

**Planning & Development Report to
Calgary Planning Commission
2018 October 18**

**ISC: UNRESTRICTED
CPC2018-1202
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Land Use Amendment in Section 23 (Ward 12) at 5758, 5820, 5920 and 6020 – 94 Avenue SE, LOC2018-0163

EXECUTIVE SUMMARY

This application was submitted on 2018 July 13 by Stantec Consulting on behalf of the landowner, Powell Chuckwagon Racing Inc and proposes to change the designation of these properties from the Industrial – General (I-G) District to a DC Direct Control District based on the Industrial – General (I-G) District with the additional use of Asphalt, Aggregate and Concrete Plant. This DC redesignation allows the existing use to remain on site and gives the business the potential to grow on site. The proposal meets the policies for the site in the *Southeast Industrial Area Structure Plan* and the *Municipal Development Plan*. No development permit application 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 7.35 hectares \pm (18.0 acres \pm) located at 5758, 5820, 5920 and 6020 - 94 Avenue SE (Plan 8055AG, Block 1, Lots 13 and 14; Plan 0112417, Block 1, Lots 17 and 18) from Industrial – General (I-G) District **to** DC Direct Control District to accommodate the additional use of Asphalt, Aggregate and Concrete Plant use, with guidelines (Attachment 2); and
2. Give three readings to the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

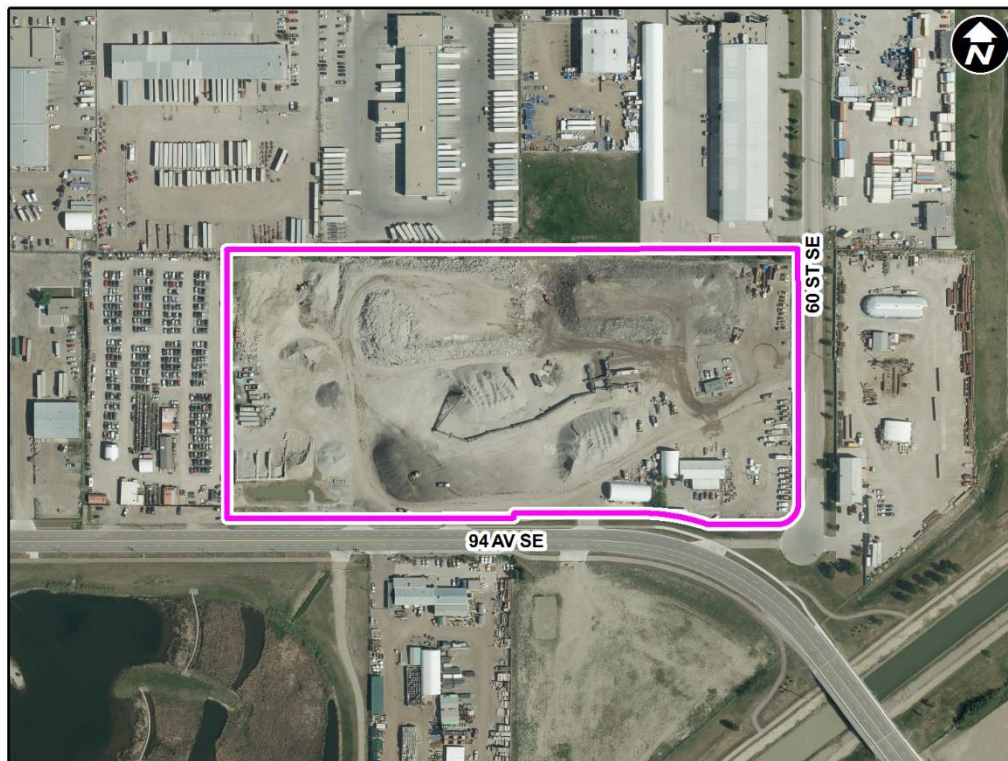
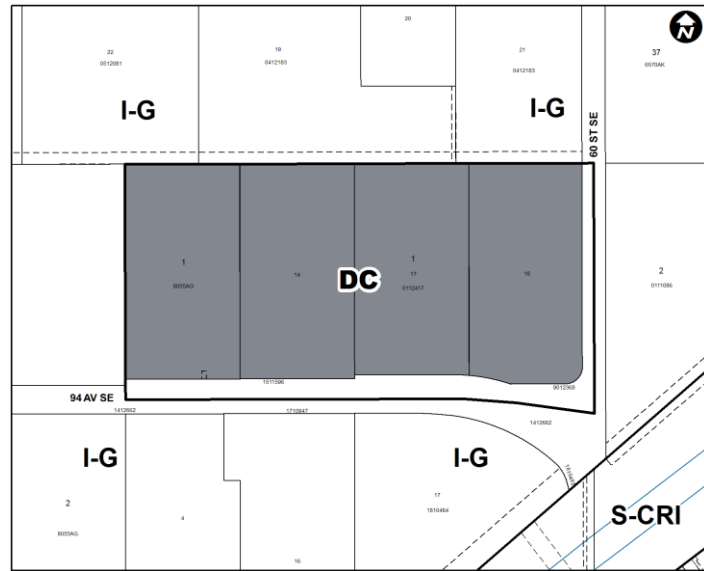
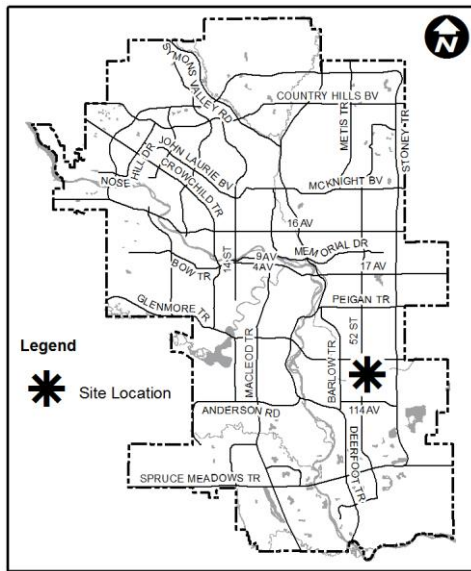
The subject site is occupied by Calgary Aggregate Recycling and is in use as an Asphalt, Aggregate and Concrete Plant, a use that has been in place for more than 20 years. Due to the existence of this use on the site prior to its redesignation to the Industrial – General (I-G) District with the adoption of Land Use Bylaw 1P2007, the use exists on the site as a legal non-conforming use, allowing the operators to continue operating the use on the site but not to expand the use on site. As noted in the Applicant's Submission (Attachment 1), the operator of the site, KLS Earthworks & Environmental (owners of Calgary Aggregate Recycling) requested that Stantec Consulting Ltd. submit this application on behalf of the landowner, Powell Chuckwagon Racing Inc. in order to bring the site and its operations fully into compliance with the land use bylaw and to enable potential future expansion of the business on the site.

