

Planning & Development Report to  
Calgary Planning Commission  
2019 December 19

ISC: UNRESTRICTED  
CPC2019-1517

**Land Use Amendment in Foothills Industrial (Ward 9) at 5210 – 76 Avenue SE,  
LOC2019-0059**

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**EXECUTIVE SUMMARY**

This land use amendment application was submitted by Formed Alliance Architecture Studio on 2019 April 30 on behalf of the land owner, 2065550 Alberta Ltd (Eagle Crest Construction). This application proposes to change the designation of this property from Industrial – Commercial (I-C) District to DC Direct Control based on the Industrial – Commercial (I-C) District to allow for the additional use of Cannabis Facility.

The proposal is in keeping with the applicable policies of the *Municipal Development Plan* and the *Southeast Industrial Area Structure Plan*.

There is not an active development permit on this site.

**ADMINISTRATION RECOMMENDATION:**

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 0.66 hectares ± (1.63 acres ±) located at 5210 - 76 Avenue SE (Plan 8010816, Block 7, Lot 4) from Industrial – Commercial (I-C) District **to** DC Direct Control District to accommodate the additional use of a Cannabis Facility, with guidelines (Attachment 1); and
2. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION 2019 DECEMBER 19:**

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.66 hectares ± (1.63 acres ±) located at 5210 - 76 Avenue SE (Plan 8010816, Block 7, Lot 4) from Industrial – Commercial (I-C) District to DC Direct Control District to accommodate the additional use of a Cannabis Facility, with guidelines (Attachment 1); and
2. Give three readings to **Proposed Bylaw 26D2020**.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

This application was submitted by Formed Alliance Architecture Studio on 2019 April 30 on behalf of the land owner, 2065550 Alberta Ltd (Eagle Crest Construction). The application was submitted as a result of a development permit (DP2017-4619) which proposed a Cannabis

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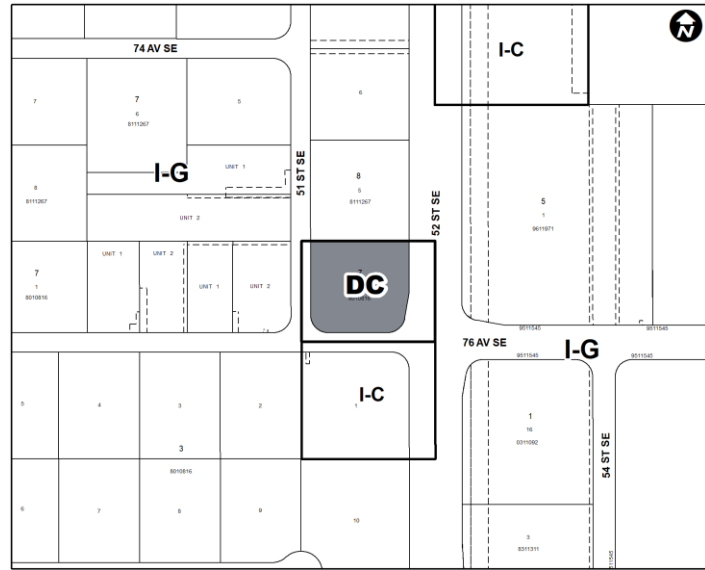
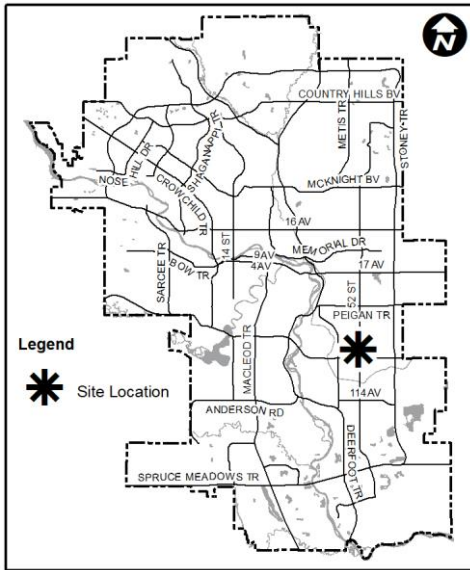
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Facility within a new commercial development as referenced in the attached Applicant Submission (Attachment 2).

