

MINUTES

**MUNICIPAL PLANNING COMMISSION**

Mountain View County

Minutes of the **Municipal Planning Commission** held on **November 03, 2016**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

K. Walton; Chair  
D. Hedley; Member-At-Large  
H. Epp; Member-At-Large  
M. Olson; Member-At-Large

P. McKean; Councillor  
J. Sayer; Councillor  
K. Heck; Councillor

IN ATTENDANCE:

M. Pawlow; Manager of Planning Services / Acting Secretary, Municipal Planning Commission  
S. Madge; Manager of Development & Permitting Services  
J. Ross; Development Officer  
C. Mabin; Development Officer  
K. Lashmar; Recording Secretary

CALL TO ORDER:

M. Pawlow called the meeting to order at 9:06 a.m.

M. Pawlow, Acting Secretary, Municipal Planning Commission / Manager of Planning Services declared the meeting open and stated that the first order of business is the appointment of Chair of the Municipal Planning Commission for November 03, 2016.

M. Pawlow called for nominations for Chair of the Municipal Planning Commission for November 03, 2016.

K. Heck nominated K. Walton for Chair of the Municipal Planning Commission for November 03, 2016. There were no further nominations.

M. Pawlow called for nominations a second and third time.

Moved by P. McKean  
MPC 16-110 That nominations cease.

Carried.

M. Pawlow declared K. Walton as Chair of the Municipal Planning Commission effective immediately; and further, that the appointment be for the November 03, 2016 meeting.

K. Walton assumed the position of Chair.

AGENDA

MPC 16-111 Moved by H. Epp  
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of November 03, 2016 as presented.

Carried.

ADOPTION OF MINUTES

MPC 16-112 Moved by D. Hedley  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of October 20, 2016 as presented.

Carried.

PLDP20160310  
SE 14-31-3-5

Planning and Development Services presented an overview of a proposed development located at SE 14-31-3-5, and provided information as introduced in the agenda package, including the location map, aerial photos and site photos.

Planning and Development Services provided specific information to the application as follows:

- Application is for Dwelling, Secondary Detached with Attached Garage and Change of Use from Dwelling to Accessory Building (Storage Shed).
- Zoning is Agricultural District (A) and the parcel size is 158.97 acres.
- Property is located within Division 4 and the rural neighborhood of Westcott.
- Applicant – SCHNEIDMILLER, Shane & Kelly / Landowner – 962246 Alberta Ltd.
- There are currently two dwellings on the subject property however the one is not being used for residence and will be decommissioned and used for storage.
- The quarter is divided by a coulee with surrounding pasture land; cropland is on the balance of the quarter.
- Four (4) natural gas pipelines run diagonally through the south west portion of the quarter. A separate natural gas pipeline runs north-south from the developed yard site through the entire length of the quarter. This limits the location for the proposed development.
- Sloping topography limits the proposed development.
- Not within an ESA.
- The proposed dwelling is not within close proximity to the primary dwelling due to topography and the desire to preserve agricultural cropland.

Municipal Planning Commission had no questions or concerns.

Applicant was present.

MPC 16-113 Moved By P. McKean  
That the Municipal Planning Commission approve the proposed Dwelling, Secondary Detached with Attached Garage and Change of Use from Dwelling to Accessory Building (Storage Shed), in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SE 14-31-3-5 submitted by SCHNEIDMILLER, Shane & Kelly, Development Permit File No. PLDP20160310, subject to the following conditions:

**CONDITIONS:**

**The works outlined in this application are subject to the following Conditions:**

**Standard Conditions:**

1. The provisions of the Land Use Bylaw No. 15/15.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.

**Standard Conditions If Applicable:**

4. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. N/A.
7. N/A.
8. N/A.
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.
10. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

**Permits Associated with Building Construction:**

11. If the development authorized by a Development Permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the

permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

12. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regards to building, electrical, gas, plumbing, and private sewage disposal systems. Prior to construction required permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

**Additional Conditions:**

13. The existing 632 sq. ft. dwelling, as circled on the site sketch, shall be decommissioned and residential occupancy is not permitted in this structure. As per the requirements of the Land Use Bylaw No. 15/15, the maximum number of dwellings is two (2) for parcels greater than 70.0 acres. The decommissioned dwelling shall be for an accessory storage building only.
14. Use of the proposed attached garage for business/industrial /commercial or residential occupancy purposes is not permitted.
15. The location of the proposed dwelling and attached garage shall adhere to the LUB No. 15/15 Section 9.12-1- Setback from slopes. If the appropriate setback cannot be met, a geotechnical report addressing slope stability may be required.
16. That the applicant obtains and a Roadside Development Permit from Alberta Transportation.

