

LAND USE AMENDMENT
RESIDUAL SUB-AREA 02K (WARD 2)
144 AVENUE SW AND SYMONS VALLEY ROAD NW
BYLAW 102D2015

MAP 6NN

EXECUTIVE SUMMARY

This land use application proposes the redesignation of a 12.6 hectare ± site in the city's northwest commonly known as 'Symons Valley Ranch' from a Special Purpose – Future Urban Development (S-FUD) District to a direct control district based on S-FUD with a number of additional discretionary commercial retail and service, entertainment and storage oriented uses.

The intent of this proposal is to recognize a number of existing uses that have historically operated on the site while also allowing for select additional compatible discretionary uses to also be considered. While achieving these above objectives, the proposed direct control district also prevents premature subdivision and development of the site. This is achieved via subdivision restrictions associated with the district's S-FUD district base, the incorporation of maximum development permit approval time limits for discretionary uses and limitation of many of the additional discretionary uses to only be allowed within existing buildings on the site.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)

2015 May 21

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

RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION

That Council hold a Public Hearing on Bylaw 102D2015; and

1. **ADOPT** the proposed redesignation of 12.6 hectares ± (31.1 acres ±) located at 14555 Symons Valley Road NW (Plan 1643JK, Block A) from Special Purpose – Future Urban Development (S-FUD) District **to** DC Direct Control District to accommodate retail and service, entertainment, food service, and storage uses, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 102D2015.

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REASON(S) FOR RECOMMENDATION:

This proposal is in keeping with applicable municipal policies. The proposal recognizes and allows for various historical uses while also allowing for a limited range of additional and compatible discretionary uses in a manner that is not anticipated to negatively affect comprehensive planning for the area and logical and efficient future urbanization of these lands.

