

Background

Context

Through the Subdivision Development Regulation (SDR), a regulation under the Municipal Government Act (MGA), the Province requires setback areas around four types of waste management facilities: Wastewater Treatment Plant, Landfill, Hazardous Waste Management Facility and Storage Site. Municipalities are prohibited from approving subdivision and development permit applications for four types of uses within these setback areas: school, hospital, food establishment and residence. For the municipality to grant approval, the Province must first grant consent for an SDR variance.

The Calgary City Charter, effective January 1, 2018, gives Council the power to authorize subdivision and development authorities to grant variances to the SDR without consent from the Province and to add and modify definitions for “school”, “hospital” and “food establishment”.

Cllr. Keating, Cllr. Colley-Urquhart, and Cllr. Carra’s November 19, 2018 Notice of Motion directs administration to investigate invoking the charter. This report responds to this Notice of Motion, but will be aligned with Cllr. Keating’s subsequent Notice of Motion from February 16, 2021, on Minimizing the Negative Impacts of Waste and Recycling Sites.

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
11/19/2018	C2018-1337	Notice of Motion Re: Subdivision and Development Regulation Setbacks Scope out the requirements and implications of modifying the Subdivision Development Regulation setbacks or definition of “Food Establishment”, housing and/or other development types in accordance of the Calgary City Charter Regulation
06/02/2021	PUD2021-0856	Deferral of SDR Setbacks (C2018-1337) due to PUD on 2021 Jun 2 to 2021 July 7 PUD
02/03/2020	PUD2020-0016	2020 Planning and Development Workplan Subsequently through the 2020 PD Workplan, to return no later than Q2 2021 with a report scoping the advantages, disadvantages, risks, liabilities, and costs associated with enacting Calgary City Charter authorities to support business opportunities while maintaining public safety on the parcels adjacent to waste and industrial storage activities and within the Provincially mandated setback surrounding these activities.