Carried.

PLDP20160283  
NE 30-31-4-5

Planning and Development Services presented an overview of a proposed development located at NE 30-31-4-5, and provided information as introduced in the agenda package, including the location map, aerial photos and site photos.

Planning and Development Services provided specific information to the application as follows:

- Application is for Tree Clearing.
- Zoning is Agricultural District (A) and the parcel size is 150.96 acres.
- Property is located within Division 4 and the rural neighborhood of Bergen.
- Applicant / Landowner – PETROVIC, Alen & Lucy.
- Applicant has stated that all tree stumps will be left.

- Approximately a third of quarter is within an ESA; the balance of the quarter is developed farm yard and a treed subdivision.
- The entire 40 acres of proposed tree clearing is within an ESA level 4; McDougal Coulee – ESA Criteria: (8) Areas that provide a linking function and permit movement. (10) Areas with intrinsic appeal or widespread community interest (11) Areas with histories of scientific research.
- Tree clearing as identified in the Land Use Bylaw is the cutting down or removal of trees and when the proposed development is within an ESA or Hazard Lands shall require a development permit and shall be considered as a discretionary use.
- On September 23, 2016 the application was circulated to adjacent landowners within half of a mile. One response of no concern/objection and one response of concern regarding access to the proposed development. An email was received regarding the following concerns; the size of the area requested for tree clearing, access road for logging equipment and impact on surrounding landscape, stumps and brush taking years to decompose and rot, therefore being left does not justify agricultural gain.
- The subject parcel is divided by the McDougal Coulee and contains an unclassified creek.
- Natural gas pipe line south of the proposed development, with direct no impact on proposed development.
- Applicant submitted letter stating there will be no tree removal along the drainage valleys or coulee hillside.
- The proposed 40 acre development area is part of a contiguous treed area along the coulee with multiple drainage valleys that also run northeast through the area.
- A setback would be determined by the consultant conducting the proposed development.
- Administration conducted a site visit with a representative from Agricultural Services to evaluate the impact of the proposed development. It was determined the total proposed development area of approximately 40 acres would not provide equivalent productive agricultural space gain. This size of development does not ensure equal viable agricultural land is gained or ESAs are preserved as per the Municipal Development Plan (MDP) Section 1.2 New Direction and Section 6.0 Environmental Land Use Policies.
- Administration, in conjunction with Agricultural Services suggests an area of approximately 18 acres in the southwesterly portion of the proposed development area that could be considered suitable for tree clearing for agricultural purposes.

Municipal Planning Commission discussed the following:

- Clarification was asked of the applicant as to if the proposed development area will be logged.

Applicant discussed the following:

- Alen Petrovic spoke as the applicant.
- Provided clarification that whatever is salvageable for logging purposes will be logged, and everything else will be chipped and reused for garden areas or around existing trees.

MPC 16-114 Moved By M. Olson  
That the Municipal Planning Commission approve 18 (+/-) acres for the proposed Tree Clearing, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NE 30-31-4-5 submitted by PETROVIC, Alen & Lucy, Development Permit File No. PLDP20160283, subject to the following conditions:

**CONDITIONS:**

**The works outlined in this application are subject to the following Conditions:**

**Standard Conditions:**

1. The provisions of the Land Use Bylaw No. 15/15.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.

**Standard Conditions If Applicable:**

4. N/A.
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. N/A.
7. N/A.
8. N/A.
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.
10. N/A.

**Permits Associated with Building Construction:**

11. If the development authorized by a Development Permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the

permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

12. N/A.

**Additional Conditions:**

13. The Tree Clearing area is limited to a maximum area of 18 (+/-) acres within the southwest portion of proposed development area as per Schedule "A" of this Development Permit – Suggested 18 (+/-) acre Development Area. Tree Clearing area shall not include areas on slopes, along drainage valleys or along the westerly slope of McDougall Coulee. Appropriate setbacks shall be determined by a consultant.
14. Tree Clearing shall not occur between March 1 and December 1 to minimize impact on soil.
15. Hours of operation for tree clearing shall be Monday thru Saturday 7:00 am to 6:00 pm. No tree clearing operations shall occur on Sundays or Statutory holidays. Hours of operation shall be strictly adhered to.
16. Timber, brush, stumps, logs or roots shall not be piled upon adjacent lands or buried.
17. Prior to commencing tree clearing, the applicant, landowner and/or operator shall obtain Water Act approval for the installation of a creek crossing and related culvert through the Watercourse.
18. The subject area is contained within an Environmentally Significant Area – Class 4, therefore any tree clearing outside the approved 18 (+/-) acres shall require a new Development Permit.
19. The applicant, landowner and/or operator shall not generate excessive noise, smoke, odour, steam, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive to the Approving Authority.
20. The applicant, landowner and/or operator shall ensure that all truckers and/or contractors are aware of and comply with the conditions of this development permit.
21. That the applicant, landowner and/or operator contact, and if required, obtain historic resources approval; application can be made via <https://www.opac.alberta.ca/Login.aspx>. Further information can be found at <http://culture.alberta.ca/heritage/resourcemanagement/archaeologyhistory/researchpermitmanagementsystem/OPaC.aspx>  
Carried.

