



This is not a development permit

Wednesday, July 21, 2020

B&A Planning Group (Ken Venner)
#600, 215 - 9 Ave SW
Calgary, AB T2P 1K3

File: PRDP20211744

RE: DEVELOPMENT PERMIT TRANSMITTAL OF DECISION

At its meeting on July 13, 2021, Rocky View County Council considered Administration's request to approve a Development Permit for Natural Resource Extraction/Processing (Phase 1).

Your development permit is **CONDITIONALLY APPROVED, as amended.**

Description:

1. That Natural Resource Extraction/Processing (Phase 1) may operate on the subject site as approved in accordance with the *Master Site Development Plan: The Summit Pit, dated December 7, 2020* (MSDP), submitted application and supporting technical reports, and includes:
 - i. Field-testing facilities, including up to two temporary portable crushers;
 - ii. Portable Scale House, located on conjoining trailers (up to 2,690.98 sq. ft. in area);
 - iii. Portable Field Office/Maintenance building(s), (up to 2,690.98 sq. ft. in area);
 - iv. Outdoor Storage Area, as per the approved Mining & Extraction Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021;
 - v. Temporary Stockpiling (of mineral and non-mineral materials);
 - vi. Signage; installation of three (3) freestanding signs;
 - a. That the minimum freestanding signage setback requirement from a roadway intersection is relaxed from 25.00 m (82.02 ft.) to 5.00 m (16.40 ft.).
 - b. Final signage details shall be submitted to the County, prior to installation on site.



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Prior to Release:

2. That prior to release of this Development Permit, the Owner shall be required to enter into a Development Agreement with the County, in accordance with the County's Servicing Standards, for:
 - i. The upgrade of Range Road 40 to an industrial paved standard (400.6) from Highway 567 to the site access;
 - ii. Upgrade of the intersection of Range Road 40 and Highway 567 to a Type IVa standard including all signage and any other roadside indicators to the satisfaction of Alberta Transportation (AT) and the County;
 - iii. Obtaining Roadside Development Permit and other necessary approvals from AT for the Highway Intersection improvements;
 - iv. Removal and reclamation of the existing access from Highway 567 to the satisfaction of AT;
 - v. Registration of necessary easement, right-of-ways, and/or restrictive covenants to the satisfaction of the AT and the County;
 - vi. Submission and implementation of the recommendations of the geotechnical report and pavement structure design;
 - vii. Submission and implementation of the recommendations of the stormwater management report for the intersection and road upgrades;
 - viii. Submission and implementation of the recommendations of the construction management plan; and
 - ix. Submission and implementation of the recommendations of the erosion & sedimentation control plan.
3. That prior to release of this Development Permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy, in accordance with Transportation Offsite Levy Bylaw C-8007-2020, for the total gross acreage of the gravel pit and areas associated for gravel extraction activities relating to Phase 1 operations.
4. That prior to release of this Development Permit, the Applicant/Owner shall submit an updated Erosion & Sedimentation Control Plan (ESC), prepared by a qualified professional in accordance with County's Servicing Standards.
5. That prior to release of this Development Permit, the Applicant/Owner shall submit an updated Stormwater Management plan and Stripping & Grading Plan, prepared by a qualified professional in accordance with County's servicing standards.
6. That prior to release of this Development Permit, the Applicant/Owner shall submit an updated Landscape plan, confirming the proposed east berm, 15.00 m (49.21 ft.) in size, to be constructed and the relocation of the southern pond and sump A to be located within the Phase 1 boundary.



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7. That prior to release of this development permit, the Good Neighbouring Plan as submitted shall be reviewed, amended and approved by the County to include a Complaint 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.

Upon Implementation & Site Occupancy:

8. That upon completion, that Applicant/Owner shall submit as-built drawings of the constructed onsite stormwater management facilities, prior to the issuance of additional Phase 1 development permits.
 - i. Once received, the County shall perform an inspection of the proposed stormwater management facilities ensuring the proposed facilities were constructed as per the approved Stormwater designs.
9. That upon completion, Construction Completion Certificates shall be issued on the constructed Type IVa intersection, upgrades to Range Road 40, and all work completed under the issued Development Agreement, prior to the issuance of additional Phase 1 development permits.

