



PLANNING

TO: Council
DATE: September 27, 2022
FILE: 06410003
SUBJECT: Conceptual Scheme and Direct Control Bylaw Amendments: Business Uses

DIVISION: 5
APPLICATIONS: PL20220032 / PL20220033

APPLICATION:

PL20220032 (Bylaw C-8317-2022) - To amend the Balzac Commercial Campus Conceptual Scheme:

- Amend the requirement for road construction and issuance of a Construction Completion Certificate prior to a development permit being issued.
- Amend the setback and site coverage requirements for buildings abutting Highway 566.
- Amend policies relating to suitable building facade treatments, visual screening, and landscaping buffering facing Highway 566.

PL20220033 (Bylaw C-8318-2022) - To amend Direct Control Bylaw C-6031-2005 (DC-99):

- Include new clauses to allow the Development Authority to approve minor variances (5%).
- Increase the maximum building height in Cell A from 10 metres to 12 metres.
- Increase the maximum site coverage in Cell A from 25% to 45%.
- Include the southern portion of the subject lands into the area that is allowed for a maximum site coverage of 55%.

GENERAL LOCATION: Located approximately 0.81 kilometres (0.50 miles) west of Range Road 292 and on the south side of Highway 566.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8317-2022 and Bylaw C-8318-2022 on July 26, 2022. The Bylaws propose to amend the Balzac Commercial Campus Conceptual Scheme and Direct Control Bylaw C-6031-2005 (DC-99) to facilitate more intensive development on the subject land.

The property would be accessed through the extended subdivision road, and serviced by the municipal piped water and wastewater system. The technical requirements have been addressed through the approved and endorsed subdivision application (PL20210145).

The proposed amendments are consistent with the Regional Growth Plan (RGP), the Municipal Development Plan (County Plan), and the Balzac East Area Structure Plan (ASP). The proposed amendments align with the preferred growth area of the RGP, the Business Development (Section 14.0) policies of the County Plan, and the Special Development Area #4 policies of the ASP.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1 for both PL20220032 and PL20220033.

Administration Resources

Xin Deng, Planning and Development Services

OPTIONS:Balzac Commercial Campus Conceptual Scheme Amendment (PL20220032):

- Option # 1: Motion #1 THAT Bylaw C-8317-2022 be amended, in accordance with Attachment 'C'.
- Motion #2 THAT Bylaw C-8317-2022 be given second reading, as amended.
- Motion #3 THAT Bylaw C-8317-2022 be given third and final reading, as amended.
- Option # 2: THAT application PL20220032 be refused.

Direct Control Bylaw C-6031-2005 (DC-99) Amendment (PL20220033):

- Option # 1: Motion #1 THAT Bylaw C-8318-2022 be amended, in accordance with Attachment 'E'.
- Motion #2 THAT Bylaw C-8318-2022 be given second reading, as amended.
- Motion #3 THAT Bylaw C-8318-2022 be given third and final reading, as amended.
- Option # 2: THAT application PL20220033 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:

**APPLICATION EVALUATION:**

The applications were 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>; • Calgary Metropolitan Region Growth Plan; • Municipal Development Plan (County Plan); • Balzac East Area Structure Plan; • Balzac Commercial Campus Conceptual Scheme; • Direct Control Bylaw C-6031-2005 (DC-99); and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------

POLICY ANALYSIS:Calgary Metropolitan Region Growth Plan (RGP)

The Calgary Metropolitan Region Growth Plan was adopted by CMRB and is effective as of August 15, 2022. The fundamental strategies for the growth plan are to encourage compact mixed-use infill development and redevelopment, direct urban development to Preferred Growth Areas of Urban Municipalities, Joint Planning Areas and Hamlet Growth Areas, support clustered development, agricultural conservation, and hamlet development opportunities for rural areas.

Policy 3.1.3.3 of the RGP states that employment areas should be directed to Preferred Growth Areas where infrastructure, servicing, and transportation are available.

- Balzac East is identified as a Preferred Growth Area, being located within Joint Planning Area 1. The proposed development would be serviced by the existing municipal water and wastewater systems and accessed by the extended internal subdivision road.

Policy 3.1.10.1 states that the existing Area Structure Plans that were adopted prior to the date this Growth Plan comes into force, will remain in full effect.

- The proposals were evaluated in accordance with the Balzac East Area Structure Plan that was adopted in 2000.

