

Planning & Development Report to  
Calgary Planning Commission  
2019 February 21

ISC: UNRESTRICTED  
CPC2019-0206

## Land Use Amendment in Stoney 3 (Ward 5) at 3730 – 108 Avenue NE, LOC2018-0247

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### EXECUTIVE SUMMARY

This application was submitted by Civic Works Planning + Design on 2018 November 13 on behalf of Eagle Crest Construction (2036013 Alberta Ltd). This application proposes to change the designation on the subject site from DC Direct Control District based on the General Light Industrial (I-2) District of Bylaw 2P80 to Industrial – Business (I-B f1.0) District to allow for:

- a greater range of small commercial and service uses in an existing (under construction) building;
- a maximum building height of 12 metres (equal to the current maximum of 12 metres);
- a maximum floor area ratio of 1.0 (equal to the current maximum of 1.0 FAR); and
- the uses listed in the Industrial – Business (I-B f1.0) District

This proposal conforms to the relevant policies of the *Municipal Development Plan* and is supported by the objectives of the *Northeast Industrial Area Structure Plan*.

#### ADMINISTRATION RECOMMENDATION:

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

1. **ADOPT**, by bylaw, the proposed redesignation of 1.214 hectares  $\pm$  (3.00 acres  $\pm$ ) located at 3730 – 108 Avenue NE (Plan 1512086, Block 1, Lot 7) from DC Direct Control District **to** Industrial – Business (I-B f1.0) District; and
2. Give three readings to the proposed bylaw.

#### RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2019 FEBRUARY 21:

That Council hold a Public Hearing; and

1. **ADOPT**, by bylaw, the proposed redesignation of 1.214 hectares  $\pm$  (3.00 acres  $\pm$ ) located at 3730 – 108 Avenue NE (Plan 1512086, Block 1, Lot 7) from DC Direct Control District to Industrial – Business (I-B f1.0) District; and
2. Give three readings to **Proposed Bylaw 82D2019**.

### PREVIOUS COUNCIL DIRECTION / POLICY

None.

