

**POLICY AMENDMENT
SOUTHEAST INDUSTRIAL AREA STRUCTURE PLAN (WARD 12)
BARLOW TRAIL AND 114 AVENUE SE
BYLAW 37P2015**

EXECUTIVE SUMMARY

This application is for an Administration initiated amendment to the Southeast Industrial Area Structure Plan to remove the 400 metre setback from the decommissioned Phosphogypsum Stack 1.

While operational, the Phosphogypsum Stack prohibited development of schools, hospitals, child care facilities, special care facilities or dwellings within the 400 metre setback area. As the stack has been decommissioned, the opportunity for the aforementioned uses should be allowed.

This ASP amendment was initiated by Administration as a result of an application for a child care facility within the existing setback.

Additionally, all references to Western Co-operative Fertilizers Limited (Viterra Inc) have been removed to reduce the potential for future amendments due to the company changing names.

PREVIOUS COUNCIL DIRECTION

None.

ADMINISTRATION RECOMMENDATION(S)	2015 August 27
That Calgary Planning Commission recommends APPROVAL of the proposed Policy Amendments.	
RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION	
That Council hold a Public Hearing on Bylaw 37P2015; and	
1. ADOPT the proposed amendments to the Southeast Industrial Area Structure Plan, in accordance with Administration's recommendation; and	
2. Give three readings to the proposed Bylaw 37P2015.	

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REASON(S) FOR RECOMMENDATION

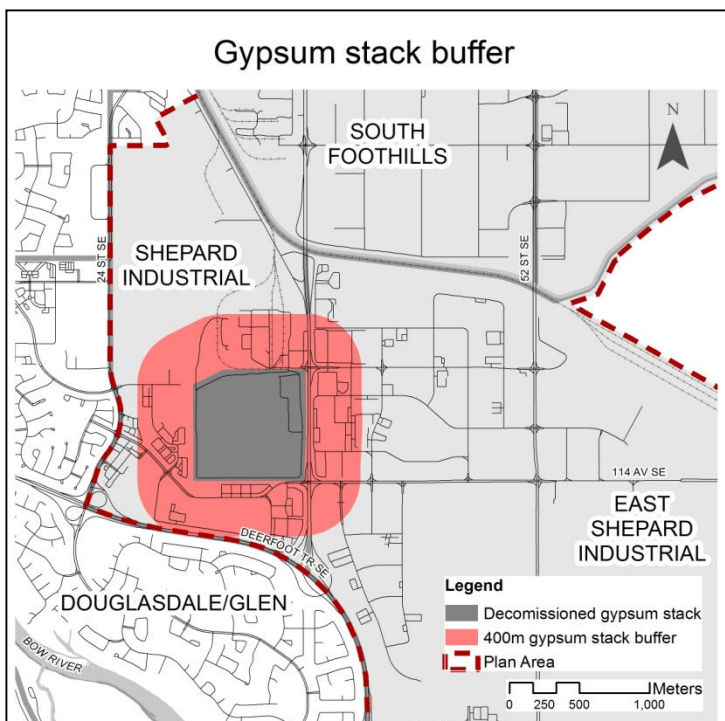
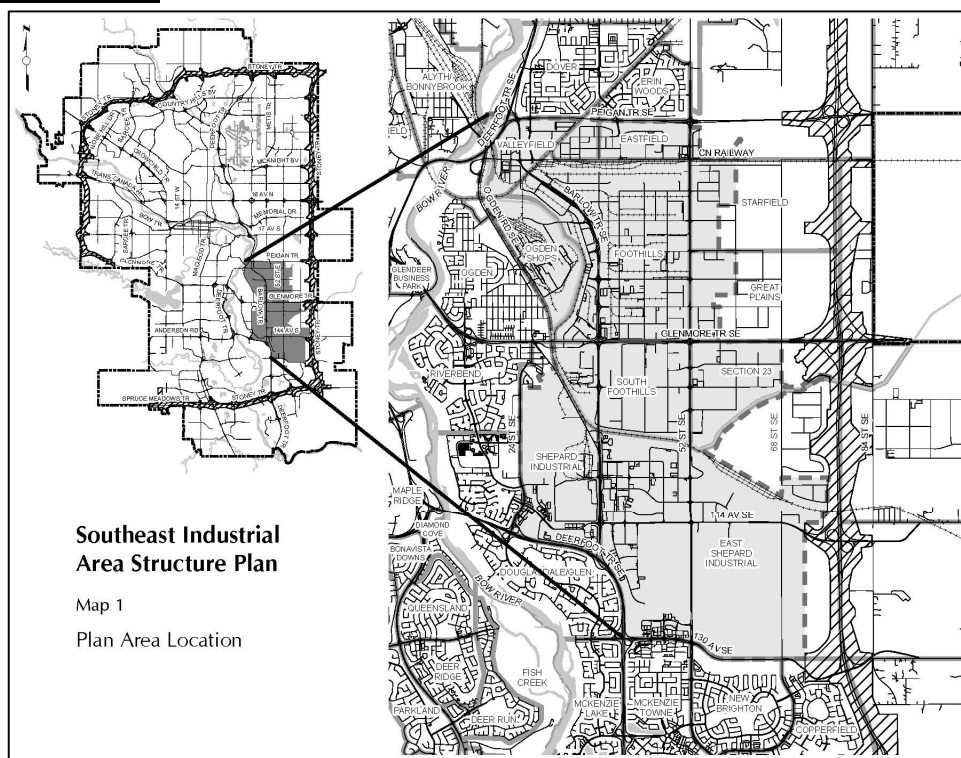
The removal of the setback is supported by Administration as it allows landowners within the setback to apply for appropriate uses that are currently prohibited. Additionally, City Administration supports the policy amendments as the removal of a company name will reduce the need for future amendments to this Area Structure Plan.

ATTACHMENT

1. Proposed Bylaw 37P2015

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LOCATION MAPS



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ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION

Recommend that Council **ADOPT**, by bylaw, the proposed amendments to the Southeast Industrial Area Structure Plan (APPENDIX I).

Moved by: R. Wright
Absent: R. Honsberger

Carried: 6 – 0

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Planning Evaluation Content	Issue	Page
Density <i>Is a density increase being proposed?</i>	N/A	-
Land Use Districts <i>Are the changes being proposed housekeeping or simple bylaw amendment.</i>	N/A	5
Legislation and Policy <i>Does the application comply with policy direction and legislation.</i>	Yes	5
Transportation Networks <i>Do different or specific mobility considerations impact this site</i>	No	5
Utilities & Servicing <i>Is the site in an area under current servicing review and/or has major infrastructure (water, sewer, storm and emergency response) concerns.</i>	No	5
Environmental Issues <i>Other considerations eg. sour gas or contaminated sites</i>	No	5
Growth Management <i>Is there growth management direction for this site. Does the recommendation create capital budget impacts or concerns.</i>	No	6
Public Engagement <i>Were major comments received from the circulation</i>	No	6

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PLANNING EVALUATION

SITE CONTEXT

The Southeast Industrial Area Structure Plan (ASP) covers a land area of approximately 3,763 hectares (9,299 acres) in size, comprising primarily of 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 11111 Barlow Trail SE, northeast of the intersection of 144 Avenue SE and Barlow Trail SE. The stack site is approximately 5.4 hectares (13.4 acres) in size.

LAND USE DISTRICTS

No land use redesignations are required as a result of this Area Structure Plan amendment.

LEGISLATION & POLICY

Southeast Industrial Area Structure Plan (1996). The current policy of the Southeast Industrial Area Structure Plan identifies a setback within 400 metres of the Western Co-Operative Fertilizers Limited (WCFL) site. The proposed amendments to remove reference of the setback on stack 1 and remove all named references of Western Co-Operative Fertilizers Limited is supported by Administration.

TRANSPORTATION NETWORKS

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

UTILITIES & SERVICING

Utilities and servicing are not affected by the proposed amendments.

ENVIRONMENTAL ISSUES

Phosphogypsum Stack 1 has been decommissioned and signed off by the Government of Alberta, therefore the 400 metre setback can be removed.

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GROWTH MANAGEMENT

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

PUBLIC ENGAGEMENT

Citizen Comments: No comments were received.

Landowner Comments: No comments were received from landowners within the 400 metre setback.

Public Meetings: No meetings were held by Administration.

