



PLANNING REPORT
2nd & 3rd Reading – COUNCIL
March 24, 2020

BYLAW #: 2019-12	File No: LU2019-03
LEGAL DESCRIPTION: Plan 041 1592, Block 1, Lot 2	TITLED AREA: 67.09
EXISTING LAND USE DISTRICT: Agricultural General	PROPOSED LAND USE DISTRICT: Industrial General
The purpose of this application is to redesignate 67.09 acres from Agricultural General District to Industrial General District.	

LOCATION:

This parcel is adjacent to Range Road 261 and Township Road 241A and is approximately 2km northeast of Cheadle.

BACKGROUND INFORMATION:

The purpose of this application is to redesignate the parcel to Industrial General to prepare for future industrial development. The landowner had previously applied to subdivide the parcel in 2014 but due to complications with the wetlands and stormwater drainage, the subdivision application was withdrawn in favour of keeping the parcel together and redesignating it. When a development permit application is applied for, a biophysical impact assessment and stormwater master plan may be asked for to ensure the proposed development doesn't impact the wetlands nor cause significant storm water issues.

POLICY ANALYSIS:

Interim Regional Evaluation Framework (IREF):

This parcel falls within the Calgary Metropolitan Regional Board plan area; however, a review by the Board was not required as the application is not amending a statutory document.

South Saskatchewan Regional Plan (SSRP):

Within the Community Development section of the SSRP, one of the strategies is to provide an appropriate mix of land uses and to minimize the land use conflicts between industrial developments and other uses. As the proposed redesignation is within an industrial Area Structure Plan, land use conflicts have been addressed in the policies therein. The surrounding land uses include industrial general, agricultural general and country residential. The majority of the land use in the area is agricultural general. When a development is proposed, potential land use conflict will need to be addressed.

This parcel contains several wetlands. In order to comply with the Enhanced Integrated Watershed Management section of the SSRP, any future subdivision or development permit application will need to address them.

Regional Growth Management Strategy Plan (RGMS):

Though the RGMS discourages fragmentation of agricultural land, agricultural uses will be able to continue on the parcel until a new development is approved for the site. The policies and objectives within the Natural Environment Theme will need to be addressed at subdivision or development permit

application stage. The proposed redesignation supports the Economic Development Theme of the RGMS by increasing the supply of properly located industrial land. It also supports Goal 4 of the Community Development Theme as it is promoting the clustering of industrial development.

Municipal Development Plan (MDP):

The MDP also discourages the fragmentation of agricultural land. As this parcel is within an existing ASP that has designated the whole of the area for light and medium industrial development, this portion of the MDP is satisfied. When a subdivision or development permit application is submitted for this parcel, stormwater management, water supply, and wastewater management will need to be addressed. Staff required a PSDS and groundwater report be submitted with the application to ensure the land would be able to support a general industrial development. The PSDS report showed no issues. The groundwater report assesses water usage through a residential lens, and does not meet the minimum industrial water consumption rate for Wheatland County. There are alternatives to a water well including a cistern/holding tank. The method of potable water provision can be determined at the development permit stage.

The proposed redesignation satisfies the Commercial and Industrial Development Policies. It is providing more industrial land and is within an approved low to medium intensity industrial Area Structure Plan. The policies focusing on cumulative development effect and adverse impacts will need to be addressed at subdivision or development permit application stage.

West Highway 1 Area Structure Plan (WH1ASP):

The proposed redesignation generally aligns with the applicable policies within the West Highway 1 Area Structure Plan. Though it discourages pre-zoning parcels ahead of subdivision and development plans, pre-zoning a parcel supports the County's economic development strategies. Due to its proximity to existing industrial general designated parcels, the application is developing the WH1ASP in a contiguous manner.

A policy under Section 4.0 Implementation states third reading for a redesignation application shall be considered once a development agreement's been completed with the County that addresses landscaping, road construction, stormwater management, subdivision standards, deferred servicing agreements, and endeavors to assist. As there is no proposed development included with the proposed redesignation, tying a parcel to a development agreement that may not be applicable when a development permit application will create unnecessary complications.

