

October 15, 2019

Village of Beiseker Council

### **VILLAGE OF BEISEKER LAND USE REDESIGNATION REPORT LUA-2019-01**

<b>Proposal:</b>	Land Use Redesignation
<b>Legal Description:</b>	Meridian 4, Range 26, Township 28, Section 12, South West Quarter
<b>Location:</b>	Village of Beiseker
<b>Applicant:</b>	Kathleen Elhatton-Lake
<b>Owner:</b>	2092513 Alberta Ltd.
<b>Existing Land Use:</b>	S-URB – Urban Reserve District
<b>Proposed Land Use:</b>	Direct Control
<b>Gross Area:</b>	± 17.26 hectare (± 42.64 acre)

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**Planning Analysis:** The applicant is proposing to redesignate the existing land use on a ± 17.26 hectare (± 42.64 acre) parcel of land (the subject site) located in the south-east area of the Beiseker. The subject site is bordered by existing development along its northern periphery. A portion of its eastern boundary is bordered by Highway 9. Undeveloped lands border the subject site along its southern and western boundaries. The subject site does not fall within any Village of Beiseker Area Structure Plans.

The subject site is currently designated **S-URB Urban Reserve District**. The Applicant is proposing to redesignate the site to a **Direct Control District (DC)**. The purpose of the Direct Control District is to allow for the construction and operation of an incinerator that will process bio-medical and related waste products as well as an associated wash facility and waste transfer station.

**Circulation:** This application was circulated to adjacent land owners and regulatory agencies prior to Public Hearing, 2<sup>nd</sup> and 3<sup>rd</sup> Reading. The circulation period began on September 10<sup>th</sup> 2019 and completed on October 9<sup>th</sup> 2019.

The Applicant led two Information Sessions in the interim where information on the proposed Land Use Amendment was shared with the public. These sessions were highlighted in the circulation notice.

**Comments:** The intended uses as described by the applicant are accommodated by the proposed Direct Control District. A minor amendment to the proposed Direct Control District is being proposed by Administration to clarify the intent. This amendment will ensure adequate review at the Development Permit stage and provide more flexibility for future Council decisions.

**Options:** Per the Municipal Government Act, Council has the following options with respect to the proposed land use bylaw amendment:

- (a) pass the bylaw or resolution,
- (b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it as amended without further advertisement or hearing, or
- (c) defeat the bylaw or resolution.

**Overview of Advisory Comments:** Advisory comments received from the Circulation process are included verbatim in Appendix C.

**Advisory**

**Comments: Pre-Development Comments:**

Alberta Health Services (AHS) advised that, should an application move forward to seek approval from Alberta Environment and Parks (AEP), AHS will be available to AEP to review submitted technical information and comment from an environmental health perspective as AEP will likely also approach Alberta Health for comment on such an application. AHS will provide further comment at future development stages.

MPE Engineering LTD. the Village's engineering consultant, has provided a comprehensive document that outlines pre-development servicing requirements and additional advisory recommendations. A copy of this document has been provided to the Applicant.

TC Energy noted that the subject site is within 200 metres of TC Energy infrastructure (pipeline) and commented that, per the National Energy Board's (NEB) requirements, development within 200 metres of the pipeline could warrant pipeline remediation. TC Energy recommended consultation between TC Energy and the Applicant prior to development and asked to be circulated on any future Development Permit application. TC Energy also provided guidelines for developing near their infrastructure which were provided to the client.

Rocky View County (RVC) has recommended the application of their Agricultural Boundary Design Guidelines to mitigate impacts on adjacent agricultural properties. A copy of this document has been provided to the Applicant.

ATCO Gas and Telus Communication Inc. both stated no objection to the proposed Land Use Amendment.

Landowner feedback has been received as a written submission to be read before Council.