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APPENDIX I

**PROPOSED AMENDMENTS TO THE
SOUTHEAST INDUSTRIAL AREA STRUCTURE PLAN**

- (a) In Section 3.0 at the second bullet, delete “Western Co-operative Fertilizers Limited’s”.
- (b) Delete the existing Map 2 entitled “Land Use and Transportation Plan” and replace with the revised Map 2 entitled “Land Use and Transportation Plan” (APPENDIX II).
- (c) In Section 4.1.3 at the second paragraph, delete “Western Co-operative Fertilizers Limited (WCFL)” and replace with “fertilizer complex”.
- (d) Delete the existing Map 3 entitled “Regional Road Network” and replace with the revised Map 3 entitled “Regional Road Network” (APPENDIX III).
- (e) Delete the existing Map 4 entitled “Dangerous Goods and Truck Routes” and replace with the revised Map 4 entitled “Dangerous Goods and Truck Routes” (APPENDIX IV).
- (f) Delete the existing Map 5 entitled “Water Supply” and replace with the revised Map 5 entitled “Water Supply” (APPENDIX V).
- (g) Delete the existing Map 6 entitled “Sanitary Sewer System” and replace with the revised Map 6 entitled “Sanitary Sewer System” (APPENDIX VI).
- (h) Delete the existing Map 7 entitled “Storm Sewer System” and replace with the revised Map 7 entitled “Storm Sewer System” (APPENDIX VI).
- (i) Delete the existing Map 8 entitled “Electrical Service” and replace with the revised Map 8 entitled “Electrical Service” (APPENDIX VIII).
- (j) Delete the existing Map 9 entitled “Natural Gas” and replace with the revised Map 9 entitled “Natural Gas” (APPENDIX IX).
- (k) Delete the existing Map 10 entitled “Telephone and Cable Services” and replace with revised Map 10 entitled “Telephone and Cable Services” (APPENDIX X).
- (l) In Section 4.6:
 - 1. in the first paragraph, delete “*Western Co-operative Fertilizers Limited’s*”.
 - 2. in the fourth paragraph, delete “*Western Co-operative Fertilizers Limited’s*” and replace with “*fertilizer*”.

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3. Delete the fifth paragraph and replace with the following:

"It should be noted that the fertilizer facility in the Southeast Industrial ASP area has been permanently decommissioned. In view of the facility's current operation as storage and distribution centre for dry fertilizer and anhydrous ammonia, the previously established separation distance of 1,300 metres between the flare stack and residential development has been appropriately reduced to 1,100 metres. This change to the separation distance applies specifically to the northeast part of the Douglas Glen residential area located west of 24 Street SE. Any further amendments to this separation distance would only be considered following receipt of a comprehensive justification for a change, consultation with the landowner and a review by Alberta Environment, and the Calgary Regional Health Authority."

4. In Subsection (a) (iii) delete "Western Co-operative Fertilizers Limited's fertilizer complex and phosphogypsum stacks", and replace with "fertilizer complex and phosphogypsum stack".
5. In Subsection (b) delete "Western Co-operative Fertilizers Limited's phosphogypsum stacks (ponds)", and replace with "phosphogypsum stack (pond)".
6. In Subsection (c) delete "Western Co-operative Fertilizers Limited's phosphogypsum stacks (ponds)", and replace with "phosphogypsum stack (pond)".
7. In Subsection (d) delete "Western Co-operative Fertilizers Limited's (WCFL)", and replace with "fertilizer".
8. In Subsection (e) delete "WCFL".
9. In Subsection (e.1) delete "Western Co-operative Fertilizers Limited anhydrous ammonia transfer terminal (flare stack) and phosphogypsum stacks (ponds)", and replace with "anhydrous ammonia transfer terminal (flare stack) and phosphogypsum stack (pond)".

- (m) In the "Supporting Information" section:

1. in the "TABLE OF CONTENTS", Section 7.4.3, delete "Western Co-operative Fertilizers Limited (WCFL) Phosphogypsum Ponds" and replace with "Phosphogypsum Pond".
2. delete the existing Map 11 entitled "Natural Features" and replace with the revised Map 11 entitled "Natural Features" (APPENDIX XI).

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3. delete the existing Map 12 entitled “Land Ownership (Major Land Owners)” and replace with the revised Map 12 entitled “Land Ownership (Major Land Owners)” (APPENDIX XII).
4. in Section 5.3, the first paragraph, delete “WCFL plant and associated phosphogypsum stacks” and replace with “fertilizer plant and associated phosphogypsum stack”.
5. delete the existing Map 13 entitled “Existing Land Use” and replace with revised Map 13 entitled “Existing Land Use” (APPENDIX XIII).
6. Delete the existing Map 14 entitled “Policy Context” and replace with the revised Map 14 entitled “Policy Context” (APPENDIX XIV).
7. Delete the existing Map 15 entitled “Tri-Party Agreement” and replace with the revised Map 15 entitled “Tri-Party Agreement” (APPENDIX XV).
8. In Subsection 6.12 (c) delete “Western Co-operative Fertilizers Limited’s (WCFL)” and replace with “the”.
9. in Subsection 6.12 (d)
 1. in the first paragraph, delete “WCFL” and replace with “ammonia”.
 2. in bullet (i) of the second paragraph, delete “(the WCFL main plant)”.
 3. in the third paragraph, delete “WCFL’s”.
10. delete the existing Map 16 entitled “Development Constraints” and replace with the revised Map 16 entitled “Development Constraints” (APPENDIX XVI).
11. in Subsection 7.4.3:
 1. delete the heading “Western Co-operative Fertilizers Limited (WCFL) Phosphogypsum Ponds” and replace with “Phosphogypsum Pond”.
 2. In the first paragraph, delete “large tailing piles or stacks of waste gypsum, a by-product called phosphogypsum, have” and replace with “a large tailings pile, or stake of waste gypsum, a by-product called phosphogypsum, has”.
 3. in the second paragraph, delete “Western Co-operative Fertilizers Limited (WCFL)” and replace with “the fertilizer”.

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4. In the third bullet of the second paragraph, delete “two phosphogypsum stacks” and replace with “a phosphogypsum stack”.

5. in the third paragraph, delete the following:

“there are two phosphogypsum stacks owned by WCFL. Since the phosphate production facilities have been mothballed, the two phosphogypsum stacks are not in operation. Concerns have been expressed over the possible impact of radiation emissions from the phosphogypsum stack on adjacent residential areas.”

and replace with the following:

“there is one phosphogypsum stack. Since the phosphate production facilities have been mothballed, the phosphogypsum stack is not in operation. Concerns have been expressed over the possible impact of radiation emissions from the phosphogypsum stack on adjacent residential areas.”

12. in the ninth paragraph, delete “WCFL’s phosphogypsum ponds” and replace with “phosphogypsum pond”.

13. in the tenth paragraph, delete “Western Co-operative Fertilizers Limited Calgary” and replace with “fertilizer”.

