

LAND USE AMENDMENT  
COPPERFIELD (WARD 12)  
MCIVOR BOULEVARD AND SOUTH OF 130 AVENUE SE  
BYLAW 252D2017

MAP 1SE

**EXECUTIVE SUMMARY**

This land use application proposes to redesignate a site (4.44 hectares or 10.97 acres) in the community of Copperfield from an Industrial – Edge (I-E) District to a DC Direct Control District, with the base district rules of the I-E district. The proposed DC district allows for some additional commercial uses that are compatible with the regulated setbacks of the City of Calgary's Shepard Waste Management Facility. The proposed DC district creates an appropriate land use transition between the waste management facility and the southern adjacent residential development, and has requirements including building interface, setback requirements, and outside activities that aims to respect the adjacent residential development.

**PREVIOUS COUNCIL DIRECTION**

None.

**ADMINISTRATION RECOMMENDATION(S)**

2017 June 15

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 252D2017; and

1. **ADOPT** the proposed redesignation of 4.44 hectares  $\pm$  (10.97 acres  $\pm$ ) located at 14130 McIvor Boulevard SE (Plan 1411640, Block 66, Lot 4) from Industrial – Edge (I-E) District **to** DC Direct Control District to accommodate additional limited scale commercial uses, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 252D2017.

**REASON(S) FOR RECOMMENDATION:**

The proposal is in alignment with the relevant municipal policies including the Municipal Development Plan (MDP) and the East McKenzie Area Structure Plan (ASP), and allows for additional commercial development opportunities to the site that are compatible with the surrounding areas. It provides an appropriate separation between the City of Calgary's Shepard Waste Management Facility and the nearby residential developments, and is based on the site's current Industrial – Edge (I-E) District. It has additional bylaw regulations aimed at mitigating the impacts of uses on the southern adjacent residential development.

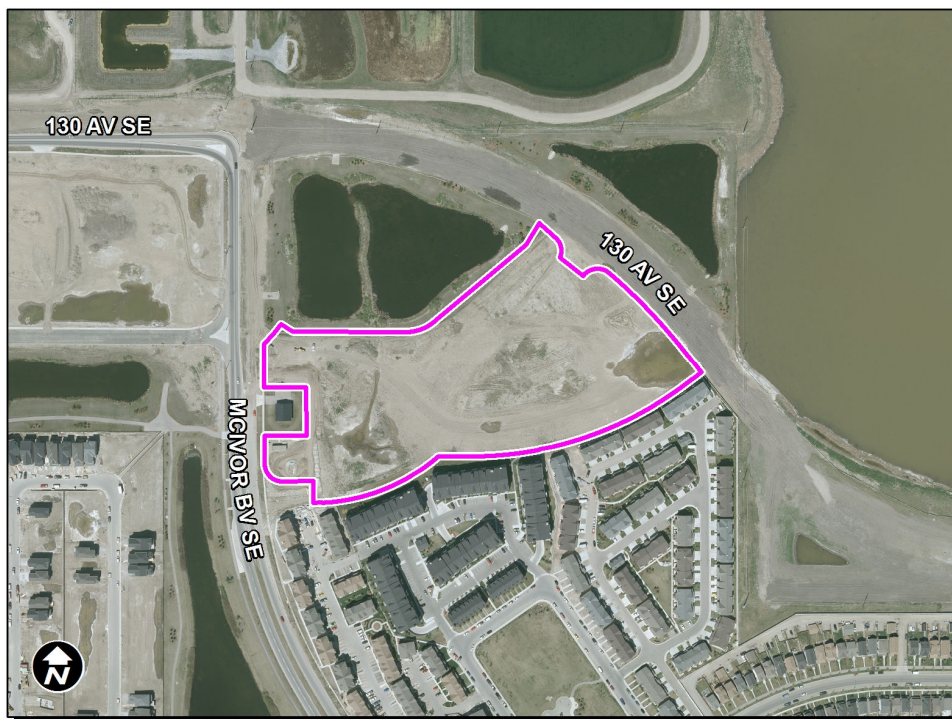
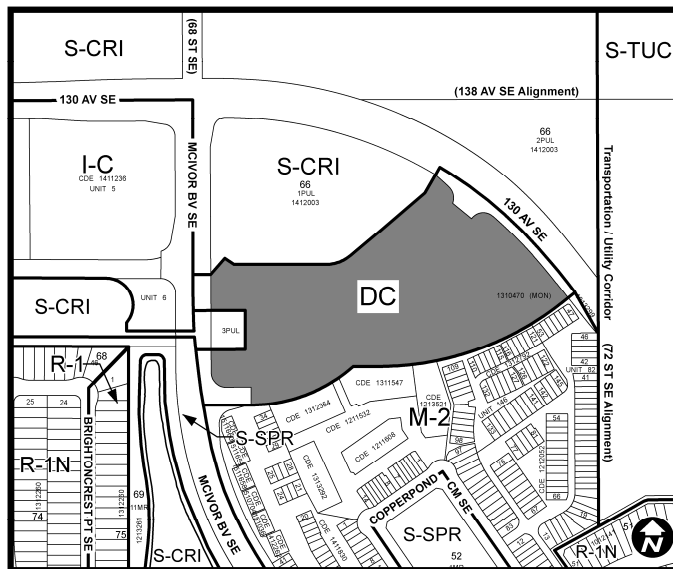
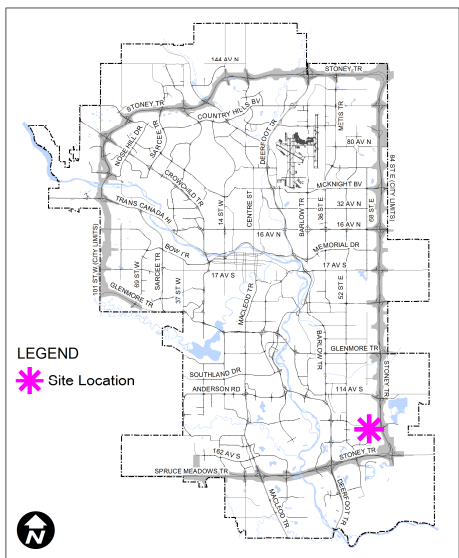
**ATTACHMENT**

