

## Request for Decision

<b>Title</b>	<p><b>Lehigh Hanson - Request for First Reading</b></p> <ul style="list-style-type: none"> <li>▪ <b>Bylaw 1424/18 – Amendment to the Calahoo Villeneuve Sand &amp; Gravel Extraction Area Structure Plan Bylaw 922/01</b></li> <li>▪ <b>Bylaw 1425/18 – Amendment to the Land Use Bylaw 1385/17</b></li> </ul>
<b>Proposed Motion</b>	<ol style="list-style-type: none"> <li>1. That Council give first reading of Bylaw 1424/18.</li> <li>2. That Council give first reading of Bylaw 1425/18.</li> </ol>
<b>Administrative Recommendation</b>	In order to have the proposed bylaws vetted through a Public Hearing, Administration supports first reading.
<b>Previous Council Direction</b>	None.
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>▪ Aspen Land Group Inc., on behalf of Lehigh Hanson Materials Limited, has applied to amend the Calahoo Villeneuve Sand &amp; 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 &amp; Block 1; Plan 3310RS that is west of the Sturgeon River.</li> <li>▪ The subject lands fall within the Environmental Protection policy area of the CVASP and the Development Constraint Overlay of the LUB. To identify the riparian area and appropriate setbacks the applicant had a Biophysical Impact Assessment (BIA) completed. The proposed mining blocks follow the recommendations of the BIA.</li> <li>▪ According to Lehigh, the reason they are interested in extracting aggregate from this area is 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.</li> <li>▪ If the applicant is successful with the proposed amendments, they propose to close a portion of Range Road 264. RR 264 is a dead-end road, and the proposed closure would impact one property. The</li> </ul>

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 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.
  - There is only one residence within the 400m 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.
- Administration has reviewed this amendment against the Ministerial Order No. MSL: 111/17 “Regional Evaluation Framework,” and has determined that a REF application is not required to be submitted to the Edmonton Metropolitan Region Board.

#### 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.
- Prior to the Public Hearing, landowners within 800m of the subject lands will be mailed an invitation to the hearing, as well, newspaper ads will be placed for two consecutive weeks in the local papers (Free Press and St. Albert Gazette).

#### 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"> <li>▪ The <i>Municipal Government Act</i>, RSA 2000 c.M-26, and amendments thereto (MGA) authorize Council to establish and amend Bylaws.</li> <li>▪ 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.</li> </ul> <p>Ministerial Order No. MSL: 111/17 (Effective October 26, 2017)</p> <ul style="list-style-type: none"> <li>▪ The Order lays out when a statutory plan amendment must be submitted as an application to the EMRB in accordance with Regional Evaluation Framework (REF) process.</li> </ul> <p>Practice</p> <ul style="list-style-type: none"> <li>▪ According to the Bylaw Amendment Process approved by 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.</li> </ul>
<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment:</u></p> <p><b>Planned Growth and Prosperity</b> – 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><b>Maintain and Enhance Strong Communities</b> – 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>
<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 first reading of the bylaw.</li> <li>2. Council can refuse to grant first 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> <ul style="list-style-type: none"> <li>▪ Alternative 1: Administration believes that there is enough 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 opportunity to state any concerns or support that they may have.</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Alternative 2: If Council refused to grant first reading, the proposal would be defeated.</li> </ul> <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 area.</li> </ul> <p><u>Financial:</u></p> <ul style="list-style-type: none"> <li>▪ Alternative 1: This will require additional staff time.</li> <li>▪ Alternative 2: Administration will close the amendment file.</li> </ul>
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<b>Follow up Action</b>	Administration will coordinate the scheduling and advertising of the Public Hearing.
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<b>Attachment(s)</b>	<ol style="list-style-type: none"> <li>1. Bylaw 1424/18 – CVASP Amendment</li> <li>2. Bylaw 1424/18 – Schedule A</li> <li>3. Bylaw 1425/18 – LUB Amendment</li> <li>4. Bylaw 1425/18 – Schedule A</li> <li>5. ASP Figure 7-1</li> <li>6. Location Map</li> </ol>
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<b>Report Reviewed by:</b>	 Colin Krywiak, Manager Current Planning & Development   Collin Steffes, General Manager, Integrated Growth   Reegan McCullough, County Commissioner – CAO
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## 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>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 and MDP pg. 36)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Supports a strong thriving business environment to strengthen our economic foundation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Plans for responsible growth through the MDP and regional growth plan.</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Manages growth for current and future developments through:               <ul style="list-style-type: none"> <li>○ <i>transparent bylaws, policies and processes to enable responsible land development</i></li> <li>○ <i>targeting growth around existing and identified future growth areas</i></li> </ul> </i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Maintain and Enhance Strong Communities</b>			
<i>We are committed to a safe and viable community, where our residents are provided with access to opportunities and quality of life. (Strategic Plan and pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Provides access to programs and services that have a 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>Provides access to safe and reliable infrastructure assets</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Supports the safety of people and property</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Strong Local and Regional Governance</b>			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan and pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Provides effective leadership and management consistent with Strategic Plan, MDP, master plans, bylaws, policies, community engagement</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>Fosters collaborative intergovernmental partnerships</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 and MDP pg. 27)</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>Support and/or collaborate with voluntary organizations in the region</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Environmental Stewardship</b>			
<i>We foster a healthy environment and minimize our impact on ecosystems. (Strategic Plan and MDP pg. 27)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Plans and partnerships that minimize environmental impact on natural areas</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>• <i>Provides awareness of environmental issues impacting the County</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>