



BYLAW C-8082-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Direct Control Bylaw C-8082-2020*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
 - (4) **“Overland Conveyor”** means a privately owned, operated, and maintained belt conveyor system and related equipment designed to carry high tonnage of aggregate materials over a long distance within a linear corridor to replace the need for truck transport.

Effect

- 3 THAT Schedule B, Land Use Maps No. 66 and 66-SW of Bylaw C-8000-2020 be amended by redesignating NW-05-26-02-W5M, Block 1, Plan 7410996 within NE-05-26-02-W5M, a portion of NE-05-26-02-W5M, a portion of SW-05-26-02-W5M, and SE-05-26-02-W5M from Agricultural, General District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT NW-05-26-02-W5M, Block 1, Plan 7410996 within NE-05-26-02-W5M, a portion of NE-05-26-02-W5M, a portion of SW-05-26-02-W5M, and SE-05-26-02-W5M is hereby redesignated to Direct Control District as shown on the attached Schedule 'A' & Schedule 'B' forming part of this Bylaw.
- 5 THAT the regulations of the Direct Control District comprise:
- 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations

**1.0.0 General Regulations**

- 1.1.0 The policies of the Scott Property Master Site Development Plan (MSDP) shall be considered in all applications for subdivision and development permit affecting the subject lands.
- 1.2.0 Parts 1, 2, and 3 of Land Use Bylaw C-8000-2020 shall apply to all uses contemplated by this Bylaw except where notes as otherwise in this Bylaw.
- 1.3.0 Council shall act as the Development Authority for the issuance of Development Permits for the Lands subject to this Bylaw.
- 1.4.0 All development upon the Lands shall be in accordance with all licenses, permits, and approvals pertaining to the Lands required from Alberta Environment and Parks and any other Provincial and/or Federal Agencies.
- 1.5.0 No Development Permit shall be issued for any purpose until the applicable Development Regulations in Section 3.0.0 of this Bylaw have been met.

2.0.0 Land Use Regulations**2.1.0 Purpose & Intent:**

To accommodate a comprehensively planned Natural Resource Extraction/Processing operation in accordance with staged mining & excavation development phases to be implemented by a series of development permit application processes as contemplated by the Scott Property MSDP.

2.2.0 Uses:

- 2.2.1 Accessory Buildings $\leq 500.00 \text{ m}^2$ (5,381.96 ft^2)
- 2.2.2 Agriculture General
- 2.2.3 Beekeeping
- 2.2.4 Communications Facilities (Types A, B, & C)
- 2.2.5 Dwelling Unit, Accessory to Principal Use
- 2.2.6 Home Based Business (Types I & II)
- 2.2.7 Natural Resource Extraction/Processing
- 2.2.8 Office
- 2.2.9 Outdoor Storage
- 2.2.10 Overland Conveyor
- 2.2.11 Signs
- 2.2.12 Utilities



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2.3.0 Minimum & Maximum Requirements:

2.3.1 Minimum Parcel Size: 20.2 ha (49.92 acre)

2.3.2 Maximum Building Height (Principal Buildings): 12.0 m (39.37 ft.)

2.3.3 Maximum Building Height (Accessory Buildings): None

2.4.0 Required Setbacks:**2.4.1 Minimum Yard, Front:**

a) 30.0 m (98.43 ft.) from any Road, County

b) 15.0 m (49.21 ft.) all others

2.4.2 Minimum Yard, Side:

a) 30.0 m (98.43 ft.) from any Road, County

b) 15.0 m (49.21 ft.) all others

2.4.3 Minimum Yard, Rear:

a) 30.0 m (98.43 ft.) from any Road, County

b) 15.0 m (49.21 ft.) all others

2.4.4 Notwithstanding the required setbacks referenced in Section 2.4.1, 2.4.2, and 2.4.3, the following minimum extraction setbacks shall apply as measured from the inner edge of the landscaping berm to property line as illustrated on Schedule 'B':

a) 150.0 m (492.13 ft.) to the Berma Road ROW;

b) 150.0 m (492.13 ft.) to any existing residential property line within SW 5-26-2-W5M;

c) 100.0 m (328.08 ft.) to the Range Road 25 ROW;

d) 69.0 m (226.38 ft.) to the north property line; and

e) 30.0 m (98.43 ft.) to the Range Road 24 ROW.

