



## PLANNING POLICY

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<b>TO:</b>	Council	
<b>DATE:</b>	July 27, 2021	<b>DIVISION:</b> 4 and 5
<b>TIME:</b>	Morning Appointment	
<b>FILE:</b>	1013-380	<b>APPLICATION:</b> N/A
<b>SUBJECT:</b>	Adoption of the proposed East Highway 1 Area Structure Plan (Bylaw C-8174-2021)	

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### POLICY DIRECTION:

Direction for the preparation of the East Highway 1 Area Structure Plan (ASP) came from the Terms of Reference adopted by Council on July 14, 2020 to provide a framework for future growth along the East Highway 1 corridor. The ASP has been prepared in accordance with the *Municipal Government Act*, the Interim Growth Plan, the County Plan, and Land Use Bylaw.

### EXECUTIVE SUMMARY:

The draft East Highway 1 ASP is intended to guide future redesignation, subdivision, and development proposals in the Plan area. Council gave first reading to Bylaw C-8174-2021 on April 27, 2021. Since first reading, the proponent has amended the ASP taking into account feedback from stakeholders and Administration.

The ASP includes approximately  $\pm 1,560$  hectares ( $\pm 3,855$  acres) of land in southeast Rocky View County and is located immediately south of Highway 1 and the Canadian National rail line. The western ASP boundary adjoins Highway 791, while to the east it borders the municipal boundary with Wheatland County. A portion of the plan falls within the draft Rocky View County / Wheatland County Intermunicipal Development Plan which is currently being reviewed by the Calgary Metropolitan Regional Board.

The overall development intent for the ASP is to provide for a range of industrial uses along Highway 1, with a focus on agriculture related industries. The ASP also contemplates commercial land uses towards the western edge of the ASP and protection and infill of existing fragmented country residential areas.

In support of the ASP process, the proponent prepared technical studies examining transportation, water and wastewater servicing, stormwater management, environmental considerations, and historical resources for the area. The technical policies of the ASP provide guidance for technical and infrastructure requirements as local plans, redesignations, and subdivisions are prepared. However, the County has concerns over the feasibility and efficiency of the proposed potable water and stormwater servicing solutions.

The developer-led ASP project commenced with the expectation that a new Municipal Development Plan (MDP) would offer support for growth in this area. However, the MDP has not been adopted at this time. The proposed ASP has been assessed against the Interim Growth Plan and County Plan. Overall, Administration finds that there is no support for this ASP as a business growth area with *Section 14* and *Map 1* of the County Plan. The Applicant's proposed water and wastewater servicing solutions also do not align with Interim Growth Plan policies relating to efficient use of infrastructure.

Within several sections of the draft ASP, the proposed policies offer an inadequate framework to guide future development and to ensure the vision of an agri-business corridor is achieved. The ASP supports

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### Administration Resources

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industrial and commercial uses similar to those found in other business areas on the east side of the County; therefore, approval of this Plan has the potential to draw development away from those existing business areas, hindering their full build-out. Furthermore, the support of several country residential infill areas adjacent to proposed industrial areas may cause compatibility issues, despite the Applicant's inclusion of interface measures within the ASP.

For the above reasons, Administration cannot support approval of this Area Structure Plan.

Administration notes that at time of writing the Council report, Wheatland County opposes the draft ASP due to transportation impacts. Alberta Transportation has also provided comments on the ASP, which are yet to be addressed within the ASP draft. Intergovernmental responses are set out within Attachment 'B'.

**ADMINISTRATION RECOMMENDATION:** Administration recommends refusal in accordance with Option #2.

**OPTIONS:**

Option #1:      Motion #1      THAT Bylaw C-8174-2021 be amended in accordance with Attachment A.  
                          Motion #2      THAT Bylaw C-8174-2021 be given second reading, as amended.  
                          Motion #3      THAT Bylaw C-8174-2021, as amended, be referred to the Calgary Metropolitan Region Board for approval.

