

**POLICY AMENDMENT AND LAND USE AMENDMENT
RESIDUAL SUB-AREA 6 (WARD 6)
OLD BANFF COACH ROAD AND 101 STREET SW
BYLAWS 32P2017 AND 210D2017**

MAP 21W

EXECUTIVE SUMMARY

The purposes of this combined Land Use Amendment and Policy Amendment application is to redesignate a 6.47 hectares (16 acres) parcel on the west side of Calgary from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District based on Special Purpose – Future Urban Development (S-FUD) District to include the additional interim uses of:

- Auto Body and Paint Shop;
- Auto Service – Major; and
- Vehicle Sales – Major.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2017 May 04

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 32P2017 and 210D2017; and

1. **ADOPT** the proposed amendments to the East Springbank Area Structure Plan, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 32P2017.
3. **ADOPT** the proposed redesignation of 6.47 hectares ± (15.99 acres ±) located at 756 – 101 Street SW (Plan 9610452, Lot 1) from Special Purpose – Future Urban Development (S-FUD) District **to** DC Direct Control District to accommodate vehicle sales and associated uses, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 210D2017.

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REASON(S) FOR RECOMMENDATION:

The proposed application is supported for the following reasons:

1. A car dealership can be supported by the existing roads in the area, and by limited servicing for utilities;
2. As a limited service development, the parcel retains the potential to facilitate future comprehensive planning in the area; and
3. A car dealership can be developed in a compatible manner with surrounding development.

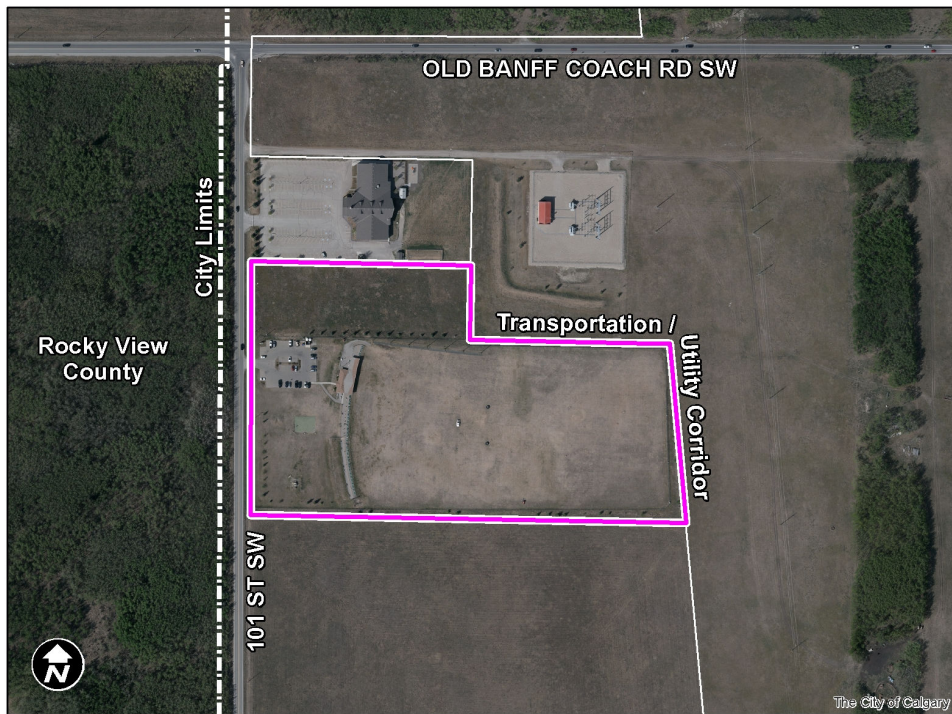
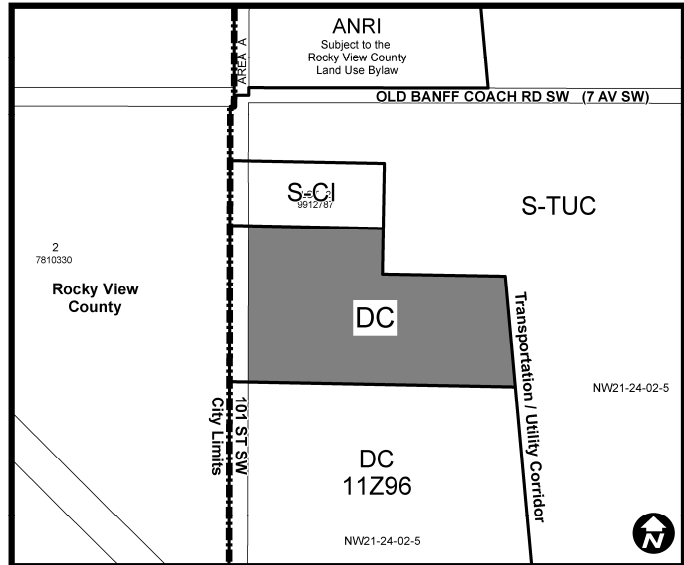
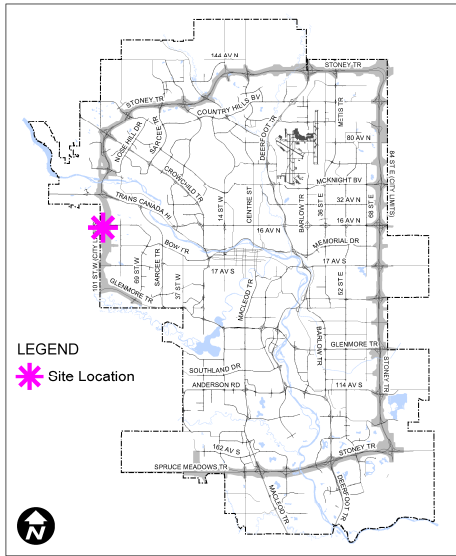
ATTACHMENTS

