

**ROAD CLOSURE AND LAND USE AMENDMENT
BURNS INDUSTRIAL (WARD 9)
SOUTH OF 58 AVENUE SE AND WEST OF 11 STREET SE
BYLAWS 11C2016 AND 193D2016**

MAP 35S

EXECUTIVE SUMMARY

This application seeks to close a road-right-of-way, and redesignate it along with four adjacent parcels. After redesignation all parcels will be consolidated.

In more detail, the applicant proposes to close approximately 3.14 hectares (7.75 acres) of road right-of-way adjacent to 825 - 59 Avenue SE and 808 Glenmore Trail SE, and, redesignate this area in conjunction with approximately 17.05 hectares (42.1 acres) parcel from undesignated road-right-of-way and Industrial – General (I-G) District to Special Purpose – City and Regional Infrastructure (S-CRI) District in order to align with Provincial Regulation for Waste Disposal and Treatment Facility (landfill).

The parcels and road-right-of-way are located in Burns Industrial Area and are part of the former Blackfoot Landfill which operated as a sanitary landfill between 1968 and 1972. The landfill is owned by The City and is in post-closure care.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2016 June 02

That Calgary Planning Commission recommends **APPROVAL** of the proposed Road Closure and Land Use Amendment.

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaws 11C2016 and 193D2016; and

1. **ADOPT** the proposed closure of 3.14 hectares ± (7.75 acres ±) of road (Plan 1512624, Area A and Area B) adjacent to 825 - 59 Avenue SE and 808 Glenmore Trail SE, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Closure Bylaw 11C2016.
3. **ADOPT** the proposed redesignation of 17.05 hectares ± (42.1 acres ±) located at 808 Glenmore Trail SE, 1111, 1111R – 58 Avenue SE, 825 - 59 Avenue SE and the closed road (Plan 1984GR, Block 1; Portion of SW1/4 Section 35-23-1-5; Plan 678LK, RLY, 23; Plan 678LK, RW, 23; Plan 1512624, Area A and Area B) from Industrial – General (I-G) District and Undesignated Road Right-of-Way to Special Purpose – City and Regional Infrastructure (S-CRI) District, in accordance with Administration's recommendation; and
4. Give three readings to the proposed Bylaw 193D2016.

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MAP 35S

REASON(S) FOR RECOMMENDATION:

The proposal is in keeping with *The Provincial Code of Practice for Landfills* and the *Standards for Landfills*. Both documents include provisions for landfills in post-closure care.

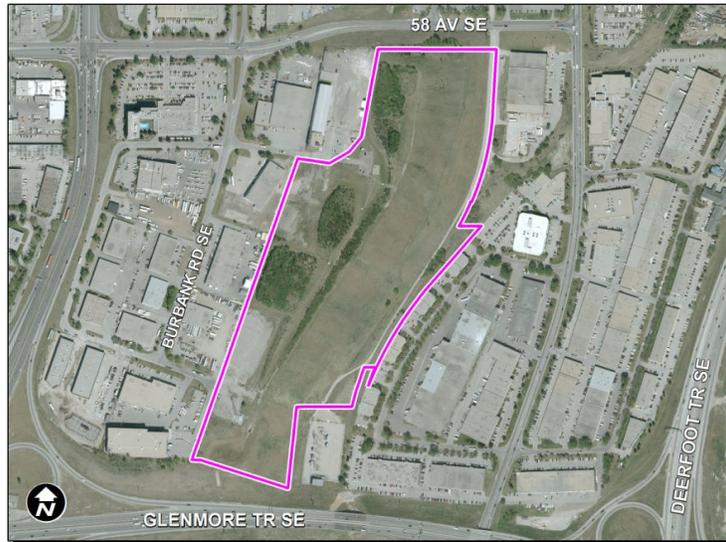
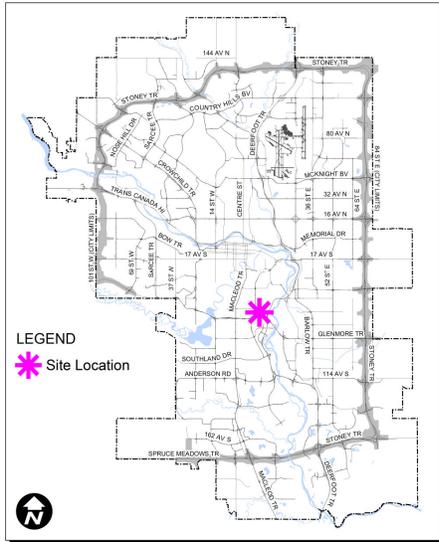
ATTACHMENTS

