

## Public Hearing feedback and recommendations – Proposed Bylaw 32-2012

Below is a summary of the feedback provided as part of the public hearing for proposed Bylaw 32-2012 (Acheson ASP). The table is structured in the following format:

**Issue:** identifies the key issues of concern raised by public hearing presenters.

**Notes:** explains the issue in greater clarification, as well as Administration's additional notes on the issue.

**Options and Recommendations:** identifies options available to Council when considering the issue. This section also identifies Administration's recommended option. Where needed, greater clarification on Administration's recommendation was provided.

ISSUE	NOTES	OPTIONS (IF APPLICABLE) AND ADMINISTRATION'S RECOMMENDATIONS
<ul style="list-style-type: none"> <li>Requirement for Servicing in ASP area.</li> <li>Requirement for Servicing in Special Study Area B.</li> </ul>	<ul style="list-style-type: none"> <li>If Council considers on-site, interim servicing in Acheson, the County may face potential opposition to the ASP at the Capital Region Board (CRB).</li> </ul>	<ul style="list-style-type: none"> <li>No recommended changes to policies. Municipalities are expected to extend existing infrastructure to service development in Priority Growth Areas by the Capital Region Board.</li> </ul>
<ul style="list-style-type: none"> <li>Special Study Area B – sterilization of land for short – medium term development</li> </ul>	<ul style="list-style-type: none"> <li>Landowners raised the concern that Special Study Area B polices will sterilize development for 20 + years.</li> <li>Development on Special Study Area B lands may occur prior to 20 years if landowners comply with ASP Policy 6.10.2.14, as well as provide full servicing, and comply with all other regulations in the ASP.</li> <li>Landowner representative also requested removal of Section 5.11 of the Draft ASP which states "...development of these lands is not anticipated in the next 20 + years, and is not identified in Figure 13 – Development Staging".</li> <li>Section 5.11 which mentions that growth is not expected in the next 20 + years refers to both Special Study Areas, and is not exclusive to Special Study Area B lands only.</li> </ul>	<p><u>Option 1 - Maintain Special Study Area B Status:</u></p> <ul style="list-style-type: none"> <li>This option may be the most amenable to Edmonton, and the Capital Region Board since it keeps potential future land uses undefined. The option is not amenable to landowners since it doesn't define what they can / can't do in the future.</li> </ul> <p><u>Option 2 - Industrial Reserve Designation:</u></p> <ul style="list-style-type: none"> <li>Council may consider removing the Special Study Area designation, and designating the area "Industrial Reserve". This would also require a future Land Use District change to IRD – Industrial Reserve District. This option may be amenable to landowners (more clarification on future uses), but may be opposed by the City of Edmonton. This option, however would further limit the current uses available to landowners under the Land Use Bylaw for short – medium term uses.</li> </ul> <p><u>Option 3 – Removal from ASP area</u></p> <ul style="list-style-type: none"> <li>Council may consider removing Special Study B lands from the ASP area. This option does not remove the requirement for servicing of these lands if they are developed for industrial, commercial, or higher density residential purposes.</li> </ul>

