

## PLANNING AND DEVELOPMENT SERVICES

---

<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 1
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210168
<b>FILE:</b>	04818004	
<b>SUBJECT:</b>	Renewal of Natural Resource Extraction/Processing / Discretionary use, with no Variances	

---

**APPLICATION:** Renewal of Natural Resource Extraction/Processing, including screening and crushing (up to 10 acres of active mining)

**GENERAL LOCATION:** located approximately 0.81 km (1/2 mile) west of Rge. Rd. 45 and on the north side of Twp Rd. 242

**LAND USE DESIGNATION:** Special, Natural Resources (S-NAT)

**EXECUTIVE SUMMARY:** This application is for the renewal of Phase 1 of a gravel pit on SW-18-24-04-W05M. This pit is adjacent to a County operated pit that has been provincially licensed for approximately 30 years. This renewal is consistent with the previous approval (PRDP20151800) for active mining on a maximum of 4.05 hectares (10.00 acres). The remaining 0.81 hectares (2.00 acres) of the gravel pit was mined prior to the original permit and therefore is not included within the noted active mining area. The Applicant/Owner has no plans to expand to Phase 2 until some reclamation of Phase 1 has occurred. By keeping the gravel pit under 5.00 hectares (12.36 acres) in size, it is able to retain its Class II status. Class II pits are not required to register with Alberta Environment and Parks and do not need to follow the Code of Practice for Pits. However, Class II pit operators are required to reclaim their gravel pits and they must follow the Environmental Protection Guidelines for Pits and all components of the Water Act.

On the first Development Permit, a condition of approval required that the Applicant/Owner enter into a Development Agreement (DA) to upgrade the intersection of Highway 22 and Township Road 242 to a Type III (b) intersection. The DA was signed August 1, 2017 and allowed two years for completion of the work, which was later extended to August 1, 2021. As the improvement was to be constructed within the road allowance of Highway 22, a Roadside Development Permit was also issued by Alberta Transportation (DP #2511-1357) with a required completion date of August 1, 2021, aligning with the County's completion timelines.

On September 9, 2020, the Applicant submitted an updated Traffic Impact Assessment (TIA), which concluded that an intersectional improvement at this location would not be warranted. On October 27, 2020, Council granted their support of the updated TIA and Administration sent a letter to Alberta Transportation asking them for their support. On December 8, 2020, Alberta Transportation acknowledged that the location of the proposed development falls outside of Alberta Transportation's control limits and that any conditions assigned to this development permit approval would be at the sole discretion of the County. It is recommended that the decision of Municipal Planning Commission be consistent with that of Council. As such, Administration recommends approval in accordance with Option #1, which does not include the DA as a condition.

