

LAND USE AMENDMENT
RESIDUAL SUB-AREA 13G (WARD 13)
EAST OF 37 STREET SW AND SPRUCE MEADOWS TRAIL SW
BYLAW 48D2018

MAP 30SS

EXECUTIVE SUMMARY

This amendment proposes to change the land use district of the subject parcel from a DC Direct Control District to Special Purpose – Community Institution (S-CI) District to accommodate a land exchange agreement between the landowner and the Province of Alberta. The purpose of the land exchange is to accommodate an adjacent future extension of Stoney Trail and is considered a “housekeeping” amendment. In exchange for undeveloped cemetery land within the eastern portion of the site, the Province has provided a portion of undeveloped land to the south of the site, adjacent to Spruce Meadows Trail SW. Both portions of land are equal in size. The eastern lands acquired by the Province of Alberta will continue to be regulated under the Direct Control District (Bylaw 83Z99) until such time that the Province of Alberta applies for an amendment.

The existing development within the developed portion of the site includes a Cemetery, a Place of Worship, a caretaker's residence and accessory uses. This development will not be affected by the proposed Land Use district amendment.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2017 December 14

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 48D2018; and

1. **ADOPT** the proposed redesignation of 5.26 hectares ± (12.99 acres ±) located at 17818 – 37 Street SW (Plan 1710922, Block 1, Lot 2) from Special Purpose – Transportation and Utility Corridor (S-TUC) District and DC Direct Control District **to** Special Purpose – Community Institution (S-CI) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 48D2018.

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REASON(S) FOR RECOMMENDATION:

The existing Direct Control District is based on Land Use Bylaw 2P80 and this land exchange presents a good opportunity to replace the former DC with a stock land use district from Land Use Bylaw 1P2007.

The existing Direct Control Bylaw 83Z99 was intended to accommodate a “cemetery, chapel, caretaker’s residence and accessory uses.” These uses can be accommodated by the S-CI District which allow for all of the aforementioned uses, including the caretaker’s residence, as an ancillary use.

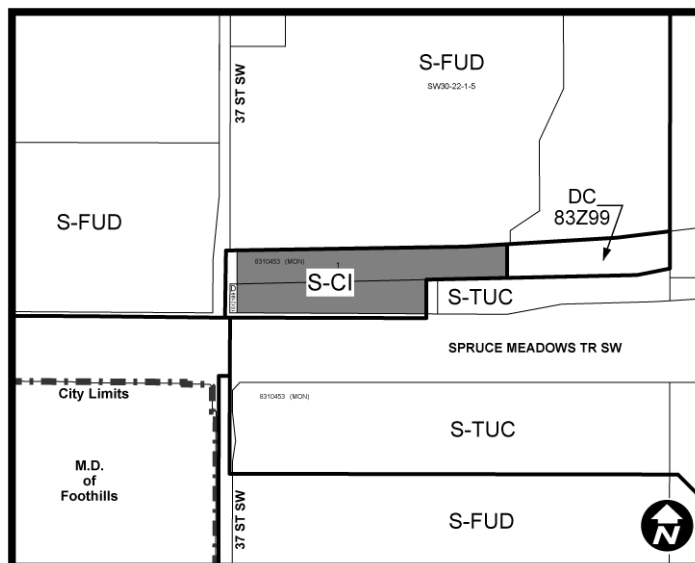
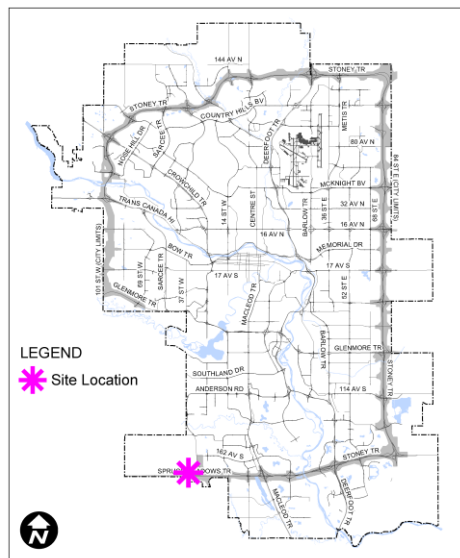
ATTACHMENT

1. Proposed Bylaw 48D2018

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 5.26 hectares $\pm$ (12.99 acres $\pm$) located at 17818 – 37 Street SW (Plan 1710922, Block 1, Lot 2) from Special Purpose – Transportation and Utility Corridor (S-TUC) District and DC Direct Control District **to** Special Purpose – Community Institution (S-CI) District.

