

Municipality Plan Review

New Plan Amendment

Board Reference Number: REF2017-004

Proposed Municipality Bylaw No.: 42-2016

Introduction

The Province has adopted the Regional Evaluation Framework (REF) as the criteria for the Capital Region Board's (the "CRB") evaluation of statutory plans. The purpose of the REF is to allow the Capital Region Board to evaluate new statutory plans and statutory plan amendments to ensure consistency with the Capital Region Growth Plan (CRGP) and Capital Region Board Regulations.

Pursuant to Section 3.1 and 3.3 of the REF:

- 3.1 *A Municipality must refer to the Board any proposed new Intermunicipal Development Plan, Municipal Development Plan and any proposed amendment to an Intermunicipal Development Plan or Municipal Development Plan.*
- 3.3 *A Municipality must refer any other statutory plan or statutory plan amendment where the plan is within 1.6 km of the boundaries of the Alberta Industrial Heartland Area Structure plans, or the Edmonton International Airport Area Structure Plan.*

An application to amend the Town of Bruderheim Municipal Development Plan (MDP) ByLaw 15-2013 has been forwarded to the CRB. The proposed amendment intends to change the land use policy for a portion of SE 1/4 5-56-20-W4, located at the Northwest corner of 48th Street and 52nd Avenue, which becomes Highway 45 heading east and acts as the main transportation corridor for the Town of Bruderheim.

Background and Purpose

Municipality:	Town of Bruderheim
Applicant:	Town of Bruderheim / Municipal Planning Services (2009) Ltd
Land Owner(s):	Brian Kernick, 1433846 Alberta Ltd
First Reading Date:	18 th Day of May, 2016
Area of Municipality:	SE 1/4 5-56-20-W4, located at the Northwest corner of 52 nd Avenue and 48 th Street in the Town of Bruderheim
Current Population:	1,308 based on the 2016 Federal Census Data
Population Projection:	2,019 people based on CRGP Forecast in 2044
Proposed Changes: (Amendments Only)	Municipal Development Plan By-Law 15-2013 SE 5-56-20-W4

Statutory Plan Evaluation Report

Purpose: The purpose of this amendment to the Town of Bruderheim Municipal Development Plan (MDP) is to change the land use policies for a portion of SE 5-56-20-W4 from Residential Use Area to allow for Industrial Use Area and Recreation/Open Space Use Area.

The MDP is intended to provide long range guidance for the future development of the Town of Bruderheim and outlines broad sets of goals, objectives and policies concerning the community's vision for land use and development, infrastructure and transportation framework. The amendment to the Municipal Development Plan includes:

1. Amend **Map 2 : Future Land Use** to redesignate portion of SE 5-56-20-W4 from Residential Use area to Industrial Use area, and the Recreation/Open Space Use area; and
2. Amend **Map 5: Residential Phasing** to reflect the change in residential area in Map 2.

Recommendations

That the Town of Bruderheim Municipal Development Plan Amendment By-Law No 42-2016 be **APPROVED**.

The proposed amendment is consistent with the following key land use principles of the CRGP:

- **Preserve and Protect The Environment** (Sec 2.2.I.A.)
- **Allow Growth Outside the Priority Growth Areas** (Sec 2.2.II.C.)
- **Ensure a supply of land to sustain a variety of economic development activities** (Sec 2.2.VI.A.)
- **Support regional prosperity** (Sec 2.2.VI.C.)

Summary/Discussion

The Town of Bruderheim Municipal Development Plan (MDP) By-Law No 15-2013 was adopted in September 2013. The MDP provides a broad framework to outline community goals, objectives and policies concerning the community's vision for land use, infrastructure and transportation network for future development in the Town of Bruderheim.

The proposed amendment area occupies most of the SE 1/4 5-56-20-W4, located at the Northwest corner of 48th Street and 52nd Avenue, which becomes Highway 45 heading east and acts as the main transportation corridor for the Town. The area is centrally located within the Town of Bruderheim and contains some existing residential and industrial uses in the southern portion of the quarter section along 52nd Avenue.

To the west of the proposed amendment area, lies the Town's sewage lagoon which occupies a 21 ha (51.95 acres) parcel that extends all the way along the western boundary of the amendment area.

Based on the Subdivision and Development Regulation AR 43/2002, there are limited subdivision and development opportunities to develop within 300 meters of a wastewater treatment facility:

12.(2). Subject to subsection (5), a subdivision authority shall not approve an application for subdivision for school, hospital, food establishment or residential use unless, on considering the

matters referred to in section 7, each proposed lot includes a suitable building site for school, hospital, food establishment or residential use that is 300 metres or more from the working area of an operating wastewater treatment plant.