Option #2:                                      THAT Bylaw C-8174-2021 be refused and the East Highway 1 Area Structure Plan and Terms of Reference be rescinded.

**BACKGROUND:**

The ASP is applicant-led by a landowner group within the plan area who have retained MVH Urban Planning & Design Inc. and IDEA Group Inc. to assist in the preparation of the Plan.

The proposed ASP addresses most of the objectives outlined in the Terms of Reference. However, the Plan does not clearly determine the fiscal impact of the proposed land uses as required by point 3(e)(iv) of the document and does not meet the intent and direction of the County Plan as required by point 3(f)(ii).

The ASP outlines future land use, development phasing, transportation, environmental protection, emergency services, general design, and utility service requirements, to guide the community to accommodate future industrial and business growth in an environmentally and fiscally sustainable manner.

**PLAN PREPARATION:**

The draft ASP was prepared through a collaborative planning process that began in October 2020 and resulted in a draft Plan in spring 2021. Landowners within the study area, stakeholders, and agencies were engaged at key intervals in the Plan's development.

A critical component of plan preparation included the development of supporting technical studies to examine transportation infrastructure, water and wastewater servicing, stormwater management, environmental considerations, and historical resources. These studies were also made available on the County's website for review and comment by landowners, residents, and stakeholders as part of the process.

**PUBLIC ENGAGEMENT:**

An online Open House was held Thursday, May 6, 2021. Adjacent landowners were notified of the project and of the open house via mail-out. The documents from the event were posted to the County



webpage, which included the presentation slides and notes. Landowners within and adjacent to the Plan area were notified of the public hearing.

Compressed project timelines and Covid-19 restrictions necessitated a modified engagement process with respect to the limited engagement events and in-person interactions.

### **PLAN CONTENT:**

The overall development intent for the ASP is to create an agri-business hub for the Calgary Region that provides a unique mix of agri-business related land uses, supportive commercial and industrial uses, agriculture food production, temporary agricultural land conservation, rural residential uses, and conservation of major wetland systems.

#### ***Land Use Concept***

The Plan area site has been divided into three development districts based on location, size and future distinct and unifying uses:

1. West District - This area extends from Highway 791 to Range Road 274 and includes medium industrial uses (M2) adjacent to the CN rail line and light industrial uses (M1) south of the main roadway that would run through the ASP area. Commercial (C) uses would anchor the district in the southwest corner. There is the potential for agriculture related recreation (Ag R M1) uses such as an agri-plex as well as agri-business uses within the industrial and commercial sectors. Although the preamble in Section 6.0 (Land Use Strategy) notes that “agricultural (Ag1) uses are retained in the centre”, no such area is identified on the Land Use Concept (Map 6).
2. Central District – This area extends from Range Road 274 to Highway 797 and includes a further commercial (C) and light industrial area at the south-west corner of the intersection of Highways 1 and 797; this area would be accessed from Vale View Road and Township Road 241B. The Applicant proposes that the lands surrounding the identified wetland areas would act as an amenity creating passive recreation opportunities with public pathways. Again the preamble in Section 6 speaks to the retention of a significant area of agricultural uses, but the Land Use Concept identifies these areas in the District as Agricultural Industrial which have the ability to redesignate to industrial uses without any explicit criteria to meet. This district also establishes three areas for the retention and apparent infilling of Rural Residential uses. These areas have previously seen some fragmentation, for example the four acre subdivisions on Willow View, but they predominantly comprise larger agricultural parcels.
3. East District – This area extends from Highway 797 to the municipal boundary with Wheatland County (Boundary Road). The northern half of the district comprises Agricultural Industrial uses while south of the proposed main roadway, a portion of Weed Lake would be retained with lands surrounding identified for recreation uses. A further Rural Residential area is identified at the south west corner of the district immediately east of Highway 797. This area currently contains a number of Agricultural Small and four Rural Residential lots. At the south east corner of the district, adjacent to Boundary Road, light industrial uses are proposed.

The districts and land uses proposed within are intended to guide detailed planning at future planning at the local plan stage, and Section 22 confirms the requirement for local plans to support land use amendment, subdivision and in some cases development applications.

