

Topic:

Item 1: Bylaw 2017-03 Entwistle Area Structure Plan Amendments.

Item 2: Bylaw 2017-04 Redistricting from AGR – Agriculture Restrict District to AGI – Agricultural Industry District

Item 3: Discussion of 50th Avenue and public opposition – External to the Public Hearing

Introduction:

On January 23, 2017, Bylaw Nos., 2017-03 and 2017-04 received first reading by Council in advance of developing a wood recycling and pellet manufacturing facility within the Entwistle Area Structure Plan boundary. The facility will collect wood waste products including bark and wood shavings (biomass) from local forestry industry, and produce small, dense wood pellets that can be used as biofuels for heating and energy production. The wood by-products are heat processed and compressed and prepared for export. Rail access is critical for this project as the finished wood pellets are shipped to Prince Rupert B.C., for international export.

A third item that is external to the public hearing, but related to the project is the alignment and development of road access to the Pinnacle Renewable Energy Inc. (“Pinnacle”) lands is also discussed within this report.

Item 1: Bylaw 2017-03 Entwistle Area Structure Plan**Facts (Background Information):**

Proposed Bylaw 2017-03 are text and map amendments to the Entwistle Area Structure Plan Bylaw 23-2012. The proposed amendments are considered minor in nature and are intended to provide for more uses to be introduced into the Entwistle Area Structure Plan within the Agricultural Land Use dedication.

Analysis:

Minor text and map amendments to the Entwistle Area Structure Plan are proposed to introduce more diversity in the range of value added agricultural and agriculture industrial uses that support manufacturing and processing of agricultural or biomass products. The proposed amendments to the Entwistle Area Structure Plan encourages, and makes provisions for, more diversity in the agricultural land uses by introducing Agricultural Industrial land uses to support Entwistle and the western region of Parkland County in the following ways:

- Identifies the need for a range of new value added, agricultural-based industrial and alternative energy-based developments.
- Identifies the CN Railway as an asset and as a catalyst for development.
- Provides direction and clarification regarding servicing, both municipal and private.
- Provides accommodation for new agricultural, alternative energy, and agricultural industrial based development in fringe areas adjacent to the Hamlet.
- Provides direction and clarification for the requirements for Outline Plans, Conceptual Plans and supporting technical documents and studies to support development proposals.
- Requires compliance with county policies around dark sky lighting.

Administration is supportive of the proposed amendments to the Entwistle Area Structure Plan for the following reasons:

- The proposed project supports alternative/clean energy production.
- The proposed project brings new investment and job opportunities to Parkland County.
- The proposed project brings employment opportunities to a rural urban centre.
- The proposed project diversifies the agricultural economy and related land uses.

Item 2: Bylaw 2017-04 Redistricting of NW-21-53-7-W5M from AGR to AGI

The proposed Bylaw 2017-04 is a Land Use Bylaw amendment to redistrict approximately 40.9 hectares (100.9 acres) of land from the AGR – Agricultural Restricted District to the AGI – Agricultural Industry Development District. The southern portion of the subject parcel is treed and has been identified as containing wetlands by Alberta Environment and Parks. The northern areas of the subject lands are considered suitable for the proposed development as they are flat and includes an existing farmyard which will be incorporated into the site plan.

The subject lands are identified as:

ALL THAT PORTION OF THE NORTH WEST QUARTER OF SECTION
TWENTY ONE (21)
TOWNSHIP FIFTY THREE (53)
RANGE SEVEN (7)
WEST OF THE FIFTH MERIDIAN
LYING NORTH WEST OF THE LAND SUBDIVIDED UNDER
PLAN 2443AE
CONTAINING 40.9 HECTARES (100.9 ACRES)
MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
LINC No. 0019 976 034

Pinnacle is in the process of obtaining required approvals from Alberta Environment and Parks and has paid the required compensation for development within a wetland, where applicable.

Analysis:

The proposed wood pellet production facility would be considered a “General Industrial Manufacturing/ Processing” use under the Land Use Bylaw. Currently, the AGR – Agricultural Restricted District does not allow General Industrial Manufacturing / Processing as either a permitted or discretionary use.

The proposed development will, however, be allowed in the new AGI – Agricultural Industry Development as a permitted use, since it will satisfy two of the three fundamental use provision under the General Industrial Manufacturing / Processing definition. Specifically, Section 4.4.2(a) of the Land Use Bylaw states that any new uses within the AGI district must:

- (i) support value added manufacturing or processing of agricultural or biomass inputs;
- (ii) provide a source for alternative energy generation; or
- (iii) produce supplies or inputs that directly support the value added agriculture and/or alternative energy industries.

The proposed development will

- a) support value added processing of biomass inputs (being wood waste products from forestry industry) into biofuel products; and
- b) these biofuel products will also directly support the alternative energy industry by being a direct energy source.

