

# 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.

# PROPOSED

## BYLAW NUMBER 63P2018

- (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).

# PROPOSED

## BYLAW NUMBER 63P2018

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.

# PROPOSED

**BYLAW NUMBER 63P2018**

- 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 \_\_\_\_\_

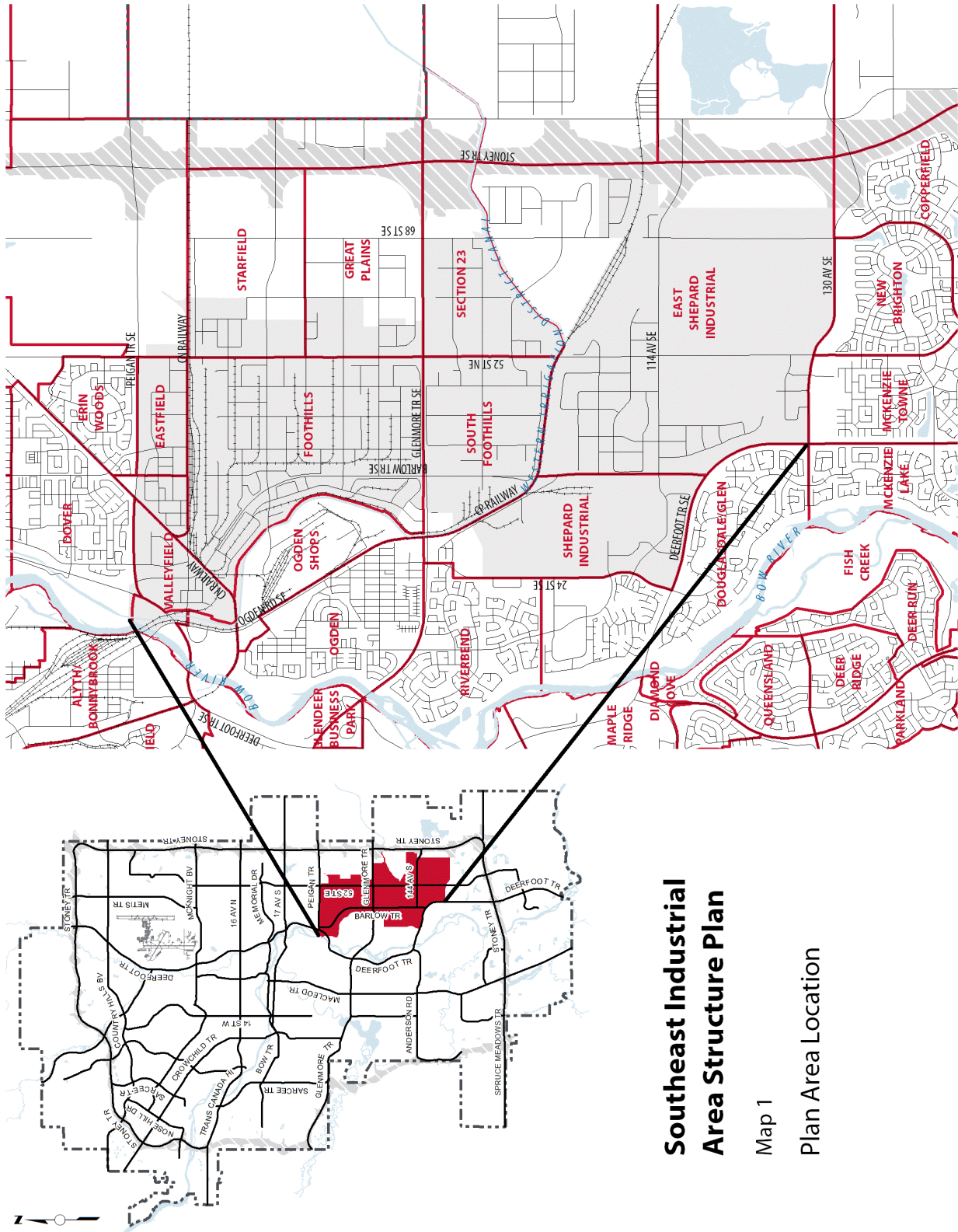
\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_