1. Proposed Bylaw 11C2016
2. Proposed Bylaw 193D2016

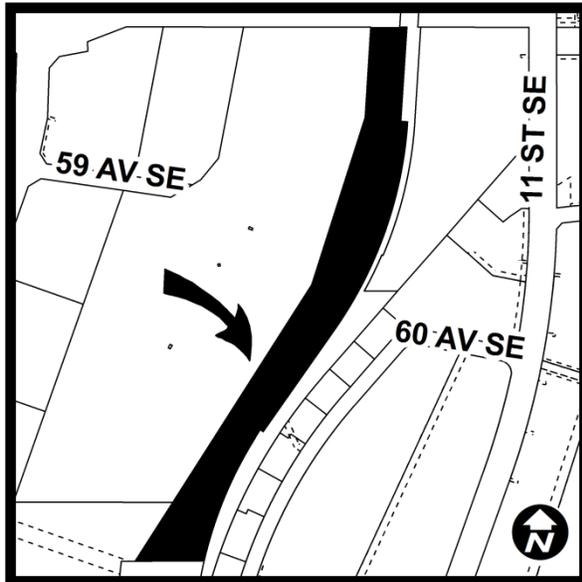
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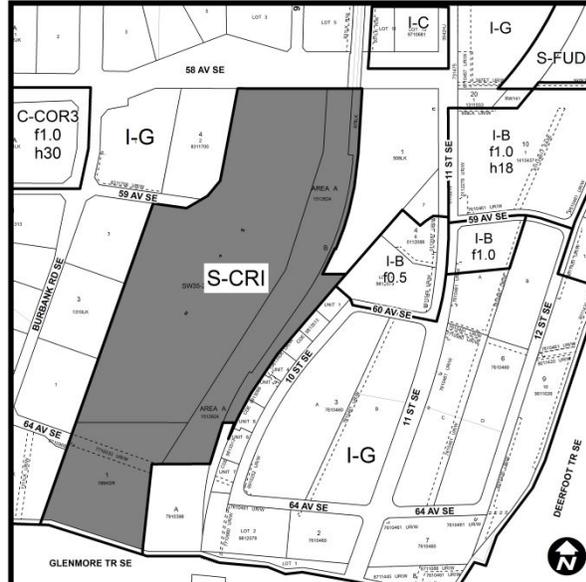
LOCATION MAPS



Road Closure Map



Land Use Amendment Plan (and Consolidation)



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

1. Recommend that Council **ADOPT**, by Bylaw, the proposed closure of 3.14 hectares \pm (7.75 acres \pm) of road (Plan 1512624, Area A and Area B) adjacent to 825 - 59 Avenue SE and 808 Glenmore Trail SE, with conditions (APPENDIX II).

Moved by: J. Gondek

Carried: 6 – 0

2. Recommend that Council **ADOPT**, by Bylaw, the proposed redesignation of 17.05 hectares \pm (42.1 acres \pm) located at 808 Glenmore Trail SE, 1111, 1111R – 58 Avenue SE, 825 - 59 Avenue SE and the closed road (Plan 1984GR, Block 1; Portion of SW1/4 Section 35-23-1-5; Plan 678LK, RLY, 23; Plan 678LK, RW, 23; Plan 1512624, Area A and Area B) from Industrial – General (I-G) District and Undesignated Road Right-of-Way to Special Purpose – City and Regional Infrastructure (S-CRI) District.

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Applicant:

The City of Calgary

Landowner:

The City of Calgary

PLANNING EVALUATION

SITE CONTEXT

Land uses in the vicinity are predominantly industrial and accommodate a range of uses including automotive service, storage, office, and wholesale/distributor retail.

The subject parcels are currently undeveloped and consist of open space. Trees have been planted as part of the BP BirthPlace Forest program. This is a program that was in place between 2001-2010 and The City was a partner. The program registered 6,000 trees planted in 2005. The trees will remain.

LAND USE DISTRICTS

The Special Purpose – City and Regional Infrastructure (S-CRI) District is intended to provide for infrastructure and utility facilities, facilities for public transportation, and, uses operated by Federal, Provincial and Municipal levels of government. Waste Disposal Treatment Facility is a permitted use.

Waste Disposal Treatment Facility is not allowed in any other land use districts in the Land Use Bylaw 1P2007.

