

Planning & Development Report to
Calgary Planning Commission
2019 January 10

ISC: UNRESTRICTED
CPC2019-0029

Land Use Amendment in East Shepard Industrial (Ward 12) at multiple addresses, LOC2018-0239

EXECUTIVE SUMMARY

This application was submitted by Gibbs Gage Architects on 2018 October 30 on behalf of the landowner Sun Life Assurance Company of Canada. The application proposes to redesignate four parcels from Industrial – General (I-G) District to Industrial – Commercial (I-C) District to allow for:

- The permitted and discretionary uses listed in the proposed I-C district;
- Alignment of existing, non-conforming uses with Bylaw 1P2007; and
- A greater variety of commercial uses that are aligned with the current Land Use Bylaw.
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No development permit application was submitted at the time of report finalization.

ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw the proposed redesignation of 2.48 hectares \pm (6.13 acres \pm) located at 12686 - 48 Street SE, 4948 - 126 Avenue SE, 100, 5126 -126 Avenue SE and 200, 5126 - 126 Avenue SE (Plan 0611397, Block 9, Lot 1; Plan 0611397, Block 9, Lot 2; Plan 0812683, Block 9, Lot 3; Plan 0812683, Block 9, Lot 4) from Industrial – General (I-G) District **to** Industrial – Commercial (I-C) District; and
2. Give three readings to the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY

None.

BACKGROUND

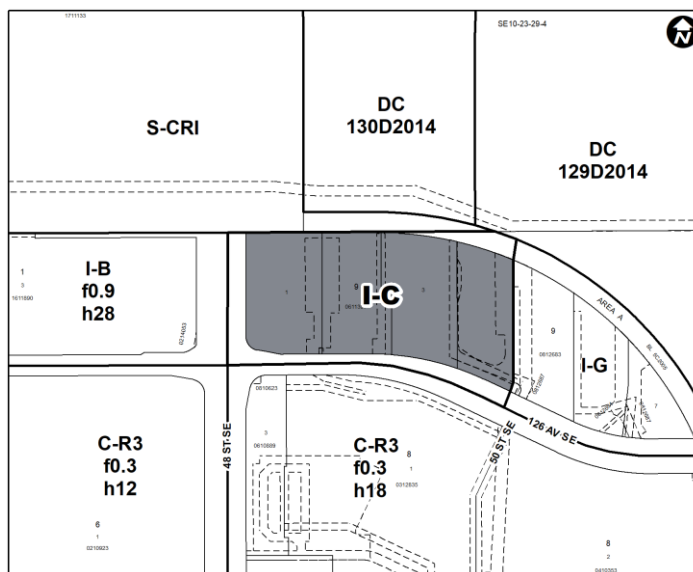
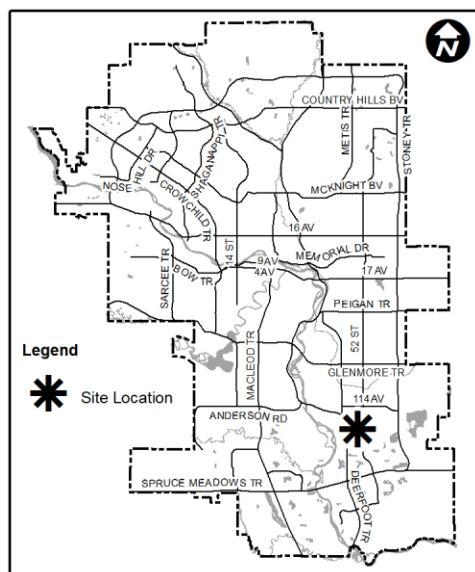
This application was submitted by Gibbs Gage Architects on 2018 October 30 on behalf of the landowner Sun Life Assurance Company of Canada. No changes to the existing development have been proposed. The application proposes to align existing non-conforming uses with the current Land Use Bylaw (1P2007).

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Location Maps



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Site Context

The subject site consists of four parcels, totalling approximately 2.48 hectares (6.13 acres) in size and is located in East Shepard Industrial, east of 48 Street SE and north of 126 Avenue SE. Surrounding development is characterized by a mix of industrial and commercial uses with Commercial – Regional 3 (C-R3) District to the south, Special Purpose – City and Regional Infrastructure (S-CRI) District, a Direct Control District based on Special Purpose – Future Urban Development (S-FUD) District and a Direct Control District based on Industrial – Commercial (I-C) District to the north, Industrial – General (I-G) District to the east and Industrial – Business (I-B) District to the west.

