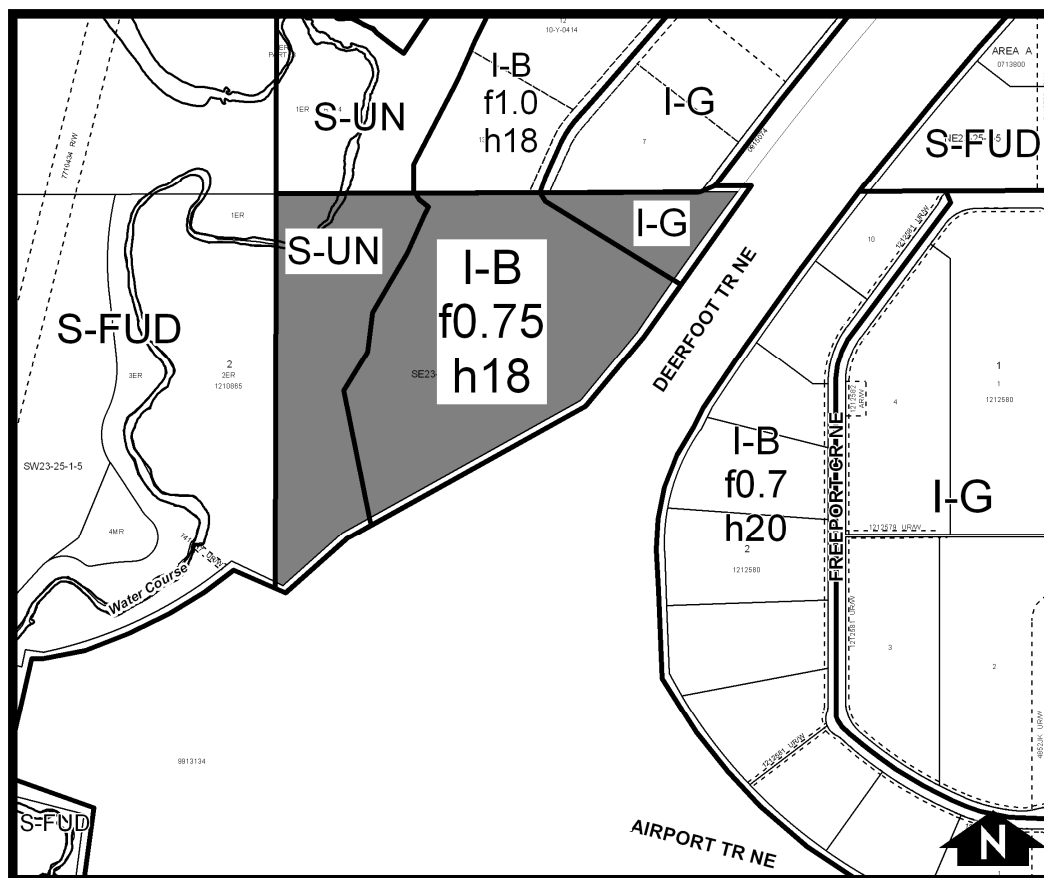


LAND USE AMENDMENT AND OUTLINE PLAN	ITEM NO: 04	
	FILE NO:	LOC2013-0029
	CPC DATE:	2013 October 10
	COUNCIL DATE:	2013 December 02
	BYLAW NO:	100D2013

STONEY 1  
(Ward 3 - Councillor Stevenson)



**RECOMMENDATION:**

**CALGARY PLANNING COMMISSION RECOMMENDATION TO COUNCIL:**

That Council:

1. **ADOPT** the proposed redesignation of 11.27 hectares  $\pm$  (27.85 acres  $\pm$ ) located at 10499 – 15 Street NE (Portion of SE1/4 Section 23 25-1-5) from Special Purpose – Future Urban Development (S-FUD) District **to** Industrial – Business (I-B f0.75h18) District, Industrial – General (I-G) District, Special Purpose – Urban Nature (S-UN) District, in accordance with the Corporate Planning Applications Group recommendation; and
2. Give three readings to the proposed Bylaw.

**Moved by: M. Wade**

**Carried: 6 – 1**

Opposed: R. Wright

Reasons for Opposition from Mr. Wright:

- The I-B list of land uses does not achieve objectives of the ASP, runs counter to a recently approved Inner City Industrial Study and in fact does not allow the primary land uses (industrial) but allows for a wide range of commercial/industrial uses.

