

LAND USE AMENDMENT  
FOOTHILLS INDUSTRIAL (WARD 9)  
52 STREET SE and 76 AVENUE SE  
BYLAW 129D2018

MAP 27SE

**EXECUTIVE SUMMARY**

This land use application seeks to redesignate a ± 0.66 hectare parcel located at the northwest corner of 52 Street SE and 76 Avenue SE in Foothills Industrial from an Industrial – General (I-G) District to an Industrial – Commercial (I-C) District to allow for a range of industrial and/or industrially oriented commercial uses. A development permit application for the site is also under review by Administration.

**PREVIOUS COUNCIL DIRECTION**

None.

<b>ADMINISTRATION RECOMMENDATION(S)</b>	2018 February 08
That Calgary Planning Commission recommends <b>APPROVAL</b> of the proposed Land Use Amendment.	
<b>RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION</b>	
That Council hold a Public Hearing on Bylaw 129D2018; and	
1. <b>ADOPT</b> the proposed redesignation of 0.66 hectares ± (1.63 acres ±) located at 5210 - 76 Avenue SE (Plan 8010816, Block 7, Lot 4) from Industrial – General (I-G) District <b>to</b> Industrial – Commercial (I-C) District, in accordance with Administration's recommendation; and	
2. Give three readings to the proposed Bylaw 129D2018.	

**REASON(S) FOR RECOMMENDATION:**

The proposal is in keeping with applicable municipal policies and guidelines including the Municipal Development Plan (MDP) and the Southeast Industrial Area Structure Plan (ASP). The parcel's location and the area context is appropriate for the proposed I-C District which will allow for a range of light industrial oriented uses and industrially oriented commercial uses that are intended to be compatible with and serve the surrounding industrial area.

**ATTACHMENT**

1. Proposed Bylaw 129D2018



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.66 hectares  $\pm$  (1.63 acres  $\pm$ ) located at 5210 - 76 Avenue SE (Plan 8010816, Block 7, Lot 4) from Industrial – General (I-G) District to Industrial – Commercial (I-C) District.

**Moved by: M. Foht**

**Carried: 9 – 0**

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**Applicant:**

ECHO Design

**Landowner:**

2065550 Alberta Ltd (Joy Nguyen)

**PLANNING EVALUATION**

**SITE CONTEXT**

The subject site is a ± 0.66 hectare parcel in Foothills Industrial that is currently vacant. The site is located at the northwest corner of the intersection of 52 Street SE and 76 Avenue SE with frontages along 52 Street SE to the east, 76 Avenue SE to the south and 51 Street SE to the west. A two (2) storey warehouse building with ancillary offices exists immediately to the north of the site on an I-G designated parcel. A Bulk Fuel Sales Depot (commercial vehicle gas station) formerly operated on the subject site, with this use closing in 2014 and the site remediated in 2015.

The surrounding industrial area is comprised predominantly by light industrial uses and developments on I-G District lands. Some smaller scale commercial sites with food service and local convenience retail uses exist to the north of the site along 52 Street SE on I-C and Commercial – Neighbourhood 2 (C-N2) District lands. In this area, 52 Street SE is a six (6) lane divided street that is classified as an Industrial Arterial. A regional pathway exists along the west side of 52 Street SE and interfaces with the site's eastern edge. 76 Avenue SE, which bounds the site to the south, provides the principal east/west connection from 52 Street SE into internal locations within the industrial area.

**LAND USE DISTRICTS**

The site's existing I-G District allows for a wide variety of general light and medium industrial uses and a limited number of support commercial uses. I-G parcels are typically located in internal locations within industrial areas and the district contains specific limits on sales and office activities to preserve a diverse industrial land base. The I-G District allows for maximum floor area of 1.0 and maximum building height of 16.0 metres.

The proposed I-C District allows for light industrial uses that are unlimited in size and small scale commercial uses that are intended to be compatible with and complement light industrial uses and areas. I-C parcels are intended to be located along or within 200 metres from major streets or expressways (as is the subject site). Accordingly, the I-C District contains provisions to ensure that developments provide an appropriate transition between other land use districts and the I-G District or between highly visible industrial parcels and the I-G District. These provisions include setback, screening, landscaping and building design controls that are

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intended to address aesthetics in accordance with these more highly visible locations. The I-C District also allows for a maximum floor area of 1.0 and a maximum building height of 12.0 metres.