# Appendix A

## Site Figures:

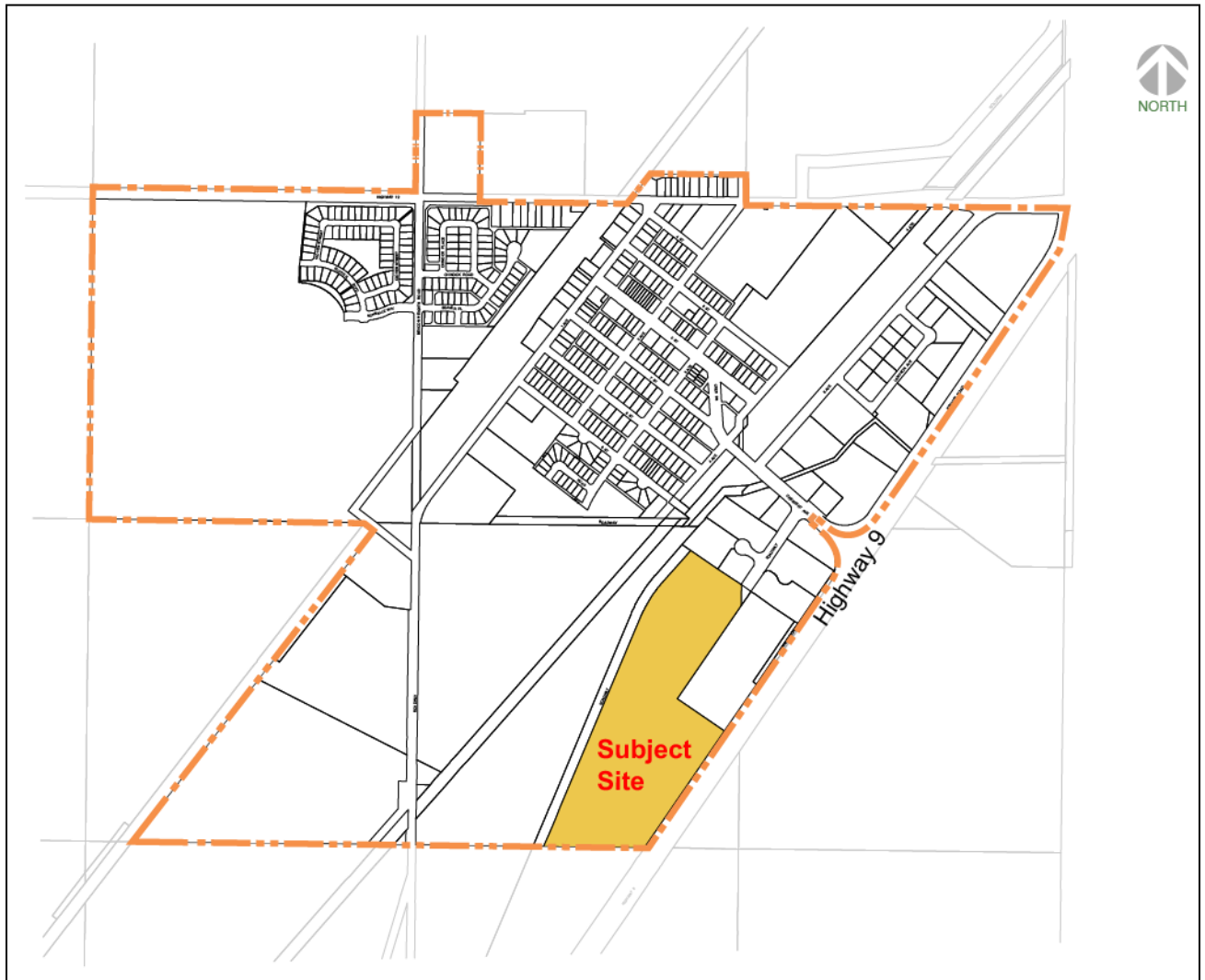


Figure 1 – Site Location

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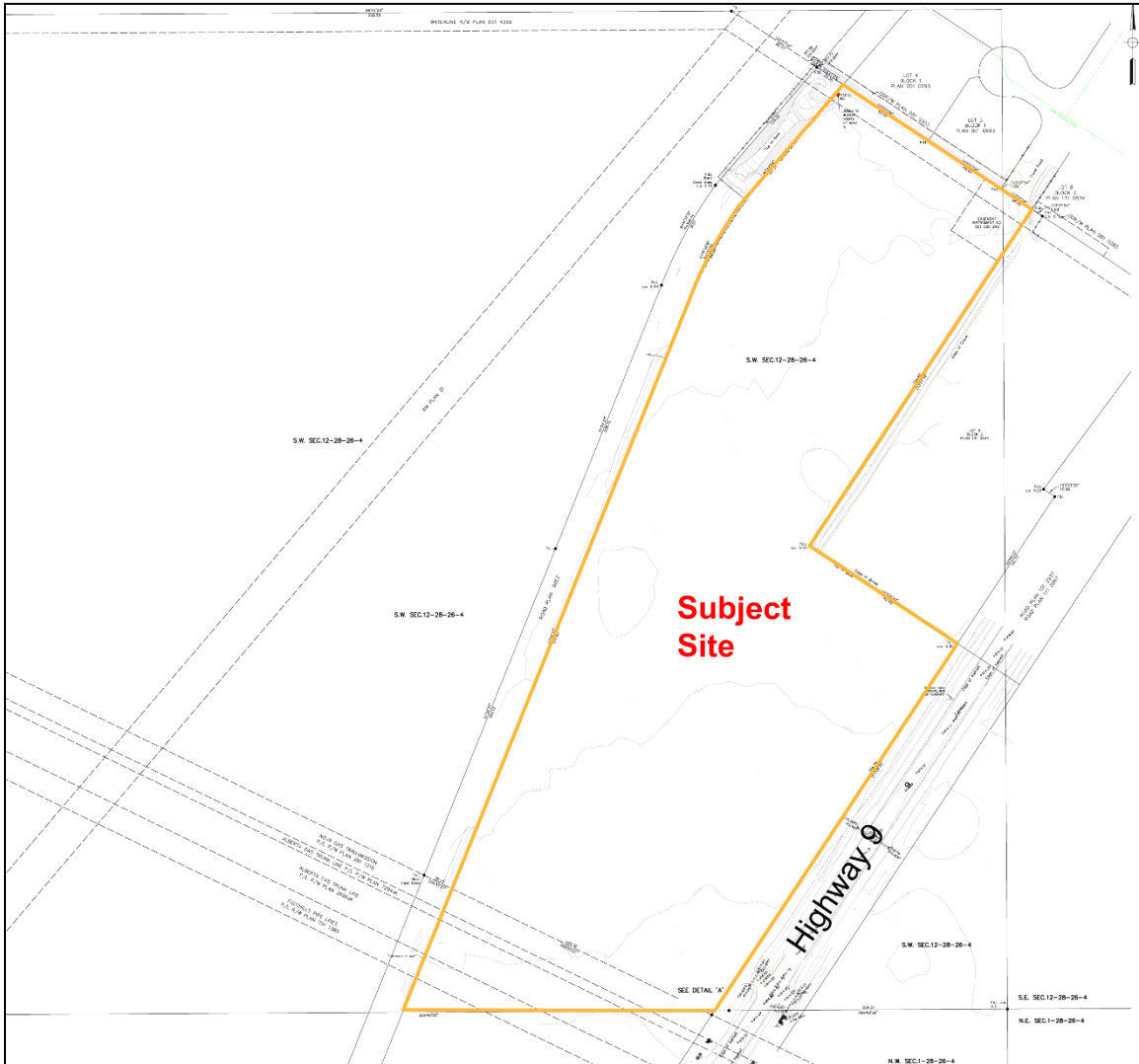


Figure 2 – Site Area

# Appendix B

## Site Images



Subject Site: Looking north from the southwest periphery.



Subject Site: Looking east from the northwest periphery.

# Appendix C

## Adjacent Landowner and Regulatory Agencies Responses

Hi Mitch,

ATCO Gas has no objection to the proposed LU Amendment.

Thanks,

**Jessica Lahnert**

Administrative Coordinator  
Natural Gas Distribution  
Pipelines & Liquids Global Business Unit

P. 403 245 7443

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Hello Mitch,

Please be advised that TELUS Communications Inc. has no objection to the above noted circulation.

Thank you,

**Meggie Liu | Real Estate Specialist**  
**Customer Network Implementation | TELUS Falcon | Rights of Way**  
2930 Centre Avenue NE, Calgary, AB T2A 4Y2  
Phone: (403) 384-3066 | [circulations@telus.com](mailto:circulations@telus.com)

Please do NOT e-mail me directly. To avoid delays in processing, send all e-mails to [circulations@telus.com](mailto:circulations@telus.com).