Comments from Mr. Logan:

- The site is isolated with respect to the pedestrian and bicycle access and warrants a connection towards the south connecting to 96 Avenue N, however, that link might be achieved.

Reasons for Support from Ms. Wade:

- This is the last piece of land in the development phasing which is framed by Deerfoot Trail (Provincial Jurisdiction) and Nose Creek. The uses proposed best reflect what uses can be attracted to the site context. Site topography limits pathway certain alignments and connections, which is unfortunate

**PLANNING COMMISSION DECISION:** 2013 October 10

The Calgary Planning Commission **APPROVED** the proposed Outline Plan for the subdivision of 11.27 ha  $\pm$  (27.85 ac  $\pm$ ), in accordance with the Corporate Planning Applications Group recommendation.

**Moved by: M. Wade**

**Carried: 6 – 1**

Opposed: R. Wright

**PROPOSAL:**

To redesignate 11.27 ha  $\pm$  (27.85 ac  $\pm$ ) located at 10499 – 15 Street NE (Portion of SE1/4 Section 23-25-1-5) from Special Purpose – Future Urban Development (S-FUD) District to Industrial – Business (I-B f0.75h18) District, Industrial – General (I-G) District, Special Purpose – Urban Nature (S-UN) District

Outline Plan to Subdivide 11.27 ha  $\pm$  (27.85 ac  $\pm$ )

(Map 23N)

**APPLICANT:**

Urban Systems

**OWNER:**

Melcor Developments Ltd

**CURRENT DEVELOPMENT:**

Vacant, former agricultural lands

**ADJACENT DEVELOPMENT:**

NORTH: Stoney 1 Industrial Business Park under development

SOUTH: Deerfoot Trail N and Airport Trail NE road rights-of-way and continued Stoney Industrial

EAST: Deerfoot Trail N

WEST: Open Space – Environmental Reserve and Nose Creek

**SITE CHARACTERISTICS:**

The lands are characterized as grassland, shrubland, drainage corridors, Nose Creek, wetland, cultivated and disturbed lands. The site is generally divided into three landforms: flat, undulating, and sloping. The majority of the slopes are over 22 percent with the remainder between 15 and 21 percent. A few areas of 33 $\pm$  percent slopes also exist.

**RELEVANT POLICIES:**

**MDP (Municipal Development Plan) 2009 September** – The subject property is shown on the Urban Structure Map of the MDP (Map 1) as Standard Industrial, which contains a mix of existing industrial uses at varying intensities.

**ASP (Area Structure Plan)** – The subject property falls under the Revised Stoney Industrial ASP, Adopted 2005 May 9 (Planning Cell E), and is designated as Business/Industrial Area, and Conservation Area.

**Land Use Bylaw 1P2007** Adopted 2007 July 23 – The subject property is currently designated *Special Purpose Future Urban Development District* (S-FUD). S-FUD provides for a limited range of temporary uses that can easily be removed when land is redesignated although currently the site sits vacant.

**Urban Park Master Plan**, Adopted 1994 March - The portions of the Nose Creek valley within the subject Planning Area are identified specifically within the Master Plan under Section 5.6.3 as Planning Units *134 - Country Hills: East Valley and 135 - Country Hills: West Valley*. The plan proposes to acquire some of these lands for the purposes of Open Space.

**The Calgary River Valleys Plan**, Adopted 1984 April – The portions of the Nose Creek Valley within the subject Planning Area are identified in the Plan under the Plan Overview map, as *Industrial/Commercial (Employment District)* and *Proposed Regional Parks/Open Space/Golf Courses/Potential Environmental Reserve* and on Plate 6 as *Proposed Employment District, Potential Environmental Reserve, and Proposed Walkways and Pathways – Low Priority*.

**Calgary International Airport Vicinity Protection Area Regulation (AVPA); Transport Canada (Navigation Canada) Regulations** - The lands within Cell E are further defined through the ASP as lands that are subject to high levels of aircraft noise (between the 30 and 40 NEF contours), thus requiring noise insulation standards for all developments and prohibiting residential development. The restricted land uses are:

- Residences;
- Schools;
- Day cares;
- Medical care facilities;
- Halls and auditoriums;
- Places of worship;
- Outdoor exhibition and fairgrounds;
- Outdoor spectator entertainment/sports facilities; and
- Campgrounds.