		<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Maintain Special Study Area B status. A minor text amendment to Section 5.11 heading “Development Timing” will also now read “Development Timing – Special Study Area A and B lands”.</li> </ul> <p>As part of this recommendation, Administration commits to meeting with Special Study Area B landowners to discuss the existing (current) uses of their land, and potential future uses which could be anticipated.</p>
<ul style="list-style-type: none"> <li>“Requirement” for a Fiscal Analysis prior to development approval (policies 6.1.2.12, and 6.1.2.13).</li> </ul>	<ul style="list-style-type: none"> <li>A developer raised a concern that a Fiscal Analysis would be “required” prior to a subdivision or development approval being granted by the County.</li> <li>Policies 6.1.2.12, and 6.1.2.13 state that the County “encourages” a fiscal impact analysis as part of the development process, and “may require” additional analysis for projects with multiple planning approvals.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>No recommended changes to policies 6.1.2.12, and 6.1.2.13 as related to Fiscal Analysis.</li> </ul> <p>The County may consider moving towards requiring a fiscal impact analysis to be undertaken by developers prior to development occurring on their lands at a future date (future revision of the ASP).</p>
<ul style="list-style-type: none"> <li>Removal of policies related to the development of a recreational trail network(s).</li> </ul>	<ul style="list-style-type: none"> <li>Administration reviewed existing industrial ASPs in the Capital Region and around Calgary. Most plans have policies related to the development of multi-use pathways through (and servicing) industrial areas.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends no changes to proposed objectives or policies in the draft ASP.</li> </ul>
<ul style="list-style-type: none"> <li>Removal of the N ½ of Section 31-52-26 W4M from the ASP Boundary</li> </ul>	<ul style="list-style-type: none"> <li>Landowner requested removal of the N ½ of Section 31-52-26-W4M from the ASP Boundary if the requirement for full servicing and development staging map couldn’t be amended</li> </ul>	<p><u>Option 1 - Removal from ASP Boundary</u></p> <ul style="list-style-type: none"> <li>Removal from the ASP Boundary will not remove servicing requirements for these lands if uses were for industrial / commercial or high density residential purposes. Future application for Land Use District changes still need to comply with Priority Growth Area (PGA) regulations.</li> </ul> <p><u>Option 2 – Retain the N ½ of Section 31-52-26-W4M in the ASP</u></p> <ul style="list-style-type: none"> <li>Option 2 allows the County to retain greater say over the type of development proposed on these lands, as well as the timing for development of these lands.</li> </ul>

		<p><u>Option 3 – Remove Industrial designation and extend Special Study Area A designation over the N ½ of Section 31-52-26 W4M</u></p> <ul style="list-style-type: none"> <li>This option removes the industrial designation and the development staging (timing) for these lands. In addition, this option would extend the Special Study Area A designation over these lands.</li> </ul> <p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends Option 2 – Retain the N ½ of Section 31-52-26-W4M in the ASP Boundary.</li> </ul>
<ul style="list-style-type: none"> <li>Changes to Transportation Network mapping and policies.</li> </ul>	<ul style="list-style-type: none"> <li>A developer raised a concern in regards to the general location of proposed roads in Acheson Zone 4 (proposed road connection between Bevington Road and Hillview Drive). Concern was also raised over the “status” of Highway 16A, and the closure of existing accesses into / out of Acheson.</li> <li>Information in the ASP is based on current information provided by Alberta Transportation.</li> <li>Highway 16A is not designated as having “freeway” status.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends no changes to proposed policies until new / emerging information is brought forward by Alberta Transportation.</li> </ul> <p>Administration will undertake minor text amendments to the draft ASP to remove any reference to Highway 16A as having “freeway status”.</p>
<ul style="list-style-type: none"> <li>Expansion of Special Study Area A south of its current boundaries.</li> </ul>	<ul style="list-style-type: none"> <li>The potential expansion of Special Study Area lands south of its current boundaries was discussed at the Public Hearing.</li> <li>Additional studies proposed by Administration include: <ul style="list-style-type: none"> <li><u>Phase 1</u> – an ecological study of lands immediately adjacent (south and west) of Wagner, and</li> <li><u>Phase 2</u> - a hydrogeological assessment of the entire Recharge Zone.</li> </ul> </li> </ul> <p>Phase 1 is required under the Capital Region Board (CRB) Land Use Plan and (as required by the CRB) for “lands adjacent to Natural Areas”.</p>	<p><u>OPTION 1 – Expand Special Study Area A Boundaries</u></p> <ul style="list-style-type: none"> <li>This option proposes to expand Special Study Area A lands to include parts of SW 6-53-26 W4M, and SE 6-53-26 W4M (lands between CN main line and Highway 16A), and the N ½ of Section 31-52-26 W4M.</li> </ul> <p><u>OPTION 2 – Retain existing Special Study Area A Boundary</u></p> <ul style="list-style-type: none"> <li>This option maintains the existing Special Study Area A Boundary in the draft ASP.</li> </ul> <p><i>NOTE: Phase 1 work is exclusively linked to lands adjacent to the Wagner Natural Area. In addition, Administration has not informed or consulted with potential landowners as to the potential expansion of Special Study Area A onto their lands. Administration cannot justify expanding Special Study Area A given wording used in the CRB Land Use Plan.</i></p>