PLDP20160125  
NE & NW 35-32-6-5

Planning and Development Services presented an overview of a proposed and existing development located at NE & NW 35-32-6-5, and provided information as introduced in the agenda package, including the location map, aerial photos and site photos.

Planning and Development Services provided specific information to the application as follows:

- Application is for Aggregate Extraction/Processing - Gravel Pit and a Change of Use for the Existing Dwelling, Manufactured to a Security Suite with a Size Relaxation on the NE 35-32-6-5.
- Zoning is Aggregate Extraction/Processing District (AEP) and the parcel sizes are (NW) 146.46 acres & (NE) 79.29 acres.
- Property is located within Division 5 and the rural neighborhood of McDougal Flats.
- Applicant – Duane Saunders Co. Ltd. / Landowner – SAUNDERS, Kevin & Patricia.
- The area being proposed for aggregate extraction on the NW 35-32-6-5 is being used for agricultural operations presently. There is an existing aggregate extraction operation on the NE 35-32-6-5.
- Redesignation was approved by Council on September 09, 2015.
- The application was circulated on April 22, 2016 to the adjacent landowners within a mile of the subject properties. Additional information was requested and a second referral was sent out to the adjacent landowners located within a mile of the subject property on July 13, 2016.
- Multiple objections and a petition as well as a letter of support were received as a result of both referrals.
- A summary of concerns mentioned within the objection letters is as follows; hours of operation, dust control, traffic, work lights being projected, stock pile locations, reclamation, topsoil locations, berm details, landscaping, cumulative impact, environmental impacts, water quality, air quality, noise, property values.
- The applicant's response to the concerns stated that these concerns can be mitigated through conditions of the development permit, and that the expansion area is not considered a wet pit extraction.
- NW 35-32-6-5 - There is a natural gas pipeline located through the proposed area for aggregate extraction.
- NE 35-32-6-5 - There are two gas pipelines located on the property and a natural gas utility line. These have been identified on the site plan provided by the applicant and addressed through Condition #33 of the recommended conditions.
- The property indicates that a referral shall be sent to Alberta Historical Resources for comment as there is an Archaeological Resource located on the NW 35-32-6-5. Comments were received indicating a site area on the NW



35-32-6-5 that has been approved for aggregate extraction. This has been attached as Attachment 11 of this report and addressed through Condition 45.

- The existing gravel pit located within the NE 35-32-6-5 was approved with issuance of Development Permit PLDP20110283. The applicant requested changes to the approved Development Permit PLDP20110283 through an additional Development Permit application and the Municipal Planning Commission granted approval for PLDP20130049 in May of 2013 for the existing gravel pit and water heating facility. PLDP20110283 was considered void with issuance of PLDP20130049.
- The applicant explains that the existing gravel pit extraction area within the NE 35-32-6-5 is almost depleted; therefore, the applicant wishes to expand the extraction of gravel to the quarter directly west and to be able to continue to use the facilities that currently exist within the NE quarter as the main site location for this operation. The applicant mentions that the anticipated volume of material to be extracted over the life of the pit will be approximately 2,500,000 cubic meters.
- Activity within the NE 35-32-6-5 (the existing gravel pit operation) will include reclamation, processing and stockpiling of aggregate material. Operations within NW 35-32-6-5 (proposed expansion area) will include soil stripping, aggregate extraction, processing, stockpiling and reclamation. The expansion area within the NW 35-32-6-5 is considered a dry pit extraction as per the submitted application. The existing operation within the NE 35-32-6-5 is a wet pit extraction and approvals have been obtained through Alberta Environment to do so. The operating hours proposed for this application are as per the previously approved Development Permit PLDP20130049 and are proposed to be 7am until 9pm May through to October and 7am until 7pm November through to April.
- Relatively flat topography with some sloping for drainage purposes.
- Both the existing pit and proposed aggregate extraction expansion will use the same haul route. All material will be brought in through the north west portion into the north east to the existing access located along Range Road 61.
- Applicant has an existing road use agreement with the County, and upon approval of this application, a revision will have to be made to the existing road use agreement due to the increased traffic.
- The applicant must obtain a new road side development permit from Alberta Transportation due to the expansion area.
- The applicant provided a mining sequence plan, encouraging progressive reclamation on the northwest quarter section.