#### RELEVANT PLANNING HISTORY:

LOC2009-0026 was approved on 2010 May 10 by Bylaw 12D2010 for lands adjacent, to the north of the subject site located at 10821 – 15 Street NE and 11142 – 15 Street NE:

From S-FUD Special Purpose – Future Urban Development District to I-G Industrial – General District, C-COR3f.023h8.5 Commercial – Corridor 3 District, S-UN Special Purpose – School Park and Community Reserve District, S-CRI Special Purpose – City and Regional Infrastructure District and DC Direct Control District to accommodate reduced floor area ratio.

SUMMARY OF CIRCULATION REPLIES				
CIRCULATED TO	NO REPLY	NO OBJECT	EASMNT. REQ'D	REMARKS
CPAG		X		
ENMAX			X	
TELUS COMMUN.			X	
ATCO GAS			X	

<b>SUMMARY OF CIRCULATION REPLIES</b>				
CIRCULATED TO	NO REPLY	NO OBJECT	EASMT. REQ'D	REMARKS
CABLE TV			X	
FIRE DEPT.			X	
CORP. PROPERTIES		X		
CALGARY BRD. ED.		X		
CALGARY AIRPORT		X		Subject to regulations
NAVCANADA		X		Subject to regulations
SEP. SCHOOL BRD.	X			
SITE PLANNING	X			
C.H.R.		X		
E.M.S.	X			
COM. & SOC. DEV.		X		
POLICE SERVICE		X		
AB INFRASTRUCTURE		X		
ADJACENT OWNERS	X			
NORTHERN HILLS COMMUNITY ASSOCIATION	X			
OTHER				

## **PLANNING EVALUATION**

### **Development Context**

The subject lands are situated adjacent to two major Calgary roadways (Deerfoot Trail and Country Hills Boulevard NE), the Calgary International Airport to the east and Open Space and Nose Creek to the west in the Stoney 1 community area. The lands adjacent to the north and east of Deerfoot Trail N are under development for light industrial and office uses with a service commercial area.

### **Legislation & Policy**

In the Revised Stoney Industrial ASP, the subject lands are located within "Planning Cell E" under Section 5.0 Planning Cells. Cell E is intended to contain the following land use concepts: business/industrial area, conservation area and limited development area.

The intent of this land use area is to provide for the development of a variety of light industrial uses within the context of a fully-serviced industrial/business park. Also, medium industrial, secondary commercial, office, institutional, recreational, and other land uses that are compatible and appropriate may be allowed.

### **Proposed Development**

The proposal is called The District – Phase 3 and is intended to be high quality, manufacturing, business, and office uses.

### **Land Use Districts**

A portion of lands are proposed to be designated to Industrial – Business (I-B f0.75) District to accommodate manufacturing, business and office uses. In addition, a small portion of the subject lands are proposed to be designated to Industrial – General (I-G) District to accommodate a wide variety of light and medium general industrial uses, and a limited number of support commercial uses. A portion of the lands are also being designated *Special Purpose Urban Nature* (S-UN) District for Environmental Reserve dedication.

### **Industrial Development**

The maximum floor area ratio (FAR) for the parcels designated *Industrial Business District* (I-Bf0.75h18.0) is 0.75 and the maximum height is 18.0 metres.

The maximum floor area ratio for buildings on a parcel that are designated *Industrial – General District* (I-G) that is serviced by City water and sewer is 1.0 and the maximum height is 16.0 metres.

The Calgary International Airport Vicinity Protection Area Regulation (AVPA) also restricts uses and structure heights on this parcel. The maximum allowable height is 1121.95 metres above sea level (ASL).

### **Commercial Development**

The I-B and I-G districts complement a number of commercial land uses; this development will propose a limited number of support commercial uses as allowed under the I-B and I-G Districts; the exact locations of these uses have not yet been determined at this stage.

### **Open Space**

The open space system within the proposed development is made up of Environmental Reserve (ER) and is intended to emulate the conditions of the ER lands contiguous to the north. The lands proposed as ER are a part of the Nose Creek Valley, and in accordance with the ASP, are intended to support this corridor as a Conservation Area. The lands provided as Environmental Reserve (ER) have been dedicated as such due to its ecological significance of Native Grassland vegetation and slope stability.