# PROPOSED

BYLAW NUMBER 63P2018

## SCHEDULE A



### **Southeast Industrial Area Structure Plan**

Map 1

Plan Area Location

# PROPOSED

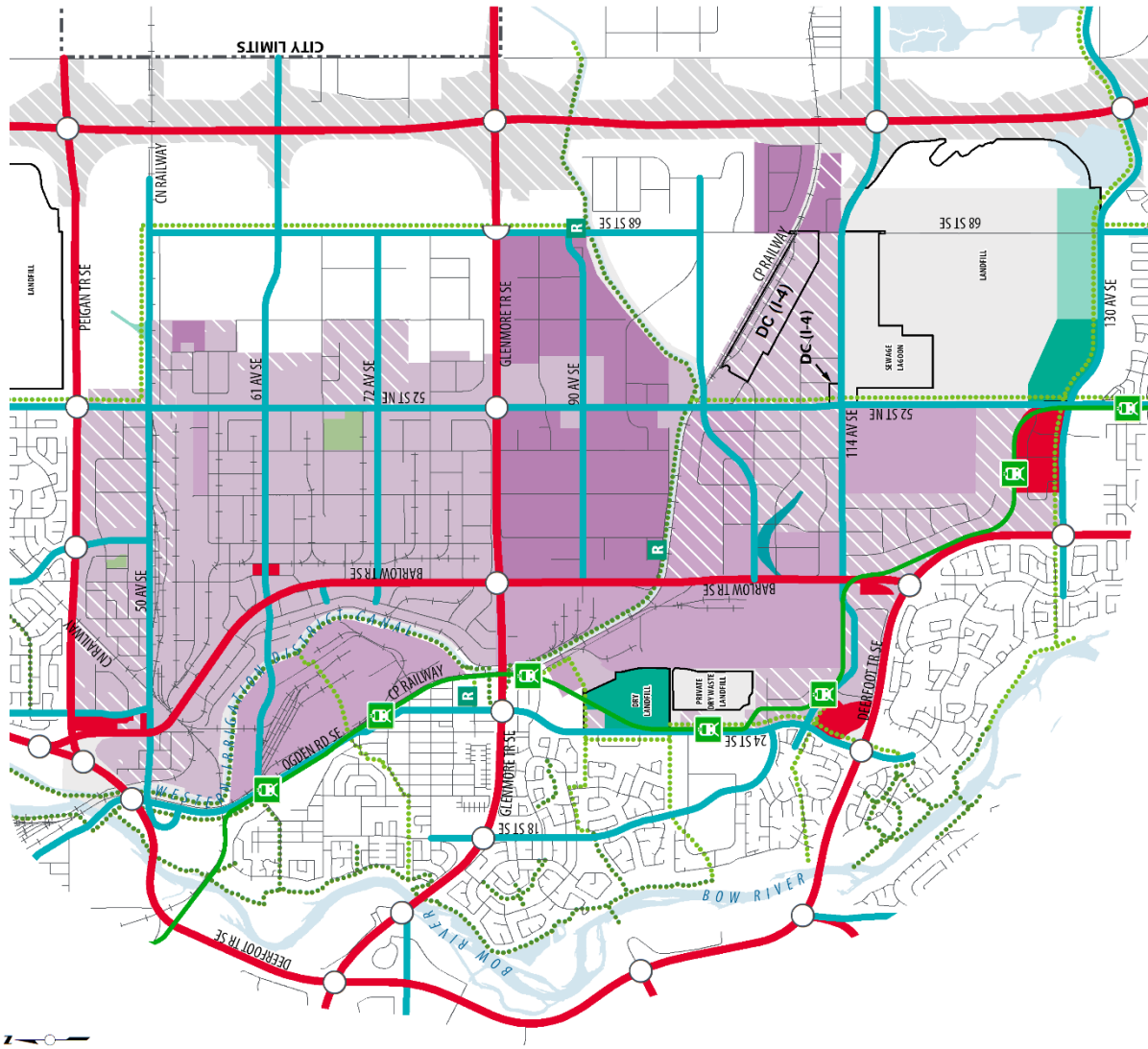
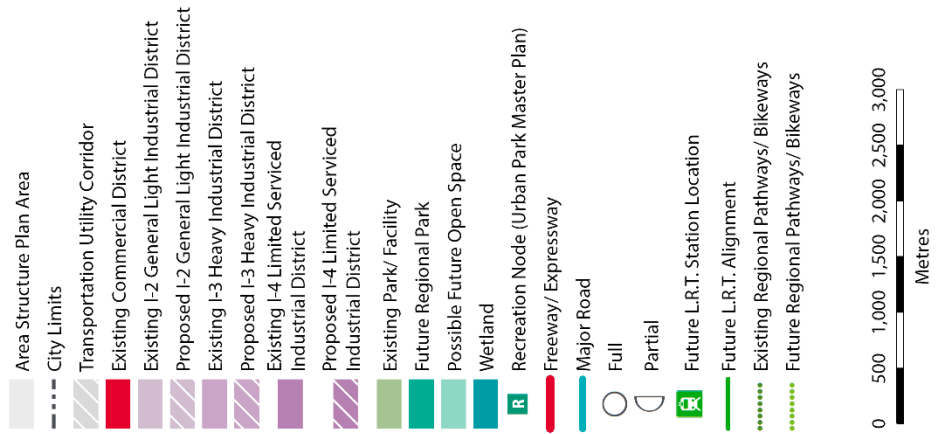
BYLAW NUMBER 63P2018

