



## COUNCIL MEETING AGENDA

Date: Tuesday, October 8, 2024  
Time: 9:00 AM  
Location: Council Chambers  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

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### Pages

#### A. CALL MEETING TO ORDER

#### B. UPDATES/APPROVAL OF AGENDA

#### C. APPROVAL OF MINUTES

- |   |    |
|---|----|
| 1. September 24, 2024 Council Meeting Minutes | 4  |
| 2. September 25, 2024 Special Council Meeting | 24 |

#### D. PUBLIC HEARINGS / APPOINTMENTS

The following public hearings were advertised on September 10, 2024 and September 17, 2024 on the Rocky View County website in accordance with the *Municipal Government Act* and *Public Notification Bylaw C-7860-2019*.

##### MORNING PUBLIC HEARINGS / APPOINTMENTS 9:00 AM

- |   |    |
|---|----|
| 1. Division 3 - Bylaw C-8570-2024 - Direct Control Amendment Item: Residential              | 27 |
| File: PL20240092 (10013186)   |    |
| 2. Division 2 - Bylaw C-8574-2024 - Direct Control Amendment Item: Residential and Business | 57 |
| File: PL20240006 (Hamlet of Harmony)  |    |

#### E. CLOSED SESSION

##### 1. RVC2024-28 - Regional Engagement Framework

THAT Council move into closed session to consider the confidential item "Regional Engagement Framework" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

Section 21 – Disclosure harmful to intergovernmental relations

Section 24 – Advice from officials

Note: supporting materials for this item were confidentially distributed to Council prior to the closed session under separate cover

## **2. RVC2024-33 - Spray Lake Sawmills Centre – Management and Operations**

THAT Council move into closed session to consider the confidential item "Spray Lake Sawmills Centre – Management and Operations" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

Section 21 – Disclosure harmful to intergovernmental relations

Section 24 – Advice from officials

Section 25 – Disclosure harmful to economic and other interests of a public body

Note: supporting materials for this item were confidentially distributed to Council prior to the closed session under separate cover

### **F. GENERAL BUSINESS**

- |  |            |
|--|------------|
| <b>1. Division 5 - Proposed Speed Limit Change on Highway 2A from Highway 2/2A/72 to the Town of Crossfield</b>  | <b>140</b> |
| File: 1044-450 / 1021-275  |            |
| <b>2. Division 6 - Conrich Area Servicing – Request for Extension</b>  | <b>148</b> |
| File: 1012-800 / 05045-300   |            |
| <b>3. All Divisions - Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference</b>                                | <b>150</b> |
| File: N/A  |            |
| <b>4. All Divisions - Planning Project Prioritization Policy C-322 Amendments</b>  | <b>273</b> |
| File: N/A  |            |
| <b>5. All Divisions - Establishment of a Policy Review Committee</b>   | <b>290</b> |
| File: N/A  |            |
| <b>6. Divisions 2 and 3 - Bearspaw Reservoir Taskforce Update</b>  | <b>305</b> |
| File: N/A  |            |
| <b>7. Division 6 - Request for Support for an Alberta Community Partnership Grant for an Economic Study to Support the Prairie Economic Gateway Initiative</b>                       | <b>308</b> |
| File: N/A  |            |
| <b>8. All Divisions - Consideration of Motion - Direction to Draft a Terms of Reference for the Beacon Artificial Intelligence (AI) Hub and Solar Farm Area Structure Plan (ASP)</b> | <b>311</b> |
| File: N/A  |            |
- Note: this notice of motion was read into the record at the September 24, 2024 Council meeting and will be considered at this meeting

### **G. BYLAWS**

- |   |            |
|---|------------|
| <b>1. All Divisions - Bylaw C-8573-2024 - Adoption of an Updated Election Bylaw</b> | <b>313</b> |
| File: N/A   |            |



**H. SUBDIVISION APPLICATIONS**

**1. Division 6 - Subdivision Item: Residential**

348

File: PL20240072 (03232008)

**I. UNFINISHED BUSINESS**

**J. NOTICES OF MOTION**

**K. ADJOURN THE MEETING**



**COUNCIL MEETING MINUTES**

Tuesday, September 24, 2024  
9:00 AM

Council Chambers  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

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**Present:** Reeve C. Kissel  
Deputy Reeve D. Kochan  
Councillor G. Boehlke  
Councillor K. Hanson  
Councillor S. Samra  
Councillor A. Schule  
Councillor S. Wright

**Also Present:** B. Riemann, I/Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
J. Lee, A/Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
A. Zaluski, Director, Intergovernmental Services and Regional Planning  
I. Agbonkhese, Manager, Financial Services  
D. Lang, Manager, Recreation, Parks and Community Support  
D. Kazmierczak, Manager, Planning  
L. Cox, Supervisor, Planning and Development, Planning  
A. Wilson, Supervisor Taxation and Receivables, Financial Services  
J. Rebello, Supervisor Planning & Development, Planning  
K. Andrew, Intergovernmental Advisor, Intergovernmental Services and Regional Planning  
A. Latimer, Manager, Economic Development, Economic Development  
S. Braak, Business Retention and Expansion Coordinator, Economic Development  
A. Cairns Community Project Coordinator, Recreation, Parks and Community Support  
A. Chell, Senior Planner, Planning  
B. Leyeza, Planner 2, Planning  
O. Newman, Senior Planner, Planning  
J. Targett, Senior Development Officer, Planning  
T. Andreasen, Lead Legislative Officer, Legislative Services  
K. Wrzosek, Legislative Officer, Legislative Services

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**A Call Meeting to Order**

The Chair called the meeting to order at 9:02 a.m.



**B Updates/Approval of Agenda**

MOVED by Deputy Reeve Kochan that the September 24, 2024 Council meeting agenda be amended as follows:

- Add emergent closed session item E-3 – Request Letter – City of Chestermere.

Carried

MOVED by Deputy Reeve Kochan that the September 24, 2024 Council meeting agenda be approved as amended.

Carried

**C-1 September 10, 2024 Council Meeting Minutes**

MOVED by Deputy Reeve Kochan that the September 10, 2024 Council meeting minutes be approved as presented.

Carried

**C-2 September 11, 2024 Special Council Meeting Minutes**

MOVED by Deputy Reeve Kochan that the September 11, 2024 Special Council meeting minutes be approved as presented.

Carried

**D-1 Division 3 - Bylaw C-8577-2024 - Direct Control Amendment Item: Residential File: PL20230131 (10013151)**

Reeve Kissel vacated the Chair in accordance with section 10 of the *Procedure Bylaw* as the subject of the public hearing was located in her electoral division.

Deputy Reeve Kochan assumed the Chair.

MOVED by Reeve Kissel that the public hearing for item D-1 be opened at 9:06 a.m.

Carried

Persons(s) who presented: Ken Denchuk

Person(s) who presented in support: N/A

Person(s) who presented in opposition: N/A

Persons(s) who presented rebuttal: N/A

MOVED by Reeve Kissel that the public hearing for item D-1 be closed at 9:24 a.m.

Carried



MOVED by Reeve Kissel that Bylaw C-8577-2024 be given first reading.

Carried

MOVED by Reeve Kissel that Bylaw C-8577-2024 be given second reading.

Carried

MOVED by Reeve Kissel that Bylaw C-8577-2024 be considered for third reading.

Carried Unanimously

MOVED by Reeve Kissel that Bylaw C-8577-2024 be given third and final reading.

Carried

Deputy Reeve Kochan vacated the Chair and Reeve Kissel resumed the chair.

**D-2 Division 1 - Bylaw C-8566-2024 - Road Closure Item: First Reading**  
**File: PL20240015 (03912095)**

MOVED by Councillor Hanson that the public hearing for item D-2 be opened at 9:28 a.m.

Carried

Persons(s) who presented: Brett Vansickle (Applicant/Owner)

The Chair called for a recess at 9:43 a.m. and called the meeting back to order at 9:48 a.m.

Person(s) who presented in support: N/A

Person(s) who presented in opposition: Heike Meyer-Soules  
Linda Vennard

Persons(s) who presented rebuttal: Brett Vansickle (Applicant/Owner)

MOVED by Councillor Hanson that the public hearing for item D-2 be closed at 10:32 a.m.

Carried

Main Motion:

MOVED by Councillor Hanson that application PL20240015 be referred back to the Applicant to work with adjoining landowners and, subject to their support and participation in the application, amend the application to close and consolidate the entire laneway, with Rocky View County taking the lead on the process.

Amendment to the Main Motion:

MOVED by Deputy Kochan that the main motion be amended as follows:

"THAT application PL20240015 be referred back to the Applicant to work with adjoining landowners and, subject to their support and participation in the application, amend the application to close and consolidate the entire laneway, ~~with Rocky View County taking the lead on the process."~~

Defeated



The Chair then called for a vote on the main motion.

Main Motion:

MOVED by Councillor Hanson that application PL20240015 be referred back to the Applicant to work with adjoining landowners and, subject to their support and participation in the application, amend the application to close and consolidate the entire laneway, with Rocky View County taking the lead on the process.

Carried

**E-1 All Divisions – Closed Session Item - Janet Area Structure Plan Servicing  
File: RVC2024-29**

**E-2 All Divisions – Closed Session Item – Advocacy Update  
File: RVC2024-31**

**E-3 All Divisions – Closed Session Item – Emergent Closed Session Item – Request Letter  
– City of Chestermere**

MOVED by Councillor Wright that Council move into closed session at 10:51 a.m. to consider the following confidential items pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

E-1 – Janet Area Structure Plan Servicing

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 - Advice from officials

E-2 – Advocacy Update

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 - Advice from officials

E-3 – Request Letter – City of Chestermere

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 - Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body

Carried

Council held the closed session for item E-1 with the following additional people in attendance:

Rocky View County: B. Riemann, I/Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
J. Lee, A/Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
A. Zaluski, Director Intergovernmental Services and Regional Planning



Council held the closed session for item E-2 with the following additional people in attendance:

Rocky View County: B. Riemann, I/Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
J. Lee, A/Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
A. Zaluski, Director Intergovernmental Services and Regional Planning

Council held the closed session for item E-3 with the following additional people in attendance:

Rocky View County: B. Riemann, I/Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
J. Lee, A/Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
S. Hulsman, Manager, Asset Management

MOVED by Councillor Hanson that Council move into open session at 11:58 a.m.

Carried

**E-1 All Divisions – Closed Session Item - Janet Area Structure Plan Servicing  
File: RVC2024-29**

MOVED by Deputy Reeve Kochan that Council direct Administration to resubmit the Regional Evaluation Framework Janet Area Structure Plan submission with no further changes using the exceptions policy for limited servicing.

Carried

**E-2 All Divisions – Closed Session Item – Advocacy Update  
File: RVC2024-31**

MOVED by Deputy Reeve Kochan that Reeve Kissel be directed to proceed with the advocacy approach outlined in confidential report RVC2024-31 Advocacy Update.

Carried

**E-3 All Divisions – Closed Session Item – Request Letter – City of Chestermere  
File: RVC2024-34**

MOVED by Deputy Reeve Kochan that Council direct administration to proceed with Mandate #1 as discussed in confidential report RVC-2024-34.

Carried

The Chair called for a recess at 12:00 p.m. and called the meeting back to order at 1:00 p.m.



**F-7 All Divisions – Request for Proposal Award – Preparation of Utility Financial Statements**  
**File: RFP 24-011**

Presenter: Jonathan Huggett, Jonathan Huggett Company Corp.

MOVED by Deputy Reeve Kochan that Council award RFP 24-011 "Preparation and Evaluation of Financial Statements for the County's Water, Wastewater and Storm Drainage Utilities" to Deloitte LLP.

Carried

MOVED by Deputy Reeve Kochan that Council approve a budget adjustment of \$71,300 from the Tax Stabilization Reserve to increase the amount budgeted for Council Initiatives in the 2024 operating budget as shown in Attachment B.

Carried

The Chair called for a recess at 2:02 p.m. and called the meeting back to order at 2:08 p.m.

**F-4 Division 5 - Development Permit Item: Care Facility (Group) – Existing Facility**  
**File: PRDP20241257 / 05328003**

MOVED by Councillor Wright that the Development Authority permit Sumita Anand (the Applicant) to speak on item F-4 for 5 minutes in accordance with section 116 of the Procedure Bylaw.

Defeated

MOVED by Councillor Wright that the Development Authority permit Jelena Melnychyn to speak on item F-4 for 5 minutes in accordance with section 116 of the Procedure Bylaw.

Defeated

The Chair called for a recess at 3:00 p.m. and called the meeting back to order at 3:05p.m.

MOVED by Councillor Boehlke that the conditions of approval for development permit application PRDP20241257 noted in Attachment F be amended to include the following new condition 29:

That, if and when the prior to release conditions have been satisfied, that this development permit for the expansion only, shall be valid three years from the date of issuance of building occupancy.

Carried



MOVED by Councillor Boehlke that Council approve development permit application PRDP20241257 with the conditions noted in Attachment F, as amended:

**Description:**

- 1) That *Care Facility (Group)* (existing) may continue to commence on the subject site in general accordance with the approved application [as amended], prepared by *A.J Williams Architect Ltd., file no. 2023-72; dated June 5, 2024*, and includes the following:
  - i) Expansion of Operations of a *Care Facility (Group)*;
  - ii) Construction of an addition, approximately 300.35 sq. m (3,232.94 sq. ft.) in building footprint;
  - iii) Site improvements to create a parking area(s) and new site approach off Serenity Lane;

**Prior to Release:**

- 2) That prior to release of this permit, the Applicant/Owner shall submit a revised site plan, that includes:
  - i) landscaping details for the proposed new parking area, that incorporates landscaping elements into the proposed parking area(s), in accordance with Sections 95(f) and 109 of the County's Land Use Bylaw C-8000-2020 (LUB).
  - ii) Revised dimensions for the proposed site approach of Serenity Lane, that is in accordance with Table 400D – Approach Design (Rural / Country Residential) of the County's Servicing Standards.
  - iii) Revised dimensions for the expanded parking stalls, in accordance with Sections 239 and 241 of the LUB.
  - iv) Revised dimensions for the proposed barrier-free parking stalls, including a no-parking access aisle, in accordance with 3.8.3.22 of the National Building Code – 2023 Alberta Edition.
- 3) That prior to release of this permit, the Applicant/Owner shall submit a lighting plan, that confirms the proposed photometrics and spec model details of any mounted or site lighting, in accordance with Sections 225-227 of the LUB.
- 4) That prior to release of this permit, the Applicant/Owner shall submit revised building elevations for the proposed addition, that includes additional building accents and an updated window design to enhance the overall building design with a residential character, in accordance with Section 167 of the LUB.
- 5) That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.





- i) The Applicant/Owner shall also discuss any requirements that may be required for the proposed approach off Serenity Lane. If required, a New Road Approach application shall be submitted to County Road Operations.
  - ii) Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 6) That prior to release of this permit, the Applicant/Owner shall submit a revised Construction Management Plan, in accordance with Section 1100 of the County's Servicing Standards.
  - i) The plan shall address any temporary noise mitigation measures, traffic accommodation, dust control, management of storm water during construction, erosion and sediment control measures, weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment, and **all** other relevant construction management details, to address any offsite or adjacent property impacts.
- 7) That prior to release of this permit, the Applicant/Owner shall submit an updated Erosion and Sedimentation Control Plan, to the submitted April 10, 2024, plan, that shall be re-stamped by a qualified professional, showing the RUSLE calculations and conformance of soil loss requirements, in accordance with Section 1200 of the County's Servicing Standards and best management practices. The Applicant shall also submit a completed Appendix 1200A: Erosion and Sedimentation Control Template.
- 8) That prior to release of this permit, the Applicant/Owner shall submit an updated Geotechnical Report/Investigation, to the submitted Preliminary Geotechnical Assessment, dated April 23, 2024, that is stamped by a qualified professional, that includes the noted pending borehole drilling and confirmation of final site recommendations, in accordance with the County's Servicing Standards.
- 9) That prior to release of this permit, the Applicant/Owner shall submit additional detailed drawings, stamped by a qualified engineer, including the design of the fire water storage and the fire pumps that will be needed to support the development, if required, in accordance with the County's Servicing Standards and National Building Code – 2023 Alberta Edition.
- 10) That prior to release of this permit, the Applicant/Owner shall submit additional detailed Private Sewage Treatment System drawings, stamped by a qualified engineer, that includes a detailed assessment of the existing system, expected sewage generation of the proposed development and any improvements needed on site to accommodate the proposed sewage generations, in accordance with the County's Servicing Standards and Policy #449.

#### **Upon Completion**

- 11) That upon development completion, the Applicant/Owner shall prepare and submit as-built drawings of the implemented stormwater infrastructure on the subject property, to the satisfaction of the County.



- 12) That the Applicant/Owner shall submit compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.
- 13) That upon development completion, the Applicant/Owner shall submit confirmation that the constructed paved approach is to the County's residential / rural requirement in accordance with County's Servicing Standards.

**Permanent:**

- 14) That if the prior to release conditions have not been met by **JUNE 30, 2025**, or an approved extension date by Council, then this approval is null, and void and the Development Permit shall not be issued.
- 15) That all conditions of County Development Permit PRDP20194227 shall remain in effect, unless otherwise noted within this approval.
- 16) That any plan, technical submission, agreement, or other matter submitted and approved as part of this Development Permit application or submitted in response to a Prior to Release or Occupancy condition and or originally submitted and approved as part of the County's Development Permit #20194227 shall be implemented and adhered to in perpetuity.
- 17) That the Applicant/Owner shall take whatever means necessary to keep visible dust to prevent visible dust associated with the development escaping the site and having adverse effects on adjacent roadways and properties.
  - i) That if excessive dust has is being generated from the subject development, that is having adverse impacts on neighbouring properties, the Applicant/Owner shall implement additional dust control measures, such as a calcium chloride onsite application or an onsite watering schedule, to be with agreed with by the County, to the satisfaction of the County.
- 18) That the Applicant/Owner shall construct the north approach off Serenity Lane to the subject parcel to the County's paved rural/country residential standard, in accordance with the County's Servicing Standards Table 400D and final approved site plan.
- 19) That all on-site lighting and all private lighting, including site security lighting and parking area lighting, shall meet sections 225-227 of the LUB. Lighting shall be designed to conserve energy and reduce glare and uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and minimizes glare as viewed from nearby residential properties.
- 20) That the proposed building exterior, new landscaping and perimeter wood fencing shall be installed on the subject site within 24 months from date of permit issuance.
  - i) Once installed, the subject land shall ensure all existing landscaping and fencing is maintained onsite, around the *Care Facility (Group)*.
- 21) That a minimum of 24 parking stalls or more, including two barrier-free stalls, shall be maintained onsite at all times. All parking shall be located within the designated areas only.



- 22) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County. That all waste material onsite shall remain screened and stored in a weatherproof and animal-proof container, at all times.
- 23) That the subject site shall continue to be serviced by the Serenity Estates Water Co-op, with the proposed addition to be serviced by water cistern. The site shall continue to be serviced with the installed Private Sewage Treatment System.
- 24) That there shall be no more than a 1.00 m (3.28 ft.) grade change of material placement or 2.00 m (6.56 ft.) foundation excavation adjacent to or within 15.00 m (49.21 ft.) of the proposed addition under construction, unless a separate Development Permit has been issued for additional fill.
- 25) That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
  - i) That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way.
  - ii) That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.
- 26) That there shall be no signage on the subject property, advertising the *Care Facility (Group)*, unless a separate Development Permit has been issued.
- 27) That this approval does not include *Vacation Rental, Bed & Breakfast, Care Facility (Child), Care Facility (Clinic), Care Facility (Medical) or Care Facility (Senior)*.
- 28) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the County.
- 29) That, if and when the prior to release conditions have been satisfied, that this development permit for the expansion only, shall be valid three years from the date of issuance of building occupancy.



**Advisory:**

- That during construction, all construction materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- All Care Facility (Group) parking shall be restricted to the subject lands. There shall be no offsite parking along the County's Road Right-of-Way (*Range Road 284, Serenity Lane or Serenity Place*) at any time.
- That the Keeping of Livestock is permitted on the subject lands, in accordance with Sections 148-149, including a maximum of two animal units, unless a Development Permit is issued for the Keeping of Livestock. That any livestock management onsite shall be in accordance with the County's Animal Control Bylaw C-5758-2023, in perpetuity.
- That the subject development shall conform to the County's Noise Bylaw C-8067-2020 & Road Use Agreement Bylaw C-8323-2022, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That a Building Permit(s) and applicable sub-trade permits shall be obtained, through Building Services, using the appropriate checklist, prior to any construction taking place. Compliance to the National Energy Code is also required.
  - That the subject site shall provide for any fire suppression methods, including any additional dry hydrant details, as appropriate, in accordance with the Policy 7.2.3 of the CS and the National Building Code – 2023 Alberta Edition, as amended.
  - That there shall be fire extinguishers, emergency lighting and smoke detectors on each level of the Care Facility (Group), as per the National Building Code – 2023 Alberta Edition.
- That the Applicant/Owner shall adhere to any fire ban status identified within the County and shall ensure that proper procedures are in place as required.
- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response. The current municipal address for the subject site is **254244 RANGE ROAD 284**.
- That the Applicant/Owner shall adhere to any registered instrument on title and shall adhere to any requirements of those registered document(s).



- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - The Applicant/Owner shall be responsible for any Alberta Health Services requirements and inspections, if required.
  - *The Applicant/Owner shall be responsible for all Ministry of Environment and Protected areas approvals for any impact to any wetland areas or watercourse disturbances for the proposed development and/or constructed onsite infrastructure, if required.*

Carried

**H-1 Division 6 - Subdivision Item: Residential**  
**File: PL20230132 / 04721006/22**

MOVED by Councillor Hanson that the Subdivision Authority permit Lindsay Carson to speak on item H-1 for 5 minutes in accordance with section 116 of the Procedure Bylaw.

Defeated

MOVED by Councillor Hanson that the Subdivision Authority permit Lisa and Rob Sadownyk to speak on item H-1 for 5 minutes in accordance with section 116 of the Procedure Bylaw.

Defeated

The Chair called for a recess at 3:30 p.m. and called the meeting back to order at 3:35p.m.

MOVED by Councillor Hanson that condition 12 for subdivision application PL20230132 noted in Attachment F be amended as follows:

The Owner shall submit a Wetland Impact Assessment, prepared by a qualified professional, to provide a complete assessment of the wetland bodies on site in accordance with the County Servicing Standards and Provincial requirements. Should it be deemed that the wetlands are to be impacted by the proposed development, the applicant shall obtain all necessary approvals from AEP prior to ~~the~~ any disturbance to the wetlands.

Carried

MOVED by Councillor Hanson that condition 18 for subdivision application PL20230132 noted in Attachment F be amended as follows:

The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of ~~13~~ 12 new lots.

Carried



MOVED by Councillor Hanson that subdivision application PL20230132 be approved with the conditions noted in Attachment F, as amended:

- A. THAT the application to subdivide  $\pm 15.98$  hectares ( $\pm 39.46$  acres) to create twelve (12) residential lots between  $\pm 0.80$  hectares (1.98 acres) to  $\pm 1.2$  hectares (2.97 acres), two (2) Environmental Reserve lots between  $\pm 1.00$  hectares (2.47 acres) to  $\pm 1.79$  hectare (4.42 acres), and one (1) Public Utility lot of  $\pm 0.39$  hectares (0.96 acres) from Block 1 and 2, Plan 8111225 within SE-21-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
- 1) The application is consistent with the Statutory Policy;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. In accordance with Section 654(2) the Subdivision Authority is of the opinion that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- D. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

#### **Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a) A Plan of Survey, including the Application number (PL20230132) and Roll number (04721006 / 04721022) of the parcel; and
  - b) Landowner's Consent to Register Plan of Survey.



**Site Plan**

- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
  - a) The Site Plan is to confirm that private sewage treatment systems are located within the boundaries of Lot 1, in accordance with the Alberta Private Sewage Systems Standard of Practice 2009.

**Development Agreement**

- 3) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following:
  - a) Design and construction of a public road system with associated infrastructure which includes the following:
    - Construction of internal roadway and cul-de-sac;
    - Intersection treatment in accordance with the approved Transportation Review Memo completed by Bunt & Associates (May 5, 2022);
  - b) Design and construction of a piped water distribution system;
  - c) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - d) Dedication of necessary easements and right of ways;
  - e) Mailboxes are to be located in consultation with Canada Post;
  - f) Installation of power, natural gas and telephone lines;
  - g) Implementation of the recommendations of the Construction Management Plan;
  - h) Implementation of the recommendations of the Geotechnical Report;
  - i) Implementation of the recommendations of the Biophysical Impact Assessment;
  - j) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement;

**Geotechnical**

- 4) The Owner shall submit a Geotechnical Report in accordance with County's servicing standards to address construction materials for roads and other developmental constraints that may be applicable to the Development.

**Access and Road Network**

- 5) The Owner shall remove and reclaim the existing approach on Range Road 33, as shown on the approved Tentative Plan.





### ***Site Servicing***

- 6) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for all proposed residential lots, indicating:
  - a) Each future Lot Owner is required to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
  - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater and stormwater systems once County servicing becomes available.
- 7) The Owner is to provide confirmation of the tie-in for connection to Calalta Waterworks, an Alberta Environment licensed piped water supplier, as shown on the Approved Tentative Plan. This includes providing the following information:
  - a) The completion of all paperwork for water supply allocation (e.g. Water Service Agreement);
  - b) The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision;
  - c) The allocation and reservation of the necessary capacity;
  - d) The obligations of the Owner and/or utility to bring water lines to the subdivision (i.e. whether the water utility is to construct the water line to the limits of the subdivision and applicant is to construct all internal water lines, or whether the water utility will be responsible for all connections to individual lots, etc.).
- 8) The Owner is to enter into a Site Improvements/Services Agreement with the County for the proposed new lot and shall include the following:
  - a) Accordance with the Level IV PSTS Assessment, prepared by Groundwater Resources Information Technologies Ltd. (March 12, 2021).
  - b) The installation of a Packaged Sewage Treatment System (or any other specialized PSTS) complying with NSF 40 and/or BNQ standards and any other recommendations.
  - c) Accordance with the Stormwater Management Report, prepared by CIMA Canada Inc. (July 17, 2024).

### ***Stormwater Management***

- 9) The Owner shall register the required overland drainage easements and /or utility rights-of-way.
- 10) The Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

### ***Site Developability***

- 11) The Owner is to provide a Geotechnical Developable Area Assessment to prove there is a minimum of one contiguous developable acre (1.0 acre) of land within each new residential lot.





- a) There is adequate space for a building site, two septic fields and any setback distances as required for land use.
- 12) The Owner shall submit a Wetland Impact Assessment, prepared by a qualified professional, to provide a complete assessment of the wetland bodies on site in accordance with the County Servicing Standards and Provincial requirements. Should it be deemed that the wetlands are to be impacted by the proposed development, the applicant shall obtain all necessary approvals from AEP prior to any disturbance to the wetlands.

#### ***Site Management***

- 13) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
  - a) Weed management during the construction phases of the project.
  - b) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.

#### ***Historical Resources Impact Assessment***

- 14) The Owner shall provide a Historical Resources Impact Assessment (HRIA) to the satisfaction of Alberta Community Development.
  - a) If the HRIA identifies any portion of the subject lands that require mitigation or excavation as directed by Alberta Community Development, implementation of the recommendations of the report shall be provided for prior to the site disturbance.

#### ***Architectural Guidelines***

- 15) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.

#### ***Municipal Reserve***

- 16) The provision of Municipal Reserve, in the amount of 10% of the subject area as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report prepared by Cushman & Wakefield dated November 27, 2023, pursuant to Section 667(1) of the *Municipal Government Act*.

#### ***Payment and Levies***

- 17) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area, as shown in Plan of Survey.
- 18) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 12 new lots.



**Taxes**

19) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

**E. SUBDIVISION AUTHORITY DIRECTION:**

Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried

**F-1 Division 5 – Late Tax Payment Penalty Cancellation Request 06411053  
File: N/A**

MOVED by Councillor Schule that Council denies the late tax penalty cancellation request for \$726.66 from roll 06411053.

Carried

**F-2 Division 1-5 – Intermunicipal Collaboration Framework Renewals – Kananaskis Improvement District, Town of Irricana and Mountain View County  
File: N/A**

MOVED by Councillor Hanson that Council approves the renewal of the Kananaskis Improvement District and Rocky View County Intermunicipal Collaboration Framework as presented in Attachment 'A'.

Carried

MOVED by Deputy Reeve Kochan that Council approves the renewal of the Town of Irricana and Rocky View County Intermunicipal Collaboration Framework as presented in Attachment 'B'.

Carried

MOVED by Deputy Reeve Kochan that Council approves the renewal of the Mountain View County and Rocky View County Intermunicipal Collaboration Framework as presented in Attachment 'C'.

Carried

**F-3 All Divisions - Economic Development Grant Initiatives Program Funding Requests  
File: N/A**

The Chair called for a recess at 4:23 p.m. and called the meeting back to order at 4:28 p.m.

Main Motion:

MOVED by Councillor Schule that Council approve the following chambers as eligible for 2024 funding in accordance with section 6(3) of the *Economic Development Initiatives Grant Program Policy C-350*:

- Airdrie Regional Chamber of Commerce
- Bears paw Chamber of Commerce



Amendment to the Main Motion:

MOVED by Councillor Wright that Council amend the motion to read as follows:

THAT Council approve the following chambers as eligible for 2024 funding in accordance with section 6(3) of the *Economic Development Initiatives Grant Program Policy C-350*:

- ~~Airdrie Regional Chamber of Commerce~~
- Bears paw Chamber of Commerce

Carried

The Chair called for a vote on the main motion as amended.

Main Motion as Amended:

MOVED by Councillor Schule that Council approve the following chambers as eligible for 2024 funding in accordance with section 6(3) of the *Economic Development Initiatives Grant Program Policy C-350*:

- Bears paw Chamber of Commerce

Carried

MOVED by Councillor Hanson that Council approve a budget adjustment of \$25,000 from the Tax Stabilization Reserve to support Economic Development Initiatives Grant Program as established under Policy C-350.

Defeated

MOVED by Councillor Boehlke that Council approve 2024 funding under the *Economic Development Initiatives Grant Program Policy C-350* as follows:

| Applicant                                      | Funding Amount |
|--|----------------|
| Bragg Creek Chamber of Commerce (Attachment B) | \$25,000.00    |
| Langdon Chamber of Commerce (Attachment C)     | \$25,000.00    |
| Bearspaw Chamber of Commerce (Attachment E)    | \$25,000.00    |

Carried

**F-5 All Divisions- Area Structure Plan Priority Policy C-322 – 2025 Priority List**  
**File: N/A**

MOVED by Councillor Wright that Council tables consideration of the 2025 area structure plan priority list until Council has first considered amendments to Area Structure Plan Priority Policy C-322, to be presented in Q4 2024.

Carried

The Chair called for a recess at 4:48 p.m. and called the meeting back to order at 4:54 p.m.



**F-6 All Divisions - Recreation and Parks Master Plan: Revision Resources**  
**File: N/A**

Councillor Schule left the meeting at 5:08p.m.

MOVED by Councillor Samra that Council directs Administration to bring forward the community recreation plans initiative to replace the Recreation Parks and Master Plan for consideration during the 2025 budget deliberations in Q4 2024.

Carried  
Absent: Councillor Schule

**J-1 Divisions 6 and 7 - Notice of Motion - Councillor Samra and Councillor Schule - Direction to Draft a Terms of Reference for the Beacon Artificial Intelligence (AI) Hub and Solar Farm Area Structure Plan (ASP)**  
**File: N/A**

Councillor Schule returned to the meeting at 5:12p.m.

This notice of motion is read into the Council record on September 24, 2024. The motion as read into the record will be debated on October 8, 2024.

|                    |  |
|--------------------|--|
| <b>TITLE:</b>      | Direction to draft a terms of reference for the Beacon Artificial Intelligence (AI) Hub and Solar Farm Area Structure Plan (ASP)   |
| <b>WHEREAS</b>     | On July 17, 2024, Beacon made a presentation to the Public Presentation Committee outlining its plans to develop a world class hyperscale AI Data Center Hub and Solar Farm on the lands identified in Attachment A; |
| <b>AND WHEREAS</b> | The proposed ASP will allow for an estimated investment of more than \$4 billion, potentially supporting 1,500 construction jobs and over 300 operational jobs, benefitting the County and wider Calgary region;     |
| <b>AND WHEREAS</b> | The development is proposed on lands currently designated and approved as DC District #166 within the County's Land Use Bylaw which provides for the development of a solar farm;                                    |
| <b>AND WHEREAS</b> | The ASP would provide a framework for the complementary co-location of the Beacon AI Hub with the existing approved solar farm;  |
| <b>AND WHEREAS</b> | from initial review, there is potential for the ASP to be in full alignment with the requirements of both the Calgary Metropolitan Region Growth Plan and the County's statutory plans.                              |



**THEREFORE BE IT RESOLVED THAT** Administration be directed to draft a terms of reference for a developer-led and wholly developer-funded Area Structure Plan for the lands identified in Attachment A for Council's consideration in Q1 2025. The Terms of Reference shall:

- Require the ASP to demonstrate alignment with all relevant regional and County plans, policies and regulations.
- Ensure strong engagement with provincial agencies, CMRB member municipalities, and affected landowners.
- Be supported by all necessary technical studies to provide assessment of matters, including, but not limited to:
  - Servicing;
  - Transportation;
  - Environmental impacts;
  - Stormwater management; and
  - Fiscal impacts.

Carried

**K Adjourn the Meeting**

MOVED by Councillor Samra that the September 24, 2024 Council meeting be adjourned at 5:13 p.m.

Carried

\_\_\_\_\_  
Reeve or Deputy Reeve

\_\_\_\_\_  
Chief Administrative Officer or designate



**SPECIAL COUNCIL MEETING MINUTES**

Wednesday, September 25, 2024  
9:00 AM

Council Chambers  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

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Present: Reeve C. Kissel  
Deputy Reeve D. Kochan  
Councillor G. Boehlke  
Councillor K. Hanson  
Councillor S. Samra  
Councillor A. Schule  
Councillor S. Wright

Also Present: B. Riemann, I/Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
J. Lee, A/Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
L. Cox, Supervisor Planning & Development, Planning  
B. Leyeza, Planner 2, Planning  
M. Mitton, Legislative Officer, Legislative Services  
M. Nakonechny, Legislative Officer, Legislative Services

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**A Call Meeting to Order**

The Chair called the meeting to order at 9:02 a.m.

**B Updates/Approval of Agenda**

MOVED by Deputy Reeve Kochan that the September 25, 2024 special Council meeting agenda be approved as presented.

Carried



**D-1 Division 2 – Bylaw C-8556-2024 and Bylaw C-8557-2024 – Redesignation Item - Commercial**  
**File: PL20230127, PL20230128, and PL20230158 (04733008)**

MOVED by Deputy Reeve Kochan that the public hearing for item D-1 be opened at 9:05 a.m.  
Carried

Persons(s) who presented: David Capper, Urban Systems  
Amrit Uppal, Bunt & Associates

The Chair called for a recess at 10:29 a.m. and called the meeting back to order at 10:40 a.m.

Councillor Samra was not present when the meeting was called back to order.

Councillor Samra returned to the meeting at 10:41 a.m.

MOVED by Deputy Reeve Kochan that Council receive the late submissions for item D-1 pursuant to section 185 of the *Procedure Bylaw*.  
Carried

The Chair called for a recess at 10:53 a.m. and called the meeting back to order at 10:58 a.m.

Deputy Reeve Kochan was not present when the meeting was called back to order.

Deputy Reeve Kochan returned to the meeting at 10:59 a.m.

Person(s) who presented in support: None

Persons(s) who presented in opposition: Ian Galbraith, on behalf of Cindy Turner, Jamal Ramadan, and Zhuo Liu  
Terry Dowsett  
Brenda Goode  
Elaine Moses, on behalf of Springbank United Church  
Ed Polhill, on behalf of Edge School  
Keith Taylor, on behalf of Edge School  
Marion Bennett  
Martin Kratz  
Joan Chand'Oiseau, representing MLA Sarah Elmeligi  
Ed Romanowski, on behalf of the Edge School Society  
Jan Erisman

The Chair called for a recess at 12:06 p.m. and called the meeting back to order at 1:00 p.m.

Persons(s) who presented in opposition: Tom O'Gorman  
Jackie Glen



Person(s) who submitted pre-recorded  
audio/video presentations in opposition: Janet Ballantyne  
Richard Burwell

Person(s) who presented rebuttal: David Capper, Urban Systems  
Scott McCheyne, Suncor Energy

MOVED by Deputy Reeve Kochan that the public hearing for D-1 be closed at 1:35 p.m.  
Carried

MOVED by Deputy Reeve Kochan that applications PL20230127, PL20230128, and PL20230158  
be refused.  
Carried

**K Adjourn the Meeting**

MOVED by Councillor Samra that the September 25, 2024 Council meeting be adjourned at  
1:43 p.m.  
Carried

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Reeve or Deputy Reeve

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Chief Administrative Officer or designate





Direct Control Amendment Item: Residential

Electoral Division: 3 File: PL20240092 / 10013186

|             |                           |
|-------------|---------------------------|
| Date:       | October 8, 2024           |
| Presenter:  | Carter Shelton, Planner 1 |
| Department: | Planning                  |

REPORT SUMMARY

The purpose of this report is to assess a proposed site-specific amendment to Direct Control Bylaw C-6586-2007 (DC-123) to allow the existing Dwelling, Single Detached, and Accessory Building (“lean-to shed”) to have minimum side yard setbacks of 2.26 metres (7.41 feet), and 1.40 metres (4.59 feet), respectively, instead of the current minimum requirement of 2.40 metres (7.87 feet). The application is resulting from the submission of a Real Property Report for compliance review.

The application was evaluated pursuant to the policies of the Municipal Development Plan (County Plan) and CottageClub Ghost Lake Conceptual Scheme (CS), as well as the regulations of the applicable Direct Control Bylaw (DC-123). The application aligns with the intent of the Cottageclub Ghost Lake Conceptual Scheme, and the proposed reduction in setbacks for the subject lands do not create any adverse impacts on surrounding parcels, access, fire safety, or registered rights of way.

ADMINISTRATION’S RECOMMENDATION

- THAT Bylaw C-8570-2024 be given first reading.
- THAT Bylaw C-8570-2024 be given second reading.
- THAT Bylaw C-8570-2024 be considered for third reading.
- THAT Bylaw C-8570-2024 be given third and final reading.

## Direct Control Amendment Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located approximately 0.41 kilometres (0.25 miles) south of Highway 1A and 0.41 kilometres (0.25 miles) west of Range Road 60, within the CottageClub Ghost Lake Conceptual Scheme.



#### Site History (Attachment B)

The subject parcel was created as part of subdivision Condominium Plan 111 1762, which was registered with Alberta Land Titles in May of 2011.

Between 2013 and 2024, three previous amendments to DC-123 have been approved affecting properties within the Cottageclub Ghost Lake Area.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

The application was circulated to the Municipal District of Bighorn in accordance with the Intermunicipal Development Plan (IDP) between the Municipal District of Bighorn and Rocky View County; no comments were provided.

Alberta Transportation and Economic Corridors (ATEC) was circulated due to the subject property's proximity to Highway 1A; no concerns with the proposed application were provided.

#### Landowner Circulation (Attachment D)

The application was circulated to 396 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support, and one (1) letter of concern was received.

## Direct Control Amendment Item: Residential

### ANALYSIS

#### Policy Review (Attachment E)

The application was reviewed in accordance with the goals and policies of the Municipal District of Bighorn / Rocky View County Intermunicipal Development Plan (IDP), the County Plan (MDP), the Cottageclub Ghost Lake Conceptual Scheme (CS), and the DC-123 regulations. The application was found to be consistent with the intent of the overarching policy documents given the minimal deviation from the regulations of DC-123. No adverse impacts to County infrastructure, the environment, or adjacent properties are anticipated.

The IDP does not provide specific guidance related to development setback regulations; rather, it directs applications in the plan area to be evaluated in accordance with the applicable municipalities' statutory guiding documents. The County Plan also does not speak to building setback specifically; however, the application aligns with the goals of Section 10.0 (Country Residential Development) as there are no anticipated impacts to community infrastructure or overall development footprint and rural character. Further, there are no specific policies within the Cottageclub Ghost Lake CS that speak to setback regulations, and relevant considerations regarding lot design, architectural guidelines, and provision of servicing have been previously addressed through the conditions of subdivision creating the subject lot.

DC-123 stipulates a minimum setback building requirement from the side yard property line of 2.40 metres (7.87 feet), and there have been three similar amendments previously approved to DC-123. The following table summarizes how the submitted application aligns with amendments previously approved by Council:

| Year | Application Number               | Bylaw No.   | Structure Requiring Amendment                                    | Variance Required/Granted          |
|------|----------------------------------|-------------|--|------------------------------------|
| 2013 | 2013-RV-025                      | C-7303-2013 | Dwelling, Single Detached & Accessory Building (detached garage) | 8.33%                              |
| 2023 | PL20230038                       | C-8444-2023 | Dwelling, Single Detached  | 1.67%                              |
| 2024 | PL20230024                       | C-8506-2024 | Dwelling, Single Detached  | 12.92%                             |
| 2024 | PL20230131                       | C-8577-2024 | Detached Garage  | 78.80%                             |
| 2024 | PL20240092<br>(Current proposal) | C-8570-2024 | Dwelling, Single Detached<br>Lean-to Shed                        | 5.83% (Dwelling);<br>41.67% (Shed) |

While the application does not provide rationale for the departure from the approved placements on site, the variance to the minimum setback requirements for the respective structures is not considered to create any concerns with respect to utility rights-of-way, encroachment, fire safety or access.

### COMMUNICATIONS / ENGAGEMENT

Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

#### Financial

No financial implications identified at this time.

Direct Control Amendment Item: Residential

STRATEGIC ALIGNMENT

This report is a statutory obligation under the *Municipal Government Act*.

ALTERNATE DIRECTION

No alternative options have been identified for Council’s consideration.

ATTACHMENTS

- Attachment A: Map Set
- Attachment B: Application Information
- Attachment C: Application Referral Responses
- Attachment D: Public Submissions
- Attachment E: Policy Review
- Attachment F: Draft Bylaw(s) C-8507-2024
- Attachment G: Proposed DC-123 Amendment Redline

APPROVALS

|                               |                     |  |
|-------------------------------|---------------------|--|
| Manager:                      | Dominic Kazmierczak |  |
| Executive Director/Director:  | Matt Boscariol      |  |
| Chief Administrative Officer: | Byron Riemann       |  |



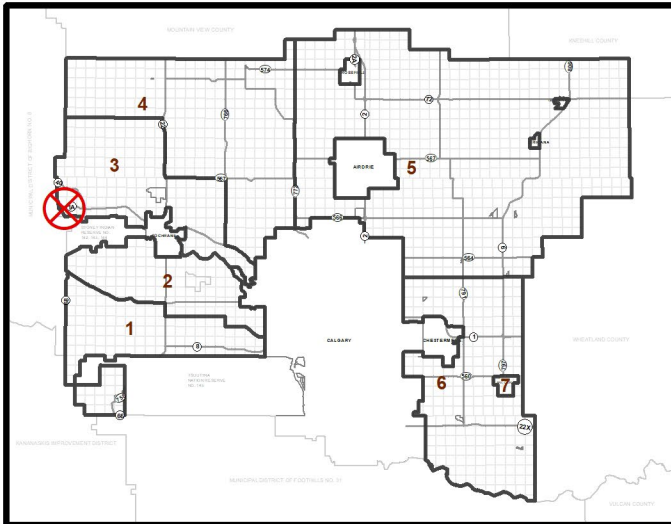


## Location & Context

### Redesignation Proposal

A site-specific amendment to Direct Control Bylaw DC-123 at 313 Cottageclub Way (Unit 184, Plan 1111762) to reduce the minimum south side yard setback from 2.40 metres (7.78 ft) to 2.26 metres (7.41 ft) for the existing Dwelling, Single Detached and to 1.40 metres (4.59 ft) for the existing Accessory Building (Shed). The purpose of this amendment is to accommodate a house and lean-to shed that has already been built.

Division: 3  
 Roll: 10013186  
 File: PL20240092  
 Printed: 5/9/2024  
 Legal: A portion of  
 NE 13-26-06-W0373  
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## Development Proposal

### Redesignation Proposal

A site-specific amendment to Direct Control Bylaw DC-123 at 313 Cottageclub Way (Unit 184, Plan 1111762) to reduce the minimum south side yard setback from 2.40 metres (7.78 ft to 2.26 metres (7.41 ft) for the existing Dwelling, Single Detached and to 1.40 metres (4.59 ft) for the existing Accessory Building (Shed). The purpose of this amendment is to accommodate a house and lean-to shed that has already been built.

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 NE 13-26-06-W0373  
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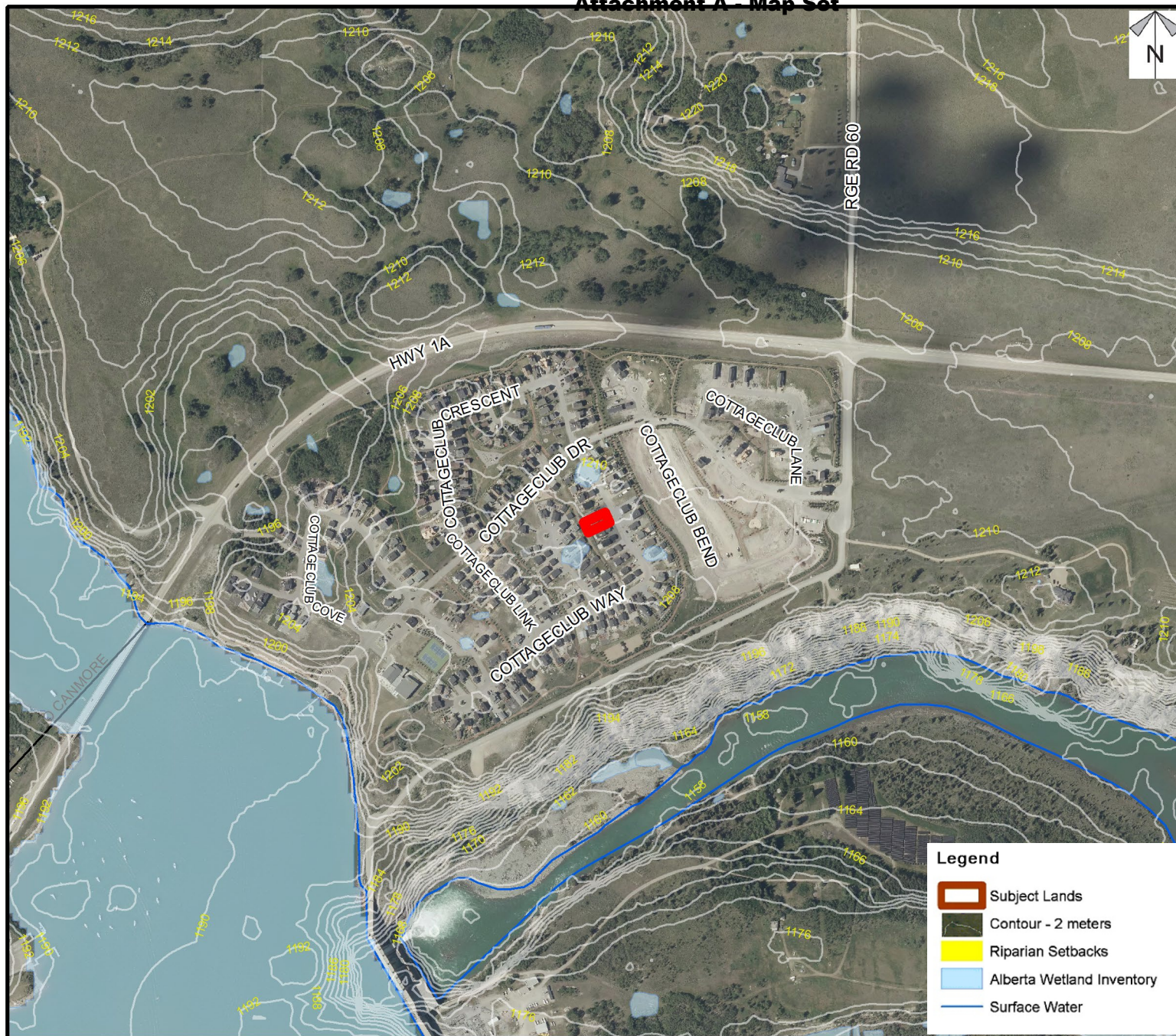


## Environmental

### Redesignation Proposal

A site-specific amendment to Direct Control Bylaw DC-123 at 313 Cottageclub Way (Unit 184, Plan 1111762) to reduce the minimum south side yard setback from 2.40 metres (7.78 ft to 2.26 metres (7.41 ft) for the existing Dwelling, Single Detached and to 1.40 metres (4.59 ft) for the existing Accessory Building (Shed). The purpose of this amendment is to accommodate a house and lean-to shed that has already been built.

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 Legal: A portion of  
 NE 13-26-06-W0373  
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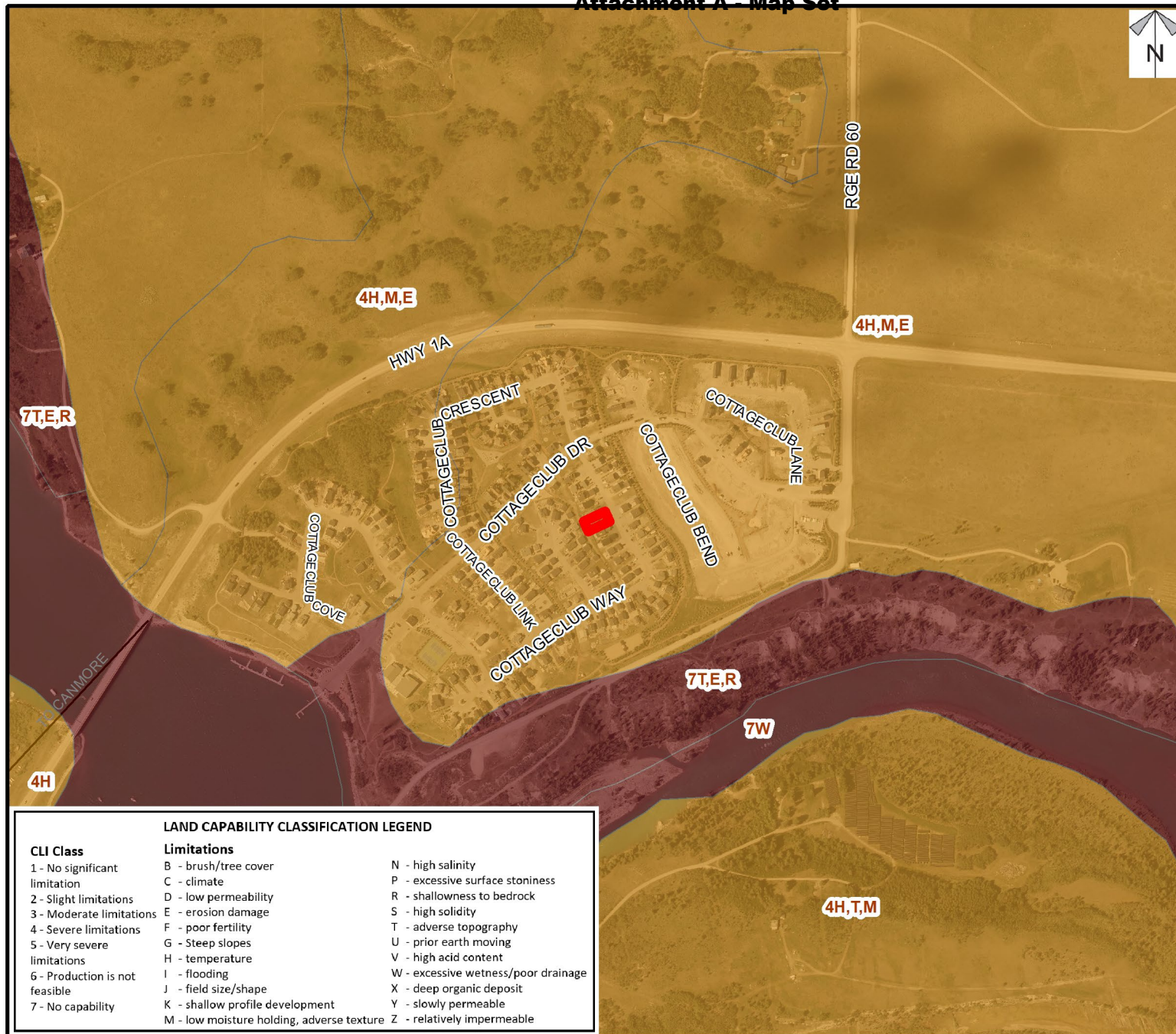


## Soil Classifications

### Redesignation Proposal

A site-specific amendment to Direct Control Bylaw DC-123 at 313 Cottageclub Way (Unit 184, Plan 1111762) to reduce the minimum south side yard setback from 2.40 metres (7.78 ft) to 2.26 metres (7.41 ft) for the existing Dwelling, Single Detached and to 1.40 metres (4.59 ft) for the existing Accessory Building (Shed). The purpose of this amendment is to accommodate a house and lean-to shed that has already been built.

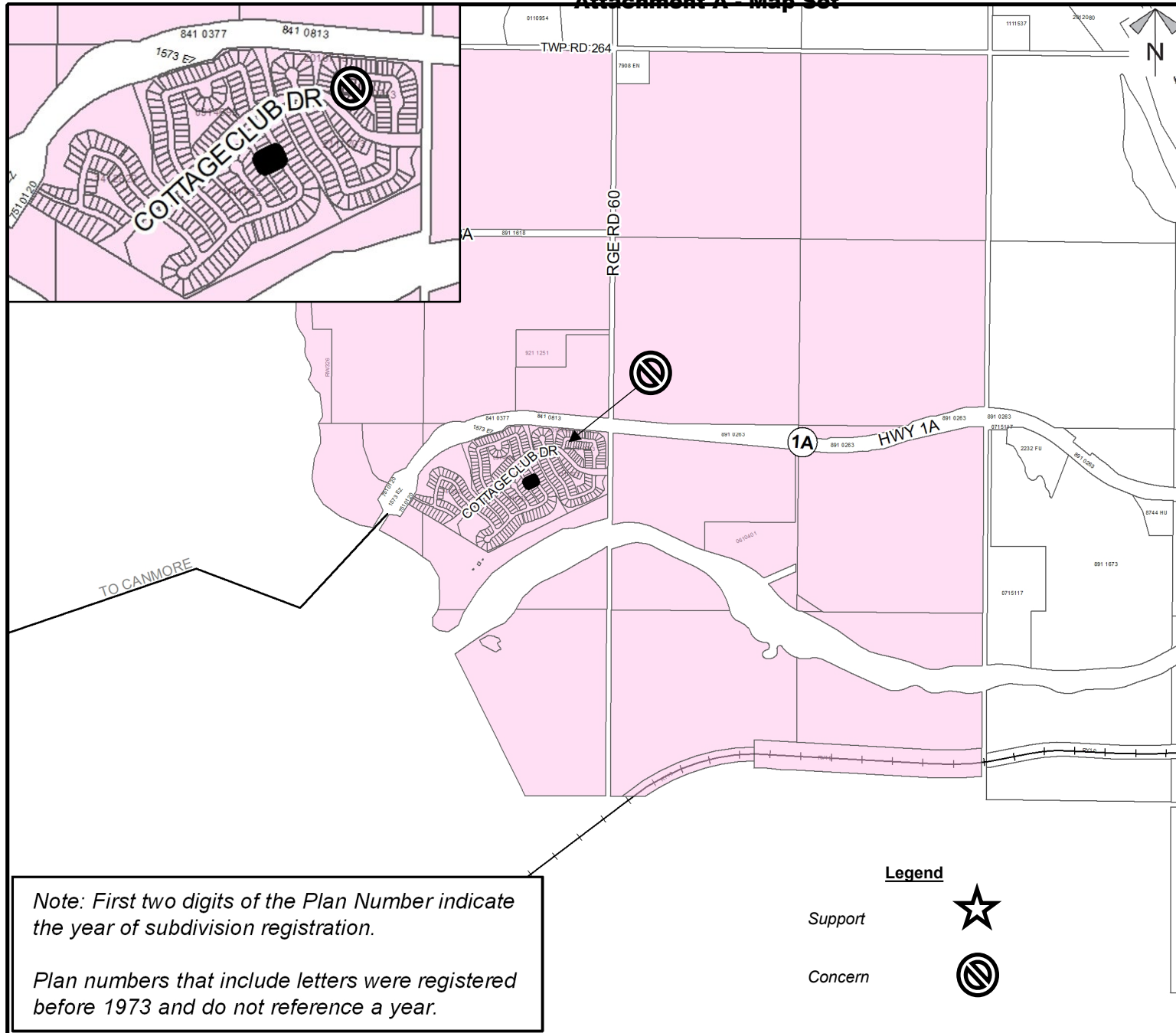
Division: 3  
 Roll: 10013186  
 File: PL20240092  
 Printed: 5/9/2024  
 Legal: A portion of  
 File: 13-26-06-110373  
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# Landowner Circulation Area Redesignation Proposal

A site-specific amendment to Direct Control Bylaw DC-123 at 313 Cottageclub Way (Unit 184, Plan 1111762) to reduce the minimum south side yard setback from 2.40 metres (7.78 ft) to 2.26 metres (7.41 ft) for the existing Dwelling, Single Detached and to 1.40 metres (4.59 ft) for the existing Accessory Building (Shed). The purpose of this amendment is to accommodate a house and lean-to shed that has already been built.



**ATTACHMENT B: APPLICATION INFORMATION**

|   |   |
|---|---|
| <b>APPLICANT/OWNERS:</b><br>Arc Surveys Ltd. (Molly Seguin) / Lutz, Grant   | <b>DATE APPLICATION RECEIVED:</b><br>May 9, 2024                            |
| <b>GROSS AREA:</b><br>±0.047 hectares (±0.1157 acres)   | <b>LEGAL DESCRIPTION:</b><br>UNIT 184, Plan 1111762 within NE-13-26-06-W05M |
| <b>Pre-Application Meeting Held:</b> <input type="checkbox"/>   | <b>Meeting Date:</b> N/A  |
| <b>SOILS (C.L.I. from A.R.C.):</b><br>4H, M, E – Severe limitations to cereal crop production due to soil temperature, low moisture holding, and erosion damage.  |   |
| <b>HISTORY:</b><br><p><b>May 14, 2015:</b> Building permit no.PRBD20151788 issued, approving construction of the Dwelling, Single Detached on the subject lot.</p> <p><b>2013 – 2024:</b> Three separate applications for site-specific amendments relaxing minimum setback requirements for individual lots have been approved.</p> <p><b>May 26, 2011:</b> Cottageclub Phase Three (3) (Condominium Plan 111 762) registered with the Alberta land titles office, creating the subject lot.</p> <p><b>January 15, 2008:</b> Bylaw C-6857-2007 approved – Cottageclub Ghost Lake Conceptual Scheme adopted by Council.</p> |   |
| <b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>None.</li> </ul>   |   |



## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

| AGENCY                                      | COMMENTS   |
|---|--|
| <b><i>School Authority</i></b>              |  |
| Calgary Catholic School District            | No comments.   |
| <b><i>Province of Alberta</i></b>           |  |
| Alberta Transportation & Economic Corridors | <p>Alberta Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):</p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable.</li> <li>2. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.</li> <li>3. The proposed development is exempted from the requirement of a permit pursuant to Section 25 of the Highways Development and Protection Regulation. This exemption is subject to the provisions of Sections 11-23 and Sections 55-59 of the Highways Development and Protection Act (Chapter H-8.5, RSA, 2004) and amendments thereto, and Sections 8-15, Sections 24-25, and Sections 35-36 of the Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.</li> <li>4. This exemption, and associated terms and conditions, apply to the development referenced herein at the location shown, and any new or additional development activity must obtain approval from Transportation and Economic Corridors.</li> <li>5. Transportation and Economic Corridors accepts no responsibility for the noise or other impacts of highway traffic upon any development or occupants thereof. Noise impacts and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation and/or visual screening are the sole responsibility of the landowner.</li> <li>6. The landowner shall indemnify and hold harmless the Minister and his employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, operation, or alteration of the work described.</li> <li>7. Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.</li> <li>8. The landowner (or a designated representative) is responsible for obtaining any other necessary municipal, provincial, or federal approvals.</li> </ol> |

| AGENCY  | COMMENTS  |
|---|---|
| <b><i>Public Utility</i></b>                  |   |
| ATCO Gas                                      | No objections.  |
| ATCO<br>Transmission                          | No objections.  |
| FortisAlberta                                 | No concerns.  |
| Telus<br>Communications                       | No concerns.  |
| TransAlta Utilities<br>Ltd.                   | No comments received.   |
| <b><i>Internal<br/>Departments</i></b>        |   |
| Recreation, Parks<br>and Community<br>Support | No comments.  |
| Building Services                             | The following items have been identified: <ul style="list-style-type: none"> <li>• Advisory – Applicant to apply for a Building permit for the existing As-Built shed.</li> <li>• The Site-Specific DC-13 Bylaw amendment shall be approved prior to acceptance of the Building permit submission.</li> </ul> |
| Enforcement<br>Services                       | No comments.  |
| Capital and<br>Engineering<br>Services        | No comments.  |

Circulation Period: May 28, 2024, to June 18, 2024.

**From:** [Carter Shelton](#)  
**To:** [Amanda Stephenson](#)  
**Subject:** RE: Application number:PL20240092  
**Date:** June 19, 2024 8:28:00 AM

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Good Morning Amanda,

Typically the way these types of applications come to be is that at time of sale, the owner usually submits a real property report for the County to review and ensure relevant setbacks are adhered to. Since the Cottageclub area has a Direct Control Bylaw which is fairly prescriptive, Administration isn't able to process development permits granting setback relaxations in the area, hence why you're seeing a rise in the number of DC-amendment applications.

Each application is evaluated on a case-by-case basis; whether it's construction error in placing a foundation a few centimeters off from the approved site plan, or a resident placed a shed too close to the property line, in either case Administration wouldn't typically be aware until there is a real property report submitted for a compliance review. If you'd like to discuss further please feel free to give me a call on my direct line (listed below) and I'd be happy to further explain the context and the process these applications go through.

Thanks for your feedback,

**CARTER SHELTON, BA**  
Planner 1 | Planning and Development  
**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: | 403.520.8165  
[CShelton@rockyview.ca](mailto:CShelton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Amanda Stephenson [REDACTED]  
**Sent:** Tuesday, June 18, 2024 2:46 PM  
**To:** Carter Shelton <[CShelton@rockyview.ca](mailto:CShelton@rockyview.ca)>  
**Subject:** Application number:PL20240092

Hi Carter,

I'm emailing about the file number at cottage club listed above. I don't have a specific issue with this amendment, but I'm growing concerned with how often these amendments are coming out and how it is that homes are being built without adhering to bylaws. I know this home isn't new and I don't know why these issues aren't corrected or applied for during the build/permit process. Are the permits being issued based on plans that fit within bylaws and

then inspections not ensuring that they adhere to the permits? I know with my build I had 4-5 inspections with the county I believe, the first being at the foundation stage. I genuinely don't know so I'd like more information on that. I also see other homes/accessory buildings going up that aren't adhering to setbacks (or don't seem to be... I don't want to go measure them!) and am just wondering if anyone from the county is looking at the builds on a regular basis or how that information is brought to your attention.

I appreciate your reponse!

Amanda Stephenson

**ATTACHMENT E: POLICY REVIEW**

| <b>Definitions</b>  |  |  |
|---|--|--|
| Consistent  | Generally Consistent   | Inconsistent   |
| Clearly meets the relevant requirements and intent of the policy. | Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development. | Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges. |

| <b>Municipal District of Bighorn / Rocky View County Intermunicipal Development Plan</b> |   |
|--|---|
| <b>Land Use Policies – General Land Use Policies</b>                                     |   |
| 3.2.1  | <i>Applications for land use redesignation, subdivision, and development permit should be evaluated in accordance with the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.</i>  |
| Consistent   | The IDP does not have regulations surrounding building setbacks, however, the application was evaluated against Rocky View County regulations.  |
| 3.2.2  | <i>Applications for a new Area Structure Plan, Concept Plan, MDP, LUB, and MDP or LUB amendments within the IDP Area should be evaluated in accordance with any relevant regional plan as well as the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.</i> |
| Consistent   | The application for the DC-123 Amendment was reviewed against Rocky View County plans.  |

| <b>Municipal Development Plan (County Plan)</b>                          |   |
|--|---|
| <b>Country Residential Development – Country Residential Communities</b> |   |
| 10.2   | <i>Country residential development in the agriculture area shall be guided by the goals and policies of this Plan.</i>  |
| Consistent   | The Cottageclub Ghost Lake CS was developed in accordance with the goals and policies of the County Plan, meeting the development review criteria identified within Section 29.   |
| 10.3   | <i>Encourage and support country residential communities in providing a high quality built environment while maintaining rural character.</i>   |
| Consistent   | The CS achieves a community design largely aligned with the principles of compact residential development. Implementation of the community design standards including architectural guidelines and subdivision design are not impacted by the proposed amendment. |
| 10.4   | <i>Country residential development shall address the development review criteria identified in section 29.</i>  |
| Consistent   | The scope of the application does not warrant updates to the technical submissions previously reviewed in evaluation of the approved Cottageclub Ghost Lake CS.   |



| <b>Cottageclub Ghost Lake Conceptual Scheme C-6585-2007</b> |   |
|---|---|
| <b>Subdivision Design</b>                                   |   |
| 7.4.3   | <i>Cabins shall be clustered to provide for a cohesive plan, efficient servicing and to provide opportunities for common open space.</i>  |
| Consistent  | The approved subdivision design creating the subject lot considered a cluster design typology preserving open space and providing walkable access to community amenities. No adverse impacts to community design criteria are anticipated should the subject amendment be approved. |
| <b>Population Projections</b>                               |   |
| 7.5.1   | <i>The maximum number of recreational detached cabin dwelling units permitted within the Plan Area shall be 350.</i>  |
| Not Applicable  | The proposed application does not create additional dwelling units within the plan area. Through the creation of the subject lot the density requirements have previously been reviewed and accepted.   |
| <b>Architectural Guidelines</b>                             |   |
| 7.8.1   | <i>Architectural guidelines shall be prepared by the developer to ensure a cohesive, high quality building form suited to the natural environment. All cabins and buildings will be constructed of low maintenance, high quality materials.</i>                                     |
| Not Applicable  | The placement of the Dwelling, Single Detached on the subject lot does not change architectural form and massing of the lot development. No impacts to community cohesion are anticipated by the minor setback variance.  |
| <b>Proposed Land Use</b>                                    |   |
| 12.0.1  | <i>Applications for land use amendments within the Plan Area shall establish land uses, appropriate building setbacks and development regulations, and shall be consistent with the intent of this Conceptual Scheme.</i>   |
| Generally Consistent  | The application is requesting a variance to the building setback to allow for an existing dwelling and shed to remain, while remaining consistent with the intent of the Conceptual Scheme.   |
| <b>Intermunicipal Cooperation</b>                           |   |
| 15.0.1  | <i>All applications to adopt or amend the Conceptual Scheme and land use bylaw, and any subdivision or development permit application shall be referred to the MD of Big Horn and the Summer Village of Ghost Lake for review and comment.</i>                                      |
| Consistent  | The application information package was circulated to the MD of Bighorn for their review and comment in accordance with Policy 15.0.1; no comments were received.   |

| <b>Direct Control District Bylaw C-6586-2007 (DC-123)</b>                             |  |
|---|--|
| <b>Land Use Regulations – Residential Area – Cell ‘A’ – Minimum Yard Requirements</b> |  |
| 2.4.2   | Side Yard: 2.4 m (7.87 ft.)  |
| Generally Consistent  | The application is for an amendment to the side yard setback for Unit 184, to allow an existing dwelling and shed to remain.<br>The existing side yard setback for the dwelling is 2.26 m (7.41 ft.), resulting in a 0.14 m (0.46 ft.) variance (± 6%).<br>The existing side yard setback for the “lean-to shed” is 1.40 m (4.59 ft.), resulting in a 1.00 m (3.28 ft.) variance (41.67%). |



# BYLAW C-8570-2024

**A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-6586-2007, being Direct Control (DC-123).**

The Council of Rocky View County enacts as follows:

## Title

1 This bylaw may be cited as *Bylaw C-8570-2024*.

## Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
- (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

## Effect

3 THAT Direct Control Bylaw C-6586-2007, known as “DC-123” be amended as shown on the attached Schedule ‘A’ forming part of this Bylaw.

## Effective Date

4 Bylaw C-8570-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date Bylaw Signed



**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-8570-2024**

*Add the following to Section 2.4.2:*

- 2.4.2.5 Notwithstanding section 2.4.2, Unit 184, Plan 1111762 within NE-13-26-06-W5M is permitted a minimum side yard setback of 2.26 metres (7.41 feet) for the Dwelling, Single Detached, and 1.40 metres (4.59 feet) for Accessory Building, in order to allow an existing house and shed to remain.

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44**  
**BYLAW C-6586-2007**

**OFFICE CONSOLIDATION**

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

| Bylaw       | Amendment Type           | Date of Approval   |
|-------------|--------------------------|--------------------|
| C-6586-2007 | Original Bylaw           | June 1, 2010       |
| C-7303-2013 | Amending Section 2.4.2.1 | December 10, 2013  |
| C-7610-2016 | Amending Section 5.12.0  | October 11, 2016   |
| C-7808-2018 | Amending Sections 4.1.0  | January 28, 2020   |
| C-8444-2023 | Amending Section 2.4.2.2 | October 31, 2023   |
| C-8506-2024 | Amending Section 2.4.2   | April 23, 2024     |
| C-8577-2024 | Amending Section 2.4.2   | September 24, 2024 |
| C-8570-2024 | Amending Section 2.4.2   | October 8, 2024    |

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97 (The Land Use Bylaw).

**WHEREAS** the Council deems it desirable to amend the said Bylaw; and

**WHEREAS** the Council of the Municipal District of Rocky View No. 44 has received an application to amend Part 5, Land Use Map 69 of Bylaw C-4841-97 to redesignate Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M from Ranch & Farm District to Direct Control District as shown on attached Schedule “A” and Schedule “B”; and

**WHEREAS** a notice was published on Tuesday, December 4, 2007 and Tuesday, December 11, 2007 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44, advising of the Public Hearing for Tuesday, January 15, 2008; and

**WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

**NOW THEREFORE** the Council enacts the following:

1. That Part 5, Land Use Map No. 69 of Bylaw C-4841-97 be amended to redesignate Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M from Ranch and Farm District to Direct Control District, as shown on the attached Schedule “A” and Schedule “B” attached hereto and forming part of the Bylaw; and
2. That a portion of the lands within Lot 1, Block 1, Plan 031 2312 and a portion of the N ½ Sec. 13, Twp. 26, Rge. 6, W5M are hereby redesignated to Direct Control District, as shown on Schedule “A” and Schedule “B” attached to and forming a part of this Bylaw; and
3. That the regulations of the Direct Control District comprise:
  - 1.0.0 General Regulations

- 2.0.0 Land Use Regulations – Residential Area - Cell ‘A’
- 3.0.0 Land Use Regulations – Lake Access Area - Cell ‘B’
- 4.0.0 Subdivision Regulations
- 5.0.0 Development Regulations
- 6.0.0 Definitions
- 7.0.0 Implementation

#### 1.0.0 GENERAL REGULATIONS

- 1.1.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where noted otherwise in this Bylaw.
- 1.2.0 That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.3.0 Notwithstanding Section 1.2.0, a *Dwelling, Single-detached* and *Accessory Buildings* are deemed approved without the requirement for a Development Permit when all other criteria of this Bylaw are met.
- 1.4.0 Council may, through a Development Agreement(s) required by any subdivision and/or development permit affecting these Lands, specify any regulation, criteria, or condition necessary to ensure all Subdivision and Development on the Lands conform to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the Council and its sole and unfettered discretion.

#### 2.0.0 LAND USE REGULATIONS – RESIDENTIAL AREA - CELL ‘A’

##### 2.1.0 Purpose and Intent

The purpose and intent is to provide for a comprehensively planned ‘recreation-based’ residential development with limited service and seasonal occupancy.

##### 2.2.0 Uses

- 2.2.1 Accessory Buildings
- 2.2.2 Caretaker’s Residence
- 2.2.3 Communal Washroom & Shower Facilities
- 2.2.4 *Dwelling, Single-detached*
- 2.2.5 Local Convenience Store
- 2.2.6 Private Open Space
- 2.2.7 Public Park
- 2.2.8 Learning & Recreation Center
- 2.2.9 Sales Centre/Professional Office
- 2.2.10 Show Homes
- 2.2.11 Signs
- 2.2.12 Utility Infrastructure

##### 2.3.0 Maximum Requirements

- 2.3.1 Maximum Number of Dwelling Units: 350
- 2.3.2 Maximum Number of Dwelling Units per titled area: 1
- 2.3.3 Maximum Number of Caretaker’s Residences: 1

- 2.3.4 Maximum Building Areas:
- a) Dwelling, *Single-detached*:  
Main Floor – 56 m<sup>2</sup> (603 ft<sup>2</sup>)  
Total – 88 m<sup>2</sup> (950 ft<sup>2</sup>)
  - b) Caretaker's Residence:  
Main Floor – 139.4 m<sup>2</sup> (1,500 ft<sup>2</sup>)  
Total – 278.7 m<sup>2</sup> (3,000 ft<sup>2</sup>)
  - c) Learning & Recreation Centre: 1393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>)
  - d) Sales Centre/Professional Office (to be included as part of the Main Floor of the Caretaker's Residence): 55.7 m<sup>2</sup> (600 ft<sup>2</sup>)
  - e) Local Convenience Store (to be included as part of the Main Floor of the Learning & Recreation Centre): 186 m<sup>2</sup> (2,002 ft<sup>2</sup>)
  - f) Accessory Buildings:  
Main Floor – 37.2 m<sup>2</sup> (400 ft<sup>2</sup>)  
Total – 60.4 m<sup>2</sup> (650 ft<sup>2</sup>)
- 2.3.5 Maximum Number of Accessory Buildings per titled area: 1
- 2.3.6 Maximum Building Height:
- Accessory Buildings: 6 m (19.7 ft)
  - Caretaker's Residence: 11 m (36 ft)
  - Dwelling, *Single detached*: 9 m (29.5 ft)
  - Recreation & Learning Center: 11 m (36 ft)
- 2.3.7 Maximum Site Coverage (all buildings): 35%

#### 2.4.0 Minimum Yard Requirements

- 2.4.1 Front Yard: 2.4 m (7.87 ft.)
- 2.4.2 Side Yard: 2.4 m (7.87 ft.)
- 2.4.2.1 Notwithstanding section 2.4.2, Unit 54, Plan 0914699 within N-13-26-6-W5M is permitted a minimum yard setback of 2.20 metres (7.22 feet), in order to allow an existing dwelling and garage to remain.
  - 2.4.2.2 Notwithstanding section 2.4.2, Unit 298, Plan 201 0713 within NE-13-26- 6W5M is permitted a minimum yard setback of 2.36 metres (7.74 feet), in order to allow an existing dwelling to remain.
  - 2.4.2.3 Notwithstanding section 2.4.2, Unit 259, Plan 201 0713 within NE-13-26-6-W5M is permitted a minimum side yard setback of 2.09 metres (6.86 feet), in order to allow an existing dwelling and detached garage to remain.
  - 2.4.2.4 Notwithstanding section 2.4.2, Unit 149, Plan 111 1762 within NE-13-26-6-W5M is permitted a minimum side yard setback of 0.51 metres (1.67), in order to allow an existing detached garage to remain.
  - 2.4.2.5 Notwithstanding section 2.4.2, Unit 184, Plan 111 1762 within NE-13-26-06-W5M is permitted a minimum side yard setback of 2.26 metres (7.41 feet) for the Dwelling Single Detached, and 1.40 metres (4.59 feet) for Accessory Building, in order to allow an existing house and shed to remain.
- 2.4.3 Rear Yard: 0.6 m (2.0 ft.) - when backing onto a common greenspace; 2.4 m (7.87 ft.) - all others

### 3.0.0 LAND USE REGULATIONS - LAKE ACCESS AREA - CELL 'B'

- 3.1.0 The purpose and intent is to facilitate the site's ongoing use for power generation and transmission infrastructure related to the Ghost River Reservoir, and to provide for a boat dock, boat launch, and a private road to facilitate access from the Residential Area to the Ghost Lake Reservoir.
- 3.2.0 Uses

- 3.2.1 Boat Dock
- 3.2.2 Boat Launch
- 3.2.3 Private Open Space
- 3.2.4 Signs
- 3.2.5 Utility Infrastructure



**4.0.0 SUBDIVISION REGULATIONS**

- 4.1.0 As per Section 11.0 of the Cottage Club Ghost Lake Conceptual Scheme, all applications for phased subdivision approvals must be supported by the following technical documentation:
- a) A Construction Management Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality.
  - b) A Stormwater Management Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and all relevant Federal & Provincial Authorities.
  - c) A Traffic Impact Analysis, prepared by a qualified professional, in a form and substance satisfactory to the Municipality and Alberta Transportation.
  - d) A Biophysical Impact Analysis, prepared by a qualified professional, in a form and substance satisfactory to the Municipality, to assess existing wildlife movements within the site, and recommend appropriate implementation measures to mitigate same.
  - e) An Emergency Response Plan, prepared by a qualified professional, in a form and substance satisfactory to the Municipality, to assess appropriate emergency response levels as required by the development in consideration of the site's limited service and proximity to the Wildcat Hills Gas Plant.
  - f) A Landscaping Plan that details plantings and other related improvements proposed within the development, prepared by a qualified Landscaping Professional, in accordance with the Conceptual Scheme's Policy 7.7.1, in a form and substance satisfactory to the Municipality.
  - g) Confirmation of a treated water supply, to be licensed by the Province of Alberta, in a form and substance satisfactory to the Municipality.
  - h) Confirmation of a wastewater system, to be approved by the Province of Alberta, in a form and substance satisfactory to the Municipality.
  - i) Confirmation that the proposed Condominium Bylaws and Architectural Controls associated with this development ensure that all owners within the development are notified of the community's recreational occupancy restrictions as per Policies 9.1.3, 9.1.4 and 9.3.1 of the Cottage Club Ghost Lake Conceptual Scheme, in a form and substance satisfactory to the Municipality.
  - j) An outline of all recreational amenities planned within the site, that discusses the intended use and intended users of each amenity, with a detailed Site Plan illustrating the location and configuration of the amenities within the site, in a form and substance satisfactory to the Municipality.
- 4.2.0 Approval conditions may be imposed by the Subdivision Authority to facilitate the implementation of appropriate development considerations as per the technical documentation listed in Section 4.1.0, to the satisfaction of the Municipality.
- 4.3.0 As per Sections 7.6 & 11.0, and Policy 7.6.8 of the Cottage Club Ghost Lake Conceptual Scheme, the pedestrian connection to the Bow River must be resolved prior to the 3rd phase of subdivision proceeding, to the satisfaction of the Municipality.
- 4.4.0 Private Roads shall be designed and constructed to the satisfaction of the Municipality.

**5.0.0 DEVELOPMENT REGULATIONS**

- 5.1.0 The Development Authority may issue a Development Permit for Stripping and/or Grading within any portion of the development, provided the Municipality has endorsed a Construction Management Plan and a Stormwater Management Plan, as required by 4.1.0.
- 5.2.0 Subject to the terms of a Development Permit issued pursuant to 5.1.0, the Development Authority may approve crushing and processing of excavated materials on-site only for subsequent use of such materials within the development.
- 5.3.0 Approval from the Development Authority for any use contemplated by this Bylaw may be subject to approval from all relevant Federal and/or Provincial Authorities.
- 5.4.0 No occupancy of any *Dwelling, Single detached* shall occur until the construction of all required roads and utilities have been substantially completed to the satisfaction of the Municipality and Alberta Transportation.
- 5.5.0 The Development Authority may issue a Development Permit for up to five (5) Show Homes prior to the endorsement of a conditionally approved Plan of Subdivision. No occupancy of a Show Home shall occur until of all required roads and utilities have been substantially completed, and a Plan of Survey has been registered with Alberta Land Titles.
- 5.6.0 No outside storage shall be permitted within any parcel containing a *Dwelling, Single detached*.
- 5.7.0 Notwithstanding 5.6.0, the outside storage of a maximum of one (1) recreational vehicle and one (1) boat may be permitted within parcels containing *Dwellings, Single detached*, but only between April 1 and October 31.
- 5.8.0 Parking shall not be permitted abutting any road within the development.
- 5.9.0 Fencing shall not be permitted within any lot that contains a *Dwelling, Single detached*.
- 5.10.0 Construction of a wood, stone, or chain link fence, not greater than 1.8 m (6 ft.) in height, may be permitted within the common greenspace to enclose the development, to provide security for utility infrastructure, and to provide screening associated with recreational facilities.
- 5.11.0 The total area of any deck shall not exceed 37 m<sup>2</sup> (400 ft<sup>2</sup>) and may be attached and/or detached from a *Dwelling, Single detached*. The maximum height of a deck (not including railings) shall not exceed the height of the *Dwelling, Single detached* Main Floor elevation.
- 5.12.0 Notwithstanding 5.11.0, an additional deck incidental to a Loft Area of a *Dwelling, Single detached* may be permitted, provided it does not exceed 3.7 m<sup>2</sup> (40 ft<sup>2</sup>). The maximum height of this deck (not including railings) shall not exceed the maximum height of the *Dwelling, Single detached* Loft Area Floor elevation.
- a) excepting UNIT 148, Plan 1111762, which may retain the two existing upper decks; each approximately 40.00 sq. ft. in area.
- 5.13.0 In all cases, a deck may be covered, but shall not be enclosed, and shall not encroach into any required yard setback.
- 5.14.0 *Accessory Buildings* shall not be attached to any *Dwelling, Single detached*, and construction of carports, breezeways, lean-tos, and/or any other similar structure between a *Dwelling, Single detached* and an *Accessory Building* shall not be permitted.

**6.0.0 DEFINITIONS - ALL USES NOT OTHERWISE HEREIN DESCRIBED HAVE THE SAME MEANING TO THE USES DEFINED IN THE LAND USE BYLAW C-4841-97.**

- 6.1.0 “*Boat Dock*” - means a structure, attached to and forming part of the mainland, for the temporary mooring of water craft and does not include overnight moorage;
- 6.2.0 “*Boat Launch*” - means a ramp that extends from the mainland into a water body, the purpose of which is to facilitate the placement and removal of water craft;
- 6.3.0 “*Caretaker’s Residence*” - means a *Dwelling, Single detached* which may be used as a permanent residence by a caretaker who provides year-round security and a professional office to facilitate site management activities related to the premises;
- 6.4.0 “*Communal Washroom & Shower Facilities*” - means a private facility which is commonly owned or reserved for residents within the development that includes communal washroom and shower facilities;
- 6.5.0 “*Community Sign*” - means a sign displaying the name of the community;
- 6.6.0 “*Construction Management Plan*” - means a program that details site management of all construction activity that may include, but is not limited to, the management of construction debris and dust, stormwater, site erosion, sedimentation control, noise control, traffic control and groundwater monitoring;
- 6.7.0 “*Local Convenience Store*” - means an establishment supplying groceries and other daily household necessities to the residents of the development;
- 6.8.0 “*Private Open Space*” - means improvement of land specifically designed or reserved for residents of the development for active or passive recreational use and includes all commonly-owned natural and man-made landscaping, parking areas, playing fields, maintenance facilities, garbage storage, recycling facilities and other related structures;
- 6.9.0 “*Recreation & Learning Center*” - means a private facility which is commonly owned or reserved for residents within the development that may include meeting rooms, parking facilities, a swimming pool with related change rooms & shower facilities, patios, laundry facilities and a local convenience store for community, social, educational and recreational purposes;
- 6.10.0 “*Recreation Vehicle*” - means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational occupancy;
- 6.11.0 “*Recreational Occupancy*” – means human habitation that occurs primarily between April 1 and October 31 of the calendaryear, and only on random and discontinuous occasions outside of these dates, subsequent to a deliberate mix of public and private regulatory mechanisms that restrict the availability of basic utilities, amenities and services and restrict the maximum area of residential building footprints & ancillary structures;
- 6.11.0 “*Qualified Landscaping Professional*” - means a professional landscape architect licensed to practice within the Province of Alberta who is a member in good standing with the Alberta Association of Landscape Architects (AALA);
- 6.12.0 “*Sales Centre/Professional Office*” - means a portion of the *Caretaker’s Residence* to be used for activities related to the initial marketing and sale of *Dwellings, Single detached* within the development and for ongoing site management activities related to the premises once the site has been built-out;

- 6.13.0 *"Substantially Completed"* - means Construction Completion Certificates have been issued by the Municipality;
- 6.14.0 *"Utility Infrastructure"* - means public and/or privately-owned communal water treatment & distribution systems, communal wastewater systems, natural gas, electricity, cable and telephone transmission lines (and related facilities), solid waste collection and recycling, and general maintenance facilities related to on-site development.

## 7.0.0 IMPLEMENTATION

- 7.1.0 This bylaw comes into effect upon the date of its third and final reading.

**Division: 9**  
**File: 10013010/002/001 2006-RV-183**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, November 27, 2007, on a motion by Councillor McLean.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, January 15, 2007, on a motion by Councillor McLean.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on \_\_\_\_\_, on a motion by Councillor \_\_\_\_\_.

