

**LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018**

MAP 36E

EXECUTIVE SUMMARY

The proposed land use amendment seeks to redesignate a Special Purpose – Future Urban Development (S-FUD) District parcel in Residual Ward 10 – Sub Area 10E to a DC Direct Control District based on the Industrial - Outdoor (I-O) District. The proposed DC allows temporary approval of additional discretionary uses which are already occurring on site, including Equipment Yard, Storage Yard, Vehicle Storage (Large and Recreational), Vehicle Rental – Major, and Self Storage Facility. An associated non-concurrent development permit is under review. This application is the result of a complaint.

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 44D2018; and	
<ol style="list-style-type: none"> 1. ADOPT the proposed redesignation of 4.23 hectares ± (10.45 acres ±) located at 4313R - 84 Street NE (Plan 8411222, Block 1) from Special Purpose – Future Urban Development (S-FUD) to DC Direct Control District to accommodate storage uses, in accordance with Administration’s recommendation; and 2. Give three readings to the proposed Bylaw 44D2018. 	

REASONS FOR RECOMMENDATION:

The proposed redesignation is aligned with the intent for development of the area, which the Rocky View/Calgary Intermunicipal Development Plan indicates shall be temporary approvals of storage and related uses. The proposed discretionary uses are consistent with the character of the surrounding area and will not unduly restrict the future redevelopment potential of the site or its surroundings.

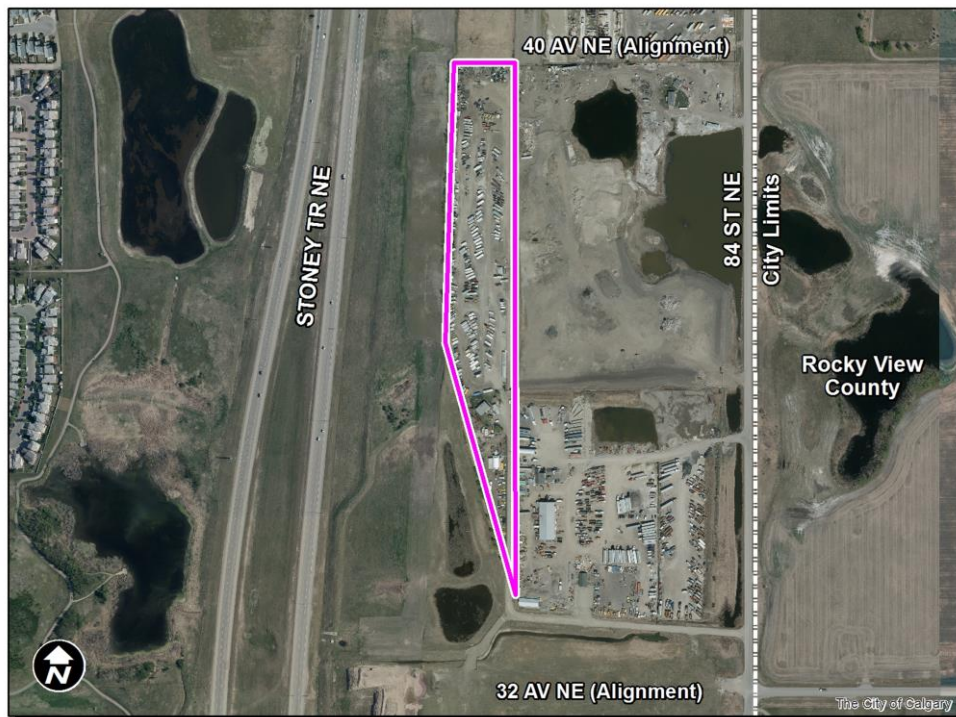
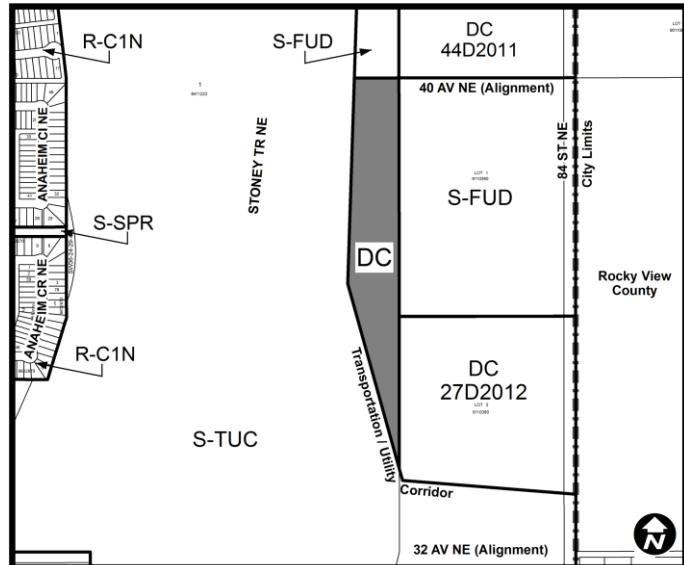
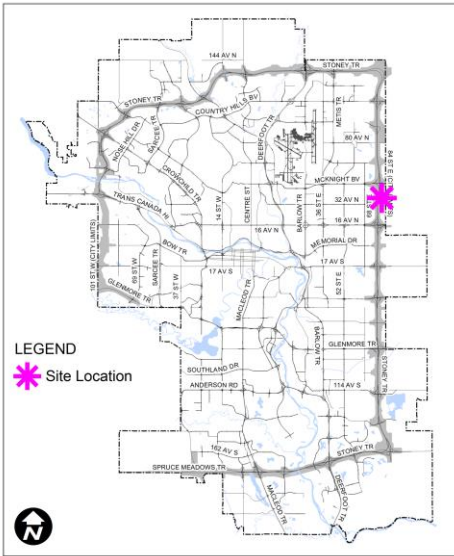
ATTACHMENT