1. Proposed Bylaw 252D2017

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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 4.44 hectares ± (10.97 acres ±) located at 14130 McIvor Boulevard SE (Plan 1411640, Block 66, Lot 4) from Industrial – Edge (I-E) District **to** DC Direct Control District to accommodate additional limited scale commercial uses, with guidelines (APPENDIX II).

**Moved by: S. Keating**  
Absent: L. Juan

**Carried: 6 – 0**

**2017 June 15**

**MOTION:** The Calgary Planning Commission **LIFTED THE ITEM FROM THE TABLE.**

**Moved by: M. Tita**  
Absent: L. Juan

**Carried: 6 – 0**

**2017 June 01**

**MOTION:** The Calgary Planning Commission **TABLED** the proposed redesignation of 4.44 hectares ± (10.97 acres ±) located at 14130 McIvor Boulevard SE (Plan 1411640, Block 66, Lot 4) from Industrial – Edge (I-E) District **to** DC Direct Control District to accommodate additional limited scale commercial uses, to the 2017 June 15 Calgary Planning Commission meeting due to loss of Quorum.

**Moved by: M. Tita**

**Carried: 5 – 0**

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**Applicant:**

Urban Systems

**Landowner:**

Carma Ltd

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is situated on the northern edge of the community of Copperfield, south of the City of Calgary's Shepard Waste Management Facility and east of McIvor Boulevard SE. It is currently vacant and the topography of the site is primarily flat with natural vegetation.

To the north is a parcel designated as a Special Purpose – City and Regional Infrastructure (S-CRI) District which is being used as a storm water retention pond for the area. To the east is the future 130 Avenue SE, and lands designated as S-CRI district and Special purpose – Transportation and Utility Corridor (S-TUC) District. To the south are existing multi-residential developments designated as a Multi-Residential – Medium Profile (M-2) District. Lands to the west include low density residential areas, regional pathways, and industrial commercial areas designated as an Industrial – Commercial (I-C) District. The S-CRI parcel located immediately west of this site contains a sanitary lift station. See APPENDIX III, Land Use Context Map.

