

**ATTACHMENT 3: Written submissions – Bylaw 2014-28 amendments to MDP Bylaw No. 37-2007**

Below is a list of written submissions received in regards to Bylaw 2014-28, amendments to MDP Bylaw No. 37-2007.

Received – December 5<sup>th</sup> / 2014



**Stantec Consulting Ltd.**

10160 - 112 Street, Edmonton AB T5K 2L6

December 4, 2014

File: 1161 103820

**Attention: Paul Hanlan**

Parkland County  
53109A Hwy 779  
Parkland County, AB  
T7Z 1R1

Dear Mr. Hanlan,

**Reference: Amendment to Bylaw 2014-28 - Municipal Development Plan and Bylaw 2014-29 Acheson Area Structure Plan – Alberta Spruce Industries Ltd.**

Stantec Consulting Ltd., on behalf of Alberta Spruce Industries Ltd., is requesting to be heard at the Public Hearing scheduled for December 16, 2014. We are requesting that the Municipal Development Plan and the Acheson Area Structure Plan be amended whereby Alberta Spruce Industries Ltd., legally described as Lot 2 and Lot 3, Plan 942 0960, be exempt for the provision of municipal services in the event Alberta Spruce Industries expands its operation or is redeveloped for another use acting in compliance with General Industrial Manufacturing / Processing as prescribed by Land Use Bylaw 20-2009.

The background material, the reason(s) for the amendment and the proposed text amendment for the Municipal Development Plan and Acheson Area Structure Plan is included in the attachment.

Regards,

**STANTEC CONSULTING LTD.**

Attachment: Planning Report  
c. NAMES REMOVED

**Design with community in mind**



December 4, 2014  
Attention  
Page 2 of 2

**Reference: Reference**

Im document2

## **1. BACKGROUND**

- ALBERTA SPRUCE INDUSTRIES LTD (ASI). IS A SPECIALTY WOOD PRODUCTS MANUFACTURER AND MARKETER AND IS LOCATED .8 KM WEST OF THE INTERSECTION OF HIGHWAY 60 ON SECONDARY HIGHWAY 628
- ALBERTA SPRUCE INDUSTRIES LTD. WAS INCORPORATED IN 1987 AND HAS BEEN OPERATING IN THE ACHESON INDUSTRIAL PARK ON THE SAME SITE SINCE 1993.
- AT THAT TIME, ALBERTA SPRUCE INDUSTRIES LTD. WAS IN A DIRECT CONTROL AREA AND ZONED INDUSTRIAL COMMERCIAL EXPANSION (ICE) WHEREBY ALBERTA SPRUCE INDUSTRIES LTD. WAS A PERMITTED USE WITH AN APPROVED DEVELOPMENT PERMIT
- IN 2013, ALBERTA SPRUCE INDUSTRIES LTD. ENGAGED STANTEC CONSULTING LTD. TO PREPARE A PLANNING REPORT OUTLINING ITS FUTURE USE OPPORTUNITIES
- IT WAS DETERMINED THAT ALBERTA SPRUCE INDUSTRIES LTD. WAS A “NON-CONFORMING” USE ACCORDING TO THE LAND USE BYLAW 20-2009
- THE REVISED DESIGNATION AS A “NON-CONFORMING” USE HAS SIGNIFICANT FINANCIAL HARDSHIPS ASSOCIATED WITH THE FUTURE OPERATION OF ALBERTA SPRUCE INDUSTRIES LTD AND THE REDEVELOPMENT OF THE SITE.
- STANTEC CONSULTING LTD. REVIEWED PREVIOUS PARKLAND COUNTY LAND USE BYLAWS THAT WERE IN EFFECT SINCE 1993 AND THE ACHESON INDUSTRIAL AREA STRUCTURE PLAN (1997) RECONFIRMING THAT THE STATUS OF ALBERTA SPRUCE INDUSTRIES LTD. COMPLIED WITH THE PLANNING LEGISLATION UP TO 2009
- STANTEC CONSULTING LTD. CONCLUDED THAT UNBEKNOWNST TO ALBERTA SPRUCE INDUSTRIES LTD., THE STATUS OF ALBERTA SPRUCE INDUSTRIES LTD. CHANGED FROM A PERMITTED USE TO A “NON-CONFORMING” USE WHEN LAND USE 20-2009 WAS PASSED BY PARKLAND COUNTY
- TO CORRECT THIS SITUATION A REZONING APPLICATION WAS SUBMITTED TO PARKLAND COUNTY TO DESIGNATE ALBERTA SPRUCE INDUSTRIES LTD AS A PERMITTED USE