Municipal Development Plan (County Plan)

Section 14.0 (Business Development) of the County Plan provides policies to guide development within a variety of business areas. Policies 14.2, 14.3, and 14.4 of the County Plan direct business development to locate in the identified business areas where the area structure plans apply, encourage the infilling and intensification of existing business areas to complement other business, maximize the use of existing infrastructure, and minimize land use conflict and the amount of traffic being drawn to rural areas.

- The proposed amendments are intended to intensify the development and facilitate development with diverse appearance and business types in the Balzac area, which would maximize the use of existing municipal infrastructure and services. The proposal meets the business goals of the County Plan.



Balzac East Area Structure Plan (ASP)

The subject land is identified as Cell A and Cell C in the Special Development Area #4 (SDA #4) of the ASP. Cell A is located immediately south of Highway 566 and is considered as transition land between residential development to the north of Highway 566 and the business uses to the south. Landscaped buffers, and sensitive signage and a lighting plan, are required by the ASP. Rear yards and side yards, where visible, would be treated like a front yard and require landscaping. Cell C is the heart of the commercial and industrial, supporting a wide range of business development. A Conceptual Scheme is required for the development of Cell A and C; therefore, the Balzac Commercial Campus Conceptual Scheme was adopted in 2008 to address the requirements of the Balzac East ASP on land use, infrastructure, servicing, municipal reserve, buffering and pathway, and development standards, etc. The proposed amendments are considered to still achieve the intent of the SDA #4 Cells A and C.

Balzac Commercial Campus Conceptual Scheme (CS)

The proposals were evaluated in accordance with the Balzac East Area Structure Plan, its consistency with the original intent of the Balzac Commercial Campus Conceptual Scheme, and the County Servicing Standards. The amendments to the Conceptual Scheme are discussed below and a red-line version of the Conceptual Scheme is set out within Attachment 'D' for reference.

Amendment #1 - Policy 4.2.3

Existing Policy 4.2.3: No Development Permit will be issued until a Development Agreement has been entered into, and the required Road System has been constructed and received a Construction Completion Certificate (C.C.C.).

Proposed Policy 4.2.3: No Development Permit will be issued until a Development Agreement has been entered into. A Construction Completion Certificate (C.C.C.) will be required as a Prior to Occupancy condition of the Development Permit.

The Applicant proposes to move the requirement of road construction and C.C.C. from being required prior to a development permit being issued to prior to occupancy being granted; this aligns the CS policy and with the County's Servicing Standards, and Subdivision and the Development Security Policy (Council Policy C-407), which requires Construction Completion Certificates (C.C.C.) prior to occupancy. On the subject parcel, all infrastructure required construction of offsite roads/infrastructure has been provided under the Crossroads Commercial Park Phase 2 Development Agreement (executed through application PL20210145).

Amendment #2 - Section 6.1

Existing Section 6.1: All buildings abutting Highway 566 shall be set back a minimum of 30 metres from any property line. All other buildings shall be set back a minimum of 10 metres from any property line. Maximum site coverage will be 25% for Cell A and 40% for Cell C. Building setbacks and site coverage will be in accordance with DC-99, Bylaw C-6031-2005.

Proposed Section 6.1: The placement and site coverage for all buildings abutting Highway 566 shall be in accordance with DC-99, Bylaw C-6031-2005.

To avoid conflict with the amended DC-99, the Applicant proposes to remove the specific numbers from this paragraph. Administration has no concerns with the amended policy; subsequent applications to amend the Direct Control District Bylaw C-6031-2005 would be aided in the simplification of this policy.

Amendment #3 - Policy 6.3.1

Existing Policy 6.3.1: On sites abutting Highway 566, no loading bays, loading doors, or other activities creating heavy truck movements will be allowed to be located on building facades facing toward Highway 566.

Proposed Policy 6.3.1: On sites abutting Highway 566, limited loading bays, loading doors, or other activities creating heavy truck movements may be allowed on building facades facing toward Highway 566, where suitable screening and buffering is provided in accordance with the requirements of Section 6.0 Development Standards of this Conceptual Scheme.

The Applicant proposes to remove the restriction to allow loading bays to be located facing Highway 566 with screening and buffering. The subject land in Cell A should play an important role of transitioning between residential and more intensive industrial land uses while providing an attractive interface with Highway 566. To mitigate the potential impact on Highway 566 while allowing for flexibility to support the development, the Applicant requests to soften the language around the possible limited inclusion of loading bays, loading doors, or other activities that could create heavy truck movements when adequate screening is provided. The use of “limited” and “may” clauses within the policy would provide the Development Authority some discretion in interpretation to protect visual amenity along the Highway.

