

**LAND USE AMENDMENT  
MANCHESTER INDUSTRIAL (WARD 9)  
61 AVENUE SE WEST OF 2 STREET SE  
BYLAW 241D2016**

**MAP 34S**

**EXECUTIVE SUMMARY**

This application proposes to redesignate a parcel located on 61 Avenue SE, in the Manchester Industrial area from Industrial – General (I-G) District to Industrial – Commercial (I-C) District.

The latest Applicant's submission indicates that the intent is to provide transition between the Chinook Station Area Plan (Chinook SAP) to the west and the Industrial-General parcels to the east by providing a land use that accommodates more transit oriented uses.

Administration does not support a redesignation to I-C as it is inconsistent with Council direction and policy.

**PREVIOUS COUNCIL DIRECTION**

On June 9, 2008, Council directed Administration to investigate and consult with land owners on the opportunity to extend the Chinook Station Area Plan to 2 Street SE. Administration is responding to this request on an opportunity basis as applications come forward. Details on the Council motion are below:

Moved by Alderman Ceci, Seconded by Alderman Lowe,

<p>That the CPC Recommendation 5 contained in Report CPC2008-067 be adopted, as follows:</p> <p>That Council:</p> <p>5. Direct Administration to investigate and consult with land owners on the opportunity to extend the plan boundary to 2 Street SE, adjusting the east boundary to 2 Street SE between 58 Avenue and Glenmore Trail.</p>	<p>General Manager, Planning, Development and Assessment</p>
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**ROLL CALL VOTE**

For: Aldermen Mar, Ceci, Chabot, Colley-Urquhart, Connelly, Fox-Mellway, Hawkesworth, Jones and Lowe  
Against: Aldermen McIver, Pincott, Farrell and Mayor Bronconnier

**CARRIED**

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**ADMINISTRATION RECOMMENDATION(S)**

2016 July 28

That Calgary Planning Commission recommends **REFUSAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 241D2016; and

1. **ADOPT** the proposed redesignation of 1.5 hectares  $\pm$  (3.7 acres  $\pm$ ) located at 207 – 61 Avenue SE (Plan 5444W, Block E, Lot 3) from Industrial – General (I-G) District **to** Industrial – Commercial (I-C) District; and
2. Give three readings to the proposed Bylaw 241D2016

**REASON(S) FOR RECOMMENDATION:**

The reasons for recommending refusal of the proposed redesignation are:

1. It is inconsistent with Council direction to extend the Chinook Station Area Plan (Chinook SAP) boundary. Administration explored this option with the Applicant, amendments to the plan were identified and a draft DC District was completed. The Applicant did not wish to pursue the option to include the subject parcel in the Chinook SAP.
2. It is not in alignment with:
  - a. Applicable policies in the Municipal Development Plan (MDP);
  - b. The intent of the Industrial-Commercial (I-C) District; and
  - c. Transit Oriented Development (TOD) Guidelines.
3. By not including the parcel in the Chinook SAP, the proposed land use district is incompatible with the recommendations of the Central Industrial Areas Land Review.

