

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

EXECUTIVE SUMMARY

A DC Direct Control District to accommodate a Jail and Protective and Emergency Service is proposed on a portion of a parcel that will be leased by the Calgary Police Service from the Province of Alberta. The site is currently designated Special Purpose – Future Urban Development (S-FUD) District. The arrest processing facility (which the Land Use Bylaw classifies as a jail), fulfils a City-wide function whereby arresting officers from various district offices bring detained persons for arrest processing as well as bail hearings. This site replaces the existing operation located downtown. A land use amendment is required for this site as the Land Use Bylaw states that a Jail can only be approved on a site designated DC Direct Control District.

A concurrent development permit for this facility (refer to DP2017-1416) has been submitted.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2017 July 27

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 302D2017; and

1. **ADOPT** the proposed redesignation of 1.27 hectares ± (3.13 acres ±) located at 11808 – 85 Street NW (Portion of W1/2 Section 27-25-2-5) from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to accommodate a Jail and Protective and Emergency Service, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 302D2017.

**LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017**

MAP 27NW

REASON(S) FOR RECOMMENDATION:

The proposed DC Direct Control District supports locating an essential public service in close proximity to existing complementary facilities. The redesignation is consistent with the relevant policies in the Municipal Development Plan (MDP) and the North Regional Context Study (NRCS). Specific policies which support the proposed application include: MDP Section 2.3.6(d) Community services and facilities and MDP Section 2.6.5(c) Energy, NRCS Section 7.3.

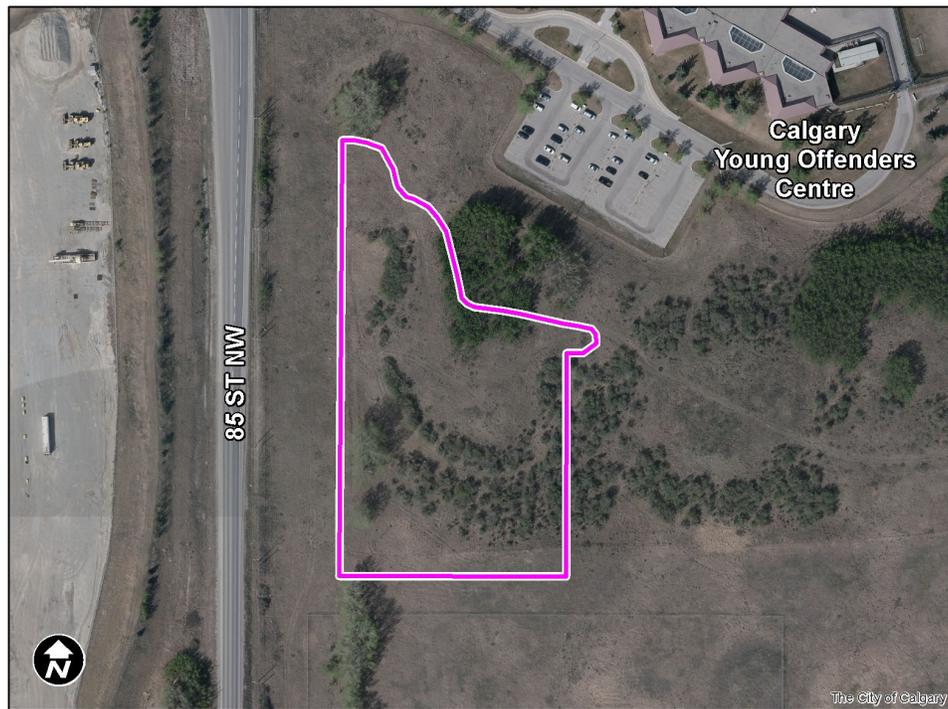
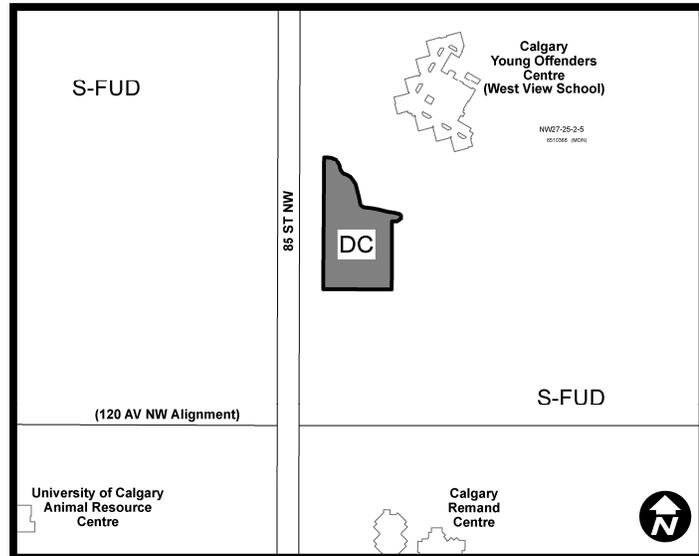
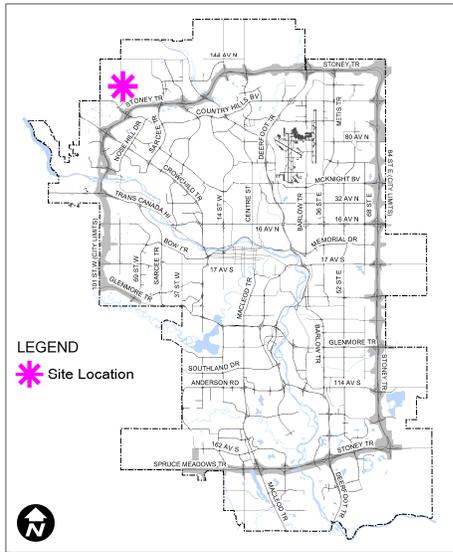
ATTACHMENT