1. Proposed Bylaw 32P2017
2. Proposed Bylaw 210D2017
3. Public Submissions

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the East Springbank Area Structure Plan (APPENDIX II).

Moved by: A. Palmiere

Carried: 6 – 1

Opposed: D. Leighton

2. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 6.47 hectares ± (15.99 acres ±) located at 756 – 101 Street SW (Plan 9610452, Lot 1) from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to accommodate vehicle sales and associated uses with guidelines (APPENDIX III).

Moved by: A. Palmiere

Carried: 6 – 1

Opposed: D. Leighton

Reasons for Approval from Mr. Foht:

- I supported the application for the following reasons:
 - The land use is an appropriate use in this area of limited services. The use is not intensive in terms of sewer and water requirements.
 - The use is, in a sense, a temporary use even if it is a few decades. The existing GSL is relocating because of higher and best use of their site.

Reasons for Approval from Ms. Juan:

- I support this application and relocation of the GSL dealership. There is an evolution of dealership uses to move from central locations to outskirt locations. This is an appropriate location for this type of use.

Reasons for Approval from Mr. Friesen:

- I supported this Policy and Land Use since this seemed to be an appropriate use for the location at this time. Although more comprehensive planning for a larger area would be a good idea it does not seem likely to happen anytime soon. Services that would support a more 'complete community' are not expected in this area and the adjacent MD is not eager to cooperate on a coordinated plan.
- The development proposed would not be a significant investment in public infrastructure so that when the time came for redevelopment little City investment would be lost. Although probably not an interim use, i.e. 2 to 5 years, it could be considered a midterm use for 10 to 30 years. If this facility does not go here it will probably go to the MD depriving Calgary of the development and citizens easy access to a useful service. On balance I felt it was best to allow the development to go ahead.