**APPLICATION HISTORY**

On 2007 December 03, as part of a land use amendment and outline plan application, City Council approved the redesignation of the subject site to an Industrial – Edge (I-E) District. Light industrial uses with some supportive commercial uses were determined to be appropriate as the site acts as a compatible interface between the Shepard Waste Management Facility (landfill) and the southern adjacent residential communities.

This land use application initially proposed to redesignate this site to an Industrial – Commercial (I-C) District. However, Administration identified concerns regarding interface and compatibility of uses with the southern adjacent residential developments. A range of potential uses were considered, but uses associated with more intensive outside activities were not deemed compatible because of potential impacts to the adjacent residential developments. As a result of discussions between the Applicant and Administration, a DC Direct Control District has been proposed which allows some additional limited scale commercial uses, along with additional regulations such as property interface, setback requirements, and outside activities to ensure a sensitive and compatible future development.

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**LAND USE DISTRICTS**

The current Industrial – Edge (I-E) district is intended to provide a limited range of industrial and commercial uses and is to be located on the perimeter of industrial areas adjacent to a residential district. The I-E district allows for a maximum building height up to 12.0 metres and a maximum Floor Area Ratio (FAR) of 1.0 for buildings on the site. The proposed DC Direct Control District rules are based on the site's current Industrial – Edge (I-E) District.

The proposed DC Direct Control District allows for additional limited scale commercial uses and flexibility on the use area requirement. The proposed uses are listed within the discretionary use section in the DC district. The proposed DC district contains additional bylaw rules including building interface, outdoor storage, outside activities, vehicular access, and landscape setbacks, aimed at mitigating any potential impacts to the adjacent residential development.

The following are highlights of the proposed DC district rules. See APPENDIX II for the Direct Control Guidelines.

- Garbage enclosures, loading areas, and outside activities must be separated by a building and must not be allowed in areas between any building on the subject parcel and the adjacent residential district.
- Vehicle entrances or overhead doors are not to be allowed on the façade of the building facing the adjacent residential district.
- Outdoor storage of goods, materials, or supplies must not be located in a setback area and must not be located between a building and the residential district.
- Outdoor storage must be within a screened enclosure, or screened from view of a street and a residential districts. The storage must not exceed a height of 5.0 metres.
- A 10.0 metres landscaping setback with a 1.5 metres high landscape berm is to be provided along the southern boundary of the subject site.

**LEGISLATION & POLICY**

South Saskatchewan Regional Plan (Council Adopted 2014 – Statutory) (SSRP)

The recommendation by Administration in this report has considered the policy direction of the SSRP. The high-level scope of the SSRP policies are not relevant to this application.

The Municipal Development Plan (Council Approved - 2009 – Statutory) (MDP)

The subject site is located in the 'Developing Residential - Planned Greenfield' area (Map 1: Urban Structure). This developing residential area is part of a comprehensively planned community that has an approved Area Structure Plan (ASP). The East McKenzie ASP provides specific directions for development in this area.

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The MDP has city wide policies aimed to achieve a prosperous economy that can support business and investment in the City. The MDP encourages opportunities to attract business and service sectors that can be suitable within communities. The proposed DC Direct Control District aligns with the MDP policies to accommodate some additional commercial uses that are compatible with the adjacent areas.

East McKenzie Area Structure Plan (Council Approved - 2001 – Statutory) (ASP)

The subject site is located in an area identified as a 'Business Park Area' (Map 3: Land Use Concept). The purpose of this area is to provide for light industrial, commercial and office uses within a serviced business park where the uses are compatible to the surrounding land uses such as landfill, residential areas, and environmental reserves. The ASP has policies to ensure that developments located within the 'Business Park Areas' can be compatible with and do not have adverse impact on adjacent residential developments.

The proposed DC Direct Control District is in alignment with the 'Business Park Area' policies. The district provides an appropriate transition between the waste management facility and the adjacent residential areas, it has provisions for sensitive interface, and has limitations on outside activities aimed at mitigating impact of uses on the adjacent residential developments. See APPENDIX II for the Direct Control Guidelines.

