



# 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.

### Schedule and Deliverables

#### Phase 1 Stakeholder Advisory Committee (Q2-Q4 2023)

- Website updates and memorandums.
- Committee Recommendations.
- Council Report with refined terms of reference and budget adjustment.

#### Phase 2 Draft Plan and Engagement (Start Q4 2023)

- 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 draft MDP amendments,
- Final Land Use Bylaw amendments
- Final performance measures and application requirements standards
- Final Site Monitoring Bylaw.

### 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 is required 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.

### 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

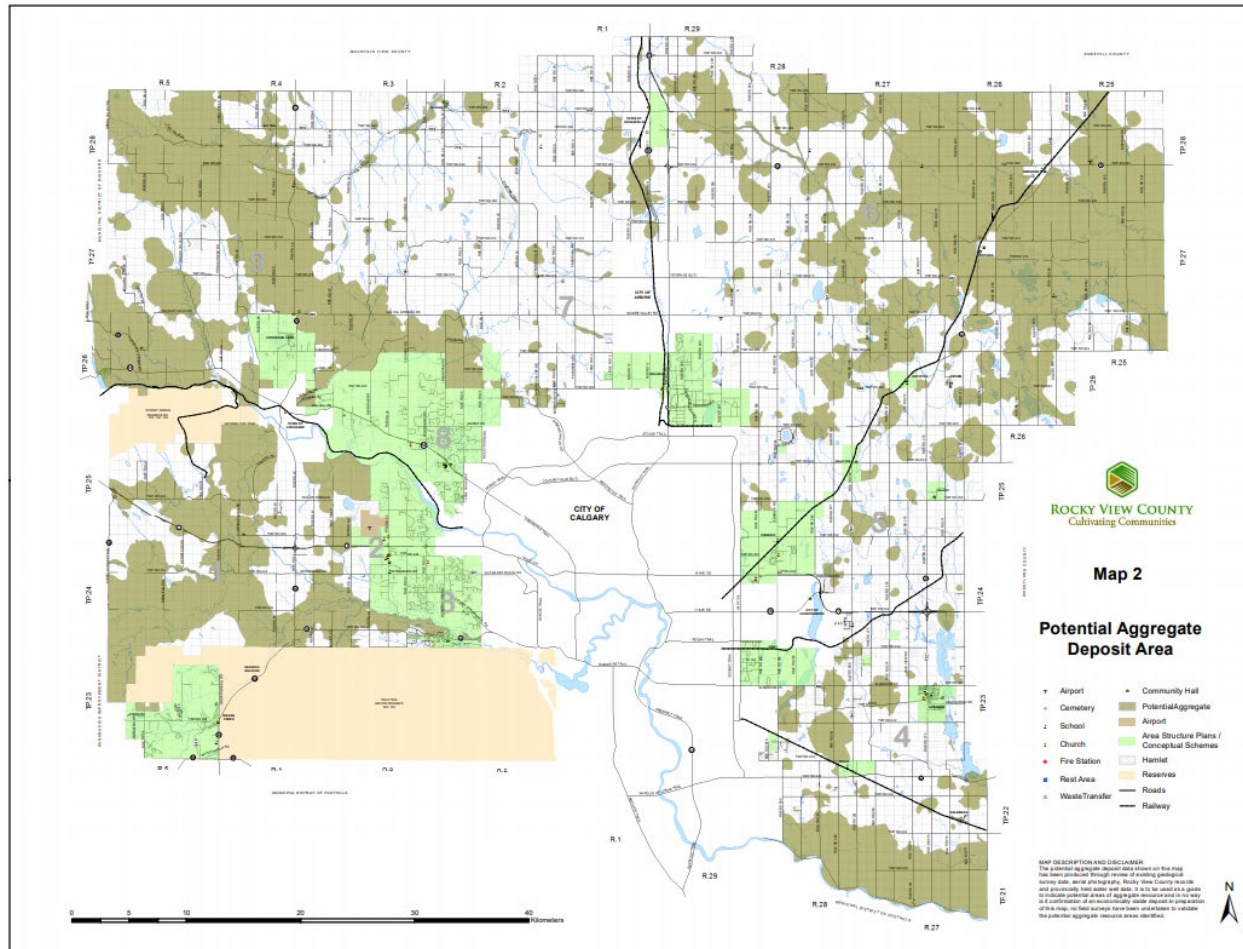
- 8 The previous ARP was developed over a period of four years and made available to the public in February, 2018; however the project was ultimately cancelled in April, 2019.
- 9 The previous ARP will be utilized where appropriate; it contains mapping of the potential aggregate resource, existing sites, 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;



## ROCKY VIEW COUNTY

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

#### Regional Planning Strategist

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.





