

Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

Item # 5.1.11

Planning & Development Report to
Calgary Planning Commission
2018 August 23

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Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

EXECUTIVE SUMMARY

This report proposes Administration-initiated amendments to the *Southeast Industrial Area Structure Plan (ASP)* to:

- remove the 400 metre setback from the decommissioned Phosphogypsum Stack Two; and
- add a 450 metre setback to the disposal area of operating hazardous waste management facilities.

The ASP amendment was initiated by Administration as a result of ongoing applications affected by the setbacks and to align with recent amendments to the *Municipal Government Act (MGA)*.

ADMINISTRATION RECOMMENDATION(S):

That Calgary Planning Commission recommend that Council hold a Public Hearing: and

1. ADOPT, by bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan (Attachment 1);
2. Give three readings to the proposed bylaw; and
3. ADOPT, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, DATED 2018 SEPTEMBER 06:

That Council:

1. Hold a public hearing during a 2018 October Public Hearing of Council;
2. Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan;
3. Give three readings to the proposed Bylaw 63P2018; and
4. Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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Excerpts from the Minutes of the Regular Meeting of the Calgary Planning Commission, held on 2018 September 06:

"7.2.1 Reconsideration of M-2018-001(CPC2018-0863) (Verbal Report), CPC2018-1026

Moved by Commissioner Palmiere

That the Calgary Planning Commission reconsider its decision as contained in the Minutes of the Regular Meeting of Calgary Planning Commission, held 2018 August 23, with respect to Report CPC2018-0863.

MOTION CARRIED

A Revised Attachment 1 with respect to Report CPC2018-0863 was distributed.

The following clerical corrections were noted to Report CPC2018-0863:

- Cover Report, Page 2 of 6, Background, second paragraph, by deleting the words "food establishments" immediately following the word "hospitals", and substituting with the words "child care facilities;
- Cover Report, Page 2 of 6, Phosphogypsum Stacks (drying ponds), second paragraph, by deleting the words "food establishments" immediately following the word "hospitals", and substituting with the words "child care facility".

Moved by Commissioner Palmiere

That with respect to **Corrected Report CPC2018-0863**, the following be approved, **after amendment**:

That the Calgary Planning Commission recommends that Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. **Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan;**
3. Give three readings to the proposed Bylaw; and
4. **Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96.**

MOTION CARRIED"

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Excerpts from the Minutes of the Regular Meeting of the Calgary Planning Commission, held 2018 August 23:

"7.2.3 Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001, CPC2018-0863

A clerical correction was noted to page 1 of 6 of Report CPC2018-0863, under the header "Phosphogypsum Stacks (drying ponds)", by deleting the last sentence in its entirety and replacing with the following "The site remains under operation by Viterra Inc. and under approval of Alberta Government".

Moved by Councillor Woolley

That with respect to **Corrected** Report CPC2018-0863, the following be approved, **after amendment**:

That the Calgary Planning Commission recommends that Council:

1. **Hold a public hearing during a 2018 October Public Hearing of Council;**
2. Adopt, by Bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan (Attachment 1);
3. Give three readings to the proposed bylaw; and
4. Adopt, by resolution, the proposed revisions to the Supporting Information section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 (Attachment 2).

MOTION CARRIED"

PREVIOUS COUNCIL DIRECTION / POLICY

None.

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Policy Amendments - Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

BACKGROUND

On 2015 October 05, Council approved minor amendments to the *Southeast Industrial Area Structure Plan* to remove the 400 metre setback from the decommissioned Phosphogypsum Stack One (CPC2015-178).

The decommissioning of Phosphogypsum Stack One and removal of the 400 metre setback allowed for development of schools, hospitals, **child care facilities**, or residential uses within the previous 400 metre setback area.

Phosphogypsum Stacks (drying ponds)

In 2017, Viterra Inc completed decommissioning and capping of Phosphogypsum Stack Two. Similar to Stack One, a Risk Management Plan (RMP), has been accepted by Alberta Environment. **The Site remains under operation by Viterra Inc. and under approval of Alberta Environment.**

While operational, and throughout decommissioning and capping of the phosphogypsum stacks, a setback prohibited development of schools, hospitals, **child care facilities** and residential uses within 400 metres of the property line of the stacks. The setback is no longer required and the proposed amendments to the ASP will allow the previously restricted uses.

Hazardous Waste Management Facilities

Changes to the MGA in 2017 require a 450 metre setback from the disposal area of operating hazardous waste management facilities. The setback prohibits the development of schools, hospitals, food establishments and residential uses within the setback area. To align with amendments to the MGA, Administration is proposing amendments to the *Southeast Industrial ASP* to identify and delineate the setbacks. Refer to Schedule P of the *Southeast Industrial ASP* for Hazardous Waste Management Facility setback.

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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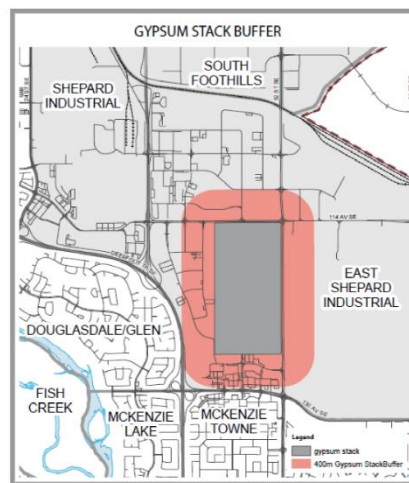
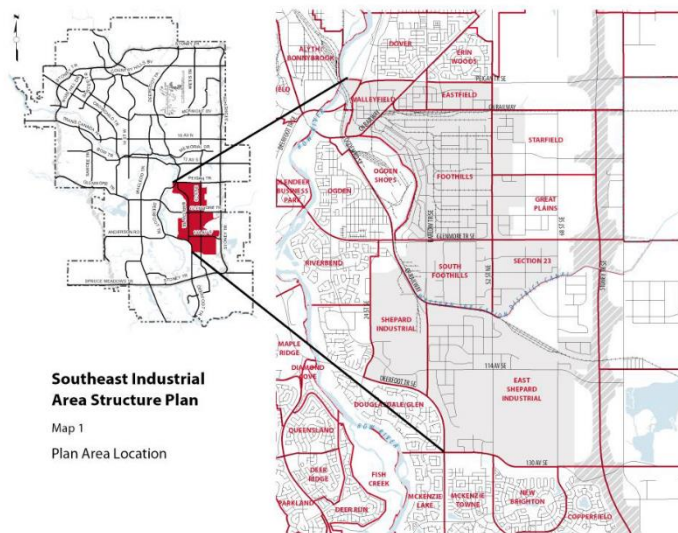
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Location Maps



Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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Site Context

The *Southeast Industrial ASP* covers a land area of approximately 3,763 hectares (9,299 acres) in size, comprising primarily industrial uses, with limited commercial uses. The Plan Area is bounded by Peigan Trail SE to the north, Deerfoot Trail SE to the west, Deerfoot Trail SE and 130 Avenue SE to the south and Stoney Trail SE to the east.

The decommissioned phosphogypsum stack site is located at 12525 – 52 Street SE, 12655 and 12655R - 52 Street SE and 12725 – 52 Street SE. The four parcels total approximately 130 hectares (320 acres) in size.

The hazardous waste management facilities are located at 9611 – 44 Street SE, 10905 – 48 Street SE, 7905 – 46 Street SE, 5366 – 55 Street SE and 10501 Barlow Trail SE.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed amendments to the *Southeast Industrial ASP* would align the policy with MGA requirements and the recent decommissioning of the phosphogypsum stack and hazardous waste management facilities setback.

Infrastructure

Transportation Networks

Transportation networks in the ASP are not affected by the proposed amendments.

Utilities and Servicing

Utilities and servicing are not affected by the proposed amendments.

Stakeholder Engagement, Research and Communication

In keeping with Administration's standard practices, the ASP amendment to allow for additional uses within the 400 metre stack setback was circulated to adjacent landowners. A website on www.calgary.ca was created to inform the public of the amendment and included project information and an overview of the planning process.

Hazardous waste setbacks automatically apply around any hazardous waste management facility as regulated by the Subdivision and Development Regulation of the MGA. This setback is mandatory with or without the ASP therefore Administration did not send a letter to adjacent landowners.

Commission's recommendation and the date of the Public Hearing will be advertised.

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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Engagement

No citizen comments or comments from landowners circulated were received. No public meetings were held by Administration. There is no community association in the plan area.

Strategic Alignment

South Saskatchewan Regional Plan (Statutory, 2014)

The sites are located within the 'City, Town' area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan (SSRP)*. While the SSRP makes no specific reference to these sites, the proposal is consistent with policies on Land Use Patterns.

Municipal Development Plan (Statutory, 2009)

The sites are located within the 'Standard Industrial Area of the *Municipal Development Plan (MDP)*. The applicable MDP policies encourage a broad variety of industrial uses and intensities that support business in Calgary.

The proposed amendments to the ASP are in keeping with relevant MDP policies.

Municipal Government Act – Subdivision and Development Regulation (43/2002):

The Municipal Government Act – Subdivision and Development Regulation specifies that a Development Authority shall not approve an application for school, hospital, food establishment or residential use or building site proposed for a school, hospital, food establishment or residence within 450 metres of the disposal area of an operating or non-operating hazardous waste management facility.

Southeast Industrial Area Structure Plan (Statutory, 1996)

The current *Southeast Industrial ASP* identifies a setback within 400 metres of Phosphogypsum Stack Two. The proposed amendments to remove reference of the setback on stack two and all references to the phosphogypsum stack are supported by Administration.

The current policy of the *Southeast Industrial ASP* does not identify a setback of 450 metres to operating hazardous waste management facilities. The proposed amendment to add the setback to the identified parcels and references to hazardous waste management facilities in the plan area is supported by Administration.

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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Social, Environmental, Economic (External)

Phosphogypsum Stack Two has been decommissioned and Alberta Environment and Parks has accepted the Risk Management Plan, therefore the 400 metre setback can be removed.

Amendments to the *Municipal Government Act*, to include a setback from active hazardous waste management facilities, have been accepted by the Government of Alberta, therefore, the 450 metre setback to hazardous waste management facilities will be added.

Financial Capacity

Current and Future Operating Budget:

There are no known impacts to the current and future operating budgets at this time.

Current and Future Capital Budget:

The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

Risk Assessment

There are no significant risks associated with this proposal.

REASON(S) FOR RECOMMENDATION(S):

The proposed amendments to the *Southeast Industrial ASP* aligns the policy with the current status of Phosphogypsum Stack Two and recent changes to the *Municipal Government Act*.