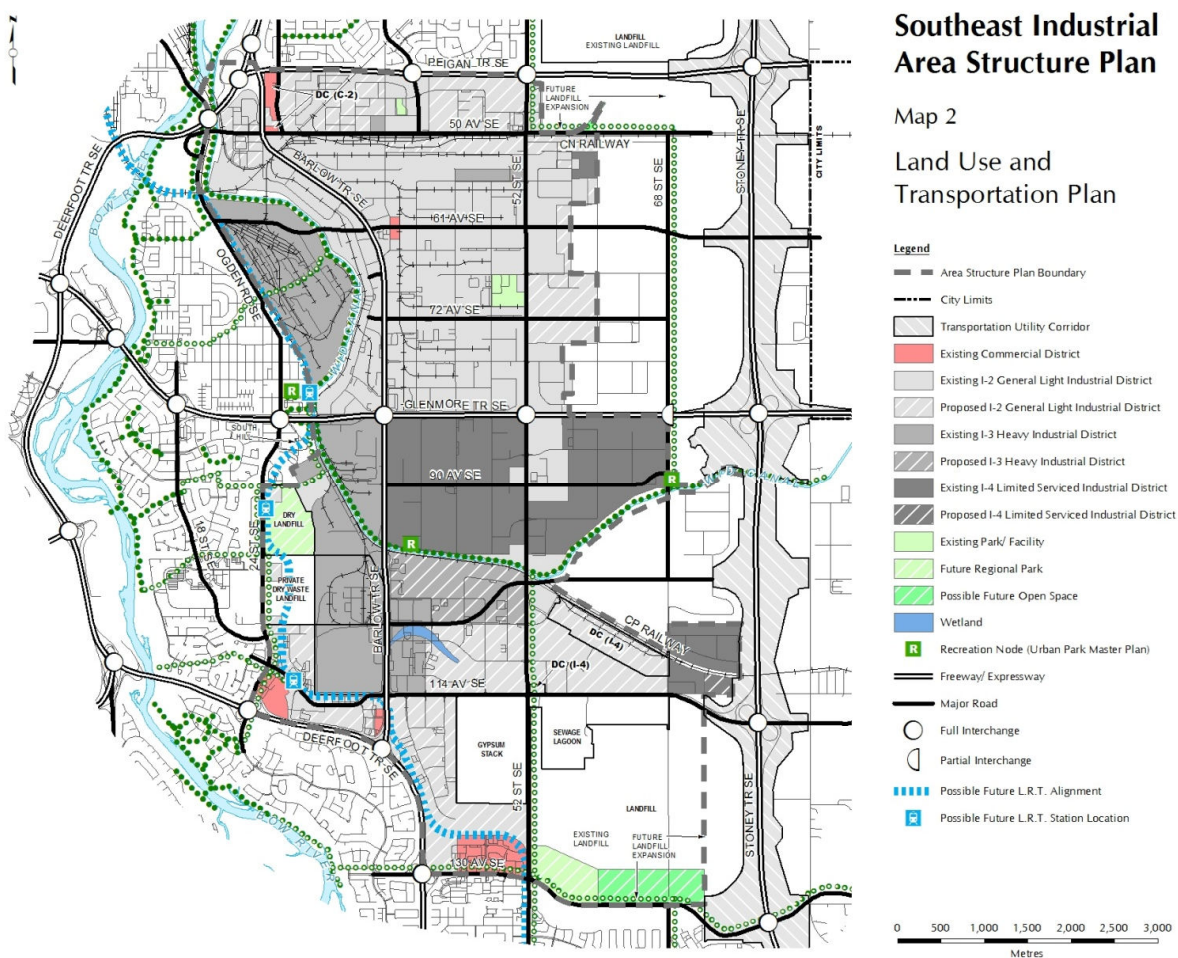
14. in the last paragraph, delete the following:

“Western Co-operative Fertilizers Limited’s phosphogypsum stacks and adjacent industrial development is necessary. However, appropriate measures will be required to control dust particles at such time as the phosphogypsum ponds are reclaimed by Western Co-operative Fertilizers limited” and replace with “phosphogypsum stack and adjacent industrial development is necessary. However, appropriate measures will be required to control dust particles at such time as the phosphogypsum pond is reclaimed”.

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APPENDIX II

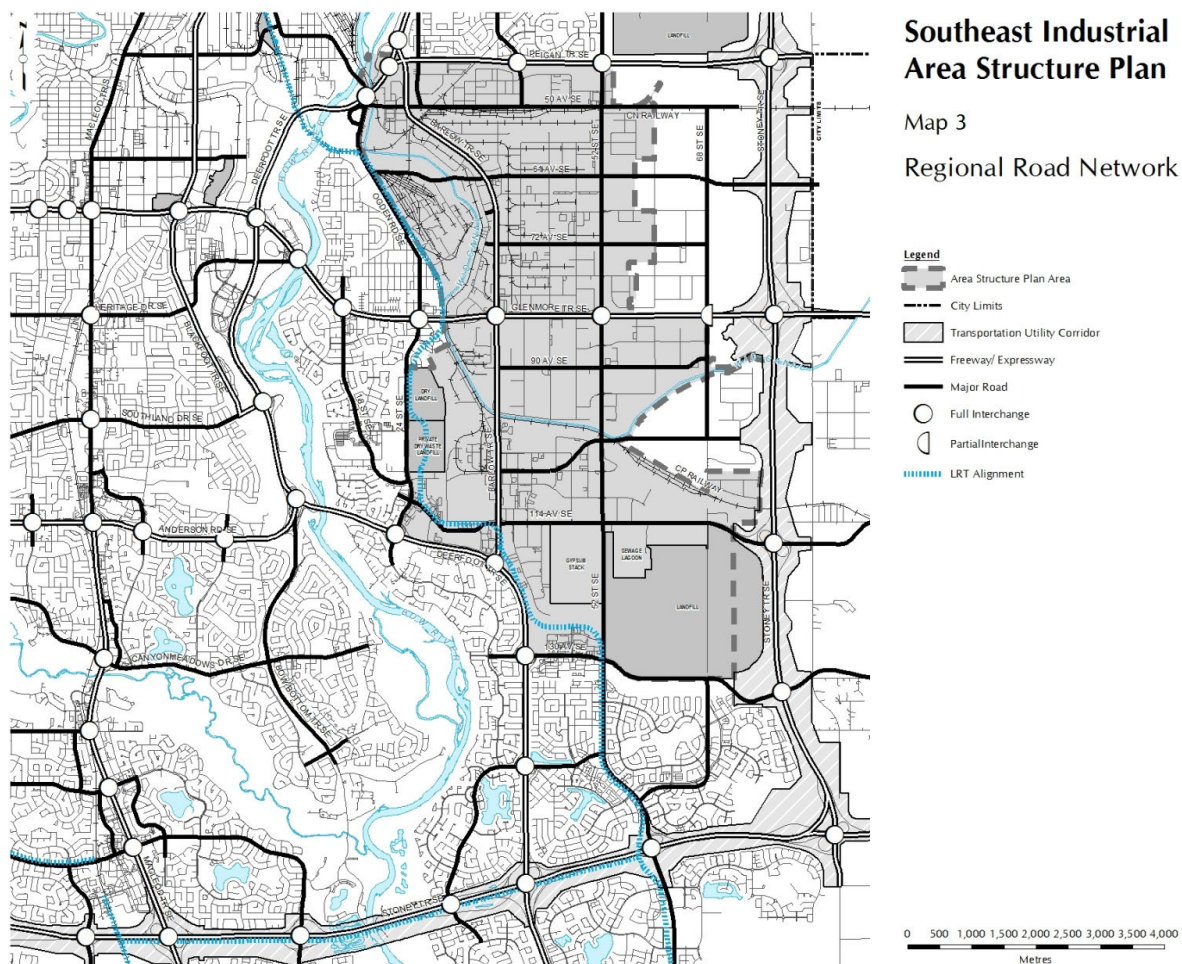
Revised Map 2 – Land Use and Transportation Plan