*TELUS Restricted – Privileged & Confidential*  
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October 08, 2019

**Mitch Braun**  
Community Planner  
ISL Engineering  
4015 7 Street SE  
Calgary, Alberta  
T2G 2Y9

Sent via email to: [mbraun.@islengineering.com](mailto:mbraun.@islengineering.com)

Dear Mr. Braun,

**Re: LUA 2019-01 – 4;26;28;12;SW Beiseker, Alberta** - Urban Reserve to Direct Control, incinerator to process bio-medical and related waste and associated wash facility and waste transfer station.

Thank you for inviting Alberta Health Services (AHS) comments on the above referenced Land Use Amendment application.

AHS understands that the Village of Beiseker is considering changing this land parcel to Direct Control to allow for the above development as described.

Please be aware that should the application move forward to seeking an approval from Alberta Environment and Parks (AEP), AHS will be available to AEP to review submitted technical information and comment from an environmental health perspective. We understand that AEP will likely also approach Alberta Health for comment on such an application.

At this time AHS is reserving comment on the land application until such time as the technical information supporting the application to AEP is available.

Please call (403) 943-8194 or e-mail [david.crowe@albertahealthservices.ca](mailto:david.crowe@albertahealthservices.ca) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "David Crowe".

David Crowe, MSc, CPHI(C)  
Senior Advisor, Executive Officer  
Healthy Physical Environments, Safe and Healthy Environments,  
Alberta Health Services,  
10101 Southport Rd. SW  
Calgary, Alberta  
T2W 3N2

phone (direct): 403 943-8194  
fax: 403 943-8056



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Hello Mitch,

Thank-you for the opportunity to comment on the proposed land use amendment to Direct Control District and for providing the additional information we had requested. We provide the following comments for your consideration:

- We understand that the lands included in this application are located within the village of Beiseker, and are proposed to be redesignated to Direct Control District. The purpose of this Direct Control District is to allow for the construction of an incinerator to process bio-medical and related waste, as well as a wash facility and waste transfer station. Based on the information provided, it appears all activities are to occur indoors and waste will never be visible to the public. We also understand that Alberta Environment and Parks is responsible for overseeing adherence to air emission monitoring.
- The adjacent lands within the County are currently agricultural and are anticipated to remain as such. We would recommend application of the [Agricultural Boundary Design Guidelines](#) to mitigate impacts on adjacent agricultural properties, including but not limited to landscape features adjacent to County agricultural lands.

We welcome the opportunity to discuss further if necessary.

Have a great week,

**PAUL SIMON, RPP, MCIP**  
Planner | Planning & Development

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-6285 | Fax: 403-277-3066  
[psimon@rockyview.ca](mailto:psimon@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

September 24, 2019

Village of Beiseker  
C/o ISL Engineering  
4015 – 7 Street SE  
Calgary, AB | T2G 2Y9

**Our Reference #: R01236AB**

Sent via email to: mbraun@islengineering.com

**ATTN: Mitch Braun, Community Planner**

**RE: LUA 2019-01 (S-URB – Urban Reserve District to a Direct Control District)  
4;26;28;12; SW**

Thank you for referring Project No: **LUA 2019-01** to TC Energy (“TC”) in your correspondence dated September 10, 2019. B&A Planning Group (B&A) is the land use planning consultant for TC Energy (TC), formerly TransCanada Corporation, in Western Canada. On behalf of TC, we assist in proactively working with and providing feedback to municipalities and stakeholders about land use development to ensure that land development surrounding proposed and existing pipeline infrastructure is successful and occurs in a safe manner.

As per the National Energy Board’s (NEB) requirements, additional development within 200m of TC’s pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity (200m) to the pipeline that may trigger a pipeline Class upgrade.

Our understanding is that this is an application to redesignate a parcel legally described as the 4;26; 28; 12; SW (short description) in the Village of Beiseker, AB from S-URB - Urban Reserve District to a Direct Control (DC) District. The purpose of the proposed DC District is to allow for the construction and operation of an incinerator to process bio-medical and related waste as well as an associated wash facility and waste transfer station. Access will be from the north of the site and not across the TC pipeline infrastructure. Similarly, the building shown on the site plan provided will be located approximately 80 metres from the edge of the right-of-way.

