

Request for Decision

Title	<p>Lehigh Hanson Materials Limited * Bylaw 1394/17 – Amendment to the Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan Bylaw 922/01 (First reading) * Bylaw 1395/17 – Amendment to the Land Use Bylaw 1385/17 (First reading)</p>
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give first reading to Bylaw 1394/17. 2. That Council give first reading to Bylaw 1395/17.
Administrative Recommendation	<p>In order to have the proposed bylaws vetted through a Public Hearing, Administration supports first reading.</p>
Previous Council Direction	<p>None.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> ▪ Aspen Land Group Inc. on behalf of Lehigh Hanson Materials Limited has applied to amend the Calahoo Villeneuve Sand & Gravel Area Structure Plan (CVASP) Bylaw 922/01 and Land Use Bylaw (LUB) 1385/17 for sand and gravel operation on the SE-16-54-26-W4M. ▪ According to Lehigh the reason they are interested in extracting aggregate from the SE-16-54-26-W4M is because there is a viable amount of non-renewable aggregate in the ground, relatively close to the Metro Edmonton Region market. Before Lehigh moves onto a new area they want to ensure that they remove as much of the material as they possibly can so that they don't sterilize the material or have to come back in the future to extract it. ▪ Section 7.2.2 of the CVASP, allows extraction to be permitted within 400m of an individual residence where provisions are made regarding site specific mitigation of noise, dust, visual, traffic, lighting and other effects of the operation, as agreed to by the resident in writing. <ul style="list-style-type: none"> ○ If these amendments are approved and a development permit is issued, one of the conditions will be for a 400m setback to be maintained from the edge of the operating area, until a written agreement has been reached with any individual residences. ▪ The proposed amendments were presented to the Calahoo Villeneuve Gravel Extraction Committee on May 03, 2017. No concerns were raised by the committee.

- There were several other comments that were received from internal departments and external agencies, which are detailed in nature and may dealt with at time of development permit. These comments focused around the following areas; ground water monitoring and testing; dust and noise control, haul routes, hours of operation, berm design criteria.
- Administration has reviewed this amendment against the Ministerial Order No. L: 270/10 “Regional Evaluation Framework” and has determined that a REF application is not required to be submitted to the Edmonton Metropolitan Region Board for review and approval as per section 3.2(b)(ii).

External Communication

- The application has been circulated to the County’s internal departments, and to external agencies, such as but not limited to Alberta Transportation, Alberta Health Services, and Alberta Environment & Parks.
- Prior to the Public Hearing landowners within 800m of the subject lands will be mailed an invitation to the hearing. In addition, newspaper ads will be placed for two consecutive weeks in the local papers (Free Press and St. Albert Gazette), as required by the MGA.

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.
- Calahoo-Villeneuve Sand and Gravel Extraction Area Structure Plan 922/01,
 - Section 7.2.2 Separation Between Sand and Gravel Extraction and Residential Development
 - Section 8.1 Quick Extraction Policy Area, Location and Area
- The *Municipal Government Act*, R.S.A. 2000 C.M-26, and amendments thereto (MGA) authorize Council to establish and amend Bylaws.
- Provision 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.

Ministerial Order No. L: 270/10 (Effective November 10, 2010)

- Section 3.2 of the Order lays out when a statutory plan amendment must be submitted as an application to the Edmonton Metropolitan Region Board in accordance with Regional Evaluation Framework (REF) process.

	<p>Practice</p> <ul style="list-style-type: none"> According to the Bylaw Amendment Process approved by County Council on August 26, 2003, as amended March 2008, the next step in the process is to schedule a public hearing date for the proposed bylaw.
<p>Implication</p>	<p><u>Strategic Alignment:</u></p> <p>Planned Growth and Prosperity – Allowing the applicant to extract the sand and gravel demonstrates that Sturgeon County has a business environment that supports a strong economic foundation, without negatively affecting its current residents.</p> <p>Maintain and Enhance Strong Communities – the CAP levies collected from this operation will go directly back to Calahoo-Villeneuve and the broader Sturgeon County Community.</p> <p><u>Organizational:</u></p> <p>Administration will coordinate the necessary requirements regarding advertising and notification for the Public Hearing.</p> <p><u>Financial:</u></p> <p>This extension would enhance the amount of money the County would receive under the CAP Levy.</p>
<p>Alternatives Considered</p>	<ol style="list-style-type: none"> Council can refer the bylaw(s) back to Administration for more information, prior to considering first reading of the bylaw. Council can refuse to grant first reading of the bylaw which would result in the current application being terminated.
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <p>Alternative 1: Administration believes that there is sufficient information for Council to approve first reading of the bylaw, thereby advancing to a Public Hearing to gather public input on the proposed amendment. This also provides the affected landowners the opportunity to state any concerns or voice support that they may have.</p> <p>Alternative 2: If Council refused to grant first reading the proposal would be defeated, would not proceed to Public Hearing or further readings.</p> <p><u>Organizational:</u></p> <ul style="list-style-type: none"> Alternative 1: Administration will work with the applicant as required. Alternative 2: Administration will close the amendment file and ensure that the applicant operates within the current approved area. <p><u>Financial:</u></p> <ul style="list-style-type: none"> Alternative 1: This will require additional staff time, which will have a limited financial implication.

	<ul style="list-style-type: none">Alternative 2: Administration will close the amendment file.
Follow up Action	Administration will coordinate the scheduling and advertising of the Public Hearing.
Attachment(s)	<ol style="list-style-type: none">1. Bylaw 1394/17 CVASP Amendment2. Bylaw 1394/17 Schedule A3. Bylaw 1395/17 LUB Amendment4. Bylaw 1395/17 Schedule A5. ASP Figure 7-1
Report Reviewed by:	 Clayton Kittlitz, Manager Planning & Development  Collin Steffes, Acting General Manager, Integrated Growth  Peter Tarnawsky, 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
Strong Local Governance and Regional Leadership			
<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"> • <i>Consistent with neighborhood role (see MDP), master plans,, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Respect the Natural Environment			
<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"> • <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Identity & Spirit			
<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"> • <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<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"> • <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers cumulative costs and long-term funding implications</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maintain and Enhance Strong Communities			
<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"> • <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<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"> • <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>