Amendment #4 - Policy 6.3.2

Existing Policy 6.3.2: On sites abutting Highway 566, the major customer entrance to the building should be facing Highway 566, along with customer car parking areas and appropriate customer entry features such as windows and architectural entry treatments.

Proposed Policy 6.3.2: On sites abutting Highway 566, the major customer entrance to the building are encouraged to locate facing Highway 566, along with customer car parking areas and appropriate customer entry features such as windows and architectural entry treatments.

The Applicant proposes to replace “should be” with “are encouraged to” to allow for the building frontages to be orientated towards the internal road to the south. As direct access to Highway 566 is not permitted, the customer entrance facing Highway 566 forces traffic movement that is visible from Highway 566. Administration notes the Wheel Industrial Park Conceptual Scheme, east of the subject parcel, contains the same policy.

Direct Control Bylaw C-6031-2055 (DC-99)

Direct Control Bylaw C-6031-2005 (DC-99) was adopted in 2005 to facilitate the implementation of development within Special Development Area #4 of the Balzac East ASP. The proposed amendments to DC-99 were evaluated in accordance with the relevant policies. Again, the amendments to DC-99 are discussed below and a red-line version of the DC Bylaw is set out within Attachment ‘F’ for reference.

Amendment #1 - Section 1.0.0

Existing Section 1.0.0: There are no sub-sections 1.8.0 and 1.9.0 under Section 1.0.0.

Proposed Section 1.0.0: To add new sub-sections 1.8.0 and 1.9.0:

Section 1.8.0 The Development Authority may grant a variance to maximum building height and maximum site coverage, to a maximum of 5%.

Section 1.9.0 Notwithstanding Section 3.9.0, for the lots adjacent to the 20 m landscaped Municipal Reserve land that borders Highway 566, the minimum landscaped width may calculate to an average of 9.5 m (31.17 ft.) in total.



The proposed amendments would provide Administration limited variance to the maximum site coverage requirements and landscaping buffer width without requiring further amendments to DC-99. The Applicant is proposing these changes to simplify acceptance of site plans at the development permit stage. Administration would still ensure the proposed developments meet the associated policies and regulations but would be permitted limited variance powers at the development permit stage when reviewing applications.

Amendment #2 - Section 3.12.1 Principal Building for Cell A

Existing: 10 metres

Proposed: 12 metres

Amendment #3 - Section 3.14.0 Maximum Site Coverage for Cell A

Existing: 25%

Proposed: 45%

Amendment #4 - Section 3.14.0 Maximum Site Coverage for Cell C

Existing: 40%;

Proposed: To include the subject land into the area that is allowed for 55% site coverage.

The above changes proposed by the Applicant are to facilitate current development trends in Balzac and wider business development practice, which is progressing towards many tenants requiring buildings of a greater height and footprint. The proposed 12 m building height contemplates the transition role of the Cell A, which is compatible with adjacent development. The Applicant has noted the proposed increased site coverage in Cell A meets the market need, and assists in the transition of the development density from Cell A to Cell C. More intensive development should be directed to Cell C, where the proposed site coverage of 55% for the south portion of the land in Cell C is requested.

ADDITIONAL CONSIDERATIONS:

The subdivision application (PL20210145) to create two industrial lots with a remainder on the subject land was conditionally approved by the Subdivision Authority on November 10, 2021, and has been endorsed (pending the plan registration in the land title office). The technical requirements on the infrastructure and servicing have been satisfied through the conditions of subdivision. In addition, the Applicant provided a memo to demonstrate the proposed amendments would not affect the existing infrastructure and servicing. They have secured the required servicing to support the proposed new development.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Services

Chief Administrative Officer

XD/rp

**ATTACHMENTS:**

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Amended Bylaw C-8317-2022 and Schedule 'A'

ATTACHMENT 'D': Proposed Amendments to the Balzac Commercial Campus Conceptual Scheme
(redline version)

ATTACHMENT 'E': Amended Bylaw C-8318-2022 and Schedule 'A'

ATTACHMENT 'F': Proposed Amendments to DC-99 (redline version)

ATTACHMENT 'G': Map Set

ATTACHMENT 'H': Public Submissions