Based on our review, the application is within 200 m of the TC Energy infrastructure. Please refer to **Attachment 01 Approximate Location of TC Infrastructure** for a map that shows the proposal in relation to the approximate location of TC’s infrastructure. We understand that a development permit will be required for this proposal still and that the location of the incinerator, wash facility and waste transfer station will be shown on the site plan along with the access and internal circulation details.

We ask that TC Energy be circulated on the associated Development Permit application(s) and that the site plan clearly show the location of all proposed structures and improvements in relation to the right of ways. TC Energy will provide further comments at that time. Please keep us informed of the decision on this land use amendment application. If the applicant plans to cross a pipeline in the future, please advise them to apply for a temporary or permanent crossings agreement via TC's third party crossings tool (as described below).

If any excavation or digging within 30 metres from the centreline of the pipeline or any temporary or permanent crossings are required, the landowner must request a locate service. (Locate requests can be made online at [www.clickbeforeyoudig.com](http://www.clickbeforeyoudig.com) or by calling the One-Call Centre at 1-866-828-4888 prior to commencing any work). The landowner must also apply for written consent through the online application process. See **Attachment 02 Development within Proximity to TC Infrastructure** for a link to the online *Canadian Third Party Crossings Application Portal* and for other important information. A crossing includes any of the following activities:

- Constructing or installing a facility across, on, along or under a TC pipeline Right-Of-Way;
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 meters from the centreline the pipeline); and
- Driving a vehicle, mobile equipment or machinery across a TC pipeline right-of-way outside the travelled portion of a highway or public road.
- Using any explosives within 300 metres or 1,000 feet of TC's pipeline right-of-way.
- Use of the prescribed area for storage purposes.

General guidelines for development on or near TC's pipelines and infrastructure are included in **Attachment 02 Development within Proximity to TC Infrastructure** and in **Attachment 03 Work Safely Booklet**. Further information can also be found here:

<https://www.tcenergy.com/sustainability/safety/safe-digging/canada/landowners-and-neighbours/>.

Additionally, we recommend that you purchase and review the Canadian Standards Association's Z663-18 Standard regarding "Land use planning in the vicinity of pipeline systems" for information and recommended best practices and policies related to planning and development in proximity to pipelines and related infrastructure (<https://store.csagroup.org/>).

Please continue to keep us informed on this and of any further land use and development related activities in proximity to TC's pipeline and facilities. To support your referral process, TC can make GIS data available to you for pipeline and facility identification purposes. This data will also assist you as you proceed through your policy planning processes such as updates to your Municipal Development Plan, preparation of Area Structure Plans, etc. This data is subject to a confidentiality agreement between TC and the County. To obtain the data, please send me your request and I will send you an agreement and coordinate with TC.

Referrals and any questions regarding land use planning and development around pipelines can be sent to [TCEnergy@bapg.ca](mailto:TCEnergy@bapg.ca). Thanks again for providing us with this opportunity to provide comments and we look forward to hearing from you on this and other applications.

Sincerely,

**Daria McDonald**

Senior Planner | RPP, MCIP

(403) 692 4533 | [dmcDonald@bapg.ca](mailto:dmcDonald@bapg.ca)

B&A Planning Group 600, 215 - 9 Avenue SW | Calgary, AB T2P 1K3 | [www.bapg.ca](http://www.bapg.ca)

Attachment 01 **Approximate Location of TC Infrastructure**

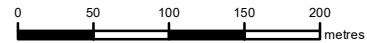
Attachment 02 **Development within Proximity to TC Infrastructure**

Attachment 03 **Work Safely Booklet**



Map File: R01236AB\_Concept






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**Legend**

-  Subject Site
-  TC Energy Pipeline
-  200m Pipeline & Well Notification Zone
-  Road
-  Quarter Section



**TC Energy Infrastructure**  
Plan of Land Use Amendment

Rocky View County  
Referral #: **R01236AB**  
Map and data for informational and planning purposes only  
Conceptual alignment only. Aerial Source: ESRI  
September 2019