## SCHEDULE B

### Southeast Industrial Area Structure Plan

Map 2

### Land Use and Transportation Plan





# PROPOSED

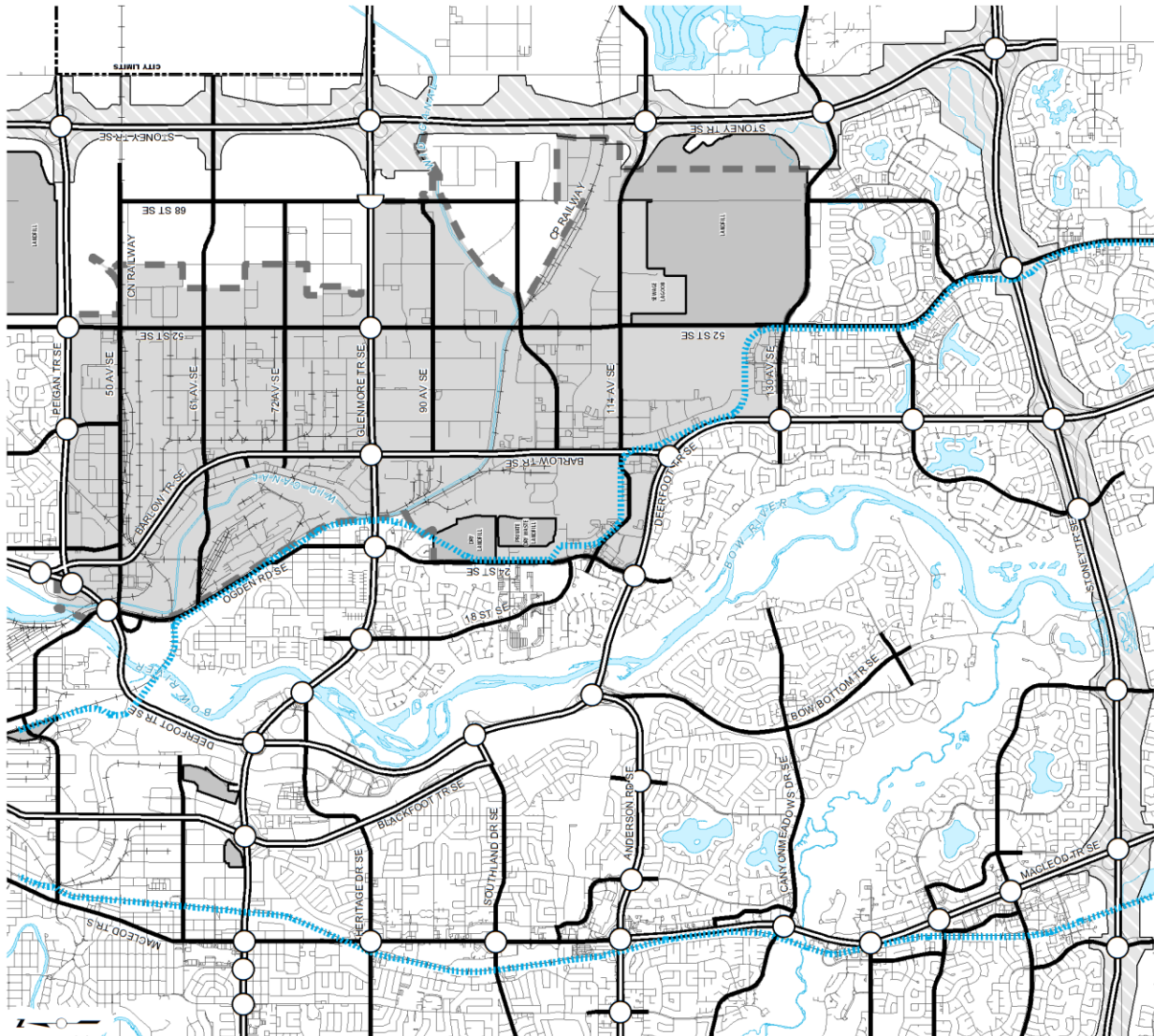
BYLAW NUMBER 63P2018

## SCHEDULE C

### Southeast Industrial Area Structure Plan

Map 3

### Regional Road Network



# PROPOSED

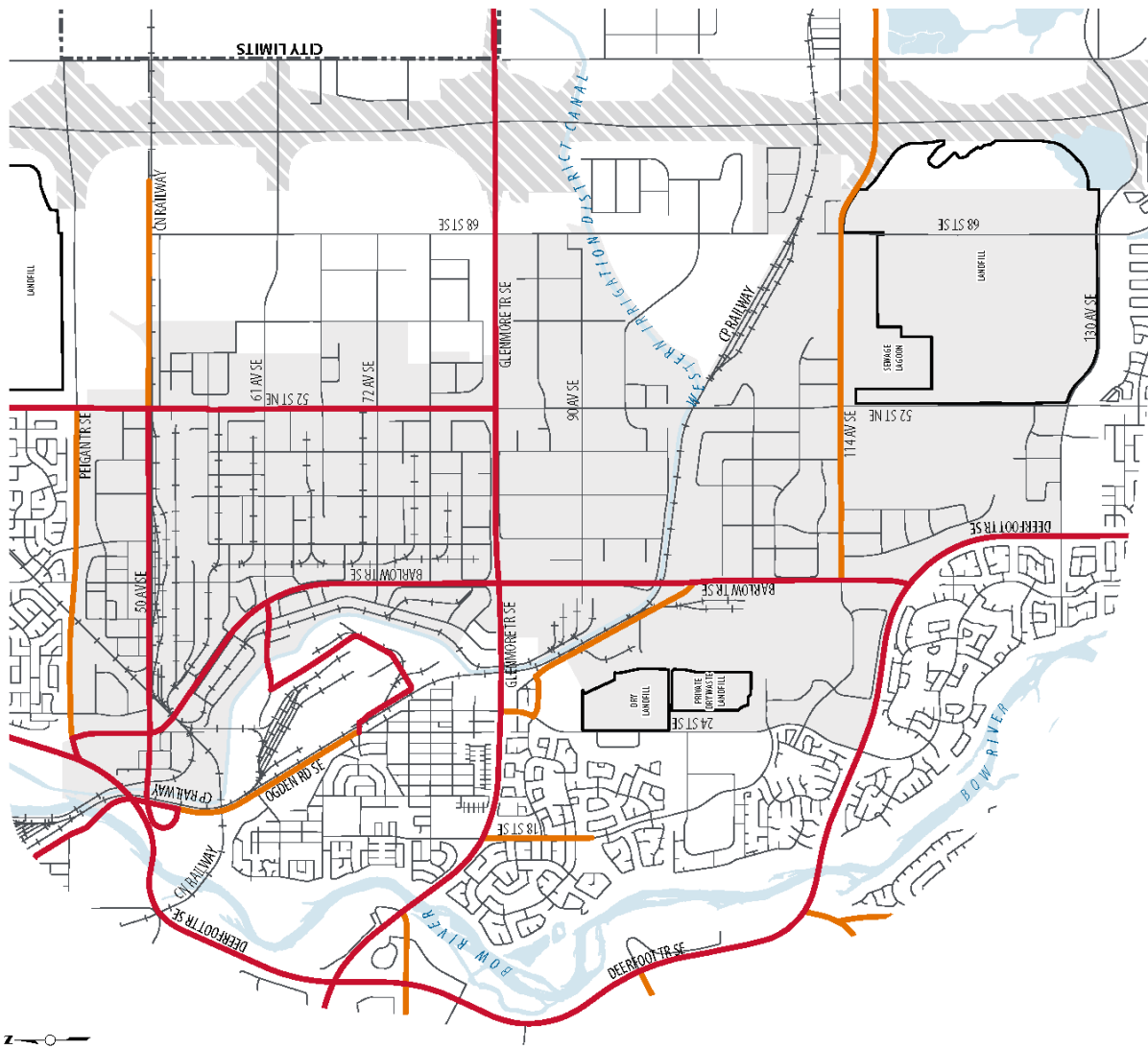
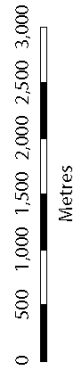
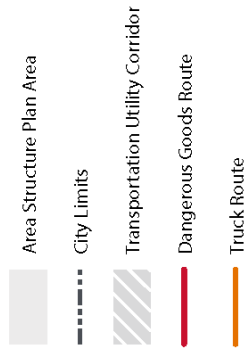
BYLAW NUMBER 63P2018

