

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: July 13, 2021
FILE: 06731002 / 06731004
SUBJECT: Development Permit: Natural Resource Extraction/Processing /
Listed Direct Control Use, with Variances

DIVISION: 9
APPLICATION: PRDP20211744

APPLICATION: Natural Resource Extraction/Processing (Phase 1).

GENERAL LOCATION: Located at the southeast junction of Highway 567 and Range Road 40.

LAND USE DESIGNATION: Direct Control District 170 [Bylaw C-8051-2020] (DC 170)

EXECUTIVE SUMMARY: This Development Permit application is for the commencement of Phase 1 Natural Resource extraction (gravel pit and operations), for the Summit Pit.

Phase 1 is located within the south-eastern portion of the property, adjacent to the Habitat Preservation Area. Open mining and excavation areas will not exceed ± 16.18 hectares (± 40.00 acres) in area at any given time. The proposal is for a six (6) phase mining plan. On-site operations are proposed to include stripping of topsoil & overburden materials, mining of the underlying sand and gravel, and eventual reclamation of all disturbed areas. The sand and gravel excavated within the site will be crushed, screened, and shipped to the surrounding rural area and metropolitan areas.

The Applicant is required to upgrade the intersection of Highway 567 and Range Road 40 to a Type IVa standard and also upgrade a portion of Range Road 40 to an industrial paved standard. These improvements will be completed through the Development Agreement process.

There is no enforcement history on the subject property. Once commenced, the site is expected to remain operational for 40 years. Site reclamation will commence in accordance with the approved reclamation plan and Provincial requirements. The proposed extraction areas remain consistent with the overlying policy regulations and phasing plan. Registration with Alberta Environment & Parks (AEP), in accordance with the requirements of the Code of Practice for Pits, is required to be obtained, prior to the commencement of extraction activities.

As the application aligns with the Master Site Development Plan: Mountain Ash Summit Aggregate Pit (Summit Pit MSDP) and DC 170, Administration is supportive of the application.

If Council should decide to proceed with Option #2, reasons for refusal will need to be provided.

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

OPTIONS:

- Option #1: THAT Development Permit No. PRDP20211744 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit No. PRDP20211744 be refused as per the reasons noted (as determined by Council).
- Option #3: THAT alternative direction be provided.

Administration Resources

Jacqueline Targett, Planning and Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Land Use Bylaw Regulation	Required Setback	Proposed Setback	Variance %
216 Sign Distance from a Roadway Intersection	25.00 m (82.02 ft.)	5.00 m (16.40 ft.)	80.00%

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: <ul style="list-style-type: none"> <i>Municipal Government Act;</i> Subdivision and Development Regulations; 	UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT: <ul style="list-style-type: none"> Ambient Air Quality Assessment, as prepared by SLR, Proj. No. 212.06650.00006, dated May 21, 2020;
--	--



APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none">• Municipal Development Plan;• County Plan;• Summit Pit MSDP;• DC 170;• Land Use Bylaw C-8000-2020; and,• County Servicing Standards.	UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT: <ul style="list-style-type: none">• Ambient Air Quality Monitoring Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated June 2021;• Biophysical Impact Assessment Report, as prepared by SLR, Proj. No. 212.06650.00003, dated January 2020;• Construction Management Plan (Phase 1), as prepared by Mountain Ash Limited Partnership, dated April 2021;• Dust Control Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Erosion and Sediment Control Plan, as prepared by SLR, Proj. No.212.06650.00006, dated April 2021;• Good Neighbour Action Plan (Phase 1), as prepared by Mountain Ash Limited Partnership, dated April 2021;• Groundwater Monitoring Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Landscaping & Visual Screening Plan, as prepared by SLR, Proj. No. 21-663, dated April 15, 2021;• Mining & Excavation Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Noise Monitoring Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Operation and Management Plan (Phase 1), as prepared by Mountain Ash Limited Partnership, dated April 2021;• Post Mining and Reclamation Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Soil & Weed Management Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;• Stormwater Management Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;
--	--

	<p>UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT:</p> <ul style="list-style-type: none"> • Stripping & Grading Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021; • Transportation Infrastructure Improvement Plan, as prepared by Watt Consulting Group, Dwgs. C01-C02, dated April 2021; • Summit Pit Haul Routes Plan, as prepared by Watt Consulting Group, File No. 3865.E01, dated April 22, 2021. <p>TECHNICAL REPORTS SUBMITTED w/ MASTER SITE DEVELOPMENT PLAN:</p> <ul style="list-style-type: none"> • Acoustic Assessment Report, as prepared by SLR, Proj. No. 203.50207.00000, dated May 2020; • SUMMIT RESOURCE DEVELOPMENT: Transportation Impact Assessment, as prepared by Watt Consulting Group, dated August 18, 2014; • SUMMIT Aggregate Pit TIA Update, as prepared by Watt Consulting Group, File No. 3749-T01, dated March 10, 2020.
<p>DIRECT CONTROL PERMITTED USES:</p> <ul style="list-style-type: none"> • Natural Resource Extraction/Processing 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Council

POLICY CONSIDERATIONS:

County Plan (CP)

Section 15 of the CP supports aggregate extraction with the adoption of a master site development plan and land use regulations. A master site development plan (MSDP) needs to be in accordance with Section 29 of the CP. The Summit Pit MSDP was prepared and approved by Rocky View County Council on March 2, 2021.

Summit Pit MSDP

The MSDP provides a comprehensive policy and technical framework for natural resource extraction, processing, and all related development activities. The MSDP includes policies related to noise mitigation, air quality considerations, stormwater management, groundwater management, visual aspects, post-mining reclamation, traffic impacts, and joint area commitments.

DC 170

DC 170 requires that Council be the Development Authority for the issuance of all Development Permits. The purpose and intent of this zoning are to accommodate a comprehensively planned Natural Resource Extraction/Processing operation, as contemplated by the MSDP.



It provides the regulations and requirements concerning the development of Natural Resource Processing on the subject lands. All required technical submissions made to support the application have been submitted and reviewed by Administration. Overall, the application is consistent with the regulations of DC 170 and aligns with its purpose and intent providing for the extraction, processing, stockpiling, and export of aggregate materials from the subject lands.

ADDITIONAL REVIEW CONSIDERATIONS

The lands are located in an area of the County that is primarily agricultural in nature; however, there are three (3) other sites in the vicinity zoned to support active and future natural resource extraction activities. Of the three sites, one active development permit has been issued, to allow for extraction activities (1189677 Alberta Ltd: Hillstone Aggregates).

As part of the visual screening plan, a berm is proposed along Highway 567, to be constructed as part of a future phase. As Phase I is quite far from the highway (southern end of the site) and operations will not be visible to motorists, the highway frontage berm will not be built as part of this phase. A temporary perimeter berm, located immediately east of the Phase 1 boundary area will be constructed as part of this phase. Any classified water body, located throughout the property, shall also include screening and protection perimeter berms.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

JT/ltt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps & Other Information

ATTACHMENT 'C': Application Referrals

ATTACHMENT 'D': Public Submissions