ATTACHMENT(S)

1. Revised Proposed amendments to the Southeast Industrial Area Structure Plan
2. Proposed amendments to the Supporting information section of the Southeast Industrial Area Structure Plan.
3. Proposed Bylaw 63P2018

Approval(s): K. Froese concurs with this report. Author: M. Bussiere
City Clerk's: L. McDougall

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CPC2018-0863
Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

1. The Southeast Industrial Area Structure Plan, attached to and forming part of Bylaw 6P96 as amended, is hereby further amended.
 - (a) In section 3.0 entitled "THE PLAN (Map 2)" delete second bullet point and paragraph.
 - (b) Delete the existing Map 1 entitled "Plan Area Location" and replace with revised Map 1 entitled "Plan Area Location", as attached as Schedule A.
 - (c) Delete the existing Map 2 entitled "Land Use and Transportation Plan" and replace with revised Map 2 entitled "Land Use and Transportation Plan", as attached as Schedule B.
 - (d) In the second paragraph of subsection 4.1.3 entitled "Heavy Industrial" delete "east of the *fertilizer complex* property" and replace with "south of the irrigation canal and east of Barlow Trail SE".
 - (e) Delete the existing Map 3 entitled "Regional Road Network" and replace with revised Map 3 entitled "Regional Road Network", as attached as Schedule C.
 - (f) Delete the Map 4 entitled "Dangerous Goods and Truck Routes" and replace with revised Map 4 entitled "Dangerous Goods and Truck Routes", as attached as Schedule D.
 - (g) Delete the existing Map 5 entitled "Water Supply" and replace with revised Map 5 entitled "Water Supply", as attached as Schedule E.
 - (h) Delete the existing Map 6 entitled "Sanitary Sewer System" and replace with revised Map 6 entitled "Sanitary Sewer System", as attached as Schedule F.
 - (i) Delete the existing Map 7 entitled "Storm Sewer System" and replace with revised Map 7 entitled "Storm Sewer System", as attached as Schedule G.
 - (j) Delete the existing Map 8 entitled "Electrical Service" and replace with revised Map 8 entitled "Electrical Service", as attached as Schedule H.
 - (k) Delete the existing Map 9 entitled "Natural Gas" and replace with revised Map 9 entitled "Natural Gas", as attached as Schedule I.
 - (l) Delete the existing Map 10 entitled "Telephone and Cable Services" and replace with revised Map 10 entitled "Telephone and Cable Services", as attached as Schedule J.
 - (m) In the first paragraph of subsection 4.6 "Development Constraint Areas" delete "and the fertilizer complex" and replace with "and the hazardous waste management facilities".

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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

- (n) In section 4.6 entitled “Development Constraints Areas” delete paragraphs four through six and replace with the following:
- “A fertilizer manufacturing facility previously operated within the Plan Area. Constructed in 1965 the facility operated until 1987 when the production of anhydrous ammonia, ammonium nitrate, and ammonium phosphate ceased.
- Between 1987 and 2005, the production facilities were decommissioned (including the acid plants and flare stack) and the majority of infrastructure was removed from the property. A remedial program to remove impacted soil from the production area and to decommission the phosphogypsum stacks (drying ponds) was also implemented.
- When the Southeast Industrial ASP was approved in 1996, a setback was established preventing residential land use within 1,600 metres of the transfer terminal (flare stack). Subsequent environmental assessments resulted in a reduced 1,100 metre setback. In addition, it was determined that schools, hospitals, **child care facilities** and residential uses would be restricted within 400 metres of the phosphogypsum stacks (drying ponds).
- In 2015, the setback for phosphogypsum Stack 1 was removed subsequent to final decommissioning and acceptance of the ongoing Risk Management Plan (RMP) by Alberta Environment and Parks (AEP). Similarly, in 2018 the setback for phosphogypsum Stack 2 was removed following complete decommissioning and acceptance of the RMP by AEP. A fertilizer and farm products distribution terminal currently operates at 11111 Barlow Trail SE.
- Long term RMPs are in place for the former fertilizer manufacturing facility and the associated drying ponds. Future land uses with the potential to compromise the integrity of the engineered cover at phosphogypsum stack sites will not be allowed.
- Hazardous Waste Management Facilities are a possible discretionary use in the Plan Area. Land use planning in proximity to Hazardous Waste Management Facilities are governed by the Subdivision and Development Regulation (SDR) under the Municipal Government Act (MGA).
- AEP publishes a list of facilities in the Alberta and Environmental Protection and Enhancement Act (EPEA) to manage hazardous waste and/or hazardous recyclables.”
- (o) In section 4.6 “Development Constraint Areas” under Recommendation, (a) delete subsection (iii) “the fertilizer complex and phosphogypsum stack” and replace with “the hazardous waste management facilities”.
- (p) In section 4.6 “Development Constraint Areas” under “Recommendation” delete sections (b) through (g).

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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

- (q) Under section 4.8 “Environmental Considerations” insert the following before section 4.8.1:

“Historically, the Southeast Industrial ASP saw considerable industrial development; as a result, there are potentially contaminated sites that may impact future development. With new development proposed for the area, it is important that a detailed environmental site assessment is completed to ensure a site is suitable for its intended use.

The environmental status of a site will be determined beginning at the Outline Plan/Land Use Amendment Stage. Pending the findings of the environmental assessment, remediation and/or risk management may be necessary. Where risk management is proposed, the Risk Management Plan (RMP) must be accepted by Alberta Environment and Parks (AEP) and Alberta Health Services (AHS) prior to the development proceeding. Even where The City has granted land use amendment for a site, the presence of contamination may make it unsuitable for the intended use.”

- (r) Delete subsection 4.8.1 entitled “Potential Soil and Groundwater Contamination” and replace with the following: 4.8.1 “Environmental Site Assessment”:

“The preceding section identified the main known features of the Plan Area. The purpose of these policies is to help ensure that any risks associated with past activities on specific sites are identified and addressed:

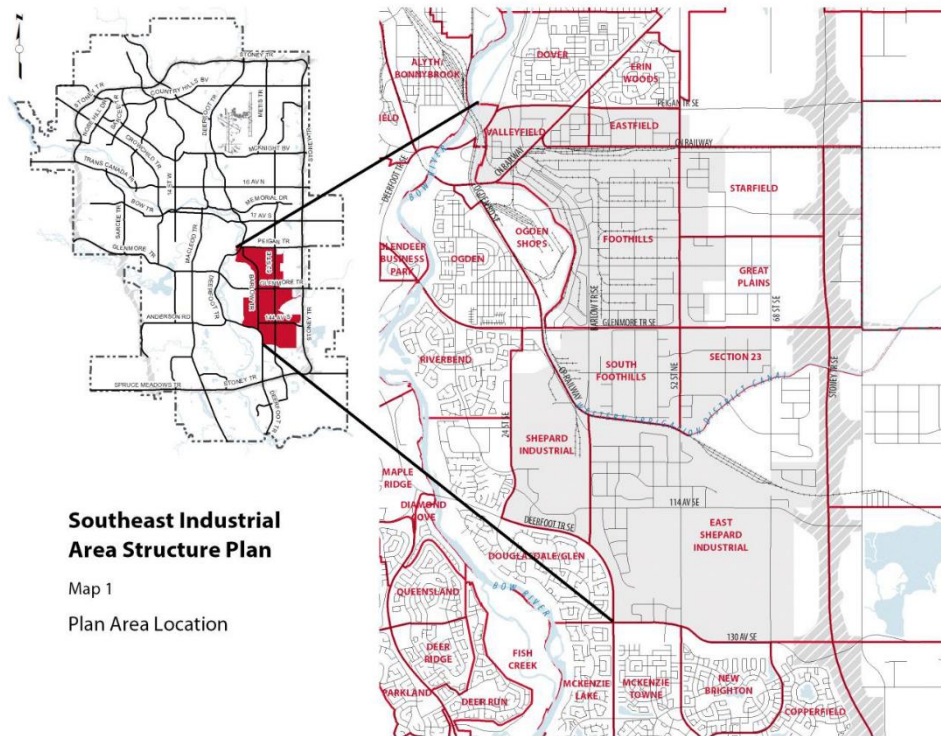
- a. In conjunction with an Outline Plan/Land Use Amendment application, a developer shall:
 - i. submit a current Phase I ESA, to the satisfaction of the Approving Authority, to identify any soil and groundwater contamination and identify actual or potential, on or off site human health impacts, to determine if the site is suitable for the intended use;
 - ii. if the Phase I ESA identifies any actual or potential or off-site contamination, submit a current Phase II ESA to the satisfaction of the Approving Authority to determine if there is a requirement for remediation or risk management on the site; and
 - iii. if the Phase II ESA determines a need for site remediation, or risk management, submit a Remedial Action Plan or Risk Management Plan to address the manner and extent that the site will be remediated or managed to render it suitable for the intended use.
- b. The ESA should refer to the more detailed guidelines contained in Appendix A.
- c. Environmental Background Studies must comply with City standards.”

Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule A

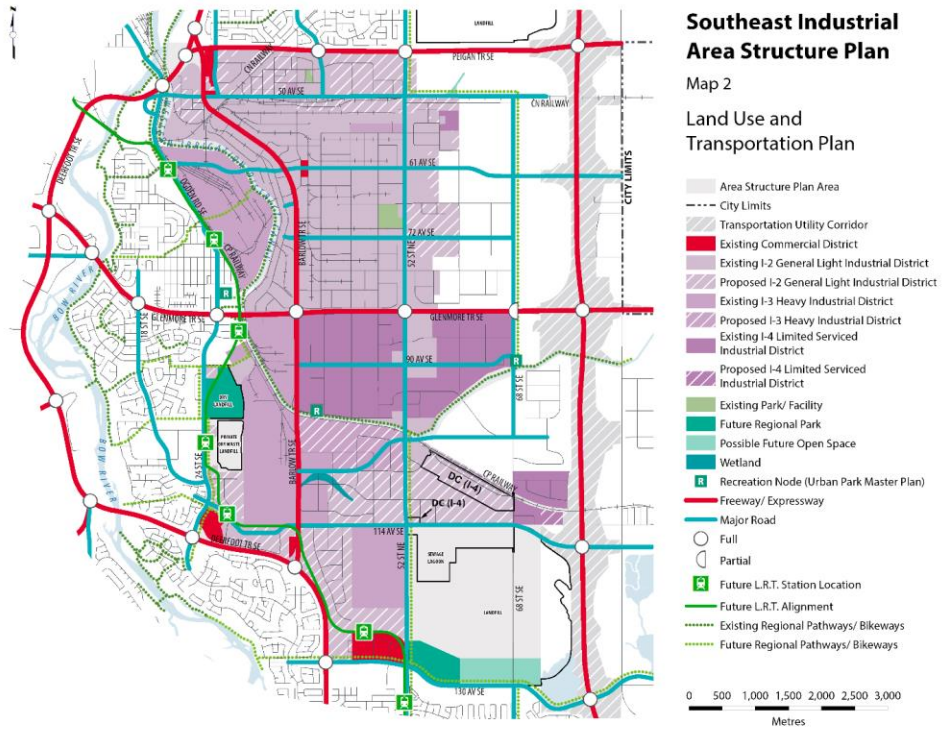


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Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule B