12.(3). Subject to subsection (5), a development authority shall not issue a development permit for a school, hospital, food establishment or residence within 300 metres of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300 metres of the working area of an operating wastewater treatment plant.

Given the limitations posed the existing location of the sewage lagoon along the western boundary of the amendment area, the proposed change to industrial use is the more suitable land use choice for the area.

The northeast portion of the amendment area also contains site constraints in the form of low lying areas and is subject to yearly flooding which sometimes lasts into mid-summer. This portion of the amendment area has been proposed to be redesignated as Recreation/Open Space Use area to allow for recreational activity.

The remaining southeast portion of the amendment area is retained as Residential Use area as per the MDP, providing for contiguous extension of existing residential uses along 52nd Avenue. This area has the potential to accommodate an expansion of existing mobile home park or to accommodate new single detached dwelling development or a seniors housing facility dependent on market demand.

The amendment area can be accessed from 52nd Avenue to the south and 48th Street to the east. Alberta Transportation has provided support to the proposed amendment, with suggestions that the Town work towards developing an internal connected road system supporting Highway 45. The proposed development is likely to trigger local road intersection improvements that interface with the provincial highway system and will be the responsibility of the Town.

Through the MDP, the Town emphasizes the need for strong intermunicipal cooperation and communication. The Town of Bruderheim is bounded by Lamont County and Strathcona County, both were notified and invited to provide comments on the amendment process and no objections were received.

The CRGP does not identify the Town of Bruderheim as a Priority Growth Area or a Cluster Country Residential Area, as such the density targets contained in the CRGP do not apply. The population projections of the Bruderheim MDP are generally consistent with the projections in the CRGP.

Based on the federal census data, the Town's population grew from 1,155 (2011) to 1,308 (2016), which represents a 13.2% change. In comparison, during the same period, the Province grew by 11.6% and the Edmonton Census Metropolitan Area grew by 13.9%. The Town's MDP is based on a municipal census conducted in 2012, which resulted in a slightly higher population of 1,298 compared to the 2011 federal

census result of 1,155. However, it is anticipated that the 2044 population of the Town will be somewhat higher than the projected numbers in the CRGP.

The CRGP identifies that residential and employment figures for the Town will rise moderately during the lifespan of the CRGP. Due to the limited collection of employment statistical data, it is difficult to project employment data for the Town. Since the proposed MDP amendment changes the land use for a portion of the amendment area from residential to industrial, it is likely to create more opportunities for local businesses, thereby creating more employment opportunities. More employment or business opportunities are further likely to attract residents to the area. There is sufficient land and infrastructure to accommodate growth and at this point, the Town does not anticipate the need for substantial improvements to infrastructure to accommodate projected growth.

Since the proposed amendment affects a very local area of the Town, there are no changes to the Transportation system and the MDP remains consistent with the Regional Transportation Network identified in the Regional Infrastructure Map of the CRGP. Similarly, the MDP remains consistent with the Intermunicipal Transit Network, Regional Water and Wastewater Infrastructure and Regional Power Infrastructure maps of the CRGP.

The Town of Bruderheim does not allow any form of heavy industrial uses within the Town's boundary. The Town is bounded by the Safety and Risk Management Buffer for Lamont County and Strathcona County's "Alberta Heartland Area Structure Plans (ASP)", however, the ASPs do not affect the Town as it is located outside the boundaries of those plan areas. Both ASPs call for a transition zone between the Heavy Industrial uses within the Heartland Area and the activities surrounding it. The amendment to the MDP proposing a change from residential use to light industrial uses will further increase the distance between residential and heavy industrial uses and is consistent with the policies of Lamont and Strathcona County ASPs.

In summation, the proposed amendment to the Municipal Development Plan is consistent with the land use policies and principles of the CRGP.

Note: The southwest portion of the amendment area contains a 2.05 ha (5.10 ac) parcel which is identified as a Non-operational Sewage Disposal site. While the aerial photographs suggest that the site is not used for any activity, the status of contamination and remediation is unclear from the documents provided.

Evaluation Criteria

Section 5.4 of the REF outlines the criteria which must be considered in the review and evaluation of a statutory plan or statutory plan amendment.

5.4(a) *Compatibility of the development with the objectives of the Capital Region Growth Plan as set out in Section 11 of the Regulation;*

11(a) to promote an integrated and strategic approach to planning for future growth in the Capital Region;

11(b)(i) to identify the overall development pattern and key future infrastructure investments that would best complement existing infrastructure, services and land uses in the Capital Region;

11(b)(ii) to identify the overall development pattern and key future infrastructure investments that would maximize benefits to the Capital Region;

11(c) to co-ordinate decisions in the Capital Region to sustain economic growth and ensure strong communities and a healthy environment;

The proposed amendment to the MDP affects only a small portion of land within the Town and does not propose any significant changes to regional infrastructure or services and remains consistent with the overall intent of the MDP and the CRGP. Consistent with section 11(b)(i) of the Regulation, the proposed change in the development pattern, from residential to industrial and recreation uses is a more logical choice of land use for the amendment area, given the adjacency to the sewage lagoon to the west, less than 300 meters, and would restrict residential and institutional uses based on the requirements of Subdivision and Development Regulation AR 43/2002. Strategically, this proposed amendment is also likely to foster opportunities for more businesses to locate in the area and create employment opportunities, aligning with the CRGP's objective of sustaining economic growth.