The future proposed development is to incorporate high quality urban design concepts along with compatible site design layout, sensitive building interface, and landscape buffer treatment to respect the adjacent residential developments. While a concurrent application process was offered, the Applicant wishes to proceed with the land use application prior to future development. Thus, no development proposal has been submitted at this time. Details of the future development will be reviewed at the development permit stage.

Municipal Government Act – Subdivision and Development Regulation AR 43/2002 (2001 – Statutory) (MGA - SDR)

The subject site is south of the City of Calgary's Shepard Waste Management Facility (landfill). The northeast portion of the site is within the landfill regulated setback and is governed by the requirements of the Municipal Government Act (MGA) - Subdivision and Development Regulation (SDR). Residences, Food Establishments, Schools, and Hospitals are prohibited uses within the landfill regulated setback. The subdivision authority and development authority shall not issue an application for subdivision and development permits with any restricted uses.

The proposed DC district provides an appropriate land use transition between the waste management facility and the adjacent residential uses, and the district can support light industrial and some commercial uses within the regulated setback. The central and southern portion of site are outside of the regulated landfill setbacks and is not encumbered by the Subdivision and Development Regulations. See APPENDIX III, Land Use Context Map.

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## **TRANSPORTATION NETWORKS**

A Transportation Impact Assessment (TIA) was not required for this application. However, a Traffic Impact Assessment may be required by Transportation Planning at the Development Permit stage.

Access to Mclvor Boulevard SE may be restricted pending TIA analysis of anticipated queues and traffic volumes. Mclvor Boulevard and 130 Avenue SE are classified as arterial streets. Vehicular access to the site will be available from Mclvor Boulevard SE and 130 Avenue SE.

Two future bus stops are planned in proximity to this site, one to the east of Mclvor Boulevard along this site and one along 130 Avenue SE near the future site access. Pedestrian access to the site is available via the sidewalks of Mclvor Boulevard and future 130 Avenue SE extension.

Future interchange design and road alignment from 130 Avenue SE to Stoney Trail has been determined; however, this application does not require the interchange. Timing of construction for the 130 Avenue SE interchange is unknown at this time.

## **UTILITIES & SERVICING**

Water, sanitary, and storm sewer mains are available to service the development of the subject site in accordance with the original Outline Plan and Subdivision Development Agreement. A Sanitary Servicing Study was not required as part of this application.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required. Issues related to the landfill and setback implications have been noted in Legislation & Policy section under MGA – SDR.

## **GROWTH MANAGEMENT**

This land use amendment proposal does not require additional capital infrastructure investment, and therefore, no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management.

## **PUBLIC ENGAGEMENT**

### **Community Association Comments**

This application was circulated to the Marquis de Lorne and the New Brighton Community Associations. No comments were received from the community associations at the time of the CPC report submission date.

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**Citizen Comments**

The application was circulated to notify the adjacent landowners. Administration received nineteen letters of objection from the residents of the nearby adjacent multi-residential developments. The concerns related to the proposal include:

- Decrease in property value associated with the perceived negative impact of the future development;
- Overall decrease in quality of living due to possible traffic and health impacts (including unsightliness, noise, dust) caused by the future development;
- Possible traffic impacts including frequent vehicular activities and traffic congestion caused by the future development;
- Incompatible uses with future development with outside activities that includes manufacturing, parking lot, auto dealerships with auto body repair; and,
- Loss of viewing and enjoyment of the northern storm water retention area.

**Public Meetings**

No public meetings were held by the Applicant or Administration in relation to this application. Administration provided updates to concerned residents during the review of the application as requested.

**Response to Comments**

Administration has taken the citizen comments into consideration and has addressed concerns through the review process where possible. The proposed DC district creates an appropriate land use transition between the waste management facility and the adjacent residential developments, and has provisions including compatibility of uses, property interface, setback requirements, and outside activities that respect the adjacent nearby residential developments.



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**APPENDIX I**

**APPLICANT'S SUBMISSION**

Please accept this letter and accompanying plans in support of a land use redesignation from Industrial – Edge (I-E) to Direct Control (DC) district, with the base district rules of the I-E district, located at 14130 McIvor Boulevard SE.

