

Background and Planning Evaluation

Background and Site Context

The subject site is a midblock parcel located in the community of Stoney 3 on 109 Avenue NE between 38 Street NE and 42 Street NE. The site is approximately 300 metres south of Country Hills Boulevard NE and 250 metres west of Métis Trail NE. The 0.78 hectare (1.92 acres) parcel is approximately 91 metres wide and 85 metres deep, and is currently under construction for two warehouse buildings. Vehicle access is available from 109 Avenue NE.

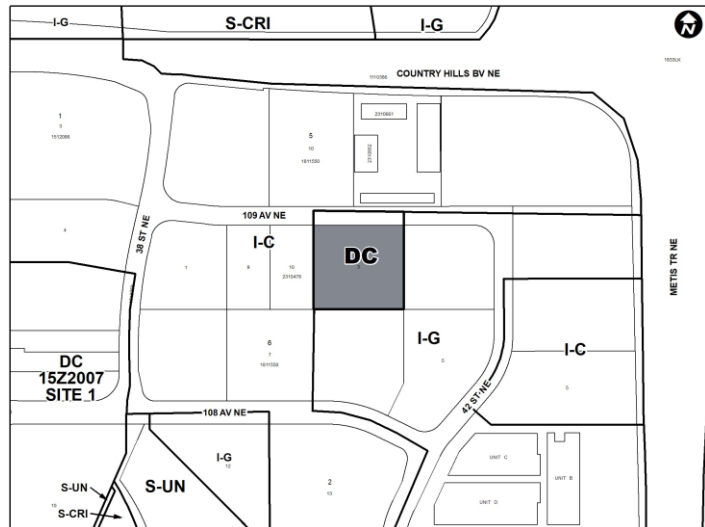
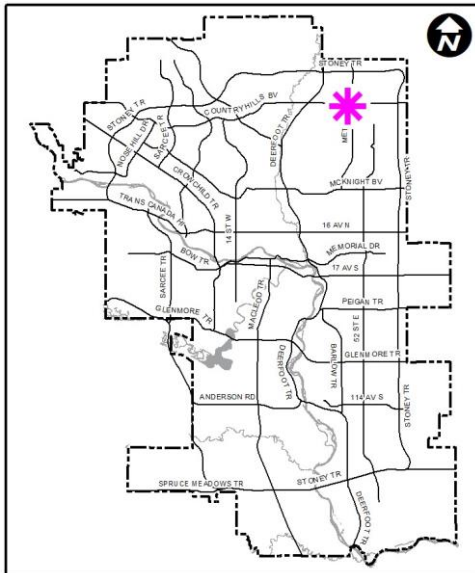
Surrounding land uses are a mix of Industrial – General (I-G) District and Industrial – Commercial (I-C) District. The parcel immediately to the west as well as the parcels along Country Hills Boulevard NE to the north have been designated as I-C District. The parcels immediately to the east and the south are zoned I-G District. Two parcels across 42 Street NE to the east and along Métis Trail NE have been recently redesignated to the I-C District. The community of Cityscape is located east across Métis Trail NE and the Calgary International Airport is located to the west across 36 Street NE. Development is ongoing in this area with a number of parcels currently under construction. Businesses in the area tend to be a mix of light industrial and support commercial uses.

The applicant initially proposed I-C District to increase the commercial options for the site and provide flexibility of uses for future tenants. During the review, Administration recommended that the applicant consider a DC District based on the I-G District to best align with the applicable policies of the *Municipal Development Plan (MDP)* and *Northeast Industrial Area Structure Plan (ASP)* and maintain the industrial land supply. In response, the applicant amended their proposal.

Community Peak Population Table

There is no community population available as this is an industrial area.

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing I-G District is intended to provide a variety of light and medium general industrial uses and a limited number of support commercial uses. The maximum floor area ratio for buildings on a parcel that is served by City water and sewer is 1.0, which is approximately 7790 square metres of floor area. There is no maximum building height for a building located in the I-G District.

The proposed DC District is based on the I-G District with additional commercial and service uses of Artist's Studio, Financial Institution, Fitness Centre, Health Care Service, Indoor Recreational Facility, Information and Service Provider, Pawn Shop, Radio and Television Studio, Retail and Consumer Service, Cannabis Store, Drinking Establishment – Small, Liquor Store, and Payday Loan. The maximum building height and the floor area ratio would remain unchanged.