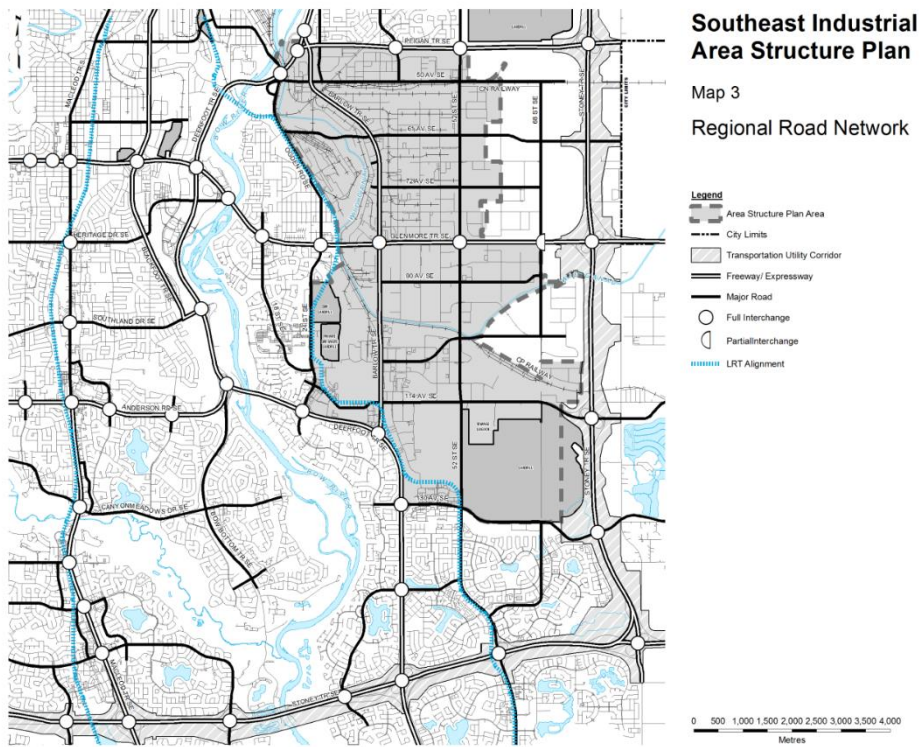


**Report to Council: Policy Amendments – Southeast Industrial
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CPC2018-0863
Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule C

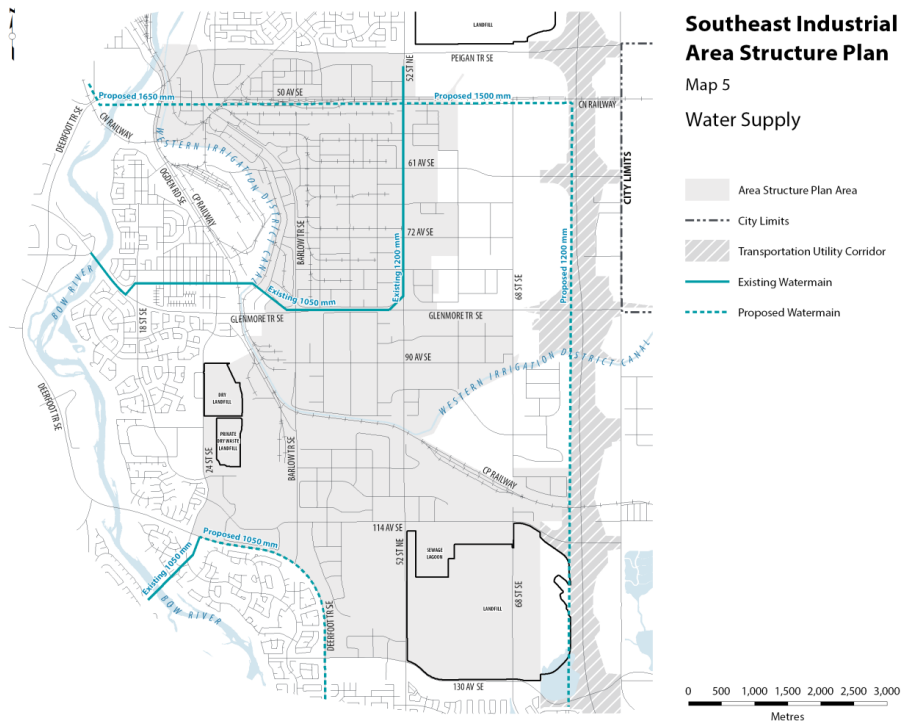


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule E

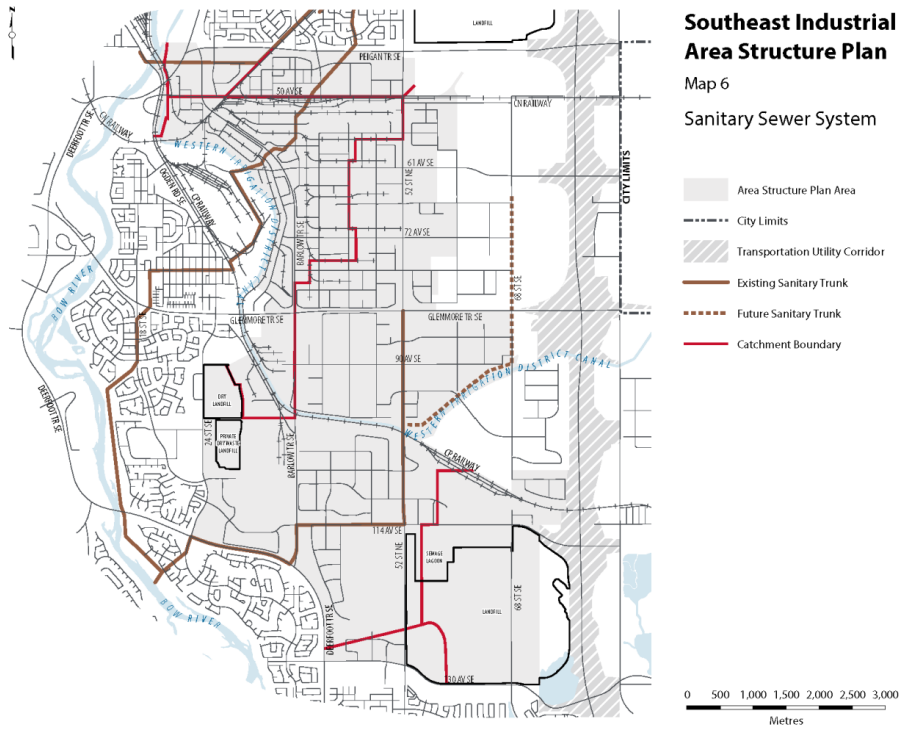


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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule F

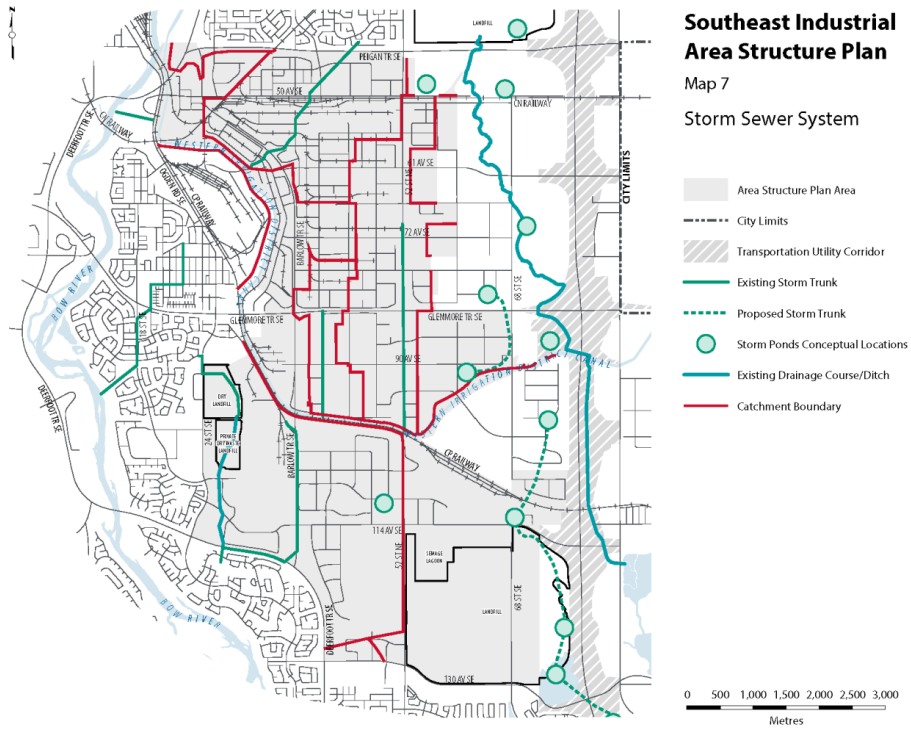


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Attachment 1

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Schedule G

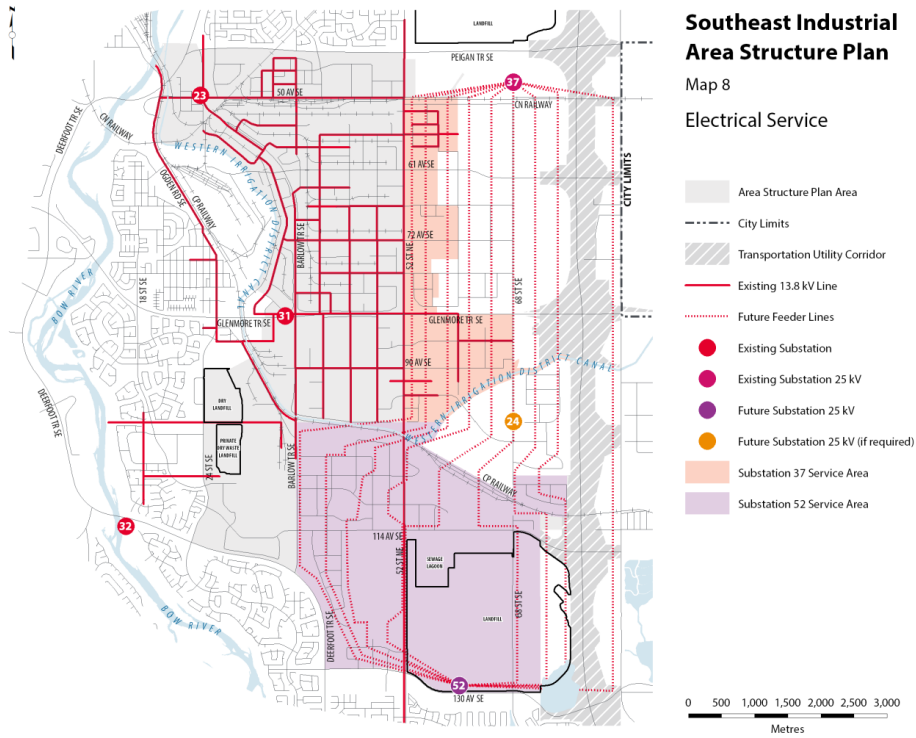


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CPC2018-0863
Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule H