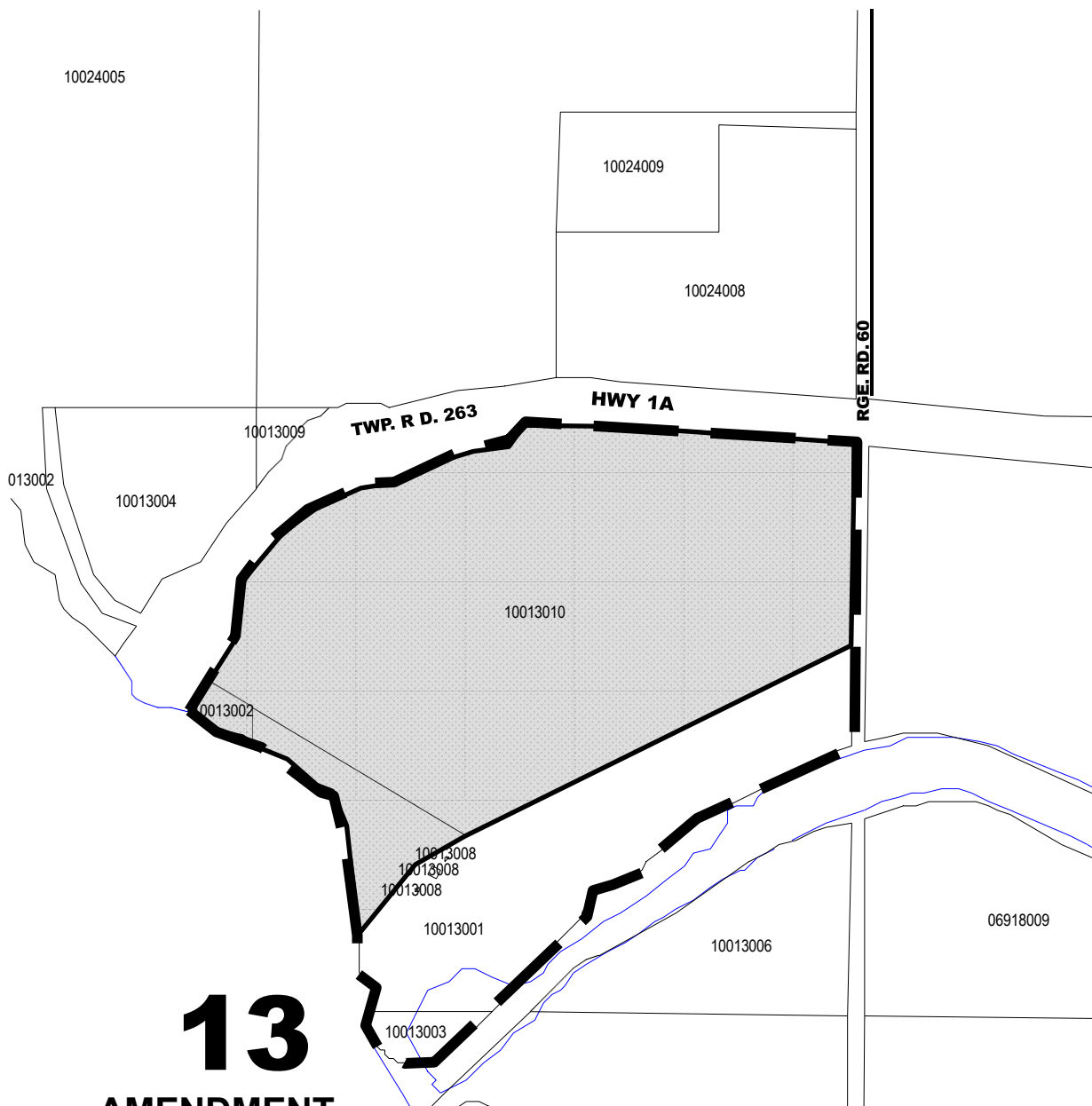
\_\_\_\_\_  
REEVE OR DEPUTY REEVE

\_\_\_\_\_  
MUNICIPAL SECRETARY

Attachment G - Proposed DC-123 Amendment Redline  
SCHEDULE "A"

D-1  
Page 9 of 10

BYLAW: C-6586-2007



**13**

**AMENDMENT**

FROM Ranch & Farm District TO Direct Control District

Subject Lands

Amendment Area



LEGAL DESCRIPTION: Lot 1, Block 1, Plan 031 2312 & Part of  
N ½ 13-26-6-W5

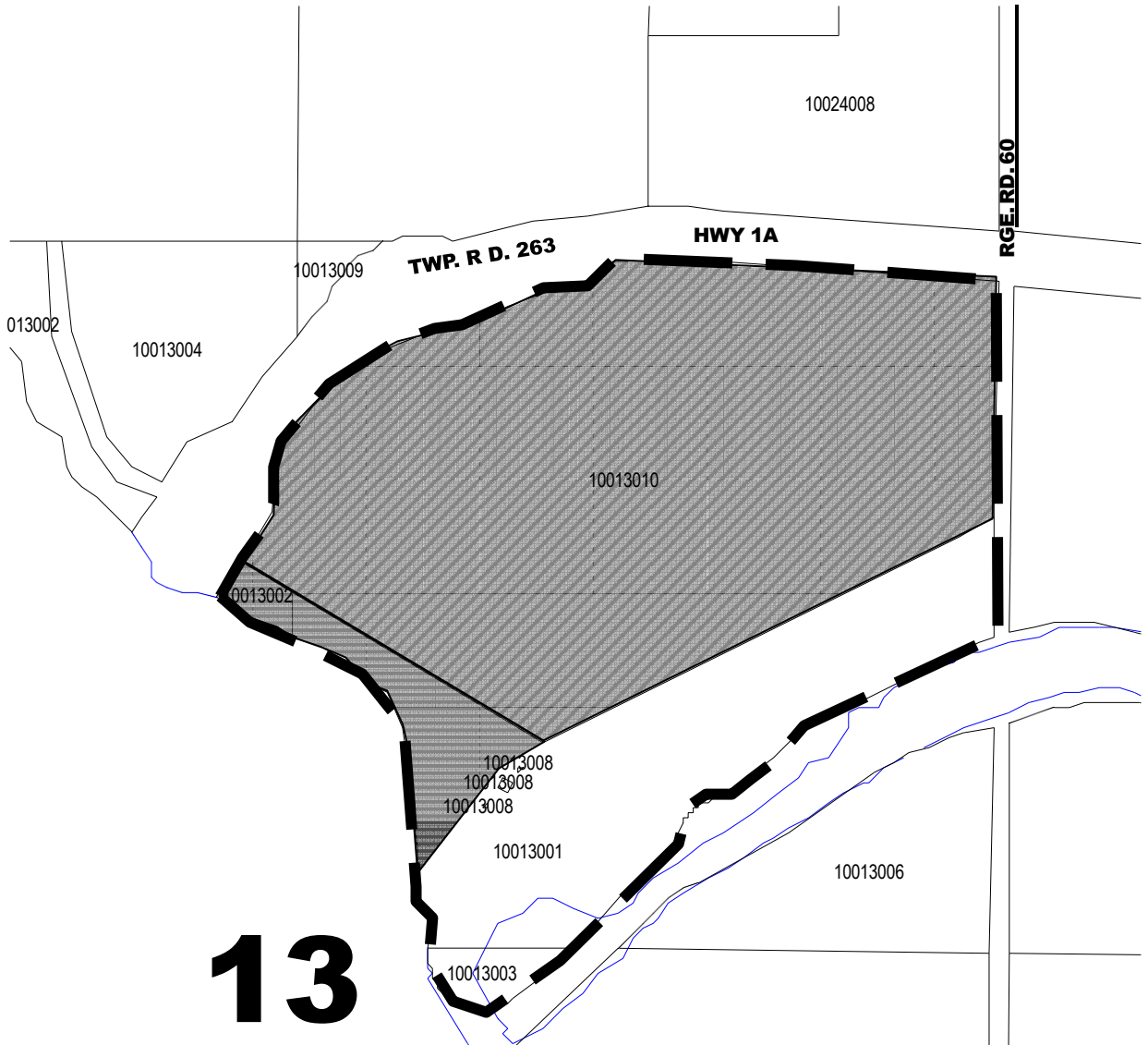
FILE: 10013010/001/002



DIVISION: **9**



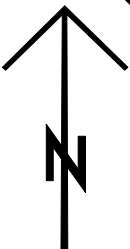
# SCHEDULE "B"

BYLAW: C-6586-2007



-  RESIDENTIAL AREA – CELL 'A'
-  LAKE ACCESS AREA – CELL 'B'

--- Subject Lands



LEGAL DESCRIPTION: Lot 1, Block 1, Plan 031 2312 & Part of N ½ 13-26-6-W5

FILE: 10013010/001/002

DIVISION: 9

Page 56 of





Direct Control Amendment Item: Residential and Business

Electoral Division: 2 File: PL20240006 / Hamlet of Harmony

|             |                           |
|-------------|---------------------------|
| Date:       | October 8, 2024           |
| Presenter:  | Bernice Leyeza, Planner 2 |
| Department: | Planning                  |

REPORT SUMMARY

The purpose of this report is to assess proposed amendments to Direct Control Bylaw C-6688-2008 (DC-129) relating to development within the Hamlet of Harmony; amendments include:

- the definition of Secondary Suites and their exemption from a Development Permit;
- increased maximum height limits for multi-dwelling, mixed-use, and commercial units;
- a reduction in front yard setback for some development cells;
- a change in how parking stall requirements are assessed in some development cells;
- a reduction in the maintenance access easement width for zero lot line properties; and
- an increase in the maximum floor area for Retail Food Stores.

The proposal also seeks to add various land uses and text corrections within the Harmony Plan Area.

The application was evaluated in accordance with the Municipal Development Plan (County Plan), Harmony Conceptual Scheme, and Direct Control Bylaw C-6688-2008 (DC-129). Overall, the application was found to align with the policies of the County Plan, Harmony Conceptual Scheme, and DC-129. Furthermore, the proposed amendments align with the overall intent and vision for the Harmony plan area, preserving the community’s character without negatively impacting the existing and intended amenities.

Administration does not have any concerns with the majority of the proposed amendments; however, at this time Administration recommends that Council amends the proposed bylaw to only exempt Secondary Suites that are located within the primary dwelling from requiring a development permit, as detached suites require a more rigorous review process and may have off-site impacts that should be considered during the development permit process.

ADMINISTRATION’S RECOMMENDATION

- THAT Bylaw C-8574-2024 be given first reading, as amended.
- THAT Bylaw C-8574-2024 be given second reading, as amended.
- THAT Bylaw C-8574-2024 be considered for third reading, as amended.
- THAT Bylaw C-8574-2024 be given third and final reading, as amended.

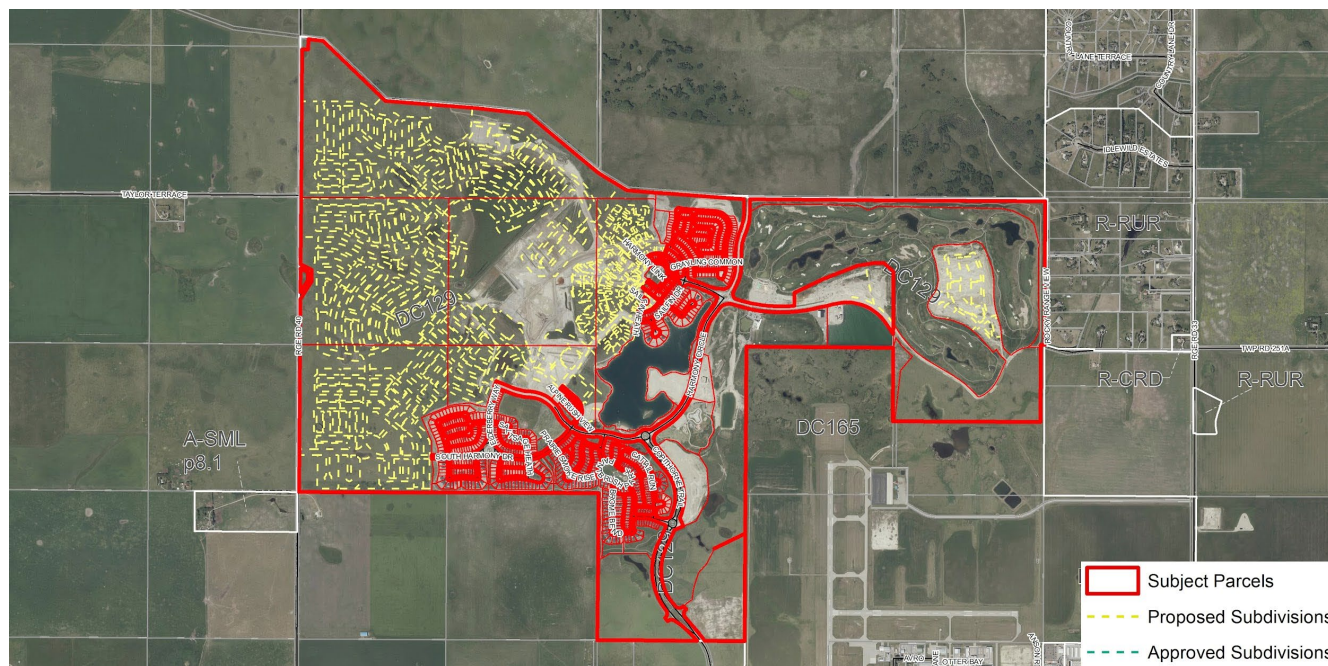


## Direct Control Amendment Item: Residential and Business

### BACKGROUND

#### Location (Attachment A)

Located within Harmony, approximately 3.22 kilometres (2 miles) north of Township Road 250, and on the east side of Range Road 40.



#### Site Context (Attachment B)

On October 7, 2008, Council approved Bylaw C-6688-2008 (DC-129), establishing the Direct Control District for the Harmony Plan area. Between May 2017 and November 2022, several amendments were made to DC-129 to align it with the evolving development.

On February 13, 2024, Council approved amendments to Direct Control District (DC-129), granting the Development Authority the ability to consider variance requests for minimum property line setbacks up to 25% of the required distance. Additionally, for Lots 18 through 24, Block 30, Plan 1911856, within NW-08-25-03-W05M, the minimum dwelling setback from the south property line is now 4.5 meters (14.76 feet), and the minimum setback for attached decks is 2.5 meters (8.20 feet).

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies. Alberta Transportation and Economic Corridors has provided no concerns on the proposed amendments.

#### Landowner Circulation (Attachment D)

The application was circulated to 843 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); a total of five (5) letters were received where one (1) letter of support and four (4) letters of opposition. The opposition letters mainly concern the proposed front yard reduction in the Village Residential – 2 Cell. The Applicant addressed these concerns by submitting minor amendments to their application, which were subsequently sent to the landowners who had initially opposed during the first circulation.



## Direct Control Amendment Item: Residential and Business

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### ANALYSIS

---

#### DC-129 Harmony Proposed Amendments

##### Secondary Suites

The proposal to exempt Secondary Suites from requiring a Development Permit (Section 3.2.0) aims to streamline the approval process for builders and residents in Hamlet of Harmony ("Harmony"). If all Bylaw requirements are met, this change will allow development to proceed without a development permit for qualifying parcels. A development permit would still be needed for any deviations from the Bylaw.

The proposed amendments to the Secondary Suites definition (13.21.0) aim to align with Bylaw C-4841-97, providing clarity on baseline requirements and limiting the scale of Secondary Suites compared to principal dwellings. The proposed amendment addresses the potential for larger lots in Harmony to incorporate secondary suites by increasing the maximum habitable area to 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>), a 20.0% increase from the current 93 m<sup>2</sup> (1,000 ft<sup>2</sup>). These changes are constrained by maximum site coverage and the percentage of habitable area relative to the principal dwelling, ensuring secondary suites remain appropriately scaled.

Administration recommends that the proposed exemption for Secondary Suites apply only to secondary suites that are located within the primary dwelling, as Secondary Suites outside of the primary dwelling, the design, appearance, and impacts of the building is best managed through a development permit process.

Detached suites require a more rigorous review process and may have off-site impacts that should be considered during the review of the development permit.

##### Parking and Loading Needs Assessment (3.0.0)

The VC-1 Development Cell in Harmony uses a Parking Needs Assessment for commercial parking, differing from the standard Land Use Bylaw C-4841-97 requirements cited elsewhere in the Direct Control Bylaw. This proposed method ensures efficient land use and prevents excess parking. The proposal suggests expanding this approach to all commercial uses in Harmony by updating Section 3.0.0 and including more districts. This would allow all commercial parcels to propose parking needs according to an assessment rather than prescribed thresholds, enhancing land use efficiency and community adaptability.

##### VC-1 Amendments (5.5.0)

The proposed amendments to the VC-1 involve adjusting the maximum height for Dwelling, Multi-Family, Mixed-Use, Commercial, and Residential buildings to 20.0 m (65.6 ft), aligning with the approved height for Hotels. This change supports the design of these buildings up to six (6) storeys, a 17.7% increase from the current 17.0 m (55.8 ft) limit.

##### New Land Uses in Employment Campus Development Cell (E-1) (6.2.0)

As interest in new commercial developments in Harmony grows, the Applicant proposes adding several new land uses to the E-1 Development Cell to expand business opportunities and enhance residents' quality of life. The proposed additions include a Cannabis Retail Store, Car Wash, Distillery, Farmers Market, Local Grocery Store, and Local Shopping Centre. These uses will complement existing services in the VC-1 Development Cell and provide diverse, convenient business opportunities.

##### Retail Food Store Floor Area (6.4.2)

A minor increase in the allowable floor area for a Retail Food Store is proposed to align with contemporary development practices and industry standards. The amendment seeks to set the allowable floor area at 3,902 m<sup>2</sup> (42,000 ft<sup>2</sup>), 20.0% increase from the current 3,251 m<sup>2</sup> (35,000 ft<sup>2</sup>).

## Direct Control Amendment Item: Residential and Business

### VR-1 and VR-2 Notes and Superscript (8.5.1 & 9.5.1)

#### *Note d. Minimum Front yard Setback for Garage Oriented Perpendicular to Street*

- Note *d.* permits a reduced front yard setback for Front Access Single Detached dwellings with a Lot Frontage exceeding 24.0m, reducing it from 9.0 m to 6.1 m when garage doors are perpendicular to the street. A minor adjustment is proposed to align this with the 6.00m setbacks in VR-1 and VR-2. Additionally, a grammatical correction in Section 9.5.1 note *d.* (VR-2) is proposed by removing the phrase “doors do not face the street” to match with Section 8.5.1 (VR-1).

#### *Note e. Requirements for Dwellings Utilizing Both Dual Front and Rear Access*

- Some lots in Harmony can accommodate both front and rear access, allowing for a ‘drive-through’ garage scenario. This type of product has not been implemented in Stages 1 and 2, nor are there plans for dual access. Existing development controls in the DC-129 Bylaw and Harmony architectural controls ensure appropriate design for such access. Therefore, note *e.*, which pertains to the Building Grade plan for lots with both front and rear access, is deemed redundant and proposed for deletion to enhance the clarity of the DC-129 Bylaw.

#### *Removal of Several Superscript References within Tables 1 and 2 in Section 8.5.1 and 9.5.1*

- Tables 1 and 2 in Sections 8.5.1 and 9.5.1 contain incorrect superscript references, misdirecting readers to notes for different situations. For instance, Front Access Single Detached dwellings should reference note *d.* instead of note *e.* These errors are proposed to be corrected in the updated Bylaw.

### VR-2 Front Yard Setback Reduction (9.5.1)

The setback within the VR-2 Development Cell has been adjusted from 6.0m to 4.5m (a 33.3% decrease) for irregularly shaped lots less than 18.3m (60.0 ft) wide. To address residents’ concerns, a definition for irregular-shaped lots has been added in Section 9.5.1: “*Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot along a concave curve, the front yard setback is reduced to a minimum of 4.5 metres.*” This adjustment ensures the setback reduction is specific to these lots, enhancing building placement efficiency.

### VR-3 and VR-4 Zero Lot Line Easement (10.4.0 & 11.4.0)

The VR-3 and VR-4 Development Cells in Harmony feature ‘zero lot line’ single-detached dwellings, allowing these structures to be built close to the property line with an easement for access. A proposed reduction of the easement at 1.8 m (6.0 ft), a decrease of 25.0% from the current 2.4m (7.9 ft). This aims to provide flexibility for residents and builders.

### Administrative Errors

The DC-129 (March 2024) contains various grammatical, spelling, formatting, and numbering errors. Highlighted in yellow for Administration’s review are notable errors, with missing punctuation or revised text in green (see Attachment G for the redlined version). Additional editorial review items include inconsistencies in capitalization and italicization, non-uniform list formatting, outdated Provincial agency references, inconsistent tab spacing, missing or misnumbered sections, and text justification issues.

### **Policy Review** (Attachment E)

The proposed amendments are consistent with the overarching policies of the County Plan, the Harmony Conceptual Scheme, and Direct Control Bylaw C-6688-2008 (DC-129).

The County Plan supports the development of the Hamlet of Harmony as a full-service community in accordance with the Conceptual Scheme. The proposed amendments to the conceptual scheme retain the mixed-use development concept. The application proposes an amendment to the DC-129 District to which the Harmony Conceptual Scheme guides development. The changes to the Direct Control District are consistent with the relevant policies in the Conceptual Scheme.

Direct Control Amendment Item: Residential and Business

COMMUNICATIONS / ENGAGEMENT

Consultation was conducted in accordance with statutory requirements and County Policy C-327.

IMPLICATIONS

Financial

No financial implications identified at this time.

STRATEGIC ALIGNMENT

This report is a statutory obligation under the *Municipal Government Act*.

ALTERNATE DIRECTION

No alternative options have been identified for Council’s consideration.

ATTACHMENTS

- Attachment A: Map Set
- Attachment B: Application Information
- Attachment C: Application Referral Responses
- Attachment D: Public Submissions
- Attachment E: Policy Review
- Attachment F: Draft Bylaw C-8574-2024 and Schedule A
- Attachment G: Bylaw C-8574-2024 Redline

APPROVALS

|                                      |                     |
|--------------------------------------|---------------------|
| Manager:                             | Dominic Kazmierczak |
| Executive Director/Director:         | Matt Boscariol      |
| Acting Chief Administrative Officer: | Byron Riemann       |

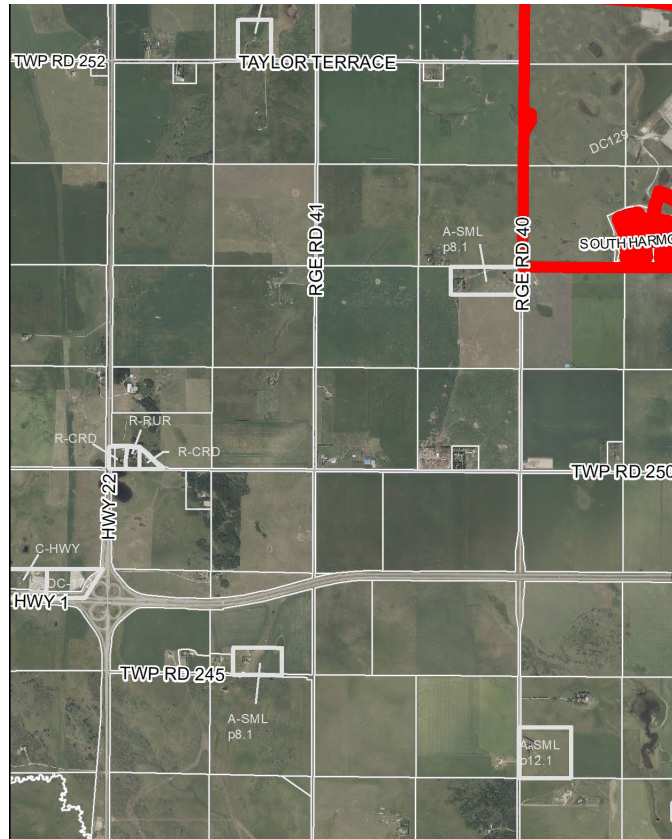
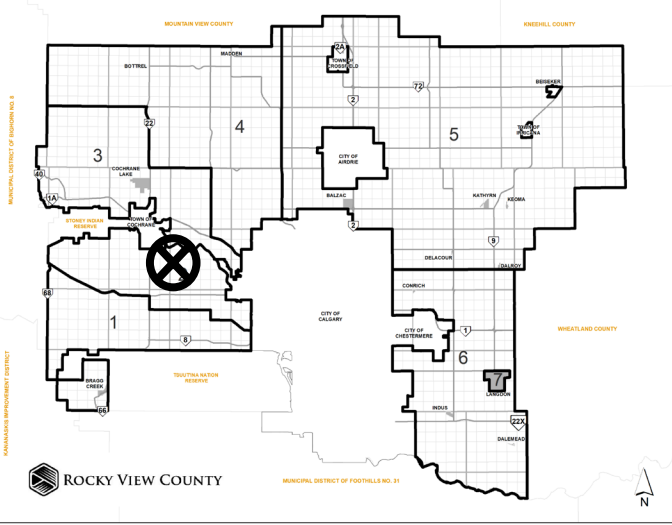
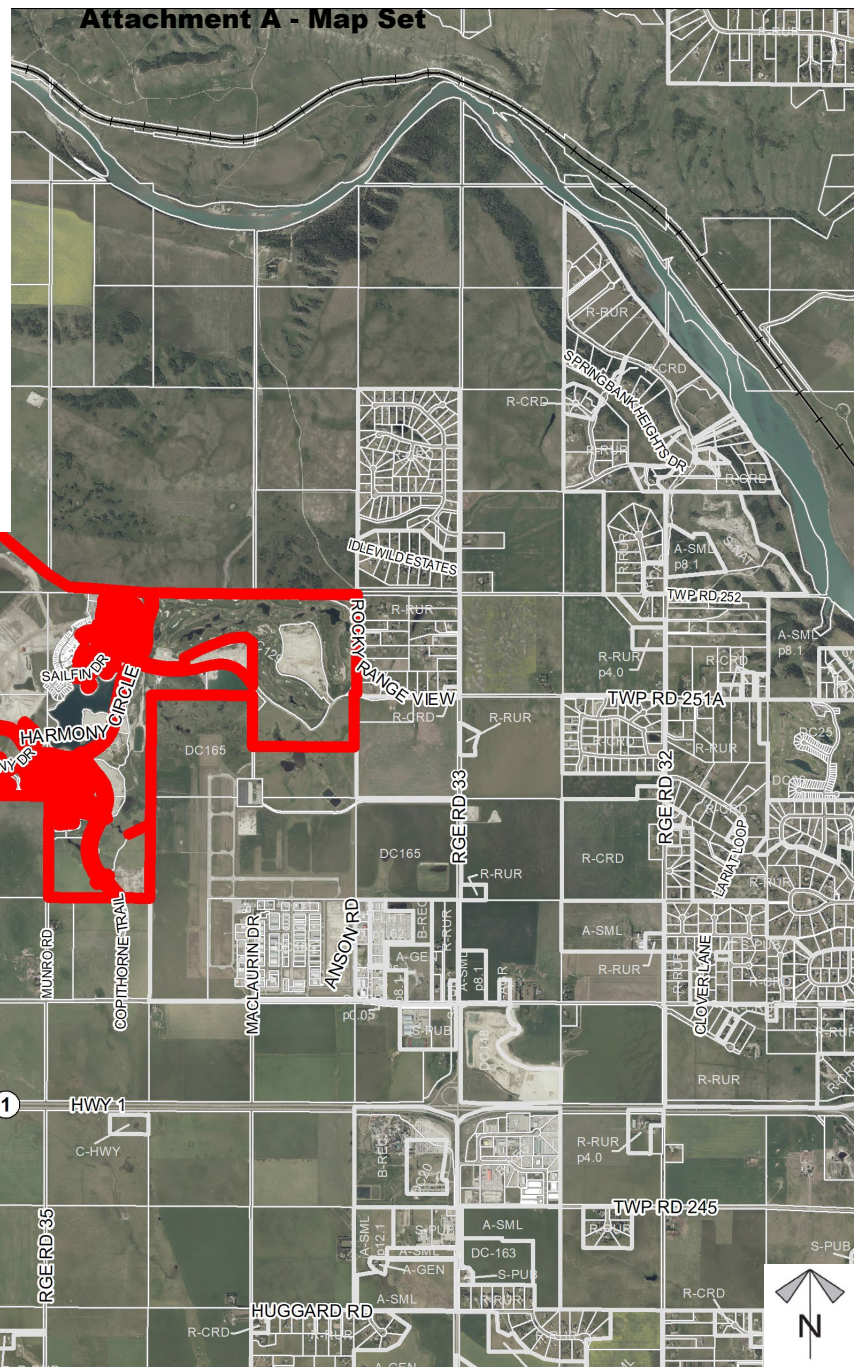


## Location & Context

### DC Amendment

To assess the Direct Control Bylaw C-6688-2008 (DC-129) proposed amendments to vary the definition Secondary Suites and its exemption from a Development Permit; maximum height restrictions for multi-dwelling, mixed-use, commercial units; setback reductions; and maximum floor area. The proposal also seeks to add various land uses and editorial corrections within the Harmony Plan Area.

*Division: 2*  
*Roll:*  
*File: 1013-301 Harmony (DC 129)*  
*Printed: Apr 5, 2024*  
*Legal: Within section*  
*05/07/08/09/17/18-25-03-*  
*Page 62 of 373*



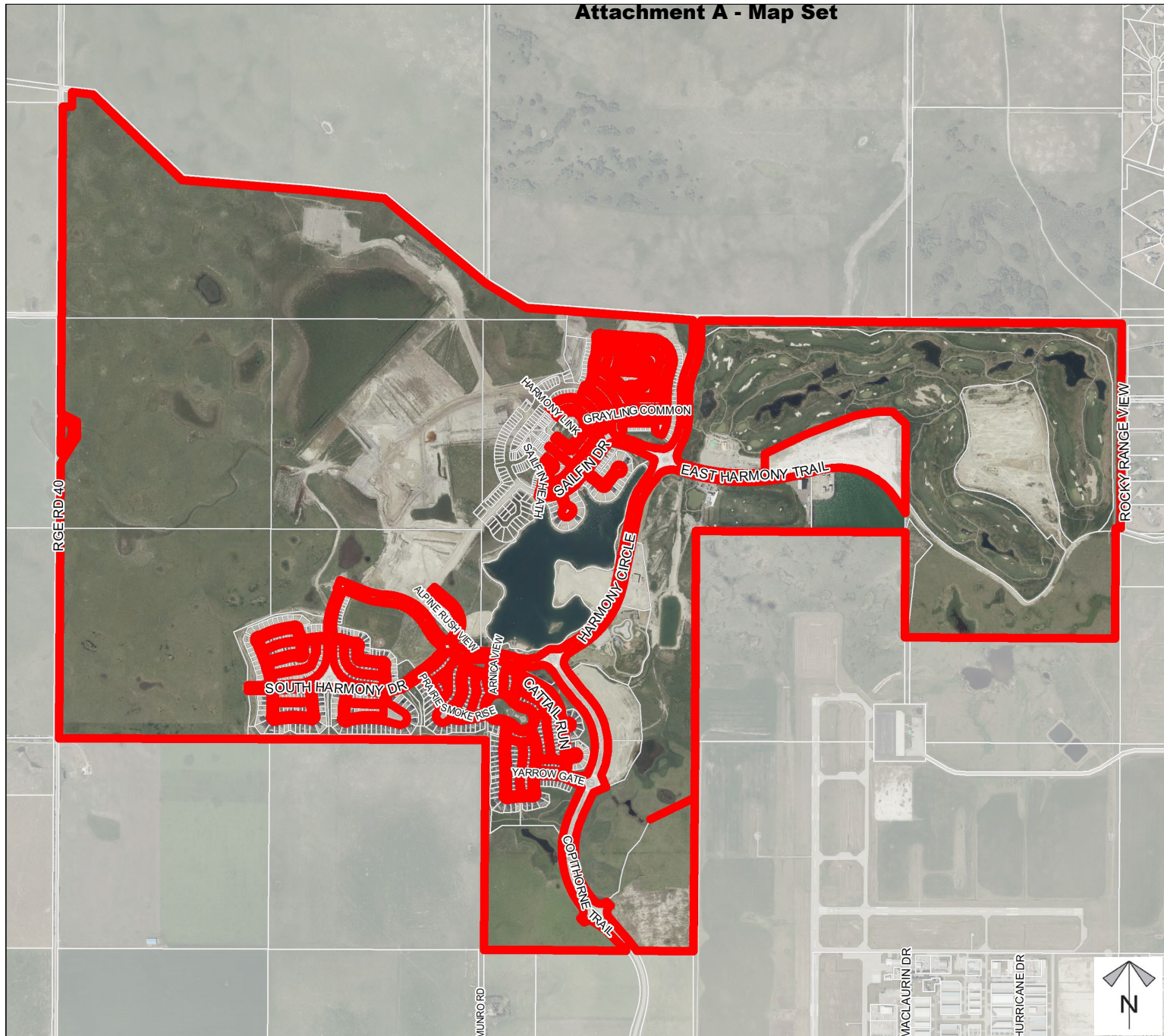




## Development Proposal

### DC Amendment

To assess the Direct Control Bylaw C-6688-2008 (DC-129) proposed amendments to vary the definition Secondary Suites and its exemption from a Development Permit; maximum height restrictions for multi-dwelling, mixed-use, commercial units; setback reductions; and maximum floor area. The proposal also seeks to add various land uses and editorial corrections within the Harmony Plan Area.



Division: 2

Roll:

File: 1013-301 Harmony (DC 129)

Printed: Apr 5, 2024

Legal: Within section

05/07/08/09/17/18-25-03-

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## Environmental

DC Amendment

To assess the Direct Control Bylaw C-6688-2008 (DC-129) proposed amendments to vary the definition Secondary Suites and its exemption from a Development Permit; maximum height restrictions for multi-dwelling, mixed-use, commercial units; setback reductions; and maximum floor area. The proposal also seeks to add various land uses and editorial

-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 2

Roll:

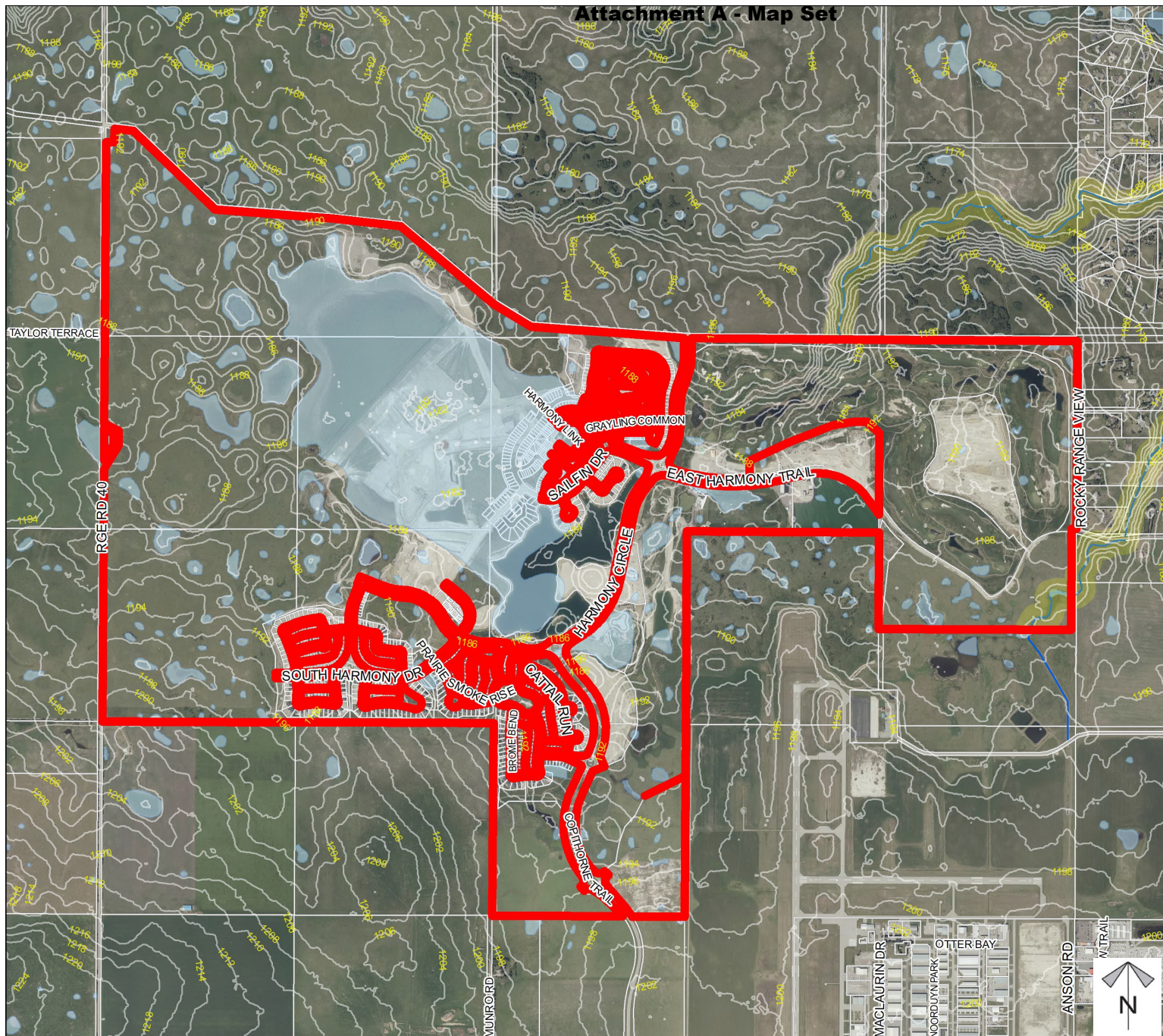
File: 1013-301 Harmony (DC 129)

Printed: Apr 5, 2024

Legal: Within section

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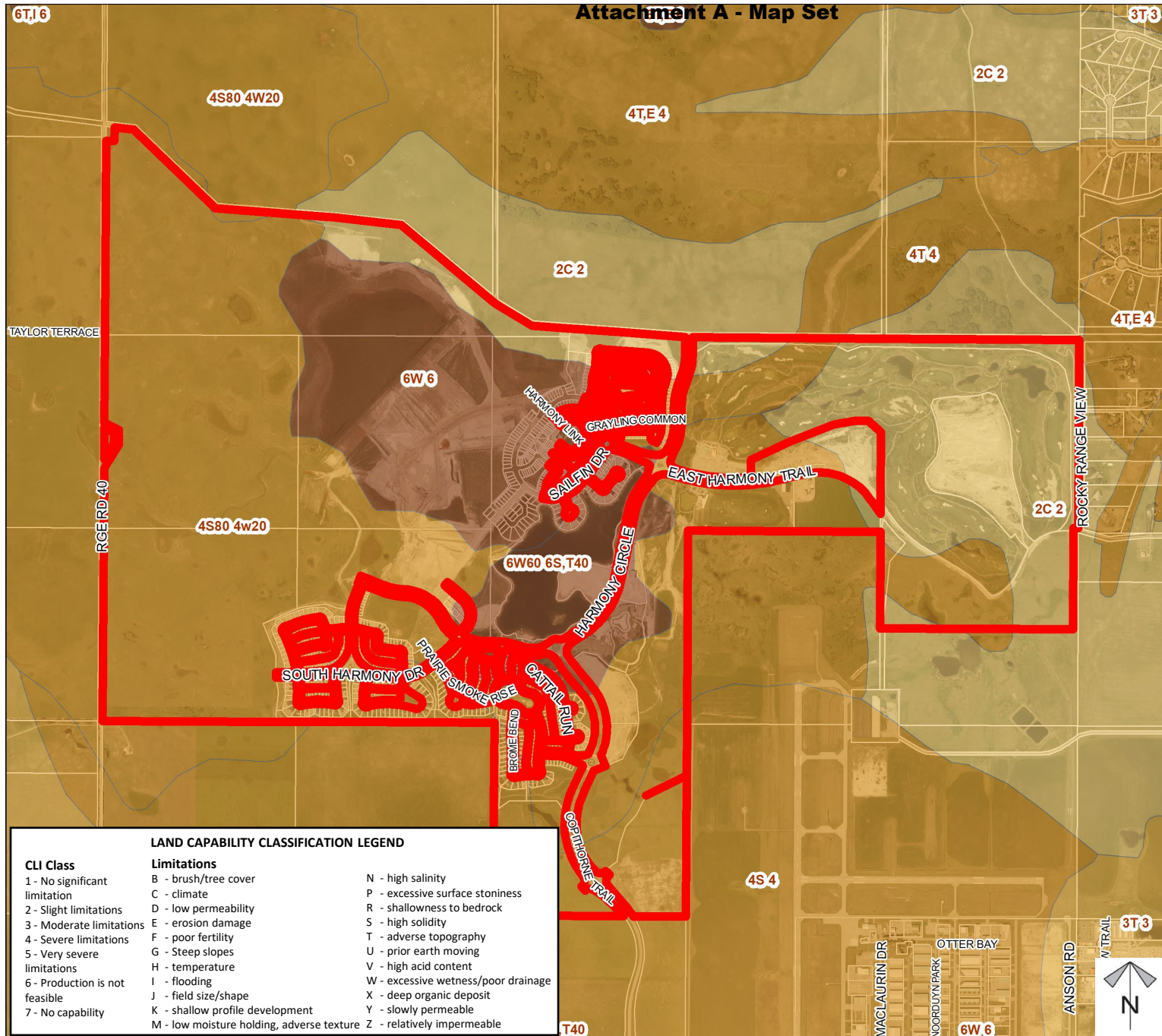




## Soil Classifications

### DC Amendment

To assess the Direct Control Bylaw C-6688-2008 (DC-129) proposed amendments to vary the definition Secondary Suites and its exemption from a Development Permit; maximum height restrictions for multi-dwelling, mixed-use, commercial units; setback reductions; and maximum floor area. The proposal also seeks to add various land uses and editorial corrections within the Harmony Plan Area.



Division: 2  
 Roll:

File: 1013-301 Harmony (DC 129)

Printed: Apr 5, 2024

Legal: Within section

05/07/08/09/17/18-25-03-

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# Landowner Circulation Area

## DC Amendment

To assess the Direct Control Bylaw C-6688-2008 (DC-129) proposed amendments to vary the definition Secondary Suites and its exemption from a Development Permit; maximum height restrictions for multi-dwelling, mixed-use, commercial units; setback reductions; and maximum floor area. The proposal also seeks to add various land uses and editorial corrections within the Harmony Plan Area.

### Legend

Support



Not Support



Division: 2

Roll:

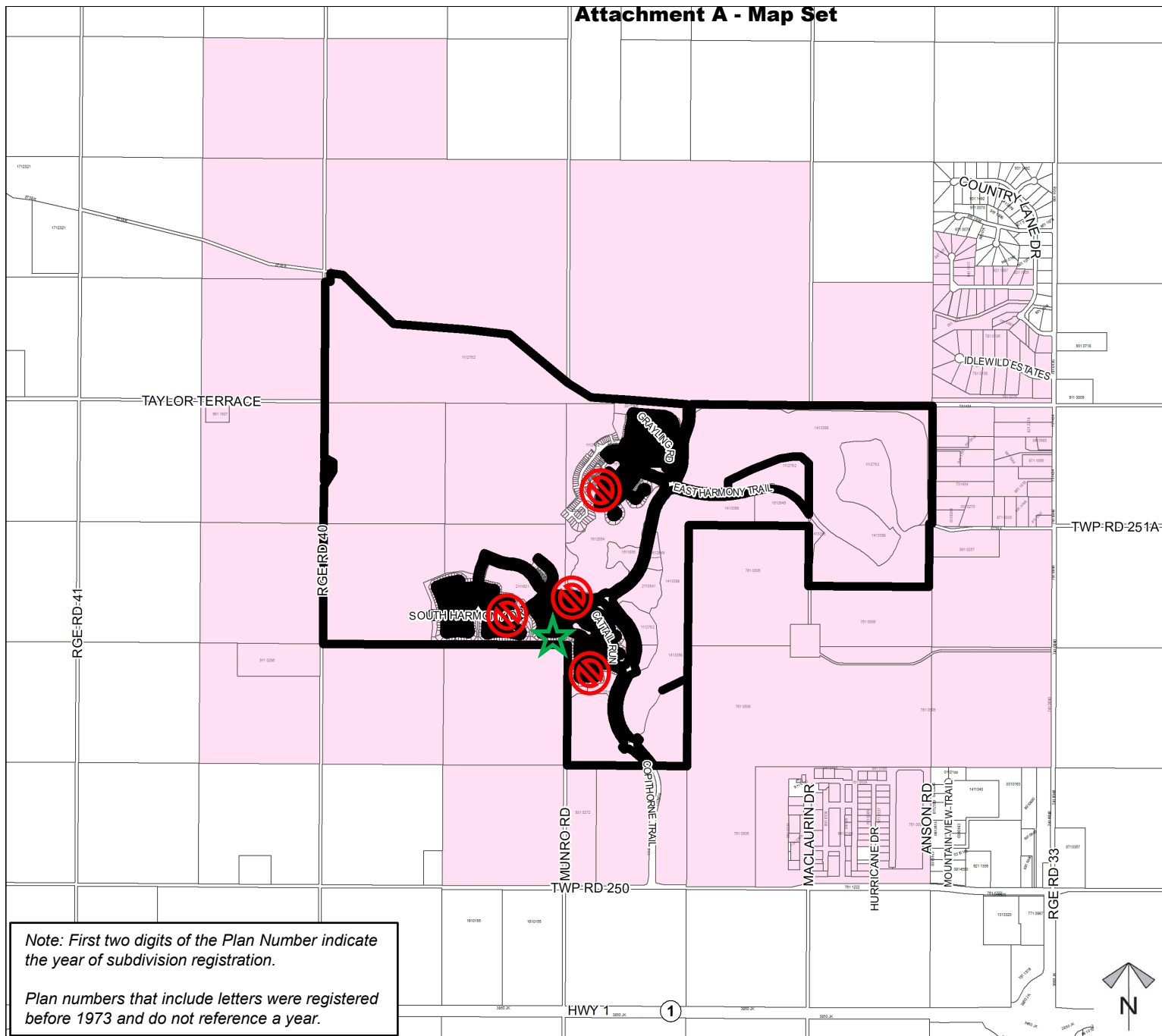
File: 1013-301 Harmony (DC 129)

Printed: Apr 5, 2024

Legal: Within section

05/07/08/09/17/18-25-03-

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## ATTACHMENT B: APPLICATION INFORMATION

|   |  |
|---|--|
| <b>APPLICANT/OWNERS:</b><br>Stantec Consulting Ltd. / Harmony Developments, Inc.  | <b>DATE APPLICATION RECEIVED:</b><br>N/A   |
| <b>GROSS AREA:</b><br>N/A   | <b>LEGAL DESCRIPTION:</b><br>Harmony Plan Area<br>(Portions of Section 5, 7, 8, and 9 within TWP 25, RGE 03, W05M) |
| <b>Pre-Application Meeting Held:</b> <input type="checkbox"/>   | <b>Meeting Date:</b> N/A   |
| <b>SOILS (C.L.I. from A.R.C.):</b><br>N/A   |  |
| <b>HISTORY:</b><br><p><b>February 13, 2024:</b> Council adopted amendments to Direct Control District (DC 129) to allow the Development Authority the ability to consider variance requests to the minimum property line setbacks up to 25% of the required minimum setback distance, and to allow for Lots 18 through 24, inclusive, Block 30, Plan 1911856; within NW-08-25-03-W05M to have a minimum dwelling setback of 4.5 m (14.76 ft) and a minimum attached deck setback of 2.5 m (8.20 ft), from the south property line.</p> <p><b>November 1, 2022:</b> Council adopted amendments to Direct Control District (DC 129) to remove the development permit requirement for show homes; to remove residential building projections within the VC-1 development cell; to relax the minimum lot frontage width, side yard setbacks, garage to overall building face ration, and maximum lot coverage within the VR-2 development cell; and to revise Schedule A of the Bylaw to amend the development cell areas and numbering.</p> <p><b>June 8, 2021:</b> Council adopted amendments to the Harmony Conceptual Scheme through Bylaw C-8153-2021; amendments to Harmony Conceptual Scheme Appendix C (Stage 3 Neighbourhood Plan) through Bylaw C-8154-2021; amendments to Harmony Conceptual Scheme Appendix D (Stage 4 Neighbourhood Plan) through Bylaw C-8155-2021; amendments to Harmony Conceptual Scheme Appendix E (Stage 5 Neighbourhood Plan) through Bylaw C-8156-2021; and, amendments to Direct Control District (DC 129) through Bylaw C-8157-2021.</p> <p><b>January 26, 2020:</b> Council adopted amendments to Direct Control District (DC 129) through Bylaw C-8085-2020.</p> <p><b>May 9, 2017:</b> Council adopted the Stage 3 Neighbourhood Plan as an appendix of the Harmony Conceptual Scheme through Bylaw C-7672-2017.</p> <p><b>May 9, 2017:</b> Council adopted the Stage 2 Neighbourhood Plan as an appendix of the Harmony Conceptual Scheme through Bylaw C-7670-2017.</p> <p><b>March 14, 2017:</b> Council adopted amendments to the Stage 1 Neighbourhood Plan through Bylaw C-7640-2017.</p> <p><b>October 7, 2008:</b> Council redesignated the subject lands from Ranch and Farm District to Direct Control District through Bylaw C-6688-2008.</p> <p><b>October 7, 2008:</b> Council adopted the Stage 1 Neighbourhood Plan as an appendix of the Harmony Conceptual Scheme through Bylaw C-6687-2008.</p> <p><b>February 13, 2007:</b> Council adopted the Harmony Conceptual Scheme through Bylaw C-6411-2007.</p> |  |
| <b>TECHNICAL REPORTS SUBMITTED:</b><br>None.  |  |

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

| AGENCY                                      | COMMENTS   |
|---|--|
| <b><i>School Authority</i></b>              |  |
| Calgary Catholic School District            | No comment   |
| <b><i>Province of Alberta</i></b>           |  |
| Alberta Environment                         | No response received   |
| Alberta Transportation & Economic Corridors | <p>Alberta Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):</p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable</li> <li>2. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.</li> <li>3. The land that is subject of the referral is located greater than 300 metres from the limit of a highway, or 800 metres from the centre point of a public road intersection with a provincial highway. The proposal is therefore not subject to the requirements of the Highways Development and Protection Regulation and does not require a permit from Transportation and Economic Corridors.</li> </ol> |
| Alberta Health Services                     | No concerns  |
| <b><i>Public Utility</i></b>                |  |
| ATCO Gas                                    | No objection   |
| ATCO Transmission                           | No objection   |
| AltaLink Management                         | <p>An agreement is not required for redesignation of land. Please note that all future development &lt;30 metres from an Altalink overhead conductor centre-line will require an agreement at that time.</p> <p>Applications can be made at that time, with the appropriate details, to <a href="mailto:3rdPartyRequests@Altalink.ca">3rdPartyRequests@Altalink.ca</a></p>   |
| FortisAlberta                               | No concerns  |
| Telus Communications                        | No concerns  |



| AGENCY  | COMMENTS  |
|---|---|
| <i>Internal<br/>Departments</i>               |   |
| Recreation, Parks<br>and Community<br>Support | No comment  |
| GIS Services                                  | No response received  |
| Building Services                             | No response received  |
| Fire Services &<br>Emergency<br>Management    | <p>Sections 10.4.0 and 11.4.0 bring concerns of increased fire exposure risks and ability to mitigate out of control fire situations with a Zero Lot Line Easement. Fire Services would recommend the following ,</p> <p>Road way Access:</p> <ul style="list-style-type: none"> <li>a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,</li> <li>b) have a centre-line radius not less than 12 m,</li> <li>c) have an overhead clearance not less than 5 m,</li> <li>d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,</li> <li>e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material</li> <li>f) designed to permit accessibility under all climatic conditions,</li> <li>g) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and</li> <li>h) be connected with a public thoroughfare</li> </ul> <p>C-7259-2013 Fire Hydrant Water Suppression Bylaw be followed.</p> <p>4.0 INSTALLATION OF NEW PRIVATE HYDRANTS AND PRIVATE WATER SYSTEMS</p> <p>4.1 At the time of Development of lands, the Land Owner is responsible to ensure that the appropriate number of Fire Hydrants as well as the Private Water System with the necessary level of Fire Flow are installed on the lands in accordance with the requirements of the current Alberta Fire Code, Alberta Building Code, the County's Servicing Standards National Fire Code and National Building Code, the County's Land Use Bylaw and this Bylaw, all as such exist at the time that Development commences on the lands.</p> <p>Ensure engineering capacity certificate for the new development and private water system placement.</p> <p>All other requirements of the NBC apply. (lot density and outside of 10 minutes fire response travel distance.) Quote the RVC Fire Service Level Policy C-704. RVC Fire Hydrant Bylaw for hydrant spec and min flow rates.</p> <p>For the proposed maximum height (20.0m) in VC-1 Cell:<br/>Fire Services currently only has the capacity to reach 30 – 35 ft (10.7 meters) with ground ladders. Any building height over 10.7 meters requires leveraging mutual aid partners with aerial ladder trucks to provide rescue and elevated water streams for firefighting. In the Harmony area this would likely be a request to Cochrane or Calgary with a delayed response. Secondary response agreements would need to be addressed to support the increased height and</p> |



| AGENCY                           | COMMENTS  |
|----------------------------------|---|
| Enforcement Services             | <p>risk, with a request for automatic aid from our mutual aid partners (automatic aid currently not in place with Cochrane or Calgary). Second key factor is having a water supply system that supports the high-water volume needed to extinguish a building / occupancy of this size and height.</p> <p>This would be similar to the agreement we have made with the City of Airdrie for automatic aid to Balzac industrial park. Must be noted that automatic aid being offered does not guarantee response when aid is unavailable (approximately 80% of the time).</p> <p>Presently our initial response from the Springbank Fire Station to Harmony is within 10 minutes, with a 6 FF crew (1 Engine one Tender). Secondary response resources would come from Elbow Valley, Bearspaw and Cochrane.</p>   |
| Capital and Engineering Services | <p><b><u>General</u></b></p> <ul style="list-style-type: none"> <li>• The owner will be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw C-8515-2024, as amended.</li> <li>• The applicant shall provide for payment of the engineering services fees per the Master Rates Bylaw C-8515-2024, as amended.</li> <li>• The Land Use amendment has been reviewed for impacts to servicing and transportation planning for the Harmony Development Area. The comments below are advisory and assuming the developer, as well as the local franchised service provider HAWSCo, are aware of the intensification that could occur, there are no substantive concerns.</li> </ul> <p><b><u>Geotechnical:</u></b></p> <ul style="list-style-type: none"> <li>• No requirements – the application is for a land use amendment and geotechnical reporting will be required at subdivision/development stages.</li> </ul> <p><b><u>Transportation</u></b></p> <ul style="list-style-type: none"> <li>• No requirements – the application is for a land use amendment. Future subdivision and development in the Harmony Community will continue to require updated Traffic Impact Assessment reports, road improvements and payment of offsite levies.</li> <li>• We note the exclusion of development permitting for Accessory Dwelling Units means the County may/will be requesting consideration of additional trip generation being considered for residential phases of Harmony.</li> </ul> <p><b><u>Water Supply and Sanitary Servicing:</u></b></p> <ul style="list-style-type: none"> <li>• In accordance with the County's Accessory Dwelling Unit guidelines, the standard development permitting process would see applicants provide a letter from the Franchise Service Provider (HAWSCO) confirming: <ul style="list-style-type: none"> <li>○ The utility has allocated sufficient potable water capacity to the parcel to accommodate the additional occupancy requested.</li> </ul> </li> </ul> |

| AGENCY                             | COMMENTS  |
|------------------------------------|---|
|                                    | <ul style="list-style-type: none"> <li>○ The utility has allocated sufficient sewage collection and treatment/disposal capacity to accommodate the additional occupancy requested.</li> </ul> <p>While we have no substantial concerns with removing this requirement, HAWSCo should be consulted directly to confirm they support and will be able to service the additional population/demands this may/will create in Harmony overall.</p> <ul style="list-style-type: none"> <li>• Should large portions of the community request ADU's there would be impacts to offsite infrastructure that has been sized to service residential densities determined at the subdivision stage. The local service providers diversion licensing, conveyance works, treatment works and collection/distribution works for both sanitary and potable water could be impacted over the long term. Progression will need to be monitored by the County and Franchisee to ensure capacity is available for build out of the Harmony community.</li> </ul> <p><b><u>Storm Water Management:</u></b></p> <ul style="list-style-type: none"> <li>• No requirements – this application is for land use and stormwater management requirements will apply at future subdivision/development stages.</li> </ul> |
| Agriculture & Environment Services | No response received.   |
| Utility Services                   | No comment  |

Circulation Period: April 11, 2024, to May 17, 2024.



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Re: PL20240006 Comments

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From AJ Booker [REDACTED]  
Date Thu 9/5/2024 11:16 AM  
To Bernice Leyeza <BLeyeza@rockyview.ca>

Bernice,

Thanks for the follow up. With that change and the limit in scope I am in support of all the proposed changes.

Thanks,  
AJ

AJ Booker, Director  
[REDACTED]  
[REDACTED]

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**From:** Bernice Leyeza <BLeyeza@rockyview.ca>  
**Sent:** Thursday, September 5, 2024 11:12:28 AM  
**To:** AJ Booker [REDACTED]  
**Subject:** Re: PL20240006 Comments

Good morning, AJ:

The applicant made some changes to the Table 2 (9.5.1) to provide more clarifications in regards to their proposed setback reductions from 6.0m to 4.5 by adding that these reductions will only be applicable to irregular-shaped lots (*"Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres."*).

Let me know if you have any questions.

Thanks,

**Bernice Leyeza**  
**Planner 2 | Planning and Development Services**

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**From:** AJ Booker [REDACTED]  
**Sent:** Friday, April 19, 2024 8:28 AM  
**To:** Bernice Leyeza <BLeyeza@rockyview.ca>  
**Subject:** PL20240006 Comments

Good morning Bernice,

I have the following comments for PL20240006 on the Harmony Plan Area DC-129 changes.

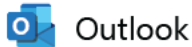
I do very much appreciate how the proposed changes are clearly shown on the website under plans under review!

I am in support of the majority of the changes throughout with **one exception**. Changes to the development permit process for secondary suites are very welcome along with the additions to the employment cells. The reduction of a development permit for secondary suites will reduce overhead and bring more people to our community faster without waiting unnecessarily; Harmony has also been intended to have secondary suites and it is great to see them here.

I am **not in support** of the proposed changes to 9.5.1 reducing the front yard setback to 4.5m from 6m. Areas within Harmony that are designated VR-2 and have been developed are tighter than the VR-1 for space. Reducing the front yard setback **eliminates the ability to park a vehicle fully on the driveway and will significantly increase congestion on the roadway**. This will lead to folks parking vehicles on their driveway and blocking the sidewalk along with increased congestion on the available parking spots along the road. These are already narrow lots with little room to park vehicles in front of homes. A significant degradation in both neighborhood aesthetics and site line safety will occur.

Thanks,  
AJ

AJ Booker  
17 Arrowleaf Landing.



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Re: Harmony Plan Area - Application #: PL20240006

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From Bernice Leyeza <BLeyeza@rockyview.ca>

Date Thu 9/5/2024 11:12 AM

To Delna Sorabji [REDACTED]

Good morning, Delna:

The applicant made some changes to the Table 2 (9.5.1) to provide more clarifications in regards to their proposed setback reductions from 6.0m to 4.5 by adding that these reductions will only be applicable to irregular-shaped lots (*"Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres."*).

Let me know if you have any questions.

Thanks,

**Bernice Leyeza**

Planner 2 | Planning and Development Services

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From: Delna Sorabji [REDACTED]

Sent: Monday, April 15, 2024 1:23 PM

To: Bernice Leyeza <BLeyeza@rockyview.ca>

Subject: Harmony Plan Area - Application #: PL20240006

Hi Bernice,

In regards to the above File Number and Application Number, I am a resident of Harmony at:

63 Prairie Smoke Rise

Rocky View County, AB. T3Z 0C5

I wanted to make my comments known:

1. I am in agreement and aligned to the amendment for Secondary Suites.
2. I am completely **against** the change in front yard setback from 6m to 4.5m.

For the first amendment on secondary suites, I think it would be fine to reduce the red tape associated to this and as such I am aligned to it.

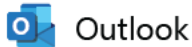
For the second amendment on front yard setback, I have seen this change already occur at Saltsage Heath and I consider it to be a big disappointment and dissatisfaction that I am unable to walk freely on the sidewalk without have to dodge parked vehicles like pick-up trucks and multiple cars parked bumper to bumper on their driveway because the setback is SO SHORT. I find streets like Saltsage Heath to be an eye sore with jam packed houses and tiny driveways and no where for a pedestrian to

walk on the sidewalk with their dogs or even just with their family. It is a shame that this was allowed on Saltsage Heath and I would consider this new amendment as a real lost to what Harmony was supposed to be like. That particular road remind me of Mahogany where everything is now squished in. What a shame.

Thank you for your time and consideration.

Delna Sorabji





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Re: Application #PL20240006

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From Bernice Leyeza <BLeyeza@rockyview.ca>

Date Thu 9/5/2024 11:11 AM

To Denise Murnaghan [REDACTED]

Good morning, Denise et al.:

The applicant made some changes to the Table 2 (9.5.1) to provide more clarifications in regards to their proposed setback reductions from 6.0m to 4.5 by adding that these reductions will only be applicable to irregular-shaped lots (*"Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres."*).

Let me know if you have any questions.

Thanks,

**Bernice Leyeza**

**Planner 2 | Planning and Development Services**

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From: Denise Murnaghan [REDACTED]

Sent: Saturday, April 13, 2024 9:45 AM

To: Bernice Leyeza <BLeyeza@rockyview.ca>

Subject: Application #PL20240006

Good day,

After reading your letting of application PL20240006 I am in support for everything in this proposal except for the front yard setback change.

The other significant change is a modification to Table 2 (9.5.1) which contain parcel requirements for VR-2 areas. I am in disagreement with the proposed change of reducing front yard setback requirements to 4.5m from 6m on narrow lots. This will greatly restrict the ability of people to park vehicles properly in their driveway. This is proposed for the narrow lots like we see in the Chokecherry/Saltsage area of Harmony which already have limited spaces to appropriately park a vehicle on the street in front of homes. I believe this will lead to an exceptionally crowded street situation greatly reducing aesthetics and safety and is an item I am personally against.

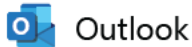
We live on Sailfin Drive in Harmony, and we can barely park our truck on the driveway, without the truck impeding on the sidewalk as it is.

We don't want our community cluttered with vehicles parked on the street like some ghetto community.

Please keep our community safe and pristine.

Thanks for your consideration,

Denise, Michael, Phypher and Coco



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Re: Application PL20240006 - Section 9.5.1 Front Yard Setback

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From Bernice Leyeza <BLeyeza@rockyview.ca>

Date Thu 9/5/2024 11:12 AM

To J&K Wilson [REDACTED]

Good morning, Jeff and Kelly:

The applicant made some changes to the Table 2 (9.5.1) to provide more clarifications in regards to their proposed setback reductions from 6.0m to 4.5 by adding that these reductions will only be applicable to irregular-shaped lots (*"Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres."*).

Let me know if you have any questions.

Thanks,

**Bernice Leyeza**

**Planner 2 | Planning and Development Services**

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From: J&K Wilson [REDACTED]

Sent: Sunday, April 21, 2024 4:02 PM

To: Bernice Leyeza <BLeyeza@rockyview.ca>

Subject: Application PL20240006 - Section 9.5.1 Front Yard Setback

Good afternoon,

Further to the letter dated Thursday, April 11, 2024 regarding the application for the captioned, we would like to express our disagreement with the proposal. We believe this proposal will greatly affect homeowners ability to park in their own driveways. As a result, it will lead to overcrowding , reduced aesthetics and could potentially increase theft and vandalism. One of the things that attracted us to Harmony was the appearance of houses on good sized lots and the spacious and accessible roadways ideal for biking, walking and for children to play safely.

Please feel free to reach out, if you have any questions or concerns.

Best regards,

R. Jeff Wilson

Kelly L. Wilson

162 Chokecherry Ridge

Rocky View County, AB T3Z 0G3



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Re: PL20240006

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From Bernice Leyeza <BLeyeza@rockyview.ca>

Date Thu 9/5/2024 11:12 AM

To nvhelm@icloud.com [REDACTED]

Good morning, Nancy:

The applicant made some changes to the Table 2 (9.5.1) to provide more clarifications in regards to their proposed setback reductions from 6.0m to 4.5 by adding that these reductions will only be applicable to irregular-shaped lots (*"Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres."*).

Let me know if you have any questions.

Thanks,

**Bernice Leyeza**

Planner 2 | Planning and Development Services

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From: nvhelm@icloud.com [REDACTED]

Sent: Wednesday, April 17, 2024 4:46 PM

To: Bernice Leyeza <BLeyeza@rockyview.ca>

Subject: Re: PL20240006

Hi Bernice,

Just a quick email to let you know I support the changes to the DC-129 with the **EXCEPTION** of changing the setbacks in Table 2 (9.5.1) for VR-2 areas. I do **NOT** support the reduction of front yard setbacks to 4.5m from 6m on these narrow lots.

Thanks for allowing me to voice my concerns and opinions.

Regards,

Nancy vanderHelm

14 Brome Bend

Rockyview County, AB

## ATTACHMENT E: POLICY REVIEW

| Definitions   |  |  |
|---|--|--|
| Consistent  | Generally Consistent   | Inconsistent   |
| Clearly meets the relevant requirements and intent of the policy. | Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development. | Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges. |

| Municipal Development Plan (County Plan)    |   |
|---|---|
| Hamlets: Appearance and Function            |   |
| 9.4   | <i>Land uses in hamlets may include:</i><br><i>a. residential uses, including seniors housing;</i><br><i>b. local commercial uses;</i><br><i>c. institutional and community uses such as schools, community halls, and religious assemblies;</i><br><i>d. recreational and cultural uses; and</i><br><i>e. light industrial uses.</i>   |
| Consistent                                  | The Harmony Conceptual Scheme (CS) provides various housing types along with several commercial and community uses. The proposed amendment focuses on expanding commercial land uses to further enhance the quality of life for residents.  |
| 9.5   | <i>In order to retain their rural character, hamlets are not encouraged to grow beyond a population range of 5,000 - 10,000 residents.</i>  |
| Consistent                                  | The proposed amendments to setbacks and the updated definition of Secondary Suites will not affect the approved density count in the Harmony CS.  |
| Hamlets: Planning and Design Considerations |   |
| 9.9   | <i>In order to retain rural character, identify a distinct community, and preserve viewsapes, a physical separation between an urban boundary and a hamlet is desirable. Preferred uses of land to achieve this transition are:</i><br><i>a. Agriculture;</i><br><i>b. Open space and parks;</i><br><i>c. Conservation lands such as wetland complexes;</i><br><i>d. Stormwater retention areas; and</i><br><i>e. Compact country residential development within the transition area.</i> |
| Consistent                                  | The Harmony CS creates a landscaping buffer to separate the developed area from adjacent agricultural land uses. This buffer is expected to remain unaffected by the proposed Bylaw amendment.  |
| 9.10  | <i>Support hamlets in providing:</i><br><i>a. an attractive community and distinct identity; and</i><br><i>b. a high quality built environment</i>  |
| Consistent                                  | The proposed amendments still adhere to the approved architectural controls and the vision for the plan area in the Harmony CS  |
| 9.11  | <i>Encourage a variety of housing forms to be developed in hamlets in order to provide a range of affordability and lifestyle opportunities for county residents.</i>   |
| Consistent                                  | The application Consistent with this policy as it encourages a variety of housing forms.  |
| 9.12  | <i>Support local employment and small business opportunities in hamlets.</i>  |
| Consistent                                  | The proposed additional commercial uses in Employment Campus Development Cell will provide local employment and small business opportunities within the plan area.  |

| Conceptual Scheme - Harmony |  |
|-----------------------------|--|
| 5.2.2                       | <i>The Harmony community will contain a variety of housing forms in keeping with the principles of the conceptual scheme. Subsequent development approval applications will delineate the location, type and associated regulations for each housing form.</i> |
| Consistent                  | The Harmony Conceptual Scheme identifies that regulations may change as development approval applications shape the design of the community.   |
| 5.3.1                       | <i>The Harmony community shall provide employment opportunities within the community.</i>  |
| Consistent                  | The proposed additional commercial uses in Employment Campus Development Cell will provide local employment and small business opportunities within the plan area.   |
| 5.3.2                       | <i>The function and form of the employment opportunities will be compatible with the overall community vision and adjacent land uses</i>   |
| Consistent                  | The proposed additional commercial uses in the Employment Campus Development Cell align with Harmony CS's vision and are permitted under the equivalent Commercial Designation District in the 1997 Land Use Bylaw.  |



# BYLAW C-8574-2024

A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-6688-2008, being the *Direct Control Bylaw (DC-129)*.

The Council of Rocky View County enacts as follows:

## Title

1 This bylaw may be cited as *Bylaw C-8574-2024*.

## Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
- (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

## Effect

3 THAT Bylaw C-6688-2008, as amended, being the Direct Control Bylaw (DC-129), be amended as detailed in Schedule ‘A’ forming part of this Bylaw.

## Effective Date

4 Bylaw C-8574-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.





ROCKY VIEW COUNTY

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date Bylaw Signed



**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-8574-2024**

**Amendment #1**

To add Secondary Suites as one of the uses exempt from Development Permits

3.2.0 Notwithstanding provisions elsewhere in this Bylaw, the following uses are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met:

- a. *Dwelling, Single Detached*
- b. *Dwelling, Semi-Detached*
- c. *Accessory Building*
- d. *Show Home*
- e. *Secondary Suite, attached to a Residential Unit (below grade)*

**Amendment #2**

To revise Secondary Suite definition

~~10.21.0 *Secondary Suite* – A residential space provided as an accessory use to a *Residential Unit*. *Secondary suites* are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. *Secondary suites* may be attached (above grade, at grade, or below grade), detached garage (where the *secondary suite* is located above the first storey of a detached private garage), or detached garden (where the *secondary suite* is detached and located at grade to the rear of the Dwellings, Single Detached). *Secondary Suites* shall have a separate entrance, through a separate exterior side or rear access, or from a common interior landing. The maximum size allowable is 93 m<sup>2</sup> (1,000 ft<sup>2</sup>). *Secondary Suites* require a minimum of one motor vehicle stall.~~

13.21.0 *Secondary Suite* - A residential space provided as an accessory use to a *Residential Unit*. *Secondary suites* are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. The maximum allowable habitable floor area of a *Secondary Suites* shall be determined based on all storeys, but excluding basements, the garage area, utility room(s), and common areas of egress.

*Secondary suites* may be:

- a. attached to a *residential unit* (above grade, at grade, or below grade);
- b. above a detached garage (where the *secondary suite* is located above the first storey of a detached private garage); or
- c. in a detached garden (where the *secondary suite* is detached and located at grade to the rear of the Dwellings, Single Detached).

*Secondary suites shall:*

- d. have a minimum floor area of not less than 36.00 m<sup>2</sup> (387.5 ft<sup>2</sup>);
- e. be subordinate to the principal dwelling (maximum 80% of the habitable area of the principal dwelling);
- f. contain at least two (2) rooms and includes sleeping, sanitary, and cooking facilities;
- g. have a separate entrance, through a separate exterior side or rear access, or from a common interior landing;
- h. have a distinct County address to facilitate accurate emergency response;
- i. have a maximum allowable size of 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>) with a maximum of two (2) bedrooms, and



- j. have a minimum of one motor vehicle stall.

### Amendment #3

To add Parking and Loading Needs Assessment to all commercial uses in Harmony and move to Section 3.0

### 3.18.0 Parking and Loading

Notwithstanding Section 30 - Parking and Loading, and Schedule 5 - Parking, Schedule 6 - Loading, of the Land Use Bylaw (C-4841-97), parking and loading requirements regarding the number of stalls required for mixed use development and commercial development in the VC-1, E-1, GO, or N-C districts shall be based on a parking and loading needs assessment prepared by a Professional Transportation Engineer. The assessment shall be submitted in conjunction with the first development permit application for structures within the applicable site or sites.

### 5.11.0 Parking and Loading:

- a) Park and loading spaces for residential and live/work uses shall be provided as per the following table:

| Land Use                                 | Minimum Parking Requirements                          |
|--|---|
| Dwellings, Row; Dwellings, Semi-Detached | 1.5 stalls and 0.15 visitor stalls per unit           |
| All Other Residential                    | 1 stall per unit; and<br>0.15 visitor stalls per unit |
| Live/Work Units                          | 2 stalls per unit                                     |

- ~~b) Notwithstanding Section 30 - Parking and Loading, and Schedule 5 - Parking, Schedule 6 - Loading, of the Land Use Bylaw (C-4841-97), parking and loading requirements regarding the number of stalls required for mixed use development and commercial development in the VC-1 district shall be based on a parking and loading needs assessment prepared by a Professional Transportation Engineer. The assessment shall be submitted in conjunction with the first development permit application for structures within the VC-1 district.~~
- c) On-site parking shall not be allowed within 3.0 m (9.84 ft) of a public thoroughfare.
- d) Parking structures shall not project more than 1 m (3 ft) above grade.

Amendment #4

To adjusting the maximum height for Dwelling, Multi-Family, Mixed-Use, Commercial, and Residential buildings from 17.0 m (55.8 ft) to 20.0 m

## 5.5.0 Maximum Limits:

- a) Height:
  - i) Dwelling, Row; Dwelling, Semi-Detached, Dwelling, Single Family: 13 m (42.65 ft)
  - ii) Dwelling, Multi-Family: 17 m (55.77 ft). 20m (65.62 ft)
  - iii) Accessory Buildings: 12 m (39.37 ft)
  - iv) Mixed-Use, Commercial and Residential buildings: ~~16 m (52.49 ft).~~ **20m (65.62 ft)**
  - v) Hotel: 20 m (65.62 ft)
  - vi) All other uses: 17 m (55.77 ft)

Amendment #5

To add various land uses in Employment Campus Development Cell (E-1)

6.2.0 Uses

- 6.2.1 Accessory Building
- 6.2.2 Agricultural Support Services
- 6.2.3 Amusement and Entertainment Services
- 6.2.4 Animal Health Care Services, Inclusive
- 6.2.5 Arts and Culture Centre
- 6.2.6 Athletic and Recreation Services
- 6.2.7 Auctioneering Services
- 6.2.8 Automotive Services
- 6.2.9 Business Park
- 6.2.10 Cannabis Retail Store**
- 6.2.11 Car Wash**
- 6.2.12 Child Care Facility
- 6.2.13 Commercial Business
- 6.2.14 Commercial Communications Facilities, Type A, Type B, Type C
- 6.2.15 Commercial Recreation Facilities
- 6.2.16 Conference Centre
- 6.2.17 Dealership/Rental Agency, Automotive
- 6.2.18 Distillery**
- 6.2.19 Drinking Establishment
- 6.2.20 Farmers Market**
- 6.2.21 General Industry Type I
- 6.2.22 Grocery Store, Local**
- 6.2.23 Government Services
- 6.2.24 Health Care Services
- 6.2.25 Hotel/Motel
- 6.2.26 Indoor Participant Recreation Services
- 6.2.27 Laboratories



## ROCKY VIEW COUNTY

- 6.2.28 Liquor Sales
- 6.2.29 Lodging Houses and Country Inns
- 6.2.30 Market Gardens
- 6.2.31 Medical Treatment Services
- 6.2.32 Mixed-Use Developments
- 6.2.33 Museum
- 6.2.34 Office Parks
- 6.2.35 Outdoor Cafe
- 6.2.36 Outdoor Participant Recreation Services
- 6.2.37 Patio, Accessory to Principal Business Use
- 6.2.38 Personal Service Business
- 6.2.39 *Private Amenity Space*
- 6.2.40 Private Clubs and Organizations
- 6.2.41 Public Market
- 6.2.42 Public Park
- 6.2.43 Raw Water Reservoir and/or Recreational Lake
- 6.2.44 Recycling Collection Point
- 6.2.45 Religious Assembly
- 6.2.46 Research Parks
- 6.2.47 Restaurant
- 6.2.48 Retail Food Store
- 6.2.49 Retail Store, Local
- 6.2.50 School, Public or Separate
- 6.2.51 School or College, Commercial
- 6.2.52 **Shopping Centre, Local**
- 6.2.53 Sign
- 6.2.54 *Utility, Power Generation Type A & Type B*
- 6.2.55 Vacation Rental
- 6.2.56 *Wellness Resort*

Amendment #6

To increase the allowable floor area for a Retail Food Store from 3,251 m<sup>2</sup> (35,000 ft<sup>2</sup>) to 3,902 m<sup>2</sup> (42,000 ft<sup>2</sup>).

6.4.0 Maximum Limits

## 6.4.1 Floor Area:

- a) Retail Food Store: ~~3,251 m<sup>2</sup> (35,000 ft<sup>2</sup>)~~ **3,902 m<sup>2</sup> (42,000 ft<sup>2</sup>)**.
- a) Retail Store, Local: 1,860 m<sup>2</sup> (20,000 ft<sup>2</sup>).



## Amendment #7-10

To vary the (7) minimum front yard setback for Garage Oriented Perpendicular to Street from 9.0 m (29.5 ft) to 6.1 m (20.0 ft); (8) Requirements for Dwellings Utilizing Both Dual Front and Rear Access; (9) Removal of various superscript references within Table 1 and Table 2 in Section 8.5.1 and 9.5.1; and (10) Front Yard Setback in VR-2 from 6.0 m (20.0 ft) to 4.5 m (14.8 ft) for irregular lots only.

TABLE 1 (8.5.1) - Village Residential 1 Parcel Regulations (Redline)

| HOUSING TYPE <sup>a</sup> | LOT FRONTAGE <sup>b</sup> |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |   | MINIMUM REAR YARD SETBACKS   |   | MINIMUM SIDE YARD SETBACKS <sup>c</sup>                            |   | MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%) | MAXIMUM LOT COVERAGE (%) |
|---------------------------|---------------------------|----------------|---|-----------------------------|---|--|---|--|---|--|--------------------------|
|                           | Minimum                   | Maximum        |   | Principal Building          | Accessory Building                                    | Principal Building   | Accessory Building  | Principal Building   | Accessory Building  |  |                          |
|                           | Metres (Feet)             |                |   | Metres (Feet)               |   | Metres (Feet)  |   | Metres (Feet)  |   |  |                          |
| REAR ACCESS <sup>d</sup>  |                           |                |   |                             |   |  |   |  |   |  |                          |
| Single Detached           | 13.41 (44.00)             | 15.24 (50.00)  | 526.00 (5,661.82)                                     | 6.00 (19.69)                |   | 9.00 (29.53)   | 0.60 (1.97)   | 4.26 total/2.74 one side (14.00 total/9.00 one side)               | 0.60 (1.97)   |  | 40                       |
|                           | 15.25 (50.03)             |                | 607.00 (6,533.69)                                     |                             | 4.88 total/3.35 one side (16.00 total/11.00 one side) |  |   |  |   |  |                          |
| Semi-Detached             | 10.36 (33.99)             |                | 324.00 (3,487.51)                                     |                             |   | 7.50 (24.60)   |   | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 55                       |
| Row                       | 9.14 (29.99)              |                | 243.00 (2,615.63)                                     |                             |   | 7.50 (24.60)   |   |  | 2.43 (8.00)/0 from property line on which a party wall is located |  | 60                       |
| FRONT ACCESS <sup>e</sup> |                           |                |   |                             |   |  |   |  |   |  |                          |
| Single Detached           | 18.28 (59.97)             | 24.39 (80.02)  | 728.00 (7,836.13)                                     | 6.00 (19.69)                |   | 9.00 (29.53)   | 0.60 (1.97)   | 5.48 total/3.35 one side (18.00 total/11.00 one side) <sup>f</sup> | 0.60 (1.97)   | 60 <sup>d</sup>                                    | 35                       |
|                           | 24.40 (80.05)             | 30.48 (100.00) | 1012.00 (10,893.08)                                   | 9.00 (29.53) <sup>d</sup>   | 10.50 (34.45)   | 6.70 total/4.57 one side (22.00 total/15.00 one side) <sup>f</sup> |   | 50 <sup>d</sup>  |   |  |                          |
|                           | 30.49 (100.03)            |                | 1,335.00 (14,369.82)                                  | 9.00 (29.53) <sup>d</sup>   | 12.00 (39.37)   | 9.14 total/6.09 one side (30.00 total/20.00 one side) <sup>f</sup> |   | 45 <sup>d</sup>  |   |  |                          |
| Semi-Detached             | 13.41 (44.00)             |                | 404.00 (4,348.62)                                     | 6.00 (19.69)                |   | 7.50 (24.60)   |   | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 50                       |
| Row                       | 10.97 (36.00)             |                | 319.00 (3,433.69)                                     | 6.00 (19.69)                |   | 7.50 (24.60)   | 2.43 (8.00)/0 from property line on which a party wall is located |  |   | 60 <sup>d</sup>                                    | 55                       |

a. Repealed.

b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

c. If garage front is parallel to street then garage eaveline shall not project greater than 2.43 metres (8.00 feet) from the eaveline of the house front.

d. Minimum front yard reduced to ~~6.10 m (20.00 feet)~~ **6.00 meters (19.69 feet)** if garage is oriented perpendicular to street.e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control process. **Repealed.**

f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet)





TABLE 2 (9.5.1) – Village Residential 2 Parcel Regulations (Redline)

| HOUSING TYPE <sup>a,f</sup>                 | LOT FRONTAGE <sup>f</sup>                                  |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |                    | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS <sup>g</sup>                           |   | MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%)                | MAXIMUM LOT COVERAGE (%) |    |
|---|--|----------------|---|-----------------------------|--------------------|----------------------------|--------------------|---|---|---|--------------------------|----|
|   | Minimum  | Maximum        |   | Principal Building          | Accessory Building | Principal Building         | Accessory Building | Principal Building  | Accessory Building  |   |                          |    |
|   | Metres (Feet)  |                |   | Metres (Feet)               |                    | Metres (Feet)              |                    | Metres (Feet)   |   |   |                          |    |
| REAR ACCESS <sup>g</sup>                    |  |                |   |                             |                    |                            |                    |   |   |   |                          |    |
| Single Detached                             | 11.58 (37.99)  | 13.41 (44.00)  | 380.00 (4,090.27)                                     | 4.50 (14.76)                |                    | 9.00 (29.53)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00 total/5.00 one side)              | 0.60 (1.97)   |   | 45                       |    |
|   | 13.42 (44.03)  | 15.24 (50.00)  | 442.00 (4,736.12)                                     | 6.00 (19.69)                |                    |                            |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side)              |   |   | 45                       |    |
|   | 15.25 (50.03)  |                | 500.00 (5,381.96)                                     | 6.00 (19.69)                |                    |                            |                    | 4.26 total/1.52 one side (14.00 total/5.00 one side)              |   |   |                          |    |
| Single-Detached (Wide Shallow) <sup>b</sup> | 17.07 (56.00)  |                | 460.00 (4,951.40)                                     | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side)              |   |   | 45                       |    |
| Semi-Detached                               | 10.36 (33.99)  |                | 310.00 (3,336.81)                                     | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |   |   |   | 55                       |    |
| Row   | 6.09 (19.98) two party walls / 7.61 (24.97) one party wall |                | 200.00 (2,152.78)                                     | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located | 0.60 (1.97)/0 from property line on which a party wall is located |   | 60                       |    |
| FRONT ACCESS <sup>g</sup>                   |  |                |   |                             |                    |                            |                    |   |   |   |                          |    |
| Single Detached                             | 12.19 (39.99)  | 14.02 (46.00)  | 395.00 (4,251.75)                                     | 6.00 (19.69) <sup>h</sup>   |                    | 8.00 (26.25)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00 total/5.00 one side) <sup>c</sup> | 0.60 (1.97)   | 75 <sup>d</sup>   | 45                       |    |
|   | 14.03 (46.03)  | 18.29 (60.01)  | 460.00 (4,951.40)                                     | 6.00 (19.69) <sup>h</sup>   |                    |                            |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side) <sup>c</sup> |   | 65 <sup>d</sup>   | 40                       |    |
|   | 18.30 (60.04)  | 24.39 (80.02)  | 600.00 (6,458.35)                                     | 6.00 (19.69)                |                    |                            |                    | 4.87 total/1.52 one side (16.00 total/5.00 one side) <sup>c</sup> |   | 60 <sup>d</sup>   |                          |    |
|   | 24.40 (80.05)  | 30.48 (100.00) | 800.00 (8,611.13)                                     | 9.00 (29.53) <sup>e,d</sup> |                    |                            |                    | 10.50 (34.45)   |   | 5.48 total/1.52 one side (18.00 total/5.00 one side) <sup>c</sup> | 50 <sup>d</sup>          | 35 |
|   | 30.49 (100.03)   |                | 1,000.00 (10,763.91)                                  | 9.00 (29.53) <sup>e,d</sup> |                    |                            |                    | 12.00 (39.37)   |   | 6.70 total/2.13 one side (22.00 total/7.00 one side) <sup>c</sup> | 45 <sup>d</sup>          |    |
| Single Detached (Wide Shallow)              | 21.95 (72.01)  |                | 570.00 (6,135.43)                                     | 4.50 (14.76)                |                    | 9.00 (29.53)               |                    | 4.26 total/1.52 one side (14.00 total/5.00 one side) <sup>c</sup> |   | 60 <sup>d</sup>   | 40                       |    |
| Semi-Detached                               | 11.58 (37.99)  | 13.41 (44.00)  | 324.00 (3,487.51)                                     | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located | 0.60 (1.97)/0 from property line on which a party wall is located | 65 <sup>d</sup>   | 55                       |    |
|   | 13.42 (44.03)  |                | 402.00 (4,327.09)                                     |                             |                    |                            |                    |   |   | 60 <sup>d</sup>   |                          |    |
| Row   | 6.09 (19.98) two party walls /                             |                | 200.00 (2152.78)                                      | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |   |   |   | 60                       |    |



ROCKY VIEW COUNTY

|  |                                |  |  |  |  |  |  |  |  |  |  |
|--|--------------------------------|--|--|--|--|--|--|--|--|--|--|
|  | 7.61 (24.97)<br>one party wall |  |  |  |  |  |  |  |  |  |  |
|--|--------------------------------|--|--|--|--|--|--|--|--|--|--|

- a. Repealed.
- b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).
- c. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline of the house front.
- d. Minimum front yard reduced to 6.10 m (20.00 feet) 6.00 meters (19.69 feet) if garage doors do not face the street is oriented perpendicular to street.
- e. ~~Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control Process.~~ Repealed.
- f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.
- g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet).
- h. Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres.

Amendment #11

To reduce the easement from 2.4 m (7.9 ft) to 1.8 m (6.0 ft).

10.4.0 Village Residential 3 Parcel Regulation

| Housing Type       | Minimum Lot Width | Minimum Lot Area<br>m <sup>2</sup> / ha (ft <sup>2</sup> / ac) | Minimum Setbacks         |                          |                           |              | Maximum<br>Lot<br>Coverage<br>(%) |
|--------------------|-------------------|--|--------------------------|--------------------------|---------------------------|--------------|-----------------------------------|
|                    |                   |  | Front Yard               | Side Yard                | Side Yard<br>(corner lot) | Rear Yard    |                                   |
|                    | meters (feet)     |  | metres (feet)            |                          |                           |              |                                   |
| Cluster            | no minimum        | 0.20 ha (0.50 ac)  | 3.00 (9.84)              | 1.20 (3.94)              | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Duplex             | 7.50 (24.60)      | 225 (2,421.88)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Flag Lot           | no minimum        | 210 (2,260.42)   | 3.00 (9.84) <sup>b</sup> | 1.20 (3.94)              | 3.00 (9.84)               | no minimum   | 70                                |
| Row                | 5.40 (17.72)      | 130 (1,399.31)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Semi-Detached      | 7.00 (22.97)      | 210 (2,260.42)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Single Detached    | 9.70 (31.82)      | 290 (3,121.53)   | 3.00 (9.84)              | 1.20 (3.94) <sup>d</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Accessory Building |                   |  |                          | 0.6 (1.97)               | 3.00 (9.84)               | 0.60 (1.97)  |                                   |

<sup>a</sup> For a Dwelling containing a rear attached garage accessed from a public lane, the minimum rear setback is 0.6 m (1.97 ft).

<sup>b</sup> The Front of a Flag Lot refers to the property line abutting the rear property line of the adjacent Dwelling (i.e. the parcel located between the Flag Lot parcel and the street).

<sup>c</sup> For a site containing a Dwelling, Duplex, Semi-Detached, or Row, there is no requirement for an Interior Side Setback from a party wall.

<sup>d</sup> For a parcel containing a Dwelling, Single Detached, one building setback from an interior side property line may be reduced to 0.0 m where:

- i) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 2.4 m **1.8 m** private maintenance easement that provides for:
  - a) a 0.30 m (0.98 ft) eave encroachment easement; and
  - b) a 0.60 m (1.97 ft) footing encroachment easement; and
- ii) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

Amendment #12

Clerical, grammatical, and typographical edits and reformatting throughout the DC-129 bylaw, including the renumbering of sections as required.

## Schedule 'A'

# Bylaw C-8574-2024

**DC-129 Amendment**

Amendments to Sections  
3.2.0, 13.21.0, 3.18.0,  
Moving Section 5.11.0 B) to  
Section 3.0.0, 9.5.1, 6.2.0,  
6.4.2, 10.4.0 & 11.4.0, 8.5.1 &  
9.5., and various editorial  
correction throughout the DC.

