



AGENDA ITEM

Redesignation of land on Pt. SE 29-40-22-W4M

Taves Management – Mirror Dry Bulk Facility

August 8, 2019

BACKGROUND

Taves Management on behalf of Transand Inc. is seeking permission to rezone approximately 148.81 ac on Pt SE 29-40-22-W4M, west of the Hamlet of Mirror from Agricultural 'A' District to Business Industrial 'I-BI' District. This is being requested in order to facilitate a Dry Bulk Facility for the purposes of transporting and distributing frac sand. Please refer to the project outline, attached as Schedule 'A'.

The proposal includes a 4000 metric tonne storage and transfer facility which consists of ten silos (each holding 400 metric tonnes), three overhead loading bins on scales, and a 120 ft tall elevation leg used for transferring product to and from the storage silos. The looped rail track allows for a full set of rail cars to be delivered and unloaded directly on site. The sand is stored in the silos and trucked to locations across Alberta. A six car parking lot, and a 12 ft. x 60 ft. office / control room is also part of the proposal.

The parcel has previously been utilized for agricultural purposes and a 1.61 ha (4 ac) first parcel out subdivision has been taken. The parcel also contains a CN rail spur which will be utilized for the operation. The parcel lies directly west of the boundary of the Hamlet of Mirror and the existing CN rail yard which is zoned Hamlet Industrial 'H-I' District. Other notable features of the property include the fact that Parby Creek ran through the parcel until its channelization in 1988 which was done as a way to stabilize Buffalo Lake as well as provide spawning grounds for Northern Pike in Spotted Lake.

A public meeting took place on July 3, 2019 at the Mirror Community Hall. There were 53 attendees including councilors and staff. Transand staff, as well as a representative from CN Rail were present to answer questions on the project. The applicant has prepared a summary of the open house and the feedback that they received (Please see Schedule B). A majority of the feedback was positive in nature and centered around increased revenue for local businesses, local jobs, attraction of new residents, and potential for new businesses to start up in the Hamlet. Some of the concerns that were voiced at the meeting included the potential for the additional rail traffic to block Range Road 22-4, dust from trucks using Range Road 22-4, dust emitted from the facility itself, and the use of engine retarder brakes on Hwy 50. Some of the other comments had to do with the look of the facility and if landscaping would be provided,

if they would hire locally, if the facility would generate noise, and if the trucks would drive all over town.

Supporting Studies

A number of studies have been completed in support of the rezoning application including a Biophysical Report, Transportation Impact Assessment, Geotechnical Report, and a Stormwater Management Report.

Biophysical Report

Two Biophysical assessments were conducted by Maywood Environmental Ltd. in March and May of 2019. The on-site vegetation consists of heavily grazed tame pasture species with trembling aspen, balsam poplar, red osier dogwood, saskatoon, and prickly wild rose, wolf willow, buckbrush, sagebrush buttercup, smooth brome, pasture sage, prairie sage and other species typically found in the central parkland natural sub-region. There were no visual occurrences of rare or listed plant species within the project footprint during the field visit. The grazing intensity and timing of the assessment indicates a low potential for rare plant occurrences to be within the project footprint. A Fisheries and Wildlife Management Information System (FWMIS) search highlighted the area as Sharp Tailed Grouse Habitat and Sensitive Raptor-Bald Eagle range, but none of the species identified in the search were observed at the time of the assessment. A number of wetlands were identified in the report; however, none of these are within the project footprint.

Stormwater Management

A stormwater management plan was conducted by Tagish Engineering Ltd. in April of 2019. The report identified eight sub-basins which drain to different parts of the site, and no culverts in or out of the site are present. An analysis was also undertaken to identify sub basin drainage under post-development conditions; four sub-basins were identified. The northern sub-basin drainage pattern will remain unchanged; slowly draining westward into Parlby Creek. The installation of the looped track will require the installation of a culvert in the southwest portion of the loop to transport stormwater into the proposed dry storm pond. All other sub-basins also drain into the storm pond area. There is an existing dugout that was once part of Parlby Creek before it was channelized which will become part of the stormwater pond. The engineer has recommended that a dry pond be considered for this site because the footprint of the pond is less than what is recommended to sustain a wet pond. Typically the County requires constructed wetlands for stormwater management; however, alternatives (such as dry ponds) may be considered if the County receives confirmation from a professional engineer that the site is not conducive to this type of stormwater management system. In this case a portion of the pond area will be dry while the existing "dugout" area will remain wet. The design of the wet / dry pond includes a sediment forebay to remove 85% of particulates and improve water

quality. The pond will be able to handle a 1:100 year storm event and would take approximately 7 days to empty completely into Parlby Creek should a 1:100 year storm event take place.