3.0.0 Development Regulations**3.1.0 Development Permit Application Requirements**

3.1.1 Development Permit applications for each phase of mining & excavation operations shall include the following:

a) Site Plan;



- b) Operations & Management Plan;
- c) Mining & Excavation Plan;
- d) Site Specific Stormwater Management Plan;
- e) Sediment & Erosion Control Plan;
- f) Landscaping & Screening Plan;
- g) Noise Monitoring Strategy;
- h) Air Quality Monitoring Strategy;
- i) Groundwater Monitoring Strategy;
- j) Reclamation Plan;
- k) Summary of current reporting relative to the noise, air quality and groundwater monitoring strategy;
- l) Construction Management Plan; and
- m) Weed Management Plan.

3.2.0 Natural Resource Extraction/Processing uses may occur within the area generally illustrated on Schedule 'B', attached to and forming part of this Bylaw.

3.3.0 The maximum area permitted to be under excavation at any one time is 24.2 ha (60.0 acre).

3.4.0 All excavated topsoil and overburden within the site to be used for landscaped berms. Surplus materials shall be stockpiled and vegetated to prevent soil erosion.

3.5.0 Hours of operations for Natural Resource Extraction/Processing and Overland Conveyor uses shall be:

3.5.1 Mondays to Fridays from 7:00 am to 8:00 pm and Saturdays from 7:00 am to 6:00 pm.

3.5.2 Notwithstanding 3.5.1, no crushing activities shall occur on Weekends and/or Statutory Holidays.

3.5.3 No Natural Resource Extraction/Processing or Overland Conveyor uses shall occur on Sundays and/or Statutory Holidays.

3.6.0 The first development permit issued for Natural Resource Extraction/Processing uses shall be subject to a five (5) year renewable period. The renewal period for subsequent development permits for Natural Resource Extraction/Processing uses may be extended to a maximum of ten (10) years.



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- 3.7.0 The developer shall submit a summary of data collected pursuant to the ongoing noise, air quality and groundwater monitoring programs to the Development Authority on an annual basis, as described in Section 3.1.1(k).
- 3.8.0 Notwithstanding the maximum permissible noise levels described in the Scott Property MSDP, activities within the subject land may exceed the maximum limits to accommodate temporary operations that facilitate essential site preparation and restoration works where it is clear that these works will have a benefit to site operations and/or the local environment.
- 3.9.0 The developer shall develop and implement a Property Value Protections Plan and Water Well Indemnification Program as described by the Scott Property MSDP.
- 3.10.0 The developer shall implement an ongoing communications plan to ensure neighbouring residents are provided with regular updates concerning the status of aggregate operations and a dedicated contact to forward related concerns.
- 3.11.0 No activities associated with Natural Resource Extraction/Processing shall occur within the MSDP area without an approval from Alberta Environment and Parks (AEP) in accordance with the requirements of the Code of Practice for Pits and the Water Act.
- 3.12.0 No activities associated with the Overland Conveyor shall occur within the MSDP area without approval from the City of Calgary.