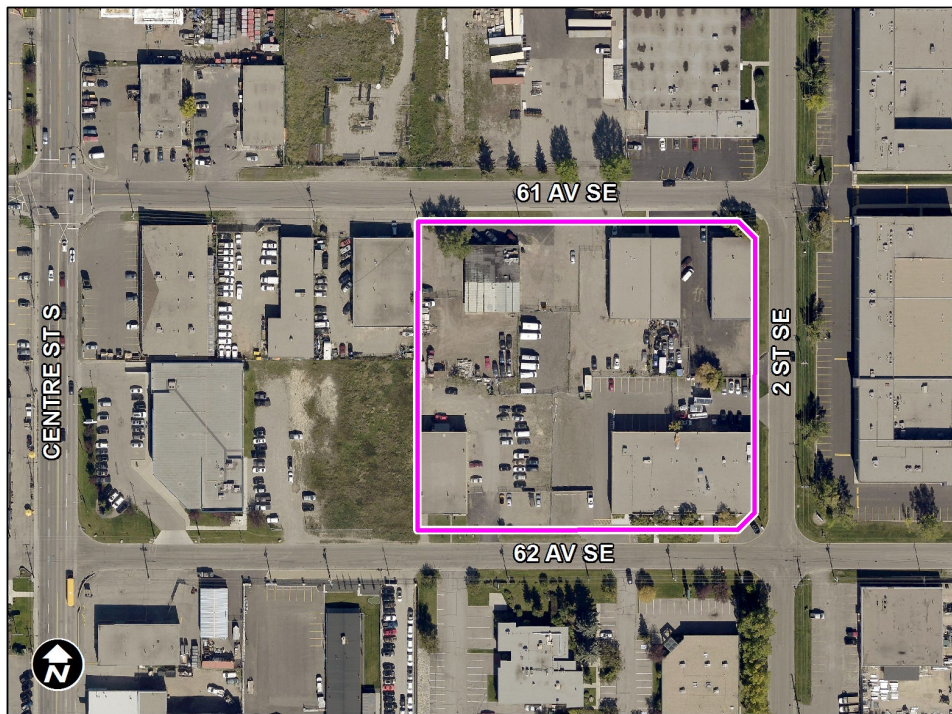
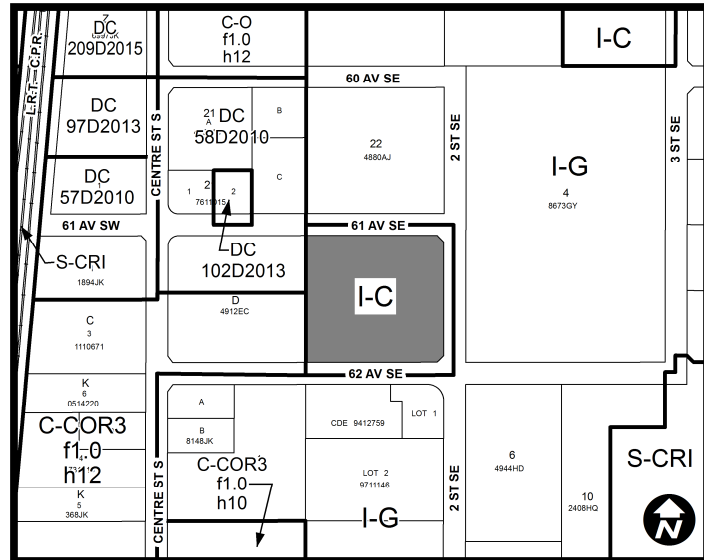
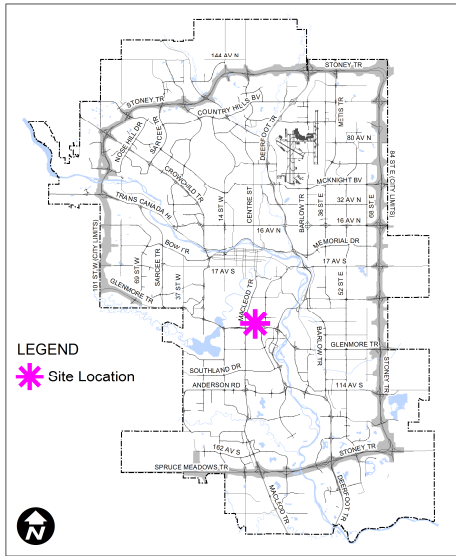
**ATTACHMENT**

1. Proposed Bylaw 241D2016

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **REFUSE**, the proposed redesignation of 1.5 hectares ± (3.7 acres ±) located at 207 – 61 Avenue SE (Plan 5444W, Block E, Lot 3) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District.

**Moved by: R. Wright**

**LOST: 2 – 4**

Opposed: M. Foht, J. Gondek,  
G.-C. Carra and  
S. Keating

Reasons for Opposition of the Refusal recommendation from Ms. Gondek:

- My interpretation of the 2008 June 09 Council motion is there was direction to Administration to investigate an opportunity to extend the Station Area Plan. This not the same a directing administration to extend the Station Area Plan, thus the refusal being based on the Applicant's unwillingness to join the Station Area Plan is flawed.
- Administration indicated the there is a desire to maintain industrial uses to the east of the track, However, inclusion of this parcel in the Station Area Plan does not accomplish this.
- If the landfill is on post-closure care, our policy of restricted food service uses should be reviewed and potentially lifted.

**2016 July 28**

**MOTION:**

The Calgary Planning Commission **FILED** Administration's recommendation of **REFUSAL** and recommends that Council:

1. **ADOPT**, by bylaw, the proposed redesignation of 1.5 hectares ± (3.7 acres ±) located at 207 – 61 Avenue SE (Plan 5444W, Block E, Lot 3) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District; and
2. Give three readings to the proposed Bylaw.

**Moved by: G.-C. Carra**

**Carried: 5 – 1**

Opposed: R. Wright

Reasons for Opposition of the Approval recommendation from Mr. Wright:

- Once again, we are attempting to deal with an industrial area in transition and also in a bit of a policy vacuum. While the City feels its

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long term future of this parcel is more connected to the TOD associated with the Chinook Station, it still contains and is surrounded with other light and medium intensity industrial uses. Some may suggest the I-C designation could be seen as a transition use, but I am not convinced this proposal is indeed interim and in fact may delay or stall redevelopment of the site to its full TOD potential. The proposed use may deal with some short term demand, but the risk of not achieving the TOD potential is too high in my mind to support such a change over such a large (3.7 acres) parcel.

