

Planning & Development Report to  
Calgary Planning Commission  
2020 May 21

ISC: UNRESTRICTED  
CPC2020-0536

**Land Use Amendment in Stoney 3 (Ward 5) at 10960 - 42 Street NE, LOC2020-0022**

**EXECUTIVE SUMMARY**

This land use redesignation application was submitted by Arup Datta Architects Ltd on 2020 February 14 on behalf of the landowner Jacksonport Square Ltd. The application proposes to change the land use designation of 10960 – 44 Street NE from Industrial – General (I-G) District to Industrial – Commercial (I-C) District to allow for:

- industrial developments with small scale commercial uses that are compatible with and complement light industrial areas (e.g. warehouses with commercial storefronts, industrial buildings with offices and retail stores);
- a maximum building height of 12 metres; (a decrease from the current maximum of 16 metres);
- a maximum floor area ratio (FAR) of 1.0, or approximately 9,000 square metres of building floor area (no change proposed) area;
- a maximum use area for Retail and Consumer Service of 930 square metres (an increase from the current maximum of 465 square metres); and
- the uses listed in the I-C District.

The proposal is in keeping with applicable policies of the *Municipal Development Plan* and the *Northeast Industrial Area Structure Plan (ASP)*.

A development permit application has not been submitted specifically in relation to this land use amendment application, however DP2018-5656 was approved and released on 2019 August 20 for three buildings on this site, under the existing Industrial – General (I-G) District. That development is currently under construction and it is contemplated that, should CPC approve this proposed land use amendment, then the buildings would be utilized for the variety of uses allowed under the Industrial – Commercial (I-C) District.

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**ADMINISTRATION RECOMMENDATION:**

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

1. **ADOPT**, by bylaw, the proposed redesignation of 0.90 hectares  $\pm$  (2.22 acres  $\pm$ ) located at 10960 - 42 Street NE (Plan 1811550, Block 5, Lot 6) from Industrial – General (I-G) District **to** Industrial – Commercial (I-C) District; and
2. Give three readings to the proposed bylaw.

**RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2020 MAY 21:**

That Council hold a Public Hearing; and

1. Adopt, by bylaw, the proposed redesignation of 0.90 hectares  $\pm$  (2.22 acres  $\pm$ ) located at 10960 - 42 Street NE (Plan 1811550, Block 5, Lot 6) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District; and
2. Give three readings to the **Proposed Bylaw 79D2020**.

**PREVIOUS COUNCIL DIRECTION / POLICY**

None.

**BACKGROUND**

This land use amendment application was submitted by Arup Datta Architect Ltd on behalf of the landowner, Jacksonport Square Ltd, on 2020 February 14. The Applicant's Submission (Attachment 1) indicates that the intent is to provide a more commercial style of development at the interface of the wider developing industrial area and Metis Trail NE, close to the intersection with Country Hills Boulevard NE; while maintaining a principally industrial set of land uses.

