



COUNCIL REPORT

Aggregate Site Monitoring Bylaw

Electoral Division: All

Project: 1011-175

Date:	June 18, 2025
Presenter:	Colt Maddock, Policy Planner
Department:	Planning

REPORT SUMMARY

The purpose of this report is to present to Council the Aggregate Site Monitoring Bylaw (“the Bylaw”), a component of the Aggregate Resource Plan (“ARP”) project. The development of this Bylaw is in response to the recommendations provided by the ARP Stakeholder Advisory Committee and the subsequent project terms of reference approved by Council on October 8, 2024.

At this time, Rocky View County (“the County”) conducts inspections of commercial aggregate sites on a complaint-driven basis. In accordance with Recommendation Two of the ARP Stakeholder Advisory Committee Report, the objective of the Bylaw is to establish a proactive approach for the monitoring of commercial aggregate sites to ensure that development permit conditions are being adhered to, and to enhance transparency in the ongoing operation of aggregate development. The Bylaw sets the maximum number of inspections or site visits that can be conducted over a 12-month period by the Aggregate Site Inspector, a designated officer in accordance with the bylaw and *Municipal Government Act* (“MGA”).

Where a contravention is noted on an inspection report, the County will work with the site operator to determine an appropriate timescale for when the contravention shall be remedied. If a date cannot be agreed upon between the site operator(s) and the County, or where the contravention is not remedied within the set timeline, the contravention shall be referred to the County’s Enforcement Services department for further action.

When an inspection is completed, the site operator shall pay to the County the fee outlined within the County’s Master Rates Bylaw within 30 days of receiving an invoice. Initial cost estimates provided by the proponents bidding to take on monitoring duties on behalf of the County are approximately \$2,800.00 per inspection visit, in addition to costs for reviewing monitoring reports provided by the aggregate operator.

If Council wishes to proceed with adoption with the Aggregate Site Monitoring Bylaw, it would become effective 90 days after adoption. In this time, Administration would bring forward a report to Council to appoint the third-party consultant to undertake the inspections and complete the technical reviews. An amendment to the Master Rates Bylaw will be required to allow the County to charge the appropriate fee for each inspection and review undertaken.

ADMINISTRATION’S RECOMMENDATION

THAT Bylaw C-8635-2025 be given first reading.

THAT Bylaw C-8635-2025 be given second reading.

THAT Bylaw C-8635-2025 be considered for third reading.

THAT Bylaw C-8635-2025 be given third and final reading.

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BACKGROUND

In August 2023, the 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.

The Committee submitted their final report in spring 2024, 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:

Recommendation One: That the County develop Performance Standards specific to aggregate development in the County.

Recommendation Two: 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.

Recommendation Three: That the County develop updated Application Requirements specific to aggregate development applications in the County.

Recommendation Four: That the County develop a publicly accessible online platform dedicated to aggregate development within the County.

Recommendation Five: That the County define a mandatory stakeholder engagement process for all new aggregate applications and renewals.

Recommendation Six: 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 a revised Terms of Reference ("TOR") identifying next steps to move the project forward. The revised TOR was approved by Council and outlined that the project would consider five of the six recommendations.

ANALYSIS

To meet Recommendation Two of the Aggregate Resource Plan Stakeholder Advisory Committee Report, Administration has crafted the Aggregate Site Monitoring Bylaw. Under this bylaw, the Aggregate Site Inspector position is established who has the powers, duties and functions of a designated officer under the bylaw and section 210 of the MGA. The bylaw would permit the Aggregate Site Inspector to inspect active and inactive commercial aggregate extraction sites to assess compliance with the conditions of development permits relating to aggregate extraction and/or processing uses. The Aggregate Site Inspector may conduct up to four inspections per year of active commercial aggregate sites and one inspection where a site is considered to be inactive above expected seasonal fluctuations. Further inspections may be conducted where a complaint has been received, and the County can substantiate the claims made against a site.

