



PLANNING

TO:	Council	
DATE:	November 15, 2022	DIVISION: 6
TIME:	Afternoon Appointment	
FILE:	03322008	APPLICATION: PL20210187
SUBJECT:	Redesignation Item: Industrial Use	

APPLICATION: To redesignate the subject lands from Agricultural, Small Parcel District (A-SML p. 8.1) to Industrial, Light District (I-LHT p. 7.5) to accommodate future industrial development.

GENERAL LOCATION: Located at the southwest junction of Highway 560 (Glenmore Trail) and Range Road 282, approximately 3.00 kilometres (1.86 miles) east of the city of Calgary.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8288-2022 on April 26, 2022.

The subject parcel is cultivated and there are no dwellings or other structures currently on the parcel.

The application was evaluated against the policies of the Calgary Metropolitan Region Growth Plan (RGP), the Rocky View County / City of Calgary Intermunicipal Development Plan (IDP), and the Municipal Development Plan (County Plan).

The proposed industrial use would be considered a Rural Employment Area within the RGP outside of a preferred growth area. Policy 3.1.6.3 of the RGP requires Rural Employment Areas to be planned through the creation of an Area Structure Plan. Further, County Plan Policies 14.2 and 14.4 of the Business Development section direct business development to locate within identified business areas that are guided by an area structure plan. As no area structure plan covers the subject lands, approval of the application would conflict with the RGP and County Plan's statutory requirements.

The proposal is located immediately south of the Janet Area Structure Plan (ASP). Policy 3.1.6.2 of the RGP requires that Rural Employment Areas are not to be located within two kilometres of a Joint Planning Area. As the Janet ASP is part of Joint Planning Area 2, this application conflicts with Policy 3.1.6.2. Furthermore, Policy 14.19 of the County Plan states that applications for business uses adjacent to the boundaries of an identified business area shall not be supported. Approval of business uses immediately outside of an ASP area can slow the build-out within the ASP and provide an additional burden on the area's infrastructure. As the proposal is adjacent to the Janet ASP and Joint Planning Area 2, it does not align with the RGP and County Plan locational requirements.

The subject lands are located in City of Calgary future Industrial Growth Area, as identified within the IDP. Further, the subject lands are located within the proposed City of Calgary annexation area. The proposal was also found to be in conflict with Policy 8.1.3 of the IDP as it does not align with the County Plan. The City of Calgary has raised opposition to the application.

Due to the identified conflicts with the applicable regional and municipal statutory plans, it is considered that approval of this application could potentially be deemed invalid by Section 708.061(3) of the Municipal Government Act. The Act requires the municipalities within an approved RGP to comply with the plan; failure to do so would deem the contravening statutory plan or bylaw to be deemed invalid.

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

Administration Resources

Jasmine Kaur, Planning & Development Services



OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8288-2022 be given second reading.
- Motion #2 THAT Bylaw C-8288-2022 be given third and final reading.

Option # 2: THAT application PL20210187 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.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Calgary Metropolitan Region Growth Plan • Rocky View County / The City of Calgary Intermunicipal Development Plan (IDP) • Municipal Development Plan (County Plan); • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • None
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POLICY ANALYSIS:

Municipal Government Act (MGA)

Section 708.061(3) of the MGA notes that if a council of a participating municipality within a Regional Growth Plan (RGP) fails to amend a statutory plan or bylaw to align with the RGP, the statutory plan or bylaw is deemed to be invalid to the extent it conflicts or is inconsistent with the growth plan.

Calgary Metropolitan Region Growth Plan (RGP)

Policy 3.1.6.3 requires that proposals for business uses meeting the definition of a Rural Employment Areas be planned through an area structure plan regardless of their size. This is to ensure that the proposal integrates with regional transportation infrastructure and provides appropriate servicing. The submitted application is not supported by an area structure plan; therefore, the proposal does not meet this requirement of the RGP.

Policy 3.1.6.2 is also explicit in requiring that Rural Employment Areas shall not be located within two kilometres (1.25 miles) of a Joint Planning Area. As the Janet ASP lies within Joint Planning Area 2 and is located north of the subject lands, immediately north of Glenmore Trail, the proposal does not meet the RGP.