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APPENDIX III

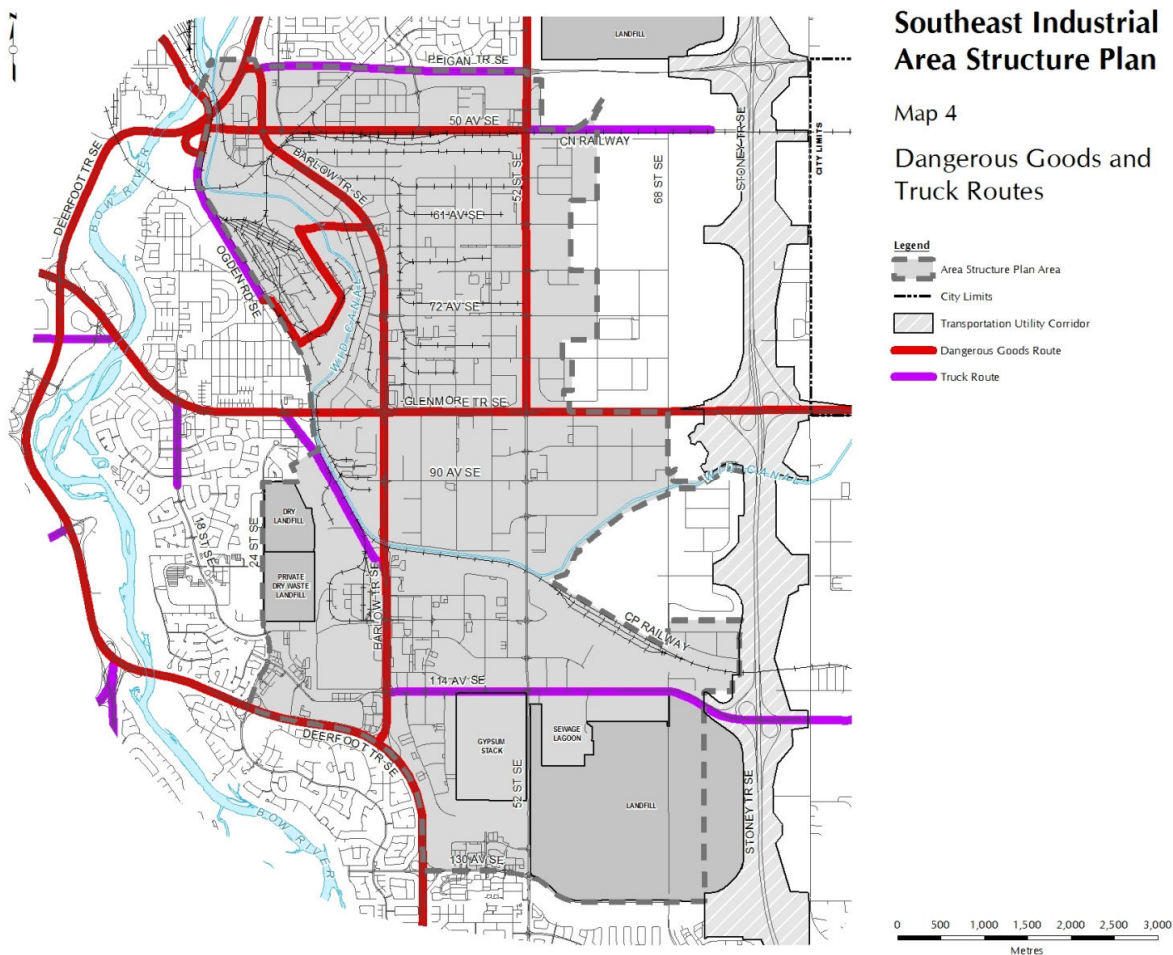
Revised Map 3 – Regional Road Network



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APPENDIX IV

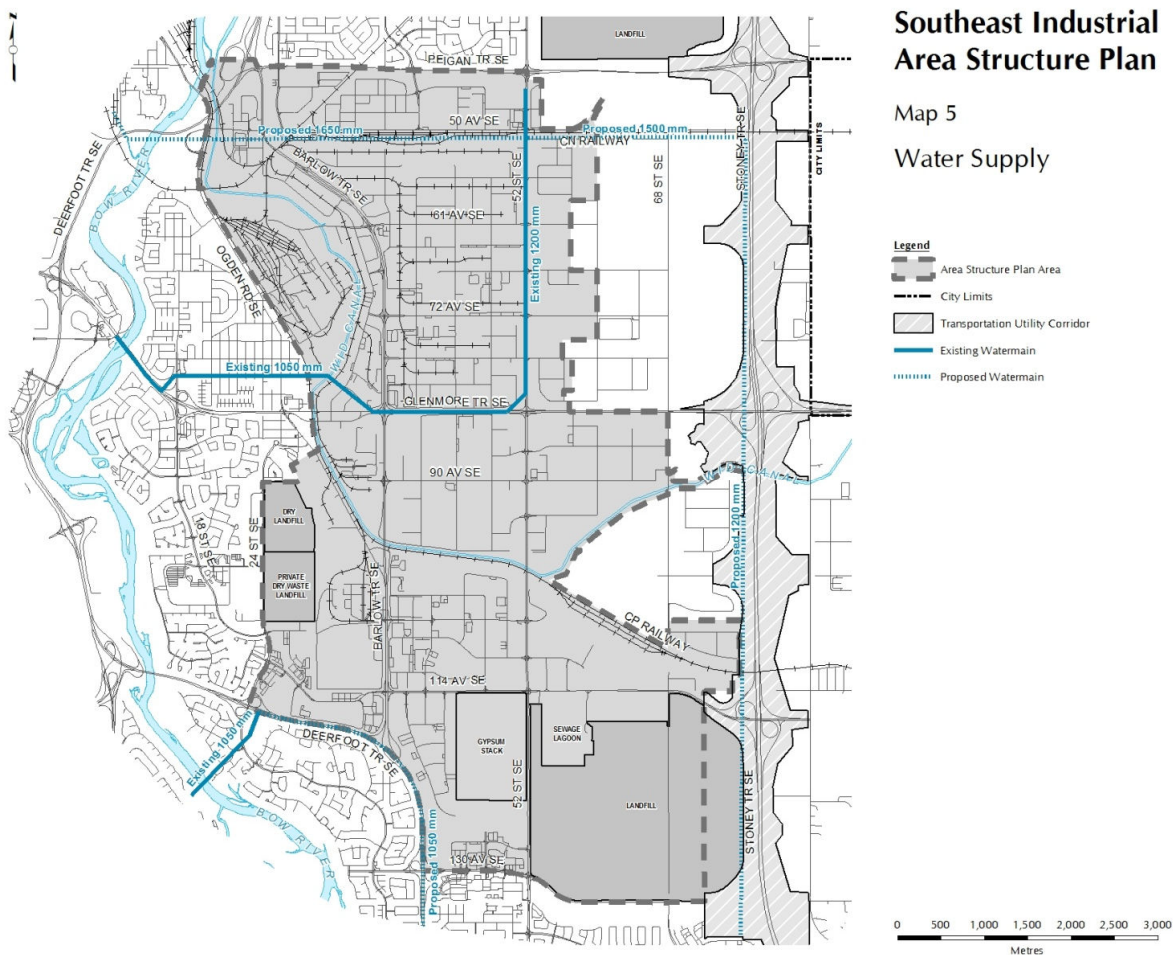
Revised Map 4 – Dangerous Goods and Truck Routes



