

**Planning & Development Report to
Calgary Planning Commission
2018 November 15**

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**Development Permit in East Shepard Industrial (Ward 12) at 6202 – 106 Avenue SE,
DP2018-3439**

EXECUTIVE SUMMARY

This development permit application was submitted by Stantec Architecture on 2018 July 18, on behalf of Sofina Foods Inc. and with authorization from the owner, The City of Calgary. The application proposes a fully enclosed Slaughter House that is:

- one building, with a floor area of approximately 24,887 square metres (267,881 square feet); and
- a building height of 15.5 metres.

The proposed development permit generally complies with Land Use Bylaw 1P2007, and is in keeping with the applicable policies of the *South Saskatchewan Regional Plan*, the *Municipal Development Plan*, the *Southeast 68 Street Industrial Area Structure Plan* and the *Calgary Food System Assessment and Action Plan - Calgary Eats!*

ADMINISTRATION'S RECOMMENDATION:

That Calgary Planning Commission **APPROVE** the proposed development permit DP2018-3439 of a New: Slaughter House, Sign – Class C (Freestanding Sign) at 6202 – 106 Avenue SE (Plan 1710868; Block 5; Lot 4), with conditions (Attachment 2).

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

In 2016 November, Council approved to market and sell Phase 2 of the Dufferin North Industrial Park, under requisite to a fair open market sale. An agreement to purchase the parcel in Phase 2 by Sofina Foods Inc. was reached with The City of Calgary in 2017 June, which would enable Sofina to move out of their almost 60 year old facility in the community of Ramsay to a new facility capable of addressing the negative external impacts experienced at the current facility. The Green Line LRT was a major catalyst in moving negotiations forward between The City and Sofina.

At the 2018 May 07 Public Hearing Meeting of Council, Council approved the associated land use amendment (LOC2017-0266) and gave three readings to Bylaw 157D2018 to redesignate the land from Industrial – General (I-G) District to a DC Direct Control District based on the I-G District, with the additional use of Slaughter House. The DC District includes rules specific to the use of Slaughter House, including the requirement for professional studies to ensure airborne emissions, public communications, waste management, noise, dust and traffic do not negatively impact existing uses in the area.