Cash-in-lieu will be provided for the required Municipal Reserve (MR) dedication.

A setback zone of 18 metres (60 feet) from the top of an escarpment is to be established in any new development or redevelopment area (MDP Policy 2.6.4.e, p. 2-47). The 18 metre setback is shown along the top of bank and the setback area will be protected by restrictive covenant. This setback is provided to reduce the visual impact of buildings.

Biophysical Impact Assessment (BIA) – The BIA was approved by Parks on 2013 August 26 and identified no major concerns with regards to impacts of the surrounding Natural Areas.

Historical Resource Impact Assessment (HRIA) - A statement of Justification was prepared by Lifeways of Canada Limited (Lifeways) (2012) and the study area is considered to have low potential to contain any significant cultural materials or archaeological sites. Lifeways (2012) recommended that all developments proposed for SE 23-25-1 W5M be granted full historical resources clearance under the Alberta Historical Resource Act. Impacts to heritage resources are not expected.

Nose Creek Watershed Water Management Plan - The proposed application is in compliance with the Nose Creek Watershed Management Plan respecting all setbacks, and no disturbance to adjacent escarpments.

### **Pathways**

There is an offsite network of proposed pedestrian linkages including regional pathways, local pathways and strategically located sidewalks.

There are no adjacent Park spaces that allow the opportunity for pathway connectivity so there is no requirement for the developer to build pathways associated with this development. The closest pathway is it to the north which connects directly to 14 Street NE, and then on the west side of nose creek. Parks has no desire or rationale for making pathway connections to these existing routes.

### **Transportation Network**

Access to the subject lands is provided along 14 Street NE, which is classified as an undivided Standard Industrial Street with sidewalks on both sides. Transit service will be provided along Country Hills Boulevard NE. An emergency only access easement will be provided along the rear lots of the lands to the east of 14 Street NE to provide an alternative access in the event of an emergency. A Transportation Impact Assessment was not required for this application.

### **Utilities Servicing**

The plan area can be fully serviced by extensions of existing utilities along 14 Street NE (storm and sanitary). Water servicing will be provided by extending existing services from the north along 14 Street NE and from the south along Airport Trail NE. All utility extensions will be done at the developer's expense. Sufficient capacity exists in the City system to accommodate the proposed development.

### **Environmental Issues**

There are no environmental issues or concerns associated with this site.

Geotechnical and Slope Stability Reports were submitted with the application and indicate that the subject site is suitable for the proposed development.

### **Community Association Comments**

The Northern Hills Community Association was circulated and has not offered a response to date.

### **Adjacent Neighbour Comments**

There were no concerns from other adjacent land owners.

### **CONCLUSION:**

The Corporate Planning Applications Group supports this Outline Plan and Land Use Amendment on the basis that this proposal allows for the creation of a comprehensive business industrial park that takes advantage of the area's close proximity to the Calgary International Airport, and the major trade corridor Deerfoot Trail (Queen Elizabeth II Highway). Attention has been given with respect to the Nose Creek Valley and floodway, in order to facilitate the development of a business industrial park while preserving this unique natural amenity.

### **CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION:      **APPROVAL****

- A. Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 11.27 hectares  $\pm$  (27.85 acres  $\pm$ ) located at 10499 – 15 Street NE (Portion of SE1/4 Section 23-25-1-5) from Special Purpose – Future Urban Development (S-FUD) District **to** Industrial – Business (I-B f0.75h18) District, Industrial – General (I-G) District, Special Purpose – Urban Nature (S-UN) District.
- B. Recommend that Calgary Planning Commission **APPROVE** this Outline Plan subject to the conditions contained in APPENDIX I.