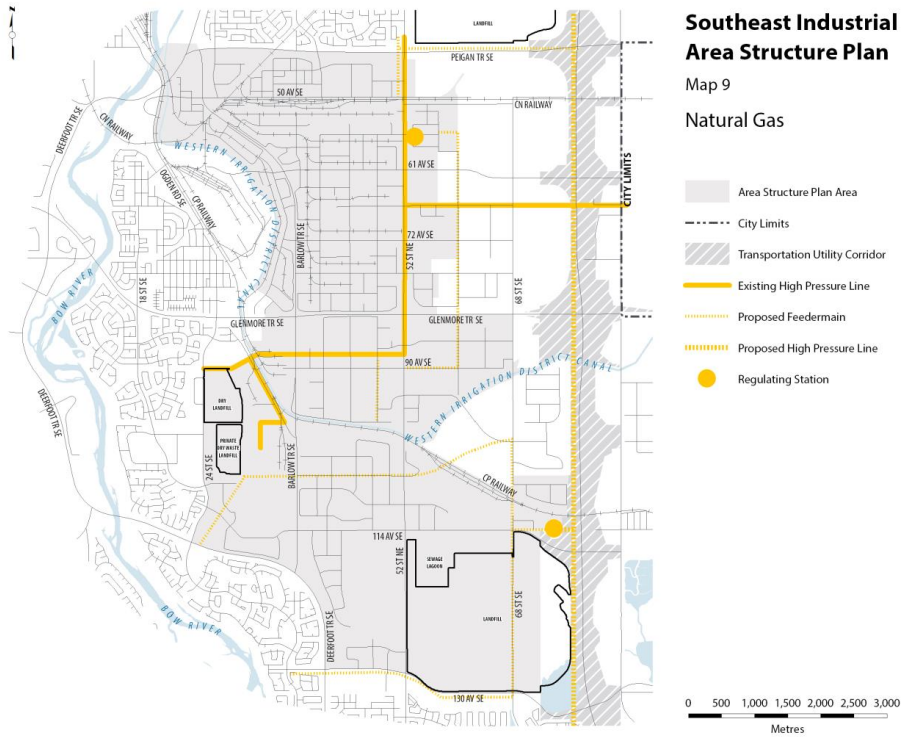


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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule I

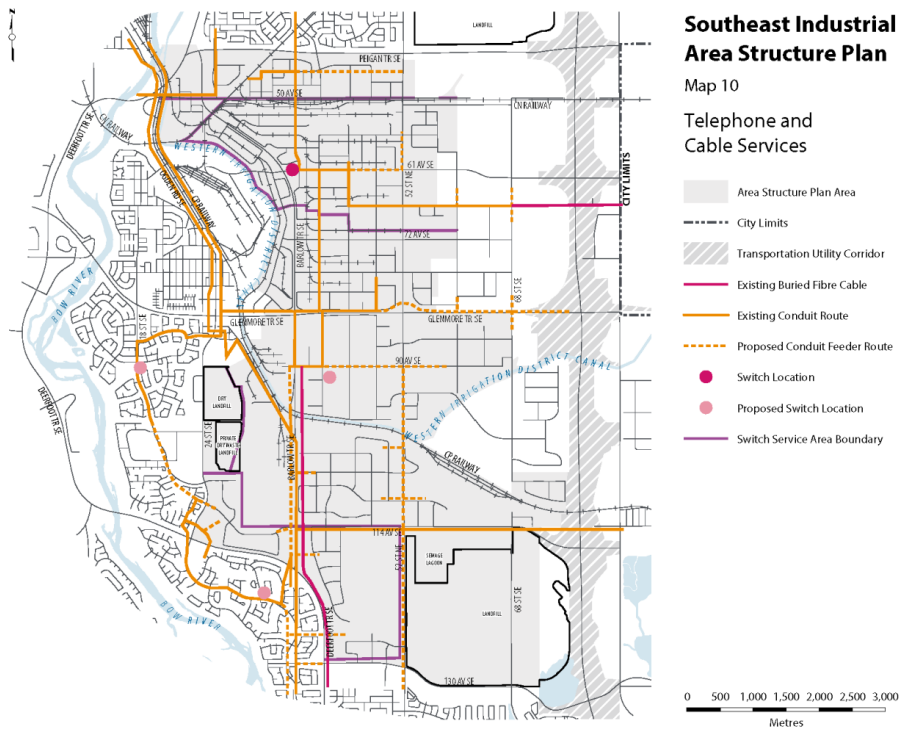


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 1

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule J



Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

CPC2018-0863
Attachment 2

Proposed Amendments to the Southeast Industrial Area Structure Plan

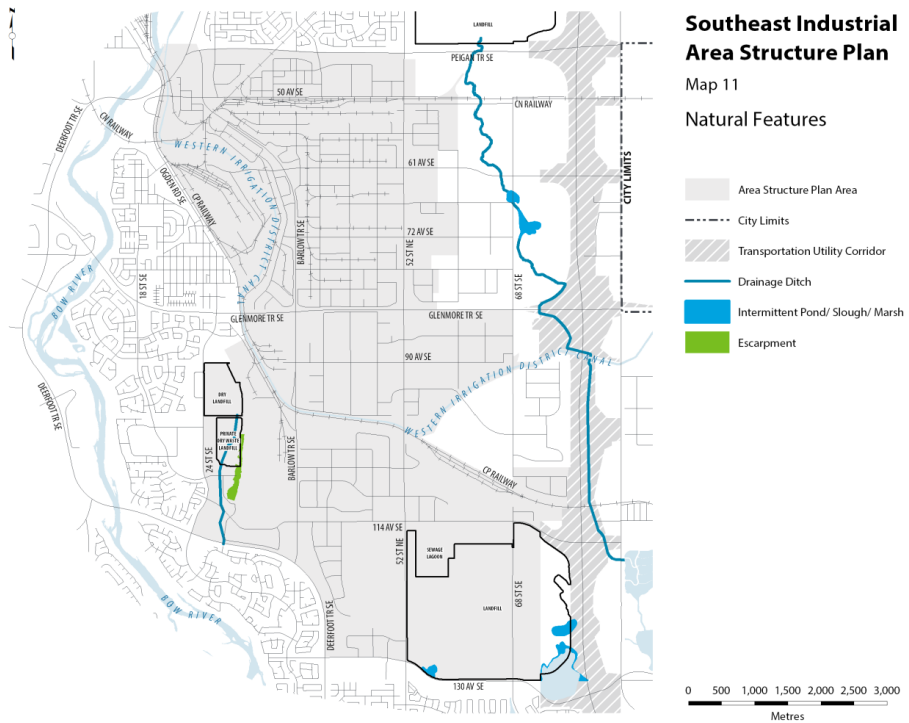
1. The “Supporting Information” section of the Southeast Industrial Area Structure Plan that does not form part of Bylaw 6P96 as amended, is hereby revised as follows:
 - (a) In the Table of Contents and subsection 7.4.3 delete “Phosphogypsum Pond” and replace with “Hazardous Waste Management Facilities”;
 - (b) Delete the existing Map 11 entitled “Natural Features” and replace with revised Map 11 “Natural Features”, as attached as Schedule A;
 - (c) Delete the existing Map 12 entitled “Land Ownership (Major Land Owners)” and replace with revised Map 12 entitled “Land Ownership (Major Land Owners)”, as attached as Schedule B;
 - (d) In the first paragraph of section 5.3 entitled “Existing Land Use (Map 13)” delete “(e.g., fertilizer plant and associated phosphogypsum stack)”;
 - (e) Delete the existing Map 13 entitled “Existing Land Use” and replace with revised Map 13 entitled “Existing Land Use”, as attached as Schedule C;
 - (f) Delete the existing Map 14 entitled “Policy Context” and replace with revised Map 14 entitled “Policy Context”, as attached as Schedule D;
 - (g) Delete the existing Map 15 entitled “Tri-Party Agreement” and replace with revised Map 15 entitled “Tri-Party Agreement”, as attached as Schedule E;
 - (h) In the first paragraph of section 7.0 entitled “Development Constraint Areas (Map 16)” delete “the Western Co-operative Fertilizers Limited’s fertilizer complex” and replace with “Hazardous Waste Management Facilities”;
 - (i) Delete the existing Map 16 entitled “Development Constraints” and replace with revised Map 16 entitled “Development Constraints”, as attached as Schedule F;
 - (j) Under section 7.4.1 delete “Landfill and Sewage Lagoon Sites” and replace with “Landfill, Sewage Lagoon and Hazardous Waste Management Facility Sites”;
 - (k) Delete subsection 7.4.3 entitled “Phosphogypsum Pond” in its entirety; and
 - (l) Delete Section 8.0 entitled “Environmental Considerations” in its entirety.

Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

CPC2018-0863
Attachment 2

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule A

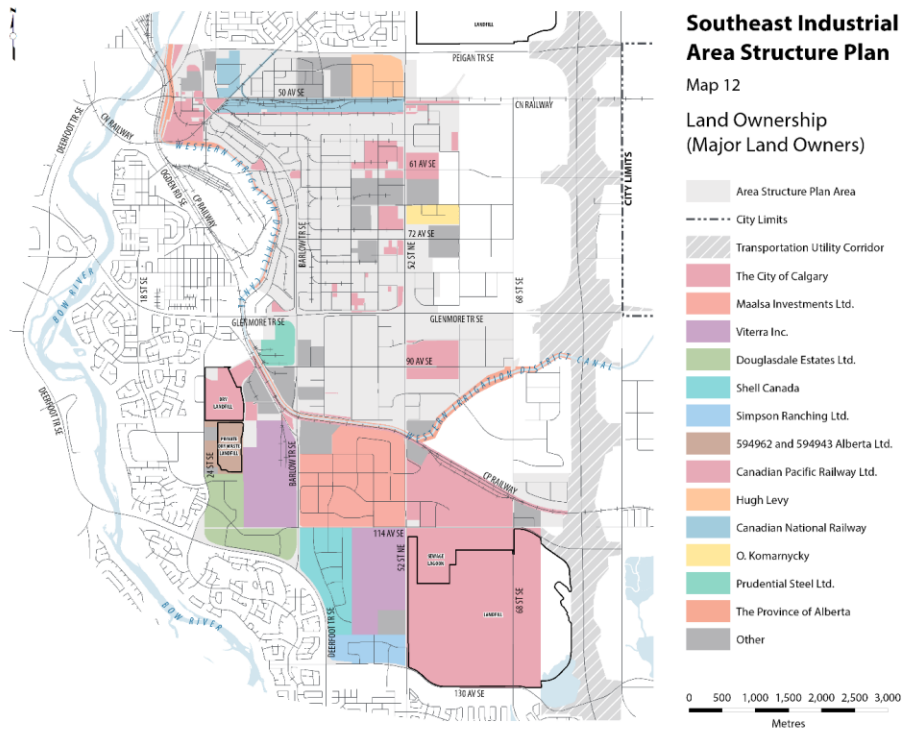


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 2

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule B

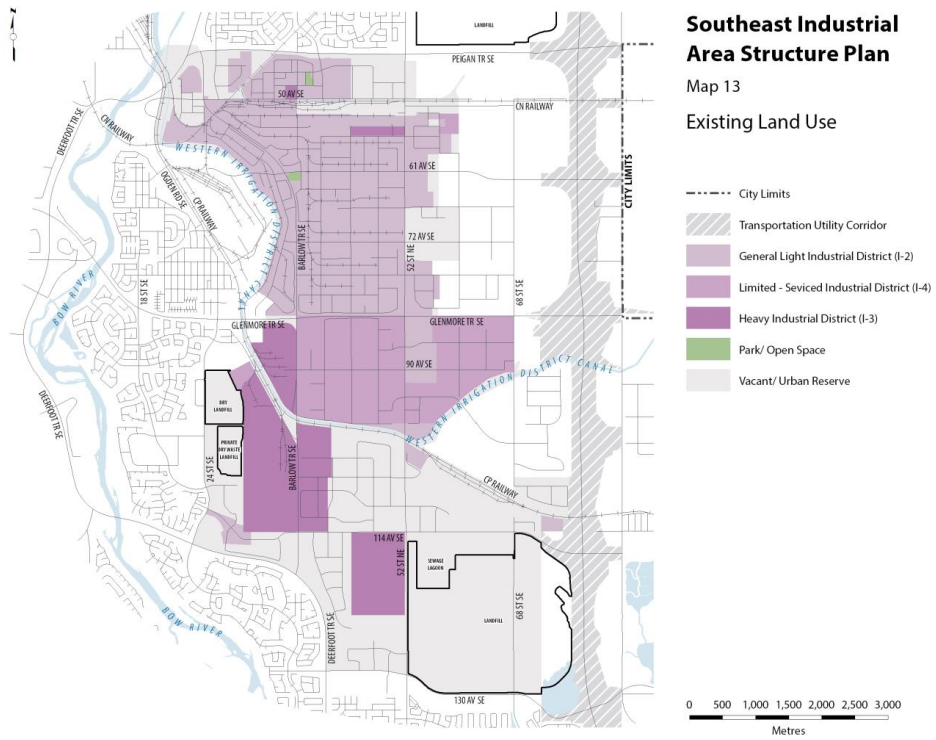


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 2

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule C

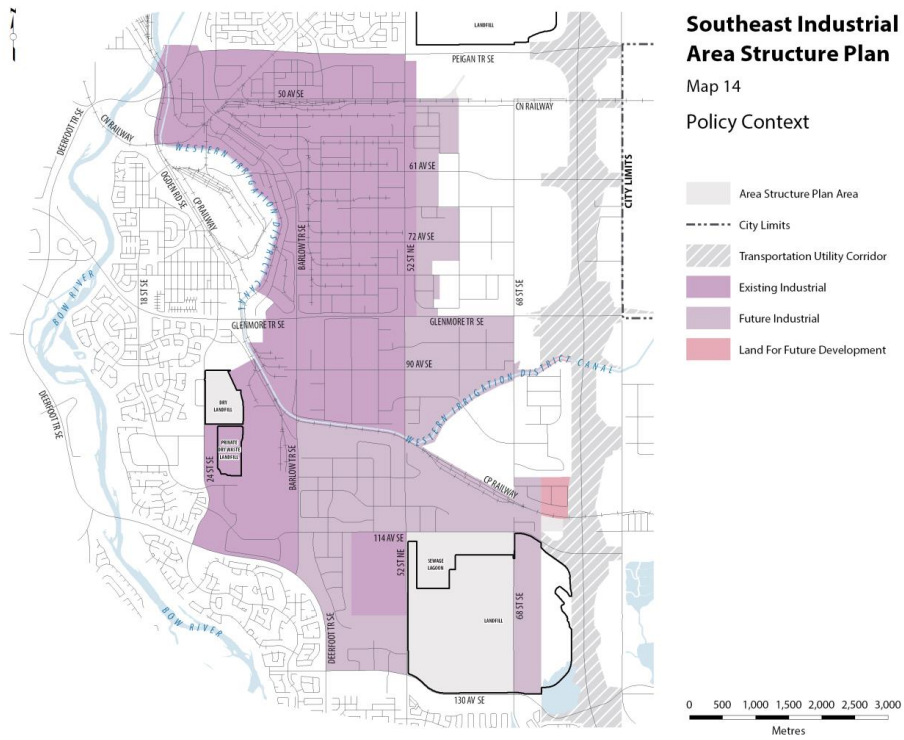


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Attachment 2

Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule D

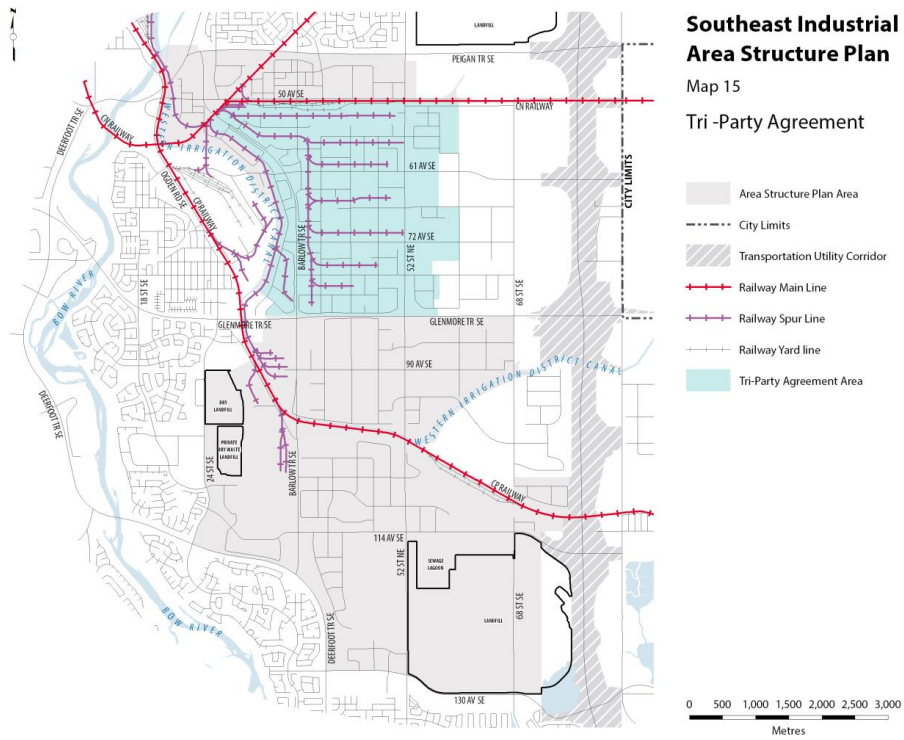


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule E

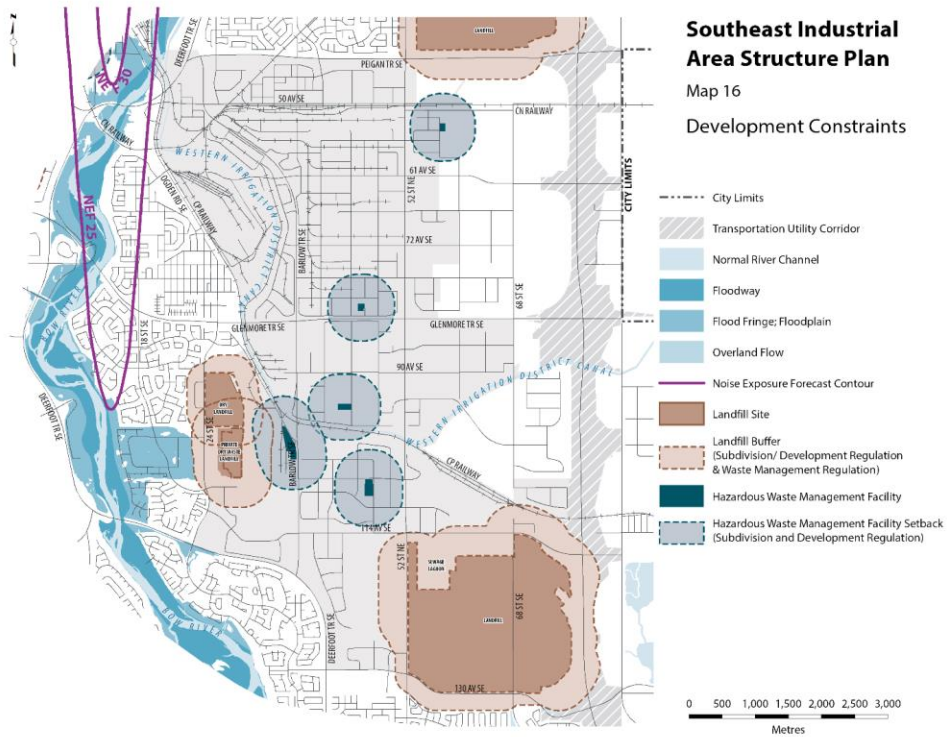


Report to Council: Policy Amendments – Southeast Industrial Area Structure Plan (Ward 12), M-2018-001

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Proposed Amendments to the Southeast Industrial Area Structure Plan

Schedule F



**Report to Council: Policy Amendments – Southeast Industrial
Area Structure Plan (Ward 12), M-2018-001**

PROPOSED

CPC2018-0863
ATTACHMENT 3

BYLAW NUMBER 63P2018

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND THE SOUTHEAST INDUSTRIAL
AREA STRUCTURE PLAN BYLAW 6P96

WHEREAS it is desirable to amend the Southeast Industrial Area Structure Plan Bylaw 6P96, as amended;

AND WHEREAS Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended:

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. The Southeast Industrial Area Structure Plan attached to and forming part of Bylaw 6P96, as amended, is hereby further amended as follows:
 - (a) In section 3.0 entitled "THE PLAN (Map 2)" delete second bullet point and paragraph.
 - (b) Delete the existing Map 1 entitled "Plan Area Location" and replace with revised Map 1 entitled "Plan Area Location", as attached as Schedule A.
 - (c) Delete the existing Map 2 entitled "Land Use and Transportation Plan" and replace with revised Map 2 entitled "Land Use and Transportation Plan", as attached as Schedule B.
 - (d) In the second paragraph of subsection 4.1.3 entitled "Heavy Industrial" delete "east of the *fertilizer complex* property" and replace with "south of the irrigation canal and east of Barlow Trail SE".
 - (e) Delete the existing Map 3 entitled "Regional Road Network" and replace with revised Map 3 entitled "Regional Road Network", as attached as Schedule C.
 - (f) Delete the Map 4 entitled "Dangerous Goods and Truck Routes" and replace with revised Map 4 entitled "Dangerous Goods and Truck Routes", as attached as Schedule D.
 - (g) Delete the existing Map 5 entitled "Water Supply" and replace with revised Map 5 entitled "Water Supply", as attached as Schedule E.
 - (h) Delete the existing Map 6 entitled "Sanitary Sewer System" and replace with revised Map 6 entitled "Sanitary Sewer System", as attached as Schedule F.
 - (i) Delete the existing Map 7 entitled "Storm Sewer System" and replace with revised Map 7 entitled "Storm Sewer System", as attached as Schedule G.

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- (j) Delete the existing Map 8 entitled "Electrical Service" and replace with revised Map 8 entitled "Electrical Service", as attached as Schedule H.
- (k) Delete the existing Map 9 entitled "Natural Gas" and replace with revised Map 9 entitled "Natural Gas", as attached as Schedule I.
- (l) Delete the existing Map 10 entitled "Telephone and Cable Services" and replace with revised Map 10 entitled "Telephone and Cable Services", as attached as Schedule J.
- (m) In the first paragraph of subsection 4.6 "Development Constraint Areas" delete "and the fertilizer complex" and replace with "and the hazardous waste management facilities".
- (n) In section 4.6 entitled "Development Constraints Areas" delete paragraphs four through six and replace with the following:

"A fertilizer manufacturing facility previously operated within the Plan Area. Constructed in 1965 the facility operated until 1987 when the production of anhydrous ammonia, ammonium nitrate, and ammonium phosphate ceased.

Between 1987 and 2005, the production facilities were decommissioned (including the acid plants and flare stack) and the majority of infrastructure was removed from the property. A remedial program to remove impacted soil from the production area and to decommission the phosphogypsum stacks (drying ponds) was also implemented.