14130 McIvor Boulevard SE is located in the community of Copperfield and is bordered by McIvor Boulevard SE to the west, a public utility lot to the north, 130 Avenue SE (future extension) to the east and multi-family residential uses to the south. The Shepard Landfill is located north of the site. The site is approximately 4.44 hectares (10.97 acres) and is currently undeveloped. Brookfield Residential (Alberta) by its general partner Carma Ltd is the owner of this parcel, and other adjacent owners are multi-family residential development and the City of Calgary.

With this application, Brookfield respectfully requests to amend the current land use district of the parcel from Industrial – Edge (I-E) to Direct Control (DC) district. The purpose of the amendment is to accommodate a broader range of industrial and commercial uses that would provide more opportunities for development on this site. The proposed DC district has specific rules to address outside activities and there will be additional landscaping setback requirements with respect to the adjacent residential developments.

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**APPENDIX II**

**PROPOSED DIRECT CONTROL GUIDELINES**

**Purpose**

- 1 This Direct Control District is intended to:
- (a) allow for additional limited scale commercial **uses** that are compatible with and complement the listed **uses** in the Industrial – Edge (I-E) District; and
  - (b) include limitations on outdoor storage and outside activities aimed at mitigating the potential impact of **uses** adjacent to a **residential district**.

**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 – Edge (I-E) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

**Discretionary Uses**

- 5 The **discretionary uses** of the Industrial – Edge (I-E) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District, with the addition of:
- (a) **Auction Market – Other Goods;**
  - (b) **Auto Body and Paint Shop;**
  - (c) **Auto Service – Major;**
  - (d) **Beverage Container Drop-Off Depot;**
  - (e) **Building Supply Centre;**
  - (f) **Car Wash – Multi-Vehicle;**
  - (g) **Drive Through;**
  - (h) **Gas Bar;**
  - (i) **Restaurant: Food Service Only – Medium;**
  - (j) **Restaurant: Licensed – Medium;**
  - (k) **Service Organization;**
  - (l) **Vehicle Rental – Major;**
  - (m) **Vehicle Rental – Minor;**
  - (n) **Vehicle Sales – Major; and**
  - (o) **Vehicle Sales – Minor.**

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**Bylaw 1P2007 District Rules**

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

**Use Area**

- 7 (1) Unless otherwise provided in subsection (2), there is no **use area** requirement in this Direct Control District.
- (2) The maximum **use area** for **Retail and Consumer Service** is 930.0 square metres.

**Activities and Objects Prohibited**

- 8 (1) Where a **parcel** shares a **property line** with a **residential district**, the area between any **buildings** on that **parcel** and that **property line** must not contain:
- (a) garbage enclosures;
  - (b) loading areas; or
  - (c) outside activities.
- (2) Where a **parcel** shares a **property line** with a **residential district**, there must not be any vehicle entrance or overhead doors on the façade of the **building** facing the **residential district**.

**Storage of Goods, Materials and Supplies**

- 9 (1) A **use** may have an outdoor area for the storage of goods, materials or supplies provided the storage area is:
- (a) not located in a **setback area**;
  - (b) not located between a **building** and a **residential district**;
  - (c) within a **screened** enclosure or **screened** from view of a **street** and a **residential district**; and
  - (d) shown on a plan approved as part of a **development permit**.
- (2) Goods, materials and supplies stored outside of a **building** have a maximum height of 5.0 metres.
- (3) The height of goods, materials and supplies is measured from **grade** and includes any pallets, supports or other things on which the goods, materials or supplies are stacked.

**Rules for Setback Area Adjacent to Residential Districts**

- 10 Where a **parcel** shares a **property line** with a **parcel** designated as a **residential district** the **setback area** must have:

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- (a) a minimum depth of 10.0 metres; and
- (b) a **landscape** berm of a minimum 1.5 metres in height within the **setback area**.

**Development Authority – Power and Duties for Relaxations**

- 11** The **Development Authority** may relax the rules in sections 7 and 10 (b) within this Direct Control District provided the test for relaxation as set out in Bylaw 1P2007 is met.

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## LAND USE CONTEXT MAP