Geotechnical

Union Street Geotechnical Ltd. conducted a geotechnical investigation in January of 2019. A total of twenty three boreholes were drilled on the subject parcel. The soil profile is relatively uniform and consists of topsoil, sand, clay and till. Seepage was encountered at an average depth of 6.9 ft. below ground in 17 of the boreholes. Further investigations confirm a fairly shallow water table of approximately 4.9-8.2 ft. below ground surface. Driven steel piles or screw piles have been recommended for the development of this site. Basic recommendations for internal road construction are also outlined. The report also discusses on-site drainage, especially in terms of site grading; however, this is better explained in the Tagish Engineering stormwater management report.

Transportation Impact Assessment

Al-Terra Engineering Ltd. prepared an intersection assessment in January of 2019. The study examined the Hwy 50 and Range Road 22-4 intersection, which is the main access point for the development. The type of traffic associated with this type of facility influenced the results of this investigation. The existing intersection does not allow for B-Train tractor trailers to safely complete turning movements. As a result, both corners of the intersection have been recommended to be widened to 49.2 ft., as is typical of a Type – I intersection. The report also recommended that the 50km/h speed zone extend so that the intersection is within this zone, and that a “Truck Entrance from Left” sign be erected for the eastbound lane. Alberta Transportation submitted a letter in which they agree to the required upgrade to a Type – I intersection, and that the County is responsible for coordinating these improvements.

POLICY CONSIDERATIONS

The Municipal Development Plan (MDP) contains policies which direct the location of industrial and commercial sites. Both ECON 5.6.3 Synergies, and ECON 5.6.4 Industrial and Commercial Park Location, encourage the clustering of similar types of industries and businesses so that they can build cooperative relationships, take advantage of major transportation routes, and locate in areas with compatible land uses. In this case the access to Hwy 50 and Hwy 21 as well as the synergies associated with the existing CN railyard make this location a candidate for rezoning.

The purpose of the Business Industrial ‘I-BI’ District is to provide for a broad range of commercial and industrial uses in business and industrial parks, some of which may have outdoor storage or work activities.

The proposed Dry Bulk Facility is considered a “Cartage and Freight Terminal”, which is defined as a facility accommodating the storage and distribution of freight shipped by road and rail in the County’s Land Use Bylaw (LUB). A Cartage and Freight Terminal is a discretionary use in the Business Industrial “I-BI” District.

ANALYSIS

The applicant has completed a number of studies, the results of which indicate that the site in question is suitable for the intended use. With that said there are a number of the items that will need to be addressed during the development agreement / development permit stage. These include: intersectional upgrades at the Hwy 50 and RR 22-4 intersection, ongoing monitoring of noise levels complete with a mitigation strategy, Alberta Environment clearance for the proposed outlet into Parlby Creek, and confirmation from a professional engineer which outlines the reasons why a constructed wetland is not possible, and why a dry pond was chosen.

The public meeting was very well attended, and a good cross section of opinions were presented. The applicant has addressed a number of the concerns that were raised at the meeting including the mitigation of dust creation with both plant design and dust control measures, asking their truckers not to use engine retarder brakes. The loop design of the track also allows the facility to contain the rail traffic to their site, eliminating the need to block roadways when shuttling rail cars.

The facility meets the County’s MDP policies which direct the location of these types of commercial and industrial uses (ECON 5.6.3 and ECON 5.6.4), and represents a compatible use directly adjacent to both Hwy 50 and an existing CN railyard.

LEGISLATIVE RESPONSIBILITIES

The Municipal Government Act gives Council the sole authority and responsibility to consider amendments to the Land Use Bylaw. In dealing with any request to change the land use zoning of a parcel of land, Council is required to consider:

- the suitability of the land for the intended use; and
- the compatibility of the intended use with other uses, both existing and proposed, in the surrounding area.

Council is also expected to consider how the proposed zoning change conforms to the Municipal Development Plan and any other local plans that Council has adopted, which affect the land.

NOTICE OF PUBLIC HEARING

In accordance with the requirements of the Municipal Government Act, notice of the public hearing was published in the following local newspapers:

County News	July 19, 2019
Lacombe Express	July 25, 2019 and August 1, 2019
The Chautauqua	August 2, 2019

County staff also sent notice to all landowners within one mile of the property, neighbouring municipalities, and other interested agencies advising them of the hearing and inviting their comments on the proposed development.

Staff also posted notice of the hearing, a copy of the proposed Bylaw, and other information relating to the redesignation on the County's website.

RESPONSES

Camrose County advised that they have no concerns with the proposed amendment. No further responses have been received.

PREPARED BY: Peter Duke, Planner / Development Officer
REVIEWED BY: Dale Freitag, Director of Planning Services
REVIEWED BY: Tim Timmons, County Manager