## Aggregate Resource Plan Terms of Reference

### Purpose

- 16** 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).
- 17** 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.
- 18** 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

- 19** 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

20 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.

21 Administration will advertise for persons interested in being appointed to the Committee.

22 Members are appointed by Council.

23 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.

24 Members are subject to the *Board and Committee Code of Conduct Bylaw*.

## Administrative Support

25 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.

26 The Manager of Planning is the liaison between the Committee and Administration.

## Chair

27 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;
- (5) Provides a final report approved by the Committee to Administration outlining the recommendations of the Committee and areas of agreement or disagreement; and



## ROCKY VIEW COUNTY

Aggregate Resource Plan  
Terms of Reference

- (6) Partners with Administration in presenting the recommendations of the Committee to Council.
- 28 The Committee has no vice-chair. If the chair is unable to attend the meeting, the meeting is cancelled.
- 29 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

- 30 The Committee meets at least once a month and on an as-needed basis.
- 31 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).
- 32 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.
- 33 Meetings are open to the public and are publicly livestreamed.
- 34 Meetings are informal and discussion is managed through the chair.
- 35 Agendas are made available to the public at least three business days before the meeting.
- 36 The Committee may hear presentations from Administration but does not hear presentations from other parties.
- 37 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

- 38** 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.
- 39** Records of meeting agendas, schedules, and outcomes shall be available to the public on the County website.

### Budget and Remuneration

- 40** 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.
- 41** The chair is compensated in accordance with Council's direction or written contract, whichever applies.
- 42** Members other than the chair do not receive compensation for participation in the committee.
- 43** 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

- 44** 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)

- Website updates and memorandums.
- Committee Recommendations.
- Council Report with updated terms of reference and budget adjustment.

#### Phase 2: Draft Plan and Engagement (Start Q4 2023)

- Communication and Engagement Strategy.
- Engagement materials and summary reports.
- Municipal Development Plan amendments.
- Aggregate standards and application requirements.
- Land Use Bylaw amendments.
- Aggregate Site Monitoring Bylaw.



## Aggregate Resource Plan Terms of Reference

### Phase 3: Council and CMRB Approvals (Complete Q1 2025)

- Final draft MDP, Land Use Bylaw amendments and Site Monitoring Bylaw.
- Calgary Metropolitan Region Board Regional Evaluation Framework submission package.

## Communication and Engagement (Phases 2 and 3)

### Engagement Principles

- 45 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.
- 46 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.
- 47 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.
- 48 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.
- 49 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

- 50 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.
- 51 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

- 52 Public and stakeholder engagement will be delivered across a range of in-person and online formats encouraging both group and individual feedback.
- 53 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.
- 54 In scheduling engagement opportunities, the project team shall have regard to avoiding core summer vacation months and holiday periods to maximize stakeholder participation.
- 55 Key external stakeholders for the ARP project include:
  - (1) County residents and landowners;



## Aggregate Resource Plan Terms of Reference

- (2) Aggregate operators and associations;
- (3) Environmental and community groups; and
- (4) Provincial agencies.

### Budget

- 56 This Terms of Reference requests 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.
- 57 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.
- 58 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.

### Principal Project Risks

- 59 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

- 60 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



## ROCKY VIEW COUNTY

Aggregate Resource Plan  
Terms of Reference

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.
- 61 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

Lead Department / Service Area

Approval Body

- 
- n/a
- Planning / Community Services
- Council

## Definitions

- 62 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.

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Mayor



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## Aggregate Resource Plan Terms of Reference

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Approval Date

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