

Planning & Development Report to
Calgary Planning Commission
2018 October 04

ISC: UNRESTRICTED
CPC2018-1078
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Land Use Amendment in Residual Sub - Area 9K (Ward 9) at 7007 – 84 Street SE, LOC2018-0155

EXECUTIVE SUMMARY

This land use amendment application was submitted on 2018 July 04 by CivicWorks Planning + Design Inc. on behalf of the landowner, 590140 Alberta Ltd (Inertia Environmental Inc). This application proposes to redesignate a portion of the subject parcel from DC Direct Control District based on the Land Use Bylaw 2P80 I-2 General Light Industrial District to DC Direct Control District based on the Land Use Bylaw 1P2007 General – Industrial (I-G) District to allow for:

- a Waste Disposal and Treatment Facility not operated by, or on behalf of, The City;
- waste to be collected or disposed and treated in the existing building on site; and
- the uses listed in the proposed I-G District.

The proposal is consistent with applicable policies of the *Municipal Development Plan* and the *Shepard Industrial Area Structure Plan*.

No development permit application associated with a Waste Disposal and Treatment Facility has been submitted at this time.

ADMINISTRATION RECOMMENDATION:

That Calgary Planning Commission recommend that Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 1.85 ± hectares (4.57 acres±) located at 7007 – 84 Street SE (Portion of Plan 0910744, Block 2, Lot 2) from DC Direct Control District **to** DC Direct Control District to allow for Waste Disposal and Treatment Facility; and
2. Give three readings to the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

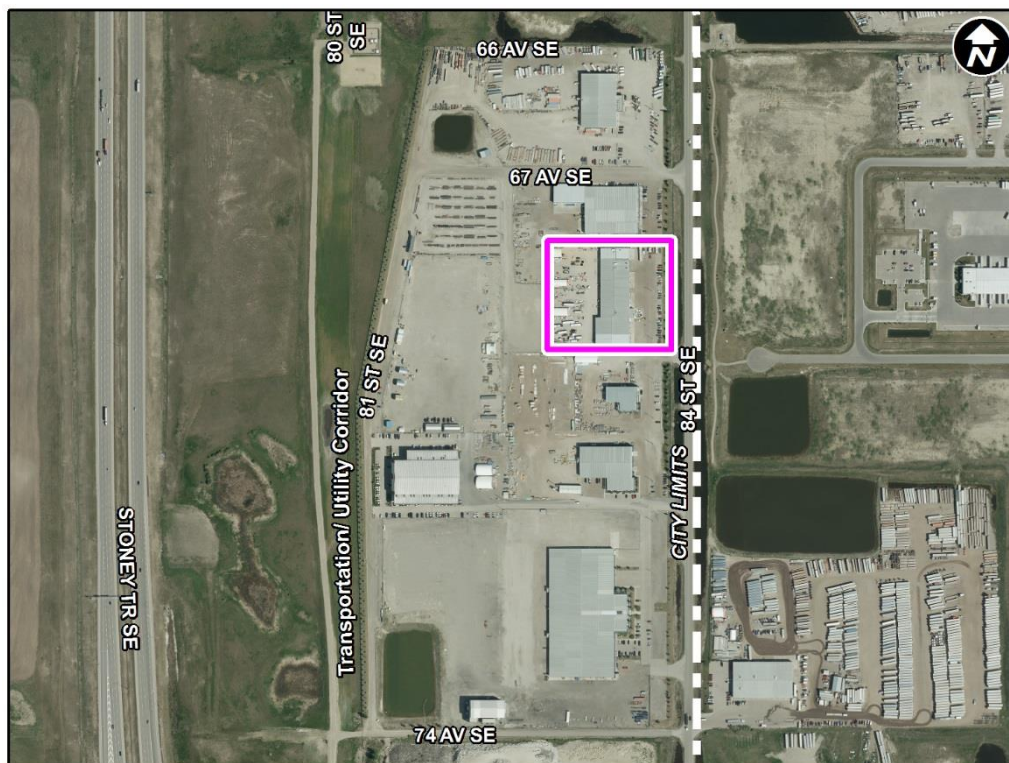
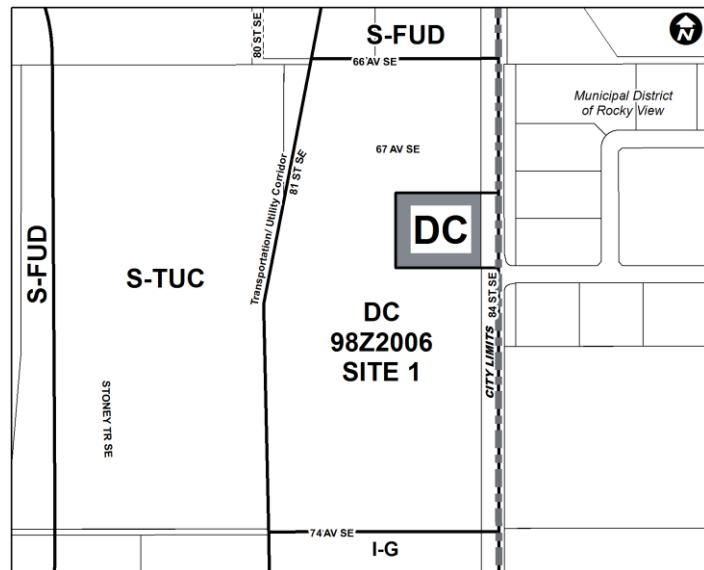
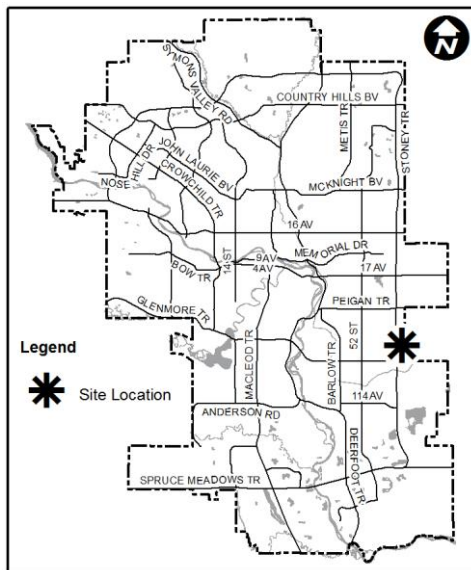
This land use amendment application was submitted to The City of Calgary by CivicWorks Planning + Design Inc. on behalf of the landowner, 590140 Alberta Ltd (Inertia Environmental Inc) on 2018 July 04. As noted in the Applicant's Submission (Attachment 1), the applicant is intending to accommodate a Waste Disposal and Treatment Facility use.