## SCHEDULE D

### Southeast Industrial Area Structure Plan

Map 4

### Dangerous Goods and Truck Routes





# PROPOSED

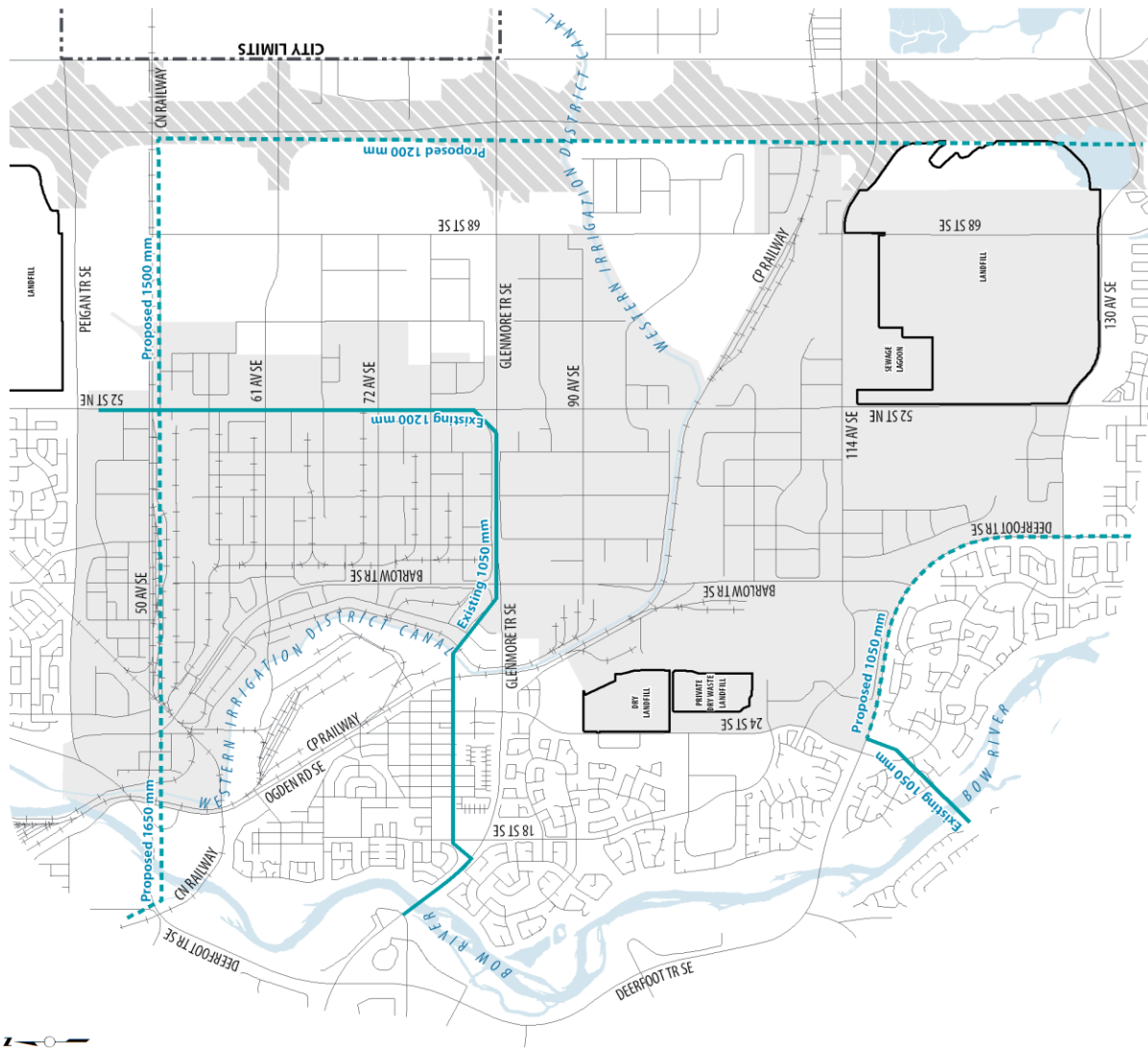
BYLAW NUMBER 63P2018

