

## Request for Decision

<b>Title</b>	<b>Lafarge and Inland Request for Second Reading and Third Reading Bylaw 1398/17 – Amendment to the Calahoo Villeneuve Sand &amp; Gravel Extraction Area Structure Plan Bylaw 922/01</b>
<b>Proposed Motion</b>	<ol style="list-style-type: none"> <li>1. That Council give second reading of Bylaw 1398/17.</li> <li>2. That Council give third reading of Bylaw 1398/17.</li> </ol>
<b>Administrative Recommendation</b>	<p>That Council give second and third reading of Bylaw 1398/17 for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed changes reflect the current and projected state of the Quick Extraction Area, which will allow the operators more flexibility to extract and process this non-renewable resource;</li> <li>• The MDP identifies aggregate extraction as a significant economic contributor for this area of the County; and</li> <li>• The proposed changes provide better transparency to the public.</li> </ul> <p><i>Note: Councillor Evans was absent from public hearing and is therefore unable to vote on this item.</i></p>
<b>Previous Council Direction</b>	<p>November 28, 2017 – Motion 448/17 That Council give first reading to Bylaw 1398/17.</p>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>▪ Aspen Land Group Inc. on behalf of Lafarge Canada Inc. (Lafarge) and Inland Aggregates, a division of Lehigh Hanson Materials Limited, (Inland Aggregates) has applied to amend the Calahoo Villeneuve Sand &amp; Gravel Area Structure Plan (ASP) Bylaw 922/01 as it relates to Section 8.0 Quick Extraction Policy Area (QEA). The textual amendment is required to revise the text associated with: <ul style="list-style-type: none"> <li>○ the time frames allocated for each extraction zone,</li> <li>○ the requirement to reclaim 75% of the preceding zone prior to opening a subsequent zone,</li> <li>○ boundaries associated with extraction zones 5 and 6, and</li> <li>○ primary and secondary processing permitted within the QEA.</li> </ul> </li> <li>▪ The proponent’s letter of intent (Attachment 2) provides their rationale for the proposed amendments. It also provides a ‘red line’ version of the specific textual revisions suggested in this proposed bylaw amendment.</li> <li>▪ On January 9, 2018, Council held a public hearing to provide an opportunity for members of the public to present their comments to</li> </ul>

Council regarding proposed Bylaw 1398/17. At the hearing, one resident raised a concern about how the continual time extensions will financially impact him and requested if there could be a mechanism put in place to compensate him.

- With the probable CAP levy increase from \$0.25/tonne to \$0.40/tonne, there may be future opportunities that can benefit the area residents.
- Currently, the ASP allocates a specific amount of time (four to six years) to mine and reclaim each extraction zone. It also requires that the preceding extraction zone is 75% reclaimed before proceeding into the next extraction zone. These time frames and reclamation requirement were determined when the ASP was originally implemented before any mining or operations had commenced. Now that both Lafarge and Inland Aggregates have had an opportunity to develop and mine their first extraction zones, they have a better understanding of the pit conditions and water regime.
- According to the ASP, secondary processing within the QEA Policy Area only allows for crushing and stockpiling activities. Both Lafarge and Inland Aggregates would like the opportunity to temporarily wash material using a portable wash plant. To keep with the intent of the QEA, a permanent wash plant would not be considered within the QEA Policy area.
- The proposed amendments were presented to the Calahoo-Villeneuve Gravel Extraction Committee who provided the following comment: “The Board generally supports the change in timelines and number of quick extraction zones to support effective operations.”
- The proposed amendments were also presented to internal departments, and no concerns were raised. The consensus was it is good that the ASP is being revised to reflect actual mining times as it provides a transparent and realistic outlook.

#### External Communication

- The application has been circulated to the County’s internal departments, and to the County’s Sand & Gravel Committee.
- Notifications for the Public Hearing were placed in the December 12 and December 19, 2017 editions of the *Free Press*, and in the December 13 and December 20, 2017 editions of the *St. Albert Gazette*, in accordance with the *Municipal Government Act*.
- In addition, letters were sent to landowners within 800m of the subject lands.