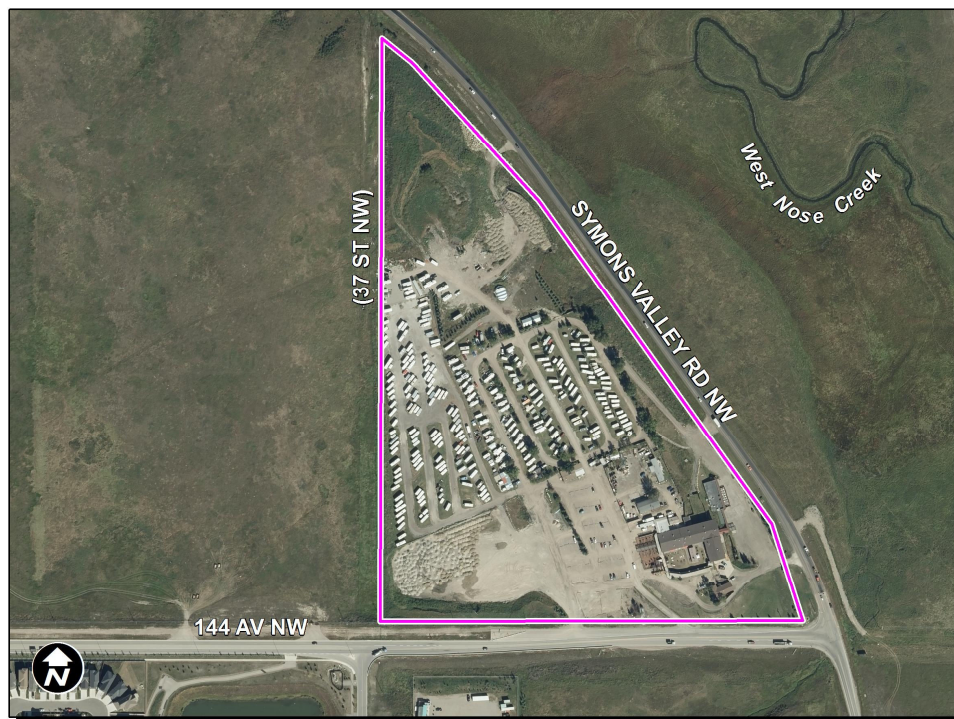
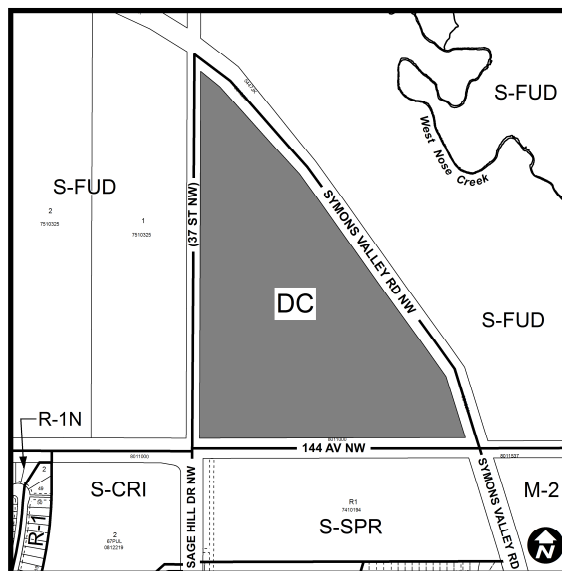
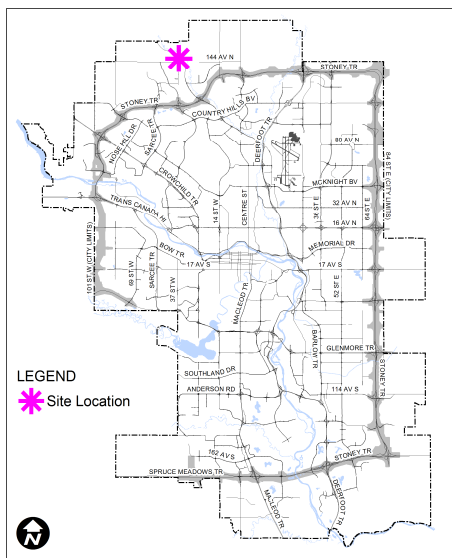
ATTACHMENT

1. Proposed Bylaw 102D2015

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 12.6 hectares \pm (31.1 acres \pm) located at 14555 Symons Valley Road NW (Plan 1643JK, Block A) from Special Purpose – Future Urban Development (S-FUD) District to DC Direct Control District to accommodate retail and service, entertainment, food service, and storage uses with guidelines (APPENDIX II).

Moved by: J. Gondek

Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

Carried: 5 – 2

Opposed: R. Honsberger and
M. Logan

Reasons for Approval from Ms. Gondek:

- This is not premature urbanization. It is, in fact, trying to increase service capacity of an existing adjacent to a growing community (Sage Hill).
- There is a 5 year operating window on approved uses. If the ASP determines that the recommended uses are inappropriate for future, they can be phased out.

Reasons for Opposition from Mr. Honsberger:

- Given the anticipated timeline of the Glacier ASP (Council 4Q 2015) the approval of a DC land use will codify land uses only 6 months (tentative) before Council consideration of the ASP.
- Why create more potentially non-conforming land uses?

Reasons for Opposition from Mr. Logan:

- This land use is a confusing mix of a request to support existing uses in an existing building but then adds new uses such as bottle return depots and liquor store, with no defined thresholds for development and/or associated infrastructure improvements. The land use is insufficiently defined to support.

2015 May 21

AMENDMENT:

Delete Direct Control Guideline 5(1)(a) and 5(1)(b) and renumber the guidelines accordingly

Moved by: R. Wright

Absent: Ms. Wade left the room due to a pecuniary conflict of interest and did not take part in the discussion or voting.

