



ADMINISTRATIVE REPORT

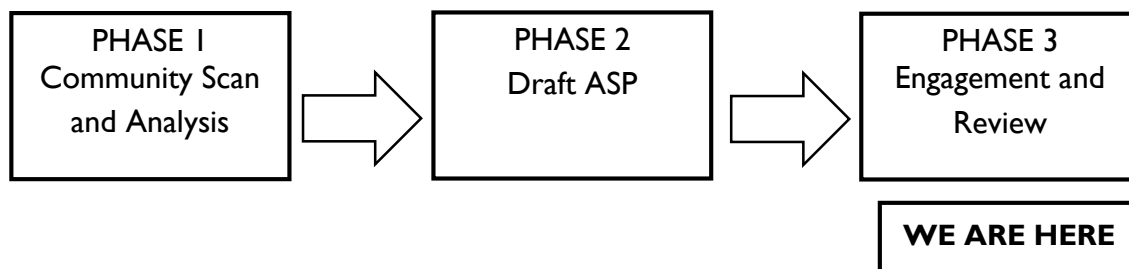
Topic: Approval of revised Highvale End Land Use Area Structure Plan (Bylaw No. 2016-12)

Introduction:

This report provides Council with information on the revised Highvale End Land Use Area Structure Plan (Bylaw 2016-12).

Facts (Background Information):

The Highvale End Land Use Area Structure Plan (ASP) update started in May 2015. The updated ASP will replace the current Highvale Mine End Land Use ASP Bylaw No. 28-97. The project consisted of three phases:



All phases of the project are complete. The public hearing for Bylaw 2016-12 occurred on July 12, 2016. Council recessed the public hearing to September 27, 2016 and directed Administration to revise the draft ASP based on comments received by Council, the ASP Steering Committee, and residents.

LEGISLATIVE HISTORY

January 12, 2016

- Committee of the Whole accepted the Highvale End Land Use ASP update and background report as information.

May 24, 2016

- Bylaw 2016-12 – Highvale End Land Use ASP received First Reading.

July 12, 2016

- Council recessed the public hearing for Bylaw 2016-12 – Highvale End Land Use ASP and requested Administration undertake changes to the draft ASP.

ASP STEERING COMMITTEE ENGAGEMENT

Administration undertook two follow-up meetings with the ASP Steering Committee to address public hearing comments. A working meeting was held with the committee on August 2, 2016 with a follow-up

meeting on September 1, 2016. Both meetings resulted in a number of changes to the draft ASP. Significant issues addressed in the revised ASP prepared by the Steering Committee include:

- multi-parcel country residential development: the revised ASP includes new policies that support opportunities for future country residential development in the plan area.
- removing agricultural policies: the County cannot regulate agricultural land use practices for agricultural producers. Proposed policies which addressed best management practices and crop selection practices have been removed.
- removing regulatory polices: proposed policies that are addressed in the County's Land Use Bylaw No. 20-2009 have been removed.
- expanding the proposed transportation network: the proposed transportation network has been expanded to provide better connectivity throughout the plan area.
- minor amendments to ASP maps: minor amendments to proposed ASP maps were undertaken to rectify missing or inaccurate information.

Administration and the ASP Steering Committee also undertook a "section by section" review of the ASP to ensure issues raised at the July 12, 2016 public hearing were addressed.

REVISED ASP

Administration has attached a "marked up" version of the revised ASP. This version of the revised ASP includes comments on the rationale for the changes. Changes are noted in red text font. A final ASP copy is also included as part of the Council package.

POLICY HIGHLIGHTS

A revised "policy highlights" section (below) has been prepared to reflect proposed changes in the draft ASP:

- 1) Land Use Concept

The proposed future land uses for the Highvale mine (post reclamation) consist mainly of agricultural, recreational and conservation lands, with potential strategic development of industrial and commercial nodes. Development opportunities on the Sundance and Keephills industrial plant sites may be explored to repurpose existing infrastructure.

Multi-parcel subdivisions (country residential) may be considered in this ASP when developments have supportive engineering and technical studies showing land suitability, and have met all legal, statutory, regulatory, and permit requirements. Country residential development adjacent to the Hamlet of Keephills will be supported.
- 2) Commercial and Industrial Development

Future commercial development will supported in locations including the Hamlet of Keephills and on existing industrial sites to potentially repurpose these areas and infrastructure.

