



PLANNING

TO:	Council	
DATE:	April 11, 2023	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Terms of Reference: Aggregate Resource Plan	

EXECUTIVE SUMMARY:

On November 15, 2022, Council directed Administration to develop a Terms of Reference (TOR) for the creation of an Aggregate Resource Plan (ARP), and to present the TOR back for consideration by Council no later than March 31, 2023. An extension until April 11, 2023, was granted by Council on March 28, 2023.

On March 7, 2023, the County's Governance Committee supported several key principles put forward by Administration to guide the development of the proposed TOR. These principles have been incorporated into the TOR presented for Council's approval.

The proposed TOR is intended to be developed and approved iteratively, with the initial document providing a high-level framework for the overall project, but with a focus on Phase 1 relating to establishing a Stakeholder Advisory Committee. Some of the main features of the TOR include:

- Setting the role and operating terms for the Committee, which would be composed of appointed County residents and aggregate industry representatives.
- Retention of an independent chair to establish agendas, lead discussions, and encourage the Committee to move towards providing recommendations to Administration and Council on the ARP project using a consensus-based approach.
- Submission of Committee recommendations to Administration and Council within six months of establishment of the Committee.

In accordance with Attachment 'B', Administration is proposing an initial budget adjustment of \$75,000 to fund the retention of the facilitator and to support the wider work of the Committee. It is expected that once revisions are prepared to the terms of reference, as guided by the Committee, Administration would be able to provide an accurate budget adjustment request to Council for actual preparation of the ARP document.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

OPTIONS:

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| Option #1: | Motion #1: | THAT the Aggregate Resource Plan Terms of Reference be approved as presented in Attachment 'A'. |
| | Motion #2: | THAT the Budget Adjustment Request, as presented in Attachment 'B' for Phase 1 of the Aggregate Resource Plan be approved. |
| Option #2: | | THAT alternative direction be provided. |



BACKGROUND:

In addition to recent Council direction, the mandate to develop an Aggregate Resource Plan comes from Section 15.0 (Natural Resource Extraction) of the County's adopted Municipal Development Plan (County Plan). The County Plan sets out actions to develop an aggregate extraction policy and management plan covering 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.

Section 15.0 emphasizes 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.

On March 7, 2023, the County's Governance Committee approved the following principles for the TOR, which would guide the development of the ARP:

- establishment of a stakeholder advisory committee chaired by an independent third party to provide recommendations on the creation of aggregate policies and standards;
- incorporation of policies within the County's Municipal Development Plan, addressing locational criteria for aggregate extraction areas and compatibility with nonaggregate land uses;
- direction of aggregate extraction sites away from comprehensively planned country residential and hamlet areas;
- strong protection of environmentally sensitive features, including groundwater resources and provincial parks;
- creation of performance measures and application requirements within a non-statutory planning document;
- creation of general regulations and a standard aggregate land use district within the County's Land Use Bylaw; and
- establishment of an aggregate site monitoring bylaw to facilitate pro-active monitoring of permitted aggregate extraction sites.

DISCUSSION:

The TOR set out within Attachment 'A' divides the ARP project into three phases. Phase 1 relates to the formation and operation of a Stakeholder Advisory Committee, which would be a consensus-based committee providing recommendations to Administration and Council on several areas including:

- i. agreeing on principles and approaches to guide the ARP that reflect the interests of all stakeholders;
- ii. identifying gaps in the previous draft ARP document, together with improvements that could be made to sections of the previous draft; and
- iii. proposing desired public and stakeholder engagement methods for the project.

It is confirmed within the TOR that the Committee would not undertake any technical review of the existing ARP document, nor would it provide technical advice to Administration or Council. Furthermore, no decision-making ability would be devolved to the Committee by Council and the Committee recommendations are based on informal consensus-based recommendations.

Phases 2 and 3 comprise the process of undertaking public engagement, preparing the draft plan, and then approval of the final plan by Council and the Calgary Metropolitan Region Board. As the



Stakeholder Advisory Committee work would likely refine the scope and principles of the ARP project, the subsequent phases have only been broadly defined in the TOR at this stage. Emphasis in the TOR is placed upon outlining the purpose, composition, and governance of the Advisory Committee as part of providing Phase 1 of the project.

The below table provides a summary of the proposed Committee as further detailed in the TOR.