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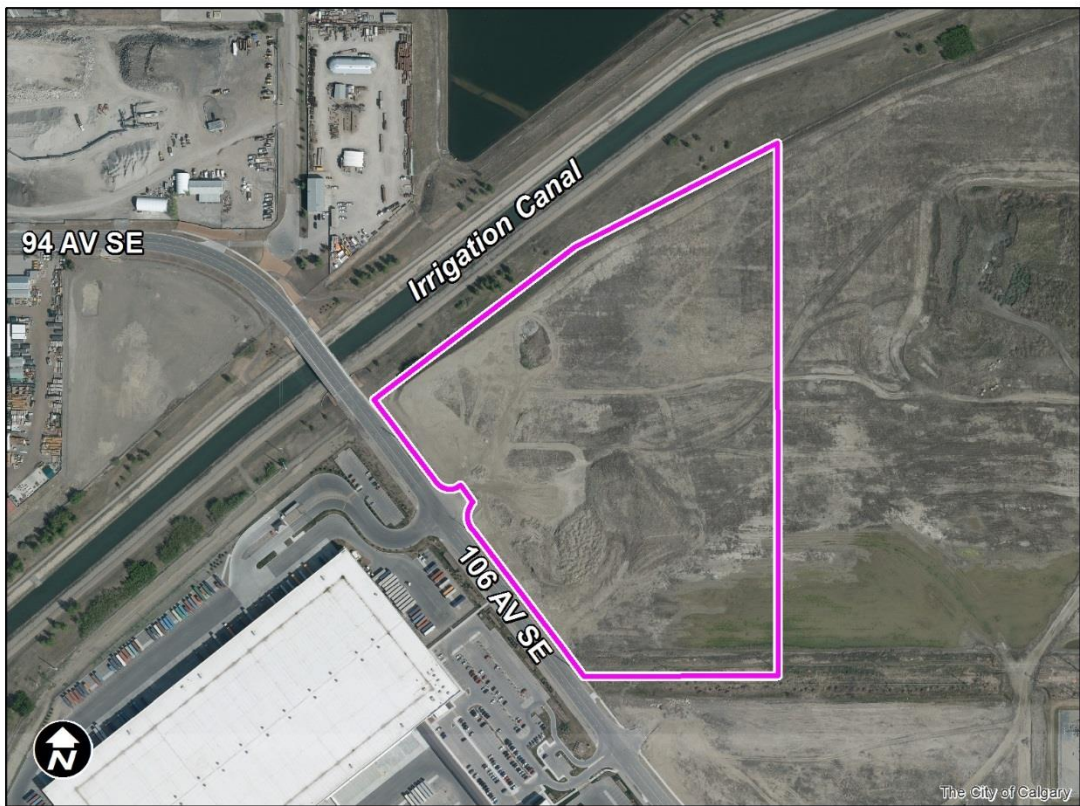
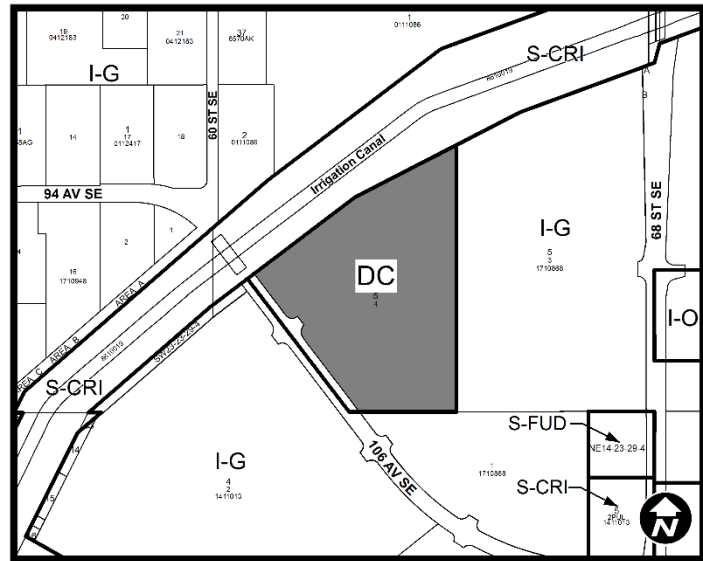
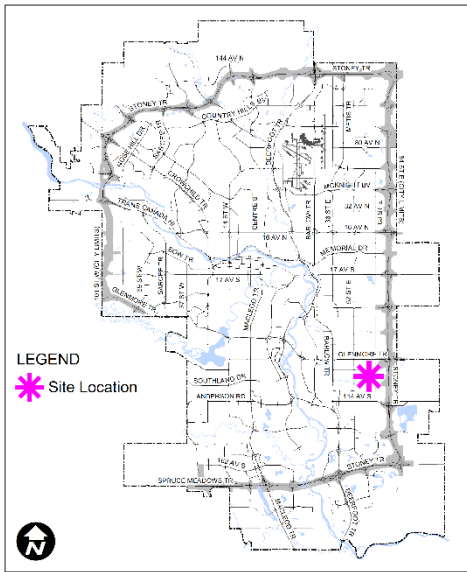
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Prior to the formal development permit application submission, the proposed development was submitted to the Design Review Committee of Real Estate and Development Services of The City of Calgary. This was undertaken to ensure compliance with the Architectural Design Guidelines for Dufferin North Industrial Park, which are tied to the site through a restrictive covenant. The Design Review Committee supports the design of the development.

Following review by the Design Review Committee, the formal development permit and supplemental studies were submitted by Stantec Architecture, on behalf of Sofina Foods Inc. on 2018 July 18. The original submission did not include all required studies, which were requested through Detailed Team Review 1, with the remaining documents submitted with amended plans on 2018 October 04.

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Location Maps



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Site Context

The site is located in the Dufferin North Industrial Park, which forms part of the community of East Shepard Industrial. The parcel is situated on the corner of 106 Avenue SE and the Western Headworks Irrigation Canal, located approximately 1.3 kilometres west of Stoney Trail SE.

The vacant site is adjoined by vacant lands designated as Industrial – General (I-G) District to the east and south. Land directly west is also designated I-G, comprising the Home Depot distribution centre, constructed in 2015.

On a wider context, the parcel is surrounded by the industrial lands of Section 23, South Foothills, Shepard Industrial and Residual Ward 12 – Sub Area 12A. Rocky View County limits are located approximately 2.7 kilometres northeast of the parcel and the Canadian Pacific Railway (CPR) tracks are located approximately 800 metres south of the site.

