

Background and Planning Evaluation

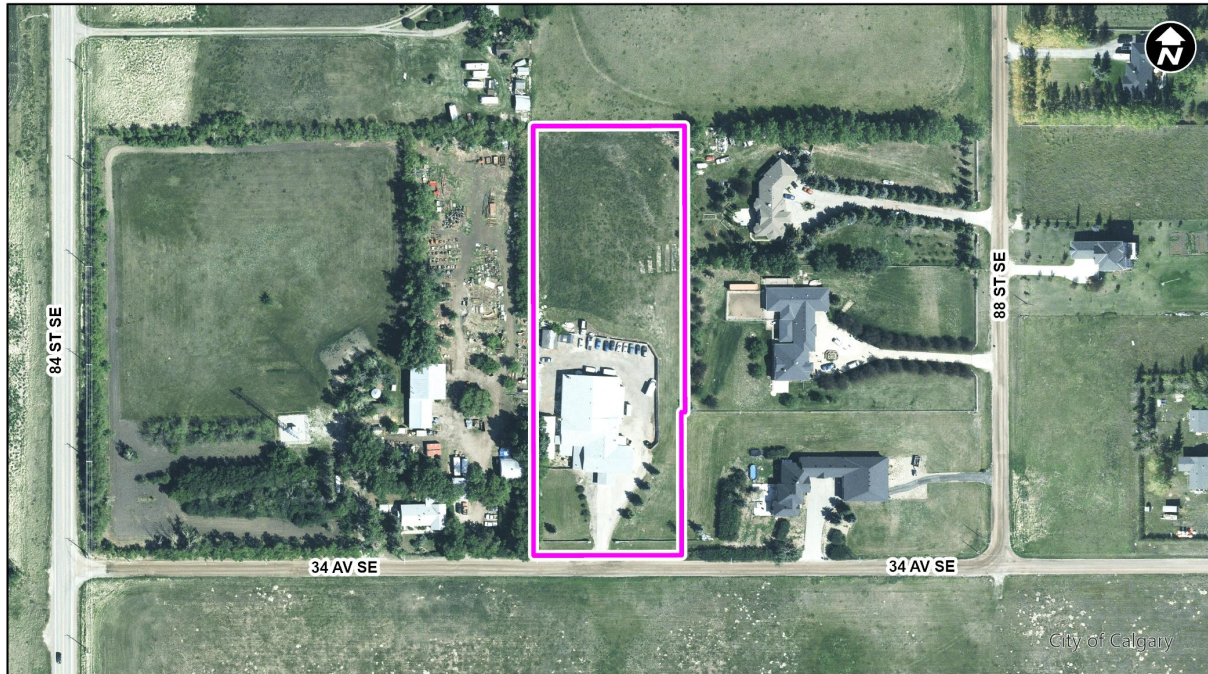
Background and Site Context

The subject site is a flat mid-block parcel accessed off 34 Avenue SE. It is located approximately 200 metres (a three-minute walk) east of 84 Street SE, and approximately 1000 metres (a 17-minute walk) north of Peigan Trail SE. Surrounding development is primarily characterized by a mix of agriculture and unserviced rural residential development designated as Direct Control (DC) Districts and Special Purpose – Future Urban Development (S-FUD) District. The parcel across 88 Street SE to the east was recently redesignated to a DC District to allow for unserviced residential uses with certain parcel sizes. The subject site is approximately 1.24 hectares in size and approximately 66 metres wide by 188 metres deep, and currently developed with a woodworking shop and a number of small storage buildings.

The parcel was amongst the areas of land annexed from Rocky View County to the City of Calgary following the Provincially issued Order 333/2007 on 2007 August 01. The existing business started to operate as a home-based business and was approved by the County under the development permit 2006-DP-12183. It was then subdivided and isolated from the dwelling and obtained land use approval through a DC District application (C-6507-2007) with the County on 2007 July 31, which was the day before the annexation process started. After annexation, the subject parcel was rezoned to DC District based on Special Purpose – Future Urban Development (S-FUD) District ([Bylaw 18D2008](#)). The existing woodworking business did not have the requisite development approvals at the time of the annexation and the use therefore does not meet the requirements of section 1087(2) of Land Use Bylaw 1P2007 to be considered a discretionary use for the site. Following the issuance of a Stop Order pursuant to the *Municipal Government Act* (MGA) in February this year, this land use has been applied for to enable the existing business to continue operation.

