

DRAFT - Proposed Land Use Bylaw Amendments

Part 2 *Development Process, Development Permit Decisions, Re-application Interval***Aggregate Extraction and/or Processing Development:**

- 86** If a redesignation application intending to facilitate an aggregate extraction and/or processing development is refused by Council, the submission of another application for redesignation for the same or similar use on the same subject land shall not be made for a period of 18 months from the date of issue of the refusal, except where Council has, by resolution, waived the 18 month waiting period.
- 87** If two successive similar redesignation applications intending to facilitate an aggregate extraction and/or processing development are refused by Council on the same subject land, the submission of another application for redesignation for the same or similar use on the same subject land shall not be made for a period of three years from the date of issue of the latest relevant refusal on the land, except where Council has, by resolution, waived the three year waiting period.
- 88** The determination of what constitutes same or similar use shall be made by Council.

Part 3 *Permits and Conditions*

- 95** Notwithstanding Section 96, an applicant applying for a Development Permit in accordance with the Bylaw shall use the Application Form provided by the County, and include the following
- 96** Applicants applying for a Development Permit for new or expanding, and/or existing Aggregate Resource Extraction/Processing use in accordance with the Bylaw shall use the Application Form provided by the County, and include the following:
- a) A completed application form;
 - b) An application fee as established within the 'Master Rates Bylaw C-8386-2023,' as amended or replaced from time to time;
 - c) A current copy of the Certificate of Title (within 30 days of submission) for the affected lands;
 - d) Current copies of any restrictive covenants or easements (within 30 days of submission);
 - e) Where the applicant is not the register owner on Title, a letter from the registered owner consenting to the application;
 - f) An introduction to the proposed development, including the site area affected, current land use, and assessment of the character and key features of the surrounding area.
 - g) A Site Production Assessment that provides the following information:
 - i. the total volume (cubic metres) and weight (tonnes) of the aggregate resource that has been extracted from the aggregate development since commencement of operations;
 - ii. a forecast of the volume (cubic metres) and weight (tonnes) of the remaining identified aggregate resource that is to be extracted from the site over the course of the intended operations; and
 - iii. a forecast of production rates for a period of five years subsequent to the date of the renewal submission.
 - h) A Location Plan, to an appropriate scale, showing:
 - i. all dwellings within one mile of the boundary of the site;
 - ii. all existing hydrological, landscape and environmental features, both within the site and within one mile of the boundary of the site; and
 - iii. the roads and highways surrounding the site.
 - i) Site Operations and Phasing Plans showing:
 - i. the location and extent of extraction areas;
 - ii. buildings, plant, and machinery;
 - iii. stockpiling areas;
 - iv. internal haul roads, approaches and vehicle parking;
 - v. wheel wash facilities;
 - vi. berms and other overburden/soil storage areas;

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- vii. applicable setbacks; and
- viii. existing and proposed landscaping.
- j) When a building or structure is proposed:
 - i. building floor plans, elevation drawings and a description of exterior finishing materials;
 - ii. a table indicating: the total area of the parcel, parcel coverage, number of units, number of parking and loading spaces, building height, number of storey's and landscaping calculations; and
 - iii. building floor plans, elevation and exterior finishing materials.
- k) A topographical survey plan of the site.
- l) Cross sectional drawings of the site pre-extraction and throughout phases, showing the proposed depth of extraction.
- m) A summary of all relevant provincial and federal approvals required and a commitment to obtaining the required approvals.
- n) A statement of commitment to operating under the County's Aggregate Site Monitoring Bylaw together with details of how any complaints received against the site will be handled and reported to the County and/or Province.
- o) Information (including plans where appropriate) on any pipelines, wells, utilities or other infrastructure within or adjacent to the site.
- p) A Biophysical Impact Assessment, and/or other environmental impact assessment agreed by the County, together with any required mitigation strategy
- q) Requirements as outlined in the County's *Aggregate Development Performance Standards*, including:
 - i. an Engagement Plan (if amended from redesignation stage);
 - ii. confirmation of proposed hours of operation;
 - iii. a Noise Impact Assessment, Noise Mitigation Plan and Noise Monitoring program;
 - iv. a Blast Mitigation Plan (as applicable);
 - v. an Air Quality Impact Assessment, Emissions Mitigation Plan and Air Quality Monitoring Program;
 - vi. a Traffic Impact Assessment and Management Plan;
 - vii. acknowledgment that the County may require the applicant enter into a Road Use or Development Agreement as a condition of the development permit;
 - viii. a Visual and Landscape Impact Assessment (if application is not considered a renewal);
 - ix. a Landscaping Plan;
 - x. an assessment of potential impacts on agricultural land and an agricultural impact assessment (if applicable);
 - xi. an environmental assessment and where applicable, identified mitigation measures (if application is not considered a renewal);
 - xii. an assessment of any historical resources affected by the development (if application is not considered a renewal);
 - xiii. a comprehensive Stormwater Management Report;
 - xiv. a Geotechnical Investigation Report (if application is not considered a renewal);
 - xv. a Groundwater Investigation Report and Groundwater Monitoring Plan (if application is not considered a renewal);
 - xvi. a Surface Water and Groundwater Mitigation Plan;
 - xvii. an Erosion and Sediment Control Report;
 - xviii. a Lighting Plan (if applicable);
 - xix. a Weed Control Plan;
 - xx. a Site Security Plan and Emergency Management Plan; and
 - xxi. a Reclamation Plan

