



Governance Committee

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| Subject: | Aggregate Resource Plan: Project Update |
| Date: | March 11, 2025 |
| Presenter: | Colt Maddock, Planner 1 |
| Department: | Planning |

REPORT SUMMARY

The purpose of this report is to provide an update on the Aggregate Resource Plan (ARP) project.

On October 8, 2024, Administration presented an updated Terms of Reference (TOR) for Council's consideration outlining new phasing of the project and deliverables. The project has moved into Phase 2, which involves the drafting of the performance standards, policies, and site monitoring bylaws. The first drafts of the ARP documents are included, for reference, in Attachments B through E.

The County hosted four open houses in various parts of the County during February and March to present the draft documents, and to take questions and feedback. Additionally, those who were unable to attend the events had the opportunity to complete a survey online to provide comments on the proposed documents. The survey is still open and will be closing on March 14, 2025. Results from the public engagement and survey will be compiled and published in a summary report on the County website.

Administration has begun the process to retain a consultant to review the draft performance standards and, separately, is seeking consultants to act as a third-party representative for both the review of technical documents and to conduct aggregate site monitoring inspections. Requests for consultant services were posted on Alberta Purchasing Connection; however, no responses were submitted. Administration has subsequently broadened its search to also seek proposals from consultants out of province. Administration will report back to Council on this when it has obtained suitable consultant proposals to cover the scope of the project work.

ADMINISTRATION'S RECOMMENDATION

THAT the Governance Committee receives the Aggregate Resource Plan (ARP) Project Update for information.

BACKGROUND

In August 2023, Rocky View County established the ARP Stakeholder Advisory Committee to provide recommendations on aggregate management. The Committee included representatives from industry and residents to ensure a balanced perspective.

By spring 2024, the committee submitted its final report, which consisted of two parts: six consensus-based recommendations for Council consideration and a summary of key issues where consensus could not be reached. The County hosted public engagement events to gather feedback on the report's recommendations. The six recommendations were:

1. That the County develop Performance Standards specific to aggregate development in the County.
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.

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3. That the County develop updated Application Requirements specific to aggregate development applications in the County.
4. That the County develop a publicly accessible online platform dedicated to aggregate development within the County.
5. That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.
6. That the County write an Aggregate Resource Plan with clear, accessible language.

On July 23, 2024, following a review of the ARP Stakeholder Advisory Committee’s recommendations and public feedback, Council directed Administration to analyze the feasibility of implementing the consensus-based recommendations. The analysis was presented on October 8, 2024, alongside the revised Terms of Reference identifying next steps to move the project forward.

DISCUSSION

Phasing

In accordance with the revised Terms of Reference, the project is currently in Phase 2. An overview of the project phasing is as follows:



Deliverables

Administration has drafted several documents and amendments to statutory plans to achieve the objectives of Phase 2 of the ARP project. An overview of the documents and amendments are as follows:

Aggregate Development Performance Standards

Standards

The purpose of the Aggregate Development Performance Standards is to set requirements for better assessment, mitigation, and monitoring of aggregate development impacts. The standards cover 14 subjects including acoustics, air quality, and water quality among others. An applicant for aggregate development may be required to submit impact assessments, mitigation plans, and plans to establish monitoring programs, along with other requirements outlined in the document. The Aggregate Development Performance Standards would be adopted through a Council resolution and policy similar to the County Servicing Standards.

Third Party Review

The document also provides stipulations that the County may request an additional third-party review of some technical submissions required as part of the application, where the County does not have internal expertise. An applicant may choose to not approve of an additional third-party review of the technical submissions; however, this would be noted to Council as a matter for consideration in determining the subject application.

Public Engagement

The Aggregate Development Performance Standards also set standards for engagement. Prior to an application being submitted, an applicant shall conduct, at minimum, one open house in a location accessible to potentially affected landowners. A summary of prior engagement must be submitted along with an engagement strategy, as part of the application.

The provisions of the Aggregate Development Performance Standards are in alignment with Recommendation One and Recommendation Five of the Stakeholder Advisory Committee report as well as item six of the areas of non-consensus.

Aggregate Site Monitoring Bylaw

The need for an Aggregate Site Monitoring Bylaw was outlined in Recommendation Two of the Stakeholder Advisory Committee report. The purpose of the Aggregate Site Monitoring Bylaw is to allow the County to take on a more proactive role when it comes to monitoring aggregate sites. As a condition of a development permit, the site may be required to have up to four scheduled inspections from either the County or a third-party representative. The inspection would look to ensure the site is in compliance with development permit conditions. Additional complaint-driven inspections may be required if the County is able to substantiate a concern with the site. The applicant would bear the full cost of any inspection completed.

Amendments to the Municipal Development Plan (County Plan)

The need for clear application requirements is identified in Recommendation Three of the Stakeholder Advisory Committee report. The proposed amendments also capture locational criteria that as specified as an area of non-consensus could be achieved in Phase 2 of the project. Within the Municipal Development Plan (County Plan), amendments are being proposed to Section 15: Natural Resources and Part 4 of Appendix C: Aggregate Master Site Development Plan Submissions. These amendments will be carried forward to the new Municipal Development Plan, when adopted.