Land Use Bylaw:

The following table outlines the permitted and discretionary uses within the Industrial General District. Due to the restrictions in the WH1ASP, 'primary commercial uses', such as a Service Station, would not be an allowed use on this parcel.

Permitted	Discretionary
Accessory Building / Structure	Agricultural Processing - Major
Agricultural Operation	Auction Mart
Agricultural Processing - Minor	Automotive and Equipment Services
Agricultural Support Services	Composting Facility
Cannabis Production Facilities (Only considered within the WH1ASP)	Dwelling, Employee
Commercial Storage	Industrial, Medium
Contractor Service	Mechanical Repair Shop
Essential Public Service	Signs requiring a Development Permit^
Food and Beverage Production	Tower

Greenhouse, Public	Warehouse Sales
Industrial, Light	Work Camp
Office	
Outdoor Storage	
Recreational Vehicle Storage	
Service Station	
Shipping Container	
Signs not requiring a Development Permit ¹	
Solar Panel, Ground Mount ¹	
Solar Panel, Structure Mount ¹	
Stripping and Grading ¹	
Stockpile	
Veterinary Clinic	
Warehouse Storage	
WECS (Category 1) ¹	
WECS (micro) ¹	

CIRCULATION COMMENTS:

EXTERNAL AGENCIES	COMMENTS
AB Community Development	No concerns.
AB Culture and Tourism	No concerns.
AB Health Services	<ol style="list-style-type: none"> 1. AHS understands that the proposed subject lands are and in the future, will or may be used to accommodate industrial/business type purposes, and that there is existing residential developments nearby the subject property. We wish to note that is the position of AHS that industrial-residential interfaces be minimized wherever possible in an attempt to mitigate land use conflicts that may arise in the future. AHS has been providing this advice to prevent any future health impacts that may arise. These health impacts are associated with both chronic and acute exposure to chemicals, particulate matter, noise and physical hazards such as from traffic and diesel truck emissions, facility operations and industrial accidents. AHS recommends that any development that has the potential to adversely impact surrounding residential receptors (e.g. noise, odours, emissions etc.) should be carefully evaluated when in in close proximity to residential or sensitive land use areas. Appropriate setback distances and/or buffers should be developed, by the applicant, to ensure that existing and future residential receptors are adequately protected. 2. AHS would like to receive development information, and have the opportunity to review and comment on, the specific industrial/business land use(s) proposed for the above noted properties, as they become available in the future. Past experience has shown that many