Transitional

- 6 Bylaw C-8082-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

PUBLIC HEARING HELD this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

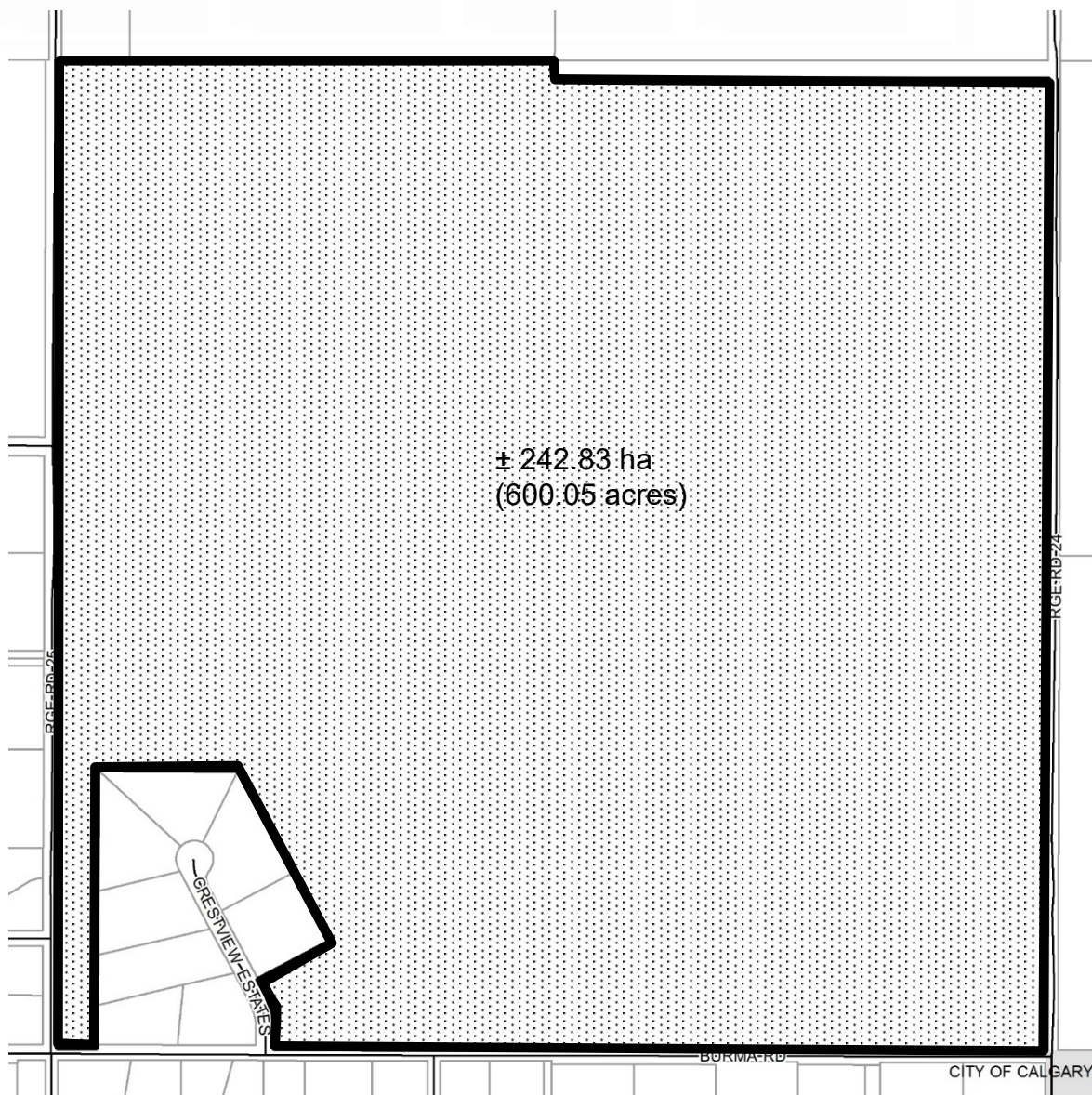
READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-8082-2020