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

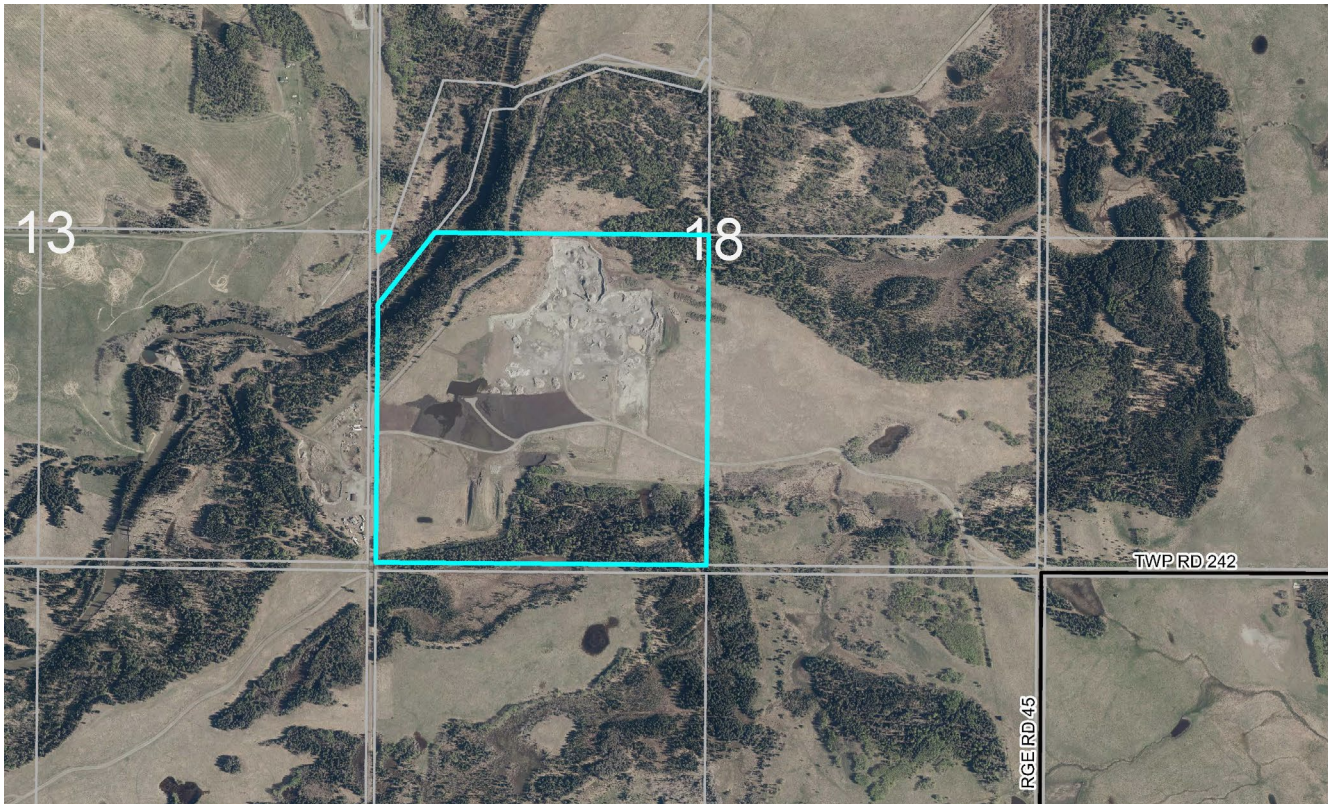
---

### Administration Resources

Sandra Khouri, Planning & Development Services

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210168 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210168 be approved with the conditions noted in Attachment 'B'.
- Option #3: THAT Development Permit Application PRDP20210168 be refused.

**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:**

- *Municipal Government Act*;
- Subdivision and Development Regulations;
- Municipal Development Plan;
- Land Use Bylaw; and
- County Servicing Standards.

**TECHNICAL REPORTS SUBMITTED:**

- Transportation Impact Assessment, prepared by Bunt & Associates (August 2020)



<b>PERMITTED USE:</b> Natural Resource Extraction/Processing is a discretionary use in the S-NAT district	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission
--	---

*Payments and Levies*

The Applicant/Owner will be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018. The payment amount is based on the amount of aggregate extracted and removed which shall be reported to the County on an annual basis.



ROCKY VIEW COUNTY

**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

---

Executive Director  
Community Development Services

---

Chief Administrative Officer

SK/llt

**ATTACHMENTS**

ATTACHMENT 'A': Development Permit Report Conditions #1

ATTACHMENT 'B': Development Permit Report Conditions #2

ATTACHMENT 'C': Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS #1**

*(This does not include the Development Agreement)*

**Description:**

1. That the Natural Resource Extraction/Processing for gravel extraction, processing, crushing, and sales may continue on the subject site in accordance with the approved Site Plan submitted with the application.
  - a. That the total area of the gravel pit is 4.86 hectares (12.00 acres); and
  - b. That the active mining area of the gravel pit shall not exceed 4.05 hectares (10.00 acres) at any time.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details associated with the use of Township Road 242 as a haul route to and from the gravel pit to confirm if a Road Use Agreement will be required pursuant to Rocky View County's Road Use Agreement Bylaw C-8065-2020.
  - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit all available annual reports from previous years to the County. The annual reports shall be comprised of Site Plan showing extraction activities and all reclamation activities during the year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.

**Permanent:**

4. That any plan, technical submission, or agreement submitted and approved as part of this application or part of PRDP20151800 shall be implemented and adhered to in perpetuity, including but not limited to:
  - a. The Site Specific Stormwater Implementation Plan and Erosion and Sediment Control, prepared by Westhoff Engineering Resources Inc., dated November 30, 2016; and
  - b. The updated Traffic Impact Assessment (TIA), prepared by Bunt & Associates, dated August 26, 2020.
5. That the area of the site that is open and not reclaimed shall not exceed 4.86 hectares (12.00 acres) at any time.
6. That no water may be used for washing of gravel unless and until written approval has been received from Alberta Environment.
7. That no wash water shall be discharged off of the site or into any water channel.
8. That no topsoil shall be removed from the site.
9. That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the sand and gravel pit.
10. That this approval does not include any blasting, asphalt, or concrete operations.
11. That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures as outlined in the Erosion and Sediment Control plan.