Village of Beiseker  
c/o ISL Engineering and Land Services Ltd.  
4015 7 Street SE  
Calgary, AB  
T2G 2Y9

September 30, 2019  
File: N:\2590\016-02\L01-1.0

**Attention: Mitch Braun, M.E.E., B.C.S.  
Community Planner**

Dear Mr. Braun:

**Re: Land Use Bylaw Amendment 2092513 Alberta Ltd  
SW ¼ 26-28-12 W4M**

We have completed our review of the above circulation dated September 10, 2019 and offer the following comments. Our engineering comments provide a general overview of the servicing requirements for the development. The comments only form a part of the complete review comments for the referenced development and do not constitute an approval. This review has been completed assuming that site would be developed as a single parcel and no further subdivision will be done at this time. This review implies no liability on the part of MPE Engineering Ltd. (MPE) or the Village of Beiseker (Village) for items missed or omitted. Approval is subject to the developer meeting the requirements of the review and receiving written approval to proceed.

### **Water Service and Fire Protection**

There is an existing 150 mm water main and fire hydrant at the intersection of 9 Street/6 Avenue, approximately 750 m north of the proposed development site. The developer will require an extension from this intersection to service the proposed buildings. The Applicant will be required to confirm that the existing fire system can meet Building Code and Fire Code requirements. Alternatively, an onsite storage facility sized to meet Fire Code requirements can be provided.

Our understanding is that the Applicant is proposing to use stormwater to supplement water cooling needs for the incinerator. A double check valve or air gap will be required to prevent potential cross contamination.

The Applicant has expressed an interest in using wastewater from the lagoon. Currently, the Village's Wastewater Registration with Alberta Environment is for seasonal discharge into the drainage course adjacent to the lagoon. The Village would need to amend its registration to permit alternate disposal methods. The Applicant would be responsible for all cost and approvals to pump wastewater from the lagoon to the development.

### **Sanitary Service Connection**

The nearest municipal sanitary connection is located at 9 Street/6 Avenue, approximately 750 m north of the proposed building site. All wash water is to be directed to and collected in the onsite sanitary system. The Applicant has three options to service the development:

1. Construct an onsite lift station and forcemain to connect to the municipal wastewater system,
2. Construct an onsite septic disposal field designed in accordance with the *Alberta Private Sewage System Standards of Practice, 3<sup>rd</sup> Edition, 2015*, or
3. Construct an onsite holding tank.

### **Stormwater Management & Drainage**

As a condition of development, the Applicant will be required to submit a stormwater management plan that addresses:

- Volume of runoff in single and continuous events,
- Pre and post-development stormwater storage volumes,
- Stormwater facility sizing, and
- Overland spill elevation. Buildings are to be located a minimum of 0.3 m above the overland spill elevation.

### **Transportation and Access**

Site access is to be from 6 Avenue, which currently exists to a gravel standard. Depending on anticipated daily truck traffic and loads, the Village may wish to consider collecting contribution toward future paving of the road. There is an existing access from HWY 9 at the south end of the parcel. It is suggested that approval be obtained by Alberta Transportation for this access to be retained for emergency access. Due to the proximity to the HWY 9, a Roadside Development Permit may be required from Alberta Transportation.

### **Electrical, Gas and Telecommunications**

There are no existing power, gas or telecommunication services in the vicinity of the proposed development. Applicant will be required to contact utility providers to confirm servicing requirements.

### **Environmental Approvals**

The Applicant is required to register and operate the facility in accordance with Alberta Environment's *Code of Practice for Small Incinerators, September 2005*.

### **Miscellaneous**

The Development will be subject to payment of Offsite Levies at the time of Development Permit.

The above third party review is limited to the civil engineering only. MPE comments do not confirm conformance with Building Codes, Land Use Bylaws, Area Structure Plans or Landscaping. If you require clarification or more information into these comments, please do not hesitate to contact the undersigned.

Yours truly,

**MPE ENGINEERING LTD.**



Mark Steffler, P.Eng.  
Municipal Services Manager

MS:ms

cc: Heather Leslie, C.A.O. Village of Beiseker