		<p><i>All lands identified above will be studied under Phase 2 – the Hydrogeological assessment being undertaken by Administration to determine potential uses and best management practices for all lands in the Wagner Natural Area Recharge Zone.</i></p> <p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends that Council retain the existing Special Study Area A Boundary (Option 2).</li> </ul>
<ul style="list-style-type: none"> <li>Text amendments – Development staging near existing well sites (policies 7.1.2.6, and 7.1.2.7).</li> </ul>	<ul style="list-style-type: none"> <li>A developer was concerned that the wording in policies 7.1.2.6, and 7.1.2.7 may delay development of these lands. Development may be able to occur on the same site / parcel as an existing well site, as long as all ERCB setback requirements, health and safety requirements, and compliance with all federal, provincial, and the ASP has been met.</li> </ul>	<p><u>OPTION 1 – Retain wording in policies 7.1.2.6, and 7.1.2.7</u></p> <ul style="list-style-type: none"> <li>This option retains the wording in both policies to only allow for development to proceed once decommissioning of all well sites and Alberta Transportation approvals have been granted. The option may limit the developability of these lands in the medium (S3) and medium – long term (S4).</li> </ul> <p><u>OPTION 2 – Revised wording in policies 7.1.2.6, and 7.1.2.7</u></p> <ul style="list-style-type: none"> <li>This option proposes revised wording to state that development “will be contingent upon meeting all ERCB setback regulations as determined between the ERCB and well owner, meeting all applicable federal and provincial health and safety regulations pertaining to development near well sites / infrastructure, obtaining all necessary Alberta Transportation approvals, and the compliance with ASP policies.</li> </ul> <p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends the revision to the ASP policy wording as proposed in Option 2.</li> </ul>
<ul style="list-style-type: none"> <li>New Policies: Section 6.9 – Oil and Gas Development.</li> </ul>	<ul style="list-style-type: none"> <li>Administration has concerns related to development near existing, operational well sites. In addition, new provincial subdivision and development regulations pertaining to subdividing or developing land near abandoned wells must be addressed by landowners when proposing development.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends the addition of two additional policies under Section 6.9 – Oil and Gas Development.</li> </ul> <p>Proposed policy 6.9.2.2 will reinforce the requirement that all subdivision and development complies with existing ERCB setback requirements, and additional federal and provincial health and safety requirements.</p> <p>Proposed Policy 6.9.2.3 states that proposed subdivision application and development permit applicants shall comply with</p>

		the Province of Alberta Subdivision and Development Regulation, and ERCB Directive 079 which pertains to subdivision and development near abandoned wells.
<ul style="list-style-type: none"> <li>Text amendment – policies related to Osborne Acres Servicing (policies 6.2.2.13, 6.6.2.14)</li> </ul>	<ul style="list-style-type: none"> <li>Administration has concerns over the ability to commit to “full servicing” of Osborne Acres (OA) by full – build out of Acheson.</li> </ul>	<p><u>OPTION 1 – Retain sentence in both policies stating OA “should” be serviced by full build out of Acheson.</u></p> <ul style="list-style-type: none"> <li>Retaining the last sentence that states OA “should” be serviced by full build out in Acheson puts Administration in risk of determining servicing on an undefined timeline.</li> </ul> <p><u>OPTION 2 – Remove sentence in both policies stating OA “should be serviced” by full build out of Acheson.</u></p> <ul style="list-style-type: none"> <li>This option provides Administration more time and flexibility to determine a fair and effective cost sharing approach to servicing in Osborne. It also provides Osborne Acres residents time to determine the extent of servicing that all residents would desire.</li> </ul> <p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration recommends Option 2 – removal of the statements stating OA “should” be serviced by full-build out.</li> </ul> <p><i><u>NOTE:</u> This change does not change the intent of both policies which states that OA and Administration will work collaboratively to determine a “cost sharing” agreement to provide servicing.</i></p>
<ul style="list-style-type: none"> <li>Overall size / scope of Acheson Area Structure Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Concern was raised from the City of Spruce Grove and the City of Edmonton about the overall scope / size of the Acheson ASP area.</li> <li>The Draft ASP boundaries was expanded by fourteen (14) quarter sections to the west from the current 1997 ASP boundaries. Of these quarter sections, approximately eleven (11) are not identified for development (Wagner Natural Area, Special Study Area A lands).</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration proposed no changes to the draft ASP boundary.</li> </ul>

