

Request for Decision

Title	Lehigh Hanson Materials Limited (Second and Third Reading) 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
Proposed Motion	<ol style="list-style-type: none"> 1. That Council give second reading to Bylaw 1424/18. 2. That Council give second reading to Bylaw 1425/18. 3. That Council give third reading to Bylaw 1424/18. 4. That Council give third reading to Bylaw 1425/18.
Administrative Recommendation	That Council approve second and third reading of Bylaws 1424/18 and 1425/18.
Previous Council Direction	<p><u>December 11, 2018</u></p> <p>Motion 370/18: That Council give first reading to Bylaw 1424/18.</p> <p>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"> ▪ On January 22, 2019, Council held a Public Hearing to provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaws 1424/18 and 1425/18. At the Public Hearing. One letter of support was submitted. ▪ Aspen Land Group Inc., on behalf of Lehigh Hanson Materials Limited, (the Applicant) 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 the Applicant, 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 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 Sand and Gravel Advisory Committee on September 21, 2018. No comments were received from 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 groundwater 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 and Parks.
- Landowners within 800 metres of the subject lands were mailed an invitation to the hearing. Newspaper ads were 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.

	<ul style="list-style-type: none"> ▪ Calahoo-Villeneuve Sand and Gravel Extraction Area Structure Plan 922/01: <ul style="list-style-type: none"> - Section 7.2.2 Separation Between Sand and Gravel Extraction and Residential Development. ▪ 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.
<p>Implication of Administrative Recommendation</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>Financial:</u></p> <p>This application would enhance the amount of money the County would receive under the CAP Levy.</p>
<p>Alternatives Considered</p>	<p>Council could refuse second reading of the bylaws, which would result in the current application being terminated.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <p>Administration believes that there is information available for Council to approve second and third reading of the bylaws.</p> <p><u>Organizational:</u></p> <p>Administration will close the amendment file.</p> <p><u>Financial:</u></p> <p>The County will lose the additional tax assessment and CAP Levy contribution.</p>
<p>Follow up Action</p>	<p>Administration will ensure that the CVASP and LUB are amended accordingly.</p>

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  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
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 and MDP pg. 36)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports a strong thriving business environment to strengthen our economic foundation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Plans for responsible growth through the MDP and regional growth plan.</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Manages growth for current and future developments through: <ul style="list-style-type: none"> <i>transparent bylaws, policies and processes to enable responsible land development</i> <i>targeting growth around existing and identified future growth areas</i> </i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<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"> <i>Provides access to programs and services that have a 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>Provides access to safe and reliable infrastructure assets</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports the safety of people and property</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strong Local and Regional Governance			
<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"> <i>Provides effective leadership and management consistent with Strategic Plan, MDP, master plans, bylaws, policies, community engagement</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>Fosters collaborative intergovernmental partnerships</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 and MDP pg. 27)</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>Support and/or collaborate with voluntary organizations in the region</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Stewardship			
<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"> <i>Plans and partnerships that minimize environmental impact on natural areas</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides awareness of environmental issues impacting the County</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>