Permanent:

10. That any plan, technical submission, agreement, or other matter submitted and approved as part of the subject application, PL20200031 or PL20200034, prior to release or occupancy conditions, shall be implemented and adhered to in perpetuity, including but not limited to:
 - i. That Gravel operation shall construct and implement any necessary stormwater management facilities, in accordance with the approved site Stormwater Management Plan, in perpetuity.
 - ii. That the Gravel operation shall follow the recommendations of the Biophysical Impact Assessment, prepared by SLR, Proj. No 212.06650.00003, dated January 2020, in perpetuity.
 - iii. That the Gravel operation shall follow the recommendations of the Acoustic Assessment Report, prepared by SLR, Proj. No. 203.50207.00000, dated May 2020, and the Air Quality Assessment, prepared by SLR, Proj. No. 203.50207.00000, dated May 21, 2020 (including ongoing air quality monitoring detailing), in perpetuity. Quarterly reports are required to be submitted to the County for review.
11. The site shall operate in accordance with the Summit Pit MSDP, including the Joint Commitments, at all times.
12. That all activity and equipment associated with the Natural Processing Extraction operation shall be located in accordance with the approved Site plan for the Phase development permit.



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13. That phase reclamation shall proceed behind extraction activities such that no more than 16.00 hectares (40.00 acres) shall be open at any time for Phase 1.
14. 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 gravel pit.
15. That no activity shall occur within the Habitat Preservation Area, located on SW-31-26-W5M, as identified under the Summit Pit MSDP, Figure 7, Development Concept.
16. That all portable buildings placed onsite shall comply with the minimum DC 170 setback requirements.
17. That all signage shall be kept in a safe, clean, and tidy condition at all times.
18. That any on-site wayfinding signage including for direction and information purposes shall be permitted, where in keeping with the design of the overall development, to the satisfaction of the County.
19. That no business temporary signage shall be placed on the site at any time except any temporary signs required during development construction. No temporary signage shall be placed within the Highway Road Allowance at any time.
20. That no crushing, within Phase 1, shall occur within the restricted crushing buffer area, as identified on the Summit Pit Site Plan, as prepared by SLR, Proj. No. 21206650.00006, dated April 23, 2021, or as amended.
21. That only on-site extraction materials may be processed on-site, except on occasion whereby blend materials from off-site are required to bring products to specification.
22. That any gravel extraction and processing operation shall occur 1.00 m (3.28 ft.) above the highest recorded groundwater table, as approved with the updated groundwater table readings and includes:
 - i. That the Applicant/Owner shall implement or continue to implement a groundwater measurement program, for which the Applicant/Owner is to install piezometers within the open pit area to take monthly readings of the groundwater levels. The readings will ensure mining activities remain a minimum of 1.00 m (3.28 ft.) above the recorded groundwater levels at all times. The Applicant/Owner shall be required to keep a log to record the readings and submit any reporting to the County, upon request, and include the log and reporting in the Annual Report submissions.
 - a. That should any extraction operations negatively impact groundwater on adjacent parcels, further groundwater testing and corrective recommendations may be required, upon request from the County and/or Province, at the Applicant/Owner's expense.
23. That no topsoil shall be removed from the site and any soil materials will be salvaged in accordance with industry best practice to ensure their conservation.