Sarah Hbeichi  
2013/October



## Conditions of Approval

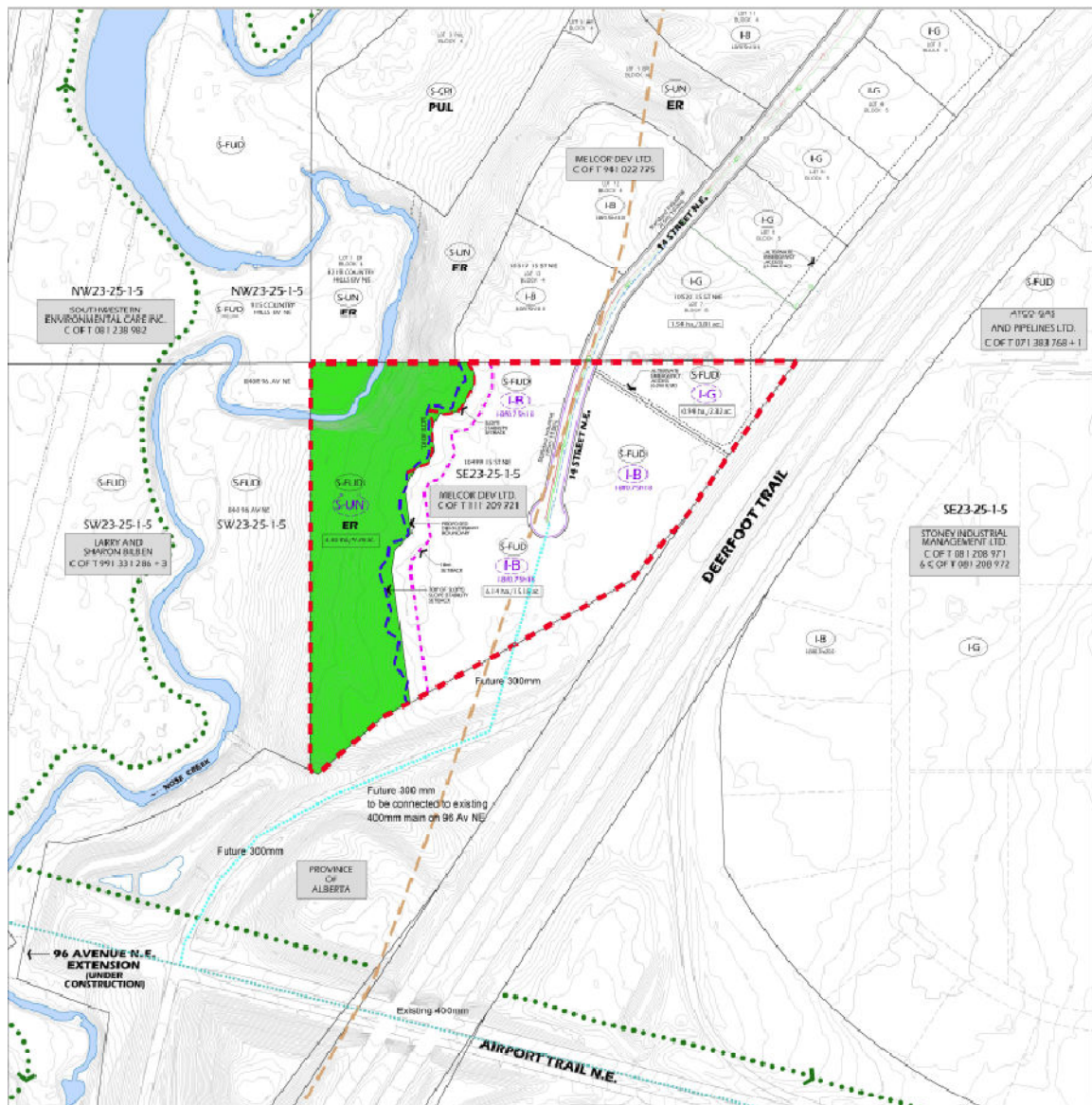
### Subdivision Services:

