

11.2 RE – RESOURCE EXTRACTION DISTRICT 1607/22**.1 General Purpose**

This district provides for the *extraction* and processing of *on-site* natural resources on lands. Once the *reclamation* process is complete, redistricting to the appropriate *use* is required.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building</i>	<i>Temporary asphalt plant</i>
<i>Accessory, use</i>	<i>Temporary concrete batch plant</i>
<i>Natural resource extraction</i>	<i>Data Processing Facility</i>
<i>Secondary processing</i>	

.3 Subdivision Regulations

The minimum parcel area shall be determined by the Subdivision Authority.

.4 Development Regulations

- (a) *Development* regulations for this district are at the discretion of the *Development Authority* in consideration of all application information.
- (b) *Natural resource extraction* activities having a disturbance area of less than 5.1ha (12.6ac) on a *parcel* at any time, including any associated infrastructure, *stockpiles* connected with the pit shall not be permitted.
- (c) The operating area of a *natural resource extraction* and *secondary processing use* shall not be located less than:
 - (i) 400m (1,312.3ft) from the outside wall of an existing *dwelling* or the district boundary of a multi-*lot* subdivision, hamlet, or area subject to an approved *planning document* that includes residential *development*.
 - (ii) Notwithstanding Subparagraph 11.2.4(c)(i), *natural resource extraction* of *silica sand* shall not be located less than 800m (2,624.6ft) from the outside wall of an existing *dwelling* or the district boundary of a multi-*lot* subdivision, hamlet, or area subject to an approved *planning document* that includes residential *development*.
 - (iii) Notwithstanding the above prescribed setbacks, the operating area of a *natural resource extraction* and *secondary processing use* has no defined setback from an existing *dwelling* located on the *subject parcel*.

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.

.6 Landscaping Regulations

- (a) The *natural resource extraction* and *secondary processing* operation shall be landscaped in such a manner as to mitigate nuisance produced by the *development* and operations, which may include features such as, but not limited to, the installation of a berm and/or *fence* around the perimeter of the *excavation* area.
- (b) At the discretion of the *Development Authority*, *landscaping* or *screening* may be required along the *front, rear, or side yard parcel boundaries adjacent* to public, residential or other land *uses*.
- (c) Restricted and noxious weeds are to be controlled by the *developer* to prevent the spread of weeds to neighbouring lands in accordance with provincial regulations.

.7 Site Access and Traffic Regulations

In addition to the Parking Regulations contained in Part 9 of this Bylaw, the following regulations shall apply to all *development* in this district:

- (a) At the discretion of the *Development Authority*, a traffic impact assessment may be required with a *development permit* application.
- (b) All access to the *natural resource extraction* and *secondary processing development* area shall be approved by the Development Authority. Access to the *development* areas shall be developed in a manner that ensures safe and efficient truck movement and adequate site drainage. All access to *development* areas and/or *off-site* improvements are at the sole expense of the *developer*.
- (c) For *development* areas located within 0.8km (0.5mi) of a *highway*, the *developer* shall provide the *Development Authority* with an approved permit obtained from Alberta Transportation.
- (d) A *road use* agreement, between the County and the developer of a *natural resource extraction* and/or *secondary processing* use shall be required (where Sturgeon County roads will be utilized) and shall be a condition of the development permit, and shall include the following terms and conditions:
 - (i) The speed of haul vehicles shall be limited to 60km/h, or a different speed as identified in a *road use agreement* for safety purposes.
 - (ii) The applicant shall maintain the roads daily during operations haulage. This maintenance shall keep the road surfaces in the same condition as they were prior to operations commencing.
 - (iii) No engine retarder brakes shall be allowed:
 - A. within 500 meters of a dwelling unit, and
 - B. where signs prohibit the use of engine retarder brakes
 - (iv) The applicant is responsible for dust suppression on all gravel surfaced roads that will be used under a *road use agreement*.
 - (v) All drivers must be provided with an orientation to the requirements of hauling and *road use agreement* provisions in Sturgeon County.
 - (vi) The overloading of any trucks is strictly prohibited.
 - (vii) All loaded trucks shall be covered by tarps.
 - (viii) The *road use agreement* shall also include haul routes, anticipated maintenance, dust control methods, security, signage, and participation in the Alberta Sand and Gravel Association's Central Truck Registry numbering system and other related clauses and provisions deemed necessary by Sturgeon County.
- (e) Offsite improvements to municipal infrastructure that are identified as per the recommendations of a traffic impact assessment shall be completed at the sole expense of the developer prior to the operation of *natural resource extraction* or *secondary processing* and shall require a separate *Development Agreement* with Sturgeon County.

.8 Stripping

Topsoil shall be stripped and stockpiled on-site for future reclamation prior to commencing operations.

.9 Reclamation

A proposal to reclaim a *natural resource extraction* or *secondary processing* area shall be included in the *development permit* application.