	<p>commercial and industrial uses have the potential for negatively impacting public health and may create emissions, dust, noise and other conditions that may impact adjacent or surrounding properties and/or may constitute a public health nuisance.</p> <p>3. No soils, groundwater or surface water sources shall become polluted due to proposed operation and/or storage on the subject lands. Please note that the drinking water source (e.g. private well) must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003. Please ensure that all potable water sources, any river, stream, canal or any other body of water is adequately protected from any run-off, nuisance or contaminants.</p> <p>4. AHS recommends that any existing/proposed water wells on the subject or adjacent lands must be completely contained within their proposed property boundaries.</p> <p>Please note that the drinking water source (e.g. private well) must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which states the following:</p> <p><i>“No person shall locate a water well within</i></p> <ul style="list-style-type: none"> <i>a) 10m of a watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system</i> <i>b) 15m of a weeping tile field, evaporative treatment mound or an outdoor pit privy</i> <i>c) 30m of a leaching cesspool</i> <i>d) 50m of sewage effluent on the ground surface</i> <i>e) 100m of a sewage lagoon, or</i> <i>f) 450m of any area where waste is or may be disposed of at a landfill” (AR 243/2003, s.15)</i> <p>5. Any existing and/or proposed private sewage disposal system(s), including the septic tank and effluent disposal field, must be completely contained within their proposed property boundaries and must comply with the construction and setback distances outlined in the most recent Alberta sewage Systems Standard of Practice.</p> <p>Prior to installation of any sewage disposal system(s), a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>6. Ensure the property is maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Regulation 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance</i></p>
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	7. If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wish to be notified.
AB Transportation	
ATCO Gas	No objections.
Canada Post	No comment.
Canadian Pacific Rail	No concerns here. We no longer own this ROW adjacent to the development.
Ember Resources	We have our interest registered on the quarter. If there are no plans to subdivide there are no issues.
Fortis	No concerns.
Golden Hills School	No concerns.
Redeemer Catholic School Division	No concerns.
Telus	No objection.
WID	No objections.
INTERNAL DEPARTMENTS	
Agriculture and Environment	No concerns.
Development	<p>1) According to Section 2.13 of the West Highway 1 Area Structure Plan (WH1ASP) re-zoning changes will happen as development proceeds; pre-zoning" land far ahead of subdivision or development plans is discouraged. A rezoning application will be limited to the amount of land contained in a subdivision or development permit application.</p> <p>With this application the applicant is not proposing any subdivision in the near future. Without subdivision technical studies such as storm water reports or traffic impact assessments are not considered. Without the review of technical studies for future industrial lands it is difficult to decide if industrial lands are appropriate for the parcel.</p> <p>I wonder about the rationale for pre-zoning land as per 2.13 of the ASP below, especially since the land the applicant subdivide directly south of this property has not been built out yet. If studies are required for rezoning or subdivision will they need to be repeated by the time a DP is applied for?</p> <p>They initially submitted a subdivision application, and after many years of trying to get the studies updated, submitted their cancellation with this redesignation application. Even with their subdivision application they didn't have any development plans, just that they wanted to subdivide. Any development that were to happen would likely need to resubmit reports that accurately reflected what their plans were.</p>

	'Pre-zoning' is only discouraged, not prohibited.
Protective Services	No concerns
Public Works/Transportation	<p>My comments would be to ensure there is a stormwater management plan created for the proposed parcels.</p> <p>The sewage can be accommodated through pumpout tanks and the groundwater wells may be adequate until a more intensive development is proposed.</p> <p>Deferred servicing and road widening would be appropriate although I am not sure how to achieve that on a AR?</p> <p>Because of the uncertainty around the type of development, a stormwater management plan obtained now may not be applicable in the future. When a subdivision or development permit application is presented, a stormwater management plan shall be requested.</p>

OPTIONS:

Option #1: THAT Second and Third Reading of Bylaw 2019-12 be granted.

Resolution 1: That Council move Second Reading of Bylaw 2019-12, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to redesignate 67.09 acres within Plan 041 1592, Block 1, Lot 2, from Agricultural General District to Industrial General District as shown on the attached Schedule 'A'.

Resolution 2: That Council move Third Reading of Bylaw 2019-12, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to redesignate 67.09 acres within Plan 041 1592, Block 1, Lot 2, from Agricultural General District to Industrial General District as shown on the attached Schedule 'A'.

Option #2: THAT Bylaw 2019-12 be refused.

Resolution #1: That Council refuse Bylaw 2019-12, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to redesignate 67.09 acres within Plan 041 1592, Block 1, Lot 2, from Agricultural General District to Industrial General District as shown on the attached Schedule 'A'.

Option #3 THAT Council approve an alternate recommendation.