Surrounding industrial uses include those with low impact, and those that have the potential for impacting the environment and surrounding uses, such as recyclable construction material collection (Calgary Aggregate Recycling), gas compressor manufacturing (Bidel Equipment), auto recycling (Allen & Sons Auto Recyclers), auto wrecking (AAAffordable Auto Wrecking), rail yard (CPR) and industrial landfill (Shepard Waste Management Facility).

The nearest residential district is the community of Douglasdale/Glen, which is located approximately 3.5 kilometres southwest of the parcel. Other residential communities that are in a similar proximity to Douglasdale/Glen include:

Community	Distance to site
Ogden	3.7 kilometres
Riverbend	3.9 Kilometres
McKenzie Towne	3.9 kilometres
McKenzie Lake	4.4 kilometres
New Brighton	4.0 kilometres
Copperfield	4.6 kilometres

Figure 1: Distance to residential uses

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Application Review

Site and Building Design

As indicated on the development permit plans in Attachment 1, the application proposes one building with a gross floor area of approximately 24,887 square metres (267,881 square feet). The building area is composed of a small administrative office that is ancillary to the Slaughter House, as well as a number of areas for specific functions of the use, including waste and water treatment, poultry processing, packaging, storage and distribution. The poultry receiving area is

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located on the northeastern portion of the building, oriented away from adjacent uses, and has been designed specifically to mitigate potential externalities such as noise, dust, and odour.

Unlike Sofina's existing facility in Ramsay, the proposed development will allow all functions of the operation to occur within the building. The design permits trailers carrying poultry to enter the rear of the building immediately after arriving on site, through one of 24 overhead doors. As indicated in Section 3.1.1 of the Operational Management Plan (Attachment 3), these trailers will begin arriving at the site shortly after midnight, with all trailers expected to be on-site by mid-afternoon.

Passenger vehicle entry to the site is via the northern driveway from 106 Avenue SE, while trailers carrying poultry enter from the southern driveway from 106 Avenue SE. Staff and visitor parking areas are located along the northern and western edges of the building, and include sufficient barrier free parking stalls in proximity to building entries. Due to the nature of the use, staff parking is secured with an access control barrier that is accessed adjacent to the visitor parking area. Parking proposed on the site exceeds the requirements of the Land Use Bylaw.

The proposed development presents to the street as a modern light industrial building, with insulated metal wall panels in pewter, gray and white. This application also involves signage, which identifies Sofina Foods. A freestanding sign is proposed to be located along 106 Avenue SE, at the passenger vehicle entry.

The proposed building is setback from the site's property lines 51.5 metres to the north, 170.0 metres to the south, 22.2 metres to the east and 35.0 metres to the west (front). These generous setbacks, along with landscaping and berming, provide a visual buffer to adjoining uses and from the street.

Specialist Reports

As part of the development permit review and in accordance with use specific rules of the Direct Control District (Attachment 6), specialist reports on potential externalities were prepared and reviewed in accordance with the below subsections.

Odour Assessment

An Odour Assessment (Attachment 3, Appendix B.2), signed by Maryam Mirzajani (Senior Air Quality Engineer), Stephen Biswanger (Senior Project Manager, specializing in Environmental Act proposals), Wade B. Gieni (Senior Air Quality Scientist), and Charlie Alix (Senior Associate, Stantec, specializing in biosolids, odour and waste handling), was submitted for review and acceptance on 2018 October 04. The methodology followed for the Assessment is identified as aligning with the Good Practices Guide for Odour Management in Alberta (CASA, 2015).

The Odour Assessment states that:

"...the odour control industry's experience indicates that controlling ground level odour concentrations at or less than 5 to 10 odour units/m³ is typically sufficient to prevent nuisance-level odour impacts in residential areas."

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The Odour Assessment concludes that odour concentrations at the site's property lines will be maintained at or below 5 odour units/cubic metres, and that these could further be refined and reduced during construction of the building. Given the location of the site in an industrial area, this is considered to be acceptable.

In addition, a third party review of the Odour Assessment was requested and completed by Odour Management Consultants McGuinley Associates, PA from Minnesota. The review, provided as Attachment 5, reaffirms the findings of the Odour Assessment, and further states that the proposed Slaughter House design demonstrates that public welfare will be protected, specifically with regards to the management of odours. A permanent condition has been included to provide enforcement options.

