

Briefing Note

Title	<p>2:30 p.m. Public Hearing – Lehigh Hansen Re: Bylaw 1424/18 - Amendment to Bylaw 922/01, Calahoo Villeneuve Sand & Gravel Extraction Area Structure Plan and Bylaw 1425/18 - Amendment to Bylaw 1385/17, Land Use Bylaw</p>
Issue	<p>To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1424/18 and 1425/18.</p>
Previous Council Direction	<p><u>December 11, 2018</u> Motion 370/18: That Council give first reading to Bylaw 1424/18. Motion 371/18: That Council give first reading to Bylaw 1425/18.</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 a portion of the SW-21-54-26-W4M and Block 1; Plan 3310RS that is west of the Sturgeon River. ▪ The subject lands fall within the Environmental Protection policy area of the CVASP and the Development Constraint Overlay of the LUB. The applicant had a Biophysical Impact Assessment (BIA) completed to identify the riparian area and appropriate setbacks. The proposed mining blocks follow the recommendations of the BIA. ▪ According to Lehigh, they are interested in extracting aggregate from this area because there is a viable amount of non-renewable aggregate in the ground that is relatively close to the 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 they don't sterilize the material or must come back in the future to extract it. ▪ If the applicant is successful with the proposed amendments, they propose to close a portion of Range Road 264. Range Road 264 is a dead-end road and the proposed closure would impact one property. The applicant has proposed to provide the affected

landowner with alternate means of access and that landowner has agreed to this.

- Section 7.2.2 of the CVASP allows extraction to be permitted within 400 metres 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.
 - There is only one residence within the 400 metres of the proposed operation, and the landowner owns the Block 1; Plan 3310RS, which is proposed to be rezoned as part of these amendments.
- The proposed amendments were sent to the Calahoo Villeneuve Gravel Extraction Committee on September 21, 2018. No comments were received by the Committee.
- There were several other comments that were received from internal departments and external agencies which are detailed in nature and are dealt with at the time of the development permit. These comments focused around the proposed road closure, the alternative access design standard, how the proposed closure will impact the haul route for the extraction in the area and ground water monitoring/response plan.

External Communication

- The application has been circulated to the County's internal departments and to external agencies such as, but not limited to, Alberta Health Services and Alberta Environment & Parks.
- Landowners within 800 metres of the subject lands were mailed an invitation to the hearing. Newspaper ads will be placed for two consecutive weeks in the local paper as well.

Relevant Policy/Legislation/Practices:

Policy




- Municipal Development Plan 1313/13 (MDP), 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.

	<ul style="list-style-type: none"> ▪ The <i>Municipal Government Act</i> (MGA), RSA 2000 c.M-26, and amendments thereto 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 that is to amend a land use bylaw. <p>Ministerial Order No. MSL: 111/17 (Effective October 26, 2017):</p> <ul style="list-style-type: none"> ▪ The Order lays out when a statutory plan amendment must be submitted as an application to the Edmonton Metropolitan Regional Board (EMRB) in accordance with Regional Evaluation Framework (REF) process.
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<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 into the Calahoo – Villeneuve 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 application would enhance the amount of money the County would receive under the CAP Levy.</p>
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<p>Follow Up Action</p>	<ol style="list-style-type: none"> 1. Administration will work with the applicant to address any relevant concerns raised at the Public Hearing. 2. Administration will bring this item back to Council for consideration of second reading. <p><u>Or</u></p> <ol style="list-style-type: none"> 3. If no concerns were raised at the Public Hearing, Council could consider granting second and third readings of the Bylaws.
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Attachment (s)	<ol style="list-style-type: none">1. Bylaw 1424/18 – CVASP Amendment2. Bylaw 1424/18 – Schedule A3. Bylaw 1425/18 – LUB Amendment4. Bylaw 1425/18 – Schedule A5. ASP Policy Areas Figure 7-16. Location Map
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Report Reviewed by:	 Colin Krywiak, Manager Current Planning & Development  Collin Steffes, General Manager, Integrated Growth  Reagan McCullough, County Commissioner – CAO
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