



PLANNING

TO:	Council	
DATE:	November 15, 2022	DIVISION: 6
TIME:	Morning Appointment	
FILE:	04333053	APPLICATION: PL20220039
SUBJECT:	Redesignation Item: Industrial Use	

APPLICATION: To redesignate the \pm 1.65 hectare (\pm 4.08 acre) subject land from Residential, Rural District (R-RUR) to Industrial, Light District (I-LHT) to accommodate outdoor storage, including truck parking.

GENERAL LOCATION: Located on the south side of Township Road 250, approximately 0.81 kilometres (0.50 miles) east of Conrich Road and 3.00 kilometres (1.86 miles) north of the city of Chestermere.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8291-2022 on May 31, 2022.

The subject parcel contains an existing dwelling and shed, with direct access off Township Road 250. The wider quarter section contains residential uses, with the nearest industrial uses being located further west along the rail line and north of Township Road 250 within the CN Logistics Park.

The application proposes to redesignate the subject parcel to accommodate an outdoor storage use, including parking of up to 20 semi trucks. The existing buildings would remain, and no additional structures are proposed to be developed.

The subject parcel falls within the "Industrial Transition" area (Map 5 - Land Use Strategy), specifically Township Road 250 Transition Area (Map 12), of the Conrich Area Structure Plan (ASP). Within the transition area a "Non-Residential/ Residential Interface" is identified (Map 6 and Section 14.0), and this covers all of the subject parcel, with the exception of a 25 metre strip of land along the western property line. The application does not meet Policy 14.3 (a) and (b) (Business Uses) of the ASP, which does not support outdoor storage uses within the identified interface area.

Policy 5.4.13 of the Township Road 250 Conceptual Scheme, reinforces the ASP requirement for no outdoor storage uses by stating that business uses shall comply with Non-Residential/Residential Interface policies of the ASP.

The application does not comply with the ASP or the CS and has the potential to negatively affect the use and enjoyment of neighbouring properties; therefore, Administration is recommending refusal of the application. Further, due to the proposal's identified conflicts with the ASP, it is considered that approval of this applicant would carry legal risk for the County.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #2.

OPTIONS:

Option # 1:	Motion #1	THAT Bylaw C-8291-2022 be given second reading.
	Motion #2	THAT Bylaw C-8291-2022 be given third and final reading.

Administration Resources

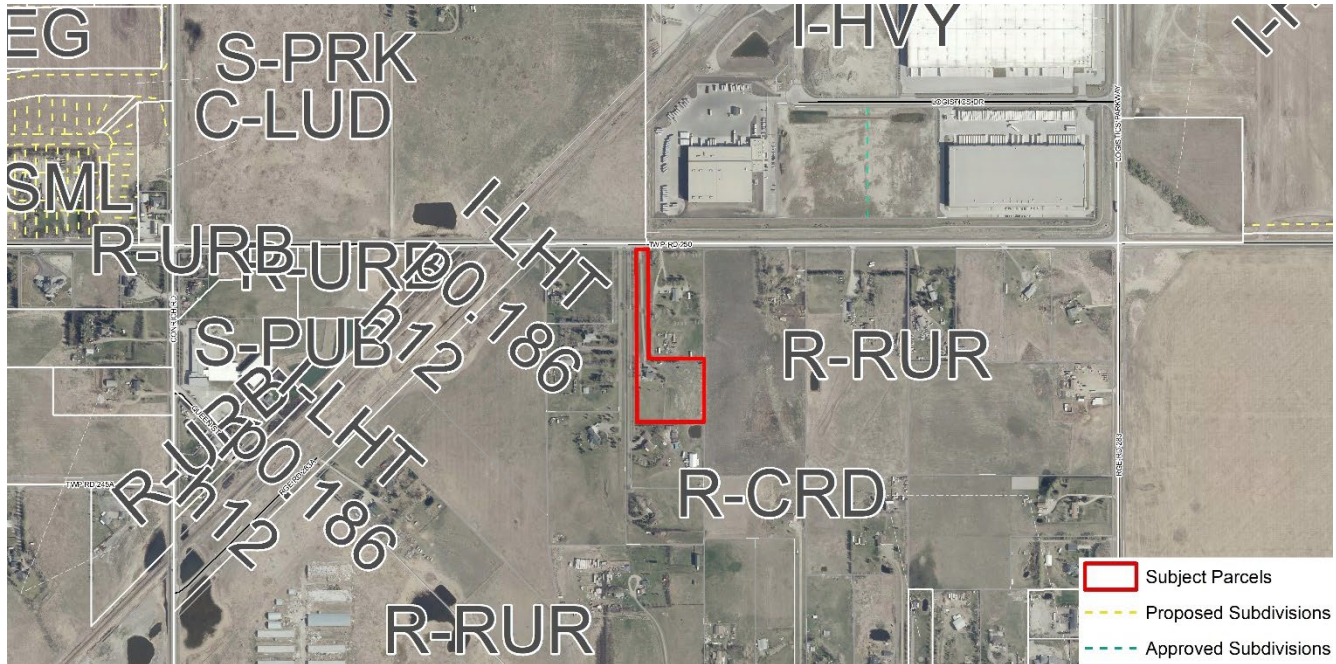
Sangeeta Vishwakarma, Planning and Development Services



