

## Request for Decision

<b>Title</b>	<b>Bylaw 1622/23 - Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of N-27-54-27-W4M from AG - Agriculture District to RE - Resource Extraction District – First Reading</b>
<b>Proposed Motion</b>	That Council give first reading of Bylaw 1622/23.
<b>Administrative Recommendation</b>	That Council give first reading of Bylaw 1622/23, to allow for the proposed amendment to proceed to a Public Hearing to receive feedback from affected parties.
<b>Previous Council / Committee Direction</b>	<u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17, Land Use Bylaw.
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>The applicant is proposing to amend Land Use Bylaw 1385/17 to facilitate a natural resource extraction operation on a portion of N-27-54-27-4.</li> <li>The proposed redistricting mostly includes lands within NE-27-54-27-4; however, also includes a small sliver of land within NW-27-54-27-4, totaling 6.19 hectares (15.30 acres). The subject area is currently districted AG – Agriculture and the applicant intends to redistrict to the RE – Resource Extraction. The parcels would continue to be split zoned.</li> <li>Most lands adjacent to this area have already been designated for natural resource extraction, and this application intends to make some minor additions to this area. The area includes a small set of trees and a portion of agricultural land. The applicant noted that the additional areas will allow for greater operational efficiencies and maximize the recovery of the resource.</li> <li>The configuration of the proposed additional land meets the minimum 800m setback from any multi-lot subdivision or hamlet. There are two residences within 400m of the proposed additional areas. While no concerns are anticipated given the previous approvals on the same quarter section, written consent from these residents must be submitted prior to the issuance of a future development permit.</li> </ul>

- Two options for the proposed haul route are being considered for this application. Option A would be an internal haul road that runs parallel with Township Road 544A, which then crosses Range Road 272. Option B would have the applicant enter into an agreement with Sturgeon County to upgrade a portion of Township Road 544A and seek a road closure from Range Road 272 west to Range Road 273. Both options are being considered and will be required prior to development permit approval for the updated operational area.
- The applicant has outlined a land reclamation plan which will return the subject area to an acceptable agricultural land use following the completion of the natural resource extraction.

#### Area Structure Plan Amendment

- Along with the proposed Land Use Bylaw amendment application, the applicant also submitted an amendment to the Calahoo - Villeneuve Sand and Gravel Area Structure Plan which would include four textual changes:
  - 1) Redesignation of the subject lands to “Quick Extraction Area (QEA)” in the Area Structure Plan, and subsequent figure changes.
  - 2) Increase the current extraction zone size in the plan.
  - 3) Change the reclamation area requirements in the preceding extraction zone.
  - 4) Amend the wording in section 8.6 which currently notes “truck” and change it to note “truck or conveyor”.
- Bylaw 1608/22 – Repeal of the Calahoo - Villeneuve Sand and Gravel Area Structure Plan, received first reading on January 24, 2023. Given that the Area Structure Plan is under consideration for repeal, Administration is refraining from bringing forward a separate bylaw amendment for the item at this time to avoid redundancy.

#### Referral Comments

- The redistricting will allow the applicant to apply for a development permit that will be subject to the Code of Practice for Pits. The comments received for this application are noted below:
  - The applicant must enter into a Development Agreement with Sturgeon County and provide detailed engineering design drawings for the Zone 5 approved haul route.
  - Gravel extraction within Zone 5 will require the removal of a well in close proximity from the ground water monitoring program.
  - The zones in this area have excellent agricultural production and therefore it is important that the lands are returned to agricultural use as soon as extraction is complete.
  - The development permit can address timelines for progressive reclamation of lands.