#### ***Industrial***

The ASP would create a the potential for a range of industrial development types and policy 7.1.3 notes that industrial uses such as distribution logistics, warehousing, transportation, industrial services, construction, manufacturing, services, and industrial storage would be appropriate in all industrial areas. The policies are not explicit in distinguishing light industrial from heavy industrial uses or applying criteria



to such uses, so it is assumed that this would be guided by future local plans and the Land Use Bylaw. There are various references to the vision and objectives of the ASP in creating a Agricultural Business Corridor, and Section 22 of the ASP requires future local plans to demonstrate how they meet the vision and policies of the ASP. However, policies within Section 7 (Industrial) are not explicit in implementing this vision and speak more towards the creation of a generic industrial district.

#### Agricultural Industrial

The ASP encourages the continued use of land for agriculture while creating opportunities for agricultural diversification. Adjacent industrial and commercial uses are intended to support agricultural areas as they evolve and intensify. The policies support the retention and development of agriculture uses as described in the Rocky View County Plan, providing direction on developing adjacent to agricultural operations in a manner that minimizes land use conflict. However, it is also important to note that the Agricultural Industrial uses are not clearly distinguished from Industrial areas; there is also no obvious criteria for the phasing of when lands within Agricultural Industrial would be supported to transition to Industrial uses. This has the potential to result in the sporadic establishment of industrial areas and the eventual loss of all agricultural lands within the ASP area.

#### Commercial

Commercial areas in the ASP would support traffic through the access from the new Sunbelt Boulevard, provide a land use transition from industrial land uses to rural agricultural land uses, and provide for the growth of local and regional employment opportunities. The two commercial nodes will anchor the West District, and Central District. Both nodes are located on the periphery of the plan area and are accessible directly by major transportation corridors.

#### Rural Residential

The intent of the Rural Residential is to retain and safeguard existing residential areas, but also to provide the opportunity for agriculture-related business ventures and a transition towards agri-business or industrial uses through submission of a local plan.

No minimum lot size or maximum density has been defined for these residential areas in the ASP; however, it is assumed that land use amendments and subdivisions proposing Rural Residential uses would proceed in accordance with the requirements of the Land Use Bylaw. Further fragmentation of areas that have limited Rural Residential uses within them would appear to contradict the intent of transitioning these areas towards business uses. Furthermore, while policies are included within the ASP to provide for appropriate buffers and interface between business, agricultural and residential uses, the support of further country residential infill adjacent to proposed industrial and agricultural industrial areas has the potential to cause compatibility issues.

It is also noted that some of the identified Rural Residential areas do not currently meet the County Plan definition of a fragmented quarter section (Policy 10.11); therefore, the ASP's support of country residential development within areas that could still be considered viable for agricultural uses conflicts with the objectives of the County Plan to direct such residential development to existing country residential areas.

#### **TECHNICAL SUPPORT:**

Four technical studies were prepared to support the ASP:

- Water and Wastewater Servicing Study
- Stormwater Management Report
- Transportation Impact Assessment
- Biophysical Inventory



The studies identify future infrastructure needs and required upgrades across the entire plan area to support the proposed land uses based on preliminary assumptions. They guide the policies in the ASP and provide a technical framework for future planning stages. As development proponents prepare local plans, detailed technical studies would be required to align with and solidify the above studies.

The servicing, stormwater, and transportation policies have been prepared to provide the appropriate technical aspects to support the Plan and future infrastructure implementation as development proceeds. Required infrastructure and servicing acquisition, construction, and upgrades would be the responsibility of the development proponent, who would also be required to pay all applicable County infrastructure levies. A general description of the proposed infrastructure for the Plan area is provided below.

### Servicing (Water and Wastewater)

In support of the ASP, a technical assessment of water and wastewater servicing options was completed. The evaluation aims to identify a cost-effective & feasibly servicing system that provides efficient, economic, and sustainable municipal services for the Plan area. The Servicing Study provides an overview of the options available to service the Plan area and the upgrades required to support the full buildout of the Plan area.