*Division: 2*

*Roll:*

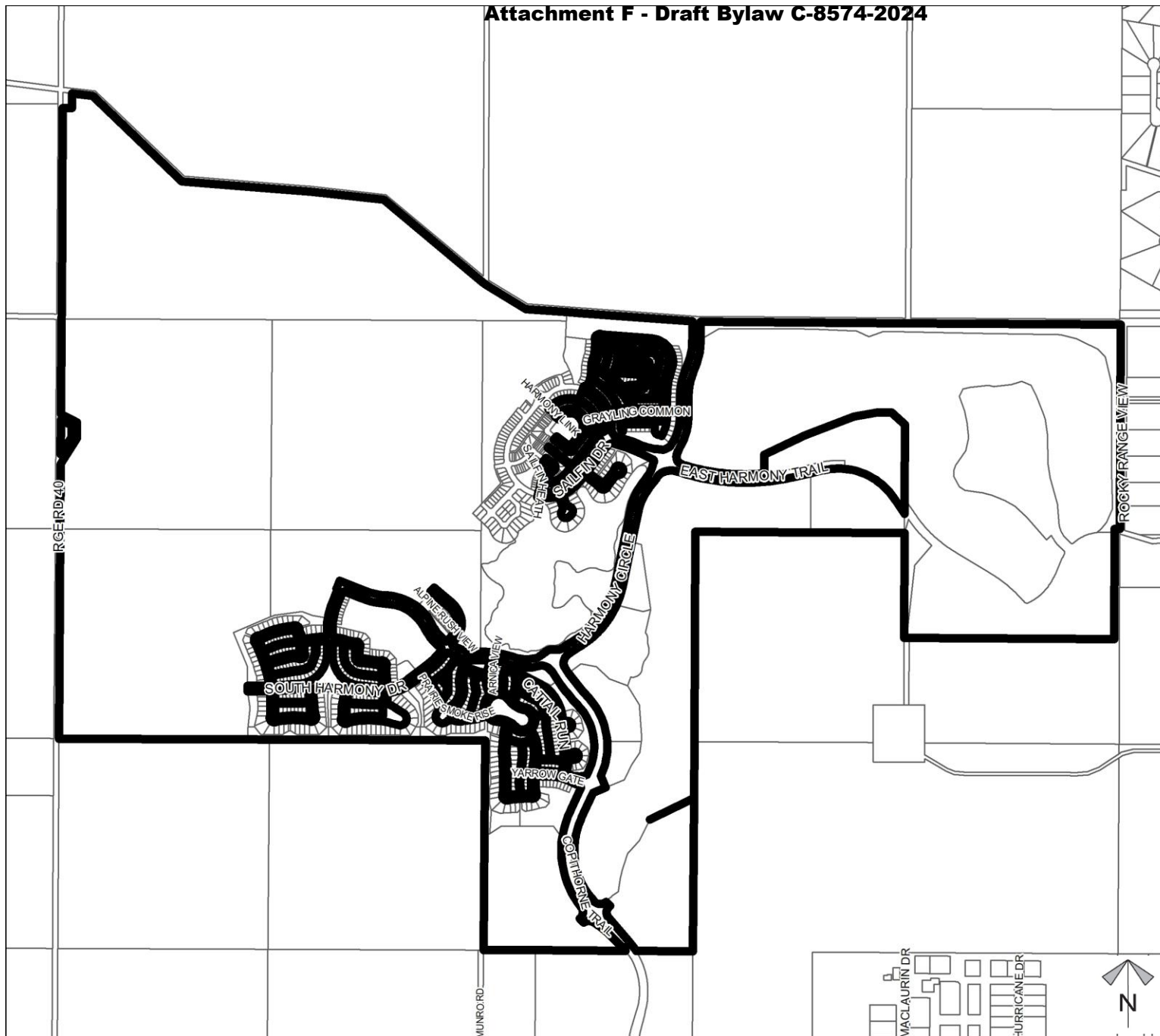
**File:** 1013-301 Harmony (DC 129)

Printed: Apr 5, 2024

*Legal: Within section*

05/07/08/09/17/18-25-03-

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**DC - 129****OFFICE CONSOLIDATION**

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

| <b>Bylaw</b> | <b>Amendment Type</b>  | <b>Date of Approval</b> |
|--------------|--|-------------------------|
| C-6688-2008  | Original Bylaw   | October 7, 2008         |
|              | Amendments to Sections 1 – 9 and Schedule 'A'. Addition of Schedule 'D'.   | March 14, 2017          |
| C-7671-2017  | Amendments to Table of Contents, Section 5.2.0, 5.3.1, 5.3.2, 5.4.0 c), 5.4.0 d), 5.5.0 g), 9.0.0, Schedule 'A', Schedule 'C', and general renumbering.  | May 9, 2017             |
| C-7884-2019  | Amendments to Section 6.1.0, 6.2.0, Table 1 and Table 2, Section 10.0.0.   | June 25, 2019           |
| C-8079-2020  | Replacement of Schedule A.   | October 27, 2020        |
| C-8080-2020  | Amend Schedule A.  | October 27, 2020        |
| C-8085-2020  | Amendments to Section 5.2.0, 5.3.1, 5.4.0, 5.6.0, 5.8.0, 5.9.0, 5.12.0, 5.13.0, 8.7.0, Definitions, Table 1 and Table 2, Schedule 'C'.   | January 26, 2021        |
| C-8157-2021  | Update various sections, add an additional three land use districts, added sections 10.0-13.0, and the addition of a Vacation Rental use. Amendments made to accommodate changes to number of units, and rear yard setback | June 8, 2021            |
| C-8315-2022  | Amendments to Sections 3.2.0, 3.13.0, 5.7.0<br>Amendments to Table 2 (9.5.1)<br>Remove Section 10.2.0 and 11.2.0   | November 1, 2022        |
| C-8463-2024  | Amend Section 3.0.0, adding 3.17.0; Amend Table 1 (8.5.1); Amend Section 9.3.0; and Amend Table 2 (9.5.1)  | February 13, 2024       |
| C-8574-2024  | Amendments to Sections 3.2.0, 13.21.0, 3.18.0, Moving Section 5.11.0 B) to Section 3.0.0, 9.5.1, 6.2.0, 6.4.2, 10.4.0 & 11.4.0, 8.5.1 & 9.5., and various editorial correction throughout the DC.                          | October XX, 2024        |



**DC - 129****ROCKY VIEW COUNTY  
BYLAW C- 6688- 2008**

A Bylaw of Rocky View County to amend Bylaw C-4841-97 (The Land Use Bylaw).

**WHEREAS** the Council deems it desirable to amend the said Bylaw; and

**WHEREAS** the Council of Rocky View County (“the County”) has received an application to amend Section 5, Land Use Map No. 58 of Bylaw C-4841-97 to redesignate NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M from Ranch and Farm District to Direct Control; and

**WHEREAS** a notice was published on August 26, 2008 and September 2, 2008 in the Rocky View Weekly, a newspaper circulating in the County, advising of the Public Hearing for October 7, 2008; and

**WHEREAS** Council held a Public Hearing and has given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

**NOW THEREFORE** the Council of Rocky View County enacts the following:

1. That Part 5, Land Use Map No. 58 of Bylaw C-4841-97 be amended to redesignate NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M from Ranch and Farm District to Direct Control District, as shown on the attached Schedule “A” attached hereto and forming part of the Bylaw; and
2. That a portion of the lands within NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M are hereby redesignated to Direct Control District, as shown on Schedule “A” attached to and forming part of this Bylaw; and
3. That the regulations of the Direct Control District comprise:
  - 1.0.0 General Regulations
  - 2.0.0 Subdivision Regulations
  - 3.0.0 Development Regulations
  - 4.0.0 Land Use Regulations - Future Development Cell (FD)
  - 5.0.0 Land Use Regulations - Village Core 1 Development Cell (VC-1)
  - 6.0.0 Land Use Regulations - Employment Campus Development Cell (E-1)
  - 7.0.0 Land Use Regulations - Golf Facilities and Open Space Development Cell (GO)
  - 8.0.0 Land Use Regulations - Village Residential 1 Development Cell (VR-1)
  - 9.0.0 Land Use Regulations – Village Residential 2 Development Cell (VR-2)
  - 10.0.0 Land Use Regulations – Village Residential 3 Development Cell (VR-3)
  - 11.0.0 Land Use Regulations – Village Residential 4 Development Cell (VR-4)
  - 12.0.0 Land Use Regulations – Neighbourhood Core Development Cell (N-C)
  - 13.0.0 Definitions

**DC - 129****1.0.0 General Regulations**

- 1.1.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw, and within each Section of Part 3, the regulations under the sub-heading of “Business Development” shall apply to all commercial developments, except where noted otherwise in this Bylaw.
- 1.2.0 For the purposes of this Bylaw, the lands shall be divided into Land Use Districts, the boundaries and description of which shall be more or less as indicated in Schedule “A” attached hereto and forming part herein, except as otherwise approved by Council. The location, maximum size and shape of the Land Use Districts are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County.
- 1.3.0 The following infrastructure activities are permitted in all Development Cells:
- a) Roads necessary for access and internal vehicular circulation (including road rights-of-way, bridges and areas for intersection improvements);
  - b) Deep and shallow utility distribution and collection systems and facilities such as sewage, stormwater, potable water or solid waste disposal system or telecommunication, electrical power, water, or gas distribution systems and water treatment facilities;
  - c) Stormwater systems and facilities;
  - d) Raw water supply, storage (i.e. reservoir) and distribution facilities;
  - e) Earthworks necessary for the preparation of land for site construction;
  - f) Public Parks;
  - g) Parking and loading;
  - h) Planting and seeding;
  - i) Pedestrian pathways;
  - j) Temporary sales/information centre; and
  - k) Fences.
- 1.4.0 The Developer will work with the County to arrive at an agreement regarding the operation and ownership of the potable water utilities, stormwater utilities, and wastewater utilities that will ultimately serve the County’s constituents.
- 1.5.0 As per the Harmony Conceptual Scheme, the overall number of *residential units* within the area outlined in Schedule “A” will be tied to the capacity of the infrastructure systems and will be up to a maximum of 4,480 dwelling units (excluding Residential Care Facilities and *Secondary Suites*).
- 1.6.0 Unless noted elsewhere in this Bylaw, parking and loading regulations will be based on the Land Use Bylaw C-4841-97 Section 30 and Schedule 5.
- 1.7.0 Building heights shall be in accordance with the Land Use Bylaw unless otherwise noted and measured as the vertical distance between the average elevation around the perimeter of the building and in the case of:
- a) A flat roof - the highest point of the roof surface or the parapet, whichever is greater;
  - b) Any other roof type - the highest point or peak of the roof;

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- c) Building height to exclude environmental building components such as solar panels and green roof elements;
- d) For the purpose of determining the building height in this Direct Control Bylaw, architectural features (including steeples) that are designed to reduce the perceived mass, to emphasize a landmark building that locates a focal point for a community or village, or to screen roof maintenance equipment (i.e., elevator shafts) shall be excluded from the calculation of the Building Height so long as they represent less than 20% of the roof area.

1.8.0 If there is a discrepancy between the metric and imperial measurement, metric prevails.

1.9.0 Emergency Services

1.9.1 Water for fire-fighting along with all-weather access roads are required for fire-fighting during all stages of development and designed to meet County requirements and standards.

1.9.2 Where a fire pump and hydrant system is proposed for firefighting, a Building Permit shall be obtained for the installation of the fire-suppression system for the development area, prior to entering into a Development Agreement with the County. The fire suppression system shall be designed to provide continuous coverage, with all requirements of the Alberta Building Code met, and engineering drawings shall be stamped by the engineer.

1.9.3 Emergency Services shall be operational for occupancy to be granted to any structure in the development area.

**2.0.0 Subdivision Regulations**

2.1.0 The County may require as part of the application for subdivision:

2.1.1 A Stormwater Management Plan prepared by a qualified professional in a form and substance satisfactory to the County.

2.1.2 A Traffic Impact Analysis prepared by a qualified professional in a form and substance satisfactory to Alberta Transportation and the County.

2.1.3 A Preliminary Certificate to Divert and Use Water obtained from Alberta Environment.

2.1.4 Other technical and engineering studies prepared by a qualified professional in a form and substance satisfactory to the County.

2.2.0 No subdivision shall be endorsed until:

2.2.1 A Construction Management Plan has been prepared by a qualified professional, in a form and substance satisfactory to the County.

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- 2.2.2 An Emergency Response Plan has been prepared by a qualified professional in a form and substance satisfactory to the County.
- 2.2.3 All necessary easements and rights-of-way related to the sanitary sewer, water and stormwater systems, and the supply and distribution of power, gas, telephone, and cable television have been confirmed in a form and substance satisfactory to the County.
- 2.2.4 A Conceptual Landscape Plan which includes all County owned public lands (i.e. parks, boulevards, pathways) has been provided to the County in a form and substance satisfactory to the County.
- 2.2.5 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with regards to the piped water supply and distribution system required to service the development and this piped water supply and distribution system has been confirmed in a manner satisfactory to the County.
- 2.2.6 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with regards to the wastewater system and treatment facility required to service the development and this wastewater system and treatment facility has been confirmed in a manner satisfactory to the County.
- 2.2.7 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with respect to:
- a. a potable water supply and distribution system to service the *subject lands* or portions thereof and a License to Divert and Use Water is obtained from Alberta Environment; and
  - b. the design, location and operational protocol of the sewage treatment facilities servicing the *subject lands* or portions thereof.
- 2.2.8 All necessary licenses permits and approvals have been obtained from Alberta Environment with regards to the stormwater system required to service the development and this stormwater system and treatment facility has been confirmed in a manner satisfactory to the County.
- 2.3.0 Notwithstanding 2.2.0, the County may endorse a subdivision where a subdivision is proposed that would not require servicing or would require further subdivision in order to conform to the Harmony Conceptual Scheme.
- 2.4.0 The Applicant and/or Owner shall collaborate with the County or its agent to produce agreements with respect to Harmony. The agreements are to be entered into by the Applicant and/or Owner as well as the County or its agent and shall not supersede any other County policies. The County shall not approve a subdivision on the *subject lands* prior to entering into the following agreements:

2.4.1 Stormwater

The agreement shall provide information and/or direction regarding the following:

- The lake/retention pond
- How the operation, maintenance and monitoring of the stormwater system meets Provincial standards

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- Interest in lands where stormwater system facilities are located
- Ownership of the stormwater system
- Off-site overland drainage and escape routes

**2.4.2 Water**

The agreement shall provide information and/or direction regarding the following:

- The lake/reservoir
- How the operation, maintenance and monitoring of the potable water system meets Provincial standards
- Interest in lands where potable water system facilities are located
- Raw water systems used for irrigation purposes
- Ownership of the potable water system

**2.4.3 Sanitary Sewer**

The agreement shall provide information and/or direction regarding the following:

- Spray irrigation lands
- How the operation, maintenance and monitoring of the wastewater system meets Provincial standards
- Interest in lands where wastewater conveyance system and treatment facilities are located
- Ownership of the wastewater system

**2.4.4 Solid Waste**

The agreement shall provide information and/or direction regarding the following:

- Interest in lands where solid waste management system facilities are located
- Waste collection and transfer facilities
- Implementation of waste reduction and recovery processes and facilities for construction materials
- How the operation and monitoring of the solid waste management system meets Provincial standards
- Ownership of the solid waste management system

2.5.0 The County may, through a Development Agreement(s) required by any subdivision and/or development permit affecting these Lands, specify any regulation, criteria or condition necessary to ensure all Subdivision and Development on the Lands conform to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the County.

2.6.0 A Harmony Lot Owners' Association in a form acceptable to the County and its successors such as a registered homeowners association or a condominium association will be legally established by the Developer and a restrictive covenant confirming that



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each owner of an interest in the *subject lands* will be a member of the Lot Owner's Association. The restrictive covenant will be satisfactory to the County and will be registered against the titles prior to any registered financial encumbrances and registered concurrently with the plan of survey.

**3.0.0 Development Regulations**

- 3.1.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw, provided the provisions of all Sections contained herein are completed in form and substance.
- 3.2.0 Notwithstanding provisions elsewhere in this Bylaw, the following uses are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met:
- a. *Dwelling, Single Detached*
  - b. *Dwelling, Semi-Detached*
  - c. *Accessory Building*
  - d. *Show Home*
  - e. *Secondary Suite, attached to a Residential Unit (below grade)*
- 3.3.0 Where the exterior project boundary setback is greater than the interior parcel line setback, the exterior project boundary setback shall prevail.
- 3.4.0 The construction of the raw water reservoir, water supply and distribution system, and wastewater treatment and collection system will require a Development Permit or shall be constructed under a Development Agreement and permitted by Alberta Environment.
- 3.5.0 No occupancy or final occupancy associated with either a Building or a Development Permit will be issued until connections have been made to the piped potable water and wastewater system. Staged modular units that are capable of functioning as part of a permanent potable and wastewater solution are acceptable until the Harmony project develops to the point where staged full scale treatment facilities can operate efficiently. All water and wastewater treatment solutions will be developed to the satisfaction of the County and Alberta Environment.
- 3.6.0 The use of any portion of the *subject lands* for private storm ponds or raw water reservoir and/or a recreation lake shall only be permitted if their design and construction is in accordance with plans and specifications prepared by a qualified professional to the satisfaction of the County and Alberta Environment where applicable.
- 3.7.0 Private roads (i.e. located within a condominium parcel and/or private lot) shall be constructed in accordance with the design standards submitted by the Developer to the County's satisfaction.
- 3.8.0 All applications for development and building approval within the grading plan area, shall, as a condition of approval, submit "grade verification" to the County. Grade verification shall be prepared by a qualified professional and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the final lot grades.

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- 3.9.0 Notwithstanding provisions stated elsewhere in this Bylaw, the Development Authority may issue a Development Permit for stripping and grading, which does not include installation of underground services, gravel or paving, prior to Subdivision Approval or issuance of a Development Agreement, provided a grading plan and a sediment and erosion control plan are approved to the satisfaction of the County and will not contradict the final stormwater management plan.
- 3.10.0 All development shall be in accordance with a Stormwater Management Plan approved by the County.
- 3.11.0 A Traffic Impact Analysis review shall be required once build out assumptions have exceeded those identified within the initial study to the satisfaction of the County.
- 3.12.0 A temporary sales/information centre may be considered by the Development Authority as a use on the *subject lands*.
- 3.13.0 Show Homes may be developed on the subject lands without a Development Permit in accordance with Section 3.2.0. Additionally, Show Homes may be considered by the Development Authority on the subject lands prior to the endorsement of a plan of subdivision, provided that:
- a) conditional approval for subdivision has been granted by the Subdivision Authority for that cell, and further, that no occupancy of the said homes shall occur until full municipal services (power, gas, sewer, water, telephone, etc.) are available to and immediately usable by residents of said dwellings and the plan of subdivision has been registered;
  - b) the hours that any show homes may be open to the public shall not be earlier than 9:00 a.m. or later than 8:00 p.m.; and
  - c) In the absence of a fully executed Development Agreement, a signed Pre-Endorsement Development Agreement is required prior to *Show Home* construction.
- 3.14.0 The hours that any show home may be open to the public shall not be earlier than 9:00 a.m. or later than 8:00 p.m.
- 3.15.0 Landscaping
- 3.15.1 Where landscaping is proposed under a Development Permit on a lot, landscaping shall be provided in accordance with a Detailed Landscape Plan to be submitted to the County upon application for a Development Permit. The Detailed Landscape Plan shall identify:
- the location, type, size, and extent of all hard and soft landscaping;
  - the plant material to be used;
  - location, type and extent of irrigation; and
  - a description of the maintenance program to be used to ensure all plant material is kept in a healthy state.
- 3.15.2 The landscaping and open spaces shall enhance the appearance of commercial and public buildings and also provide a connection to other areas of development. Landscape buffers along street frontages and within parking areas shall be designed as integrated, continuous elements.

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3.15.3 At the sole discretion of the County, the minimum County requirement for 10% of the site to be landscaped may be exempted in the Village Core 1 Development Cell (VC-1) at the discretion of the Development Authority, where 100% site coverage for the building is permissible. If an exemption is granted, a developer may be permitted to provide money in lieu of landscaping to provide landscaping on adjacent public property when:

- a) there are physical impediments (i.e. utility restrictions) to providing 10% landscaping;
- b) there is sound justification (i.e. waterfront and/or boat house dwellings or to enhance building/streetscape interface) as to why the exemption should be made to provide landscaping on-site;
- c) where off-site landscaping would benefit the development; and
- d) Alternate provisions can be made for on-site stormwater management.

3.15.4 Landscape buffers between development areas shall be of an appropriate size and density.

### 3.16.0 Airport Related No Build Zone

An Airport Related No Build Zone is defined by a 20.0 m setback on either side of the projected runway centreline to a total building setback of 40.0 m located underneath the Airport Runway Approach (See Schedule “A”). The Airport Related No Build Zone only applies to above grade building structures (excluding roadways and associated street furniture, parking facilities, navigational aids, open space, and the *golf course*). The Airport Related No Build Zone is in addition to its corresponding land use and is subject to the regulations stated within this Bylaw.

3.17.0 The Development Authority may grant a variance to each site’s minimum front yard, side yard and rear yards by a maximum of 25%, so long as the variance would not materially interfere with or affect the use, enjoyment or value of a nearby parcel of land, or adversely affect property access, safety, or utility rights of way.

### 3.18.0 Parking and Loading

Notwithstanding Section 30 - Parking and Loading, and Schedule 5 - Parking, Schedule 6 - Loading, of the Land Use Bylaw (C-4841-97), parking and loading requirements regarding the number of stalls required for mixed use development and commercial development in the VC-1, E-1, GO, or N-C districts shall be based on a parking and loading needs assessment prepared by a Professional Transportation Engineer. The assessment shall be submitted in conjunction with the first development permit application for structures within the applicable site or sites.

## 4.0.0 Land Use Regulations - Future Development Cell (FD)

### 4.1.0 Purpose and Intent

The purpose of this Cell is intended to:

- Be applied to lands awaiting development within the Harmony community subject to further land use amendments;
- Allow for the continuation of interim land uses of an agricultural operations nature which can be removed to allow for future comprehensive development as per the

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- provisions of the Harmony Conceptual Scheme;
- Allow for the implementation of utility infrastructure uses necessary to support development within the community;
- Provide for community amenity open space; and
- Allow for preparation of the lands for future development.

4.2.0 Uses

- 4.2.1 Accessory Building
- 4.2.2 Public Market
- 4.2.3 Agriculture, General
- 4.2.4 Public Park
- 4.2.5 Agricultural Support Services
- 4.2.6 Raw Water Reservoir and/or Recreational Lake
- 4.2.7 Commercial Communications (CC) Facilities, (Types A, Type B, and Type C)
- 4.2.8 Sign
- 4.2.9 *Historical and Cultural Interpretations*
- 4.2.10 *Utility, Power Generation Type A and Type B*
- 4.2.11 Horticultural Development

4.3.0 Minimum Requirements

## 4.3.1 Exterior Project Boundary Setbacks:

Conditions A and B are depicted in Schedule “B” and establish minimum setbacks from the exterior (outside) boundary of the *subject lands*. Condition A is depicted by a solid black line and Condition B is depicted by a dashed black line.

- a) Condition A as per Schedule “B”: 100 m (328 ft).
- b) Condition B as per Schedule “B”: 20 m (66 ft).

## 4.3.2 Interior Parcel Lines (those lot lines that fall within the external boundary):

## a) Front Yard Setback:

- i) 60 m (197 ft) from any external Township or Range Road.
- ii) 15 m (49 ft) from any internal subdivision road.

## b) Side Yard:

- i) 60 m (197 ft) from any Township or Range Road.
- ii) 15 m (49 ft) from any internal subdivision road.
- iii) 6 m (20 ft) from all other parcel boundaries.

## c) Rear Yard:

- i) 60 m (197 ft) from any Township or Range Road.
- ii) 30 m (98 ft) from all other parcel boundaries.

4.4.0 Maximum Requirements

## 4.4.1 Building Height: 12 m (39.37 ft.)

**DC - 129****5.0.0 Land Use Regulations – Village Core 1 Development Cell (VC-1)****5.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Provide a vibrant focal point for the overall development of the Harmony community through the provision of a mix of land uses within a well-defined area;
- Provide a range of services and amenities for residents, employees and adjacent areas;
- Accommodate a variety of housing forms within a higher density setting;
- Provide small to medium scale commercial, institutional and personal service uses;
- Provide for community amenity space, pedestrian space; and
- Allow for the implementation of utility infrastructure.

**5.2.0 Development Limits**

The lands within VC-1 Cell shall be notationally divided into two areas (Area A and Area B), as per Schedule “C”, in order to apply permitted uses. Proposed development within each Area is to be in accordance with the architectural guidelines at time of development permit.

**5.3.0 Uses****5.3.1 Area A**

- 5.3.1.1 Accessory Building
- 5.3.1.2 Amusement and Entertainment Services
- 5.3.1.3 Animal Health Care Services, Small Animal
- 5.3.1.4 *Arts and Crafts*
- 5.3.1.5 Arts and Culture Centre
- 5.3.1.6 Bed and Breakfast Home
- 5.3.1.7 Child Care Facility
- 5.3.1.8 Commercial Business
- 5.3.1.9 Commercial Communications Facilities, Type A
- 5.3.1.10 Conference Centre
- 5.3.1.11 Drinking Establishment
- 5.3.1.12 *Dwelling, Multi-Family*
- 5.3.1.13 Dwelling, Semi-Detached
- 5.3.1.14 Dwelling, Single Detached
- 5.3.1.15 Dwelling, Row
- 5.3.1.16 Government Services
- 5.3.1.17 Grocery Store, Regional
- 5.3.1.18 Grocery Store, Local
- 5.3.1.19 Health Care Services
- 5.3.1.20 Home-Based Business, Types I and II
- 5.3.1.21 Hotel
- 5.3.1.22 Indoor Participant Recreation Services
- 5.3.1.23 Laboratories
- 5.3.1.24 Liquor Sales
- 5.3.1.25 Live/work Unit
- 5.3.1.26 Lodging Houses and Country Inns



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- 5.3.1.27 Medical Treatment Services
- 5.3.1.28 Mixed-Use Developments
- 5.3.1.29 Museum
- 5.3.1.30 Offices
- 5.3.1.31 Outdoor Café
- 5.3.1.32 Patio, Accessory to Principal Building Use
- 5.3.1.33 Personal Service Business
- 5.3.1.34 Private Amenity Space
- 5.3.1.35 Private Clubs and Organizations
- 5.3.1.36 Public Building
- 5.3.1.37 Public Market
- 5.3.1.38 Public Park
- 5.3.1.39 Recycling Collection Point
- 5.3.1.40 Religious Assembly
- 5.3.1.41 Residential Care Facility
- 5.3.1.42 Restaurant
- 5.3.1.43 Retail Food Store
- 5.3.1.44 Retail Garden Centre
- 5.3.1.45 Retail Store, Local
- 5.3.1.46 School, Public or Separate
- 5.3.1.47 School or College, Commercial
- 5.3.1.48 *Secondary Suite*
- 5.3.1.49 Sign
- 5.3.1.50 Specialty Food Store
- 5.3.1.51 *Utility, Power Generation* Type A and Type B
- 5.3.1.52 Vacation Rental
- 5.3.1.53 *Wellness Resort*

5.3.2 Area B (Peninsula)

- 5.3.2.1 Accessory Building
- 5.3.2.2 *Arts and Crafts*
- 5.3.2.3 Arts and Culture Centre
- 5.3.2.4 Child Care Facility
- 5.3.2.5 Commercial Communications (CC) Facility, Type A
- 5.3.2.6 *Dwelling, Multi-Family* (see 5.13.1)
- 5.3.2.7 *Dwelling, Row* (see 5.3.1)
- 5.3.2.8 *Dwelling, Semi-Detached* (see 5.3.1)
- 5.3.2.9 *Dwelling, Single Detached* (see 5.3.1)
- 5.3.2.10 Home-Based Business, Type I & II
- 5.3.2.11 Indoor Participant Recreation Services
- 5.3.2.12 Outdoor Café
- 5.3.2.13 *Outdoor Recreation, Neighbourhood Area*
- 5.3.2.14 Patio, Accessory to Principal *Business* Use
- 5.3.2.15 Private Amenity Space
- 5.3.2.16 Private Clubs and Organizations
- 5.3.2.17 Retail Store, Local (see 5.3.2)

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- 5.3.2.18 Restaurant
- 5.3.2.19 *Secondary Suite* (see 5.3.1)
- 5.3.2.20 Sign
- 5.3.2.21 *Utility, Power Generation* Type A & Type B
- 5.3.2.22 Vacation Rental

## 5.4.0 Minimum Setback Requirements:

- a) The minimum building setback to a property line is 0 m (0 ft).

## 5.5.0 Maximum Limits:

- a) Height:
  - i) Dwelling, Row; Dwelling, Semi-Detached, Dwelling, Single Family: 13 m (42.65 ft)
  - ii) *Dwelling, Multi-Family*: ~~17 m (55.77 ft)~~ 20m (65.62 ft)
  - iii) Accessory Buildings: 12 m (39.37 ft)
  - iv) Mixed-Use, Commercial and Residential buildings: ~~16 m (52.49 ft)~~ 20m (65.62 ft)
  - v) Hotel: 20 m (65.62 ft)
  - vi) All other uses: 17 m (55.77 ft)

## 5.6.0 Building Orientation and Design:

- a) Mixed-Use Development / Commercial Development:
  - i) Service bays, roof top mechanical units and storage areas shall be screened from adjacent buildings.
- b) Residential Area:
  - i) All ground floor *residential units*, along a view corridor and particularly when fronting onto a public thoroughfare or park shall provide an entrance with direct access to grade unless access is inappropriate due to site conditions.
  - ii) *Private amenity space* for ground floor *residential units* may be located in the front yard, provided the issues of privacy, security, light, and access are addressed to the satisfaction of the County.
  - iii) Buildings shall create a definite street edge. Entries along the street shall be relatively consistent with no large breaks between doors and walkways.
  - iv) Side elevations on a corner lot shall have the compatible application of exterior finishes and architectural detailing as the front elevation.
  - v) Where the rear abuts open space or a public thoroughfare (view corridor) that is clearly visible, it shall have exterior finishes and architectural detailing compatible with the front elevation.
  - vi) All parts of the building, from the overall form shall be designed with a sense of proportion to each other.

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## 5.7.0 Projections:

## a) Commercial Development / Mixed-Use Development:

All projecting awnings and signage will be appropriate to the building and **guided by** the Harmony Architectural Guidelines.

## b) Waterfront: Portions of buildings located adjacent to the waterfront may project over, into, or onto the water.

## c) Roadways: Pedestrian bridges may project over public roadways to provide linkages between buildings.

## 5.8.0 Live/Work Units:

## a) That portion used for work purposes shall be restricted to the ground floor only.

## b) A maximum of three non-resident employees may work within the live/work unit unless otherwise allowed by the County.

## c) The resident owner or owner's employee, as resident, shall be responsible for the business activity performed.

## d) Signage shall be non-illuminated in residential areas and shall be compatible with the architectural guidelines of the residential neighbourhood to the satisfaction of the County.

e) All live/work *residential units* fronting onto a public thoroughfare shall have an entrance with direct access to grade.f) Except as provided elsewhere in this Bylaw, a portion of the *residential unit* may be located on the same floor as a non-residential use in the Mixed-Use / Commercial Areas.

## g) Live/work units shall be limited to those uses which do not create a nuisance by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an offensive or objectionable nature which is detectable to normal sensory perception outside the live-work unit.

## 5.9.0 Mixed-Use Development and Commercial Development:

## a) A building may be occupied by a combination of one or more of the uses listed and each use shall be considered a separate use, and each use shall obtain a Development Permit. A Development Permit may include a number of uses and/or units within a building.

b) The *residential units* shall have at grade access that is separate from the access for commercial premises. Direct access from a *residential unit* to a commercial premise shall not be permitted.c) A minimum of 4 m<sup>2</sup> (43 ft<sup>2</sup>) of *private amenity space* shall be provided for each *residential unit* in the building.

## d) No use or operation within a building shall cause or create the emission of toxic matter beyond the building that contains it. The handling, storage and disposal or any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

## 5.10.0 On-Water Buildings:

## a) Buildings may be located on the water provided there is a minimum separation of 3 m between the buildings including any projections or decks.

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## 5.11.0 Parking and Loading:

- a) Park and loading spaces for residential and live/work uses shall be provided as per the following table:

| Land Use                                 | Minimum Parking Requirements                          |
|--|---|
| Dwellings, Row; Dwellings, Semi-Detached | 1.5 stalls and 0.15 visitor stalls per unit           |
| All Other Residential                    | 1 stall per unit; and<br>0.15 visitor stalls per unit |
| Live/Work Units                          | 2 stalls per unit                                     |

- ~~b) Notwithstanding Section 30—Parking and Loading, and Schedule 5—Parking, Schedule 6—Loading, of the Land Use Bylaw (C 4841-97), parking and loading requirements regarding the number of stalls required for mixed use development and commercial development in the VC-1 district shall be based on a parking and loading needs assessment prepared by a Professional Transportation Engineer. The assessment shall be submitted in conjunction with the first development permit application for structures within the VC-1 district.~~
- c) On-site parking shall not be allowed within 3.0 m (9.84 ft) of a public thoroughfare.
- d) Parking structures shall not project more than 1 m (3 ft) above grade.

## 5.12.0 Retaining Walls and Fences

- a) For residential uses other than multi-family residential, the height of an exposed retaining wall or other building wall located within a rear yard shall not exceed 1.5 m (4.92 ft) unless otherwise allowed by the County.

**DC - 129****6.0.0 Land Use Regulations – Employment Campus Development Cell (E-1)****6.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Accommodate comprehensively planned employment related land uses that contribute to the local and regional economy;
- Provide an attractive work environment;
- Provide recreational and institutional based business opportunities;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.
- Accommodate a mix of commercial uses that support and attract employment

**6.2.0 Uses**

- 6.2.1 Accessory Building
- 6.2.2 Agricultural Support Services
- 6.2.3 Amusement and Entertainment Services
- 6.2.4 Animal Health Care Services, Inclusive
- 6.2.5 Arts and Culture Centre
- 6.2.6 Athletic and Recreation Services
- 6.2.7 Auctioneering Services
- 6.2.8 Automotive Services
- 6.2.9 Business Park
- 6.2.10 Cannabis Retail Store
- 6.2.11 Car Wash
- 6.2.12 Child Care Facility
- 6.2.13 Commercial Business
- 6.2.14 Commercial Communications Facilities, Type A, Type B, Type C
- 6.2.15 Commercial Recreation Facilities
- 6.2.16 Conference Centre
- 6.2.17 Dealership/Rental Agency, Automotive
- 6.2.18 Distillery
- 6.2.19 Drinking Establishment
- 6.2.20 Farmers Market
- 6.2.21 General Industry Type I
- 6.2.22 Grocery Store, Local
- 6.2.23 Government Services
- 6.2.24 Health Care Services
- 6.2.25 Hotel/Motel
- 6.2.26 Indoor Participant Recreation Services
- 6.2.27 Laboratories
- 6.2.28 Liquor Sales
- 6.2.29 Lodging Houses and Country Inns
- 6.2.30 Market Gardens
- 6.2.31 Medical Treatment Services
- 6.2.32 Mixed-Use Developments
- 6.2.33 Museum
- 6.2.34 Office Parks
- 6.2.35 Outdoor Cafe
- 6.2.36 Outdoor Participant Recreation Services
- 6.2.37 Patio, Accessory to Principal Business Use
- 6.2.38 Personal Service Business

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- 6.2.39 *Private Amenity Space*
- 6.2.40 Private Clubs and Organizations
- 6.2.41 Public Market
- 6.2.42 Public Park
- 6.2.43 Raw Water Reservoir and/or Recreational Lake
- 6.2.44 Recycling Collection Point
- 6.2.45 Religious Assembly
- 6.2.46 Research Parks
- 6.2.47 Restaurant
- 6.2.48 Retail Food Store
- 6.2.49 Retail Store, Local
- 6.2.50 School, Public or Separate
- 6.2.51 School or College, Commercial
- 6.2.52 **Shopping Centre, Local**
- 6.2.53 Sign
- 6.2.54 *Utility, Power Generation* Type A & Type B
- 6.2.55 Vacation Rental
- 6.2.56 *Wellness Resort*

**6.3.0 Minimum Limits****6.3.1 Exterior Project Boundary Setbacks:**

Conditions A and B are depicted in Schedule “B” and establish minimum setbacks from the exterior (outside) boundary of the *subject lands*. Condition A is depicted by a solid black line and Condition B is depicted by a dashed black line.

- a) Condition A as per Schedule “B”: 100 m (328 ft).
- b) Condition B as per Schedule “B”: 20 m (66 ft).

**6.3.2 Interior Parcel Line (those lot lines that fall within the external boundary):**

- a) Front Yard:
  - i) 15 m (49 ft) from any Township or Range Road.
  - ii) 5.0 m (16.40 ft) from any internal subdivision road.
- b) Side Yard: 6.0 m (19.7 ft) except where a fire resistant wall is provided in accordance with the Alberta Building Code, 0.0 m (0.0 ft).

**6.3.3 Rear Yard: 6 m (20 ft).**

- a) Where the Minimum Building Setbacks are greater than the Parcel Minimum Setbacks, the Development Cell regulations shall prevail.

**6.4.0 Maximum Limits****6.4.1 Height:**

- a) Building Height: 18 m (59.0 ft).

**6.4.2 Floor Area:**

- a) Retail Food Store: ~~3,251 m<sup>2</sup> (35,000 ft<sup>2</sup>)~~ 3,902 m<sup>2</sup> (42,000 ft<sup>2</sup>).
- a) Retail Store, Local: 1,860 m<sup>2</sup> (20,000 ft<sup>2</sup>).

**6.4.3 Site Coverage: 45%.**



**DC - 129****6.5.0 Special Regulations**

- 6.5.1 Auctioneering services are to be provided entirely within buildings and does not permit the use of outdoor storage or display.
- 6.5.2 A building may be occupied by a combination of one or more of the uses listed for this Cell and each use shall be considered as a separate use. A Development Permit may include a number of uses and/or units within a building.
- 6.5.3 *Residential units* and commercial premises shall not be permitted on the same storey of a building except for stairwells/entranceways.
- 6.5.4 *Residential units* shall not be located on the ground floor of a building.
- 6.5.5 The *residential units* shall have at grade access that is separate from the access for commercial premises. Direct access from a *residential unit* to a commercial premise shall not be permitted.
- 6.5.6 A minimum of 4 m<sup>2</sup> (43 ft<sup>2</sup>) of *private amenity space* shall be provided for each *residential unit* in the building.
- 6.5.7 No use within any building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building which contains them.
- 6.5.8 No use or operation within a building shall cause or create the emission of noxious odours or vapour beyond the building that contains the use or operation.
- 6.5.9 No use or operation within a building shall cause or create the emission of toxic matter beyond the building that contains it. The handling, storage and disposal or any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

**6.6.0 Building Orientation and Design**

- 6.6.1 Service bays, roof top mechanical units and storage areas shall be appropriately screened to the satisfaction of the County.

**DC - 129****7.0.0 Land Use Regulations – Golf Facilities and Open Space Cell (GO)****7.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Provide for the development, operation and management of a *golf course* and associated recreational facilities;
- Provide uses that complement *golf course* facilities;
- Provide recreational based business opportunities;
- Provide for community amenity space;
- Allow for the implementation of utility infrastructure; and
- Allow for treated wastewater spray irrigation on *golf course* lands.

**7.2.0 Development Limits**

The lands within the GO Cell shall be notationally divided into **two** areas, as per Schedule “D”, in order to apply permitted uses. The location, size and shape of each area are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County.

**7.3.0 Uses****7.3.1 Area A**

- 7.3.1.1 Accessory Buildings
- 7.3.1.2 Commercial Communications (CC) Facilities, Type A, Type B, Type C
- 7.3.1.3 *Golf Course*
- 7.3.1.4 *Golf Course Driving Range*
- 7.3.1.5 *Golf Course Maintenance and Storage Facilities*
- 7.3.1.6 Private Clubs and Organizations
- 7.3.1.7 *Outdoor Recreation, Neighbourhood Area*
- 7.3.1.8 Raw Water Reservoir and/or Recreational Lake
- 7.3.1.9 Sign
- 7.3.1.10 *Utility, Power Generation* Type A & Type B
- 7.3.1.11 Vacation Rental

**7.3.2 Area B**

- 7.3.2.1 Accessory Building
- 7.3.2.2 Commercial Communications (CC) Facilities, Type A, Type B, Type C
- 7.3.2.3 *Golf Course*
- 7.3.2.4 *Golf Course Driving Range*
- 7.3.2.5 *Golf Course Clubhouse Facilities* and Conference Centre
- 7.3.2.6 *Golf Course Maintenance and Storage Facilities*
- 7.3.2.7 Indoor Participant Recreation Services
- 7.3.2.8 *Outdoor Recreation, Neighbourhood Area*
- 7.3.2.9 Private Clubs and Organizations
- 7.3.2.10 Sign
- 7.3.2.11 *Utility, Power Generation* Type A & Type B
- 7.3.2.12 Vacation Rental

**DC - 129****7.4.0 Minimum and Maximum Requirements****7.4.1 Minimum Building Setbacks:**

- a) Front Yard Setback: 6 m (19.7 ft).
- b) Side Yard Setback: 3 m (9.8 ft).
- c) Rear Yard Setback: 6 m (19.7 ft).

7.4.2 Airport No Building Zone: A building setback zone as defined by 20 m either side of the projected runway centreline to a total building setback of 40 m located underneath the Airport Runway Approach. This building setback regulation applies to above grade building structures.

**7.4.3 Maximum Height:**

- a) Building Height: 18 m (59.0 ft.)

**7.5.0 Special Regulations**

7.5.1 The design of the *golf course* shall provide for integration with the natural setting by maximizing retention of natural landforms, unique vegetation and open space including the protection of natural drainage channels.

7.5.2 Parking requirements for the *golf course* clubhouse shall be 3 parking stalls per 1 golf hole.

7.5.3 A development permit application shall address the potential requirements for limiting the seasons and hours of operation, including maintenance activities. These could include seasonal or other temporary closures.

7.5.4 A development permit application shall address the potential requirement for fencing of the development for wildlife and/or human use management purposes.

7.5.5 The raw water reservoir is an integral component of the stormwater and wastewater systems; therefore, development within this cell is subject to an engineering review with regards to impacts to the stormwater management plan, potable water, and sanitary sewer infrastructure and operations.

**8.0.0 Land Use Regulations – Village Residential 1 Development Cell (VR-1)****8.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Accommodate a variety of housing forms within a range of low to medium density housing units;
- To cluster housing to increase open space and servicing efficiency;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.

**DC - 129****8.2.0 Uses**

- 8.2.1 Accessory Building
- 8.2.2 Child Care Facility
- 8.2.3 Commercial Communications (CC) Facilities, Type A
- 8.2.4 Dwellings, Multi-Family
- 8.2.5 Dwellings, Semi-Detached
- 8.2.6 Dwellings, Single Detached
- 8.2.7 Dwellings, Row
- 8.2.8 Home-Based Business, Type I & Type II
- 8.2.9 Private Amenity Space
- 8.2.10 Public Park
- 8.2.11 *Secondary Suite*
- 8.2.12 Sign
- 8.2.13 *Utility, Power Generation Type A*
- 8.2.14 Vacation Rental

**8.3.0 Minimum Limits**

Except for 8.3.1 and 8.4.0, all minimum and maximum limits shall be as per Table 1 (8.5.1) of this Bylaw.

- 8.3.1 Exterior Project Boundary: Condition B as per Schedule “B”: 20 m (66 ft).

**8.4.0 Maximum Limits****8.4.1 Building Height:**

- a) Dwellings, Row; Dwellings, Semi-Detached, Dwellings, Single Detached: 13 m (42.65 ft).
- b) Dwellings, Multi-Family: 15 m (49.21 ft).
- c) All other uses: 12 m (39.37 ft).

**8.5.0 Minimum/Maximum Lot Area Requirements:**

- 8.5.1 Table 1 (8.5.1) specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot average, and shall apply to all buildings within the Village Residential Development Cell (VR-1).

**8.7.0 Special Regulations**

- 8.7.1 The front driveway connecting a garage (attached and/or detached) to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:
  - 1. the back of the public sidewalk to the front of the garage; or
  - 2. the road curb where there is no public sidewalk to the front of the garage.

TABLE 1 (8.5.1) - Village Residential 1 Parcel Regulations (Current)

| HOUSING TYPE <sup>f</sup> | LOT FRONTAGE <sup>f</sup> |                | MINIMUM LOT AREA m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |   | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS <sup>a</sup>                            |   | MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%) | MAXIMUM LOT COVERAGE (%) |
|---------------------------|---------------------------|----------------|--|-----------------------------|---|----------------------------|--------------------|--|---|--|--------------------------|
|                           | Minimum                   | Maximum        |  | Principal Building          | Accessory Building                                    | Principal Building         | Accessory Building | Principal Building   | Accessory Building  |  |                          |
|                           | Metres (Feet)             |                |  | Metres (Feet)               |   | Metres (Feet)              |                    | Metres (Feet)  |   |  |                          |
| REAR ACCESS <sup>e</sup>  |                           |                |  |                             |   |                            |                    |  |   |  |                          |
| Single Detached           | 13.41 (44.00)             | 15.24 (50.00)  | 526.00 (5,661.82)                                  | 6.00 (19.69)                |   | 9.00 (29.53)               | 0.60 (1.97)        | 4.26 total/2.74 one side (14.00 total/9.00 one side)               | 0.60 (1.97)   |  | 40                       |
|                           | 15.25 (50.03)             |                | 607.00 (6,533.69)                                  |                             | 4.88 total/3.35 one side (16.00 total/11.00 one side) |                            |                    |  |   |  |                          |
| Semi-Detached             | 10.36 (33.99)             |                | 324.00 (3,487.51)                                  |                             |   | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 55                       |
| Row                       | 9.14 (29.99)              |                | 243.00 (2,615.63)                                  |                             |   | 7.50 (24.60)               |                    |  | 2.43 (8.00)/0 from property line on which a party wall is located |  | 60                       |
|                           |                           |                |  |                             |   |                            |                    |  |   |  |                          |
| FRONT ACCESS <sup>g</sup> |                           |                |  |                             |   |                            |                    |  |   |  |                          |
| Single Detached           | 18.28 (59.97)             | 24.39 (80.02)  | 728.00 (7,836.13)                                  | 6.00 (19.69)                |   | 9.00 (29.53)               | 0.60 (1.97)        | 5.48 total/3.35 one side (18.00 total/11.00 one side) <sup>h</sup> | 0.60 (1.97)   | 60 <sup>h</sup>                                    | 35                       |
|                           | 24.40 (80.05)             | 30.48 (100.00) | 1012.00 (10,893.08)                                | 9.00 (29.53) <sup>h</sup>   |   | 10.50 (34.45)              |                    | 6.70 total/4.57 one side (22.00 total/15.00 one side) <sup>h</sup> |   | 50 <sup>h</sup>                                    |                          |
|                           | 30.49 (100.03)            |                | 1,335.00 (14,369.82)                               | 9.00 (29.53) <sup>h</sup>   |   | 12.00 (39.37)              |                    | 9.14 total/6.09 one side (30.00 total/20.00 one side) <sup>h</sup> |   | 45 <sup>h</sup>                                    |                          |
| Semi-Detached             | 13.41 (44.00)             |                | 404.00 (4,348.62)                                  | 6.00 (19.69)                |   | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 50                       |
| Row                       | 10.97 (36.00)             |                | 319.00 (3,433.69)                                  | 6.00 (19.69)                |   | 7.50 (24.60)               |                    |  | 2.43 (8.00)/0 from property line on which a party wall is located | 60 <sup>h</sup>                                    | 55                       |

a. Repealed.

b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

c. If garage front is parallel to street then garage eaveline shall not project greater than 2.43 metres (8.00 feet) from the eaveline of the house front.

d. Minimum front yard reduced to 6.10 metres (20.00 feet) if garage doors do not face the street is oriented perpendicular to street.

e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control process.

f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet)

TABLE 1 (8.5.1) - Village Residential 1 Parcel Regulations (Redline)

| HOUSING TYPE <sup>a,f</sup> | LOT FRONTAGE <sup>b</sup> |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |   | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS <sup>a</sup>                            |   | MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%) | MAXIMUM LOT COVERAGE (%) |
|-----------------------------|---------------------------|----------------|---|-----------------------------|---|----------------------------|--------------------|--|---|--|--------------------------|
|                             | Minimum                   | Maximum        |   | Principal Building          | Accessory Building                                    | Principal Building         | Accessory Building | Principal Building   | Accessory Building  |  |                          |
|                             | Metres (Feet)             |                |   | Metres (Feet)               |   | Metres (Feet)              |                    | Metres (Feet)  |   |  |                          |
| REAR ACCESS <sup>c</sup>    |                           |                |   |                             |   |                            |                    |  |   |  |                          |
| Single Detached             | 13.41 (44.00)             | 15.24 (50.00)  | 526.00 (5,661.82)                                     | 6.00 (19.69)                |   | 9.00 (29.53)               | 0.60 (1.97)        | 4.26 total/2.74 one side (14.00 total/9.00 one side)               | 0.60 (1.97)   |  | 40                       |
|                             | 15.25 (50.03)             |                | 607.00 (6,533.69)                                     |                             | 4.88 total/3.35 one side (16.00 total/11.00 one side) |                            |                    |  |   |  |                          |
| Semi-Detached               | 10.36 (33.99)             |                | 324.00 (3,487.51)                                     |                             |   | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 55                       |
| Row                         | 9.14 (29.99)              |                | 243.00 (2,615.63)                                     |                             |   | 7.50 (24.60)               |                    |  | 2.43 (8.00)/0 from property line on which a party wall is located |  | 60                       |
|                             |                           |                |   |                             |   |                            |                    |  |   |  |                          |
| FRONT ACCESS <sup>c</sup>   |                           |                |   |                             |   |                            |                    |  |   |  |                          |
| Single Detached             | 18.28 (59.97)             | 24.39 (80.02)  | 728.00 (7,836.13)                                     | 6.00 (19.69)                |   | 9.00 (29.53)               | 0.60 (1.97)        | 5.48 total/3.35 one side (18.00 total/11.00 one side) <sup>e</sup> | 0.60 (1.97)   | 60 <sup>d</sup>                                    | 35                       |
|                             | 24.40 (80.05)             | 30.48 (100.00) | 1012.00 (10,893.08)                                   | 9.00 (29.53) <sup>e,d</sup> |   | 10.50 (34.45)              |                    | 6.70 total/4.57 one side (22.00 total/15.00 one side) <sup>e</sup> |   | 50 <sup>d</sup>                                    |                          |
|                             | 30.49 (100.03)            |                | 1,335.00 (14,369.82)                                  | 9.00 (29.53) <sup>e,d</sup> |   | 12.00 (39.37)              |                    | 9.14 total/6.09 one side (30.00 total/20.00 one side) <sup>e</sup> |   | 45 <sup>d</sup>                                    |                          |
| Semi-Detached               | 13.41 (44.00)             |                | 404.00 (4,348.62)                                     | 6.00 (19.69)                |   | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located  | 1.82 (6.00)/0 from property line on which a party wall is located |  | 50                       |
| Row                         | 10.97 (36.00)             |                | 319.00 (3,433.69)                                     | 6.00 (19.69)                |   | 7.50 (24.60)               |                    |  | 2.43 (8.00)/0 from property line on which a party wall is located | 60 <sup>d</sup>                                    | 55                       |

a. Repealed.

b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

c. If garage front is parallel to street then garage eavline shall not project greater than 2.43 metres (8.00 feet) from the eavline of the house front.

d. Minimum front yard reduced to ~~6.10 m (20.00 feet)~~ 6.00 meters (19.69 feet) if garage is oriented perpendicular to street.e. ~~Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control process.~~ Repealed.

f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet)



TABLE 1 (8.5.1) - Village Residential 1 Parcel Regulations (Proposed)

| HOUSING<br>TYPE <sup>f</sup> | LOT FRONTAGE   |                | MINIMUM<br>LOT<br>AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |                    | MINIMUM REAR YARD SETBACKS                               |                    | MINIMUM SIDE YARD SETBACKS   |   | MAXIMUM RATIO OF<br>GARAGE TO TOTAL<br>BUILDING FACE<br>(%) | MAXIMUM LOT<br>COVERAGE<br>(%) |
|------------------------------|----------------|----------------|---|-----------------------------|--------------------|--|--------------------|--|---|---|--------------------------------|
|                              | Minimum        | Maximum        |   | Principal Building          | Accessory Building | Principal Building                                       | Accessory Building | Principal Building   | Accessory Building  |   |                                |
|                              | Metres (Feet)  |                |   | Metres (Feet)               |                    | Metres (Feet)  |                    | Metres (Feet)  |   |   |                                |
| REAR ACCESS                  |                |                |   |                             |                    |  |                    |  |   |   |                                |
| Single<br>Detached           | 13.41 (44.00)  | 15.24 (50.00)  | 526.00<br>(5,661.82)  | 6.00 (19.69)                |                    | 9.00 (29.53)   | 0.60 (1.97)        | 4.26 total/2.74 one side<br>(14.00 total/9.00 one side)              | 0.60 (1.97)   |   | 40                             |
|                              | 15.25 (50.03)  |                | 607.00<br>(6,533.69)  |                             |                    | 4.88 total/3.35 one side<br>(16.00 total/11.00 one side) |                    |  |   |   |                                |
| Semi-Detached                | 10.36 (33.99)  |                | 324.00<br>(3,487.51)  |                             |                    | 7.50 (24.60)   |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 1.82 (6.00)/0 from property<br>line on which a party wall is<br>located |   | 55                             |
| Row                          | 9.14 (29.99)   |                | 243.00<br>(2,615.63)  |                             |                    | 7.50 (24.60)   |                    |  | 2.43 (8.00)/0 from property<br>line on which a party wall is<br>located |   | 60                             |
| FRONT ACCESS                 |                |                |   |                             |                    |  |                    |  |   |   |                                |
| Single<br>Detached           | 18.28 (59.97)  | 24.39 (80.02)  | 728.00<br>(7,836.13)  | 6.00 (19.69)                |                    | 9.00 (29.53)   | 0.60 (1.97)        | 5.48 total/3.35 one side<br>(18.00 total/11.00 one side)             | 0.60 (1.97)   | 60  | 35                             |
|                              | 24.40 (80.05)  | 30.48 (100.00) | 1012.00<br>(10,893.08)                                      | 9.00 (29.53) <sup>d</sup>   |                    | 10.50 (34.45)  |                    | 6.70 total/4.57 one side<br>(22.00 total/15.00 one side)             |   | 50  |                                |
|                              | 30.49 (100.03) |                | 1,335.00<br>(14,369.82)                                     | 9.00 (29.53) <sup>d</sup>   |                    | 12.00 (39.37)  |                    | 9.14 total/6.09 one side<br>(30.00 total/20.00 one side)             |   | 45  |                                |
| Semi-Detached                | 13.41 (44.00)  |                | 404.00<br>(4,348.62)  | 6.00 (19.69)                |                    | 7.50 (24.60)   |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 1.82 (6.00)/0 from<br>property line on which a<br>party wall is located |   | 50                             |
| Row                          | 10.97 (36.00)  |                | 319.00<br>(3,433.69)  | 6.00 (19.69)                |                    | 7.50 (24.60)   |                    |  | 2.43 (8.00)/0 from property<br>line on which a party wall is<br>located | 60  | 55                             |

- a. Repealed.  
b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).  
c. If garage front is parallel to street then garage eavline shall not project greater than 2.43 metres (8.00 feet) from the eavline of the house front.  
d. Minimum front yard reduced to 6.00 meters (19.69 feet) if garage is oriented perpendicular to street.  
e. Repealed.  
f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.  
g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet)

**9.0.0 Land Use Regulations – Village Residential 2 Development Cell (VR-2)****9.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Accommodate a variety of housing types and densities that sensitively integrate with adjacent uses within and outside Harmony;
- Cluster housing to increase open space and servicing efficiency;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.

**9.2.0 Uses**

- 9.2.1 Accessory Buildings
- 9.2.2 Child Care Facility
- 9.2.2 Commercial Communications Facility Type A
- 9.2.3 Dwellings, Multi-Family
- 9.2.4 Dwellings, Row
- 9.2.5 Dwellings, Semi-Detached
- 9.2.6 Dwellings, Single Detached
- 9.2.7 Home-Based Business, Types I and II
- 9.2.8 *Private Amenity Space*
- 9.2.9 Public Park
- 9.2.10 *Secondary Suite*
- 9.2.11 Sign
- 9.2.12 *Utility, Power Generation* Type A
- 9.2.13 Vacation Rental

**9.3.0 Minimum Limits**

Except for 9.3.1 and 9.4.0, all minimum and maximum limits shall be as per Table 2 (9.5.1) of this Bylaw.

- 9.3.1 Exterior Project Boundary: Condition A as per Schedule “B”: 20 m (66 ft).
- 9.3.2 Lots 18 through 24, inclusive, Block 30, Plan 1911856; within NW-08-25-03-W05M shall have a minimum dwelling setback of 4.5 m (14.76 ft) and a minimum attached deck setback of 2.5 m (8.20 ft), from the south property line.

**9.4.0 Maximum Limits**

- 9.4.1 Building Height:
  - a) Dwellings, Row; Dwellings, Semi-Detached, Dwellings, Single Detached: 13.00 m (42.65 ft).
  - b) Dwellings, Multi-Family: 15.00 m (49.21 ft).
  - c) All other uses: 12.00 m (39.37 ft).

**9.5.0 Minimum/Maximum Lot Area Requirements:**

- 9.5.1 Table 2 (9.5.1) specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot coverage, and

shall apply to all buildings within the Village Residential 2 Development Cell (VR-2).

**9.7.0** Special Regulations

- 9.7.1 The front driveway connecting a garage (attached and/or detached) to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:
1. the back of the public sidewalk to the front of the garage; or
  2. the road curb where there is no public sidewalk to the front of the garage.

TABLE 2 (9.5.1) – Village Residential 2 Parcel Regulations (Current)

| HOUSING TYPE <sup>i</sup>                      | LOT FRONTAGE <sup>j</sup>  |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |                    | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS <sup>j</sup>                              |  | MAXIMUM RATIO<br>OF GARAGE TO<br>TOTAL BUILDING<br>FACE (%) | MAXIMUM LOT<br>COVERAGE (%) |    |
|--|--|----------------|---|-----------------------------|--------------------|----------------------------|--------------------|--|--|---|-----------------------------|----|
|  | Minimum  | Maximum        |   | Principal Building          | Accessory Building | Principal Building         | Accessory Building | Principal Building   | Accessory Building   |   |                             |    |
|  | Metres (Feet)  |                |   | Metres (Feet)               |                    | Metres (Feet)              |                    | Metres (Feet)  |  |   |                             |    |
| REAR ACCESS <sup>g</sup>                       |  |                |   |                             |                    |                            |                    |  |  |   |                             |    |
| Single Detached                                | 11.58 (37.99)  | 13.41 (44.00)  | 380.00<br>(4,090.27)                                  | 4.50 (14.76)                |                    | 9.00 (29.53)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00<br>total/5.00 one side)              | 0.60 (1.97)  |   | 45                          |    |
|  | 13.42 (44.03)  | 15.24 (50.00)  | 442.00<br>(4,736.12)                                  | 6.00 (19.69)                |                    |                            |                    | 3.66 total/1.52 one side (12.00<br>total/5.00 one side)              |  |   | 45                          |    |
|  | 15.25 (50.03)  |                | 500.00<br>(5,381.96)                                  | 6.00 (19.69)                |                    |                            |                    | 4.26 total/1.52 one side (14.00<br>total/5.00 one side)              |  |   |                             |    |
| Single-Detached<br>(Wide Shallow) <sup>h</sup> | 17.07 (56.00)  |                | 460.00<br>(4,951.40)                                  | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 3.66 total/1.52 one side (12.00<br>total/5.00 one side)              |  |   | 45                          |    |
| Semi-Detached                                  | 10.36 (33.99)  |                | 310.00<br>(3,336.81)                                  | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |  |  |   |                             | 55 |
| Row  | 6.09 (19.98)<br>two party walls<br>/<br>7.61 (24.97)<br>one party wall |                | 200.00<br>(2,152.78)                                  | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 0.60 (1.97)/0 from property line<br>on which a party wall is located |   | 60                          |    |
| FRONT ACCESS <sup>g</sup>                      |  |                |   |                             |                    |                            |                    |  |  |   |                             |    |
| Single Detached                                | 12.19 (39.99)  | 14.02 (46.00)  | 395.00<br>(4,251.75)                                  | 6.00 (19.69)                |                    | 8.00 (26.25)               | 0.60 (1.97)        | 3.05 total/1.52 one side<br>(10.00 total/5.00 one side) <sup>h</sup> | 0.60 (1.97)  | 75 <sup>h</sup>   | 45                          |    |
|  | 14.03 (46.03)  | 18.29 (60.01)  | 460.00<br>(4,951.40)                                  | 6.00 (19.69)                |                    |                            |                    | 3.66 total/1.52 one side<br>(12.00 total/5.00 one side) <sup>h</sup> |  |   | 65 <sup>h</sup>             |    |
|  | 18.30 (60.04)  | 24.39 (80.02)  | 600.00<br>(6,458.35)                                  | 6.00 (19.69)                |                    | 9.00 (29.53)               |                    | 4.87 total/1.52 one side<br>(16.00 total/5.00 one side) <sup>h</sup> |  |   | 60 <sup>h</sup>             | 40 |
|  | 24.40 (80.05)  | 30.48 (100.00) | 800.00<br>(8,611.13)                                  | 9.00 (29.53) <sup>h</sup>   |                    | 10.50 (34.45)              |                    | 5.48 total/1.52 one side<br>(18.00 total/5.00 one side) <sup>h</sup> |  |   | 50 <sup>h</sup>             | 35 |
|  | 30.49 (100.03)   |                | 1,000.00<br>(10,763.91)                               | 9.00 (29.53) <sup>h</sup>   |                    | 12.00 (39.37)              |                    | 6.70 total/2.13 one side<br>(22.00 total/7.00 one side) <sup>h</sup> |  |   | 45 <sup>h</sup>             |    |
| Single Detached<br>(Wide Shallow)              | 21.95 (72.01)  |                | 570.00<br>(6,135.43)                                  | 4.50 (14.76)                |                    | 9.00 (29.53)               |                    | 4.26 total/1.52 one side<br>(14.00 total/5.00 one side) <sup>h</sup> |  | 60 <sup>h</sup>   | 40                          |    |
| Semi-Detached                                  | 11.58 (37.99)  | 13.41 (44.00)  | 324.00<br>(3,487.51)                                  | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 0.60 (1.97)/0 from property line<br>on which a party wall is located | 65 <sup>h</sup>   | 55                          |    |
|  | 13.42 (44.03)  |                | 402.00<br>(4,327.09)                                  |                             |                    |                            | 60 <sup>h</sup>    |  |  |   |                             |    |
| Row  | 6.09 (19.98)<br>two party walls<br>/<br>7.61 (24.97)<br>one party wall |                | 200.00<br>(2152.78)                                   | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |  |  |   |                             |    |

- a. Repealed.
- b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).
- c. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline of the house front.
- d. Minimum front yard reduced to 6.10 m (20.00 feet) if garage is oriented perpendicular to street.
- e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control Process.
- f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.
- g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet).

TABLE 2 (9.5.1) – Village Residential 2 Parcel Regulations (Redline)

| HOUSING TYPE <sup>a f</sup>                    | LOT FRONTAGE <sup>f</sup>  |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |                    | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS <sup>a</sup>                              |  | MAXIMUM RATIO<br>OF GARAGE TO<br>TOTAL BUILDING<br>FACE (%)          | MAXIMUM LOT<br>COVERAGE (%) |
|--|--|----------------|---|-----------------------------|--------------------|----------------------------|--------------------|--|--|--|-----------------------------|
|  | Minimum  | Maximum        |   | Principal Building          | Accessory Building | Principal Building         | Accessory Building | Principal Building   | Accessory Building   |  |                             |
|  | Metres (Feet)  |                |   | Metres (Feet)               |                    | Metres (Feet)              |                    | Metres (Feet)  |  |  |                             |
| REAR ACCESS <sup>a</sup>                       |  |                |   |                             |                    |                            |                    |  |  |  |                             |
| Single Detached                                | 11.58 (37.99)  | 13.41 (44.00)  | 380.00<br>(4,090.27)                                  | 4.50 (14.76)                |                    | 9.00 (29.53)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00<br>total/5.00 one side)              | 0.60 (1.97)  |  | 45                          |
|  | 13.42 (44.03)  | 15.24 (50.00)  | 442.00<br>(4,736.12)                                  | 6.00 (19.69)                |                    |                            |                    | 3.66 total/1.52 one side (12.00<br>total/5.00 one side)              |  |  | 45                          |
|  | 15.25 (50.03)  |                | 500.00<br>(5,381.96)                                  | 6.00 (19.69)                |                    |                            |                    | 4.26 total/1.52 one side (14.00<br>total/5.00 one side)              |  |  |                             |
| Single-Detached<br>(Wide Shallow) <sup>b</sup> | 17.07 (56.00)  |                | 460.00<br>(4,951.40)                                  | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 3.66 total/1.52 one side (12.00<br>total/5.00 one side)              |  |  | 45                          |
| Semi-Detached                                  | 10.36 (33.99)  |                | 310.00<br>(3,336.81)                                  | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 0.60 (1.97)/0 from property line<br>on which a party wall is located |  |                             |
| Row  | 6.09 (19.98)<br>two party walls<br>/<br>7.61 (24.97)<br>one party wall |                | 200.00<br>(2,152.78)                                  | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    |  |  |  |                             |
| FRONT ACCESS <sup>a</sup>                      |  |                |   |                             |                    |                            |                    |  |  |  |                             |
| Single Detached                                | 12.19 (39.99)  | 14.02 (46.00)  | 395.00<br>(4,251.75)                                  | 6.00 (19.69) <sup>h</sup>   |                    | 8.00 (26.25)               | 0.60 (1.97)        | 3.05 total/1.52 one side<br>(10.00 total/5.00 one side) <sup>c</sup> | 0.60 (1.97)  | 75 <sup>d</sup>  | 45                          |
|  | 14.03 (46.03)  | 18.29 (60.01)  | 460.00<br>(4,951.40)                                  | 6.00 (19.69) <sup>h</sup>   |                    |                            |                    |  |  | 3.66 total/1.52 one side<br>(12.00 total/5.00 one side) <sup>c</sup> | 65 <sup>d</sup>             |
|  | 18.30 (60.04)  | 24.39 (80.02)  | 600.00<br>(6,458.35)                                  | 6.00 (19.69)                |                    | 9.00 (29.53)               |                    | 4.87 total/1.52 one side<br>(16.00 total/5.00 one side) <sup>c</sup> |  | 60 <sup>d</sup>  |                             |
|  | 24.40 (80.05)  | 30.48 (100.00) | 800.00<br>(8,611.13)                                  | 9.00 (29.53) <sup>e d</sup> |                    | 10.50 (34.45)              |                    | 5.48 total/1.52 one side<br>(18.00 total/5.00 one side) <sup>c</sup> |  | 50 <sup>d</sup>  | 35                          |
|  | 30.49 (100.03)   |                | 1,000.00<br>(10,763.91)                               | 9.00 (29.53) <sup>e d</sup> |                    | 12.00 (39.37)              |                    | 6.70 total/2.13 one side<br>(22.00 total/7.00 one side) <sup>c</sup> |  | 45 <sup>d</sup>  |                             |
| Single Detached<br>(Wide Shallow)              | 21.95 (72.01)  |                | 570.00<br>(6,135.43)                                  | 4.50 (14.76)                |                    | 9.00 (29.53)               |                    | 4.26 total/1.52 one side<br>(14.00 total/5.00 one side) <sup>c</sup> |  | 60 <sup>d</sup>  | 40                          |
| Semi-Detached                                  | 11.58 (37.99)  | 13.41 (44.00)  | 324.00<br>(3,487.51)                                  | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line<br>on which a party wall is located | 0.60 (1.97)/0 from property line<br>on which a party wall is located | 65 <sup>d</sup>  | 55                          |
|  | 13.42 (44.03)  |                | 402.00<br>(4,327.09)                                  |                             |                    |                            | 60 <sup>d</sup>    |  |  |  |                             |
| Row  | 6.09 (19.98)<br>two party walls<br>/<br>7.61 (24.97)<br>one party wall |                | 200.00<br>(2152.78)                                   | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |  |  |  |                             |

- a. Repealed.
- b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).
- c. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline of the house front.
- d. Minimum front yard reduced to 6.40 m (20.00 feet) 6.00 meters (19.69 feet) if garage doors do not face the street is oriented perpendicular to street.
- e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control Process. Repealed.
- f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.
- g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet).
- h. Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres.

TABLE 2 (9.5.1) – Village Residential 2 Parcel Regulations (Proposed)

| HOUSING TYPE <sup>f</sup>      | LOT FRONTAGE   |                | MINIMUM LOT AREA<br>m <sup>2</sup> (ft <sup>2</sup> ) | MINIMUM FRONT YARD SETBACKS |                    | MINIMUM REAR YARD SETBACKS |                    | MINIMUM SIDE YARD SETBACKS  |   | MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%) | MAXIMUM LOT COVERAGE (%) |
|--------------------------------|--|----------------|---|-----------------------------|--------------------|----------------------------|--------------------|---|---|--|--------------------------|
|                                | Minimum  | Maximum        |   | Principal Building          | Accessory Building | Principal Building         | Accessory Building | Principal Building  | Accessory Building  |  |                          |
|                                | Metres (Feet)  |                |   | Metres (Feet)               |                    | Metres (Feet)              |                    | Metres (Feet)   |   |  |                          |
| REAR ACCESS                    |  |                |   |                             |                    |                            |                    |   |   |  |                          |
| Single Detached                | 11.58 (37.99)  | 13.41 (44.00)  | 380.00 (4,090.27)                                     | 4.50 (14.76)                |                    | 9.00 (29.53)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00 total/5.00 one side)              | 0.60 (1.97)   |  | 45                       |
|                                | 13.42 (44.03)  | 15.24 (50.00)  | 442.00 (4,736.12)                                     | 6.00 (19.69)                |                    |                            |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side)              |   |  | 45                       |
|                                | 15.25 (50.03)  |                | 500.00 (5,381.96)                                     | 6.00 (19.69)                |                    |                            |                    | 4.26 total/1.52 one side (14.00 total/5.00 one side)              |   |  |                          |
| Single-Detached (Wide Shallow) | 17.07 (56.00)  |                | 460.00 (4,951.40)                                     | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side)              |   |  | 45                       |
| Semi-Detached                  | 10.36 (33.99)  |                | 310.00 (3,336.81)                                     | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located | 0.60 (1.97)/0 from property line on which a party wall is located |  | 55                       |
| Row                            | 6.09 (19.98) two party walls / 7.61 (24.97) one party wall |                | 200.00 (2,152.78)                                     | 4.50 (14.76)                |                    | 7.50 (24.60)               |                    |   |   | 60   |                          |
| FRONT ACCESS                   |  |                |   |                             |                    |                            |                    |   |   |  |                          |
| Single Detached                | 12.19 (39.99)  | 14.02 (46.00)  | 395.00 (4,251.75)                                     | 6.00 (19.69) <sup>h</sup>   |                    | 8.00 (26.25)               | 0.60 (1.97)        | 3.05 total/1.52 one side (10.00 total/5.00 one side)              | 0.60 (1.97)   | 75   | 45                       |
|                                | 14.03 (46.03)  | 18.29 (60.01)  | 460.00 (4,951.40)                                     | 6.00 (19.69) <sup>h</sup>   |                    |                            |                    | 3.66 total/1.52 one side (12.00 total/5.00 one side)              |   | 65   | 40                       |
|                                | 18.30 (60.04)  | 24.39 (80.02)  | 600.00 (6,458.35)                                     | 6.00 (19.69)                |                    | 9.00 (29.53)               |                    | 4.87 total/1.52 one side (16.00 total/5.00 one side)              |   | 60   |                          |
|                                | 24.40 (80.05)  | 30.48 (100.00) | 800.00 (8,611.13)                                     | 9.00 (29.53) <sup>d</sup>   |                    | 10.50 (34.45)              |                    | 5.48 total/1.52 one side (18.00 total/5.00 one side)              |   | 50   | 35                       |
|                                | 30.49 (100.03)   |                | 1,000.00 (10,763.91)                                  | 9.00 (29.53) <sup>d</sup>   |                    | 12.00 (39.37)              |                    | 6.70 total/2.13 one side (22.00 total/7.00 one side)              |   | 45   |                          |
| Single Detached (Wide Shallow) | 21.95 (72.01)  |                | 570.00 (6,135.43)                                     | 4.50 (14.76)                |                    | 9.00 (29.53)               |                    | 4.26 total/1.52 one side (14.00 total/5.00 one side)              |   | 60   | 40                       |
| Semi-Detached                  | 11.58 (37.99)  | 13.41 (44.00)  | 324.00 (3,487.51)                                     | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    | 1.52 (5.00)/0 from property line on which a party wall is located | 0.60 (1.97)/0 from property line on which a party wall is located | 65   | 55                       |
|                                | 13.42 (44.03)  |                | 402.00 (4,327.09)                                     |                             |                    |                            | 60                 |   |   |  |                          |
| Row                            | 6.09 (19.98) two party walls / 7.61 (24.97) one party wall |                | 200.00 (2,152.78)                                     | 6.00 (19.69)                |                    | 7.50 (24.60)               |                    |   |   |  |                          |

- a. Repealed.  
b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).  
c. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline of the house front.  
d. Minimum front yard reduced to 6.00 meters (19.69 feet) if garage is oriented perpendicular to street.  
e. Repealed.  
f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.  
g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet).  
h. Where the front yard width is less than 60% of the rear yard width and considered an irregular shaped lot located along a concave curve, the front yard setback is reduced to a minimum of 4.50 metres.



**10.0.0 Village Residential 3 Development Cell (VR-3)****10.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Accommodate a variety of housing forms within a range of low to low-medium density type dwellings;
- Provide low to low-medium density residential development characteristic of the built forms defined by the VR-1 and VR-2 Districts of this Bylaw;
- Provide for community open space; and
- Allow for implementation of utility infrastructure.

**10.2.0 Uses**

- 10.2.1 Accessory Buildings
- 10.2.2 Bed and Breakfast Home
- 10.2.3 Childcare Facility
- 10.2.4 Commercial Communications Facility Type A
- 10.2.5 Dwelling, Cluster
- 10.2.6 Dwelling, Flag Lot
- 10.2.7 Dwelling, Row
- 10.2.8 Dwelling, Semi-Detached
- 10.2.9 Dwelling, Single Detached
- 10.2.10 Home-Based Business, Types I and II
- 10.2.11 Private Amenity Space
- 10.2.12 Public Park
- 10.2.13 Residential Care Facility
- 10.2.14 School, Public or Separate
- 10.2.15 School or College, Commercial
- 10.2.16 Secondary Suite
- 10.2.17 Sign
- 10.2.18 Utility, Power Generation Type A
- 10.2.19 Vacation Rental

**10.3.0 Rules**

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.

#### 10.4.0 Village Residential 3 Parcel Regulations

| Housing Type       | Minimum Lot Width | Minimum Lot Area<br>m <sup>2</sup> / ha (ft <sup>2</sup> / ac) | Minimum Setbacks         |                          |                           |              | Maximum<br>Lot<br>Coverage<br>(%) |
|--------------------|-------------------|--|--------------------------|--------------------------|---------------------------|--------------|-----------------------------------|
|                    |                   |  | Front Yard               | Side Yard                | Side Yard<br>(corner lot) | Rear Yard    |                                   |
|                    | meters (feet)     |  | metres (feet)            |                          |                           |              |                                   |
| Cluster            | no minimum        | 0.20 ha (0.50 ac)  | 3.00 (9.84)              | 1.20 (3.94)              | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Duplex             | 7.50 (24.60)      | 225 (2,421.88)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Flag Lot           | no minimum        | 210 (2,260.42)   | 3.00 (9.84) <sup>b</sup> | 1.20 (3.94)              | 3.00 (9.84)               | no minimum   | 70                                |
| Row                | 5.40 (17.72)      | 130 (1,399.31)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Semi-Detached      | 7.00 (22.97)      | 210 (2,260.42)   | 3.00 (9.84)              | 1.20 (3.94) <sup>c</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Single Detached    | 9.70 (31.82)      | 290 (3,121.53)   | 3.00 (9.84)              | 1.20 (3.94) <sup>d</sup> | 3.00 (9.84)               | 4.00 (13.12) | 70                                |
| Accessory Building |                   |  |                          | 0.6 (1.97)               | 3.00 (9.84)               | 0.60 (1.97)  |                                   |

<sup>a</sup> For a Dwelling containing a rear attached garage accessed from a public lane, the minimum rear setback is 0.6 m (1.97 ft).

<sup>b</sup> The Front of a Flag Lot refers to the property line abutting the rear property line of the adjacent Dwelling (i.e. the parcel located between the Flag Lot parcel and the street).

<sup>c</sup> For a site containing a Dwelling, Duplex, Semi-Detached, or Row, there is no requirement for an Interior Side Setback from a party wall.

<sup>d</sup> For a parcel containing a Dwelling, Single Detached, one building setback from an interior side property line may be reduced to 0.0 m where:

- i) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum ~~2.4 m~~ 1.8 m private maintenance easement that provides for:
  - a) a 0.30 m (0.98 ft) eave encroachment easement; and
  - b) a 0.60 m (1.97 ft) footing encroachment easement; and
- ii) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

### 10.5.0 Building Height

- (a) Dwelling, Cluster, Duplex, Flag Lot, Row, Semi-Detached, or Single Detached: 13.0 m (42.65 ft)
- (b) Accessory Building: 5.0 m (16.40 ft)
- (c) All other uses: 12 m (39.37 ft)

### 10.6.0 Outdoor Private Amenity Space

10.6.1 For a Dwelling, Semi-Detached or Single Detached, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 15.0 m<sup>2</sup>; and
- (d) has no dimension of less than 3.0 m.

10.6.2 For a Dwelling, Duplex or Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

10.6.3 For a Dwelling, Cluster, each parcel (comprehensive development site) must have direct access to a shared, private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall/area;
- (c) has a minimum total area of 20 m<sup>2</sup>; and
- (d) has no dimension of less than 4.0 m.

### 10.7.0 Driveways

10.7.1 The front or exterior side driveway connecting to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:

1. the back of the public sidewalk; or
2. the road curb where there is no public sidewalk.

10.7.2 Driveways for a Dwelling, Cluster, Duplex, Flag Lot, Semi-Detached, or Single Detached accessing a front street must not be wider than 2/3 of the parcel width.

**11.0.0 Village Residential 4 Development Cell (VR-4)****11.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Accommodate a variety of housing forms within a range of low to medium density type dwellings;
- Provide a denser, walkable, village type residential cell as described by the Harmony Conceptual Scheme to enhance the population base in support of the mixed land uses within the village core;
- Provide for community open space; and
- Allow for implementation of utility infrastructure.

**11.2.0 Uses**

- 11.2.1 Accessory Buildings
- 11.2.2 Bed and Breakfast Home
- 11.2.3 Childcare Facility
- 11.2.4 Commercial Communications Facility Type A
- 11.2.5 Dwelling, Cluster
- 11.2.6 Dwelling, Flag Lot
- 11.2.7 Dwelling, Multi-Family
- 11.2.8 Dwelling, Row
- 11.2.9 Dwelling, Semi-Detached
- 11.2.10 Dwelling, Single Detached
- 11.2.11 Home-Based Business, Types I and II
- 11.2.12 Live/Work Unit
- 11.2.13 Private Amenity Space
- 11.2.14 Public Park
- 11.2.16 Residential Care Facility
- 11.2.17 Secondary Suite
- 11.2.18 Sign
- 11.2.19 Utility, Power Generation Type A
- 11.2.20 Vacation Rental

**10.3.0 Rules**

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.

#### 11.4.0 Village Residential 4 Parcel Regulations

| Housing Type       | Minimum Lot Width | Minimum Lot Area<br>m <sup>2</sup> / ha (ft <sup>2</sup> / ac) | Minimum Setbacks         |                          |                           |              | Maximum<br>Lot<br>Coverage<br>(%) |
|--------------------|-------------------|--|--------------------------|--------------------------|---------------------------|--------------|-----------------------------------|
|                    |                   |  | Front Yard               | Side Yard                | Side Yard<br>(corner lot) | Rear Yard    |                                   |
|                    | meters (feet)     |  | metres (feet)            |                          |                           |              |                                   |
|                    |                   |  |                          |                          |                           |              |                                   |
| Cluster            | no minimum        | 0.20 ha (0.50 ac)  | 1.00 (3.28)              | 1.20 (3.94)              | 1.00 (3.28)               | 4.00 (13.12) | 85                                |
| Duplex             | 7.50 (24.60)      | 200.00 (2,152.78)  | 1.00 (3.28)              | 1.20 (3.94) <sup>c</sup> | 1.00 (3.28)               | 4.00 (13.12) | 85                                |
| Flag Lot           | no minimum        | 180.00 (1,937.50)  | 1.00 (3.28) <sup>b</sup> | 1.20 (3.94)              | 1.00 (3.28)               | no minimum   | 85                                |
| Multi-Family       | no minimum        | 450.00 (4,843.76)  | 1.00 (3.28)              | 1.20 (3.94)              | 1.00 (3.28)               | no minimum   | no maximum                        |
| Row                | 5.40 (17.72)      | 97.00 (1,040.10)   | 1.00 (3.28)              | 1.20 (3.94) <sup>c</sup> | 1.00 (3.28)               | 4.00 (13.12) | 85                                |
| Semi-Detached      | 7.00 (22.97)      | 150.00 (1,614.59)  | 1.00 (3.28)              | 1.20 (3.94) <sup>c</sup> | 1.00 (3.28)               | 4.00 (13.12) | 85                                |
| Single Detached    | 8.50 (27.89)      | 180.00 (1,937.50)  | 1.00 (3.28)              | 1.20 (3.94) <sup>d</sup> | 1.00 (3.28)               | 4.00 (13.12) | 85                                |
|                    |                   |  |                          |                          |                           |              |                                   |
| Accessory Building |                   |  |                          | 0.6 (1.97)               | 1.00 (3.28)               | 0.6 (1.97)   |                                   |

<sup>a</sup>. For a Dwelling containing a rear attached garage accessed from a public lane, the minimum rear setback is 0.6 m (1.97 ft).

<sup>b</sup>. The Front of a Flag Lot refers to the property line abutting the rear property line of the adjacent Dwelling (i.e. the parcel located between the Flag Lot parcel and the street).

<sup>c</sup>. For a site containing a Dwelling, Duplex, Semi-Detached, or Row, there is no requirement for an Interior Side Setback from a party wall.

<sup>d</sup>. For a parcel containing a Dwelling, Single Detached, one building setback from an interior side property line may be reduced to 0.0 m where:

- i) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum ~~2.4 m~~ 1.8 m private maintenance easement that provides for:
  - a) a 0.30 m (0.98 ft) eave encroachment easement; and
  - b) a 0.60 m (1.97 ft) footing encroachment easement; and
- ii) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

#### 11.5.0 Building Height

- (a) Dwelling, Cluster, Duplex, Row, Semi-Detached, or Single Detached: 13.0 m (42.65 ft)
- (b) Dwelling, Multi-Family: 17.0 m (55.77 ft)
- (c) Accessory Building: 5.0 m
- (d) All other uses: 12.0 m (39.37 ft)

#### 11.6.0 Outdoor Private Amenity Space

11.6.1 For a Dwelling, Semi-Detached or Single Detached, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 15.0 m<sup>2</sup>; and
- (d) has no dimension of less than 3.0 m.

11.6.2 For a Dwelling, Duplex or Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

11.6.3 For a Dwelling, Cluster, each parcel (comprehensive development site) must have direct access to a collective amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall/area;
- (c) has a minimum total area of 20 m<sup>2</sup>; and
- (d) has no dimension of less than 4.0 m.

#### 11.7.0 Driveways

11.7.1 The front or exterior side driveway connecting to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:

1. the back of the public sidewalk; or
2. the road curb where there is no public sidewalk.

11.7.2 Driveways for a Dwelling, Cluster, Duplex, Semi-Detached, or Single Detached accessing a front street must not be wider than 2/3 of the parcel width.

**12.0.0 Neighbourhood Core Development Cell (N-C)****12.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Provide a vibrant focal point with a range of neighbourhood-level retail, commercial, medical and personal care services, convenience retail/goods, and amenities within the residential village;
- Accommodate a mix of residential and commercial uses in the same building or in multiple buildings throughout an area;
- Respond to the adjacent residential built form with appropriate building heights and densities relative to the surrounding context;
- Provide for community open space, amenity space, pedestrian space; and
- Allow for implementation of utility infrastructure.

**12.2.0 Uses**

- 12.2.1 Accessory Buildings
- 12.2.2 Animal Health Care Services, Small Animal
- 12.2.3 Arts and Crafts
- 12.2.4 Arts and Culture Centre
- 12.2.5 Child Care Facility
- 12.2.6 Commercial Business
- 12.2.7 Commercial Communications Facilities, Type A
- 12.2.8 Convenience Store
- 12.2.9 Drinking Establishment
- 12.2.10 Dwelling, Multi-Family
- 12.2.11 Dwelling, Row
- 12.2.12 Government Services
- 12.2.13 Grocery Store, Local
- 12.2.14 Health Care Services
- 12.2.15 Home-Based Business, Types I and II
- 12.2.16 Hotel
- 12.2.17 Indoor Participant Recreation Services
- 12.2.18 Liquor Sales
- 12.2.19 Live/Work Unit
- 12.2.20 Mixed-Use Developments
- 12.2.21 Museum
- 12.2.22 Offices
- 12.2.23 Outdoor Café
- 12.2.24 Patio, Accessory to Principal Building Use
- 12.2.25 Personal Service Business
- 12.2.26 Private Amenity Space
- 12.2.27 Private Clubs and Organizations
- 12.2.28 Public Building
- 12.2.29 Public Market
- 12.2.30 Public Park



- 12.2.31 Recycling Collection Point
- 12.2.32 Religious Assembly
- 12.2.33 Residential Care Facility
- 12.2.34 Restaurant
- 12.2.35 Retail Garden Centre
- 12.2.36 Retail Store, Local
- 12.2.37 School or College, Commercial
- 12.2.38 Secondary Suite
- 12.2.39 Sign
- 12.2.40 Specialty Food Store
- 12.2.41 Utility, Power Generation Type A and Type B
- 12.2.42 Vacation Rental

### 12.3.0 Rules

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.

#### 12.4.0 Neighbourhood Core Parcel Regulations

| Housing Type       | Minimum Lot Width | Minimum Lot Area<br>m <sup>2</sup> / ha (ft <sup>2</sup> / ac) | Minimum Setbacks        |                          |                           |                         | Maximum<br>Lot<br>Coverage<br>(%) |
|--------------------|-------------------|--|-------------------------|--------------------------|---------------------------|-------------------------|-----------------------------------|
|                    |                   |  | Front Yard              | Side Yard                | Side Yard<br>(corner lot) | Rear Yard               |                                   |
|                    | meters (feet)     |  | metres (feet)           |                          |                           |                         |                                   |
|                    |                   |  |                         |                          |                           |                         |                                   |
| Mixed-Use          | no minimum        | 450.00 (4,843.76)  | no minimum <sup>a</sup> | no minimum <sup>a</sup>  | no minimum <sup>a</sup>   | no minimum <sup>a</sup> | no maximum                        |
| Multi-Family       | no minimum        | 450.00 (4,843.76)  | 1.00 (3.28)             | 1.20 (3.94)              | 1.00 (3.28)               | no minimum              | no maximum                        |
| Row                | 5.40 (17.72)      | 97.00 (1,040.10)   | 1.00 (3.28)             | 1.20 (3.94) <sup>b</sup> | 1.00 (3.28)               | 4.00 (13.12)            | 85                                |
|                    |                   |  |                         |                          |                           |                         |                                   |
| Accessory Building |                   |  |                         | 0.6 (1.97)               | 1.00 (3.28)               | 0.6 (1.97)              |                                   |

<sup>a</sup>. When a Mixed Use parcel shares a property line with a parcel designated as VR-1, VR-2, or VR-3, the following setbacks apply:

- i) Rear: 4.0 m
- ii) Side: 3.0 m
- iii) Front: 1.0 m

<sup>b</sup>. For a site containing a Dwelling, Row, there is no requirement for an Interior Side Setback from a party wall.

\* N.P. = Not Permitted

\*\* N.A. = Not Applicable

12.5.0 Building Height

- (a) Dwelling, Row: 13.0 m (42.65 ft)
- (b) Dwelling, Multi-Family: 17.0 m (55.77 ft)
- (c) Mixed-Use: 20.0 m (65.62 ft)
- (d) Accessory Building: 5.0 m (16.40 ft)
- (e) All other uses: 12.0 m (39.37 ft)

12.6.0 Outdoor Private Amenity Space

12.7.1 For a Dwelling, Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

### 13.0.0 Definitions

Unless indicated in the list of land use terms identified below, all uses are defined in the Land Use Bylaw (C-4841-97). Some definitions require specific scale limitations to be consistent with the proposed Harmony development and these have been included with the permitted uses as described in each development cell.