For the above reasons, Administration supports the redistricting of NW-21-53-7-W5M from the AGR – Agricultural Restricted District to the AGI – Agricultural Industry Development District.

Public Consultation

Developer Open Houses

In support of the applications for Bylaws 2017-03 and 2017-04, Pinnacle undertook three (3) Public Open Houses (December 1 & 15, 2016 and January 12, 2017) where they presented their plans for the proposed pellet plant. Over the three evenings, 140 individuals/and or couples signed in at the open house. The Open Houses were advertised twice in each of the following publications: Spruce Grove Examiner, Stony Plain Reporter, the Drayton Valley Western Review and the Community Voice. Additional notices of the public meeting were delivered via postal mail to approximately 300 residents/landowners located within the Hamlet of Entwistle. See the Public Consultation Report attached to this report for full details and administrative responses to the public consultation comments.

Public Comment Summary from Open Houses held by Pinnacle:

- Concerns over the increase of heavy [truck] traffic on Hwy 22/16A.
- Concerns over noise from trucks and engine retarder breaks.
- Concerns over noise from plant.
- Suggestion that the County Noise Bylaw be reinforced.
- Requirement for clean burning diesel trucks only.
- Concerns over negative social impacts on community (not specified or clarified).
- Concerns over air pollution – health concerns.
- Concerns over light pollution from plant
- Suggestion that Pinnacle construct a rail bridge to the east of the project site to access site from the east of town.
- Concerns over the inability to sell homes along 50th Avenue due to the proposed road.
- Suggestion for discrete plant signage.
- Comments around the negative impacts on families (not elaborated).
- Dust concerns.
- Safety concerns regarding truck traffic and children, do not want to have the truck route run past the school.
- General support for the project.
- Suggestion for sidewalks to be provided and connect from the school to downtown.
- Suggestion for lighted crosswalks across Hwy 16A near the school.
- Request for taxes from the Pinnacle plant to be directly re-invested in Entwistle.
- Request for a treed buffer between the plant and the railway.
- Resident opposition to plant access along 50th Ave-do not want the road running past their homes.
- Excitement over increases in property values in town.

Legislative Public Comment Period Conducted by Administration

In compliance with the requirements of the Municipal Government Act, Administration circulated the application to internal stakeholders, relevant agencies, adjacent land owners and approximately 300 residents and/or landowners within the Hamlet of Entwistle. Additionally, individuals who signed in at the open houses hosted by Pinnacle were also sent the circulation letter. The formal comment period was between January 26, 2017 and March 6, 2017. In total 6 written responses were received by Administration. A formal Public Consultation Report is attached to this document.

Alberta Health Services expressed concern and recommended a Phase II Environmental Site Assessment be conducted, which Pinnacle is currently undertaking. Additionally Alberta Transportation commented that they are not in opposition to the project and are working with both the County and Pinnacle to ensure the safe and efficient operation of highways, including Highway 16A, through the Hamlet.

Comments received within the County's legislative circulation process concern:

- General support for the project.
- Concerns about Noise from the Plant.
- Concerns that the Community Standards Bylaw is not strict enough
- Concerns about pollution from the Plant.
- Opinion that biomass fuel pellets are speeding up, rather than slowing global warming.

Additional comments concerning access to the proposed development:

The majority of comments received during the comment period are in regard to the proposed road access to the development and the proposed new road to be located south of 50th Avenue. These concerns are:

- Loss of property values for lots located along 50th Avenue.
- Requests for compensation for residents along 50th Avenue in regards to perceived reduced property values.
- Reduced quality of life for residents adjacent to the proposed roadway.
- Complaints that the lands south of 50th Avenue are not districted for Industrial uses or industrial traffic.
- General objections to the location of the proposed roadway.
- Concerns over noise, light, dust and air pollution from the proposed roadway and its traffic.
- Concerns over the delivery hours of tractor-trailers (6am to 1am 7 days a week).
- Concerns regarding health and safety of residents.
- Concerns around the ground conditions and suitability for road construction due to the potential vibrations and damage to adjacent properties as the area is largely peat.

**These comments are explored further in the attached Public Consultation Report.*

Policy Framework Review

The policy frameworks relevant to the consideration of the proposed ASP amendment and redistricting applications are as follows:

1. Capital Region Growth Plan
2. Bylaws 2017-03 and 2017-04 do **not** require a referral to the Capital Region Board, as Land Use Bylaw amendments are not identified as requiring this type of referral under the Regional Evaluation Framework. The ASP amendments does not require CRB referral under the Current Regional Evaluation Framework, additionally section 12.1.5 of the Entwistle ASP states CRB referral is not required.
3. Parkland County Strategic Plan 2016-2020

The following policy statements have been expressed by Council within the current Parkland County Strategic Plan which support the proposed project:

- Core Values: Cooperation- Parkland County will be innovative and creative by capitalizing on opportunities, embracing new technologies, adapting to change and incorporating best practices.
- Strategic Priority Area: Economic Diversification: Parkland County supports and advances economic growth through economic diversification and innovation. Pinnacle will provide a significant boost to the economy in Entwistle and the western portion of the County.