Industrial uses will be supported along Highway 627 and on the existing Keephills and Sundance plant sites to potentially repurpose existing infrastructure where prior agreements have been arranged. Heavy industrial land uses will be prohibited in the plan area post reclamation.

Future resource extraction operations can be considered in the plan area when operations comply with all provincial and municipal regulations and permit approvals, follow best management practices, and do not conflict with agricultural operations.

3) Hamlet of Keephills

Residential, commercial, business industrial, and institutional uses will be directed to the Hamlet of Keephills. The ASP supports Keephills as a “complete community” that meets the needs of all residents. New hamlet developments at higher densities (than existing developments) will require community water and sanitary systems. ASP policies also acknowledge the importance of the Keephills library, hall, and school site as a community asset.

4) Environment

ASP policies protect existing Environmentally Sensitive Areas (ESAs) and future end pit lakes and wetlands for their environmental and recreational value. The ASP also acknowledges existing (and future) wildlife and wetland habitats, the potential for reforestation, and maintaining setbacks. The ASP also acknowledges that developments adjacent to and on reclaimed lands will require geotechnical reporting prior to development. The ASP also acknowledges the need for erosion and sediment control.

5) Transportation Network

The ASP outlines a connected roadway system post reclamation. The ASP also outlines roadways which will remain open during mining operations, as well as roadways constructed post reclamation. The ASP transportation network aligns with the County’s Draft Transportation Master Plan and supports both north-south and east-west connectivity in the plan area.

6) Recreation and Open Space

The ASP proposes a conceptual recreational trail that links Wabamun Lake to the North Saskatchewan River through the Hamlet of Keephills which will primarily be developed on public lands. The recreational trail would be for non-motorized uses, and developed as demand warrants. The ASP also proposes a large park to be located south of Lake Wabamun. Park location, size and programming will be determined in the County’s *Parks, Recreation, and Culture Master Plan*.

7) Servicing and Utilities

All future development in the plan area will require private on site servicing. Higher density developments in the Hamlet of Keephills (with a greater density than existing developments) will require community water and sanitary systems be developed.

8) Implementation

In order to implement the ASP, various amendments to the Municipal Development Plan (MDP) and Land Use Bylaw (LUB) will be required. Further, protocols with TransAlta will need to be established to allow for future (recreational) land acquisition. The ASP will be updated every five years, unless significant government policies warrant an update sooner.

DEVELOPMENT STAGING

Staging of the development of reclaimed mine lands will follow the generalized timelines below:

- Pits 3 to 8 will receive reclamation certificates by early to mid-2030.
- Pit 9 will receive reclamation certificates by 2070.
- All TransAlta mined lands south of Lake Wabamun will receive reclamation certificates by 2070.

Government of Alberta Climate Leadership Plan

Land reclamation and the staging of future development may be expedited by the Government of Alberta's Climate Leadership Plan. The ASP may be updated once more information is provided by the Government of Alberta on the plan.

Analysis:

An update to the Highvale End Land Use ASP is required at this time due to:

- The plan area has undergone substantial changes including the approval of the Sundance 7 gas fired power plant and the expansion of the mine to include pits 8 and 9.
- The reclamation plan for the mine was updated by TransAlta in 2015. ASP policies need to reflect the updated reclamation plan.
- ASP policies need to be updated to conform to existing County statutory plans and master plans.

PUBLIC HEARING AND FEEDACK

Administration undertook an extensive notification process for Bylaw 2016-12 which included:

- notification in local newspapers
- mailed letters to landowners in and adjacent to the ASP study area
- letters to Paul First Nation
- e-mail referral letters to Alberta Transportation, Environment and Parks, Alberta Energy Regulator, CN, TransAlta Utilities, Committee of Keephills Environment, relevant summer villages, and relevant school boards
- posting of the draft ASP on the County's website for review

Written comments have been received from Alberta Transportation, the Committee on Keephills Environment, TransAlta, the Wabamun Watershed Management Council, Alberta Environment and Parks, Alberta Indigenous Relations, and two adjacent landowners. These comments were presented to Council at the July 12, 2016 public hearing.

The notification process for the Bylaw 2016-12 public hearing has met all advertising requirements outlined under Section 606 of the *Municipal Government Act*.

Alternative

- I. Council may recess the public hearing and request Administration provide additional information or research as needed.

Conclusion/Summary:

Parkland County Administration supports the Highvale End Land Use Area Structure Plan (Bylaw 2016-12) as amended, and recommends that second, third and final reading be given.

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Date Written: August 30, 2016