	<p><u>External Communication</u></p> <ul style="list-style-type: none"> <li>Should Council give first reading of the Bylaw, Administration will ensure public notification and advertising for the Public Hearing are completed in accordance with relevant legislation and County processes.</li> </ul> <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> <li>The <i>Municipal Government Act</i> (MGA) authorizes Council to establish and amend Bylaws.</li> <li>Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading of a proposed bylaw.</li> <li>Policy 5.3.6 of the Municipal Development Plan (MDP) notes that the County <i>“Shall encourage the extraction of Natural Resources prior to any development that may confine future extraction opportunities...”</i></li> <li>Policy 5.4.9 of the MDP notes that the County <i>“Should ensure that existing infrastructure and road corridors are able to accommodate the proposed growth identified by the Non-Residential development.”</i></li> <li>Section E.4 Economic Health (Municipal Development Plan) <ul style="list-style-type: none"> <li><i>a) Ensuring that proposed non-Primary Industry in the Neighbourhood (outside of the Hamlet of Villeneuve), will have limited adverse impacts on the Primary Industry operations, activities or industry.</i></li> <li><i>b) Recognizing the importance of aggregate extraction as a significant economic contributor, by restricting proposed development until resource extraction is complete.</i></li> <li><i>c) Requiring aggregate resource extraction operations to comply with an approved reclamation plan. Development permits for aggregate resource extraction will ensure that sites will be returned to their former agricultural capability, or other post-extractive use, as the County and the Province deem appropriate.</i></li> </ul> </li> </ul>
<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment</u></p> <p><b>Planned Growth</b> – Supporting resource extraction demonstrates Sturgeon County’s commitment to a key industry and related economic development and jobs, without negatively affecting its current residents.</p> <p><b>Collaborative Governance</b> – The Land Use Bylaw amendment process is legislated by the MGA. Those affected by the proposed bylaw are provided the opportunity to comment during the Public Hearing, ensuring communities are consulted and engaged. Decisions made by Council are transparent and based on policy after respectful and informed debate.</p> <p><b>Environmental Stewardship</b> – With the current and future operations the applicant has outlined a land reclamation plan which will return the subject area to an acceptable agricultural land use following the completion of the natural resource extraction.</p>

	<u>Organizational</u> Administration has capacity to coordinate the advertising and required information for the bylaw amendment.  <u>Financial</u> Financial implications will include advertising of the Public Hearing.
<b>Alternatives Considered</b>	Council may defeat the motion to give first reading of Bylaw 1622/23.
<b>Implications of Alternatives</b>	<u>Strategic Alignment</u> If Council refuses to grant first reading, the Bylaw would be defeated and would not proceed to Public Hearing or further readings.  <u>Organizational</u> None.  <u>Financial</u> None.
<b>Follow up Action</b>	1. Schedule a Public Hearing with respect to Bylaw 1622/23 (Planning & Development Services, March/April 2023).
<b>Attachment(s)</b>	1. Attachment 1: Bylaw 1622/23
<b>Report Reviewed by:</b>	Martyn Bell, Program Lead, Current Planning, Planning & Development Services  Bonnie McInnis, Manager, Planning & Development Services  Travis Peter, General Manager, Development & Strategic Services  Reegan McCullough, County Commissioner – CAO

## Strategic Alignment Checklist

**Vision:** *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

**Guiding Principles:** Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
<b>Planned Growth</b>			
<ul style="list-style-type: none"> <li>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Modern broadband and digital capabilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Low cost, minimal red-tape regulations</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Thriving Communities</b>			
<ul style="list-style-type: none"> <li>Beautiful, surprising places with high standards; integrated natural spaces &amp; trail systems; healthy and resilient</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Engaging cultural, historical, and civic amenities; strong community identity and pride</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Environmental Stewardship</b>			
<ul style="list-style-type: none"> <li>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Sustainable development; partnerships with industry and others to drive emission reductions</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Collaborative Governance</b>			
<ul style="list-style-type: none"> <li>Predictable and stable external relationships; volunteer partnerships</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Meaningful connections with Indigenous communities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Respectful and informed debate; clear and supportive governance processes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<ul style="list-style-type: none"> <li>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Future focused thinking to proactively respond to emerging opportunities and challenges</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Alternative revenue generation and service delivery models integrated strategic and business planning</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>