

Background and Planning Evaluation

Background and Site Context

The subject site is located in the northeast quadrant of Calgary within Residual Sub Area 10E. It is north of 16 Avenue NE, between Stoney Trail NE and 84 Street NE. The subject site is approximately 4.85 hectares (11.98 acres) in size and is approximately 478 metres along the east property line, and approximately 110 metres along the southern property line. A Class V wetland spans this parcel and adjacent parcels on the northeast corner of this parcel.

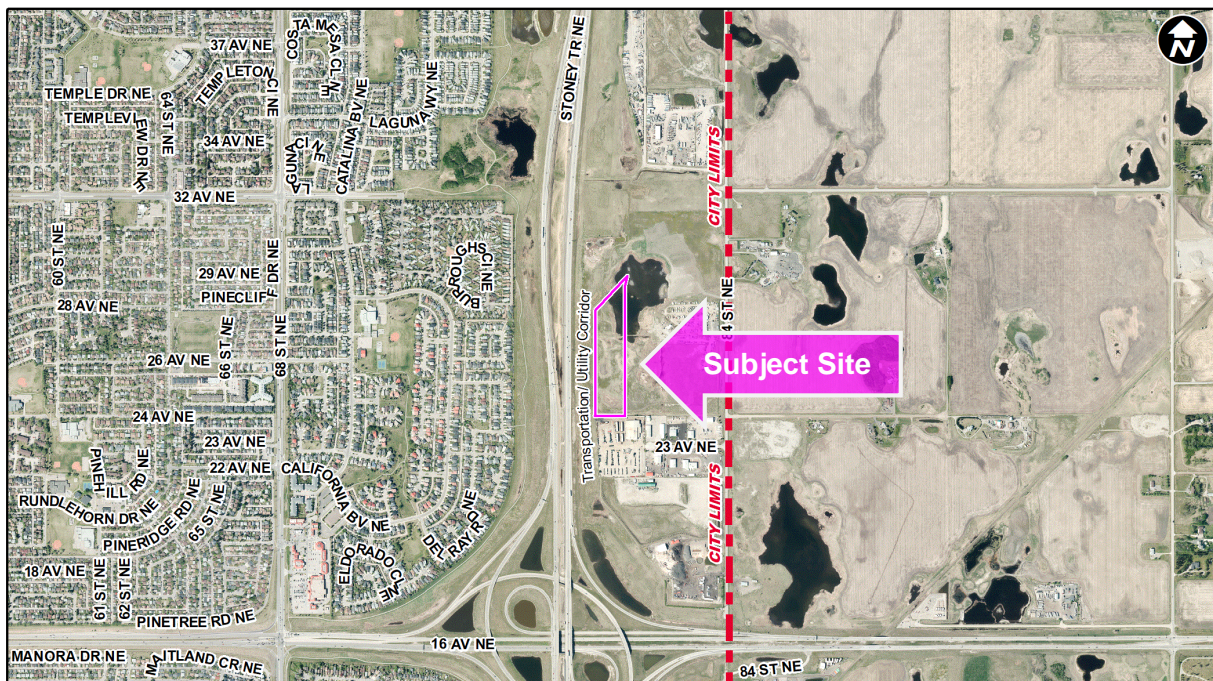
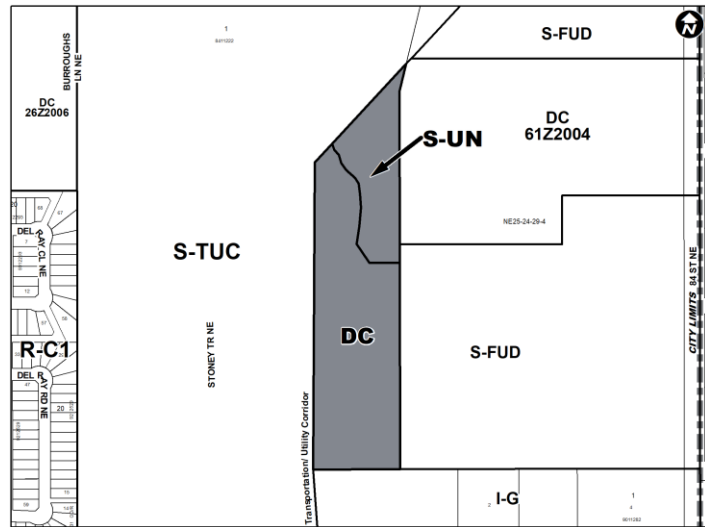
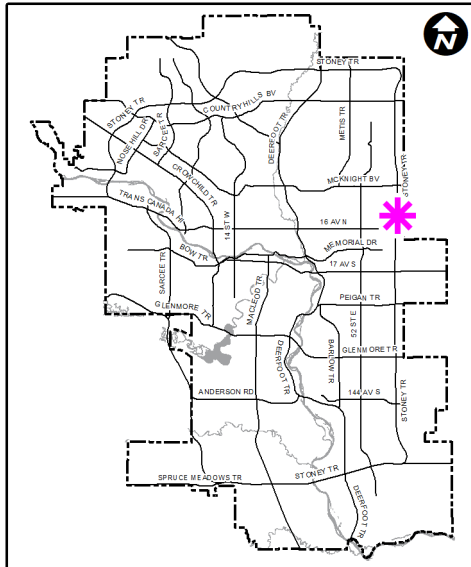
There are no permanent structures on the site. The parcel has received approvals to operate as an RV storage lot on the northern portion with recyclable asphalt storage on the southern portion. Processing of the asphalt is not currently allowed. The site is accessed through provincial lands to the north from 84 Street NE, which is the boundary with Rocky View County. Permission has been granted for this access through ministerial consent and access easements. There is no access to the site from Stoney Trail NE.