The Servicing Study proposes that the Water to the Plan area would be supplied via an existing Alberta Transportation borrow pit that could accommodate a raw water reservoir located west of Highway 797 and central to the Plan area. The proposed water facility will require approval from Alberta Environment. Rocky View County and Alberta Environment and Parks (AEP) working to limit small stand-alone systems and long-term supply from Langdon Waterworks are recommended in this case. The water infrastructure at full buildout proposes an onsite water treatment facility, raw water reservoir, treated water reservoir, pump station and water transmission mains (WTM). Although AEP is the approving authority on the water treatment proposal, Administration does note concern over the feasibility and reliability of the borrow pit as a potable water source for development within the ASP.

The Servicing Study proposes to direct wastewater to Langdon Wastewater Treatment Plant (WWTP). The Langdon WWTP would require additional upgrades to those already underway to meet the expected demands for the East Highway 1 ASP area. In addition, the current Rocky View County Wastewater Levy Bylaw does not include the Plan area as a potential service area. Subsequent approvals and expansion of the current servicing area would be required as development proceeds.

The ASP would establish two major sanitary catchment areas, with each catchment area requiring a lift station. The two catchment areas would be serviced by a single sanitary force main running along Highway 797 and connecting to the Langdon Wastewater Treatment Plant.

The implementation of the proposed servicing strategies would be dictated by market demand and the progression of the development with the ASP area. If development proceeds in advance of the proposed piped infrastructure being completed, the interim proposal suggests individual servicing solutions temporarily following the County Policy.

### Stormwater Management

The Stormwater Management Study (SMS) provides a high-level overview and analysis of the pre-development stormwater flow volumes, pre-development catchment areas, post-development stormwater retention and release options; it also notes the proposed location and size of future stormwater retention ponds and conveyances. A more detailed stormwater management analysis and reporting will be required as development phasing details are determined as part of the subsequent planning process.

The project area is divided into ten distinct catchments areas based on the natural high points and development phasing plan. Catchment areas would have a variable increase in imperviousness depending on the ultimate proposed land use. A lift station and storm pond system will be required to



provide sufficient storage and decrease the post-development peak flow rate. A man-made creek is proposed through the entire site to collect stormwater runoff. The stormwater is ultimately released to Weed Lake after it is restricted and treated via the various storm ponds through a biological filtration train.

### Environmental

Trace Associates prepared a Biophysical Inventory of the Plan area to identify potential environmentally sensitive areas and constraints. The components of the study included terrain and drainage patterns, soils, vegetation, wildlife, hydrology, wetlands, geology, pedology, and archaeology. Anticipated impacts to each component were summarized based on preliminary design information and provided recommendations to help maintain the form and function of these environmental and natural features.

The Inventory identified key environmental and natural features within the Plan area, including two Environmentally Significant Areas (ESAs) and several potential ESAs. The study did not identify other environmentally significant features, as most of the area has been cultivated, and no other constraints were noted. Due to the potential impact on wetlands, wildlife, and vegetation, it is recommended that further investigation and mitigation be confirmed at further development stages in accordance County standards.

### Transportation

The Transportation Impact Assessment (TIA) prepared in support of the ASP provides a high-level assessment of the existing road network and potential improvements that may be required to accommodate the proposed development within the ASP area. The proposed network is intended to integrate with surrounding development within the East Highway 1 corridor and provide regional opportunities for active transportation and consideration for future public transit.

Supporting the land uses within the ASP Plan area, a roadway network is proposed parallel to Highway 1, with connections at Highway 791, Highway 797 and Range Road 270. This proposed roadway is expected to provide an expressway route across the entire length of the plan area. Alberta Transportation notes that with existing and further development in Wheatland County, added development traffic from the plan area to Range Road 270 could become problematic; a connection to Hwy 797 will alleviate this emerging safety concern. A detailed TIA would be required at the local plan stage to confirm any infrastructure upgrades required in support of each phase of the development.

