

Request for Decision

Title	Lehigh Hanson Materials Limited (First reading) * Bylaw 1415/18 – Amendment to the Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan Bylaw 922/01 * Bylaw 1416/18 – Amendment to the Land Use Bylaw 1385/17
Proposed Motion	1. That Council give first reading to Bylaw 1415/18. 2. That Council give first reading to Bylaw 1416/18. 3. That Council amend the Fees and Charges Schedule to add a new fee of \$1,500 per amendment for Resource Extraction to Agricultural.
Administrative Recommendation	Administration supports first reading of the two noted bylaws to return Resource Extraction (QEA) back to Agriculture.
Previous Council Direction	None.
Report	<u>Background Information</u> <ul style="list-style-type: none"> ▪ The applicant and owner of the subject lands have applied to amend the County’s Land Use Bylaw and the Calahoo Villeneuve Area Structure Plan (CVASP) to portions of the NW-29-54-26-W4M and NE-30-54-26-W4M from Resource Extraction (QEA) to Agricultural. <ul style="list-style-type: none"> ○ This proposal is consistent with Policy 10.2 of the Calahoo-Villeneuve Sand and Gravel Area Structure Plan, which states “following sand and gravel extraction and subsequent reclamation, and issuance of the reclamation certificate, the land will be re-districted to “Agricultural” (AG).” ▪ The subject pit has been in operation since approximately 1977, by a previous operator. ▪ According to the County’s records, Inland Aggregates (Lehigh Hansen) took over the operation in 1999. ▪ In 2001, the County created the CVASP, which designated these lands as Quick Extraction Area. ▪ A Reclamation Certificate has been issued by Alberta Environment and Parks, dated May 16, 2018 (Reclamation Certificate No.: 397349-00-00).

- Once a pit is fully reclaimed from a physical definition (overburden, subsoil and topsoil replaced, slopes and waterbody features established), then the land, is put back into agricultural production. The Code of Practice requires that a reclamation report be submitted within three (3) years of vegetation being established on a site; however, a standard seems to have developed in which a minimum of three (3) years of crop growth is typically required (sometimes more for perennial crops) before an application for a Reclamation Certificate is submitted to ensure adequate re-establishment.
- The application includes a description of the biophysical environment that has established following reclamation. This includes assessing soil (depth and structure) and vegetation (density, weeds), as well as any slopes (grade and stability) and final waterbodies that might be present. The application must show that the final landscape matches the approved end land use/reclamation plan on file as part of the registration. As part of this, any remaining features (roads) that were not included in the reclamation plan need to be signed off on by the landowner in an exemption agreement. Many times they leave roads or gravel pads at the request of the landowner that must be exempted in order for AEP to consider reclamation complete.
- Once all those pieces are put together, an application is made to the government. The review process includes a site "inquiry" in which AEP will check soil depths and vegetation cover. The tenant or landowner is typically interviewed as part of that. Because AEP addresses applications on a "first come, first served" basis and site inquiries are limited to summer months, it can take a couple years for an application to get through this process and be approved (or rejected).
- The existing fee schedule states that an amendment fee is \$3,000 per amendment. To facilitate this proposal, two amendments are required (one for the CVASP and one for the Land Use Bylaw)(LUB). Most of the administrative review associated with the sand and gravel extraction of these lands occurred when the lands were redesignated, as well as when the development permit was issued. Administration is recommending a reduced fee of 50% for these types of redistricting applications going forward. The reduced fee would cover the cost associated with advertising for the Public Hearing and cover the administrative time associated with processing this application.

External Communication

- This item was presented at the June 18, 2018 Calahoo Villeneuve Sand and Gravel Committee meeting.
- 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.

	<p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> ▪ Calahoo-Villeneuve Sand and Gravel Area Structure Plan: <ul style="list-style-type: none"> ▪ Section 8.1 Quick Extraction Policy Area, Location and Area <p>Legislation</p> <ul style="list-style-type: none"> ▪ The <i>Municipal Government Act</i>, RSA 2000 C.M-26, and amendments thereto (MGA) authorizes 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: 111/17 (Effective October 26, 2017) <p style="margin-left: 40px;">Section 4.2 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. Section 692 of the Municipal Government Act, RSA 2000 c.M-26 and amendments thereto requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.</p>
<p>Implication of Administrative Recommendation</p>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> ▪ The proposal is consistent with the Municipal Development Plan (MDP), CVASP and LUB. ▪ The proposal is consistent with the Strategic Plan, as per the Strategic Alignment Checklist. ▪ The Land Use Framework encourages the utilization of natural resources and the protection and enhancement of Agricultural Lands. <p>Organizational:</p> <ul style="list-style-type: none"> ▪ Administration will coordinate the advertising and required information for the bylaw amendment. <p>Financial:</p> <ul style="list-style-type: none"> ▪ The financial implications will involve advertising of the Public Hearing in the local newspapers. ▪ If an offsite location is required to hold the Public Hearing additional costs will be borne by the County.
<p>Alternatives Considered</p>	<p>That Council denies the proposed changes to the Fees & Charges Schedule.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> ▪ The County will remain business as usual. <p><u>Organizational:</u></p> <ul style="list-style-type: none"> ▪ Administration will work with the applicant as required. <p><u>Financial:</u></p> <ul style="list-style-type: none"> ▪ None.

Follow up Action	Administration will coordinate the scheduling and advertising of the Public Hearing.
Attachment(s)	<ol style="list-style-type: none">1. Proposed Bylaw 1415/18 CVASP Amendment2. Schedule "A" to Proposed Bylaw 1415/183. Proposed Bylaw 1416/18 LUB Amendment4. Schedule "A" to Proposed Bylaw 1416/185. Location Map
Report Reviewed by:	<p> Colin Krywiak, Acting Manager Planning & Development</p> <p> Collin Steffes, General Manager, Integrated Growth</p> <p> Bill Minnes, County Commissioner – CAO</p>

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 checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>