

**Topic:** Proposed Bylaw No. 2013-20: Amendment to Land Use Bylaw No. 20-2009

### Discussion

#### The Application

The County has received an application from two (2) landowners in Zone 2 of the Acheson Industrial Area to amend Map 9 and 9A of within Land Use Bylaw No. 20-2009 to re-district lands certain lands within NW 11-53-26-W4M from the IRD – Industrial Reserve District to the BI – Business Industrial District. If the proposed re-districting amendments are accepted, both landowners wish to undertake further subdivision and development of the lands for industrial/commercial use.

#### Site and Previous Approvals on the Lands

The subject quarter section (NW 11-53-26-W4M) currently consists of two titled areas under separate ownership. The lands are immediately south of Highway 16 (Yellowhead), east of Range Road 262 (Bevington Road) and north of Township Road 531A (Parkland Avenue) in Zone 2 of the Acheson Industrial Area. Boblen Holdings Co. Ltd. owns a 2.407 hectare parcel of land in the northwest corner of the quarter section. A development permit was historically approved for industrial manufacturing and storage (Cross Country Homes) on the parcel; the parcel is not yet connected to municipal services.

Parkland Estates Development Corp owns the balance (51.16 ha) of the quarter section, however only those lands (24.65 ha) north of Parkland Avenue are subject of the current re-districting application. The lands were historically used for extensive agricultural activities. A ravine is located in the northeast portion of the quarter section and is proposed to be utilized as part of the future storm water management for the area. Penn West Petroleum Ltd. is currently operating two oil/gas wells immediately west of the ravine.

### Analysis

#### Compliance with Capital Region Growth Plan and Approved County Plans

##### 1. Capital Region Growth Plan

Bylaw 2013-20 does not require referral to the Capital Region Board as Land Use Bylaw amendments are not a requirement under the Regional Evaluation Framework. Administration is of the opinion that Bylaw 2013-20 and the development of NW 11-53-26-W4M is consistent with the land use policies of Priority Growth Area 'A' to grow employment in the Acheson area where existing municipal infrastructure can be logically and efficiently extended.

##### 2. Municipal Development Plan (MDP)

The proposed amendment application is consistent with Section 5 of the County's MDP where new industrial/commercial development is directed into established industrial areas, including Acheson. The Land Use Concept Map (Map 2) within the MDP identifies the land for industrial/commercial development. Bylaw No. 2013-20 does not require referral to the City of Edmonton as the proposed re-

districting amendment is consistent with the County's MDP and existing Acheson Industrial Area Structure Plan. Policy 11.6 in the MDP does not require referral of re-districting applications consistent with the Acheson Industrial Area Structure Plan.

### **3. Acheson Industrial Area Structure Plan (ASP)**

The subject lands under the amendment fall within Stage 2 of the Commercial/Industrial designation within the existing ASP. Bylaw No. 2013-20 is consistent with Policy 4.2.1(12) of the ASP where development of the Stage 2 area follows substantial development of Stage 1 lands, as identified on Land Use Concept Map 4.1. Note: Bylaw No. 2013-20 is also consistent with proposed Bylaw No. 32-2012 being the proposed replacement ASP that was not ultimately supported through the Regional Evaluation Framework process.

### **4. Future subdivision/development of N.W. 11-53-26-W4M**

As noted, Parkland Estates Development Corp. has simultaneously submitted a two phased subdivision for the subject lands in NW11 should Bylaw No. 2013-20 be successful. A review of the subdivision application identifies that the landowner proposes to drain Phase 1 lands west to the existing storm water management facility at the southeast corner of Highway 16 and Highway 60 and not a new facility to be constructed in NW11. Administration has identified to the Developer that this is inconsistent with the Water Act approval as currently issued by Alberta Environment and the Master Storm Water Plan for the Acheson/Big Lake area. Administration has encouraged the Developer to complete the necessary engineering reviews and supporting documentation to make application to Alberta Environment to amend the Water Act approval. Further, should a Water Act amendment be successful, the Developer shall demonstrate that the existing storm water facility is in a condition capable of accepting run-off flows from this development.

Further, the existing facility at Highway 60 and Highway 16 has not yet received a Final Construction Certificate that was to be issued in 2007 due to a significant number of construction deficiencies. The Developer has yet to complete the landscaping improvements as required by Council under previous planning approvals. Administration has encouraged the Developer to address these items above in a timely manner to avoid potential delays during the re-districting/subdivision stages of this project, but has to date not received a satisfactory response on these items. Council may proceed with Bylaw 2013-20 at their discretion at this time..

#### **Alternatives:**

1. Council could table Bylaw No. 2013-20 and request additional information from the Applicants/Administration or request that referrals to adjacent landowners and potentially affected agencies be completed prior to consideration of first reading; or
2. Council could defeat Bylaw No. 2013-20 at first reading.

#### **Justification:**

#### **Supporting Information Still Required**

Administration advises Council that outstanding information regarding storm water management from the Applicant is required prior to the Public Hearing. Additionally, Administration anticipates the delivery of the Draft Zone 2 Traffic Sensitivity Assessment from our consultant, mid September. Without this information Administration is unable support the re-districting application at Public Hearing.

**Administration supports** Bylaw No. 2013-20 and recommends that Council give first reading to the requested amendments so that public input may be sought from adjacent landowners and referral agencies through the public hearing process. A public hearing regarding Bylaw No. 2013-20 has been reserved for October 8<sup>th</sup>, 2013 at 10:30 am subject to Council's approval. The proposed re-districting and development of a portion of N.W. 11-53-26-W4M for industrial/commercial use within the BI – Business Industrial District under the County's Land Use Bylaw is consistent with the Capital Region Growth Plan, Municipal Development Plan and the Acheson Industrial Area Structure Plan. The development at this location in Zone 2 of the Acheson Industrial Area is practical as existing infrastructure can be logically and efficiently extended at this time subject to confirmation of the storm water management plans and traffic analysis.

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