1. Proposed Bylaw 44D2018

LAND USE AMENDMENT
 RESIDUAL SUB AREA 10E (WARD 10)
 84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
 BYLAW 44D2018

MAP 36E

LOCATION MAPS



LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018

MAP 36E

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 4.23 hectares ± (10.45 acres ±) located at 4313R - 84 Street NE (Plan 8411222, Block 1) from Special Purpose – Future Urban Development (S-FUD) to DC Direct Control District to accommodate storage uses with guidelines (APPENDIX II).

Moved by: C. Friesen
Absent: A. Palmiere

Carried: 8 – 0

LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018

MAP 36E

Applicant:

McElhanney Consulting Services Ltd

Landowner:

926770 Alberta Ltd
(Karamjit Johal and Baljit K. Johal)

PLANNING EVALUATION

SITE CONTEXT

The subject site is a residual parcel located east of Stoney Trail NE and north of 32 Avenue NE (Township Road 245). The site is accessed from 84 Street NE via a private driveway located on Transportation and Utility Corridor (S-TUC) lands. Eighty-Fourth Street NE is the boundary with Rocky View County. There is a significant number of wetlands in the surrounding area; however, none of which are located within the boundaries of the subject site.

The surrounding area is predominately designated as S-FUD and DC, and is characterized by limited industrial uses such as vehicle and equipment storage. The Transportation and Utility Corridor (Stoney Trail) abuts the parcel to the west and south. To the north is an undeveloped S-FUD parcel. To the east are S-FUD parcels and a DC District based on the I-O District. These sites are developed with Equipment Yard and storage uses.

The parcel is of irregular shape with a width of approximately 75 metres and a depth of approximately 660 metres. The irregular shape does not unduly limit the development potential of the site. The parcel is approximately 12.23 acres (4.95 hectares) and is currently developed with storage uses and a U-Haul vehicle rental business. A development permit application to legalize the existing uses is currently on hold pending the outcome of this land use redesignation.

LAND USE DISTRICTS

The Industrial – Outdoor (I-O) District is characterized by uses where materials are stored outdoors on parcels that have minimal or no City servicing. The additional proposed discretionary uses will allow legalization of the existing business operating on site. District rules require the screening of all materials and supplies, and limits the visibility of uses from view of surrounding streets. Details on any additional site improvements will be considered at the Development Permit stage if Council approves this land use redesignation.

LEGISLATION & POLICY

South Saskatchewan Regional Plan (SSRP)

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

**LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018**

MAP 36E

Municipal Development Plan (MDP)

The subject site is identified as 'Future Greenfield' Land Use Typology as identified under Map 1: Urban Structure of the MDP. Future Greenfield Areas are large tracts of land identified for future urban development that do not have an Area Structure Plan in place. These areas are intended to be protected from urban development by restricting premature subdivision and development, and should allow for a limited range of temporary uses that will not compromise the developability of the land. This land use amendment is aligned with the MDP.

Rocky View/Calgary Intermunicipal Development Plan (IDP)

The subject site falls within the Policy Area of the IDP and has been circulated to Rocky View County. The County does not object to the proposed redesignation, and is being engaged as part of the Development Permit review process. The IDP indicates that the subject site and surrounding lands should be protected from permanent development until such time as an ASP is in place. This land use amendment is aligned with the IDP.

Improving Calgary's Entraceways: A Guide for Development Adjacent to Entraceways

The subject site is visible from Stoney Trail NE which is identified as an "Entraceway Route". Through the Development Permit approval process the site will be required to include appropriate screening measures. Similar uses to those proposed for the site are approved on a temporary basis in the immediate area.

TRANSPORTATION NETWORKS

The subject site is accessed from 84 Street NE via a private gravel driveway located on S-TUC lands.

A Transportation Impact Assessment (TIA) was not required for this proposed Land use redesignation. Further analysis of the local access conditions will occur as part of the Development Permit review process.

The site is not well located to support pedestrian or bicycle modes of transportation due to lack of infrastructure.

