

Background and Planning Evaluation

Background and Site Context

The subject site is located in the community of Residual Ward 5 – Sub Area 5D on the east side of 52 Street NE, between Stoney Trail NE and 144 Avenue NE. The site is approximately 2.00 hectares (4.94 acres) in size and is contained within a 30.04 hectare (75.12 acre) parcel. The site's dimensions are approximately 165 metres wide and 120 metres deep. It is currently operating as a Construction Material Recycling Centre and as a Waste Storage Site. The site is accessed from 52 Street NE.

Surrounding development consists of industrial and residential development designated with the following districts:

- Special Purpose – Future Urban Development (S-FUD) District;
- Special Purpose – Transportation and Utility Corridor (S-TUC) District;
- Special Purpose – Urban Nature (S-UN) District;
- Industrial – General (I-G) District; and
- Industrial – Outdoor (I-O) District.

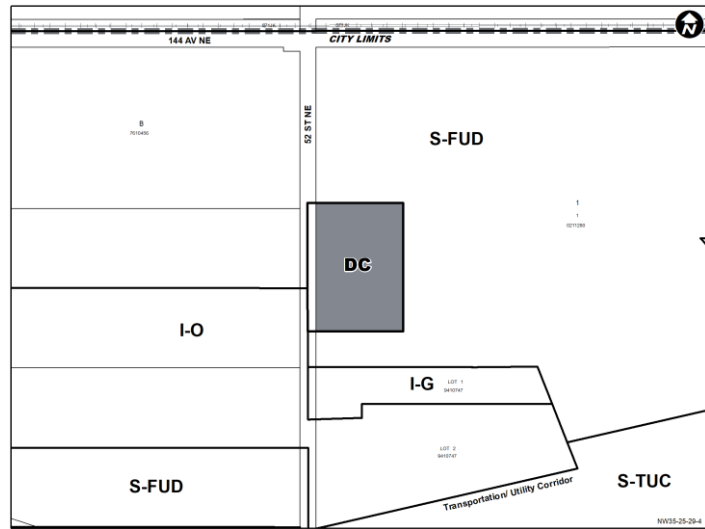
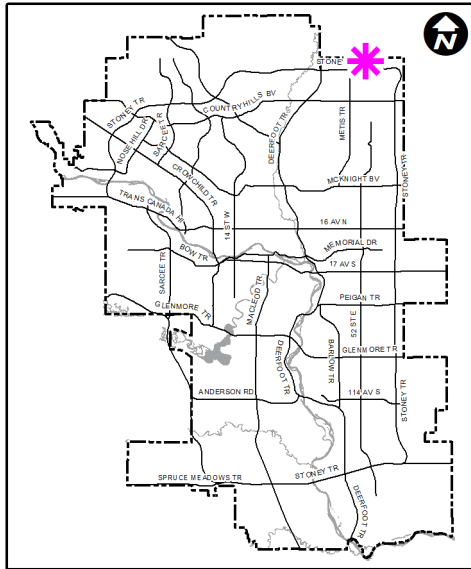
The application process began in August 2022 with a Development Permit (DP) application submitted to renew the site for a new temporary permit as a Construction Material Recycling Centre. Through the review process, Administration identified that the current operations occurring on the site no longer align with the proposed use. This lack of alignment was due to both recent changes to the Land Use Bylaw 1P2007 (LUB) and changes to the applicant's operations. The current operation on site fits under the use of Waste Storage Site in the LUB.

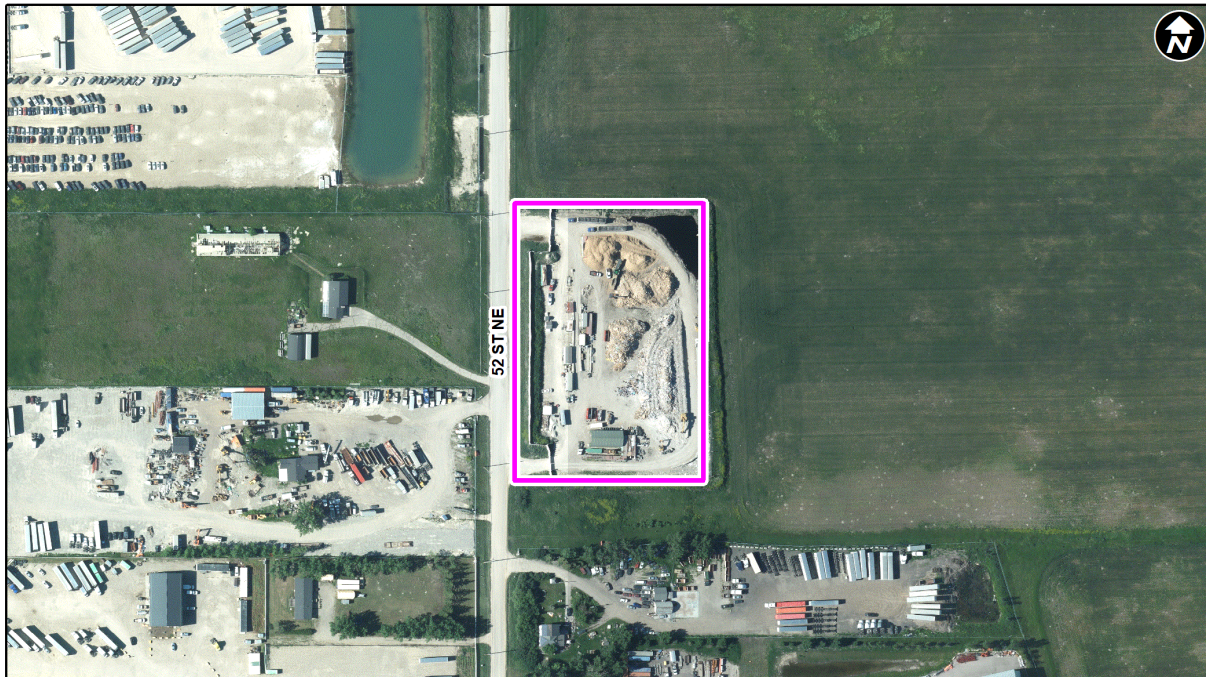
Through a collaborative process it was determined that the applicant would apply for a Land Use Amendment application to change the designation of the site to a Direct Control (DC) District to allow for a Waste Storage Site as a temporary use, in addition to the uses listed within the Special Purpose – Future Urban Development (S-FUD) District.