LOST: 3 – 4

Opposed: J. Gondek,
R. Honsberger,
G. Morrow and M. Logan

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Reasons for Approval from Mr. Friesen:

- The DC proposed is meant to be an interim use until a proper area structure plan can be completed. Adding a lot of uses that are not there already seems to be in contradiction to the temporary nature of the proposed land use.

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Applicant:

Urban Systems

Landowner:

Durum Properties GP Inc

Planning Evaluation Content	*Issue	Page
Density <i>Is a density increase being proposed.</i>	Yes	5
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	No	5
Legislation and Policy <i>Does the recommendation create capital budget impacts or concerns.</i>	No	6
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	Yes	7
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer and storm) concern</i>	Yes	7
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	7
Growth Management <i>Does this site have the appropriate growth management direction.</i>	Yes	8
Public Engagement <i>Were major comments received from the circulation</i>	Yes	8

*Issue - Yes, No or Resolved

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PLANNING EVALUATION

SITE CONTEXT

The site is located in the city's northwest in a generally undeveloped setting to the north of 144 Avenue NW and west of Symons Valley Road NW and West Nose Creek. The site which is commonly known as 'Symons Valley Ranch' has existed since the late 1960s. Originally located within the municipal district of Rocky View County and annexed to the City of Calgary in 2007, the site has historically contained a number of buildings and areas for a campground, restaurant, rodeo and storage yard uses. In 2010, a development permit on the site was approved for an: Amusement Arcade, Campground, Outdoor Cafe, Restaurant Licensed – Large, Restaurant Licensed – Medium, Storage Yard, Take Out Food Service, Vehicle Storage – Large, Vehicle Storage – Passenger and Vehicle Storage – Recreational to recognize these varied historical uses. Many of these approved uses continue to exist on-site in addition to a Market which has been operating within the main building on the site.

Agricultural lands with S-FUD district designations exist to the north and west of the site across Symons Valley Road NW. An unconstructed road right-of-way (37 Street NW) exists adjacent to the west of the site with agricultural S-FUD district lands located beyond. 144 Avenue NW bounds the site to the south with a City owned park maintenance facility and public reserve lands located beyond to the south on a Special Purpose – School, Park and Community Reserve (S-SPR) District parcel in the residential community of Sage Hill

LAND USE DISTRICTS

The site's existing S-FUD district designation is intended to be applied to lands that are awaiting future urban development and utility servicing. The key purpose of the district is to accommodate extensive agricultural uses prior to urban development with specific provisions to restrict premature subdivision and development allowing only for a limited range of temporary uses that can be easily removed when land is redesignated for more urban forms of development. In the S-FUD district, uses that are not specifically listed are also considered as discretionary uses if they were being carried on pursuant to a development permit issued by the City of Calgary or alternate governing municipal district (Rocky View County) prior to the effective date of Land Use Bylaw 1P2007 and cease to be discretionary uses if they are discontinued for a period of six month or more. In 2010, a development permit was approved on the site in order to recognize the historical uses identified in the Site Context section above.

This proposed direct control district which is based on S-FUD seeks to incorporate these additional approved discretionary uses as standard listed discretionary uses as well as to allow for some additional discretionary uses including: a Beverage Container Quick Drop Facility, Beverage Container Drop-Off Depot, Conference and Event Facility, Liquor Store and Market and Market – Minor and Restaurant Food Service Only (Large, Medium and Small) uses. Specific provisions to limit these uses to existing buildings on the site with the exception of a Beverage Container Quick Drop Facility and Beverage Container Drop-Off use have been incorporated as well as provisions to only allow for maximum five year development permit periods for discretionary uses.

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LEGISLATION & POLICY

Municipal Development Plan (MDP) (Approved by Council 2009)

The site is located in an area identified as a Future Greenfield Area (Map 1: Urban Structure) in the MDP. Future Greenfield Areas are large land areas within the city that have been identified for future urban development that do not have approved Area Structure Plans (ASP) in place.