- Strategic Priority Area: Environment: Parkland County provides leadership in environmental sustainability. Pinnacle relocated the initial development site to a less sensitive area of their parcel to minimize impacts on wetlands.

4. Municipal Development Plan (MDP) Bylaw No. 37-2007

The proposed amendments are consistent with Section 2 (“Agricultural Lands”) of the County’s MDP. The subject lands are identified on Map 1 as agricultural land, and the intent of AGI – Agricultural Industry District is to promote industries that complement and support the agricultural sector within rural Parkland County. The following policy statements from the MDP further supports the proposed development:

- Guiding Principles 4: Emphasize Economic Development-
The County supports new industrial and commercial development that is compatible with its other goals. Such development is supported by this Municipal Development Plan and should be encouraged and accommodated in appropriate locations to create jobs, attract investment and expand and diversify the tax base.
- Objective: *Encourage growth and expansion of value added agricultural or industrial agricultural uses such as food processing facilities.*

5. Entwistle Area Structure Plan Bylaw No: 23-2012

The applicant is proposing a number of text amendments to the Area Structure Plan that make provisions for diversifying the Agricultural Economy by accommodating new agricultural-based and alternative energy-based development in rural and/or rural fringe areas. This is being achieved by adding opportunities for Agricultural Industrial Uses, and related criteria, within and adjacent to the Plan Area Boundary. The amendments are detailed in the attached red-lined version of the Entwistle Area Structure Plan.

A significant concern raised by the public during the public consultation for Bylaws 2017-03 and 2017-04, was the issue of road access to NW-21-53-7-W5M and Pinnacle’s proposed Plant site. Engineering Services, Planning and Development Services, and Economic Diversification have worked with Pinnacle resources to identify alternate routing and realignments of 50th Avenue to reduce the impact of truck and construction truck to the adjacent residential areas to the north. The various alignments were reviewed with Alberta Transportation and a preferred alignment has been submitted to Alberta Transportation for their intersection approval at Highway 16A. Parkland County has assumed responsibility for the alignment, design and detailed engineering of the new road including required approvals from Alberta Transportation. The developer will assume the responsibility for construction of the new roadway to the County design. The attached map identifies the proposed alignment for the new roadway south of the existing 50th Avenue and the existing residential area.

Engineering Services and Planning and Development Services worked with the adjacent residents living along 50th Avenue who will be the most greatly impacted by the new roadway development. County staff met with adjacent landowners on February 16, 2017 to present the preferred road alignment and to discuss mitigation measures to reduce impacts on the adjacent residents as much as possible. A follow up meeting was held on March 2, 2017 with the same group of adjacent landowners where the final roadway alignment was presented to the group. It is noted that efforts are being taken to minimise the impact of the proposed road to adjacent residents.

The most significant opposition to Pinnacle’s proposed development has been related to the access road and the anticipated traffic volumes and types. Comments and administrative responses are discussed within the Public Consultation section of this report.

Rationales for the preferred alignment as shown on the attached map include:

- An effort to keep the road alignment as far away from residential properties as possible.

- The lands north of the proposed roadway could potentially be used as a buffer with berming and planting to minimize visual, noise and pollution impacts.
- Safety considerations:
 - Desire to get Pinnacle's delivery trucks off of Hwy 16A as soon as possible after exiting Hwy 16 to minimize interference with the town's traffic and in particular, conflict with pedestrians.
 - Desire to not have truck traffic going past the Entwistle School and the related conflict of school children in the vicinity.
 - An alternative access from the highway located East of the hamlet at Range Road 73 was explored, however, it presented traffic safety concerns with the acceleration and deceleration of traffic on Highway 16 as well as the potential conflicts for left turning traffic.
 - The existing grade separated interchange at Highway 16 and 16A is the best available option for access to and from the highway.
- Site constraints:
 - Minimum distance separations are required by Alberta Transportation between the interchanges and an intersection. (The intersection of the proposed road is as far south of 50th Avenue as allowed by Alberta Transportation).
 - Slope and grade of the road way from the interchange into town presents a visual constraint
 - The need for traffic to cross the Railway, the construction of another grade separated railway crossing east of town (Range Road 73) is cost prohibitive.

Alternatives:

1. Council may postpone or table the Public Hearing and/or second and third readings for Bylaw Nos. 2017-03 and 2017-04 to address any comments raised at the Public Hearing.
2. Council may defeat Bylaw Nos. 2017-03 and 2017-04 at second reading.

Conclusion/Summary:

Administration finds both applications in alignment with the Capital Region Growth Plan, Council Strategic Plan and the Municipal Development Plan, and therefore supports the proposed bylaw amendments and recommends that Council give second and third reading to Bylaw Nos., 2017-03 and 2017-04.

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