## ROCKY VIEW COUNTY

12. That the hours of operation of the gravel pit including aggregate excavating, hauling, crushing, stock piling, sales, and stripping of overburden, shall be as follows:
  - a. Hauling is permitted only from 7:00 a.m. to 5:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - b. Crushing is permitted only from 7:00 a.m. to 7:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - c. Closed on Sundays and Statutory Holidays.
13. That the Applicant/Owner shall not use engine retarder brakes and is responsible to post signage on Township Road 242 and Range Road 45 to this effect.
14. That the Applicant/Owner is responsible to annually apply calcium chloride on Township Road 242 and Range Road 45, in accordance with Rocky View County standards and at their own expense.
15. That only on-site extraction material may be processed on site, except on occasions whereby blend materials from off-site are required to bring products to specification.
16. That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment.
17. That the 4.80 km long section of Township Road 242 west off Highway 22 is to be used as the designated "Haul Route" to and from the proposed gravel pit in accordance with the findings of the TIA.
18. That the Applicant/Owner shall submit an annual report to the County starting on April 1, 2022. The annual report shall be comprised of an updated Site Plan showing extraction activities and all reclamation activities during the previous year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.
19. That dust control measures shall be utilized for all vehicles during mining and transport of material and dust control measures applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
20. That in the case of any spillage of hazardous materials, Alberta Environment and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
21. That noise control measures that limit noise to 55 dba and 60 dba at the nearest residence, shall be followed including the crusher to be enclosed for noise attenuation.

### **Advisory:**

22. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017].
23. That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018, in the amount of \$0.40 per ton of aggregate extracted and removed.
24. That the development shall conform to the County's Noise Bylaw (C-5773-2003) in perpetuity.
25. That extraction shall not occur below the water table. Should operations negatively impact groundwater on adjacent parcels, groundwater testing may be required by the County and/or Alberta Environment.
26. That fire suppression and abatement measures shall be followed to the satisfaction of the County.



## ROCKY VIEW COUNTY

27. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
28. That if this Development Permit is not issued by **November 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
29. That this Development Permit, if and when issued, shall be valid until **April 30, 2026** or until Phase 1 of the gravel pit has been completely mined, whichever is the lesser.

**ATTACHMENT 'B': DEVELOPMENT PERMIT REPORT CONDITIONS #2***(This includes the Development Agreement)***Description:**

1. That the Natural Resource Extraction/Processing for gravel extraction, processing, crushing, and sales may continue on the subject site in accordance with the approved Site Plan submitted with the application.
  - a. That the total area of the gravel pit is 4.86 hectares (12.00 acres); and
  - b. That the active mining area of the gravel pit shall not exceed 4.05 hectares (10.00 acres) at any time.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details associated with the use of Township Road 242 as a haul route to and from the gravel pit to confirm if a Road Use Agreement will be required pursuant to Rocky View County's Road Use Agreement Bylaw C-8065-2020.
  - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit all available annual reports from previous years to the County. The annual reports shall be comprised of Site Plan showing extraction activities and all reclamation activities during the year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.

**Permanent:**

4. That any plan, technical submission, or agreement submitted and approved as part of this application or part of PRDP20151800 shall be implemented and adhered to in perpetuity, including but not limited to:
  - a. The Development Agreement (Road Right of Way Construction Agreement) between the Applicant/Owner and the County, signed on August 1, 2017;
  - b. The Site Specific Stormwater Implementation Plan and Erosion and Sediment Control, prepared by Westhoff Engineering Resources Inc., dated November 30, 2016; and
  - c. The updated Traffic Impact Assessment, prepared by Bunt & Associates, dated August 26, 2020.
5. That the area of the site that is open and not reclaimed shall not exceed 4.86 hectares (12.00 acres) at any time.
6. That no water may be used for washing of gravel unless and until written approval has been received from Alberta Environment.
7. That no wash water shall be discharged off of the site or into any water channel.
8. That no topsoil shall be removed from the site.
9. That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the sand and gravel pit.
10. That this approval does not include any blasting, asphalt, or concrete operations.