## SCHEDULE E

### Southeast Industrial Area Structure Plan

Map 5

### Water Supply



# PROPOSED

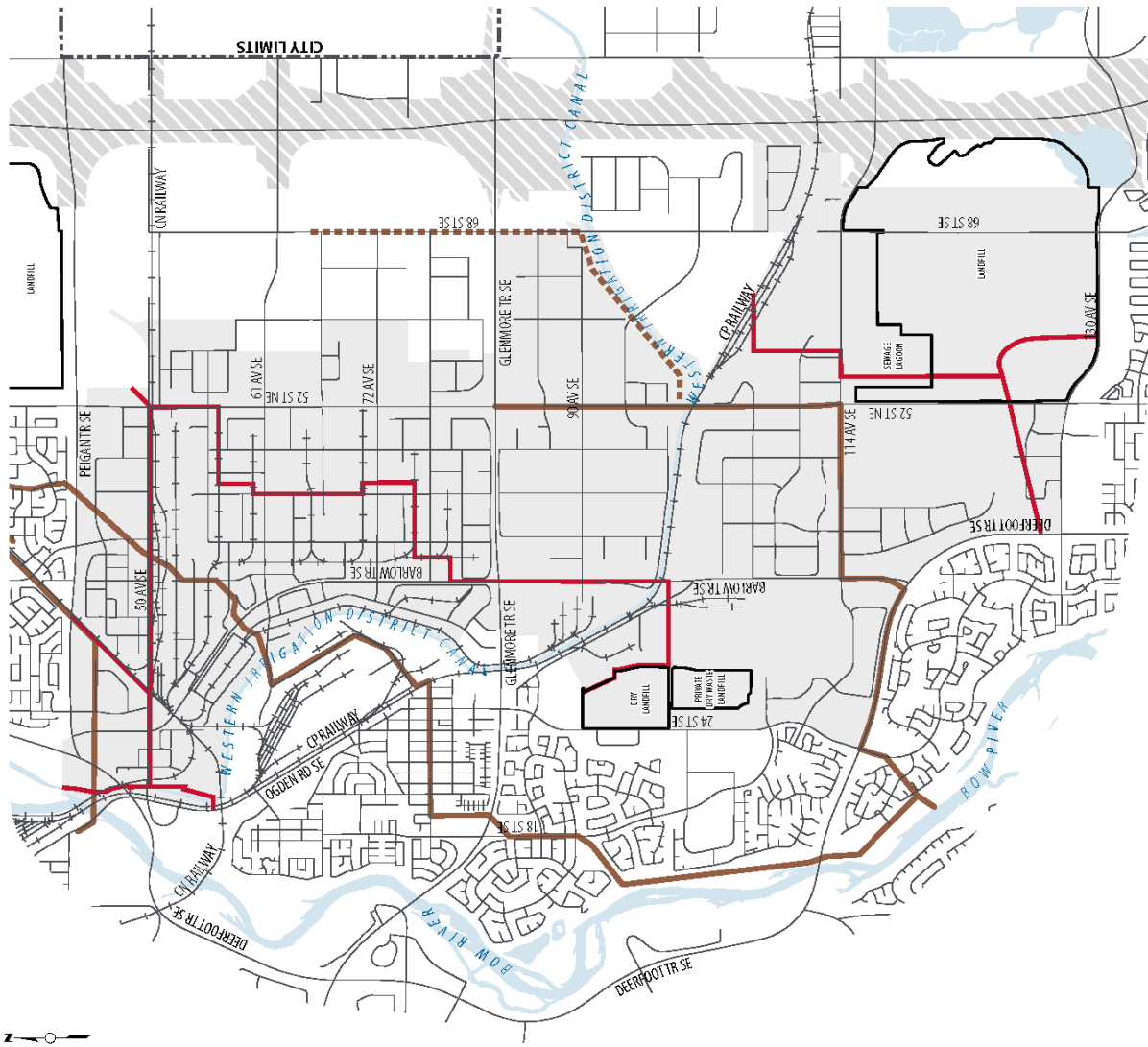
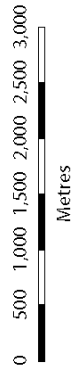
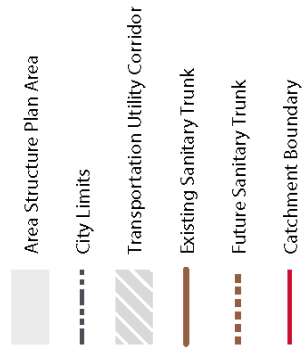
BYLAW NUMBER 63P2018