- The subject properties are considered Class 1 pits under Alberta Environment, therefore requiring registration through the Province.
- The north east portion contains a current registration as it is an active pit, and the applicant must adhere to Condition #31 and register the north west portion.
- Alberta Environment requires a 5 year reporting period within their registration process, allowing the Province to track the operator's open pit area and depleted areas and/or reclaimed within the pit. Securities are calculated from submitted information to the Province and a reclamation certificate is required once the pit's resources have been exhausted to ensure reclamation has been completed as per Alberta Environment's approval.

Municipal Planning Commission discussed the following:

- Clarification was asked of the applicant regarding the proposed reclamation plan and removal/use of top soil.
- Clarification was asked of the applicant if 30 acres at a time for pit operations is sufficient.
- Clarification was asked of the applicant regarding reclamation of the existing open pit.
- Clarification was asked of administration regarding review of an existing condition placed on a different aggregate extraction development permit regarding open area and reclamation.
- Clarification was asked of the applicant regarding the location of the topsoil from the current open pit area.
- Clarification was asked of the applicant in regards to removal of existing berms as part of the reclamation process.
- Clarification was asked of the applicant in regards to crushing equipment moving to new open areas or staying in the existing open pit area.
- A comment was made directed to the applicant reiterating the importance of reclamation and that there need to be standards and possibly a condition to ensure proper reclamation.
- Clarification was asked of the applicant regarding the use of the berms and that they would create noise mitigation.
- Clarification was asked of the applicant with regards to reclamation on the NE 35-32-6-5 if 80 acres is open at present, and then could 40 acres be reclaimed within 5 years.
- Administration clarified that after 5 years the development permit will be reviewed, and that reclamation is under the jurisdiction of the Province.
- Administration also clarified that the applicant holds an open registration with the Province.
- Clarification was asked of the applicant in regards to limitation of extraction on the south east corner of the north east property as per the berm that currently exists.

- Clarification was asked of the applicant in regards to Condition #36, related to chemicals that are being used on the property.
- Administration provided clarification that chemicals may include a fuel spill, oil spill and other vehicular fluids.
- Comments were made regarding possible wording change of Condition #36 to “Oils and Fuels” rather than “Chemicals”.
- Administration provided clarification that this condition stays with the properties and would be placed on any potential extractions in the future.
- After clarification was provided, MPC members were satisfied in keeping the original wording of Condition #36.
- Clarification was asked of the applicant in regards to Condition #18, related to lights being directed into adjacent properties, and how the applicant mitigates shining lights into adjacent properties.
- Clarification was asked of administration in regards to condition #21, related to installation of an identification sign. Administration clarified that identification signs are required as a standard condition of gravel pits, with the intent of being able to contact the pit owner should County staff not be available to respond to concerns/questions.
- Clarification was asked in regards to Condition #20, related to placing tarps on loads leaving the site. Administration clarified that an aggregate committee brought forward this condition as a recommendation.
- Administration clarified that this condition was solely placed by the aggregate committee, and has been placed on each aggregate extraction permit since.
- MPC members had concerns with the placement of Condition #20, and asked that it be removed.
- A comment was made by an MPC member that there are many reasons for gravel spillage on roads i.e.: uneven loads that would not necessarily be mitigated by placing a tarp on the load.
- Clarification was asked of administration if a condition could be placed on the Road Use Agreement regarding the cleanliness of the road.
- A representative from the Operations department clarified that County loads are not tarped unless the load consists of fines that would blow off of the truck.
- Clarification was asked of the Operations representative regarding Road Use Agreements and if a condition can be placed on the agreement related to the cleanliness of the road from gravel. Planning and Development administration provided clarification that Road Use Agreement related to Development Permits are different than Master Road Use Agreements handled by the Operations Department.
- Administration clarified that the Road Use Agreement for this application does provide criteria for upkeep and cleanliness of the road.

