



PLANNING

TO: Council
DATE: September 13, 2022 **DIVISION:** 5
TIME: Morning Appointment
FILE: 06410067 **APPLICATION:** PL20210116/PL20210027
SUBJECT: Master Site Development Plan: Eritrean Orthodox Tewahdo St. Michael Church
 Redesignation: Amendment to Direct Control District (DC 99)

APPLICATION:

- PL20210116 - To support the Eritrean Orthodox Tewahdo St. Michael Church Master Site Development Plan (MSDP), which provides a non-statutory policy framework to guide development of a Religious Assembly, Child Care Facility, and Recreation (Public) uses on Lot 2, Block 5, Plan 1611467 within NW-10-26-29-W04M.
- PL20210027 (Bylaw C-8230-2021) - To amend Bylaw C-6031-2005, being Direct Control Bylaw (DC-99), to allow for Religious Assembly, Child Care Facility, and Recreation (Public) uses on Lot 2, Block 5, Plan 1611467 within NW-10-26-29-W04M.

GENERAL LOCATION: Located at the northern junction of Dwight McLellan Trail and Prime Avenue, approximately 0.58 kilometres (0.36 miles) south of Highway 566 and 1.45 kilometres (0.90 mile) east of Highway 2.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8230-2021 on September 21, 2021. The Bylaw has since been amended to reflect clerical changes.

The subject land is bound on the west by Dwight McLellan Trail, on the south by Prime Avenue, and on the east by Prime Gate; the lands are currently vacant.

The applications are to facilitate a Religious Assembly use with ancillary Child Care Facility (future daycare) and Recreation (Public) (future community hall) uses on the subject land for the Eritrean Orthodox Tewahdo St. Michael Church. The Church is currently located within a residential community of Calgary; the church has proposed to relocate the use to the subject site to alleviate challenges with congestion, limited space, and parking constraints. This proposal is to develop two buildings on site, over two phases, to accommodate the Church's growing membership and parking needs.

Overall, the redesignation and MSDP applications have broadly met the requirements of the Municipal Development Plan (County Plan, Sections 11.0 and 29.0), the regulations of Bylaw C-6031-2005 (DC-99), and the Land Use Bylaw (setbacks, size, and parking). The applications have also demonstrated that the proposal meets the operational, design, and technical requirements of Section 4.5 (a) through (g) of the Balzac East Area Structure Plan (ASP) in demonstrating limited impacts to adjacent land uses and infrastructure.

However, the proposal to allow institutional uses in this location conflicts with the overall intent of the ASP and the Balzac Commercial Campus Conceptual Scheme (CS). Institutional uses are not explicitly encouraged within the proposed site location (Cell C, Special Development Area #4), and instead, are noted to be preferred or at least considered in other areas of East Balzac (Special Development Area #2 and Cell A, Special Development Area #4).

Administration Resources

Sangeeta Vishwakarma, Planning & Development Services



Council should be aware that the proposed Religious Assembly use is exempt from property taxes that would be applicable to commercial and/or industrial uses on this parcel (*Municipal Government Act* Section 362(1)k). In this respect, the proposal does not align with the Financial Sustainability goals of the County Plan (Section 6.0) which promote an increase in the County's business assessment base, nor does it align with Council's strategic objective of promoting orderly economic development in the County.

The proposal for an institutional land use within a location that is described as the "heart of the commercial/industrial business area" is not considered appropriate, especially when there are other nearby areas within the Balzac East ASP that explicitly support the use. Therefore, Administration recommends refusal of the redesignation application to amend DC-99 and the associated MSDP for the Eritrean Orthodox Tewahdo St. Michael Church.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #2 for both applications, PL20210116 and PL20210027.

OPTIONS:

Eritrean Orthodox Tewahdo St. Michael Church Master Site Development Plan (MSDP) Application (PL20210116)

Option #1 THAT the Eritrean Orthodox Tewahdo St. Michael Church Master Site Development Plan (MSDP) be approved, in accordance with Attachment 'D'.