LEGISLATION & POLICY

Municipal Development Plan (Statutory-2009)

The subject parcels are located in an area identified as Standard Industrial Area. This area contains a mix of industrial uses at a variety of intensities.

The parcels are identified as a non-operating landfill in the Major Development Influences Map (map 7) of The Municipal Development Plan. The 300 metre regulated landfill setback is identified around the parcels.

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Municipal Government Act – Subdivision and Development Regulations (MGA - SDR)

As a former landfill, certain uses such as schools, hospitals, food establishments, and residences are restricted on the site and within the 300 metres regulated landfill setback, according to the Municipal Government Act – Subdivision and Development Regulations (MGA – SDR).

No Local Area Plan is in place for the area.

TRANSPORTATION NETWORKS

A Transportation Impact Assessment was not required as the application does not present any concerns with regard to the existing transportation network.

The existing road right-of-way was in place to accommodate a public road/lane. The road-right-of-way is no longer required and it can be closed and consolidated with the Blackfoot Landfill parcels.

There is, however, a gravel access route that runs north-south along the road-right-of-way with access from an existing curb-cut at 58 Avenue SE. This route provides access to the ENMAX parcel located at 1010 Glenmore Trail SE (southeast of the landfill parcels) which contains the Electric Substation 9. The execution and registration of an access easement agreement, to guarantee legal access to ENMAX parcel, is included as a condition of the Road Right-Of-Way Closure.

UTILITIES & SERVICING

Utilities are available, but development opportunities are limited due the parcels being a former landfill.

ENVIRONMENTAL ISSUES

As part of provincial legislation for landfills in post-closure care, a groundwater and methane monitoring program is in place.

GROWTH MANAGEMENT

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

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PUBLIC ENGAGEMENT

Community Association Comments

Not required as there is no Community Association in this area.

Citizen and Adjacent Owners Comments

ENMAX Power Corporation had concerns related to the exiting gravel road as it is the only legal access they have to their parcel. The exiting gravel road will remain in place for ENMAX use only and, as part of the road closure conditions, an access easement agreement will be executed and registered on the new-titled parcel.

The owner of the parcel located at 5905 - 11 Street SE expressed concerns related to the road-right-of-way closure as one of their tenants at the northwest corner of the building uses portions of the existing gravel road to access its loading area. The owner and/or tenant are not authorized nor do they need to cross City property to enter onto their parcel as all buildings and bays located at 5905 - 11 Street SE, can and should be accessed from 11 Street SE.

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APPENDIX I

APPLICANT'S SUBMISSION

Waste and Recycling Services (WRS) is submitting this land use amendment and road closure application as part of a housekeeping process to create a single titled parcel with the correct land use for the Blackfoot Landfill. The application proposes to:

- Close an unused road right-of-way (confirmed to be unnecessary by Calgary Roads).
- Redesignate the closed right-of-way and parcels on either side of it to Special Purpose – City and Regional Infrastructure District (S-CRI).

A consolidation application will be made to Land Titles that will consolidate the lands on either side of the right-of-way with the lands associated with the road closure.

An access easement agreement will be executed between The City and ENMAX Power Corporation to provide legal access to the ENMAX parcel located at 1010 Glenmore Trail SE. This access easement agreement will be registered with the new-titled parcel.

To ensure conformance with the current Land Use Bylaw, Waste & Recycling Services (WRS) requires that all lands associated with a City landfill have the land use of S-CRI since it is the only land use within the Land Use Bylaw 1P2007 that accommodates a City landfill. The site is not intended to be redeveloped and will remain as open space.

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MAP 35S

APPENDIX II

PROPOSED ROAD CLOSURE CONDITIONS

1. That utility easement(s) be provided as required, and that a Utility Right-of-Way plan and an accompanying easement document be registered concurrently with the new-titled parcel and to the satisfaction of Development Engineering, the City Solicitor and ENMAX Power Corporation.
2. That an access easement agreement be provided and registered concurrently with the new-titled parcel to the satisfaction of Development Engineering, the City Solicitor and ENMAX Power Corporation and to the benefit of 1010 Glenmore Trail SE (Plan 981065030076).
3. That the closed road right-of-way be consolidated with the adjacent lands at 808 Glenmore Trail SE, 825 – 59 Avenue SE, and 1111, 1111R – 58 Avenue SE.
4. That protection and/or relocation of any utilities be at the Applicant's expense and to the satisfaction of the particular utility provider(s).
5. That all cost associated with the closure be borne by the Applicant.