<ul style="list-style-type: none"> <li>Industrial / Commercial land use designation in the draft ASP area.</li> </ul>	<ul style="list-style-type: none"> <li>Concern was raised from the City of Spruce Grove and the City of Edmonton about the industrial / commercial designation being vague, and not providing clarification on the types of industrial / commercial land uses being proposed for Acheson.</li> <li>Industrial and commercial development proposed in Acheson would be consistent with the uses currently allowed under the BI – Business Industrial, and MI – Medium Industrial Districts in the Land Use Bylaw.</li> <li>The ASP also specifies that “heavy industrial development” is prohibited in the ASP area.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration proposes no changes to the wording related to industrial / commercial development designation in the draft ASP.</li> </ul> <p><i>NOTE: In August – September 2012, Administration met with all major developers in Acheson to discuss the restructuring, and the addition of new “precincts” (land use districts) in Acheson. The majority of developers strongly opposed the idea of new precincts in Acheson, and supported better design regulations for highway frontage properties. Administration will be proceeding with developing these regulations in the future.</i></p>
<ul style="list-style-type: none"> <li>Infrastructure servicing concerns – ASP area.</li> </ul>	<ul style="list-style-type: none"> <li>Concern was raised from the City of Spruce Grove and the City of Edmonton about the ability of the regional water and sanitary systems to service new development in the Acheson area.</li> <li>Proposed water and sanitary systems identified in the draft ASP are consistent with both the Acheson and Big Lake Water Servicing Study, and the Acheson Big Lake Sanitary Servicing Study prepared by Parkland County Engineering Services. In addition to this, historically, regional capacity to serve both regional water and sanitary systems has been expanded based on the demand required of participating municipalities.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration proposes no changes to the draft ASP.</li> </ul> <p><i>NOTE: The Acheson ASP area falls under Priority Growth Area A of the Capital Regional Land Use Plan. If Parkland County were to allow unserviced (or interim, temporary servicing) to reduce demand on regional systems, the County would be in non-compliance with the Land Use Plan policies.</i></p> <p><i>NOTE: The Draft ASP identifies an orderly sequence for timing of Acheson (Development Staging). Development Staging will allow the County to determine, at each stage of development, any capacity issues or constraints. Also, policy 7.1.2.12, allows the County the ability to “delay development staging for the ASP area where municipal services cannot be adequately provided”.</i></p>
<ul style="list-style-type: none"> <li>Map Revision – Future Land Use Concept (Figure 5)</li> </ul>	<ul style="list-style-type: none"> <li>Minor amendments to revise the “Agriculture” designation in Figure 5 – Future Land Use Concept to “Buffer”, and to appropriately identify “Residential” on a parcel of land west of Spruce Valley Road, and immediately south of Wagner Natural Area to “Residential”.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration has undertaken these changes.</li> </ul>
<ul style="list-style-type: none"> <li>Map Revision – Development Staging Map (Figure 13)</li> </ul>	<ul style="list-style-type: none"> <li>A developer raised the concern that lands identified as S2 – Near development on NE 10-53-26-W4M should be classified as S1 – Immediate Development.</li> </ul>	<p><u>Administration Recommendation:</u></p> <ul style="list-style-type: none"> <li>Administration agrees with the proposed changes. S2 lands located on NE 10-53-26-W4M have been changed to S1 – Immediate Development.</li> </ul>

<ul style="list-style-type: none"> <li>Minor revisions</li> </ul>	<ul style="list-style-type: none"> <li>A developer identified a number of minor text revisions in the draft ASP. Most revisions were related to spelling and grammar mistakes.</li> </ul>	<u>Administration Recommendation:</u> <ul style="list-style-type: none"> <li>Administration has undertaken spelling and grammar revisions to the draft ASP.</li> </ul>