For policy amendments to Section 15, Administration is proposing to establish locational criteria to create buffer zones for new aggregate developments away from residential uses and provincial parks. The proposed policy states:

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- There shall be at least 1.61 kilometres (one mile) distance from current or future residential land uses within an area structure plan (ASP).
- There shall be a 2-kilometre buffer from designated provincial parks. This buffer zone may be reduced down to 800 metres, if an ASP is adopted by Council that demonstrates the impacts of extraction on the environmental integrity of the provincial park can be minimized.

To reflect the diversity of aggregate operations and the locational context, amendments to Section 15 also state that Council may reduce the requirements of a master site development plan (MSDP) if an aggregate development is being proposed in the County's east agricultural area, is within five years of reclamation, or is a smaller operation, less than five hectares in size.

The proposed amendments to Part 4 of Appendix C are to update the application requirements for aggregate MSDPs to reflect the Aggregate Development Performance Standards.

Amendments to the Land Use Bylaw

The first proposed amendment to the *Land Use Bylaw* is to set the re-application intervals to redesignate land intended for aggregate development. The proposed policies state that where an application to redesignate land for aggregate purposes, a similar application cannot be made for a period of 18 months. If two successive applications for redesignation have been refused, an applicant must wait at minimum three years to submit another. Council does have the authority to waive these re-application intervals and at their discretion may choose what is considered a similar application.

New regulations in the *Land Use Bylaw* are also being proposed to specify the development permit application requirements for aggregate as stated in the Aggregate Development Performance Standards. These application requirements would be required for all new and expanding developments, along with sites that require development permit renewals. Exceptions have been provided where sites are nearing completion or are exempted from requiring provincial approval, due to their small sizes.

"Aggregate Resource Extraction/Processing" is a new use and definition proposed to clarify what is captured under aggregate development and to distinguish it from other natural resources. This definition has been added to the list of discretionary uses within the Special – Natural Resource (S-NAT) land use district. Moving forward, all subject land for aggregate development shall be redesignated to the S-NAT land use district to provide for greater consistency across the County. Additional policies are proposed to state the need for an approved MSDP to be in place before a development permit is approved.

Similar to the MDP amendments, the need to update application requirements in the *Land Use Bylaw* is in accordance with Recommendation Three of the Stakeholder Advisory Committee report.

Public Platform

Administration has also taken the initial steps to create a new webpage that will host an interactive map of operating and proposed aggregate sites within the County, allowing the public to have the ability to locate and find relevant information for each site. The webpage will also contain relevant information on applicable provincial and municipal legislation, as well as information on the County's aggregate development approval process. The webpage will also provide a link to submit complaints for non-compliant sites. Administration anticipates the launch of the webpage later in 2025 to coincide with adoption of the ARP documents.

The development of this public platform is in alignment with Recommendation Four of the Stakeholder Advisory Committee report.

Engagement

The ARP project launched on YourView, containing all the proposed document drafts as well as additional information pertaining to the project deliverables. In late February and early March, Administration hosted four in-person information sessions at the Beiseker Community School, County Hall, Bearspaw Lions Club, and Weedon Hall.

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Along with the information sessions, an online public survey was released on YourView to provide feedback on the proposed documents. At the time of writing, the survey is still active. Once the survey has closed, Administration will compile the results and provide a summary report.

Consultants

Review of Performance Standards

The revised TOR outlined that Administration would seek a third-party consultant to review the draft aggregate development performance standards. A Request for Information (RFI) was posted on Alberta Purchasing Connection, requesting consultants submit their qualifications and interest in reviewing the Performance Standards. No submissions were received in response to the RFI. As a next step, Administration has reached out to further consultants both in Alberta and out of province to inquire about their interest in reviewing the document. Administration will provide updates on the progress with finding suitable consultants, and once sufficient proposals have been submitted, Administration will present these to Council for approval.

County Technical Representative

Administration is also seeking a consultant to act as the County representative to review aggregate development applications and conduct site inspections to align with the proposed Aggregate Site Monitoring Bylaw. A Request for Expression of Interest (RFEOI) was again posted on Alberta Purchasing Connection, requesting consultants submit their interest in acting on behalf of the County for aggregate application review and inspections. No submissions were received in response to the RFEOI. Administration has reached out to other potential consultants with discussions preliminary and ongoing.

Next Steps

Following public engagement, Administration will begin refining the documents in accordance with the feedback received. Work on the external public platform will also continue. Phase 3 of the project is anticipated to be completed in Q2, where Administration will bring forward the proposed documents for Council's consideration at a public hearing.

Administration intends to return to Council as soon as submissions from potential consultants have been secured.

ALTERNATE DIRECTION

Administration does not have an alternate direction for the Governance Committee's consideration.

ATTACHMENTS

- Attachment A: ARP Stakeholder Advisory Committee: Recommendations & Final Report
- Attachment B: Draft Aggregate Development Performance Standards
- Attachment C: Draft Aggregate Site Monitoring Bylaw
- Attachment D: Draft Proposed Municipal Development Plan Amendments
- Attachment E: Draft Proposed Land Use Bylaw Amendments