1. Proposed Bylaw 302D2017

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

LOCATION MAPS



LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 1.27 hectares ± (3.13 acres ±) located at 11808 – 85 Street NW (Portion of W1/2 Section 27-25-2-5) from Special Purpose – Future Urban Development (S-FUD) District **to** DC Direct Control District to accommodate a Jail and Protective and Emergency Service with guidelines (APPENDIX II).

Moved by: R. Wright

Carried: 8 – 0

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

Applicant:

The City of Calgary

Landowner:

Her Majesty the Queen in Right of
Alberta

PLANNING EVALUATION

SITE CONTEXT

The subject parcel is located east of 85 Street NW and north of 112 Avenue NW. The specific building site will be a leased area within this larger Crown-owned parcel. The lease boundary is located approximately 420 metres south of the north property line and 33 metres east from the west property line. The site is currently undeveloped and comprised of rolling terrain vegetated with trees and shrubs. There is a low-lying swampy area within the lease boundaries. The Applicant has received an approval from the Province to fill in the wetland for the purposes of the proposed construction.

Surrounding uses include the Calgary Remand Centre, the Calgary Young Offender Centre, the Calgary Correctional Centre, as well as some utilities. To the west of 85 Street NW, there is an aggregate extraction facility and The University of Calgary Spy Hill Campus.

East of the parcel is another aggregate extraction facility and further east, the Spyhill Waste Management Facility.

The proposed arrest processing facility will be replacing the existing downtown location as it is reaching the end of its lifecycle. This new location will give the Calgary Police Service the space and services it needs.

LAND USE DISTRICTS

The Calgary Police Service arrest processing facility falls under the definition of "Jail" and, therefore, Section 21(3) of the Land Use Bylaw applies. This provision states that a Jail must only be listed as a use on a parcel designated Direct Control. The proposed DC Direct Control District is based on the Special Purpose – City and Regional Infrastructure (S-CRI) District in 1P2007 (refer to APPENDIX II) and adds the additional discretionary use of Jail. Additionally, the base district also allows for the Protective and Emergency Service use. Uses that are excluded from the proposed district are not considered compatible within the context of the proposed site (which is only large enough for the arrest processing facility).

The S-CRI District was considered most appropriate as the base for the proposed Direct Control because its purpose statement provides for uses operated by Federal, Provincial and Municipal levels of government. The remainder of the parcel remains Special Purpose – Future Urban Development (S-FUD) District.

**LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017**

MAP 27NW

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).

Municipal Development Plan (MDP)

This site is located within the Future Greenfield area of Map 1 Urban Structure.

The MDP contains policy promoting optimal location of community services and facilities to meet community needs (Section 2.3.6(d)). The proposed use is being located nearby existing correctional facilities. This allows some time and travel savings for transferring charged persons to these institutions.

Energy efficient design and management systems are strongly encouraged by the MDP (Section 2.6.5). The proposed building will be designed to achieve LEED certification.

North Regional Context Study (NRCS)

The proposed site is located within the future “Institutional” land use area as indicated on Map 3 of the North Regional Context Study (NRCS). The NRCS considers development premature in areas that lack a local area plan, such as this parcel. However, an exception to this is provided in the policy for essential public services and facilities. The proposed arrest processing facility is an essential public service that is needed to support Calgary’s continued law enforcement.

TRANSPORTATION NETWORKS

The site is located along 85 Street NW north of 112 Avenue NW. A concurrent Development Permit application (refer to DP2017-1416) proposes a new driveway connection to 85 Street NW.

Currently, the site is not well connected to Transit services. A transit stop (Route 157) is located about 1.4 kilometres south of the site at the intersection of 85 Street NW and 112 Avenue NW. Better Transit opportunities will arise as the surrounding area redevelops.