## SCHEDULE F

### Southeast Industrial Area Structure Plan

Map 6

### Sanitary Sewer System



# PROPOSED

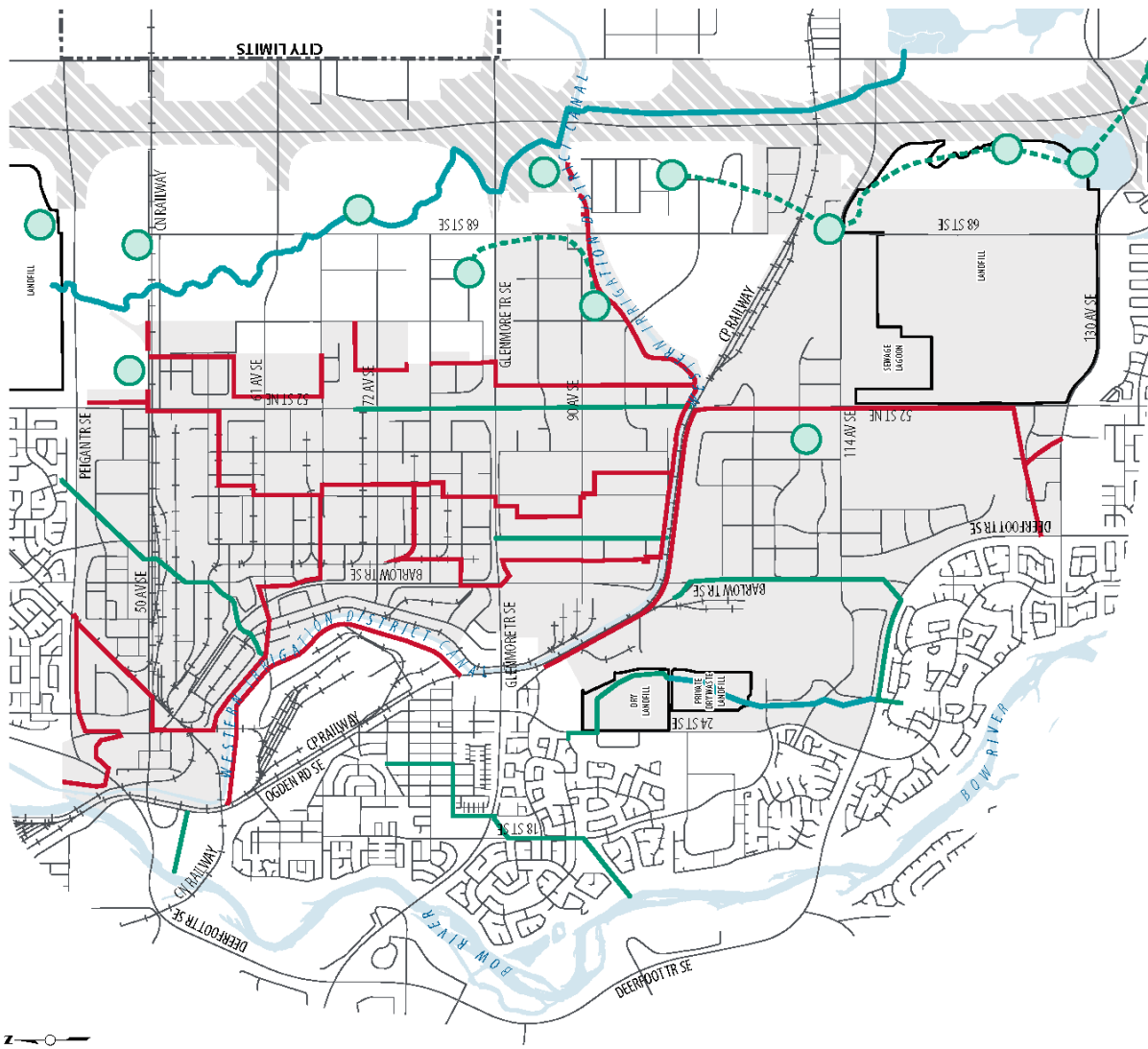
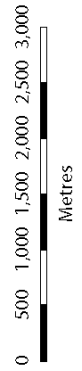
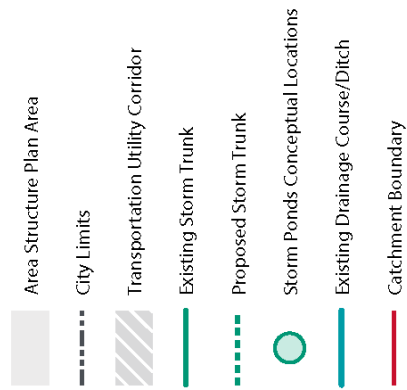
BYLAW NUMBER 63P2018