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APPENDIX V

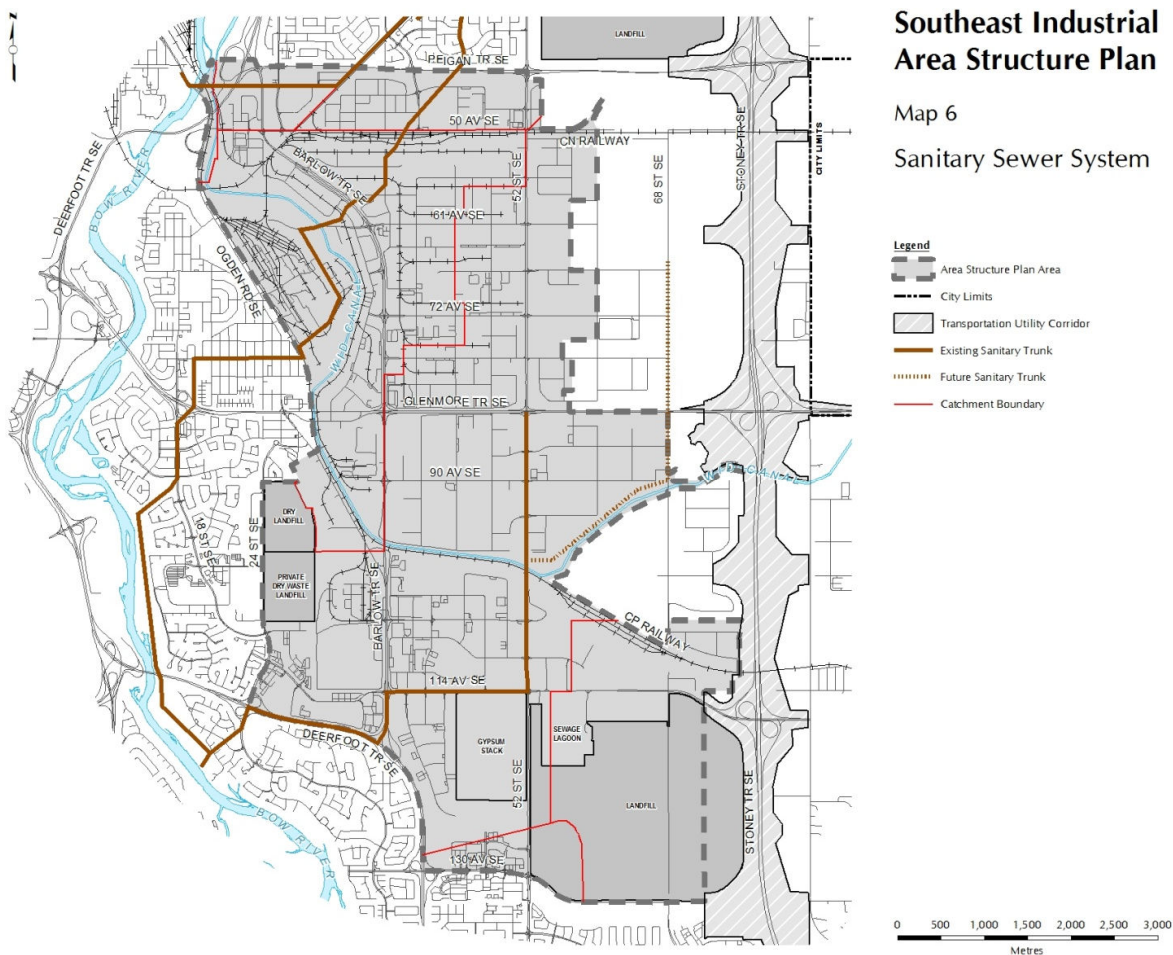
Revised Map 5 – Water Supply



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APPENDIX VI

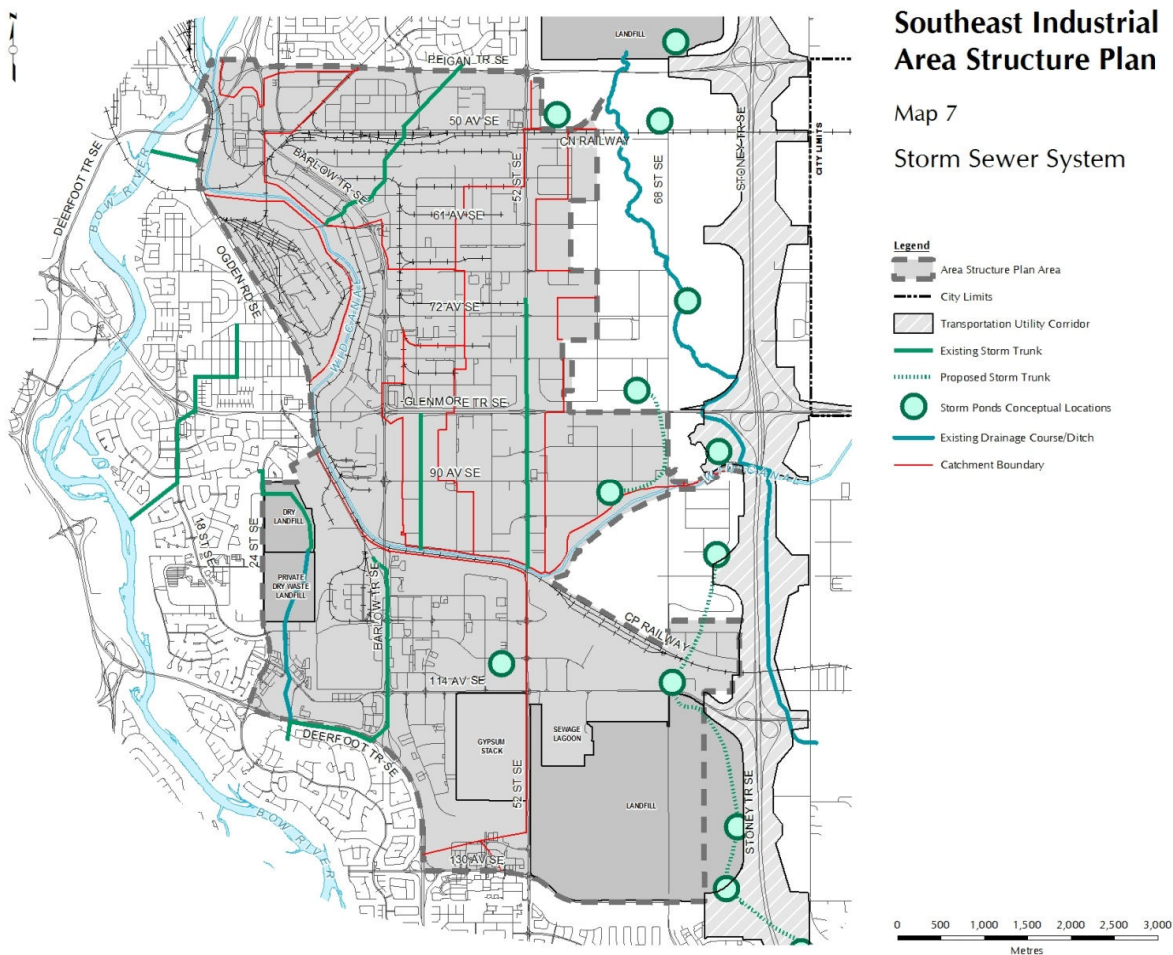
Revised Map 6 – Sanitary Sewer System



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APPENDIX VII

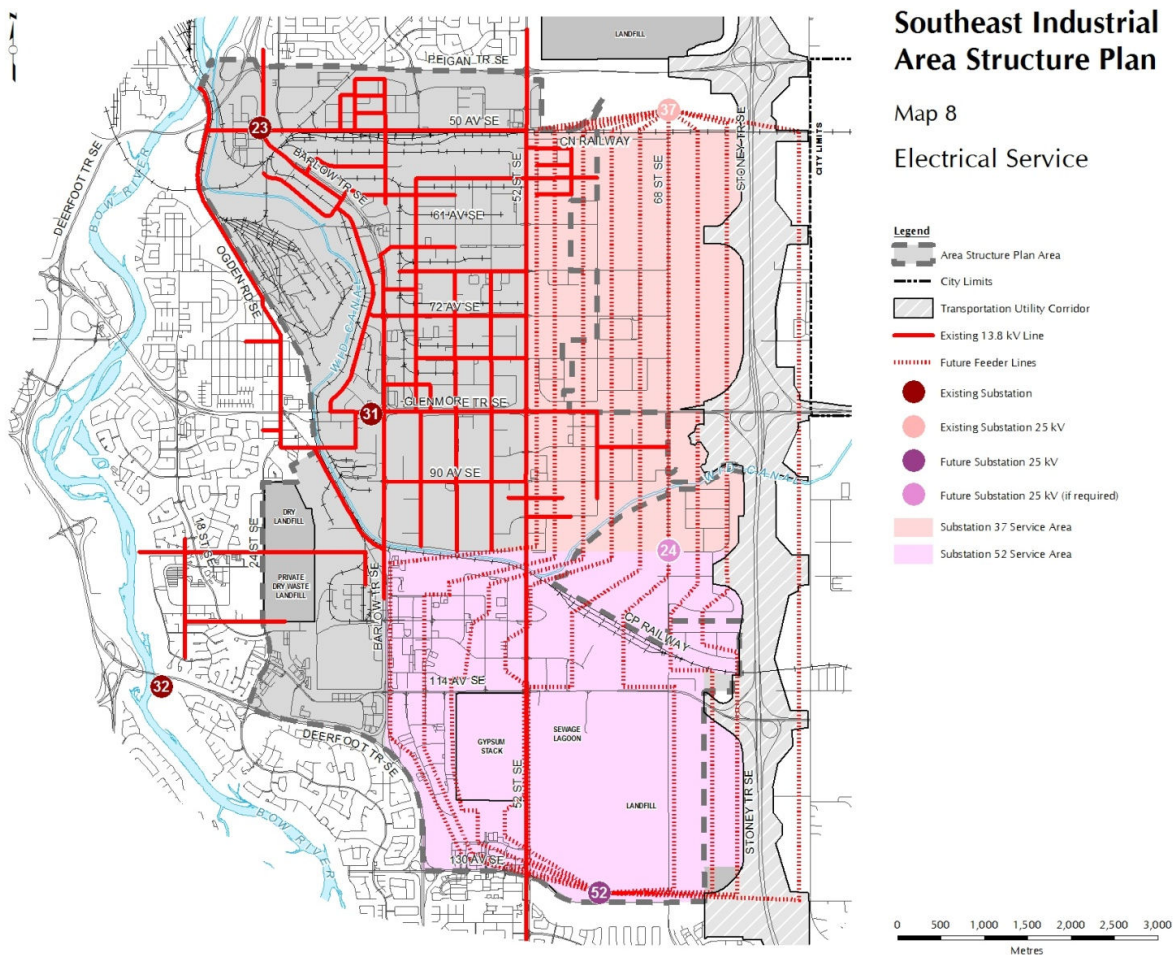