- 13.1.0 *Arts and Crafts* - A land use for the purpose of design, fabrication, display and sales of arts and crafts such as painting, metal works, jewelry, pottery, glass blown wares.
- 13.2.0 *Attached Garage* – means a portion of a dwelling that is structurally joined to the main building either through an enclosed breezeway or a covered walkway and accommodates the storage or shelter of vehicles;
- 13.3.0 *Common Wall* - A vertical wall separating two dwelling units between the top of the footings to the underside of the roof deck.
- 13.4.0 *Dwelling, Cluster* – A comprehensively planned residential parcel that:
- has multiple low-rise *Buildings*,
  - contains up to a maximum of four *Dwellings* in each *Building*, and
  - may include private amenities that are accessory to the residential development including an internal private roadway, open space, common recreational area or facility, or community centre.
- 13.5.0 *Dwelling, Multi-Family* - One or more buildings with two or more *residential units*, and which meets the requirements for a residence as specified within the Alberta Building Code.
- 13.6.0 *Dwelling, Row* - A *Dwelling, Row* is the same definition of “Dwellings, Row Housing” in the Land Use Bylaw (C-481-97), which means development consisting of a building containing a row of three or more dwelling units, each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.
- 13.7.0 *Exterior Project Boundaries A & B* - Setbacks for boundary conditions are measured from the outside edge of the lands as indicated on Schedule “B”. These setbacks apply to above ground building structures for the principal use of the site.
- 13.8.0 *Flag Lot* - A parcel where access to a street is provided through a narrow strip of land which is an integral part of the parcel. The narrow strip of land providing access is not included when determining developable lot area of a parcel.
- 13.9.0 *Golf Course* - A public or private area operated for the purpose of playing golf and includes tees, greens, fairways, cart paths, open space, public trails and parks.
- 13.10.0 *Golf Course Driving Range* - A public or private area operated for the purpose of developing golfing techniques including miniature *golf courses*.
- 13.11.0 *Golf Course Clubhouse Facilities* - A facility which provides a variety of day-use services such as golf related equipment and merchandise sales and rentals, meals and meeting facilities to golfers and other recreational users of the *golf course*. This facility provides for a variety of special events such as but not limited to golf related tournaments, social gatherings, music

festivals, art fairs, public markets, and similar activities which may be small or large in scale and relatively short in duration. The *golf course* and clubhouse facilities may include a restaurant, drinking establishment, convention facilities, and associated parking areas.

13.12.0 *Golf Maintenance and Storage Facilities* - A facility for the storage and maintenance of vehicles and equipment, and the storage and handling of goods, fuels, fertilizers and other products required for the operation and maintenance of a *golf course*. A maintenance and storage facility would normally include but is not limited to yard areas, buildings and structures, and infrastructure for maintenance staff such as office space and parking areas.

13.13.0 *Historical and Cultural Interpretations* - Common space available for historical and cultural displays and may be located within public and/or open space.

13.14.0 *Lot Coverage* – That portion of a lot upon which a covered building is located, as measured from a point at grade directly below the outside surface of the exterior walls of the building at the first storey floor level, including any projections less than 2.4 metres above grade, but projecting not further than one metre from the exterior walls that define the *lot coverage* area.

13.15.0 *Lot Frontage* – The distance between the side property lines measured at a point set back from either the *front property line* or *rear property line* (whichever is shortest) utilizing an angle perpendicular to the average azimuth angles of the two *side property lines*. *Lot Frontages* are calculated at time of subdivision and identified for each parcel in the Lot Frontage Plan, provided by the developer.

10.16.0 *Outdoor Recreation, Neighbourhood Area* – A development providing facilities for outdoor sports and active recreation that are compatible with neighbourhood uses. Typical facilities would include sports and adventure fields, outdoor athletic fields and courts, naturalized areas, passive recreation infrastructure, and parks.

10.17.0 *Private Amenity Space* - Private lands providing indoor or outdoor space for active or passive recreational activities which are designed for the sole use of the associated unit or to be designed as a common facility for multiple users.

10.18.0 *Raw Water Reservoir and/or Recreational Lake* – A two-part artificial water body engineered to provide off-stream raw water storage facility, stormwater functions, and recreation opportunities. Part of this utility will store the necessary water volumes to service the proposed development. This water storage is considered raw water as it will not have been fully treated prior to storage in the reservoir, but will be treated to drinking standards, as established by Alberta Environment, prior to public distribution. Part of this water body may be available as a recreational lake amenity for non-motorized use and include elements such as docks, marinas and associated uses.

10.19.0 *Residential Care Facility* - As defined in the Land Use Bylaw (C-4841-97). These facilities share common eating facilities and other amenities. The individual residential care living units are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. *Residential care facility* may also include hospice facilities.

10.20.0 *Residential Unit* - A *residential unit* as identified in the Harmony Conceptual Scheme is the same as the definition of “*Dwelling Unit*” in the Land Use Bylaw (C-4841-97) in addition to being the principal use of a parcel.

10.21.0 ~~*Secondary Suite* – A residential space provided as an accessory use to a *Residential Unit*. *Secondary suites* are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. *Secondary suites* may be attached (above grade, at grade, or below grade).~~

~~detached garage (where the *secondary suite* is located above the first storey of a detached private garage), or detached garden (where the *secondary suite* is detached and located at grade to the rear of the Dwellings, Single Detached). *Secondary Suites* shall have a separate entrance, through a separate exterior side or rear access, or from a common interior landing. The maximum size allowable is 93 m<sup>2</sup> (1,000 ft<sup>2</sup>). *Secondary Suites* require a minimum of one motor vehicle stall.~~

*Secondary Suite* - A residential space provided as an accessory use to a *Residential Unit*. *Secondary suites* are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. The maximum allowable habitable floor area of a *Secondary Suites* shall be determined based on all storeys, but excluding basements, the garage area, utility room(s), and common areas of egress.

*Secondary suites* may be:

- a) attached to a *residential unit* (above grade, at grade, or below grade);
- b) above a detached garage (where the *secondary suite* is located above the first storey of a detached private garage); or
- c) in a detached garden (where the *secondary suite* is detached and located at grade to the rear of the Dwellings, Single Detached).

*Secondary suites* shall:

- d) have a minimum floor area of not less than 36.00 m<sup>2</sup> (387.5 ft<sup>2</sup>);
- e) be subordinate to the principal dwelling (maximum 80% of the habitable area of the principal dwelling);
- f) contain at least two (2) rooms and includes sleeping, sanitary, and cooking facilities;
- g) have a separate entrance, through a separate exterior side or rear access, or from a common interior landing;
- h) have a distinct County address to facilitate accurate emergency response;
- i) have a maximum allowable size of 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>) with a maximum of two (2) bedrooms, and
- j) have a minimum of one motor vehicle stall.

13.22.0 *Side Yard (corner lot) Setback* – means the perpendicular distance as measured between that part of a building nearest to the *side property line* abutting a road.

13.23.0 *Subject Lands* - Those lands as identified in Schedule “A” attached hereto.

**13.24.0** *Utility, Power Generation* - Components of a utility system providing on-site and/or communal power generation. These utilities can include renewable power generation from such resources as solar, wind, and bio-waste and their supporting infrastructure. This bylaw defines two types of power generation utilities:

- a) Type A: Individual power generation whereby power is generated solely for one parcel of land. This use may sell excess power onto the communal grid, but this is not the primary purpose (i.e., photovoltaic electricity). No parking stalls are required for this land use.
- b) Type B: Communal power generation whereby power is generated for a number of uses and/or for more than one parcel of land (i.e., power cooperatives and district heating) primarily to serve the *residential units* and businesses within the lands governed by this DC Bylaw. Minimum parking requirements for this land use are 2 stalls for every 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of gross useable area.

13.25.0 *Vacation Rental* – means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.

13.26.0 *Wellness Resort* – means a building, or group of comprehensively planned buildings, and associated land, facilities and accessory buildings, which provide for health and wellness. This may include but is not limited to *Restaurants, Patios, Drinking Establishments, Hotels*, and indoor and outdoor facilities associated with massage therapies and guest experience.

**Division: 2**

**File: 2008-RV-188**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, July 29, 2008, on a motion by Councillor Yurchak.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 07, 2008, on a motion by Councillor Yurchak.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 07, 2008, on a motion by Deputy Reeve Boehlke.

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REEVE OR DEPUTY REEVE

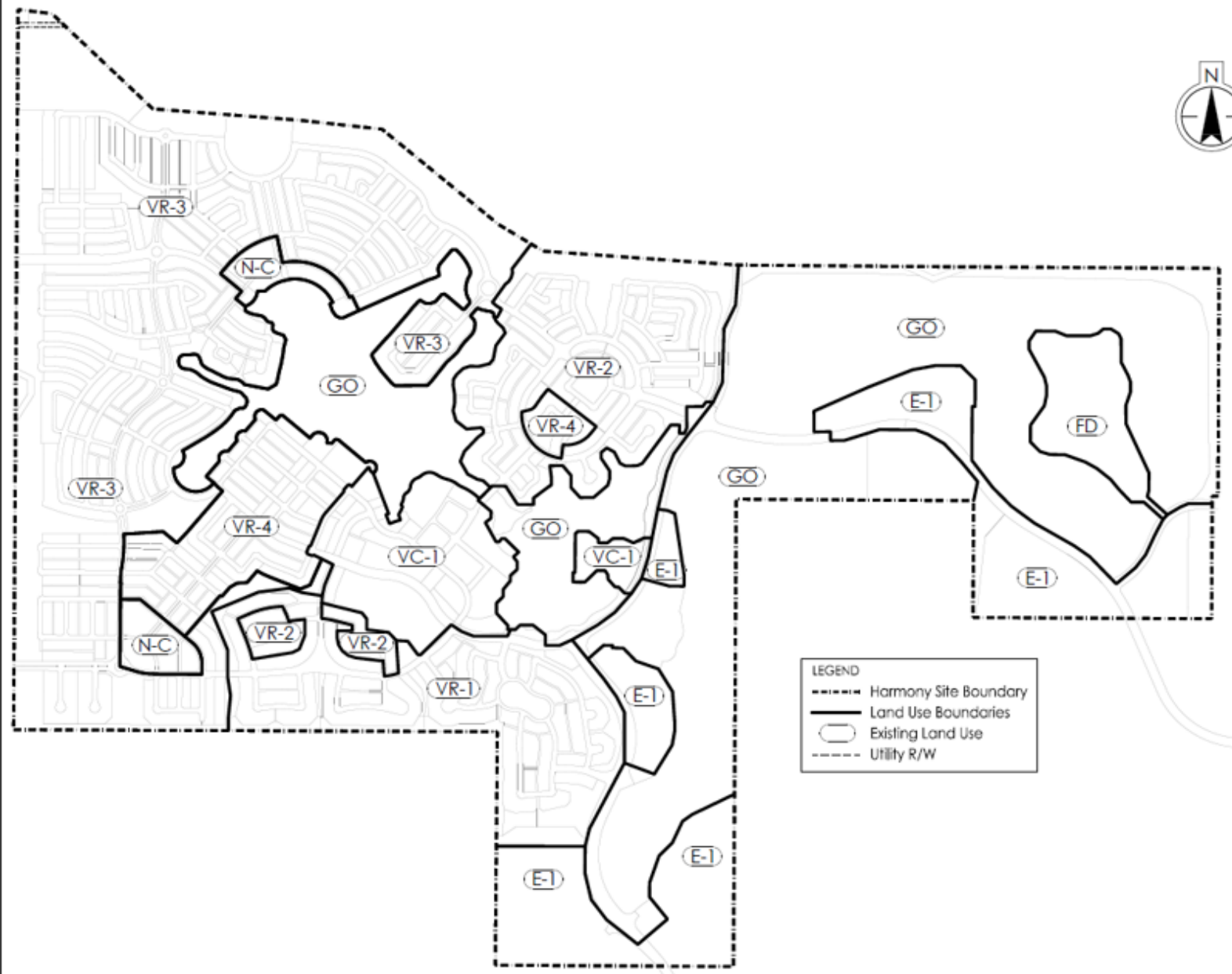
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MUNICIPAL SECRETARY





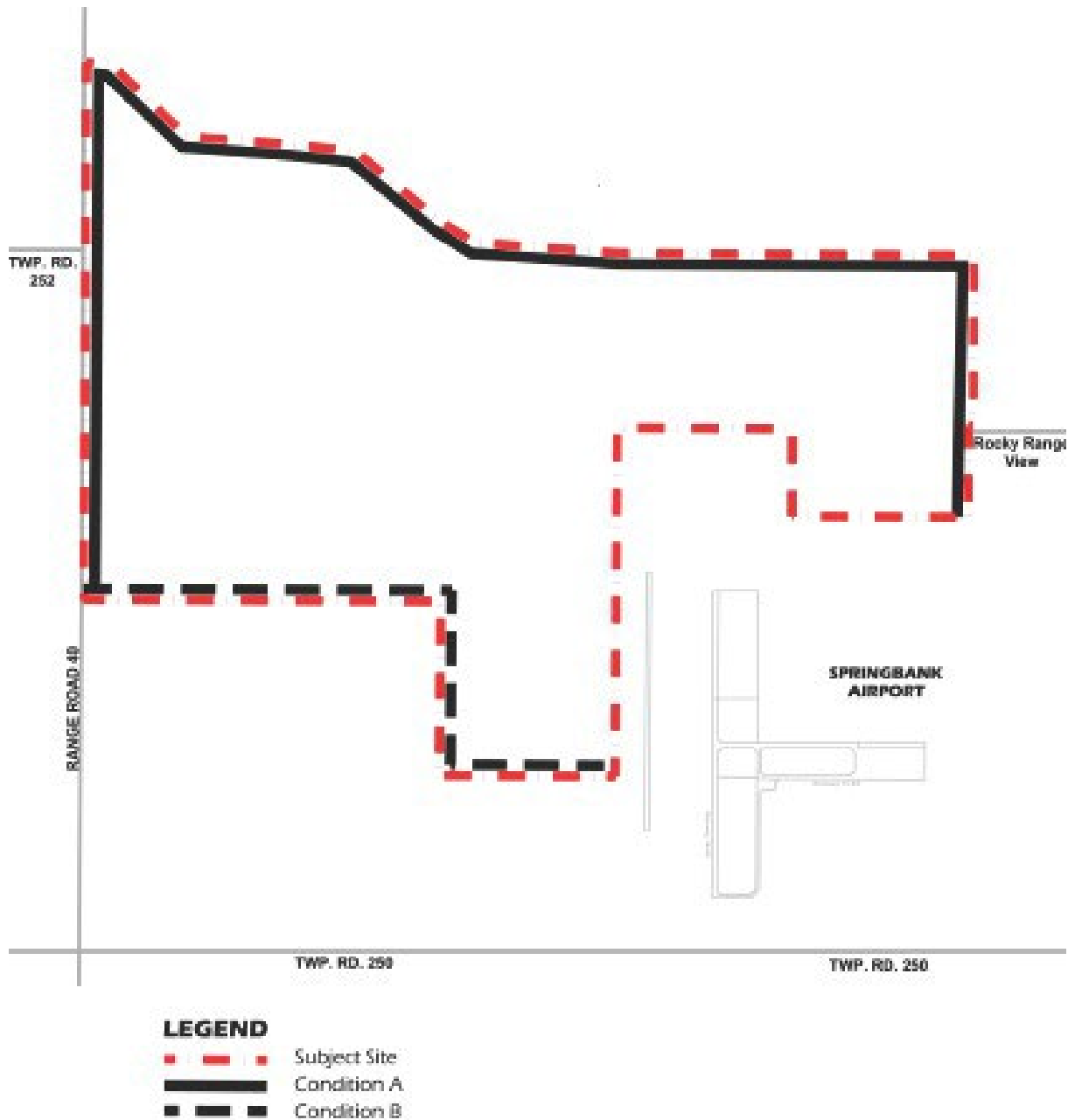
## Schedule 'A'



Division: 2  
 Roll: Harmony Plan Area  
 File: PL20210151  
 Printed: 27-Jun-22  
 Legal: Portions of 5/7/8/9-25-  
 03-W05M

## SCHEDULE 'B' AMENDED

BYLAW: C-6688-2008

**LEGAL DESCRIPTION**

A portion of NW, SW & SE ¼ Section 18-25-3-5, Portion of SW ¼ Section 17-25-3-5,  
All of Section 7-25-3-5, NW, NE, SE, Section 8-25-3-5, NW and Portion of SW Section  
9-25-3-5, NW Section 5-25-3-5

**FILE: 2008-RV-188****DIVISION: 2**

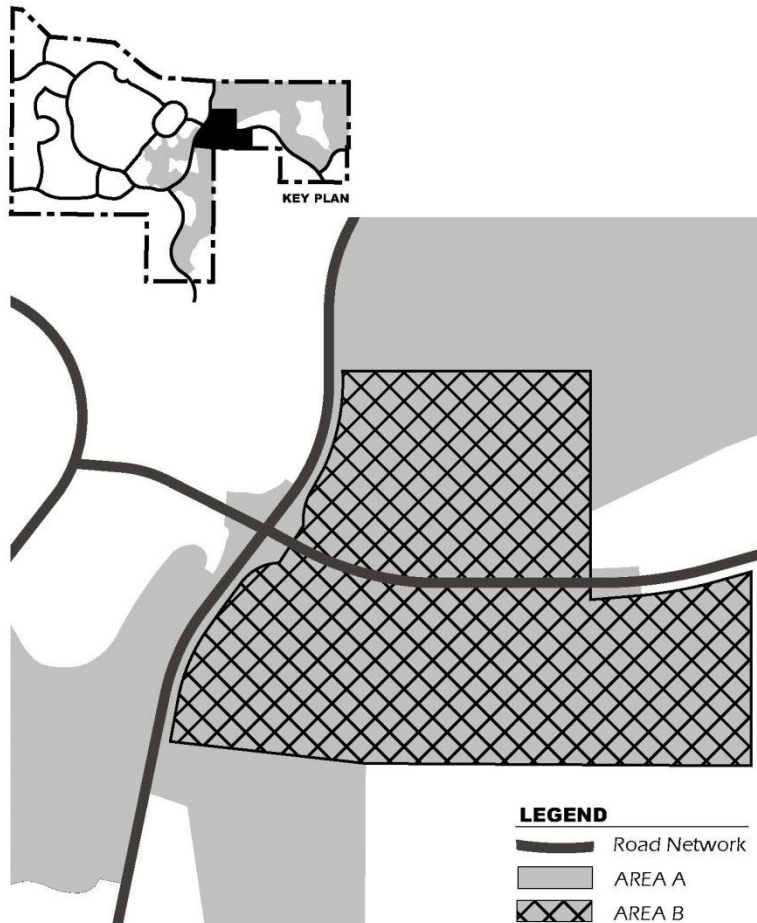
## SCHEDULE 'C' AMENDED

**LEGAL DESCRIPTION**

NW 5-25-3-W05M; 7-25-3-W05M; SW, NW, NE 8-25-3-W05M; a portion of SW, SE, and NW 18-25-3-W05M, a portion of SW 17-25-3-W05M; a portion of SW and NW 9-25-03-W05M

**DIVISION: 2**

BYLAW: C-7641-2017



## AMENDMENT

FROM Direct Control Bylaw 129 TO Direct Control Bylaw 129 (amended)

Subject Land \_\_\_\_\_

### LEGAL DESCRIPTION:

NW 5-25-3-W05M; 7-25-3-W05M; SW, NW, NE 8-25-3-W05M; a portion of SW, SE, and NW 18-25-3-W05M; a

portion of SW 17-25-3-W05M; a portion of SW and NW 19-25-3-W05M



ROCKY VIEW COUNTY  
Cultivating Communities

Page 139 of 373

FILE: \_\_\_\_\_

DIVISION: 2



# COUNCIL REPORT

## Proposed Speed Limit Change on Highway 2A from Highway 2/2A/72 to the Town of Crossfield

Electoral Division: 5

File: 1044-450/1021-275

|             |                         |
|-------------|-------------------------|
| Date:       | October 8, 2024         |
| Presenter:  | Gord Rowland, Manager   |
| Department: | Transportation Services |

### REPORT SUMMARY

In June of 2023, Administration for the Town of Crossfield submitted a letter to the Minister of Transportation and Economic Corridors, Honourable Devin Dreesen, outlining concerns regarding the four speed limit changes along Highway 2A between the Highway 2/2A/72 interchange and the Boundary of the Town of Crossfield.

On October 16, 2023, after assessing the existing speed zones, Alberta Transportation and Economic Corridors responded to the Town of Crossfield supporting the request, conditional on receiving a letter of support from both the Town of Crossfield and Rocky View County.

On March 1, 2024, the Town of Crossfield and Rocky View County Intermunicipal Committee met at the County office and discussed the proposed changes at which time it was decided to bring this report to Council for consideration.

### ADMINISTRATION'S RECOMMENDATION

THAT Council direct Administration to issue a letter of support to Alberta Transportation and Economic Corridors combining the 100km/hr and 80km/hr speed zones to a continuous 80km/hr on Highway 2A from the Highway 2/2A/72 interchange to the South Boundary of the Town of Crossfield.

### BACKGROUND

Transportation and Economic Corridors (the department) has the ability to adjust the existing speed limits on the Provincial Highways including Highway 2A between the Town of Crossfield and the Highway 2/2A/72 interchange.

After completing a review to determine if speed modifications could be safely made, the department responded on October 16, 2023, to the Town of Crossfield proposing combining the speed limits to a continuous 80km/hr zone between the North Boundary of Crossfield and the Hwy 2/2A/72 interchange. This does not include the 60km/hr speed zone located over the existing interchange which is required to meet existing geometric conditions and sight distances.

The department is prepared to endorse and implement the updated speed limit change on this section of highway provided they have the support of both the Town of Crossfield and Rocky View County. All work and costs associated with the implementation of the speed limit change will be the responsibility of the department.

## Proposed Speed Limit Change on Highway 2A from Highway 2/2A/72 to the Town of Crossfield

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During the April 4, 2024, Crossfield Council meeting, the Town of Crossfield endorsed the proposed speed limit change that included retaining the existing 70km/hr speed zone from the South Boundary to the North Boundary of the Town of Crossfield.

### ANALYSIS

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The existing speed limit of 60 km/hr zone going over the top of the Highway 2/2A/72 interchange is set appropriately as there is limited stopping sight distance available when travelling over the interchange. Additionally, the 60km/hr zone accommodates traffic exiting Highway 2 to safely make a left turn onto Highway 2A/72.

The existing intersection of Highway 2A has previously been identified by Rocky View County Council and residents as an intersection that has a history of accidents. The proposed speed limit reduction may result in safer turning movements at this intersection. Administration would recommend further analysis at this intersection to determine if further upgrades may be necessary by Alberta Transportation and Economic Corridors.

### COMMUNICATIONS / ENGAGEMENT

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No communication or engagement is required, as Alberta Transportation and Economic Corridors will be responsible for the notifications and communications to the effected public through on-site signage. Rocky View will post the Alberta Transportation and Economic Corridors notification on the County's website under the Road Updates section under the Transportation heading.

### IMPLICATIONS

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Risks of no action include:

- Continued risk of non-compliance and enforcement of existing speed limits.
- Public disapproval.
- Increased risk of accidents at the Dickson Stevenson Road and Hwy 2A interchange.

Implementation risks:

- Public disapproval.
- Increased risk of non-compliance and enforcement of existing speed limits.

### Financial

No budget implications are expected as the proposed speed changes and associated signage upgrades will be completed by Alberta Transportation and Economic Corridors.

### Intermunicipal

The motion is consistent with the proposed speed limit changes requested by the Town of Crossfield and subsequently endorsed on April 4, 2024 by the Town of Crossfield Council. Original discussions at the Rocky View County office had initially included the 70km/hr speed zone within the Town of Crossfield Boundary consistent with the Alberta Transportation and Economic Corridors Assessment and recommendations.



## Proposed Speed Limit Change on Highway 2A from Highway 2/2A/72 to the Town of Crossfield

### STRATEGIC ALIGNMENT

| Key Performance Indicators |  | Strategic Alignment   |
|----------------------------|--|---|
| Effective Service Delivery | SD2: Services are resourced and delivered to specific groups as intended, and citizens are satisfied with the outcomes                                   | The County's service delivery model is designed to support the residential and non-residential (rural) experience our communities desire.   |
| The Rocky View Lifestyle   | RVL1: Providing programs and services that make Rocky View County a safe and attractive place to live for existing and potential residents.              | Our residents come from all walks of life yet are bound by a shared desire to engage in what we call a 'country lifestyle'. We are responsible for preserving that lifestyle and managing how it evolves. |
| The Rocky View Lifestyle   | Planning for and responding to the needs of the population's demographics to maximize quality of life for those who choose to live in Rocky View County. | Life is different in Rocky View County, and we have a responsibility to preserve the unique lifestyle our residents enjoy while attracting newcomers.   |

### ALTERNATE DIRECTION

No alternative direction has been identified for Council's consideration.

### ATTACHMENTS

Attachment A: Letter from Town of Crossfield dated April 3, 2024.  
Attachment B: Letter from ATEC dated October 16, 2023.

### APPROVALS

|                               |                        |
|-------------------------------|------------------------|
| Manager:                      | Gord Rowland           |
| Executive Director/Director:  | Jeannette Lee, Acting  |
| Chief Administrative Officer: | Byron Riemann, Interim |





April 3, 2024

Rocky View County  
Matt Boscarior, Acting Chief Administrative Officer  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

Dear Mr. Boscarior,

**RE: Speed Zone Amendments to Highway 2A South of Crossfield**

At the March 1, 2024, Intermunicipal Committee meeting, the Town of Crossfield and Rocky View County reviewed and discussed the proposed speed limit amendment to a continuous 80 km/h zone, combining the existing 70 km/h, 100 km/h, and 80 km/h speed zone along Highway 2A, between the Town of Crossfield and the Highway 2A/72 interchange.

The Committee brought forward the Speed Zone Amendments to their respective Council's for review and discussion. At the April 2, 2024, regular Council meeting, Crossfield Town Council discussed the item, and the following motion was made:

**062-2024 MOVED by Councillor Knight that Council support a speed limit amendment to a continuous 80 km/h on Highway 2A north and south bound from the Town's south town boundaries to the Highway 2A/2N72 60 km/h Interchange,  
And  
That a copy of the support letter be submitted to Rocky View County and Alberta Transportation and Economic Corridors.**

As indicated in the motion and on the enclosed map, Crossfield Town Council would like to maintain the 70km/h within the Town of Crossfield boundaries and supports the speed limit amendment to a continuous 80 km/h from the Town of Crossfield's south boundary to the Highway 2A/72 interchange.

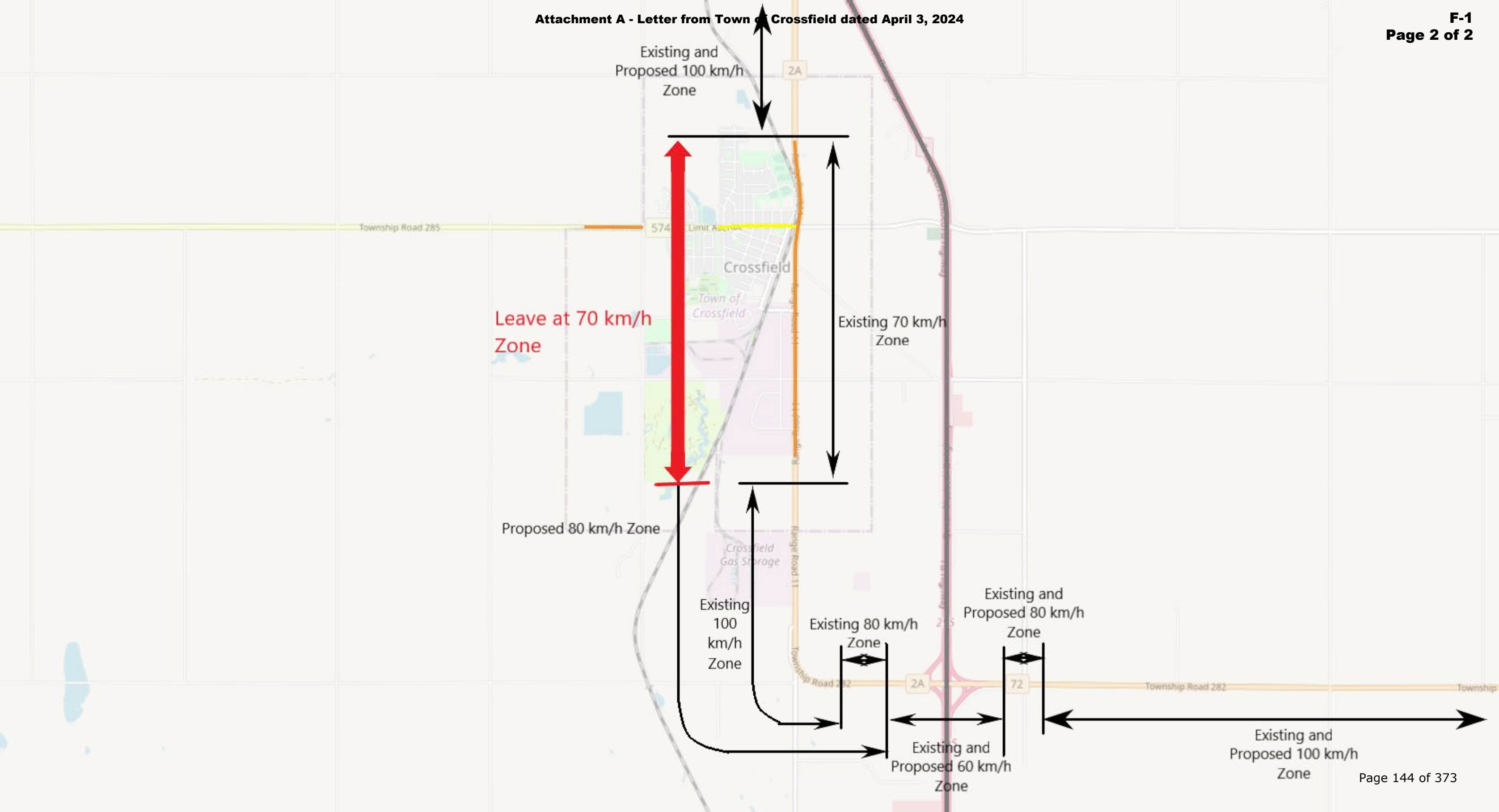
Should you have any questions, please feel free to contact the undersigned at 403-946-5565 or [kinzab@crossfieldalberta.com](mailto:kinzab@crossfieldalberta.com).

Thank you for your consideration. We look forward to hearing from you.

Sincerely

Kinza Barney, CLGM  
Chief Administrative Officer

Encl: 2024 Proposed Speed Amendment – Town of Crossfield



ALBERTA  
TRANSPORTATION AND ECONOMIC CORRIDORS*Office of the Minister  
MLA, Innisfail-Sylvan Lake*

October 16, 2023

AR 93900

Her Worship Kim Harris  
Mayor  
Town of Crossfield  
Box 500  
Crossfield, AB T0M 0S0  
[mayorharris@crossfiledalberta.ca](mailto:mayorharris@crossfiledalberta.ca)

Dear Mayor Harris:

Thank you for your letter requesting a speed zone amendment to Highway 2A south of Crossfield. I appreciate the opportunity to provide a response to your suggestion.

Highway safety is a top priority for Transportation and Economic Corridors and ensuring speed limits are set appropriately helps achieve that. At my direction, department staff completed a review to determine if speed limit modifications can be safely made. In the meantime, the results of a preliminary examination is included below.

In Alberta, speed limits are determined by considering several safety features such as the highway geometry, topography, the adjacent land use, intersection spacing, and the classification of highway. Consideration is also given to drivers' perception of road conditions which plays a significant part in drivers' behaviour and driving speed. Traffic research indicates that when speed limits are set lower than what the majority of drivers consider to be reasonable, there is a high level of non-compliance. This leads to driver frustration and a larger disparity in speeds where some drivers would obey the lower speed limit, while others would continue to travel at higher speeds. A speed variation can cause difficulty in motorists judging gaps in traffic when trying to enter or exit the highway, which increases the risks of collisions.

The existing speed limit of 60 kilometres per hour (km/h) going over top of the Highway 2/2A/72 interchange is set appropriately as there is limited stopping sight distance available when travelling over the interchange. Additionally, the 60 km/h zone accommodates traffic exiting Highway 2 to safely make a left turn onto Highway 2A/72. As the speed limit was set as part of the interchange design, it is considered appropriate.

.../2

Her Worship Kim Harris  
Page 2

The existing 80 km/h speed limit on either side of the interchange was put in place as a transition zone between the 100 km/h speed limit on Highway 2A to the west, and Highway 72 to the east. The 80 km/h transition zones go on either side of the 60 km/h speed zone over the interchange. The transition zone of 80 km/h is set appropriately and is not recommended to change.

Transportation and Economic Corridors does have the ability to adjust the existing 100 km/h speed limit between the Town of Crossfield and the interchange. In 2019 as part of the reconfiguration of the interchange, the department attempted to modify the speed limit but the change was not supported by the town nor Rocky View County. As such, the speed limit was not adjusted.

If both the Town of Crossfield and Rocky View County support a speed limit amendment to a continuous 80 km/h zone, the department would be willing to consider combining the existing 70 km/h, 100 km/h, and 80km/h speed zones between Crossfield and the interchange.

If you have any further questions or would like to provide your support for a speed limit amendment, please contact Mr. Darren Davidson, Regional Director. Mr. Davidson can be reached toll-free at 310-0000, then 403-381-5533, or at [darren.davidson@gov.ab.ca](mailto:darren.davidson@gov.ab.ca).

Thank you for taking the time to write.

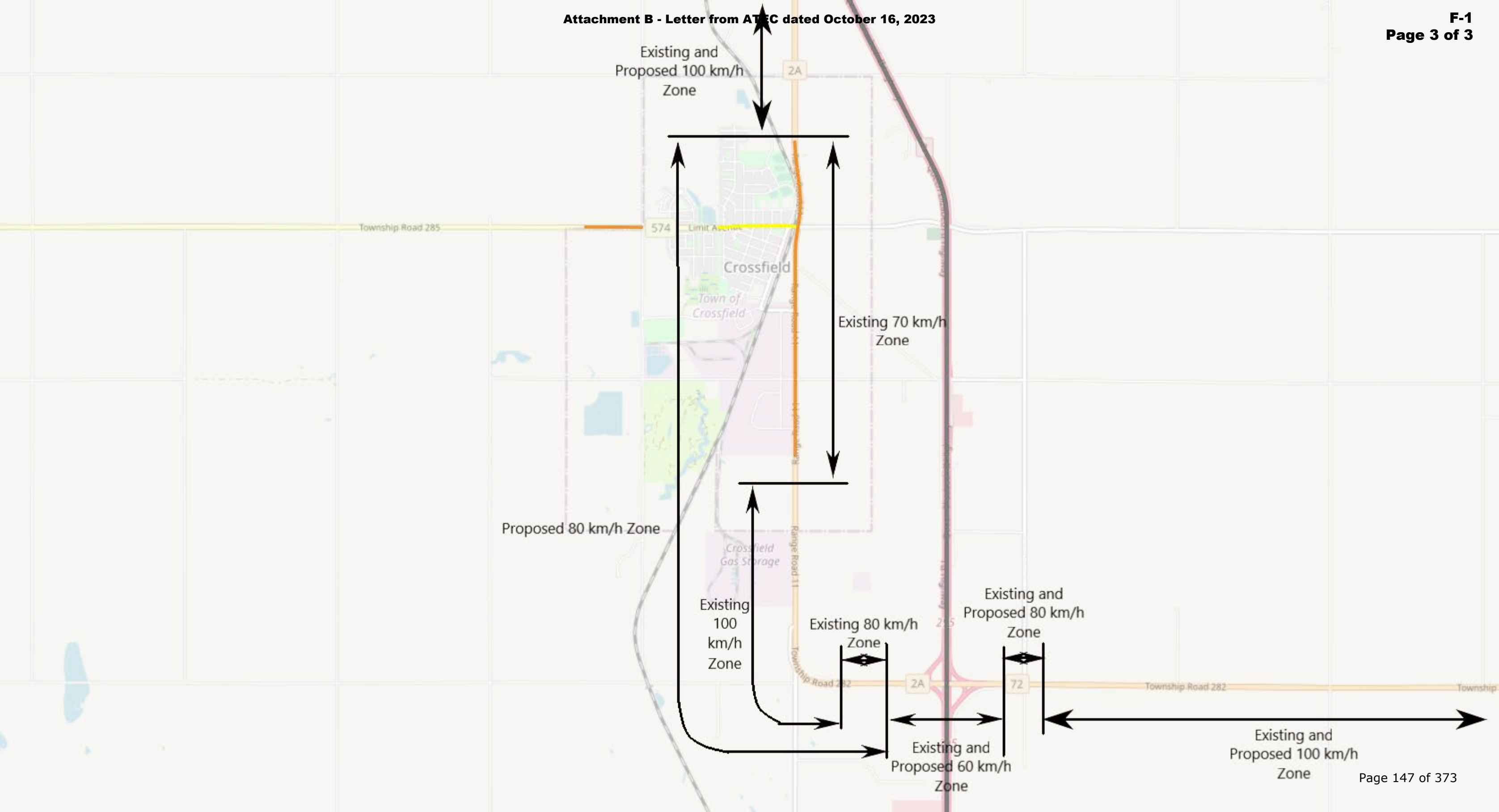
Sincerely,



Honourable Devin Dreeshen, ECA  
Minister of Transportation and Economic Corridors

cc: Honourable Nathan Cooper, MLA for Olds-Didsbury-Three Hills  
Darren Davidson, Regional Director, Transportation and Economic Corridors







# COUNCIL REPORT

## Conrich Area Servicing – Request for Extension

Electoral Division: 6

File: 1012-800 / 05045-300

|             |  |
|-------------|--|
| Date:       | October 8, 2024  |
| Presenter:  | Jeannette Lee, Manager, Capital & Engineering Services |
| Department: | Capital & Engineering Services                         |

### REPORT SUMMARY

On June 20, 2023, the Council approved the first reading of Bylaw C-8420-2023, outlining the terms of the local improvement plan for the installation of new infrastructure, water and wastewater at Meadow Ridge Road in the Conrich Estates subdivision. A petition against the local improvement was attempted, and although it did not meet the criteria set out in legislation, the petition and numerous messages from the community indicate that many residents in the area are concerned about the affordability of the improvements.

On May 14, 2024, the Council directed the Administration to explore an expansion of the service area and alternatives that include adjacent developments and future planning policy areas. The motion directed Administration to return to Council with recommendations before the end of Q3 2024.

Due to the complex nature and numerous servicing options for the area, Administration is requesting Council's consideration for an extension of this motion for Administration to provide the report before the end of Q4 2024.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approves a time extension to Q4 of 2024 for Administration to provide a report to Council on options for expanding water and wastewater services in the Conrich area.

### BACKGROUND

On March 30<sup>th</sup>, 2023, a group of property owners on Meadow Ridge Road in the Conrich Estates subdivision submitted a petition requesting that Council proceed with the installation of new infrastructure, water and wastewater to a total of 16 residents.

On May 9<sup>th</sup>, 2023, Council received a declaration of Sufficient Petition for information. On June 20<sup>th</sup>, 2023, Council approved first reading of Borrowing Bylaw C-8420-2023 outlining the terms of the local improvement plan and directed Administration to send the local improvement plan to all affected landowners. As a result of the local improvement plan and updated cost estimates, both Council and Administration received numerous emails from residents included in the local improvement area raising concerns about project costs.

On May 14<sup>th</sup>, 2024, Council directed Administration to explore alternative options to extend water and wastewater services in the expanded Conrich area, to try to redistribute and lessen direct costs to residents in the Meadow Ridge area.

## Conrich Area Servicing – Request for Extension

### ANALYSIS

The Conrich community consists of both urban, fully serviced development, and rural acreages or agricultural properties serviced by individual wells and septic systems. The extension of municipal water and sanitary servicing normally coincides with development, where densities can support the cost of urban servicing.

Administration is exploring opportunities to leverage local development planning, regional servicing plans, and offsite levy funded assets into a feasible service plan for the Conrich Area. Due to the complexities and varied options for servicing a large area with considerations for both rural and urban development, and existing and future development, the process is taking more time than originally anticipated. As such, an extension is being requested to allow for the servicing options and cost estimates to be further detailed and refined. Administration will present these final options for Council's consideration.

### COMMUNICATIONS / ENGAGEMENT

Not applicable.

### IMPLICATIONS

Not applicable.

### STRATEGIC ALIGNMENT

| Key Performance Indicators |  |  | Strategic Alignment  |
|----------------------------|--|--|--|
| Effective Service Delivery | SD2: Services are resourced and delivered to specific groups as intended, and citizens are satisfied with the outcomes | SD2.1: Percent of citizens satisfied with the range of County services available/delivered | Meadow Ridge residents await the County's proposal for attainable servicing. |

### ALTERNATE DIRECTION

Administration does not have an alternate direction for Council's consideration.

### ATTACHMENTS

Not applicable.

### APPROVALS

|                               |   |
|-------------------------------|---|
| Manager:                      | Jeannette Lee, Capital & Engineering Services |
| Executive Director/Director:  | Byron Riemann, Executive Director, Operations |
| Chief Administrative Officer: | Byron Riemann                                 |





## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

Electoral Division: All

File: N/A

|             |                              |
|-------------|------------------------------|
| Date:       | October 8, 2024              |
| Presenter:  | Dominic Kazmierczak, Manager |
| Department: | Planning                     |

### REPORT SUMMARY

The purpose of this report is to present Council with an assessment of the Aggregate Resource Plan (ARP) Stakeholder Advisory Committee Report findings (Attachment A). The Committee Report highlighted six recommendations to be addressed within any future ARP document, and 10 further areas for consideration which only received support from some Committee members.

Public engagement feedback received in Q2, 2024 (Attachment B) validated the Committee's perspectives by providing strong support for the six Committee recommendations, with mixed support for those areas which the Committee could not reach consensus on.

In accordance with Council's direction on July 23, 2024, Administration is also presenting a proposed ARP project scope, schedule, and budget for approval in response to the Committee's recommendations. This is set out in an updated ARP Terms of Reference (TOR) (Attachment C), revising the previous TOR adopted by Council in April 2023.

The new TOR proposes an additional budget of \$40,000 to achieve the project deliverables by Q2, 2025. The budget would be used to secure a consultant to provide technical review of performance standards and other documents drafted by Administration; a budget adjustment request is set out within Attachment E to this report to support this.

A key recommendation of the Committee, supported by both industry representatives and residents, was:

*That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary.*

The updated TOR includes a commitment to develop an Aggregate Site Monitoring Bylaw as a means to ensure proactive monitoring of aggregate sites and a process for thorough technical review of relevant operating reports. However, as a concurrent endeavour, Administration is also proposing the potential for Council to increase the County's existing service level in the monitoring of aggregate sites through the assignment of additional resources to this area. This would allow the County to establish a more comprehensive monitoring strategy for aggregate development prior to the completion of the ARP in Q2, 2025, rather than resources being procured some time after. Motions in this report propose consultant resources to support proactive monitoring and improved assessment of aggregate development.

## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

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### ADMINISTRATION'S RECOMMENDATION

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#### Terms of Reference

THAT Council amends the Aggregate Resource Plan Terms of Reference, previously approved on April 11, 2023, in accordance with Attachment D, and

THAT Council approves a budget adjustment of \$40,000 for the Aggregate Resource Plan project as presented in Attachment E.

#### Service Level Increase

THAT Council directs Administration to request proposals from appropriately qualified consultants to offer the following services:

- a. undertake regular inspections of aggregate sites within the County;
- b. produce site inspection reports and work with aggregate operators to secure compliance with all relevant permits, where necessary;
- c. act as the primary municipal representative for public inquiries and the sharing of information relating to aggregate development.
- d. third-party review of technical studies submitted in support of planning applications and development permit applications; and
- e. technical review relation to the ongoing monitoring of approved aggregate sites, including support of complaint investigations, and

THAT Council directs Administration to present submitted proposals, together with a recommended proponent and budget adjustment for Council's consideration and appointment in Q1, 2025.

### BACKGROUND

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In 2022, Council relaunched the Aggregate Resource Plan (ARP) project with the approval of a project Terms of Reference (TOR). The TOR outlined the requirement to form a Stakeholder Advisory Committee headed by a third-party Chair and six volunteers representing local perspectives to the complex issues surrounding aggregate development in the County. The Committee's mandate was to submit a set of recommendations for the development of an ARP, to identify gaps in the 2018 ARP project, and to identify appropriate engagement techniques and opportunities for the remainder of the project.

The Committee submitted its final report and recommendations to Council on April 29<sup>th</sup>, 2024.

Following submission of the Committee Report, County Administration hosted an online Survey in May and June 2024, requesting feedback on the Committee Report. Administration produced a "What We Heard Report" (Attachment B) collating the survey findings.

Following presentation of the Committee Report and public engagement findings at the July 23, 2024, meeting, Council passed the following motion:

*That Council direct Administration to bring a report back to Council no later than the end of Q4, 2024, that includes an analysis of the Committee Report and outlines recommended actions, a workplan, and review of budget implications.*

### ANALYSIS

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#### Committee Recommendations

Reviewing the six recommendations of the Committee, Administration is confident that these items could be addressed within the ARP project scope, with limited additional budget, and within a reasonable timeframe, as much of the work would be to update and refine the previous draft ARP document created in

## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

2018. The table below identifies Administration's identified approach to address the Committee's recommendations.

In relation to the recommendation to develop an online public platform for sharing information on aggregate development (Item 4), Administration is confident that an interim platform could be developed using the County's existing website and development map within Phase 2 of the project. However, the timing for a more comprehensive solution, meeting all of the Committee's expectations, would need to be determined further due to the technological and legal complexities that might arise from releasing a wide range of application and technical data.

| No. | Committee Recommendation   | Administration Recommended Approach  | Resources Required   |
|-----|--|--|--|
| 1.  | That the County develop Performance Standards specific to aggregate development in the County.   | Administration to draft performance standards document.  | Existing Administration resources with consultant support for technical review.                          |
| 2.  | That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary. | Development Aggregate Site Monitoring Bylaw and Master Rates Bylaw updates for chargeable inspections and technical reviews.                                   | Existing Administration resources.<br>Separate additional resources for implementation.                  |
| 3.  | That the County develop updated Application Requirements specific to aggregate development applications in the County.   | Administration to draft application requirements, with requirements amended into Municipal Development Plan and Land Use Bylaw.                                | Administration-led with consultant support for technical review.   |
| 4.  | That the County develop a publicly accessible online platform dedicated to aggregate development within the County.  | Administration to explore public platform options by Q2, 2025. Potential to utilize existing County website/mapping or develop new online service.             | Existing resources for interim platform.<br>Additional resources to be determined in Q3, 2025 (Phase 4). |
| 5.  | That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.   | To be included within performance standards and application requirements.  | Existing Administration resources.   |
| 6.  | That the County write an Aggregate Resource Plan with clear, accessible language.  | Rather than being developed as a single document, the ARP will encompass several plans, policies, and bylaws. These documents will be clear and objective way. | Existing Administration resources.   |

## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

### Areas of Non-Consensus

Of the items where consensus could not be achieved by the Committee, Administration is recommending that some of the items would be possible to achieve within the project timeline, either in full or with a limited scope. To ensure clarity on how the project would proceed, the updated TOR presented by Administration in Attachment C is explicit in noting items that are out-of-scope for the next phase of the project.

For example, proposals by some committee members to undertake groundwater monitoring around the Big Hill Spring creek and aquifer to establish baselines would not be achievable within this project. However, the project could examine performance measures to require aggregate operators to regularly monitor groundwater quality and elevations through development permit approvals.

Administration is recommending that for any remaining area raised by Committee members that is not included within the scope of the updated TOR, could be explored as an action item. It is proposed that upon completion of the ARP in Phases 2 and 3 by the end of Q2, 2025, Administration would present a report to Council identifying options to address remaining areas of concern identified through the Committee's discussions. Such areas include:

- Commencing a broader study of impacts on the Big Hill Springs Provincial Park, Bighill Creek, and aquifer;
- Completing an economic assessment of the costs and benefits of aggregate development in the County;
- Mapping of the aggregate resource in greater detail; and
- Drafting broader locational criteria, including residential setbacks outside of residential growth areas.

| No. | Partial Committee Support                     | Administration Recommended Approach   | Resources Required   |
|-----|---|---|--|
| 1.  | Locational Criteria for Aggregate Development | Limited-scope locational criteria could be explored for residential growth areas and environmentally significant areas.   | Existing Administration resources.   |
| 2.  | Consideration for Groundwater                 | Site-specific groundwater monitoring and mitigation could be imposed through performance standards.<br>A broader study of assets such as Big Hill Springs Provincial Park could be investigated in Phase 4.   | Existing Administration resources and technical support.<br>Broader scope to be determined Q3, 2025. |
| 3.  | Cumulative Impacts                            | Performance standards could cover cumulative impacts measured by specific pollutant (e.g. combined noise effects) rather than comprehensive assessment of all pollutant effects on a receptor.<br>Broader scope of impacts would be considered in Phase 4 of TOR. | Existing Administration resources and technical support.<br>Broader scope to be determined Q3, 2025. |

## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

| No. | Partial Committee Support   | Administration Recommended Approach  | Resources Required  |
|-----|---|--|---|
| 4.  | Address Environmental Concerns                                    | Administration to draft performance standards and limited-scope locational criteria. Broader scope including updated environmental inventory to be considered in Phase 4 of TOR.   | Existing Administration resources and technical support. Broader scope to be determined Q3, 2025. |
| 5.  | Recognizing Big Hill Springs as an Environmentally Sensitive Area | This would be addressed partly through the limited-scope locational criteria and through performance standards. Specific criteria could be developed around the Provincial Park could be explored as part of Phase 4.  | Existing Administration resources and technical support. Broader scope to be determined Q3, 2025. |
| 6.  | Application Review Process  | Third-party review process could be developed and included within policies and performance standards.  | Existing Administration resources.  |
| 7.  | Economic Assessment of Aggregate in the County                    | An economic assessment would yield limited benefit to the project, as assessment of a proposal would more likely be based on its need than its direct economic value. A broader study of establishing a landbank of aggregate sites and assessing supply and demand could be explored in Phase 4.  | To be determined Q3, 2025.  |
| 8.  | Mapping of Aggregate Resources in the County                      | Previous mapping of aggregate resources was undertaken using well borehole data and geological records. Further accuracy is unlikely to be gained without additional investigations on private lands. Mapping could instead be explored in Phase 4 on identifying existing and proposed sites put forward by applicants for future site allocations. | To be determined Q3, 2025.  |
| 9.  | Additional Regulatory Actions                                     | Options to streamline development permit renewals  | Existing Administration resources.  |

## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

| No. | Partial Committee Support   | Administration Recommended Approach  | Resources Required                       |
|-----|-----------------------------|--|--|
|     |                             | could be investigated as part of application requirements.<br>Further work to define provincial and municipal responsibilities could be undertaken in Phase 4.                     | Broader scope to be determined Q3, 2025. |
| 10. | Respect for Property Rights | The ARP is intended to offer certainty to all landowners by offering consistent standards and requirements. A broader exploration of property rights could be explored in Phase 4. | To be determined Q3, 2025.               |

### *Terms of Reference Overview (Attachment C)*

The proposed updates to the ARP TOR provide further detail to define the scope, budget and timeline for the completion of work in the next phase of the project. The main updates to the existing document include:

- The provision of an additional \$40,000 within the project budget to assist in the review of performance standards and application requirements drafted by Administration.
- The addition of a detailed scope of work (pages 6-8), based on the recommendations and areas of discussion put forward by the Committee.

As identified in the existing TOR, Administration will start Phase 2 by developing a communication and engagement strategy to guide collaboration between all stakeholders. The strategy shall be based on the engagement principles set out on page 9 of the TOR.

The project scope aims to provide deliverables within the ARP that have broad support from all stakeholders, together with areas of discussion from the Committee which would meet Council's strategic objectives relating to clearly defining land use policies and objectives. For example, the provision of some location criteria to guide aggregate development and the inclusion of an optional third-party review process for applications would create greater certainty in the consideration of new aggregate development proposals.

Phase 2 (plan drafting and engagement) and Phase 3 (Council approvals) are expected to be completed by the end of Q2, 2025.

### *Service Level Increase*

A key area of support from the Stakeholder Advisory Committee was around the proactive monitoring of aggregate sites. Both industry and resident representatives suggested that having the County increase its role in handling complaints, monitoring sites, and detailed review would help to create more trust in the process and transparency.

As noted above, the proposed updated TOR would include the creation of a Site Monitoring Bylaw to address how the County undertakes inspections and resolves issues of non-compliance. However, increasing the service which the County provides in this area will require further resources, which is initially proposed to be provided by a consultant to undertake site inspections, reporting and expert review of technical documents submitted to the County.

Given the time it may take to secure suitably qualified individuals to fill these roles, and the broad public support for the increase in service level, Administration is recommending that it commences work to establish these resources prior to the completion of the ARP and Site Monitoring Bylaw.



## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

Although it was not specifically noted in the final Committee report, Administration is also recommending that some, or all, of the cost of these resources could be recovered from aggregate operators that have active sites within the County. Costs could be recovered for each inspection and third party review undertaken, in addition to charging costs where received complaints are substantiated. The ability to charge fees for establishing this service is provided by s630.1 of the *Municipal Government Act*, which allows Councils to establish fees related to matters covered by Part 17 (Planning and Development) of the Act.

### COMMUNICATIONS / ENGAGEMENT

The approved ARP TOR requires that a Communication and Engagement Strategy be developed, and this will be completed and implemented for Phase 2 of the project. The Strategy will continue some of the previous engagement practices of frequent updates to Council, the public and other interested parties, through memorandums, emails, and website updates.

Sections 37 to 47 of the TOR establish principles and approaches that the project will have to align with in engaging with all stakeholders.

Details of previous engagement undertaken on the Stakeholder Committee's recommendations is outlined in Attachment B.

### IMPLICATIONS

#### Financial

With respect to completion of the updated TOR workplan, this would largely be undertaken with existing staff resources already accounted for in the Planning department's operating budget.

The implementation of enhanced monitoring and review of aggregate site operations is expected to incur one-time costs in 2025 and ongoing costs to secure and retain resources assigned to these activities. However, it is proposed that these costs could be recovered, at least partly, from aggregate site operators through the charges for undertaking site inspections and technical reviews.

### STRATEGIC ALIGNMENT

| Key Performance Indicators |  |  | Strategic Alignment  |
|----------------------------|--|--|--|
| Effective Service Delivery | SD1: Services levels are clearly defined, communicated and transparent to citizens                                     | SD1.1: Services with defined service levels                                  | The proposed performance standards, application requirements, and site monitoring would give a clear indication to the public and applicants of the level of review and monitoring required for aggregate sites. |
| Effective Service Delivery | SD2: Services are resourced and delivered to specific groups as intended, and citizens are satisfied with the outcomes | SD2.3 Percent of citizens satisfied with the County's defined service levels | The establishment of application standards and monitoring requirements would create a consistent process for applicants and residents, in line with expectations.  |
| Thoughtful Growth          | TG1: Clearly defining land use policies and objectives for the   | TG1.3: Update Land Use By-law to implement land use                          | Limited-scope locational criteria in the Municipal Development Plan would better guide aggregate   |



## Aggregate Resource Plan: Analysis of Stakeholder Advisory Committee Recommendations, and Presentation of Terms of Reference

| Key Performance Indicators |  | Strategic Alignment   |
|----------------------------|--|---|
|                            | County –including types, growth rates, locations, and servicing strategies | strategies created in MDP and ASPs  |
|                            |  | development away from environmentally significant areas and residential growth areas. |

### ALTERNATE DIRECTION

No alternative options have been identified for Council’s consideration.

### ATTACHMENTS

- Attachment A: Aggregate Resource Plan Stakeholder Advisory Committee: Recommendations and Final Report
- Attachment B: What We Heard Report: Aggregate Resource Committee Recommendations and Final Report
- Attachment C: Updated Aggregate Resource Plan Revised Terms of Reference (consolidated)
- Attachment D: Updated Aggregate Resource Plan Revised Terms of Reference (red-lined)
- Attachment E: Budget Adjustment for Phases 2 and 3 of Aggregate Resource Plan project

### APPROVALS

|                               |                     |
|-------------------------------|---------------------|
| Manager:                      | Dominic Kazmierczak |
| Executive Director/Director:  | Matt Boscarol       |
| Chief Administrative Officer: | Byron Riemann       |

# Aggregate Resource Plan Stakeholder Advisory Committee: Recommendations & Final Report

## SUMMARY

This report for Rocky View County Council contains the recommendations and perspectives of the Aggregate Resource Plan Stakeholder Advisory Committee members.

In 2013 the County Plan required the County to create an Aggregate Resource Plan (ARP) that would ensure responsible development of aggregate resources in the County while reducing impacts to residents. This was in response to growing tension between Rocky View residents and aggregate producers. After efforts to adopt the ARP, the project was ended because of non-consensus between residents, the aggregate industry, and Council.

In 2022, with continuing and growing concern about aggregate development, Rocky View County Council relaunched an Aggregate Resource Plan project. A Stakeholder Advisory Committee of individuals representing local perspectives to the complex issue was set. The objective was to have the Committee's report build a foundation for the project based on open dialogue, trust, and a consensus-based approach. In August 2023, the Advisory Committee was formed, with the goal to provide recommendations to Council. The full Terms of Reference for the Committee are available on the County's website.

Council appointed members with balanced representation of different interests, backgrounds, and expertise. Of the six volunteer committee members, two represent Country Residential residents of Rocky View County, two represent Agricultural residents of Rocky View County, and two represent the Aggregate Industry - one from a local, family-owned operator and one nominated by the Alberta Sand and Gravel Association. A third-party neutral Chair was appointed.

A key overall recommendation is that improvement on municipal processes dealing with aggregate is needed. The County needs to lead and be more active in its regulatory responsibility for land use, development, and on-site operations of the aggregate industry. Performance standards need to be established, monitored, and enforced. Industry supports this.

Resident and industry stakeholders want to be part of a productive engagement process with accessible and up-to-date information. Informed and strategic long-term County planning for aggregate development is required. The impact and tolerance of aggregate development differs throughout the County. Environmental, groundwater, and cumulative effects are significant concerns for residents in the west part of the County.

## STAKEHOLDER ADVISORY COMMITTEE PROCESS

Committee members met ten times between August 15 and March 15 participating in seven in-person meetings, two online meetings, and an aggregate site tour. Committee meetings were open and accessible to the public. Initially, meetings were held in the Council chamber and publicly streamed. However, the Chair found that the formal setup inhibited active and engaged free-flowing conversations. Meetings were moved to a board room and livestreamed. Summary notes of each meeting were posted on the County website alongside a recording of each meeting.

Committee members formed interest-based working groups, which met outside of the formal Committee setting. They met directly with approximately 50 residents from different backgrounds and relayed that input at monthly Committee Meetings. Industry was in close contact with the Alberta Sand & Gravel Association (ASGA) and have provided resources and discussion points to the Committee.

The Committee process was designed to be collaborative, and interest-based. Interests are the underlying hopes, values, concerns, and motivations that drive actions. Discussions based on understanding and respecting the interests of all parties is a solid step in collaborative consensus building. Committee members were deeply committed to their role; conversations were open, honest, and respectful. Members' broad interests were discovered to be mostly aligned. These were:

- A need for consistency, certainty, and clarity on requirements for future development in the Aggregate Resource Plan.
- Improved performance standards for industry.
- Protection for environmentally sensitive areas.
- Responsible aggregate operations with effective compliance, inspections, and oversight.
- Good communications with stakeholders.
- Residents want confidence in technical decisions.

Interests differed greatly regarding appropriate Locational Criteria for aggregate development in the County. The varying perspectives are presented in Part 2 of the Report.

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. These gaps, identified in the September meeting are included as an appendix. Throughout subsequent meetings, members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

**ARP Project Engagement:** The Committee requests that all future public and stakeholder engagement regarding the ARP project is held separately from other engagement initiatives. This is an important subject and deserves dedicated engagement opportunities. The Committee defers specific details and planning of all future public and stakeholder engagement to County Administration.

**Report Format:** The report is in two parts. Part 1 contains the committee recommendations arrived at with consensus support. Part 2 includes the additional topics of committee discussions, and the various perspectives of members on those topics.

# Part 1: Committee Recommendations with Consensus Support

## **A. Performance Standards for Aggregate Development**

### **Recommendation #1: That the County develop Performance Standards specific to aggregate development in the County.**

Rocky View County should develop reasonable and appropriate Performance Standards specific to aggregate operations across the County. All new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications shall comply with these Performance Standards.

The County should periodically review the Performance Standards to ensure they are aligned with evolving industry best practices and that they are effectively mitigating offsite impacts.

County operated pits should be held to the same set of Performance Standards and the County should advocate to the province that provincial pits adhere to these performance standards when operating within Rocky View County.

Reasons: The Committee agrees that consistent application of fair and enforceable Performance Standards should be applied to all aggregate operations in the County to mitigate offsite impacts.

## **B. Proactive Monitoring, Reporting and Enforcement by the County**

### **Recommendation #2: That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary.**

Rocky View County should accept its role as an active and responsible regulator of aggregate operations. The County should adopt a Site Monitoring Bylaw that outlines a framework for monitoring, reporting, and enforcement that will hold aggregate operators in compliance with the new Performance Standards and other County regulations. This monitoring and enforcement framework should include procedures to conduct regular site visits and inspections, expert technical review of regularly submitted operating reports, timely response to enforcement related complaints, and take appropriate enforcement actions should an operator be in contravention of Development Permit condition(s).

Reasons: The Committee understands that the County currently monitors and enforces Development Permit conditions strictly by means of a complaint-based system. Unless a development related complaint is received, the County does not proactively monitor aggregate development through site visits or conduct expert review of operating reports at the time of submission. It is noted that annual reports and the compliance record of each aggregate site are to be reviewed and considered at the time of Development Permit renewal.

The Committee supports effective regulation of aggregate operations in the County. Residents want confidence that the resource is well managed. Industry committee members stated that it would be beneficial to have the County take on the role of providing a transparent complaint process, resolving disputes, monitoring operations, overseeing industry reporting, and enforcing compliance. All members agree that the County needs to have access to technical knowledge (third-party review) to effectively evaluate operating reports and data, and to provide bylaw services for on-site evaluations and enforcement.

**Recommendation #3: That the County develop updated Application Requirements specific to aggregate development applications in the County.**

Rocky View County should amend existing statutory plans and the land use bylaw to include detailed and specific Application Requirements for all planning and development applications related to aggregate extraction. Applications should be reviewed for both quality and completeness. It is acknowledged that County Administration's discretion should be appropriately applied when reviewing applications.

The Application Requirements should list the minimum submission requirements for new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications. County Administration should only proceed with a Development Permit recommendation when the application has been deemed complete.

Reasons: A set of defined application requirements will provide clarity and consistency for both applicants and the public, allow County Administration to reference consistent application criteria, and increase public confidence in the approvals process overall.

**C. Improved Transparency and Communication**

**Recommendation #4: That the County develop a publicly accessible online platform dedicated to aggregate development within the County.**

Rocky View County should develop a publicly accessible digital portal on the County website that provides information on all active and proposed aggregate sites in the County, including its geolocation and all approved or pending Master Site Development Plan(s) and Development Permit(s).

For all approved aggregate operations in the County, a compliance report should be available on the digital portal. This report should include an active record of monitoring activities undertaken by the aggregate operator or County, list all exceedances and contraventions by the operator, and list the remediating activities taken for each infraction reported. It is noted that all publicly posted information shall comply with the Freedom of Information and Protection of Privacy (FOIP) Act.

Reasons: The Committee feels that transparency with the public is a necessary step in fostering trust between aggregate operators, residents, and the County. Comprehensive and publicly available reporting on aggregate development activities and the monitoring and enforcement actions taken by the County would improve public confidence in the regulation of the resource.

Other: Some committee members suggest that continuous monitoring of noise and air quality data be required at prescribed locations at site boundaries. Committee members were agreed that data transparency is important, though some members cautioned that public access to such data could lead to nuisance complaints. They arrived at requesting that administration evaluate how to make continuous data available in a useful and practical way.

**Recommendation #5: That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.**

As an additional Application Requirement, Rocky View County should require aggregate operators (the applicant) of all new Master Site Development Plans and Development Permit applications (including renewals) to demonstrate they have appropriately notified and engaged an expanded list of interested parties to their proposed development. The applicant should demonstrate how public feedback has been considered in the proposed site design and operations. The Master Site Development Plan should include a summary of these engagement activities.

The County should create and maintain an expanded list of interested parties (in addition to the required circulation radius) to assist industry in reaching the appropriate public audience during their engagement.

The engagement process should be inclusive, transparent, and solution focused to foster trust between residents, landowners, and industry. The engagement process must allow sufficient time for stakeholders and affected parties to meaningfully respond to the proposed project.

Reasons: Defining appropriate communications, expectations and engagement responsibilities of industry, residents, and the County, and establishing a process that all parties can easily understand and participate in can assist in reducing potential conflict. Improved responses to concerns and appropriate follow-up is needed.

**Recommendation #6: That the County write an Aggregate Resource Plan with clear, accessible language.**

The Aggregate Resource Plan and all supplementary bylaws and regulations should be written in a neutral and balanced tone, using clear and concise language, and providing objective information. All policies and regulations adopted by the County should include the important technical requirements but should also be accessible and reader-friendly to a non-technical audience. The ARP and supplementary documents can serve as an educational resource that is relatable to the public.

Reasons: Clear, concise, and easily readable information can improve mutual understanding of the issues surrounding aggregate development and build trust amongst all parties throughout the aggregate development process.

## Part 2: Committee Discussions and Areas of Non-Consensus

Committee members discussed topics on which they did not have consensus. Part 2 contains the various differing perspectives shared by the country residential, agricultural, and industry members for each of these key topics discussed.

**Please note: The observations listed under the various ‘Perspectives’ headings are the points of view, opinions, and experiences of the identified committee members. These perspectives have not been verified by the County to determine their validity.**

### 1. Locational criteria for Aggregate Development

Discussion: Committee members did not expect to find consensus on the topic of locational criteria (i.e., where aggregate development should be located); they participated in respectful and spirited discussions on the differing points of view, outlined below. They understand that it is important that the County coordinates all land use planning, including residential plans with their plans for aggregate.

Background: The committee members from west Rocky View question the ability of industry to minimize impacts with performance standards alone. Their view is that industry should not be left to self-regulate through best practices, and that physical separation of aggregate development from incompatible land uses is the only effective means of mitigation.

The industry members and the agricultural member from east Rocky View believe that offsite impacts to adjacent land uses and local residences can be effectively mitigated through reasonable performance standards, monitoring, and enforcement. Industry believes that there was shared understanding in the committee that mitigation measures can be effective. They state that those measures can be used to responsibly develop close-to-market aggregate deposits which are in limited supply.

#### East Rocky View Agricultural Perspective

- New Country Residential development should not be allowed near existing aggregate extraction sites. The County should also not approve Country Residential in areas where there are known gravel deposits. The ARP should not discriminate and indicate that some areas are more important than others, the ARP should cover the entire County equally, and one residence is as important as several residences. Some residents are not more deserving than others, and the bylaw should be uniform across the County.
- There are landowners who have aggregate extraction on their land. A member stated that the large agriculture landowners in the County do not want their land sterilized. The positive value of aggregate to large agriculture operators should not be dismissed as being unnecessary. Landowners who wish to harvest aggregate and work with industry should not be penalized and lose value of a natural resource.



## Country Residential and west Rocky View Agricultural Perspectives

- A map provided in the 2018 ARP report suggests an abundance of aggregate resource supply in the County relative to future demand of the region. Aggregate operations exist in all parts of the County and in all surrounding jurisdictions. Some cities (e.g., Edmonton), successfully source aggregate from more than 300km away by rail. Aggregate is not a scarce resource and Rocky View County can supply its share of the gravel demand in Calgary and region for the next 200 years with just 3% of the County's land area.
- The Terms of Reference for the ARP and some committee members recognize that the costs and impacts of aggregate development vary throughout the County based on proximity to population and environmental features. Impacts are greatest where population density is higher or where environmental sensitivity is greater, and this varies throughout the county. They note that the committee commented on the diversity within the county; therefore, it's appropriate for the ARP to reflect this diversity.
- Aggregate development lasts for decades and is a permanent land use in the timeframe of an individual's home ownership, or childhood, or retirement. The impacts are substantial. These members state that facts show that aggregate operations release carcinogenic dust. They also point out that aggregate operations generate disruptive noise that is inconsistent with country residential life, can impact ground and surface water, and can permanently alter landscapes. They believe that human health is put at risk, and that many impacts are irreversible.
- There are impacts that are not contained within site boundaries (e.g., images of dust plumes escaping local pits were shared) and they assert that separation is the only effective mitigation. Physical separation from conflicting land uses is required. Setbacks to protect landowners in proximity to pits as well as effective monitoring, enforcement and meaningful penalties for non-compliance are critical. It is not possible to minimize impacts with performance standards alone, and that standards are often breached. They cited examples of aggregate industry violations observed in Rocky View County (e.g., required noise mitigating berms not constructed, mining outside of approved areas, dust plumes escaping pit boundaries, etc.) and across North America (e.g., a single aggregate operator, active in the Rocky View region, fined for more than 700 environmental and health violations in 25 years). These members will provide those examples if requested.
- Given the size of the County and the widespread location of aggregate throughout the County, administration and council have the ability and the responsibility to locate aggregate development in the least impactful areas of the County. By separating aggregate development from conflicting and valuable land uses, including the most environmentally sensitive areas and the areas of highest population density, the County can minimize the negative impacts and costs. This separation should include both explicitly prohibited areas for aggregate development (such as within Area Structure Plans), as well as clear setback distances that vary based on proximity to environmental features and population density.
- Greater consideration must be given to post-reclamation land uses as part of aggregate applications; it is not sufficient to simply say that the land will be reclaimed to its former use or to a higher value use. The viability of returning land to its former use post-reclamation must be assessed as part of the land use application, so that aggregate extraction does not sterilize other important land uses.
- The ARP should not be used to circumvent well-established land use planning principles regarding pre-existing land uses and separation of conflicting land uses. The ARP should not allow for the

County's intentional land use objectives to be circumvented, such as those outlined in the MDP and ASPs. Similarly, the ARP should not provide a shortcut for aggregate operations to be permitted in locations explicitly and repeatedly rejected by Council, such as the Scott Property in Bearspaw.

- These members encourage the County to investigate the use of agglomerated development like the Star pit in NW Calgary. Instead of allowing strips of individual pits to operate for 30 years consider focussed, systematic, and intensively developed and agglomerated development. There could be aggregate nodes with agglomeration of development into certain areas that would have a relatively short life extraction.

## Industry Perspective

- Unlike other forms of development, aggregate is not relocatable since its location is based on geological conditions. Mitigation strategies can be used to minimize potential impacts to surrounding land users.
- The aggregate supply in the County is not as abundant as the map within the 2018 ARP report depicts. The map provided in the 2018 ARP grossly over-emphasizes the location of aggregate in the County and was created using flawed methodology and poor-quality sources. Industry presented a separate map which illustrated a scarce resource supply in the County. Water well logs were used to generate the map which are frequently inaccurate and cannot be relied upon to accurately predict the extent or commercial viability of a deposit. The Beiseker area has been a good source of aggregate for many years, however it has been depleted with many of the pits reclaimed. Available exploratory testing suggests that there are no viable sources of aggregate between the Beiseker area and the Big Hill Creek area. The only way to understand viability is to complete field-level exploration activities (e.g., drilling, or geophysical surveys). Even if aggregate is present in sufficient quantities, it may be sterilized by other forms of development such as housing, utilities, pipelines, wellsites, etc. Additionally, commercialization of the resource requires that the current landowner is willing to entertain a lease or sale of the property. Viable sources of aggregate are in limited supply, particularly close to the end user.
- In a 2013 survey and report coordinated by the Alberta Association of Municipal Districts and Counties, Rocky View County reported that aggregate was only moderately abundant in the County, and they did not have a strategic aggregate reserve to fulfill future public works maintenance and construction needs over the next 15-to-20-year period.
- The responsible development of close-to-market aggregate sources is key to the sustainability of our province. Every kilometre that a load travels away from site adds an additional \$0.15/tonne to the total cost of aggregate, including the 600,000 estimated tonnes that Rocky View County consumes each year. Producing aggregates as close as possible to the market supports affordability in the housing and construction sectors, minimizes greenhouse gas emissions, reduces infrastructure maintenance needs, and ensures the responsible development of a non-renewable resource prior to permanent development, such as housing. Sterilizing close-to-market resources, through locational restrictions and large setbacks, will create environmental and economic impacts that will increase with further transport distances.
- Due to the relatively low unit value of aggregates compared to other mineral commodities, it is unfeasible to transport from long distances. Another member referenced an aggregate operation that transports aggregates by rail, but that is not common practice in the industry and limited by the existing rail network, availability of aggregate along rail, and quality of the material to warrant considerable price premiums.

- Aggregate extraction occurs throughout the province in various jurisdictions that have either no or minimal setbacks from other land users, including residences. For example, there are active extraction and processing operations within the City of Edmonton and the Town of Cochrane which successfully operate adjacent to numerous residences by implementing mitigation measures and communicating with their neighbours.
- Aggregates are a non-renewable resource, and once land is developed, access to aggregate is forever lost on that site. Alberta's Land Use Policies require that municipalities identify areas where aggregate extraction should be a primary use, direct subdivision and development activity so as not to constrain or conflict with non-renewable resource development, and utilize mitigative measures to minimize possible negative impacts on surrounding areas and land uses within the scope of their jurisdiction.
- Aggregate extraction is a temporary land use. It's responsible to develop this critical non-renewable resource before the area's ultimate land use while the resource is accessible. After aggregate mining has occurred, land must be reclaimed to a capability equal or better than prior to mining. Unique end land uses can be considered to provide community benefits. Some of Alberta's golf courses, lakes, and parks were once aggregate mining sites. These areas provide valuable space for nature and biodiversity post-mining. Operators must provide financial security to fund reclamation liability through the province which is reviewed every five years.
- A major component to the price of aggregates is the cost of transport from pits to market. Access to affordable housing is impacted by cost of aggregates, and thus where aggregates are sourced.
- There is no substantive evidence that suggests aggregate developments are a risk to public health. In Alberta, silica dust is considered an occupational hazard, managed by OH&S. Air quality concerns such as silica dust are carefully reviewed by Alberta Health Services during the application referral process.
- All residents of the County should be treated equally and fairly. Standards should be the same across the County so as not to create different class citizens. Aggregate extraction is subject to a rigorous regulatory framework that includes provincial and municipal oversight. Industry's view is that jurisdictional overlap should be minimized and suggests that provincial regulatory agencies, including Alberta Environment, Alberta Health Services, and Occupational Health and Safety are well suited for reviewing specific scopes for which they have the technical expertise and legislative authority.
- Industry believes that inspection of operations, compliance and enforcement of permit conditions is critical to building trust in any municipality. There was one example brought forward during discussions that confirmed enforcement action due to permit violations, and multiple examples also brought forward of complaints lodged, investigations undertaken, and compliance confirmed by the County".
- Industry members referenced numerous studies relating to their perspectives on this and other topics and will share these studies on request.

## 2. Consideration for Groundwater

Discussion: On the west side of the County, potential negative impacts on groundwater have become a focal point for residents with the proliferation of gravel operations on the Big Hill Springs aquifer and Cochrane West, and along the Bow River. Residents near Cochrane West operations believe hydrocarbons found in their well originated with the adjacent gravel operation.

### Country Residential and west Rocky View Agricultural Perspectives

- Setbacks and provision for adequate residual gravel filtration where pits would operate over the Big Hill Springs aquifer or other significant groundwater resources and important streams and rivers are required. Harm to groundwater could be irreparable. The County should use independent experts for observation wells where prospective gravel deposits overlay groundwater to determine groundwater elevations and quality and regular well monitoring to create baseline data to measure changes and to determine mitigation.
- In submissions to previous County proceedings, residents, Alberta Parks, and environmental groups opposed gravel operations which could impair the aquifer and main spring which sustains the Big Hill Springs Provincial Park and Bighill Creek. They referred to work by a hydrogeologist, Dr. Jon Fennell, supporting their concerns.
- These members are concerned that industry hydrological studies measure only ground water elevations, not water chemistry, which is critical in addressing potential harm to the Big Hill Spring aquifer. They assert that scientific data collection requires time and investment.

### East Rocky View Agricultural Perspective

- This area of expertise should be left to Alberta Environment. Consultation with Alberta Environment could address a separate bylaw for water and wildlife concerns.

### Industry Perspective

- No impacts to groundwater from aggregate operations in the county or the province have been proven. They view the concerns from other members as unsubstantiated allegations and state that aggregate operations in the County do not operate within the groundwater.
- Industry already completes groundwater impact assessments, including a collection of baseline data such as groundwater levels and chemistry and ongoing monitoring at several sites. This work is completed by third party professional consultants and reviewed by technical experts at the provincial level.
- Several gravel operations in the eastern part of the County are located over sources of groundwater and industry members state that they have not experienced negative impacts on groundwater from these activities. Further, there are thousands of gravel pits in the province of Alberta that are monitored by appropriate provincial authorities to mitigate environmental hazards. Alberta Environment and Protected Areas has issued several Water Act authorizations to gravel pits in Rocky View County that contain monitoring and reporting requirements.
- Industry Committee members do not agree with the validity of the findings of Dr. Jon Fennell, the referenced hydrogeologist. His report has not been peer-reviewed nor used peer-reviewed references. The majority of conclusions contained within the report are unsubstantiated through

proper use of peer-reviewed references and thus represent an opinion. Most significantly, the main reference utilized to support his claim that water quality in sand and gravel aquifers may be impacted by aggregate operations is from a conference submission paper that evaluated the impact of acid rain and bog water on groundwater in areas of gravel extraction in Finland. Dr. Fennell fails to explain that the source of changes to water chemistry in this paper are contaminants present in acid rain which is irrelevant to the discussion in Rocky View County. Industry believes that presentation of these irrelevant facts from a completely different environmental setting is misleading and unprofessional. Multiple independent professional hydrogeologists have studied the aggregate deposit in the local area to Big Hill Creek and the Provincial Park, using field-level data, and have completely refuted Dr. Fennell's concerns. Another hydrogeologist submitted a letter to the County refuting Dr. Fennell's report. Furthermore, the Provincial environmental authorities are not aligned with Dr. Fennell's findings.

### **3. Cumulative Effects**

Discussion: Committee members from west Rocky View suggest that evaluation of cumulative effects should be part of the basis for which new pits will be approved or refused in certain areas of the County. They recommend that the County clearly define the requirements for cumulative effects analysis, including temporal and spatial boundaries, minimum radius of the regional study area, and the valued components to be included. They point out that the Government of Alberta Land Use Framework states that: *'Cumulative effects management recognizes that our watersheds, airsheds and landscapes have finite carrying capacity. Our future well-being will depend on how well we manage our activities so that they do not exceed the carrying capacity of our environment.'*

Background: Noise, traffic, and air quality affected by dust from pit operations were expressed as significant concerns for residents living close to the multiple industrial sized aggregate pits in the west part of the County. They described large dust plumes emanating from various large pits and shared anecdotal information about traffic congestion and their increasing safety concerns about the number of large gravel trucks using rural roads.

Reasons: Only one reference to cumulative effects in the 2018 ARP was found, and yet cumulative impacts are a significant concern for residents.

#### **Country Residential and west Rocky View Agriculture Perspectives**

- The cumulative impacts from these factors have health and safety consequences. They observed that development permits for some 2017 approvals included only a nominal recognition of the potential cumulative effects of those mines, while another pit had no substantive conditions addressing cumulative effects.
- Areas in the County will reach a tipping point where the combined impacts of all pits will exceed the carrying capacity of the environment. The requirements of previous assessments were not clearly defined and, as a result, the assessments were of questionable quality. They are also concerned that these reports are treated as a checklist item rather than as a meaningful criterion for application approval or refusal.
- The County should require continuous collection of air quality and noise data from monitoring stations located at prescribed intervals at the site boundaries of all aggregate pits as well as regular monitoring of groundwater quality and elevations. Raw data should be made available in non-

summarized and non-average format, which would not preclude operators from interpreting and summarizing data in their regular operating reports.

## Industry Perspective

- Cumulative effects are part of the current aggregate extraction development permit application process in the County. Noise, air quality, groundwater, and traffic assessments are completed based on defined methodology which includes a consideration of existing activity in the area and cumulative effects assessment. Aggregate developers must submit technical documents by a qualified professional for each scope.

## 4. Address Environmental Concerns

Discussion: The Committee recommends that the County access an up-to-date inventory of environmentally sensitive areas (ESAs), such as is being done by the Calgary Metropolitan Regional Board. They recommend that the County engage environmental experts to assess ESAs which in the future could be impacted by gravel operations. They recommend that the County understands the interactions of aggregate development with the surrounding environments, including wildlife corridors, and understand the environmental cumulative effects of aggregate development.

## Country Residential and west Rocky View Agricultural Perspectives

- The County needs to take more responsibility for the long-term viability of the natural environment in the County impacted by aggregate development. This is the County's shared responsibility with the province. There must be clear language in the ARP about appropriate setbacks from environmentally sensitive areas with prohibition of pits in proximity to the County's most important environmental assets such as parks, rivers, and major wetlands.
- They recognize that operators require registration from Alberta Environment, under the Code of Practice for Pits. However, their experience is that the Code does not fully consider environmental impacts on groundwater or air quality and that the Code approvals are largely a "check box" exercise.
- In the experience of these members, after a development is approved by the County, landowner concerns regarding regional environmental effects of proposed gravel operations must be pursued through Statements of Concern submitted to AEP under specific regulations such as the Water Act. Achieving standing as a "directly affected party" in AEP reviews has been found to be difficult or impossible. When an opportunity to participate is provided, concerned groups must commit significant time and energy plus funding to engage expert support.
- Some appeals to AEP could be avoided if the County approval processes more fully recognized the potential negative consequences of aggregate development on surrounding ESAs. This requires environmental inventories of potentially impacted areas by independent experts, creation of appropriate setbacks and ongoing requirements for industry best practices if an approval is given. Applications to the County for aggregate developments should require notice and adequate time for participation by environmental stakeholder groups. They further suggest that the County provide some funding to support community interventions in County gravel applications.

## East Rocky View Agricultural Perspective

- Alberta Environment has jurisdiction over the environment, and they should be the consistent voice on these matters within Rocky View County.
- Taxpayers should be offended that they are being asked to provide funding to groups with an individual and inclusive agenda.

## Industry Perspective

- The environmental assessments currently required by the province and Rocky View County evaluate the potential impact of proposed aggregate developments to surrounding land users, including environmentally sensitive features. For example, wildlife assessments include desktop and field level evaluation of wildlife typically present on the site and surrounding area, including wildlife corridors. These assessments identify mitigation strategies that can be utilized to minimize impacts.
- An inventory of ESAs in Rocky View County already exists, and industry suggests that the environmental benefits of pits should also be considered. Aggregate development, particularly at reclamation, can have many positive environmental impacts such as increased biodiversity, the creation of wetlands and wildlife habitat, and improved agricultural capacity.
- Industry members of the Committee recommend the County should endeavor to reduce jurisdictional overlap with the province where possible.

## 5. Recognize Big Hill Springs Park as an Environmentally Sensitive Area

Discussion: Big Hill Springs Provincial Park is a seventy-acre park recognized for its thermal spring and tufa formations. The Park attracts more than 250,000 visitors per year. Contiguous lands, totaling over 1300 acres, held by gravel interests extend from the western boundary of the park for approximately two miles.

## Country Residential and west Rocky View Agricultural Perspectives

- Most of the current aggregate applications and most of the ongoing resident concerns are focused on the Big Hill Springs and areas west of Cochrane. The ARP must address specific issues being raised in these areas. There are now four approved gravel mines enveloping 800 acres near Big Hill Springs Provincial Park. These, plus another 480 acres owned by another gravel company, create a continuous swath for one and a half miles west of Big Hills Springs Provincial Park. ARP policies governing County aggregate applications, approvals, and regulation must be sufficiently robust and clear to locate and manage future developments in other areas.
- Big Hill Spring Provincial Park requires protective setbacks, and significant setbacks and strong emissions mitigation measures for all gravel operations near the park.
- They observe that recent expansion for a pit, located approximately 800 meters east of the park, has resulted in stockpiles and conveyors being visible from the park.
- In addition to potential harm to groundwater, the large concentration and proximity of gravel operations at Big Hill Springs could result in negative cumulative impacts of dust and noise to the park and Bighill Creek, which would impact biodiversity. Wildlife corridors would be physically disrupted by berms and excavations and noise from a string of gravel operations.



- Agglomeration versus Consolidation: these members state that the park will see the worst of all worlds – agglomeration without consolidation. There will be five mines competing for available market and each contributing to cumulative impacts for thirty years. The proliferation of mines with thirty-year extraction lives demonstrates a grossly inefficient resource development model.
- Park visitors could be negatively impacted by the experience of adjacent industrial sites.

### East Rocky View Agricultural Perspective

- As Big Hill Springs Park is a provincial park, any potential issues arising from air, water, excess visitation, and the like should be dealt with through provincial bodies who oversee parks.
- The ARP is a high-level document that should apply to the entire County. Micromanaging the ARP for one area (i.e., the Park) should not creep into this bylaw or into the aggregate rules and process. The County would be entering into provincial jurisdiction by including special attention to the park in the proposed bylaw.
- It is clear some residents have concerns regarding this park and the proximity to aggregate. This should be handled by a separate bylaw by the County that would work with and be crafted in conjunction with the province.

### Industry Perspective

- Setbacks are already in place for ESAs and the Provincial Park. The County has the ESA's mapped, and the province already recognizes ESA's in its review of applications. Additional setbacks are not required. Mitigation measures can be utilized to protect environmentally sensitive areas. The various environmental studies currently required by the province and Rocky View County identify whether adjacent land and water users, including ESAs and Provincial Parks, may be impacted by a proposed aggregate development.
- Gravel pits operate successfully in Banff National Park, Jasper National Park, Kananaskis provincial park and many others. The idea that gravel pits and parks areas cannot co-exist is not supported.

## 6. Application Review Process

### **Determine a means to Develop the Confidence of Residents, Administration and Council in the Analysis of Expert Reports contained in Aggregate Development Applications.**

Discussion: Committee members from west Rocky View involved in past applications lack trust in these expert reports. They have little confidence that the reports had adequate technical review by administration and, as a result, Council was provided with less-than-optimal support for their decision-making. Industry understands the County's current approach in regulatory aggregate development to be one of the most comprehensive of any of the municipalities in Alberta.

### Country Residential and west Rocky View Agricultural Perspectives

- Council receives a lot of information in a short period of time prior to a hearing. This means that it is critically important that Council receives high quality summaries of the complex technical reports that are essential in evaluating aggregate applications.

- To achieve this objective, it is important for Administration to have access to objective, independent expert advice in their review of proponents' technical application information. For example, the County does not have an acoustical engineer, although noise concerns and sound monitoring modelling are important issues in aggregate land use and development permit applications. The same issue exists for groundwater, air quality and other impacts that require complex technical analysis.
- Since it is not financially viable to maintain a full roster of technical experts as part of the County's permanent staff, application fees should cover the costs of contracting third-party experts to review applicants' technical studies.
- The current process has a serious gap that should be drawn to Council's attention. In the existing application process, administration typically only looks at information provided by the applicant. Administration checks applications for the presence or absence of technical reports but does not have the technical expertise or resources to assess the quality or completeness of many of the conclusions provided in those reports. This creates the potential for applications to be recommended for approval despite being inadequate with regards to technical study quality. This gap should be addressed in the ARP to ensure that Council has the best possible information on which to base its decisions.
- With access to independent third-party reviews of applicants' technical studies, Administration could then show how this objective information was considered in their recommendations to Council. This could increase Council's confidence in the decisions that they are making and thereby increase public confidence in council decision making.
- There should also be clear minimum standards for applicants' technical studies. From their experience, these members saw that in some previous applications groundwater, surface water, noise, economic impact, and cumulative effects studies were narrowly scoped, and, as a result, in some cases drew inappropriate conclusions.
- Administration's assessment of applications should clearly distinguish between policy and technical issues to ensure that both are evaluated satisfactorily.
- These committee members also recommend that intervenor compensation and/or capacity funding be provided to residents and other stakeholders to address the imbalance in financial resources between industry and impacted persons. This funding could be provided through fees for aggregate land use and development permit applications. This would enable technical studies to be independently reviewed, and impacts identified. This would assist the County by surfacing balanced perspectives to support more informed decision making.
- The ARP must include sufficiently detailed guidance to ensure that Development Permits fully reflect commitments in the MSDPs and that conditions established in the DPs are easily enforceable.

## Industry Perspective

- Both the province and the County require technical reports to be completed by professional subject matter experts (e.g. professional biologists, agrologists, engineers and geoscientists). These professionals are regulated by their respective professional associations and have an ethical duty to protect the public through objectivity and competent practice. They support and defend their reports through the provincial and municipal review processes, as well as in public hearings.

