

**ATTACHMENT 2
BYLAW 17557
FILE: LDA16-0006
EDMONTON ENERGY
AND TECHNOLOGY
PARK**

DESCRIPTION: AMENDMENT to the (EETM) Edmonton Energy and Technology Park Manufacturing Zone; EDMONTON ENERGY AND TECHNOLOGY PARK

LOCATION: Located north of Anthony Henday Drive NW and west of 66 Street NW

APPLICANT: Chris Davis
Walton Pilot Sound Industrial Development Ltd.
14310 – 111 Avenue NW
Edmonton, AB T5M 3Z7

ACCEPTANCE OF APPLICATION: December 9, 2015

EXISTING DEVELOPMENT: Undeveloped land

SUSTAINABLE DEVELOPMENT'S RECOMMENDATION: That Bylaw 17557 to amend the (EETM) Edmonton Energy and Technology Park Manufacturing Zone be APPROVED

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DISCUSSION

1. The Application

This application proposes to amend the text of the (EETM) Edmonton Energy and Technology Park Manufacturing Zone. The proposed text amendment to the (EETM) zone proposes to add a limited number of auto-oriented and commercial uses as discretionary uses with related regulations.

The uses to be added as discretionary uses are:

- Automotive and Minor Recreation Vehicle Sales/Rentals
- Convenience Vehicle Rentals
- Fleet Services
- Mobile Catering Food Services
- Rapid drive-through Vehicle Service
- Specialty Food Services, for less than 100 occupants and 120m² of Public Space
- Truck and Mobile Home Sales/Rentals
- Projecting On-premises Signs

Additional regulations limit the uses, with the exception of Rapid drive-through Vehicle Service, to sites directly adjacent to the Anthony Henday.

Original Application

The original application as submitted, proposed to amend both the (EETM) Edmonton Energy and Technology Park Manufacturing Zone and (EETL) Edmonton Energy and Technology Park Logistics Zone by adding the uses listed in the (IB) Industrial Business Zone to both zones. The proposed zones required that most of the discretionary uses (but not all) be located adjacent to the ‘highway corridors.’ The applicant’s stated intent with this application was to “add uses that are permissible within the Industrial Business (IB) Zone” as the relatively short list of permitted and discretionary uses in both zones “severely limits the implementation of the Edmonton Energy and Technology Park (EETP) Area Structure Plan guiding principles, specifically related to uses that abut the highways.”

Through a review of the additional proposed land uses and the ASP it was determined that the original proposed amendment does not meet the intent of the Edmonton Energy and Technology Park ASP to create a world class eco-industrial precinct. While the addition of some limited low intensity businesses with enhanced landscaping and limited outdoor storage may be desirable for specific areas, the magnitude of uses proposed

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would significantly alter the industrial nature of the Energy Park, introduce additional visits and potential industry deterrents, as well as undermine the industrial nature of the EETP and the planned commercial opportunities included in the Horse Hill ASP (southeast of Manning Drive).

Revised Application

The applicant requested Administration consider an option that would allow additional uses to proceed without a Plan Amendment. With consideration for the applicant's priorities, the alternative presented back was the much smaller list of discretionary uses (those listed above) applied along only the Anthony Henday and dropping the amendment to the EETL zone entirely. The general regulation regarding to setbacks from a Municipal Boundary for Major Impact Utility Services was requested through circulation.

2. Site and Surrounding Area

The subject area is located in the Edmonton Energy Technology Park, north of Anthony Henday Drive NW between 66 Street NW and Manning Drive. Lands surrounding the proposed amendment area are generally zoned (AG) Agricultural Zone and are undeveloped.



Aerial view of the area looking down on Anthony Henday Drive between 66 Street and Manning Drive NW.

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ANALYSIS

1. Compliance with Approved Plans and Land Use Compatibility

The Municipal Development Plan: *The Way We Grow* identifies the Edmonton Energy and Technology Park as “Industrial Business” and specifically notes in Policy 6.3.1.9 “Implement the Northeast Edmonton Industrial Development Strategy to accommodate value-added petrochemical operations and logistics operations.” While the proposed rezoning is not specific to value-added petrochemical operations and logistics operations, the proposed rezoning does facilitate several Industrial Policies of *The Way We Grow*:

- **Policy 6.3.1.4** – Undertake and facilitate development plans for new industrial areas to ensure development opportunities are continually available.
- **Policy 6.3.1.7** – Build infrastructure and provide services to support land development, goods movements and ongoing business operations.
- **Policy 6.3.1.13** – Maintain adequate separation distances between heavy industry and residential and other incompatible uses by addressing risk, nuisance and other impacts through the use of guidelines in the planning process.

Edmonton Energy and Technology Park Area Structure Plan

The Edmonton Energy and Technology Park ASP states the intent of the Plan “to chart a course for the development of the Northeast area into a world class eco-industrial precinct specializing in petro-chemical manufacturing industry.” Furthermore, the plan is intended to create a new kind of industrial development in Edmonton that incorporates economic opportunity with eco-industrial principles.