The subject site is currently developed with five buildings that accommodate a range of industrial and commercial uses.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposal allows for a range of uses that are compatible with and complement existing light industrial uses and proposes to bring existing non-conforming uses into alignment with a stock district. The proposal is consistent with applicable policies as discussed in the Strategic Alignment section of this report.

Planning Considerations

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

Land Use

This application is to redesignate the site from the existing Industrial – General (I-G) District to the Industrial-Commercial (I-C) District to align existing, non-conforming uses with Land Use Bylaw (1P2007) and to allow for a greater variety of commercial uses. The current, existing, non-conforming uses were allowed in Land Use Bylaw 2P80 under the I-2, General Light Industrial District.

The purpose of the I-C District is to encourage light industrial uses that are unlimited in size, small scale commercial uses that are compatible with and complement light industrial uses and to provide a transition between other land use districts and the I-G District.

The subject site is located within 600 metres of the proposed Shepard LRT station. The proposed I-C District would remain industrial in nature as well as providing for transit supportive uses around the LRT stations.

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Development and Site Design

The current built form of the development consists of five single storey buildings, constructed on four separately titled parcels of land.

The building located at 200, 5126 - 126 Avenue SE is located within 450 metres of the Shepard landfill. School, hospital, food establishment and residential uses are prohibited within this setback per the Municipal Government Act, Subdivision and Development Regulation section 13(2). The opportunity to apply to the Provincial Government requesting a variance to the legislation is available to the applicant at the development permit application stage.

Environmental

An Environmental Site Assessment was not required for this application.

Transportation

Access to the parcels is currently available via three all-turns entrances on 126 Avenue SE and one right in / right out entrance on 48 Street SE. In the future, the right-in / right out access will be closed to accommodate the future Green Line LRT.

The site is adjacent to the future Green Line LRT right-of-way and a 150 metre walking distance to the future Shepard LRT Station. The site is also approximately a 500 metre walking distance to the nearest Calgary Transit bus stop Route 23 ("52 Street East") on 52 Street SE with bus service every 12 minutes during the AM and PM peak.

A Transportation Impact Assessment (TIA) was not required based on the projected trip generation. Availability of on-site parking will be reviewed with subsequent development permits.

Utilities and Servicing

The site was previously developed with water, sanitary, and storm services. The existing site services are adequate to support this proposed land use amendment.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, this application was circulated to relevant stakeholders and notice posted on-site. In addition, 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 the application.

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One letter in opposition of the proposed land use redesignation was received from the public by the Calgary Planning Commission report submission date citing such concerns as:

- Site lines for passenger vehicles exiting the site due to large vehicles parked on site and large vehicles parked on the street;
- Exhaust fumes entering the bays due to idling vehicles; and
- Inadequate sound barriers between units which might cause a distraction for certain users.

The noted concerns were reviewed and it was determined that parking provided on the site is to accommodate passenger vehicles and designed as such. Ventilation, fire separation and sound barriers will be reviewed at time of building permit application as requirements may differ between uses.

There is no community association in this area.

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 and 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 Standard Industrial - Industrial Area as identified on Map 1: Urban Structure in the *Municipal Development Plan* (MDP). The applicable MDP policies encourage a broad variety of industrial uses and intensities that support the industrial function of this area and cater to the day-to-day needs of area businesses and their employees.

The proposal is in keeping with relevant MDP policies as the purpose of I-C District is to allow for small scale commercial uses that are compatible with and complement light industrial uses. The I-C District provides a transition between other land use districts and the I-G District.

Southeast Industrial Area Structure Plan (Statutory, 1996)

The subject sites are located within the General Light Industrial (I-2) area as identified on Map 2: Land Use and Transportation Plan in the *Southeast Industrial Area Structure Plan* (ASP). The applicable ASP policies encourage a wide range of light industrial and associated uses that are compatible with one another. Land uses, other than those

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identified in Land Use Bylaw 2P80 I-2 District, that are consistent with the overall intent of the district are encouraged in this area.

Social, Environmental, Economic (External)

The proposed land use district will align current uses with the current land use bylaw and provide opportunities for additional commercial uses while maintaining the industrial character and function of the area.

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.

REASON(S) FOR RECOMMENDATION(S):

The proposed land use redesignation is aligned with applicable policies identified in the *Municipal Development Plan* and the *Southeast Industrial Area Structure Plan*. The proposed Industrial – Commercial (I-C) District integrates well with existing industrial development, aligning existing, non-conforming uses with the current bylaw and allowing for greater flexibility of uses.

ATTACHMENT(S)

1. Applicant Submission