Communications

An Operational Management Plan, included as Attachment 3, includes a detailed draft Emergency Response Plan, listing general emergency response protocols as well as emergency response and evacuation plans, and will be issued to all staff of the facility, as well as adjoining owners and businesses. If this development permit is approved, the draft Emergency Response Plan will be updated post construction and throughout the life of the development. The plan also details ammonia emergency procedures; however, it is noted that these procedures, nor any part of the Operation Management Plan do not absolve the developer or operator from complying with and ensuring the property is developed and operated in accordance to applicable provincial and federal legislation.

Noise Impact Assessment

A Noise Impact Assessment, prepared by Stantec Consulting, was submitted to Administration for review on 2018 October 04. The assessment evaluates the existing sound levels at the subject site, as well as predicted noise emissions from the proposed Slaughter House, identified using a preliminary design report as well as testing at the existing facility in Ramsay. The assessment concludes that the sound levels of the proposed Slaughter House will be below daytime and nighttime Noise Bylaw Limits at the most affected points of reception in residential and non-residential areas.

Dust and Vibration

A Dust and Vibrations report (Attachment 4), prepared by Stantec Consulting, concludes that the proposed Slaughter House does not contain any equipment or operations that would produce vibrations or dust beyond what would reasonably be expected from an industrial development. This is achieved due to all operations occurring within the building, as well as the use of suitable foundation design, isolation and dampeners.

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Transportation Networks

Access to and from the subject parcel will be via two proposed driveways on 106 Avenue SE. As per the Calgary Transportation Plan, 106 Avenue SE is classified as an Industrial Arterial. The north access driveway provides for all-turns access and will be used for passenger vehicles, while the south access will be a right in / right out truck access only.

The new transit (Route 149) will service the proposed development starting 2018 November 19. A bus pad currently exists directly in front of the site and a transit shelter has been proposed at this location as part of the development approval conditions to facilitate the bus stop at this location.

A local pathway runs along the south side of 106 Avenue SE connecting to the regional pathway along 52 Street SE. A Transportation Impact Assessment and Parking Study were submitted in support of the application. The Transportation Impact Assessment identified there is no negative impact of traffic or parking on the adjacent roads or surrounding development. Staff parking and visitor parking has been provided on site and meets the requirements of the Land Use Bylaw.

Utilities and Servicing

The subject site was recently serviced as part of the East Shepard Industrial Phase 2 subdivision. Water, sanitary, and storm sewer mains are available for connection from 106 Avenue SE and have capacity to service the proposed development. Details of the on-site servicing and stormwater management requirements will be determined prior to release of the development permit to ensure conformance to the applicable City of Calgary Bylaws, design guidelines, and specifications, to be addressed through prior to release conditions (Attachment 2). The proposed internal processing equipment will also be reviewed to ensure any effluent directed into City of Calgary sanitary sewer will not be harmful to these systems.

Environmental

The subject site was recently graded and serviced as part of the East Shepard Industrial Phase 2 subdivision. The Environmental Site Assessment did not identify any environmental concerns on the subject property, and the proposed development will be subject to meeting applicable provincial and federal environmental regulations.

There are no Historical Resource Values tied to these lands in the September 2017 Listing of Historic Resources. As such, Administration's cultural planner has advised that a Historical Resources Impact Assessment is not required as part of this application.

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Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The *South Saskatchewan Regional Plan (SSRP)* speaks to the economic benefits of food manufacturing in the South Saskatchewan region, specifically mentioning the significant processing and meat packing facilities that can be found throughout the region as being of great benefit to the agricultural industry. While emphasis is placed on said agricultural industry, the SSRP does mention supporting uses on smaller parcels, and municipalities' responsibility to support a range of land uses that can provide for a variety of economic development opportunities.

The SSRP also acknowledges the industry's heavy reliance on the supply of water and recognizes the need to be strategic with the allocation of water in the future.

The proposed application will allow for the existing and very well-established use to be relocated to a more suitable site with its facilities upgraded considerably, allowing for the continuation of employment with a local workforce, as well as numerous benefits to the environment, including significantly less water usage, and more direct access for distribution.