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Option # 2: THAT application PL20220039 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:

- *Municipal Government Act*
- Municipal Development Plan (County Plan)
- City of Calgary/Rocky View County Intermunicipal Development Plan
- Conrich Area Structure Plan
- Township Road 250 Conceptual Scheme
- Land Use Bylaw
- County Servicing Standards

TECHNICAL REPORTS SUBMITTED:

- Traffic Impact Assessment prepared by Bunt and Associates, September 2022.

POLICY ANALYSIS:

Municipal Development Plan (County Plan)

Policies 14.2, 14.4, and 14.6 of the County Plan directs business development to existing, identified business areas, that shall be guided by an area structure plan. In keeping, Policy 14.8 (Regional Business Centre) directs new commercial and industrial development to existing, identified regional business centres and ensure development complies with existing area structure plans. The Conrich area is identified as a Regional Business Centre on Map 1 of the plan and as such, guided by the Conrich Area Structure Plan.



Conrich Area Structure Plan (ASP)

The subject parcel gains direct access off Township Road 250 and lies within the “Industrial Transition” area of Map 5 (Land Use Strategy) of the ASP. The proposal is to initiate the transition of the subject parcel (first parcel to transition) to an industrial use to align with the existing policy framework of the Conrich area.

Policies 9.5 to 9.9 (Residential Transition Areas) recognizes Township Road 250 as one of three existing residential areas within the Conrich area where transition to future industrial or commercial uses is supported due to the location of the CN railyard. The application was additionally assessed under the Township Road 250 Conceptual Scheme which was developed by the County as directed by 9.9 of the ASP and adopted in 2019.

Section 14.0 of the ASP outlines non-residential/residential interface policies with the objective of minimizing the impact of non-residential uses on residential lands and providing appropriate edge conditions to aid transition of lands to industrial areas. Almost all of the subject site forms part of the “Non-Residential/Residential Interface” area as shown on Map 6 of the ASP.

The application and the proposed use do not align with Policy 14.3 (a) and (b) (Business Uses) as the Policy generally supports business uses that are primarily carried out within a building and specifically does not support outdoor storage uses within the Non-Residential/Residential Interface. The application addresses the setback and landscape requirements of Policies 14.6 to 14.8; however, the proposal for outdoor storage, including truck parking, does not align with the intended use for the interface area according to the ASP.