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Reasons for Opposition from Mr. Leighton:

- I opposed this policy and land use amendment because:
 - a) The lack of a coherent planning rationale justifying these amendments in the report (especially in relation to the goals of the MDP);
 - b) The “spot zoning” approach without any land use, servicing, or transportation plan in place for the surrounding area;
 - c) Circumvention of normal due process for amending and ASP, including public consultation;
 - d) Circumvention of City standards, notably fire response standards, no technical evidence was provided to demonstrate that is development can be “self-serviced”; and
 - e) Establishing a precedent (and perhaps, encouragement) for future spot zoning and ad-hoc development on orphan sites located outside the ring road.

2017 May 04

MOTION:

The Calgary Planning Commission **REFERRED** the proposed amendments to the East Springbank Area Structure Plan and the proposed redesignation of 6.47 hectares ± (15.99 acres ±) located at 756 – 101 Street SW (Plan 9610452, Lot 1) from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to accommodate vehicle sales and associated uses back to the Administration to address the following:

- For additional public engagement and consultation similar to consultation conducted for an Area Structure Plan.

Moved by: D. Leighton

LOST: 1 – 6

Opposed: L. Juan, M. Tita,
C. Friesen, M. Foht,
R. Wright and A. Palmiere

MOTION ARISING: The Calgary Planning Commission requests that the subsequent Development Permit, for this site, return to the Calgary Planning Commission for review.

Moved by: R. Wright

Carried: 5 – 2

Opposed: M. Foht and A. Palmiere

Reasons for Approval from Ms. Juan:

- I support the motion arising to have the development permit come back to CPC for review as there are many development permit issues that should be reviewed, such as landscaping, stormwater and sewage.

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Applicant:

B&A Planning Group

Landowner:

1945150 Alberta Ltd (Robert Wolfe)

PLANNING EVALUATION

SITE CONTEXT

The subject site is located on the west edge of Calgary adjacent to the municipal boundary with Rocky View County.

The parcel is bounded on the:

North:

- United Reformed Church - Place of Worship (S-CI);
- Old Banff Coach Road SW (60 kph Arterial Road); and,
- To the north/northwest, lands are under existing gravel extraction operations.

East: Future Ring Road ROW, and Transportation Utility Corridor (S-TUC)

South: Agricultural (Crops) lands; designated for country residential (Bylaw 11Z96)

West:

- City limits at 101 Street SW (60 km/h Roadway), and mature treed area;
- Vacant lands with ravine topography; and
- Rural large lot subdivisions in Rocky View County.

Parcel Use History

1. Up to 1995, the parcel was used for agricultural (crops);
2. In 1995 the parcel was re-designated to DC to accommodate a commercial use for a golf driving range ('All Shots Driving Range'), still in operation;
3. In 1997, lands adjacent to the subject parcel, to the south, were designated Bylaw 11Z96, as an outcome of implementing the East Springbank ASP. The purpose of the Bylaw 11Z96 is to provide for country residential development which maintains the character of the existing rural residential neighbourhoods.

The church parcel and the golf driving range parcel were not included in the Bylaw 11Z96 designation as they were already developed for institutional use and commercial use, respectively;

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4. In 1999 the northerly portion of the parcel was re-designated to DC to accommodate a church; still in operation;
5. Since 1999, there has been no development activity in the immediate vicinity of the parcel. This is likely due to the development context and constraints presented by the TUC.
6. In 2007, the parcels containing these uses were re-designated, under the Land Use Bylaw 1P2007, to standard districts, as follows:
 - Golf Range: Special Purpose – Future Urban Development (S-FUD) District, and,
 - Church: Special Purpose – Community Infrastructure
 - Both uses are conforming under their current land use designation, as Outdoor Recreation Facility, and Place of Worship.

LAND USE DISTRICTS

The existing land use is Special Purpose-Future Urban Development (S-FUD) District. The purpose of the S-FUD district is to protect land for future urban development by restricting premature subdivision and development of parcels. S-FUD provides for a limited range of uses so lands can be easily transitioned to facilitate redesignation for urban development, at a future time.