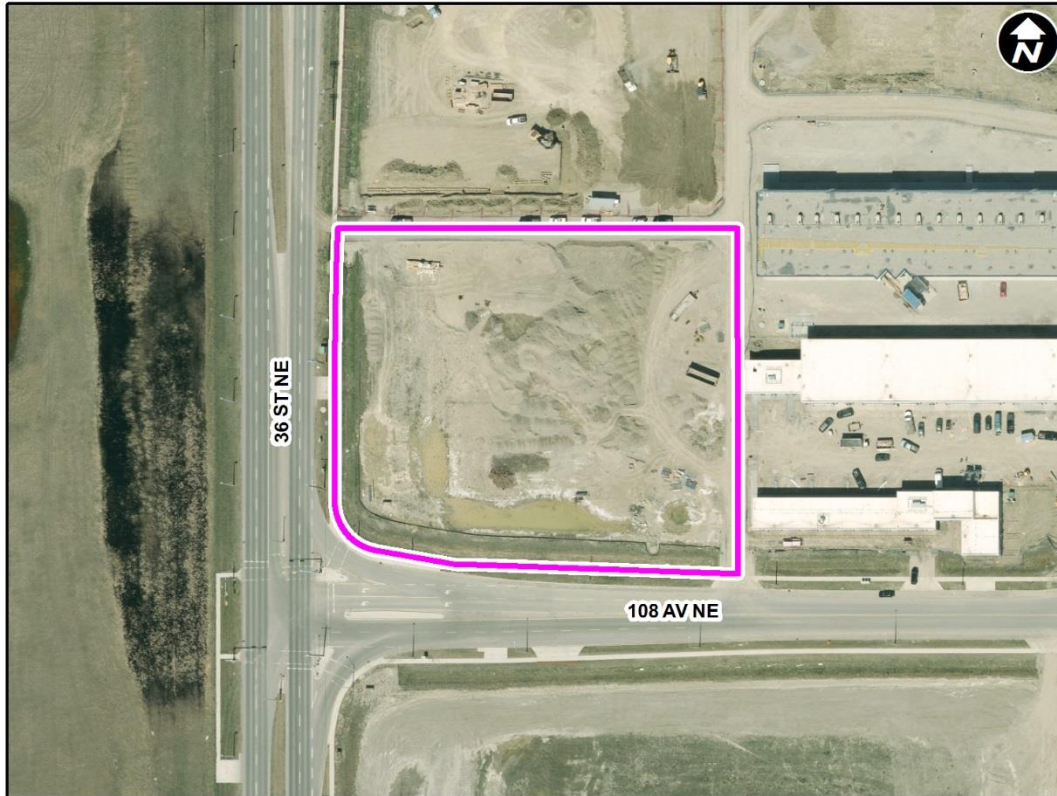


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### Site Context

The subject site is located at the northeast corner of the intersection of 36 Street NE and 108 Avenue NE in the community of Stoney 3, directly east of the Calgary International Airport. The site consists of a single parcel of land that is approximately 1.2 hectares (3 acres) in size. As noted in the background section of this report, two buildings are currently under construction on the site. Lands to the north, south and east of the site contain a mix of existing industrial and commercial uses as well as vacant land awaiting development. Country Hills Boulevard NE is located approximately 250 metres north of the subject site.

### INVESTIGATION: ALTERNATIVES AND ANALYSIS

This land use amendment would enable a greater range of small-scale commercial uses on the site than currently allowed under the existing DC Direct Control District based on the General Light Industrial (I-2) District of Bylaw 2P80. Specifically, uses such as retail and consumer service are not allowed under the existing DC Direct Control District. This restriction has made it difficult for the developer to serve market demand for certain types of commercial uses that would serve the broader business/industrial park. The redesignation does not contemplate changes to the existing allowable height and intensity of development on this parcel.

Approval(s): R. Michalenko concurs with this report. Author: P. Schryvers  
City Clerk's: G. Chaudhary

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The proposed redesignation was reviewed against the policies of the *Northeast Industrial Area Structure Plan* and consideration was given to the fact that development on the site is currently under construction.

### **Planning Considerations**

Given the nature of this application, the primary planning considerations relate to the range of uses allowable under the proposed Industrial – Business (I-B f1.0) District and whether they align with the planning vision for the area.

### **Land Use**

The existing land use is a DC Direct Control District based on the General Light Industrial (I-2) District of Bylaw 2P80. The DC Direct Control District restricts the use of liquor stores and warehouse stores, provides additional development guidelines regarding outdoor storage along Airport Trail or Metis Trail and provides guidelines for building design for shopping centre uses. The base I-2 District contains a considerable amount of commercial uses, including offices, hotels, automotive services, grocery stores, financial institutions, private schools and restaurants, among others, but does not allow for retail uses.

The proposed land use, Industrial – Business (I-B f1.0) District, is in keeping with the intent of the *Northeast Industrial Area Structure Plan* as detailed in the Strategic Alignment section below. The I-B District allows for a range of industrial uses such as self-storage, specialized industrial, breweries, wineries and distilleries as well as commercial uses such as offices, financial institutions, and retail and consumer service. Retail and consumer service uses are restricted to 465.0 square metres in size. The maximum allowable height (12 metres) in the I-B District and the proposed floor area ratio (1.0 FAR) match the existing regulations found in the I-2 District. Alternative land use districts such as the Industrial – Commercial (I-C) District were deemed to be too commercial in nature to meet the intent of the policy at this location and were not pursued for this application.

### **Development and Site Design**

A development permit (DP2017-2566) is approved for the subject site. The application consists of two buildings oriented toward a central parking area with rear loading doors for industrial bays located on the north building and accessed via a private road. The area is characterized by development accessed by private roads and surrounded by a common bioswale to facilitate stormwater management. The proposed uses in the development permit consisted of offices and warehouses (a listed use in Bylaw 2P80). The application was approved on 2018 June 7 and released on 2018 October 26. The development is currently under construction.

### **Environmental**

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No environmental issues have been identified through the consideration of this application. An environmental site assessment was not required for this application.

### ***Transportation***

Pedestrian and vehicle access to the subject site is provided by way of 36 Street NE and 108 Avenue NE and an access right-of-way to the west and north of the site. A Transportation Impact Assessment was not required for this application.

### ***Utilities and Servicing***

A public water main exists within the adjacent public right-of-way (108 Avenue NE). A public sanitary main exists within an existing utility right-of-way within the easterly portion of the site. A bioswale system exists (as constructed by the area developer) within the outer south and west edges of the site for storm water drainage and treatment. Development servicing was resolved at both the development permit and development site servicing plan stages, to the satisfaction of Water Resources.