Beyond maximum building height and a slightly different suite of allowable uses, key differences between the I-C and I-G District are that there are no use area restrictions for office and that retail and consumer service uses (with maximum use area limits) are allowed in the I-C District. This is in contrast to the I-G District where retail sales activities and office uses are restricted by rules to ensure that these uses may only exist as ancillary components of the principal I-G uses (e.g. a manufacturing facility which also contains a small retail sales area and/or administrative offices).

In recognition of the I-C District's reduced maximum building height of 12 metres from the 16 metre maximum height in the I-G District, the Development Authority may consider maximum building height relaxations for development proposals for industrially oriented uses on the site, including proposed General – Industrial Light uses. This would be to allow for development of an industrial building product that is in keeping with current industry conventions for these types of developments, thereby preserving the industrial utility of these lands.

## **LEGISLATION & POLICY**

### South Saskatchewan Regional Plan (SSRP) (Adopted Provincially 2014)

The site is located within a 'City, Town' area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). While the SSRP makes no specific reference to this site, the land use proposal is consistent with the SSRP strategies that municipalities are expected to establish for Land-Use Patterns: 8.11-13,15-18 (p.110).

### Municipal Development Plan (MDP) (Adopted by Council 2009)

The site is located within an area in the MDP identified as an Industrial – Employee Intensive area (MDP Map 1: Urban Structure). These areas are intended for manufacturing, warehousing and mixed industrial/office developments that have high labour concentrations and require access to the Primary Transit Network. They can be new business parks locating in newly planned areas, or may occur as part of redevelopment and intensification of the Standard Industrial Areas, at transit stops and along corridors served by the Primary Transit Network.

MDP land use policies identify that a minimum intensity threshold of 100 jobs per gross developable hectare should be achieved in these areas with predominantly industrial uses. Other uses that support the industrial function of these areas with specific rules for the amount of support uses should be determined as part of the policy planning process and land use application process.

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Mobility policies for these areas identify that they are to be served by the Primary Transit Network on streets that provide direct connections to higher order transit services complete with amenities for pedestrians, cyclists and transit. Roads and streets within these areas should provide for the efficient movement of goods and services and sidewalks should be provided along all streets to connect businesses with the Primary Transit Network.

Public realm policies encourage forms of accessible public or private open space to create amenities and local destinations in conjunction with transit stations, higher intensity uses and local retail/service areas.

As the site is located along 52 Street SE which is part of the MDP's Primary Transit Network and within an Industrial-Employee Intensive Area with land use policies for minimum job per hectare intensities, the Development Authority will take these policies (in addition to a proposal's technical development merit) into consideration when evaluating discretionary development proposals on the site.

Based on an ongoing evaluation of public data including the 2016 Civic Census Place of Work Survey, Administration believes that there are certain uses within the proposed I-C District that are likely to generate greater employment intensities than others, including, office and retail and consumer uses. This is not to suggest, however, that only these higher employment generating uses may be considered as being acceptable for the site. Particularly, as the area as a whole must be considered with regard to its ability to meet these MDP minimum job intensity targets.

In recognition of these MDP job intensity objectives and the anticipated population activity increases in the area as a result, all development proposals for the site, regardless of use, shall incorporate key elements of urban design to achieve high quality development of the site and of the area as a whole.

Southeast Industrial Area Structure Plan (ASP) (Adopted by Council 1996)

The site is located within an area in the ASP identified as an 'Existing I-2 General Light Industrial District' (Map 2 - Land use and Transportation Plan, p.5). The ASP identifies that the purpose of the general light industrial area is to allow for a range of light industrial and associated uses that are compatible with each other and that do not adversely affect surrounding non-industrial uses. In this regard, high quality light industrial uses are intended to be provided within the plan area, particularly along the boundary roadways that separate the area from any adjacent residential communities. This is intended as a measure to enhance the existing overall character of the plan area. The ASP also recognizes capacity to allow for select uses other than only general light industrial uses so long as they are compatible with the overall intent of the light industrial area.

The ASP recognizes that major retail commercial facilities often create impacts on industrial areas in terms of land use compatibility, pedestrian movements, vehicular traffic congestion and road capacity. As such, The City has employed various land use bylaw, zoning and policy

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strategies to ensure that commercial development of an intensity not appropriate to industrial areas is limited. However, all forms of commercial development are not necessarily inappropriate and the ASP recognizes the need for commercial development in the Southeast Industrial Area, particularly to support the needs of the industrial employees.

