

Wheatland County

Request for Decision

Regular Council Meeting

May 5, 2020

Report prepared by: Megan Williams



Bylaw 2020-02: Commercial Highway Redesignation

Recommendation from Administration

That Council APPROVE Bylaw 2020-02.

Resolution 1: THAT Council undertake the Public Hearing for Bylaw 2020-02.

Resolution 2: THAT Council move Second Reading of Bylaw 2020-02, this being a bylaw for the purpose of amending the Land Use Bylaw No 2016-01 to redesignate 5 acres within Plan 101 1307, Block 1, Lot 2 from Industrial General District to Commercial Highway District as shown on the attached Schedule 'A'.

Resolution 3: THAT Council move Third Reading of Bylaw 2020-02, this being a bylaw for the purpose of amending the Land Use Bylaw No 2016-01 to redesignate 5 acres within Plan 101 1307, Block 1, Lot 2 from Industrial General District to Commercial Highway District as shown on the attached Schedule 'A'.

Chief Administrative Officer's Comments

N/A

Report

This redesignation is one of the final steps the Developer needs to take in order to build a service station and fast food restaurant within the WH1ASP. Below is a summary of the steps taken to this point.

- July 20, 2018: Application to amend the Industrial General District to include 'Restaurants' as a use. Application was denied on December 4th, 2018.
- December 14, 2018: Application submitted to amend the West Highway 1 Area Structure Plan to allow 'Primary Commercial Uses' within certain areas of the Plan area. Application was approved on August 20, 2019.
- July 16, 2019: Development Permit application submitted for a 'Vacant Light Industrial Warehouse'. Development permit was issued on October 15, 2019.

If this bylaw is granted Third Reading, the Developer will apply for a development permit to change the use from 'vacant light industrial warehouse' to the aforementioned services station with two drive-thru fast food restaurants.

As with any development within the West Highway 1 Area Structure Plan, stormwater management is an ongoing issue. There is a runoff co-efficient that developers within the Origin Business Park use to determine and maintain their runoff. The runoff co-efficient relates to the amount of runoff of precipitation received. The harder a surface is (such as a paved parking lot) the higher the runoff coefficient. In order to maintain this co-efficient, a developer's stormwater management plan needs to show how they intend to manage any runoff that exceeds this co-efficient. Any runoff that exceeds the co-efficient must be managed on site, for example with a stormwater pond.

Another concern is the lack of water and wastewater servicing to this parcel. Restaurants are heavy water users and wastewater generators. The developer is proposing the use of a cistern and septic tank. There are other developments within the business park that are heavy water users such as the cannabis production facility, which is also proposing the use of cisterns and septic tanks. Planning Policy Section 7.3 Private Sewage Disposal System Policy prohibits the use of holding tanks unless there is no other option. This policy explains that sewage holding tanks are not a self sustainable method of private sewage disposal. Due to the servicing restrictions within the Business Park, sewage holding tanks are considered. Staff is undertaking a study to service the WH1ASP regionally with water and wastewater; however, it is in the preliminary stages and the recommendation or direction is unknown at this time.

Relevant Policies, Practices, and Legislation

The proposal generally supports the strategies, objectives and policies within the South Saskatchewan Regional Plan, Regional Growth Management Strategy, Municipal Development Plan, and West Highway 1 Area Structure Plan.

The West Highway 1 Area Structure Plan does have a policy that speaks to withholding Third Reading until a development agreement with the County has been completed that addresses matters of landscaping, road construction, stormwater management, subdivision standards and deferred servicing agreements and endeavours to assist. This policy is intended for redesignations that are being done in conjunction with subdivision applications. If necessary, a development agreement addressing the above can be a development permit condition.

The Intermunicipal Development Plan between Wheatland County and Rocky View County is still in draft stages; however, they were still notified of the redesignation. They did not voice any concerns nor provide any comments regarding the proposal at this time.

Alignment with the Strategic Plan

N/A

Response Options

Option 1: THAT the proposed recommendation is accepted/approved.

Option 2: THAT the proposed recommendation is not accepted/approved.

Option 3: THAT an alternate recommendation is accepted/approved.

Implications of Recommendation

General

N/A

Organizational

N/A

Financial

N/A

Environmental, Staff, and Public Safety

N/A

Follow-up Action / Communications

If granted Third Reading staff will notify the developer that they can submit their development permit application.

Report Approval Details

Document Title:	PH, 2nd and 3rd Reading; Bylaw 2020-02.docx
Attachments:	<ul style="list-style-type: none">- LU2020-02 External comments.docx- LU2020-02 Map package.pdf- Bylaw 2020-02.docx
Final Approval Date:	Apr 27, 2020

This report and all of its attachments were approved and signed as outlined below:



Sherry Baers



Matthew Boscarol



Brian Henderson