

## ATTACHMENT E: POLICY REVIEW

Definitions		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

Municipal Government Act (MGA)	
708.061(3)	<i>If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (2), the statutory plan or bylaw is deemed to be invalid to the extent that it conflicts or is inconsistent with a growth plan.</i>
Inconsistent	As the proposed redesignation to I-LHT would not align with the Calgary Metropolitan Region Growth Plan, the approval of Bylaw C-8359-2023 may be deemed invalid.

Calgary Metropolitan Region Growth Plan	
Chapter 5: Glossary of Terms	
<i>Rural Employment Area</i>	<i>An employment development characterized by a variety of lower density, lower service industrial or commercial land uses such as manufacturing, outdoor storage, transportation services, or other similar uses. These areas may also include uses such as food, business, and fuel station services to serve a local population or the travelling public, but they do not include regional commercial centres.</i>
Consistent	The proposed parcel size, land use district, and proposed automotive storage garage/warehouse use meets the definition of a rural employment area.
Rural Employment Area	
3.1.6.2	<i>Rural Employment Areas have no locational criteria, but the development shall not be located within two kilometres of an Urban Municipality or Joint Planning Area, or within two kilometres of another Rural Employment Area, unless supported by the Board.</i>
Inconsistent	The proposed parcel would be approximately 1.50 kilometres east of the city of Calgary and is located adjacent to Joint Planning Area 2.
3.1.6.3	<i>Rural Employment Areas must be planned through an Area Structure Plan that identifies how the development protects the function of regional transportation infrastructure and provides water, wastewater and/or Stormwater servicing.</i>
Inconsistent	The subject quarter section is directly adjacent to two Area Structure Plans; the OMNI Area Structure plan is located immediately North of the subject parcel, and the Conrich Area Structure Plan is located immediately south.

<b>Municipal Development Plan (County Plan)</b>	
<b>Financial Sustainability – Development</b>	
6.1	<i>Direct new development to areas of existing infrastructure.</i>
Generally Consistent	The proposed redesignation to a Direct Control locates the proposed development immediately adjacent to an existing AUC approved AER regulated compressor station that will supply services to the Data Processing Center.  No other infrastructure is available onsite (water/wastewater).
6.2	<i>On-site and off-site hard infrastructure costs related to new development are the developer's responsibility.</i>
Consistent	Water and wastewater services are not required to support the Data Processing Center. If approved, portable self-contained washrooms would be provided on-site.
<b>Financial Sustainability – Operating</b>	
6.8	<i>Direct the majority of new commercial and industrial businesses to locate in the business areas identified on Map 1.</i>
Inconsistent	The subject site does not fall within the Calgary Growth Areas, or RVC Business Areas on Map 1. However, there is other industrial utility infrastructure on adjacent parcels to the west. Upon completion of the project the DC will remain and enable other industrial areas outside of a County Business Area.
<b>Environment – Land and Environmental Stewardship</b>	
7.12	<i>Encourage the efficient use of rural land and infrastructure by directing residential, commercial, and industrial development to the defined growth areas and by encouraging infill development within those areas.</i>
Inconsistent	The proposed development is located adjacent to an existing Alberta Energy Regulator (AER) regulated site, for which Plexus also holds an Alberta Utility Commission (AUC) permit, as such it may be considered infill development. However, the proposed development is outside of a County Business Area in Map 1.
<b>Agriculture – Minimize Land Use Conflict</b>	
8.25	<i>Discourage intrusive and/or incompatible land use in the agricultural area.</i>
Generally Consistent	The proposed land use for a Data Processing Center on the subject parcel is not anticipated to be intrusive or incompatible in the agricultural area. However, the proposed redesignation of the parcel to a DC District based on the I-LHT district creates opportunity for future uses that may be incompatible with the surrounding agricultural area located directly north of the subject parcel, and on the remaining portion designated A-GEN to the south.
8.26	<i>Applicants proposing new residential, institutional, commercial, and industrial land uses shall design and implement measures to minimize their adverse impacts on existing agriculture operations, based on the County's 'agriculture boundary design guidelines.'</i>
Inconsistent	The application as submitted does not specifically demonstrate measures to minimize adverse impacts on existing agriculture operations, based on the County's 'agriculture boundary design guidelines.'