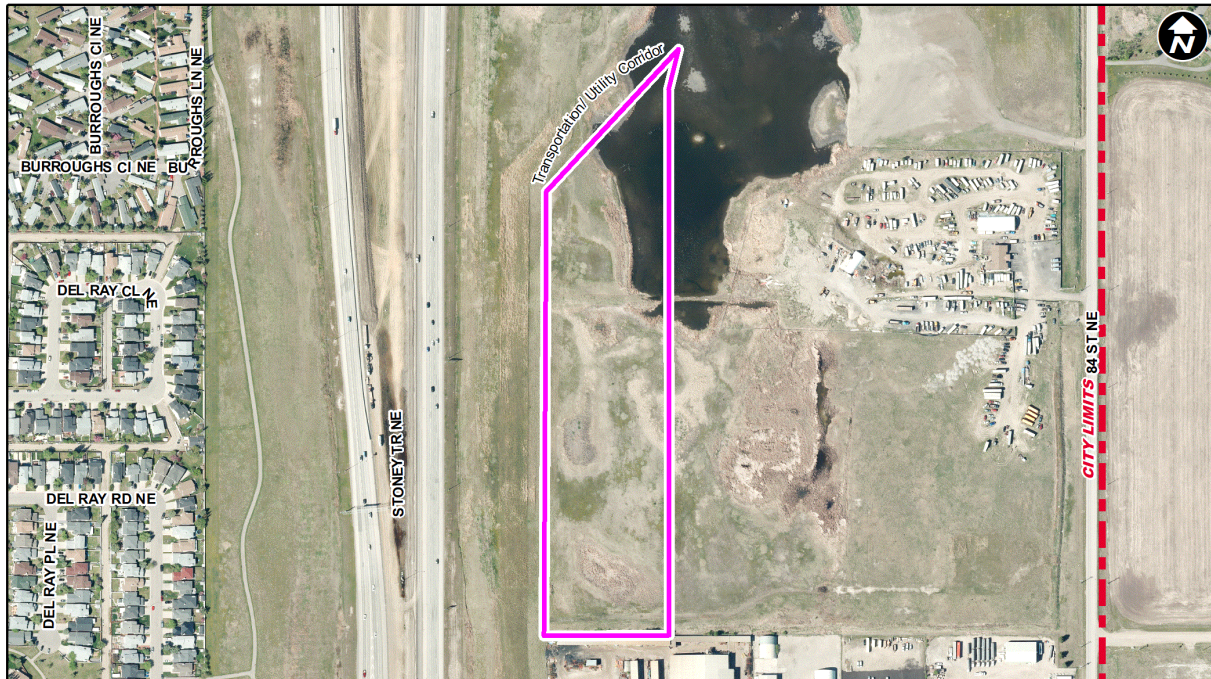
Parcels east of Stoney Trail NE are a mix of industrial businesses and DC Districts with temporary use approvals. There are some residential homes to the east, and agricultural lands across 84 Street NE. The residential community of Monterey Park is located to the west across Stoney Trail NE. Lands adjacent to 23 Avenue NE to the south are designated as Industrial – General (I-G) District and contain a variety of light industrial uses.