Membership	<ul style="list-style-type: none"> Appointed by Council, and Administration would advertise for interested persons. Two County residents from country residential or hamlet community. Two County residents of agricultural background outside of country residential or hamlet. Two aggregate industry representatives. Chair (see below).
Chair	<ul style="list-style-type: none"> The Chair would be an independent third-party to facilitate committee discussions. Administration would assist in process to retain the services of a chair with extensive facilitation experience, and selection criteria would be based on the ability to fulfill the requirements of the TOR. Final appointment would be by Council considering Administration's recommendations on the submissions of interested parties. Responsibilities include agenda preparation, setting meeting schedules, recording meeting outcomes, providing updates to Council, and preparing a final report on committee recommendations.
Term	<ul style="list-style-type: none"> Nine months, but expectation is to conclude discussions and provide recommendations back to Administration within six months of the committee's formation.
Working Groups	<ul style="list-style-type: none"> Interest-based working groups are expected to be established by committee members outside the committee forum. Committee members would distill input from established working groups to assist with committee discussions and recommendations.
Meetings	<ul style="list-style-type: none"> To be held at least every month, during regular working hours at County Hall. Likely would need to meet more frequently in early stages of committee operation.
Transparency	<ul style="list-style-type: none"> All meetings open to the public and live-streamed. Agendas and minutes to be placed on County website.
Accountability	<ul style="list-style-type: none"> Chair required to report progress to Council at regular intervals.
Decision-making	<ul style="list-style-type: none"> Consensus-based approach providing recommendations to Administration and Council.
Deliverables	<ul style="list-style-type: none"> Regular progress update memorandums to Council. Final committee recommendations presented to Council.



Administration would support the chair and wider committee by assisting with the operation of the meeting live stream, uploading of agendas and other materials to the County website, and the provision of other materials to the committee as required. However, the chair would assume most administrative tasks in supporting committee operations. Administration would also partner with the chair to review the committee recommendations and relay them with a revised TOR to Council for consideration.

As the proposed ARP project is required to align with the Municipal Development Plan review project, and Council initially indicated a completion date of October 31, 2024, for the ARP, the six-month deadline for conclusion of the committee's work is recommended to be fixed. There is a considerable risk that the committee will not be able to reach consensus within the timeframe allowed; where this risk is realized, Administration would recommend to Council that it refines the TOR to provide more focused principles to limit the scope of the project, and/or to complete the project deliverables incrementally. For example, Council could direct that performance standards and an aggregate site monitoring bylaw be established first, with location criteria for aggregate extraction sites being developed at a later time.

BUDGET IMPLICATIONS:

To support the establishment of the proposed Stakeholder Advisory Committee, an initial budget adjustment of \$75,000 is requested and proposed to be funded by the tax stabilization reserve (see Attachment 'B'). This amount would be used to compensate the Committee chair as an independent facilitation consultant, and additionally, to provide any supplementary materials or services to the wider Committee to help it fulfill its mandate.

Following the conclusion of the Advisory Committee's work, it is expected that Administration would revise the scope and requirements of the project within the TOR. At that point, Administration would be better placed to prepare an accurate proposed budget adjustment request for the creation of the ARP document based on the level of amendments required to the previous ARP draft and the extent of technical support needed.

COMMUNICATIONS PLAN:

The TOR for the ARP project encourages an inclusive and meaningful engagement process by requiring the proposed stakeholder advisory committee and related working groups to provide recommendations on appropriate engagement methods. The operation of the committee itself would be managed in a fair and transparent manner by ensuring that discussions are open to the public and that regular progress reporting to Council is required.

Notwithstanding the outcomes of the stakeholder advisory committee, the TOR proposes that to support the preparation of a draft ARP document, that engagement would comprise a range of in-person and virtual events to encourage both group and individual feedback. There may also be the opportunity to combine engagement with that undertaken for the Municipal Development Plan review project, so that the discussions around aggregate extraction can be better integrated into the broader context of growth management within the County.

STRATEGIC OBJECTIVES:

Development of an Aggregate Resource Plan in accordance with the proposed TOR would support Council's aim for responsible growth. Directing aggregate extraction to areas where it can be appropriately supported by transportation infrastructure and where impacts on surrounding land uses can be satisfactorily mitigated would promote more orderly development and would protect existing residential and business growth areas. Furthermore, the creation of clear and consistent policies and standards for aggregate extraction development would also provide a fair and transparent process for



all stakeholders involved in the planning and development permit process in alignment with Council's objective of creating a culture of customer service.

Respectfully submitted,

Concurrence,

"Matt Boscarol"

"Dorian Wandzura"

Executive Director
Community Services

Chief Administrative Officer

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ATTACHMENTS:

ATTACHMENT 'A': Aggregate Resource Plan Terms of Reference

ATTACHMENT 'B': Budget Adjustment Request Form