture, General District (A-GEN) to Business, Live-Work District (B-LWK) to accommodate a truck storage facility.

**GENERAL LOCATION:** Located at the southwest junction of Township Road 252 and Conrich Road, approximately 2.59 kilometres (1.80 miles) east of the city of Calgary.

**EXECUTIVE SUMMARY:** Council gave first reading to Bylaw C-8231-2021 on September 21, 2021.

The proposal was evaluated against the County Plan and the Land Use Bylaw. The property contains a dwelling and several accessory buildings that are situated on the eastern portion of the land. The dwelling is accessed by an existing approach along Conrich Road.

The proposed redesignation would facilitate a combination of residential and light industrial or commercial activity on the parcel. The Applicant proposes to maintain the existing residence while operating a truck storage business on the parcel. The subject land is located in the central east region of the County and adjacent to the Conrich Area Structure Plan (ASP), which lies to the south and east. The OMNI Area Structure Plan is also less than 2.59 kilometres (1.00 miles) west. Several Business, Live-Work (B-LWK) land uses are located on Sunshine Road to the east of the subject lands. The proposal is inconsistent with Section 14.0 (Business Development) of the County Plan, as it is outside of an identified business area and is not limited in size, scale, or intensity. Furthermore, as the proposal is adjacent to the Conrich ASP, it conflicts with Policies 14.2 and 14.19 of the County Plan, which seek to recognize the substantial planning time and developer investment that has gone into establishing business areas; industrial uses such as those proposed by the Applicant would be better placed within these nearby business areas, which have established area structure plans.

The application does not meet the purpose and intent of the Business, Live-Work District set out within the Land Use Bylaw, as business activity is required to be secondary to the principal residential use on the land. The proposed truck storage business is incompatible with the surrounding agricultural setting and has the potential to cause adverse amenity impacts. The adjacent parcels are not industrial or commercial in nature, as is required by the Business, Live-Work District. It should be noted that if the Business Live-Work designation is approved, all the listed uses within the district, such as Industrial (Medium), could take place on-site, which may have off-site nuisance impacts.

Due to the nature of the proposed business and policy 14.22 (c) of the County Plan, a Traffic Impact Assessment is required to assess the traffic generated by the site; however, the Applicant has requested to defer this to a later development permit stage. All other technical matters would be addressed at the development permit stage.

Although Administration is recommending refusal in accordance with Option #3 based on conflicts with the existing County Plan and Land Use Bylaw, Option #2 has been included for tabling of the proposed bylaw in recognition of Council's passed motion on May 10, 2022, which directed

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### Administration Resources

Ravi Siddhartha, Planning Policy



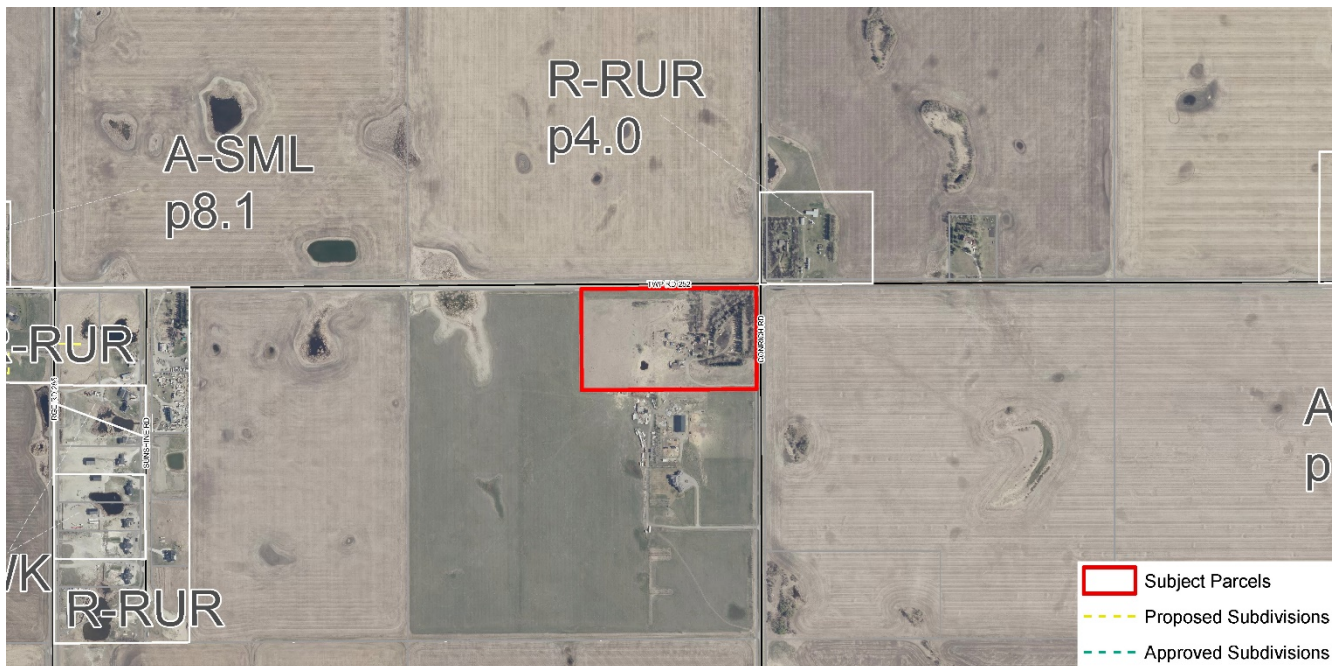
Administration to review options for amending the Business Live-Work District within the Land Use Bylaw.