5.4(b) *Whether approval and full implementation of the statutory plan amendment would result in development consistent with all of the following:*

5.4(b)(i) *Land Use Principles and Policies of the Capital Region Growth Plan including the provisions for:*

i) Buffer areas as shown on the Regional Buffers Area Map in the Capital Region Growth Plan; (October 2009)

Town of Bruderheim lies outside of any buffers identified in the CRGP. The proposed amendment and the overall implementation of the Town of Bruderheim MDP will result in development consistent with the CRGP and the Regional Buffers Map.

ii) Priority Growth Areas as shown on the Priority Growth Areas and Cluster Country Residential map in the Capital Region Growth Plan; (October 2009)

iii) Cluster Country Residential Areas as shown on the Priority Growth Areas and Cluster Country Residential map in the Capital Region Growth Plan; (October 2009)

Town of Bruderheim lies outside the Priority Growth Areas and the Cluster Country Residential Areas of the CRGP as such there are no contradictions with the Land Use Principles and Policies of the CRGP.

iv) Density targets as outlined in the Capital Region Growth Plan; (October 2009)

NA

v) Outside Priority Growth Areas. (October 2009)

The proposed amendment is consistent with the CRGP policies to *Allow Growth Outside Priority Growth Areas* as the proposed amendment area is contiguous to existing development and consistent with the development pattern.

The proposed amendment to change the land use policy from Residential land use are to Recreation and Open Space is consistent with the CRGP as it allows for natural drainage pattern to continue by allowing the land to remain in its natural state thereby preserving the environment. Lastly, the level of services and infrastructure available in the vicinity of the amendment area is sufficient to accommodate future growth and will not result in adverse impact to the local and regional infrastructure.

5.4(b)(ii) The regional population and employment forecasts in the Capital Region Growth Plan.

(December 2009)

Based on the federal census data, the Town's population grew from 1,155 (2011) to 1,308 (2016), which represents a 13.2% change. In comparison, during the same period, the Province grew by 11.6% and the Edmonton Census Metropolitan Area grew by 13.9%. The Town's MDP is based on a municipal census conducted in 2012, which resulted in a slightly higher population of 1,298 compared to the 2011 federal census result of 1,155. As such it is anticipated that the 2044 population of the Town will be commensurately higher than the projected numbers in the Growth Plan. Given the relatively small population size, the impact on the overall regional population is expected to be relatively minor.

5.4(b)(iii) The regional transportation network as shown in the Regional Transportation Infrastructure map in the Capital Region Growth Plan. (December 2009)

The proposed amendment has no impact on the Regional Transportation Infrastructure of the CRGP.

5.4(b)(iv) The Intermunicipal Transit Network Plan of the Capital Region Growth Plan (Figure 8, 9, or 10 of the Capital Region Intermunicipal Transit Network Plan), and a Transportation Master Plan as approved by the City of Edmonton. (December 2009)

The proposed amendment has no impact on the Intermunicipal Transit Network Plan and the City of Edmonton’s Transportation Master Plan.

5.4(b)(v) The regional infrastructure, and recreation, transportation and utility corridors as identified in the Regional Transportation Infrastructure, Regional Water and Wastewater Infrastructure, Regional Power Infrastructure, and Regional Corridors maps of the Capital Region Growth Plan. (December 2009)

The proposed amendment has no impact on the regional infrastructure, recreation, transportation and utility corridors of the CRGP

5.4(b)(vi) The boundaries of policies of Alberta’s Industrial Heartland Area Structure plans and the Edmonton International Airport Area Structure Plan.

Town of Bruderheim lies outside the boundaries of Alberta’s Heartland Area Structure Plans and the Edmonton International Airport Area Structure Plan.

In addition, the statutory plan must be consistent with the Land Use Principles and Policies of the Regional Growth Plan.