According to the MDP, planning for these areas should involve identifying locations for Activity Centres and/or Corridors that will have the ability to provide for variety of housing types, access to services for daily needs within walking distance to residential communities and centres for transit access. Street networks should support land use patterns and connect residents, jobs and commercial services through direct automobile, transit, bicycle, and pedestrian routes. Overall community design should integrate natural area protection within any open space and green infrastructure systems (Section 3.6.2).

Specific MDP land use policies identify that:

- a. Future Greenfield Areas should:
 - i. Be protected for future urban development by restricting premature subdivision and development on parcels;
 - ii. Retain environmentally significant natural areas, water courses and tree stands;
 - iii. Allow for a limited range of uses that will not compromise the developability of the land for urban purposes; and,
 - iv. Allow for local food production.
- b. Plans for new communities in Future Greenfield Areas will be established through an Area Structure Plan (ASP), following completion of a Regional Context Study (RCS).

North Regional Context Study (NRCS) (Adopted by Resolution by Council 2010)

The site is located within an area in the NRCS identified as residential (Map 3: Conceptual Land Use Map). The NRCS identifies that predominant land uses in residential areas should be residential and allow for a diversity of housing types in each community in conjunction with an efficient, well-connected supporting mobility network to create dynamic, interactive and sustainable residential communities. Recreational, institutional, public, local commercial and accessory uses are also identified as appropriate uses within these residential areas in order to create walkable communities.

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The NRCS area is divided into eight planning cells (Map 2: Planning Cells Map), with the site located within Cell D. Each planning cell is intended to be the subject of an ASP prepared in accordance with the requirements of the Municipal Government Act. While there is no ASP in place to guide local area planning and development, Administration is currently working on an ASP for the area (Glacier Ridge ASP) with an anticipated recommendation to Council in December 2015.

The NRCS identifies that until such time that an ASP is approved, applications for outline plans, land use amendments and subdivision or development permits should be considered premature. However, exceptions to this may be made for essential public services/facilities, or uses that will not compromise future urban growth. Temporary uses may also be considered subject to a limited time frame, to be determined at the time of application (Section 7.3).

TRANSPORTATION NETWORKS

A Transportation Impact Assessment or parking study was not required in support of the proposal. However, these studies may be required at future development permit stages. The site is currently accessed by vehicle via two accesses located along 144 Avenue NW and three accesses along Symons Valley Road NW. Calgary Transit bus service (Route 425 – Sage Hill / Kincora) operates in the area with the nearest bus stop located approximately 85 metres to south of the site's southwest corner across 144 Avenue NW along Sage Hill Drive NW. However, there is no pedestrian crossing across 144 Avenue NW to Sage Hill Drive NW, nor are there any public sidewalks adjacent to the site along 144 Avenue NW or Symons Valley Road NW.

UTILITIES & SERVICING

Site servicing for utilities are not available at this time. Until services are available, all on-site uses will be required to utilise existing interim on-site servicing methods. Proposals for additional development will be required to demonstrate acceptable supporting servicing methods via the discretionary development permit review process to the satisfaction of Development Engineering. The reliance on non-standardized City of Calgary servicing methods to support additional on-site development may not necessarily be supported at the development permit stage.

ENVIRONMENTAL ISSUES

An Environmental Site Assessment was submitted in support of the proposal. The report concluded that no further assessment was required. One citizen letter was received by Administration during the review which identified concerns associated with the viability of existing and historical sanitary waste management practices on the site. This letter was forwarded to the attention of the City's Environmental & Safety Management business unit.

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GROWTH MANAGEMENT

This land use proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time. The proposal is in alignment with the MDP references associated with growth management.

PUBLIC ENGAGEMENT

Community Association Comments

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

Citizen Comments

One citizen letter in response to the proposal was received. For information about this letter please see the Environment Issues section of this report.

Public Meetings

No public meetings were held in response to this proposal.