Community Peak Population Table

Not available because the subject area is primarily undeveloped and has not gone through an Area Structure Plan and subsequent outline plan at this time.

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing S-FUD District is a designation applied to areas that are awaiting urban development and utility servicing. This district provides for a limited range of temporary uses that can be easily removed in the future, such as RV storage, to allow for urban forms of development. These lands are typically used to accommodate existing homes and agricultural lands on the edge of the City until a redesignation is approved at the outline plan stage after an area structure plan or local area plan has been approved.

The S-UN District is proposed on the northeast corner of the parcel. This district is intended to provide for natural landforms, vegetation and wetlands. This is appropriate as this area contains a Class V wetland. This district restricts development to allow for the preservation of existing characteristics or areas undergoing naturalization. It also allows the wetland to be dedicated as Environmental Reserve through a future subdivision.

The proposed DC District is based on the existing S-FUD District on the site and would maintain the current rules, adding the additional use of asphalt, aggregate and concrete plant to the suite of discretionary uses. The additional use is compatible with the current RV and recyclable asphalt storage activities approved on the site. It is also appropriate given the larger context of the area, which is largely undeveloped or used for industrial purposes. The applicant has demonstrated that some asphalt plants can be temporary, without requiring permanent foundations, services, or other structures. The asphalt, aggregate and concrete plant use would

be restricted to a maximum approval for five years through this DC District. At that time, should an applicant wish to continue the use, they would have to apply for another development permit, which would be subject to another review to ensure continued alignment with the policy and context of the area. This is consistent with the purpose of the S-FUD District and the policy direction, allowing for future development in other forms and configurations to commence.

Pursuant to Section 20 of the Land Use Bylaw 1P2007, this application for a DC District has been reviewed by Administration, and the use of a Direct Control District is necessary to provide for the applicant's proposed development due to unique characteristics and innovative ideas. This area does not have a local area plan and is appropriate for temporary, non-permanent structures. The applicant has demonstrated that some asphalt plants do not require permanent structures and can be added and removed from the parcel quickly to meet the needs of the owner, and to align with future local area plans. The same result could not be achieved through the use of a standard land use district. The most suitable alternative district is the Industrial – Heavy (I-H) District, which is the only stock district that includes the asphalt, aggregate and concrete plant use. This district would have introduced more intensive uses, potentially on a permanent basis, than appropriate in this policy area. The use of this Direct Control meets the needs of the applicant and is in alignment with the *Rocky View/Calgary Intermunicipal Development Plan* (IDP) while awaiting comprehensive planning.

The proposed DC District includes a rule that allows the Development Authority to relax Section 6 of the DC District Bylaw. Section 6 incorporates the rules of the base district in Bylaw 1P2007 where the DC District does not provide for specific regulation. In a standard district, many of these rules can be relaxed if they meet the test for relaxation of Bylaw 1P2007. The intent of this DC District rule is to ensure that rules of Bylaw 1P2007 that regulate aspects of development that are not specifically regulated in this DC District can also be relaxed in the same way that they would be in a standard district.

Development and Site Design

If this application is approved by Council, the rules of the proposed DC District will provide guidance for site development including appropriate uses, duration of approvals, building massing, height, landscaping, and parking. The rules of the proposed S-UN District will ensure that development does not encroach into the wetland boundary and buffer.

Given the specific context of this site, additional items that are considered through the development permit process include, but are not limited to, ensuring off-site impacts are eliminated or mitigated where possible and ensuring the adjacent wetland is not negatively impacted.

Transportation

The parcel is located between Stoney Trail NE and 84 Street NE, with vehicle access from 84 Street NE through the provincial lands to the north. Permission has been granted for this access through ministerial consent and access easements. Vehicle access will not be permitted from Stoney Trail NE.