When the Southeast Industrial ASP was approved in 1996, a setback was established preventing residential land use within 1,600 metres of the transfer terminal (flare stack). Subsequent environmental assessments resulted in a reduced 1,100 metre setback. In addition, it was determined that schools, hospitals, child care facilities and residential uses would be restricted within 400 metres of the phosphogypsum stacks (drying ponds).

In 2015, the setback for phosphogypsum Stack 1 was removed subsequent to final decommissioning and acceptance of the ongoing Risk Management Plan (RMP) by Alberta Environment and Parks (AEP). Similarly, in 2018 the setback for phosphogypsum Stack 2 was removed following complete decommissioning and acceptance of the RMP by AEP. A fertilizer and farm products distribution terminal currently operates at 11111 Barlow Trail SE.

Long term RMPs are in place for the former fertilizer manufacturing facility and the associated drying ponds. Future land uses with the potential to compromise the integrity of the engineered cover at phosphogypsum stack sites will not be allowed.

Hazardous Waste Management Facilities are a possible discretionary use in the Plan Area. Land use planning in proximity to Hazardous Waste Management Facilities are governed by the Subdivision and Development Regulation (SDR) under the Municipal Government Act (MGA).

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AEP publishes a list of facilities in the Alberta and Environmental Protection and Enhancement Act (EPEA) to manage hazardous waste and/or hazardous recyclables."

- (o) In section 4.6 "Development Constraint Areas" under Recommendation, (a) delete subsection (iii) "the fertilizer complex and phosphogypsum stack" and replace with "the hazardous waste management facilities".
- (p) In section 4.6 "Development Constraint Areas" under "Recommendation" delete sections (b) through (g).
- (q) Under section 4.8 "Environmental Considerations" insert the following before section 4.8.1:

"Historically, the Southeast Industrial ASP saw considerable industrial development; as a result, there are potentially contaminated sites that may impact future development. With new development proposed for the area, it is important that a detailed environmental site assessment is completed to ensure a site is suitable for its intended use.

The environmental status of a site will be determined beginning at the Outline Plan/Land Use Amendment Stage. Pending the findings of the environmental assessment, remediation and/or risk management may be necessary. Where risk management is proposed, the Risk Management Plan (RMP) must be accepted by Alberta Environment and Parks (AEP) and Alberta Health Services (AHS) prior to the development proceeding. Even where The City has granted land use amendment for a site, the presence of contamination may make it unsuitable for the intended use."

- (r) Delete subsection 4.8.1 entitled "Potential Soil and Groundwater Contamination" and replace with the following: 4.8.1 "Environmental Site Assessment":

"The preceding section identified the main known features of the Plan Area. The purpose of these policies is to help ensure that any risks associated with past activities on specific sites are identified and addressed:

- a. In conjunction with an Outline Plan/Land Use Amendment application, a developer shall:
 - i. submit a current Phase I ESA, to the satisfaction of the Approving Authority, to identify any soil and groundwater contamination and identify actual or potential, on or off site human health impacts, to determine if the site is suitable for the intended use;
 - ii. if the Phase I ESA identifies any actual or potential or off-site contamination, submit a current Phase II ESA to the satisfaction of the Approving Authority to determine if there is a requirement for remediation or risk management on the site; and
 - iii. if the Phase II ESA determines a need for site remediation, or risk management, submit a Remedial Action Plan or Risk Management Plan to address the manner and extent that the site will be remediated or managed to render it suitable for the intended use.

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- b. The ESA should refer to the more detailed guidelines contained in Appendix A.
 - c. Environmental Background Studies must comply with City standards."
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____
READ A SECOND TIME ON _____
READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

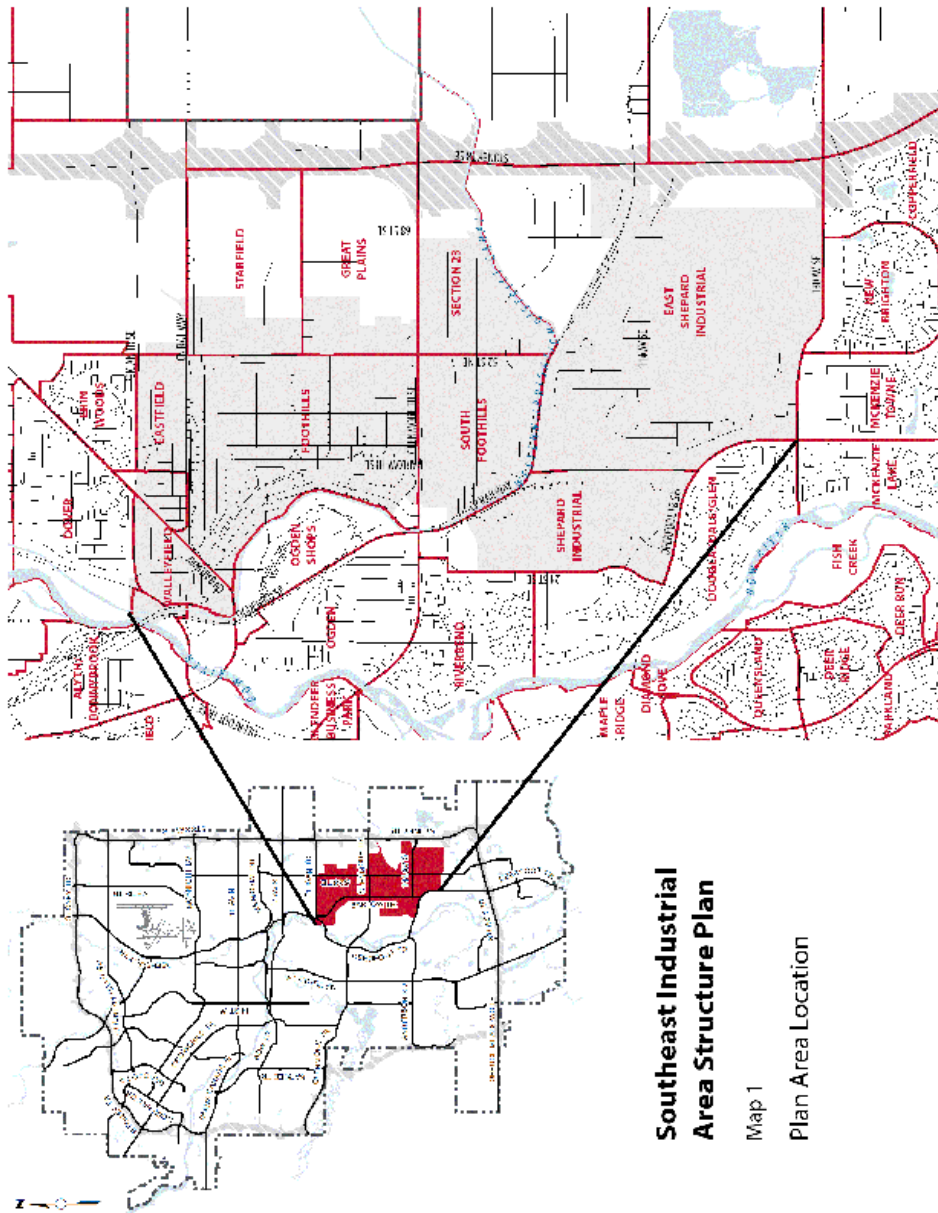
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SCHEDULE A