- All application documents are available for any stakeholders to review and to state their substantiated professional opinion to the County. Industry questions whether 'confidence' can be measured, as typically a layperson simply doesn't agree with the professional information without any basis for defense.
- Some committee members discount the professional review capacity of staff at the County, Alberta Environment and Protected Areas, Alberta Transportation, Alberta Culture, Alberta Health Services, and the Aboriginal Consultation Office. These agencies are all typically involved in the review of a proposed aggregate development. Alberta Environment and Protected Areas has reviewed and issued authorizations to several gravel pit applications in the County.

## **7. Economic Assessment of Aggregate in the County**

Discussion: That the County prepare a comprehensive, independent, objective assessment of the costs and benefits and net economic impact of aggregate development. The assessment should consider all economic benefits to the County that result from aggregate activity and consider all costs to the environment and costs to residents along with all costs to the County of administering, monitoring, and enforcing aggregate development and operations.

Background: Committee members recognize that aggregate has value for roads, building, and other infrastructure development and maintenance. Industry members quoted the use of aggregate per person in Alberta at 12 to 15 tonnes per year. Committee members understand that the County receives approximately \$1,000,000 in annual CAP levies from aggregate operators and that aggregate sites pay municipal taxes and offsite levies, and that aggregate operations hire employees who live in the County and use other County services and businesses.

Reasons: An economic assessment would support an understanding of the economic impact of aggregate for the County and ratepayers, allowing the county to evaluate a cost/benefit analysis specific to the County. Industry members state the information can be used to determine the extent to which existing aggregate sites in the County and elsewhere can meet the expected market demand for the region.

### **East Rocky View Agricultural Perspective**

- There is a positive effect of aggregate extraction for large acreage farming operations, an end-pit lake is an asset to farming and ranching, especially in drought times. The reclamation of farming and grazing land, once aggregate is removed, is a benefit because of the absence of rocks that can damage equipment. Income from aggregate resources paid to the farmers and ranchers assists in offsetting downturns for landowners relying on income from their large-acreage agriculture endeavours.
- The County receives income from offsite levies, the Community Aggregate Payment (CAP) Levy, and land taxes from aggregate extraction. Rebuilding of haul roads to a higher standard is beneficial to industry and residents who also use the improved roads built by industry.

### **Country Residential and west Rocky View Agricultural Perspectives**

- The CAP levy equates to less than twenty-five dollars per resident and they question if the impacts to residents and the cost to the County are justified. They would like to see an economic assessment that includes road repair costs, legal costs, impacts on property taxes and other direct and indirect

costs to the County, and costs to residents. Their view is that many of the benefits of aggregate development occur outside of the County. They state that County fees applied to industry should cover all costs to the County associated with aggregate development.

- Although industry members stress that haul distances must be minimized due to environmental concerns, the real concern is likely higher transportation costs.
- The information from an economic assessment should inform the ARP' s locational criteria for aggregate development within the County.
- The County needs to better understand the fundamental economics of gravel extraction so it can determine appropriate locations and mitigations. These residents question if the County has an obligation to provide relatively inexpensive gravel for the City of Calgary.
- These members are concerned about impacts to residential property values. An international study concluded properties within three miles of an active aggregate pit suffer a negative impact of 5 to 30 percent to their property values. This indicates that in the areas of the County with high population density, a new gravel operation could result in cumulative residential property value loss with more than \$150 million of associated residential property tax loss.

## Industry Perspective

- An economic assessment should include an evaluation of the economic benefits derived from the aggregate industry, including CAP levy generation, payment of municipal taxes, offsite levies, and direct and indirect job creation. An Alberta Sand and Gravel Association report from 2023 describes these benefits in more detail.
- An economic assessment should consider the cost of alternatives to supplying the local and regional aggregate market if close-to-market resources in Rocky View County are sterilized. Unlike the oil and gas industry where alternative energy production methods are being increasingly developed, there is no replacement for aggregates. As such, if close to-market resources are sterilized, aggregate will need to be sourced and transported from further distances. Increased transportation requirements will result in higher costs for aggregates and thus higher municipal and provincial infrastructure costs, a loss of local jobs, and higher greenhouse gas emissions. The County maintains approximately 1,600 km of gravel roads, and an economic analysis should consider the economic impacts to the municipality if regulatory sterilization results in higher costs of materials.
- Supply of construction materials is not optional and is a requirement to sustain our way of life. During the COVID-19 pandemic, aggregate production was one of the industries deemed critical and allowed to continue to operate. The value of construction materials cannot be assessed on a financial basis alone. After water, the most consumed material on earth is concrete, of which >80% is made from aggregates.
- County assessment values can be used to determine if aggregate has had a negative impact on property values.

## 8. Mapping of Aggregate Resources in the County

Discussion: That the County prepare the best possible mapping of aggregate resources to better inform stakeholders in the County and to guide long-term development.

Background: Committee members reviewed and discussed the County map relating to aggregate deposits which was developed during the previous ARP project. They did not reach agreement on the information provided by that map.

Reasons: Some members state that effective mapping would allow the County to understand where potential for aggregate development exists and aid in making informed decisions, so that subdivision and development activity does not conflict with non-renewable resource development. Currently, industry and some committee members don't agree on the information regarding the supply and location of aggregate resources in the County. There is a need for clarity and for achieving the balance of protecting the resource and protecting residents and the environment. Mapping has a role in informing residents and industry where future gravel development might be possible.

## Country Residential and west Rocky View Agricultural Perspectives

- Available mapping and other evidence shows an abundance of aggregate throughout the County. Better mapping will allow the County to be more informed about the relative abundance or scarcity of the resource. This information could inform planning decisions to protect residents and the environment without risking future aggregate supply. The 2018 draft ARP shows a bias to protect aggregate resources for future exploitation. The County has sufficient aggregate resources to supply Calgary and area for over 200 years with just 3% of County land area and for over 500 years with just 7% of County land area.
- Access to the resource should be permissive and based on avoiding negative consequences.
- While there is uncertainty about the quality of mapping that currently exists, other knowledge can inform the ARP before additional mapping occurs, including that:
  - Aggregate operations are currently in operation in all four quadrants of the County and the resource is broadly located across the County.
  - Aggregate operations are active near Rocky View County, including within the City of Calgary, Tsuut'ina Nation, Stoney Nation, and each of the five counties neighbouring Rocky View.
  - Based on demand estimates provided by the Calgary Aggregate Producers Group in 2015, typical supply from current and proposed gravel pits within the County could supply its share of aggregate demand in Calgary and the surrounding area for hundreds of years with a small fraction of County land.

## Industry Perspective

- Updated mapping would need to be considered as guidance only and that awareness of its limitations is important. Without site specific analysis, this mapping does not inform where aggregate development is economic or environmentally appropriate. There is also no guarantee that current owners of these lands wish to see aggregate development, or that future owners will be amicable to such a use. Additionally, other land uses such as houses, roads, utilities, pipelines, and/or well sites may sterilize identified deposits and that granularity is likely difficult to add to any mapping.

## **9. Additional Regulatory Actions**

### **Advocate to improve operations of Provincially owned pits in the County.**

Discussion: The County should use available means to encourage provincial aggregate operations in the County to follow County standards for operating and reclamation.

Background: The Committee members all supported the recommendation that County pits follow County standards. Some Committee members recommend that provincial pits should also follow County standards. They discussed how the same standards could be extended to provincially operated pits in the County.

### **Country Residential and west Rocky View Agricultural Perspectives**

- The County could require that operators who extract from provincial pits follow County standards when they are operating in provincial pits, and that this could be an eligibility requirement to operate in private pits in the County.
- Precedent exists in Alberta regarding reversal and rescinding of resource rights by the provincial government where prior approvals conflicted with residential and/or environmental plans. This could provide a model for the County with regards to previously approved aggregate operations that conflict with a new ARP.

### **East Rocky View Agricultural Perspective**

- The proposed ARP should not add clauses that are unmanageable and unenforceable. Permit conditions cannot be changed on a whim.

### **Industry Perspective**

- Provincially owned aggregate operations are not legislatively required to adhere to municipal bylaws, however in many cases municipal bylaws are being followed. Thus, including details on the regulation of provincial pits in the ARP would not be an effective use of time and resources.

### **Clarity about the Distinct County and Provincial Aggregate Regulatory Roles.**

Discussion: The County and the province have distinct roles and responsibilities for aggregate applications and regulation. Clear information in the ARP for readers about these separate roles in aggregate applications, compliance, and enforcement should be provided.

Reasons: A preamble in the Plan could specifically define the County's responsibility for aggregate development and indicate that the County has shared responsibility for day-to-day monitoring, enforcement, performance standards, and compliance of aggregate operations.

### **Country Residential & west Rocky View Agricultural Perspectives**

- Municipalities have sole responsibility for land use decisions. This responsibility is not shared with the province. To exercise their responsibilities for land use decisions, municipalities must carefully

evaluate all aspects and impacts of gravel operations to determine if the proposed land use is appropriate for the land in question.

- Municipalities also have clear responsibilities to protect both their environment and their resident, which are responsibilities that overlap with the province. The reality of overlapping responsibilities does not remove Rocky View's responsibilities in these areas.

## Industry Perspective

- There are clear jurisdictional roles between the municipality and the province. For example, authorizations related to water use and impacts and reclamation security are clearly the role and responsibility of the provincial government. Road use, for example, is a municipal responsibility. In the case of provincial responsibilities, these are clearly defined, regulated, and enforced accordingly. The municipality should not duplicate effort.

### **Reduce red tape for some pit renewals.**

Discussion: The County could consider using a streamlined approach for pit renewal applications for companies that do not have a record of non-compliance or substantiated complaints from affected stakeholders. Pit renewals would be held to the new standard being implemented by the County.

Background: Under the current situation, operators are required to apply for renewals every five years. Items 9(19) 3 and 7(5)c in the 2018 ARP can be interpreted to mean that when renewing development permits, operators are required to provide all the same technical documentation that a new development permit application requires.

Reasons: The impacts of an existing pit should already be known and subjecting existing operations to new standards and study requirements creates business uncertainty. With correct reporting, good compliance, and no complaints from stakeholders, studies on factors such as noise and air quality should not be required.

## Industry Perspective

- Subjecting existing operations to new studies and standards adds additional cost to the supply of aggregates and creates business uncertainty. A streamlined approach would reduce the regulatory burden on operators and County administration and would support investment in the County.
- Many sites complete project scale plans and assessments during the initial MSDP and Land Use planning stages. It is not necessary or appropriate to update plans every five years unless there is a change in circumstances that might warrant an update of such reports. There should be a standard process for all pit renewals to provide business certainty.
- It is unrealistic to expect ongoing operations to cease if new studies and performance measures cannot be met. Investment in the development would have been based on the regulatory framework at the time. Once operations have commenced, continued operations are required to complete the project and ultimately reclaim the property to the approved end land use.

## Country Residential and west Rocky View Agricultural Perspectives

- To the extent that a development permit renewal is not proposing any expansion of pit operations or alterations in operations, then it might be reasonable to provide an expedited renewal process



for pit operators with clean compliance records. However, the risks of scope creep are too serious to provide a blanket expedited process for all renewals. When a pit is expanding into new area, technical studies need to be updated to reflect the new area. If a pit is proposing to change its operations, e.g. adding gravel washing, the impacts of any operational changes need to be properly evaluated.

- It is also critical that development permit renewals of existing gravel pits be brought into compliance with new performance standards and other provisions in the ARP once it has been approved.

## **10. Respect for Property Rights**

Members had some discussions on property rights.

### **Industry Perspective**

- Regulatory certainty and the ability to recognize value from their property is critical to supporting investment in the County and province. In many instances, individuals and/or corporations have made the decision to purchase property in Rocky View County with an intention to develop aggregate resources and realize their value. These investment decisions were based upon an understanding of the regulatory scheme related to aggregate development at the time. New regulations, including setbacks and/or locational criteria, can sterilize millions of dollars of aggregate reserves and deprive landowners of their property rights to mine and sell their gravel.
- Property rights are a critical component in the development of a prosperous and thriving economy. As written in a Fraser Institute paper, the regulatory taking of a person's property constitutes a severe loss and a very significant interference with a citizen's private property rights which are critical in promoting freedom and economic activity.

### **Country Residential & west Rocky View Agricultural Perspectives**

Three types of property rights should be identified:

- 1) The right of property owners to choose to extract aggregate from their property, subject to adherence with land use regulations.
- 2) The right of property owners to choose to pursue other forms of development on their property (residential, commercial, or other), whether or not potential aggregate deposits may be present, also subject to adherence with land use regulations.
- 3) The right of property owners to peacefully enjoy their property without being subject to disturbing or harmful impacts from surrounding properties.

## Appendix: Gaps in the 2018 ARP as Identified by Committee Members

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. Throughout subsequent meetings members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

### East Rocky View Agricultural Perspective on ARP Gaps

- Alberta Transportation and County pits should follow the same rules. Transparency is important, for example in reclamation.
- Education by RVC and industry about the process is important – people truly don't understand.
- Would like to see phasing clarified in the document.
- Extending the life of old pits.
- Setbacks- identify more clearly that Council can change setbacks.

### Country Residential and west Rocky View Agricultural Perspectives on ARP Gaps

- Overall, the ARP needs to be clearer. There are four themes:
- Location: Where in the County is development explicitly prohibited and where is development allowed? ARP is skewed to protect the resource. There was no exploration of cost and benefit of development.
- Balance: There was a sense that the application process is not balanced between landowners and operators.
- Application Process: It seems like a checklist and that administration looks to see if the report was done and not at how good the information is. Process felt superficial and misleading. (when a community opposed the Scott development they hired experts who found gaps in the quality of the proponent's reports). There was no funding for stakeholders to do their own studies. There was distrust from residents about admin. Needs to be consideration of documents not provided by the proponent.
- Enforcement: the current process is complaint based. Need funding for enforcement.
- Residents want consistency and certainty.
- Would like to see GIS mapping for the full County.
- Recognise diversity around the County with different setbacks.
- Policy 6.4 Denies property owners to develop anything non aggregate. The bias is in favor of aggregate.
- The ARP is comprehensive.
- Some applications were approved by Council entirely on what the applicant provided- there was no other digging for more information.
- Applications are ad hoc. Would like to see them in a more orderly and thorough fashion.
- RVC needs independent experts to adjudicate opposing interests.
- Important to look at cumulative effects of an application - this is not properly developed in the ARP.
- There's work to be done on environmentally sensitive areas. Studies need to be more comprehensive. There are regional aspects to the environmental impacts of development.

- The plan has no definition of what constitutes a risk.
- Consider cumulative effects of pit development on sensitive areas.
- Landowners may not have the resources to come up with the technical information versus what companies have.
- Consider traffic impacts – what are the cumulative effects for traffic?
- The ARP does little to look at balancing the rights of property and the opportunity to develop.
- Everyone operates on their own ‘island’. Can industry share infrastructure?
- Reclamation
- County can look at areas that are vulnerable to development
- ARP should remove uncertainty.
- When there are opposing technical research reports, err on the conservative side.

### Industry Perspective on ARP Gaps

- There are competing interests. Industry would be happy to have more performance standards.
- Certainty of supply is important to industry. The map largely overestimates the supply of gravel in RVC. Wouldn't want to potentially sterilize land for aggregate development.
- Public education is important.
- Process: important not to require duplicate processes. Alberta Environment does have the expertise to assess technical reports.
- Important to recognize this is a non-renewable resource.
- Need caution in affecting property rights and values with setbacks.
- Doesn't feel that the plan favours industry.
- The map and areas of potential aggregate needs to be revised.
- The ARP doesn't have enough to protect aggregate
- Prescribed performance standards should be used over setbacks.
- Use robust technical information to protect standards.
- Processing of aggregate is where setbacks are need – the aggregate resource is too valuable to eliminate by setbacks.
- How to protect landowners rights – the ARP has no mention of landowners
- Some land isn't viable for agriculture and is used mainly for pasture. Landowners should have more right to realize the potential of the land. Reclamation can improve land.
- Grandfathering provisions.
- Fixed set of requirements may not be practical. The process should allow for some flexibility. For example, a pit extension that is close to a project has been delayed in the application process, but not because of opposition.



ROCKY VIEW COUNTY

# WHAT WE HEARD REPORT

***Aggregate Resource Committee  
Recommendations***



# ENGAGEMENT SUMMARY

The County's Municipal Development Plan (County Plan) requires the County to develop an aggregate extraction policy and management plan.

To guide development of this plan, the County formed an Aggregate Resource Plan Stakeholder Advisory Committee comprised of country residential residents, agricultural operators, and aggregate industry professionals.

The Committee met regularly from August 2023 until April 2024 and released their findings in a final report. The report is split into two parts; Part 1 lists a set of six Committee Recommendations for the County to consider. Part 2 lists a number of issues where consensus could not be reached and provides a summary of the discussion and different perspectives shared by Committee members on each issue.

Following public release of the Committee's final report, Administration hosted an online survey from May 23 to June 14, 2024 seeking feedback on the Committee's process and findings.

The intent of the survey was to gauge the level of public agreement with the six Committee Recommendations, to confirm how well the public felt represented by the Committee, and to provide the public an additional opportunity to indicate their concerns with aggregate development in the County.

**126**

Survey participants

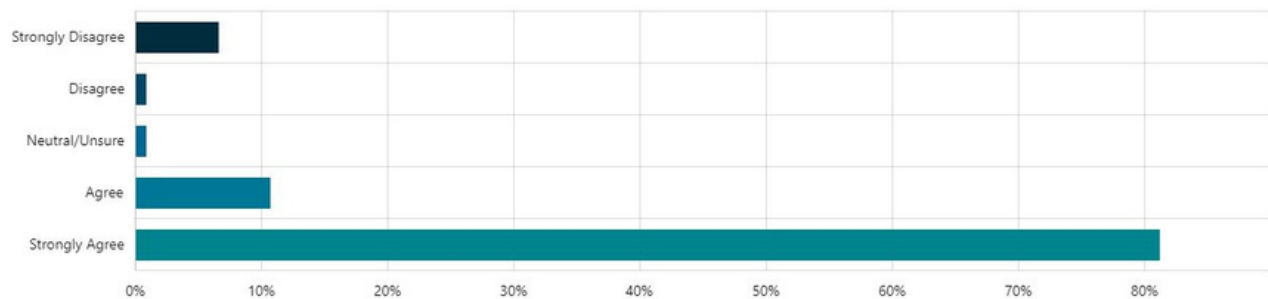
**60%**

Believe their  
perspectives were well  
captured in the report

## PART 1: COMMITTEE RECOMMENDATIONS WITH CONSENSUS SUPPORT

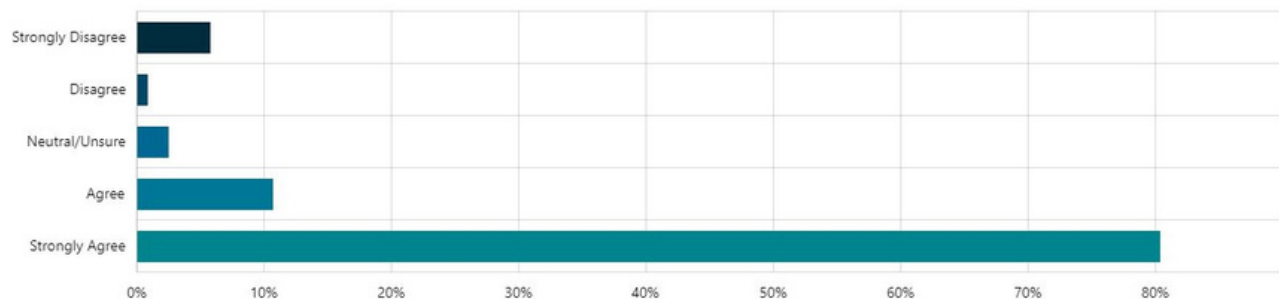
**Recommendation #1:** *That the County develop Performance Standards specific to aggregate development in the County.*

**Response:** 81% of respondents strongly agree with this recommendation, 11% agree, and 7% strongly disagree.



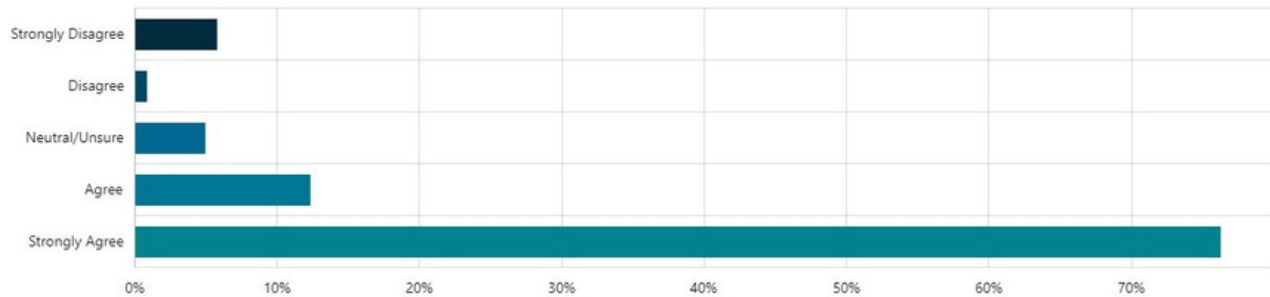
**Recommendation #2:** *That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary.*

**Response:** 80% of respondents strongly agreed with this recommendation, 11% agreed, 6% strongly disagreed, and 2% were unsure.



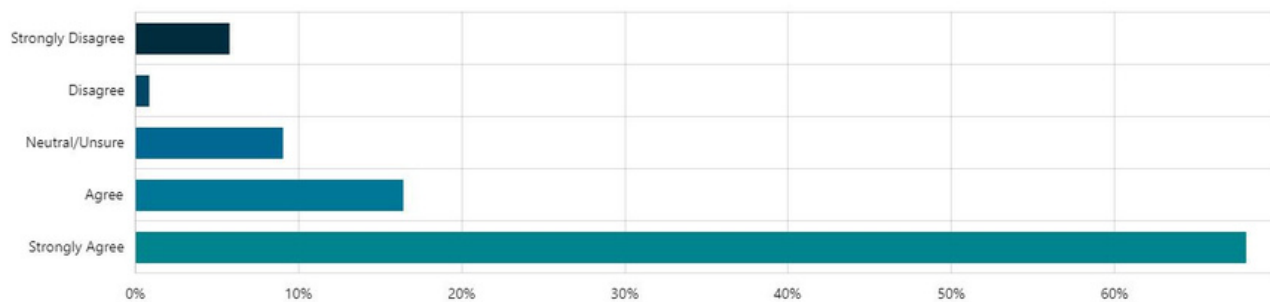
**Recommendation #3:** *That the County develop updated Application Requirements specific to aggregate development applications in the County.*

**Response:** 76% of respondents strongly agreed with this recommendation, 12% agreed, 6% strongly disagreed, 5% were neutral/unsure.



**Recommendation #4:** *That the County develop a publicly accessible online platform dedicated to aggregate development within the County.*

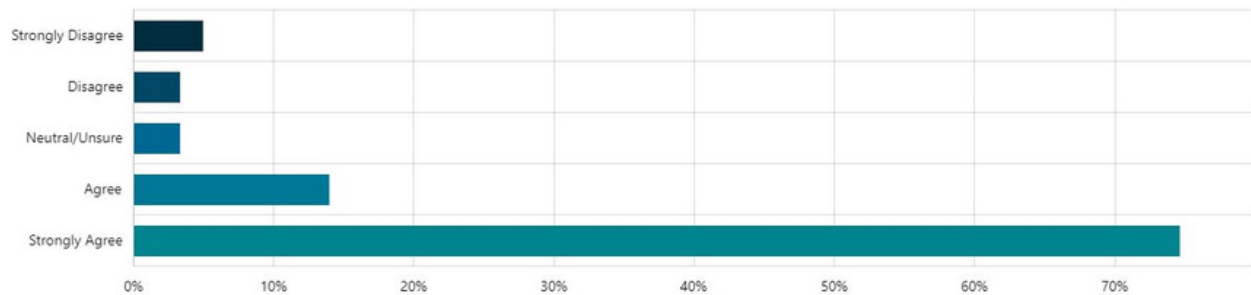
**Response:** 68% of respondents strongly agreed with this recommendation, 16% agreed, 6% strongly disagreed, and 9% were neutral/unsure.





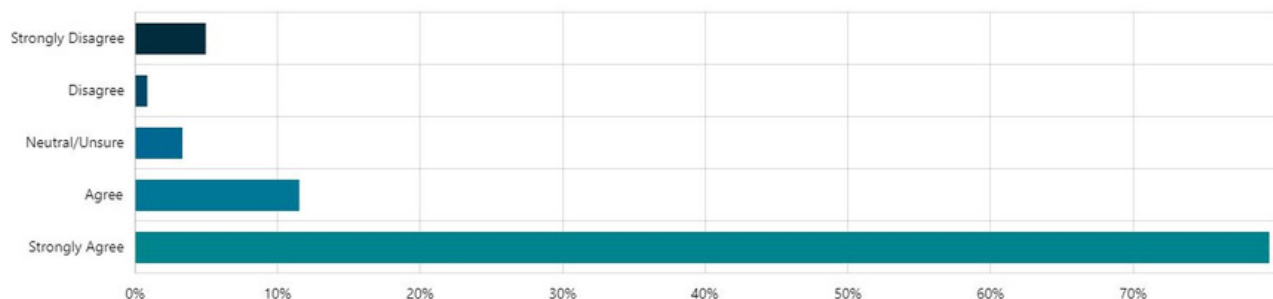
**Recommendation #5:** *That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.*

**Response:** 75% of respondents strongly agreed with this recommendation, 14% agreed, 5% strongly disagreed, 3% disagreed, and 3% were neutral/unsure.



**Recommendation #6:** *That the County write an Aggregate Resource Plan with clear, accessible language.*

**Response:** 80% of respondents strongly agreed with this recommendation, 11% agreed, 5% strongly disagreed, and 3% were neutral/unsure.



## PART 2: COMMITTEE DISCUSSIONS AND AREAS OF NON-CONSENSUS

Committee members discussed several issues on which consensus was not reached. The report provides a summary of the different perspectives shared by Committee members on each issue. These additional topics include:

- **Locational criteria for Aggregate Development**
- **Consideration for Groundwater**
- **Cumulative Effects**
- **Address Environmental Concerns**
- **Recognize Big Hill Springs Park as an Environmentally Sensitive Area**
- **Application Review Process**
- **Economic Assessment of Aggregate in the County**
- **Mapping of Aggregate Resources in the County**
- **Additional Regulatory Actions**
- **Respect for Property Rights.**

**Survey participants were asked:** *Do you agree that your perspectives have been captured in this report?*

Of the survey respondents, 60% felt their perspectives had been captured in the report, 17% did not feel their perspectives had been captured in the report, and 23% of respondents were unsure.



**Survey participants were asked:** *What would you like the County to consider?*

Below are the summarized themes and key findings from the survey:

- 1. Environment:** 38% of respondents expressed concern over the environmental impact that aggregate extraction may cause on the surrounding area, including impacts to air quality, ambient noise, groundwater contamination, and impacts on wildlife and environmentally sensitive areas.
- 2. Setbacks:** 37% of respondents expressed the desire to have minimum setbacks between aggregate extraction operations and residential or community areas.
- 3. Community Impacts:** 30% of respondents expressed concerns about a diverse range of community impacts including dust, noise, sustainability of local infrastructure, additional traffic, and impacts on property values.
- 4. Economic Equity:** 25% of respondents feel that Rocky View County unfairly suffers the majority of direct and indirect impacts due to supplying the region with gravel. There are also questions as to whether there is a demand for expanded gravel operations at this time.
- 5. Monitoring and Enforcement:** 24% of respondents expressed concern about inadequate monitoring and enforcement of aggregate operations in the County. Participants shared that even with regulations, that sites must be monitored more closely, and enforcement action must be stronger.
- 6. Groundwater:** 23% of respondents are concerned by the impacts of aggregate extraction on groundwater, including the potential contamination of groundwater sources and the threat to the stability of the groundwater levels.
- 7. Health & Safety:** 16% of respondents expressed concern over the human health effects of air and water contamination caused by aggregate operations. Issues such as silica dust exposure and metal contamination in water are seen as threats to public health.
- 8. Cumulative Impacts:** 15% of respondents were concerned about the long-term, cumulative effects of aggregate extraction on their community and environmentally sensitive areas.

**9. Community Feedback:** 14% of respondents feel that greater community engagement is needed throughout the approvals process and ongoing operations of aggregate sites to ensure harmonious operation with nearby communities.

**10. Third-Party Expert Review:** 13% of respondents expressed concerns over the neutrality of the parties involved in the approvals process and suggest the need for neutral, third-party involvement to ensure unbiased expert review of technical reports.

**11. Traffic:** 12% of respondents felt that aggregate extraction sites create dangerous traffic conditions along haul routes. Damage to roads and road safety concerns were expressed.

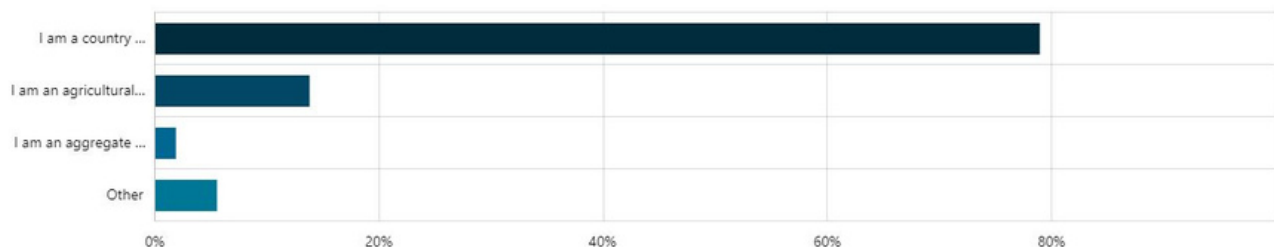
**12. Communication:** 6% of respondents expect stronger communication by the County regarding proposed applications, operating pits, and opportunities for engagement.

**13. Big Hill Springs Provincial Park:** 6% of respondents have specific concerns about the protection of Big Hill Springs Provincial Park due to its fragile ecosystem and proximity to aggregate resource extraction activities.

# SURVEY DEMOGRAPHICS

## Survey participants

Of the survey respondents, 80% identified as county residential residents, 14% identified as agricultural operators or landowners, 2% identified as aggregate industry professionals, and 6% identified as "other."







# THANK YOU

Thank you to all who took the time to share their views, thoughts, and concerns on aggregate resource recommendations provided by the Aggregate Resource Plan Stakeholder Advisory Committee.

The participation of our community is vital to developing balanced and effective regulations. We encourage all interested residents to stay informed on this project's progress by visiting [engage.rockyview.ca](https://engage.rockyview.ca) for updates.



## Aggregate Resource Plan Terms of Reference

### Executive Summary

#### Direction

- Council direction, provided on November 15, 2022, was to develop a Terms of Reference (TOR) for the creation of an Aggregate Resource Plan (ARP).
- On March 7, 2023, the County's Governance Committee approved a set of principles to guide the TOR for the ARP.
- On October 8, 2024, Council approved amendments to the Terms of Reference to define Phases 2 and 3 of the project.

#### Schedule and Deliverables

##### Phase 1: Stakeholder Advisory Committee (Q2 2023 to Q4 2024) (Completed)

- Website updates and memorandums.
- Committee Recommendations.
- Council Report with refined terms of reference and budget adjustment.

##### Phase 2: Drafting and Engagement (Start Q4 2024)

- Communication and Engagement Strategy, materials and reports.
- Draft Performance Standards document.
- Draft Aggregate Site Monitoring Bylaw.
- Draft amendments for application requirements.
- Draft amendments for limited-scope locational criteria.
- Draft Third-Party Technical Review Process document.

##### Phase 3: Council and Calgary Metropolitan Region Board Approvals (Complete Q2 2025)

- Final documents and amendments for approval.

##### Phase 4: Further Actions (Q3-Q4 2025)

- Council report on remaining Committee recommendations.

#### Project Focus

The ARP vision, goals and objectives will be focused on ensuring that:

- clear policy alignment and integration is achieved with provincial and federal legislation, targets and requirements.
- the diversity and importance of the County's communities, landscapes, and natural assets are recognized and respected.
- the requirements placed upon aggregate development are fair and appropriate according to local context and the impacts of the proposed operation.
- collaborative relationships between the County, residents and aggregate operators based on trust and cooperation are developed and maintained.

#### Budget

- An initial budget of \$75,000 was approved to complete Phase 1 of the project.
- Phases 2 and 3 requires a budget of \$40,000 to support third-party review of the drafted performance standards and application requirements.

#### Principal Risks

- Agreement between stakeholders may not be achieved.
- The size and diversity of County will create challenges in setting locational criteria and applying uniform standards.



## Aggregate Resource Plan Terms of Reference

### Direction

- 1 The County's adopted Municipal Development Plan (County Plan) Section 15.0 sets out actions to develop an aggregate extraction policy and management plan. This plan should cover items including location criteria for aggregate extraction sites, appropriate setbacks between aggregate extraction uses and other land uses, and measures to manage site design and mitigate the impacts of aggregate extraction.
- 2 The County Plan's Section 15.0 emphasises the need to consult residents, industry, and stakeholder groups in preparing the plan and policy; it also encourages collaboration between all parties to find agreeable solutions to mitigate the impacts of aggregate extraction.
- 3 This Terms of Reference (TOR) is to guide the creation of an Aggregate Resource Plan (ARP) that aligns with the requirements set out by the County Plan and Council's direction.
- 4 The ARP project will result in an ARP that is sensitive to stakeholder concerns and requirements, responsive to the diverse development conditions that exist throughout the County, and which defines clear locational criteria to guide the development of aggregate resource extraction projects across the County.

### Study Area

- 5 Although the ARP project will be based on providing a County-wide framework of policies, standards and technical requirements, the location of aggregate extraction operations is naturally dictated by the underlying geology and presence of a potentially viable aggregate resource.
- 6 Figure 1 below identifies areas where viable aggregate reserves may be located. It should be noted however that Figure 1 is based on a high-level study of provincial water well borehole data and the availability and quality of the aggregate resource at the identified locations would need to be verified by further local site investigations.
- 7 The quality, type and depth of the aggregate resource is also not homogenous across the County and many identified areas are likely to be unavailable due to crown or land trust ownership, exhaustion through previous extraction activity, or overlying land uses and structures.

### Background

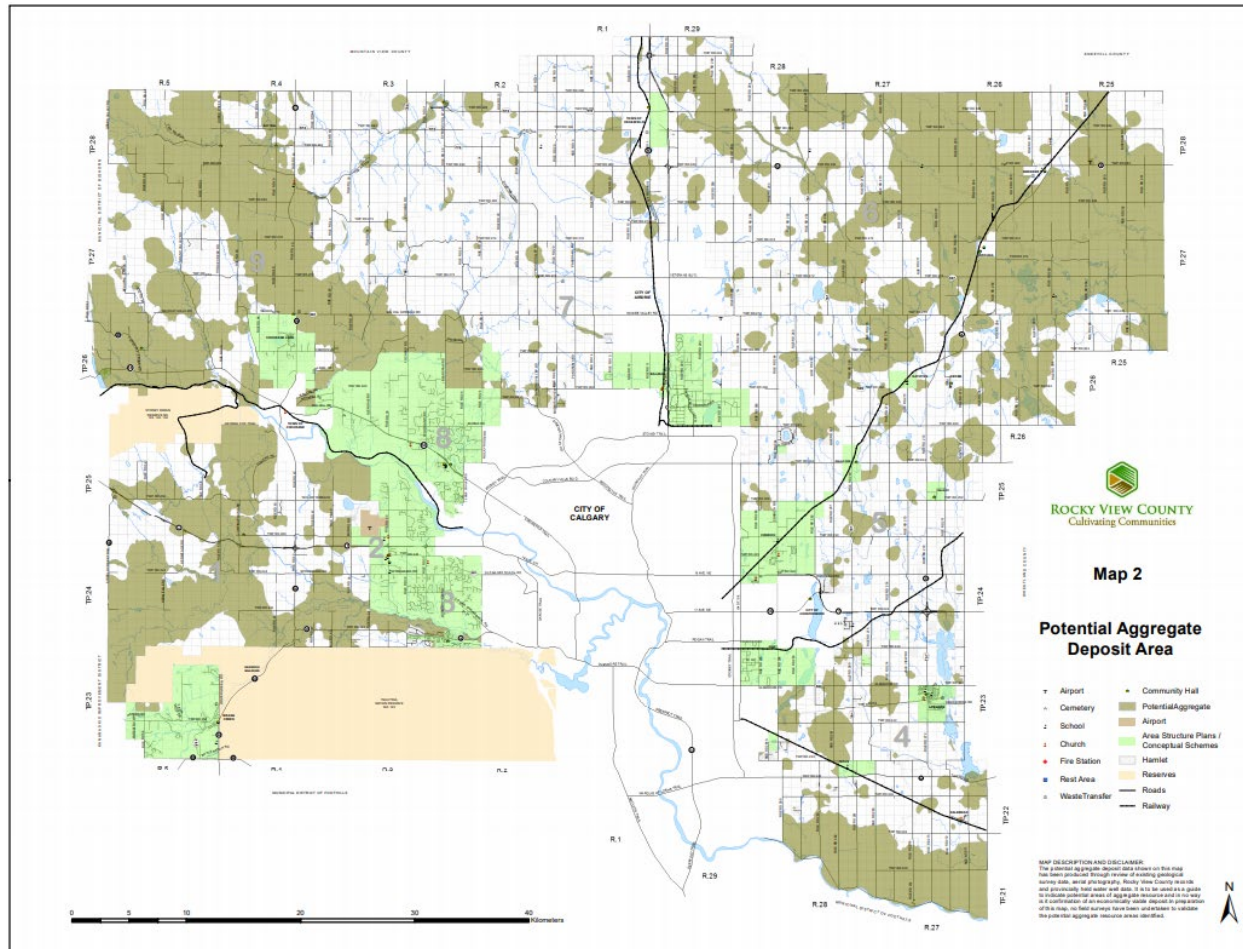
- 8 The previous ARP was developed over a period of four years and made available to the public in February, 2018; however the project was ultimately cancelled in April, 2019.
- 9 The previous ARP will be utilized where appropriate; it contains mapping of the potential aggregate resource, existing sites, and environmentally sensitive areas; it also included an expansive range of technical standards and methodologies based on provincial and federal regulations and best practices.





# Aggregate Resource Plan Terms of Reference

Figure 1 – Rocky View County Potential Aggregate Deposit Area



## Project Principles, Vision, and Goals

### Project Principles

**10** The ARP will be developed around the following principles:

- (1) establishment of a stakeholder advisory committee chaired by an independent third party to provide interest-based recommendations and areas of consensus between stakeholders on identifying appropriate aggregate policies and standards;
- (2) incorporation of locational criteria for aggregate development within the County's Municipal Development Plan, identifying potential areas of the County where aggregate should be supported, restricted, or prevented;
- (3) direction of aggregate extraction sites away from comprehensively planned country residential and hamlet areas;



## Aggregate Resource Plan Terms of Reference

- (4) restriction of environmentally sensitive features, including groundwater resources and provincial parks;
- (5) creation of performance measures and application requirements within a non-statutory planning document;
- (6) creation of general regulations and a standard aggregate land use district within the County's Land Use Bylaw; and
- (7) establishment of an aggregate site monitoring bylaw to facilitate pro-active monitoring of permitted aggregate extraction sites.

### Vision

- 11 In setting a vision for the management of aggregate extraction and processing within the County, the ARP will build upon the vision of the previous ARP draft:

*"The County shall support environmentally sensitive and sustainable aggregate development to meet local, regional, and provincial resource needs, in a manner that balances the needs of residents, industry, and society. Through the establishment of performance standards, and the guiding of new aggregate development towards appropriate locations, the potential for adverse impact on existing residents, adjacent land uses, and the environment will be minimized."*

- 12 The proposed stakeholder advisory committee shall review this draft vision alongside the existing County Plan goals and policies on Natural Resource Extraction (Section 15.0) and shall identify potential revisions and gaps in the vision that should be addressed in preparing the new ARP document.

### Goals

- 13 The ARP project shall use the goals of the previous draft Plan as a baseline, with refinements based on stakeholder and communication feedback throughout the project. Some of the previously created goals are set out below:
  - (1) Ensure that aggregate development is located and developed in an orderly manner that promotes sustainability, and minimizes impacts upon residents, adjacent land uses, and the environment.
  - (2) Minimize impacts of aggregate extraction and processing operations on residents, adjacent land uses, and the environment by outlining measurable performance standards and requirements for aggregate development.
  - (3) Recognize that the potential impacts from aggregate development vary between sites according to their location within the County, and their proximity to dwellings and environmental features.
  - (4) Ensure that the management of aggregate resources within the County is recognized as an important component in any comprehensive land use plan.
  - (5) Acknowledge that other land uses may, in specific instances, take precedence over potential future extraction of an aggregate resource.



## Aggregate Resource Plan Terms of Reference

- (6) Provide transparency and direction in the planning and development permitting processes of aggregate development by establishing a comprehensive list of standard application requirements.
- (7) Implement a proactive process for monitoring and enforcing aggregate development through clear procedures and penalties.
- (8) Ensure ongoing, meaningful consultation with neighbouring municipalities related to any potential impacts from aggregate development on shared boundaries.

### Project Team

- 14 The ARP project will require direction and support from Executive Leadership and Council throughout the project. Furthermore, the project will require substantial resources and internal/external coordination. Below are the Project Team roles and responsibilities:

**Project Sponsor****Executive Leadership Team**

Provide resources, support, and organisational coordination to support the project goals and objectives.

**Project Manager****Manager of Planning**

Set and monitor project direction and deliverable requirements, lead intergovernmental collaboration, and liaise with the Project Sponsor, Council, the Aggregate Resource Plan Stakeholder Advisory Committee.

**Project Lead****Supervisor, Planning Policy**

Coordinate, adjust and complete day-to-day project tasks and timelines.

**Planning Support Team****Planning Department Staff and External Consultant Support**

Undertake project tasks including producing engagement materials, policy drafting, and stakeholder engagement support.

**Technical Support Team****Internal Departments and External Consultant Support**

Engage in the project, provide technical advice, and review as required. Support the adoption of the ARP and the alignment of the document with County policies and processes with the revised MDP.

### Aggregate Resource Plan Stakeholder Advisory Committee

- 15 As directed by Council, the Aggregate Resource Stakeholder Advisory Committee (the Committee) was established in July 2023.
- 16 The Committee completed its work in accordance with the terms set out within Appendix A and the Committee's recommendations are attached in Appendix B.



## Aggregate Resource Plan Terms of Reference

### Schedule and Deliverables

- 17 The project schedule, budget and deliverables will be refined upon completion of Phase 1 deliverables, taking into account the recommendations of the Stakeholder Advisory Committee.

|  |
|--|
| <b>Phase 1: Stakeholder Advisory Committee (Q2 2023 to Q4 2024) (Completed)</b>  |
| <ul style="list-style-type: none"> <li>Website updates and memorandums.</li> <li>Committee Recommendations.</li> <li>Council Report with updated terms of reference and budget adjustment.</li> </ul>  |
| <b>Phase 2: Drafting and Engagement (Start Q4 2024)</b>  |
| <ul style="list-style-type: none"> <li>Communication and Engagement Strategy.</li> <li>Engagement materials and summary reports.</li> <li>Draft Performance Standards document.</li> <li>Draft Aggregate Site Monitoring Bylaw.</li> <li>Draft Land Use Bylaw and Municipal Development Plan amendments for application requirements.</li> <li>Draft Municipal Development Plan amendments for limited-scope locational criteria.</li> <li>Draft Third Party Technical Review Process document.</li> </ul> |
| <b>Phase 3: Council and CMRB Approvals (Complete Q2 2025)</b>  |
| <ul style="list-style-type: none"> <li>Final draft MDP, Land Use Bylaw amendments and Aggregate Site Monitoring Bylaw.</li> <li>Final Performance Standards Document.</li> <li>Final Third Party Review process document.</li> </ul>   |
| <b>Phase 4: Further Actions (Complete Q3 to Q4 2025)</b>   |
| <ul style="list-style-type: none"> <li>Council report assessing options for remaining Committee recommendations.</li> <li>Public platform for sharing information on proposed and approved aggregate sites.</li> </ul>   |

### Project Scope (Phases 2 and 3)

#### A. Aggregate Performance Standards

- 18 The performance standards contained within the February 2018 draft of the Aggregate Resource Plan will be reviewed and updated, incorporating feedback from public and industry engagement, and consultation with provincial agencies.
- 19 The project will explore the potential to scale performance standards according to local context, intensity of the operation, and whether the site is new or existing.
- 20 The following items would not be covered within the scope of the performance standards:



## Aggregate Resource Plan Terms of Reference

- (1) Although site-specific groundwater protection measures and monitoring standards will be explored, including requirements for regular measurement of groundwater levels and composition, a sub-regional study of groundwater impacts on the Big Hill Springs aquifer or Big Hill Creek Watershed, as noted in the Committee Recommendations Report (Attachment A, Part 2, pg. 10) will not be part of the project.
- (2) A comprehensive inventory of Environmentally Sensitive Areas (ESAs) will not be created as part of the project (Committee Recommendation Report Part 2, pg. 12). The project will collate and review County existing records of Environmentally Significant Areas and other environmental reports to support locational criteria and environmental performance standards.
- (3) The standards will not require an application to establish a comprehensive cumulative effects assessment of all uses in an area. They will explore the ability to understand the combination of uses by specific impact type e.g. combined sound level increases from proposal with existing uses in area and impact on existing background ambient noise levels.

### B. Aggregate Site Monitoring Bylaw and Public Information Platform

- 21 The Aggregate Site Monitoring Bylaw will ensure proactive site monitoring of aggregate operations in the County, expert review of submitted operating reports, and appropriate enforcement.
- 22 The Bylaw will be drafted to require that the cost of site monitoring and technical review is largely or wholly recovered by the subject aggregate operator.
- 23 In support of the Bylaw, a process will be established for procurement of a Council-appointed technical consultant to review technical reports submitted in association with approved permit conditions.
- 24 The creation of a public information platform sharing information on existing and proposed aggregate sites, and findings of monitoring visits and reports, will be explored in Phase 2 of the project, but the full scope of this deliverable may have to be determined in Phase 4, once legal and technological complexities are known and addressed.

### C. Aggregate Application Requirements

- 25 Application requirements will be drafted for master site development plans and development permits with the requirements appended to the Municipal Development Plan and Land Use Bylaw.
- 26 Similar to performance standards, the project will explore the potential to scale application requirements according to local context, intensity of the operation, and whether the site is new or existing.
- 27 The application requirements will guide the content of a engagement strategy to be submitted by the applicant. The requirements will identify methods of public and stakeholder engagement to be undertaken prior to application submission, during processing of the application, and throughout implementation of the proposed operation.





## Aggregate Resource Plan Terms of Reference

- 28 In addition to adjacent landowners, the engagement requirements will also include a list of stakeholder groups and agencies that the applicant should be consulting with on applications.

### D. Limited-Scope Locational Criteria

- 29 The project will attempt to create locational policy for inclusion within the Municipal Development Plan to guide aggregate development away from the most sensitive areas of the County. Policy will be explored around the following areas:

- (1) Excluding aggregate from existing County hamlets and country residential areas, with setbacks from the boundaries of these areas.
- (2) Setbacks and other measures in relation to environmentally significant areas.

- 30 Although other general locational criteria will be explored, this will not include the following:

- (1) Setbacks from residential dwellings outside of hamlets and country residential areas.
- (2) Setbacks for residential uses from aggregate development.

### E. Third-Party Review Process

- 31 The project will explore the process for Council to appoint a consultant to independently review technical documents submitted by applicants for Master Site Development Plan and redesignation applications.
- 32 The process will include provision for the charging of applicants for required third-party reviews and will establish when a third-party review is required.

## Project Scope (Phase 4)

### A. Remaining Committee Recommendations

- 33 For those items that are identified within the Stakeholder Advisory Committee Recommendations and Final Report, but do not fall within the scope of Phase 3 above, Administration will present a report to Council following the conclusion of Phase 3, confirming options to address these matters.
- 34 The Council report will also include discussion on potential future actions to address any items within the scope of Phase 3 that were unable to receive approval from Council.

### B. Public Information Platform

- 35 Following work within Phases 2 and 3 to identify options for a public information platform for aggregate development, Administration will commence work to implement this platform.
- 36 If a release of a comprehensive public platform is not able to be implemented before the end of 2025, Administration will investigate delivery of an interim platform utilizing existing County systems (for example, the existing County website).





## Communication and Engagement (Phases 2 and 3)

### Engagement Principles

- 37 A detailed communication and engagement strategy will identify all relevant interest groups within the County, intermunicipal partners, and external stakeholders affected by the planning process outcomes.
- 38 A key focus of the strategy will be to promote trust and collaboration between all stakeholders so that policy solutions can be explored in an open and transparent manner.
- 39 Engagement approaches shall be guided by the recommendations of the Stakeholder Advisory Committee, but shall aim to provide a broad range of opportunities for meaningful stakeholder input and collaboration.
- 40 The strategy will identify how and when to collaborate with our intermunicipal and provincial partners to ensure compliance with provincial acts, regulations and statutory plans.
- 41 The engagement strategy shall be modified as the project proceeds in response to Council direction and stakeholder feedback on the quality of opportunities offered for feedback.

### Council Communication

- 42 Council will be updated throughout the Aggregate Resource Plan project through Council briefings, Governance Committee reports, regular memorandums, and other means that Council sees fit.
- 43 At the end of each project phase, Council will receive a project update with a refined scope for the upcoming project phase that includes the work completed to date, timelines, and key lessons learnt from the previous phases.

### Public and Stakeholder Engagement

- 44 Public and stakeholder engagement will be delivered across a range of in-person and online formats encouraging both group and individual feedback.
- 45 In-person events shall be offered at several locations across the County and, in addition to offering specific events on the project, attempts will also be made to combine engagement opportunities with the Municipal Development Plan project to place aggregate extraction within the broader context of growth management within the County.
- 46 In scheduling engagement opportunities, the project team shall have regard to avoiding core summer vacation months and holiday periods to maximize stakeholder participation.
- 47 Key external stakeholders for the ARP project include:
  - (1) County residents and landowners;
  - (2) Aggregate operators and associations;
  - (3) Environmental and community groups; and
  - (4) Provincial agencies.



## Aggregate Resource Plan Terms of Reference

### Budget

- 48 This Terms of Reference requested an initial budget of \$75,000 for Phase 1 of the project, funded through the Municipal Tax Stabilization Reserve Fund, for appointment of a paid third-party to chair the Stakeholder Advisory Committee.
- 49 For Phases 2 and 3, the Terms of Reference is requesting a budget of \$40,000 to support third-party review of the drafted performance standards and application requirements. The remaining portions of these phases will be accommodated within the existing operational budget allocated to long-range planning staff and services resources.

### Principal Project Risks

- 50 The most significant risks to achieving the project outcomes are set out below:

| Risk  | Response  |
|---|---|
| Agreement between stakeholders may not be achieved through the stakeholder advisory committee or subsequent engagement. | Administration will act quickly to seek direction from Council on the scope of the project to either provide more focused principles for the project or deliver the project outcomes incrementally. |
| The size and diversity of County will create challenges in setting locational criteria and applying uniform standards.  | Administration shall attempt to distinguish between areas where no development is allowed and those which have varying requirements according to the local context and scale of operation proposed. |
| The final Plan does not align with provincial or federal legislation or policy.   | Administration will work with the relevant provincial agencies to ensure that the Plan aligns with both existing and forthcoming provincial requirements and best practice.                         |
| The project deliverables are not achieved within the set timeline.  | Administration will monitor progress on the project and will regularly report to Council, with early action being taken to rectify project delays.  |

### Change Control

- 51 Where the scope, budget, or schedule are required to significantly change due to anticipated or unforeseen risks, Administration shall seek direction from Council on amending this terms of reference. In determining the significance of the change, Administration shall consider the following criteria:
- (1) Cost overruns exceeding any contingency budget amount approved by Council.
  - (2) No extension of the schedule timeline shall be permitted; where delays to the final project completion date are expected, scope or budget changes should be investigated.
  - (3) Scope changes that affect achievement of meeting the project principles.



## Aggregate Resource Plan Terms of Reference

- 52 Where differing stakeholder interests cannot be reconciled through the proposed Stakeholder Advisory Committee or subsequent engagement, consideration shall be given to delivering the components of the Aggregate Resource Plan incrementally, subject to direction from Council.



Approval Date

•

Replaces

• n/a

Lead Department / Service Area

• Planning / Community Services

Approval Body

• Council

### Definitions

- 53 In these terms of reference, the following definitions apply:

- (1) **“Board and Committee Code of Conduct Bylaw”** means Rocky View County Bylaw C-7855-2018, the *Board and Committee Code of Conduct Bylaw*, as amended or replaced from time to time.
- (2) **“Compensate”** has the same meaning as in Council Policy C-221 *Board and Committee member Compensation and Reimbursement*.
- (3) **“Council”** means the duly elected Council of Rocky View County;
- (4) **“Member”** means a person appointed to a Board or Committee;
- (5) **“Procedure Bylaw”** means Rocky View County Bylaw C-8277-2022, the *Procedure Bylaw*, as amended or replaced from time to time; and
- (6) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Approval Date



## Aggregate Resource Plan Terms of Reference

### Appendix A: Aggregate Resource Plan Stakeholder Advisory Committee Terms

**54** As directed by Council, the establishment of an Aggregate Resource Stakeholder Advisory Committee (the Committee) is key to the project's success.

#### Purpose

**55** The purpose of the Committee is to provide recommendations on the creation of an Aggregate Resource Plan to Council. Council has not delegated any decision-making ability upon the Committee; however, the Committee shall attempt to:

- (1) Agree upon principles and approaches to guide the Aggregate Resource Plan which reconcile the interests of residents, landowners, aggregate operators, environmental stakeholders and the County.
  - (a) In the event that the Committee cannot achieve agreement, the Committee shall consider areas of particular importance that need to be addressed;
- (2) Identify gaps in the previous Aggregate Resource Plan draft or this Terms of Reference that should be addressed in any new document;
- (3) Suggest areas of improvement that are required to the previous Aggregate Resource Plan draft; and
- (4) Propose desired public and stakeholder engagement methods for the Aggregate Resource Plan project (e.g. frequency, type, location, and timing of engagement).

**56** The Committee's purpose is not to undertake any detailed technical review of the previous Aggregate Resource Plan or to provide technical advice or studies to Council. In this respect, the chair shall ensure that the Committee is within scope and meeting its wider purpose as set out in section 16 above.

**57** The Committee's purpose is temporary and is concluded nine months from the date of the Committee's first meeting.

- (1) The Committee's purpose may be extended for up to three months by resolution of Council.

#### Functions

**58** The Committee performs the following functions:

- (1) In accordance with the Committee purpose, to review this Terms of Reference, the previous draft Aggregate Resource Plan and any other related documents and materials;
- (2) To debate in a collaborative manner, with the goal of reaching consensus on items presented on Committee meeting agendas;
- (3) To provide recommendations on agenda items for collation and reporting by the Chair; and



## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

- (4) To establish interest-based working groups outside of the Committee forum and to distill the interests of those working group members for input into the Committee recommendations.

### Membership

59 The Committee consists of the following members:

- (1) One independent third party who serves as chair; and
- (2) Six members with the following backgrounds:
  - (a) Two County residents from an agricultural background who live outside an area structure plan or conceptual scheme area;
  - (b) Two County residents from a country residential community or hamlet; and
  - (c) Two aggregate industry representatives, reflecting the range of business interests found within the County according to business location, size, and type.

60 Administration will advertise for persons interested in being appointed to the Committee.

61 Members are appointed by Council.

62 A member's term lasts for the duration of the Committee's mandate. Any vacancies that occur may be filled by a resolution of Council.

63 Members are subject to the *Board and Committee Code of Conduct Bylaw*.

### Administrative Support

64 The Committee is supported by the following members of Rocky View County Administration in a non-voting advisory capacity:

- (1) Executive Director of Community Services;
- (2) Manager of Planning; and
- (3) Legislative Officer, Legislative and Intergovernmental Services.

65 The Manager of Planning is the liaison between the Committee and Administration.

### Chair

66 The chair:

- (1) Drafts and manages agendas and meeting schedules in consultation with Administration and other Committee members;
- (2) Presides over meetings and facilitates discussion of agenda items;
- (3) Records meeting outcomes and Committee recommendations;
- (4) Reports on progress of the Committee to Council at regular intervals;



## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

- (5) Provides a final report approved by the Committee to Administration outlining the recommendations of the Committee and areas of agreement or disagreement; and
  - (6) Partners with Administration in presenting the recommendations of the Committee to Council.
- 67 The Committee has no vice-chair. If the chair is unable to attend the meeting, the meeting is cancelled.
- 68 The chair shall be appointed by Council with assistance and recommendations from Administration following a nomination process undertaken in accordance with all applicable rules and regulations. Criteria for selection of a chair includes:
- (1) Facilitation experience and qualifications;
  - (2) Previous chairing experience in a committee/board environment;
  - (3) Cost and availability;
  - (4) Familiarity with the subject area, Rocky View County and municipal government processes; and
  - (5) The absence of any conflict of interest.

### Meetings

- 69 The Committee meets at least once a month and on an as-needed basis.
- 70 The chair will establish the meeting dates and times, in conjunction with Administration and Committee members.
- (1) Meetings shall be held at County Hall during regular business hours (between 9.00 and 17.00 hours).
- 71 Meetings are not subject to the *Procedure Bylaw*.
- (1) The chair may consult the *Procedure Bylaw* for guidance at the sole discretion of the chair.
- 72 Meetings are open to the public and are publicly livestreamed.
- 73 Meetings are informal and discussion is managed through the chair.
- 74 Agendas are made available to the public at least three business days before the meeting.
- 75 The Committee may hear presentations from Administration but does not hear presentations from other parties.
- 76 Quorum for the Committee consists of:
- (1) The chair;
  - (2) At least one member from an agricultural background;
  - (3) At least one member from a country residential or hamlet; and





## Aggregate Resource Plan Terms of Reference

- (4) At least one member who is an industry representative.

### Reporting

77 The chair, in consultation with the Committee, will report to Council and other stakeholders in the following manner:

- (1) Updates on significant milestones or progress made in the Committee discussions should be provided to Council by memorandum; and
- (2) A final report outlining the recommendations of the Committee shall be provided to the County for assessment. Administration shall then prepare a report outlining the Committee outcomes alongside recommended revisions to this Terms of Reference.

78 Records of meeting agendas, schedules, and outcomes shall be available to the public on the County website.

### Budget and Remuneration

79 A budget of \$75,000 is required to compensate the chair in accordance with any agreed contract, and also to pay for any costs to support the work of the Committee.

80 The chair is compensated in accordance with Council's direction or written contract, whichever applies.

81 Members other than the chair do not receive compensation for participation in the committee.

82 Members are reimbursed for incidental expenses as outlined in Council Policy C-221 *Board and Committee member Compensation and Reimbursement*. This includes the chair if incidental expenses are not covered under a written contract.



**ROCKY VIEW COUNTY**

## **Aggregate Resource Plan Terms of Reference**

### **Appendix B: Aggregate Resource Plan Stakeholder Advisory Committee Recommendations and Final Report**

**DRAFT**

# Aggregate Resource Plan Stakeholder Advisory Committee: Recommendations & Final Report

## SUMMARY

This report for Rocky View County Council contains the recommendations and perspectives of the Aggregate Resource Plan Stakeholder Advisory Committee members.

In 2013 the County Plan required the County to create an Aggregate Resource Plan (ARP) that would ensure responsible development of aggregate resources in the County while reducing impacts to residents. This was in response to growing tension between Rocky View residents and aggregate producers. After efforts to adopt the ARP, the project was ended because of non-consensus between residents, the aggregate industry, and Council.

In 2022, with continuing and growing concern about aggregate development, Rocky View County Council relaunched an Aggregate Resource Plan project. A Stakeholder Advisory Committee of individuals representing local perspectives to the complex issue was set. The objective was to have the Committee's report build a foundation for the project based on open dialogue, trust, and a consensus-based approach. In August 2023, the Advisory Committee was formed, with the goal to provide recommendations to Council. The full Terms of Reference for the Committee are available on the County's website.

Council appointed members with balanced representation of different interests, backgrounds, and expertise. Of the six volunteer committee members, two represent Country Residential residents of Rocky View County, two represent Agricultural residents of Rocky View County, and two represent the Aggregate Industry - one from a local, family-owned operator and one nominated by the Alberta Sand and Gravel Association. A third-party neutral Chair was appointed.

A key overall recommendation is that improvement on municipal processes dealing with aggregate is needed. The County needs to lead and be more active in its regulatory responsibility for land use, development, and on-site operations of the aggregate industry. Performance standards need to be established, monitored, and enforced. Industry supports this.

Resident and industry stakeholders want to be part of a productive engagement process with accessible and up-to-date information. Informed and strategic long-term County planning for aggregate development is required. The impact and tolerance of aggregate development differs throughout the County. Environmental, groundwater, and cumulative effects are significant concerns for residents in the west part of the County.

## STAKEHOLDER ADVISORY COMMITTEE PROCESS

Committee members met ten times between August 15 and March 15 participating in seven in-person meetings, two online meetings, and an aggregate site tour. Committee meetings were open and accessible to the public. Initially, meetings were held in the Council chamber and publicly streamed. However, the Chair found that the formal setup inhibited active and engaged free-flowing conversations. Meetings were moved to a board room and livestreamed. Summary notes of each meeting were posted on the County website alongside a recording of each meeting.

Committee members formed interest-based working groups, which met outside of the formal Committee setting. They met directly with approximately 50 residents from different backgrounds and relayed that input at monthly Committee Meetings. Industry was in close contact with the Alberta Sand & Gravel Association (ASGA) and have provided resources and discussion points to the Committee.

The Committee process was designed to be collaborative, and interest-based. Interests are the underlying hopes, values, concerns, and motivations that drive actions. Discussions based on understanding and respecting the interests of all parties is a solid step in collaborative consensus building. Committee members were deeply committed to their role; conversations were open, honest, and respectful. Members' broad interests were discovered to be mostly aligned. These were:

- A need for consistency, certainty, and clarity on requirements for future development in the Aggregate Resource Plan.
- Improved performance standards for industry.
- Protection for environmentally sensitive areas.
- Responsible aggregate operations with effective compliance, inspections, and oversight.
- Good communications with stakeholders.
- Residents want confidence in technical decisions.

Interests differed greatly regarding appropriate Locational Criteria for aggregate development in the County. The varying perspectives are presented in Part 2 of the Report.

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. These gaps, identified in the September meeting are included as an appendix. Throughout subsequent meetings, members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

**ARP Project Engagement:** The Committee requests that all future public and stakeholder engagement regarding the ARP project is held separately from other engagement initiatives. This is an important subject and deserves dedicated engagement opportunities. The Committee defers specific details and planning of all future public and stakeholder engagement to County Administration.

**Report Format:** The report is in two parts. Part 1 contains the committee recommendations arrived at with consensus support. Part 2 includes the additional topics of committee discussions, and the various perspectives of members on those topics.

# Part 1: Committee Recommendations with Consensus Support

## **A. Performance Standards for Aggregate Development**

### **Recommendation #1: That the County develop Performance Standards specific to aggregate development in the County.**

Rocky View County should develop reasonable and appropriate Performance Standards specific to aggregate operations across the County. All new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications shall comply with these Performance Standards.

The County should periodically review the Performance Standards to ensure they are aligned with evolving industry best practices and that they are effectively mitigating offsite impacts.

County operated pits should be held to the same set of Performance Standards and the County should advocate to the province that provincial pits adhere to these performance standards when operating within Rocky View County.

Reasons: The Committee agrees that consistent application of fair and enforceable Performance Standards should be applied to all aggregate operations in the County to mitigate offsite impacts.

## **B. Proactive Monitoring, Reporting and Enforcement by the County**

### **Recommendation #2: That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary.**

Rocky View County should accept its role as an active and responsible regulator of aggregate operations. The County should adopt a Site Monitoring Bylaw that outlines a framework for monitoring, reporting, and enforcement that will hold aggregate operators in compliance with the new Performance Standards and other County regulations. This monitoring and enforcement framework should include procedures to conduct regular site visits and inspections, expert technical review of regularly submitted operating reports, timely response to enforcement related complaints, and take appropriate enforcement actions should an operator be in contravention of Development Permit condition(s).

Reasons: The Committee understands that the County currently monitors and enforces Development Permit conditions strictly by means of a complaint-based system. Unless a development related complaint is received, the County does not proactively monitor aggregate development through site visits or conduct expert review of operating reports at the time of submission. It is noted that annual reports and the compliance record of each aggregate site are to be reviewed and considered at the time of Development Permit renewal.

The Committee supports effective regulation of aggregate operations in the County. Residents want confidence that the resource is well managed. Industry committee members stated that it would be beneficial to have the County take on the role of providing a transparent complaint process, resolving disputes, monitoring operations, overseeing industry reporting, and enforcing compliance. All members agree that the County needs to have access to technical knowledge (third-party review) to effectively evaluate operating reports and data, and to provide bylaw services for on-site evaluations and enforcement.

**Recommendation #3: That the County develop updated Application Requirements specific to aggregate development applications in the County.**

Rocky View County should amend existing statutory plans and the land use bylaw to include detailed and specific Application Requirements for all planning and development applications related to aggregate extraction. Applications should be reviewed for both quality and completeness. It is acknowledged that County Administration's discretion should be appropriately applied when reviewing applications.

The Application Requirements should list the minimum submission requirements for new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications. County Administration should only proceed with a Development Permit recommendation when the application has been deemed complete.

Reasons: A set of defined application requirements will provide clarity and consistency for both applicants and the public, allow County Administration to reference consistent application criteria, and increase public confidence in the approvals process overall.

**C. Improved Transparency and Communication**

**Recommendation #4: That the County develop a publicly accessible online platform dedicated to aggregate development within the County.**

Rocky View County should develop a publicly accessible digital portal on the County website that provides information on all active and proposed aggregate sites in the County, including its geolocation and all approved or pending Master Site Development Plan(s) and Development Permit(s).

For all approved aggregate operations in the County, a compliance report should be available on the digital portal. This report should include an active record of monitoring activities undertaken by the aggregate operator or County, list all exceedances and contraventions by the operator, and list the remediating activities taken for each infraction reported. It is noted that all publicly posted information shall comply with the Freedom of Information and Protection of Privacy (FOIP) Act.

Reasons: The Committee feels that transparency with the public is a necessary step in fostering trust between aggregate operators, residents, and the County. Comprehensive and publicly available reporting on aggregate development activities and the monitoring and enforcement actions taken by the County would improve public confidence in the regulation of the resource.



Other: Some committee members suggest that continuous monitoring of noise and air quality data be required at prescribed locations at site boundaries. Committee members were agreed that data transparency is important, though some members cautioned that public access to such data could lead to nuisance complaints. They arrived at requesting that administration evaluate how to make continuous data available in a useful and practical way.

**Recommendation #5: That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.**

As an additional Application Requirement, Rocky View County should require aggregate operators (the applicant) of all new Master Site Development Plans and Development Permit applications (including renewals) to demonstrate they have appropriately notified and engaged an expanded list of interested parties to their proposed development. The applicant should demonstrate how public feedback has been considered in the proposed site design and operations. The Master Site Development Plan should include a summary of these engagement activities.

The County should create and maintain an expanded list of interested parties (in addition to the required circulation radius) to assist industry in reaching the appropriate public audience during their engagement.

The engagement process should be inclusive, transparent, and solution focused to foster trust between residents, landowners, and industry. The engagement process must allow sufficient time for stakeholders and affected parties to meaningfully respond to the proposed project.

Reasons: Defining appropriate communications, expectations and engagement responsibilities of industry, residents, and the County, and establishing a process that all parties can easily understand and participate in can assist in reducing potential conflict. Improved responses to concerns and appropriate follow-up is needed.

**Recommendation #6: That the County write an Aggregate Resource Plan with clear, accessible language.**

The Aggregate Resource Plan and all supplementary bylaws and regulations should be written in a neutral and balanced tone, using clear and concise language, and providing objective information. All policies and regulations adopted by the County should include the important technical requirements but should also be accessible and reader-friendly to a non-technical audience. The ARP and supplementary documents can serve as an educational resource that is relatable to the public.

Reasons: Clear, concise, and easily readable information can improve mutual understanding of the issues surrounding aggregate development and build trust amongst all parties throughout the aggregate development process.

## Part 2: Committee Discussions and Areas of Non-Consensus

Committee members discussed topics on which they did not have consensus. Part 2 contains the various differing perspectives shared by the country residential, agricultural, and industry members for each of these key topics discussed.

**Please note: The observations listed under the various ‘Perspectives’ headings are the points of view, opinions, and experiences of the identified committee members. These perspectives have not been verified by the County to determine their validity.**

### 1. Locational criteria for Aggregate Development

Discussion: Committee members did not expect to find consensus on the topic of locational criteria (i.e., where aggregate development should be located); they participated in respectful and spirited discussions on the differing points of view, outlined below. They understand that it is important that the County coordinates all land use planning, including residential plans with their plans for aggregate.

Background: The committee members from west Rocky View question the ability of industry to minimize impacts with performance standards alone. Their view is that industry should not be left to self-regulate through best practices, and that physical separation of aggregate development from incompatible land uses is the only effective means of mitigation.

The industry members and the agricultural member from east Rocky View believe that offsite impacts to adjacent land uses and local residences can be effectively mitigated through reasonable performance standards, monitoring, and enforcement. Industry believes that there was shared understanding in the committee that mitigation measures can be effective. They state that those measures can be used to responsibly develop close-to-market aggregate deposits which are in limited supply.

#### East Rocky View Agricultural Perspective

- New Country Residential development should not be allowed near existing aggregate extraction sites. The County should also not approve Country Residential in areas where there are known gravel deposits. The ARP should not discriminate and indicate that some areas are more important than others, the ARP should cover the entire County equally, and one residence is as important as several residences. Some residents are not more deserving than others, and the bylaw should be uniform across the County.
- There are landowners who have aggregate extraction on their land. A member stated that the large agriculture landowners in the County do not want their land sterilized. The positive value of aggregate to large agriculture operators should not be dismissed as being unnecessary. Landowners who wish to harvest aggregate and work with industry should not be penalized and lose value of a natural resource.

## Country Residential and west Rocky View Agricultural Perspectives

- A map provided in the 2018 ARP report suggests an abundance of aggregate resource supply in the County relative to future demand of the region. Aggregate operations exist in all parts of the County and in all surrounding jurisdictions. Some cities (e.g., Edmonton), successfully source aggregate from more than 300km away by rail. Aggregate is not a scarce resource and Rocky View County can supply its share of the gravel demand in Calgary and region for the next 200 years with just 3% of the County's land area.
- The Terms of Reference for the ARP and some committee members recognize that the costs and impacts of aggregate development vary throughout the County based on proximity to population and environmental features. Impacts are greatest where population density is higher or where environmental sensitivity is greater, and this varies throughout the county. They note that the committee commented on the diversity within the county; therefore, it's appropriate for the ARP to reflect this diversity.
- Aggregate development lasts for decades and is a permanent land use in the timeframe of an individual's home ownership, or childhood, or retirement. The impacts are substantial. These members state that facts show that aggregate operations release carcinogenic dust. They also point out that aggregate operations generate disruptive noise that is inconsistent with country residential life, can impact ground and surface water, and can permanently alter landscapes. They believe that human health is put at risk, and that many impacts are irreversible.
- There are impacts that are not contained within site boundaries (e.g., images of dust plumes escaping local pits were shared) and they assert that separation is the only effective mitigation. Physical separation from conflicting land uses is required. Setbacks to protect landowners in proximity to pits as well as effective monitoring, enforcement and meaningful penalties for non-compliance are critical. It is not possible to minimize impacts with performance standards alone, and that standards are often breached. They cited examples of aggregate industry violations observed in Rocky View County (e.g., required noise mitigating berms not constructed, mining outside of approved areas, dust plumes escaping pit boundaries, etc.) and across North America (e.g., a single aggregate operator, active in the Rocky View region, fined for more than 700 environmental and health violations in 25 years). These members will provide those examples if requested.
- Given the size of the County and the widespread location of aggregate throughout the County, administration and council have the ability and the responsibility to locate aggregate development in the least impactful areas of the County. By separating aggregate development from conflicting and valuable land uses, including the most environmentally sensitive areas and the areas of highest population density, the County can minimize the negative impacts and costs. This separation should include both explicitly prohibited areas for aggregate development (such as within Area Structure Plans), as well as clear setback distances that vary based on proximity to environmental features and population density.
- Greater consideration must be given to post-reclamation land uses as part of aggregate applications; it is not sufficient to simply say that the land will be reclaimed to its former use or to a higher value use. The viability of returning land to its former use post-reclamation must be assessed as part of the land use application, so that aggregate extraction does not sterilize other important land uses.
- The ARP should not be used to circumvent well-established land use planning principles regarding pre-existing land uses and separation of conflicting land uses. The ARP should not allow for the

County's intentional land use objectives to be circumvented, such as those outlined in the MDP and ASPs. Similarly, the ARP should not provide a shortcut for aggregate operations to be permitted in locations explicitly and repeatedly rejected by Council, such as the Scott Property in Bearspaw.

- These members encourage the County to investigate the use of agglomerated development like the Star pit in NW Calgary. Instead of allowing strips of individual pits to operate for 30 years consider focussed, systematic, and intensively developed and agglomerated development. There could be aggregate nodes with agglomeration of development into certain areas that would have a relatively short life extraction.

## Industry Perspective

- Unlike other forms of development, aggregate is not relocatable since its location is based on geological conditions. Mitigation strategies can be used to minimize potential impacts to surrounding land users.
- The aggregate supply in the County is not as abundant as the map within the 2018 ARP report depicts. The map provided in the 2018 ARP grossly over-emphasizes the location of aggregate in the County and was created using flawed methodology and poor-quality sources. Industry presented a separate map which illustrated a scarce resource supply in the County. Water well logs were used to generate the map which are frequently inaccurate and cannot be relied upon to accurately predict the extent or commercial viability of a deposit. The Beiseker area has been a good source of aggregate for many years, however it has been depleted with many of the pits reclaimed. Available exploratory testing suggests that there are no viable sources of aggregate between the Beiseker area and the Big Hill Creek area. The only way to understand viability is to complete field-level exploration activities (e.g., drilling, or geophysical surveys). Even if aggregate is present in sufficient quantities, it may be sterilized by other forms of development such as housing, utilities, pipelines, wellsites, etc. Additionally, commercialization of the resource requires that the current landowner is willing to entertain a lease or sale of the property. Viable sources of aggregate are in limited supply, particularly close to the end user.
- In a 2013 survey and report coordinated by the Alberta Association of Municipal Districts and Counties, Rocky View County reported that aggregate was only moderately abundant in the County, and they did not have a strategic aggregate reserve to fulfill future public works maintenance and construction needs over the next 15-to-20-year period.
- The responsible development of close-to-market aggregate sources is key to the sustainability of our province. Every kilometre that a load travels away from site adds an additional \$0.15/tonne to the total cost of aggregate, including the 600,000 estimated tonnes that Rocky View County consumes each year. Producing aggregates as close as possible to the market supports affordability in the housing and construction sectors, minimizes greenhouse gas emissions, reduces infrastructure maintenance needs, and ensures the responsible development of a non-renewable resource prior to permanent development, such as housing. Sterilizing close-to-market resources, through locational restrictions and large setbacks, will create environmental and economic impacts that will increase with further transport distances.
- Due to the relatively low unit value of aggregates compared to other mineral commodities, it is unfeasible to transport from long distances. Another member referenced an aggregate operation that transports aggregates by rail, but that is not common practice in the industry and limited by the existing rail network, availability of aggregate along rail, and quality of the material to warrant considerable price premiums.

- Aggregate extraction occurs throughout the province in various jurisdictions that have either no or minimal setbacks from other land users, including residences. For example, there are active extraction and processing operations within the City of Edmonton and the Town of Cochrane which successfully operate adjacent to numerous residences by implementing mitigation measures and communicating with their neighbours.
- Aggregates are a non-renewable resource, and once land is developed, access to aggregate is forever lost on that site. Alberta's Land Use Policies require that municipalities identify areas where aggregate extraction should be a primary use, direct subdivision and development activity so as not to constrain or conflict with non-renewable resource development, and utilize mitigative measures to minimize possible negative impacts on surrounding areas and land uses within the scope of their jurisdiction.
- Aggregate extraction is a temporary land use. It's responsible to develop this critical non-renewable resource before the area's ultimate land use while the resource is accessible. After aggregate mining has occurred, land must be reclaimed to a capability equal or better than prior to mining. Unique end land uses can be considered to provide community benefits. Some of Alberta's golf courses, lakes, and parks were once aggregate mining sites. These areas provide valuable space for nature and biodiversity post-mining. Operators must provide financial security to fund reclamation liability through the province which is reviewed every five years.
- A major component to the price of aggregates is the cost of transport from pits to market. Access to affordable housing is impacted by cost of aggregates, and thus where aggregates are sourced.
- There is no substantive evidence that suggests aggregate developments are a risk to public health. In Alberta, silica dust is considered an occupational hazard, managed by OH&S. Air quality concerns such as silica dust are carefully reviewed by Alberta Health Services during the application referral process.
- All residents of the County should be treated equally and fairly. Standards should be the same across the County so as not to create different class citizens. Aggregate extraction is subject to a rigorous regulatory framework that includes provincial and municipal oversight. Industry's view is that jurisdictional overlap should be minimized and suggests that provincial regulatory agencies, including Alberta Environment, Alberta Health Services, and Occupational Health and Safety are well suited for reviewing specific scopes for which they have the technical expertise and legislative authority.
- Industry believes that inspection of operations, compliance and enforcement of permit conditions is critical to building trust in any municipality. There was one example brought forward during discussions that confirmed enforcement action due to permit violations, and multiple examples also brought forward of complaints lodged, investigations undertaken, and compliance confirmed by the County".
- Industry members referenced numerous studies relating to their perspectives on this and other topics and will share these studies on request.

## **2. Consideration for Groundwater**

Discussion: On the west side of the County, potential negative impacts on groundwater have become a focal point for residents with the proliferation of gravel operations on the Big Hill Springs aquifer and Cochrane West, and along the Bow River. Residents near Cochrane West operations believe hydrocarbons found in their well originated with the adjacent gravel operation.

### **Country Residential and west Rocky View Agricultural Perspectives**

- Setbacks and provision for adequate residual gravel filtration where pits would operate over the Big Hill Springs aquifer or other significant groundwater resources and important streams and rivers are required. Harm to groundwater could be irreparable. The County should use independent experts for observation wells where prospective gravel deposits overlay groundwater to determine groundwater elevations and quality and regular well monitoring to create baseline data to measure changes and to determine mitigation.
- In submissions to previous County proceedings, residents, Alberta Parks, and environmental groups opposed gravel operations which could impair the aquifer and main spring which sustains the Big Hill Springs Provincial Park and Bighill Creek. They referred to work by a hydrogeologist, Dr. Jon Fennell, supporting their concerns.
- These members are concerned that industry hydrological studies measure only ground water elevations, not water chemistry, which is critical in addressing potential harm to the Big Hill Spring aquifer. They assert that scientific data collection requires time and investment.

### **East Rocky View Agricultural Perspective**

- This area of expertise should be left to Alberta Environment. Consultation with Alberta Environment could address a separate bylaw for water and wildlife concerns.

### **Industry Perspective**

- No impacts to groundwater from aggregate operations in the county or the province have been proven. They view the concerns from other members as unsubstantiated allegations and state that aggregate operations in the County do not operate within the groundwater.
- Industry already completes groundwater impact assessments, including a collection of baseline data such as groundwater levels and chemistry and ongoing monitoring at several sites. This work is completed by third party professional consultants and reviewed by technical experts at the provincial level.
- Several gravel operations in the eastern part of the County are located over sources of groundwater and industry members state that they have not experienced negative impacts on groundwater from these activities. Further, there are thousands of gravel pits in the province of Alberta that are monitored by appropriate provincial authorities to mitigate environmental hazards. Alberta Environment and Protected Areas has issued several Water Act authorizations to gravel pits in Rocky View County that contain monitoring and reporting requirements.
- Industry Committee members do not agree with the validity of the findings of Dr. Jon Fennell, the referenced hydrogeologist. His report has not been peer-reviewed nor used peer-reviewed references. The majority of conclusions contained within the report are unsubstantiated through



proper use of peer-reviewed references and thus represent an opinion. Most significantly, the main reference utilized to support his claim that water quality in sand and gravel aquifers may be impacted by aggregate operations is from a conference submission paper that evaluated the impact of acid rain and bog water on groundwater in areas of gravel extraction in Finland. Dr. Fennell fails to explain that the source of changes to water chemistry in this paper are contaminants present in acid rain which is irrelevant to the discussion in Rocky View County. Industry believes that presentation of these irrelevant facts from a completely different environmental setting is misleading and unprofessional. Multiple independent professional hydrogeologists have studied the aggregate deposit in the local area to Big Hill Creek and the Provincial Park, using field-level data, and have completely refuted Dr. Fennell's concerns. Another hydrogeologist submitted a letter to the County refuting Dr. Fennell's report. Furthermore, the Provincial environmental authorities are not aligned with Dr. Fennell's findings.

### 3. Cumulative Effects

Discussion: Committee members from west Rocky View suggest that evaluation of cumulative effects should be part of the basis for which new pits will be approved or refused in certain areas of the County. They recommend that the County clearly define the requirements for cumulative effects analysis, including temporal and spatial boundaries, minimum radius of the regional study area, and the valued components to be included. They point out that the Government of Alberta Land Use Framework states that: *'Cumulative effects management recognizes that our watersheds, airsheds and landscapes have finite carrying capacity. Our future well-being will depend on how well we manage our activities so that they do not exceed the carrying capacity of our environment.'*

Background: Noise, traffic, and air quality affected by dust from pit operations were expressed as significant concerns for residents living close to the multiple industrial sized aggregate pits in the west part of the County. They described large dust plumes emanating from various large pits and shared anecdotal information about traffic congestion and their increasing safety concerns about the number of large gravel trucks using rural roads.

Reasons: Only one reference to cumulative effects in the 2018 ARP was found, and yet cumulative impacts are a significant concern for residents.

#### Country Residential and west Rocky View Agriculture Perspectives

- The cumulative impacts from these factors have health and safety consequences. They observed that development permits for some 2017 approvals included only a nominal recognition of the potential cumulative effects of those mines, while another pit had no substantive conditions addressing cumulative effects.
- Areas in the County will reach a tipping point where the combined impacts of all pits will exceed the carrying capacity of the environment. The requirements of previous assessments were not clearly defined and, as a result, the assessments were of questionable quality. They are also concerned that these reports are treated as a checklist item rather than as a meaningful criterion for application approval or refusal.
- The County should require continuous collection of air quality and noise data from monitoring stations located at prescribed intervals at the site boundaries of all aggregate pits as well as regular monitoring of groundwater quality and elevations. Raw data should be made available in non-

summarized and non-average format, which would not preclude operators from interpreting and summarizing data in their regular operating reports.

## Industry Perspective

- Cumulative effects are part of the current aggregate extraction development permit application process in the County. Noise, air quality, groundwater, and traffic assessments are completed based on defined methodology which includes a consideration of existing activity in the area and cumulative effects assessment. Aggregate developers must submit technical documents by a qualified professional for each scope.

## 4. Address Environmental Concerns

Discussion: The Committee recommends that the County access an up-to-date inventory of environmentally sensitive areas (ESAs), such as is being done by the Calgary Metropolitan Regional Board. They recommend that the County engage environmental experts to assess ESAs which in the future could be impacted by gravel operations. They recommend that the County understands the interactions of aggregate development with the surrounding environments, including wildlife corridors, and understand the environmental cumulative effects of aggregate development.

## Country Residential and west Rocky View Agricultural Perspectives

- The County needs to take more responsibility for the long-term viability of the natural environment in the County impacted by aggregate development. This is the County's shared responsibility with the province. There must be clear language in the ARP about appropriate setbacks from environmentally sensitive areas with prohibition of pits in proximity to the County's most important environmental assets such as parks, rivers, and major wetlands.
- They recognize that operators require registration from Alberta Environment, under the Code of Practice for Pits. However, their experience is that the Code does not fully considers environmental impacts on groundwater or air quality and that the Code approvals are largely a "check box" exercise.
- In the experience of these members, after a development is approved by the County, landowner concerns regarding regional environmental effects of proposed gravel operations must be pursued through Statements of Concern submitted to AEP under specific regulations such as the Water Act. Achieving standing as a "directly affected party" in AEP reviews has been found to be difficult or impossible. When an opportunity to participate is provided, concerned groups must commit significant time and energy plus funding to engage expert support.
- Some appeals to AEP could be avoided if the County approval processes more fully recognized the potential negative consequences of aggregate development on surrounding ESAs. This requires environmental inventories of potentially impacted areas by independent experts, creation of appropriate setbacks and ongoing requirements for industry best practices if an approval is given. Applications to the County for aggregate developments should require notice and adequate time for participation by environmental stakeholder groups. They further suggest that the County provide some funding to support community interventions in County gravel applications.

## East Rocky View Agricultural Perspective

- Alberta Environment has jurisdiction over the environment, and they should be the consistent voice on these matters within Rocky View County.
- Taxpayers should be offended that they are being asked to provide funding to groups with an individual and inclusive agenda.

## Industry Perspective

- The environmental assessments currently required by the province and Rocky View County evaluate the potential impact of proposed aggregate developments to surrounding land users, including environmentally sensitive features. For example, wildlife assessments include desktop and field level evaluation of wildlife typically present on the site and surrounding area, including wildlife corridors. These assessments identify mitigation strategies that can be utilized to minimize impacts.
- An inventory of ESAs in Rocky View County already exists, and industry suggests that the environmental benefits of pits should also be considered. Aggregate development, particularly at reclamation, can have many positive environmental impacts such as increased biodiversity, the creation of wetlands and wildlife habitat, and improved agricultural capacity.
- Industry members of the Committee recommend the County should endeavor to reduce jurisdictional overlap with the province where possible.

## 5. Recognize Big Hill Springs Park as an Environmentally Sensitive Area

Discussion: Big Hill Springs Provincial Park is a seventy-acre park recognized for its thermal spring and tufa formations. The Park attracts more than 250,000 visitors per year. Contiguous lands, totaling over 1300 acres, held by gravel interests extend from the western boundary of the park for approximately two miles.

## Country Residential and west Rocky View Agricultural Perspectives

- Most of the current aggregate applications and most of the ongoing resident concerns are focused on the Big Hill Springs and areas west of Cochrane. The ARP must address specific issues being raised in these areas. There are now four approved gravel mines enveloping 800 acres near Big Hill Springs Provincial Park. These, plus another 480 acres owned by another gravel company, create a continuous swath for one and a half miles west of Big Hills Springs Provincial Park. ARP policies governing County aggregate applications, approvals, and regulation must be sufficiently robust and clear to locate and manage future developments in other areas.
- Big Hill Spring Provincial Park requires protective setbacks, and significant setbacks and strong emissions mitigation measures for all gravel operations near the park.
- They observe that recent expansion for a pit, located approximately 800 meters east of the park, has resulted in stockpiles and conveyors being visible from the park.
- In addition to potential harm to groundwater, the large concentration and proximity of gravel operations at Big Hill Springs could result in negative cumulative impacts of dust and noise to the park and Bighill Creek, which would impact biodiversity. Wildlife corridors would be physically disrupted by berms and excavations and noise from a string of gravel operations.

- Agglomeration versus Consolidation: these members state that the park will see the worst of all worlds – agglomeration without consolidation. There will be five mines competing for available market and each contributing to cumulative impacts for thirty years. The proliferation of mines with thirty-year extraction lives demonstrates a grossly inefficient resource development model.
- Park visitors could be negatively impacted by the experience of adjacent industrial sites.

### East Rocky View Agricultural Perspective

- As Big Hill Springs Park is a provincial park, any potential issues arising from air, water, excess visitation, and the like should be dealt with through provincial bodies who oversee parks.
- The ARP is a high-level document that should apply to the entire County. Micromanaging the ARP for one area (i.e., the Park) should not creep into this bylaw or into the aggregate rules and process. The County would be entering into provincial jurisdiction by including special attention to the park in the proposed bylaw.
- It is clear some residents have concerns regarding this park and the proximity to aggregate. This should be handled by a separate bylaw by the County that would work with and be crafted in conjunction with the province.