Municipal Development Plan (Statutory, 2009)

Within the *Municipal Development Plan (MDP)*, the parcel is located within the Standard Industrial Area as identified on Map 1: Urban Structure. Both city-wide policies and standard industrial policies apply, and in general, strongly encourage the continuation of industrial uses as main function of the area.

Standard Industrial Areas are recognized as providing for a broad variety of industrial uses and intensities that support business in Calgary.

Section 2.1.2 of the MDP relates to the creation of a city that is attractive to business, and contains the following relevant policies:

- a. *Attract and retain suitable business and industry in Calgary by fostering economic diversification and providing a climate that supports and enhances economic activity.*
- e. *Remain open to innovation and provide flexibility to accommodate the changing needs of business.*
- m. *Recognize the access needs of the logistics industry by locating warehouses and local distribution centres in areas that provide direct roadway connections to the goods movement corridors.*
- n. *Ensure the availability of competitively priced, easily serviceable and developable land for industrial purposes; including providing opportunities for brownfield redevelopment.*

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Section 2.4 of the MDP is about ensuring sustainable municipal finances. Specifically stating the need to:

- a. *Optimize the use of existing infrastructure and services.*
- d. *Accommodate growth while avoiding premature investment in municipal infrastructure.*

The application is in keeping with the relevant MDP policies as the proposed development permit will allow for the continuation of an industrial business within the city, with improved conditions.

Southeast 68 Street Industrial Area Structure Plan (Statutory, 2010)

The parcel is located in the Industrial – Medium Area in accordance with the Land Use Concept Map of the *Southeast 68 Street Area Structure Plan (ASP)*. The purpose of the Industrial – Medium Area is to provide opportunities for medium industrial uses within the context of a fully serviced industrial park. The policy states that the Industrial – Medium Area is suitable for general industrial and a limited range of medium industrial uses, defined as the General Industrial - Light and General Industrial - Medium uses in the Land Use Bylaw 2007.

The ASP states that uses considered similar to General Industrial – Light and General Industrial – Medium may also be considered where determined to be compatible and appropriate by the development authority. During the land use amendment stage, confirmation was provided by the City’s Law Department that the land use redesignation to a Direct Control District to accommodate a Slaughter House does not require an amendment to the ASP. Although the General Industrial – Medium use definition states that live animals cannot be involved in any aspect of the operation, the above clause provides the flexibility to consider uses other than General Industrial – Light and General Industrial – Medium without the requirement of an ASP amendment.

It is noted that Appendix D of the ASP states that within the Industrial – Medium Use Area, most operational impacts should be contained within the parcel, where light industrial uses should contain most impacts within the building envelope.

The ASP advises that impacts and proposed mitigation measures of a proposed development should be comprehensively analyzed at the outline plan/land use amendment or development permit stage, and may include studies on noise, odour, dust, traffic, interface, and airborne emissions. As a requirement of the Direct Control District, the development permit was reviewed with the above studies, and a further third party review of the odour assessment was undertaken. The studies conclude that the proposed development is not expected to have externalities more impactful than would otherwise be anticipated in an industrial area.

Calgary Food System Assessment and Action Plan - Calgary Eats! (Non-statutory, 2012)

The *Calgary Food System Assessment and Action Plan (The Plan)* was completed in response to growing resident demand and community awareness of the value of a sustainable food system. In accordance with The Plan, the proposed use of Slaughter House is considered “Food

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Processing”, for which policy states that *“processing is an important element of Calgary’s food system. However, it is acknowledged less by the average citizen. Whereas recent trends demonstrate an interest by consumers in food producers, there is less interest and understanding in the food processor.”*

The policy speaks to the variety of challenges that food and beverage processing plants in Alberta have experienced since 2008. Specifically, Slaughter Houses have largely been centralized, and in many cases moved to smaller centres such as Brooks. This centralization can result in additional transportation requirements and associated fuel use, and can negatively impact the facility due to the available employee base and existing servicing in the area. Notwithstanding these challenges, food processing remains a significant part of Calgary’s economy, representing the largest of all the 21 manufacturing sub-sectors in Calgary, which in turn assist with maintaining a strong labour force within the city.