## SCHEDULE G

### Southeast Industrial Area Structure Plan

Map 7

### Storm Sewer System



# PROPOSED

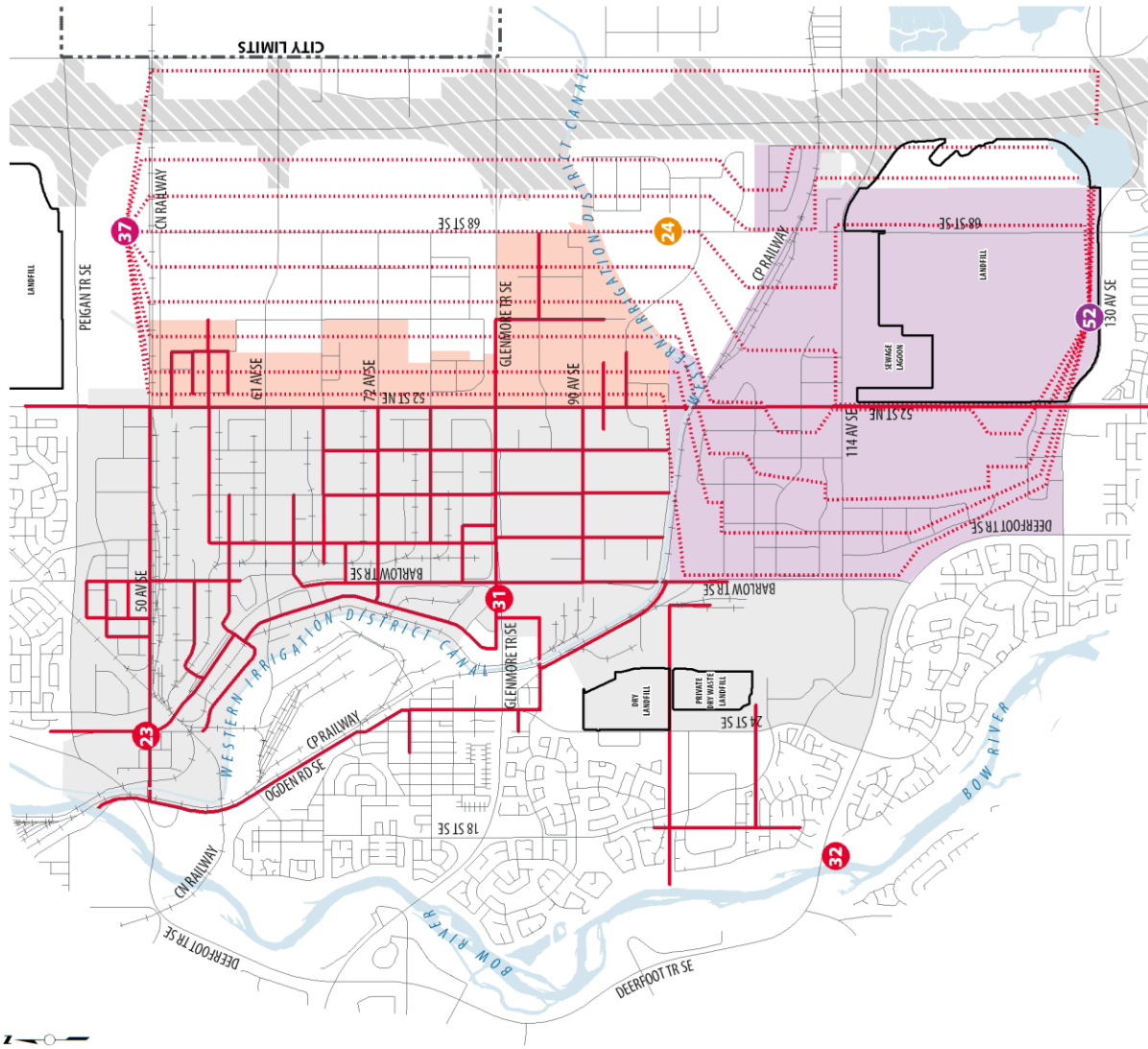
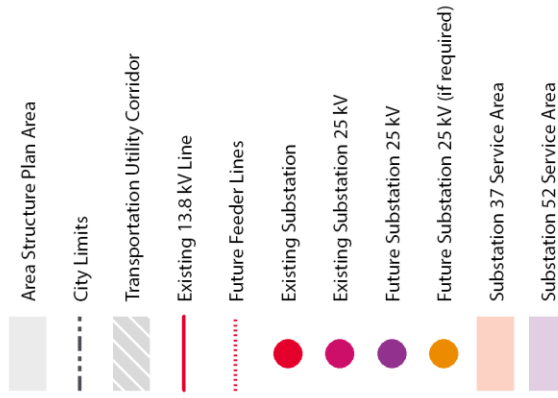
BYLAW NUMBER 63P2018