Part 4 *Specific Uses***Aggregate Extraction and/or Processing Development**

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- 125** Development permit applications for aggregate extraction and/or processing development shall be determined based on the extent to which they demonstrate an ability to meet and/or exceed the application submission requirements, *Aggregate Development Performance Standards*, and any overarching master site development plan or policy document.
- 126** Any master site development plan that is approved by Council shall provide the framework for the development permit application and conditions imposed upon any development permit approval. However,
- a) development permit applications shall also include additional and/or updated information to what may have been provided previously in connection with any previous application to meet current County information requirements for aggregate extraction and/or processing development applications; and
 - b) where an aggregate development master site development plan has been approved by Council prior to adoption of the *Aggregate Development Performance Standards*, the development permit application shall be required to also meet the *Aggregate Development Performance Standards*. An amendment may be required to the master site development plan if the development no longer substantially complies with the master site development plan in meeting the new requirements and standards.
- 127** In accordance with the Section 15 of the Municipal Development Plan, no development permit shall be approved for the continuation of any aggregate extraction and/or processing development until a master site development plan has been approved by Council.

Aggregate Sites Nearing Completion of Operations

- 128** Development permit renewal applications for existing aggregate development that is to be completed in a period of three years or less shall be exempt from meeting the County's and standards stated in the *Aggregate Development Performance Standards* and shall continue operating in accordance with the approved master site development plan or development permit conditions of approval. In addition to the application requirements set out within Section 96 of this Bylaw, the development permit renewal application shall include a final reclamation plan detailing:
- a) proposed gradients across the site, final surface elevations, landscaping, wetlands, and drainage;
 - b) proposed measures to help reclaimed land establish, including maintenance of the reclaimed lands;
 - c) any potential impacts of reclamation upon groundwater resources (including quality and groundwater rebound); and
 - d) the phased removal or alteration of buildings, structure, and internal roads, together with access provisions for the reclaimed site, and proposals for the decommissioning of any water wells on-site.
- 129** Aggregate extraction and/or processing development that receives a development permit renewal approval under the terms of Section 128 shall not be considered for further development permit renewals approvals, unless the submitted application complies with Section 96 of this Bylaw.

Small-scale Aggregate Operations

- 130** At the Development Authority's discretion, applications for aggregate extraction and/or processing for the use of aggregate extracted and processed within the same site, or on an adjoining site, and with a cumulative area of less than 5 hectares (± 12.35 acres) shall be exempt, in part, from meeting the County's requirements and standards under Section 96 and in the *Aggregate Development Performance Standards*.

Part 6, *Special, Natural Resource (S-NAT)***S-NAT Special, Natural Resources**

Purpose: to provide for the development of industrial uses related to non-renewable natural resource extraction and processing.

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Permitted Uses:

Accessory Buildings 250 m² (2,690.98 ft²)
Agriculture (General)
Beekeeping

Discretionary Uses:

Aggregate Resource Extraction/Processing
Accessory Building > 250 m² (2,690.98ft²)
Communications Facility (Type A)
Communications Facility (Type B)
Communications Facility (Type C)
Dwelling, accessory to a principal use
Natural Gas Plant
Natural Resource Extraction/Processing

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

Minimum Setbacks:**Front Yard**

60.0 m (196.85 ft.) from
Highways
30.0 m (98.43 ft.) from County
roads
15.0 m (49.21 ft.) from other
roads

Side Yard

60.0 m (196.85 ft.) from
Highways
30.0 m (98.43 ft.) from County
roads
15.0 m (49.21 ft.) from all others

Rear Yard

30.0 (98.43 ft.) from any road
15.0 m (49.21 ft.) from other
parcels

- a) For Aggregate Resource Extraction/Processing, minimum setbacks apply to permitted activities associated with the use including buildings, machinery, extraction areas, processing areas and stockpile areas, but do not apply to berms or landscaping.

Additional Requirements:

- a) A development permit for an Aggregate Resource Extraction/Processing use can only be approved on lands that are supported by a Council-approved master site development plan for the same use.

Exceptions

- a) A dwelling shall not be located in close proximity to the active operation on the land that may have an adverse impact on the residential use (i.e. air quality, noise, noxious odours, etc.). Measures to mitigate any adverse impacts shall be assessed by the Development Authority when issuing a permit for a dwelling.

Part 8, *Definitions*

Aggregate Extraction and/or Processing means development for the removal, extraction, or primary processing of any peat, sand, silt, gravel, shale, clay, marl, limestone or gypsum that is excavated from the surface of a site, whether in a processed or unprocessed form, but does not include such material that is expected to be unsuitable for sale.

Aggregate Development Performance Standards means Rocky View County's *Aggregate Development Performance Standards*, approved by Council resolution [no. 188-XX on February 01, 2025](#), as amended from time to time

Natural Resource Extraction and/or Processing means development for the removal, extraction and primary processing of raw materials. Typical natural resources and raw materials would include oil and gas, other minerals precious or semi-precious, timber and coal. Typical facilities or uses would include asphaltic processing, peat extraction, stripping of topsoil, timber removal, sawmills and related timber/wood processing, and oil and gas processing plants. Natural Resource Extraction and/or Processing does not include Aggregate Extraction and/or Processing which is classified as a separate use under this Bylaw.