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Applicant:

Brown & Associates Planning Group

Landowner:

Business Condominiums Inc

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject parcel fronts onto three city streets, 61 Avenue SE, 2 Street SE and 62 Avenue SE. It is surrounded by commercial and light industrial uses and developments. The Chinook LRT Station is located approximately 350 metres east of the parcel.

The parcel is relatively flat and is occupied by five single-storey industrial buildings (built in 1970s), with extensive loading, parking and outdoor storage areas.

The Applicant has indicated that there are no current plans for redeveloping the property.

Application History

The initial intent of this land use application was to redesignate portions of the parcel to Industrial – Business (I-B) District to allow for an office building. A development permit (DP) for an industrial development was approved in 2013. After the DP was released the Applicant indicated the desire to include 100 percent office use within the approved building. A redesignation was required as the I-G District only allows for 50 percent of office space within any given building. The Applicant is no longer pursuing the proposed office development and the DP was cancelled in May 2016.

Administration communicated its non-support for the original LOC application due to non-compliance with Council direction and policy. Therefore, various options and amendments were discussed through the review process.

Administration proposed an approach to include the parcel within the Chinook SAP boundary, and identified the required policy amendments. In addition and in collaboration with the Applicant, a DC Direct Control District was drafted to align with the Chinook SAP. Initially, the Applicant agreed to include the parcel in the Chinook SAP but later decided not to pursue this option, and instead proposed to amend the application to I-C and move forward with a recommendation of refusal. Please refer to Appendix II for further details.

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**LAND USE DISTRICTS**

The site is currently designated Industrial – General (I-G) District. The I-G District is intended to allow for a wide range of light and medium general industrial uses, and a limited number of support commercial uses, with limits on retail sales and office activities in order to preserve a diverse industrial land base.

Generally, the proposed Industrial – Commercial (I-C) District is intended to be used strategically to achieve planning objectives (e.g. buffering, transition, etc) and is intended to be characterized by:

- *Locations on the perimeter of industrial areas, along major streets or expressways*

The subject parcel is located within a large contiguous industrial area and the portion of 61 Avenue SE, fronting onto the parcel, is identified as a local industrial road, not a major street or expressway.

- *Controls to ensure that developments provide a transition between other land use districts and the Industrial-General District or between highly visible industrial parcels and the Industrial – General District*

Parcels located directly to the west of the parcel are included in the Chinook SAP and are part of the *Office/Commercial/Light Industrial Precinct*. This precinct allows for high intensity employment uses and serves as a transition area between the mixed-use high-intensity developments to the west and the Industrial – General parcels to the east. As such, the subject parcel is not needed as a transition between the Chinook ASP and the I-G lands to the east.

- *Parcels located within 200.0 metres of Major Streets or expressways.*

Although, the parcel is 150 metres east of a Neighbourhood Boulevard (Centre Street SE) and an urban boulevard (61 Avenue SE west of Center Street), the parcels' context and location outside of the Chinook SAP does not support the proposed redesignation.

It can also be noted that commercial uses that locate on sites designated as I-C tend to be auto-oriented in nature. Council direction to explore the inclusion of parcels up to 2 Street SE into the Chinook SAP and the TOD guidelines indicate that accommodating auto-oriented commercial uses in this parcel would be contrary to planning objectives for this area.

**LEGISLATION & POLICY**

South Saskatchewan Regional Plan (SSRP) Statutory - 2014)

The high-level scale and scope of The South Saskatchewan Regional Plan (SSRP) policies are not relevant to this application.

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

The parcel is within the 300 metre regulated landfill setback from the Springbank Landfill, which operated as a sanitary, construction and demolition material landfill between 1956 and 1968. The landfill is in post-closure care, and now contains the Centennial Softball Park.

School, Hospitals, Food Establishments and Residences are restricted uses within the regulated landfill setback according to this legislation.

Municipal Development Plan (MDP) (Statutory – 2009)

The parcel is located in an area identified as a Major Activity Center (MAC) in the Land Use Typology Map (Map 1). MACs are intended to accommodate the highest concentration of jobs and populations outside of the City Centre. They provide for mixed-use high-density developments. Pedestrian environment and connectivity to the transit network are key features of a MAC.

