

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: September 14, 2021 **DIVISION:** 9
FILE: 06731002 / 06731004 **APPLICATION:** PRDP20211744
SUBJECT: Development Permit: Natural Resource Extraction/Processing Condition Consideration
Listed Direct Control Use

APPLICATION: Natural Resource Extraction/Processing (Phase 1), consideration of the development permit prior to release condition, for a Good Neighbouring Plan.

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

LAND USE DESIGNATION: Direct Control District 170 [DC 170]

EXECUTIVE SUMMARY: Development Permit PRDP20211744 was presented to Council on July 13, 2021, and was approved with the conditions noted in the Agenda Package. A copy of the Development Permit Transmittal of Decision can be found in this report in Attachment 'B'. This permit is for the commencement of the Summit Pit (Phase 1) for Natural Resource extraction.

On July 13, 2021, Council approved a motion that added a prior to release condition to this permit. The new condition states:

- 7. That prior to release of this development permit, the Good Neighbouring Plan as submitted shall be reviewed, amended, and approved by the Council to include a Compliant protocol requirement that includes a phone number and other forms of contact to be provided as per the Summit MSDP, and made available 24/7 to the area residents during the life of the pit. This plan will also be required to address assisting the neighbours should any groundwater wells be affected by the pit operations"*

Council has requested the Applicant submit the Good Neighbouring Plan for Council's consideration and approval. The Applicant has submitted an amended plan titled, *Good Neighbour Action Plan* (Good Neighbouring Plan). A copy of the plan can be found in Attachment 'A'. Administration has reviewed the plan and is of the opinion that it captures the intent of Council's motion. As such, Administration has no concerns.

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 \pm 16.18 hectares (\pm 40.00 acres) in area at any given time. The proposal is for an extraction/mining plan, for six (6) phases.

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

OPTIONS:

- Option #1: THAT Condition #7 of PRDP20211744 be approved in accordance with Attachment 'A'.
Option #2: THAT Condition #7 of PRDP20211744 be refused as per the reasons determined by Council.
Option #3: THAT alternative direction be provided.

Administration Resources

Jacqueline Targett, Planning and Development Services

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.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • County Plan; • The Summit Pit Master Site Development Plan; • DC 170 (Bylaw C-8051-2020); • Land Use Bylaw C-8000-2020; and • County Servicing Standards. 	<p>UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT:</p> <ul style="list-style-type: none"> • Good Neighbour Action Plan, as prepared by Mountain Ash Limited Partnership, dated July 13, 2021; • Ambient Air Quality Assessment, as prepared by SLR, Proj. No. 212.06650.00006, dated May 21, 2020; <p>UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT:</p> <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;
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- 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;

UPDATED TECHNICAL REPORTS SUBMITTED w/ DEVELOPMENT PERMIT:

- 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.

TECHNICAL REPORTS SUBMITTED w/ MASTER SITE DEVELOPMENT PLAN:

- Acoustic Assessment Report, as prepared by SLR, Proj. No. 203.50207.00000, dated May 2020;

	<ul style="list-style-type: none"> • 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

CONCLUSION:

Subject to the proposed approval of the Good Neighbouring Plan, the plan is recommended for approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

JT/lt

ATTACHMENTS:

- ATTACHMENT ‘A’: Good Neighbouring Plan
- ATTACHMENT ‘B’: Development Permit Transmittal of Decision
- ATTACHMENT ‘C’: Maps & Other Information