Section 5.2 - Food Processing in Alberta, states that Alberta’s food and beverage processing industries generated \$11.5 billion in sales in 2010, and is dominated by meat processing, i.e. livestock and poultry slaughtering, processing and rendering. Alberta is second only to Ontario as Canada’s largest producer of meat products in 2010. Further, the policy goes on to state that within Calgary, the food manufacturing sector is a strong contributor to the economy, and that:

“Processing is a critical part of the food system, being the point at which value is added to raw products and often a connection point between producer and distributor or consumer. The province has a strong food and beverage manufacturing and processing industry, particularly related to meat and grain, which is reflective of the strength of livestock and grain production within the province. However, whilst employment in Alberta food processing continues to grow and has been relatively resilient to the economic decline, employment in this sector has decreased within Calgary”.

The proposed development permit will allow for the relocation of the existing use within Calgary, maintaining a local employee base.

Land Use Bylaw 1P2007

The proposed development generally complies with Land Use Bylaw 1P2007, with the exception of a few minor discrepancies. These Bylaw relaxations are identified in the table below and are supported by Administration as the proposed relaxations would not unduly interfere with the amenities of the community or materially interfere with or affect the use, enjoyment or value of neighbouring properties. It is noted that given the prior to release requirements shown in Attachment 2, only three relaxations remain, specifically for planting in the southwest setback area, and for the method of irrigation. In compliance with the “test for a relaxation” set out in Section 36 of the Land Use Bylaw, the proposed development conforms to the definition of the use Slaughter House. The application relaxation’s have been further reviewed under Section 35 of the Land Use Bylaw 1P2007 and warrants approval.

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Bylaw Relaxations		
Regulation	Standard	Provided
919 Additional Landscaping Requirements	(4) Every sidewalk located along the front of a building and every sidewalk located within a setback area must be: (b) a minimum width of 2.0 metres; and	Plans indicate the widths of some of the sidewalks provided on site are less than 2.00m wide. PTR Condition will address this relaxation.
	(5) Every sidewalk located within a parking area must be: (c) a minimum width of 2.0 metres; and	Plans indicate the widths of the sidewalks provided within the parking area are less than 2.0m wide. PTR Condition will address this relaxation.
918 Landscaping In Setback Areas	(1) Where a setback area shares a property line with a street, expressway or major street, the setback area must: (b)i: 1.0 trees and 2.0 shrubs: (i) per 35.0 m ² of Req. L.S. Area	Plans indicate 0 (-39) trees and 16 (-61) shrubs within the South West setback area. Relaxation supported, see page 12 of the report for rationale
	(5) Where a setback area shares a property line with the Headworks Canal operated by the Western Irrigation District, the setback area must: (c) 1.0 trees and 2.0 shrubs: (i) for every 35.0 m ² ;	Plans indicate 76 (-18) trees within the North West setback area. PTR Condition will address this relaxation.
899 Planting Requirements	(2) 25.0 % of all trees required to be coniferous.	Plans indicate 24 (-10) of the required trees are coniferous. PTR Condition will address this relaxation
898 General Landscaped Area Rules	(4) All soft surfaced landscaped areas must be irrigated by an underground irrigation system, unless a low water irrigation system is provided.	Plans indicate a combination of low flow irrigation, underground irrigation and temporary irrigation will be provided on site and no indication that if the final system of irrigation, if low water irrigation, will be confined to the tree and shrub areas. Relaxation supported, see page 12 of the report for rationale
900 Low Water Irrigation System	(1) When a low water irrigation system is provided, only trees and shrubs must be irrigated and the extent of water delivery must be confined to the tree and shrub area.	

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Sidewalks

A prior to release condition requiring amendments to the plans to ensure that all sidewalks located within the parking area and along the front of the building have a minimum width of 2.0 metres is included in Attachment 2. This condition rectifies and therefore eliminates the relaxations to the rules in Section 919 of the Land Use Bylaw.

Landscaping

Prior to release conditions requiring amendments to the plans to provide the required 18 trees within the northwest setback and to provide 25 percent of the trees as coniferous trees is included in Attachment 2. These prior to release conditions rectify and therefore eliminate the relaxations to the rules in Sections 899(2) and 918(5) of the Land Use Bylaw.