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Location Maps



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Site Context

The subject site is located in the southeast industrial community known as Section 23. It is bordered by 94 Avenue SE to the south, 60 Street SE to the east, auto wrecking/salvage operations to the west and various industrial businesses adjacent to the site to the north. The application area consists of four titled parcels that operate as one site with a primary access point onto the graveled 60 Street SE, and additional available access points along 94 Avenue SE to the south.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

This application was submitted to enable the continued use of the site as an Asphalt, Aggregate and Concrete Plant and to enable possible future expansion of the operation. The site is currently designated as Industrial – General (I-G) and contains the Calgary Aggregate Recycling (CAR) business. Since the Asphalt, Aggregate and Concrete Plant use existed on site prior to having been transitioned to the I-G designation, it has been allowed to continue operation as a legal, non-conforming use, but would not be eligible to modify or expand the use.

Administration considered redesignation of the site to the Industrial – Heavy (I-H) District, which lists the Asphalt, Aggregate and Concrete Plant use as discretionary. However, given the policies in the *Southeast Industrial Area Structure Plan (ASP)* that state that the site should be considered for redesignation to a general industrial district upon provision of services, and given that the area is now fully serviced, it was recommended that the site be redesignated to a DC Direct Control District that would enable the continuation of the Asphalt, Aggregate and Concrete Plant use, but that would adopt all other rules of the I-G District (see Attachment 2). This proposal meets the needs of the business operating on the site, as well as ensuring that if this use was discontinued on the site, future development would transition to general industrial uses rather than other heavy industrial uses.