Access to the individual lots within the Plan area is proposed via frontage roadways parallel to the expressway to allow for controlled access from the public roads into the development. Traffic circles are proposed throughout the East Highway 1 ASP, including at the junctions with Highways 791 and 797 as a means to control and minimize stationary traffic. However, Alberta Transportation does not support the large traffic circle as a long term plan for connecting to Highway 797 due to the large footprint of land that would be required, increases in highway maintenance responsibilities, and safety concerns during winter and/or higher speeds. In addition, the traffic circle would require more access points which would increase traffic safety risks.

Interim options for the connection of the expressway with Highway 791 and Highway 797 are not analyzed in detail in the TIA, and future analysis is suggested as per the progression of the development in the Plan area.

### **POLICY DIRECTION AND SUPPORT:**

The key policy direction of the ASP is provided by the Interim Growth Plan and County Plan.

### Interim Growth Plan

The Interim Growth Plan (IGP) provides policy direction on intermunicipal collaboration in Section 3.2.2. As part of standard circulation to stakeholder and agencies, Administration provided the draft ASP and associated technical studies to both the City of Chestermere and Wheatland County for review. Comments were received from both municipalities and, in consultation with the Applicant, Administration



provided responses addressing matters raised on the draft ASP. Collaboration on planning matters of regional significance with neighbouring municipalities has been demonstrated in this regard.

The ASP has been reviewed against Section 3.4.5 of the IGP relating to Employment Areas, and the Plan does plan for connections to transit as required by Policy 3.4.5.2, through denotation of a transit hub, specifically a park and ride location towards the western boundary of the ASP area, but there is no policy within the draft ASP that speaks to potential implementation of transit services.

Policy 3.4.5.1 of the IGP notes that employment areas shall be planned and developed to make efficient and cost-effective use of existing and planned infrastructure and services. The proposed ASP area is intended to obtain servicing both through an extension of existing infrastructure via connection to the existing Langdon wastewater facility, but also through the provision of a new water treatment source and plant and a new stormwater infrastructure solution. Administration would question whether the provision of a new potable water source and plant represents effective use of servicing, and whether more feasible solutions, such as connection to Langdon Waterworks would be more efficient. Administration finds that there is a conflict with Policy 3.4.5.1 of the IGP.

### County Plan

The County Plan provides a number of business areas and development forms which accommodate the wide variety of businesses wishing to locate in the county. This Plan identifies regional business centres, highway business areas, and hamlet business areas as areas where the majority of commercial and industrial development should locate. By focusing development in these locations, the County provides for orderly growth and economic efficiencies in the development of its transportation and infrastructure systems. The proposed ASP would be considered as a regional business centre under the County Plan and would adhere to the following policies:

- 14.2            *Direct business development to locate in identified business areas as identified on Map 1*
- The subject lands are not identified on Map 1 of the County Plan. Therefore, the lands are not currently supported as a growth area within the County Plan.
- 14.7            *Development of a new regional business centre should not be supported unless a need has been demonstrated, based on the following criteria:*
- a. the proposal has regional or national significance;*
- The proposal meets the Interim Growth Plan criteria for a regionally significant Employment Area and the size of the proposed ASP along a nationally important highway corridor gives it further significance.
- b. existing regional business centres within the trade area of the proposed development are approaching full build-out, and the County has determined the expansion of the existing regional business centres is not desirable;*
- The ASP is proposing to create a significant area for industrial and commercial uses and the County currently has a number of existing regional business centres with opportunities for infilling and expansion such as Janet, Conrich, Crossfield, and Balzac East. Although the ASP vision is to create a agri-business hub, policies in the Plan do not sufficiently guide implementation of such uses, and many of the industrial uses anticipated could be located within the above existing ASP areas, where existing servicing and infrastructure is available in many cases. Development of this ASP has the potential to affect the



build out of existing business areas and the ASP is not consistent with this policy in the County Plan.