.10 Operational Hours

- (a) *Natural resource extraction* may operate 24 hours a day, seven days a week.
- (b) *Secondary processing*:

- (i) All operations should be considered to operate on a 12-hour/day shift Monday to Friday basis unless site or operational conditions warrant consideration of extended operational hours.
- (ii) Where extended hours are being considered (less than 24hrs/day 7 days per week), the hours may be based upon consideration of site characteristics, results of noise-modelling analysis, feedback from *landowners* within the minimum separation distance, and *on-site* noise suppression applications.

.11 Hours for *Hauling*

- (a) The removal of natural resources from the pit location (*hauling*) shall take place only within the hours specified by the *Development Authority*. The *Development Authority* shall have regard to, but is not bound by, the following guidelines:
 - (i) 6:00a.m. to 6:00p.m. Monday to Friday; and
 - (ii) 8:00a.m. to 4:00p.m. Saturday to Sunday and Statutory Holidays.

.12 Dust and Noise

- (a) The *developer* shall:
 - (i) Prevent noise from becoming an annoyance to *adjacent landowners* at the request of, and to the satisfaction of, the *Development Authority*. Required prevention may include, but not be limited to, locating *stockpiles* and berms to act as sound barriers and using methods of minimizing or reducing noise created by machinery and equipment. Installation of noise monitors may be required as a condition of a *development permit*.
 - (ii) Ensure compliance with provincial legislation regarding dust and air quality.

.13 Water Requirements for *Natural Resource Extraction* and *Secondary Processing Uses*

- (a) Adherence is required to Sturgeon County's Groundwater Management Plans and Ground Water Monitoring Program, where applicable.
- (b) Where a water well report is required, adherence is required to the necessary mitigation measures in the report and the hydrogeological impact assessment.

.14 Application Requirements

A *development permit application* for *natural resource extraction* and *secondary processing* shall include, but is not limited to the following:

- (a) A copy of the application for registration under the Code of Practice for Pits;
- (b) A copy of any application for approvals under the *Water Act*, and
- (c) Supplemental information addressing those stated under Subparagraph 11.2.4 to 11.2.12 of this Bylaw.

.15 Community Communications Requirements for *Natural Resource Extraction* and *Secondary Processing Uses*

- (a) The developer of all their *natural resource extraction* and *secondary processing* operations shall be required as a condition of the development permit to host a community event annually to engage with surrounding communities.
- (b) The community event shall adhere to the following criteria.
 - (i) The *developer* must host a community event and invite all *landowners*:
 - A. within 1.6km(1mi) of the boundaries of the parcel where *natural resource extraction* or *secondary processing* has been approved; and
 - B. adjacent to haul routes for the natural resource extraction or secondary processing operation, as identified in related *road use agreements*.
 - (ii) Notice of the community event must be mailed a minimum of two (2) weeks in advance of the open house (invitations must be postmarked a minimum of 14 days prior to the date of the

- community event); and provide an alternate opportunity for information provision and discussion for those community members unable to attend the community event.
- (iii) The community event must be hosted with a minimum of one (1) representative from Sturgeon County's administration in attendance.
 - (iv) The community event must include an opportunity for residents to ask questions and discuss topics of interest with the developer.
 - (v) A report summarizing the results of the community event must be provided to Sturgeon County within three months of the date of the community event.
- (c) The *developer* must provide landowner communications on a semi-annual basis.
- (d) These semi-annual landowner communications must:
- (i) be sent by mail;
 - (ii) be sent to all landowners of parcels:
 - A. adjacent to the haul route, and
 - B. that are located within 1.6km of the parcel with *natural resource extraction* or *secondary processing* operations.
 - (iii) Provide updates on relevant information about the operation, including but not limited to:
 - A. updates on quarterly monitoring or reporting results, and
 - B. any changes or updates regarding the operation that may affect or be noticed by surrounding parcels.
- (e) The developer must post signage on the parcel on which *natural resource extraction* or *secondary processing* is occurring or expected to occur. The sign placed shall:
- (i) be a condition of the development permit for a *natural resource extraction* or *secondary processing*, and not require a separate sign permit under this Bylaw;
 - (ii) utilize the standard sign design for *natural resource extraction* or *secondary processing operations*, as identified by Sturgeon County;
 - (iii) identify the purpose for which the lands are to be used;
 - (iv) identify the approximate time over which extraction of the lands will take place;
 - (v) identify the location where additional information may be obtained;
 - (vi) identify the company name and contact information where the public may discuss and request information, and
 - (vii) be placed in a location easily visible to the public.

.16 Approval Timelines

- (a) *Development permits* for the purpose of *natural resource extraction* and *secondary processing* in the County are issued for five years and will require a new permit (renewal) every five years thereafter until a final *reclamation* certificate is received from the Provincial Government.
 - (i) A report prepared by a *practicing professional* shall be submitted with a *development permit* application for renewal addressing progression of pit activities, amendments to any previous approvals and the estimated lifespan of the pit.
- (b) Natural resource extraction and secondary processing operations that currently hold a valid *development permit* as of the date of adoption of this Bylaw are permitted to continue. Once the *development permit* has expired or where an amendment to the operation is proposed, a new *development permit* shall be required and is subject to the provisions of this Bylaw.