The proposed DC District is for the purpose of accommodating a car dealership(s) and typical associated uses. The proposed DC District also includes rules for adequate landscaping for the perimeter of the site and visual screening on the site perimeter to ensure compatibility and consideration of adjacent uses.

The proposed DC Direct Control District is attached at APPENDIX III. The 1P2007 Land Use Bylaw definitions for Auto Body and Paint Shop, Auto Service – Major, Vehicle Sales – Major are attached in APPENDIX IV, for reference.

The focus of the DC rules are:

1. To accommodate the commercial use of car dealership, with limited servicing;
2. To ensure that Auto Body and Paint Shop, Auto Service – Major, are only allowed in conjunction with the principal use of Vehicle Sales – Major. This rule ensures that development is part of the principal use of the dealership, and cannot be developed as separate entities, which may compromise future land use planning in the area;
3. To ensure adequate landscaping for the perimeter of the site, and physical screening on the perimeter to ensure visual compatibility and consideration of adjacent uses.

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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)

The parcel is designated as “Planned Greenfield with Area Structure Plan (ASP)”.

East Springbank Area Structure Plan (ASP)

The current Planning policy for the parcel and surrounding lands is Country Residential`, under the East Springbank ASP, approved by Council, in 1997.

The East Springbank ASP provides the following context for the parcel (underline by writer):

“Some parts of the planning area can accommodate comprehensively planned urban residential development at relatively high density levels. Other areas that contain existing rural residential subdivisions are expected to develop on a more gradual or incremental “infill” basis as individual owners choose to develop their lands. Yet other areas can remain in a country residential land use for the foreseeable future, providing a unique opportunity to maintain a more spacious rural residential setting and associated natural features within the city.” (Underline by writer)

The subject parcel was historically agricultural, and was cleared and planted with crops as opposed to retaining any natural features. At the date of passage of the East Springbank ASP, the parcel was already in use for institutional (Church), and commercial use (Golf Range), and was not therefore included in the implementation phase for the land use bylaw amendments (DC11Z96 for country residential) pursuant to the 1997 East Springbank ASP.

Proposal for Use – Rationale

The use of car dealership is supported as it can be developed with limited (on-site) servicing, and accommodated by existing roads (arterials). There is a large parcel area to support on-site limited servicing, including stormpond(s), septic tanks, and tanked water supply, and therefore no need of municipal servicing extensions at this time.

In the future, it is anticipated that the subject parcel, would be part of a larger policy plan area for a future land use concept. This future policy plan would also set the scope of municipal infrastructure (transportation and utilities) extension to the area, based on the future land use concept.

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The focus of the proposed policy amendment is to accommodate the additional use of car dealership with servicing to be provided on the site. This policy approach ensures that the subject parcel is intended for inclusion in the future comprehensive planning in the area, and is not considered the ultimate urban use or development of the parcel.

In order to facilitate the transition of the remainder of the cell to urban land use, a Development Permit would require a Condition of Approval, prior to release of any Permit, for the developer (owner) to enter into a Deferred Service Agreement (DSA). The Deferred Service Agreement would provide a practical mechanism for additional urban uses once services are available.

In 2005, Council approved a similar approach for the Northeast Residual Area Policy Plan, wherein an interim land use policy was approved by Council to accommodate industrial use, in similarly situated lands located between the NE Ring Road and the boundary of Calgary and Rocky View County. A similar approach is recommended for the subject planning application where the proposed interim use is commercial.

The proposed ASP text is attached in APPENDIX II.

TRANSPORTATION NETWORKS

A Transportation Impact Assessment (TIA) was submitted as supporting information for the Land Use proposal. The vehicular trip generation for the proposed car dealership was completed based on the Institute of Transportation Engineers Trip Generation Manual and indicated 345 trips during AM peak hour and 472 during the PM peak hour.