## SCHEDULE H

### Southeast Industrial Area Structure Plan

Map 8

### Electrical Service



# PROPOSED

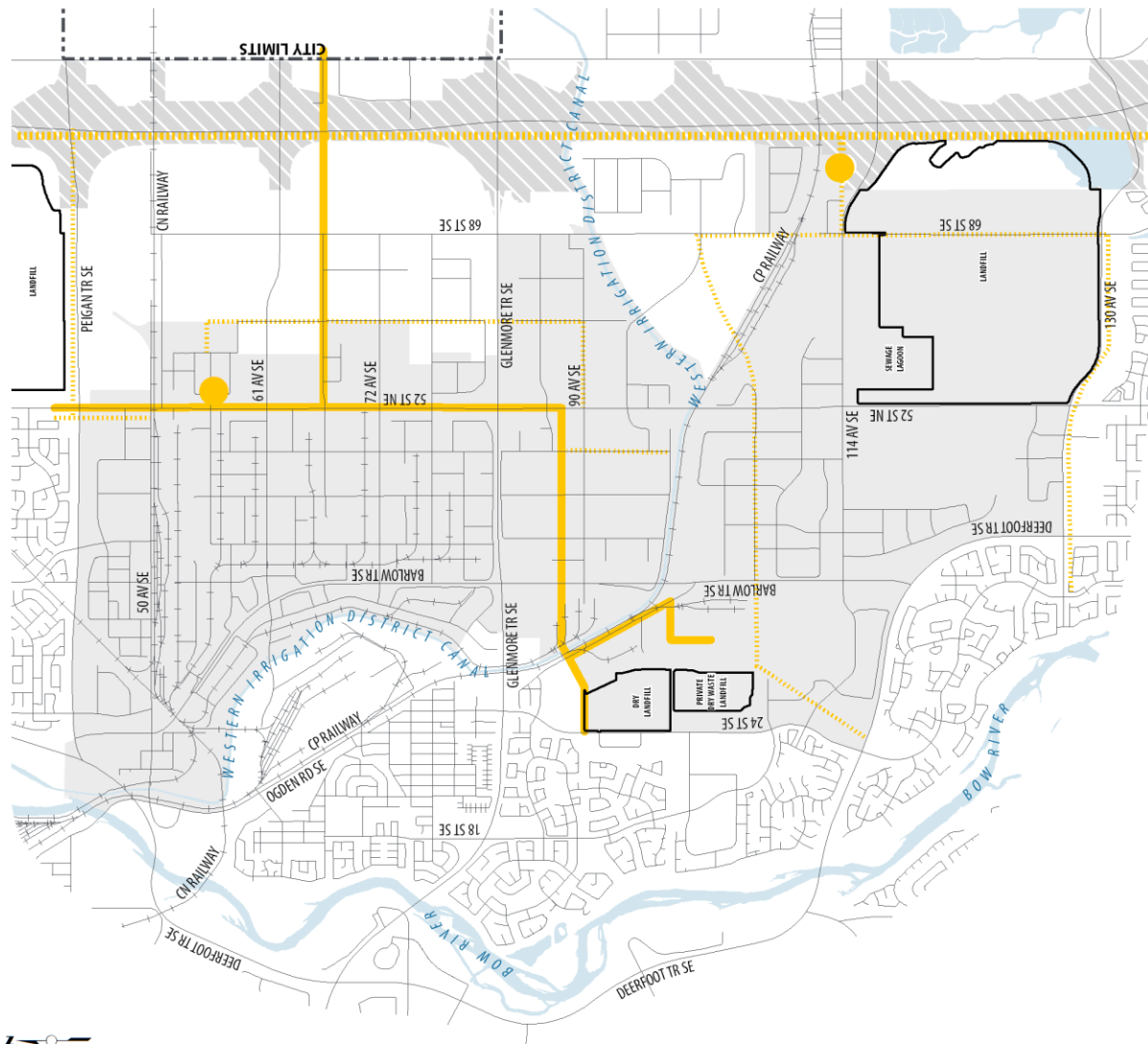
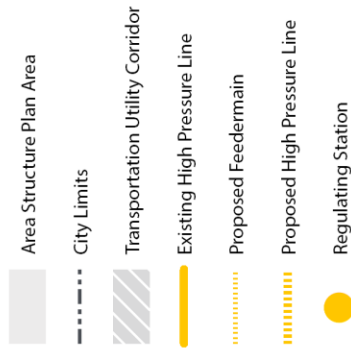
BYLAW NUMBER 63P2018

## SCHEDULE I

### Southeast Industrial Area Structure Plan

Map 9

#### Natural Gas



**BYLAW NUMBER 63P2018**

**SCHEDULE J**

# Southeast Industrial Area Structure Plan

Map 10

## Telephone and Cable Services

