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**8.4**

**Sturgeon River Valley & Natural Areas Protection Bylaw**

Presented by: Adryan Slaght, Director, Planning & Development

**RECOMMENDED MOTION**

That Community Living Standing Committee recommend to Council that CM-17-120 (That Administration develop recommendations for a Bylaw that protects the river valley area, natural areas and parklands) be rescinded.

**PURPOSE OF REPORT**

The purpose of the report is to respond to Council Motion CM-17-120 (That Administration develop recommendations for a bylaw that protects the river valley area, natural areas, and parklands), and to provide rationale for Council to rescind the motion.

**ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN**

Strategic Priority #6: Environmental Stewardship: Explore innovative environmental and conservation opportunities.

Seek innovative practices to protect waterways and green spaces and reduce our environmental footprint, to ensure the vitality of our natural resources for future generations.

**ALIGNMENT TO LEVELS OF SERVICE DELIVERY**

N/A

**ALIGNMENT TO COUNCIL (OR COMMITTEE) DIRECTION OR MANDATORY STATUTORY PROVISION**

On January 29, 2018, Councillor Hughes brought forward the following motion which was postponed to the February 26, 2018 City Council meeting:

(CM-17-120)

"That Administration develop recommendations for a bylaw that protects the river valley area, natural areas, and parklands."

On February 26, 2018 Council passed the following motion:

(AR-18-079)

"That Administration develop recommendations for a bylaw, that protects the river valley area, natural areas, and parklands."

## BACKGROUND AND DISCUSSION

In 2018, Council approved a motion directing Administration to develop recommendations for a bylaw that protects the river valley area, natural areas, and parklands. This motion was made prior to the development and approval of *Flourish*, the City's new Municipal Development Plan (MDP), Bylaw 20/2020, approved on April 19, 2021.

During drafting of the MDP, Administration attempted to incorporate policy that would meet the intent of the motion (protecting the river valley area, natural areas, and parklands). The intent was to eliminate the need for a stand-alone river valley bylaw, which would likely be redundant in many areas, and time and resource intensive.

The MDP contains a number of goals, principles, and policies related to or applicable to the Sturgeon River Valley and natural areas. Administration believes these goals, principles, and policies (below), in addition to existing development limitations (e.g. flood plain development regulations, Environmental Reserve dedication requirements, etc) provide protections to the Sturgeon River Valley and natural areas within the City, and thereby negate the need for a stand-alone bylaw.

Below are several excerpts from the MDP that Administration believes to be applicable:

### **Goal**

*St. Albert values and protects the natural environment, conserving and enhancing its features and functions for the well-being of our community and our planet.*

### **Principles**

*Natural Features: Protect, conserve, and enhance natural features within St. Albert.*

*Biodiversity: Conserve and enhance the diversity and health of wildlife, vegetation, and landscapes within St. Albert.*

*Water Quality and Quantity: Contribute to the protection of water quality and quantity in the Sturgeon River watershed.*

*Urban Forest: Protect and expand St. Albert's urban forest and tree canopy.*

### **Policies**

#### **5.1. Natural Features**

*Principle: Protect, conserve, and enhance natural features within St. Albert. St. Albert's natural features provide wildlife habitat and support the health and quality of life for residents. Maintaining a balance*

*St. Albert's natural features provide wildlife habitat and support the health and quality of life for residents. Maintaining a balance between development and the conservation of natural features is essential and may require limiting development within, and close to, natural features. The following policies ensure that the ecological benefits of natural features are conserved, and potential adverse effects are understood and avoided, or mitigated where avoidance is not possible.*

*Policies:*

*5.1.1. Require all development to adhere to provincial and federal acts and regulations relating to the environment, including, but not limited to those related to air quality, water quality, wetlands, wildlife, land use, and flood hazard lands.*

*5.1.2. Protect and conserve natural features identified on Map 5, and sensitively integrate them into statutory plans and conceptual plans for development, where such plans are envisioned or proposed, as the foundation of an ecological network.*

*5.1.3. Enhance the ecological network over time by:*

*a) Encouraging and supporting the protection, conservation, and restoration of natural areas in addition to the natural features shown on Map 5, as identified in the supportive technical documents associated with the preparation and amendment of statutory plans;*

*b) Encouraging and supporting the naturalization of open spaces; and*

*c) Prioritizing opportunities to create links within the local and regional ecological network when supporting the conservation and restoration of natural areas and the naturalization of open spaces.*

