

# APPLICATION FOR LAND USE AMENDMENT

---

**GFL ENVIRONMENTAL LTD. (Saguaro Investments Inc.)**  
**Lot 17, Block 2, Plan 1113710**

## THE APPLICANT:

GFL environmental is a fully integrated solid & waste management company that has been involved in the collection and processing of waste from Ontario to British Columbia for over forty years. GFL environmental's waste management programs include, but are not limited to, industrial/commercial/institutional (ICI), municipal and residential solid and recycling wastes. The transport, treatment, recycling, and disposal of hazardous/non-hazardous liquids and solids are conducted at our state of the art facility. A list of some of the many streams we deal with includes: contaminated soils, laundry, acid and alkaline wastes, used oils and spent fuels, interceptor wastes, used oil filters, parts washer and spray gun cleaners, used anti-freeze and paint sludges. We also provide high-quality commercial and industrial grade parts washers with innovative, cost-effective service plans. In fact, we can handle any liquid/solid and related waste stream including emergency spill response and cleanup.

## THE PROPOSAL:

Accordingly, GFL environmental would like to develop and operate a waste transfer station within the Frontier Industrial Park located near Janet within Rocky View County. GFL environmental proposes to develop a facility located on an approximately 9.51 acre industrial lot located within and developed industrial park. The proposed use would be considered a compatible use with the surrounding industrial businesses and area with a portion of the activity and uses carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. This could be considered a compatible use with General Industry Type II which is currently a permitted uses within the industrial park.

Cornerstone Environmental has prepared an Operations Center Design Basis for the project and in support of the Land Use Application. This Design Basis can be used to prepare conceptual site design and aid in allowing Rocky View County to assess the inclusion and suitability of the proposed land use in the Frontier Industrial Park Conceptual Scheme and Direct Control Bylaw. The approach

was to provide sufficient information at the land use stage and recognizing that a future Development Permit will provide opportunity to fully assess and provide more detail than at this stage.

**LAND USE AMENDMENT IN SUPPORT OF FUTURE DEVELOPMENT PERMIT:**

In discussion with the Rocky View County Planning Department it has been advised that the proposed use is considered a Waste Transfer Site under the Land Use Bylaw C-4841-97 which is defined as follows:

**WASTE TRANSFER SITE** means the use of land or a facility for the collection of waste, recyclables, household hazardous waste, and compost into bulk containers for sorting and preparation for further transport to a land fill site, recycling facility, or other waste disposal facility;

As the land is currently regulated by Direct Control Bylaw (DC-133) and **Waste Transfer Site** is not listed as a use within the Bylaw, the Bylaw will require to be amended by Council in order to allow a Development Permit to be submitted and approved by administration.

Consequently, **B&A** Planning Group submits this application in order to amend the Land Use Bylaw and specifically Direct Control Bylaw (DC-133) on behalf of GFL environmental in order to allow **Waste Transfer Site** as a permitted use affecting approximately 9.51 acres legally described as Lot 17, Block 2, Plan 111 3710.

**LEGAL DESCRIPTION & OWNERSHIP:**

The subject lands’ legal description and ownership are described on the following chart:

<i>LEGAL DESCRIPTION</i>	<i>AREA (±ac)</i>	<i>OWNERSHIP</i>
Lot 17, Block 2, Plan 111 3710 A Portion of the SE ¼ Sec.6,24,28,W4M	9.51	Saguaro Investments Inc.
<b>TOTAL</b>	<b>9.51</b>	

The lands have a number of encumbrances registered on title including the following relevant registrations relevant to this application:

<i>ENCUMBRANCE</i>	<i>REGISTRATION NUMBER</i>	<i>DESCRIPTION</i>
Restrictive Covenant	111332176	Building Scheme
Encumbrance	111332177	Financial Obligations
Restrictive Covenant	111332178	Emergency Response Plan

### REGIONAL CONTEXT:

As illustrated by the **Regional Context** map, the subject lands are located in the Janet Area Structure Plan and the Frontier Industrial Park II policy areas. The site is accessed from either 84<sup>th</sup> Street SE or 100<sup>th</sup> Street SE (Garden Road) via Twp Rd 240 (future Peigan Trail).