### Industry Perspective

- Setbacks are already in place for ESAs and the Provincial Park. The County has the ESA's mapped, and the province already recognizes ESA's in its review of applications. Additional setbacks are not required. Mitigation measures can be utilized to protect environmentally sensitive areas. The various environmental studies currently required by the province and Rocky View County identify whether adjacent land and water users, including ESAs and Provincial Parks, may be impacted by a proposed aggregate development.
- Gravel pits operate successfully in Banff National Park, Jasper National Park, Kananaskis provincial park and many others. The idea that gravel pits and parks areas cannot co-exist is not supported.

## 6. Application Review Process

### **Determine a means to Develop the Confidence of Residents, Administration and Council in the Analysis of Expert Reports contained in Aggregate Development Applications.**

Discussion: Committee members from west Rocky View involved in past applications lack trust in these expert reports. They have little confidence that the reports had adequate technical review by administration and, as a result, Council was provided with less-than-optimal support for their decision-making. Industry understands the County's current approach in regulatory aggregate development to be one of the most comprehensive of any of the municipalities in Alberta.

### Country Residential and west Rocky View Agricultural Perspectives

- Council receives a lot of information in a short period of time prior to a hearing. This means that it is critically important that Council receives high quality summaries of the complex technical reports that are essential in evaluating aggregate applications.

- To achieve this objective, it is important for Administration to have access to objective, independent expert advice in their review of proponents' technical application information. For example, the County does not have an acoustical engineer, although noise concerns and sound monitoring modelling are important issues in aggregate land use and development permit applications. The same issue exists for groundwater, air quality and other impacts that require complex technical analysis.
- Since it is not financially viable to maintain a full roster of technical experts as part of the County's permanent staff, application fees should cover the costs of contracting third-party experts to review applicants' technical studies.
- The current process has a serious gap that should be drawn to Council's attention. In the existing application process, administration typically only looks at information provided by the applicant. Administration checks applications for the presence or absence of technical reports but does not have the technical expertise or resources to assess the quality or completeness of many of the conclusions provided in those reports. This creates the potential for applications to be recommended for approval despite being inadequate with regards to technical study quality. This gap should be addressed in the ARP to ensure that Council has the best possible information on which to base its decisions.
- With access to independent third-party reviews of applicants' technical studies, Administration could then show how this objective information was considered in their recommendations to Council. This could increase Council's confidence in the decisions that they are making and thereby increase public confidence in council decision making.
- There should also be clear minimum standards for applicants' technical studies. From their experience, these members saw that in some previous applications groundwater, surface water, noise, economic impact, and cumulative effects studies were narrowly scoped, and, as a result, in some cases drew inappropriate conclusions.
- Administration's assessment of applications should clearly distinguish between policy and technical issues to ensure that both are evaluated satisfactorily.
- These committee members also recommend that intervenor compensation and/or capacity funding be provided to residents and other stakeholders to address the imbalance in financial resources between industry and impacted persons. This funding could be provided through fees for aggregate land use and development permit applications. This would enable technical studies to be independently reviewed, and impacts identified. This would assist the County by surfacing balanced perspectives to support more informed decision making.
- The ARP must include sufficiently detailed guidance to ensure that Development Permits fully reflect commitments in the MSDPs and that conditions established in the DPs are easily enforceable.

## Industry Perspective

- Both the province and the County require technical reports to be completed by professional subject matter experts (e.g. professional biologists, agrologists, engineers and geoscientists). These professionals are regulated by their respective professional associations and have an ethical duty to protect the public through objectivity and competent practice. They support and defend their reports through the provincial and municipal review processes, as well as in public hearings.

- All application documents are available for any stakeholders to review and to state their substantiated professional opinion to the County. Industry questions whether 'confidence' can be measured, as typically a layperson simply doesn't agree with the professional information without any basis for defense.
- Some committee members discount the professional review capacity of staff at the County, Alberta Environment and Protected Areas, Alberta Transportation, Alberta Culture, Alberta Health Services, and the Aboriginal Consultation Office. These agencies are all typically involved in the review of a proposed aggregate development. Alberta Environment and Protected Areas has reviewed and issued authorizations to several gravel pit applications in the County.

## **7. Economic Assessment of Aggregate in the County**

Discussion: That the County prepare a comprehensive, independent, objective assessment of the costs and benefits and net economic impact of aggregate development. The assessment should consider all economic benefits to the County that result from aggregate activity and consider all costs to the environment and costs to residents along with all costs to the County of administering, monitoring, and enforcing aggregate development and operations.

Background: Committee members recognize that aggregate has value for roads, building, and other infrastructure development and maintenance. Industry members quoted the use of aggregate per person in Alberta at 12 to 15 tonnes per year. Committee members understand that the County receives approximately \$1,000,000 in annual CAP levies from aggregate operators and that aggregate sites pay municipal taxes and offsite levies, and that aggregate operations hire employees who live in the County and use other County services and businesses.

Reasons: An economic assessment would support an understanding of the economic impact of aggregate for the County and ratepayers, allowing the county to evaluate a cost/benefit analysis specific to the County. Industry members state the information can be used to determine the extent to which existing aggregate sites in the County and elsewhere can meet the expected market demand for the region.

### **East Rocky View Agricultural Perspective**

- There is a positive effect of aggregate extraction for large acreage farming operations, an end-pit lake is an asset to farming and ranching, especially in drought times. The reclamation of farming and grazing land, once aggregate is removed, is a benefit because of the absence of rocks that can damage equipment. Income from aggregate resources paid to the farmers and ranchers assists in offsetting downturns for landowners relying on income from their large-acreage agriculture endeavours.
- The County receives income from offsite levies, the Community Aggregate Payment (CAP) Levy, and land taxes from aggregate extraction. Rebuilding of haul roads to a higher standard is beneficial to industry and residents who also use the improved roads built by industry.

### **Country Residential and west Rocky View Agricultural Perspectives**

- The CAP levy equates to less than twenty-five dollars per resident and they question if the impacts to residents and the cost to the County are justified. They would like to see an economic assessment that includes road repair costs, legal costs, impacts on property taxes and other direct and indirect



costs to the County, and costs to residents. Their view is that many of the benefits of aggregate development occur outside of the County. They state that County fees applied to industry should cover all costs to the County associated with aggregate development.

- Although industry members stress that haul distances must be minimized due to environmental concerns, the real concern is likely higher transportation costs.
- The information from an economic assessment should inform the ARP' s locational criteria for aggregate development within the County.
- The County needs to better understand the fundamental economics of gravel extraction so it can determine appropriate locations and mitigations. These residents question if the County has an obligation to provide relatively inexpensive gravel for the City of Calgary.
- These members are concerned about impacts to residential property values. An international study concluded properties within three miles of an active aggregate pit suffer a negative impact of 5 to 30 percent to their property values. This indicates that in the areas of the County with high population density, a new gravel operation could result in cumulative residential property value loss with more than \$150 million of associated residential property tax loss.

## Industry Perspective

- An economic assessment should include an evaluation of the economic benefits derived from the aggregate industry, including CAP levy generation, payment of municipal taxes, offsite levies, and direct and indirect job creation. An Alberta Sand and Gravel Association report from 2023 describes these benefits in more detail.
- An economic assessment should consider the cost of alternatives to supplying the local and regional aggregate market if close-to-market resources in Rocky View County are sterilized. Unlike the oil and gas industry where alternative energy production methods are being increasingly developed, there is no replacement for aggregates. As such, if close to-market resources are sterilized, aggregate will need to be sourced and transported from further distances. Increased transportation requirements will result in higher costs for aggregates and thus higher municipal and provincial infrastructure costs, a loss of local jobs, and higher greenhouse gas emissions. The County maintains approximately 1,600 km of gravel roads, and an economic analysis should consider the economic impacts to the municipality if regulatory sterilization results in higher costs of materials.
- Supply of construction materials is not optional and is a requirement to sustain our way of life. During the COVID-19 pandemic, aggregate production was one of the industries deemed critical and allowed to continue to operate. The value of construction materials cannot be assessed on a financial basis alone. After water, the most consumed material on earth is concrete, of which >80% is made from aggregates.
- County assessment values can be used to determine if aggregate has had a negative impact on property values.

## 8. Mapping of Aggregate Resources in the County

Discussion: That the County prepare the best possible mapping of aggregate resources to better inform stakeholders in the County and to guide long-term development.

Background: Committee members reviewed and discussed the County map relating to aggregate deposits which was developed during the previous ARP project. They did not reach agreement on the information provided by that map.

Reasons: Some members state that effective mapping would allow the County to understand where potential for aggregate development exists and aid in making informed decisions, so that subdivision and development activity does not conflict with non-renewable resource development. Currently, industry and some committee members don't agree on the information regarding the supply and location of aggregate resources in the County. There is a need for clarity and for achieving the balance of protecting the resource and protecting residents and the environment. Mapping has a role in informing residents and industry where future gravel development might be possible.

### Country Residential and west Rocky View Agricultural Perspectives

- Available mapping and other evidence shows an abundance of aggregate throughout the County. Better mapping will allow the County to be more informed about the relative abundance or scarcity of the resource. This information could inform planning decisions to protect residents and the environment without risking future aggregate supply. The 2018 draft ARP shows a bias to protect aggregate resources for future exploitation. The County has sufficient aggregate resources to supply Calgary and area for over 200 years with just 3% of County land area and for over 500 years with just 7% of County land area.
- Access to the resource should be permissive and based on avoiding negative consequences.
- While there is uncertainty about the quality of mapping that currently exists, other knowledge can inform the ARP before additional mapping occurs, including that:
  - Aggregate operations are currently in operation in all four quadrants of the County and the resource is broadly located across the County.
  - Aggregate operations are active near Rocky View County, including within the City of Calgary, Tsuut'ina Nation, Stoney Nation, and each of the five counties neighbouring Rocky View.
  - Based on demand estimates provided by the Calgary Aggregate Producers Group in 2015, typical supply from current and proposed gravel pits within the County could supply its share of aggregate demand in Calgary and the surrounding area for hundreds of years with a small fraction of County land.

### Industry Perspective

- Updated mapping would need to be considered as guidance only and that awareness of its limitations is important. Without site specific analysis, this mapping does not inform where aggregate development is economic or environmentally appropriate. There is also no guarantee that current owners of these lands wish to see aggregate development, or that future owners will be amicable to such a use. Additionally, other land uses such as houses, roads, utilities, pipelines, and/or well sites may sterilize identified deposits and that granularity is likely difficult to add to any mapping.

## **9. Additional Regulatory Actions**

### **Advocate to improve operations of Provincially owned pits in the County.**

Discussion: The County should use available means to encourage provincial aggregate operations in the County to follow County standards for operating and reclamation.

Background: The Committee members all supported the recommendation that County pits follow County standards. Some Committee members recommend that provincial pits should also follow County standards. They discussed how the same standards could be extended to provincially operated pits in the County.

### **Country Residential and west Rocky View Agricultural Perspectives**

- The County could require that operators who extract from provincial pits follow County standards when they are operating in provincial pits, and that this could be an eligibility requirement to operate in private pits in the County.
- Precedent exists in Alberta regarding reversal and rescinding of resource rights by the provincial government where prior approvals conflicted with residential and/or environmental plans. This could provide a model for the County with regards to previously approved aggregate operations that conflict with a new ARP.

### **East Rocky View Agricultural Perspective**

- The proposed ARP should not add clauses that are unmanageable and unenforceable. Permit conditions cannot be changed on a whim.

### **Industry Perspective**

- Provincially owned aggregate operations are not legislatively required to adhere to municipal bylaws, however in many cases municipal bylaws are being followed. Thus, including details on the regulation of provincial pits in the ARP would not be an effective use of time and resources.

### **Clarity about the Distinct County and Provincial Aggregate Regulatory Roles.**

Discussion: The County and the province have distinct roles and responsibilities for aggregate applications and regulation. Clear information in the ARP for readers about these separate roles in aggregate applications, compliance, and enforcement should be provided.

Reasons: A preamble in the Plan could specifically define the County's responsibility for aggregate development and indicate that the County has shared responsibility for day-to-day monitoring, enforcement, performance standards, and compliance of aggregate operations.

### **Country Residential & west Rocky View Agricultural Perspectives**

- Municipalities have sole responsibility for land use decisions. This responsibility is not shared with the province. To exercise their responsibilities for land use decisions, municipalities must carefully

evaluate all aspects and impacts of gravel operations to determine if the proposed land use is appropriate for the land in question.

- Municipalities also have clear responsibilities to protect both their environment and their resident, which are responsibilities that overlap with the province. The reality of overlapping responsibilities does not remove Rocky View's responsibilities in these areas.

## Industry Perspective

- There are clear jurisdictional roles between the municipality and the province. For example, authorizations related to water use and impacts and reclamation security are clearly the role and responsibility of the provincial government. Road use, for example, is a municipal responsibility. In the case of provincial responsibilities, these are clearly defined, regulated, and enforced accordingly. The municipality should not duplicate effort.

### **Reduce red tape for some pit renewals.**

Discussion: The County could consider using a streamlined approach for pit renewal applications for companies that do not have a record of non-compliance or substantiated complaints from affected stakeholders. Pit renewals would be held to the new standard being implemented by the County.

Background: Under the current situation, operators are required to apply for renewals every five years. Items 9(19) 3 and 7(5)c in the 2018 ARP can be interpreted to mean that when renewing development permits, operators are required to provide all the same technical documentation that a new development permit application requires.

Reasons: The impacts of an existing pit should already be known and subjecting existing operations to new standards and study requirements creates business uncertainty. With correct reporting, good compliance, and no complaints from stakeholders, studies on factors such as noise and air quality should not be required.

## Industry Perspective

- Subjecting existing operations to new studies and standards adds additional cost to the supply of aggregates and creates business uncertainty. A streamlined approach would reduce the regulatory burden on operators and County administration and would support investment in the County.
- Many sites complete project scale plans and assessments during the initial MSDP and Land Use planning stages. It is not necessary or appropriate to update plans every five years unless there is a change in circumstances that might warrant an update of such reports. There should be a standard process for all pit renewals to provide business certainty.
- It is unrealistic to expect ongoing operations to cease if new studies and performance measures cannot be met. Investment in the development would have been based on the regulatory framework at the time. Once operations have commenced, continued operations are required to complete the project and ultimately reclaim the property to the approved end land use.

## Country Residential and west Rocky View Agricultural Perspectives

- To the extent that a development permit renewal is not proposing any expansion of pit operations or alterations in operations, then it might be reasonable to provide an expedited renewal process

for pit operators with clean compliance records. However, the risks of scope creep are too serious to provide a blanket expedited process for all renewals. When a pit is expanding into new area, technical studies need to be updated to reflect the new area. If a pit is proposing to change its operations, e.g. adding gravel washing, the impacts of any operational changes need to be properly evaluated.

- It is also critical that development permit renewals of existing gravel pits be brought into compliance with new performance standards and other provisions in the ARP once it has been approved.

## **10. Respect for Property Rights**

Members had some discussions on property rights.

### **Industry Perspective**

- Regulatory certainty and the ability to recognize value from their property is critical to supporting investment in the County and province. In many instances, individuals and/or corporations have made the decision to purchase property in Rocky View County with an intention to develop aggregate resources and realize their value. These investment decisions were based upon an understanding of the regulatory scheme related to aggregate development at the time. New regulations, including setbacks and/or locational criteria, can sterilize millions of dollars of aggregate reserves and deprive landowners of their property rights to mine and sell their gravel.
- Property rights are a critical component in the development of a prosperous and thriving economy. As written in a Fraser Institute paper, the regulatory taking of a person's property constitutes a severe loss and a very significant interference with a citizen's private property rights which are critical in promoting freedom and economic activity.

### **Country Residential & west Rocky View Agricultural Perspectives**

Three types of property rights should be identified:

- 1) The right of property owners to choose to extract aggregate from their property, subject to adherence with land use regulations.
- 2) The right of property owners to choose to pursue other forms of development on their property (residential, commercial, or other), whether or not potential aggregate deposits may be present, also subject to adherence with land use regulations.
- 3) The right of property owners to peacefully enjoy their property without being subject to disturbing or harmful impacts from surrounding properties.

## Appendix: Gaps in the 2018 ARP as Identified by Committee Members

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. Throughout subsequent meetings members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

### East Rocky View Agricultural Perspective on ARP Gaps

- Alberta Transportation and County pits should follow the same rules. Transparency is important, for example in reclamation.
- Education by RVC and industry about the process is important – people truly don't understand.
- Would like to see phasing clarified in the document.
- Extending the life of old pits.
- Setbacks- identify more clearly that Council can change setbacks.

### Country Residential and west Rocky View Agricultural Perspectives on ARP Gaps

- Overall, the ARP needs to be clearer. There are four themes:
- Location: Where in the County is development explicitly prohibited and where is development allowed? ARP is skewed to protect the resource. There was no exploration of cost and benefit of development.
- Balance: There was a sense that the application process is not balanced between landowners and operators.
- Application Process: It seems like a checklist and that administration looks to see if the report was done and not at how good the information is. Process felt superficial and misleading. (when a community opposed the Scott development they hired experts who found gaps in the quality of the proponent's reports). There was no funding for stakeholders to do their own studies. There was distrust from residents about admin. Needs to be consideration of documents not provided by the proponent.
- Enforcement: the current process is complaint based. Need funding for enforcement.
- Residents want consistency and certainty.
- Would like to see GIS mapping for the full County.
- Recognise diversity around the County with different setbacks.
- Policy 6.4 Denies property owners to develop anything non aggregate. The bias is in favor of aggregate.
- The ARP is comprehensive.
- Some applications were approved by Council entirely on what the applicant provided- there was no other digging for more information.
- Applications are ad hoc. Would like to see them in a more orderly and thorough fashion.
- RVC needs independent experts to adjudicate opposing interests.
- Important to look at cumulative effects of an application - this is not properly developed in the ARP.
- There's work to be done on environmentally sensitive areas. Studies need to be more comprehensive. There are regional aspects to the environmental impacts of development.



- The plan has no definition of what constitutes a risk.
- Consider cumulative effects of pit development on sensitive areas.
- Landowners may not have the resources to come up with the technical information versus what companies have.
- Consider traffic impacts – what are the cumulative effects for traffic?
- The ARP does little to look at balancing the rights of property and the opportunity to develop.
- Everyone operates on their own ‘island’. Can industry share infrastructure?
- Reclamation
- County can look at areas that are vulnerable to development
- ARP should remove uncertainty.
- When there are opposing technical research reports, err on the conservative side.

### Industry Perspective on ARP Gaps

- There are competing interests. Industry would be happy to have more performance standards.
- Certainty of supply is important to industry. The map largely overestimates the supply of gravel in RVC. Wouldn't want to potentially sterilize land for aggregate development.
- Public education is important.
- Process: important not to require duplicate processes. Alberta Environment does have the expertise to assess technical reports.
- Important to recognize this is a non-renewable resource.
- Need caution in affecting property rights and values with setbacks.
- Doesn't feel that the plan favours industry.
- The map and areas of potential aggregate needs to be revised.
- The ARP doesn't have enough to protect aggregate
- Prescribed performance standards should be used over setbacks.
- Use robust technical information to protect standards.
- Processing of aggregate is where setbacks are need – the aggregate resource is too valuable to eliminate by setbacks.
- How to protect landowners rights – the ARP has no mention of landowners
- Some land isn't viable for agriculture and is used mainly for pasture. Landowners should have more right to realize the potential of the land. Reclamation can improve land.
- Grandfathering provisions.
- Fixed set of requirements may not be practical. The process should allow for some flexibility. For example, a pit extension that is close to a project has been delayed in the application process, but not because of opposition.



# Aggregate Resource Plan Terms of Reference

## Executive Summary

### Direction

- Council direction, provided on November 15, 2022, was to develop a Terms of Reference (TOR) for the creation of an Aggregate Resource Plan (ARP).
- On March 7, 2023, the County's Governance Committee approved a set of principles to guide the TOR for the ARP.
- On October 8, 2024, Council approved amendments to the Terms of Reference to define Phases 2 and 3 of the project.

### Schedule and Deliverables

#### Phase 1 Stakeholder Advisory Committee (Q2 2023 to Q4 2023) (Completed)

- Website updates and memorandums.
- Committee Recommendations.
- Council Report with refined terms of reference and budget adjustment.

#### Phase 2: ~~Draft Plan and Engagement~~ Drafting and Engagement (Start Q4 2023)

- Communication and Engagement Strategy, materials and reports.
- Draft Performance Standards document.
- Draft Aggregate Site Monitoring Bylaw.
- Draft amendments for application requirements.
- Draft amendments for limited-scope locational criteria.
- Draft Third-Party Technical Review Process document.
- ~~Engagement materials and summary reports.~~
- ~~Municipal Development Plan section drafts.~~
- ~~Aggregate standards and application requirements.~~

- ~~Land Use Bylaw amendments~~
- ~~Aggregate Site Monitoring Bylaw.~~

#### Phase 3 Council and Calgary Metropolitan Region Board Approvals (Complete Q1 2025)

- Final documents and amendments for approval.
- ~~Final draft MDP amendments,~~
- ~~Final Land Use Bylaw amendments~~
- ~~Final performance measures and application requirements standards~~
- ~~Final Site Monitoring Bylaw.~~

#### Phase 4: Further Actions (Q3-Q4 2025)

- Council report on remaining Committee recommendations.

### Project Focus

The ARP vision, goals and objectives will be focused on ensuring that:

- clear policy alignment and integration is achieved with provincial and federal legislation, targets and requirements.
- the diversity and importance of the County's communities, landscapes, and natural assets are recognized and respected.
- the requirements placed upon aggregate development are fair and appropriate according to local context and the impacts of the proposed operation.
- collaborative relationships between the County, residents and aggregate operators based on trust and cooperation are developed and maintained.
- ~~Minimize the adverse impact of aggregate resource extraction on existing residents, adjacent land uses, and the environment.~~



## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

### Budget

- An initial budget of \$75,000 is ~~required to~~ **was approved to** complete Phase 1 of the project.
- ~~The budget will be used to pay costs for retaining a facilitator to chair the Stakeholder Advisory Committee, and costs for materials and other resources to support the Committee's work.~~
- **Phases 2 and 3 requires a budget of \$40,000 to support third-party review of the drafted performance standards and application requirements.**

### Principal Risks

- Agreement between stakeholders may not be achieved. ~~through the stakeholder advisory committee.~~
- The size and diversity of County will create challenges in setting locational criteria and applying uniform standards.



## Aggregate Resource Plan Terms of Reference

### Direction

- 1 The County's adopted Municipal Development Plan (County Plan) Section 15.0 sets out actions to develop an aggregate extraction policy and management plan. This plan should cover items including location criteria for aggregate extraction sites, appropriate setbacks between aggregate extraction uses and other land uses, and measures to manage site design and mitigate the impacts of aggregate extraction.
- 2 The County Plan's Section 15.0 emphasises the need to consult residents, industry, and stakeholder groups in preparing the plan and policy; it also encourages collaboration between all parties to find agreeable solutions to mitigate the impacts of aggregate extraction.
- 3 This Terms of Reference (TOR) is to guide the creation of an Aggregate Resource Plan (ARP) that aligns with the requirements set out by the County Plan and Council's direction.
- 4 The ARP project will result in an ARP that is sensitive to stakeholder concerns and requirements, responsive to the diverse development conditions that exist throughout the County, and which defines clear locational criteria to guide the development of aggregate resource extraction projects across the County.

### Study Area

- 5 Although the ARP project will be based on providing a County-wide framework of policies, standards and technical requirements, the location of aggregate extraction operations is naturally dictated by the underlying geology and presence of a potentially viable aggregate resource.
- 6 Figure 1 below identifies areas where viable aggregate reserves may be located. It should be noted however that Figure 1 is based on a high-level study of provincial water well borehole data and the availability and quality of the aggregate resource at the identified locations would need to be verified by further local site investigations.
- 7 The quality, type and depth of the aggregate resource is also not homogenous across the County and many identified areas are likely to be unavailable due to crown or land trust ownership, exhaustion through previous extraction activity, or overlying land uses and structures.

### Background

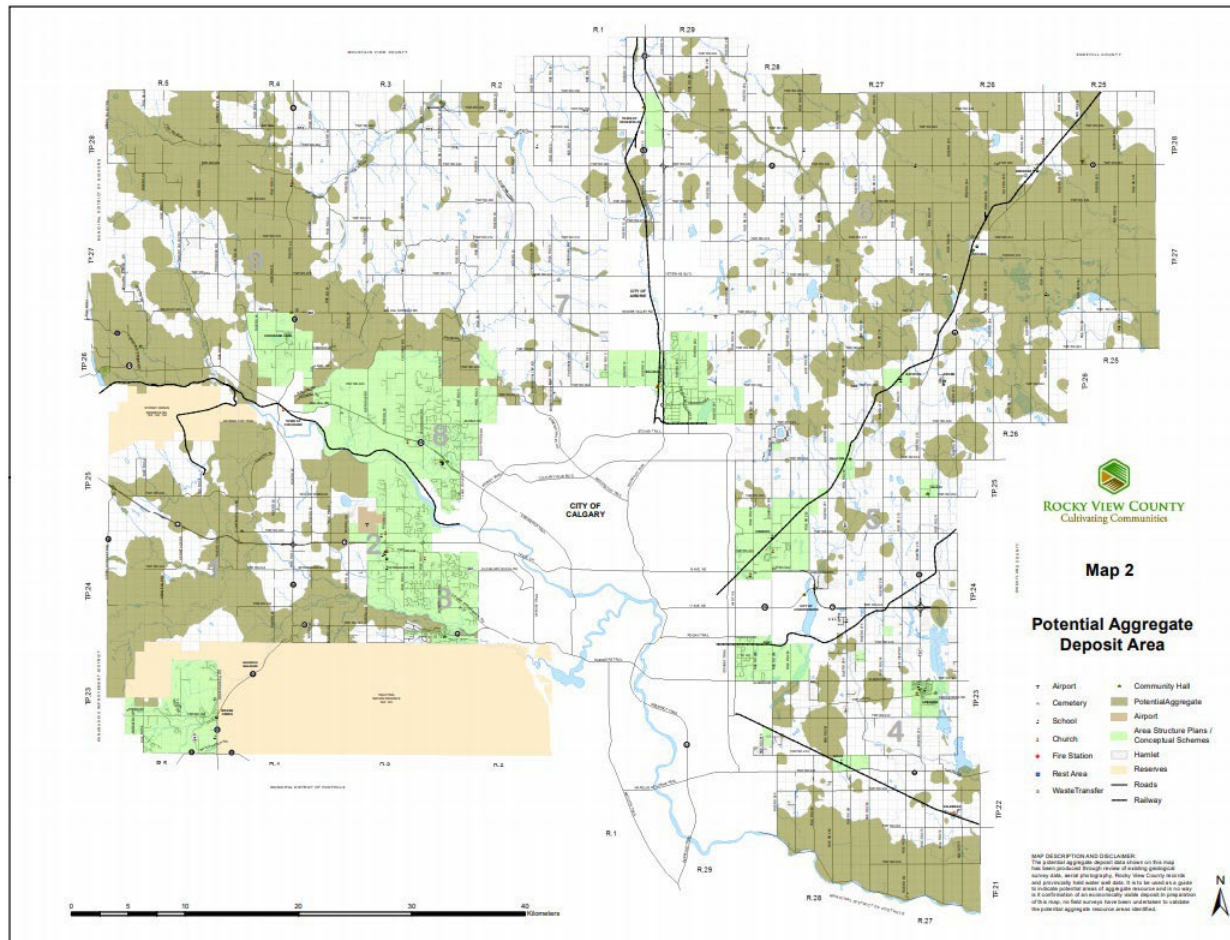
- 8 The previous ARP was developed over a period of four years and made available to the public in February, 2018; however the project was ultimately cancelled in April, 2019.
- 9 The previous ARP will be utilized where appropriate; it contains mapping of the potential aggregate resource, existing sites, and environmentally sensitive areas; it also included an expansive range of technical standards and methodologies based on provincial and federal regulations and best practices.



ROCKY VIEW COUNTY

# Aggregate Resource Plan Terms of Reference

Figure 1 – Rocky View County Potential Aggregate Deposit Area



## Project Principles, Vision, and Goals

### Project Principles

**10** The ARP will be developed around the following principles:

- (1) establishment of a stakeholder advisory committee chaired by an independent third party to provide interest-based recommendations and areas of consensus between stakeholders on identifying appropriate aggregate policies and standards;
- (2) incorporation of locational criteria for aggregate development within the County's Municipal Development Plan, identifying potential areas of the County where aggregate should be supported, restricted, or prevented;
- (3) direction of aggregate extraction sites away from comprehensively planned country residential and hamlet areas;



## Aggregate Resource Plan Terms of Reference

- (4) strong protection of environmentally sensitive features, including groundwater resources and provincial parks;
- (5) creation of performance measures and application requirements within a non-statutory planning document;
- (6) creation of general regulations and a standard aggregate land use district within the County's Land Use Bylaw; and
- (7) establishment of an aggregate site monitoring bylaw to facilitate pro-active monitoring of permitted aggregate extraction sites.

### Vision

- 11 In setting a vision for the management of aggregate extraction and processing within the County, the ARP will build upon the vision of the previous ARP draft:

*"The County shall support environmentally sensitive and sustainable aggregate development to meet local, regional, and provincial resource needs, in a manner that balances the needs of residents, industry, and society. Through the establishment of performance standards, and the guiding of new aggregate development towards appropriate locations, the potential for adverse impact on existing residents, adjacent land uses, and the environment will be minimized."*

- 12 The proposed stakeholder advisory committee shall review this draft vision alongside the existing County Plan goals and policies on Natural Resource Extraction (Section 15.0) and shall identify potential revisions and gaps in the vision that should be addressed in preparing the new ARP document.

### Goals

- 13 The ARP project shall use the goals of the previous draft Plan as a baseline, with refinements based on stakeholder and communication feedback throughout the project. Some of the previously created goals are set out below:
  - (1) Ensure that aggregate development is located and developed in an orderly manner that promotes sustainability, and minimizes impacts upon residents, adjacent land uses, and the environment.
  - (2) Minimize impacts of aggregate extraction and processing operations on residents, adjacent land uses, and the environment by outlining measurable performance standards and requirements for aggregate development.
  - (3) Recognize that the potential impacts from aggregate development vary between sites according to their location within the County, and their proximity to dwellings and environmental features.
  - (4) Ensure that the management of aggregate resources within the County is recognized as an important component in any comprehensive land use plan.
  - (5) Acknowledge that other land uses may, in specific instances, take precedence over potential future extraction of an aggregate resource.





## Aggregate Resource Plan Terms of Reference

- (6) Provide transparency and direction in the planning and development permitting processes of aggregate development by establishing a comprehensive list of standard application requirements.
- (7) Implement a proactive process for monitoring and enforcing aggregate development through clear procedures and penalties.
- (8) Ensure ongoing, meaningful consultation with neighbouring municipalities related to any potential impacts from aggregate development on shared boundaries.

### Project Team

- 14 The ARP project will require direction and support from Executive Leadership and Council throughout the project. Furthermore, the project will require substantial resources and internal/external coordination. Below are the Project Team roles and responsibilities:

**Project Sponsor****Executive Leadership Team**

Provide resources, support, and organisational coordination to support the project goals and objectives.

**Project Manager****Manager of Planning**

Set and monitor project direction and deliverable requirements, lead intergovernmental collaboration, and liaise with the Project Sponsor, Council, the Aggregate Resource Plan Stakeholder Advisory Committee.

**Project Lead****~~Regional Planning Strategist~~ Supervisor, Planning Policy**

Coordinate, adjust and complete day-to-day project tasks and timelines.

**Planning Support Team****Planning Department Staff and External Consultant Support**

Undertake project tasks including producing engagement materials, policy drafting, and stakeholder engagement support.

**Technical Support Team****Internal Departments and External Consultant Support**

Engage in the project, provide technical advice, and review as required. Support the adoption of the ARP and the alignment of the document with County policies and processes with the revised MDP.

### Aggregate Resource Plan Stakeholder Advisory Committee

- 15 As directed by Council, the ~~establishment of an~~ Aggregate Resource Stakeholder Advisory Committee (the Committee) ~~is key to the project's success~~ **was established in July 2023.**
- 16 **The Committee completed its work in accordance with the terms set out within Appendix A and the Committee's recommendations are attached in Appendix B.**





## Aggregate Resource Plan Terms of Reference

### Purpose

- ~~17~~ The purpose of the Committee is to provide recommendations on the creation of an Aggregate Resource Plan to Council. Council has not delegated any decision making ability upon the Committee; however, the Committee shall attempt to:
- ~~(1)~~ Agree upon principles and approaches to guide the Aggregate Resource Plan which reconcile the interests of residents, landowners, aggregate operators, environmental stakeholders and the County.
  - ~~(a)~~ In the event that the Committee cannot achieve agreement, the Committee shall consider areas of particular importance that need to be addressed;
  - ~~(2)~~ Identify gaps in the previous Aggregate Resource Plan draft or this Terms of Reference that should be addressed in any new document;
  - ~~(3)~~ Suggest areas of improvement that are required to the previous Aggregate Resource Plan draft; and
  - ~~(4)~~ Propose desired public and stakeholder engagement methods for the Aggregate Resource Plan project (e.g. frequency, type, location, and timing of engagement).
- ~~18~~ The Committee's purpose is not to undertake any detailed technical review of the previous Aggregate Resource Plan or to provide technical advice or studies to Council. In this respect, the chair shall ensure that the Committee is within scope and meeting its wider purpose as set out in section 16 above.
- ~~19~~ The Committee's purpose is temporary and is concluded nine months from the date of the Committee's first meeting.
- ~~(1)~~ The Committee's purpose may be extended for up to three months by resolution of Council.

### Functions

- ~~20~~ The Committee performs the following functions:
- ~~(1)~~ In accordance with the Committee purpose, to review this Terms of Reference, the previous draft Aggregate Resource Plan and any other related documents and materials;
  - ~~(2)~~ To debate in a collaborative manner, with the goal of reaching consensus on items presented on Committee meeting agendas;
  - ~~(3)~~ To provide recommendations on agenda items for collation and reporting by the Chair; and
  - ~~(4)~~ To establish interest based working groups outside of the Committee forum and to distill the interests of those working group members for input into the Committee recommendations.



## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

### Membership

~~21~~ The Committee consists of the following members:

- ~~(1)~~ One independent third party who serves as chair; and
- ~~(2)~~ Six members with the following backgrounds:
  - ~~(a)~~ Two County residents from an agricultural background who live outside an area structure plan or conceptual scheme area;
  - ~~(b)~~ Two County residents from a country residential community or hamlet; and
  - ~~(c)~~ Two aggregate industry representatives, reflecting the range of business interests found within the County according to business location, size, and type.

~~22~~ Administration will advertise for persons interested in being appointed to the Committee.

~~23~~ Members are appointed by Council.

~~24~~ A member's term lasts for the duration of the Committee's mandate. Any vacancies that occur may be filled by a resolution of Council.

~~25~~ Members are subject to the *Board and Committee Code of Conduct Bylaw*.

### Administrative Support

~~26~~ The Committee is supported by the following members of Rocky View County Administration in a non-voting advisory capacity:

- ~~(1)~~ Executive Director of Community Services;
- ~~(2)~~ Manager of Planning; and
- ~~(3)~~ Legislative Officer, Legislative and Intergovernmental Services.

~~27~~ The Manager of Planning is the liaison between the Committee and Administration.

### Chair

~~28~~ The chair:

- ~~(1)~~ Drafts and manages agendas and meeting schedules in consultation with Administration and other Committee members;
- ~~(2)~~ Presides over meetings and facilitates discussion of agenda items;
- ~~(3)~~ Records meeting outcomes and Committee recommendations;
- ~~(4)~~ Reports on progress of the Committee to Council at monthly intervals;
- ~~(5)~~ Provides a final report approved by the Committee to Administration outlining the recommendations of the Committee and areas of agreement or disagreement; and



## Aggregate Resource Plan Terms of Reference

- ~~(6) — Partners with Administration in presenting the recommendations of the Committee to Council.~~
- ~~29 — The Committee has no vice chair. If the chair is unable to attend the meeting, the meeting is cancelled.~~
- ~~30 — The chair shall be appointed by Council with assistance and recommendations from Administration following a nomination process undertaken in accordance with all applicable rules and regulations. Criteria for selection of a chair includes:~~
- ~~(1) — Facilitation experience and qualifications;~~
  - ~~(2) — Previous chairing experience in a committee/board environment;~~
  - ~~(3) — Cost and availability;~~
  - ~~(4) — Familiarity with the subject area, Rocky View County and municipal government processes; and~~
  - ~~(5) — The absence of any conflict of interest.~~

### Meetings

- ~~31 — The Committee meets at least once a month and on an as-needed basis.~~
- ~~32 — The chair will establish the meeting dates and times, in conjunction with Administration and Committee members.~~
- ~~(1) — Meetings shall be held at County Hall~~
- ~~33 — Meetings are not subject to the *Procedure Bylaw*.~~
- ~~(1) — The chair may consult the *Procedure Bylaw* for guidance at the sole discretion of the chair.~~
- ~~34 — Meetings are open to the public and are publicly livestreamed.~~
- ~~35 — Meetings are informal and discussion is managed through the chair.~~
- ~~36 — Agendas are made available to the public at least three business days before the meeting.~~
- ~~37 — The Committee may hear presentations from Administration but does not hear presentations from other parties.~~
- ~~38 — Quorum for the Committee consists of:~~
- ~~(1) — The chair;~~
  - ~~(2) — At least one member from an agricultural background;~~
  - ~~(3) — At least one member from a country residential or hamlet; and~~
  - ~~(4) — At least one member who is an industry representative.~~



## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

### Reporting

- 39** — The chair, in consultation with the Committee, will report to Council and other stakeholders in the following manner:
- (1)** — Updates on significant milestones or progress made in the Committee discussions should be provided to Council by memorandum; and
  - (2)** — A final report outlining the recommendations of the Committee shall be provided to the County for assessment. Administration shall then prepare a report outlining the Committee outcomes alongside recommended revisions to this Terms of Reference.
- 40** — Records of meeting agendas, schedules, and outcomes shall be available to the public on the County website.

### Budget and Remuneration

- 41** — A budget of \$75,000 is required to compensate the chair in accordance with any agreed contract, and also to pay for any costs to support the work of the Committee.
- 42** — The chair is compensated in accordance with Council's direction or written contract, whichever applies.
- 43** — Members other than the chair do not receive compensation for participation in the committee.
- 44** — Members are reimbursed for incidental expenses as outlined in Council Policy C-221 *Board and Committee member Compensation and Reimbursement*. This includes the chair if incidental expenses are not covered under a written contract.

### Schedule and Deliverables

- 17** The project schedule, budget and deliverables will be refined upon completion of Phase 1 deliverables, taking into account the recommendations of the Stakeholder Advisory Committee.

| Phase 1: Stakeholder Advisory Committee (Q2-Q4 2023 to Q4 2024) (Completed)   |
|---|
| <ul style="list-style-type: none"> <li>Website updates and memorandums.</li> <li>Committee Recommendations.</li> <li>Council Report with updated terms of reference and budget adjustment.</li> </ul>   |
| Phase 2: Drafting Plan and Engagement (Start Q4 2023 <del>4</del> )   |
| <ul style="list-style-type: none"> <li>Communication and Engagement Strategy.</li> <li>Engagement materials and summary reports.</li> <li>Municipal Development Plan amendments <b>Draft Performance Standards document..</b></li> <li>Aggregate standards and application requirements <b>Draft Aggregate Site Monitoring Bylaw.</b></li> <li><b>Draft Land Use Bylaw and Municipal Development Plan amendments for application requirements.</b></li> <li>Aggregate Site Monitoring Bylaw <b>Draft Municipal Development Plan amendments for limited-scope locational criteria</b></li> </ul> |



## Aggregate Resource Plan Terms of Reference

|   |
|---|
| <ul style="list-style-type: none"> <li>Draft Third Party Technical Review Process document.</li> </ul>  |
| <b>Phase 3: Council and CMRB Approvals (Complete Q1 2025)</b>   |
| <ul style="list-style-type: none"> <li>Final draft MDP, Land Use Bylaw amendments and <b>Aggregate</b> Site Monitoring Bylaw.</li> <li>Final Performance Standards Document.</li> <li><del>Calgary Metropolitan Region Board Regional Evaluation Framework submission package</del><br/>Final Third Party Review process document.</li> </ul> |
| <b>Phase 4: Further Actions (Complete Q3 to Q4 2025)</b>  |
| <ul style="list-style-type: none"> <li>Council report assessing options for remaining Committee recommendations.</li> <li>Public platform for sharing information on proposed and approved aggregate sites.</li> </ul>  |

### Project Scope (Phases 2 and 3)

#### A. Aggregate Performance Standards

- 18 The performance standards contained within the February 2018 draft of the Aggregate Resource Plan will be reviewed and updated, incorporating feedback from public and industry engagement, and consultation with provincial agencies.
- 19 The project will explore the potential to scale performance standards according to local context, intensity of the operation, and whether the site is new or existing.
- 20 The following items would not be covered within the scope of the performance standards:
  - (1) Although site-specific groundwater protection measures and monitoring standards will be explored, including requirements for regular measurement of groundwater levels and composition, a sub-regional study of groundwater impacts on the Big Hill Springs aquifer or Big Hill Creek Watershed, as noted in the Committee Recommendations Report (Attachment A, Part 2, pg. 10) will not be part of the project.
  - (2) A comprehensive inventory of Environmentally Sensitive Areas (ESAs) will not be created as part of the project (Committee Recommendation Report Part 2, pg. 12). The project will collate and review County existing records of Environmentally Significant Areas and other environmental reports to support locational criteria and environmental performance standards.
  - (3) The standards will not require an application to establish a comprehensive cumulative effects assessment of all uses in an area. They will explore the ability to understand the combination of uses by specific impact type e.g. combined sound level increases from proposal with existing uses in area and impact on existing background ambient noise levels.

#### B. Aggregate Site Monitoring Bylaw and Public Information Platform

- 21 The Aggregate Site Monitoring Bylaw will ensure proactive site monitoring of aggregate operations in the County, expert review of submitted operating reports, and appropriate enforcement.
- 22 The Bylaw will be drafted to require that the cost of site monitoring and technical review is largely or wholly recovered by the subject aggregate operator.
- 23 In support of the Bylaw, a process will be established for procurement of a Council-appointed technical consultant to review technical reports submitted in association with approved permit conditions.



## Aggregate Resource Plan Terms of Reference

- 24 The creation of a public information platform sharing information on existing and proposed aggregate sites, and findings of monitoring visits and reports, will be explored in Phase 2 of the project, but the full scope of this deliverable may have to be determined in Phase 4, once legal and technological complexities are known and addressed.

### C. Aggregate Application Requirements

- 25 Application requirements will be drafted for master site development plans and development permits with the requirements appended to the Municipal Development Plan and Land Use Bylaw.
- 26 Similar to performance standards, the project will explore the potential to scale application requirements according to local context, intensity of the operation, and whether the site is new or existing.
- 27 The application requirements will guide the content of a engagement strategy to be submitted by the applicant. The requirements will identify methods of public and stakeholder engagement to be undertaken prior to application submission, during processing of the application, and throughout implementation of the proposed operation.
- 28 In addition to adjacent landowners, the engagement requirements will also include a list of stakeholder groups and agencies that the applicant should be consulting with on applications.

### D. Limited-Scope Locational Criteria

- 29 The project will attempt to create locational policy for inclusion within the Municipal Development Plan to guide aggregate development away from the most sensitive areas of the County. Policy will be explored around the following areas:
- (1) Excluding aggregate from existing County hamlets and country residential areas, with setbacks from the boundaries of these areas.
  - (2) Setbacks and other measures in relation to environmentally significant areas.
- 30 Although other general locational criteria will be explored, this will not include the following:
- (1) Setbacks from residential dwellings outside of hamlets and country residential areas.
  - (2) Setbacks for residential uses from aggregate development.

### E. Third-Party Review Process

- 31 The project will explore the process for Council to appoint a consultant to independently review technical documents submitted by applicants for Master Site Development Plan and redesignation applications.
- 32 The process will include provision for the charging of applicants for required third-party reviews and will establish when a third-party review is required.

## Project Scope (Phase 4)

### A. Remaining Committee Recommendations

- 33 For those items that are identified within the Stakeholder Advisory Committee Recommendations and Final Report, but do not fall within the scope of Phase 3 above, Administration will present a report to Council following the conclusion of Phase 3, confirming options to address these matters.
- 34 The Council report will also include discussion on potential future actions to address any items



## Aggregate Resource Plan Terms of Reference

within the scope of Phase 3 that were unable to receive approval from Council.

### B. Public Information Platform

- 35 Following work within Phases 2 and 3 to identify options for a public information platform for aggregate development, Administration will commence work to implement this platform.
- 36 If a release of a comprehensive public platform is not able to be implemented before the end of 2025, Administration will investigate delivery of an interim platform utilizing existing County systems (for example, the existing County website).

## Communication and Engagement (Phases 2 and 3)

### Engagement Principles

- 37 A detailed communication and engagement strategy will identify all relevant interest groups within the County, intermunicipal partners, and external stakeholders affected by the planning process outcomes.
- 38 A key focus of the strategy will be to promote trust and collaboration between all stakeholders so that policy solutions can be explored in an open and transparent manner.
- 39 Engagement approaches shall be guided by the recommendations of the Stakeholder Advisory Committee, but shall aim to provide a broad range of opportunities for meaningful stakeholder input and collaboration.
- 40 The strategy will identify how and when to collaborate with our intermunicipal and provincial partners to ensure compliance with provincial acts, regulations and statutory plans.
- 41 The engagement strategy shall be modified as the project proceeds in response to Council direction and stakeholder feedback on the quality of opportunities offered for feedback.

### Council Communication

- 42 Council will be updated throughout the Aggregate Resource Plan project through Council briefings, Governance Committee reports, regular memorandums, and other means that Council sees fit.
- 43 At the end of each project phase, Council will receive a project update with a refined scope for the upcoming project phase that includes the work completed to date, timelines, and key lessons learnt from the previous phases.

### Public and Stakeholder Engagement

- 44 Public and stakeholder engagement will be delivered across a range of in-person and online formats encouraging both group and individual feedback.
- 45 In-person events shall be offered at several locations across the County and, in addition to offering specific events on the project, attempts will also be made to combine engagement opportunities with the Municipal Development Plan project to place aggregate extraction within the broader context of growth management within the County.
- 46 In scheduling engagement opportunities, the project team shall have regard to avoiding core summer vacation months and holiday periods to maximize stakeholder participation.
- 47 Key external stakeholders for the ARP project include:





## ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

- (1) County residents and landowners;
- (2) Aggregate operators and associations;
- (3) Environmental and community groups; and
- (4) Provincial agencies.

### Budget

- 48 This Terms of Reference ~~requests~~ **requested** an initial budget of \$75,000 for Phase 1 of the project, funded through the Municipal Tax Stabilization Reserve Fund, for appointment of a paid third-party to chair the Stakeholder Advisory Committee.
- ~~49 The requested budget would also be used to provide any supplementary materials or services that the Stakeholder Advisory Committee may require to support their mandate in providing recommendations on the ARP project.~~
- ~~49 Further budget will be requested upon completion of Phase 1 as the scope and requirements of the project are further refined by Administration and the Stakeholder Advisory Committee. Further budget requirements would be dependent on the extent of amendments to the previous draft ARP document and the level of consultant supported technical review that is needed. For Phases 2 and 3, the Terms of Reference is requesting a budget of \$40,000 to support third-party review of the drafted performance standards and application requirements. The remaining portions of these phases will be accommodated within the existing operational budget allocated to long-range planning staff and services resources.~~

### Principal Project Risks

- 50 The most significant risks to achieving the project outcomes are set out below:

| Risk  | Response  |
|---|---|
| Agreement between stakeholders may not be achieved through the stakeholder advisory committee or subsequent engagement. | Administration will act quickly to seek direction from Council on the scope of the project to either provide more focused principles for the project or deliver the project outcomes incrementally. |
| The size and diversity of County will create challenges in setting locational criteria and applying uniform standards.  | Administration shall attempt to distinguish between areas where no development is allowed and those which have varying requirements according to the local context and scale of operation proposed. |
| The final Plan does not align with provincial or federal legislation or policy.   | Administration will work with the relevant provincial agencies to ensure that the Plan aligns with both existing and forthcoming provincial requirements and best practice.                         |
| The project deliverables are not achieved within the set timeline.  | Administration will monitor progress on the project and will regularly report to Council, with early action being taken to rectify project delays.  |



## Aggregate Resource Plan Terms of Reference

### Change Control

- 51 Where the scope, budget, or schedule are required to significantly change due to anticipated or unforeseen risks, Administration shall seek direction from Council on amending this terms of reference. In determining the significance of the change, Administration shall consider the following criteria:
- (1) Cost overruns exceeding any contingency budget amount approved by Council.
  - (2) No extension of the schedule timeline shall be permitted; where delays to the final project completion date are expected, scope or budget changes should be investigated.
  - (3) Scope changes that affect achievement of meeting the project principles.
- 52 Where differing stakeholder interests cannot be reconciled through the proposed Stakeholder Advisory Committee or subsequent engagement, consideration shall be given to delivering the components of the Aggregate Resource Plan incrementally, subject to direction from Council.



Approval Date

•

Replaces

• n/a

Lead Department / Service Area

• Planning / Community Services

Approval Body

• Council

### Definitions

- 53 In these terms of reference, the following definitions apply:
- (1) **“Board and Committee Code of Conduct Bylaw”** means Rocky View County Bylaw C-7855-2018, the *Board and Committee Code of Conduct Bylaw*, as amended or replaced from time to time.
  - (2) **“Compensate”** has the same meaning as in Council Policy C-221 *Board and Committee member Compensation and Reimbursement*.
  - (3) **“Council”** means the duly elected Council of Rocky View County;
  - (4) **“Member”** means a person appointed to a Board or Committee;
  - (5) **“Procedure Bylaw”** means Rocky View County Bylaw C-8277-2022, the *Procedure Bylaw*, as amended or replaced from time to time; and
  - (6) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.



## Aggregate Resource Plan Terms of Reference

### Appendix A: Aggregate Resource Plan Stakeholder Advisory Committee Terms

- 54** As directed by Council, the establishment of an Aggregate Resource Stakeholder Advisory Committee (the Committee) is key to the project's success.

#### Purpose

- 55** The purpose of the Committee is to provide recommendations on the creation of an Aggregate Resource Plan to Council. Council has not delegated any decision-making ability upon the Committee; however, the Committee shall attempt to:
- (1)** Agree upon principles and approaches to guide the Aggregate Resource Plan which reconcile the interests of residents, landowners, aggregate operators, environmental stakeholders and the County.
    - (a)** In the event that the Committee cannot achieve agreement, the Committee shall consider areas of particular importance that need to be addressed;
  - (2)** Identify gaps in the previous Aggregate Resource Plan draft or this Terms of Reference that should be addressed in any new document;
  - (3)** Suggest areas of improvement that are required to the previous Aggregate Resource Plan draft; and
  - (4)** Propose desired public and stakeholder engagement methods for the Aggregate Resource Plan project (e.g. frequency, type, location, and timing of engagement).
- 56** The Committee's purpose is not to undertake any detailed technical review of the previous Aggregate Resource Plan or to provide technical advice or studies to Council. In this respect, the chair shall ensure that the Committee is within scope and meeting its wider purpose as set out in section 16 above.
- 57** The Committee's purpose is temporary and is concluded nine months from the date of the Committee's first meeting.
- (1)** The Committee's purpose may be extended for up to three months by resolution of Council.

#### Functions

- 58** The Committee performs the following functions:
- (1)** In accordance with the Committee purpose, to review this Terms of Reference, the previous draft Aggregate Resource Plan and any other related documents and materials;
  - (2)** To debate in a collaborative manner, with the goal of reaching consensus on items presented on Committee meeting agendas;
  - (3)** To provide recommendations on agenda items for collation and reporting by the Chair; and



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## Aggregate Resource Plan Terms of Reference

- (4) To establish interest-based working groups outside of the Committee forum and to distill the interests of those working group members for input into the Committee recommendations.

### Membership

59 The Committee consists of the following members:

- (1) One independent third party who serves as chair; and
- (2) Six members with the following backgrounds:
  - (a) Two County residents from an agricultural background who live outside an area structure plan or conceptual scheme area;
  - (b) Two County residents from a country residential community or hamlet; and
  - (c) Two aggregate industry representatives, reflecting the range of business interests found within the County according to business location, size, and type.

60 Administration will advertise for persons interested in being appointed to the Committee.

61 Members are appointed by Council.

62 A member's term lasts for the duration of the Committee's mandate. Any vacancies that occur may be filled by a resolution of Council.

63 Members are subject to the *Board and Committee Code of Conduct Bylaw*.

### Administrative Support

64 The Committee is supported by the following members of Rocky View County Administration in a non-voting advisory capacity:

- (1) Executive Director of Community Services;
- (2) Manager of Planning; and
- (3) Legislative Officer, Legislative and Intergovernmental Services.

65 The Manager of Planning is the liaison between the Committee and Administration.

### Chair

66 The chair:

- (1) Drafts and manages agendas and meeting schedules in consultation with Administration and other Committee members;
- (2) Presides over meetings and facilitates discussion of agenda items;
- (3) Records meeting outcomes and Committee recommendations;
- (4) Reports on progress of the Committee to Council at regular intervals;



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- (5) Provides a final report approved by the Committee to Administration outlining the recommendations of the Committee and areas of agreement or disagreement; and
- (6) Partners with Administration in presenting the recommendations of the Committee to Council.
- 67 The Committee has no vice-chair. If the chair is unable to attend the meeting, the meeting is cancelled.
- 68 The chair shall be appointed by Council with assistance and recommendations from Administration following a nomination process undertaken in accordance with all applicable rules and regulations. Criteria for selection of a chair includes:
  - (1) Facilitation experience and qualifications;
  - (2) Previous chairing experience in a committee/board environment;
  - (3) Cost and availability;
  - (4) Familiarity with the subject area, Rocky View County and municipal government processes; and
  - (5) The absence of any conflict of interest.

### Meetings

- 69 The Committee meets at least once a month and on an as-needed basis.
- 70 The chair will establish the meeting dates and times, in conjunction with Administration and Committee members.
  - (1) Meetings shall be held at County Hall during regular business hours (between 9.00 and 17.00 hours).
- 71 Meetings are not subject to the *Procedure Bylaw*.
  - (1) The chair may consult the *Procedure Bylaw* for guidance at the sole discretion of the chair.
- 72 Meetings are open to the public and are publicly livestreamed.
- 73 Meetings are informal and discussion is managed through the chair.
- 74 Agendas are made available to the public at least three business days before the meeting.
- 75 The Committee may hear presentations from Administration but does not hear presentations from other parties.
- 76 Quorum for the Committee consists of:
  - (1) The chair;
  - (2) At least one member from an agricultural background;
  - (3) At least one member from a country residential or hamlet; and
  - (4) At least one member who is an industry representative.



## Aggregate Resource Plan Terms of Reference

### Reporting

- 77** The chair, in consultation with the Committee, will report to Council and other stakeholders in the following manner:
- (1)** Updates on significant milestones or progress made in the Committee discussions should be provided to Council by memorandum; and
  - (2)** A final report outlining the recommendations of the Committee shall be provided to the County for assessment. Administration shall then prepare a report outlining the Committee outcomes alongside recommended revisions to this Terms of Reference.
- 78** Records of meeting agendas, schedules, and outcomes shall be available to the public on the County website.

### Budget and Remuneration

- 79** A budget of \$75,000 is required to compensate the chair in accordance with any agreed contract, and also to pay for any costs to support the work of the Committee.
- 80** The chair is compensated in accordance with Council's direction or written contract, whichever applies.
- 81** Members other than the chair do not receive compensation for participation in the committee.
- 82** Members are reimbursed for incidental expenses as outlined in Council Policy C-221 *Board and Committee member Compensation and Reimbursement*. This includes the chair if incidental expenses are not covered under a written contract.



ROCKY VIEW COUNTY

## Aggregate Resource Plan Terms of Reference

### Appendix B: Aggregate Resource Plan Stakeholder Advisory Committee Recommendations and Final Report



# Aggregate Resource Plan Stakeholder Advisory Committee: Recommendations & Final Report

## SUMMARY

This report for Rocky View County Council contains the recommendations and perspectives of the Aggregate Resource Plan Stakeholder Advisory Committee members.

In 2013 the County Plan required the County to create an Aggregate Resource Plan (ARP) that would ensure responsible development of aggregate resources in the County while reducing impacts to residents. This was in response to growing tension between Rocky View residents and aggregate producers. After efforts to adopt the ARP, the project was ended because of non-consensus between residents, the aggregate industry, and Council.

In 2022, with continuing and growing concern about aggregate development, Rocky View County Council relaunched an Aggregate Resource Plan project. A Stakeholder Advisory Committee of individuals representing local perspectives to the complex issue was set. The objective was to have the Committee's report build a foundation for the project based on open dialogue, trust, and a consensus-based approach. In August 2023, the Advisory Committee was formed, with the goal to provide recommendations to Council. The full Terms of Reference for the Committee are available on the County's website.

Council appointed members with balanced representation of different interests, backgrounds, and expertise. Of the six volunteer committee members, two represent Country Residential residents of Rocky View County, two represent Agricultural residents of Rocky View County, and two represent the Aggregate Industry - one from a local, family-owned operator and one nominated by the Alberta Sand and Gravel Association. A third-party neutral Chair was appointed.

A key overall recommendation is that improvement on municipal processes dealing with aggregate is needed. The County needs to lead and be more active in its regulatory responsibility for land use, development, and on-site operations of the aggregate industry. Performance standards need to be established, monitored, and enforced. Industry supports this.

Resident and industry stakeholders want to be part of a productive engagement process with accessible and up-to-date information. Informed and strategic long-term County planning for aggregate development is required. The impact and tolerance of aggregate development differs throughout the County. Environmental, groundwater, and cumulative effects are significant concerns for residents in the west part of the County.

## STAKEHOLDER ADVISORY COMMITTEE PROCESS

Committee members met ten times between August 15 and March 15 participating in seven in-person meetings, two online meetings, and an aggregate site tour. Committee meetings were open and accessible to the public. Initially, meetings were held in the Council chamber and publicly streamed. However, the Chair found that the formal setup inhibited active and engaged free-flowing conversations. Meetings were moved to a board room and livestreamed. Summary notes of each meeting were posted on the County website alongside a recording of each meeting.

Committee members formed interest-based working groups, which met outside of the formal Committee setting. They met directly with approximately 50 residents from different backgrounds and relayed that input at monthly Committee Meetings. Industry was in close contact with the Alberta Sand & Gravel Association (ASGA) and have provided resources and discussion points to the Committee.

The Committee process was designed to be collaborative, and interest-based. Interests are the underlying hopes, values, concerns, and motivations that drive actions. Discussions based on understanding and respecting the interests of all parties is a solid step in collaborative consensus building. Committee members were deeply committed to their role; conversations were open, honest, and respectful. Members' broad interests were discovered to be mostly aligned. These were:

- A need for consistency, certainty, and clarity on requirements for future development in the Aggregate Resource Plan.
- Improved performance standards for industry.
- Protection for environmentally sensitive areas.
- Responsible aggregate operations with effective compliance, inspections, and oversight.
- Good communications with stakeholders.
- Residents want confidence in technical decisions.

Interests differed greatly regarding appropriate Locational Criteria for aggregate development in the County. The varying perspectives are presented in Part 2 of the Report.

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. These gaps, identified in the September meeting are included as an appendix. Throughout subsequent meetings, members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

**ARP Project Engagement:** The Committee requests that all future public and stakeholder engagement regarding the ARP project is held separately from other engagement initiatives. This is an important subject and deserves dedicated engagement opportunities. The Committee defers specific details and planning of all future public and stakeholder engagement to County Administration.

**Report Format:** The report is in two parts. Part 1 contains the committee recommendations arrived at with consensus support. Part 2 includes the additional topics of committee discussions, and the various perspectives of members on those topics.

# Part 1: Committee Recommendations with Consensus Support

## **A. Performance Standards for Aggregate Development**

### **Recommendation #1: That the County develop Performance Standards specific to aggregate development in the County.**

Rocky View County should develop reasonable and appropriate Performance Standards specific to aggregate operations across the County. All new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications shall comply with these Performance Standards.

The County should periodically review the Performance Standards to ensure they are aligned with evolving industry best practices and that they are effectively mitigating offsite impacts.

County operated pits should be held to the same set of Performance Standards and the County should advocate to the province that provincial pits adhere to these performance standards when operating within Rocky View County.

Reasons: The Committee agrees that consistent application of fair and enforceable Performance Standards should be applied to all aggregate operations in the County to mitigate offsite impacts.

## **B. Proactive Monitoring, Reporting and Enforcement by the County**

### **Recommendation #2: That the County actively regulate aggregate operations through proactive site monitoring, timely expert review of submitted operating reports, and take appropriate enforcement action when necessary.**

Rocky View County should accept its role as an active and responsible regulator of aggregate operations. The County should adopt a Site Monitoring Bylaw that outlines a framework for monitoring, reporting, and enforcement that will hold aggregate operators in compliance with the new Performance Standards and other County regulations. This monitoring and enforcement framework should include procedures to conduct regular site visits and inspections, expert technical review of regularly submitted operating reports, timely response to enforcement related complaints, and take appropriate enforcement actions should an operator be in contravention of Development Permit condition(s).

Reasons: The Committee understands that the County currently monitors and enforces Development Permit conditions strictly by means of a complaint-based system. Unless a development related complaint is received, the County does not proactively monitor aggregate development through site visits or conduct expert review of operating reports at the time of submission. It is noted that annual reports and the compliance record of each aggregate site are to be reviewed and considered at the time of Development Permit renewal.

The Committee supports effective regulation of aggregate operations in the County. Residents want confidence that the resource is well managed. Industry committee members stated that it would be beneficial to have the County take on the role of providing a transparent complaint process, resolving disputes, monitoring operations, overseeing industry reporting, and enforcing compliance. All members agree that the County needs to have access to technical knowledge (third-party review) to effectively evaluate operating reports and data, and to provide bylaw services for on-site evaluations and enforcement.

**Recommendation #3: That the County develop updated Application Requirements specific to aggregate development applications in the County.**

Rocky View County should amend existing statutory plans and the land use bylaw to include detailed and specific Application Requirements for all planning and development applications related to aggregate extraction. Applications should be reviewed for both quality and completeness. It is acknowledged that County Administration's discretion should be appropriately applied when reviewing applications.

The Application Requirements should list the minimum submission requirements for new Aggregate Master Site Development Plans, land use redesignation, and Development Permit applications. County Administration should only proceed with a Development Permit recommendation when the application has been deemed complete.

Reasons: A set of defined application requirements will provide clarity and consistency for both applicants and the public, allow County Administration to reference consistent application criteria, and increase public confidence in the approvals process overall.

**C. Improved Transparency and Communication**

**Recommendation #4: That the County develop a publicly accessible online platform dedicated to aggregate development within the County.**

Rocky View County should develop a publicly accessible digital portal on the County website that provides information on all active and proposed aggregate sites in the County, including its geolocation and all approved or pending Master Site Development Plan(s) and Development Permit(s).

For all approved aggregate operations in the County, a compliance report should be available on the digital portal. This report should include an active record of monitoring activities undertaken by the aggregate operator or County, list all exceedances and contraventions by the operator, and list the remediating activities taken for each infraction reported. It is noted that all publicly posted information shall comply with the Freedom of Information and Protection of Privacy (FOIP) Act.

Reasons: The Committee feels that transparency with the public is a necessary step in fostering trust between aggregate operators, residents, and the County. Comprehensive and publicly available reporting on aggregate development activities and the monitoring and enforcement actions taken by the County would improve public confidence in the regulation of the resource.

Other: Some committee members suggest that continuous monitoring of noise and air quality data be required at prescribed locations at site boundaries. Committee members were agreed that data transparency is important, though some members cautioned that public access to such data could lead to nuisance complaints. They arrived at requesting that administration evaluate how to make continuous data available in a useful and practical way.

**Recommendation #5: That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.**

As an additional Application Requirement, Rocky View County should require aggregate operators (the applicant) of all new Master Site Development Plans and Development Permit applications (including renewals) to demonstrate they have appropriately notified and engaged an expanded list of interested parties to their proposed development. The applicant should demonstrate how public feedback has been considered in the proposed site design and operations. The Master Site Development Plan should include a summary of these engagement activities.

The County should create and maintain an expanded list of interested parties (in addition to the required circulation radius) to assist industry in reaching the appropriate public audience during their engagement.

The engagement process should be inclusive, transparent, and solution focused to foster trust between residents, landowners, and industry. The engagement process must allow sufficient time for stakeholders and affected parties to meaningfully respond to the proposed project.

Reasons: Defining appropriate communications, expectations and engagement responsibilities of industry, residents, and the County, and establishing a process that all parties can easily understand and participate in can assist in reducing potential conflict. Improved responses to concerns and appropriate follow-up is needed.

**Recommendation #6: That the County write an Aggregate Resource Plan with clear, accessible language.**

The Aggregate Resource Plan and all supplementary bylaws and regulations should be written in a neutral and balanced tone, using clear and concise language, and providing objective information. All policies and regulations adopted by the County should include the important technical requirements but should also be accessible and reader-friendly to a non-technical audience. The ARP and supplementary documents can serve as an educational resource that is relatable to the public.

Reasons: Clear, concise, and easily readable information can improve mutual understanding of the issues surrounding aggregate development and build trust amongst all parties throughout the aggregate development process.

## Part 2: Committee Discussions and Areas of Non-Consensus

Committee members discussed topics on which they did not have consensus. Part 2 contains the various differing perspectives shared by the country residential, agricultural, and industry members for each of these key topics discussed.

**Please note: The observations listed under the various ‘Perspectives’ headings are the points of view, opinions, and experiences of the identified committee members. These perspectives have not been verified by the County to determine their validity.**

### 1. Locational criteria for Aggregate Development

Discussion: Committee members did not expect to find consensus on the topic of locational criteria (i.e., where aggregate development should be located); they participated in respectful and spirited discussions on the differing points of view, outlined below. They understand that it is important that the County coordinates all land use planning, including residential plans with their plans for aggregate.

Background: The committee members from west Rocky View question the ability of industry to minimize impacts with performance standards alone. Their view is that industry should not be left to self-regulate through best practices, and that physical separation of aggregate development from incompatible land uses is the only effective means of mitigation.

The industry members and the agricultural member from east Rocky View believe that offsite impacts to adjacent land uses and local residences can be effectively mitigated through reasonable performance standards, monitoring, and enforcement. Industry believes that there was shared understanding in the committee that mitigation measures can be effective. They state that those measures can be used to responsibly develop close-to-market aggregate deposits which are in limited supply.

#### East Rocky View Agricultural Perspective

- New Country Residential development should not be allowed near existing aggregate extraction sites. The County should also not approve Country Residential in areas where there are known gravel deposits. The ARP should not discriminate and indicate that some areas are more important than others, the ARP should cover the entire County equally, and one residence is as important as several residences. Some residents are not more deserving than others, and the bylaw should be uniform across the County.
- There are landowners who have aggregate extraction on their land. A member stated that the large agriculture landowners in the County do not want their land sterilized. The positive value of aggregate to large agriculture operators should not be dismissed as being unnecessary. Landowners who wish to harvest aggregate and work with industry should not be penalized and lose value of a natural resource.

## Country Residential and west Rocky View Agricultural Perspectives

- A map provided in the 2018 ARP report suggests an abundance of aggregate resource supply in the County relative to future demand of the region. Aggregate operations exist in all parts of the County and in all surrounding jurisdictions. Some cities (e.g., Edmonton), successfully source aggregate from more than 300km away by rail. Aggregate is not a scarce resource and Rocky View County can supply its share of the gravel demand in Calgary and region for the next 200 years with just 3% of the County's land area.
- The Terms of Reference for the ARP and some committee members recognize that the costs and impacts of aggregate development vary throughout the County based on proximity to population and environmental features. Impacts are greatest where population density is higher or where environmental sensitivity is greater, and this varies throughout the county. They note that the committee commented on the diversity within the county; therefore, it's appropriate for the ARP to reflect this diversity.
- Aggregate development lasts for decades and is a permanent land use in the timeframe of an individual's home ownership, or childhood, or retirement. The impacts are substantial. These members state that facts show that aggregate operations release carcinogenic dust. They also point out that aggregate operations generate disruptive noise that is inconsistent with country residential life, can impact ground and surface water, and can permanently alter landscapes. They believe that human health is put at risk, and that many impacts are irreversible.
- There are impacts that are not contained within site boundaries (e.g., images of dust plumes escaping local pits were shared) and they assert that separation is the only effective mitigation. Physical separation from conflicting land uses is required. Setbacks to protect landowners in proximity to pits as well as effective monitoring, enforcement and meaningful penalties for non-compliance are critical. It is not possible to minimize impacts with performance standards alone, and that standards are often breached. They cited examples of aggregate industry violations observed in Rocky View County (e.g., required noise mitigating berms not constructed, mining outside of approved areas, dust plumes escaping pit boundaries, etc.) and across North America (e.g., a single aggregate operator, active in the Rocky View region, fined for more than 700 environmental and health violations in 25 years). These members will provide those examples if requested.
- Given the size of the County and the widespread location of aggregate throughout the County, administration and council have the ability and the responsibility to locate aggregate development in the least impactful areas of the County. By separating aggregate development from conflicting and valuable land uses, including the most environmentally sensitive areas and the areas of highest population density, the County can minimize the negative impacts and costs. This separation should include both explicitly prohibited areas for aggregate development (such as within Area Structure Plans), as well as clear setback distances that vary based on proximity to environmental features and population density.
- Greater consideration must be given to post-reclamation land uses as part of aggregate applications; it is not sufficient to simply say that the land will be reclaimed to its former use or to a higher value use. The viability of returning land to its former use post-reclamation must be assessed as part of the land use application, so that aggregate extraction does not sterilize other important land uses.
- The ARP should not be used to circumvent well-established land use planning principles regarding pre-existing land uses and separation of conflicting land uses. The ARP should not allow for the



County's intentional land use objectives to be circumvented, such as those outlined in the MDP and ASPs. Similarly, the ARP should not provide a shortcut for aggregate operations to be permitted in locations explicitly and repeatedly rejected by Council, such as the Scott Property in Bears paw.

- These members encourage the County to investigate the use of agglomerated development like the Star pit in NW Calgary. Instead of allowing strips of individual pits to operate for 30 years consider focussed, systematic, and intensively developed and agglomerated development. There could be aggregate nodes with agglomeration of development into certain areas that would have a relatively short life extraction.

## Industry Perspective

- Unlike other forms of development, aggregate is not relocatable since its location is based on geological conditions. Mitigation strategies can be used to minimize potential impacts to surrounding land users.
- The aggregate supply in the County is not as abundant as the map within the 2018 ARP report depicts. The map provided in the 2018 ARP grossly over-emphasizes the location of aggregate in the County and was created using flawed methodology and poor-quality sources. Industry presented a separate map which illustrated a scarce resource supply in the County. Water well logs were used to generate the map which are frequently inaccurate and cannot be relied upon to accurately predict the extent or commercial viability of a deposit. The Beiseker area has been a good source of aggregate for many years, however it has been depleted with many of the pits reclaimed. Available exploratory testing suggests that there are no viable sources of aggregate between the Beiseker area and the Big Hill Creek area. The only way to understand viability is to complete field-level exploration activities (e.g., drilling, or geophysical surveys). Even if aggregate is present in sufficient quantities, it may be sterilized by other forms of development such as housing, utilities, pipelines, wellsites, etc. Additionally, commercialization of the resource requires that the current landowner is willing to entertain a lease or sale of the property. Viable sources of aggregate are in limited supply, particularly close to the end user.
- In a 2013 survey and report coordinated by the Alberta Association of Municipal Districts and Counties, Rocky View County reported that aggregate was only moderately abundant in the County, and they did not have a strategic aggregate reserve to fulfill future public works maintenance and construction needs over the next 15-to-20-year period.
- The responsible development of close-to-market aggregate sources is key to the sustainability of our province. Every kilometre that a load travels away from site adds an additional \$0.15/tonne to the total cost of aggregate, including the 600,000 estimated tonnes that Rocky View County consumes each year. Producing aggregates as close as possible to the market supports affordability in the housing and construction sectors, minimizes greenhouse gas emissions, reduces infrastructure maintenance needs, and ensures the responsible development of a non-renewable resource prior to permanent development, such as housing. Sterilizing close-to-market resources, through locational restrictions and large setbacks, will create environmental and economic impacts that will increase with further transport distances.
- Due to the relatively low unit value of aggregates compared to other mineral commodities, it is unfeasible to transport from long distances. Another member referenced an aggregate operation that transports aggregates by rail, but that is not common practice in the industry and limited by the existing rail network, availability of aggregate along rail, and quality of the material to warrant considerable price premiums.

- Aggregate extraction occurs throughout the province in various jurisdictions that have either no or minimal setbacks from other land users, including residences. For example, there are active extraction and processing operations within the City of Edmonton and the Town of Cochrane which successfully operate adjacent to numerous residences by implementing mitigation measures and communicating with their neighbours.
- Aggregates are a non-renewable resource, and once land is developed, access to aggregate is forever lost on that site. Alberta's Land Use Policies require that municipalities identify areas where aggregate extraction should be a primary use, direct subdivision and development activity so as not to constrain or conflict with non-renewable resource development, and utilize mitigative measures to minimize possible negative impacts on surrounding areas and land uses within the scope of their jurisdiction.
- Aggregate extraction is a temporary land use. It's responsible to develop this critical non-renewable resource before the area's ultimate land use while the resource is accessible. After aggregate mining has occurred, land must be reclaimed to a capability equal or better than prior to mining. Unique end land uses can be considered to provide community benefits. Some of Alberta's golf courses, lakes, and parks were once aggregate mining sites. These areas provide valuable space for nature and biodiversity post-mining. Operators must provide financial security to fund reclamation liability through the province which is reviewed every five years.
- A major component to the price of aggregates is the cost of transport from pits to market. Access to affordable housing is impacted by cost of aggregates, and thus where aggregates are sourced.
- There is no substantive evidence that suggests aggregate developments are a risk to public health. In Alberta, silica dust is considered an occupational hazard, managed by OH&S. Air quality concerns such as silica dust are carefully reviewed by Alberta Health Services during the application referral process.
- All residents of the County should be treated equally and fairly. Standards should be the same across the County so as not to create different class citizens. Aggregate extraction is subject to a rigorous regulatory framework that includes provincial and municipal oversight. Industry's view is that jurisdictional overlap should be minimized and suggests that provincial regulatory agencies, including Alberta Environment, Alberta Health Services, and Occupational Health and Safety are well suited for reviewing specific scopes for which they have the technical expertise and legislative authority.
- Industry believes that inspection of operations, compliance and enforcement of permit conditions is critical to building trust in any municipality. There was one example brought forward during discussions that confirmed enforcement action due to permit violations, and multiple examples also brought forward of complaints lodged, investigations undertaken, and compliance confirmed by the County".
- Industry members referenced numerous studies relating to their perspectives on this and other topics and will share these studies on request.

## **2. Consideration for Groundwater**

Discussion: On the west side of the County, potential negative impacts on groundwater have become a focal point for residents with the proliferation of gravel operations on the Big Hill Springs aquifer and Cochrane West, and along the Bow River. Residents near Cochrane West operations believe hydrocarbons found in their well originated with the adjacent gravel operation.

### **Country Residential and west Rocky View Agricultural Perspectives**

- Setbacks and provision for adequate residual gravel filtration where pits would operate over the Big Hill Springs aquifer or other significant groundwater resources and important streams and rivers are required. Harm to groundwater could be irreparable. The County should use independent experts for observation wells where prospective gravel deposits overlay groundwater to determine groundwater elevations and quality and regular well monitoring to create baseline data to measure changes and to determine mitigation.
- In submissions to previous County proceedings, residents, Alberta Parks, and environmental groups opposed gravel operations which could impair the aquifer and main spring which sustains the Big Hill Springs Provincial Park and Bighill Creek. They referred to work by a hydrogeologist, Dr. Jon Fennell, supporting their concerns.
- These members are concerned that industry hydrological studies measure only ground water elevations, not water chemistry, which is critical in addressing potential harm to the Big Hill Spring aquifer. They assert that scientific data collection requires time and investment.

### **East Rocky View Agricultural Perspective**

- This area of expertise should be left to Alberta Environment. Consultation with Alberta Environment could address a separate bylaw for water and wildlife concerns.

### **Industry Perspective**

- No impacts to groundwater from aggregate operations in the county or the province have been proven. They view the concerns from other members as unsubstantiated allegations and state that aggregate operations in the County do not operate within the groundwater.
- Industry already completes groundwater impact assessments, including a collection of baseline data such as groundwater levels and chemistry and ongoing monitoring at several sites. This work is completed by third party professional consultants and reviewed by technical experts at the provincial level.
- Several gravel operations in the eastern part of the County are located over sources of groundwater and industry members state that they have not experienced negative impacts on groundwater from these activities. Further, there are thousands of gravel pits in the province of Alberta that are monitored by appropriate provincial authorities to mitigate environmental hazards. Alberta Environment and Protected Areas has issued several Water Act authorizations to gravel pits in Rocky View County that contain monitoring and reporting requirements.
- Industry Committee members do not agree with the validity of the findings of Dr. Jon Fennell, the referenced hydrogeologist. His report has not been peer-reviewed nor used peer-reviewed references. The majority of conclusions contained within the report are unsubstantiated through

proper use of peer-reviewed references and thus represent an opinion. Most significantly, the main reference utilized to support his claim that water quality in sand and gravel aquifers may be impacted by aggregate operations is from a conference submission paper that evaluated the impact of acid rain and bog water on groundwater in areas of gravel extraction in Finland. Dr. Fennell fails to explain that the source of changes to water chemistry in this paper are contaminants present in acid rain which is irrelevant to the discussion in Rocky View County. Industry believes that presentation of these irrelevant facts from a completely different environmental setting is misleading and unprofessional. Multiple independent professional hydrogeologists have studied the aggregate deposit in the local area to Big Hill Creek and the Provincial Park, using field-level data, and have completely refuted Dr. Fennell's concerns. Another hydrogeologist submitted a letter to the County refuting Dr. Fennell's report. Furthermore, the Provincial environmental authorities are not aligned with Dr. Fennell's findings.

### 3. Cumulative Effects

Discussion: Committee members from west Rocky View suggest that evaluation of cumulative effects should be part of the basis for which new pits will be approved or refused in certain areas of the County. They recommend that the County clearly define the requirements for cumulative effects analysis, including temporal and spatial boundaries, minimum radius of the regional study area, and the valued components to be included. They point out that the Government of Alberta Land Use Framework states that: *'Cumulative effects management recognizes that our watersheds, airsheds and landscapes have finite carrying capacity. Our future well-being will depend on how well we manage our activities so that they do not exceed the carrying capacity of our environment.'*

Background: Noise, traffic, and air quality affected by dust from pit operations were expressed as significant concerns for residents living close to the multiple industrial sized aggregate pits in the west part of the County. They described large dust plumes emanating from various large pits and shared anecdotal information about traffic congestion and their increasing safety concerns about the number of large gravel trucks using rural roads.

Reasons: Only one reference to cumulative effects in the 2018 ARP was found, and yet cumulative impacts are a significant concern for residents.

### Country Residential and west Rocky View Agriculture Perspectives

- The cumulative impacts from these factors have health and safety consequences. They observed that development permits for some 2017 approvals included only a nominal recognition of the potential cumulative effects of those mines, while another pit had no substantive conditions addressing cumulative effects.
- Areas in the County will reach a tipping point where the combined impacts of all pits will exceed the carrying capacity of the environment. The requirements of previous assessments were not clearly defined and, as a result, the assessments were of questionable quality. They are also concerned that these reports are treated as a checklist item rather than as a meaningful criterion for application approval or refusal.
- The County should require continuous collection of air quality and noise data from monitoring stations located at prescribed intervals at the site boundaries of all aggregate pits as well as regular monitoring of groundwater quality and elevations. Raw data should be made available in non-

summarized and non-average format, which would not preclude operators from interpreting and summarizing data in their regular operating reports.

## Industry Perspective

- Cumulative effects are part of the current aggregate extraction development permit application process in the County. Noise, air quality, groundwater, and traffic assessments are completed based on defined methodology which includes a consideration of existing activity in the area and cumulative effects assessment. Aggregate developers must submit technical documents by a qualified professional for each scope.

## 4. Address Environmental Concerns

Discussion: The Committee recommends that the County access an up-to-date inventory of environmentally sensitive areas (ESAs), such as is being done by the Calgary Metropolitan Regional Board. They recommend that the County engage environmental experts to assess ESAs which in the future could be impacted by gravel operations. They recommend that the County understands the interactions of aggregate development with the surrounding environments, including wildlife corridors, and understand the environmental cumulative effects of aggregate development.

## Country Residential and west Rocky View Agricultural Perspectives

- The County needs to take more responsibility for the long-term viability of the natural environment in the County impacted by aggregate development. This is the County's shared responsibility with the province. There must be clear language in the ARP about appropriate setbacks from environmentally sensitive areas with prohibition of pits in proximity to the County's most important environmental assets such as parks, rivers, and major wetlands.
- They recognize that operators require registration from Alberta Environment, under the Code of Practice for Pits. However, their experience is that the Code does not fully considers environmental impacts on groundwater or air quality and that the Code approvals are largely a "check box" exercise.
- In the experience of these members, after a development is approved by the County, landowner concerns regarding regional environmental effects of proposed gravel operations must be pursued through Statements of Concern submitted to AEP under specific regulations such as the Water Act. Achieving standing as a "directly affected party" in AEP reviews has been found to be difficult or impossible. When an opportunity to participate is provided, concerned groups must commit significant time and energy plus funding to engage expert support.
- Some appeals to AEP could be avoided if the County approval processes more fully recognized the potential negative consequences of aggregate development on surrounding ESAs. This requires environmental inventories of potentially impacted areas by independent experts, creation of appropriate setbacks and ongoing requirements for industry best practices if an approval is given. Applications to the County for aggregate developments should require notice and adequate time for participation by environmental stakeholder groups. They further suggest that the County provide some funding to support community interventions in County gravel applications.

## East Rocky View Agricultural Perspective

- Alberta Environment has jurisdiction over the environment, and they should be the consistent voice on these matters within Rocky View County.
- Taxpayers should be offended that they are being asked to provide funding to groups with an individual and inclusive agenda.

## Industry Perspective

- The environmental assessments currently required by the province and Rocky View County evaluate the potential impact of proposed aggregate developments to surrounding land users, including environmentally sensitive features. For example, wildlife assessments include desktop and field level evaluation of wildlife typically present on the site and surrounding area, including wildlife corridors. These assessments identify mitigation strategies that can be utilized to minimize impacts.
- An inventory of ESAs in Rocky View County already exists, and industry suggests that the environmental benefits of pits should also be considered. Aggregate development, particularly at reclamation, can have many positive environmental impacts such as increased biodiversity, the creation of wetlands and wildlife habitat, and improved agricultural capacity.
- Industry members of the Committee recommend the County should endeavor to reduce jurisdictional overlap with the province where possible.

## 5. Recognize Big Hill Springs Park as an Environmentally Sensitive Area

Discussion: Big Hill Springs Provincial Park is a seventy-acre park recognized for its thermal spring and tufa formations. The Park attracts more than 250,000 visitors per year. Contiguous lands, totaling over 1300 acres, held by gravel interests extend from the western boundary of the park for approximately two miles.

## Country Residential and west Rocky View Agricultural Perspectives

- Most of the current aggregate applications and most of the ongoing resident concerns are focused on the Big Hill Springs and areas west of Cochrane. The ARP must address specific issues being raised in these areas. There are now four approved gravel mines enveloping 800 acres near Big Hill Springs Provincial Park. These, plus another 480 acres owned by another gravel company, create a continuous swath for one and a half miles west of Big Hills Springs Provincial Park. ARP policies governing County aggregate applications, approvals, and regulation must be sufficiently robust and clear to locate and manage future developments in other areas.
- Big Hill Spring Provincial Park requires protective setbacks, and significant setbacks and strong emissions mitigation measures for all gravel operations near the park.
- They observe that recent expansion for a pit, located approximately 800 meters east of the park, has resulted in stockpiles and conveyors being visible from the park.
- In addition to potential harm to groundwater, the large concentration and proximity of gravel operations at Big Hill Springs could result in negative cumulative impacts of dust and noise to the park and Bighill Creek, which would impact biodiversity. Wildlife corridors would be physically disrupted by berms and excavations and noise from a string of gravel operations.

- Agglomeration versus Consolidation: these members state that the park will see the worst of all worlds – agglomeration without consolidation. There will be five mines competing for available market and each contributing to cumulative impacts for thirty years. The proliferation of mines with thirty-year extraction lives demonstrates a grossly inefficient resource development model.
- Park visitors could be negatively impacted by the experience of adjacent industrial sites.

### East Rocky View Agricultural Perspective

- As Big Hill Springs Park is a provincial park, any potential issues arising from air, water, excess visitation, and the like should be dealt with through provincial bodies who oversee parks.
- The ARP is a high-level document that should apply to the entire County. Micromanaging the ARP for one area (i.e., the Park) should not creep into this bylaw or into the aggregate rules and process. The County would be entering into provincial jurisdiction by including special attention to the park in the proposed bylaw.
- It is clear some residents have concerns regarding this park and the proximity to aggregate. This should be handled by a separate bylaw by the County that would work with and be crafted in conjunction with the province.

### Industry Perspective

- Setbacks are already in place for ESAs and the Provincial Park. The County has the ESA's mapped, and the province already recognizes ESA's in its review of applications. Additional setbacks are not required. Mitigation measures can be utilized to protect environmentally sensitive areas. The various environmental studies currently required by the province and Rocky View County identify whether adjacent land and water users, including ESAs and Provincial Parks, may be impacted by a proposed aggregate development.
- Gravel pits operate successfully in Banff National Park, Jasper National Park, Kananaskis provincial park and many others. The idea that gravel pits and parks areas cannot co-exist is not supported.

## 6. Application Review Process

### **Determine a means to Develop the Confidence of Residents, Administration and Council in the Analysis of Expert Reports contained in Aggregate Development Applications.**

Discussion: Committee members from west Rocky View involved in past applications lack trust in these expert reports. They have little confidence that the reports had adequate technical review by administration and, as a result, Council was provided with less-than-optimal support for their decision-making. Industry understands the County's current approach in regulatory aggregate development to be one of the most comprehensive of any of the municipalities in Alberta.

### Country Residential and west Rocky View Agricultural Perspectives

- Council receives a lot of information in a short period of time prior to a hearing. This means that it is critically important that Council receives high quality summaries of the complex technical reports that are essential in evaluating aggregate applications.



- To achieve this objective, it is important for Administration to have access to objective, independent expert advice in their review of proponents' technical application information. For example, the County does not have an acoustical engineer, although noise concerns and sound monitoring modelling are important issues in aggregate land use and development permit applications. The same issue exists for groundwater, air quality and other impacts that require complex technical analysis.
- Since it is not financially viable to maintain a full roster of technical experts as part of the County's permanent staff, application fees should cover the costs of contracting third-party experts to review applicants' technical studies.
- The current process has a serious gap that should be drawn to Council's attention. In the existing application process, administration typically only looks at information provided by the applicant. Administration checks applications for the presence or absence of technical reports but does not have the technical expertise or resources to assess the quality or completeness of many of the conclusions provided in those reports. This creates the potential for applications to be recommended for approval despite being inadequate with regards to technical study quality. This gap should be addressed in the ARP to ensure that Council has the best possible information on which to base its decisions.
- With access to independent third-party reviews of applicants' technical studies, Administration could then show how this objective information was considered in their recommendations to Council. This could increase Council's confidence in the decisions that they are making and thereby increase public confidence in council decision making.
- There should also be clear minimum standards for applicants' technical studies. From their experience, these members saw that in some previous applications groundwater, surface water, noise, economic impact, and cumulative effects studies were narrowly scoped, and, as a result, in some cases drew inappropriate conclusions.
- Administration's assessment of applications should clearly distinguish between policy and technical issues to ensure that both are evaluated satisfactorily.
- These committee members also recommend that intervenor compensation and/or capacity funding be provided to residents and other stakeholders to address the imbalance in financial resources between industry and impacted persons. This funding could be provided through fees for aggregate land use and development permit applications. This would enable technical studies to be independently reviewed, and impacts identified. This would assist the County by surfacing balanced perspectives to support more informed decision making.
- The ARP must include sufficiently detailed guidance to ensure that Development Permits fully reflect commitments in the MSDPs and that conditions established in the DPs are easily enforceable.