Option #2 THAT application PL20210116 be refused.

Direct Control Bylaw C-6031-2005 (DC-99) Amendment Application (PL20210027)

Option # 1: Motion #1 THAT Bylaw C-8230-2021 be amended in accordance with Attachment 'C'.

 Motion #2 THAT Bylaw C-8230-2021 be given second reading, as amended.

 Motion #3 THAT Bylaw C-8230-2021 be given third and final reading, as amended.

Option # 2: THAT application PL20210027 be refused.



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated against relevant policies and regulations of the following statutory and non-statutory plans:

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Municipal Development Plan (County Plan); • Balzac East Area Structure Plan; • Balzac Commercial Campus Conceptual Scheme; • Direct Control District (DC 99). • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Trip and Access Letter, prepared by Sheffer Andrew Ltd., dated January 2021.
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MASTER SITE DEVELOPMENT PLAN OVERVIEW (MSDP)

The Eritrean Orthodox Tewahdo St. Michael Church is a non-profit charitable organization that has been incorporated since 2005. Due to constraints of site size, building size, and parking at its existing location at 8th Street N.E in Calgary, the Church has occasionally held temporary events for larger gatherings on the subject land, which it has owned since February 2018.

Development Concept

The Eritrean Orthodox Tewahdo St. Michael Church proposes to develop two buildings on the subject site, over two phases, for an overall area of approximately 2,232 sq. m. (24,025 sq. ft). In Phase 1, the first building of approximately 1,116 sq. m (12,013 sq. ft) would be developed for the Church’s congregation. In Phase 2, the second building of the same size would be developed for a future daycare facility, classrooms, and a community hall. The buildings would be designed in accordance



with the County's Commercial, Office, and Industrial Design Guidelines, and may be required to conform to exterior acoustic insulation regulations of the Alberta Building Code.

A Parking and Lighting Concept Plan has been provided with the intent to reduce off-site impacts and address Crime Prevention Through Environmental Design (CEPTD) concerns. A landscape plan would be provided at the development permit stage in accordance with Section 4.7.4, Special Development Area #4 of the Balzac East Area Structure Plan, and Section 6.2 (Site Landscaping) of the Balzac Commercial Campus Conceptual Scheme.

Operational Plan

The Eritrean Orthodox Tewahdo St. Michael Church proposes to use the site and proposed building(s) for prayers and programs on a weekly basis as follows:

- Prayers and programs to be held throughout the week when bookings occur, with:
 - Special services on Sundays from 6 am to 10 am (400-700 people, with the largest gatherings held during special occasions only (i.e.: Christmas, Easter, etc.);
 - Bible study programs on Saturdays from 3 pm to 7 pm (100 people); and
 - Deacon and priest training: Tuesday to Saturday weekly, between 5 pm and 7 pm.
- Meetings, gatherings, and events to be held by Church officials and volunteers, indoors and outdoors, on booked days, in accordance with noise bylaws.
- Occasional programs include social and recreational programs, community evangelism outreach, discussion among members on programs and activities, participation with other sister Church programs, and Christian faith ceremonies.
- Outdoor maintenance (snow removal, landscape etc.) would be managed by officials, volunteers and/or local contractors. Garbage collection and disposal would be contracted out locally.

Transportation

Parking is proposed on the western portion of the site, with approximately 166 stalls for the overall development size. The Applicant wishes to pursue a future shuttle service to the site for Church parishioners utilizing on-site parking.

A Trip and Access Letter provides trip generation data for the proposed Church development. It compares that data with the Crossroads Commercial Campus Transportation Impact Assessment completed in 2014, and the Balzac Global Traffic Impact Assessment completed in 2010 as part of the Balzac Commercial Campus Conceptual Scheme. Based on the trip comparisons, the letter concludes that the proposed Church development would result in significantly fewer trips than anticipated by prior studies, which assumed commercial and industrial land uses on the subject land.