### **Stakeholder Engagement, Research and Communication**

In keeping with Administration's standard practices, this application was circulated to relevant external stakeholders (e.g. YYC, Enmax, etc.) and notice was posted on-site. Notification letters were sent to adjacent landowners and the application was advertised online.

No comments from citizens or adjacent landowners were received by the report submission date. Given the industrial/commercial nature of the Stoney 3 area no community association exists.

Following this Calgary Planning Commission meeting, notifications for Public Hearing of Council will be posted on-site and mailed out to adjacent land owners. In addition, the Commission's recommendation and the date of the Public Hearing will be advertised. No public meetings were held by the Applicant or Administration.

### **Strategic Alignment**

#### ***South Saskatchewan Regional Plan (2014)***

The site is located within the '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 proposal is consistent with policies on Land Use Patterns.

#### ***Interim Growth Plan (2018)***

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The recommendation aligns with the policy direction of the *Interim Growth Plan*. The proposed land use amendment builds on the principles of the *Interim Growth Plan* by means of promoting efficient use of land, regional infrastructure, and establishing strong, sustainable communities.

### ***Municipal Development Plan (Statutory – 2009)***

Map 1 – Urban Structure of the *Municipal Development Plan* identifies the subject site as being in the Standard Industrial Area typology. The proposed land use aligns with the relevant policies regarding Standard Industrial Areas, specifically sections 3.7.1(a) and 3.7.1(c) in that the proposed land use maintains a predominantly industrial character and while allowing for some small-scale commercial uses that support the function of the area and meet the day to day needs of area businesses and employees.

### ***Northeast Industrial Area Structure Plan (Statutory – 2007)***

The *Northeast Industrial Area Structure Plan* identifies the subject site as being within the Business/Industrial Area. The policies of the Business/Industrial Area state that light industrial uses should be the predominant use of land in the area, but that various commercial uses may be allowed where compatible and appropriate. Local commercial uses are permitted in the Business/Industrial Area provided they are at the intersection of two roads and not comprise a site exceeding 1.6 hectares. The subject site meets both criteria as it is located at the intersection of 36 Street and 108 Avenue NE and the site is limited (1.24 hectares) in size. Additionally, a development permit for the site consisting of primarily industrial and office uses has been approved and is under construction. The nature of commercial uses allowed under the proposed land use district will be secondary to the industrial/office use of the site.

### ***Calgary International Airport Vicinity Protection Area Regulation (Statutory – 2009)***

The subject site is located within the 35-40 Noise Exposure Forecast contour of the *Airport Vicinity Protection Area (AVPA)* land use regulations. The recommended Industrial – Business (I-B f1.0) District provides for a range of uses that are generally allowable within the 35-40 NEF contour area. However, future individual development permit applications will be circulated to YYC and reviewed in the context of applicable regulations to ensure compliance.

### **Social, Environmental, Economic (External)**

The proposed land use will allow for commercial uses that support local employment in the area, reducing the need for lengthy vehicle trips to meet daytime needs. The proposed land use will also improve the ongoing viability of the development and allow the owner to attract tenants to the proposed buildings in a manner that meets current market demands.

### **Financial Capacity**

#### ***Current and Future Operating Budget***

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

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### ***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.

### **Risk Assessment**

Given that the buildings on site are currently under construction, and that several bays within the development are designed for industrial uses (rear bay doors, long and narrow floor plans), there is little risk that the amount of commercial uses on site will increase significantly.

### **REASON(S) FOR RECOMMENDATION(S):**

The proposal is in keeping with the applicable policies of the *Municipal Development Plan* and provides for a range and scale of uses that will support the vision for the area outlined in the *Northeast Industrial Area Structure Plan*. The recommended Industrial – Business (I-B f1.0) District is intended to be applied within industrial areas and will allow for an appropriate range of uses to complement the existing approved uses as well as surrounding planned industrial and employment uses. Further, the site is currently under construction and includes industrial-style bays, reducing the risk of the site being predominantly commercial.

### **ATTACHMENT(S)**

1. Applicant's Submission
2. **Proposed Bylaw 82D2019**
3. **Public Submissions**