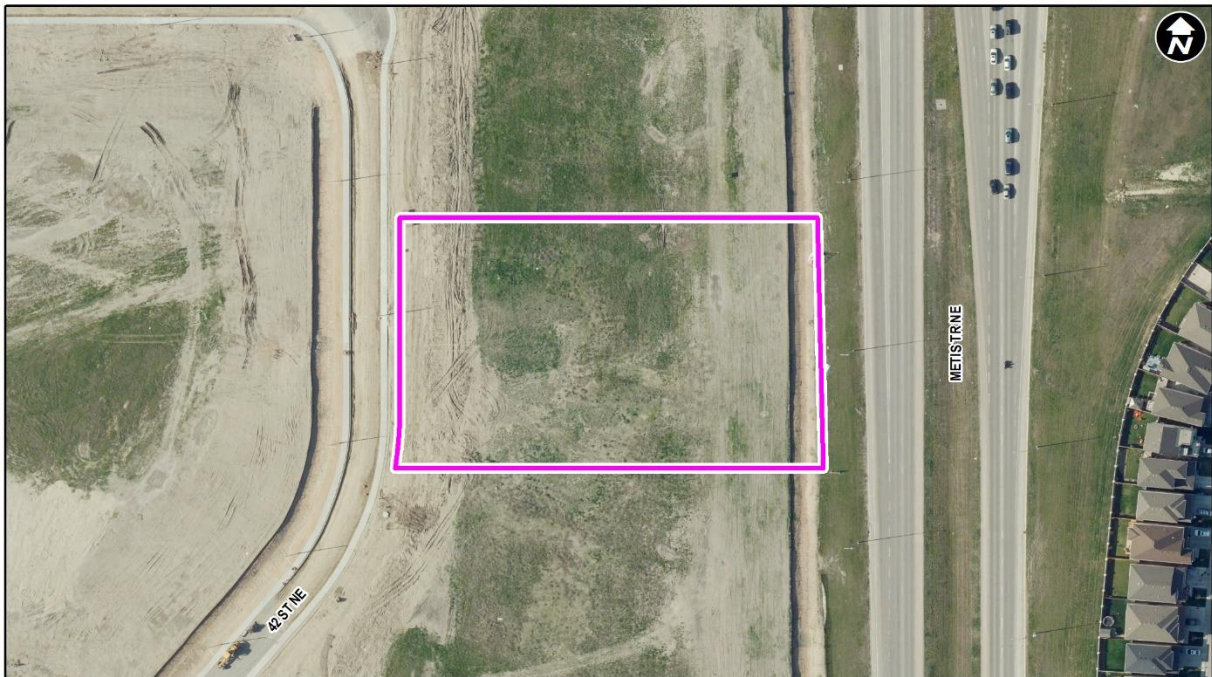
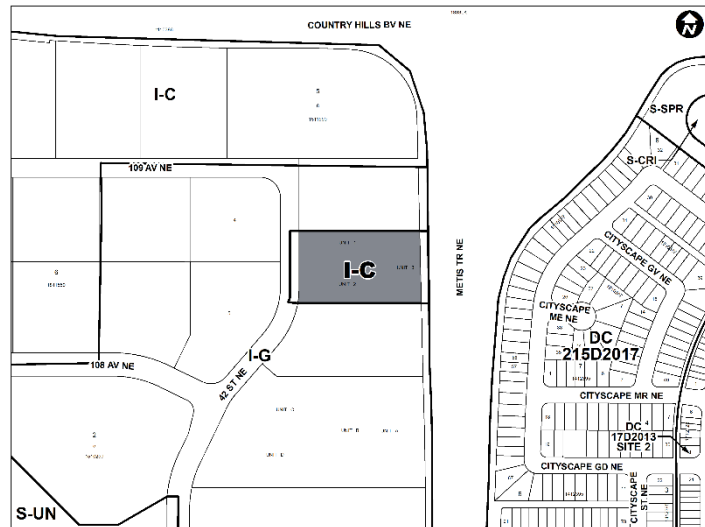
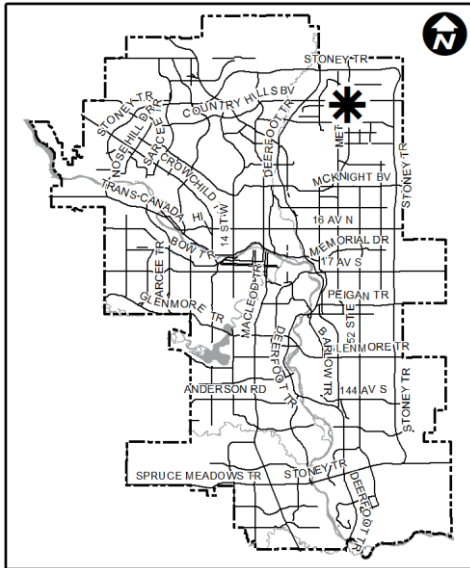
A development permit application (DP2018-5656) has been approved and released on 2019 August 20 on this site for three buildings in three phases. The site is currently under construction utilizing the current Industrial - General (I-G) District, and approved development permit.