Revised Map 7 – Storm Sewer System



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APPENDIX VIII

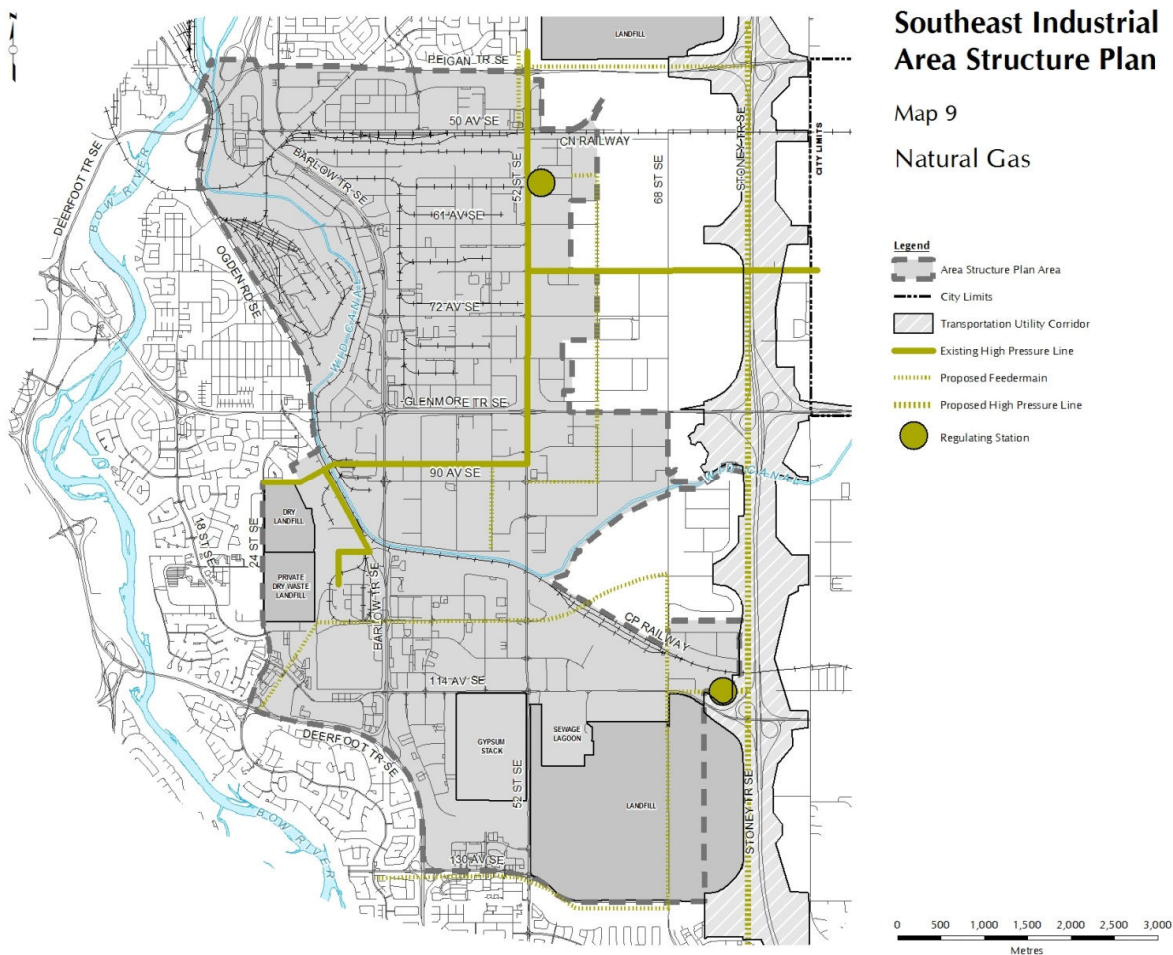
Revised Map 8 – Electrical Service



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APPENDIX IX

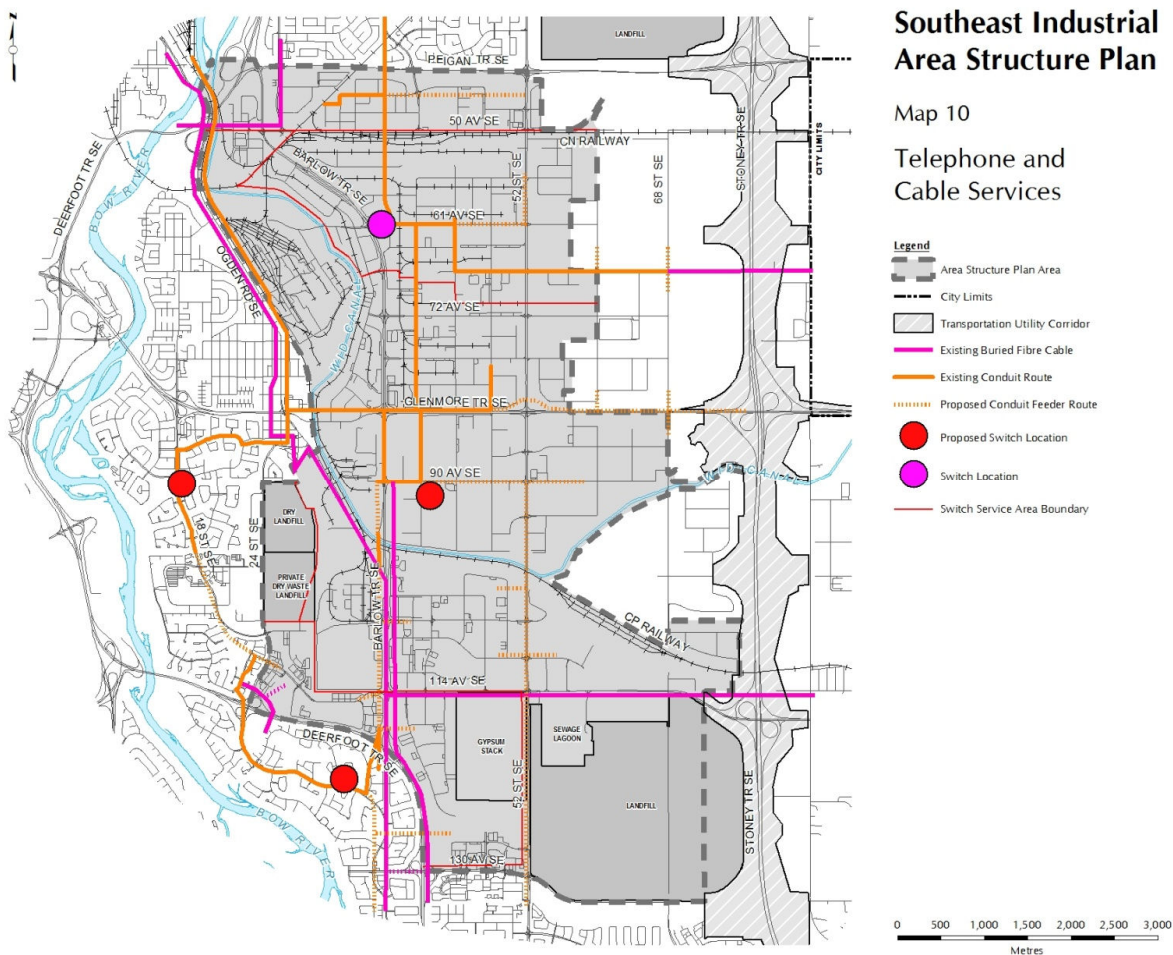
Revised Map 9 – Natural Gas



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APPENDIX X