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Location Maps



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Site Context

The subject site is located on 84 Street SE at the edge of the eastern City limits, in the southeast residual community of Sub-Area 9K. The parcel is situated northeast of Stoney Trail SE and Glenmore Trail SE. Lands to the north and south are designated Special Future Urban (S-FUD) District and Industrial – General (I-G) District, respectively. Adjacent parcels to the east are located within the Hamlet of Janet in Rocky View County, developed with primarily light to medium industrial uses.

The subject area is approximately 1.85 hectares \pm (4.57 acres \pm), which is a portion of the larger titled parcel of 28.98 hectares \pm (71.62 acres \pm). The subject site is developed with an existing two storey warehouse building, with the larger titled parcel operating with compatible industrial uses by leaseholders.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for the conversion to a land use district to include the additional discretionary use of a Waste Disposal and Treatment Facility in order to accommodate a privately operated hydrovac wastewater treatment facility. A Waste Disposal and Treatment Facility, as defined by *Land Use Bylaw 1P2007*, is a use where waste is collected or disposed and treated. Hydrovac facilities treat and remediate slurry that has been extracted and transported to the facility, and is considered to be a wastewater treatment facility. The proposal is consistent with the applicable policies, as discussed in the Strategic Alignment section of this report.

Planning Considerations

Land Use

This application is to redesignate the site from the existing DC Direct Control District (Bylaw 98Z2006) based on the I-2 General Industrial District of *Land Use Bylaw 2P80*, to DC Direct Control District based on the Industrial – General (I-G) District of *Land Use Bylaw 1P2007*. *Land Use Bylaw 1P2007* Part 2: Administration, Division 2: Land Use Amendment and Direct Control Districts, Subsection 21(3)(u.1) states, “*The following uses must only be listed as a use on a parcel that has been designated Direct Control: Waste Disposal and Treatment Facility when not operated by, or on behalf of, the City.*” Therefore, a new DC Direct Control Bylaw is required to enable a privately operated Waste Disposal and Treatment Facility (Attachment 2).