The letter recommends one 'all-turns' access onto Prime Gate and one onto Prime Avenue, provided the minimum distances to signaled intersections can be met. Access from Dwight McLellan Trail is not recommended being that it is an arterial roadway.

Site Servicing

Servicing to the site is proposed through municipal water and wastewater distribution systems. The MSDP indicates that potable water is estimated to be 10.0 m³/day for 100-1,000 persons.

The MSDP confirms that stormwater considerations would be made at the development permit stage in accordance with the Nose Creek Watershed Water Management Plan, Alberta Environment and Parks' Best Management Practices, and Section 700 of the County's Servicing Standards.



Public Consultation

The Applicant sent a Public Engagement Survey to 15 adjacent landowners seeking comments regarding addition of the Religious Assembly as a land use in the community and its compatibility to adjacent lands. No responses were received from the mailouts.

POLICY ANALYSIS:

Municipal Development Plan (County Plan)

Section 11.0 of the County Plan provides opportunities for Institutional and Community Land Uses that serve the broader public interest while ensuring they are compatible with surrounding land uses. Policy 11.1 encourages institutional uses within business centres to be developed in accordance with relevant area structure plans or conceptual scheme policies to leverage existing infrastructure to provide services to the highest density population areas.

The application is consistent with the intent of the County Plan to support institutional uses within existing business centres. However, concern is raised that the site location does not align with the direction of the ASP.

The proposed Religious Assembly use and future Child Care Facility and Recreation (Public) uses meet the definition of Institutional and Community Land Uses within the County Plan. In accordance with Policy 11.1 and Section 29 of the County Plan, the Applicant has provided a public consultation summary, operational plan, and Master Site Development Plan (MSDP) in support of the land use amendment application, that addresses site design, servicing, access and parking, landscaping, and phasing requirements for the proposed development.

Balzac East Area Structure Plan (ASP)

The subject land is located within Cell C, Special Development Area #4 (SDA4) of the ASP. This area is described by the ASP as “the heart of the commercial/industrial business area”.

Section 4.5 (Institutional Land Use) of the ASP states that institutional uses are preferred in Special Development Area #2 (SDA2), an area that lies north of Highway 566 on the east side of Nose Creek and west of Range Road 293. Section 4.5 also emphasises that institutional land uses should be compatible with surrounding land uses. While other Special Development Areas (SDA) refer to institutional land uses being supported, SDA4 does not provide such support, although Section 4.7.4 j) of the ASP does state that Cell A “will allow commercial, retail, and other uses that may be compatible with the adjacent residential uses”.

Through the MSDP, the Applicant has largely addressed the technical requirements of Section 4.5 (a) through (g) relating to institutional uses within the ASP.

Administration concludes that the ASP seeks to direct institutional land uses away from the prime commercial and industrial areas to areas that are more transitional in nature and more suitable for location nearby to residential land uses. Therefore, the proposal conflicts with the overall intent of the ASP and supporting Balzac Commercial Campus Conceptual Scheme (CS) discussed below.

Balzac Commercial Campus Conceptual Scheme (CS)

The CS provides land use and development framework for the Balzac Commercial Campus area (NW 10-26-29-W4M) in accordance with the ASP. The vision for the area is that:

“The Balzac Commercial Campus will be developed as a vibrant and successful business and industrial area that accommodates a broad range of employment uses consistent with M.D. of Rocky View economic development objectives for the East Balzac area.”

Land Use Policy 3.2.1 of the Conceptual Scheme does speak to the consideration of institutional uses within the CS area, with further commentary within the CS noting that Cell A adjacent to Highway 566



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would include commercial and institutional uses. The CS then notes that Cell C, within which the proposal is located, would be appropriate for a broader variety of business and industrial uses in accordance with SDA4 of the ASP.

Taking the above vision and policies into account, the Conceptual Scheme appears to reaffirm the ASP policy direction in encouraging institutional uses to locate in other areas of the ASP and not in Cell C of SDA4. Therefore, the proposal conflicts with the CS.