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24. That all topsoil & overburden excavated within the site may be stockpiled to be used to reclaim the excavated areas. Stockpiled topsoil & overburden will be placed in the depleted areas in the same order they were removed in accordance with the Code of Practice for Pits in Alberta.
 - i. Reclamation of mined areas shall consist of the replacement of salvaged overburden, subsoil, and topsoil with a 3:1 side slope around the mined areas.
25. That any overburdened stockpiles and/or similar earthworks shall be seeded and maintained using erosion control measures.
26. That all landscaping, including the perimeter berming along the east property line, shall be installed onsite within 24 months of permit approval, in accordance with the final approved Landscape Plan, as amended.
27. That dust control measures shall be utilized for all vehicles during mining and transport of material, and shall be applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
28. That in the case of any spillage of hazardous materials, AEP and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
29. That the hours of operation, for any Natural Resource Extraction/Processing activities, shall be limited to the following:
 - i. Monday to Friday: 7:00 a.m. to 7:00 p.m.
 - ii. Saturday: 7:00 a.m. to 5:00 p.m.
 - iii. Sunday & Statutory Holidays: Closed
30. That recorded noise levels generated by aggregate operations shall not exceed *65 dba LAeq (one (1) hour)* at the receptors' location, in accordance with the approved Noise Monitoring Plan, as prepared by SLR, Proj. No. 212.06650.00006, dated April 2021 and the Acoustic Assessment Report, as prepared by SLR, Proj. No. 203.50207.00000, dated May 2020.
31. That the existing dwelling units and accessory buildings onsite shall remain deemed non-conforming, under the Direct Control District and may remain as is, until otherwise significantly altered, relocated, removed or phase extraction activities are within 150.00 m (492.13 ft.). At that time, the units shall be brought into compliance with the Direct Control District.
32. That all on-site lighting, including private, site security, and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.



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33. That the Applicant/Owner shall submit an Annual Report to the County, that includes all pertinent operation details, no later than six months after each operating year.
 - i. The report shall include but not be limited to Site Operations Manager contact information, site complaints/incident reports, groundwater elevations, all required quarterly monitoring summaries, all extraction details (tonnages and gradation exported, volumes of stockpiled onsite material), and onsite procedure updates.
34. That if this development permit is not issued by **MARCH 31, 2022**, or the approved extension date, then this approval is null and void and the development permit shall not be issued.
35. That this Development Permit, if and when issued, shall be valid for **five (5) years** from the date of issue or until the completion of Phase 1.

Advisory:

36. The Applicant/Owner shall submit payment of the Community Aggregate Payment Levy, annually, in accordance with Bylaw C-7748-2018, as amended, in the amount of \$0.40 per ton of aggregate extracted and removed.
37. That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times, except as noted or approved as conditions of this approval.
38. That at renewal stage of Phase 1, the Applicant/Owner shall, in conjunction with the other gravel pit operators in the area, work collaboratively by sharing technical information and proportionally funding, if necessary to establish and implement operating practices with an objective of mitigating cumulative effects relative to the site operation, in accordance with the Summit MSDP.
39. That a Building Permit(s) shall be obtained for any proposed buildings on-site through Building Services, prior to placement on-site.
40. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the approved Weed Management submissions and the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017]*.
41. That any other Federal, Provincial or Municipal approvals, regulations, or policies are the sole responsibility of the Applicant/Owner.
 - i. That an AEP Registration for Pit Operation and any approvals under the *Water Act* for any Wetland Disturbances shall be obtained, prior to extraction activity commencement.
 - ii. That the Applicant/Owner shall operate within the requirements of the Provincial Code of Practice for Pits at all times.
 - iii. That the Applicant/Owner shall submit confirmation that authorization and clearance have been obtained under the *Historical Resources Act*, for the onsite mining activities located on SW-31-26-03-W5M.



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- iv. That the Applicant/Owner shall submit a copy to the County, of the Pit Registration and any other Activity Plan Registrations from AEP and a copy of the issued Roadside Development Permit (RSDP029840-1) from AT.
- 42. That the Applicant/Owner shall maintain the existing access/approach, off Highway 567, to the required standard, until the intersection upgrade is complete and the existing access is reclaimed.
- 43. That no water shall be used for washing of gravel unless and until written approval has been received from AEP. If washing is approved by AEP, the washing of gravel shall adhere to the approved days and hours of operation condition on the Development Permit.
- 44. That no wash water shall be discharged off of the site or into any water channel.
- 45. That all sanitary sewage and water services shall be supplied in accordance with AEP and the *Alberta Safety Codes Act*.
- 46. That any fire suppression and abatement measures shall be followed in accordance with the Alberta Fire Code.

Should you have any questions or concerns, please contact Jacqueline Targett for assistance and quote the file number as noted above.

A handwritten signature in black ink, appearing to read 'Michelle Mitton', with a large loop at the end.

Michelle Mitton
Legislative Coordinator
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