## Industry Perspective

- Both the province and the County require technical reports to be completed by professional subject matter experts (e.g. professional biologists, agrologists, engineers and geoscientists). These professionals are regulated by their respective professional associations and have an ethical duty to protect the public through objectivity and competent practice. They support and defend their reports through the provincial and municipal review processes, as well as in public hearings.

- All application documents are available for any stakeholders to review and to state their substantiated professional opinion to the County. Industry questions whether 'confidence' can be measured, as typically a layperson simply doesn't agree with the professional information without any basis for defense.
- Some committee members discount the professional review capacity of staff at the County, Alberta Environment and Protected Areas, Alberta Transportation, Alberta Culture, Alberta Health Services, and the Aboriginal Consultation Office. These agencies are all typically involved in the review of a proposed aggregate development. Alberta Environment and Protected Areas has reviewed and issued authorizations to several gravel pit applications in the County.

## **7. Economic Assessment of Aggregate in the County**

Discussion: That the County prepare a comprehensive, independent, objective assessment of the costs and benefits and net economic impact of aggregate development. The assessment should consider all economic benefits to the County that result from aggregate activity and consider all costs to the environment and costs to residents along with all costs to the County of administering, monitoring, and enforcing aggregate development and operations.

Background: Committee members recognize that aggregate has value for roads, building, and other infrastructure development and maintenance. Industry members quoted the use of aggregate per person in Alberta at 12 to 15 tonnes per year. Committee members understand that the County receives approximately \$1,000,000 in annual CAP levies from aggregate operators and that aggregate sites pay municipal taxes and offsite levies, and that aggregate operations hire employees who live in the County and use other County services and businesses.

Reasons: An economic assessment would support an understanding of the economic impact of aggregate for the County and ratepayers, allowing the county to evaluate a cost/benefit analysis specific to the County. Industry members state the information can be used to determine the extent to which existing aggregate sites in the County and elsewhere can meet the expected market demand for the region.

### **East Rocky View Agricultural Perspective**

- There is a positive effect of aggregate extraction for large acreage farming operations, an end-pit lake is an asset to farming and ranching, especially in drought times. The reclamation of farming and grazing land, once aggregate is removed, is a benefit because of the absence of rocks that can damage equipment. Income from aggregate resources paid to the farmers and ranchers assists in offsetting downturns for landowners relying on income from their large-acreage agriculture endeavours.
- The County receives income from offsite levies, the Community Aggregate Payment (CAP) Levy, and land taxes from aggregate extraction. Rebuilding of haul roads to a higher standard is beneficial to industry and residents who also use the improved roads built by industry.

### **Country Residential and west Rocky View Agricultural Perspectives**

- The CAP levy equates to less than twenty-five dollars per resident and they question if the impacts to residents and the cost to the County are justified. They would like to see an economic assessment that includes road repair costs, legal costs, impacts on property taxes and other direct and indirect

costs to the County, and costs to residents. Their view is that many of the benefits of aggregate development occur outside of the County. They state that County fees applied to industry should cover all costs to the County associated with aggregate development.

- Although industry members stress that haul distances must be minimized due to environmental concerns, the real concern is likely higher transportation costs.
- The information from an economic assessment should inform the ARP' s locational criteria for aggregate development within the County.
- The County needs to better understand the fundamental economics of gravel extraction so it can determine appropriate locations and mitigations. These residents question if the County has an obligation to provide relatively inexpensive gravel for the City of Calgary.
- These members are concerned about impacts to residential property values. An international study concluded properties within three miles of an active aggregate pit suffer a negative impact of 5 to 30 percent to their property values. This indicates that in the areas of the County with high population density, a new gravel operation could result in cumulative residential property value loss with more than \$150 million of associated residential property tax loss.

## Industry Perspective

- An economic assessment should include an evaluation of the economic benefits derived from the aggregate industry, including CAP levy generation, payment of municipal taxes, offsite levies, and direct and indirect job creation. An Alberta Sand and Gravel Association report from 2023 describes these benefits in more detail.
- An economic assessment should consider the cost of alternatives to supplying the local and regional aggregate market if close-to-market resources in Rocky View County are sterilized. Unlike the oil and gas industry where alternative energy production methods are being increasingly developed, there is no replacement for aggregates. As such, if close to-market resources are sterilized, aggregate will need to be sourced and transported from further distances. Increased transportation requirements will result in higher costs for aggregates and thus higher municipal and provincial infrastructure costs, a loss of local jobs, and higher greenhouse gas emissions. The County maintains approximately 1,600 km of gravel roads, and an economic analysis should consider the economic impacts to the municipality if regulatory sterilization results in higher costs of materials.
- Supply of construction materials is not optional and is a requirement to sustain our way of life. During the COVID-19 pandemic, aggregate production was one of the industries deemed critical and allowed to continue to operate. The value of construction materials cannot be assessed on a financial basis alone. After water, the most consumed material on earth is concrete, of which >80% is made from aggregates.
- County assessment values can be used to determine if aggregate has had a negative impact on property values.

## 8. Mapping of Aggregate Resources in the County

Discussion: That the County prepare the best possible mapping of aggregate resources to better inform stakeholders in the County and to guide long-term development.

Background: Committee members reviewed and discussed the County map relating to aggregate deposits which was developed during the previous ARP project. They did not reach agreement on the information provided by that map.

Reasons: Some members state that effective mapping would allow the County to understand where potential for aggregate development exists and aid in making informed decisions, so that subdivision and development activity does not conflict with non-renewable resource development. Currently, industry and some committee members don't agree on the information regarding the supply and location of aggregate resources in the County. There is a need for clarity and for achieving the balance of protecting the resource and protecting residents and the environment. Mapping has a role in informing residents and industry where future gravel development might be possible.

## Country Residential and west Rocky View Agricultural Perspectives

- Available mapping and other evidence shows an abundance of aggregate throughout the County. Better mapping will allow the County to be more informed about the relative abundance or scarcity of the resource. This information could inform planning decisions to protect residents and the environment without risking future aggregate supply. The 2018 draft ARP shows a bias to protect aggregate resources for future exploitation. The County has sufficient aggregate resources to supply Calgary and area for over 200 years with just 3% of County land area and for over 500 years with just 7% of County land area.
- Access to the resource should be permissive and based on avoiding negative consequences.
- While there is uncertainty about the quality of mapping that currently exists, other knowledge can inform the ARP before additional mapping occurs, including that:
  - Aggregate operations are currently in operation in all four quadrants of the County and the resource is broadly located across the County.
  - Aggregate operations are active near Rocky View County, including within the City of Calgary, Tsuut'ina Nation, Stoney Nation, and each of the five counties neighbouring Rocky View.
  - Based on demand estimates provided by the Calgary Aggregate Producers Group in 2015, typical supply from current and proposed gravel pits within the County could supply its share of aggregate demand in Calgary and the surrounding area for hundreds of years with a small fraction of County land.

## Industry Perspective

- Updated mapping would need to be considered as guidance only and that awareness of its limitations is important. Without site specific analysis, this mapping does not inform where aggregate development is economic or environmentally appropriate. There is also no guarantee that current owners of these lands wish to see aggregate development, or that future owners will be amicable to such a use. Additionally, other land uses such as houses, roads, utilities, pipelines, and/or well sites may sterilize identified deposits and that granularity is likely difficult to add to any mapping.

## 9. Additional Regulatory Actions

### **Advocate to improve operations of Provincially owned pits in the County.**

Discussion: The County should use available means to encourage provincial aggregate operations in the County to follow County standards for operating and reclamation.

Background: The Committee members all supported the recommendation that County pits follow County standards. Some Committee members recommend that provincial pits should also follow County standards. They discussed how the same standards could be extended to provincially operated pits in the County.

### Country Residential and west Rocky View Agricultural Perspectives

- The County could require that operators who extract from provincial pits follow County standards when they are operating in provincial pits, and that this could be an eligibility requirement to operate in private pits in the County.
- Precedent exists in Alberta regarding reversal and rescinding of resource rights by the provincial government where prior approvals conflicted with residential and/or environmental plans. This could provide a model for the County with regards to previously approved aggregate operations that conflict with a new ARP.

### East Rocky View Agricultural Perspective

- The proposed ARP should not add clauses that are unmanageable and unenforceable. Permit conditions cannot be changed on a whim.

### Industry Perspective

- Provincially owned aggregate operations are not legislatively required to adhere to municipal bylaws, however in many cases municipal bylaws are being followed. Thus, including details on the regulation of provincial pits in the ARP would not be an effective use of time and resources.

### **Clarity about the Distinct County and Provincial Aggregate Regulatory Roles.**

Discussion: The County and the province have distinct roles and responsibilities for aggregate applications and regulation. Clear information in the ARP for readers about these separate roles in aggregate applications, compliance, and enforcement should be provided.

Reasons: A preamble in the Plan could specifically define the County's responsibility for aggregate development and indicate that the County has shared responsibility for day-to-day monitoring, enforcement, performance standards, and compliance of aggregate operations.

### Country Residential & west Rocky View Agricultural Perspectives

- Municipalities have sole responsibility for land use decisions. This responsibility is not shared with the province. To exercise their responsibilities for land use decisions, municipalities must carefully

evaluate all aspects and impacts of gravel operations to determine if the proposed land use is appropriate for the land in question.

- Municipalities also have clear responsibilities to protect both their environment and their resident, which are responsibilities that overlap with the province. The reality of overlapping responsibilities does not remove Rocky View's responsibilities in these areas.

## Industry Perspective

- There are clear jurisdictional roles between the municipality and the province. For example, authorizations related to water use and impacts and reclamation security are clearly the role and responsibility of the provincial government. Road use, for example, is a municipal responsibility. In the case of provincial responsibilities, these are clearly defined, regulated, and enforced accordingly. The municipality should not duplicate effort.

### Reduce red tape for some pit renewals.

Discussion: The County could consider using a streamlined approach for pit renewal applications for companies that do not have a record of non-compliance or substantiated complaints from affected stakeholders. Pit renewals would be held to the new standard being implemented by the County.

Background: Under the current situation, operators are required to apply for renewals every five years. Items 9(19) 3 and 7(5)c in the 2018 ARP can be interpreted to mean that when renewing development permits, operators are required to provide all the same technical documentation that a new development permit application requires.

Reasons: The impacts of an existing pit should already be known and subjecting existing operations to new standards and study requirements creates business uncertainty. With correct reporting, good compliance, and no complaints from stakeholders, studies on factors such as noise and air quality should not be required.

## Industry Perspective

- Subjecting existing operations to new studies and standards adds additional cost to the supply of aggregates and creates business uncertainty. A streamlined approach would reduce the regulatory burden on operators and County administration and would support investment in the County.
- Many sites complete project scale plans and assessments during the initial MSDP and Land Use planning stages. It is not necessary or appropriate to update plans every five years unless there is a change in circumstances that might warrant an update of such reports. There should be a standard process for all pit renewals to provide business certainty.
- It is unrealistic to expect ongoing operations to cease if new studies and performance measures cannot be met. Investment in the development would have been based on the regulatory framework at the time. Once operations have commenced, continued operations are required to complete the project and ultimately reclaim the property to the approved end land use.

## Country Residential and west Rocky View Agricultural Perspectives

- To the extent that a development permit renewal is not proposing any expansion of pit operations or alterations in operations, then it might be reasonable to provide an expedited renewal process

for pit operators with clean compliance records. However, the risks of scope creep are too serious to provide a blanket expedited process for all renewals. When a pit is expanding into new area, technical studies need to be updated to reflect the new area. If a pit is proposing to change its operations, e.g. adding gravel washing, the impacts of any operational changes need to be properly evaluated.

- It is also critical that development permit renewals of existing gravel pits be brought into compliance with new performance standards and other provisions in the ARP once it has been approved.

## **10. Respect for Property Rights**

Members had some discussions on property rights.

### **Industry Perspective**

- Regulatory certainty and the ability to recognize value from their property is critical to supporting investment in the County and province. In many instances, individuals and/or corporations have made the decision to purchase property in Rocky View County with an intention to develop aggregate resources and realize their value. These investment decisions were based upon an understanding of the regulatory scheme related to aggregate development at the time. New regulations, including setbacks and/or locational criteria, can sterilize millions of dollars of aggregate reserves and deprive landowners of their property rights to mine and sell their gravel.
- Property rights are a critical component in the development of a prosperous and thriving economy. As written in a Fraser Institute paper, the regulatory taking of a person's property constitutes a severe loss and a very significant interference with a citizen's private property rights which are critical in promoting freedom and economic activity.

### **Country Residential & west Rocky View Agricultural Perspectives**

Three types of property rights should be identified:

- 1) The right of property owners to choose to extract aggregate from their property, subject to adherence with land use regulations.
- 2) The right of property owners to choose to pursue other forms of development on their property (residential, commercial, or other), whether or not potential aggregate deposits may be present, also subject to adherence with land use regulations.
- 3) The right of property owners to peacefully enjoy their property without being subject to disturbing or harmful impacts from surrounding properties.



## Appendix: Gaps in the 2018 ARP as Identified by Committee Members

**ARP Gaps:** The Committee was asked to identify gaps in the 2018 ARP. Throughout subsequent meetings members discussed their detailed perspectives on those gaps. Those discussions led to developing the committee recommendations and defining the areas of non-consensus.

### East Rocky View Agricultural Perspective on ARP Gaps

- Alberta Transportation and County pits should follow the same rules. Transparency is important, for example in reclamation.
- Education by RVC and industry about the process is important – people truly don't understand.
- Would like to see phasing clarified in the document.
- Extending the life of old pits.
- Setbacks- identify more clearly that Council can change setbacks.

### Country Residential and west Rocky View Agricultural Perspectives on ARP Gaps

- Overall, the ARP needs to be clearer. There are four themes:
- Location: Where in the County is development explicitly prohibited and where is development allowed? ARP is skewed to protect the resource. There was no exploration of cost and benefit of development.
- Balance: There was a sense that the application process is not balanced between landowners and operators.
- Application Process: It seems like a checklist and that administration looks to see if the report was done and not at how good the information is. Process felt superficial and misleading. (when a community opposed the Scott development they hired experts who found gaps in the quality of the proponent's reports). There was no funding for stakeholders to do their own studies. There was distrust from residents about admin. Needs to be consideration of documents not provided by the proponent.
- Enforcement: the current process is complaint based. Need funding for enforcement.
- Residents want consistency and certainty.
- Would like to see GIS mapping for the full County.
- Recognise diversity around the County with different setbacks.
- Policy 6.4 Denies property owners to develop anything non aggregate. The bias is in favor of aggregate.
- The ARP is comprehensive.
- Some applications were approved by Council entirely on what the applicant provided- there was no other digging for more information.
- Applications are ad hoc. Would like to see them in a more orderly and thorough fashion.
- RVC needs independent experts to adjudicate opposing interests.
- Important to look at cumulative effects of an application - this is not properly developed in the ARP.
- There's work to be done on environmentally sensitive areas. Studies need to be more comprehensive. There are regional aspects to the environmental impacts of development.

- The plan has no definition of what constitutes a risk.
- Consider cumulative effects of pit development on sensitive areas.
- Landowners may not have the resources to come up with the technical information versus what companies have.
- Consider traffic impacts – what are the cumulative effects for traffic?
- The ARP does little to look at balancing the rights of property and the opportunity to develop.
- Everyone operates on their own ‘island’. Can industry share infrastructure?
- Reclamation
- County can look at areas that are vulnerable to development
- ARP should remove uncertainty.
- When there are opposing technical research reports, err on the conservative side.

### Industry Perspective on ARP Gaps

- There are competing interests. Industry would be happy to have more performance standards.
- Certainty of supply is important to industry. The map largely overestimates the supply of gravel in RVC. Wouldn't want to potentially sterilize land for aggregate development.
- Public education is important.
- Process: important not to require duplicate processes. Alberta Environment does have the expertise to assess technical reports.
- Important to recognize this is a non-renewable resource.
- Need caution in affecting property rights and values with setbacks.
- Doesn't feel that the plan favours industry.
- The map and areas of potential aggregate needs to be revised.
- The ARP doesn't have enough to protect aggregate
- Prescribed performance standards should be used over setbacks.
- Use robust technical information to protect standards.
- Processing of aggregate is where setbacks are need – the aggregate resource is too valuable to eliminate by setbacks.
- How to protect landowners rights – the ARP has no mention of landowners
- Some land isn't viable for agriculture and is used mainly for pasture. Landowners should have more right to realize the potential of the land. Reclamation can improve land.
- Grandfathering provisions.
- Fixed set of requirements may not be practical. The process should allow for some flexibility. For example, a pit extension that is close to a project has been delayed in the application process, but not because of opposition.

**ROCKY VIEW COUNTY  
BUDGET ADJUSTMENT REQUEST FORM  
BUDGET YEAR: 2024**

| Description   | Budget Adjustment                              |
|---|--|
| EXPENDITURES:   |  |
| Tax stabilization reserve   | 40,000   |
| TOTAL EXPENSE:  | 40,000   |
| REVENUES:   |  |
| Municipal policy projects (2-40-34-315-21130)   | 40,000   |
| TOTAL REVENUE:  | 0  |
| NET BUDGET REVISION:  | 40,000   |
| REASON FOR BUDGET REVISION:   |  |
| To procure a consultant to provide a technical review of performance standards and other documents drafted by Adm |  |
| AUTHORIZATION:  |  |
| Chief Administrative Officer: _____   | Council Meeting Date: <u>November 28, 2023</u> |
| Reegan McCullough   |  |
| Executive Director Corporate Services: _____  | Council Motion Reference: _____                |
| Kent Robinson   |  |
| Manager: _____  | Date: _____                                    |
| Dominic Kazmierczak   |  |

Budget AJE No: \_\_\_\_\_

Posting Date: \_\_\_\_\_



# COUNCIL REPORT

## Planning Project Prioritization Policy C-322 Amendments

Electoral Division: All

File: Policy C-322

|             |                              |
|-------------|------------------------------|
| Date:       | October 8, 2024              |
| Presenter:  | Andrew Chell, Senior Planner |
| Department: | Planning                     |

### REPORT SUMMARY

The purpose of this report is to present for Council's consideration of revisions to the draft Area Structure Plan Priority Policy C-322. Administration presented proposed amendments to Council on July 23, 2024, and Council directed that Administration make several changes to the draft Policy. Administration has revised the draft Policy for Council's consideration. A ranking list of future ASP projects and supporting implementation documents (master plans and bylaws) is also attached to the revised Policy, which was created using the new ranking criteria set out in the Policy. The revised Policy and ranking list are set out in Attachment A.

The revisions to the proposed Policy C-322 amendments include the removal of several procedural items from the Policy, including the detailed scoring matrix which Administration will use to assess projects by. The updated Policy is simplified to focus on project eligibility for ranking and the criteria which projects should be ranked against; procedural matters that were contained in the previous iteration of the revised Policy will be relocated to an administrative procedure.

Council is not bound by the ranking list in Attachment A, but may use this list to guide Administration's workplan in 2025. A further motion is provided for Council to direct Administration to create terms of reference and budget requests for projects it wishes to see commence in 2025. Administration has determined that it initially has capacity to add one County-led ASP project and one developer-led ASP project to its 2025 workplan.

An alternative ranking list produced using the existing Policy C-322 was presented to Council on September 24, 2024, and the item was tabled pending further consideration of this revised Policy. If Council is not supportive of this revised Policy and ranking list, it may alternatively approve the tabled ranking list and direct Administration's 2025 workplan based on that list.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approve amendments to Council's Area Structure Plan Priority Policy (C-322), and the associated ranking list established from the Policy's criteria, as set out in Attachment A.

THAT Council direct Administration to create terms of reference and budget requests for the following:

- Conrich ASP Review project;
- Beacon AI Hub ASP project.

### BACKGROUND

Area Structure Plan Priority Policy C-322 was originally adopted on June 10, 2014. The Policy outlines a process for evaluating the review and creation of Area Structure Plans, according to a set of evaluation criteria. Since 2014, changes to the County's planning context and Council's strategic priorities warrant an update to the way the County prioritizes its land use planning projects.

## Planning Project Prioritization Policy C-322 Amendments

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Administration presented a draft amendment to Policy C-322 that updated the evaluation criteria and ranking process to better reflect the need for Planning projects and alignment with Council's strategic priorities. After considering the item, Council referred the proposed amendments back to Administration to revise the draft policy to reflect the comments made at the July 23, 2024, Council meeting.

At the same meeting on July 23, 2024, Council directed Administration to bring forward a ranking list under the existing Policy C-322. This was presented to Council on September 24, 2024, and subsequently tabled until a the revised Policy and ranking list in Attachment A has been presented for consideration.

### ANALYSIS

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The intent of Policy C-322 is to provide a clear framework for evaluation and prioritization of the County's land use plans. The existing Policy C-322 prioritizes only Area Structure Plans. The proposed Policy C-322 update would prioritize not only Area Structure Plans, but all statutory plans, as well as County-initiated Land Use Bylaw amendments and other master plans and guidelines that inform the County's land use framework. This expanded scope will provide Council with a more holistic view of the County's entire land use framework, to guide its decisions about which projects the County should undertake. Ranking will occur annually prior to budget deliberations, so that Council can use the priority list to guide its annual budgeting decisions.

#### Revisions Made After July 23, 2024, Council Meeting

Following Council's direction from July 23, 2024, Administration has revised the proposed amendments as follows:

- The procedural aspects of the ranking process have been removed. The evaluation process will be kept in an administrative procedure to ensure year-over-year consistency.
- The Schedules to the policy have been simplified, to present only the linear ranking list in Schedule A. The evaluation matrix will be relocated to the administrative procedure, so that it can be referred to if necessary to identify nuances in two similarly-ranked projects when deciding whether a project should be undertaken.

#### Score weighting

At the July 23, 2024, meeting, Council discussed the matter of weighting of evaluation scores. Administration recognizes the challenge of determining how different criteria should be weighed when comparing different potential projects. For the purposes of ranking land use planning projects, it was determined that a weighting system with fewer gradations (0, 1, 2) would result in a more consistent and easily-comparable ranking system. The amended ranking system scores projects against ten criteria (compared to current seven), which allows for evaluation of a project against more specific and accurate measures of planning need and alignment with Council's strategic priorities.

#### 2025 Priority List

Administration has conducted an evaluation of upcoming planning projects as described in the proposed Policy, and has prepared a priority list for Council's consideration within the revised Policy (Attachment A).

### COMMUNICATIONS / ENGAGEMENT

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No communication or engagement is required to approve the policy.

One of the primary objectives of this Policy is to improve communication about Planning initiatives to the public and other interest holders. The Policy is expected to do this in several ways:

- The Policy, along with its annually updated Schedule 'A', will be posted on the County website for public reference;

## Planning Project Prioritization Policy C-322 Amendments

- The Policy is intended to increase transparency in decision-making, as Council's budget decisions regarding planning projects will be informed by consistent, measurable, and comparable criteria through the ranking process; and
- The Policy provides a clear and consistent avenue for the public to request a project to be added to the ranking list.

### IMPLICATIONS

#### Financial

There are no financial costs or revenues as a direct result of the approval of the ranking list; however, the approved ranking list will allow Council to improve its strategic allocation of County resources to priority projects, and will help to minimize variances and ad hoc decisions outside of the regular budget cycle by providing proactive structure to Council's budget deliberations with respect to ASP projects.

As per the proposed Policy, project prioritization would occur in Q2 of each year so that budget can be allocated with the next year's regular budget cycle. As this amendment is occurring late in the 2025 budget preparation schedule, any projects Council approves resulting from the prioritization at this time would be funded via a budget adjustment request when the project is ready to be initiated.

### STRATEGIC ALIGNMENT

| Key Performance Indicators |   |   | Strategic Alignment  |
|----------------------------|---|---|--|
| Effective Service Delivery | SD3: Citizens are satisfied with Public Engagement opportunities and availability of information  | SD3.1: Citizens satisfied with the information provided by the County (newspaper, website, social media)  | This priority list will provide a clear sequence of priority for landowners, residents, and developers who have an interest in a parcel of land or a particular planning project.  |
| Financial Prosperity       | FP1: Successfully planning and managing tax revenues between residential and non-residential landowners                                   | FP1.1: Residential/Non-Residential Assessment Split Ratio as set out in the Assessment Diversification Policy   | The Policy includes a specific criterion to evaluate a proposed project's impact on the County's assessment ratio.   |
| Thoughtful Growth          | TG1: Clearly defining land use policies and objectives for the County –including types, growth rates, locations, and servicing strategies | TG1.2: Complete Area Structure Plans (ASPs) in alignment with the Regional Growth Plan and Council priorities   | The Policy includes criteria that will evaluate a proposed project against the objectives of the Regional Growth Plan, and Council priorities.   |
| Thoughtful Growth          | TG2: Defined land use policies and objectives are being met and communicated  | TG2.3: Statutory plans that align with the Regional Growth Plan and receive an approval recommendation from Calgary Metropolitan Regional Board (CMRB) Administration | The Policy includes aspects of evaluation process that consider the alignment of a proposed project with the Regional planning framework. Alignment and/or risks of proceeding with the project can be evaluated to determine whether a project should be prioritized. |

Planning Project Prioritization Policy C-322 Amendments

ALTERNATE DIRECTION

Administration does not have an alternative recommendation for Council’s consideration.

ATTACHMENTS

- Attachment A: Proposed Planning Projects Prioritization Policy C-322
- Attachment B: Existing Area Structure Plan Prioritization Policy C-322

APPROVALS

|                               |                     |
|-------------------------------|---------------------|
| Manager:                      | Dominic Kazmierczak |
| Executive Director/Director:  | Matt Boscariol      |
| Chief Administrative Officer: | Byron Riemann       |





**PLANNING PROJECT  
PRIORITIZATION**  
Council Policy

C-322

|                     |               |
|---------------------|---------------|
| Policy Number:      | C-322         |
| Policy Owner:       | Planning      |
| Adopted By:         | Council       |
| Adoption Date:      | YYYY Month DD |
| Effective Date:     | YYYY Month DD |
| Date Last Amended:  | YYYY Month DD |
| Date Last Reviewed: | YYYY Month DD |

**Purpose**

- 1 This Policy guides the sequencing of identified future land use planning projects that would create or amend statutory plans, bylaws and other documents relating to the management of growth and development within Rocky View County (the County).



**Policy Statement**

- 2 The County’s Municipal Development Plan requires that growth and development are implemented at a local level through statutory community-level area structure plans, and other plans and regulations.
- 3 The County creates and maintains non-statutory plans, guidelines, and other documents that may guide, regulate or inform aspects of municipal land use planning.
- 4 This Policy allows Council to prioritize land use planning projects to effectively utilize County resources and support Council’s strategic objectives.
- 5 This Policy also serves to phase implementation of the County’s overarching growth strategy set out within the Municipal Development Plan, by ordering the local planning of growth areas according to criteria including need, infrastructure requirements and policy alignment.
- 6 Rocky View County recognizes that it is important for stakeholders to be aware of upcoming land use policy changes that may impact them. This prioritization process is clear, transparent, and sets expectations for residents, business owners, land developers, Council, and other interested stakeholders.



# PLANNING PROJECT PRIORITIZATION

Council Policy

C-322



## Policy

### Project Eligibility

- 7 The following types of projects are ranked under this Policy:
- (1) Creation of new statutory plans;
  - (2) Major statutory plan amendments, including periodic reviews of statutory plans;
  - (3) Amendments to the *Land Use Bylaw*; and,
  - (4) Supporting plans, documents, and regulations that may guide, regulate or inform aspects of municipal land use planning.
- 8 Minor statutory plan amendments are addressed through the existing applicant-led process and are not ranked under this Policy.

### Project Ranking

- 9 Planning projects may be identified for ranking by Council or Administration.
- 10 External parties may request a project be included in the ranking by providing Administration the following information:
- (1) a cover letter detailing the proposal;
  - (2) the location and context of all parcels involved;
  - (3) figures and maps outlining the proposal, and any supporting documents; and,
  - (4) details on how the proposal meets the planning context and strategic criteria considered in Schedule B for the relevant plan type.

### Ranking Process

- 11 Administration evaluates projects according to the planning and strategic criteria in Schedule B (land use plans) and Schedule C (supporting plans, documents, and regulations), and prepares a recommended ranking list for Council's consideration annually, or more frequently at Council's discretion.
- 12 Council approves a final ranking list by amending Schedule A of this Policy by resolution at a regular Council meeting.



PLANNING PROJECT  
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- 13 Council approves the final ranking list of projects by the end of Q2 of each year so that the priority list may inform the next year’s municipal budget.
- 14 Projects listed in Schedule A that are in progress remain on the final ranking list until a decision on the project is made by Council.

Project Initiation

- 15 Administration presents a Terms of Reference and budget to Council for the projects that are identified by Council for initiation. Projects are initiated in accordance with an approved Terms of Reference and budget.
- 16 Notwithstanding the recommended priority list, Administration may develop a Terms of Reference for any planning project not included in the final ranking list at Council’s direction. If Council approves a Terms of Reference for a project that falls within the scope of Section 7 of this policy, it will be added to the list in Schedule A.
- 17 The prioritization list within this Policy does not represent the entirety of the County’s long-range planning project work plan.

Schedules:

- Schedule A: Planning Project Priority List
- Schedule B: Land Use Plan Scoring Criteria
- Schedule C: Supporting Plans, Documents, and Regulations Scoring Criteria



References

|                                       |
|---------------------------------------|
| Legal Authorities                     |
| Related Plans, Bylaws, Policies, etc. |
| Related Procedures                    |
| Other                                 |

- n/a
- n/a
- n/a
- n/a



# PLANNING PROJECT PRIORITIZATION

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## Policy History

|   |   |
|---|---|
| Amendment Date(s) – Amendment Description   | • |
| Review Date(s) – Review Outcome Description | • |





## PLANNING PROJECT PRIORITIZATION

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### Definitions

18 In this policy:

- (1) “Council” means the Council of Rocky View County”
- (2) “major statutory plan amendment” means an amendment that is of broad public interest and impacts the overall vision for a community and/or significantly changes the intent of a policy within the Statutory Plan, or that impacts a large portion of the plan area. Major Statutory Plan Amendments are initiated and undertaken by the County.
- (3) “minor statutory plan amendment” means an amendment for the purpose of facilitating a specific development proposal. Minor Statutory Applications are initiated by an applicant and follow the approval process described in the County’s Municipal Development Plan.
- (4) “ranking list” means a list that ranks projects from top-priority to least-priority.
- (5) “statutory plan” means any statutory plan defined by the Municipal Government Act (Area Structure Plans, Area Redevelopment Plans, Municipal Development Plan, and Intermunicipal Development Plan), and includes local plans appended to Area Structure Plans as defined by the Municipal Development Plan
- (6) “supporting plans, documents, and regulations” means any master plan, County policy, or regulation (including the Land Use Bylaw) that has land-use-related impacts and whose primary purpose is to achieve the County’s land use planning goals.



# PLANNING PROJECT PRIORITIZATION

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## Schedule A

### Planning Project Ranking List

| Planning Project Ranking List  |  |                               |
|--------------------------------|--|-------------------------------|
| Project Ranking                |  |                               |
| Rank                           | Project                                  | Project Type                  |
| 1                              | Conrich ASP                              | ASP Review                    |
| 2                              | Balzac West ASP                          | ASP Review                    |
| 3                              | Balzac East ASP                          | ASP Review                    |
| 4                              | Cochrane Lake Hamlet Plan ASP            | ASP Review                    |
| 5                              | Glenbow Ranch ASP                        | ASP Review                    |
| 6                              | Beacon AI Hub                            | ASP Creation (Developer-Led)  |
| 7                              | OMNI ASP                                 | ASP Amendment (Developer-Led) |
| 8                              | North Central Industrial ASP             | ASP Review                    |
| 10                             | Shepard ASP                              | ASP Review                    |
| 11                             | Delacour ASP                             | ASP Review                    |
| 12                             | Elbow Valley ASP                         | ASP Review                    |
| 13                             | Dalroy ASP                               | ASP Review                    |
| 14                             | Indus ASP                                | ASP Review                    |
| Projects Currently in Progress |  |                               |
|                                | Greater Bragg Creek ASP                  | ASP Review                    |
|                                | Springbank ASPs (North, Central, Moddle) | ASP Review                    |
|                                | Langdon ASP                              | ASP Review – Developer-Led    |
|                                | Bearspaw ASP                             | ASP Review                    |
|                                | Conrich ASP – Future Policy Area         | ASP Amendment                 |
|                                | Prairie Gateway ASP                      | ASP Creation                  |
|                                | Janet ASP – Long Term Development Area   | ASP Amendment                 |



# PLANNING PROJECT PRIORITIZATION

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## Schedule B

### Land Use Plan Scoring Criteria

| Planning Context  |            | Strategic Alignment   |            |
|---|------------|---|------------|
| Criterion   | Score (/2) | Criterion   | Score (/2) |
| Would the project implement the vision, objectives and/or goals of the Municipal Development Plan?  |            | Does the proposed project ensure service levels are provided at defined levels OR provide a strategic opportunity to expand service level(s)? |            |
| Is the area experiencing development pressures, is it reaching build-out, and/or is there evidence of continued market demand for development?  |            | Would the project contribute to the County's goal of achieving a residential/non-residential assessment ratio of 65/35                        |            |
| Will the project address: policy inconsistency with current County direction (other than MDP); existing development outside of a statutory plan; ineffective policy; policy gaps; policy that is often challenged; or other desired changes previously identified by Council or Administration? |            | Is there a significant economic development opportunity in the community that could be realized by the project.                               |            |
| Is there an opportunity to improve water, wastewater and stormwater servicing in the County be to more efficient, cost-effective, or functional in accordance with higher order statutory plans?  |            | Is the Plan within a Growth Area as identified by the CMRB Growth Plan (+1) and Municipal Development Plan? (+1)                              |            |
| Have other external projects or plans such as provincial or regional initiatives, highway improvements, etc. affected the proposed area?<br><br>Are there external initiatives related to the plan that would add further value to the project?   |            | Does the project represent an opportunity to increase the clarity and consistency of land-use decisions within the plan area?                 |            |
| <b>PLANNING CONTEXT SCORE</b>   |            | <b>STRATEGIC ALIGNMENT SCORE</b>  |            |
| <b>TOTAL SCORE [Planning Context + Strategic Alignment]</b>   |            |   |            |





# PLANNING PROJECT PRIORITIZATION

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## Schedule C

### Supporting Plans, Documents, and Regulations Scoring Criteria

| Planning Context  |       | Strategic Alignment  |       |
|---|-------|--|-------|
| Criterion   | Score | Criterion  | Score |
| Does would the project support or implement actions of a higher order Statutory Plans or policies?  |       | Does the project provide an opportunity to bring land-use related services closer to effective service delivery?   |       |
| Would the project help to achieve outstanding vision and goals of residents, community associations or businesses?  |       | Does the plan or policy align with the County's investment interests or seek to secure financial sustainability of operations and infrastructure assets? |       |
| Does provide an opportunity to improve planning outcomes in areas such as land use, open space, transportation, utility servicing, environment, public engagement, or others?           |       | Does the plan or policy significantly contribute to the implementation of the County's land use plans?   |       |
| Will the plan or policy address: policy inconsistency with current County direction; ineffective policy; policy gaps; or other desired changes identified by Council or Administration? |       | Have residents, community associations or businesses expressed a desire for a new or amendments to an existing plan or policy?                           |       |
| Are there external initiatives related to the plan that would add further value to the project.   |       | Does the plan or policy represent an opportunity to enhance the aspects of quality of life that residents have expressed are important to them?          |       |
| <b>PLANNING CONTEXT SCORE</b>   |       | <b>STRATEGIC ALIGNMENT SCORE</b>   |       |
| <b>TOTAL SCORE [Planning Context + Strategic Alignment]</b>   |       |  |       |

## COUNCIL POLICY

#322



|  |  |
|--|--|
|  | <b>Title:</b><br><b>Area Structure Plan Priority Policy</b>          |
| <b>Legal References:</b><br>Municipal Government Act   | <b>Policy Category:</b><br>Development Services                      |
| <b>Cross References:</b>   | <b>Council Approval Date:</b> June 10, 2014<br><b>Revision Date:</b> |
| <p><b>Purpose:</b></p> <p>The purpose of the Area Structure Plan Priority Policy is to establish criteria for Administration to develop and maintain a <i>priority list</i> that guides the sequencing of existing <i>area structure plan reviews</i> and <i>preparation</i> of new area structure plans.</p> <p><b>Authority:</b></p> <p><i>County Plan</i>, Bylaw C-7280-2013 Section 28.</p> <p><i>Municipal Government Act</i>, R.S.A. 2000, c.M-26, Part 17: Section 622, Section 640, Section 633,634, 635, 636, 637 and 638.</p> <p><b>Definitions:</b></p> <p>“<b>Council</b>” means the Council of Rocky View County.</p> <p>“<b>County</b>” means Rocky View County.</p> <p>“<b>Minor Amendments</b>” are amendments to an existing <i>area structure plan</i> that:</p> <ol style="list-style-type: none"> <li>Are consistent with the overall intent of the <i>area structure plan</i> and County Plan;</li> <li>Do not require significant changes to the <i>area structure plan</i> boundary;</li> <li>Do not result in significant impacts beyond the subject land; and</li> <li>Do not require major infrastructure and servicing upgrades.</li> </ol> <p>“<b>Priority List</b>” means a numerical list of <i>area structure plan</i> projects requiring <i>review</i> or <i>preparation</i>.</p> <p>“<b>Review or Preparation</b>” means the technical analysis and public consultation process that may result in the rescinding and replacement of an existing <i>area structure plan</i>, major amendments to an <i>area structure plan</i>, or the adoption of a new <i>area structure plan</i> by Council.</p> <p>“<b>Ranking</b>” means the procedure by which all existing or proposed <i>area structure plans</i> are assessed for the need to <i>review</i> or <i>prepare</i>.</p> <p>“Area Structure Plan” means an area structure as defined in the Municipal Government Act.</p> <p><b>Policy Statements:</b></p> <p><u>Priority list development</u></p> <ol style="list-style-type: none"> <li>The County Administration will establish a four year <i>area structure plan priority list</i>, which may be revised annually.</li> </ol> |  |

2. The *priority list* will be based on:

- a. the *ranking* of a proposed major amendment to an *area structure plan* or need for a new *area structure plan*,
- b. an assessment as to whether a major amendment to an *area structure plan* should be addressed on a stand-alone basis or as part of a comprehensive review of the entire *area structure plan*, and
- c. other planning and administrative considerations that are unique to the proposal. The planning and administrative considerations are identified in the following table and if applicable would result in the addition or subtraction of a maximum of 10 points from a ranking score.

| Planning And Administrative Considerations   |
|--|
| Is the area experiencing development pressures? For example. <ul style="list-style-type: none"> <li>• Area is reaching build-out</li> <li>• Market demand (residential or business)</li> </ul>   |
| Is there land use conflict that an ASP (amendment/ creation) would help to resolve?  |
| Do infrastructure changes require a re-evaluation of land use policy?  |
| Would changes to an area structure plan support the development and viability of an existing community?  |
| Does the proposal have unique planning/environmental/community value?  |
| Is there a community/developer/intermunicipal commitment? For example <ul style="list-style-type: none"> <li>• Annexation agreements</li> <li>• Direction by Council</li> <li>• Commencement or direction to prepare background studies</li> </ul> |

3. *Ranking* will be based on a standard set of criteria as detailed in policy nine (9).

- a. *Area structure plan* requests relying on County utility services shall not be added to the *priority list* until the County has confirmed servicing capacity exists or *has confirmed* capacity will be provided through legal agreements or other methods satisfactory to the County.

4. *Ranking* of *area structure plans* for *review* or *preparation* will occur on a semi-annual basis.

- a. Applicants requesting ranking will document how the *area structure plan* proposal meets the *ranking* criteria.
- b. Requests for *ranking* will be subject to a *ranking* fee as established in the Master Rates Bylaw.
- c. *Area structure plan ranking* requests that result in the *review* or *preparation* of an *area structure plan* will have the *ranking* fee applied towards the plan cost.

5. *Minor amendments* to an *area structure plan* will not be prioritized and may proceed in parallel with

other relevant planning applications.

- a. Requests for *ranking* will be assessed upon receipt to determine if they are a *minor amendment*.

#### Area Structure Plan Review or Preparation

6. The *priority list* will be used to establish Administration's four year work plan.
7. The timing of an *area structure plan review* or *preparation* will be based on the plans' numerical order on the *priority list*, yearly budgets, administrative resources and other administrative commitments.
8. *Area structure plans* under *review* or *preparation* will remain on the *priority list* until they have been presented at a public hearing and a decision of Council is rendered or Council directs the suspension of the *review* or *preparation*.

#### Ranking Criteria

9. Administration will rank *area structure plan* proposals not deemed to be *minor amendments* based on the following criteria and the weight assigned to each criteria.

| <b>Criteria</b><br><br>*When evaluating a proposal the County will consider the vision, principles, goals and policy of the County Plan.   | <b>Maximum Points</b><br><br>(total 100) | <b>Considerations</b>  |
|--|--|--|
| <b>Location</b><br><br>Is the proposal located in one of the development areas identified in the County Plan?<br><br>County Plan <ul style="list-style-type: none"> <li>• Principle 1 – Growth and Fiscal Sustainability</li> <li>• Section 5 - Managing Residential Growth</li> <li>• Section 14 - Business Development</li> <li>• Map 1 - Managing Growth</li> </ul>   | <b>35</b>                                | Proposals within identified <i>area structure plan</i> boundaries or identified business areas will score higher |
| <b>Fiscal</b><br><br>Does the proposal support the County's fiscal goal of increasing the non-residential assessment base?<br><br>Has the proponent demonstrate a market demand for the commercial/industrial development they are proposing?<br><br>County Plan <ul style="list-style-type: none"> <li>• Principle 1 – Growth and Fiscal Sustainability</li> <li>• Section 6 – Financial Sustainability</li> <li>• Section 14 - Business Development</li> </ul> | <b>20</b>                                | Feasible commercial and industrial development will score higher   |

| <b>Criteria</b><br>*When evaluating a proposal the County will consider the vision, principles, goals and policy of the County Plan.   | <b>Maximum Points</b><br>(total 100) | <b>Considerations</b>  |
|--|--------------------------------------|--|
| <b>Design</b><br><br>Is the proposed design of the residential or business development consistent with the design goals for rural communities?<br>County Plan <ul style="list-style-type: none"> <li>• Principle 4 - Rural Communities</li> <li>• Section 9 - Hamlets</li> <li>• Section 10 – Country Residential Development</li> <li>• Section 11 – Institutional and community land use</li> <li>• Section 12 - Parks, open space, pathways, and trails</li> <li>• Section 14 - Business Development</li> </ul> | <b>10</b>                            | Proposals that address the country residential, hamlet and business design objectives will score higher  |
| <b>Servicing</b><br><br>Is the proposed method of water servicing feasible?  | <b>10</b>                            | Water solutions in order of preference <ol style="list-style-type: none"> <li>1. Locate within an existing serviced area</li> <li>2. Extend services from an existing regional private or municipal system</li> <li>3. Build a regional system</li> </ol>  |
| <b>Servicing</b><br><br>Is the proposed method of wastewater servicing feasible?   | <b>10</b>                            | Wastewater solutions in order of preference <ol style="list-style-type: none"> <li>1. Locate within an existing municipal service area</li> <li>2. Extend services from an existing municipal system</li> </ol> <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> <li>1. Tie into an existing private system</li> <li>2. Build a regional system</li> <li>3. Build a decentralized system (on site disposal)</li> </ol> |

| <b>Criteria</b><br>*When evaluating a proposal the County will consider the vision, principles, goals and policy of the County Plan.                             | <b>Maximum Points</b><br>(total 100) | <b>Considerations</b>  |
|--|--------------------------------------|--|
| <b>Servicing</b><br><br>Will stormwater be managed in a comprehensive manner?  | <b>10</b>                            | Stormwater management in order of preference<br><br>1. Locate within an existing service area where a master drainage plan exists, conveyance systems are identified and accessible, storage areas exist, and a levy system is in place<br><br>2. Provide a feasible regional system with outlets and conveyance systems are identified. |
| <b>External Change</b><br><br>Have other external plans affected the proposed area?<br><br>e.g. Other municipal plans, regional provincial plans, or annexations | <b>5</b>                             | Changes to the planning context will score more points   |



## Establishment of a Policy Review Advisory Committee

Electoral Division: All

File: N/A

|             |                                       |
|-------------|---------------------------------------|
| Date:       | October 8, 2024                       |
| Presenter:  | Micah Nakonechny, Legislative Officer |
| Department: | Legislative Services                  |

### REPORT SUMMARY

The purpose of this report is to recommend that Council establish a Policy Review Advisory Committee to review Council policies prior to the adoption, amendment, or repeal of Council policies.

At the Council meeting held on July 23, 2024, Council directed Administration to evaluate options to re-establish a Policy Review Committee to provide feedback on Council policies prior to a final decision by Council. After weighing a variety of legislative and operational considerations and presenting options to the Governance Committee on September 17, 2024, Administration is recommending that a Policy Review Advisory Committee be established by Council and accompanying Terms of Reference be approved, as presented in Attachment A.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approve the Policy Review Advisory Committee Terms of Reference, as presented in Attachment A.

THAT Council approve the amendments to the Governance Committee Terms of Reference by deleting section 1(2) providing guidance on Council policy and appropriately numbering, as presented in Attachment C.

### BACKGROUND

Sections 153 and 201 of the *Municipal Government Act* (the MGA) stipulate that Council is responsible for developing and evaluating the policies and programs of Rocky View County. A robust, well-functioning policy framework is a crucial component of good governance and accountability to County residents. Policies communicate values and expectations for the County's actions, document and implement best practices, promote fairness and transparency, and help to make decisions that are consistent, uniform, and predictable. When functioning properly, the County's policies serve to uphold and strengthen its reputation in the eyes of the public, community stakeholders, and other governments.

The previous Policy Review Subcommittee, created in 2018, reported to the former Governance & Priorities Committee (GPC) which had the delegated authority to directly adopt, amend, or repeal Council policies. However, GPC was succeeded by the Governance Committee, which has only been delegated the authority to review, but not decide on, Council policies and provide direction to Administration. Any decisions on Council policies would still need to be referred to Council for a final decision.

At the Council meeting held on May 28, 2024, Council adopted amendments to *Policy on Council Policies C-700* which removed the formal delegation of its policymaking authority to a committee of Council, such that Council retains the sole authority to adopt, amend, and repeal Council policies.



## Establishment of a Policy Review Advisory Committee

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While the former Policy & Priorities Committee and Governance & Priorities Committee were delegated the authority to make decisions on Council policies, their successor, the Governance Committee, instead provides guidance on Council policies.

On June 18, 2024, the Governance Committee (GC) resolved to receive an update on the County's corporate policy program for information. The report provided information on the history of the program, while highlighting some of the challenges and opportunities identified by Administration as it has matured in the face of organizational and political changes. This discussion prompted a notice of motion introduced at the June 25, 2024 Council meeting regarding direction to Administration to explore re-establishing a Policy Review Committee and at the July 23, 2024 Council meeting, the notice of motion was considered resulting in Council resolving:

*THAT Administration be directed to evaluate the potential for re-establishing a Policy Review Committee and report back with their findings and recommendations no later than the October 8, 2024 Council meeting.*

On September 17, 2024, GC resolved to receive a [report](#) and presentation outlining potential options for establishing a body to review Council policies and seeking further feedback prior to a final report with findings and recommendations for Council's consideration.

### ANALYSIS

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Council has expressed its desire to delegate appointed members the opportunity to offer feedback to Administration on Council policies prior to their consideration and adoption by Council as a whole. Currently the Governance Committee fulfills this mandate as part of its terms of reference. Subsection 1(2) states that "providing guidance on Council policies" is one of the governance responsibilities for which Council has delegated responsibility to GC.

In addition to the legislative and operational considerations addressed previously, Administration has considered the Governance Committee's feedback and is recommending that a Policy Review Advisory Committee be established by Council. Administration has determined that this option is the most effective and efficient means of facilitating Council's involvement in the Council policy review process prior to a final decision from Council.

During the discussion which occurred at GC on September 17, 2024, it was noted that some flexibility should be considered with respect to the date, timing, and location of meetings of any policy review body that is established. This has been reflected in the attached Terms of Reference (Attachment A), such that meetings do not necessarily occur immediately following the Governance Committee, and an option to hold virtual meetings at the Committee Chair's discretion has been included. A redlined version of these amendments is included as Attachment B. Further, members of GC expressed interest at creating an informal advisory body in lieu of a standing committee of Council, such that if the informal advisory body does not adequately deliver its mandate, Council would have the discretion to establish a more formal Policy Review Committee if desired.

Since the review of Council policies currently falls under the purview of the Governance Committee, Administration additionally recommends amending GC's Terms of Reference to remove this governance responsibility from its mandate. This will help reinforce and clarify the role of the Policy Review Advisory Committee.

## Establishment of a Policy Review Advisory Committee

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### Purpose and scope of the proposed Policy Review Advisory Committee

The proposed Committee's sole purpose would be to provide a Council perspective in the peer review process of Council policies. This includes offering feedback on new and existing Council policies for Council's consideration in amending, adopting, or repealing. An important element in the County's policy review process, this may support Council policies in remaining consistent with Council priorities and strategic objectives, while also facilitating a more informal discussion between elected officials and Administration prior to a final decision by Council.

The Committee's function would be solely to review policies and offer general feedback to Administration. No direction or formal recommendations would be provided to Administration, as this authority resides with Council. As per sections 201(2) and 207 of the MGA, the Chief Administrative Officer remains responsible for ensuring the County's programs and policies are implemented. This includes the coordination of the review schedule of Council policies; therefore, the schedule for reviewing Council policies would be outside the purview of the Committee.

Benefits of a Policy Review Advisory Committee include:

- expediting Council policy decisions at Council meetings, since an informal discussion forum was provided at the committee level. However, Administration wishes to emphasize that Council retains the discretion to debate and make further amendments to policies after they are reviewed by the committee;
- the Committee would be excluded from the County's *Procedure Bylaw*, which adds flexibility to both Administration and committee members with respect to coordinating the Committee's review of Council policies, and minimizes demands on Administrative resources;
- meetings would be conveniently scheduled following Governance Committee meetings to minimize travel time and staff resources; and
- familiarity of committee members with the governance framework.

Potential disadvantages of this option include:

- additional administrative and staff resources would need to be dedicated to the coordination of an additional committee;
- members of Administration, including executives, managers, subject matter experts, and other staff relevant to a given Council policy may need to attend up to two distinct meetings;
- meetings would still need to be scheduled based on the availability of Administration and committee members; and
- since the committee would not be comprised of all members of Council, some Councillors would not get the opportunity to provide feedback on a Council policy until it is presented to Council for a final decision.

A Terms of Reference for the proposed Policy Review Advisory Committee is included as Attachment A to this report.

## Establishment of a Policy Review Advisory Committee

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### COMMUNICATIONS / ENGAGEMENT

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No communication or engagement is required.

### IMPLICATIONS

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#### Financial

Additional administrative resources may be required to support meetings of the Policy Review Advisory Committee.

#### Political

The County may be subject to significant reputational and/or legal risk should Council policies not be developed and implemented or reviewed/maintained in an appropriate and timely manner.

### STRATEGIC ALIGNMENT

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Section 153(b) of the *Municipal Government Act* requires that Councils develop and evaluate policies and programs of the municipality, and section 201(1) states that a municipal council is responsible for developing and evaluating the policies and programs of the municipality.

### ALTERNATE DIRECTION

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#### Alternate Direction 1

THAT Council direct Administration to prepare a new Terms of Reference establishing a Policy Review Committee as a formal, standing committee of Council and report back to Council by November 12.

This option would see a Policy Review Committee established as a formal standing committee of Council alongside committees such as the Governance Committee and the Recreation Governance Committee in which the *Procedure Bylaw* would govern its operations.

#### *Benefits*

- Enables more members to be appointed, generating more discussion and varying perspectives earlier in the policy review process

#### *Disadvantages*

- Administration would need to revise the Terms of Reference included as Attachment A to reflect the requirements of a formal standing committee
- More administrative and Council resources needed to hold meetings in accordance with the *Procedure Bylaw*

#### Alternate Direction 2

THAT the Governance Committee remain the primary forum to provide guidance on Council policies.

#### *Benefits*

- No significant additional resources required
- As membership is comprised of Council, all members of Council would have an opportunity to provide their perspectives during the policy review process

## Establishment of a Policy Review Advisory Committee

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- No additional Terms of Reference, nor amendment to the Governance Committee's Terms of Reference would be required

### *Disadvantages*

- Less time dedicated to reviewing individual Council policies

## ATTACHMENTS

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Attachment A: Policy Review Advisory Committee Terms of Reference

Attachment B: Policy Review Advisory Committee Terms of Reference (redlined version)

Attachment C: Draft Governance Committee Terms of Reference as amended (redlined version)

## APPROVALS

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|                               |                   |
|-------------------------------|-------------------|
| Manager:                      | N/A               |
| Executive Director/Director:  | Gina van den Burg |
| Chief Administrative Officer: | Byron Riemann     |



# Policy Review Advisory Committee

## Terms of Reference

TOR #C-PRS

### Purpose

- 1 The Rocky View County Policy Review Advisory Committee (known hereafter as “the Committee”) reviews and provides feedback to Administration on new and existing Council policies before they are presented to Council for adoption, amendment and/or repeal.
- 2 The Committee facilitates thoughtful, detailed discussion on Council policies with subject matter experts in an informal setting, providing Administration with an opportunity to consider Councillor perspectives.

### Functions

- 3 The Committee is an informal advisory body to provide general feedback and a Council lens on proposed new Council policies and existing policies scheduled for review.
- 4 Feedback provided by the Committee to Administration will be considered for inclusion in the Council policies before they are presented to Council for approval.
- 5 The Committee cannot provide any motions or direction to Administration.
- 6 The Committee cannot direct the timing or scheduling of Council policies for review.

### Membership

- 7 The Committee will comprise of three members of Council.
- 8 Members are appointed at the the annual organizational meeting of Council.

### Chair

- 9 The Committee will appoint a Chair at the first Committee meeting following the annual organizational meeting of Council.
- 10 The Chair will act as the Committee’s spokesperson when Council policies are presented at Council meetings.

### Meetings

- 11 The Committee meets monthly, or at the discretion of the Chair.
- 12 Additional meetings may be held, as determined by the Chair.
- 13 All members are required to attend Committee meetings. Should one member not be available, the meeting will be rescheduled to a time available for all members to attend.
- 14 Meetings are attended by:



# Policy Review Advisory Committee

- (1) the Policy Coordinator or their authorized delegate;
  - (2) the manager(s) and/or supervisor(s) with oversight of any Council policy being discussed at a given meeting;
  - (3) any other relevant subject matter expert(s); and
  - (4) the Municipal Clerk, or designate, as required.
- 15 Meetings are intended to facilitate informal discussion and are not subject to the requirements of the *Procedure Bylaw*.
- 16 Meetings may be held virtually at the discretion of the Chair.

## Administrative Support

- 17 The Policy Coordinator provides lead administrative support to the Committee by preparing a list of Council policies for review, summarizing feedback, coordinating meetings, and providing information as required.



|                          |           |
|--------------------------|-----------|
| Approval Date            | •         |
| Replaces                 | • N/A     |
| Lead Role                | • Chair   |
| Committee Classification | • Council |
| Last Review Date         | • N/A     |
| Next Review Date         | • N/A     |

## Definitions

- 18 In these terms of reference, the following definitions apply:
- (1) “Administration” means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer;
  - (2) “Council” means the duly elected Council of Rocky View County;
  - (3) “Council policy” means policies that are approved by Council and focus on the strategic direction of programs and services provided by the County;
  - (4) “organizational meeting” means an Organizational Meeting of Council held pursuant to section 192 of the *Municipal Government Act*; and



ROCKY VIEW COUNTY

## Policy Review Advisory Committee

- (5) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.





ROCKY VIEW COUNTY

## Policy Review Advisory Committee

### Terms of Reference

TOR #C-PRS

#### Purpose

- 1 The Rocky View County Policy Review Advisory Committee (known hereafter as “the Committee”) reviews and provides feedback to Administration on new and existing Council policies before they are presented to Council for adoption, amendment and/or repeal.
- 2 The Committee facilitates thoughtful, detailed discussion on Council policies with subject matter experts in an informal setting, providing Administration with an opportunity to consider Councillor perspectives.

#### Functions

- 3 The Committee is an informal advisory body to provide general feedback and a Council lens on proposed new Council policies and existing policies scheduled for review.
- 4 Feedback provided by the Committee to Administration will be considered for inclusion in the Council policies before they are presented to Council for approval.
- 5 The Committee cannot provide any motions or direction to Administration.
- 6 The Committee cannot direct the timing or scheduling of Council policies for review.

#### Membership

- 7 The Committee will comprise of three members of Council.
- 8 Members are appointed at the the annual organizational meeting of Council.

#### Chair

- 9 The Committee will appoint a Chair at the first Committee meeting following the annual organizational meeting of Council.
- 10 The Chair will act as the Committee’s spokesperson when Council policies are presented at Council meetings.

#### Meetings

- 11 The Committee meets ~~following the conclusion of a Governance Committee meeting unless necessary to reschedule the Committee meeting, as determined by monthly, or at the discretion of the Chair.~~
- 12 Additional meetings may be held, as determined by the Chair.



- 13 All members are required to attend Committee meetings. Should one member not be available, the meeting will be rescheduled to a time available for all members to attend.
- 14 Meetings are attended by:
  - (1) the Policy Coordinator or their authorized delegate;
  - (2) the manager(s) and/or supervisor(s) with oversight of any Council policy being discussed at a given meeting;
  - (3) any other relevant subject matter expert(s); and
  - (4) the Municipal Clerk, or designate, as required.
- 15 Meetings are intended to facilitate informal discussion and are not subject to the requirements of the *Procedure Bylaw*.
- 16 Meetings may be held virtually at the discretion of the Chair.

## Administrative Support

- 17 The Policy Coordinator provides lead administrative support to the Committee by preparing a list of Council policies for review, summarizing feedback, coordinating meetings, and providing information as required.



Approval Date

Replaces

Lead Role

Committee Classification

Last Review Date

Next Review Date

- 
- N/A
- Chair
- Council
- N/A
- N/A

## Definitions

- 18 In these terms of reference, the following definitions apply:
  - (1) “Administration” means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer;
  - (2) “Council” means the duly elected Council of Rocky View County;
  - (3) “Council policy” means policies that are approved by Council and focus on the strategic direction of programs and services provided by the County;



ROCKY VIEW COUNTY

## Policy Review Advisory Committee

- (4) “organizational meeting” means an Organizational Meeting of Council held pursuant to section 192 of the *Municipal Government Act*; and
- (5) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

DRAFT



# Governance Committee

## Terms of Reference

TOR #C-GC

### Purpose

The purpose of the Rocky View County Governance Committee (GC or Committee) is to provide an additional forum for Rocky View County (the County) to fulfill its responsibility to provide effective governance. The Committee provides an additional opportunity for Council to provide effective guidance and oversight to Administration on governance and strategic matters to ensure the County functions in an effective and efficient manner and in accordance with Council's strategic plan. The Committee will be able to provide Administration with guidance that will allow matters to be actioned by Administration and then brought to Council for a decision.

The Committee meetings are intended to encourage deliberation and debate of information and ideas, in a more informal setting. The Committee is not intended to replicate Council meetings but shall consider items that require additional guidance and a more fulsome discussion prior to being considered by Council for decision.



### Functions

- 1 Rocky View County Council delegates the following governance responsibilities to the Governance Committee:
  - (1) monitoring progress towards the achievement of Council's strategic goals;
  - (2) ~~providing guidance on Council policies;~~
  - (3) providing guidance on governance-related bylaws;
  - (4) receiving department reports as information;
  - (5) receiving updates and providing feedback and direction to Administration on projects and initiatives;
  - (6) receiving updates from Administration regarding changes to federal, provincial, and municipal legislation;
  - (7) providing clarification and direction to Administration when additional clarity and direction is necessary; and
  - (8) any other governance or strategic matter that warrants further discussion or direction from the Governance Committee.





## Governance Committee

- 2 The Governance Committee may make the following motions:
  - (1) to direct Administration;
  - (2) to refer matters to Administration or another body;
  - (3) to receive matters as information; and
  - (4) procedural motions provided for in the County's Procedure Bylaw.
- 3 The Governance Committee will not hear presentations from the public. Public presentations are accommodated by the Public Presentation Committee (PPC).



### Membership

- 4 The Governance Committee consists of all members of Council.



### Chair

- 5 The Chair will be a Councillor appointed by Council at the annual organizational meeting for a two-year term and the Vice Chair will be appointed by the Governance Committee at its first meeting following the annual organizational meeting, for a two-year term.
- 6 The Chair is responsible for presiding over meetings when in attendance.
- 7 The Vice Chair will take over the duties of the Chair whenever the Chair is unable to perform those duties.



### Meetings

- 8 The Governance Committee will meet monthly, at a minimum, on the dates and times set at the annual organizational meeting of Council.
- 9 Additional meetings or special meetings may be held at the call of the Chair.
- 10 No meetings are held during the summer and winter breaks (August and December).
- 11 Meetings will be conducted in accordance with the County's *Procedure Bylaw*.
- 12 All meetings are open to the public. If required, closed sessions will be held in accordance with the *Municipal Government Act*, *Freedom of Information and Protection of Privacy Act*, and the County's *Procedure Bylaw*.



## Governance Committee

- 13 Meetings are attended by the:
- (1) Executive Leadership Team or their authorized delegates;
  - (2) Legislative Officers or their authorized delegate; and
  - (3) relevant subject matter experts.
- 14 Quorum is four members of the Governance Committee.



### Agendas

- 15 Agendas are prepared and distributed in accordance with the County's *Procedure Bylaw*.
- 16 Meetings will have a formal agenda. Agendas, information packages, and minutes will be circulated to the Committee one week prior to each meeting.
- 17 Approval of the agenda will be by the Chair and Vice Chair.



### Administrative Support

- 18 Administration supports the Governance Committee by preparing agendas and minutes, coordinating meetings, and providing information as required.



### Definitions

- 19 In these Terms of Reference, the following definitions apply:
- (1) **"Administration"** means the operations and staff of Rocky View County under the direction of the Chief Administration Officer;
  - (2) **"Council"** means the duly elected Council of Rocky View County;
  - (3) **"Council Policy"** means policies that are approved by Council and focus on the strategic direction of programs and services provided by the County;
  - (4) **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
  - (5) **"Organizational Meeting"** means an Organizational Meeting of Council held pursuant to section 192 of the *Municipal Government Act*;
  - (6) **"Procedure Bylaw"** means Rocky View County Bylaw C-8277-2022, the Procedure Bylaw, as amended or replaced from time to time; and



# Governance Committee

(7) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.



|                          |  |
|--------------------------|--|
| Approval Date            | <ul style="list-style-type: none"><li>October 11, 2022</li></ul> |
| Replaces                 | <ul style="list-style-type: none"><li>N/A</li></ul>              |
| Lead Role                | <ul style="list-style-type: none"><li>Chair</li></ul>            |
| Committee Classification | <ul style="list-style-type: none"><li>Council</li></ul>          |
| Last Review Date         | <ul style="list-style-type: none"><li>October 11, 2022</li></ul> |
| Next Review Date         | <ul style="list-style-type: none"><li>N/A</li></ul>              |





# COUNCIL REPORT

## Bearspaw Reservoir Taskforce Update

Electoral Division: 2 & 3

File: N/A

|             |  |
|-------------|--|
| Date:       | October 8, 2024                                  |
| Presenter:  | Ben Manshanden, Intergovernmental Strategist     |
| Department: | Intergovernmental Services and Regional Planning |

### REPORT SUMMARY

This report provides an update to Council on recent progress made by The City of Calgary and Rocky View County on implementing the recommendations of the Bearspaw Reservoir Taskforce Consensus Report.

### ADMINISTRATION'S RECOMMENDATION

THAT Council receives the Bearspaw Reservoir Taskforce Update for information.

### BACKGROUND

The Bearspaw Reservoir along the Bow River is formed by the Bearspaw Dam. Originally constructed in 1954, TransAlta owns the dam and most of the shoreline surrounding the reservoir. The Bearspaw Dam is an operational electricity generation asset which generates enough electricity to power approximately 10,000 homes in the Calgary region. The reservoir is the source of drinking water used by approximately 1.5 million customers in the Calgary Region, including approximately 6,000 County residents through privately owned water utilities.

This relatively pristine water source may be at risk of pollution due to urban growth, increased recreational demand, and other hazards. Safety hazards due to increased reservoir access also pose a concern. To address these emerging issues proactively, representatives from The City of Calgary, Rocky View County, and TransAlta formed a Trilateral Task Force in 2018, which worked collaboratively to discuss risks, issues, and management options for the Bearspaw Reservoir.

The purpose of the Task Force was to explore governance structures and identify methods to achieve a balance between human activities on or near the reservoir and the protection of water quality and public safety. The Task Force also sought to delineate roles and responsibilities and enhance working relationships between the parties to implement source water protection. The Report assessed potential risks to the reservoir and associated mitigation actions. The recommendations of the Bearspaw Trilateral Task Force Consensus Report were adopted by City and County Councils in 2019.

At the March 12, 2024, Rocky View County Council meeting, the following motion was passed:

*That Administration be directed to continue to collaborate with TransAlta and The City of Calgary to implement the recommendations in the 2019 Bearspaw Reservoir Trilateral Task Force Consensus Report and determine suitable uses and locations for river access, and report back to Council by end of Q3 2024.*

Since that time, City and County Administrations have successfully met on seven occasions to develop a Terms of Relationship and Project Milestones document. The goal of these documents is to guide the

## Bearspaw Reservoir Taskforce Update

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project team on next steps to fulfill the recommendations of the Trilateral Task Force Consensus Report. Once these documents have been finalized administratively for approval, they will be referred to the Intermunicipal Committee meeting for review. This is anticipated before the end of 2024.

### ANALYSIS

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The Bearspaw Reservoir Taskforce Terms of Relationship will provide a governance structure to support efforts between The City of Calgary and County Administrations to fulfill the recommendations of the Bearspaw Trilateral Task Force Consensus Report. It will set out the purpose of the taskforce, the scope of work, and define roles and responsibilities for both parties. The overall goal is to enable the project team to work effectively and collaboratively to fulfill its mandate.

The Bearspaw Taskforce Project Milestones document will articulate how the parties implement the Trilateral Task Force Consensus Report recommendations. The workplan will identify milestones over a 24-month period that includes seven action areas, including public education, public engagement, mapping, project planning, emergency management discussions, and the ultimate development of a management strategy which balances recreational use of the reservoir with public safety concerns. The Project Milestones document will form the basis for a detailed workplan for each action area and associated resource requirements, risk mitigation, and tasks via a project chartering process.

The City and County are working to develop a balanced approach for use of the Bearspaw Reservoir, which focuses on low-cost, high-impact actions to ensure public safety when using the reservoir and protecting water quality for City, County, and regional water customers. The parties will work closely with TransAlta and other stakeholders to ensure that their voices are heard throughout the development of a Bearspaw Reservoir management strategy. To this end, workplan outlines a public engagement strategy to educate interested parties on the importance of the reservoir for providing clean drinking water to the City and balancing demand for recreation with public safety. Administration is confident that this approach will account for the interests of all parties and ensure increased certainty for resident groups interested in pursuing recreational opportunities.

### COMMUNICATIONS / ENGAGEMENT

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There are no direct communications or public engagement associated with this report. The project workplan will include a public education campaign on the importance of the Bearspaw Reservoir for regional water systems, as well as current limitations for emergency response on the reservoir. It will also include public engagement on a draft management strategy in 2025 that will be funded equally by The City and County via existing budgets.

### IMPLICATIONS

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The proposed workplan will strengthen the County's relationship with The City of Calgary, improve ecosystem resiliency, and provide increased certainty for residents seeking recreational opportunities on the Bearspaw Reservoir. This initiative may also strengthen the County's emergency response capacity on the Bearspaw Reservoir through improved coordination with The City of Calgary.

### Financial

There are no financial implications associated with this report. Any costs associated with the workplan can be accommodated through existing budgets in the upcoming fiscal year.

## Bearspaw Reservoir Taskforce Update

### STRATEGIC ALIGNMENT

| Key Performance Indicators |  |   | Strategic Alignment  |
|----------------------------|--|---|--|
| Effective Service Delivery | SD2: Services are resourced and delivered to specific groups as intended, and citizens are satisfied with the outcomes | SD2.1: Citizens satisfied with the range of County services available/delivered                                       | This initiative may assist with addressing requests from resident groups for increased recreational opportunities on the Bearspaw Reservoir.                                       |
| Effective Service Delivery | SD3: Citizens are satisfied with Public Engagement opportunities and availability of information                       | SD3.2: Citizens satisfied with the public engagement opportunities provided by the County                             | This initiative proposes to engage with residents and other stakeholders to ensure the appropriate balance between recreational opportunities and public safety.                   |
| Effective Service Delivery | SD4: Services are continually assessed for improvements in cost efficiency, effectiveness, and customer experience     | SD4.1: Services that are assessed annually for innovation opportunities and have demonstrable efficiency improvements | This joint initiative is intended to ensure enhanced collaboration between The City and County with respect to natural assets and opportunities for synergies between the parties. |

### ALTERNATE DIRECTION

No alternative direction has been identified for Council's consideration.

### ATTACHMENTS

There are no attachments.

### APPROVALS

|                               |   |
|-------------------------------|---|
| Manager:                      | Amy Zaluski, Director, Intergovernmental Services and Regional Planning |
| Executive Director/Director:  | Amy Zaluski, Director, Intergovernmental Services and Regional Planning |
| Chief Administrative Officer: | Byron Riemann   |



# COUNCIL REPORT

## Request for Support for an Alberta Community Partnership Grant for an Economic Study to support the Prairie Economic Gateway Initiative

Electoral Division: 6

File: N/A

|             |  |
|-------------|--|
| Date:       | October 8, 2024                                  |
| Presenter:  | Keagan Andrew, Intergovernmental Advisor         |
| Department: | Intergovernmental Services and Regional Planning |

### REPORT SUMMARY

Rocky View County has received a request from The City of Calgary to support an Alberta Community Partnership (ACP) grant application to support the promotion of the project with senior levels of government. This grant does not require matching funds from the County.

### ADMINISTRATION'S RECOMMENDATION

THAT Rocky View County support The City of Calgary's application for a 2024/2025 Alberta Community Partnership Grant Application to prepare a public sector marketing plan for the Prairie Economic Gateway Initiative.

### BACKGROUND

Rocky View County and The City of Calgary have been working collaboratively on the Prairie Economic Gateway Initiative since July 2023; exploring mutually beneficial joint planning and infrastructure arrangements to spur economic development by enabling a rail served industrial park in the southeast quadrant of the County. This initiative is founded on the principles of a 'shared investment, shared benefit' framework. Outcomes of this initiative include the Prairie Gateway Area Structure Plan (ASP), which will guide the land use and development process. The Deal Agreement will implement the Plan and determine cost and revenue sharing processes between the County and The City, as well as future governance arrangements to ensure continued collaboration. To help support the development of Prairie Gateway, the County and The City are continuing to explore ways to attract businesses to the area.

The intermunicipal collaboration stream of the Alberta Community Partnership (ACP) grant provides up to \$200,000 to partnerships of two or more municipalities to develop plans, agreements, studies, or frameworks that support new or enhanced regional approaches to municipal service delivery. These projects should align with broader regional or municipal priorities, and align with provincial priorities such as investment attraction, job creation, and efficient public service delivery. A municipality may only apply for one ACP intermunicipal collaboration stream grant per year and may support as many applications as they deem appropriate. The City of Calgary is requesting that the County pass a motion supporting its application to the Alberta Community Partnership grant program to help develop a report on the economic opportunities of the area to aid the two municipalities in attracting investors to the region.

### ANALYSIS

In the early stages of the Prairie Economic Gateway Initiative, Rocky View County and The City of Calgary conducted an economic assessment to determine whether development within the proposed ASP would be attractive to investors. The goal of this project is to build upon existing work to develop an Economic Opportunity Playbook, which will serve as a marketing plan to help identify methods to attract

## Request for Support for an Alberta Community Partnership Grant for an Economic Study to support the Prairie Economic Gateway Initiative

investment to the Prairie Gateway area. This study will provide guidance to the following target audiences:

1. Senior Governments: This report will demonstrate alignment with provincial and federal economic and trade policy, as well as highlight the provincial and federal project benefits and needed incentives required to attract investors;
2. Investors: This report will identify tools and actions to promote the Prairie Gateway area as a globally competitive hub for industrial development; and
3. Public: This report will provide the public with a summary of the economic opportunity within the Prairie Gateway ASP and build confidence in the project's success.

This study will be used to help market the Prairie Gateway development, with the goal of attracting developers to the area and ensuring that the services provided meet the needs of the development. Providing support to The City of Calgary's ACP grant application to complete this work will allow the partners to develop a marketing strategy to help attract investment to Prairie Gateway to help recover the investment in the area.

### COMMUNICATIONS / ENGAGEMENT

No communication or engagement is required.

### IMPLICATIONS

#### Financial

There are no direct financial implications associated with supporting this grant application. Supporting this application will allow The City of Calgary and Rocky View County to develop an investment attraction strategy (Public and Private) for Prairie Gateway, which may aid in recuperating the costs associated with developing the Area Structure Plan and building the infrastructure required to facilitate development.

### STRATEGIC ALIGNMENT

| Key Performance Indicators |   |                 | Strategic Alignment   |
|----------------------------|---|-----------------|---|
| Financial Prosperity       | FP2: Ensuring County remains financially sustainable for future generations | Choose an item. | This grant will be used to produce an investment attraction strategy that outlines the service levels within the Prairie Gateway Area Structure Plan. This will help the partner municipalities strengthen economic development initiatives for the area and attract investors to the ASP, allowing the partners to recuperate the costs associated with installation of appropriate infrastructure to the development. |

### ALTERNATE DIRECTION

Administration does not have an alternate direction for Council's consideration.

## Request for Support for an Alberta Community Partnership Grant for an Economic Study to support the Prairie Economic Gateway Initiative

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### ATTACHMENTS

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There are no attachments.

### APPROVALS

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|                               |   |
|-------------------------------|---|
| Manager:                      | Amy Zaluski, Director, Intergovernmental Services and Regional Planning |
| Executive Director/Director:  | Amy Zaluski, Director, Intergovernmental Services and Regional Planning |
| Chief Administrative Officer: | Byron Riemann   |



# NOTICE OF MOTION

Submitted in accordance with Procedure Bylaw C-8277-2022

**Presented By:** Councillor Samra, Division 6

**Seconded By:** Councillor Schule, Division 7

This notice of motion is read into the Council record on **September 24, 2024**. The motion as read into the record will be debated on **October 8, 2024**.

**TITLE:** **Direction to draft a terms of reference for the Beacon Artificial Intelligence (AI) Hub and Solar Farm Area Structure Plan (ASP)**

**WHEREAS** On July 17, 2024, Beacon made a presentation to the Public Presentation Committee outlining its plans to develop a world class hyperscale AI Data Center Hub and Solar Farm on the lands identified in Attachment A;

**AND WHEREAS** The proposed ASP will allow for an estimated investment of more than \$4 billion, potentially supporting 1,500 construction jobs and over 300 operational jobs, benefitting the County and wider Calgary region;

**AND WHEREAS** The development is proposed on lands currently designated and approved as DC District #166 within the County's Land Use Bylaw which provides for the development of a solar farm;

**AND WHEREAS** The ASP would provide a framework for the complementary co-location of the Beacon AI Hub with the existing approved solar farm;

**AND WHEREAS** from initial review, there is potential for the ASP to be in full alignment with the requirements of both the Calgary Metropolitan Region Growth Plan and the County's statutory plans.

**THEREFORE BE IT RESOLVED THAT** Administration be directed to draft a terms of reference for a developer-led and wholly developer-funded Area Structure Plan for the lands identified in Attachment A for Council's consideration in Q1 2025. The Terms of Reference shall:

- Require the ASP to demonstrate alignment with all relevant regional and County plans, policies and regulations.
- Ensure strong engagement with provincial agencies, CMRB member municipalities, and affected landowners.
- Be supported by all necessary technical studies to provide assessment of matters, including, but not limited to:
  - Servicing;
  - Transportation;
  - Environmental impacts;
  - Stormwater management; and
  - Fiscal impacts.





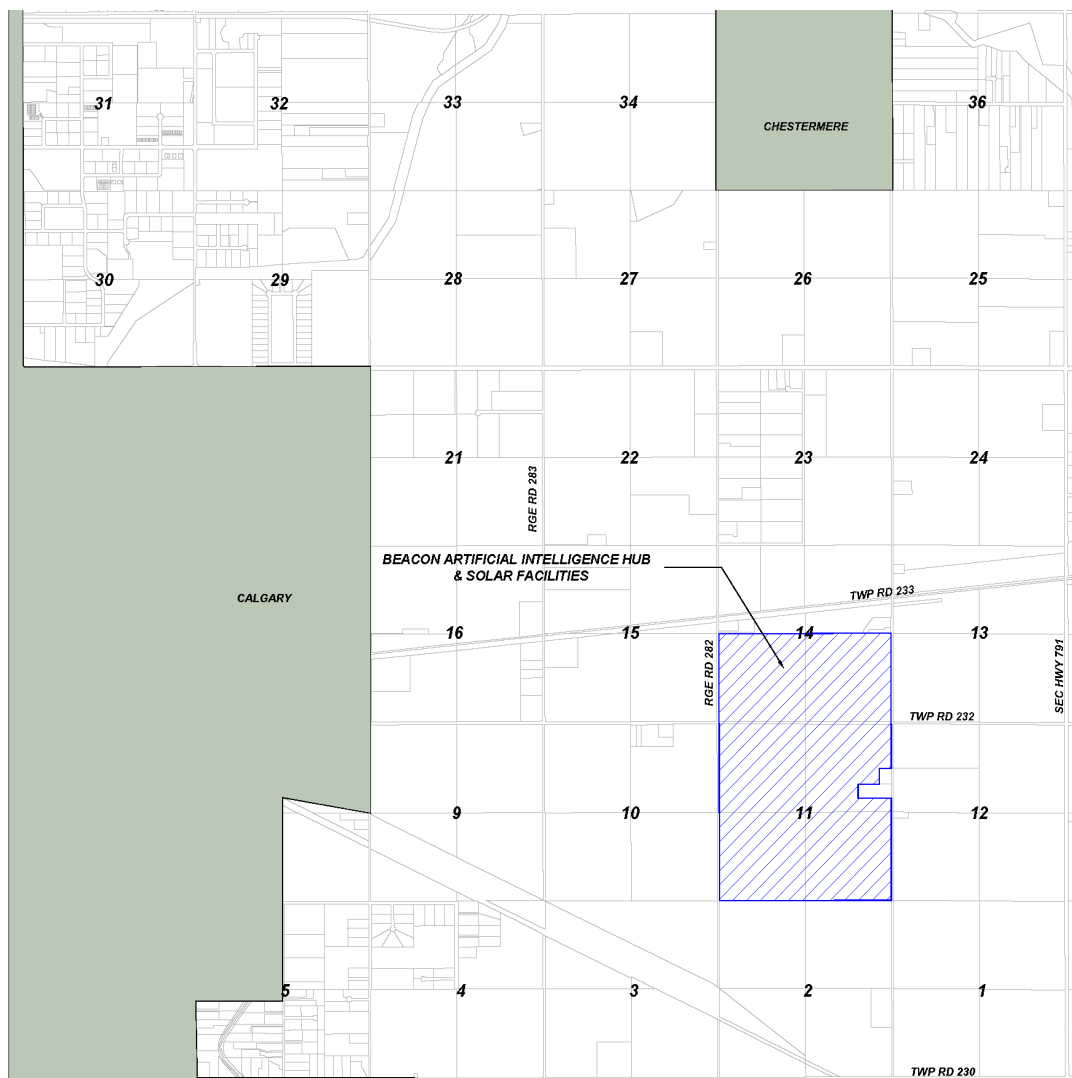
# Beacon AI Hub And Solar Farm Area Structure Plan

## Terms of Reference

### ATTACHMENT A:

#### Beacon AI Hub and Solar Farm Area Structure Plan

The Beacon AI Hub and Solar Farm developer led Area Structure Plan includes  $\pm 624$  acres of land located Range Road 282 south of TWP 233 road. These lands are legally described as NW/NE/SW/SE 11-23-28- W04M.





## Adoption of an Updated Election Bylaw

Electoral Division: All

File: N/A

|             |   |
|-------------|---|
| Date:       | October 8, 2024                           |
| Presenter:  | Tyler Andreasen, Lead Legislative Officer |
| Department: | Legislative Services                      |

### REPORT SUMMARY

The purpose of this report is for the adoption of an updated *Election Bylaw* ahead of the 2025 municipal election. The current *Election Bylaw* was adopted ahead of the 2021 municipal election and was compliant with the version of the *Local Authorities Election Act* in effect at the time.

However, the *Municipal Affairs Statutes Amendment Act, 2024* (Bill 20) recently made significant amendments to the *Local Authorities Election Act*. Of relevance to the proposed *Election Bylaw* is the requirement for municipalities to implement a permanent electors register and to offer special ballots for all future municipal elections.

Bill 20 also allows municipalities to require candidates to submit criminal record checks when filing their nomination papers, as well as removes the ability of scrutineers to object to electors who they believe are not eligible to vote in a municipal election. The proposed *Election Bylaw* includes new provisions regarding the permanent electors register, special ballots, the conduct of scrutineers, and criminal record checks for candidates.

In addition to amendments required by Bill 20, Administration is also proposing amendments based on best practices from other municipalities, as well as the inclusion of wording from the *Local Authorities Election Act* for clarity and ease of reference. The proposed *Election Bylaw* would also provide the Returning Officer with their full discretion and authority under the *Local Authorities Election Act*.

These amendments would remove Council from the minutiae of municipal election preparations and would allow Administration to conduct elections impartially and without the perception of influence from Council, as sitting councillors may also be candidates in municipal elections.

Administration received a legal review of the proposed *Election Bylaw*, which confirmed that the proposed bylaw aligns with the *Local Authorities Election Act*. Administration has begun preparations for the 2025 municipal election and recommends adoption of the proposed *Election Bylaw* to provide the foundation for its election preparations, particularly with the discretionary powers of the Returning Officer and recent amendments to the *Local Authorities Election Act*.

### ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8573-2024 be given first reading.

THAT Bylaw C-8573-2024 be given second reading.

THAT Bylaw C-8573-2024 be considered for third reading.

THAT Bylaw C-8573-2024 be given third and final reading.

## Adoption of an Updated Election Bylaw

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### BACKGROUND

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Election bylaws are not a requirement under the *Local Authorities Election Act* nor the *Municipal Government Act*. They are, however, encouraged as there are specific matters within the *Local Authorities Election Act* that require authorization from Council, either by resolution or bylaw, such as conducting institutional votes, providing elector assistance at home, and offering blind elector templates.

The benefit of Council authorizing these matters through bylaw rather than through resolution (like has been done in previous municipal elections) is that providing authorization through bylaw would stay in effect for multiple election cycles, while providing authorization through resolution would only be applicable for a specific election cycle. Bylaws are also more accessible to the public than resolutions, which can be challenging to find in meeting minutes.

The current *Election Bylaw* was adopted by Council ahead of the 2021 municipal election, which authorized the Returning Officer to negotiate joint elections with Rocky View Schools, to provide blind elector templates during advance votes, and to begin counting ballots from the advance vote early, among other matters in the *Local Authorities Election Act*.

The current *Election Bylaw* has not been fully reviewed since its adoption in 2020. In its review of the bylaw ahead of the 2025 municipal election, Administration identified the need for several amendments to reflect changes to the *Local Authorities Election Act* introduced by Bill 20, as well as additional amendments to provide the Returning Officer with their full discretion and authority under the *Local Authorities Election Act*.

As of the drafting of this report, Bill 20 has been passed by the Legislative Assembly of Alberta and has received royal assent from the Lieutenant Governor of Alberta, but it has yet to come into full force and effect, which will occur when it receives proclamation through an order in council. Administration does not have a timeframe for the proclamation of Bill 20, but the proposed bylaw has been drafted ahead of time to be compliant with the changes to the *Local Authorities Election Act* introduced by Bill 20.

The proposed *Election Bylaw* would come into full force and effect on December 31, 2024 or on the date that Bill 20 is proclaimed, whichever date is sooner. The *Local Authorities Election Act* requires that many of the provisions in the proposed *Election Bylaw* be adopted before December 31, 2024, which is why the effective date of the proposed bylaw would be no later than December 31, 2024.

### Past Decision History:

- On November 24, 2020, Council adopted the current *Election Bylaw* ahead of the 2021 municipal election to authorize several discretionary matters in the *Local Authorities Election Act*, including blind elector templates, voting hours, and the early counting of ballots from the advance vote.
- On May 11, 2021, Council appointed the Returning Officer and the Substitute Returning Officer by resolution for the 2021 municipal election. (Note: this would no longer be required under the proposed *Election Bylaw*.)
- On June 29, 2021, Council authorized the use of special ballots and elector assistance at home by resolution for the 2021 municipal election. (Note: this would no longer be required under the proposed *Election Bylaw*.)

## Adoption of an Updated Election Bylaw

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### ANALYSIS OF BILL 20 AMENDMENTS

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In the spring of 2024, the provincial government introduced Bill 20 to make a number of changes to the *Municipal Government Act* and the *Local Authorities Election Act*. As a result, amendments are required to the *Election Bylaw* to provide for the implementation of a permanent electors register and the offering of special ballots, which are now required under the *Local Authorities Election Act*.

#### Implementation of a Permanent Electors Register

Municipalities are now required to implement a permanent electors register of residents who are eligible, or may become eligible, to vote in municipal elections. Municipalities are also required to enter into an information sharing agreement with the Chief Electoral Officer of Alberta, which will allow municipalities and Elections Alberta to keep municipal permanent electors registers and the provincial register of electors up to date.

Prior to the changes to the *Local Authorities Election Act* introduced by Bill 20, implementing a permanent electors register and entering into an information sharing agreement with the Chief Electoral Officer of Alberta were optional for municipalities. The County considered implementing a permanent electors register at various times when they were optional under the *Local Authorities Election Act*.

Administration has had preliminary discussions with Elections Alberta, and the Chief Electoral Officer of Alberta is expected to begin entering into information sharing agreements with municipalities in fall 2024. The base of the permanent electors register will be information provided by Elections Alberta from the provincial register of electors, which will be supplemented by information gathered by the County.

The proposed *Election Bylaw* includes new sections outlining the process for preparing, revising, and using the permanent electors register. Under the *Local Authorities Election Act*, a permanent electors register may only be used by election workers for the purpose of conducting a municipal election and cannot be shared with candidates, scrutineers, or the public.

It is worth noting that the option for municipalities to prepare a list of electors (otherwise known as a voters list) has been removed from the *Local Authorities Election Act*. List of electors could be shared with candidates before their removal from the *Local Authorities Election Act*. This is no longer an option for municipalities.

#### Offering Special Ballots

Municipalities are now required to offer special ballots to electors who are unable to vote during an advance vote or on election day for any reason. Prior to the changes to the *Local Authorities Election Act* introduced by Bill 20, offering special ballots was optional for municipalities and special ballots could only be provided to electors for specific reasons.

Special ballots were offered by the County for the first time during the 2021 municipal election because of the COVID-19 pandemic. 129 special ballots were cast by electors around the County, representing around 1.1% of the total ballots cast in the 2021 municipal election.

The proposed *Election Bylaw* includes new sections outlining the process for requesting and providing special ballots to electors. Electors must be registered in the County's permanent electors register before being provided a special ballot, and all electors who are provided special ballots are entered into a separate special electors register.

## Adoption of an Updated Election Bylaw

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The process for completing, returning, and counting special ballots is outlined in the *Local Authorities Election Act* and is not included in the proposed *Election Bylaw*. Only the process for requesting and providing a special ballot is included in the proposed bylaw, which is similar to the process for requesting elector assistance at home.