Post development, the TIA indicates that the intersection of 101 Street and Old Banff Coach Road SW meets Alberta Transportation's requirements for an upgraded intersection that includes dedicated left and right turn lanes. Partial illumination lighting will also be required. Appropriate geometric design for the intersection will be detailed during Development Permit stage.

UTILITIES & SERVICING

The site is currently un-serviced, and a high-level summary of deep servicing information was submitted by the applicants Engineering consultant as supporting information.

This summary states that sanitary servicing could be managed through an on-site storage tank which would be comparable to similar locations within the city limits where sanitary sewer is not available.

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It also states that, based on existing design work and reports for the area, stormwater could be treated and discharged at a controlled rate (equal to pre-development rates), through an oil-grit separator into the adjacent ravine, then onto a landscaped area where storage would have to be provided.

In relation to potable water, the summary indicates that this could be provided by truck to a on-site cistern and distribution system. There is also potential for a water recycling system for operational purposes.

Fire protection is stated to have a response time of 11-14 minutes, therefore a designated fire storage tank, with pump and sprinkler system would be required to provide the initial response.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment is not required.

ENVIRONMENTAL SUSTAINABILITY

No sustainability features have been detailed at this time. Site development will require proper engineering practices to ensure on-site servicing does not impact adjacent lands.

GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

There is no Community Association in the parcel area, and notification and circulation in respect of the surrounding area was processed, as follows:

1. Notice Post (Physical Sign placed on the parcel); Note, this will also occur prior to Public Hearing of the Bylaw at Council. No comments were received from the Notice Post process.
2. Mail-Drop Notice and Request for comments or contact for information: Notification by Applicant to rural residents by a mail drop directly to houses in proximity to the parcel, in Rocky View County, undertaken by the Applicant, with City direction.

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A total of 4 phone calls, and 3 emails, were received from the Mail Drop Notice, undertaken by Brown & Associates. One phone call was neutral on the question of use, and noted that “the country residential nature of the area has a limited time”.

In summary, the balance of comments indicate a concern for the introduction of commercial in proximity to a country residential area on the grounds that:

- i. A car dealership does not fit in with the character of country residential;
- ii. There is concern about increased traffic, as well as safety concerns for residents on bicycles;
- iii. Some comments suggest better commercial viability in a higher traffic corridor (one suggestion is for the Calaway Park node)
- iv. Some concern expressed for a potential decrease in land value of homes in the country residential area;
- v. Concern about the lack of a comprehensive plan for the area;

The above noted objections were taken into consideration, as follows:

- i. The subject parcel was not converted to country residential land use at the time of the approval of the East Springbank ASP (1997);
 - ii. The potential for country residential is compromised by the prior clearing of any natural features for agricultural, and coupled with the level terrain, reduces the suitability and potential of the subject parcel for country residential purposes;
 - iii. The existing country residential developments in the area would have adequate visual buffer provided by natural mature tree cover and rolling topography;
 - iv. As regards market viability, this is a factor for the Applicant to consider, and as the applicant has submitted (APPENDIX I) the subject parcel “meets a corporately defined market area” criteria; and,
 - v. Traffic to the site can be accommodated by existing roads by arterial roads.
3. Adjacent Owner Notice: Notification letter to adjacent owners to the parcel.
- a. No comments received at date of report submission.
4. Circulation to Rocky View County, Planning-administration. Note also, Inter-Municipal Planning-City of Calgary and the Applicant met with Rocky View County Administration, to explain and discuss the application.
- a. Rocky View County provided a letter of support, for interim use, only. Also note, the County requests circulation of DP at future date; circulation of DP will be provided as per Inter-Municipal Plan policy. See APPENDIX IV

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5. Circulation to Alberta Infrastructure.
 - a. No comments as of report submission.

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Citizen Comments

No citizen or resident comments were received from the Notice Posting on the parcel.

Public Meetings

No public meetings were held by the Applicant or Administration.

Community Association Comments

Not required, as there is no Community Association in the area.