RECOMMENDATION

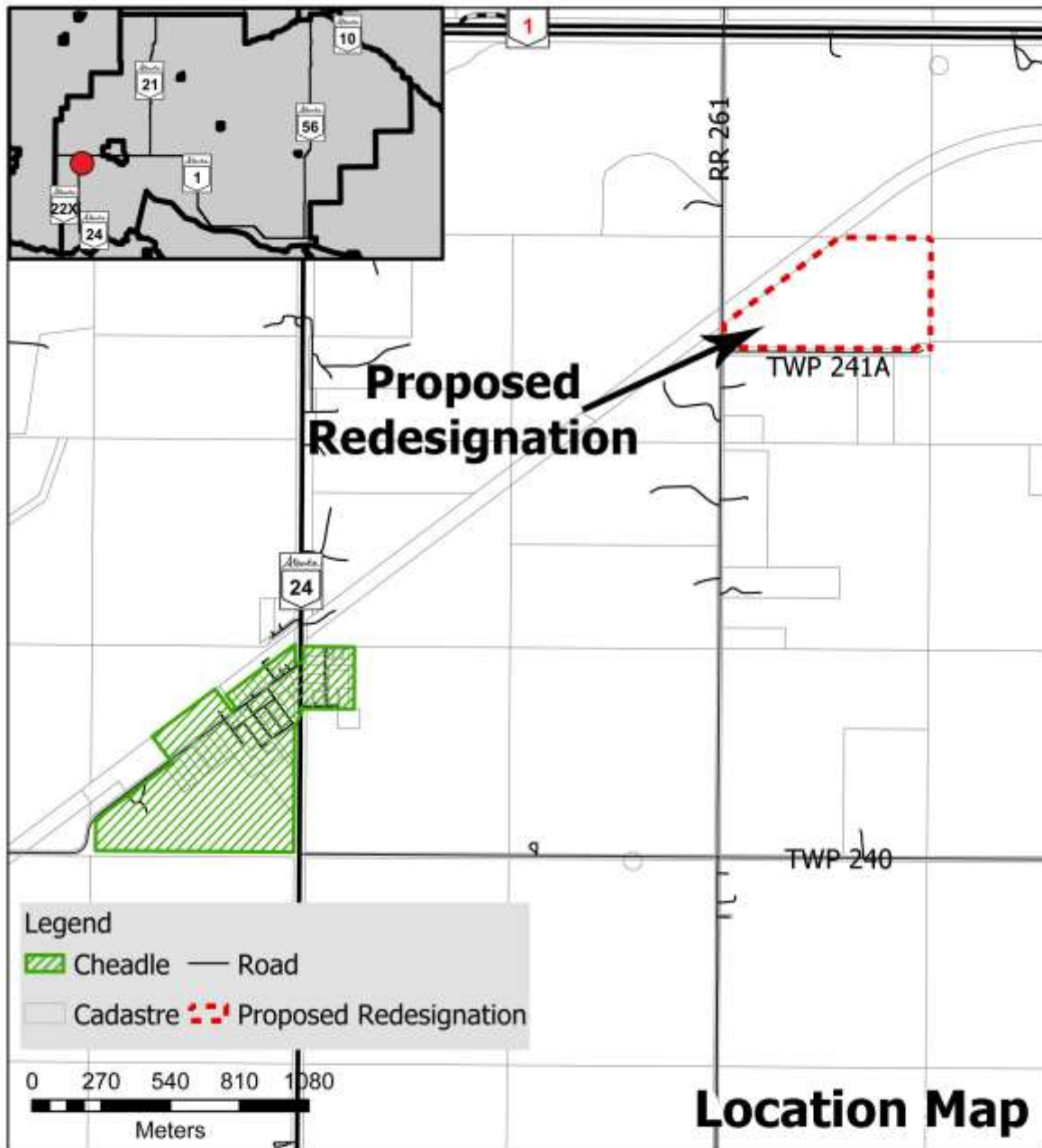
Staff is recommending Option #1 - Approval for the following reasons:

- The proposal generally aligns with the SSRP, RGMS and MDP in terms of what is proposed.
- The proposal aligns with the LUB Industrial General District rules and regulations.