Regional Growth Plan Land Use Principles and Policies	Consistent ✓ ✗ n/a	Evaluation/Comments
Protect Environment and Resources		
a) Preserve and protect the environment	✓	The proposed amendment allows for the preservation of lands with natural drainage and flooding patterns in summer months by proposing Recreation and Open Space land use instead of residential land uses previously designated in the MDP
b) Preserve agricultural lands	Na	The proposed amendment are does not impact any agricultural lands designated under the CRGP
c) Protect natural resources	Na	The proposed amendment has no impact on nay natural resources
d) Minimize the impact of development on regional watersheds and airsheds	Na	The proposed amendment does not impact any regional watersheds or airsheds

e) Minimize the impact of heavy industrial developments.	✓	Town of Bruderheim does not allow any heavy industrial uses within the Town's boundaries. The proposed amendment to the MDP does not contemplate any additional impact of heavy industrial developments
Minimize Regional Footprint		
a) Identify, protect, and prioritize lands for regional infrastructure	Na	The proposed amendment is relatively minor in terms of land use change. The proposed development is not likely to trigger the need for any regional infrastructure, nor does it impact any plans for regional infrastructure.
b) Concentrate new growth within Priority Growth Areas	Na	Town of Bruderheim lies outside the Priority Growth Areas of the CRGP.
c) Allow growth outside of Priority Growth Areas	✓	The Town of Bruderheim serves as a service center to the surrounding rural communities. The proposed amendment will create new opportunities for some light industrial uses and help sustain future growth by creating local employment opportunities. However, the scale of development is quite small and proportionate to the size of the Town and not likely to compete with the Priority Growth Areas
d) Support expansion of medium and higher density residential housing forms	✓	While not newly proposed, the amendment area of the MDP includes area designated for residential uses that contemplate a diverse mix of housing forms including mobile homes park, single detached dwellings or seniors housing, dependent on market conditions. New residential developments are expected to provide a housing mix with a minimum 20% of housing stock in the form of high density development.
e) Support cluster country residential development	Na	Town of Bruderheim lies outside the areas designated for Cluster Country Residential development.
Strengthen Communities		
a) Create inclusive communities	✓	The proposed MDP amendment designates a portion of the amendment area for Recreation/Open Space Uses, complimentary to the adjacent residential uses and increasing connectivity and accessibility to natural open space thereby supporting the objective of creating inclusive communities.

b) Support healthy communities	✓	The proposed MDP amendment designates a portion of the amendment area for Recreation/Open Space Uses, which will be surrounded by other residential uses and will offer opportunities for creation of a trail system and walkability options for future residents.
c) Support public transit	Na	
d) Support innovative and affordable housing options	✓	The residential policies of the MDP call for collaboration with regional partners to explore opportunities to develop pilot projects for affordable housing options within the community. The MDP also states that <i>“Town shall work with developers, home builders, as well as government and non-government agencies to increase the proportion of affordable housing units”</i> .
Increase Transportation Choice		
a) Integrate transportation systems with land use	✓	The proposed amendment area is currently accessed from 52 nd Avenue on the south as well as 48 th Street on the east. However for a full build out of the site, the development will require a locally interconnected road system supporting the adjacent major roads.
b) Support the expansion of transit services in various forms	Na	There are no transit services in the vicinity
Ensure Efficient Provision of Services		
a) Design integrated physical infrastructure within the region	✓	The proposed MDP amendment will require the creation of an interconnected local roadway system, which will support Highway 45 that connects the Town to other areas of the region. However, the scale of development in the amendment area is quite small and not likely to trigger the need for a regional scale infrastructure
b) Maximize utilization of existing infrastructure	✓	The developments in the proposed amendment area will utilize the services currently available within the Town thereby maximizing the utilization of existing infrastructure.
Support Regional Economic Development		

<p>a) Ensure a supply of land to sustain a variety of economic development activities</p>	<p>✓</p>	<p>The proposed MDP amendment designates land for residential as well as industrial uses. Being a service center for the surrounding rural areas, the proposed designation of land for light industrial uses is consistent with the CRGPs objective of creating land for a variety of development activities</p>
<p>b) Attract and retain individuals and families with a diverse range of skills to the Capital Region to satisfy the region’s economic development goals</p>	<p>✓</p>	<p>The proposed MDP amendment in addition to residential use, contemplates new light industrial uses. This land use designation will likely create new business opportunities thereby attracting individuals and families to the area for work or as residents.</p>
<p>c) Support regional prosperity</p>	<p>✓</p>	<p>Town of Bruderheim serves as a service center for the surrounding rural areas offering public services, local commercial and industrial businesses, thereby supporting the efforts for regional economic development and prosperity.</p>
<p>d) Position the Capital Region competitively on the world stage</p>	<p>✓</p>	<p>The proposed MDP amendment creates increased opportunities for diverse land uses, more open space and recreational opportunities for residents, new light industrial business as well as employment opportunities to attract new individuals and families to the area, consistent with CRGP’s goals and policy to position the Capital Regional competitively on the world stage.</p>