11. That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures as outlined in the Erosion and Sediment Control plan.
12. That the hours of operation of the gravel pit including aggregate excavating, hauling, crushing, stock piling, sales, and stripping of overburden, shall be as follows:
  - a. Hauling is permitted only from 7:00 a.m. to 5:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - b. Crushing is permitted only from 7:00 a.m. to 7:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - c. Closed on Sundays and Statutory Holidays.
13. That the Applicant/Owner shall not use engine retarder brakes and is responsible to post signage on Township Road 242 and Range Road 45 to this effect.
14. That the Applicant/Owner is responsible to annually apply calcium chloride on Township Road 242 and Range Road 45, in accordance with Rocky View County standards and at their own expense.
15. That only on-site extraction material may be processed on site, except on occasions whereby blend materials from off-site are required to bring products to specification.
16. That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment.
17. That the 4.80 km long section of Township Road 242 west off Highway 22 is to be used as the designated "Haul Route" to and from the proposed gravel pit in accordance with the findings of the TIA.
18. That the Applicant/Owner shall submit an annual report to the County starting on April 1, 2022. The annual report shall be comprised of an updated Site Plan showing extraction activities and all reclamation activities during the previous year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.
19. That dust control measures shall be utilized for all vehicles during mining and transport of material and dust control measures applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
20. That in the case of any spillage of hazardous materials, Alberta Environment and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
21. That noise control measures that limit noise to 55 dba and 60 dba at the nearest residence, shall be followed including the crusher to be enclosed for noise attenuation.

**Advisory:**

22. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017].
23. That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018, in the amount of \$0.40 per ton of aggregate extracted and removed.
24. That the development shall conform to the County's Noise Bylaw (C-5773-2003) in perpetuity.



## ROCKY VIEW COUNTY

25. That extraction shall not occur below the water table. Should operations negatively impact groundwater on adjacent parcels, groundwater testing may be required by the County and/or Alberta Environment.
26. That fire suppression and abatement measures shall be followed to the satisfaction of the County.
27. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
28. That if this Development Permit is not issued by **November 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
29. That this Development Permit, if and when issued, shall be valid until **April 30, 2026** or until Phase 1 of the gravel pit has been completely mined, whichever is the lesser.



## ATTACHMENT 'C': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Roy & Judy Copithorne	<b>OWNER:</b> Roy & Judy Copithorne
<b>DATE APPLICATION RECEIVED:</b> January 11, 2021	<b>DATE DEEMED COMPLETE:</b> January 15, 2021
<b>GROSS AREA:</b> ± 63.42 hectares (± 156.71 acres)	<b>LEGAL DESCRIPTION:</b> SW-18-24-04-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <p><b>October 27, 2020:</b> Council grants support for the recommendation of the updated TIA</p> <p><b>September 9, 2020:</b> Applicant/Owner submitted an updated TIA that recommended no intersection upgrades are required</p> <p><b>March 26, 2019:</b> Council granted an approval to extend the deadline for the Development Agreement under PRDP20151800</p> <p><b>September 16, 2015:</b> Development Permit (PRDP20151800) was approved by SDAB</p> <p><b>August 17, 2015:</b> Development Permit (PRDP20151800) was appealed</p> <p><b>August 4, 2015:</b> Development permit (PRDP20151800) was conditionally approved for a gravel pit</p> <p><b>July 23, 2010:</b> Development Permit (2008-DP-13362) was closed as conditions were not met</p> <p><b>January 20, 2009:</b> Development Permit (2008-DP-13362) was conditionally approved for a gravel pit</p> <p><b>October 22, 2008:</b> Development Permit (2007-DP-12433) was closed as a new application was applied for (2008-DP-13362)</p> <p><b>May 30, 2007:</b> Development Permit (2007-DP-12433) was tabled sine die by SDAB</p> <p><b>March 20, 2007:</b> Development Permit (2007-DP-12433) was conditionally approved for a gravel pit</p>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