Community Peak Population Table

Not available because the subject site is within a future industrial area.

Location Maps





Previous Council Direction

None.

Planning Evaluation

Land Use

The existing Special Purpose – Future Urban Development (S-FUD) District is intended for sites awaiting urban development and utility servicing, to protect lands for future urban forms and development, and to provide for select temporary uses that can easily be removed and allow for agriculture uses.

The proposed DC District adds the additional discretionary use of Waste Storage Site, allowing for this additional use to continue to occur on site as a temporary use. The proposed DC District maintains all the uses and rules of the S-FUD District.

The use is being proposed under a DC District because subsection 21(3)(u.2) of the [Land Use Bylaw 1P2007](#) (LUB) states, “The following uses must only be listed as a use on a parcel that has been designated Direct Control: Waste Storage Site, when not operated by, or on behalf of, the City.” 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 the development meets the test for relaxation of Bylaw 1P2007. The intent of this DC District rule is to ensure that rules of Bylaw 1P2007 regulating aspects of development that are not specifically regulated in this DC District can also be relaxed in the same way they would be in a standard district.

A Waste Storage Site will allow for the site to continue to collect, store, and sort waste and recyclable materials (same as the current operations). The use allows for waste produced off site to be sorted on site before being transported off site for final disposal or processing. It allows for uses that generate waste management setbacks, a topic discussed further below.

Development and Site Design

The rules of the existing S-FUD District, which the proposed DC District is based on, will provide basic guidance for site development including landscaping, parking and access. The site is already developed and operating with the proposed use.

Transportation

Access to the site is available by vehicle from 52 Street NE. This segment of 52 Street NE does not include pedestrian sidewalks or pathways to support alternative modes of transportation. There is no transit service near the site and no street parking available adjacent to the site. A Transportation Impact Assessment was not required as part of this application.

Environmental Site Considerations

There are no known environmental concerns associated with the proposed land use change at this time. The potential for contamination will be mitigated through conditions on the associated development permit.

Utilities and Servicing

Water, storm, and sanitary sewer mains are not available to service the subject site. The development permit submission is evaluating the existing site's stormwater management. Private on-site stormwater facilities will need to be established demonstrating zero discharge from the site.

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.

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

The [Rocky View / Calgary Intermunicipal Development Plan](#) (IDP) encourages that redesignation applications should be evaluated with respect to nearby existing and planned uses.

Matters Related to Subdivision and Development Regulation (2022)

The [Matters Related to Subdivision and Development Regulation](#) (MRSDR) is a Provincial regulation under the [Municipal Government Act](#) and it contains regulations that prohibit certain uses in the vicinity of Waste Storage Sites. Alberta Environment and Protected Areas has already identified this site as a Waste Storage Site and there is a setback prohibiting new or

expanded school, hospital and residential uses within 300 metres of the subject site (unless a variance is granted). At the time of writing this report, there are two residential uses within the setback area. These sites will be able to continue to exist in their current state, however as part of the approval of the development permit, the proposed Waste Storage Site will require a variance to the MRSDR to operate in proximity to the existing residences.

A variance can be granted by Calgary's Subdivision and Development Authorities. The process to grant a variance involves evaluating contamination, hazard and nuisance risks of the prohibited use locating within the setback to determine if human health and safety can be assured.

In the future, school, hospital and residential uses could still be approved within 300 metres of the Waste Storage Site if a variance to the MRSDR setbacks is granted. The planned future use of this area is industrial, as noted below. This proposal does not allow for hazardous waste to be processed on site.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Industrial – Standard Industrial area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage that Industrial Areas should be predominantly industrial in nature and that the uses should support the day to day needs of the area. This application aligns with MDP policy.

Calgary Climate Strategy (2022)

This application does not include any specific actions that address the objectives of the [Calgary Climate Strategy – Pathways to 2050](#). While no actions were explicitly identified, this application will help Program Pathway I: Waste reduction – Reduce total waste generation in all sectors, by increasing recycling and reducing the amount of waste going to landfills.

Northeast Residual Area Policy Plan (2005)

The subject site is located within Planning Cell B with a General Industrial Land Use Concept in the [Northeast Residual Area Policy Plan](#) (NRAP). The applicable NRAP policies encourage a variety of industrial uses with general industrial being the primary use of the land. This application aligns with NRAP policy.