<b>Business Development – General Business</b>	
14.1	<i>Provide a range of locations and development forms in the county to accommodate the growth and diversification of the county's business sectors.</i>
Consistent	The proposed development creates a new opportunity for business diversification in the County.
14.2	<i>Direct business development to locate in identified business areas as identified on Map 1.</i>
Inconsistent	The subject parcel is not located in an identified business area as identified on Map 1.
14.4	<i>A business area shall have an adopted area structure plan in place prior to development, with the exception of lands in business areas that already have the appropriate land use designation allowing business development.</i>
Inconsistent	The subject parcel is not located within an adopted area structure plan, and the development has already commenced in an area not appropriately designated.
<b>Business Development – Other Business Development</b>	
14.19	<i>Applications to redesignate land for business uses adjacent to, or in the vicinity of, the boundaries of an identified business area shall not be supported.</i>
Generally Consistent	The subject parcel is not located adjacent to or in the vicinity of the boundaries of an identified business area.
14.21	<i>Applications to redesignate land for business uses outside of a business area shall provide a rationale that justifies why the proposed development cannot be located in a business area (e.g. requirement for unique infrastructure at the proposed location).</i>
Generally Consistent	The applicant has stated that the subject parcel is located immediately next to an Alberta Energy Regulator (AER) regulated site, for which Plexus also holds an Alberta Utility Commission (AUC) permit. Proximity to this site is integral to the operation of the Data Processing Center located in the proposed plan area, as it uses natural gas from the AER regulated compressor station to power its operations.
14.22	<i>Proposals for business development outside of a business area should:</i> <i>a. be limited in size, scale, intensity, and scope;</i> <i>b. have direct and safe access to a paved County road or Provincial highway;</i> <i>c. provide a traffic impact and intersection assessment; and</i> <i>d. minimize adverse impacts on existing residential, business, or agricultural uses.</i>
Generally Consistent	The justification for the location of the development outside of an identified business area in Map 1 is to leverage the energy from the adjacent AUC approved/AER regulated compressor station (14.21 - 14.22). The proposed development is limited in size, scale, intensity and scope.  Access to the subject lands is via the existing approach off of Vale View Road which is a gravel standard road. The applicant has stated that there is limited business traffic to the site on any given day, typically no more than 1-3 employees/contractors on-site. The applicant has agreed to complete a Traffic Impact Assessment as required.  The applicant has conducted a noise impact assessment and implemented mitigation measures to reduce adverse impacts on adjacent residential uses including acoustic dampening devices and generator muffler upgrades.

<b>Business Development – Economic Development</b>	
14.24	<i>Support business development, in accordance with the policies of the County Plan.</i>
Inconsistent	Policies of the County Plan support the expansion of agricultural businesses. However as this application does not fall within an agricultural land use, or within an existing business area, the application is generally not supported by the policies of the County Plan.
<b>Natural Resources – Oil and Gas</b>	
15.8	<i>When considering applications for development, provincial setback regulations and guidelines shall be applied respecting petroleum wells, sour gas facilities, pipelines, and other oil and gas facilities.</i>
Generally Consistent	As part of the application circulation process, the proposal was circulated to ATCO and ATCO Gas and no objections were received. At time of Development Permit application the applicant will be required to comply with any provincial setback requirements.
<b>Utility Services – General</b>	
17.1	<i>New development shall, in accordance with master plans:</i> <i>a. make use of, extend, and enhance existing utility infrastructure where feasible;</i> <i>b. provide water, wastewater, and shallow utility services; and</i> <i>c. provide stormwater systems where necessary.</i>
Generally Consistent	Potable water is brought onto the site via a trucked service. Engineering generally recommends the use of a cistern and trucked service for non-residential uses.
<b>Utility Services – Wastewater Management</b>	
17.10	<i>New business development shall provide wastewater treatment, in accordance with County Policy, by:</i> <i>a. connecting to, or constructing, regional or decentralized wastewater services; or</i> <i>b. using pump out tanks in non-serviced areas.</i>
Inconsistent	The application proposes the use of portable toilets, and is not anticipated to be serviced in accordance with County policy.
<b>Utility Services – Stormwater</b>	
17.14	<i>Stormwater shall be managed in accordance with provincial regulations. Where required and in accordance with provincial approvals, on-site stormwater may be effectively released into a downstream receiving water body in accordance with the following requirements:</i> <i>a. Stormwater shall be conveyed downstream in a manner that protects downstream properties; and</i> <i>b. Where required, proponents of new development shall identify and secure the downstream stormwater conveyance system.</i>
Consistent	Given the size of the subject land(s), engineering does not anticipate that the future development of the proposed parcel will result in a significant increase in imperviousness, therefore an SSIP is not required at this time. An SSIP may be required at future subdivision stage depending on the information provided at the time of application.

Land Use Bylaw C-8000-2020	
<b>Industrial, Light District (I-LHT)</b>	
438: Purpose	<i>To accommodate a combination of office and industrial activity, including storage and support businesses, where nuisance factors are confined to the site area. Development shall address issues of compatibility and transition with respect to adjacent uses.</i>
Inconsistent	The proposed datacenter use is being proposed through a new definition within the proposed Direct Control Bylaw. Compatibility and transition of the use to neighbouring agricultural and residential uses will need to be considered.
440	<i>MINIMUM PARCEL SIZE:</i> a) <i>1.0 ha (2.47 ac)</i> b) <i>The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</i>
Inconsistent	The area proposed for redesignation to Direct Control would not meet the minimum parcel size of 1.0 ha (2.47 ac).