Respectfully submitted,



Megan Williams, BCD, Planner II
Planning and Development Department



Lot 2, Block 1, Plan 041 1592

Date: March 24, 2020

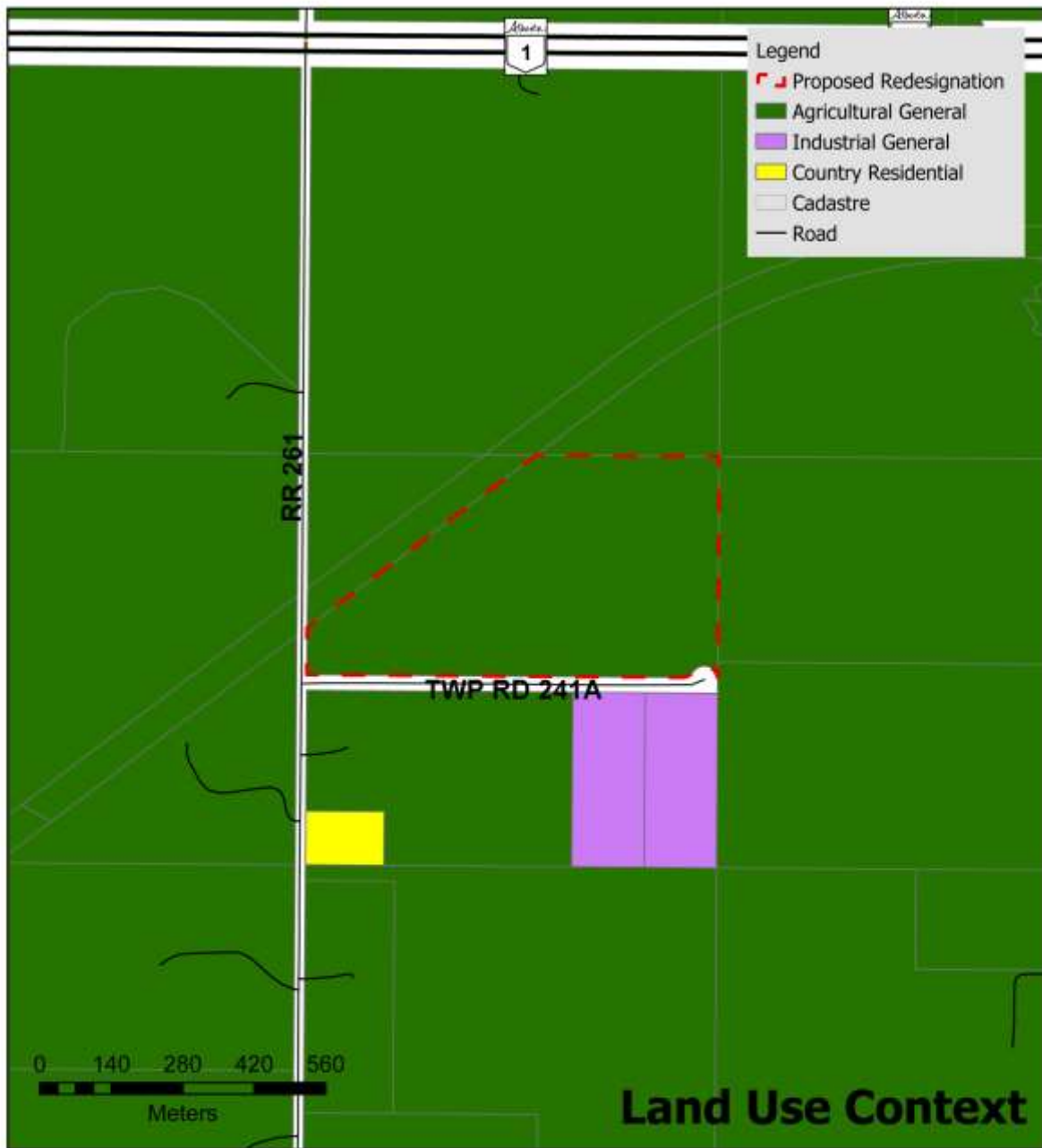
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Lot 2, Block 1, Plan 041 1592

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Lot 1, Block 1, Plan 041 1592

Date: March 24, 2020

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