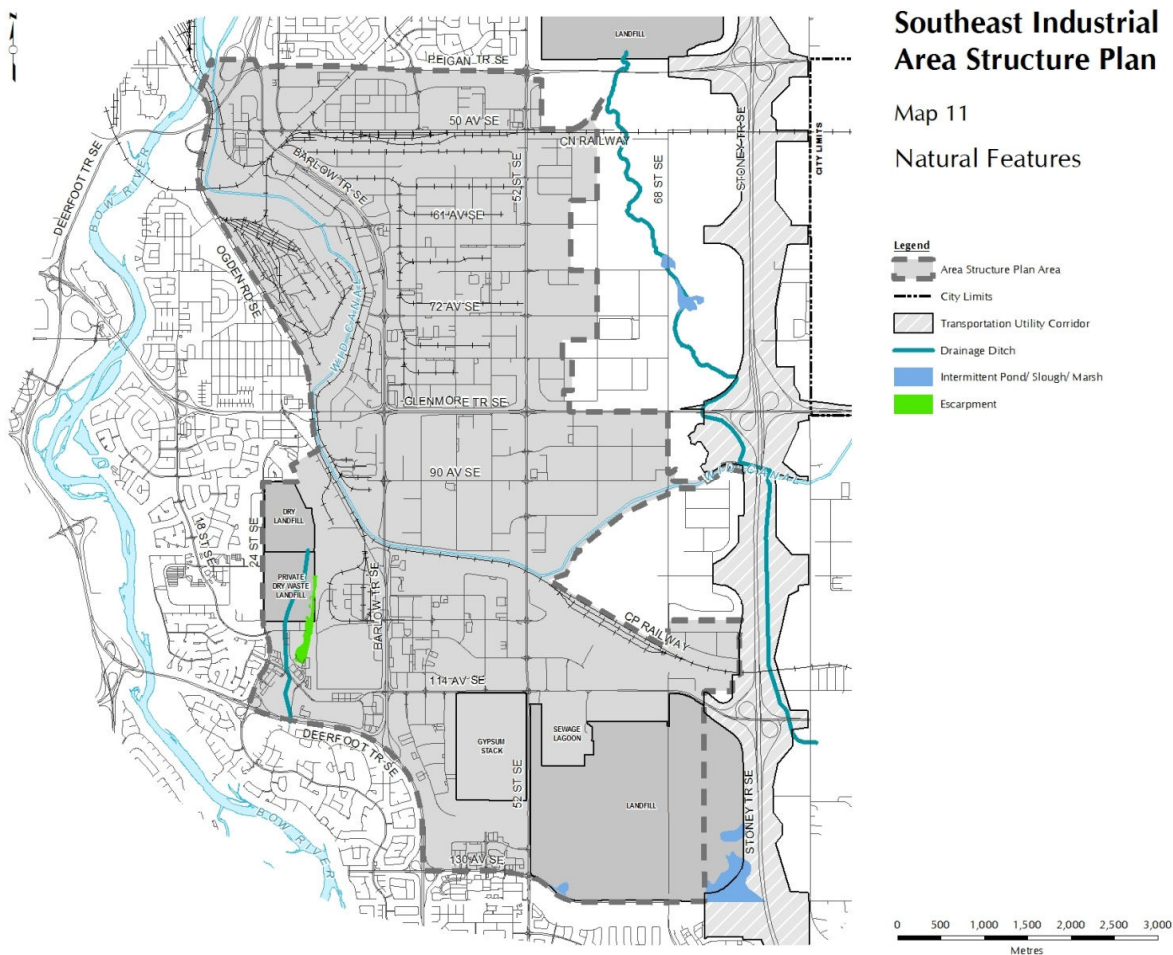
Revised Map 10 – Telephone and Cable Services



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APPENDIX XI

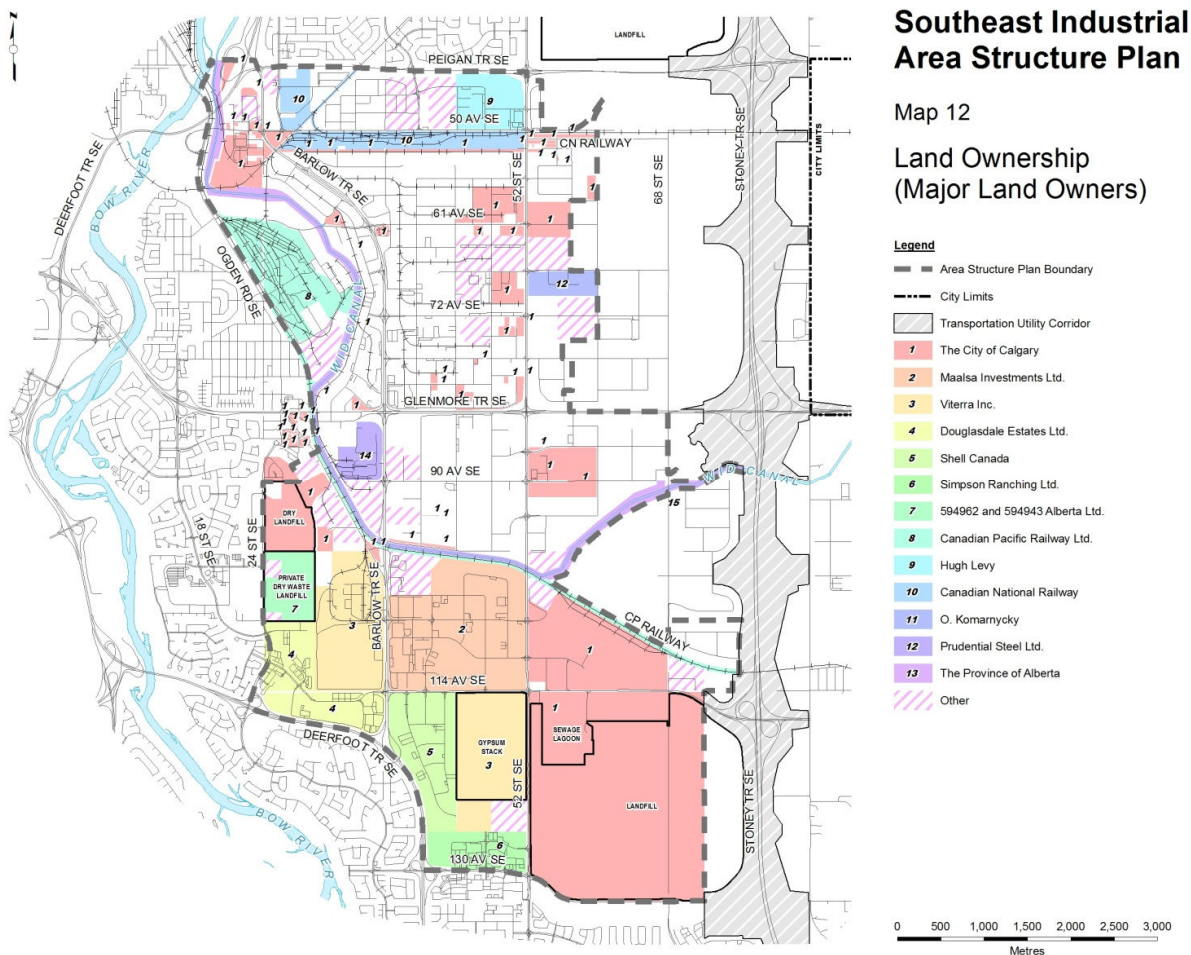
Revised Map 11 – Natural Features



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APPENDIX XII

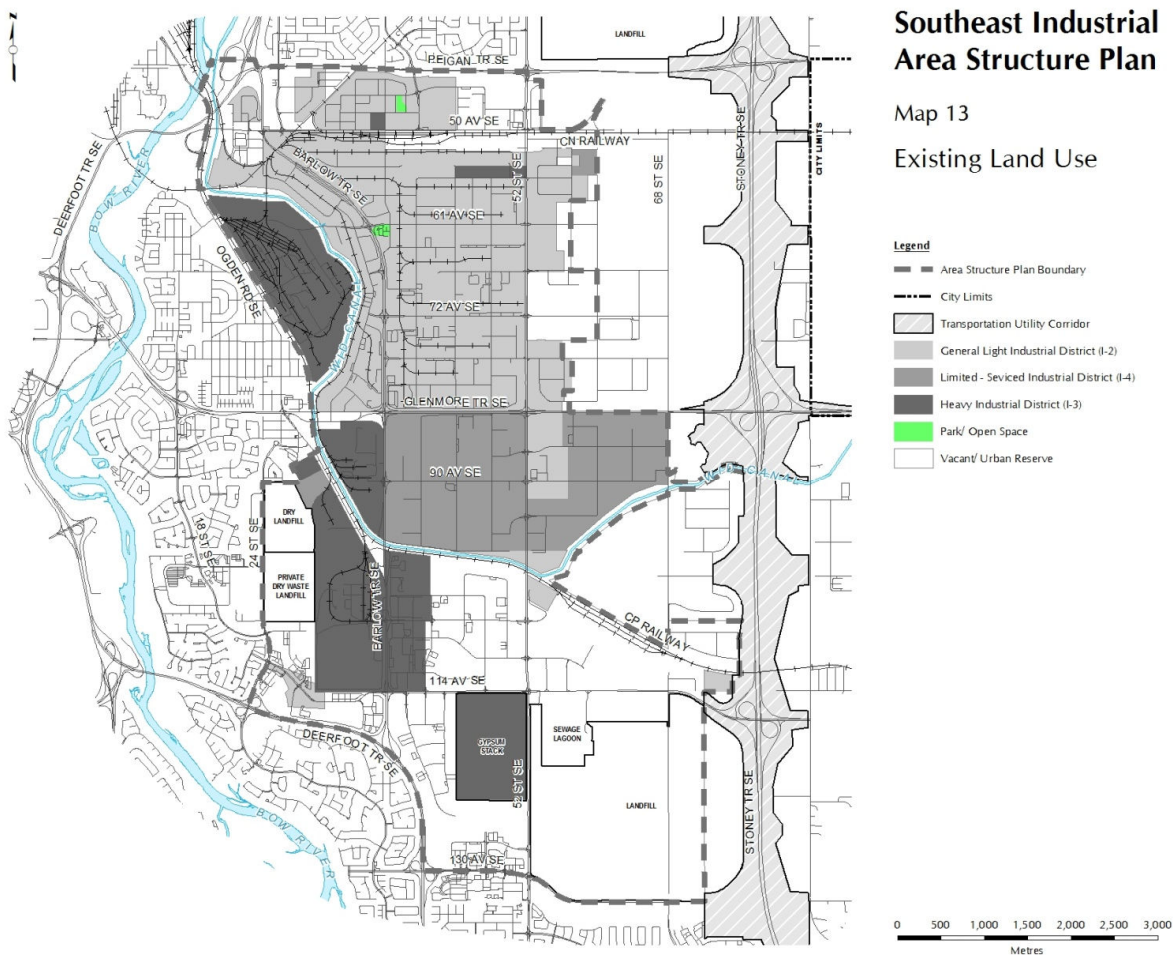
Revised Map 12 – Landowners Ownership (Major Land Owners)