Rocky View County Comments

Based on the interim status of the proposed additional use, and the Direct Control rules thereto, the Rocky View County Administration has provided a letter of support, with a request for further circulation at the Development Permit stage, for continued collaboration.

Alberta Infrastructure Comments

No comments received. Note that the City of Calgary, Transportation, has addressed relevant road infrastructure matters by comments to the Applicant, for implementation at the Development Permit stage.

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APPENDIX I

APPLICANT'S SUBMISSION

The current GSL GM City car dealership is located at 1720 Bow Trail SW which is presently owned by the City of Calgary, and is on a month-to-month lease with the City. Negotiation with respect to an extension of the lease was put on hold with the initiation of the CalgaryNEXT proposal. Further, the site is within the heart of the West Village Area Redevelopment Plan. Regardless of the future use of the site it is clearly an area targeted by the City for strategic uses resulting in the need for GSL to relocate its operations in a time sensitive manner.

GSL's relocation is contingent on its corporately defined market area which limits its choice of location and the desire to remain in the City of Calgary. In response to this situation, GSL Ltd. has searched and found a site that can accommodate its needs and has requested Brown & Associates Planning Group (B&A) to prepare a land use redesignation for 756 101st Street SW. The property presently accommodates an existing golf driving range under an existing Special Purpose – Future Urban Development (S-FUD) District. The ± 6.5 hectares (16 acres) parcel is located on the western extremity of the City. The parcel is within the City of Calgary boundary and located immediately adjacent and west of the future Stoney Trail – West Ring Road (the TUC). Adjacent development is limited to a church north of the site and surrounding farmland. As car dealerships typically require large areas of land with minimal building development; this use preserves the potential for comprehensive urban planning at an appropriate time in the future. City servicing is not readily available to the site nor is it needed as a limited servicing approaching within the site is feasible for a car dealership. As such the development is proposed to accommodate necessary servicing on site including trucked water and sanitary. The owner will enter into a deferred services agreement with the City at the development permit stage to ensure that if services are available in the future the owner will be paying a share of those costs and constructing physical tie-ins.

Our application proposes a specific Direct Control District based on the S-FUD land use district and a site specific amendment to the East Springbank Area Structure Plan to provide for the low intensity use of a car dealership and associated uses until the opportunity for a more intensive use is determined in the future as a result of comprehensive area planning, municipal servicing, completion of the adjacent ring road and a market opportunity. Our land use and policy amendment accommodates the timely relocation of the GSL car dealership from the West Village lands in the Centre City to a contextually appropriate location on the west side of the city, that also meets a corporately defined market area. In doing so, the West Village lands will be readily available for more strategic uses. It enables the car dealership to remain within the City boundary and within its market area to serve Calgary customers. We look forward to Administration's and Council's support of our application.

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APPENDIX II

PROPOSED AMENDMENTS TO THE EAST SPRINGBANK AREA STRUCTURE PLAN

- (a) Renumber the first paragraph in Section 2.4.3 b) to b) (i), and insert the following text after the new 2.4.3 b) (i):
- “(ii) Commercial uses may be accommodated for a car dealership(s) and associated uses, within the titled parcel, Plan 9610452, Lot 1, excepting thereout Subdivision 9912787. When rendering decisions on Development Permit applications for these uses, the Development Authority should take the following matters into consideration:
- Car Dealership - Development With Limited Infrastructure Services
- a) A limited serviced use may be allowed on a site provided that the use does not compromise the eventual transition of the site, and adjacent lands in the northernmost Country Residential cell in the Plan area, to a fully serviced commercial area in the future in terms of the:
- i) retrofit and upgrading of municipal services;
 - ii) provision of roadways, and
 - iii) design.
- b) A proposed limited serviced use shall demonstrate that the following is in place, or available, to support the proposed development:
- i) infrastructure capacity;
 - ii) road network capacity, both within the City and the Rocky View County;
 - iii) water servicing capacity, and any required additional service connections;
 - iv) sanitary servicing capacity, and
 - v) stormwater servicing capacity.
- c) A limited serviced use shall be required to demonstrate:
- i) the eventual staging of utility and roadway improvements required to service the planning cell;
 - ii) the financial mechanisms to be applied to address the staging and the design of the planning cell and the site in relation to the ultimate development of the cell.