Planning Considerations

The following sections highlight the scope of technical planning analysis conducted by Administration.

Land Use

This application proposes redesignation of the site from the standard Industrial – General (I-G) District to a DC Direct Control District that adopts all uses and rules of the I-G District with the additional discretionary use of Asphalt, Aggregate and Concrete Plant.

Development and Site Design

This proposed land use redesignation would enable future expansion of the Asphalt, Aggregate and Concrete Plant use that currently exists on site, or any of the other listed uses in the I-G District. Any changes to the development on site would be subject to review with the appropriate permit process, and would be expected to comply with the rules and purpose of the I-G District.

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The applicant has indicated that they have no immediate plans for expansion or development on the site.

Environmental

Due to the site's proximity to the Western Headworks Canal, the applicant has been advised that particular care and attention must be paid to ensuring that overland stormwater runoff to the Canal is controlled in order to protect the canal from any potential contamination. If any changes are proposed to the site in the future, Administration will ensure that the development is in conformance with this requirement.

Transportation

The Calgary Transportation Plan (CTP) and the *Southeast Industrial ASP* identify 94 Avenue SE as an Industrial Arterial Road, which prioritizes the efficient movement of heavy trucks and goods, but accommodates all modes of travel.

The subject area is well served by transit service which is located in close proximity in both the eastbound and westbound directions, near 54 Street SE.

Utilities and Servicing

The original development on the site dates back to a time when servicing was not available in the area, therefore, the site is currently not serviced. Since the time of the original development, water, sanitary, and storm servicing have been installed and are available for connection in 94 Avenue SE. The mains are adequately sized to support future development of the site under the proposed land use. The site can continue to operate without servicing for the current and/or similar type of low intensity industrial uses, and then connect to services in the future when the site redevelops with a more intensive use that requires servicing. Future redevelopment of the site and connecting to the services will trigger their obligation to pay for their share of the utilities and the applicable levies and fees at that time.

Stakeholder Engagement, Research and Communication

In keeping with Administration's practices, this application was circulated to stakeholders and notice posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online. Given the industrial nature of the area, there is no Community Association to notify.

One letter was received from an adjacent landowner that cited concerns with dust and debris from stockpiles that negatively affects the operation of the adjacent business.

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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 *Municipal Development Plan* (MDP) identifies this site as a Standard Industrial Area and calls for a mix of industrial uses at varying intensities, with the industrial character of the area maintained even as the areas redevelop. Policies for the area reinforce the need to allow a variety of industrial uses in the area, and to provide a range of mobility options.

Southeast Industrial Area Structure Plan (Statutory, 1996)

The *Southeast Industrial Area Structure Plan* (ASP) identifies this site as “Existing I-4 Limited Serviced Industrial District,” based on the largely unserved nature of the area at the time when the ASP was approved. The ASP contains policies for this category upon provision of services: “*As and when the limited-serviced industrial areas are fully serviced, they can be redesignated to I-2 General Light Industrial District upon receipt of applications submitted by the landowners/developers affected.*” Since this area has since been fully serviced, the policies in the I-2 General Light Industrial District should be applied, which call for a range of light industrial and associated uses. As the former I-2 District is most comparable to the I-G District, the proposed DC district with I-G as a base is considered to be in line with the policies in place for this site.

Social, Environmental, Economic (External)

This application, and the opportunity that it would provide to the existing business on site, supports the *Municipal Development Plan's* (MDP) objectives of building a prosperous economy and supporting business and investment in our city.

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 land use amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

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Risk Assessment

This Land Use Amendment would provide certainty of use to the applicant, but does not guarantee that any future development proposals will be approved, including expansion of the Asphalt, Aggregate and Concrete Plant use. Any changes to the site will be considered independently at the Development Permit stage. However, there are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

This application enables the continued use of the site as an Asphalt, Aggregate and Concrete Plant and guides future development of the site in line with general industrial uses that are consistent with the Council-approved policies in place for the area, including the *Municipal Development Plan* and the *Southeast Industrial Area Structure Plan*.

ATTACHMENT(S)

1. Applicant's Submission
2. Proposed DC Direct Control District