Neither a Transportation Impact Assessment nor a Parking Study were required in support of the proposal. However, an informal parking rationale for the proposed arrest processing facility was requested and reviewed to support the Development Permit application. No concerns were identified as a result of that review.

**LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017**

MAP 27NW

UTILITIES & SERVICING

Water and private sanitary services are available to the site. Stormwater will be maintained on site in an evaporation pond.

ENVIRONMENTAL ISSUES

An environmental assessment was not required as part of this application, however, a Phase I Environmental Site Assessment was submitted. No concerns were raised as part of the review.

ENVIRONMENTAL SUSTAINABILITY

The proposed development will be pursuing a LEED Silver rating. This will be done through the inclusion of a green roof, solar shading, increased energy and water efficiencies, and recycled regional materials.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Community Association Comments

There is no community association in this area; however, the application was circulated to the nearby Royal Oak Community Association. They had no comments.

Citizen Comments

The site was notice posted, but as of the writing of this Calgary Planning Commission report, no comments have been received.

Public Meetings

No public meetings were held by either Administration or the Applicant.

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

APPENDIX I

APPLICANT'S SUBMISSION

The proposed Calgary Police Service (CPS) Spyhill Services Centre will serve a dual purpose of providing an arrest processing facility for the CPS as well as a small customer service component that will serve the policing needs of the surrounding community. The 4563 m2 facility will include offices, administrative support areas, holding cells, secure loading and unloading areas, locker rooms, and a fitness component. The site will include visitor and staff parking as well as a sallyport that caters to the holding facility.

The building that currently houses the arrest processing unit in downtown Calgary has reached the end of its life cycle and it has been determined that the CPS needs a new facility to continue to provide critical city-wide law enforcement to the citizens of Calgary.

As per the City of Calgary's Land Use Bylaw IP2007, the site is designated as S-FUD, Special Purpose - Future Urban Development. CPS is leasing the site from Alberta Infrastructure for a period of 60 years. The site is on a half section of land (referred to as Spyhill Correctional Campus) owned by the Province and houses other correctional facilities such as the CYOC, Remand Centre, SEB. The proximity to the Sheriff Escort Base CRC supports the operational and functional requirement of the CPS facility. Furthermore, the use of the CPS facility is aligned with all of the correctional facilities located on the campus.

The proposed building will be a short-term detainee holding facility (arrest processing unit) for the Calgary Police Service with a district office and thus its uses fall under 'Jail' and 'Protective and Emergency Service'. These uses are not listed as permitted and/or discretionary uses under the current designation of S-FUD. A 'Jail' or 'Protective and Emergency Service' would require a Direct Control designation for approval.

13. *Explanation as to why none of the existing Land Use Districts can achieve the desired use / summary of the requested variances from a standard Land Use District / Conceptual plans demonstrating that the proposed development is achievable.*

According to the City of Calgary Land Use Bylaw (1 P2007), "Jail means a use that must be approved only on a parcel designated as a Direct Control District that specifically includes Jail as a use". In order for the proposed building to adhere the land use bylaw the designation must be changed to Direct Control.

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

APPENDIX II

PROPOSED DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) accommodate the **use** of **Jail** within the Special Purpose – City and Regional Infrastructure (S-CRI) District to facilitate building the Calgary Police Service Arrest Processing Facility.

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 Special Purpose – City and Regional Infrastructure (S-CRI) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District with the exclusion of:

- (a) **Airport;**
- (b) **Cemetery;**
- (c) **Columbarium;**
- (d) **Crematorium;**
- (e) **Military Base;**
- (f) **Rail Line;**
- (g) **Sewage Treatment Plant;**
- (h) **Tree Farm;**
- (i) **Vehicle Storage – Large;**
- (j) **Vehicle Storage – Passenger;**
- (k) **Waste Disposal and Treatment Facility; and**
- (l) **Water Treatment Plant.**

Discretionary Uses

- 5 The **discretionary uses** of the Special Purpose – City and Regional Infrastructure (S-CRI) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District:

- (a) with the addition of:
 - (i) **Jail; and**

LAND USE AMENDMENT
RESIDUAL SUB-AREA 2E (WARD 2)
85 STREET NW AND NORTH OF 112 AVENUE NW
BYLAW 302D2017

MAP 27NW

- (b) with the exclusion of:
- (i) **Custodial Care;**
 - (ii) **Distribution Centre;** and
 - (iii) **Freight Yard.**

Bylaw 1P2007 District Rules

- 6** Unless otherwise specified, the rules of the Special Purpose – City and Regional Infrastructure (S-CRI) District of Bylaw 1P2007 apply in this Direct Control District.