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APPENDIX XIII

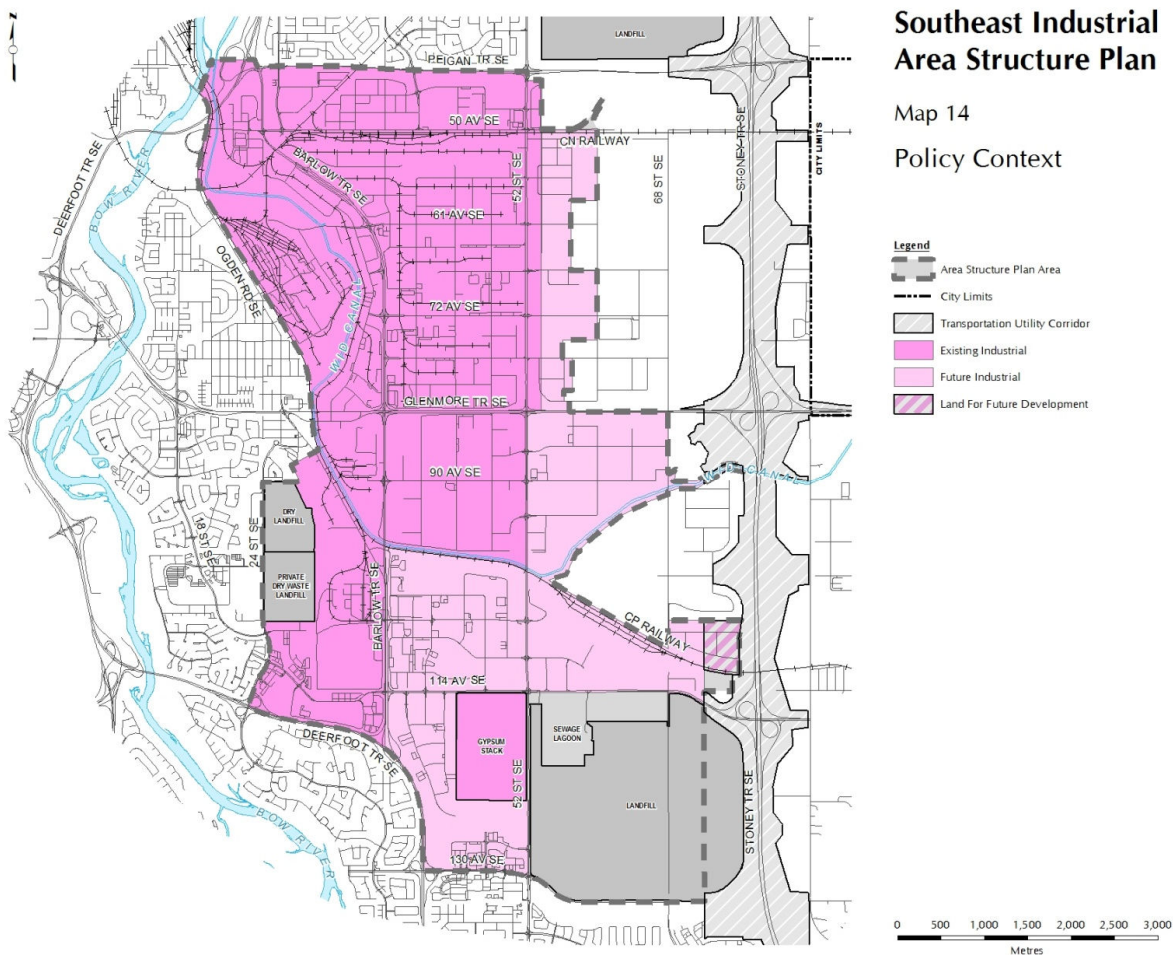
Revised Map 13 – Existing Land Use



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APPENDIX XIV

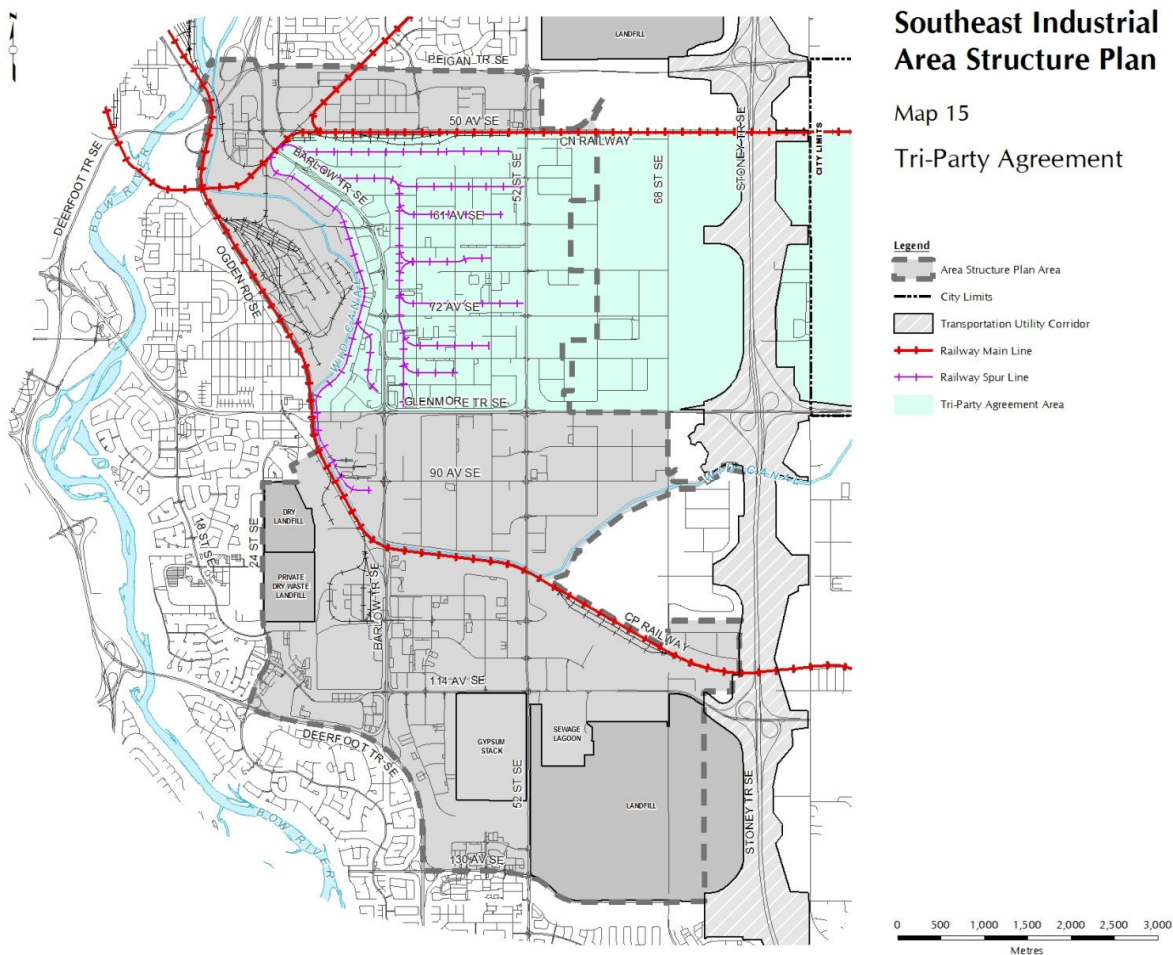
Revised Map 14 – Policy Context



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APPENDIX XV

Revised Map 15 – Tri-Party Agreement



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APPENDIX XVI

Revised Map 16 – Development Constraints