Under section 203 of the MGA, Council may delegate the appointment of the Aggregate Site Inspectors to the Chief Administrative Officer. Upon specific individuals being identified to act as Aggregate Site Inspectors, the Chief Administrative Officer Delegation Order will be amended.

The Aggregate Site Inspector is required to provide to the landowner of a site prior notice of any upcoming inspection as per Section 542(1) of the MGA. The Aggregate Site Inspector will endeavor to collaborate with the site operators to find reasonable times to conduct site inspections.

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If a contravention of a development permit condition is identified in the inspection report, the County will notify the operator as soon as possible. The County will consult with the operator to establish a mutually agreed upon deadline for the contravention to be rectified. If an agreement on a deadline cannot be reached, or if the operator fails to remedy the contravention within the agreed or reasonable timeframe, the matter may be referred to the County's Enforcement Services Department for further action.

At present, the County does not have the internal capacity to implement the Bylaw as written. As a result, Administration initiated a procurement process to identify a qualified consultant to serve as the Aggregate Site Inspector. Administration has received estimates to complete the site inspections to the cost of \$2800.00 per site inspection conducted. An amendment to Master Rates Bylaw would be required to implement the third party's estimated cost to complete these site inspections. Upon completion of an inspection, the amount specified in the amended Master Rates Bylaw would be invoiced to the commercial aggregate site operator.

The Bylaw is proposed to come into effect 90 days three following third reading. This interim period will allow sufficient time for the appointed Aggregate Site Inspector to mobilize resources necessary to carry out the required scope of work.

It is intended that inspection reports and annual monitoring reports for operating sites will be made available on the County's proposed public platform for aggregate sites. This will increase transparency around how aggregate sites are complying with the imposed development permit conditions, to the benefit of residents and responsive aggregate operators.

COMMUNICATIONS / ENGAGEMENT

The Aggregate Site Monitoring Bylaw was presented during the engagement stage of the project and where the Engagement Summary report was considered by Council on April 22, 2025.

IMPLICATIONS

Financial

An amendment to the Master Rates Bylaw shall be required to accommodate the third party's estimated cost to complete any site inspection. Council may choose to subsidize a portion of these costs to lower the flat rate charged to aggregate operators for each visit.

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	Bylaw C-8635-2025 states the maximum number of inspections that may be conducted on a 12-month timeline beginning on the date the first inspection is completed.
Effective Service Delivery	SD2: Services are resourced and delivered to specific groups as intended, and citizens are satisfied with the outcomes	SD2.1: Citizens satisfied with the range of County services available/delivered	Bylaw C-8635-2025 would be a new, proactive service to ensure that aggregate sites are complying with the conditions of an approved development permit.

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Key Performance Indicators			Strategic Alignment
Effective Service Delivery	SD3: Citizens are satisfied with Public Engagement opportunities and availability of information	SD3.2: Citizens satisfied with the public engagement opportunities provided by the County	The County hosted a series of public engagement events to present the proposed Site Monitoring Bylaw.
Effective Service Delivery	SD4: Services are continually assessed for improvements in cost efficiency, effectiveness, and customer experience	SD4.1: Services that are assessed annually for innovation opportunities and have demonstrable efficiency improvements	The Master Rates Bylaw would be reviewed annually to ensure that the fees for the Site Monitoring Bylaw are proportionate to the service provided.

ALTERNATE DIRECTION

THAT Council refers Bylaw C-8635-2025 to Administration to allow Council to submit proposed amendments to the draft bylaws.

AND THAT Administration returns to present Bylaw C-8635-2025, and Council's proposed amendments, for consideration at a public hearing held no later than July 17, 2025.

ATTACHMENTS

Attachment A: Bylaw C-8635-2025 (Aggregate Site Monitoring Bylaw)
Attachment B: Landowner Response to Circulation

APPROVALS

Manager:	Dominic Kazmierczak, Executive Director, Community Services
Executive Director/Director:	Dominic Kazmierczak, Executive Director, Community Services
Chief Administrative Officer:	Reegan McCullough, Chief Administrative Officer