The Guiding Principles of the Plan (Part 6) identifies several premises for the Plan, including:

Land Use Compatibility - the ASP has been designed to provide buffers to the most intensive uses by way of its design and the development of Specific Zones;

Effective Implementation - Custom zones have been developed to ensure clear direction and compliance with the ASP. As development proceeds in the ASP Area, a review of the permitted uses is inevitable. With the review, a need to consider added uses to ensure the vision for the plan is not lost.

Part 7 of the Plan explains the principles of each of the four land use Precincts. The Zone proposed to be changed with this application is the EETM which translates to the Manufacturing Precinct.

The **Manufacturing Precinct** (Part 7.4 of the ASP) is described as catering to businesses that use material from chemical plants, to create finished goods such as plastics and oils.

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The precinct is also intended for services provided by other land uses in the plan area to support its business functions. Examples of Uses provided in the Plan for the precinct are: plastics facility, pharmaceutical production and pipe coating or production. The Policies in place to support this development are:

1. Manufacturing developments are encouraged to cluster, or develop multiple uses within the same building, in order to use more land efficiently.
2. Manufacturing processes that will generate noise or odour that may impact neighbouring developments may not be developed within 100 m of an existing residential use or existing agricultural homestead.

Discussion: compliance and compatibility

Administration recognizes that there are risks associated with amending the EETM zone to include additional commercial uses. Specifically, this may provide an opportunity to open up the plan to a greater range of uses that would prevent the ongoing development of a “world-class eco-industrial precinct”. Notwithstanding, these concerns, the changes to the EETM Zone are specific to the area generally adjacent to the Anthony Henday – approximately 27 km of frontage. They provide an urban transition to the existing and developing residential neighbourhoods to the south, and while some of the uses draw on a larger catchment area, they may be a catalyst to initiate development in the EETP. This small amendment may not change the overall tone of the Plan and any further changes to either this zone or other zones should be facilitated through a Plan Amendment.

2. Commenting Agencies

Zoning Bylaw Implementation Team

The Zoning Bylaw Implementation Team is supportive of providing a commercial buffer area to separate manufacturing uses from residential uses. However, they have noted that if additional uses are added to the EETM, there is potential for the Subdivision and Development Appeal Board to vary the locational requirements, allowing the uses throughout the Zone. Applicants could contend that these uses should be permitted next to an arterial or collector roadway because there is hardship in that the land is not marketable for the intended manufacturing uses. The Zoning Bylaw Implementation Team has recommended that the applicant could amend the EETP – ASP to create a new EETP business or commercial Zone, and designate specific areas adjacent highways to apply these zones. The applicant has chosen to proceed without a Plan Amendment.

EETP Investment Readiness Team (IRT)

Prior to submitting the application, the applicant met with the Investment Readiness Team to discuss their proposal. The proposed uses were discussed with respect to whether they would serve the intended uses and users, detract from the industrial nature of the EETP and align with the intent of the ASP and specific zones. The applicant was made aware of the IRT’s support for a limited range of commercial uses that could

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provide services to the industrial area and a requested that the “highways” be limited to the Anthony Henday and Manning Drive. While supporting limited additional commercial uses clearly intended to support the EETP, and not detract from the industrial nature of the Plan to initiate development adjacent to the highways in the EETP, they are concerned about the potential for diluting the Plan to the extent that the desired petrochemical cluster would not develop.

Oil and Gas Liaison (UPE)

The Oil and Gas Liaison requested that a 15 m separation for all structures from pipeline right-of-ways. This request is not included as part of the bylaw since it is a review that would accompany a comprehensive review of the impact on the entire ASP.

Sturgeon County

At the request of Sturgeon County, a clause is being added to the EETM zone that would require any Major Impact Utility Services Uses (i.e. sewage treatment, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators and waste recycling plants) to be setback 300m from a Municipal boundary.

3. Surrounding Property Owners’ Concerns

An Advance Notification was sent to surrounding property owners, the Horse Hill Community League Association, the Area Council No. 17 Area Council and the Clareview and District Area Council Area Council on December 23, 2014. Sustainable Development received three responses to the Advance Notification. All respondents were seeking further clarification on the application and did not express any concerns.

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JUSTIFICATION

Sustainable Development recommends that Bylaw 17557 to amend (EETM) Edmonton Energy and Technology Park Manufacturing Zone be APPROVED on the basis that the application supports the policies of *The Way We Grow*, is in general conformance with the Edmonton Energy and Technology Park Area Structure Plan, meets the technical requirements of Civic Departments and utility agencies and is compatible with surrounding existing and planned development.

ATTACHMENT

2a Mark-up Showing Proposed Text Amendments

Written by: Luke Cormier
Approved by: Tim Ford
Sustainable Development
March 14, 2016

ATTACHMENT 2a

Mark-up Showing Proposed Text Amendments

970.9 (EETM) Edmonton Energy and Technology Park Manufacturing Zone

1. General Purpose

The purpose of this Zone is to provide for the development of manufacturing uses and industrial uses that support and complement petrochemical cluster development as described in the Edmonton Energy and Technology Park Area Structure Plan. Development in this Zone shall be designed and constructed with a high standard of appearance, urban design, and with regard to the environment through the use of green building technology and green design elements. Commercial uses are to be located along the periphery of the precinct as defined in the Edmonton Energy and Technology Park Area Structure Plan and adjacent to highways, arterial or collector roads.