### COUNTY POLICY and REGULATORY REVIEW:

A number of County policy documents have been prepared to provide guidance in the evaluation of land use amendments and development applications in the area. These include the following:

<b>Rocky View County Plan</b> (MDP) Bylaw C-7280-2013 2013	<b>Rocky View County / City of Calgary Inter-Municipal Development Plan</b> Bylaw C-7078-2011 2012	<b>Janet Area Structure Plan</b> Bylaw C-7418-2014 2014
<b>Frontier Industrial Park Phase II Conceptual Scheme</b> Bylaw C-6766-2009 2009	<b>Land Use Bylaw</b> Bylaw C-4841-97 1997	<b>Direct Control Bylaw</b> (DC-133) Bylaw C-6767-2009 2009
Commercial, Office and Industrial Design Guidelines in Rocky View County 2010	Solid Waste Master Plan 2007-2057 2007	Solid Waste Management Strategy 2005

### Frontier Industrial Park Phase II Conceptual Scheme

The primary guiding policy document that provides vision and policy direction in the evaluation of this proposal is the Frontier Industrial Park Phase II Conceptual Scheme which was prepared in conjunction with the Direct Control Bylaw that

regulates land use and development within the planning area. Both documents were adopted in 2009.

In the consideration and evaluation of 'waste transfer site' as an appropriate permitted use on the subject site, the following policy guidance has been highlighted in support of the proposal:

- Frontier Industrial Park Phase 2 (Frontier Park 2) is envisioned as a continuation of Phase 1 to the west. When completed, both phases will function as a hub of transportation related industrial uses geared to contribute to the regional industrial market and the economic vitality of the MD of Rocky View. As with Phase 1, the site is ideally located next to future major transportation corridors including the East Freeway (TUC) and Peigan Trail.
- The industrial park is intended to provide for those uses requiring minimal or no servicing requirements.
- The vision for this development is that it will eventually house a variety of users. Market research has indicated a need for smaller parcels to house such businesses as landscaping companies, single owner truckers, and limited manufacturing companies that cater to a niche market. Larger lots will appeal to companies requiring larger facilities and/or storage areas for their businesses.
- General Industry Type I and General Industry Type II are permitted uses within the Direct Control land use district. General Industry Type I and General Industry Type II are respectively defined as " those developments where activities and uses are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building" and as "those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site".
- No direct access is proposed from the subject lands to 50 Avenue. The intention of the proposed alignment of Frontier Road is to provide greater distance between the CN Rail line, which is located just south of TWP Road 240 (50th Avenue SE), and the intersection to allow the opportunity to implement roadway improvements without affecting the CN Rail line. Frontier Road, which links 84th Street SE to Range Road 285 (Garden Road), may provide the primary east-west connection instead of TWP Road 240 (50th Avenue SE).

- **Policy 5.2.1** All driveway approaches shall be deferred to the Development Permit stage.
- **Policy 6.3.1** Sanitary sewage shall be contained in pump out tanks and transported off-site for disposal.
- Water will either be trucked into the plan area and stored in cisterns or obtained from individual wells on-site. Data obtained from a number of wells in the area indicates that there is sufficient water available on-site to service the needs of a variety of industrial users. It is the MD's preference for industrial lots to use on-site cisterns for water servicing. However, if the landowners elect to obtain water by wells it must be in accordance with the Provincial Water Act.
- **Policy 6.4.1** In accordance with the Provincial Water Act, lot owners shall obtain a License to Divert Water from Alberta Environment prior to extracting water for commercial purposes should water be obtained from individual wells on-site.
- Potential LID initiatives within the individual lots could consist of the implementation of green roof systems, rainwater harvesting from roof areas, or the consumptive re-use of stormwater for irrigation purposes, wash water or process water. One benefit of this approach is that it reduces the land requirements for evaporation of excess runoff. In addition, it may reduce the potable water demand.
- Consistent with Municipal policy the Developer will require the Lot Owners to use water saving devices and low flow plumbing fixtures. This will be implemented through the Developer's Building and Development Standards.
- Adoption of a night friendly lighting policy through the Developers Building and Development Standards.
- A number of performance standards are included to guide future development permits within the planning area intended to provide benchmarks for the management of potential nuisances that may result from industrial development within the plan area. These standards are respecting weed control, air contaminants, odorous matter, toxic matter and fire and explosion hazards. Due to the nature of this application, it is expected that all of the identified performance standards will be the focus of a future development permit and is expected that all will meet or exceed County Standards.

- Development Guidelines described are intended to provide procedures for the development of uses within the plan area. These guidelines address access, parking and loading, signage, lighting, outside storage, outside display areas, fencing and landscaping (individual lot landscape plans shall be submitted at development permit stage). It is expected that all of the identified performance standards will be the focus of a future development permit and is expected that all will meet or exceed County Standards.

