



June 16, 2021

City File: RV21-05

Attention: Jessica Anderson

Planning and Development Services  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

**SUBJECT: Rocky View County's Draft Shepard Industrial Area Structure Plan circulated to The City of Calgary on March 30, 2021. Rocky View County's new interpretation of Calgary Growth Areas as a matter of disagreement between our municipalities.**

Dear Ms. Anderson,

The City of Calgary's previous letter to the County responded to the County circulation of the draft Shepard Industrial Area Structure Plan (ASP). It identified our Intermunicipal Development Plan (IDP) interpretation, our desire for administrative collaboration prior to second reading, and the implications of County growth in a *Calgary Growth Area*. In this letter, Calgary Administration provides additional comments for your consideration that we hope will inform your internal assessment.

As stated in our April 30 letter, The City of Calgary **does not support** the application because it proposes County growth in a *Calgary Growth Area* identified within our mutually agreed IDP and *2006 Annexation Agreement*. Calgary is interested to have growth areas protected from fragmentation and premature development, so that they retain their viability for annexation.

The following additional comments highlight potential detrimental impacts to Calgary and speak to the incompatibility of our planning approaches:

**1. Impacts on Calgary infrastructure and services**

The draft ASP will create potential detrimental impacts on regionally significant infrastructure, corridors and services in Calgary. At this time, our municipalities do not have a global cost-sharing framework in place, and the ASP does not *provide mitigation measures and policies to address adverse impacts* as per Interim Growth Plan (IGP) Policy 3.2.3.

**2. Impacts on Transportation Infrastructure**

The draft ASP will create potential adverse impacts on regional and City transportation infrastructure. The Traffic Impact Analysis (TIA) does not include significant connections in the transportation network, and improvements are needed to mitigate impacts identified in the TIA.

There are no transit policies nor identified roads that could accommodate transit. It is unclear how the County will be providing public transit to these lands and how the development will connect to any nearby proposed regional transit. Without an identified transit solution or other modes of transportation, the impact of traffic is expected to be felt on City networks. It would be appropriate for a major employment area in this location to plan for connections to transit as per IGP Policy 3.4.5.2. What is the County's path forward relative to transit provision?

### 3. Impacts on Water Resources

The draft ASP will create potential environmental impacts resulting from the full build out of the development relying on individual lot servicing solutions. The absence of development or servicing phasing policies will create uncoordinated development of the plan area, which will rely on "interim servicing solutions" that may become permanent. The City does not support the use of interim servicing solutions for the Plan area and believes that development should not occur until such time that a piped service solution is available.

The ASP references The Shepard Regional Drainage Plan (SRDP), which is not approved and should not be relied upon as the drainage solution for the Plan area. Without an approved drainage plan, it is unclear how The County could approve the draft ASP. The City is not aware of plans to build the east channel / coulee proposed in SRDP, which would be needed to convey flows from PR 1 and EX 8 (part) to the Bow River. The City is concerned with significant gaps in infrastructure planning in proximity to regionally significant infrastructure and is concerned this does not promote the integration of land-use and infrastructure planning as per IGP objective 1.a.

### 4. Supporting the needs of working populations

While the County would benefit from Calgary's nearby work force, The City would become the provider for the large range of services needed to support the needs of the working population. Without appropriate agreements in place between our municipalities, The City of Calgary is concerned that the addition of significant employment growth near our boundary will increase population growth in surrounding areas and generate increased usage and pressure on Calgary's services and facilities. These should be provided or coordinated as per IGP objective 3.e.

### 5. Ensuring sufficient collaboration undertaken by the County

We appreciate County Administration's offer to consider our concerns during the upcoming County Council agenda review, and to obtain clarification with regards to the County's interpretation of the *Calgary Growth Areas*. However, the County's letter dated June 10, 2021 did not provide the County's interpretation. To clarify The City's request for administrative meetings prior to second reading - a bilateral meeting would be helpful if it could include the County's interpretation of Calgary Growth Areas. We still do not have the County's interpretation and have been informed that the item is proceeding to 2<sup>nd</sup> reading. This does not leave sufficient time for the resolution of intermunicipal matters as per IDP 15.1.5.

We think of the *2006 Annexation Agreement (Agreement)* and the *2012 Rocky View – Calgary Intermunicipal Development Plan (IDP)* as two existing *applicable instruments* that demonstrate our previous collaboration on growth areas. We had hoped to have been approached directly by the County if their interpretation was changing on these landmark agreements.