*c. existing regional business centres within the trade area do not meet market demand;*

- Administration cannot assess the market demand for a new regional business centre as a market demand analysis was not provided as a supporting study for the proposed ASP.

*d. land uses and target markets are clearly defined;*

- The majority of the ASP would be accommodating Agricultural Industrial and Industrial uses; however, there is ambiguity between these two land uses and so the target markets are not considered distinct from existing approved and developing business centres.

*e. the proposed development meets the environmental and infrastructure goals and policies of this Plan;*

- A Biophysical Inventory was conducted and identified a number of sensitive environmental features within the ASP area; impacts on these features, together with potential mitigation measures, would need to be confirmed at future planning stages through further study. Although future development within the ASP may implement mitigation and avoidance measures, it may be challenging to meet the environmental goals of the County Plan of maintaining and improving the quality of the natural environment. With respect to infrastructure and servicing, the ASP is supported by a servicing strategy which proposes connection to the Langdon WWTP and proposed new potable water and stormwater infrastructure.

*f. the proposed development has the potential to provide a substantial financial benefit to the County;*

- Fiscal impact to the County was listed as contributing to ASP policy and direction for the Plan; however, fiscal impact information has not been provided for Administration to consider.

*g. adverse impacts on existing residential communities and agriculture operations will be minimized; and*

- Section 11 of the ASP does include policies to address interface areas and transitions with requirements to adhere to the County's Agricultural Boundary Design Guidelines.

*h. the proposed development is in close proximity to the provincial transportation network.*

- The proposed ASP is adjacent to Highways 1, 791 and 797.

14.8

Direct new commercial and industrial development to existing, identified regional business centres and ensure development complies with existing area structure plans.

- Development is proposing to create a new business area and is not consistent with this policy.





In consideration of the above policies, the proposed East Highway 1 ASP is not consistent with the Interim Growth Plan or the County Plan.

**ADDITIONAL CONSIDERATIONS:**

At the time that the Terms of Reference were adopted, the County was undertaking a comprehensive review of the Municipal Development Plan (MDP), with the following adjustments which would permit the East Highway 1 ASP to proceed.

- The East Highway 1 ASP has been area identified as an employment area in Figure 2: Growth Concept Map Identifying Priority Growth Areas; and,
- The East Highway 1 ASP area has been identified as a future planning area in Figure 3: Planned and Future Planning Growth Priority Areas.

The area was included in the draft MDP presented to Council; subsequently, Council granted second reading to the new MDP bylaw and referred the Plan to the Calgary Metropolitan Region Board. A decision on the MDP and third reading of the bylaw (adoption) have not occurred at this time. Although this context is relevant to the adoption of the Terms of Reference for the project, the draft MDP has not been considered in the assessment of the proposed East Highway 1 ASP.

**CHANGES SINCE FIRST READING:**

All changes are detailed in Schedule ‘A’ of the Bylaw (see Attachment ‘A’).

**PUBLIC SUBMISSIONS:**

Public Hearing notices for the draft East Highway 1 ASP were sent to 476 properties both within the ASP area, and within one (1) mile of the proposed Plan area. 28 letters were received in response, 26 in opposition and 2 in support; received letters can be viewed in Attachment ‘C’.

**CONCLUSION:**

The developer-led ASP project commenced with the expectation that a new Municipal Development Plan would offer support for growth in this area, however, the draft MDP has not been adopted at this time.

The proposed ASP has been assessed in accordance with the Interim Growth Plan, County Plan, and the County Servicing Standards. Administration finds that the ASP does not accord with the Interim Growth Plan with respect to effective use of servicing, or the County Plan, particularly Section 14 and Map 1 relating to business growth areas; consequently, it recommends refusal of the proposed East Highway 1 ASP in accordance with Option #2.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

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**ATTACHMENTS:**

ATTACHMENT 'A': Bylaw C-8174-2021 and Schedule "A" East Highway 1 Area Structure Plan (redline)

ATTACHMENT 'B': Intergovernmental Comments

ATTACHMENT 'C': Circulation Map and Public Submissions