

## Request for Decision

<b>Title</b>	<b>Bylaw 1637/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of SE-12-57-21-W4 from AG – Agriculture District to RE - Resource Extraction District – First Reading</b>
<b>Proposed Motion</b>	That Council give first reading of Bylaw 1637/23.
<b>Administrative Recommendation</b>	That Council give first reading of Bylaw 1637/23, to allow for the proposed amendment to proceed to a Public Hearing to receive feedback from affected parties.
<b>Previous Council / Committee Direction</b>	<p><u>July 4, 2023 Regular Council Meeting</u> Motion 254/23: That Council give third reading to Bylaw 1607/22, as amended.</p> <p><u>July 10, 2017 Regular Council Meeting</u> Motion 351/17: That Council give third reading to Bylaw 1385/17, Land Use Bylaw.</p>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>• An application has been received to amend Land Use Bylaw 1385/17 to facilitate a natural resource extraction operation on SE-12-57-21-W4.</li> <li>• The subject land is a 64.7 hectare (160 acre) agricultural parcel, which the applicant intends to redistrict the full extent to RE – Resource Extraction.</li> <li>• The proposed extraction areas include most of the parcel, aside from several pipelines right of ways that exist the land. The type of material extracted will be silica sand.</li> <li>• Part 11.2.4(c)(ii) of the Land Use Bylaw outlines that the operating area of a natural resource extraction operation for silica sand shall not be located less than 800 metres from the outside wall of an existing dwelling or the district boundary of a multi-lot subdivision, hamlet, or area subject to an approved planning document than includes residential development. <ul style="list-style-type: none"> <li>○ There are no permitted residences or multi lot subdivision boundaries within 800 metres of the proposed extraction area.</li> </ul> </li> <li>• The proposed haul route would be south on Township Road 570H and then southwest on Victoria Trail. From there trucks would travel east on</li> </ul>

Township Road 570 (which becomes Highway 38) to the processing facility in Lamont County.

- The applicant has outlined a land reclamation plan which will return the subject area to a landscape of equivalent or greater land capability than pre-disturbance conditions. This includes areas of natural upland capable of supporting agricultural uses, wetlands, and three end pit waterbodies.

#### 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 Road Use Agreement prior to the use of Victoria Trail.
  - An emergency water well response plan should be provided if wells in close proximity (within 800 metres) show impacts resulting from the proposed sand extraction.
  - The parcel neighbours a provincial recreation area which holds environmental significance. However, concerns will likely be mitigated via a thorough reclamation plan.

#### External Communication

- In November 2023, the applicant conducted pre-engagement with area residents to ensure awareness and to respond to questions.
- If Council gives 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.

#### Relevant Policy/Legislation/Practices

- The *Municipal Government Act* (MGA) authorizes Council to establish and amend bylaws.
- Section 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading of a proposed bylaw.
- Policy 5.3.6 of the Municipal Development Plan (MDP) notes that the County *"Shall encourage the extraction of Natural Resources prior to any development that may confine future extraction opportunities..."*
- Policy 5.4.9 of the MDP notes that the County *"Should ensure that existing infrastructure and road corridors are able to accommodate the proposed growth identified by the Non-Residential development."*
- Neighbourhood D (Municipal Development Plan)
  - *D.1(c) - Reducing the sterilization of Natural Resources by limiting development in areas with known aggregate deposits, in which the proposed use is conflicting in nature, or until extraction is complete.*
  - *D.3(f) - Requiring aggregate resource extraction operations to comply with an approved reclamation plan. Development permits for aggregate resource extraction will reclaim sites to their former agricultural capability or other post-extractive use as the County deems appropriate.*

<b>Implication of Administrative Recommendation</b>	<p><u>Strategic Alignment</u></p> <p><b>Planned Growth</b> – Supporting resource extraction demonstrates Sturgeon County’s commitment to this key industry and to 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 <i>Municipal Government Act</i> (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> – 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> <p><u>Organizational</u></p> <p>Administration has the capacity to coordinate the advertising and required information for the bylaw amendment.</p> <p><u>Financial</u></p> <p>Financial implications will include advertising of the Public Hearing.</p>
<b>Alternatives Considered</b>	Council may defeat the motion to give first reading of Bylaw 1637/23.
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment</u></p> <p>If Council refuses to grant first reading, the Bylaw would be defeated and would not proceed to Public Hearing or further readings.</p> <p><u>Organizational</u></p> <p>A decision to give first reading of a Bylaw is not support for the Bylaw, but approval that the matter may proceed to a Public Hearing to receive feedback from affected parties. It is the advice of Sturgeon County’s legal counsel that providing first reading of bylaws initiated by a third party is appropriate, to ensure due consideration and procedural fairness.</p> <p><u>Financial</u></p> <p>None.</p>
<b>Follow up Action</b>	1. Schedule a Public Hearing with respect to Bylaw 1637/23 (Planning & Development Services, December 2023).
<b>Attachment(s)</b>	1. Attachment 1: Bylaw 1637/23 2. Attachment 2: SIL Industrial Minerals - Application for a Land Use Bylaw Amendment for Rezoning
<b>Report Reviewed by:</b>	Bonnie McInnis, Manager, Planning & Development Services  Travis Peter, Acting 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"/>