Commercial policies in the ASP identify that local commercial facilities on sites up to 1.6 hectares  $\pm$  (4.0 acres  $\pm$ ) may be allowed if they are generally consistent with the provisions of the existing general light industrial districts that are in place in the area. Applications for land use amendments to accommodate additional commercial development must:

- 1) demonstrate how the proposed commercial development will meet the needs of industrial employees in the area and not rely on patronage from beyond the industrial area,
- 2) identify the amount and type of commercial development both in the immediate and surrounding areas and addresses the cumulative effect of commercial activities on the predominance of industrial land uses; and
- 3) demonstrate that the yards and landscaped area are consistent with the adjacent industrial context (Section 4.2 Commercial, (a), p.13).

From a land use perspective, the proposed I-C District including its suite of allowable uses and overall design, is believed to be an appropriate and compatible district for the site that is in keeping with the ASP's policy objectives. As identified in the previous section of this report, detailed use specific development analysis will occur via the development permit application review process whereby detailed planning evaluation of the proposed use(s) based on applicable policies and overall technical planning development merit is being considered.

## **TRANSPORTATION NETWORKS**

A Transportation Impact Assessment (TIA) or parking study was not required in support of this land use application. A TIA and/or parking study may be required at the development permit stage dependent upon the use(s) proposed. The site is located at northwest corner of 52 Street SE and 76 Avenue SE. In this area, 52 Street SE is a six (6) lane divided street classified as an Industrial Arterial Street and is part of the MDP's Primary Transit Network. A regional pathway is located adjacent to the site which provides a north/south connection in the area along the west side of 52 Street SE. The site is located approximately 160 metres south of a northbound transit stop (routes 23, 176 and 409) on 52 Street SE. Future development on-site should be oriented towards 52 Street SE and/or 76 Avenue SE to interface effectively and take advantage of adjacent public transit facilities.

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Seventy-sixth Avenue SE, which bounds the site to the south, provides east/west connections in the area and is classified as an industrial street. A public transit bus stop for westbound route 23 is located adjacent to the site on 76 Avenue SE. 51 Street SE bounds the western portion of the site and is also classified as an industrial street. Currently there are no sidewalks along 76 Avenue SE and 51 Street SE, at the development permit stage sidewalks will be required to provide pedestrian connection to the bus stop and to 52 Street SE.

Due to operational and safety concerns associated with the existing vehicular access onto 76 Avenue SE and its proximity to the intersection of 52 Street SE, at the development permit stage vehicular access shall only be taken (will only be allowed) from 51 Street SE and the existing access on 76 Avenue SE shall be closed.

#### **UTILITIES & SERVICING**

Site services for utilities are available. Any additional required upgrades will be determined at the development permit stage and be at the developer's expense.

#### **ENVIRONMENTAL ISSUES**

This site was formerly utilized as a Bulk Fuel Sales Depot (commercial vehicle gas station). This use was discontinued in 2014 with remedial site activities occurring in 2015. A memo in support of the current application was submitted to Administration by Environmental Diagnostics Inc. Based on a preliminary review of previous environmental reporting on the site, this memo indicated that there were no environmental concerns. An Environmental Site Assessment was not requested by Administration at this stage and no specific concerns with the current proposal were identified.

#### **GROWTH MANAGEMENT**

The proposed amendment does not trigger capital infrastructure investment and therefore, there are no growth management concerns at this time.

#### **PUBLIC ENGAGEMENT**

##### **Community Association Comments**

Not required as there is no Community Association in this area.



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**Citizen Comments**

No comments received by CPC Report submission date.

**Public Meetings**

There were no public meetings held by the Applicant or Administration.

**APPENDIX I**

**APPLICANT'S SUBMISSION**

On behalf of our client, we would like to apply for a land use redesignation of the subject site. Our client's intent is to build a carwash and single storey commercial building on the site, in two phases. Phase 1 would be the carwash and phase 2 would be the retail/commercial building. The property is currently zoned Industrial – General (I-G) and is 0.66 hectares in size located on the southwest corner of 76 Avenue SE and 52 Street SE. This land use amendment application seeks to modify the current I-G zoning to an Industrial – Commercial (I-C) District zoning.

We believe the current site is suitable for this rezoning, this would allow for smaller mixed uses of retail and commercial that would facilitate the demand of day-to-day uses of the industrial users and customers in the area. Our proposed development has several key features that lend it towards this I-C designation, they are as follows: walking distance for uses, enhanced public roads in the area and current public transportation services adjacent to our property and along 52 Street SE. The change to an I-C zoning would be to allow our development to match similar developments in the area and bring this project up to the current trend of providing service businesses that support the industrial area adjacent to it.