2. Permitted Uses

- a. [Convenience Retail Stores](#)
- b. [General Industrial Uses](#)
- c. [Industrial Manufacturing](#)
- d. [Minor Impact Utility Services](#)
- e. [Fascia On-premise Signs](#)
- f. [Freestanding On-Premise Signs](#)

3. Discretionary Uses

- a. [Automotive and Equipment Repair Shops](#)
- b. [Automotive and Minor Recreation Vehicle Sales/Rentals](#)
- c. [Convenience Vehicle Rentals](#)
- d. [Drive-in Food Services](#)
- e. [Equipment Rentals](#)
- f. [Gas Bars](#)
- g. [General Contractor Services](#)
- h. [Special Industrial Uses](#)
- i. [Fleet Services](#)
- j. [Major Impact Utility Services](#)
- k. [Major Service Stations](#)
- l. [Minor Service Stations](#)
- m. [Mobile Catering Food Services](#)
- n. [Rapid Drive-through Vehicle Service](#)
- o. [Recycled Materials Drop Off Centre](#)
- p. [Restaurants](#)

Comment [LC1]: Added use

Comment [LC2]: Added use

Comment [LC3]: Added use

Comment [LC4]: Added use

Comment [LC5]: Added use

q. Specialty Food Services, for less than 100 occupants and 120m² of public space

Comment [LC6]: Added use

r. Truck and Mobile Home Sales/Rentals

Comment [LC7]: Added use

s. [Major Digital Signs](#)

t. [Minor Digital Off-premises Signs](#)

u. [Minor Digital On-premises Signs](#)

v. [Minor Digital On-premises Off-premises Signs](#)

w. [Roof On-premises Signs](#)

x. [Roof Off-premises Signs](#)

y. Project On-premises Signs

Comment [LC8]: Added use

4. Development Regulations

- a. The maximum Floor Area Ratio shall be 2.0.
- b. The maximum building Height shall be [18 m](#) except that the Development Officer may, notwithstanding subsection 11.4, grant a variance to permit a greater Height for a building housing an Industrial Manufacturing Use up to a maximum of [22m](#) where this is required to facilitate the industrial development of the Use involved.
- c. The Front setback shall be [3.0m](#) where the Front Lot Line of a Site abuts a public road other than arterial, service or collector road and [6 m](#) in all other cases.
- d. Outdoor storage of any kind must be located at the rear of the building and shall not be permitted fronting onto arterials or freeways within the Edmonton Energy and Technology Park Manufacturing Zone.
- e. All loading, service, trash collection and accessory storage areas and trucking yards shall be located to the rear or sides of the principal building, and shall be screened from view from any public roadway other than a Lane.
- f. Any site that abuts a Residential Zone shall be screened by a [6 m](#) berm, the berm shall be landscaped with a combination of trees and shrubs to provide additional screening and interest, this landscaping shall be to the satisfaction of the Development Officer.
- g. Where this Zone is applied along a major collector or higher standard public roadway, the minimum Site Frontage shall be [30.0 m](#), unless access is provided from a service road.
- h. Major Impact Utility Services shall be setback 300 m from a Municipal Boundary. Major Impact Utility Services does not include sanitary landfills Sites or nuclear power facilities.
- i. Commercial Uses shall only be located:
 - i. On a Site abutting a highway, arterial, service or collector road; and
 - ii. On a Corner Site; or
 - iii. On a Site where a minimum of one side lot line abuts an existing commercial use.

Comment [LC9]: Language added as per Sturgeon County's request

5. Additional Development Regulations for Discretionary Uses

1. Notwithstanding subsection 970.9(4)(i) the following discretionary Uses shall only be located on a lot adjacent to Anthony Henday Drive:
 - a. Automotive and Minor Recreation Vehicle Sales/Rentals
 - b. Convenience Vehicle Rentals
 - c. Fleet Services
 - d. Mobile Catering Food Services
 - f. Specialty food services, for less than 100 occupants and 120m² of public space
 - g. Truck and Mobile Home Sales/Rentals
2. Notwithstanding subsection 970.9(4)(d) outdoor storage areas associated with Convenience Vehicle Rentals and Fleet Services shall be located to the rear or sides of the principal building and are permitted adjacent to Anthony Henday Drive.
3. Notwithstanding subsection 970.9(4)(d) outdoor storage areas associated with Automotive and Minor Recreation Vehicle Sales/Rentals and Truck and Mobile Home Sales/Rentals are permitted adjacent to Anthony Henday Drive.
4. All Storage, display, or parking areas shall be hardsurfaced in accordance with subsection 54.6 and 970.5(6) of this Bylaw.
5. Lighting for the display areas shall be mounted on lamp standards and no exposed bulbs or strings of lights shall be used.

Comment [LC10]: Whole new section and regulations added that give direction to the placement of the newly added discretionary uses.