



PLANNING

TO:	Council	
DATE:	May 31, 2022	DIVISION: 6
TIME:	Morning Appointment	
FILE:	03323013	APPLICATION: PL20210161
SUBJECT:	Redesignation Item – Business, Live-Work	

APPLICATION: The purpose of this application is to redesignate the subject lands from Agricultural, Small Parcel District (A-SML p8.1) to Business, Live-Work District (B-LWK) to accommodate a future business use.

GENERAL LOCATION: Located at the southeast junction of Range Road 282 and Highway 560, approximately 3.94 kilometres (1.52 miles) south of the city of Chestermere and approximately 6.27 kilometres (2.42 miles) east of the city of Calgary.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8251-2021 on March 22, 2022.

The proposal was evaluated against the County Plan and the Land Use Bylaw. The property contains two dwelling units and accessory buildings situated on the western portion of the land. The parcel has access from an existing gravel approach from Range Road 282.

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 having a future business use on a 3.91 hectare (9.66 acre) portion of the property. The subject land is located in the central east region of the county and is adjacent to the Janet Area Structure Plan (ASP) to the north and west. 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 Janet 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 the Janet ASP or an alternative established business area.

The application does not meet the purpose and intent of the Business, Live-Work District set out within the Land Use Bylaw, as a business activity is required to be secondary to the principal residential use on the land. Due to the size of the area identified for business use and its unknown nature, it is possible that the business could be incompatible with its surrounding agricultural and residential setting and it has the potential to cause adverse amenity impacts. Although the adjacent parcels to the south hold Business, Live-Work land use designation, and this helps to satisfy one of the requirements of Business, Live-Work District Land Use, the previous applications have resulted in subdivision and fragmentation of the land despite their initial intention. Business, Live Work district has a minimum parcel size requirement of 1.00 hectares (2.47 acres), potentially resulting in further subdivisions. If Council is minded to approve this application, it may wish to consider placement of a modifier on the land use to ensure that any further subdivision potential is considered by Council through a future land use amendment application.

A Traffic Impact Assessment is required by Policy 14.22 (c) to assess the traffic generated by the site; the applicant has requested to defer this item to a later development permit stage as the proposed business use is currently unknown. Alberta Transportation does not recommend, or support

Administration Resources

Ravi Siddhartha, Planning Policy



redesignation at this location as the land will be impacted by future highway upgrades. 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 potential inconsistencies with intent of the 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 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-8251-2021 be given second reading.

Motion #2 THAT Bylaw C-8251-2021 be given third and final reading.

Option #2 THAT further consideration of Bylaw C-8251-2021 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 PL20210161 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.

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

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 (Business Development) provides flexibility for considering development outside of the approved business areas if the proposal can justify its need and location (Policy 14.21). There is no rationale provided by the applicant for locating a future business on the site, except referring to the site being adjacent to other business areas, which does not justify its need and location.

Although one of the Business Development Policy goals supports the growth of a variety of business areas, agriculture businesses, and home-based businesses, the unknown nature of the application for a future business use does not meet the policies or intent of Section 14.0.

The proposal is to locate the future business on approximately 3.91 hectares (9.66 acres), which is 50% of the overall parcel. In the absence of the required Transportation Impact Assessment (TIA) and details regarding the future business, administration cannot assess nor confirm the impact on the amenity of the area and upon the County Road network. The subject parcel does not have access to a paved County Road; therefore, it does not meet Policy 14.22 (b) 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 have direct and safe access to a paved County road or Provincial highway. Alberta Transportation does not recommend, or support redesignation at this location as the land will be impacted by future highway upgrades.

Through Policy 14.2, the County Plan is clear in directing business 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. As the scale and intensity of the proposed future business use are unknown, it potentially could exceed what would be expected of a business live-work use. Also, its proximity to the Janet ASP has the potential to impact the build-out of that area; therefore, it would be better located within the identified business area of that ASP.

Land Use Bylaw

The purpose and intent of 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. Proposed parcels are required to be located in the central east Rocky View region where adjacent development activity is industrial or commercial in nature.

The property is located within the central east region of the County and adjacent parcels to the south do have Business, Live-Work land uses, but the surrounding lands also have agricultural and residential rural land uses. Although the adjacent parcels have Business, Live-Work land use, these parcels have resulted in further subdivision despite their original intention, resulting in fragmentation of the land.



The proposal meets the minimum parcel size requirements of the land use district and is within the maximum coverage of 50% for industrial and commercial uses. The subject lands are ± 7.82 hectares (± 19.33 acres) in size so redesignating to B-LWK would result in further subdivision potential.

Although the Applicant has not identified the business use on the subject land, the redesignation of the parcel to a Business, Live-Work District allows 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"

Acting Executive Director
Community Development Services

Chief Administrative Officer

RS/llt

ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8251-2021 and Schedule A

ATTACHMENT 'D': Map Set