



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 2, 2021 **DIVISION:** 9
TIME: Morning Appointment
FILE: 06731002/4 **APPLICATION:** PL20200031
SUBJECT: Redesignation Item – Industrial Redesignation

Note: This application should be considered in conjunction with the Summit Pit Master Site Development Plan application PL20200034 (agenda item F-1).

APPLICATION: To redesignate the subject lands from Agricultural, General District to Direct Control to accommodate the Summit Pit Master Site Development Plan.

GENERAL LOCATION: Located at the southeast junction of Highway 567 and Range Road 40.

LAND USE DESIGNATION: Agricultural, General District

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8051-2020 on June 9, 2020. On July 28, 2020, Council approved a new Land Use Bylaw (C-8000-2020), which came into effect on September 8, 2020. Administration has reviewed the district conversions and confirmed that the originally proposed Direct Control District is the appropriate district under Land Use Bylaw C-8000-2020, and the proposed bylaw has been amended accordingly. In accordance with the policies of the County Plan, a Master Site Development Plan (MSDP) has also been submitted along with the land use application (PL20200034).

The application is consistent with the relevant policies of the County Plan and the Land Use Bylaw:

- The proposal is consistent with the overall goal of the County Plan with respect to natural resource extraction;
- The application is consistent with the policies of Section 15 of the County Plan with respect to minimizing adverse impacts on adjacent lands, working collaboratively with the County and associated agencies, and use of identified haul routes;
- The application is consistent with the development review criteria provided in Section 29 of the County Plan through the accompanying MSDP; and
- The technical aspects of the proposal will be addressed at Development Permit stage.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-8051-2020 be amended to insert Schedule 'A' and Schedule 'C' as presented in Attachment 'C'
- Motion #2 THAT Bylaw C-8051-2020 be amended as per Attachment 'C'
- Motion #3 THAT Bylaw C-8051-2020 be given second reading, as amended.
- Motion #4 THAT Bylaw C-8051-2020 be given third and final reading, as amended.
- Option #2: THAT application PL20200031 be refused.

Administration Resources

Jessica Anderson, Planning and Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Municipal Development Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Air Quality Assessment, prepared by SLR Consulting (Canada) Ltd. dated May 21, 2020 • Acoustic Assessment Report prepared by SLR Consulting (Canada) Ltd. dated May 21, 2020 • Hydrogeological Assessment Report prepared by SLR Consulting (Canada) Ltd. dated January 14, 2020 • Summit Aggregate Pit TIA update prepared by Watt Consulting Group dated March 10, 2020 • Conceptual Stormwater Management Report prepared by SLR Global Environmental Solutions dated January 2020 • Biophysical Impact Assessment (BIA) prepared by SLR Global Environmental Solutions dated January 2020 • Wetland Assessment and Impact Report prepared by SLR global environmental solutions dated February 2020

POLICY ANALYSIS:

The subject lands are not located within the boundaries of an area structure plan; therefore, the proposal was assessed against the County Plan. This report focuses primarily on the compatibility with relevant statutory plans while the associated MSDP application focuses on the technical aspects of the proposal.



County Plan

Section 15.0 Natural Resources of the County Plan states that the County is responsible for approving land use and issuing development permits for all aggregate extractions. Additionally, aggregate pits of all sizes are subject to Provincial legislation.

The goal of the Natural Resource policies is to support the extraction of natural resources in a manner that balances the needs of residents, industry, and society, and to support environmentally responsible management.

15.1. *Minimize the adverse impact of aggregate resource extraction on existing residents, adjacent land uses, and the environment.*

The County currently does not have a comprehensive set of performance standards or spatial policies against which aggregate development can be assessed. However, the technical assessments provided and resulting policies presented in the MSDP effectively address how any adverse impact of aggregate extraction on existing residents, adjacent land uses, and the environment would be managed and mitigated to an acceptable level. The MSDP provides specific policies to address potential offsite impacts of the operation including hours of operation, dust control, noise mitigation, and access improvements. In addition, policies are provided to require continuous monitoring of site conditions and response strategies should the operations exceed the agreed upon limitations.