Here are key excerpts from previous documents that have informed our understanding of our growth areas:

- i. Schedule "D" of the *Annexation Agreement* includes *protection of growth directions* as key planning principles for the IDP:  
*"For the purpose of this Agreement, the Conceptual Growth Corridor arrows for both the MD and The City as shown on Schedule A-2 are meant to establish, recognize and protect key growth directions for both municipalities which are to be identified in the Intermunicipal Development Plan (IDP) and Municipal Development Plans of both municipalities."*
- ii. The County appealed Calgary's 2009 *Municipal Development Plan* (Board Order 094/10) to ensure it recognized the conceptual growth corridors established within the *Agreement*. The Board Order noted:  
*"The County submitted that the City's growth corridors as identified in "Schedule A-2" of the Annexation Agreement are respected by the County in that, based on its current MDP, the County is not encouraging development in those areas."*

**Allowing development in Calgary's Growth Area goes against the County's previously stated intentions and The City and the County's understanding of the purpose for the growth areas.**

Our Growth Areas were the result of significant time, resources and interest-based negotiation achieved by both municipalities. We consider them to be a bilateral issue where a high degree of early collaboration between administrations is necessary. As an affected party to the IDP and Agreement, we would have appreciated being approached directly by the County of any changing interpretation in advance of receiving an application. We were surprised to discover a different interpretation through the developer-initiated Shepard Industrial ASP and through the first circulation of the County MDP proposing growth in Calgary Growth Areas.

#### **Additional Intermunicipal Development Plan Interpretation and Implications**

While the IDP does not explicitly preclude development in *Calgary Growth Areas*, the IDP does not intend significant County growth or ASPs to occur in our growth areas: only "*land use redesignations*" were contemplated at the time of writing as per IDP Policy 8.1.5. Furthermore, proposing a new statutory plan is not an "*existing Rocky View County policy document*" as contemplated in policy 8.1.3., and lastly the proposal is not located in a *County Growth Corridor* on IDP Map 4. Multiple IDP amendments would be required for such the Shepard Industrial ASP to be considered. The County's assertion that the area can transition smoothly when it is annexed does not recognize that pre-determining the planning, land use, and subdivision pattern, would significantly impact Calgary's ability to *conduct planning after annexation* as contemplated in policy 8.1.3. Thus, making the lands less viable for their identified purpose. **The City objects to the County's interpretation because it reflects too narrow a view of IDP policy.**

In addition to the implications noted in our April 30 letter, there are additional impacts on Calgary:

- a) Our employment lands are intended to balance our residential lands to ensure an appropriate population-to-jobs ratio. Therefore, by losing 50% of Calgary's only industrial growth area, there could be impacts to Calgary's residential growth areas from an annexation perspective.

- b) Uncertainty resulting from the County's interpretation sets a concerning precedent that can incentivize other premature proposals in the remaining growth areas. Continued activity will erode the integrity of the Calgary Growth Area making more lands less viable for annexation to Calgary.
- c) Premature development does not promote the efficient use of land and cost-effective development as per IGP Objective 3.a.

**Next Steps**

Calgary requests that our municipalities utilize the process within IDP section 15.3 Resolution of intermunicipal matters. It is our hope that we will be able to reach consensus to forgo the next stage in this IDP process in order to address the significant and extensive issues and implications triggered by the proposal. We request that the draft Shepard Industrial ASP **not be given second reading** so that the County and The City can schedule further meetings to discuss Rocky View County's interpretation bilaterally in accordance with IGP Policy 15.3.8.

Thank you for the opportunity to add further comment to this proposed plan, and to elevate our bilateral concerns. The City remains committed to addressing this matter and looks forward to hearing from the County. If you have any questions or concerns, please contact myself or Neil Younger, Senior Strategist, Intergovernmental & Corporate Strategy at: [neil.younger@calgary.ca](mailto:neil.younger@calgary.ca) or 403.828.1647.

Sincerely,

**Natalia Zoldak**

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**cc:** Neil Younger, Senior Strategist, The City of Calgary  
Kelly Cote, ICS Manager, The City of Calgary  
Matthew Atkinson, Planning and Policy Strategist, The City of Calgary

**Attachment:** The City of Calgary Circulation Response to Shepard Industrial ASP dated April 30, 2021



April 30, 2021

City File: RV21-05

Attention: Jessica Anderson

Planning and Development Services  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

**SUBJECT: Rocky View County's Draft Shepard Industrial Area Structure Plan**

Dear Ms. Anderson,

Thank you for circulating The County's draft Shepard Industrial Area Structure Plan (ASP) on March 30, 2021. The City of Calgary (The City) Administration has reviewed the draft ASP in consideration of Rocky View County/City of Calgary Intermunicipal Development Plan ("IDP") and the Calgary Metropolitan Region Board Interim Growth Plan ("IGP").

The City of Calgary continues to have significant concerns with the direction to undertake planning within lands that have been long identified as a City of Calgary Growth Corridor within the policies of our mutually agreed to IDP. The draft ASP is inconsistent with the intent of the IDP and policies contained within. The City requests further collaborative administrative meetings occur prior to second reading and The County and City utilize the provisions outlined within the resolution of intermunicipal matters, section 15.3 of the IDP. Also, this ASP should be referred to the Intermunicipal Committee for further discussion.