The proposed redesignation to I-C District will not provide an adequate intensity to meet MDP policy, nor does it include provisions for contributing to the improvement of pedestrian environment.

Local Area Plan

The parcel is not within a local area plan. However, Council requested that Administration consider the merits of extending the boundary of the Chinook Station Area Plan (2008) to 2 Street SE, which would bring this parcel within the plan boundary. Again, the Applicant did not wish to pursue the option of including the parcel in the Chinook SAP.

If included into the Chinook SAP, the parcel would be part of the *Office/Commercial/Light Industrial Precinct*. This transition area is appropriate for a wide range of employment-intensive, transit oriented industrial and commercial uses within a mixed-use environment. The Chinook SAP also contains a bonusing system to finance public realm improvements needed to create a high quality Transit Oriented Development.

The uses and design rules of the proposed I-C District do not align with the vision and proposed intensity for the area, as identified in the Land Use section of this report.

Transit Oriented Development Guidelines (Non-statutory - 2008)

Generally, the TOD guidelines provide direction for development in areas within 600 metres radius of a Transit Station to create a higher density, walkable, mixed-use environment and ensure transit supportive development around the station. The parcel is



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located within the 400 metre radius from the Chinook LRT Station.

While Transit Oriented Development (TOD) Guidelines apply, they are secondary to the Chinook SAP which identifies areas around the station where redevelopment should concentrate. The Chinook SAP includes adequate framework to support a successful TOD area.

The proposed I-C District includes a number of non-transit supportive uses, and its design related rules do not provide for public realm improvements.

Central Industrial Area Land Review (Non-statutory – 2013)

The Central Industrial Land Review, presented to Council in 2013, concluded the need to protect centrally located industrial areas as they continue to be critical to the economic health of the city. The study incorporated a set of recommendations including the need for developing an industrial land implementation strategy to assess which central industrial areas are appropriate for conversion.

An Industrial Application Working Group (IAWG) was established, as part of the study recommendations, in part to monitor and evaluate land use amendment applications in industrial areas. The Working Group noted that the proposed standalone redesignation to I-C was not appropriate.

**TRANSPORTATION NETWORKS**

The parcel is within 400 metres radius from the Chinook LRT Station and transit hub. A bus stop for route #10 exists on Center Street SE (approximately 160 metres walking distance).

The 61 Avenue SE provides direct access from the parcel to the Chinook LRT and Chinook Centre shopping mall. The Municipal Development Plan identifies 61 Avenue SE as an Arterial Street between Macleod Trail SW and Center Street South and as a local industrial road east of Center Street, along the subject parcel.

Multiple vehicular access points exist on the parcels from the three frontage streets. A sidewalk exists only along the south side of 61 Avenue SE which is interrupted by various driveways accessing the parcel.

**UTILITIES & SERVICING**

Site servicing for water, sewage and stormwater exists and are available on 61 Avenue SE. Future site servicing upgrades may be required at the developer's expenses upon redevelopment.

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**ENVIRONMENTAL ISSUES**

A Human Health Effects Evaluation report - prepared in 2009 by Levelton Consultants Ltd and Sabatini Earth Technologies Inc. - was submitted with the application. It investigated potential adverse impacts from the nearby Springbank Landfill. The report results "show no adverse affects at the site due to the presence of the landfill on subsurface conditions."

**GROWTH MANAGEMENT**

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

**PUBLIC ENGAGEMENT**

**Community Association Comments**

There is no Community Association in the Manchester Industrial Area.

**Citizen Comments**

No written comments were received by CPC Report submission date.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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**APPENDIX I :  
APPLICANT'S SUBMISSION**

Business Condominiums Inc. has requested B & A Planning Group to prepare a land use redesignation for +/- 1.5 ha (3.7 ac) located at 207 61st Ave SE in the community of Manchester.

The purpose of this application is to redesignate the site from I-G to I-C to allow the opportunity for uses that are more transit oriented in nature to be introduced over time while accommodating existing uses. The I-C District; as described in the Land Use Bylaw; is intended to be a transitional land use district between the I-G District and other land uses. As such, the introduction of the I-C District in this location would serve as a transition between the Chinook Station Area Plan immediately to the west of the site and the predominate I-G uses in the surrounding Manchester community. The need for accommodating appropriate transition and respecting community context is recognized in both the Municipal Development Plan and Transit Oriented Guidelines.

The site presently accommodates 5 buildings containing a variety of uses such as auto body and paint shop, auto service businesses, restaurant/drinking establishment, instructional facility and limited office and warehouse uses.