### **Janet Area Structure Plan**

In order to facilitate the development of a Regional Business Centre and increase the County's non-residential assessment base the Janet Area Structure Plan was prepared and adopted in 2014. This policy document replaces the Shepard Area Structure Plan policy document in which the Frontier Industrial Park and Direct Control Bylaw was originally prepared under. Although the Janet Area Structure Plan was adopted after the Frontier Conceptual Scheme and Direct Control Bylaw, consistency is sought with policy and the following guidance is applicable to the evaluation of this application:

- The Janet area is identified in the County Plan as a Regional Business Centre in order to increase the County's non-residential assessment base.
- The Janet area will continue to be a limited service industrial area, accommodating industrial, commercial, recreational, and country residential uses.
- Land Use: There was strong support for the Janet area being developed primarily for industrial uses, with a limited focus on commercial development.

### **VISION**

- *The Janet area has developed into an attractive location for small-to-medium sized industrial businesses within the transportation, construction, and manufacturing sectors. The area benefits from its geographic location, a strong urban market, a nearby labour force, and its proximity to Glenmore and Stoney Trails. The development blends in well with adjacent industrial and commercial areas, complementing development in the City of Calgary and Town of Chestermere. The area is served by an efficient transportation network, effective water and wastewater systems, and well-managed stormwater infrastructure.*

- Establish an attractive industrial area for small to medium industries in sectors such as manufacturing, transportation, and construction; and provide for limited-service industrial development with some supporting commercial uses.
- A limited servicing strategy, which includes the use of cisterns, pump-out tanks or, communal systems will provide the water and wastewater solutions for business development.

## INDUSTRIAL

- The Janet area is identified in the County Plan (Map 1: Managing Growth), as a Regional Business Centre. The area will develop over time into an attractive location for more general industrial development catering to uses that do not require municipal-owned utility servicing. The development will benefit from its geographic location; in particular, its proximity to Stoney and Glenmore Trails. This area is expected to be especially attractive for small-to-medium sized industries within the transportation, construction, and manufacturing sectors.
- Support the development of industries associated with the provincial and regional economic base such as construction, manufacturing, transportation, warehousing, distribution logistics, and oil and gas services.
- Promote financial sustainability by increasing the County's business assessment base.
- Industrial uses such as distribution logistics, warehousing, transportation, services, construction, and manufacturing that do not have a significant offsite nuisance impact are appropriate within the industrial area. (Policy 10.3)
- Development in the Janet area has relied on stand-alone utility systems, such as cisterns, pump out tanks, groundwater wells, septic fields, and passive stormwater evaporation. It is expected that the majority of the Janet area will rely on these methods in the absence of municipal-owned services.

### *Water*

- Development in the Plan area should be serviced by water cisterns or alternative systems consistent with County policy. Water wells located on individual subdivision lots should not be supported (Policy 22.5)

### *Stormwater*

- The Janet area generally has a high water table and constrained stormwater management systems that affect the potential of land to absorb treated wastewater.

### *Wastewater*

- New business development should provide wastewater treatment by the use of pump out tanks or other acceptable methods, in accordance with County policy and Provincial regulation.

## **Direct Control Bylaw (DC-133)**

The regulatory mechanism for implementation of policy is in the form of a Direct Control Bylaw which regulates land use on the subject lands within the Frontier Industrial Park.

2.2.0 Purpose and Intent – To accommodate a wide range of industrial and associated uses which are compatible with each other, do not adversely affect the surrounding land use and may be located in areas with limited or full services.

## **ROCKY VIEW COUNTY / CITY OF CALGARY / INTERMUNICIPAL DEVELOPMENT PLAN**

### **Goals**

- 3 To coordinate planning within Key Focus Areas as identified in the 2006 Annexation Agreement between Rocky View County and The City of Calgary.

### 4.0 Key Focus Areas

The 2006 Annexation Agreement identified six geographical areas of particular interest to both municipalities. In these areas, both municipalities expressed a desire to achieve an increased level of collaboration and engagement. Each area has site-specific characteristics that make them unique in the Plan Area. These areas are identified as Key Focus Areas within this Plan and are shown on Map 2.

- 15.1.1 The following that occur partially or wholly within the Plan Area (Map 1) shall be circulated to both municipalities:



- (b) Applications for land use redesignation and subdivision;
- (c) All applications for development permits, including renewals;

**Application Prepared for:**



**Application Prepared by:**





**1-SW Subject Property from Frontier Crescent**



**2-W Adjacent Property to North**



**3-N Frontier Crescent**



**4-E Frontier Crescent**



**5-SE Vacant Adjacent Property to East**



**6-E 50<sup>th</sup> Avenue (Twp. Rd. 240)**



**7-N Subject Property from 50<sup>th</sup> Avenue**



**8-NW Adjacent Stormwater Ponds to West**



**10-W 50<sup>th</sup> Avenue (Twp. Rd 240)**



**11-SW CN Rail and Kleysen Transport**



**12-SW CN Rail and AltaLink Substation**