As discussed in the Strategic Alignment section of this report, it was determined that the base land use district of Industrial – General (I-G) District would be the most appropriate district to accommodate a Waste Water Treatment Facility as a discretionary use. The I-G District is intended to accommodate a wide variety of light and medium general industrial uses with a limited number of support commercial uses. Similar land uses currently characterize the subject and adjacent parcels.

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The land use redesignation has been proposed only for a portion of the larger titled parcel as the applicant intends to accommodate the operations of a wastewater treatment facility within an existing warehouse building on the site. The implementation of the existing *Direct Control* (98Z2006) District guidelines for the remainder of the parcel will not be compromised as a result of this land use amendment.

A Waste Disposal and Treatment Facility falls under the definition of a “Wastewater System” within the Environmental Protection and Enhancement Act (EPEA). EPEA approvals for operating a wastewater treatment facility must be obtained from Alberta Environment and Parks (AEP).

The Subdivision and Development Regulation (SDR) under the Municipal Government Act regulates setbacks from wastewater treatment facilities. As outlined in Section 12 of the SDR (AR/2002), no school, hospital, food establish or resident shall be within 300 metres of the working area of an operating wastewater treatment plant, unless written consent to a variance is received from the Deputy Minister of Alberta Environment and Parks. At this time, no prohibited uses have been identified within the restricted 300 metre setback.

Development and Site Design

At the time of writing this report, a development permit has not been submitted. The merits of the proposed use will be reviewed at the time of development permit application.

Environmental

An environmental site assessment was not required for this application.

Transportation Networks

No Traffic Impact Assessment or Parking Study was required as part of this land use application. Access to the properties is expected to be from 85 Street SE. Transit service is not planned in the area at this time.

Utilities and Servicing

Water, sanitary, and storm servicing are not available for the subject site. The site will continue to be serviced by the existing private on-site interim servicing arrangements which include wells, septic tanks, storm ponds, and fire pumps to distribute pond water to the on-site hydrants and sprinkler systems. There are currently no plans to extend municipal servicing to this area. The proposed additional use can be supported with the existing interim servicing on the site.

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Stakeholder Engagement, Research and Communication

Consistent with Administration's standard practices, this application was circulated to relevant stakeholders, including Rocky View County, and notice posted on-site for three weeks. Notification letters were sent to adjacent land owners and the application was advertised online. No public meetings were held by the Applicant or Administration in association with this application.

No community association exists in this area, and therefore no comments were received.

No comments were received from the public by the Calgary Planning Commission report submission date.

Following Calgary Planning Commission, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, Calgary Planning Commission's recommendation, the date of the Public Hearing will be advertised.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP) which directs population growth in the region to Cities and Towns and promotes the efficient use of land.

Municipal Development Plan (Statutory, 2009)

The subject site is located within the Industrial Greenfield area, according to Map 1: Urban Structure Map of the *Municipal Development Plan* (MDP).

Industrial Greenfield areas are future industrial areas located at the edge of the city, intended to provide land for future industrial growth. These areas contemplate a broad range of standard industrial activities and industry-related commercial functions, while providing sufficient separation from adjacent non-industrial uses. Efficient movement of trucks, goods and services should also be supported by good road networks.

While the MDP makes no specific reference to this site, the proposal is consistent with the applicable policies.

Shepard Area Structure Plan (Statutory, 2009)

The subject site is located within the Industrial/Business area, according to the Land Use Concept (Map 3) of the *Shepard Area Structure Plan*.

The ASP indicates that the purpose of this area is to provide for a wide variety of general industrial and business uses within the context of a fully serviced industrial/business park. Limited serviced industrial use may also be considered appropriate as an interim use where the

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uses do not compromise the eventual transition of the site and surrounding areas to a fully serviced industrial area. The subject parcel currently has a full build out of existing light to medium industrial uses.

The listed uses of the Industrial – General (I-G) District, including the proposed use of a Waste Disposal and Treatment Facility, are consistent with the applicable policies.

Social, Environmental, Economic (External)

An environmental site assessment was not required for this application.

Financial Capacity

Current and Future Operating Budget:

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget:

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

Risk Assessment

There are no significant risks associated with this proposal and operational and/or land use risks will be managed at the time of development permit or subdivision application.

REASON(S) FOR RECOMMENDATION(S):

The proposal is consistent with the applicable policies of the *Municipal Development Plan* and the *Shepard Area Structure Plan*, and is consistent with the intent with the Industrial-General (I-G) District of *Land Use Bylaw 1P2007*.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed Direct Control Bylaw