- ON JANUARY 14, 2014, PARKLAND COUNTY APPROVED BYLAW 2013-26 TO AMEND SECTION 7.6(2) BY ALLOWING GENERAL INDUSTRIAL MANUFACTURING /PROCESSING ON LOT 2 AND LOT 3, PLAN 942 0960 AS A PERMITTED USE (ALBERTA SPRUCE INDUSTRIES LTD)

## **2. REASON(S) FOR AMENDMENT TO BYLAW 2014-28 - MUNICIPAL DEVELOPMENT PLAN AND BYLAW 2014-29 - THE ACHESON AREA STRUCTURE PLAN**

- ALTHOUGH ALBERTA SPRUCE INDUSTRIES LTD PROPERTY RIGHTS WAS REINSTATED AS A PERMITTED USE IN JANUARY 2014, REDEVELOPMENT AND /OR EXPANSION OF THE ALBERTA SPRUCE INDUSTRIES LTD REMAINED CONDITIONAL SUBJECT TO COMPLYING WITH THE PROVISIONS OF PARKLAND COUNTY MUNICIPAL DEVELOPMENT PLAN AND THE ACHESON AREA STRUCTURE PLAN
- THE PLANS REQUIRE THAT ALL FUTURE DEVELOPMENT IN THE ACHESON AREA STRUCTURE PLAN BE SERVICED BY MUNICIPAL SERVICES (WATER AND SANITARY)
- ALBERTA SPRUCE INDUSTRIES LTD IS APPROXIMATELY 3.25 KM (2 MI) FROM THE EXISTING MUNICIPAL SERVICES WHICH MAKES IT FINANCIALLY IMPOSSIBLE TO REDEVELOP OR EXPAND ITS BUSINESS
- ALBERTA SPRUCE INDUSTRIES LTD WAS AN APPROVED USE THAT PRECEDED THE ACHESON INDUSTRIAL AREA STRUCTURE PLAN (1997) AND IS ACKNOWLEDGED BY THE ADMINISTRATION AS AN UNIQUE SITUATION IN RELATIONSHIP TO THE PLANS POLICIES AND OBJECTIVES
- DUE TO ITS LOCATION, AS SHOWN IN FIGURE 9 AND FIGURE 10 OF THE ACHESON AREA STRUCTURE PLAN, THE PROVISION OF MUNICIPAL SERVICES CREATES AN UNDUE HARDSHIP AND FINANCIAL BURDEN
- THAT SAID, ALBERTA SPRUCE INDUSTRIES LTD IS REQUESTING THAT AMENDMENTS TO THE MUNICIPAL DEVELOPMENT PLAN AND THE ACHESON AREA STRUCTURE PLAN BE APPROVED BY PARKLAND COUNTY WHEREBY ALBERTA SPRUCE INDUSTRIES LTD, LEGALLY DESCRIBED AS LOT 2 AND LOT 3, PLAN 9420960, IS EXEMPTED TO PROVIDE MUNICIPAL SERVICES IN THE EVENT OF THE REDEVELOPMENT OR EXPANSION OF ALBERTA SPRUCE INDUSTRIES LTD.
- TO ENSURE THAT THE INTENT OF THE POLICIES AND OBJECTIVES OF THE MUNICIPAL DEVELOPMENT PLAN AND THE ACHESON AREA STRUCTURE PLAN ARE MET, ALBERTA SPRUCE INDUSTRIES LT. IS PREPARED TO PROVIDE A LETTER OF UNDERSTANDING THAT WHEN MUNICIPAL SERVICES ARE AVAILABLE TO THE SITE, ALBERTA SPRUCE INDUSTRIES LTD. WILL CONNECT TO THOSE SERVICES AND COMPLY WITH THE OFF-SITE LEVY BYLAW