Calgary Transit service is not available within the local network, east of Stoney Trail NE. The nearest Transit service is located approximately three (3) kilometres away in Coral Springs (Coral Springs Boulevard NE) and in Monterey Park (43 Avenue NE). Lack of Transit service in the area is not expected to impact the anticipated uses for the site.

**LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018**

MAP 36E

UTILITIES & SERVICING

The development area is currently unserviced. No overland drainage shall be permitted to leave the plan area. A zero discharge storm pond is required on site for stormwater management.

ENVIRONMENTAL ISSUES

No environmental issues have been identified at this time.

GROWTH MANAGEMENT

This Land Use Amendment proposal does not require additional capital infrastructure investment at this time and therefore no growth management concerns have been identified.

PUBLIC ENGAGEMENT

Community Association Comments

There is no Community Association for the subject site.

Citizen Comments

No comments were received by the CPC Report submission date.

Public Meetings

No public meetings were held by the applicant or administration during review of this application.

LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018

MAP 36E

APPENDIX I

APPLICANT'S SUBMISSION

The Applicant is requesting the Site be redesignated from S-FUD to S-FUD (Direct Control) District due to the constraints of its location and the policy of the Rocky View / Calgary Intermunicipal Development Plan (IDP). This parcel is a residual parcel located on the east side of the Transportation Utility Corridor(TUC). It's size, configuration, and location limits development opportunities to those that require minimal servicing and / or access. Furthermore, the policy of the IDP restricts development to temporary uses in this area, such as outdoor storage. Similar uses in a listed district in the Land Use Bylaw 1P2007 are allowed in the Industrial – Outdoor (I-O) District. By redesignating this parcel to the I-O district rather than S-FUD (Direct Control) District, the temporary nature of a development, as required by the IDP, would rely on the subdivision and / or development permit processes to enforce temporary uses and / or opportunities future subdivision. A Direct Control District, by comparison, could provide clear direction for the length of time for which a Development Permit could be issued and could clearly restrict future subdivision. Both of these conditions would align with the policy direction of the IDP.

These are unique conditions that meet the intent of Section 20 of the Land Use Bylaw 1P2007, which states:

Direct Control Districts must only be used for the purpose of providing for developments, that due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts.

The Site is within the Rocky View/Calgary Intermunicipal Development Plan (IDP) Policy Area. It is located within a Residual Long-Term Growth Area, which states development is to “*accommodate temporary uses within the residual parcels prior to comprehensive development*”. This Site is a residual parcel created from the development of the Transportation Utility Corridor. As a result, of the size, configuration, and location, the opportunities for development and the associated uses are limited. Similarly, Policy 7.1.4. of the IDP states:

“Additional Temporary Uses may be considered on a discretionary basis based on their merits and the degree to which they comply with this Plan. Examples of appropriate uses include:

- *Garden centres,*
- *Driving ranges,*
- *Campgrounds*
- *Tree farms, and*
- *Outdoor storage areas for recreational vehicles, agricultural machinery and automobiles*

Proposed uses for the Site as per Land Use Bylaw 1P2007 include:

- Vehicle Rental – Major
- Equipment Yard
- Self Storage Facility
- Vehicle Storage – Large
- Vehicle Storage – Recreational
-

The proposed uses listed above are consistent with the intent of the IDP policy and are similar in nature to the examples of uses identified in Policy 7.1.4. The further restrictions to restrict future subdivision and / or provide a time limit for Development Permit(s) illustrates further alignment with the IDP policy while allowing for the limited development opportunities possible give the size, location, and configuration.

LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018

MAP 36E

APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) Allow for temporary **uses** that can be easily removed;
 - (b) Provide for maximum **development permit** time periods of 10 years.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

Permitted Uses

- 4 The **permitted uses** of the Industrial – Outdoor (I-O) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:
- (a) **Equipment Yard;**
 - (b) **Storage Yard;**
 - (c) **Vehicle Storage – Large;**
 - (d) **Vehicle Storage – Passenger;** and
 - (e) **Vehicle Storage – Recreational.**

Discretionary Uses

- 5 (1) The **discretionary uses** of the Industrial – Outdoor (I-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the exclusion of:
- (a) **Salvage Yard.**
- (2) The **discretionary uses** of the Industrial – Outdoor (I-O) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Equipment Yard;**
 - (b) **Self Storage Facility;**
 - (c) **Storage Yard;**
 - (d) **Vehicle Rental – Major;**
 - (e) **Vehicle Storage – Large;** and
 - (f) **Vehicle Storage – Recreational.**

LAND USE AMENDMENT
RESIDUAL SUB AREA 10E (WARD 10)
84 STREET NE AND 32 AVENUE NE (TOWNSHIP ROAD 245)
BYLAW 44D2018

MAP 36E

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Industrial – Outdoor (I-O) District of Bylaw 1P2007 apply in this Direct Control District.

Development Permit

- 7 A *development permit* for any *discretionary use* must not be issued for a period greater than ten (10) years.