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**Location Maps**



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### Site Context

This is an area in active development. The subject parcel, together with a number of other sites in the area are currently being developed.

The site is located in the northeast community of Stoney 3, immediately to the west of Metis Trail NE and two parcels south of Country Hills Boulevard NE. The western boundary is formed by 42 Street NE. To the north is an undeveloped parcel designated Industrial – General (I-G) District.

Further north are other parcels, designated Industrial – Commercial (I-C) District, fronting onto Country Hills Boulevard NE; but which are also accessed through 42 Street NE to the west. Two of these sites (the one on the corner of Metis Trail NE and Country Hills Boulevard NE and the one immediately to its west) also have the benefit of approved development permits under the I-C District rules and uses (DP2020-2066 and DP2019-0234). Those uses include a number of I-C District discretionary uses, including liquor store, medical clinic, drive through restaurant, cannabis retail store and retail and consumer services. The subject site shares a southern boundary with an I-G parcel.

Further east, across Metis Trail NE, is the developing residential community of Cityscape. The land use for this area is a DC Direct Control District (Bylaw 215D2017) which uses the Residential – One Dwelling (R-1s) District as the base land use.

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**INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposal represents a diversification of uses within an employment intensive area that has the ability to be compatible with the established building form and function of development in the local area.

**Land Use**

The existing Industrial – General (I-G) District is designed to carry a number of medium and light industrial with a limited number of commercial uses. Parcels within this district are typically in internal locations. The limits on commercial uses are intended to preserve the more general industrial nature of the I-G District.

Land Use Bylaw 1P2007 identifies the Industrial – Commercial (I-C) District as better suited to perimeter locations in wider industrial areas, where small scale commercial uses are compatible with and complement other light industrial uses in the area. The purpose statement of the proposed I-C District also indicates that parcels within 200 metres of a major street or expressway are suitable for consideration in the I-C District. Potential allowable uses include medical and veterinary clinics, restaurants and food take out services, convenience food stores, retail and consumer services as well as light industrial.

The current construction of the site under the I-G rules would require end users of the units to be compatible with those uses established in the Industrial – General (I-G) District. Widening the potential uses to those that fall within the proposed Industrial – Commercial (I-C) District provides greater choice and range of services to an increasing potential client base in the developing community of Cityscape.

**Development and Site Design**

A development permit has been approved on this site and it is currently under construction. The development parameters for this location have, therefore, been considered and approved in the form of three separate buildings, consisting a number of bays, or individual units. Included in that approval are parking requirements, landscaping and the pedestrian environment.

The applicant is not seeking to change the layout and design of the approved development permit; rather the allowable uses that can go into the buildings and individual units. The supporting statement included in Attachment 1 suggests that this will ensure the longer term development and marketing viability of the site.



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**Transportation**

Vehicular access to the parcel is available from 42 Street NE. Pedestrian access to the site is facilitated through sidewalks which are to be located on both sides of 42 Street NE as per the approved Construction Drawings for the area which is under development. The area is currently served by Calgary Transit bus service (Routes 100, 119 and 145) with a stop approximately 600 metres walking distance to the south along 104 Avenue NE, with a future transit stop planned along 108 Avenue NE, approximately 200 metre walking distance to the southwest.

A Transportation Impact Assessment was not required in support of this land use application.

**Environmental Site Considerations**

No environmental issues are present with this site. A Phase 1 Environmental Site Assessment (ESA), was conducted by Jacques Whitford Limited on 26 July 2004 and used in the consideration of DP2018-5656. No environmental concerns were noted in the ESA.

**Utilities and Servicing**

Water, storm, and sanitary deep utilities are available. Development servicing requirements will be determined at the future development permit and development site servicing plan stage(s).

**Climate Resilience**

The applicant has not identified any climate resilience measures as part of this land use application. Further opportunities to align future development on this site with applicable climate resilience strategies may be explored and encouraged at the development permit stage.