Community Peak Population Table

Not available as the subject area is within a future greenfield area.



Previous Council Direction

None.

Planning Evaluation

Land Use

The existing Direct Control ([Bylaw 18D2008](#)) District is based on the Special Purpose – Future Urban Development (S-FUD) District and is intended to allow for a range of parcel sizes for Extensive Agriculture uses to respect the context of the immediate area. The permitted and discretionary uses of the S-FUD District of Bylaw 1P2007 apply, which do not include uses that can accommodate the existing woodworking shop.

The applicant initially considered a DC District based on the S-FUD District with an additional use of General Industrial – Light to accommodate the woodworking shop. However, this could not be supported as the General Industrial – Light use encompasses a broad range of business activities, which may include activities that are not compatible with surrounding development and conflicts with the direction for future development in this area, which is residential. Alternatively, a DC District based on S-FUD with a specific use of Woodworking Shop was recommended to ensure stability for intended operations on site, while also minimizing land use conflict in relation to future residential growth plans in this area.

As a result, the proposed DC District retains the base S-FUD District and adds an additional use of Woodworking Shop. The additional use is customized for the existing business to capture all the activities and ensure its compatibility to the surrounding development. This proposal would bring the existing woodworking shop into compliance with current Land Use Bylaw 1P2007. The DC District also includes building scale and setback requirements to protect the existing and future surrounding development.

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 of a long-standing woodworking shop with a legal land use approval from Rocky View County prior to annexation. This application would allow for the existing business to continue operating while restricting its use to prevent premature development of the land. 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 Section 7 and 9 to 11 of the DC District Bylaw. Section 7 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 rule is to ensure that rules of Bylaw 1P2007 that regulate aspects of development that are not specifically regulated in this DC District and can also be relaxed in the same way that they would be in a standard district. The relaxation rules of Section 9 to 11 allow for building 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

If this application is approved by Council, the rules of the proposed DC District would provide guidance for future development including maximum building size, height, and setbacks. Items that will be considered through the development permit process include, but are not limited to:

- ensuring the business activities are properly screened;
- minimizing traffic and other negative impacts to neighbouring lots; and
- servicing provisions for the future development.

Transportation

Vehicle access to the site is available via 34 Avenue SE. There is no pedestrian sidewalks or pathways available along the site, no transit service near the site and no street parking available adjacent to the site.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

There is no public water supply available near the site and the parcel does not currently have sanitary servicing. No public infrastructure is funded or planned at this time. Details of water and sanitary servicing will be explored and reviewed at the development permit stage.

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 (2012)

The [Rocky View/Calgary Intermunicipal Development Plan](#) (IDP) identifies the subject parcel as being part of the Policy Area (Map 1: Plan Area). Section 4.6 indicates the north of the future Peigan Trail extension area will be focused on residential uses. The subject site is located north of the future Peigan Trail extension as shown on Map 2: Key Focus Areas. The proposed additional use of woodworking shop is compatible with future residential development for this area due to its long-standing operation, business and built form design that fits with the local context, and the absence of negative feedback from the community. The low building scale and the rules established in the proposed DC District also mitigate possible negative impacts on future residential development around the site. This proposal is appropriate for this area.

Municipal Development Plan (Statutory – 2009)

The subject site is located within the Developing Residential – Future Greenfield area identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). Future Greenfield areas are the land areas in the city designed for future urban development that do not have an approved Area Structure Plan (ASP) in place. The MDP stresses that the Future Greenfield Area should be protected for future urban development and allow for a limited range of uses that will not compromise the developability of the land for urban purpose. The proposed DC District maintains the base of the S-FUD District and incorporates the existing use, which is compatible with the existing and future residential development in this area. The proposal is consistent with the MDP.

Calgary Climate Strategy (2022)

This application does not include any specific actions that address the objectives 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.

East Regional Context Study (Non Statutory – 2009)

There is no area structure plan (ASP) or local area plan (LAP) for the subject site, but the East Regional Context Study (The Study), which is a high level non-statutory document, provides a framework and guidance for the future ASP or LAP to facilitating growth in this area. The Study identifies the subject site as within the future Residential area on Map 3: Land Use Concept & Transportation, which is consistent with the IDP and the MDP. This proposal respects the policy framework.