AMENDMENT

FROM Agricultural, General District TO Direct Control District

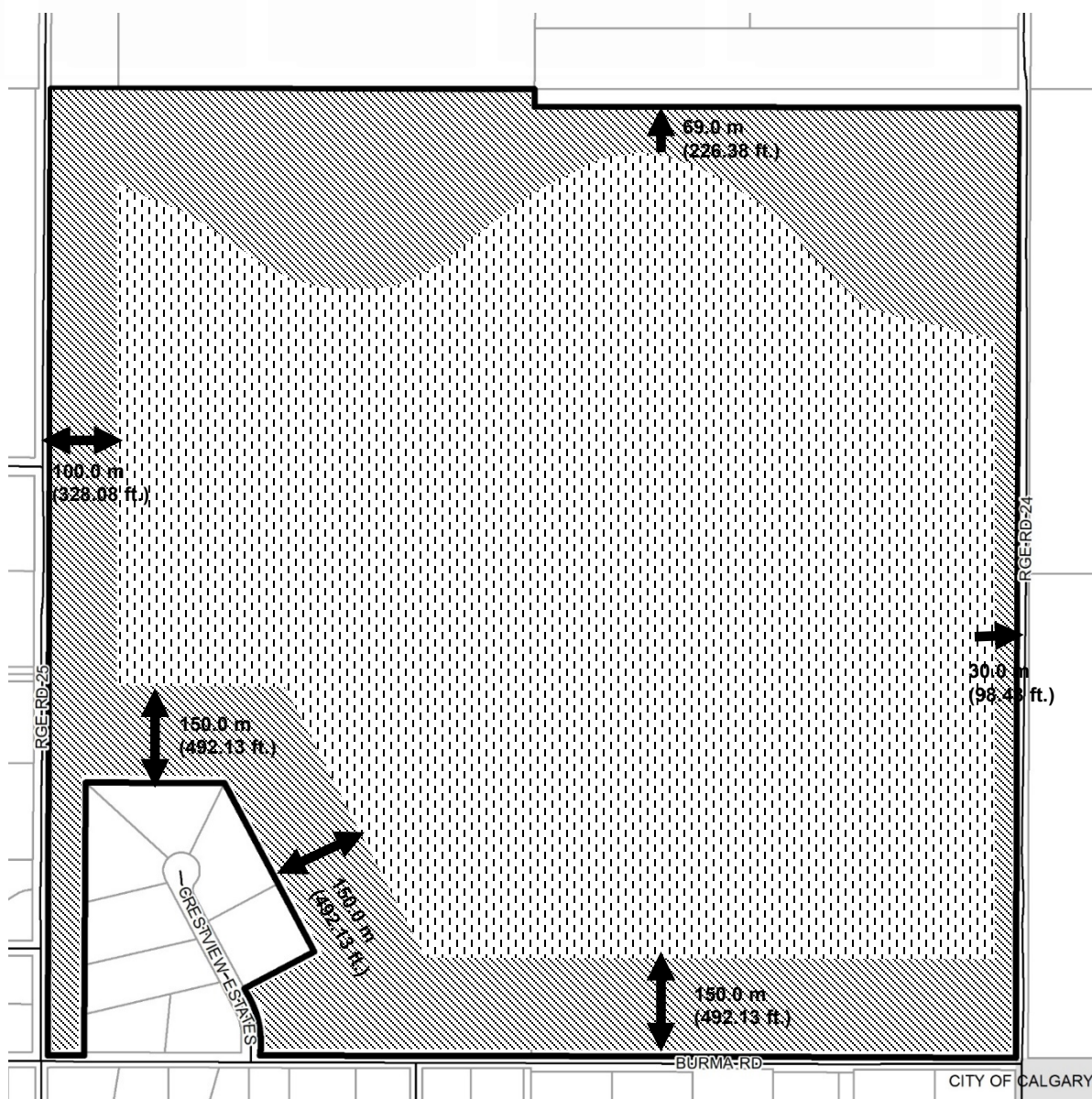
Subject Land _____

LEGAL DESCRIPTION: NW-05-26-02-W5M, Block 1, Plan 7410996

within NE-05-26-02-W5M, a portion of NE-05-26-02-W5M, a
portion of SW-05-26-02-W5M, and SE-05-26-02-W5M

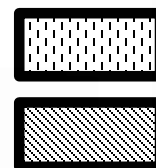
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SCHEDULE "B"

BYLAW: C-8082-2020

Natural Resource Extraction Permitted

Natural Resource Extraction Not Permitted

**LEGAL DESCRIPTION:** NW-05-26-02-W5M, Block 1, Plan 7410996

within NE-05-26-02-W5M, a portion of NE-05-26-02-W5M, a
 portion of SW-05-26-02-W5M, and SE-05-26-02-W5M



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FILE: 06605001/5002/5003/5004/5005 - PL20200093**DIVISION: 8**