The DC District will ensure the continued opportunity for I-G based development opportunities while also accommodating the current applicant's intended needs. Conversion of this site from the I-G District to the I-C District, for comparison, would eliminate the General Industrial – Medium use that the area was originally intended for. The City's Industrial Growth Strategy and policy approach to industrial lands places a priority on maintaining the opportunity for industrial based uses; therefore, utilizing the DC District, based on the I-G land use best enables the

retention of the original industrial uses while providing flexibility with the inclusion of additional commercial uses.

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 its unique characteristics and policy considerations. This proposal allows for a range of additional commercial uses while maintaining the I-G District base to accommodate the applicant's needs. The same result could not be achieved through the use of a standard land use district in the Land Use Bylaw.

The proposed DC District includes a rule that allows the Development Authority to relax Sections 6 and 7 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 a relaxation of Bylaw 1P2007. The intent of this DC District rule is to ensure that rules of Bylaw 1P2007, regulating aspects of development can also be relaxed in the same way that they would be in a standard district. This relaxation rule allows for flexibility during the development permit review process. Any relaxation granted must meet the test for relaxation as provided by Bylaw 1P2007.

Development and Site Design

The site is currently under construction with a development approved under the existing I-G District. The applicant does not propose to change to the layout or design of the building under construction. The intent of this land use amendment application is to accommodate additional commercial uses that are compatible with, and supplementary, to the surrounding uses. If approved by Council, the rules of the proposed DC District would provide guidance for future site development.

Transportation

Site access will be to and from 109 Avenue NE, an industrial roadway, as per the approved DP2021-3777. A Transportation Impact Assessment and a parking study were not required for this land use application. Transit service is available approximately 450 metres (seven-minute walk) to the west along 36 Street NE, with access to Routes 100 (North Pointe/Airport/McKnight – Westwinds), 109 (Harvest Hills Express) and 157 (Saddletowne Station/Stoney Industrial). A regional pathway exists to the north on Country Hills Boulevard NE, while more pathways are planned along 36 Street NE and Métis Trail NE.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

The site is currently under development and serviced with water, sanitary, and storm sewer. A 6.0 metre wide Utility Right of Way (URW) is registered on the western side of the parcel and a storm sewer is installed within the URW.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

Administration's recommendation aligns 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)

Administration's 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.

Calgary International Airport Vicinity Protection Area (2009)

The [Calgary International Airport Vicinity Protection Area](#) (AVPA) identifies the subject site as being located within the 30-35 Noise Exposure Forecast (NEF) of the AVPA. The AVPA regulation was created to ensure that only compatible land uses are developed near airport flight paths. The AVPA regulation establishes prohibitive uses in certain locations, identified within NEF areas. The uses in the proposed DC District are generally allowable within the 30-35 NEF contour area. The approved development permit on the site was previously circulated to the Airport Authority. Any future development permits would likewise be circulated to the Airport Authority and reviewed against the applicable regulations to ensure compliance.

Municipal Development Plan (Statutory – 2009)

The site is located within the Standard Industrial area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The applicable policies in the MDP state that the Standard Industrial areas should be predominantly industrial in nature and industrial land should be protected from encroachment of non-industrial uses. The MDP also supports complementary commercial uses that are compatible with the industrial function of this area and cater to the day-to-day needs of area businesses and their employees.

The proposed DC District maintains a broad range of industrial uses and expands opportunities for small-scale compatible commercial uses. It is also consistent with what has been approved on this site and the surrounding developments. This application aligns with the policies of the MDP.

Calgary Climate Strategy (2022)

This application does not include any specific actions that address the objective of *the [Calgary Climate Strategy – Pathways to 2050](#)*. Further opportunities to align development of this site with applicable climate strategies will be explored and encouraged at subsequent development approval stage.

Northeast Industrial Area Structure Plan (Statutory – 2007)

The [Northeast Industrial Area Structure Plan](#) (ASP) identifies the site as part of the Business/Industrial Area on Map 3: Land Use Concept of the ASP. The ASP notes that the predominant land uses in the area should be of an industrial nature and complementary commercial uses may be incorporated when compatible and appropriate. The proposed DC District maintains the I-G District use options on the parcel and allows a range of support commercial and service uses to increase flexibility for future tenants.

The ASP also indicates that local commercial uses, which are demonstrated by I-C District should locate at the intersection of two roads, service commercial uses shall only locate on a site with efficient access and good visibility lying adjacent or in close proximity to an entranceway road, and medium industrial uses within this area should not locate adjacent to an entranceway road. The subject site is located at the interior of this area, and not adjacent to an entranceway road or intersection of two roads. As such, the I-C District is not ideal for this site and the potential to maintain medium industrial uses may be appropriate. The proposal is keeping in line with the ASP.