

ADMINISTRATIVE REPORT

TO: Robert Nicolay, City Manager	DATE: October 3, 2022
FROM: Yemi Babalola, Planner	MEETING: City Council
SUBJECT: Bylaw C-1260-160 Rezoning from Arterial Commercial District and General Industrial District to Heavy Industrial District.	

RECOMMENDATIONS

That Council:

1. Give 1st reading to Bylaw C-1260-160, being an amendment to the Land Use Bylaw;
2. Give 2nd reading to Bylaw C-1260-160;
3. Have 3rd reading for Bylaw C-1260-160; and,
4. Give 3rd reading to Bylaw C-1260-160.

PREVIOUS COUNCIL / COMMITTEE DIRECTIONS

No previous direction.

BACKGROUND

The applicant is proposing to rezone the parcels at 12610 99 Street and 9727 128 Avenue, legally described as Block C Plan 1795KS and part of Block B Plan 1795KS, respectively, from IG - General Industrial District and CA - Arterial Commercial District to IH - Heavy Industrial District. The rezoning would allow the consolidation of two adjacent properties, which will thereby enable the expansion of the Salvage Yard into the area that is currently vacant (**see ATTACHMENT 1 – Location Map and ATTACHMENT 2 – Bylaw C-1260-160**).

ANALYSIS

The proposed amendment will allow for the consolidation of the two lots – Block C and part of Block B and consequently, the expansion of the current Salvage Yard business in Block C. Block C is currently zoned as General Industrial District. Salvage Yard is not a use listed in the district. However, due to its long existence on the parcel, it is grandfathered in as a legal nonconforming use.. The proposed rezoning will formally allow the use to comply with the district.

Access to the subject area is gained via 128 Avenue to the north and it has a railway track to the east that connects the site to the railway network. The subject area is surrounded by other commercial uses in the General Industrial District while the east side is adjacent to a residential district.

The proposed rezoning aligns with the intended future land use for the area as per the Municipal Development Plan (MDP).

The proposed land use - an expansion of the existing Salvage Yard business, is compatible with the surrounding context and complies with the City's planning policies for the area.

Relationship to City Council's Areas of Focus / Strategic Priorities

The recommendation and analysis support Council's Strategic Growth Area of Focus.

Environmental Impact

There is the possibility of surface contamination from auto fluid spills, noise pollution and air pollution due to the nature of the Salvage Yard business. The business is expected to comply with the standards and requirements of Alberta Environments and Parks.

Economic Impact

No adverse economic impacts are anticipated.

Social Impact

No adverse social impacts are anticipated.

Relevant Statutes / Master Plans / City Documents

Municipal Development Plan (MDP)

The subject area is designated as future commercial/industrial land use in the MDP. The proposal aligns with the intent of the MDP.

The subject area is an old subdivision subdivided in 1956 when there were no Area Structure Plans (ASP) or Outline Plan (OP) requirements. As such, the site does not have an ASP or OP.

Risk

No anticipated risk.

STAKEHOLDER ENGAGEMENT

The applicant conducted a pre-engagement exercise by contacting the owners of the surrounding residences. Notification letters were mailed out to the surrounding landowners, and signs were placed on the site per the LUB requirements. The comments and feedbacks received by the applicant is attached as **ATTACHMENT 3 – Public Consultation Report**.

Notification of the public hearing for the proposed amendment was undertaken in accordance with the requirements of the *MGA* and the LUB. This included mailing notices to surrounding property owners and Notice of Rezoning signs placed on the subject site. The proposed amendment was also posted to the Planning and Development Public Notices webpage. At the time of writing this report, no comments or concerns have been received as a result of these public notification methods.

BUDGET / FINANCIAL IMPLICATIONS

No anticipated implications.

SUMMARY / CONCLUSION

The City has received an application requesting an amendment to the Land Use Bylaw to rezone the subject properties from Arterial Commercial District and General Industrial District to Heavy Industrial District. The amendment proposal meets the intent of the MDP, and the proposed land use district is compatible with the site's context. 'Salvage Yard' is a discretionary use in the Heavy Industrial District that is being proposed through this proposal.

Administration recommends that Council give Bylaw C-1260-160 three readings.

ATTACHMENTS

- 1 – Location Map**
- 2 – Bylaw C-1260-160**
- 3 – Public Consultation Report**
- 4 – Arterial Commercial District - CA**
- 5 – General Industrial District - IG**
- 6 – Heavy Industrial District - IH**