**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 online.

There is no community association in the area and no letters were received in response to the public circulation. No public meetings were held with respect to the application.

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

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### **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](#) which directs population growth in the region to Cities and Towns and promotes efficient use of land.

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

The proposal aligns with the policy direction of the Calgary Metropolitan Region Board's [Interim Growth Plan](#). The proposed 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.

#### ***Calgary International Airport Vicinity Protection Area Regulation (2009)***

The parcel is subject to the [Airport Vicinity Protection Area](#) (AVPA). The site is within the 30-35 Noise Exposure Forecast contour. The application has been circulated to the Airport Authority and NAV Canada for comment.

Calgary Airport Authority notes that 'Industrial-Commercial' development is not a prohibited use in this area, however the owner is responsible for ensuring compatibility of uses and compliance with acoustic requirements.

Calgary Airport Authority reserves the right to review any future development proposals.

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

Part 3 of the [Municipal Development Plan](#) (MDP) establishes a range of typologies for Calgary's future urban structure, with section 3.7 specifically relating to Industrial Areas.

MDP Map 1, Urban Structure identifies this area within the 'Standard Industrial' typology, which is intended to be flexible and able to support a variety of industrial uses, including supporting commercial uses, as long as the primary industrial function is retained.

The proposed land use aligns with relevant MDP policies. The proposal would allow the site to support a broader range of commercial uses that are complementary to and consistent with the I-G District. Light industrial uses are also permitted.

The proposed I-C land use seeks to include supporting uses to the principal industrial function of the area. This would enable the appropriate development of the area in general for the anticipated industrial uses.

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***Northeast Industrial Area Structure Plan (Statutory – 2013)***

The subject parcel falls under the [Northeast Industrial Area Structure Plan](#) (ASP). In the ASP the subject parcel is identified as falling under the Business Industrial Area.

Section 7.1.2 provides policies directly related to the Business/Industrial Area. Subsection (1)(a)(i) notes that light industrial uses shall be the predominant use of land.

Section 7.1.2(1)(a)(ii) provides that a number of other uses, including medium industrial, offices, local commercial, service commercial, secondary commercial, recreational, institutional and public uses, together with similar and accessory uses to the above, may be allowed where they are determined to be compatible and appropriate.

The proposal aligns with the policies of the *Northeast Industrial ASP*.

***Climate Resilience Strategy (2018)***

The [Climate Resilience Strategy](#) contains the Climate Mitigation Action Plan (CMAP) and the Climate Adaptation Action Plan (CAAP), which identify actions that will reduce Calgary's greenhouse gas emissions and manage climate risks. This application has not identified any actions that specifically address the objectives in this plan.

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

The proposed land use allows for more commercially-oriented mix of uses and provides a greater diversity of goods and services to these more outlying residential communities, without the need to travel greater distances to utilize those resources.

The I-C District is intended for the edge of light industrial areas that provides a wider diversity of compatible and complementary commercial uses to the wider industrial/commercial area. In addition to the commercial nature of the I-C District supporting the wider general industrial land uses in this area, the proximity of new residential development provides a wider economic base to support the commercial uses anticipated by the I-C District.

**Financial Capacity**

***Current and Future Operating Budget***

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

***Current and Future Capital Budget***

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



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**Risk Assessment**

There are no significant risks associated with this land use redesignation application.

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

This proposal is aligned to the prevailing statutory planning policies contained in the *Municipal Development Plan*, and *North Industrial Area Structure Plan*. The proposed I-C District anticipates development of sites such as this, given its location and proximity to an expressway or major street. The application is considered appropriate following the purpose statement of Land Use Bylaw 1P2007. A change to the land use will provide greater commercial diversity to the developing residential community of Cityscape and will increase the range of goods and services to that area, as well as others in north east Calgary. The proposed redesignation does not prevent the balance of the Industrial – General (I-G) District lands in this general location from being developed for those anticipated uses.

**ATTACHMENT(S)**

1. Applicant Submission
2. **Proposed Bylaw 79D2020**