*Major Open Spaces in the Sturgeon River and Carrot Creek corridors and around Big Lake include natural features and parkland to be protected and enhanced as the city grows.*

*Glossary: Major Open Spaces: The Sturgeon River and Carrot Creek corridors and lands around Big Lake, including Natural Features and parkland to be protected and enhanced as the city grows, as shown on Map 3 (pg 126).*

*Urban Structure & Land Uses Map (Pg 26, Pg 132-Map 3)*

*5.1.7. Enable public access to environmental reserve, conservation reserve, and environmental reserve easement lands, where those areas have capacity to sustain human uses without adversely affecting and degrading the functional integrity of the natural feature and overall health of the ecosystem.*

*5.1.8. Establish appropriate buffer zones, setbacks, and other mitigation and design measures when enabling public access to environmental reserve, conservation reserve, and environmental reserve easement lands.*

*5.1.9. Require development and construction areas that abut natural features to be separated by physical barriers during construction, protected through erosion control measures, and, after construction is complete, be clearly demarcated from abutting properties.*

*5.1.10. Assess, and potentially require, restoration work to take place if grading or*

*construction activity adversely affects natural features.*

*5.1.11. Require satisfactory environmental studies to be included in statutory and non-statutory plan proposals that may impact natural features, ecological systems, or lands unsuitable for development.*

*5.1.12. Identify relevant environmental studies as part of the statutory plan and development application submission requirements, as determined by the City. Such studies may include, but are not limited to:*

- a) Environmental impact assessments*
- b) Environmental site assessments*
- c) Biophysical assessments*
- d) Wetland assessments*
- e) Natural area assessments*
- f) Traditional ecological knowledge studies*
- g) Traditional land use studies*
- h) Environmental construction operation plans*

*5.1.13. Require appropriate setbacks from identified natural features and lands considered unsuitable for development, to be established as follows:*

- a) Based on the greater of:
  - i. A minimum 50-metre setback from the top-of-bank of the Sturgeon River or Carrot Creek to lot boundaries;*
  - ii. A minimum 30-metre setback from conserved waterbodies to lot boundaries;*
  - iii. The application of an ecologically appropriate tool, such as a Riparian Setback Matrix Model or Slope Stability Analysis.**
- b) Or as determined through appropriate studies and plans, as deemed satisfactory by the City. The cost of supporting studies and plans are the responsibility of the applicant.*

*14.1.8. Encourage improvements that protect or enhance the ecological integrity of Sturgeon River and Carrot Creek and enhance public enjoyment of the waterfront.*

*14.1.9. Maintain important public views and vistas of the river and creek and protect public access where it exists.*

*15.3.9. Co-operate with neighbouring municipalities and other regional and provincial stakeholders in protecting and conserving environmentally sensitive areas, including those in the Sturgeon River valley, Carrot Creek, Big Lake shorelands, River Lot 56, Lois Hole Centennial Provincial Park, and, where appropriate, providing recreation opportunities in such areas.*

Further to these goals, principles, and policies, it is anticipated that the Land Use Bylaw review, as well as the Mature Neighbourhoods Redevelopment Strategy project (both implementation measures flowing from the approved MDP) may provide further context or specificity regarding the Sturgeon River Valley and natural areas. In light of the MDP approval, and unless Council has specific wishes that are entirely unaddressed by the MDP, etc. Administration considers that the intent of the motion

has been met, and that the motion can now be rescinded.

## **STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT**

There was extensive engagement during development of the MDP which drove policy development. Administration has conducted no additional engagement for this agenda report.

## **IMPLICATIONS OF RECOMMENDED MOTION**

Financial:

N/A

Legal / Risk:

N/A

Program or Service:

N/A

Organizational:

Council rescission of this motion would be viewed as positively affecting organizational capacity by allowing additional policy development to occur.

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If Council does not wish to support the recommendation, the following alternatives could be considered:

Alternative 1. Council could direct Administration to pursue specific policy development that is not addressed through the MDP or other regulatory protection.

Alternative 2. Do nothing.

Report Date: April 11, 2022

Author: Adryan Slaght, Director

Department: Planning & Development

Deputy Chief Administrative Officer (Interim): Diane Enger

Chief Administrative Officer (Interim): Kerry Hilts