Section 6.0 (Development Standards) of the CS requires development standards and architectural controls to be used at the development permit stage to ensure the compatibility of the development with adjacent land uses and to provide a quality appearance when viewed from Dwight McLellan Trail. The MSDP identifies building setbacks, lot coverage, and site lighting in accordance with the Development Standards of the CS; further, Policy 3.5 of the MSDP requires the conformance of lighting, landscaping, fencing, and signage at the development permit stage to be in accordance with the ASP, CS and Land Use Bylaw.

Direct Control District (DC-99)

DC-99 provides for a range of uses within the three cells: A, B, and C. The subject site is located within Cell C, uses within this area range from 'Agricultural, General' to 'General Industry Type III'. It is acknowledged that other tax-exempt institutional uses are allowed within Cell C of DC-99, including 'Schools – public, private and separate'. It is also recognized that Council has previously approved the 'Religious Assembly' use as a site-specific amendment within other areas of Cell C.

However, Administration is recommending that further expansion of institutional uses within Cell C of SDA4 should not be supported due to this area's intended focus on high value commercial and industrial development.

The proposed Religious Assembly and Child Care Facility uses align with the definitions within the 1997 Land Use Bylaw, which DC-99 references. The Applicant has proposed a definition for the Recreation (Public) use be added within Section 4.0 (Definitions) of DC-99 to capture the future community hall planned in Phase 2 of the development, as follows:

Recreation (Public) - means a use where sports or recreation, that is open to the public, occurs within an enclosed building. Typical uses include recreation centers and community halls but does not include Government Services.

Land Use Bylaw

DC-99 regulations refer to Parts One, Two, and Three of Land Use Bylaw C-4841-97; as such, the Land Use Bylaw policy review of the application was conducted using the 1997 Land Use Bylaw, as amended. The Applicant proposes 166 parking stalls on site based on the Religious Assembly development area calculation of 7.5 stalls per 100m² of development area. This parking number is less than what would be required under Land Use Bylaw C-4841-97, which requires 1 parking stall per 4 fixed seating places plus 20 per 100m² of floor area used for assembly, recreation, or other ancillary uses.

MSDP Policy 3.3 requires a Parking Assessment, prepared by a qualified person, to be submitted at the development permit stage to determine parking requirements for each proposed use to the satisfaction of the Development Authority. Further, the proposed DC-99 amendments include an additional policy under Section 3.15.0 (Special Development Regulations) requiring a parking assessment to determine parking requirements for all three proposed uses on the subject parcel.



Additional Considerations

Transportation

Due to the proximity of the proposed site access on Prime Avenue to the signalized intersection at Dwight McLellan Trail further consideration would be required, at the development permit stage, to design a configuration that adequately accommodates eastbound, left turning traffic into the site.

Site Servicing

The site was allocated 4.0 m3/ day of water and sewer capacity under previous subdivision application 2012-RV-048; the proposed application would require additional allocation, which does not appear to be sufficient for the proposed development and operations. At the development permit stage, a detailed water and wastewater servicing study would be required to confirm servicing demands; any additional capacity allocation would need to be purchased in accordance with the Master Rates Bylaw as a condition of a future development permit.

The Applicant would be required to provide a Site-Specific Stormwater Implementation Plan that adheres to the Crossroads Commercial Campus Master Drainage Plan maximum unit area release rate, and a connection to the off-site stormwater collection system would be required at the development permit stage.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Services

Chief Administrative Officer

SV/rp

ATTACHMENTS

- ATTACHMENT ‘A’: Application Information
- ATTACHMENT ‘B’: Application Referrals
- ATTACHMENT ‘C’: Amended Bylaw C-8230-2021 and Schedule ‘A’
- ATTACHMENT ‘D’: Eritrean Orthodox Tewahdo St. Michael Church Master Site Development Plan
- ATTACHMENT ‘E’: DC-99 Bylaw (Redlined)
- ATTACHMENT ‘F’: Map Set