### Criminal Record Checks

Although they are not required like permanent electors registers and special ballots, the *Local Authorities Election Act* has been amended by Bill 20 to allow municipalities to require candidates to provide a criminal record check with their nomination papers. While it has not been an issue for the County, other municipalities in Alberta have had issues with candidates being nominated while having undisclosed criminal records.

Administration has included a requirement for candidates to submit a criminal record check, along with a deposit of \$100, with their nomination papers in the proposed *Election Bylaw*. The criminal record check would be at the expense of the candidate and would need to be completed at least six months prior to day the candidate's nomination papers are submitted. This requirement would help promote public trust in the candidates running for office in the County's municipal elections.

As there are several types of criminal record checks available, the proposed *Election Bylaw* requires candidates to provide criminal record checks that:

- are conducted by a police service operating in Alberta, such as the Royal Canadian Mounted Police or Calgary Police Service, and not conducted by a third-party criminal record check provider; and
- show, at a minimum, the candidate's past criminal convictions, if any.

Under the proposed *Election Bylaw*, a vulnerable sector check, for example, would be acceptable but would not be required to be provided, as that type of record check provides more than the criminal conviction information of the candidate.

## ANALYSIS OF BEST PRACTICE AND OTHER AMENDMENTS

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In addition to amending the *Election Bylaw* to ensure compliance with the *Local Authorities Election Act*, Administration is also proposing a number of best practice and other amendments to the bylaw. Nearly all of the proposed amendments to the *Election Bylaw* are based on existing provisions in the *Local Authorities Election Act* and are included in the proposed bylaw for clarity and ease of reference.

### Appointment and Duties of the Returning Officer

The *Local Authorities Election Act* prescribes that Council may appoint both the Returning Officer and the Substitute Returning Officer. Prior to the 2021 municipal election, Council appointed the Returning Officer and Substitute Returning Officer by resolution. Council's appointments were based on a recommendation by Administration after conducting a recruitment process for a Returning Officer.

The proposed *Election Bylaw*, however, would delegate the Chief Administrative Officer with the appointment of both the Returning Officer and the Substitute Returning Officer. Since Administration is responsible for the recruitment of a Returning Officer and/or Substitute Returning Officer, this would streamline the appointment process.

## Adoption of an Updated Election Bylaw

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The proposed *Election Bylaw* would provide the Returning Officer with their full discretion and authority under the *Local Authorities Election Act*. Whether or not to exercise these discretionary powers would be determined by the Returning Officer based on best practices and the context of specific municipal elections. This would remove Council from the minutiae of municipal election preparations and would allow Administration to conduct elections impartially and without the perception of influence by Council.

### Joint Elections with Other Elected Authorities

The *Local Authorities Election Act* allows municipalities and school boards to hold joint elections. Joint elections must be authorized by an agreement between the municipalities and/or school boards. While the current *Election Bylaw* authorizes the Chief Administrative Officer to enter into agreements to conduct joint elections with other elected authorities, the proposed *Election Bylaw* includes additional wording around the responsibilities and powers of the County when it enters into such agreements.

Rocky View Schools and the County entered into an agreement to jointly conduct the 2021 municipal and school board elections. The agreement only applied for wards 2, 4, and 5 of Rocky View Schools, which all fall within the County's geographic boundaries. The County administered portions of the school board election on behalf of Rocky View Schools for wards 2, 4, and 5, except for the filing of nomination papers which was administered by Rocky View Schools.

The agreement between Rocky View Schools and the County for jointly conducting the municipal and school board elections in 2021 included cost-sharing provisions. Rocky View Schools was responsible for paying 40% of the costs for voting station rentals, voting station materials, election worker training and wages, and conducting the advance vote. The total invoice to Rocky View Schools for the County to conduct the school board election on their behalf in 2021 was around \$23,250.

### Advance Votes and Institutional Votes

The *Local Authorities Election Act* requires municipalities with populations over 5,000 to provide advance votes. Under the *Local Authorities Election Act*, the Returning Officer is responsible for determining when and where the advance vote will be conducted. Advance votes were conducted at the County Hall over the course of three days ahead of the 2021 municipal election. 1,220 ballots were cast during the advance vote, representing around 10.2% of total votes cast in the 2021 municipal election.

The *Local Authorities Election Act* also allows municipalities the option of conducting institutional votes for electors who are confined to a treatment centre or reside in a supportive living facility. With the new requirement for municipalities to offer special ballots, conducting institutional votes may not be required as the same electors would be able to request special ballots. Moreover, Administration attempts to coordinate the booking of voting stations with supportive living facilities, specifically Prince of Peace.

The proposed *Election Bylaw* allows the Returning Officer the discretion to conduct institutional votes if it makes sense based on the context of a municipal election. Institutional votes were not conducted during the 2021 municipal election due to the COVID-19 pandemic, as Administration instead coordinated the provision of special ballots to residents of the supportive living facility Prince of Peace.

### Elector Assistance at Home and Blind Elector Templates

The *Local Authorities Election Act* allows municipalities the option of providing elector assistance at home to electors who are unable to vote at a voting station because of a physical disability, as well as providing blind elector templates to electors who are visually impaired.



## Adoption of an Updated Election Bylaw

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Providing elector assistance at home and blind elector templates requires authorization from Council in accordance with the *Local Authorities Election Act*. In previous municipal elections, this authorization has come in the form of a resolution passed by Council in the runup to an election. Both elector assistance at home and blind elector templates were provided by the County during the 2021 municipal election. Two electors were assisted at home during the 2021 municipal election.

The proposed *Election Bylaw* authorizes the Returning Officer to provide elector assistance at home and blind elector templates for future municipal elections at their discretion. It is Administration's intent to provide both elector assistance at home and blind elector templates during the 2025 municipal election, and the proposed bylaw would allow the Returning Officer to do so without requiring Council authorization by resolution.

### Conduct of Scrutineers

The *Local Authorities Election Act* provides for scrutineers to observe the conduct of municipal elections. Scrutineers serve an important purpose in the electoral process by helping to uphold the integrity and fairness of municipal elections. Scrutineers provide systematic oversight, ensure that election rules are followed, and detect errors and irregularities within voting stations and the counting centre.

Prior to the changes to the *Local Authorities Election Act* introduced by Bill 20, scrutineers were able to note objections to electors if a scrutineer believed that they were not eligible to vote in the municipal election. This ability, however, has been removed from the *Local Authorities Election Act* by Bill 20. Without the ability to note objections to electors, one of the main purposes of scrutineers has been removed from the *Local Authorities Election Act*.

While scrutineers serve other purposes such as witnessing the counting of ballots after the close of voting stations, the *Local Authorities Election Act* does not provide guidance on the conduct of scrutineers. Because of this, the conduct of scrutineers is often determined on a case-by-case basis by voting station supervisors, which may differ from voting station to voting station.

Recognizing this, the proposed *Election Bylaw* includes additional language surrounding the conduct of scrutineers during municipal elections for consistency across voting stations and the counting centre. The additional language is based on legal advice received by Administration, and other municipalities in Alberta are considering similar language in their bylaws.

The proposed *Election Bylaw* provides the following guidance on the conduct of scrutineers to ensure consistency across voting stations and the counting centre:

- scrutineers may observe the voting process after the opening of voting stations and they may observe the counting process after the close of voting stations;
- scrutineers may observe the counting of advance votes, institutional votes, and special ballots at the counting centre;
- scrutineers may view election materials within voting stations and the counting centre, such as individual elector registers and the special ballot register, but not the permanent electors register;
- scrutineers may not make copies of, transcribe, or interfere with election materials, such as individual elector registers, the permanent electors register, or the special ballot register;



## Adoption of an Updated Election Bylaw

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- scrutineers may not take photographs or make recordings within a voting station or the counting centre, including taking photographs of individual elector registers, the permanent electors register, or the special ballot register;
- scrutineers may not make or take phone calls in a voting station or the counting centre while they are within a voting station or the counting centre, including for the exchange of information between a scrutineer and a candidate or official agent; and
- no person may impede a scrutineer from performing their duties.

The proposed *Election Bylaw* allows the Returning Officer or a voting station supervisor to issue warnings to scrutineers if their conduct does not comply with the proposed *Election Bylaw*, the *Local Authorities Election Act*, or the direction of the Returning Officer or presiding deputy. If a scrutineer does not comply with the warning, the scrutineer may be removed from the voting station by the Returning Officer or the voting station supervisor.

### Other Amendments

The proposed *Election Bylaw* also includes the following other amendments based on the provisions of the *Local Authorities Election Act*, which are not included in the current *Election Bylaw*:

- inclusion of wording around the independence and impartiality of the Returning Officer, which based on wording in the *Local Authorities Election Act*. Administration recommends including this wording to reinforce the independence and impartiality of the Returning Officer as a core principle in the municipal democratic process;
- inclusion of additional discretionary powers for the Returning Officer, including establishing multiple locations for candidates to submit nomination papers and designating an alternate location as the counting centre (which is the County Hall). Administration does not expect the Returning Officer to use these discretionary powers, but they have been included in the proposed *Election Bylaw* to provide the Returning Officer with their full discretionary powers under the *Local Authorities Election Act*;
- publishing nomination papers on the County's website rather than requiring individuals to view them in person at the County Hall. The *Local Authorities Election Act* states that individuals must be allowed to view nomination papers at the County Hall, but Administration recommends making them publicly available on the website to promote transparency and accountability;
- publishing unofficial election results on the County's website as ballot counts are received from voting stations prior to publishing the official election results four days after the election. The *Local Authorities Election Act* allows municipalities to publish unofficial election results as ballot counts are completed prior to publishing the official election results. For background, the County posted unofficial election results live during the 2021 municipal election; and
- in the event that Council wishes to hold its own plebiscite, provisions have been added to the proposed *Election Bylaw* to outline how the wording of the question on the ballot would be determined. Council would have the option of determining the wording itself or delegating that responsibility to the Chief Administrative Officer or Returning Officer.

## Adoption of an Updated Election Bylaw

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As noted earlier in the report, many of the changes in the proposed *Election Bylaw* are intended to provide the Returning Officer with their full discretion and authority under the *Local Authorities Election Act*. Whether or not to exercise these discretionary powers would be determined by the Returning Officer based on best practices and the context of specific municipal elections.

This would remove the need for Council to authorize these matters by resolution and would allow Administration to conduct elections impartially and without the perception of influence from Council, as sitting councillors may also be candidates in municipal elections.

## COMMUNICATIONS / ENGAGEMENT

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No immediate communications would be conducted by Administration should the proposed *Election Bylaw* be adopted by Council. However, municipal elections are complex undertakings that involve significant public communications and notifications.

Administration will be preparing a comprehensive communications plan for the 2025 municipal election that will include any relevant changes to the election process resulting from the adoption of the proposed *Election Bylaw*, as well as from the changes to the *Local Authorities Election Act* introduced by Bill 20.

## IMPLICATIONS

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### Financial

Administration does not foresee significant financial implications with the adoption of the proposed *Election Bylaw*; however, there will be significant additional resources required for conducting the 2025 municipal election due to changes to the *Local Authorities Election Act* introduced by Bill 20, such as the requirement to implement a permanent electors register and to offer special ballots.

Administration is currently conducting a search for software solutions to assist with the implementation of a permanent electors register. Initial estimates for implementing a permanent electors register place the cost at around \$25,000 to \$50,000 for the 2025 municipal election and each election thereafter if the County were to use existing software solutions available to municipalities.

The cost of offering special ballots during the 2025 municipal election will depend on the number of special ballots requested by electors. Given that only one percent of all ballots cast in the 2021 municipal election were special ballots, Administration does not foresee significant costs to offering special ballots during the 2025 municipal election.

## STRATEGIC ALIGNMENT

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Conducting municipal elections is a requirement under the *Local Authorities Election Act*.

Adoption of an Updated Election Bylaw

ALTERNATE DIRECTION

Administration does not have alternate direction for Council’s consideration.

ATTACHMENTS

- Attachment A: Proposed *Election Bylaw C-8573-2024*
- Attachment B: Current *Election Bylaw C-8109-2020*

APPROVALS

|                               |                   |
|-------------------------------|-------------------|
| Manager:                      | N/A               |
| Executive Director/Director:  | Gina van den Burg |
| Chief Administrative Officer: | Byron Riemann     |



# BYLAW C-8573-2024

**A bylaw of Rocky View County to establish rules for elections conducted by Rocky View County under the *Local Authorities Election Act* and for addressing matters within the discretion of elected authorities under the *Local Authorities Election Act*.**

**WHEREAS** the *Local Authorities Election Act* provides the general rules for elections conducted by local authorities and allows local authorities to pass bylaws for the conduct of elections under the *Local Authorities Election Act*;

**WHEREAS** section 7(a) of the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

**AND WHEREAS** section 7(b) of the *Municipal Government Act* allows Council to pass bylaws respecting people, activities, and things in, on, or near a public place or a place that is open to the public;

**AND WHEREAS** there are specific matters in the *Local Authorities Election Act* that are within the discretion of elected authorities to do by bylaw or by resolution;

**AND WHEREAS** section 180(3) of the *Municipal Government Act* allows Council to do something by bylaw if it is required to do something by resolution under any enactment, which includes the *Local Authorities Election Act*;

**AND WHEREAS** section 203(1) of the *Municipal Government Act* authorizes Council to delegate to the Chief Administrative Officer any of its powers, duties, or functions under any enactment, which includes the *Local Authorities Election Act*;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## Title and Definitions

- 1 This bylaw may be cited as the *Election Bylaw*.
- 2 Words in this bylaw have the same meaning as set out in the *Local Authorities Election Act* and the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this bylaw.

## Purpose and Application

- 3 The purpose of this bylaw is to establish rules for elections conducted by Rocky View County under the *Local Authorities Election Act* and for addressing matters within the discretion of elected authorities under the *Local Authorities Election Act*.
- 4 This bylaw applies to all elections conducted by Rocky View County under the *Local Authorities Election Act*, which includes general elections, by-elections, and votes on a bylaw or question as provided for in the *Local Authorities Election Act*.



### Interpretation

- 5 If a matter related to an election conducted by Rocky View County under the *Local Authorities Election Act*:
  - (1) is not contemplated by this bylaw, the matter will be decided by reference to the relevant provisions of the *Local Authorities Election Act*; or
  - (2) is not contemplated by this bylaw nor the *Local Authorities Election Act*, the matter will be decided by the Returning Officer in their sole and unfettered discretion.
- 6 If a provision of this bylaw conflicts with the provisions of the *Local Authorities Election Act*, the provisions of the *Local Authorities Election Act* take precedence.

### Joint Elections with Other Elected Authorities

- 7 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to negotiate and enter into agreements on behalf of Rocky View County for conducting joint elections with other elected authorities under the *Local Authorities Election Act*.
- 8 When Rocky View County conducts a joint election on behalf of another elected authority under the *Local Authorities Election Act*:
  - (1) the County is responsible for conducting the election and ensuring compliance with the *Local Authorities Election Act* on behalf the other elected authority to the extent provided for in the agreement with the other elected authority;
  - (2) the County has all the rights, powers, and duties of the other elected authority under the *Local Authorities Election Act* and may exercise those rights, powers, and duties on behalf of the other elected authority to the extent provided for in the agreement with the other elected authority; and
  - (3) the provisions of this bylaw apply to the election conducted by the County on behalf of the other elected authority.

### Powers, Duties, and Appointment of the Returning Officer

- 9 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to appoint the Returning Officer as required by section 13(1) of the *Local Authorities Election Act*.
- 10 The Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this bylaw and the *Local Authorities Election Act*.
- 11 The Returning Officer may delegate any of their powers or duties to a constable, presiding deputy, or deputy pursuant to section 14(3) of the *Local Authorities Election Act*.



### **Powers, Duties, and Appointment of the Substitute Returning Officer**

- 12 Council delegates to the Chief Administrative Officer, pursuant to section 203(1) of the *Municipal Government Act*, its power and duty to appoint the Substitute Returning Officer as required by section 13(2.1) of the *Local Authorities Election Act*.
- 13 The Substitute Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under this bylaw and the *Local Authorities Election Act* when the Returning Officer is incapable of performing those duties, functions, and powers.
- 14 When acting as the Returning Officer, the Substitute Returning Officer may delegate any of their powers or duties to a constable, presiding deputy, or deputy pursuant to section 14(3) of the *Local Authorities Election Act*.

### **Independence and Impartiality of the Returning Officer**

- 15 The Returning Officer must be independent and impartial when performing their duties pursuant to section 13.1(1) of the *Local Authorities Election Act*.
- 16 No person may obstruct or attempt to influence the Returning Officer in the performance of their duties pursuant to section 13.1(2) of the *Local Authorities Election Act*.
- 17 The following individuals are ineligible for appointment as the Returning Officer or the Substitute Officer pursuant to section 13(3) of the *Local Authorities Election Act*:
  - (1) a candidate; or
  - (2) a candidate's spouse, adult interdependent partner, child, parent, or sibling.

### **Duties of Presiding Deputies**

- 18 Presiding deputies are appointed by the Returning Officer and are responsible for exercising all the duties of a presiding deputy under the *Local Authorities Election Act* and any other duties that are assigned to them by the Returning Officer pursuant to section 14.1 of the *Local Authorities Election Act*.
- 19 Presiding deputies are charged with maintaining the peace at voting stations pursuant to section 15(1) of the *Local Authorities Election Act*. With the approval of the Returning Officer in their sole and unfettered discretion, a presiding deputy may:
  - (1) appoint a constable to maintain order at a voting station; or
  - (2) summon a police officer or any other person for the purpose of maintaining order, preserving or preventing any breach of the public peace, or removing any person who, in the opinion of the presiding deputy, is obstructing voting or contravening the *Local Authorities Election Act*.



### Delegation by the Chief Administrative Officer

- 20 Pursuant to section 203(3) of the *Municipal Government Act*, the Chief Administrative Officer may further delegate any the powers, duties, and functions delegated to them by Council under this bylaw.

### Permanent Electors Register

- 21 The Chief Administrative Officer must compile and revise a permanent electors register of Rocky View County residents who are eligible, or may become eligible, to vote as required by section 49(1) of the *Local Authorities Election Act*.
- (1) The Chief Administrative Officer may, as provided for in section 49(3) of the *Local Authorities Election Act*, use any information obtained or available to Rocky View County in compiling and revising the permanent electors register.
  - (2) The Chief Administrative Officer may use individual elector registers to revise the permanent electors register prior to their destruction pursuant to section 91.1(2) of the *Local Authorities Election Act*.
  - (3) The Chief Administrative Officer must, as required by section 49(3.1) of the *Local Authorities Election Act*, enter any of the information listed in section 23 of this bylaw obtained during an election into the permanent electors register.
- 22 The Chief Administrative Officer is authorized to negotiate and enter into an information sharing agreement with the Chief Electoral Officer of Alberta for the purpose of compiling and revising the permanent electors register and the provincial register of electors as required by section 49(2) of the *Local Authorities Election Act*.
- 23 Pursuant to section 49(5) of the *Local Authorities Election Act*, the permanent electors register may contain only the following information for each person included in the permanent electors register:
- (1) the person's residential address and the mailing address, including postal codes, if the mailing address is different from the residential address;
  - (2) the surname, given name, and middle initial of the person;
  - (3) the day, month, and year of birth of the person;
  - (4) the residential phone number of the person;
  - (5) the gender of the person; and
  - (6) whether the person is a public school or separate school resident.
- 24 Persons not included in the permanent electors register may submit an application to Rocky View County in the prescribed form to be added to the permanent electors register.





- 25 Persons who are included in the permanent elections register but wish to correct information about themselves contained within the permanent electors register may submit an application to Rocky View County in the prescribed form to have their information corrected.
- 26 The prescribed form referenced in sections 24 and 25 of this bylaw will be made available:
- (1) on Rocky View County's public website;
  - (2) in person at the County during regular business hours; or
  - (3) by email to [elections@rockyview.ca](mailto:elections@rockyview.ca) or [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)
- 27 Rocky View County will only use the permanent electors register and the information contained within it for purposes consistent with the *Local Authorities Election Act* and will not share the permanent electors register or the information contained within it to the public, candidates, official agents, or scrutineers.
- 28 Rocky View County will only make a person's information contained within the permanent electors register available to that person, or their authorized agent, to ensure that the information about that person within the permanent electors register is correct pursuant to section 49(6) of the *Local Authorities Election Act*.
- 29 No candidate, official agent, or scrutineer may photograph or copy the permanent electors register as provided for in section 49(8) of the *Local Authorities Election Act*.

### Candidate Nominations and Withdrawal of Nominations

- 30 Nominations must be submitted in-person at the County Hall during regular business hours within the nomination period for an election pursuant to section 28(1) of the *Local Authorities Election Act*.
- (1) The Returning Officer may, as provided for in section 28(1.1) of the *Local Authorities Election Act*, establish additional locations where nominations may be submitted during the nomination period for an election.
  - (2) Nominations may be submitted in-person during the nomination period for an election at any additional locations established by the Returning Officer if any additional locations have been established by the Returning Officer.
- 31 Nominations must comply with the requirements of this bylaw and the *Local Authorities Election Act* and be accompanied by the following:
- (1) a deposit of \$100.00 as provided for in section 29 of the *Local Authorities Election Act* which may be refunded pursuant to section 30 of the *Local Authorities Election Act*; and
  - (2) a criminal record check, at the sole expense of the candidate, completed at least six months prior to the date the nomination is submitted as provided for in section 21.1 of the *Local Authorities Election Act*.



- 32 It is the sole responsibility of candidates to ensure that nominations comply with the requirements of this bylaw and the *Local Authorities Election Act*.
- 33 Nominations may be withdrawn at any time during the nomination period for an election, or within 24 hours after the close of the nomination period subject to section 32(3) of the *Local Authorities Election Act*, by submitting their nomination withdrawal to the Returning Officer:
- (1) in writing delivered to the County Hall during regular business hours;
  - (2) by email to [elections@rockyview.ca](mailto:elections@rockyview.ca) or [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca); or
  - (3) by another method to the satisfaction of the Returning Officer.
- 34 Nomination withdrawals:
- (1) must include the candidate's first and last name, the office for which they were nominated, and be signed and dated by the candidate; and
  - (2) is effective on the date that it is received by the Returning Officer.
- 35 Within 48 hours of a candidate submitting their nomination papers, the Returning Officer will make the candidate's nomination papers available to the public on Rocky View County's public website or at the County Hall during regular business hours.
- 36 Within 48 hours of the close of the nomination period for an election, the Returning Officer will make a list of all nominated candidates available to the public on Rocky View County's public website or at the County Hall during regular business hours.
- 37 When making nomination papers available to the public:
- (1) nomination papers will be partially redacted to ensure that the mailing address of the candidate and the candidate's official agent are not disclosed as required by section 28(6.1) of the *Local Authorities Election Act*;
  - (2) criminal records checks accompanying nomination papers will be partially redacted to ensure that the mailing address of the candidate and the candidate's official agent are not disclosed as required by section 28(6.2) of the *Local Authorities Election Act*; and
  - (3) the Returning Officer may further redact any personal information in nomination papers, but not the criminal records checks accompanying the nomination papers, that, in their opinion, would compromise the personal safety of candidates as provided for in section 28(6.1) of the *Local Authorities Election Act*.
- 38 Nomination papers will be retained until the term of office to which the nomination papers relate has expired pursuant to with section 34(4) of the *Local Authorities Election Act*.



### Death of a Candidate

- 39 If a candidate dies after being nominated but before the opening of voting stations during the advance vote or on election day, the Returning Officer will provide notice of the candidate's death in a conspicuous location at all relevant voting stations pursuant to section 33(2) of the *Local Authorities Election Act*.

### Voting Subdivisions, Voting Stations, and Voting Hours

- 40 Rocky View County's electoral divisions, as established in the *Electoral Boundaries and Council Composition Bylaw*, are each considered to be their own voting subdivision pursuant to section 36(2) of the *Local Authorities Election Act*.
- 41 The Returning Officer must, in their sole and unfettered discretion, designate the location of all voting stations for each voting subdivision on election day as provided for in section 37(1) of the *Local Authorities Election Act*.
- (1) The Returning Officer may, in their sole and unfettered discretion, designate more than one voting station for each voting subdivision pursuant to section 37(3) of the *Local Authorities Election Act*.
- 42 Every voting station will be kept open continuously from 10:00 a.m. until 8:00 p.m. on election day pursuant to section 46(1) of the *Local Authorities Election Act*.
- 43 If there is an elector in a voting station who wishes to vote when a voting station is declared closed, the elector will be allowed to vote, but no other person will be allowed to enter the voting station for that purpose pursuant to section 46(4) of the *Local Authorities Election Act*.

### Early Counting of Advance Votes, Special Ballots, and Institutional Votes

- 44 The County Hall is designated as the counting centre for the purposes of section 85.1 of the *Local Authorities Election Act*, unless the Returning Officer designates an alternate location as the counting centre.
- (1) The Returning Officer must notify all affected candidates, official agents, and scrutineers of the location of the counting centre as required by section 85.1(3) of the *Local Authorities Election Act*.
- 45 The Returning Officer may begin counting advance votes, special ballots, and institutional votes at 7:30 p.m. on election day at the counting centre before the closing of voting stations at 8:00 p.m. on election day pursuant to section 85.1(4) of the *Local Authorities Election Act*.
- (1) The Returning Officer must notify all affected candidates, official agents, and scrutineers of the location of the counting centre as required by section 85.1(3) of the *Local Authorities Election Act*.
- (2) The results of the early counting of advance votes, special ballots, and institutional votes conducted under section 45 of this bylaw must not be publicly disclosed until after the close of voting stations at 8:00 p.m. on election day in accordance with section 85.1(7) of the *Local Authorities Election Act*.



## Election Results

- 46 Rocky View County will publish, on Rocky View County's public website, the official election results no later than 12:00 p.m. on the fourth day after an election pursuant to section 97(2) of the *Local Authorities Election Act*.
- 47 Rocky View County may publish, on Rocky View County's public website, the unofficial election results once counts are received from voting stations pursuant to section 97(1) of the *Local Authorities Election Act*.

## Advance Votes

- 48 Rocky View County must conduct advance votes as required by section 73(3) of the *Local Authorities Election Act*. The Returning Officer must, in their sole and unfettered discretion, determine the following for advance votes:
- (1) the number and locations of all voting stations that they consider necessary for conducting the advance vote as provided for in section 75(1) of the *Local Authorities Election Act*; and
  - (2) the days and hours of when the advance vote will be conducted as provided for in section 73(6) of the *Local Authorities Election Act*.

## Special Ballots

- 49 Rocky View County must provide special ballots for electors who are unable to vote on election day or during an advance vote as required by section 77.1(1) of the *Local Authorities Election Act*.
- 50 Electors may apply for a special ballot beginning on August 1 for a general election, or on the date set by the Returning Officer for a by-election or vote on a bylaw or question, if they are unable to vote on election day or during an advance vote.
- 51 Electors who are included in the permanent electors register may apply to the Returning Officer for a special ballot through one of the following methods:
- (1) in person at the County during regular business hours;
  - (2) in writing delivered to the County Hall;
  - (3) by email to [elections@rockyview.ca](mailto:elections@rockyview.ca) or [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca);
  - (4) by telephone at (403) 230-1401; or
  - (5) another method to the satisfaction of the Returning Officer.
- 52 Electors who are not included in the permanent electors register must first apply to be added to the permanent electors register before applying for a special ballot or being issued a special ballot package as required by section 77.1(1.1) of the *Local Authorities Election Act*.



- 53 The Returning Officer will require the following information from electors when applying for a special ballot under this bylaw and the *Local Authorities Election Act*:
- (1) first and last name of the elector;
  - (2) contact telephone number, or contact email address if the elector is unavailable by telephone;
  - (3) municipal address of the residence of the elector;
  - (4) mailing address to which the special ballot is to be sent; and
  - (5) school elector status, if the elector is voting for a trustee of a board of a school division.
- 54 Upon receiving an application for a special ballot that complies with the requirements of this bylaw and the *Local Authorities Election Act*, the Returning Officer will issue the elector with a special ballot package after the close of nominations on nomination day.
- 55 Special ballot packages must be returned to the Returning Officer no later than 4:30 p.m. on election day pursuant to section 77.21(2) of the *Local Authorities Election Act*.
- (1) If a special ballot package is not received before 4:30 p.m. on election day, the special ballot will be considered a rejected ballot pursuant to section 77.3 of the *Local Authorities Election Act*.

### Institutional Votes

- 56 Rocky View County may conduct institutional votes for electors who are confined to a treatment centre or reside in a supportive living facility as provided for in section 80(1) of the *Local Authorities Election Act*.
- 57 The Returning Officer is authorized to and must, in their sole and unfettered discretion, determine the following for institutional votes:
- (1) if, when, and where institutional voting will be conducted during an advance vote as provided for in section 80(4) of the *Local Authorities Election Act*; and
  - (2) if, when, and where institutional voting will be conducted on election day as provided for in section 81(1) of the *Local Authorities Election Act*.

### Elector Assistance at Home

- 58 Rocky View County may provide elector assistance at home to electors who are unable to attend a voting station on election day or during an advance vote because of a physical disability as provided for in section 79(1) of the *Local Authorities Election Act*.
- 59 The Returning Officer is authorized to and must, in their sole and unfettered discretion, determine the following for elector assistance at home:



- (1) if and when elector assistance at home will be provided during an advance vote as provided for in section 79(1) of the *Local Authorities Election Act*; and
  - (2) if and when elector assistance at home will be provided on election day as provided for in section 79(1) of the *Local Authorities Election Act*.
- 60 If elector assistance at home is provided during an election, electors may submit a request for elector assistance at home beginning on August 1 for a general election, or on the date set by the Returning Officer for a by-election or vote on a bylaw or question, if they are unable to attend a voting station on election day or during an advance vote because of a physical disability.
- 61 If elector assistance at home is provided during an election, electors may submit a request to the Returning Officer for elector at home assistance through one of the following methods:
- (1) in person at the County during regular business hours;
  - (2) in writing delivered to the County Hall;
  - (3) by email to [elections@rockyview.ca](mailto:elections@rockyview.ca) or [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca);
  - (4) by telephone at (403) 230-1401; or
  - (5) another method to the satisfaction of the Returning Officer.
- 62 The Returning Officer will require the following information from electors when requesting elector at home assistance under this bylaw and the *Local Authorities Election Act*:
- (1) first and last name of the elector;
  - (2) reason why the elector is unable to attend a voting station on election day or during an advance vote;
  - (3) contact telephone number, or contact email address if the elector is unavailable by telephone;
  - (4) municipal address of the residence of the elector;
  - (5) mailing address to which the special ballot is to be sent; and
  - (6) school elector status, if the elector is voting for a trustee of a board of a school division.
- 63 The Returning Officer, in their sole and unfettered discretion, may accept or reject requests for elector assistance at home pursuant to section 79(4) of the *Local Authorities Election Act*.

### Blind Elector Templates

- 64 Rocky View County will provide blind elector templates to electors who are blind as provided for in section 78(4.2) of the *Local Authorities Election Act*.



- 65 The Returning Officer must provide electors who are blind with blind elector templates on election day and during advanced votes pursuant to section 78(4.3) of the *Local Authorities Election Act*.
- 66 Electors will be notified of the availability of blind elector templates, as required by section 78(4.3) of the *Local Authorities Election Act*, in conjunction with notices of election and notices of advance votes.

### Conduct and Duties of Scrutineers

- 67 Before a person is recognized or appointed as a scrutineer and before they may perform the duties of a scrutineer, the person must:
- (1) provide the Returning Officer or a presiding deputy with the written notice required by section 69(1) of the *Local Authorities Election Act* for a general election or by-election; or
  - (2) provide the Returning Officer or a presiding deputy with the written request required by section 70(1) of the *Local Authorities Election Act* for a vote on a bylaw or question; and
  - (3) make and subscribe to a statement in the prescribed form as required by section 16(2) of the *Local Authorities Election Act*.
- 68 When performing the duties of a scrutineer, scrutineers must:
- (1) comply with the requirements of the *Local Authorities Election Act*;
  - (2) comply with the requirements of this bylaw;
  - (3) comply with the direction of the Returning Officer or a presiding deputy; and
  - (4) perform their duties with integrity and respect and in a manner that is helpful and courteous to electors, election workers, other scrutineers, the public, and anyone else involved in an election.
- 69 Scrutineers may:
- (1) observe the conduct of an election, including the voting process and the counting process, from the location designated within a voting station by the Returning Officer or a presiding deputy pursuant to section 69(5) or 70(4) of the *Local Authorities Election Act*;
  - (2) observe the sealing of ballot boxes at the opening of voting stations to ensure that ballot boxes are empty prior to the start of the voting process and observe the opening of ballot boxes prior to the start of the counting process to ensure that all ballots have been removed from the ballot boxes to be counted;





- (3) observe that each ballot box is opened and that the ballots are counted within a voting station as provided for in section 85(1) of the *Local Authorities Election Act* from the location designated by the Returning Officer or a presiding deputy;
- (4) observe that each special ballot box, advance vote ballot box, and institutional vote ballot box is opened and that all ballots are counted at the counting centre as provided for in section 85.1(5) of the *Local Authorities Election Act* from the location designated by the Returning Officer or a presiding deputy;
- (5) observe recounts conducted by the Returning Officer pursuant to section 98(2) of the *Local Authorities Election Act* or observe a judicial recount pursuant to section 106(1) of the *Local Authorities Election Act*;
- (6) request to view individual elector registers when election workers are not assisting electors subject to sections 70(4) and 70(5) of this bylaw;
- (7) request to view the names and addresses of electors who have applied for and been provided special ballot packages pursuant to section 77.1(4) of the *Local Authorities Election Act* when election workers are not assisting electors subject to sections 70(4) and 70(5) of this bylaw;
- (8) request a copy of the ballot account as provided for in section 89(2) of the *Local Authorities Election Act* and, if the scrutineer desires, sign the ballot account as provided for in section 89(1) of the *Local Authorities Election Act*; and
- (9) use cellphones, laptops, and other electronic devices within a voting station or the counting centre so long as no audio or video recordings are taken, no photographs are taken, and no phone calls are made or taken.

70 Scrutineers must not:

- (1) interfere with the orderly conduct of an election, including interfering with the voting process or the counting process;
- (2) view an elector completing their ballot, assist an elector with completing their ballot, vouch for an elector pursuant to section 53(5) of the *Local Authorities Election Act*, or prevent an elector from completing their ballot;
- (3) take photographs within a voting station or the counting centre, including photographs of the permanent electors register, individual elector registers, or the special ballot elector register;
- (4) make copies of, transcribe, or interfere with election materials in a voting station or the counting centre, including the permanent electors register, individual elector registers, and the special ballot elector register;
- (5) make or take phone calls in a voting station or the counting centre while they are within a voting station or the counting centre, including for the exchange of information between a scrutineer and a candidate or official agent;



- (6) engage in political campaigning or promotion for or against any candidate, or for or against any position on a vote on a bylaw or question, within or outside of a voting station or the counting centre, including wearing any campaign materials such as buttons, hats, and t-shirts; or
  - (7) engage in harassing or discriminatory behaviour or make abusive, derisive, threatening, or insulting statements or gestures to or about another person.
- 71 If a scrutineer does not comply with the requirements of this bylaw, the *Local Authorities Election Act*, or the direction of the Returning Officer or a presiding deputy, the Returning Officer or a presiding deputy may issue the scrutineer with a written warning concerning their conduct.
- 72 After receiving a written warning pursuant to section 71 of this bylaw, if a scrutineer continues not to comply with the requirements of this bylaw, the *Local Authorities Election Act*, or the direction of the Returning Officer or a presiding deputy, the Returning Officer or a presiding deputy may remove the scrutineer from the voting station or counting centre.
- 73 The Returning Officer or a presiding deputy must not:
- (1) for a general election or by-election, allow a candidate to have a scrutineer or official agent present in a voting station or the counting centre while the candidate is present in the voting station or counting centre pursuant to section 69(3) or 85.1(6) of the *Local Authorities Election Act*;
  - (2) for a general election or by-election, allow a candidate to have both an official agent and a scrutineer present in a voting station or the counting centre at the same time pursuant to section 69(3.1) or 85.1(6) of the *Local Authorities Election Act*;
  - (3) for a vote on a bylaw or question, allow more than one scrutineer for each side of the bylaw or question to be present in the voting station or the counting centre at the same time pursuant to section 70(3) and 85.1(6) of the *Local Authorities Election Act*; or
  - (4) permit more than the candidate or the candidate's official agent or scrutineer, or more than one scrutineer for either side of a vote on any bylaw or question, to be present during the counting of ballots pursuant to section 85(2) of the *Local Authorities Election Act*.
- 74 No person may impede a scrutineer from performing the duties of a scrutineer pursuant to section 69(7) of the *Local Authorities Election Act*.

### Votes on a Bylaw or Question

- 75 Should Council provide or be required to conduct a vote on a bylaw or question under the *Municipal Government Act*, the vote on the bylaw or question will be conducted in accordance with the *Local Authorities Election Act*.
- 76 Pursuant to section 44 of the *Local Authorities Election Act*, when a vote on a bylaw or question is conducted:



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- (1) Council must determine the wording to be used on the ballot or may authorize the Returning Officer, or the Chief Administrative Officer if a Returning Officer is not appointed, to determine the wording to be used on the ballot; or
- (2) if Council does not determine the wording to be used on the ballot, the Returning Officer, or the Chief Administrative Officer if a Returning Officer is not appointed, will determine the form of the ballot to be used.

**Severability**

- 77 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.

**Repeal and Effective Date**

- 78 Bylaw C-8109-2020, being the *Election Bylaw*, is repealed upon this bylaw passing and coming into full force and effect.
- 79 Bylaw C-8573-2024, being the *Election Bylaw*, is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*.
- 80 Bylaw C-8573-2024, being the *Election Bylaw*, comes into full force and effect on December 31, 2024 or on the proclamation date of the *Municipal Affairs Statutes Amendment Act, 2024*, whichever date is sooner.



READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date Bylaw Signed



## Bylaw C-8573-2024

### Schedule 'A' – Definitions

- 1     **"Advance vote"** has the same meaning as provided for in the *Local Authorities Election Act*, which means a vote taken in advance of election day.
- 2     **"Alberta Housing Act"** means the *Alberta Housing Act*, RSA 2000, c A-25, as amended or replaced from time to time.
- 3     **"Blind elector template"** means a blind elector template as contemplated and provided for in the *Local Authorities Election Act*.
- 4     **"By-election"** has the same meaning as provided for in the *Local Authorities Election Act*, which means an election other than a general election or a first election.
- 5     **"Candidate"** has the same meaning as provided for in the *Local Authorities Election Act*, which means an individual who has been nominated to run for election in a local jurisdiction as a councillor or school board trustee.
- 6     **"Chief Administrative Officer"** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate.
- 7     **"Council"** means the duly elected Council of Rocky View County as contemplated in the *Municipal Government Act*.
- 8     **"Councillor"** means a duly elected Councillor of Rocky View County as contemplated in the *Municipal Government Act*.
- 9     **"County Hall"** means Rocky View County's County Hall, which is located at 262075 Rocky View Point, Rocky View County, Alberta.
- 10    **"Criminal record check"** means a criminal record check that is:
  - (1)     conducted by a police service operating in Alberta, such as the Royal Canadian Mounted Police or Calgary Police Service, and not conducted by a third-party criminal record check provider; and
  - (2)     that, at a minimum, shows the candidate's past criminal convictions, if any.
- 11    **"Education Act"** means the *Education Act*, RSA 2000, c E-0.3, as amended or replaced from time to time.
- 12    **"Election"** has the same meaning as provided for in the *Local Authorities Election Act*, which means a general election, first election, by-election, or a vote on a bylaw or question.
- 13    **"Election day"** has the same meaning as provided for in the *Local Authorities Election Act*, which means the day fixed for voting in an election.



- 14     **“Elector”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person eligible to vote in an election.
- 15     **“Elector assistance at home”** means elector assistance at home as contemplated and provided for in the *Local Authorities Election Act*.
- 16     **“Elected authority”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a council under the *Municipal Government Act* or a board of trustees under the *Education Act*.
- 17     **“Electoral Boundaries and Council Composition Bylaw”** means Rocky View County Bylaw C-8077-2020, being the *Electoral Boundaries and Council Composition Bylaw*, as amended or replaced from time to time.
- 18     **“Electoral division”** means a ward as contemplated in the *Municipal Government Act* and provided for in the *Electoral Boundaries and Council Composition Bylaw*.
- 19     **“General election”** has the same meaning as provided for in the *Local Authorities Election Act*, which means an election held for all the members of an elected authority to fill vacancies caused by the passage of time.
- 20     **“Institutional vote”** means an institutional vote as contemplated and provided for in the *Local Authorities Election Act*.
- 21     **“Joint election”** means a joint election as contemplated and provided for in the *Local Authorities Election Act*.
- 22     **“Local Authorities Election Act”** means the *Local Authorities Election Act*, RSA 2000, c L-21, as amended or replaced from time to time.
- 23     **“Mental Health Act”** means the *Mental Health Act*, RSA 2000, c M-13, as amended or replaced from time to time.
- 24     **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 25     **“Nomination day”** has the same meaning as provided for in the *Local Authorities Election Act*, which is four weeks before election day.
- 26     **“Nomination period”** has the same meaning as provided for in the *Local Authorities Election Act*, which is:
  - (1)     for a general election, within the period beginning on January 1 in a year in which a general election is to be held and ending at 12 noon on nomination day; or
  - (2)     for a by-election, within the period beginning on the day after the resolution or bylaw is passed to set election day for the by-election and ending at 12 noon on nomination day.



- 27     **“Official agent”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person appointed as an official agent pursuant to section 68.1 of the *Local Authorities Election Act*.
- 28     **“Presiding deputy”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a deputy who has been appointed as a presiding deputy by the Returning Officer pursuant to section 14 of the *Local Authorities Election Act*.
- 29     **“Permanent electors register”** means a permanent electors register as contemplated and provided for in the *Local Authorities Election Act*.
- 30     **“Returning Officer”** means the person appointed by the Chief Administrative Officer under this bylaw to be the Returning Officer or their authorized delegate.
- 31     **“Rocky View County” or “County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 32     **“Scrutineer”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a person recognized as a scrutineer pursuant to section 69 or appointed pursuant to section 70 of the *Local Authorities Election Act*.
- 33     **“Special ballot”** means a special ballot as contemplated and provided for in the *Local Authorities Election Act*.
- 34     **“Substitute Returning Officer”** means the person appointed by the Chief Administrative Officer under this bylaw to be the Substitute Returning Officer or their authorized delegate.
- 35     **“Supportive living facility”** has the same meaning as provided for in the *Local Authorities Election Act*, which means:
- (1)     a lodge accommodation as defined in the *Alberta Housing Act*; or
  - (2)     a facility for adults or senior citizens that provides assisted living and accommodation;
- but does not include a treatment centre.
- 36     **“Treatment centre”** has the same meaning as provided for in the *Local Authorities Election Act*, which means:
- (1)     a hospital or facility under the *Mental Health Act*; or
  - (2)     any facility not referred to in subsection 27(1) of this schedule that provides medical treatment or care on an in-patient basis.
- 37     **“Vote on a bylaw or question”** means a vote on a bylaw or question as contemplated and provided for in the *Local Authorities Election Act* and the *Municipal Government Act*.
- 38     **“Voting station”** has the same meaning as provided for in the *Local Authorities Election Act*, which means a place where an elector votes.





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- 39     **“Voting subdivision”** has the same meaning as provided for in the *Local Authorities Election Act*, which means that area of a local jurisdiction or ward designated as a voting subdivision by the elected authority or the Returning Officer.



## BYLAW C-8109-2020

**A bylaw of Rocky View County to establish rules for the conduct of Rocky View County elections in accordance with the requirements of the *Local Authorities Election Act*.**

**WHEREAS**, pursuant to section 2 and 3 of the *Local Authorities Election Act*, an elected authority may enter into an agreement with one of more elected authorities within the area of the Local Jurisdiction to conduct an election or to hold an election separately or in conjunction for another local authority;

**AND WHEREAS**, section 29 of the *Local Authorities Election Act*, an elected authority may by bylaw require that every nomination be accompanied with a deposit fixed in a bylaw not to exceed one hundred (\$100.00) dollars;

**AND WHEREAS**, section 28(1.1) of the *Local Authorities Election Act*, an elected authority may by bylaw provide that a returning officer may establish one of more location established by the returning officer at any time during the nomination period to receive nominations;

**AND WHEREAS**, section 73(3) of the *Local Authorities Election Act*, the elected authority must provide for holding an advance vote on the election of municipal councillors, including by-elections and the submission of a bylaw or question to electors;

**AND WHEREAS**, section 73(6) of the *Local Authorities Election Act*, the Returning Officer must determine the days and hours when the Advance Vote is to be held;

**AND WHEREAS**, section 75(1) of the *Local Authorities Election Act*, the Returning Officer shall establish the number of advance voting stations the Returning Officer considers necessary;

**AND WHEREAS**, section 78(4.2) and section 78(4.3) of the *Local Authorities Election Act*, an elected authority may pass a bylaw setting out the blind elector template and specify when the blind elector template is available and how the municipality will notify the electors of the availability of the blind elector template;

**AND WHEREAS**, section 37 of the *Local Authorities Election Act*, an elected authority may pass a bylaw allowing the returning officer of the elected authority to designate more than one voting station for each subdivision and the location of those voting stations for that election;

**AND WHEREAS**, section 37 of the *Local Authorities Election Act*, the returning officer shall designate the location of voting stations;

**AND WHEREAS**, section 85.1(4) of the *Local Authorities Election Act*, an elected authority may pass a bylaw allowing the returning officer of the elected authority to count the special ballot boxes and advance ballot boxes no earlier than 7:30 PM on election day;



**AND WHEREAS**, section 13(1) of the *Local Authorities Election Act*, an elected authority may, by resolution appoint a returning officer for the purposes of conducting elections, by-election or vote on a question or bylaw under the *Local Authorities Election Act*;

**AND WHEREAS**, section 13(2.1) of the *Local Authorities Election Act*, an elected authority must, by resolution, appoint a substitute returning officer for the purposes of conducting elections, by-election or vote on a question or bylaw;

**AND WHEREAS**, section 33 of the *Local Authorities Election Act*, an elected authority may by a bylaw provide how a an elected authority is to respond if a candidate for an elected authority dies after being nominated;

**AND WHEREAS**, section 46(2) of the *Local Authorities Election Act*, an Elected Authority may by a bylaw provide that a voting station is to be open before 10 AM;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

#### **Title, Purpose, Application, and Definitions**

- 1 This bylaw may be cited as the *Election Bylaw*.
- 2 The purpose of this bylaw is to establish rules for conducting Rocky View County elections held in accordance with the *Local Authorities Election Act*.
- 3 This bylaw applies to elections conducted by Rocky View County under the *Local Authorities Election Act*.
- 4 Words in this bylaw have the same meaning as set out in the *Local Authorities Election Act* except for the definitions provided in Schedule 'A' of this bylaw.

#### **Joint Elections**

- 5 When Rocky View County conducts an election in conjunction with another elected authority, this bylaw applies to the election conducted for that elected authority.
- 6 The Chief Administrative Officer is authorized to negotiate and enter into agreements on behalf of Rocky View County for conducting elections for other elected authorities.

#### **Appointment of Returning Officer and Substitute Returning Officer**

- 7 The appointment of a Returning Officer for the purposes of conducting elections under the *Local Authorities Election Act* is established by Rocky View County's *Chief Administrative Officer Bylaw* and associated *Chief Administrative Officer Delegation Order*.
- 8 The Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under the *Local Authorities Election Act* and this bylaw.
- 9 The appointment of a Substitute Returning Officer is made by Council resolution on a recommendation by the Returning Officer no later than June 30 of the year in which the



general election is to be held, or for a by-election or vote on a question or bylaw that fixes the day for the by-election or vote on a question or bylaw

- 10 The Substitute Returning Officer is responsible for exercising all the duties, functions, and powers of a Returning Officer under the *Local Authorities Election Act* and this bylaw when the Returning Officer is incapable of performing those duties, functions, and powers.

### **Nominations and Withdrawal of Nominations**

- 11 Nominations for a candidate for the office of councillor must be made in person at the County Hall.
- 12 Every nomination for a candidate for the office of councillor must be accompanied by a deposit of \$100.00 by certified cheque or money order payable to Rocky View County.
- 13 A person nominated as a candidate may withdraw their nomination any time during the nomination period in accordance with section 32 of the *Local Authorities Election Act*, subject to the following:
  - (1) the person withdrawing their nomination must provide their withdrawal in writing to the Returning Officer;
  - (2) the withdrawal must include the person's name and the office for which they were nominated, and the withdrawal must be signed and dated by the person; and
  - (3) the person's withdrawal is effective on the date written notice is received by the Returning Officer in accordance with section 13(2) of this bylaw.

### **Death of a Candidate**

- 14 If a candidate dies after being nominated, the Returning Officer will provide notice of the death of the candidate at a conspicuous location in all relevant voting stations.

### **Blind Elector Template**

- 15 Blind elector templates will be made available during the hours of an advance vote at the location of the advance vote.
- 16 Rocky View County will provide notification of the availability of blind elector templates in conjunction with the notification of the advance vote.

### **Advance Votes**

- 17 The Returning Officer shall conduct an advance vote for each election held in accordance with section 37 and 73 the *Local Authorities Election Act* and is authorized to determine the following:
  - (1) the location of the advance vote; and
  - (2) the days and hours when the advance vote will be held.



### Voting Stations

- 18 Each of Rocky View County's electoral divisions are considered to be their own voting subdivision pursuant to section 36(2) of the *Local Authorities Election Act*.
- 19 The Returning Officer designates the location of all voting stations for each voting subdivision pursuant to section 37 of the *Local Authorities Election Act*.
- 20 The Returning Officer is authorized to designate more than one voting station for each voting subdivision and the locations of those additional voting stations.

### Voting Hours

- 21 Every voting station will be kept open continuously on election day from 10:00 AM until 8:00 PM.

### Early Count

- 22 The Returning Officer is authorized to begin counting ballots from the advance vote starting at 7:30 PM on election day at the counting centre.

### Severability

- 23 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.

### Transitional

- 24 The following bylaws, and any amendments thereto, are repealed upon this bylaw passing and coming into full force and effect:
  - (1) Rocky View County Bylaw 3293-89, being the *Election Nomination Deposit Bylaw*;
  - (2) Rocky View County Bylaw C-6431-2007, being the *Municipal Election Bylaw*;
  - (3) Rocky View County Bylaw C-6888-2010, being the *Voter Identification Bylaw*;
  - (4) Rocky View County Bylaw C-6964-2010, being the *Campaign Disclosure Bylaw*;
  - (5) Rocky View County Bylaw C-7711-2017, being the *Modified Voting Procedure Bylaw*;
- 25 Bylaw C-8109-2020, being the *Election Bylaw*, is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME IN COUNCIL this

24<sup>th</sup> day of November, 2020

READ A SECOND TIME IN COUNCIL this

24<sup>th</sup> day of November, 2020

UNANIMOUS PERMISSION FOR THIRD READING this

24<sup>th</sup> day of November, 2020

READ A THIRD TIME IN COUNCIL this

24<sup>th</sup> day of November, 2020

A blue ink signature of the Reeve, consisting of several loops and a horizontal line.

Reeve

A blue ink signature of Charlotte Satink, written in a cursive style.  
Chief Administrative Officer or DesignateNovember 24, 2020  
Date Bylaw Signed



## Bylaw C-8109-2020

### Schedule 'A' – Definitions

- 1     **“Advance vote”** means a vote taken in advance of election day pursuant to section 1(a) of the *Local Authorities Election Act*.
- 2     **“Candidate”** means an individual who has been nominated to run for election in a local jurisdiction as a Councillor or school board trustee pursuant to section 1(e.1) of the *Local Authorities Election Act*.
- 3     **“Council”** means the duly elected Council of Rocky View County and includes the Mayor, Deputy Mayor, and all Councillors.
- 4     **“Councillor”** means a duly elected member of Council and includes the Mayor, Deputy Mayor, and all Councillors.
- 5     **“Counting centre”** means the County Hall.
- 6     **“County Hall”** means the County Hall located at 262075 Rocky View Point, Rocky View County, Alberta.
- 7     **“Education Act”** means the *Education Act*, RSA 2000, c E-0.3, as amended or replaced from time to time.
- 8     **“Election”** means a general election, by-election, and a vote on a bylaw or question pursuant to section 1(l) of the *Local Authorities Election Act*.
- 9     **“Elected authority”** means a council under the *Municipal Government Act* or a board of trustees under the *Education Act* pursuant to section 1(k) of the *Local Authorities Election Act*.
- 10    **“Electoral division”** means ward as defined and contemplated in the *Municipal Government Act*.
- 11    **“General election”** means an election held for all the members of an elected authority to fill vacancies caused by the passed of time pursuant to section 1(p) of the *Local Authorities Election Act*.
- 12    **“Local Authorities Election Act”** means the *Local Authorities Election Act*, RSA 2000, c L-21, as amended or replaced from time to time.
- 13    **“Local jurisdiction”** means a municipality or a school division as defined in the *Education Act* pursuant to section 1(r) of the *Local Authorities Election Act*.
- 14    **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.





ROCKY VIEW COUNTY

- 15     **“Nomination day”** means the day referred to in section 25(1) of the *Local Authorities Election Act*.
- 16     **“Nomination period”** means the relevant period referred to in section 25(2) of the *Local Authorities Election Act*.
- 17     **“Returning Officer”** means a person appointed to the position of Returning Officer under the *Local Authorities Election Act*, or their authorized delegate.
- 18     **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 19     **“Substitute Returning Officer”** means a person appointed by Council resolution to the position of Substitute Returning Officer under the *Local Authorities Election Act*.
- 20     **“Voting station”** means the place where an elector votes pursuant to section 1(cc) of the *Local Authorities Election Act*.



## Subdivision Item: Residential

Electoral Division: 6

File: PL20240072 / 03232008

|             |                               |
|-------------|-------------------------------|
| Date:       | October 8, 2024               |
| Presenter:  | Oksana Newmen, Senior Planner |
| Department: | Planning                      |

## REPORT SUMMARY

The purpose of this report is to assess a proposed subdivision of Lot 4, Block 1, Plan 2312140 within SW-32-23-27-W04M to create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder (Lot 2).

The application was evaluated in accordance with the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan) and the *Land Use Bylaw*.

The application does not align with Section 5.0 (Managing Residential Growth Areas) or Section 8.0 (Agriculture) of the County Plan. Therefore, it also does not align with the requirements of section 654(1)(b) of the *Municipal Government Act*.

The proposed  $\pm 0.809$  hectare ( $\pm 2.00$  acres) and the balance parcel comply with the *Land Use Bylaw*, meeting the minimum size of 0.8 hectares ( $\pm 1.98$  acres) as required by the R-CRD designation.

Council is the Subdivision Authority for the subject application due to non-compliance with section 654(1) of the *Municipal Government Act*, in accordance with Section 5(4), of the *Subdivision Authority Bylaw* (C-8275-2022), as well as due to an objection from an adjacent landowner, in accordance with Section 5(2).

## ADMINISTRATION'S RECOMMENDATION

THAT application PL20240072 be refused for the following reasons:

1. The application does not comply with the Municipal Development Plan (County Plan).
2. The application does not comply with section 654(1)(b) of the *Municipal Government Act*.

## Subdivision Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located some 3.22 kilometres (2 miles) east of Chestermere, on the east side of Range Road 275 and approximately 1.61 kilometres (1 mile) south of Township Road 240.



#### Site History (Attachment B)

The original 6 acre parcel that the subject lands were part of, a farmstead, was created in March 1992. On November 26, 2019, Council approved Bylaw C-7934-2019 to redesignate the subject land from Farmstead District (F) to Residential One District (R-1), in order to facilitate the creation of a  $\pm 3.00$  acre parcel (Lot 1) with a  $\pm 3.52$  acre remainder (Lot 2). A subdivision followed, approving the creation of the parcels. In April 2023, a Boundary Adjustment was approved to reorganize the parcels into a 2.00 acre and 4.52 acre parcel. The current application is now the request to subdivide the 4.52 acre parcel into two lots.

The subject land is approximately 1.75 hectares (4.52 acres) and presently contains two small animal enclosures. The parcel does not have an existing approach, and instead seeks to relocate the adjacent approach to the north (also owned by the landowners) onto proposed lot 2 to yield a mutual approach for the two proposed lots and the adjacent lot to the north.

The applicant has submitted photographs in support of their application; these are set out in attachment G.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

This application was circulated to The City of Chestermere in accordance with the notification area, and no response was received.

#### Landowner Circulation (Attachment D)

The application was circulated to 142 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support, and one letter in opposition were received.

## Subdivision Item: Residential

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was reviewed pursuant to the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), and the *Land Use Bylaw*. The application was determined to be inconsistent with the policies of the County Plan; it therefore does not align with the *Municipal Government Act*.

The subject lands are adjacent to large, active farming parcels. Policies 8.16, and 8.25 through 8.27 of the County Plan speak to addressing compatibility of the proposed development with adjacent land uses, and minimizing land use conflict with agriculture. Specifically, Section 8.0 discourages incompatible land use in the agricultural area; it supports measures to minimize adverse impacts on existing agriculture operations; and encourages additional setbacks for housing to minimize impact on both agriculture and the residential lands.

The adjacent two-acre parcel previously subdivided contains a house, and the resulting two lots from the proposed subdivision anticipate a dwelling to be built on each. The Applicant has not provided a planning rationale to justify subdivision. No measures to reduce impact (through agricultural boundary design guidelines) have been provided, and there is no indication of intent to setback the future homes to minimize impact to each the residences and the agricultural operations. As such, the application is inconsistent with the County Plan's Agriculture section.

Similarly, Policy 5.10, pertaining to managing residential growth in the agricultural area, notes that residential development in the agricultural area shall be guided by the goals and policies of the County Plan. Those plans in Section 8.0, as described above, were found to be inconsistent, and therefore this policy is also inconsistent.

The application was found to be consistent with Section 13.0 (Municipal Reserves), as reserves will be provided via cash-in-lieu, pursuant to the existing deferred reserve caveat registered through the prior subdivision.

The application was assessed under Policy 16.13 for road access, and was found to be generally consistent. While a panhandle is being created, which is discouraged by this policy, the panhandle will serve to accommodate access to each of the two adjacent residential parcels, thereby eliminating the need for additional access points.

Both of the proposed parcels comply with the *Land Use Bylaw* as the proposed parcels exceed the minimum size restriction of 0.8 hectares ( $\pm$  1.98 acres), as required by the R-CRD designation. As such the application is consistent with the *Land Use Bylaw*.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### STRATEGIC ALIGNMENT

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As per Section 5(4) of the *Subdivision Authority Bylaw* (C-8275-2022), Council is the decision-making authority due to non-compliance with section 654(1) of the *Municipal Government Act*, as well as due to an objection from an adjacent landowner, in accordance with Section 5(2).

Subdivision Item: Residential

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ALTERNATE DIRECTION

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Should the Subdivision Authority find the application meets the intent of the County Plan, and is in alignment with the decision of Council through the adoption of Bylaw C-7934-2019 to redesignate the subject lands from Agricultural, Small Parcel District (A-SML) to Residential, Country Residential District (R-CRD) to facilitate future subdivision of one new lot, they may wish to impose the recommended conditions of approval outlined in Attachment F.

THAT application PL20240072 be approved with the conditions noted in Attachment F.

ATTACHMENTS

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- Attachment A: Map Set
- Attachment B: Application Information
- Attachment C: Application Referral Responses
- Attachment D: Public Submissions
- Attachment E: Policy Review
- Attachment F: Recommended Conditions of Approval
- Attachment G: Applicant Photograph Submission of Subject Property

APPROVALS

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|                               |                     |
|-------------------------------|---------------------|
| Manager:                      | Dominic Kazmierczak |
| Executive Director/Director:  | Matt Boscariol      |
| Chief Administrative Officer: | Byron Riemann       |

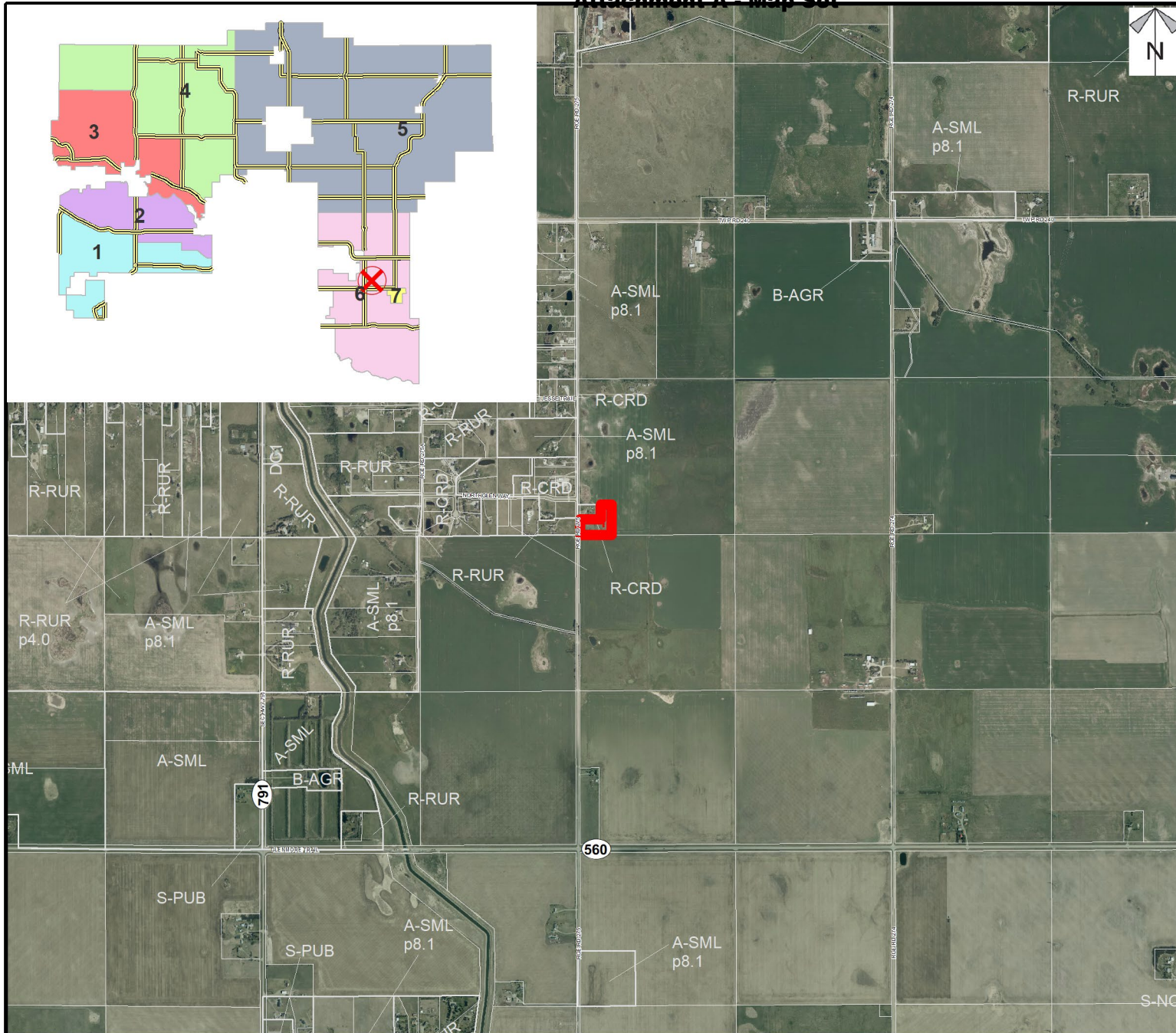




## Location & Context

### Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.





## Development Proposal

### Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.







## Environmental

Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.

## Legend

-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 6  
 Roll: 03232008  
 File: PL20240072  
 Printed: 2024-04-24  
 Legal: A portion of  
 SW 1/4 of 35-17-03-173



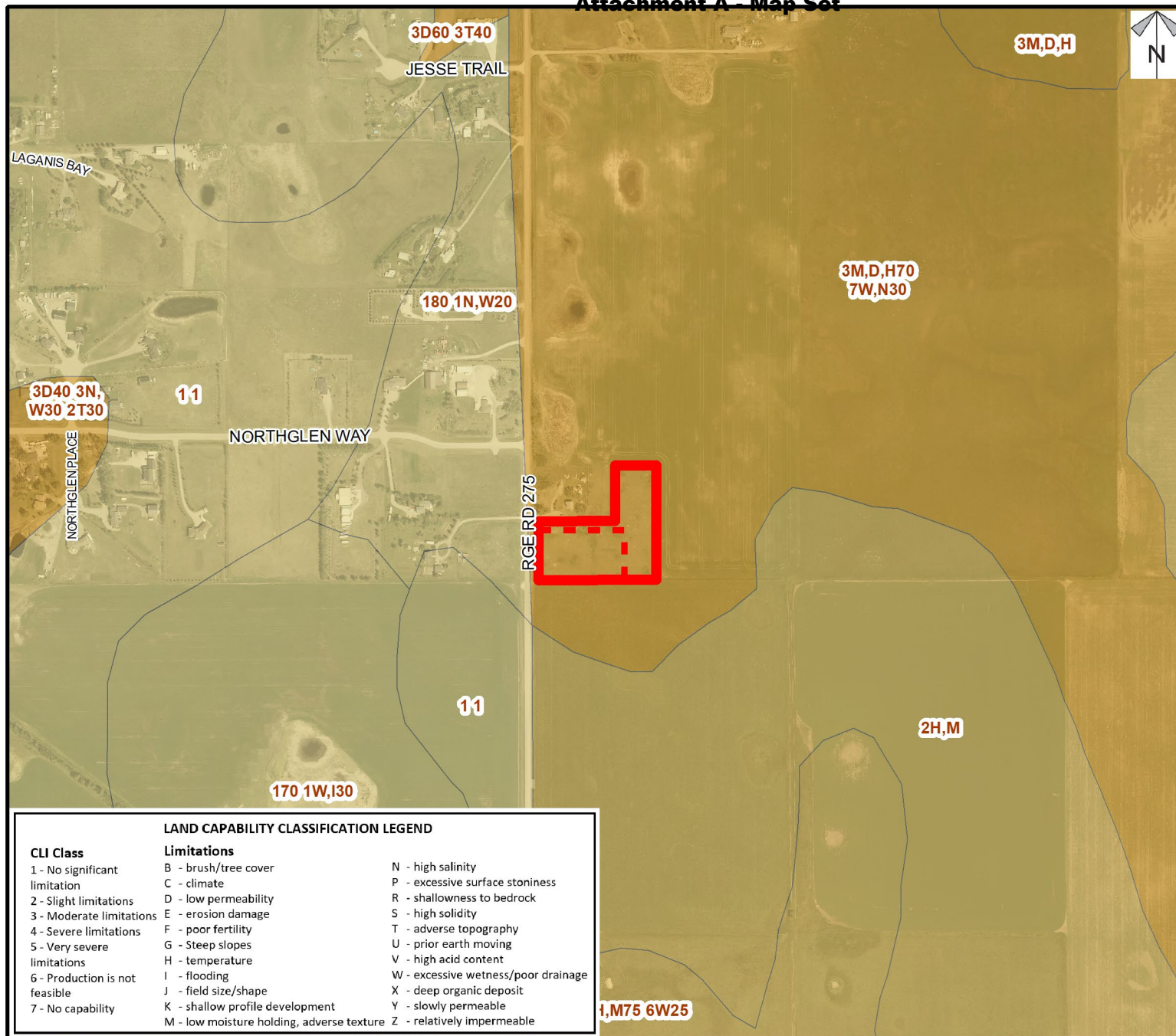




## Soil Classifications

### Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.

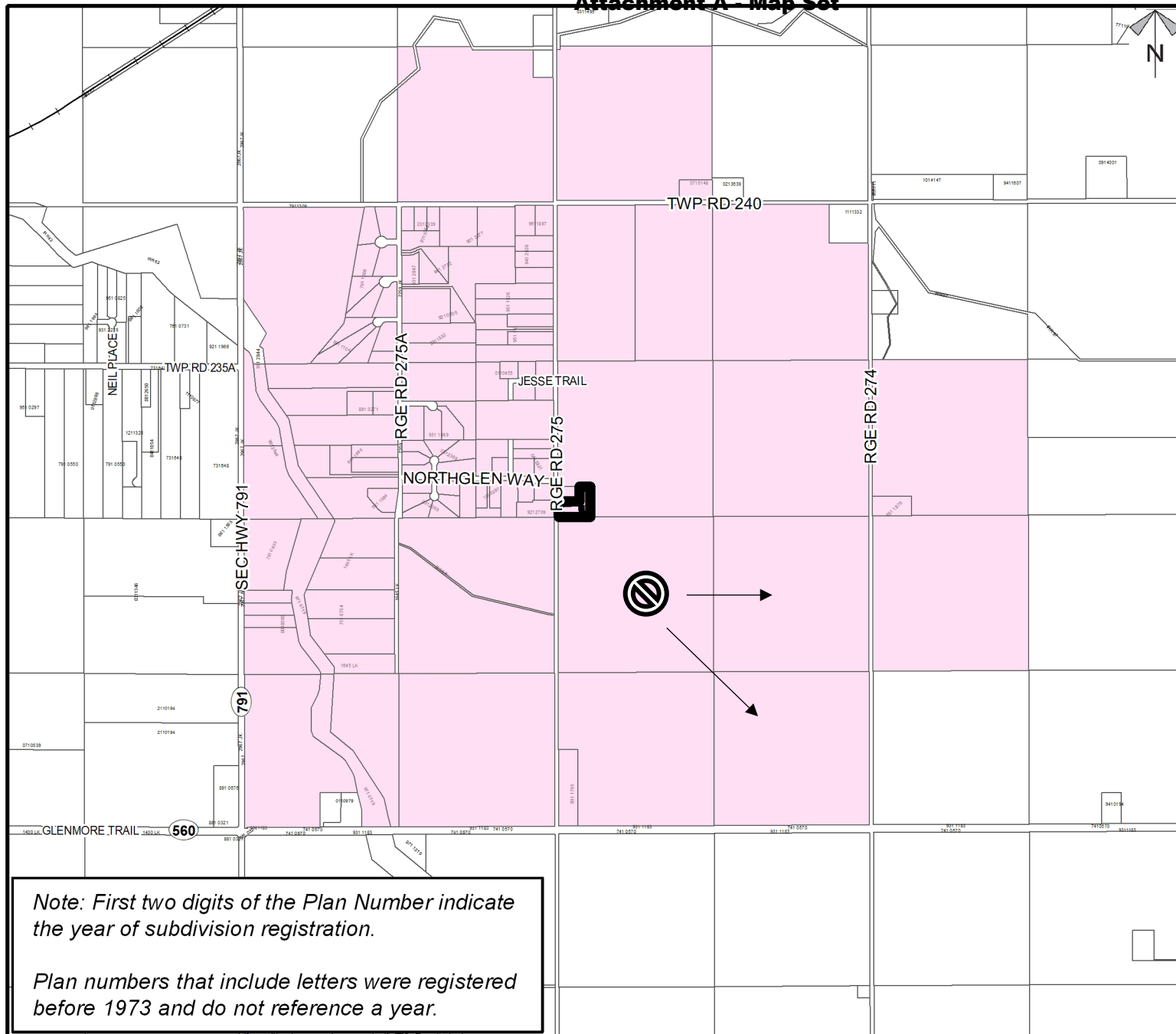




## Landowner Circulation Area

### Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.



### Legend

Support



Not Support



*Note: First two digits of the Plan Number indicate the year of subdivision registration.*

*Plan numbers that include letters were registered before 1973 and do not reference a year.*

Division: 6  
Roll: 03232008  
File: PL20240072  
Printed: 2024-04-24  
Legal: A portion of  
SW 1/4 Sec 7, T23N, R17W, S17E  
Page 356 of 373



## Tentative Plan

### Subdivision Proposal

To create a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder.

#### Legend

|                   |  |
|-------------------|--|
| Dwelling          |  |
| Building          |  |
| Water Well        |  |
| Wastewater        |  |
| Existing Approach |  |
| New Approach      |  |
| Driveway          |  |
| Road Widening     |  |
| Road Acquisition  |  |

#### Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 6  
 Roll: 03232008  
 File: PL20240072  
 Printed: 2024-04-24  
 Legal: A portion of  
 SW 32-57-10-173

NORTHGLEN WAY

RGE RD 275

Bldg A

Bldg B, C, D

$\pm 0.946$  ha  
 ( $\pm 2.34$  ac)  
 remainder

$\pm 0.809$  ha  
 ( $\pm 2.00$  ac)  
 Lot 1

**ATTACHMENT B: APPLICATION INFORMATION**

|   |   |
|---|---|
| <b>APPLICANT/OWNERS:</b><br>Konschuk Consulting (Larry Konschuk) / Nitenjit & Piara Sing and Ashok & Gurpreet Minhas  | <b>DATE APPLICATION RECEIVED:</b><br>April 9, 2024                                |
| <b>GROSS AREA:</b><br>±1.75 hectares (±4.32 acres)  | <b>LEGAL DESCRIPTION:</b><br>Lot 4, Block 1, Plan 2312140 within SW-32-23-27-W04M |
| <b>Pre-Application Meeting Held:</b> <input checked="" type="checkbox"/>  | <b>Meeting Date:</b> February 9,  |
| <b>SOILS (C.L.I. from A.R.C.):</b><br><b>3M,D,H70</b> – moderate limitations due to low moisture holding, adverse texture; low permeability; and temperature<br><b>7W,N30</b> – no capability due to excessive wetness/poor drainage; high salinity   |   |
| <b>HISTORY:</b><br><b>April 11, 2023:</b> Boundary adjustment to create 2.00 ac parcel and 4.52 acre parcel<br><b>May 11, 2020:</b> Subdivision to create 3.00 ac and 3.50 acre lots.<br><b>November 26, 2019:</b> The subject parcel was re-designated from Farmstead District to Residential One District.<br><b>March 24, 1992:</b> Council approved subdivision application 1991-RV-199 to create a ± 6 acre parcel with a ± 154 acre remainder parcel.<br><b>March 10, 1992:</b> Council approved redesignation application 1991-RV-199 to redesignate the subject land from Agricultural Conservation (1) District to Agricultural Conservation (2) District in order to create a ± 6 acre parcel with a ± 154 acre remainder parcel. |   |
| <b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Private Sewage Treatment System Level 1 Site Assessment Evaluation, dated January 2020, prepared by Strom Engineering Inc.</li> </ul>  |   |
| <b>APPEAL BOARD:</b><br>Subdivision and Development Appeal Board  |   |

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

| AGENCY  | COMMENTS  |
|---|---|
| <b><i>School Authority</i></b>                              |   |
| Rocky View Schools  | No response received  |
| Calgary Catholic School District                            | No comment. As noted Municipal Reserves are still outstanding and comprise 10% of the parent parcel.  |
| Public Francophone Education                                | No response received  |
| Catholic Francophone Education                              | No response received  |
| <b><i>Province of Alberta</i></b>                           |   |
| Alberta Culture and Community Spirit (Historical Resources) | No response received  |
| Energy Resources Conservation Board                         | No response received  |
| Alberta Health Services                                     | No response received  |
| <b><i>Public Utility</i></b>                                |   |
| ATCO Gas  | No objection. ATCO Gas' existing and future lines are protected by an existing Utility Right of Way.  |
| ATCO Pipelines  | No objections   |
| AltaLink Management   | No response received  |
| FortisAlberta   | <p>We have reviewed the plan and determined that no easement is required by FortisAlberta.</p> <p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p> |
| TELUS Communications  | No concerns   |
| TransAlta Utilities Ltd.                                    | No response received  |

| AGENCY                                   | COMMENTS   |
|--|--|
| <b>Adjacent Municipality</b>             |  |
| The City of Chestermere                  | No response received   |
| <b>Other External Agencies</b>           |  |
| EnCana Corporation                       | No response received   |
| Western Irrigation District              | No concerns  |
| <b>Internal Departments</b>              |  |
| Recreation, Parks, and Community Support | No comment   |
| GIS Services                             | No response received   |
| Building Services                        | <p>Items Requiring Information – Additional information required for the Building Permit Application</p> <p>a) Advisory condition- The aerial photos provided as part of this application appear to have the proposed new property line running in close proximity to a building. This may affect spatial separation requirements of the building. There is also no record on file of any Building permits being obtained for the noted building. Applicable permits may be required dependent on building status.</p>   |
| Fire Services & Emergency Management     | No response received   |
| Capital and Engineering Services         | <p><b>General:</b></p> <ul style="list-style-type: none"> <li>As per the application, the applicant is proposing to create a ± 0.809 hectare (± 2.00 acre) parcel (Lot 1) with a ± 0.946 hectare (± 2.34 acre) remainder.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>Based on a desktop GIS review, there are slopes of 15% or greater on the northwest portion of the property.</li> <li>Engineering has no requirements at this time.</li> </ul> <p><b>Transportation (Road Widening and Site Plan):</b></p> <ul style="list-style-type: none"> <li>5.0m road widening dedication has been provided under the previous subdivision, PL20220155.</li> <li>No additional road widening dedication is required at this time.</li> </ul> <p><b>Transportation (Access and Road Network):</b></p> <ul style="list-style-type: none"> <li>There is an existing mutual approach off of RGE RD 275 providing shared access to the subject lands and the adjacent north parcel.</li> </ul> |



| AGENCY                             | COMMENTS   |
|------------------------------------|--|
| Agriculture & Environment Services | <ul style="list-style-type: none"> <li>As per the application, the applicant is proposing a 12.5m panhandle with new mutual approach providing access to the proposed Lot 1 and the Remainder. This would result in two approaches being too close together.</li> <li>As a condition of subdivision, the applicant will be required to amend the existing mutual access easement to include the new Lot 1. <ul style="list-style-type: none"> <li>Alternatively, the applicant can construct a new approach to the new Lot 1. The applicant/owner shall contact County Road Operations for a pre-construction inspection for any new approach locations, and again for a post-construction inspection of the new approach for final acceptance.</li> </ul> </li> </ul> |
|                                    | <b>Sanitary/Waste Water:</b>   |
|                                    | <ul style="list-style-type: none"> <li>As per the application, the proposed new lots will be serviced with individual Private Sewage Treatment System (PSTS). There is an existing SISA registered on title requiring Package PSTS for the subject lands.</li> </ul>   |
|                                    | <b>Water Supply and Waterworks:</b>  |
|                                    | <ul style="list-style-type: none"> <li>As per the application, the proposed new lots will be serviced for potable water with individual private water wells.</li> <li>As a condition of subdivision, the applicant will be required to drill a new well on the remainder lot and provide the County with a Well Driller's Report confirming a minimum pump rate of 1.0 igpm for the well.</li> </ul>   |
|                                    | <b>Storm Water Management:</b>   |
|                                    | <ol style="list-style-type: none"> <li>As a condition of subdivision, The Owner shall provide a Site-Specific Stormwater Implementation Plan (SSIP) conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with County Servicing Standards to demonstrate no adverse impact to neighboring properties.</li> </ol>   |
|                                    | <b>Site Developability:</b>  |
|                                    | <ul style="list-style-type: none"> <li>There does not appear to be any environmentally sensitive areas that will be impacted by the proposed development. Engineering has no concerns.</li> </ul>  |
|                                    | <b>Payments and Levies:</b>  |
|                                    | <ul style="list-style-type: none"> <li>Transportation Offsite Levy was previously paid under PL20200001, on 1.47 ha of then-Lot 2. Remaining TOL is owing on 0.424 ha (1.05 acres).</li> <li>As a condition of subdivision, the applicant will be required to pay the transportation offsite levy as per the applicable TOL Bylaw C-8007-2020 and will be applied to each proposed new lot. <ul style="list-style-type: none"> <li>Estimated TOL payment = Rural Base Levy (\$4,595/acre) + Special Area 7 Levy (\$387/acre) = \$5,231.10 (using 1.05 acres)</li> </ul> </li> </ul>  |
|                                    | <p>If approved, the application of the Agricultural Boundary Design Guidelines will be beneficial in buffering the residential properties from the agricultural land surrounding it. The guidelines help mitigate areas of concern including: trespass, litter, pets, noise, providing a visual barrier and concern over fertilizers, dust &amp; normal agricultural practices.</p>  |

Circulation Period: May 1, 2024, to May 31, 2024.

**From:** [Gordon and Chris Bishop](#)  
**To:** [Oksana Newmen](#)  
**Subject:** My name is Gordon Bishop and I own the adjacent land to the proposed predesignation application No. PL20240072. .  
**Date:** Monday, May 6, 2024 9:40:36 AM

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There is 2 yards on that 1/4 section already.

The people that live there now do not control the amount of paper and plastic and 2 more yards will compound the problem and they do not control the gophers which raises hell with haying equipment. I thought Rockyview had policy of just one parcel out on 1/4 quarter or do they change policy on whim or at their pleasure Strongly oppose the application.

## ATTACHMENT E: POLICY REVIEW

| Definitions   |  |  |
|---|--|--|
| Consistent  | Generally Consistent   | Inconsistent   |
| Clearly meets the relevant requirements and intent of the policy. | Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development. | Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges. |

| Municipal Development Plan (County Plan)        |  |
|---|--|
| Managing Residential Growth – Agricultural Area |  |
| 5.10  | <i>Residential development in the agricultural area shall be guided by the goals and policies of this Plan.</i>  |
| Inconsistent                                    | Application has been evaluated under Section 8, Agriculture and was found inconsistent with relevant policies.   |
| 5.11  | <i>Support first parcel out residential and agricultural subdivision in the agricultural area as per the policies of this Plan (section 8).</i>  |
| Not Applicable                                  | First parcel out occurred with a prior subdivision adjacent to and north of the subject lands.   |
| Agriculture – Land Use                          |  |
| 8.16  | <i>All redesignation and subdivision approvals shall address the development requirements of section 29.</i>   |
| Inconsistent                                    | Appendix C, subsection 1 seeks supporting information regarding compatibility of the proposed development with adjacent land uses and the use of design measures to mitigate adverse impacts and compatibility of the proposed development with existing agricultural, business, or residential uses. The applicant has indicated the purpose of the application is so that the two owners of the parcel can subdivide in order to build separate houses on separate lots. No discussion or detail regarding compatibility with the adjacent agricultural parcel was provided.                 |
| Agriculture – First Parcel Out                  |  |
| 8.17  | <i>A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:</i><br><i>a. meets the definition of a first parcel out;</i><br><i>b. has direct access to a developed public roadway;</i><br><i>c. has no physical constraints to subdivision;</i><br><i>d. minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and</i><br><i>e. the balance of the un-subdivided quarter section is maintained as an agricultural land use.</i> |
| Not Applicable                                  | First parcel out occurred with a prior subdivision adjacent to and north of the subject lands.   |
| Agriculture – Minimize Land Use Conflict        |  |
| 8.25  | <i>Discourage intrusive and/or incompatible land use in the agricultural area.</i>   |
| Inconsistent                                    | The addition of a likely third residence adjacent to an active large-parcel farming lot will exacerbate the already conflicting nature of the interface. The farmer adjacent has already noted paper and plastic on the lands, and increase to gopher activity.  |

|   |  |
|---|--|
| 8.26  | <i>Applicants proposing new residential, institutional, commercial, and industrial land uses shall design and implement measures to minimize their adverse impacts on existing agriculture operations, based on the County's 'agriculture boundary design guidelines.'</i>   |
| Inconsistent  | No information regarding the landowner's methods of minimizing their impacts to the existing agricultural operations was provided.   |
| 8.27  | <i>Encourage houses in residential areas adjacent to agricultural land to be set back an appropriate distance from the agricultural land so as to minimize the impact on both the agriculture operations and the house owners.</i>   |
| Inconsistent  | No information regarding the landowner's intent to set back future housing to minimize disruption to the existing agricultural operations was provided.  |
| <b>Reserves – Municipal, School, and Community Reserves</b> |  |
| 13.1  | <i>When acquiring reserves, the County shall require that the owners of land proposed for subdivision provide reserves in the form of:</i><br>a. <i>land;</i><br>b. <i>money in place of land; or</i><br>c. <i>a combination of land and money.</i>  |
| Consistent  | The landowners provided a portion of municipal reserves through a prior subdivision, and deferred the remainder by caveat. The deferred reserves would therefore need to be satisfied via cash-in-lieu if this application is approved.  |
| 13.2  | <i>The County may defer all or a portion of the required reserves by registering a deferred reserve caveat when the reserve could be provided through future subdivision.</i>  |
| Consistent  | The landowners provided a portion of municipal reserves through a prior subdivision, and deferred the remainder by caveat. The deferred reserves would therefore need to be satisfied via cash-in-lieu if this application is approved and no further deferral is appropriate given the terminal nature of this subdivision.   |
| 13.3  | <i>The acquisition, deferral, and disposition of reserve land, and use of cash-in-lieu shall adhere to County Policy, agreements with local school boards, and the requirements of the Municipal Government Act.</i>   |
| Not Applicable  | The reserves will be provided via cash-in-lieu, and no lands are to be provided.   |
| 13.4  | <i>Reserves should be provided to the maximum amount allowed by the Municipal Government Act.</i>  |
| Consistent  | The original subdivision for the 6.52 acre parcel required a net of 0.652 acres of reserves. Reserves were provided for the original 3 acre parcel, and deferred on the remainder. The deferred amount totals 0.35 acres, and will be required to be provided. In total, the maximum amount of reserves will have been provided.   |
| <b>Transportation – Road Access</b>                         |  |
| 16.13   | <i>Residential redesignation and subdivision applications should provide for development that:</i><br>a. <i>provides direct access to a road, while avoiding the use of panhandles;</i><br>b. <i>minimizes driveway length to highways/roads;</i><br>c. <i>removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i><br>d. <i>limits the number and type of access onto roads in accordance with County Policy.</i> |
| Generally Consistent  | The application proposes a panhandle, however as the resulting three parcels will utilize the updated access through easements, no additional access points are required.  |

| Land Use Bylaw C-8000-2020                        |  |
|---|--|
| Residential, Country Residential District (R-CRD) |  |
| 324   | <i>PURPOSE: To provide for residential uses in a rural setting on small parcels which cannot accommodate agricultural pursuits.</i>  |
| Consistent  | Two acre parcels are of insufficient size to accommodate agricultural use, and the landowners wish to have residential uses.   |
| 326   | MINIMUM PARCEL SIZE:<br>a) 0.8 ha (1.98 ac)<br>b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map<br>c) Notwithstanding b), the number following the “p” shall not be less than 0.4 ha (0.98 ac). |
| Consistent  | The resulting parcels will meet the required two acre minimum.   |

**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to subdivide a  $\pm 0.809$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.946$  hectare ( $\pm 2.34$  acre) remainder (Lot 2) from Lot 4, Block 1, Plan 2312140 within SW-32-23-27-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. In accordance with Section 654(2) the Subdivision Authority is of the opinion that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- D. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a) A Plan of Survey, including the Application number (PL20240072) and Roll number (03232008) of the parcel; and,
  - b) Landowner's Consent to Register Plan of Survey.
- 2) The Owner shall submit a Real Property Report which confirms that Buildings A-D, as shown on the Approved Tentative Plan, have been removed or relocated to meet the minimum setback distances from the proposed property lines, as outlined in the Land Use Bylaw C-8000-2020.

**Site Servicing**

- 3) Water is to be supplied by an individual well on the Remainder lot. The subdivision shall not be endorsed until:
  - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for the Remainder lot;
  - b) Verification is provided that each well is located within each respective proposed lot's boundaries;
  - c) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided.
- 4) The Owner shall provide a Site-Specific Stormwater Implementation Plan (SSIP) conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with County Servicing Standards to demonstrate no adverse impact to neighboring properties.

**Transportation**

- 5) The applicant will be required to amend the existing mutual access easement to include the new Lot 1.
  - a) Alternatively, the applicant can construct a new approach to the new Lot 1. The applicant/owner shall contact County Road Operations for a pre-construction inspection for any new approach locations, and again for a post-construction inspection of the new approach for final acceptance.

**Municipal Reserves**

- 6) That  $\pm 0.138$  hectares ( $\pm 0.342$  acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu, in accordance with the appraisal report provided by Weleschuk Associates Ltd, dated April 30, 2024, pursuant to Section 667(1) of the Municipal Government Act;
  - a) The existing Deferred Reserve Caveat (231329118) can be discharged.

**Payments and Levies**

- 7) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 1 new lot.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area, as shown in the staff report and the Plan of Survey.

**Taxes**

- 9) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

**E. SUBDIVISION AUTHORITY DIRECTION:**

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.