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- d) A Development Permit and/or Subdivision application(s) for a Car Dealership should be evaluated using the following criteria to ensure compatibility with adjacent residential uses and future long-term development of the site:
- i) Site vehicular access;
 - ii) Site lighting;
 - iii) Noise;
 - iv) Interface with residential uses;
 - v) Interface with Stoney Trail & 101 Street;
 - vi) Traffic volume;
 - vii) Outdoor storage location; and
 - viii) Parcel size and configuration to provide flexibility for future redevelopment.

Car Dealership - Development With Full Municipal Utility Services

- e) A fully serviced use may be allowed on a site once the commitment to, and the method of extending utilities and roadways to the site has been determined, subject to:
- i) An updated Policy Plan for the area being approved;
 - ii) at the time of an Outline Plan/Land Use Amendment application, submissions of all required studies, to the satisfaction of the City;
 - iii) where applicable, any infrastructure improvements to service the site being co-ordinated with the Rocky View County, and
 - iv) any required infrastructure improvements to service the individual site being the responsibility of the landowner.”

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APPENDIX III

PROPOSED DC DIRECT CONTROL BYLAW

Purpose

- 1 This Direct Control District is intended to accommodate;
- (a) for the following additional **uses** for **development**:
 - (i) **Auto Body and Paint Shop**;
 - (ii) **Auto Service – Major**; and
 - (iii) **Vehicle Sales – Major**.
 - (b) **development** where storm water runoff is contained within the **parcel**;
 - (c) **parcels** that might have minimal or no **City** servicing; and
 - (d) protect lands for future urban forms of **development** and **density** by restricting premature subdivision and **development**.

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 – Future Urban Development (S-FUD) District of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

Discretionary Uses

- 5 The **discretionary uses** of the Special Purpose – Future Urban Development (S-FUD) District of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District with the addition of:
- (a) **Auto Body and Paint Shop**;
 - (b) **Auto Service – Major**; and
 - (c) **Vehicle Sales – Major**.

Bylaw 1P2007 District Rules

- 6 Unless otherwise specified, the rules of the Special Purpose – Future Urban Development (S-FUD) District of Bylaw 1P2007 apply in this Direct Control District.

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Development Permit Rules

- 7 (1) A *development permit* for **Auto Body and Paint Shop, Auto Service – Major, and Vehicle Sales – Major**:
- (a) must, at the discretion of the **Development Authority**, provide vertical **screening** to a maximum height of 2.0 metres, of the perimeter boundary of the **parcel**, to ensure visual compatibility with the **adjacent uses** and districts;
 - (b) must have a maximum **building height** of 12.0 metres;
 - (c) must provide a **front, side and rear setback area with**:
 - (i) a minimum depth of 6.0 metres;
 - (ii) a **soft surfaced landscaped area** with:
 - (A) a minimum of 1.0 trees and 2.0 shrubs for every 35.0 square metres; or
 - (B) for every 50.0 square metres, where irrigation is provided by **low water irrigation system**.
- (2) A *development permit* for **Auto Body and Paint Shop** or **Auto Service – Major** must only be approved in conjunction with **Vehicle Sales – Major**.