15.2. *Encourage collaboration between the County, the aggregate extraction industry, and affected residents to develop mutually agreeable solutions to mitigate impacts of extraction activities.*

The Applicant worked with stakeholders to develop policies to effectively address the concerns of adjacent landowners. The Applicant submitted their proposal in accordance with the County's requirements and the mutually agreed upon solutions with respect to access and highway improvements. At Council's direction, the proponent is a member of the Big Hill Springs Aggregate Producers Group who have developed a set of joint operating standards to mitigate cumulative impacts of extraction activities.

15.4. *Direct all aggregate related traffic to identified major haul routes that are monitored and appropriately maintained.*

The Applicant has proposed two haul routes both of which utilize highway infrastructure on routes that are currently classified as major haul routes for traffic.

15.6. *Until such time as a County aggregate extraction policy is prepared, applications for aggregate extraction shall prepare a master site development plan that addresses the development review criteria identified in section 29.*

The supporting MSDP application addresses each of the development review criteria in section 29 and includes an overview of the development proposal, operation details, community consultation and mitigation measures with support of technical reports to address specific items including traffic, water quality, stormwater, vibration, noise, and air quality, etc.

Land Use Bylaw

The Direct Control District is the appropriate land use for the intended operations. A Development Permit is required to approve the use, design, and servicing for the aggregate operations. Several additional uses have been proposed in the district which are not included in the existing Special, Natural Resource District (Natural Resource Industrial District per Bylaw C-4841-97) such as Home Based Business, (Type I & II), Kennels, Office, and Outdoor Storage. The intent of these additional uses is to provide flexibility to the Applicant/Owner in the use of the lands as aggregate extraction develops in phases over time. The intent is to provide for these uses in proximity to the existing dwelling with limitations on size to ensure these uses remain accessory to the primary gravel extraction use. Each of the uses will require a Development Permit



to be considered by the Municipal Planning Commission; therefore, Administration has no concerns with the additional uses proposed.

ADDITIONAL CONSIDERATIONS:

Both of the two quarters proposed for development are currently developed with a dwelling and associated servicing infrastructure provided by way of a well and private sewage treatment system. The remainder of the quarters are currently used for pasture. Access is provided by way of an existing approach from Highway 567 and Range Road 40. The lands are located in an area of the County that is primarily agricultural in nature; however, there is an existing gravel operation less than ½ mile to the west. As well, 10 acres were recently redesignated to Industrial, Heavy District to the southwest to accommodate a Volker Steven highway maintenance yard.

The topography in the project area is undulating. The high point is located in the upper northeast portions of the subject lands. The subject lands slope towards the south and east. The majority of the northern portion of the site is relatively flat with a slight southwest facing aspect.

PROVINCAL APPROVALS REQUIRED:

Alberta Transportation

A Roadside Development Permit would be required from Alberta Transportation as the proposed development is within 800 m of a Provincial Highway; the Applicant/Owner would prepare and submit this application subsequent to the approval of the MSDP and land use. The Transportation Impact Assessment has also been submitted to Alberta Transportation for their review and the location and type of intersection upgrades have been prepared in discussions with Alberta Transportation.

Alberta Environment and Parks (Code of Practice for Pits)

All pits greater than five (5) hectares on private land require approval from Alberta Environment through the Code of Practice for Pits. The Code of Practice addresses a number of items including pit operations, reclamation, and environmental monitoring. The Applicant has completed their application for Alberta Environment and Parks to be submitted upon approval of the land use and MSDP.

Alberta Culture Historic Resources

Historic Resource Act Clearance from Alberta Culture is required prior to development on the site. This approval was granted on September 16, 2014.

MASTER SITE DEVELOPMENT PLAN:

The primary intent of the MSDP is to provide a document for Council to review and approve. It provides a policy framework that will directly influence future Development Permit applications on the subject lands. The MSDP is intended to be adopted by Council by resolution, and is intended to be considered concurrently with the redesignation application.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer



ROCKY VIEW COUNTY

ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8051-2020 and Schedule A, B and C

ATTACHMENT 'D': Map Set

ATTACHMENT 'E': Public Submissions