The desire to accommodate more transit oriented uses relates directly to the site's proximity to the Chinook LRT Station which lies just over 300 metres from the site along 61<sup>st</sup> Avenue SE. The site's limitations include proximity to a non-operating landfill which lies to the southeast that limits the ability of the site to accommodate hospital, school, residential or food preparation uses. This limitation in part has resulted in the Chinook Station Area boundary terminating just west of the site.

The current I-G designation accommodates uses (such as industrial process or functions outside of a building) that could be considered counter to the transit oriented environment that the City is attempting to create in this location. This is further illustrated by the I-G District's restriction on office uses to not exceed 50% of the gross floor area of a building. The application of this rule became abundantly clear with a recently approved development permit (DP2013-4638) on the site for a 4 storey office building with underground parking which could not satisfy this requirement and has since been cancelled.

In light of the limitations of the existing designation, we believe that the I-C designation is the appropriate district to be used in this location as it serves to:

- Provide transition between the I-G District and the Chinook Station Area Plan;
- Accommodate transit oriented uses such as Office and General – Industrial Light as well as more pedestrian oriented uses such as retail and service uses all of which are compatible with the adjacent Chinook Station Area Plan.

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Our land use application for this site is a considered effort to move towards a transit oriented future while recognizing the existing role the Manchester Industrial area currently plays within the city. We look forward to Planning Commission and Council support of our application.

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APPENDIX II

APPLICATION AMENDMENTS AND TIMELINES

Applicant			Administration		
2014 Sept 23	Application received	I-G to I-B (half of parcel to accommodate DP2013-4638)  Inclusion of the parcel in the Chinook SAP <b>not considered</b>	2014 Oct 28	Initial Team Review sent	Not supported due to the following reasons: <ul style="list-style-type: none"> <li>- Did not comply with MDP policies for Major Activity Centres</li> <li>- Not aligned with Council direction to expand Chinook SAP boundaries</li> <li>- If outside of Chinook SAP, not in alignment with the recommendations of the Central Industrial Areas Land Review</li> </ul>
2014 Nov 10	Initial Team Review response received	I-G to I-C (entire parcel)  Inclusion of the parcel in the Chinook SAP <b>not considered</b>	2014 Dec 17	Meeting	Provided 5 options, from most to least support: <ul style="list-style-type: none"> <li>- Option 1 – Wait for Council-directed amendment to Chinook SAP</li> <li>- Option 2 – Apply for a minor amendment to the Chinook SAP</li> <li>- Option 3 – Prepare a DC to allow for more than 50% office use in the building approved under DP2013-4638</li> <li>- Option 4 – Continue with the LOC as proposed with a potential recommendation of refusal</li> <li>- Option 5 – Cancel the LOC</li> </ul>
2015 Feb 18	Application amended	I-G to DC (based on I-C for entire site)  Inclusion of the parcel in the Chinook SAP <b>not considered</b>	2015 Feb 27  2015 May 20	Circulation  Detail Team Review Sent	Provided 5 options, from most to least support: <ul style="list-style-type: none"> <li>- Option 1 – Apply for a DP to allow for relaxation of the 50% for office for DP2013-4638</li> <li>- Option 2 – Apply for a minor amendment to the Chinook SAP</li> <li>- Option 3 – Amend the LOC to encompass only the DP2013-4638 portion of the site</li> <li>- Option 4 – Continue with the LOC as proposed with a potential recommendation of refusal</li> <li>- Option 5 – Cancel the LOC</li> </ul>

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2015 Sept 18	Detail Team Review response received	I-G to DC (Option 4)  Inclusion of the parcel in the Chinook SAP <b>considered</b>  Draft DC District	2015 Nov 2  2015 Dec 18	Meeting  Draft Chinook SAP amendment and draft DC sent	Move forward with: - Chinook SAP amendments identified - A DC District (based on I-C within existing buildings and I-B in new buildings)
2016 Feb 17	Response received	Concerns regarding the draft DC included: Prefers I-C as base district  Concerns regarding aspects of the Chinook SAP: setbacks, parking area and FAR	2016 March 16	Meeting	Administration's response to concerns as follows: - Base district, prefers I-C (agreed that certain I-C uses could be added with rationale) - Setbacks, too restrictive (could include a provision in the DC to allow DA to vary setbacks) - Restriction to large parking areas (could include a provision in the DC to allow DA to vary) - FAR, prefers 0.5 FAR (Administration indicated that 1.0 FAR is standard in TOD areas citywide)
2016 March 29	Application amended	I-G to I-C  Inclusion of the parcel in the Chinook SAP <b>not considered</b>	2016 April 18	Email	Not supported due to the following reason: - Not aligned with Council direction to expand Chinook SAP boundaries - not aligned with policy - not aligned with the intent of the I-C District