None

### Urban Development:

1. **Prior to release of construction permissions or approval of the tentative plan**, the developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
2. **Prior to release of construction permissions or approval of the tentative plan**, the developer shall provide a plan showing the proposed primary and construction access routes to the plan area. The Developer is advised that the following roads have load bans: 144 Ave – 50% west of Centre Street, 75% east of Centre Street, and 15 Street – 75%.
3. A Mutual Emergency Access Easement Agreement and right-of-way plan shall be executed and registered on title **concurrent with the registration of the final instrument**.
4. Development will be subject to the terms and conditions of a Standard Development Agreement. Contact the Subdivision Development Coordinator, Urban Development for further information.
5. A portion of the acreage assessments, boundary costs and inspection fees will be dispersed as outlined in Section 16 titled “Acreage Assessments” of the Agreement on Land Use, Development Guidelines, and Acreage Assessment Levies dated December 15, 1993 and Agreement between the City of Calgary and the Calgary Airport Authority. The balance will be addressed as any other development in the City of Calgary.
6. The developer, at its expense, but subject to normal oversize, endeavours to assist and boundary cost recoveries shall be required to:
  - a. Install the offsite sanitary sewers, storm sewers and water mains and construct the offsite temporary and permanent roads required to service the plan area. The developer will be required to obtain all rights, permissions, easements or rights-of-way that may be required to facilitate these offsite improvements.
  - b. Construct the onsite and offsite storm water management facilities (wet pond, wetlands, etc.) to service the plan area according to the most current City of Calgary Standard Specifications Sewer Construction, Stormwater Management and Design Manual and Design Guidelines for Subdivision Servicing.
7. Rehabilitate the portions of the public and private lands along the boundaries of the plan area that are damaged as a result of this development, all to the satisfaction of the Director of Parks.
8. The developer shall rehabilitate the portions of the existing plan area access roads that are damaged as a result of increased traffic beyond what would be expected due to pre-development traffic volumes, and with due consideration by the Manager of Urban Development of the construction activity of other developers in or adjacent to the Development Area.

9. Utility relocations will be at the developer's expense.
10. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
  - Geotechnical and Slope Stability Evaluation, prepared by McIntosh Lalani Ltd. (File No. ML5225), dated August 2013.
11. Install water mains and hydrants as shown on the attached outline plan. It is the Developer's sole responsibility to ensure that all required offsite mains are constructed and tied to the existing system prior to any issuance of Building Permits. The proposed site will be serviced from north 300mm watermain along 14 Street NE (Stoney Ph2, watermain not built) and 400mm from south along Airport Trail NE.



**Transportation:**

12. The minimum design standard for 14 Street NE is a collector standard roadway, with a minimum 1.2 meters sidewalk along one side of 14 Street NE. Sidewalks to provide pedestrian friendly access to transit stops along Country Hills Boulevard NE. The developer will construct 14 Street NE, and is responsible for all costs associated with construction of 14 Street NE and ancillary works.
13. Future subdivision parcels should provide frontages wide enough to accommodate appropriate driveways widths and spacing between driveways. Driveways along northbound and southbound 14 Street NE should line-up center-line to center-line.
14. No direct vehicular access is permitted along Deerfoot Trail NE (no entrance or exit ramps are permitted along Deerfoot Trail NE to the proposed development). A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
15. No direct vehicular access is permitted from interchange ramps along Deerfoot Trail NE (no exit or entrance ramps are permitted along interchange ramp connections to Deerfoot Trail NE to the proposed development). A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
16. No direct vehicular access is permitted along 96 Avenue NE / Airport Trail NE. A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
17. An overall Site Master Plan is required at the subdivision and Development Permit stage that identifies the internal road network, access locations for multiple modes (pedestrians, cyclists, passenger vehicles, trucks). The Master Plan is to include at a minimum:
  - a. A traffic control plan that illustrates all required signage, lane markings, pedestrian crosswalks & connectivity, pavement markings, etc.
  - b. Complete truck sweep paths (from site entrance to loading / unloading areas, and from loading / unloading areas to site exit) to confirm truck turning requirements. The plan is also to include an appropriate design vehicle with dimensions and the standard TAC name. All minimum clearances between the sweep paths and obstructions (parking stalls, curbs, fencing, etc) are to be dimensioned and must exceed the minimum 0.6 m clearance. Note: The loading stalls must be located so that all motor vehicles using the stall can be parked and manoeuvred entirely within the boundary of the site before moving onto a street or a lane, and must not block or hinder movement of vehicular or pedestrian traffic at loading / unloading areas or during turning manoeuvres.
  - c. Pedestrian Connectivity: Barrier-free pedestrian access must be provided within the proposed development, inclusive of connections to public sidewalks and pathways. Sidewalks and pathways are to be constructed with curb cuts where there is a change in elevation, provide continuity for mobility access by constructing ramps where required.

