
Aggregate Pits: Municipal and Provincial Processes

Information Session

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Agenda

1. Establishment of a Working Group
2. Aggregate Pits: Municipal and Provincial Processes
 - Role Clarity
 - Public Engagement
 - Application Process
 - Appeals
3. Public Lands Process Improvements
4. Q & As

Working Group Established

- Collaborative effort between Rural Municipalities of Alberta (RMA), Alberta Sand and Gravel Association (ASGA), and Environment and Parks (AEP).
- Working group established to work collaboratively on:
 - Improving communication
 - Increasing awareness and understanding of the role of AEP and municipalities in regulating pits
 - Creating a process document to support applicants and regulators in understanding roles and responsibilities.

Environment and Parks' Role

- Environmental management (air, land, water, and biodiversity);
- application of various provincial requirements, including the *Public Lands Act*, *Environmental Protection and Enhancement Act* (EPEA), and the *Water Act* and associated regulations, codes of practice, and guidelines.
- AEP focuses on:
 - site placement to minimize environmental risk;
 - proximity to water and water use/management;
 - wildlife and habitat;
 - air quality; and
 - reclamation/remediation.

Municipalities' Role

- *Municipal Government Act* (MGA) provides municipalities with the authority over land-use planning and development matters.
Includes:
 - municipal development plans;
 - area structure or redevelopment plans; and
 - land-use bylaws.
- Setting the permitted and discretionary land uses in land use districts (zoning) within the municipality, development standards, requirements for processing development permit applications, and issue development conditions to address a development's impacts.

Public Engagement - Current Process

- Municipalities conduct public engagement to enable aggregate development
 - Under MGA, provide notice to applicants and affected persons of any plan or land use bylaw amendment
 - First point of contact for concerns/complaints about dust/noise/traffic
- AEP requires public notice for authorizations under *Water Act*

Public Engagement – What's New?

- AEP will support municipalities during public engagement processes
- When requested, AEP staff will be available to answer questions about the environmental considerations of AEP's authorization process.
 - E.g. impacts to air, water, wildlife, etc.

AEP Application Process – What's New?

- Early in the application process, AEP refers the application to the municipality.
 - Public Lands: surface material exploration (SME), and surface material lease (SML)
 - Private Lands: surface materials registration (SMR)
- Timeline for referral is 20 business days
- AEP will consider referral response in their review
- AEP does not require a municipal response prior to making its decision if the referral period has passed

Referral to the Municipality

- Seeking information related to municipal requirements such as:
 - aggregate needed for public works (for public lands)
 - any municipal requirements / concerns AEP should be aware of?
 - municipal development plan, area structure plan, bylaws or requirements, or whether the activity is permissible with the current zoning

Which Application Comes First?

- Each level of government makes separate decisions based on legislation, regulations, policies and guidelines within their mandate.
- It is recommended that proponents either submit their provincial application(s) first, or submit their provincial and municipal applications concurrently.
- Ideally, once a proponent has the necessary approvals from AEP, they apply to the municipality

Appeals – No change

- Appeal of an AEP decisions can occur at the Environmental Appeals Board or the Public Lands Appeal Board
- Appeal of municipal decisions are guided by the MGA, which includes appeal provisions so that landowners and proponents of development have an opportunity for an independent review of municipal subdivision and development permit decisions
 - Land and Property Rights Tribunal (LPRT)

Public Lands Process Improvements

- The department continues to evaluate/improve internal processes ahead of the transition into the Digital Regulatory Assurance System (DRAS).
 - Crown Land Application Tracking
 - Regionalized Decision-Making
 - Retirement of the Aggregate Land Review (ALR) Process

Questions?