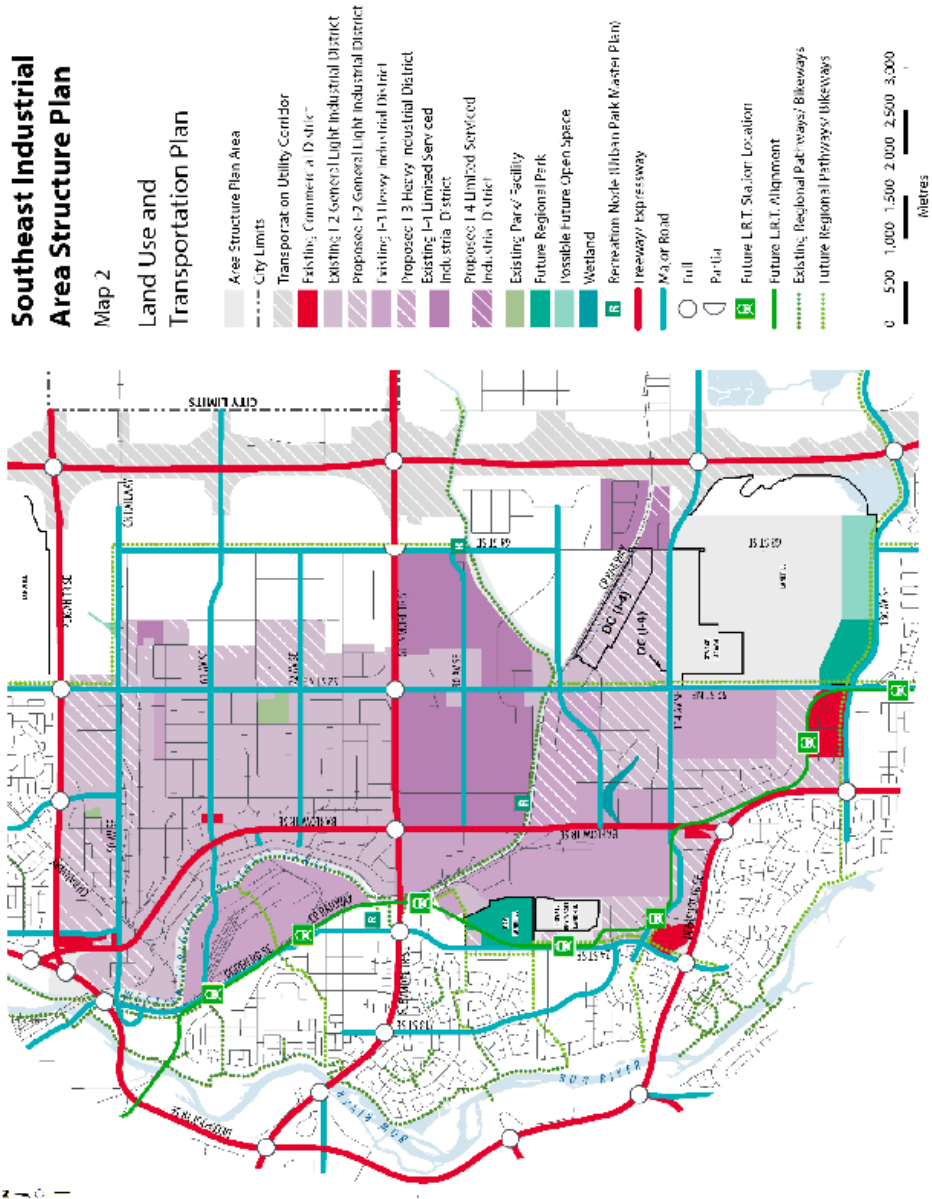


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SCHEDULE B



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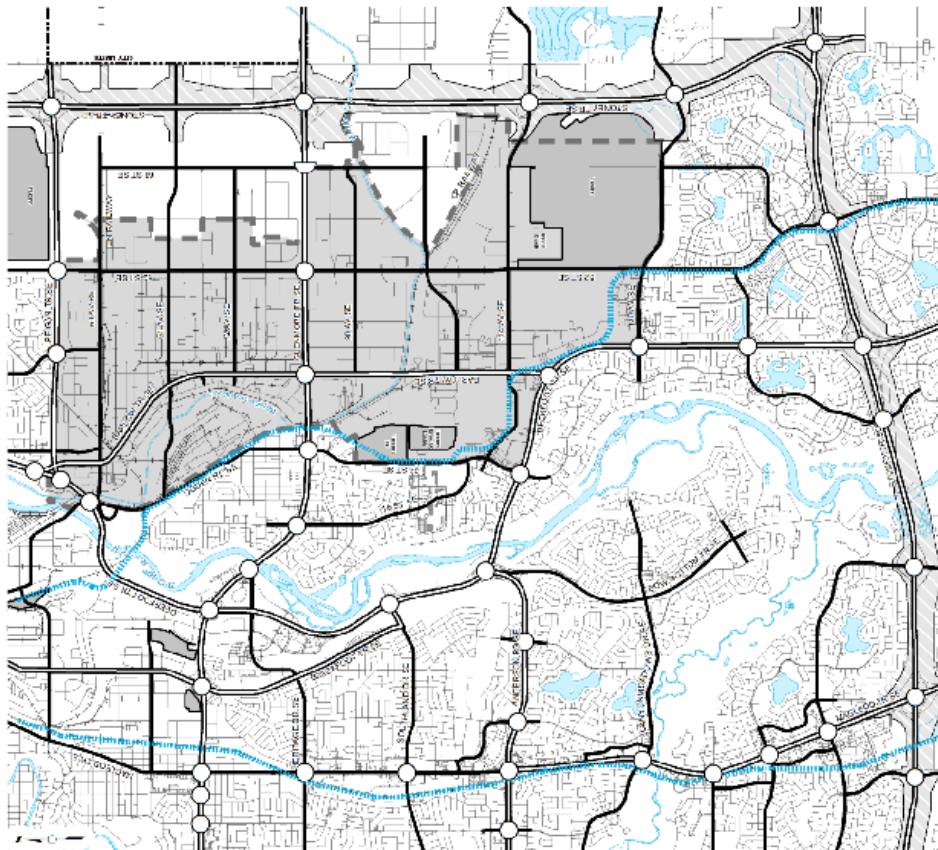
SCHEDULE C

Southeast Industrial Area Structure Plan

Map 3

Regional Road Network

- Legend**
- Area Structure Plan Area
 - City Limits
 - Transportation Utility Corridor
 - Freeway/ Expressway
 - Major Road
 - Full Interchange
 - Partial Interchange
 - LRV Alignment

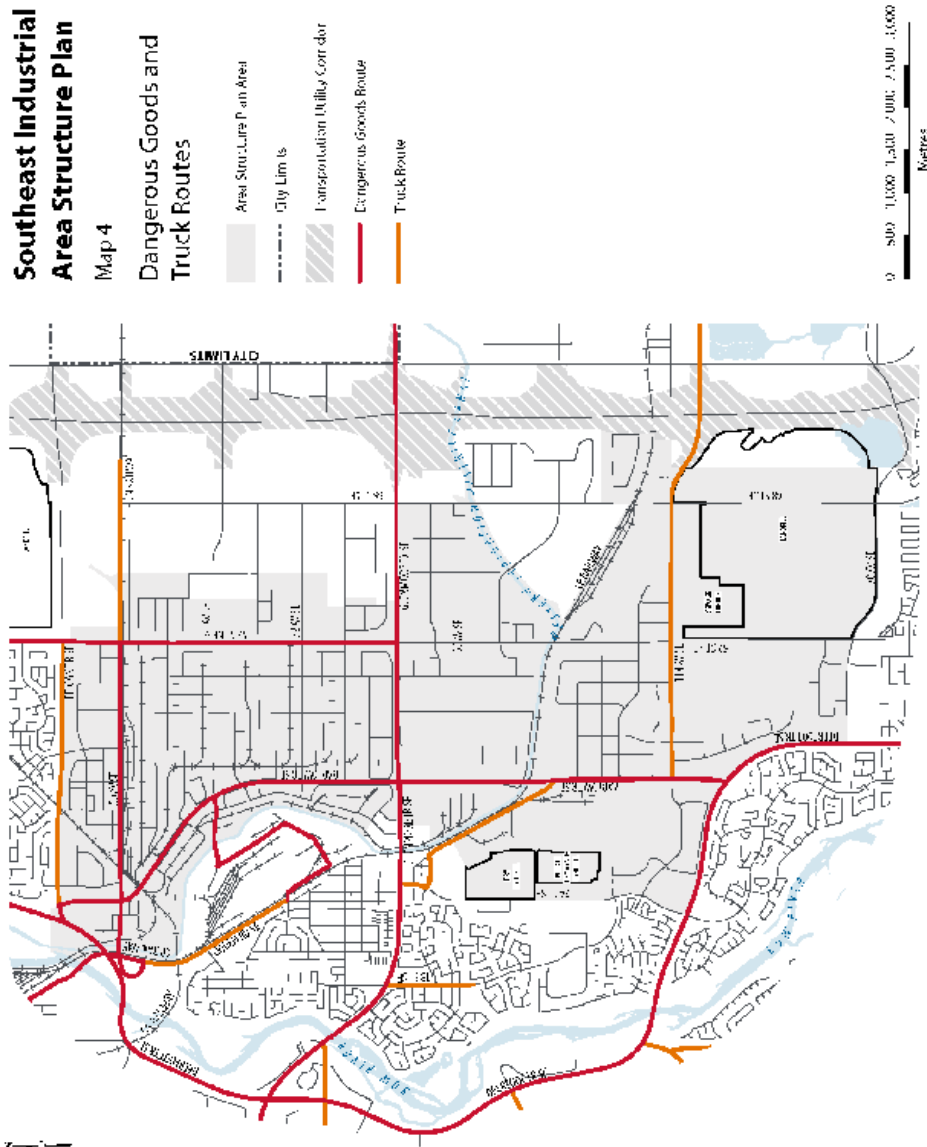


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SCHEDULE D

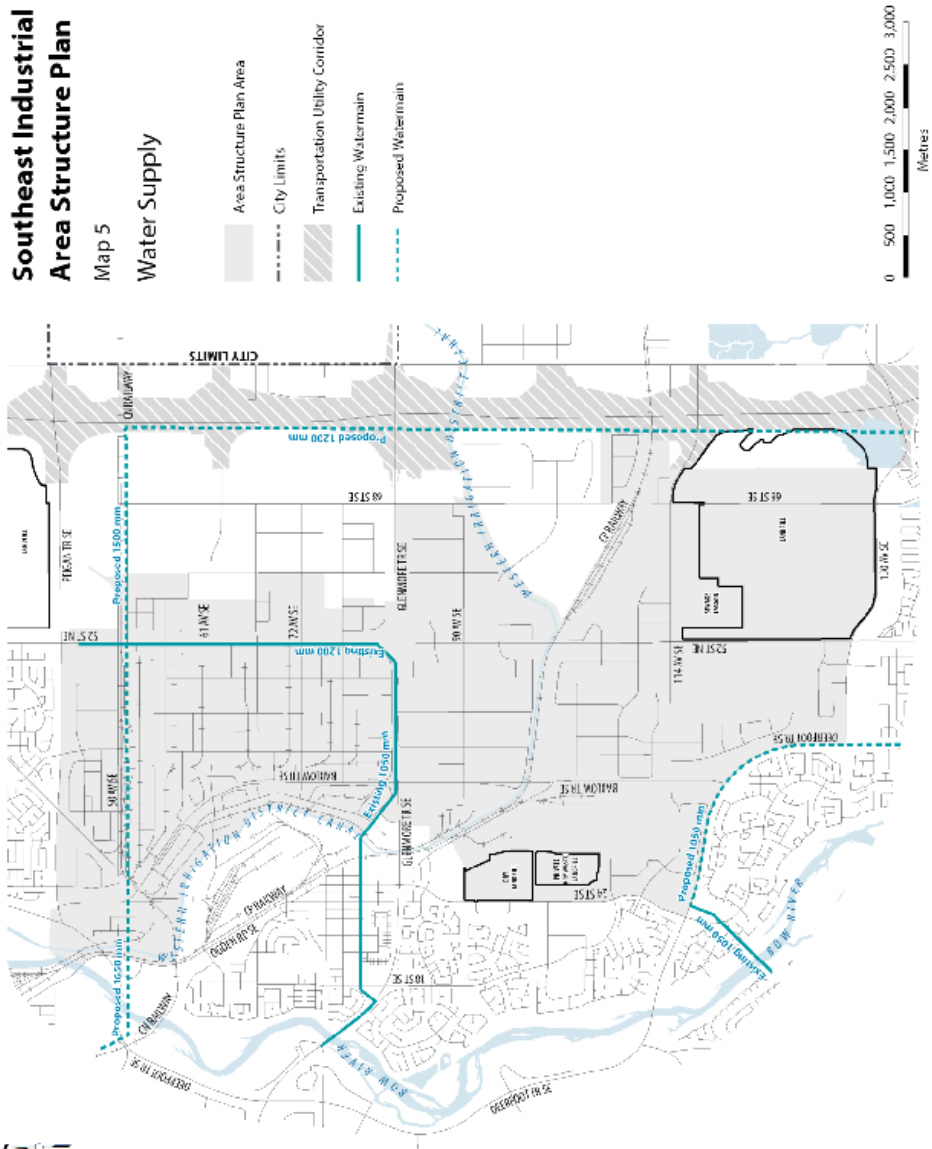


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PROPOSED







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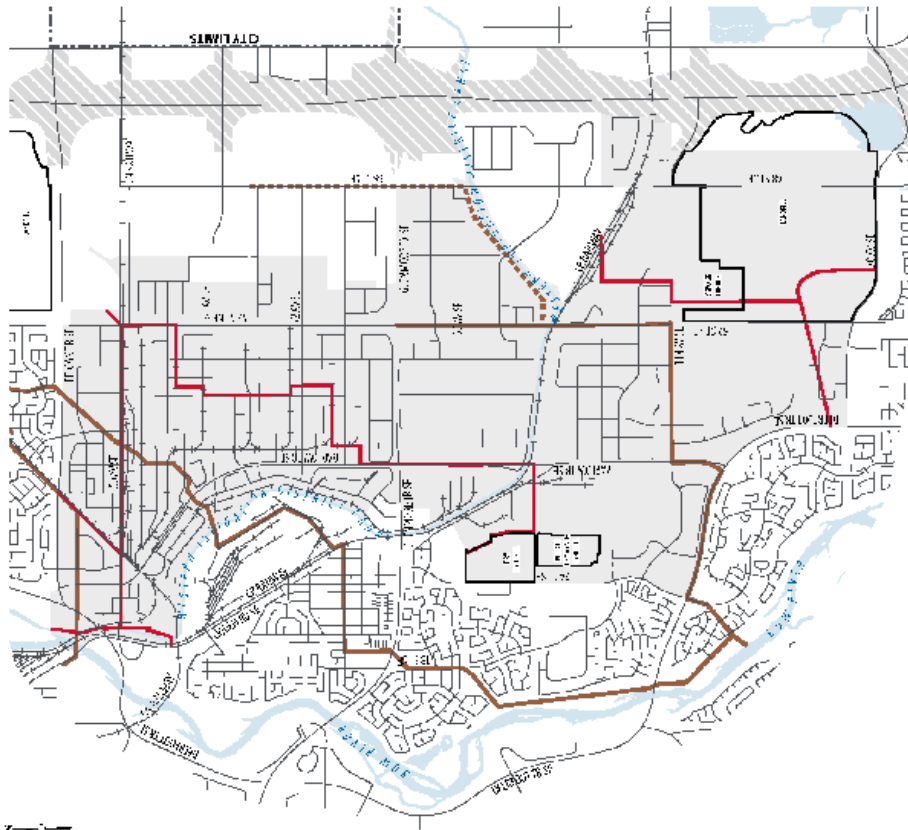
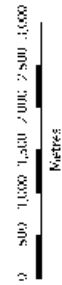
SCHEDULE F