Moved by: A. Palmiere
Absent: E. Woolley

Carried: 8 – 0

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Applicant:

David Jacobs Consulting

Landowner:

Chevra Kadisha of Calgary

PLANNING EVALUATION

SITE CONTEXT

The site is bounded to the north and west by Special Future Urban District (S-FUD) land, to the south by Spruce Meadows Trail SW and to the east by land that currently remains as a Direct Control District (Bylaw 83Z99) but is expected to be redesignated to S-TUC in the near future by way of application from the Province of Alberta.

The site is currently being used as a cemetery, which includes an existing Place of Worship facility and a caretaker's residence. Both portions of land involved in the land trade with the Province of Alberta are entirely undeveloped.

LAND USE DISTRICTS

In July 1999, the original parcel was redesignated from Urban Reserve District to a Direct Control District. Prior to this, there have been no redesignations of the subject site.

The proposed amendment is for housekeeping purposes, accommodating for a land exchange that has already been registered with Alberta Land Titles. This amendment presents a good opportunity to replace a now unnecessary Direct Control District based on Land Use Bylaw 2P80 with the S-CI stock land use district contained within Land Use Bylaw 1P2007.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has been considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

Providence Area Structure Plan

The existing site is identified as a "Cemetery Interface" area on the Interface Areas map (Map 4.) The ASP contains policy to ensure that future development to the north that is adjacent to the subject site will feature a minimum 3 metre landscaped buffer from the property line.

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TRANSPORTATION NETWORKS

At the development permit stage, the Applicant will be required to provide an updated access / egress location and detailed cross-section for driveway to the satisfaction of the Transportation Planning. The Applicant will also be required to indicate visitor parking stalls for the proposed use.

UTILITIES & SERVICING

Water mains, sanitary mains and storm sewer mains are not available to service the subject site. A deferred servicing agreement is registered on the current land title. Servicing will be required at a future development permit stage.

ENVIRONMENTAL ISSUES

There are no environmental issues to note.

GROWTH MANAGEMENT

The proposed land use amendment does not trigger capital infrastructure investment, and therefore there are no growth management concerns at this time.

PUBLIC ENGAGEMENT

Province of Alberta

Both Alberta Infrastructure and Alberta Transportation and Utilities (Southern Region) were circulated as part of the application process. No comments received by CPC Report submission date.

Community Association Comments

No comments received by CPC Report submission date.

Citizen Comments

No comments received by CPC Report submission date.

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Public Meetings

No public meetings were held.

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APPENDIX I

APPLICANT'S SUBMISSION

David Jacobs Consulting represents Chevra Kadisha of Calgary (CK), an existing cemetery with a DC land use. The Province of Alberta has purchased the eastern portion of the site for the SW Stoney Trail Ring Road extension. CK entered into a "Land Exchange Agreement" with the Province where they would provide equal land to the south for CK's lands to the east. A land use redesignation is required to ensure the newly created parcel has appropriate land use over the entire parcel.

Upon consultation with City staff, Administration advised that a Direct Control (DC) District as currently exists is not necessary to accommodate the cemetery and the existing caretaker's residence (custodial quarters). Further, Administration recommended that the Special Purpose – Community Institution (S-CI) District will be appropriate as Administration recognizes that it is customary for a custodial quarters/caretaker's residence to exist within some cemeteries. Therefore we have agreed to make a land use redesignation to the S-CI District to replace the current DC 83Z99 on the newly consolidated parcel CK received from the Province.

The Province will be removing the DC (Cemetery) designation from the lands going into the Stoney R.O.W. (likely S-TUC) at another time.