**Parks:**

18. The developer shall install and maintain a temporary construction fence on the private property line with the adjacent Environmental Reserve to protect public lands **prior to the commencement of any stripping and grading related to the site** and during all phases of construction. Contact the Parks Development Inspector (Office 403-268-1358 or Mobile (403-804-9397) to approve the location of the fencing prior to its installation.
19. A restrictive covenant shall be registered against all future titled parcels zoned as Industrial Business (I-B) which back directly on to the adjacent Environmental Reserve (ER) lands; prohibiting construction, erection or placement of any building or structure within 18 metres of the top of the escarpment (Setback Area) as determined by the Subdivision Authority. This will require the that the owners of the Servient Tenement shall not permit, construct, erect, place or allow to remain within the Setback Area any building or structure except surface parking lots, roadways or sidewalks which may be allowable at the discretion of the Approving Authority. The Restrictive Covenant shall be registered **concurrent with the registration of the final instrument**.  
  
Where the Approving Authority allows surface parking lots, roadways or sidewalks within the 18 metre setback, the Developer shall rehabilitate and replant the lands within the balance of the Setback Area with appropriate vegetation to the satisfaction of the Parks Department.
20. The developer shall pay cash-in-lieu of land for reserve dedication for 0.75 hectares, to the satisfaction of the Director, Parks.
21. No disturbance of Environmental reserve lands is permitted without written permission from the Parks Generalist for this area. The Parks Generalist can be reached at 403-268-4735.
22. The developer shall restore, to a natural state, any portions of the ER lands along the boundaries of the plan area that are damaged in any way as a result of this development. The restored area is to be maintained until established and approved by the Park Development Inspector.
23. **Prior to approval of the first tentative plan or stripping and grading permit** (whichever comes first), it shall be confirmed that grading of the development site will match the existing grades of adjacent parks and open space (ER), with all grading confined to the private property, unless otherwise approved by Parks.
24. Plant all public trees in compliance with the approved Public Landscaping Plan.

**Subdivision Data Sheet**

	HECTARES	ACRES
GROSS AREA OF PLAN	11.27	27.85
LESS: ENVIRONMENTAL RESERVE	3.80	9.39
LESS: LAND PURCHASE AREA		
NET DEVELOPABLE AREA	7.47	18.46

LAND USE (Non-Residential)	HECTARES	ACRES	# OF LOTS	# OF UNITS (FOR MULTI RESIDENTIAL)
I-Bf0.75h18	6.14	15.18		
I-G	0.94	2.32		

	HECTARES	ACRES	% OF NET AREA
ROADS (CREDIT)	0.39	0.96	5.22
PUBLIC UTILITY LOT			

RESERVES	HECTARES	ACRES	% OF NET AREA
MR	0.75	1.85	
MSR			
MR (NON-CREDIT)			

CPC 2013 October 10	LOC2013-0029	<b>APPENDIX III</b>	Page 1
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### Applicant's Submission

The proposed District Phase 3 Business Park contained within this application allows for the completion of approximately 11.27 ha (27.85 ac) of remaining land associated with an approved business park, owned by Melcor Developments Ltd.

The site is comprised of a single parcel, located at 10499 15 ST NE (portion of SE-23-25-01-W5M).

The topography of the site contains portions of the meandering Nose Creek, two flat terraces and associated slopes and draws. The design of the proposed development complements and enhances the site setting.

The lands are located along major existing roadways, and municipal servicing connections are available from the adjacent parcel to the north. The subject lands are contained within a well defined, self- contained catchment area for sanitary and storm water management facilities. All of the necessary downstream municipal services are in place.

The Outline Plan allows for the creation of a comprehensive industrial business park that takes advantage of the area's proximity to the Calgary International Airport and the major trade corridor of Deerfoot Trail (Queen Elizabeth II Highway). The proposed development of the subject lands will consolidate a portion of lands with an irregular shaped parcel located to the north, designated Industrial – General District, accommodate industrial business uses, and recognize environmentally significant lands along the slopes of the Nose Creek located to the west.

