



COUNCIL REPORT

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
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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.

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ADMINISTRATION'S RECOMMENDATION

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

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 29th, 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

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

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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. 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. 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.

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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. A broader study of assets such as Big Hill Springs Provincial Park could be investigated in Phase 4.	Existing Administration resources and technical support. 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. Broader scope of impacts would be considered in Phase 4 of TOR.	Existing Administration resources and technical support. Broader scope to be determined Q3, 2025.

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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.

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No.	Partial Committee Support	Administration Recommended Approach	Resources Required
		could be investigated as part of application requirements. 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.

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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

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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