Land Use Amendment in Foothills Industrial (Ward 9) at 5210 - 76 Avenue SE,  
LOC2019-0059

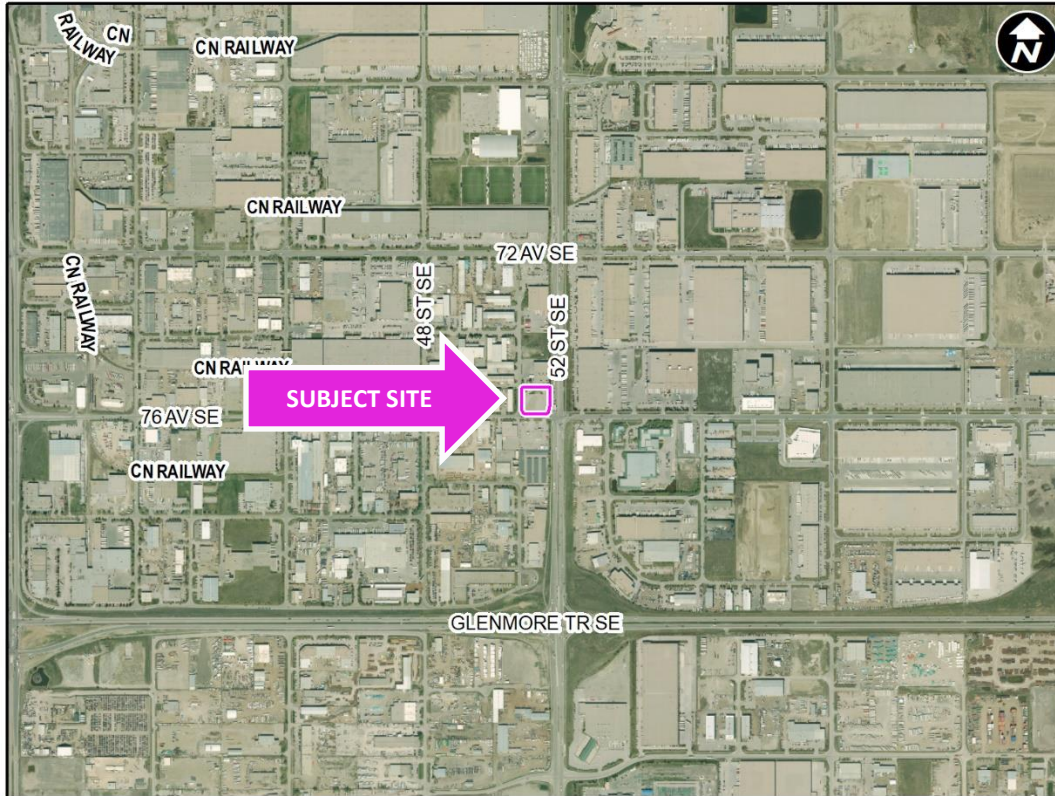
Location Maps



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**Site Context**

The subject site is currently vacant and located within the Foothills Industrial Area, fronting onto 52 Street SE and 76 Avenue SE. The parcel is approximately 6,600 square metres in area with dimensions of approximately 85 metres by 80 metres.

Surrounding developments are a mix of industrial commercial uses with the majority light industrial uses. The Glenmore Trail SE interchange with 52 Street SE is located approximately 600 metres to the south of the subject site.

**INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The requirement for a land use application was determined at the development permit stage where the applicant indicated their desire to develop a Cannabis Facility as part of their proposed industrial commercial development. The decision was made to make an application for a Direct Control District based on the I-C District for the reasons discussed in the strategic alignment sections of this report.

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**Planning Consideration**

The following sections highlight the scope of technical planning analysis conducted by Administration.

***Land Use***

The existing I-C District allows for a wide range of light industrial uses. The I-C District also allows small scale commercial uses that are compatible with light industrial uses. The I-C District is typically intended to provide for service commercial uses at key locations along major roadways on the edges of industrial areas.

The proposed district is a DC Direct Control District based on the I-C District. The proposed DC is intended to allow for the existing industrial commercial uses with the additional use of Cannabis Facility. Cannabis Facility was not added to the I-C District as a permitted or discretionary use at the time of legalization of cannabis use within Canada, and therefore changes to the land use bylaw were undertaken, in part because the I-C District is generally used as a transition from industrial uses to commercial or residential uses. A Cannabis Facility was not seen as an appropriate transition use in this regard. This specific site is appropriate for a Cannabis Facility as it is not directly adjacent to residential or commercial districts and does not act as a transition to other non-compatible uses.

***Development and Site Design***

Development permit DP2017-4619 which has already been approved proposes building frontages along the street with parking located internally away from the street. High quality materials and façade treatments have been incorporated into the design to ensure an attractive commercial node within a largely employment focused area.

This land use redesignation was submitted as a result of a development permit (DP2017-4619) which proposed a General Industrial – Light use that could transition to a Cannabis Facility if this land use application is approved.