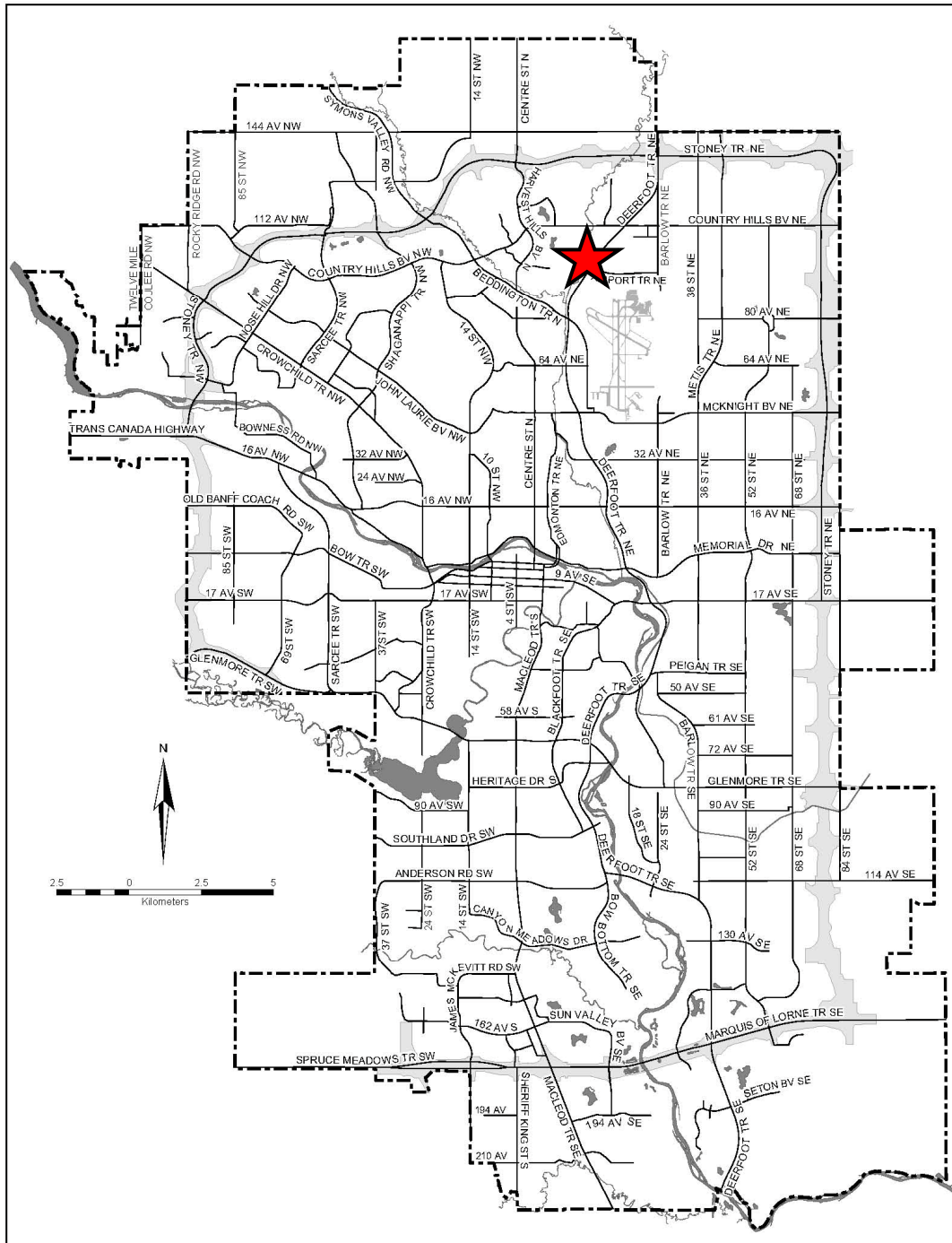
This application for Outline Plan approval is accompanied by a proposed land use redesignation. The current City of Calgary Land Use Bylaw (1P2007) designates this site as Special Purpose – Future Urban Development (S-FUD) District which is intended to be applied to lands where future urban development is expected to occur. Under this application, it is requested to amend the land uses to the following districts: Industrial – General (I-G) District, Industrial – Business (I-B f0.75) District, and Special Purpose – Urban Nature (S-UN) District.

On behalf of Melcor Developments Ltd., Urban Systems Ltd. respectfully submits and requests approval of the Outline Plan by the Calgary Planning Commission and for the amendment to the Land Use Bylaw and Road Closure by City Council.





## City Wide Context Map



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## Aerial Overview