**ADMINISTRATION RECOMMENDATION:** Administration recommends refusal as per Option #3.

**OPTIONS:**

- Option #1:     Motion #1     THAT Bylaw C-8231-2021 be given second reading.  
                  Motion #2     THAT Bylaw C-8231-2021 be given third and final reading.
- Option #2     THAT further consideration of Bylaw C-8231-2021 be tabled until after Council has received a report from Administration on the Business Live-Work District on or before September 13, 2022.
- Option #3:     THAT application PL20210100 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.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Municipal Development Plan (County Plan);</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• No technical reports provided.</li> </ul>
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**POLICY ANALYSIS:**Municipal Development Plan (County Plan)

The application was assessed in accordance with the business policies of the County Plan. The Plan directs businesses to locate within identified business areas; however, Section 14.0 (Business Development) provides flexibility for considering development outside of the approved business areas if the proposal can justify need and location (Policy 14.21). The Applicant notes that the site is adjacent to the Conrich ASP and that the lands across Conrich Road are future industrial land; however, this does not justify the need and location. The proposal is adjacent to the identified Long Term Development Area within the Conrich ASP; no industrial, commercial or residential uses are identified in this area to ensure that these lands are protected from interim uses and to allow an efficient development pattern at the appropriate time.

Although one of the Business Development Policy goals supports the growth of a variety of business areas, agriculture businesses, and home-based businesses, the truck storage business proposed in this application does not meet the policies or intent of Section 14.0.

The proposal is to locate the truck storage business on  $\pm 0.68$  hectares ( $\pm 1.68$  acres). In the absence of the required Transportation Impact Assessment (TIA) and details regarding the scale of operation, Administration cannot assess nor confirm the impact on the amenity of the area and upon the County Road network; therefore, it does not meet Policy 14.22 of the County Plan, which requires proposals for business development outside of the business area to be limited in size, scale, intensity, and scope, and to provide a traffic and intersection impact assessment.

Through Policy 14.2, the County Plan is clear in directing industrial and commercial uses to identified business areas. Policy 14.19 also notes that land use amendment applications proposing business uses in the vicinity of identified business areas shall not be supported. The scale and intensity of the proposed outdoor truck storage use could potentially exceed what would be expected of a business live-work use, and proximity to the Conrich ASP has the potential to impact upon the build-out of that area; therefore, it would be better located within an identified business area, where it can be guided by the framework of an ASP.

Land Use Bylaw

The purpose and intent of the Business, Live-Work District is to provide for a combination of residential and light industrial or commercial activity on a single parcel, with residential as the primary use. The parcel shall be located in the central east Rocky View region where adjacent development activity is industrial or commercial in nature.

The Applicant states that the proposed truck storage business would consist of an existing residence as part of the development and the property is located within the central east region of the County; however, there are no adjacent parcels with an industrial or commercial land use designation. Agricultural lands



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predominantly surround the subject lands alongside pockets of residential rural parcels. Therefore, the proposal does not meet the purpose and intent of the Business, Live-Work District.

The proposal meets the minimum parcel size requirements of the land use district and is within the maximum parcel coverage of 50% for industrial and commercial uses. As the minimum parcel size for the Business Live-Work District is 1.00 hectare (2.47 acres), there is the potential to further subdivide the subject  $\pm 9.32$  hectare ( $\pm 23.03$  acre) lands. If Council is minded to approve this application, it may wish to consider placement of a modifier on the land use to limit subdivision potential without the requirement to obtain further approval from Council.

Although the Applicant proposes to operate a truck storage business on the subject land, the redesignation of the parcel to the Business Live-Work District also provides opportunities for other uses such as automotive services (major and minor), industrial (light and medium), and outdoor storage that are not compatible with the surrounding agricultural and residential area.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Dorian Wandzura"

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Acting Executive Director  
Community Development Services

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Chief Administrative Officer

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## ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8231-2021 and Schedule A

ATTACHMENT 'D': Map Set

ATTACHMENT 'E': Public Submissions