There are no sidewalks or bus stops in the area.

A Transportation Impact Assessment was reviewed and approved in support of this application.

Environmental Site Considerations

A Biophysical Impact Assessment (BIA) was reviewed and approved in support of this application and indicates that there are no impacts to the Class V wetland located on the northeast corner of the site. This is the area proposed as the S-UN District, which would be dedicated as Environmental Reserve to protect and preserve the wetland and applicable surrounding area through a future subdivision.

In addition to the BIA, the applicant provided an Engineering Test Report demonstrating the amount and range of potential emissions from a recycled asphalt plant (RAP) in this location. This report highlighted the emissions for the RAP technology is below that of traditional asphalt plant technology. It also demonstrated that emissions would not impact neighbouring residential sites, agricultural lands, or the wetland on site.

Utilities and Servicing

The subject parcel is not currently serviced by The City of Calgary water and sanitary services. No stormwater service is available for the site and no overland drainage will be permitted to leave the site area, except in conformance with the Stormwater Management Report, which is part of the development permit process. A Deferred Services Agreement (DSA) has been registered on title. The developer will be responsible for extending the services to the subject site when permanent services are available.

Legislation and Policy

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 the efficient use of land.

Growth Plan (2022)

The recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Growth Plan](#) (GP). The proposed land use amendment builds on the principles of the GP by promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Rocky View / Calgary Intermunicipal Development Plan (Statutory – 2012)

The site falls within the policy area of the [Rocky View/Calgary Intermunicipal Development Plan](#) (IDP), and has been circulated to Rocky View County, who provided their comments during the circulation period, which primarily focused on ensuring potential off-site impacts are appropriately considered and mitigated. Although industrial uses are generally discouraged in this area, Section 7.1.4 of the IDP notes that additional temporary uses may be considered on a discretionary basis. The proposed DC District includes the use of asphalt, aggregate and concrete plant as a discretionary use, and allows for a development permit to receive a maximum approval of five years. Should the owner wish the use to continue, a new development permit would be required, which would be reviewed again for alignment with this policy, and those in force at that time. This proposal is in alignment with the IDP.

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Future Greenfield typology as identified in the [Municipal Development Plan](#) (MDP). Future Greenfields consist of large land areas that has been identified for future urban development and do not have an Area Structure Plan in place.

Policies for these areas note that they should be protected for future development by restricting premature subdivision and development on parcels. Environmentally significant areas, such as wetlands, should be retained. Section 2.6 (Greening the City) also encourages wetland retention and protecting environmentally significant areas. This section encourages using resources and energy efficiently, as well as reduction of green house gas (GHG) emissions.

The application is proposing two land use districts, which are in alignment with the MDP policies. The proposed S-UN District encompasses the existing Class V wetland on the site, plus a setback area. This helps retain environmentally significant areas, protecting it from development in the future. The proposed DC District maintains the current S-FUD District as a base, allowing for temporary uses only on the site. This restricts premature development prior to comprehensive planning for the area. The additional use of asphalt, aggregate and concrete plant allows for efficient processing of recyclable materials on the site, decreasing the travel distance for materials for processing and final use. The applicant has indicated that the technology available is also more efficient than traditional practices for asphalt recycling, further aligning with the MDP policies for greening the City.

Calgary Climate Strategy (2022)

Administration has reviewed this application in relation to the objectives of the [Calgary Climate Strategy – Pathways to 2050](#) programs and actions. The land use redesignation and concurrent development permit are in alignment with this strategy and are proposing the following:

- provide onsite asphalt recycling, which supports Program Pathway I: Waste reduction – Reduce total waste generation in all sectors;
- using innovative RAP technology, to increase efficiency and to decrease or eliminate off-site impacts, ensure no impacts to neighbouring agricultural parcels or the wetland on site, as well as proactively proposing to redesignate the Class V wetland ahead of a future subdivision to highlight and help protect this feature, both of which supports Program Pathway K: Natural infrastructure – Manage natural infrastructure to maximize carbon sequestration; and
- the use of the RAP technology to recycle asphalt on site, which is more efficient than traditional asphalt plants, without requiring long-distance transport typical of this activity, which supports Program Pathway L: Carbon negative technologies – Explore the implementation of carbon negative technologies.