The City remains committed to multilateral cooperation, collaborative regional growth, and servicing. However, the decision to give first reading to an ASP within The City's Growth Corridor is not in keeping with the spirit and intent of the IDP and The City is disappointed with the level of engagement and collaboration to date.

The City offers the following general comments for your consideration.

**1. Misalignment with Intermunicipal Development Plan**

The draft ASP would enable premature development and fragmentation of Calgary's IDP Growth Areas, which is a significant barrier to Calgary's approach to creating comprehensively planned

urban communities that can be sufficiently serviced after annexation. It is very difficult to integrate new urban development on previously-developed annexed lands. This is not a sustainable approach to regional planning.

The draft ASP is located on Calgary's only Industrial Growth Area. Having development predetermine what is in place can make the lands less viable for future annexation to Calgary and could affect our 2006 Annexation Agreement. Maintaining the integrity of future annexation lands is important to The City; we have not supported past applications in Calgary's IDP Growth Areas because they impact the ability to accommodate future urban development.

The subject parcel is located within an Identified City of Calgary Growth Area as per "Map 4: Growth Corridors/Areas" of the Rocky View/Calgary IDP. This map identifies, with the intent to provide a level of protection, each municipality's future growth aspirations; Calgary's via the future growth corridors and Rocky View County's via the directional red arrows. Objectives of "Section 8.0 Growth Corridors/Areas and Annexation" of the Rocky View/Calgary IDP recognizes growth corridors/areas for both municipalities and identifies lands for possible future annexation from Rocky View County to The City of Calgary. Policy 8.1.3 of the IDP outlines, "Identified City of Calgary Growth Areas should continue to be governed in accordance with **existing** Rocky View County policy documents, which may be updated." The proposed ASP is a new statutory plan and is not existing policy as allowed in the IDP.

The mandate of the Identified City of Calgary Growth Areas is a vital part to strategically governing regional planning. "Section 27.0 Intergovernmental Relationships" of the County Plan echoes support of the importance of Calgary's identified urban growth corridors. Rocky View County has future growth corridors outlined in the IDP that are distinct and separate from The City of Calgary's. An amendment to the IDP is required for this Area Structure Plan to be in alignment with the policies and objectives of the IDP. If considered, the ASP sets a precedent for future development within the Calgary's Growth Areas.

The 2006 Annexation Agreement, identified "those growth corridors identified on Schedule "A2" which are recognized and respected by both the City and the MD as representing fundamental future long term growth areas for both parties" The City is alarmed that Rocky View no longer appears to recognize or respect the Growth Corridors founded through our mutual annexation agreement.

The draft ASP is inconsistent with the spirit and intent of the IDP because it does not align with the objectives to *recognize growth corridors for both municipalities*. The City of Calgary cannot support the draft Shepard Industrial Area Structure Plan. There are several implications for Calgary:

- a) Pre-plans 50% of Calgary's potential land supply for industrial growth in the southeast. This is Calgary's only industrial growth corridor; consuming it will leave Calgary without a sufficient supply of future long-term industrial growth areas.

- b) Limits Calgary's ability to plan industrial uses at appropriate densities unencumbered by legacy planning and development. This jeopardizes Calgary's ability to have appropriate, and cost-effective future land use pattern after annexation.
- c) Removes Calgary's ability to comprehensively plan the area after annexation. The plan would prejudice the lands against Calgary's approach to planning to integrate associated services and facilities, and to consider impacts within the context of a Calgary-approved ASP.

**2. Ensuring sufficient collaboration undertaken by the County to resolve cross-boundary issues**

IGP policy 3.2.3 states that "*Municipalities should collaborate to coordinate planning for land-use, infrastructure, and service provision with other members, where appropriate.*" The City is requesting further collaborative administrative meetings occur prior to second reading and The County and City utilize the provisions outlined within the resolution of intermunicipal matters, section 15.3 of the IDP. To date, The City's concerns have been ignored, if this is to continue, mediation will be requested.

Thank you for the opportunity to review and comment on this draft plan. Detailed technical comments have been drafted and can be provided; however, The City is requesting that the large issues raised above are addressed through the measures in the IDP. The City looks forward to future meetings on this very important plan. We remain committed to achieving a mutually beneficial solution and request that the draft ASP not be given second reading so that County can resolve the significant issues arising from the draft plan.

If you have any questions or concerns, please contact myself or Neil Younger, Senior Strategist, Intergovernmental & Corporate Strategy at: [neil.younger@calgary.ca](mailto:neil.younger@calgary.ca) or 403.828.1647.

Sincerely,



**Matthew Atkinson**

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