### **3. PROPOSED MUNICIPAL DEVELOPMENT PLAN AMENDMENT**

That MDP Amendment 2014-28 be amended:

1. By adding the following **text in bold** to the MDP Amendment Bylaw 2014-28:
3. That Section 10 – Transportation and Utilities of Bylaw No. 37-2007, be amended by adding the following policy:

*(a) Policy 10.21 Municipal Servicing of Acheson Industrial Area The County requires all commercial and industrial developments in Acheson to be fully serviced by municipal (water and sanitary) servicing, and will recover the cost of extending the systems through an offsite levy bylaw.*

***Notwithstanding the above, onsite servicing for future industrial and commercial developments shall be permitted on Lot 2 and Lot 3, Plan 9420960 only.***

*And renumbering the subsequent policies accordingly.*

5. That Map 2 Land Use Concept Map of Bylaw No. 37-2007, be amended by:
  - (a) The "Proposed Outer Ring Road" road alignment identified in Map 2 - Land Use Concept Map, will also be removed based on the current direction provided by Alberta Transportation.
  - (b) A 200m by 800m strip of land on the west side of NW-29-52-26-W4thM will be redesignated from Fringe to Agriculture.
  - (c) All that portion of SE&SW 6-53-26-W4thM that lies south of the railroad and north of Provincial Highway 16A and NE&NW 31-52-26-W4thM excepting thereout Lot 4 Plan 167MC will be redesignated from Agriculture to Industrial/Commercial.
  - (d) Portions of SEC 32-52-26-W4thM, SW 33-52-26-W4thM, NW&NE 28-52-26-W4thM and NW&NE 29-52-26-W4thM will be redesignated from Fringe to Industrial/Commercial.
  - (e) **Lot 2 and Lot 3, Plan 9420960 will be redesignated from Fringe to Industrial/Commercial.**
2. That Schedule 'A' to Bylaw 2014-28 be amended to reflect the above.

#### 4. PROPOSED ACHESON AREA STRUCTURE PLAN AMENDMENT

That Acheson ASP Bylaw 2014-29 be amended:

1. By adding the following in **text in bold** to the ASP Bylaw 2014-29:

6.1.1.3. *Ensure that all future development in the ASP area is fully serviced **as defined within the policies of this Area Structure Plan.***

6.1.2.2 *Direct serviced, light industrial development that requires high-visibility from major roadways to areas designated Business Industrial Area in Figure 6 – Land Use Concept. Appropriate Business Industrial uses are uses which require provincial highway or major roadway visibility, and are characterized by having higher quality building and site design standards, and higher landscaping standards. Business Industrial uses have nuisances contained inside the building envelope.*

*Typical uses in Business Industrial Areas include manufacturing, research, and testing facilities, processing facilities, and logistics and distribution centres. **Notwithstanding the above, onsite servicing for future industrial and commercial developments shall be permitted on Lot 2 and Lot 3, Plan 9420960 only.***

6.1.2.21 *Require all parcels that are districted for industrial or commercial uses under the Land Use Bylaw to be serviced by water, sewer and shallow utilities. The County will not support subdivision, redistricting or development which does not provide full municipal site servicing. All site servicing shall comply with adopted engineering standards and good engineering practices.*

***Notwithstanding the above, onsite servicing for future industrial and commercial developments shall be permitted on Lot 2 and Lot 3, Plan 9420960 only.***

6.3.1.2. *Ensure the full servicing of all industrial and commercial sites in Acheson through the orderly and effective extension of servicing infrastructure **as defined within the policies of this Area Structure Plan.***

6.3.2.3 *Require all parcels in the ASP area that are districted for industrial and commercial uses under the Land Use Bylaw to be serviced by full municipal water, sewer, and shallow utility servicing.*

***Notwithstanding the above, onsite servicing for future industrial and commercial developments shall be permitted on Lot 2 and Lot 3, Plan 9420960 only.***

2. That Figure 15-Development Staging be amended by redesignating Lot 2 and Lot 3, Plan 9420960 from the parcel Base to S1-immediate Development (0-24months)