The application is not located within the Policy Area of the Rocky View County / City of Calgary Intermunicipal Development Plan (IDP); however, Policy 28.7 of the ASP requires circulation of the entire ASP area to the City of Calgary for transportation review. The City of Calgary responded with no comments or concerns to raise on the application.

The County does not currently have an Intermunicipal Development Plan with the City of Chestermere; Policy 28.4 of the ASP requires that development adjacent to Chestermere shall be coordinated between the County and the City. The City of Chestermere responded with no comments or concerns to raise on the application.

Township Road 250 Conceptual Scheme (CS)

The Township Road 250 Transition Area includes lands lying south of the Township Road 250 and adjacent southern and eastern Country Residential lands identified under Map 12 (Local Plans) of the Conrich ASP. Township Road 250 has been identified as Long-Range Transportation Network and has been subject to increased truck traffic due to facility operations within the area. The CS provides industrial transition policies in two phases to mitigate impacts to adjacent residential lands in keeping with the Non-residential/Residential Interface Area policies of the Conrich ASP.

The subject parcel is located within the “Business Commercial” area of the “Industrial Transition” lands identified under Figure 6 of the CS. The Business Commercial area is intended to support light industrial, commercial, office, small to medium retail and institutional uses. Policy 5.4.2 also clarifies that the area shall accommodate low impact development that occurs within an enclosed building or properly screened outside area. However, Policy 5.4.13 also notes that business uses located within the Residential/Non-Residential Interface area shall accord with the ASP interface policies, and as noted above, the ASP policies do not support outside storage uses in the interface areas.

The Conceptual Scheme does also provide for transition uses through a Live-Work Overlay (Section 5 – Development Concept). This is intended to offer existing residents the ability to operate a home-based business of a greater intensity than would otherwise be allowed within the Land Use Bylaw, without the need to submit a land use redesignation application. However, transition uses within the



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interface area are still required to meet the ASP interface requirements and the Land Use Bylaw Overlay which implements the CS transition policies.

Land Use Bylaw (LUB)

The proposed Industrial, Light District (I-LHT) District supports the proposed Outdoor Storage use as a discretionary use but requires that nuisance factors be confined within the site and that developments of this nature address issues of compatibility and transition with respect to adjacent uses. The ASP interface policies do not allow Outdoor Storage in the interface area, especially as a principal use. The I-LHT District also provides for several more intensive uses including Industrial (Medium) and Industrial (Heavy) which would allow the Applicant to apply for these uses through a development permit in direct conflict with the intent of the ASP and CS.

It is noted that the Live-Work Overlay set out within Section 7 and Schedule A of the Land Use Bylaw does not allow Outdoor Storage as a principal use. Outside storage as an activity ancillary to the principal business use is allowed at a limited scale of 1% of the overall parcel area. Even where the Applicant's proposal was ancillary to another business use, the scale of the outside storage area of 1.14 acres significantly exceeds the 0.04 acres that would be allowed within the Live-Work Overlay area.

ADDITIONAL CONSIDERATIONS:

The County intends to realign Township Road 250 as per the Conrich ASP to achieve an improved intersection with Conrich Road and to improve the railway crossing angle. The preliminary realignment concept shows the subject parcel to be east of the realignment area, and therefore, direct access to the parcel from Township Road 250 is not expected to change due to the realignment at this time.

A detailed landscape plan would be required at the future development permit stage to address additional buffering requirements in accordance with the Conrich ASP, the Township Road 250 Conceptual Scheme, and the Land Use Bylaw. Impacts relating to creation of traffic at the approach has been addressed within the submitted Traffic Impact Assessment, and any impact related to stormwater management would be addressed at the future development stage. A waste management plan would be required at the development permit stage as set out within the Land Use Bylaw.

Administration notes that there is an active Home-Based Business Type II development permit issued for a landscaping company that is valid until 2024.

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': Bylaw C-8291-2022 and Schedule 'A'
ATTACHMENT 'D': Map Set
ATTACHMENT 'E': Public Submissions