Intermunicipal Development Plan (IDP) between Rocky View County and The City of Calgary

The subject lands are located within the policy area of the IDP, and an identified City of Calgary Future Industrial Growth Area on Map 4. The policies of the IDP state that applications within the Growth Areas shall proceed in accordance with the County's statutory plans, which in this case is the County Plan. The application does not comply with the policies of the County Plan, and therefore, it does not meet Policy 8.1.3 of the Intermunicipal Development Plan.

Per Policy 4.7.4, lands within the 'Glenmore Trail' Key Focus Area identified as being within The City of Calgary's growth corridor on Map 4 should be administered in accordance with Section 8 of this Plan.

The subject lands are located within the proposed City of Calgary annexation area. The City of Calgary has proposed to annex the lands within the identified Future Industrial Growth Area, shown on Map 4 of the IDP.

The application was circulated to the City of Calgary per Policy 8.1.4; a summary of their opposition to the proposal can be found in Attachment 'B'. The City does not support an industrial district, with no plans or further information provided, that provides for many permanent uses; instead, the City recommends a district focusing on temporary uses.

Municipal Development Plan (County Plan)

The application was evaluated under the Business Development Policies (Section 14.0) of the County Plan.

Policy 14.2 of the County Plan requires business development to locate within identified business areas as shown on Map 1. The subject parcel is not located within an identified business area and is located south of the Janet Area Structure Plan, an ASP that promotes similar industrial uses to those proposed through this application.

Policy 14.4 directs that a business area shall have an adopted area structure plan in place prior to development, except for appropriately zoned areas. Furthermore, Policy 14.19 of the County Plan also requires that "applications to redesignate land for business uses adjacent to, or in the vicinity of, the boundaries of an identified business area shall not be supported". The subject lands are not located within an ASP area.



ROCKY VIEW COUNTY

Policy 14.21 of the County Plan requires that applications for redesignation outside of an identified business area shall provide rationale that justifies why the proposed development cannot be located in a business area. No rationale has been provided at this time.

Policy 14.22 of the County Plan requires that proposals for business development outside of a business area should:

- a. Be limited in size, scale, intensity, and scope;
- b. Have direct and safe access to a paved County road or Provincial Highway;
- c. Provide a traffic impact and intersection assessment; and
- d. Minimize adverse impacts on existing residential, business, or agricultural uses.

The application does not align with the County Plan as it proposes business redesignation outside, and in the direct vicinity of, an identified business area. Further, neither a rationale for the redesignation nor a reason why any proposed uses that could be considered cannot be located within the Regional Business Area to the north have been provided.

Land Use Bylaw

The subject parcel exceeds the minimum size of the district, and the proposed “p” modifier proposed by the Applicant would limit subdivision of the parcel. Given the purpose of the district, various permitted and discretionary uses may have an impact on area agricultural and residential lands.

ADDITIONAL CONSIDERATIONS:

Transportation

The proposed parcel is located within the 1.61 kilometre (1.00 mile) setback from Highway 560/Glenmore Trail. Alberta Transportation requires a Traffic Impact Assessment (TIA) for an extensive industrial/commercial development. It is also noted that future development and future access to lands at this location will be impacted by future highway upgrades, as indicated in the 2005 Alberta Transportation Functional Planning and access Study, also supported by the City of Calgary Glenmore Trail East Study.

Servicing

The application proposes that water would be supplied by a cistern. Sewer servicing is proposed through the use of holding tanks. Further review of the proposed servicing would be a requirement of future subdivision and development permit applications.

Environmental

The provincial wetland inventory identifies that wetlands are present on the subject lands. A Wetland Impact Assessment or copies of Alberta Environment and Parks regulatory approvals for disturbing/filling any wetland(s) would be required at the future development permit stage.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Dorian Wandzura”

Acting Executive Director
Community Services

Chief Administrative Officer



ROCKY VIEW COUNTY

JK/rp

ATTACHMENTS

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8288-2022 and Schedule A

ATTACHMENT 'D': Map Set