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APPENDIX IV

Comments from Rocky View County

From: XDeng@rockyview.ca [mailto:XDeng@rockyview.ca]
Sent: Thursday, April 13, 2017 11:34 AM
To: Sasges, Mark
Cc: AYurkowski@rockyview.ca
Subject: RE: CoC Dev Eng comments loc2016-0343

Hello Mark,

Sorry for the late response. Our engineer Angela has get information from your colleague Loretta regarding stormwater, and she has no concerns. So, we would like to provide the following comment on this application – LOC2016-0343:

“We understand that the proposal is to change the land use from Special Purpose District to Direct Control District, in order to accommodate a vehicle dealership. It appears that the proposed business use is inconsistent with the land use identified in existing area structure plan, and is incompatible with adjacent agricultural and residential uses in the Rocky View County. However, we understand that the proposed use is interim and the City of Calgary will not provide municipal services for the development. Therefore, Rocky View County has no concern on this application (LOC2016-0343). In addition, we would like to review their DP application in the future, to see how they address screening, landscaping, traffic, and stormwater to mitigate potential impact on adjacent lands in the County. Thank you. “

Xin Deng, MPlan, RPP, MCIP
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APPENDIX V

Land Use Bylaw 1P2007 Definitions for Proposed Additional Land Uses

“Vehicle Sales – Major”

- (a) means a **use**:
 - (i) where motor vehicles are sold or leased;
 - (ii) where six (6) or more vehicles, each with a **gross vehicle weight** equal to or less than 4536 kilograms, are available for sale or lease; and
 - (iii) that may be combined with an **Auto Body and Paint Shop**;
- (b) is a **use** within the Sales Group in Schedule A to this Bylaw;
- (c) must not have more than 25.0 per cent of the **gross floor area** occupied by an **Auto Body and Paint Shop**;
- (d) must not have an outdoor speaker system;
- (e) may only store or display vehicles on portions of the **parcel** approved exclusively for storage or display;
- (f) must only accept deliveries and offloading of vehicles within a designated area on the **parcel**;
- (g) must provide 1.0 **motor vehicle parking stall** for every inventory vehicle on the **parcel**, which must be shown on the plan submitted for a **development permit**;
- (h) requires a minimum of 3.5 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area** for the exclusive use of the customers and employees of the **use**, and these **motor vehicle parking stalls** must be:
 - (i) signed as being for the exclusive use of the customers and employees of the **use**; and
 - (ii) shown on the plan submitted for a **development permit**;
- (i) does not require **bicycle parking stalls – class 1**; and

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- (j) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 250.0 square metres of **gross usable floor area**.

“Auto Service – Major”

- (a) means a **use**:
 - (i) where motor vehicles with a **gross vehicle weight** equal to or less than 4536 kilograms are serviced and repaired in a **building**; and
 - (ii) that is capable of servicing or repairing four or more motor vehicles at a time;
 - (iii) *deleted*
- (b) is a **use** within the Automotive Service Group in Schedule A to this Bylaw;
- (c) *deleted*
- (d) must not manufacture or re-manufacture auto parts for retail or wholesale distribution;
- (e) must orient any **building** on the **parcel** to minimize any potential adverse affects on **adjacent uses**;
- (f) must have service bay doors oriented away from an **adjacent residential district**;
- (g) must keep service bay doors closed, except when being used by vehicles to exit or enter the service bay;
- (h) must not have any vehicle exiting doors located within 23.0 metres of a **residential district**, when measured to the nearest **property line** of a **parcel** designated as a **residential district**;
- (i) may have activities associated with the **use**, equipment, scrap, auto parts and other materials located outside of a **building**, provided they are within a **screened** enclosure that must be:
 - (i) shown on plans required at the time the application for the **use** is made;

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- (ii) located where, in the opinion of the **Development Authority**, it is least likely to adversely affect neighbouring properties; and
- (iii) constructed of materials and to the standards required by the **Development Authority**;
- (j) must not keep vehicles outside of a **building** or **screened** enclosure for more than 72 consecutive hours;
- (k) requires a minimum of 2.0 **motor vehicle parking stalls** per 100.0 square metres of **gross usable floor area**;
- (l) does not require **bicycle parking stalls – class 1**; and
- (m) requires a minimum of 1.0 **bicycle parking stalls – class 2** per 2000.0 square metres of **gross usable floor area**.