***Environmental***

An Environmental Site Assessment was not required as part of this application. There are no known environmental concerns on the parcel or in the immediate area.

***Transportation***

Vehicular accesses to the subject site is available from 51 Street SE. A bus stop is located directly adjacent to the site at the corner of 76 Avenue SE and 51 Street SE for the Route 23, and another transit stop for the Routes 23, 176 and 409 is located approximately 160 metres away on 52 Street SE. Route 23 connects Saddletown Station and Mckenzie Towne Station.

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---

Future plans for BRT along this route are planned but unfunded at this time. A Transportation Impact Assessment and parking study was not required as part of this land use amendment.

### ***Utilities and Servicing***

The site has been approved to be developed and serviced with water, sanitary, and storm service connections from 76 Avenue SE, under DP2017-4619. There is adequate capacity available to support the proposal.

### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. Notification letters were sent to adjacent land owners and the application was advertised on-line.

Administration received no letters of concern or support from nearby residents and businesses at the time of writing this report.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and date of Public Hearing will be advertised.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (2014)***

The recommendation by Administration in this report has considered and is aligned with the policy direction of the [South Saskatchewan Regional Plan](#) (SSRP) which directs population growth in the region to Cities and Towns and promotes efficient use of land.

#### ***Interim Growth Plan (2018)***

The recommendation aligns with the policy direction of the [Interim Growth Plan](#). The proposed policy and land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

#### ***Municipal Development Plan (Statutory – 2009)***

The site is located within an area in the [Municipal Development Plan](#) (MDP) identified as an Industrial – Employee Intensive area ([MDP Map 1: Urban Structure](#)). These areas are intended for manufacturing, warehousing and mixed industrial/office developments that have high labour concentrations and require access to the Primary Transit Network located along 52 Street SE.



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MDP land use policies identify that a minimum intensity threshold of 100 jobs per gross developable hectare should be achieved in these areas with predominantly industrial uses. Other uses that support the industrial function of these areas with specific rules for the amount of support uses should be determined as part of the policy planning process and land use application process.

In recognition of these MDP job intensity policies, the proposed additional use of Cannabis Facility will increase the flexibility of available uses, increase the available potential jobs in the area, and therefore contribute to the MDP targets for jobs within employee intensive areas.

### ***Southeast Industrial Area Structure Plan (Statutory – 1996)***

The site is within the [Southeast Industrial Area Structure Plan](#) (ASP) identified as an 'Existing I-2 General Light Industrial District' (Map 2 - Land use and Transportation Plan, p.5). The ASP identifies that the purpose of the general light industrial area is to allow for a range of light industrial and associated uses that are compatible with each other and that do not adversely affect surrounding non-industrial uses. In this regard, high quality light industrial uses are intended to be provided within the plan area, particularly along the major roadways.

The ASP also recognizes capacity to allow for select uses other than only general light industrial uses so long as they are compatible with the overall intent of the light industrial area. The ASP recognizes that major retail commercial facilities often create impacts on industrial areas in terms of land use compatibility, pedestrian movements, vehicular traffic congestion and road capacity. As such, The City has employed various land use and policy strategies to ensure that commercial development of an intensity not appropriate to industrial areas is limited. However, all forms of commercial development are not necessarily inappropriate, and the ASP recognizes the need for commercial development in the Southeast Industrial Area, particularly to support the needs of the industrial employees.

The proposed DC Direct Control District based on the I-C District with the additional use of Cannabis Facility is an appropriate and compatible district for the site that is in keeping with the ASP's policy objectives.

### **Social, Environmental, Economic (External)**

The proposal will allow for additional employment intensity adjacent to a primary transit network which will facilitate a more compact urban form, making efficient use of land and existing infrastructure. The proposed land use also encourages economic diversity within the City of Calgary through the industrial production of cannabis products.

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---

**Financial Capacity**

***Current and Future Operating Budget***

There are no known impacts to the current and future operating budgets.

***Current and Future Capital Budget***

The proposed amendments do not trigger capital infrastructure investment and there are no growth management concerns at this time.

**Risk Assessment**

There are no significant risks associated with this proposal.

**REASON(S) FOR RECOMMENDATION(S):**

The proposal is in keeping with applicable goals and policies of the *Municipal Development Plan* as well as the *Southeast Industrial Area Structure Plan*. It serves to accommodate future development for the existing range of industrial commercial uses with the additional use of Cannabis Facility. This additional use is considered compatible with the existing adjacent uses as well as the existing uses within the Industrial – Commercial (I-C) District.

**ATTACHMENT(S)**

1. **Proposed Bylaw 26D2020**
2. Applicant's Submission