#### Relevant Policy/Legislation/Practices:

##### Policy

- Municipal Development Plan 1313/13, Section E.4 Economic Health
- This section of the MDP identifies aggregate extraction as a significant economic contributor for this area of the County.

	<ul style="list-style-type: none"> <li>▪ Calahoo-Villeneuve Sand and Gravel Extraction Area Structure Plan 922/01, <ul style="list-style-type: none"> <li>- Section 8.3 Quick Extraction Zones</li> <li>- Section 8.4 Limited Extraction Period</li> <li>- Section 8.6 Processing Sites</li> </ul> </li> <li>▪ The <i>Municipal Government Act</i>, R.S.A. 2000 C.M-26, and amendments thereto (MGA) authorize Council to establish and amend Bylaws.</li> <li>▪ Section 692 of the MGA and amendments thereto requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.</li> </ul> <p>Ministerial Order No. L: 270/10 (Effective November 10, 2010)</p> <ul style="list-style-type: none"> <li>▪ Section 3.2 of the Order lays out when a statutory plan amendment must be submitted as an application to the Capital Region Board in accordance with Regional Evaluation Framework (REF) process.</li> </ul>
<p><b>Implication</b></p>	<p><u>Strategic Alignment:</u></p> <p><b>Planned Growth and Prosperity</b> – the proposed changes provide a transparent and realistic direction.</p> <p><u>Organizational:</u></p> <p>Administration will ensure that the ASP is amended accordingly.</p> <p><u>Financial:</u></p> <p>None.</p>
<p><b>Alternatives Considered</b></p>	<ol style="list-style-type: none"> <li>1. Council can refer the bylaw back to Administration for more information, prior to considering second reading of the bylaw.</li> <li>2. Council can refuse to grant second reading of the bylaw, which would result in the current application being terminated.</li> </ol>
<p><b>Implications of Alternatives</b></p>	<p><u>Strategic Alignment:</u></p> <p>Alternative 1: Administration believes that there is sufficient information for Council to approve second reading of the bylaw.</p> <p>Alternative 2: If Council refused to grant second reading the proposal would be defeated.</p> <p><u>Organizational:</u></p> <ul style="list-style-type: none"> <li>▪ Alternative 1: Administration will work with the applicant as required.</li> <li>▪ Alternative 2: Administration will close the amendment file and ensure that the applicant operates within the current approved timelines.</li> </ul>

Financial:

- Alternative 1: This will require additional staff time, which will have a financial implication.
- Alternative 2: Administration will close the amendment file.

**Follow up Action**

Administration will ensure that the ASP is amended accordingly or as directed by Council.

**Attachment(s)**

1. Bylaw 1398/17 - CVASP Amendment (Attachment 1)
2. Aspen Land Group Application Package (Attachment 2)

**Report Reviewed  
by:**



Clayton Kittlitz, Manager Current Planning & Development



Collin Steffes, General Manager, Integrated Growth



Bill Minnes, County Commissioner – CAO

## Strategic Alignment Checklist

**Vision:** Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

**Mission:** Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
<b>Strong Local Governance and Regional Leadership</b>			
<i>We promote consistent and accountable leadership through collaborative and transparent processes ( Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Consistent with neighborhood role (see MDP), master plans,, policies</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Considers fiscal stability and sustainability</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Has a positive impact on regional and sub-regional cooperation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Respect the Natural Environment</b>			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems ( Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Compliance with Provincial and Federal regulations and/or legislation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Ensure effective environmental risk management</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Community Identity &amp; Spirit</b>			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Promotes and/or enhances residents' identification with Sturgeon County</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Enhances service provision through community partnerships</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Supports Sturgeon County's cultural history</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Planned Growth and Prosperity</b>			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Considers cumulative costs and long-term funding implications</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Targets growth around current or planned infrastructure</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Maintain and Enhance Strong Communities</b>			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Positive impact on residents' quality of life</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Supports and promotes volunteer efforts</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Provides programs and services that are accessible to all residents</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Staff have the knowledge, skills and capability to perform their jobs</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Streamlines operational processes and policies</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Promotes engagement and professional interaction with stakeholders</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>