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APPENDIX I

APPLICANT'S SUBMISSION

The proposed land use redesignation is intended to accommodate existing retail, entertainment, food service and storage facilities and allow select additional commercial uses within a Direct Control (DC) District.

The site is comprised of a single parcel, ±12.60 hectares (±31.14 acres) in size, at 14555 Symons Valley Road NW (Block A, Plan 1643 JK) and is widely known around Calgary and the surrounding area as "Symons Valley Ranch". This application affects the entire property.

Over the past 46 years, many different land use amendment, subdivision and development permit application have been processed by Rocky View County and The City of Calgary (since the lands were annexed into the city in 2007).

In 1968, Les and Ellen Jones purchased the site to create Symons Valley Ranch. In 1987, the Ranch House Restaurant and Lounge was added. The next year, the RV Campground was constructed. The site experienced a fire in 1989 which destroyed three banquet halls and in 1993, the rodeo arena was constructed. Over the years, the Ranch built a reputation as a social event destination, accommodating countless celebrations. It has been host to corporate events, Christmas parties, weddings, reunions, birthdays, anniversaries, rodeos, baseball tournaments, car shows, motorcycle rallies, fundraisers and a host of other activities.

The subject lands fall within the boundaries of the North Regional Context Study. This Study identifies the need for each development cell to have a comprehensive Area Structure Plan (ASP) prepared. An ASP has not yet been completed to date for Cell D (where the subject lands are located) and it has been noted that this ASP is intended to be completed by the end of 2015. Until this ASP and an ultimate land use redesignation are pursued, the proposed DC district will guide development and uses on the subject lands in an interim manner.

This application is intended to ensure that existing on-site activities may continue to operate and expand appropriately, while recognizing that these lands are awaiting future urban development and utility servicing. A limited range of additional uses within existing buildings as well as Beverage Container Quick Drop Facility and Beverage Container Drop-Off Depot are proposed that are compatible with existing adjacent land uses, and appropriate as interim uses until future development occurs in the area.

Uses being proposed are contextually appropriate and certain uses have already been active on-site for over 40 years (with various levels of municipal approvals). These uses have continually operated without any complaints.

On behalf of the landowner, Urban Systems respectfully submits and requests support of the land use redesignation by Calgary Planning Commission and City Council.

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APPENDIX II

PROPOSED DC DIRECT CONTROL GUIDELINES

Purpose

- 1 This Direct Control District is intended to:
- (a) allow for the continued operation and expansion of existing retail, entertainment, food service and storage **uses** and a limited number of other support **uses**;
 - (b) allow for the **development** of compatible and contextually appropriate **uses**;
 - (d) limit **development** approvals to a maximum time period of five (5) years; and
 - (e) restrict premature subdivision and **development** of the site until comprehensive planning for the area is completed to guide future urban forms of **development** and until utility servicing is available on the site.

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 (1) 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) **Beverage Container Quick Drop Facility;**
 - (b) **Beverage Container Drop-Off Depot;**
 - (c) **Outdoor Café;**
 - (d) **Storage Yard; and**
 - (e) **Vehicle Storage – Large.**
- (2) The following **uses** are **discretionary uses** in this Direct Control District if they are located within existing approved **buildings**:
- (a) **Amusement Arcade;**

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- (b) Conference and Event Facility;
- (c) Liquor Store;
- (d) Market;
- (e) Market – Minor;
- (f) Restaurant: Food Service Only – Large;
- (g) Restaurant: Food Service Only – Medium;
- (h) Restaurant: Food Service Only – Small;
- (i) Restaurant: Licensed – Large;
- (j) Restaurant: Licensed – Medium;
- (k) Restaurant: Licensed – Small; and
- (l) Take Out Food Service.

- (3) A **Market use** may also be a **discretionary use** when it is located entirely outside of a **building**.

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.

Maximum Development Approval Periods

- 7** A **development permit** for **discretionary uses** must only be issued for a maximum five (5) year period.