A relaxation to the rules of Section 918(1) of the Land Use Bylaw is proposed for landscaping within the southwest setback area, adjacent to 106 Avenue SE. Specifically, 39 trees and 77 shrubs are required within the southwest setback area, with 16 shrubs provided. This relaxation is required due to the limited planting area within the 6 metre setback, which comprises drainage paths, trap lows, slopes, a utility right-of-way and an Enmax overhead powerline setback. In lieu, planting is requested just beyond the setback area through a prior to release condition, mitigating the lack of planting within the setback. This relaxation is supported by Administration given the site limitations and the negligible impact the relaxation will create.

Irrigation

The application proposes a combination of low-flow irrigation, underground irrigation and temporary irrigation, as per the proposed plans in Attachment 1. In light of this, the methods of irrigation proposed do not meet rules 898 or 900 of the Land Use Bylaw. In accordance with the Land Use Bylaw, all soft surfaced landscaped areas must be irrigated by an underground irrigation system, or by a low water irrigation system, in which case only trees and shrubs must be irrigated.

The site involves a large area of land that will remain undeveloped and will be seeded. This area is proposed to be temporarily irrigated from above ground. Once grasses are established, irrigation will be discontinued. Further, given the size of the site, areas of landscaping are proposed to be irrigated with low water options, while others will be irrigated underground. A condition of approval is included in Attachment 2 that requires that all trees and shrubs shown on the approved plans be retained for the life of the development. The proposed relaxation is negligible and will have no negative impact on adjoining owners or on landscaping, and is therefore supported by Administration.

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Stakeholder Engagement, Research and Communication

Communications

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. The application was also included in the Planning and Development Map (PDMap), which is an online tool that includes relevant information on planning applications.

The decision made by Calgary Planning Commission as the development authority will be advertised in accordance with the *Municipal Government Act*.

Applicant-led engagement

The applicant led their own engagement program with the adjoining owners, which consisted of two meetings at the office of the adjoining owners on 2018 August 24 and on 2018 September 17. Additional communication occurred during the course of the application review via email correspondence and phone calls, during which Sofina provided specialist studies directly to the adjoining owners, as well as a list of engineering firms that could be contacted for a third party reviews of said studies.

Following an expression of interest from the adjoining owners in having a good neighbor agreement, the applicant arranged for said agreement to be drafted. Work on the draft is ongoing.

City-led engagement

Administration assessed the application and it was deemed that additional City-led engagement was not required.

In keeping with Administration's standard practices, stakeholders were given the opportunity to comment online through the Planning and Development Map or by contacting the planner directly by mail, phone, or email.

Given the history of the associated land use amendment application recently approved by Council, Administration requested that the applicant allow for a digital copy of the application to be circulated to the adjoining land owners that objected to the land use amendment application at public hearing of Council. Comments from the adjoining owners were not received by Administration by the comment due date, however Administration remained open to receiving comments up until Calgary Planning Commission.

Administration received amended plans and the required specialists studies on 2018 October 04, and forwarded these on to the adjoining owners, as well as the third party review of the Odour Assessment. Despite repeated attempts by Administration to engage, the adjoining owners did not provide any comments on the proposed development.

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What we heard / what we did

Rocky View County requested additional information, which was provided. As a result, Administration requested that the Operational Management Plan (Attachment 2), and specifically the Emergency Response Plan included as Appendix A, be updated to include contact information for Rocky View County. Further communications with Rocky View County identified no additional concerns or questions.

Administration did not receive any other comments from stakeholders.

Social, Environmental, Economic (External)

The proposed development will allow for the relocation of an existing employment intensive use within city limits, with transit connections for the approximately 500 staff who work at the existing facility. Relocation of the existing facility to the site would also allow for new, modernized equipment that will reduce emissions and water consumption, aligning with Calgary's Climate Resilience Program and Strategy.

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

Risk Assessment

Due to the nature of the use operations, the production of waste, both material and airborne, including ammonia, does pose environmental and human health risks. Notwithstanding, mitigation measures are outlined in the Operational Management Plan, and the Slaughter House will be required to comply with provincial and federal regulations.

REASONS FOR RECOMMENDATIONS:

The proposed development is in keeping with applicable City policies and Bylaws, and allows for the relocation and redevelopment of an existing industrial use within Calgary, utilizing new and modernized equipment that will reduce emissions and water consumption.

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ATTACHMENTS

1. Proposed Development Permit Plans
2. Conditions of Approval
3. Operational Management Plan
4. Dust and Vibrations
5. Third Party Review of Odour Assessment
6. Direct Control District Bylaw 157D2018