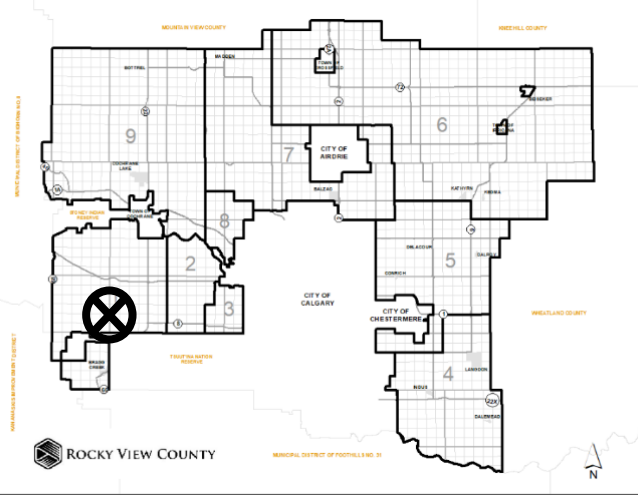


## Location & Context

### Development Proposal

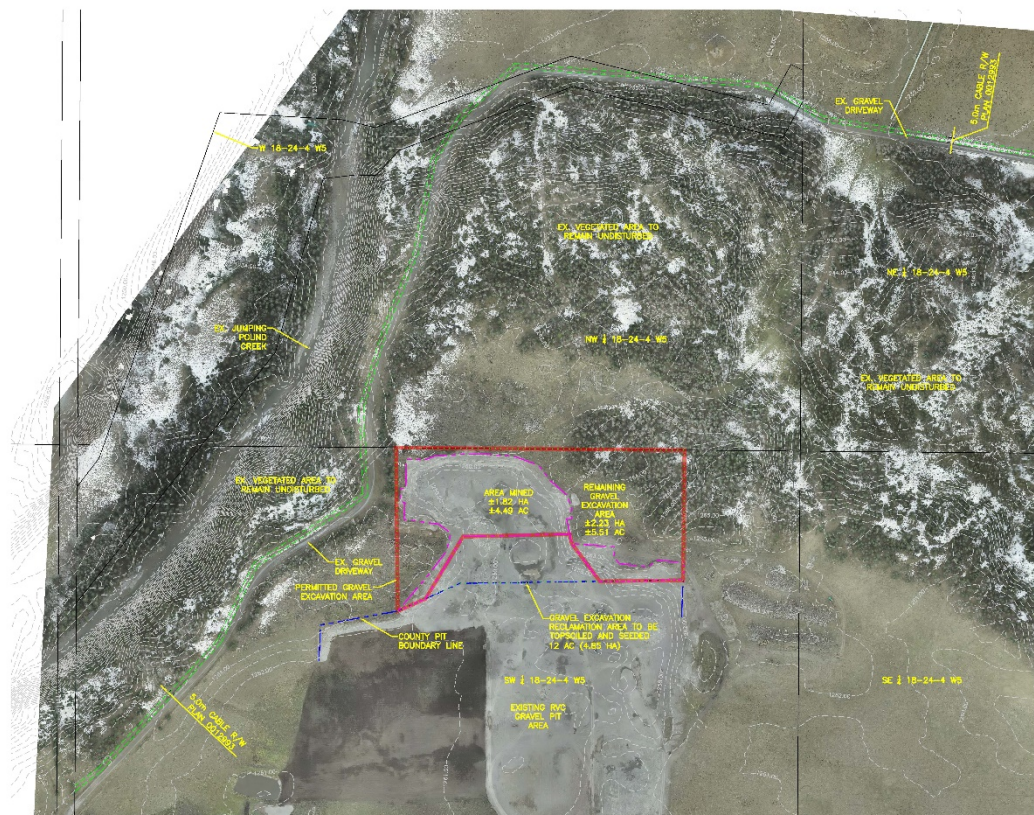
Renewal of Natural  
Resource  
Extraction/Processing,  
including screening and  
crushing (up to 10 acres of  
active mining)

Division: 01  
 Roll: 04818004  
 File: PRDP20210168  
 Printed: Feb 17, 2021  
 Legal: SW-18-24-04-W05M





## Development Proposal



UTILITY RIGHT OF WAY  
PROPERTY/SECTION LINE  
GRAVEL EXCAVATION RECLAMATION AREA TO BE TOPSOILED AND SEEDING  
EX. DOCUMENTATION BETWEEN THIS GRAVEL PIT AND  
2007-2008 GRAVEL PIT AS PER 2014  
AERIAL PHOTO  
AREA MINED  
PERMITTED GRAVEL EXCAVATION AREA  
EXISTING GASOLINE CONFINERS

USE OF DIGITAL FILES IS AT THE RISK OF THE USER. ENGINEER ASSUMES NO LIABILITY FOR ERRORS IN THE USE OF THE DIGITAL FILES AND SEALED PDF OR PAPER COPIES TAKE PRECEDENCE

[illegible]

COPITHORNE GRAVEL PIT  
ROCKY VIEW COUNTY, ALBERTA  
NW ¼ 18-24-4 W5  
EXISTING MINING AREA  
SITE PLAN

ISSUE/REVISION	A
DRAWING NO.	C-1

SCALE: 1:2000	PROJECT NO: SCI.20.079	FILE NAME: SCI.20.079—SITE PLAN.dwg
------------------	---------------------------	--

SHEET  
1 OF

Division: 01  
Roll: 04818004  
File: PRDP20210168  
Printed: Feb 17, 2021  
Legal: SW-18-24-04-W05M