Southeast Industrial Area Structure Plan

Map 6

Sanitary Sewer System

-  Area Structure Path Area
-  City Limits
-  Transportation Utility Corridor
-  Existing Sanitary Trunk
-  Future Sanitary Trunk
-  Catchment Boundary



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







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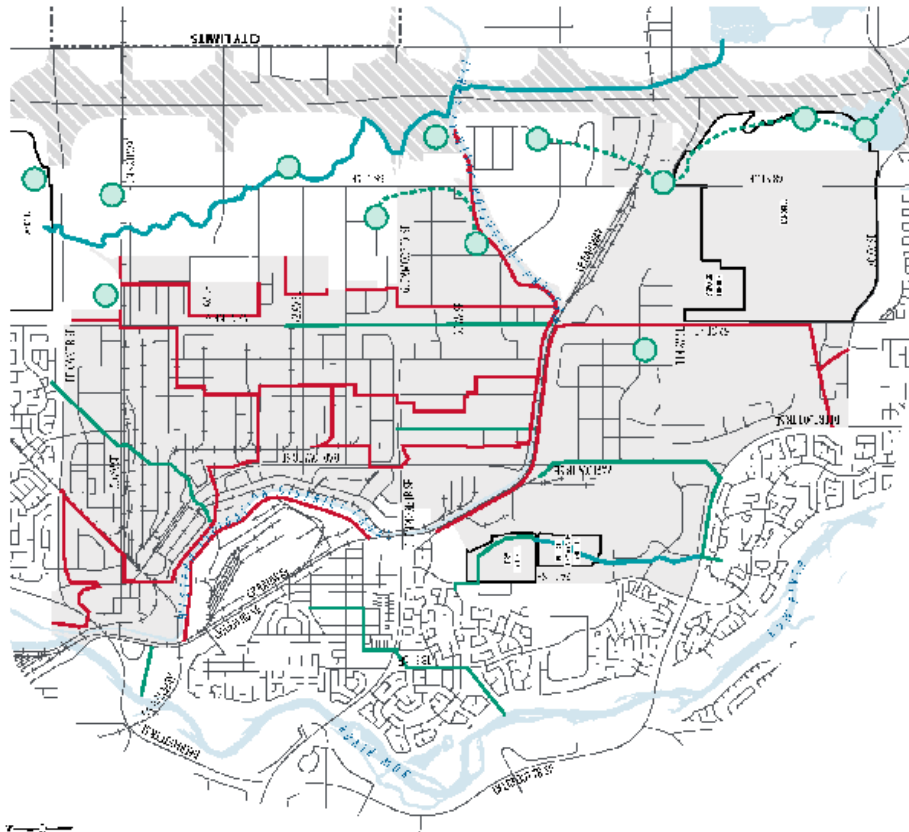
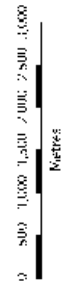
SCHEDULE G

**Southeast Industrial
Area Structure Plan**

Map 7

Storm Sewer System

-  Area Structure Path Area
-  City Limits
-  Transportation Utility Corridor
-  Existing Storm Trunk
-  Proposed Storm Trunk
-  Storm Ponds/Conceptual Detentioners
-  Existing Drainage Course/Runoff
-  Catchment Boundary

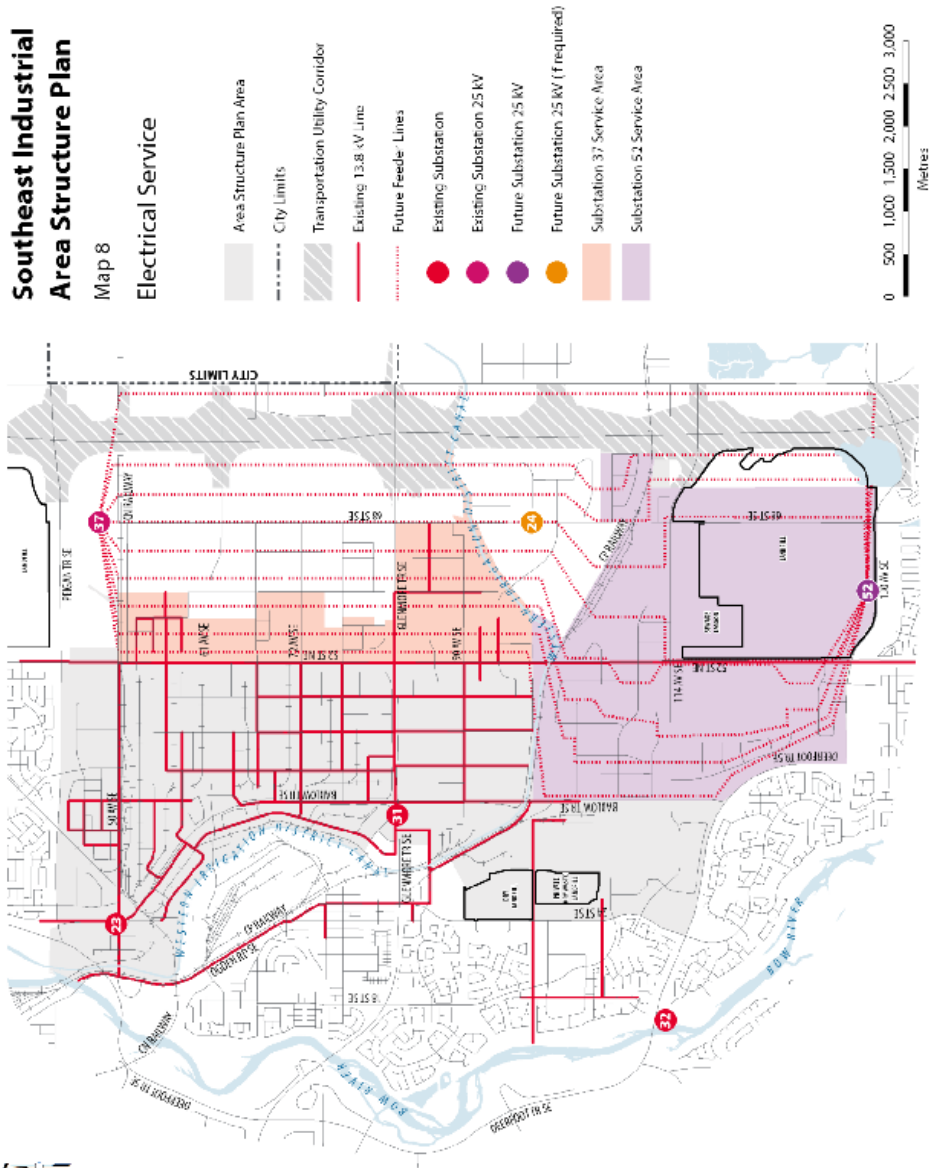


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SCHEDULE H

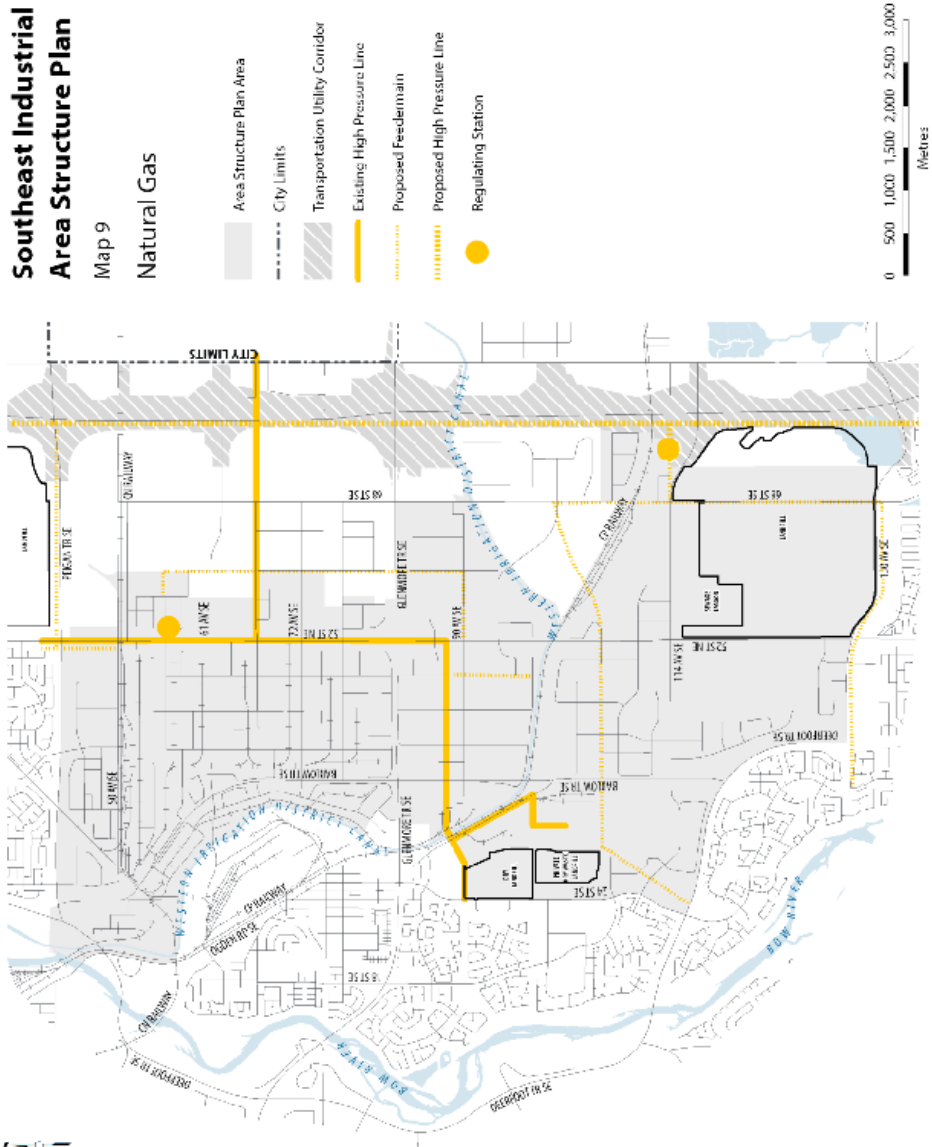


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SCHEDULE I



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PROPOSED

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SCHEDULE J