- Clarification was asked how upkeep of the road will be monitored throughout the process. Administration provided clarification that the operator is expected to keep the road free of gravel.
- Clarification was asked of the applicant whether they have been approached by Operations in regards to removal of gravel from the road.
- Administration clarified that a Master Road Use Agreement could be put in place that holds a larger security, to be considerate the business that is being conducted on site.
- Clarification was asked regarding Condition #20 being amended to state that excess materials be cleaned off of the trucks.
- Clarification was asked of the applicant regarding the use of dust mitigation.
- Clarification was asked regarding an additional condition being placed on the development permit relating to reclamation of the existing pit.
- Clarification was asked of the applicant if 40 acres being utilized for extraction would be acceptable in 5 years to mitigate any reclamation concerns.
- Comment was made regarding having consistency of acres being used for extraction and reclamation for each aggregate extraction development permit.
- Clarification was asked of administration regarding a preference of a condition being placed on the development permit or a road use agreement, related to gravel on the road and who is going to inspect and follow up. Operations representative clarified that their Road Use Agreements are utilized for oil and gas and not used for gravel pit operations.
- Clarification was asked in regards to who would follow up on inspections, Operations representative clarified the Industry Monitor handles this, and if there is an issue the operator in violation is contacted.
- Clarification was asked of Operations whether damage of the road is inspected or debris dropped on the road. Operations clarified that they look for all possible issues.
- Suggestions for a revision to Condition #20 and the creation of 2 additional conditions were given by an MPC member.
- Clarification was asked regarding who will follow up regarding compliance to Condition #20, administration clarified that compliance will be dealt with on a complaint basis.
- Clarification was asked regarding Condition #47 and if plans need to be seen before a motion is made by the Commission to deal with the application, as it is a prior to issuance condition the Commission, plans do not need to be seen to carry the application.
- The Municipal Planning Commission took a break at 10:27 a.m. and reconvened at 10:44 a.m.

- Administration presented the revision to Condition #20 as well as additional Conditions #48 & #49.
- Clarification was asked regarding Condition #32, relating to Alberta Transportation, and if the application borders any Alberta highways. Administration clarified Highway 584 borders this application.
- Clarification was asked of a public member as to how specific conditions could mitigate potential concerns with this application. Robert Beuck provided clarification related to his concerns with Condition #36, and if a condition could either be amended or put in place to ensure there is no contamination of drinking water.
- Administration clarified that water contamination falls under the jurisdiction of the Water Act. Water contamination concerns need to be dealt with through the Province.
- Clarification was asked of a public member as to how specific conditions could mitigate potential concerns with this application. Judy Madsen provided clarification related to concerns with Condition #19 relating to dust control within the pit. Administration clarified that the Province deals with dust control within the pit as part of the Code of Practice for pits and Condition #19 of the recommended conditions.
- Clarification was asked regarding the hours of operation and if all operations related to the pit fall under the hours of operation i.e. crushing, hauling etc. Administration clarified that all operations fall under the hours of operation.

Applicant discussed the following:

- Kevin Saunders spoke as the applicant.
- Applicant clarified that there are 7 mining blocks to the new pit, and each block will be reclaimed as it is used/depleted using sub soil and top soil from the previous block for reclamation.
- Applicant clarified that 30 acres of extraction at a time is sufficient.
- Applicant clarified that there will be some reclamation of the existing pit, excluding a wash plant area, stock piles, as room is still needed to complete processing.
- Applicant clarified that some of the top soil has been used to create berms and the remainder of top soil and sub soil has been placed in piles.
- Applicant clarified that some adjacent landowners/complainants have requested that the berms be left and the others have requested not to have berms, however, to complete the reclamation process the berms will be removed.
- Applicant clarified that the crushing equipment will be moved to new open pit areas for use.

- Applicant rebutted to reiteration regarding the importance of reclamation and that within a 5 year period complete reclamation is possible.
- Applicant clarified that comments have been made regarding noise mitigation and the best method thus far has been to place stock piles between adjacent landowners and the equipment, and that the higher the berm is, the more the noise carries.
- Applicant clarified that stock piles cannot be moved unless product is sold.
- Applicant clarified that the berm placed at the south east corner is to mitigate noise as per setbacks.
- Applicant provided clarification that there are no chemicals being used; however oil and diesel fuel would be utilized.
- Applicant provided clarification in regards to Condition #18 and that the operating hours only create the potential for an hour or two of light use and mostly in winter months.
- Applicant expressed his concerns regarding tarping loads leaving the site, as he would then not be able to sell product to the County. The County should have a bylaw in place as the County does not tarp loads.
- Applicant clarified that paving the approach to the site has created some mitigation for gravel spillage.
- Applicant clarified that they have not been approached by Operations regarding removal of gravel from the road.
- Applicant clarified that no dust mitigation is used.
- Applicant clarified that he would need more time to determine if 40 acres is acceptable for reclamation.

Moved By J. Sayer

MPC 16-115 That the Municipal Planning Commission approve the proposed and existing Aggregate Extraction/Processing - Gravel Pit and a Change of Use for the Existing Dwelling, Manufactured to a Security Suite with a Size Relaxation on the NE 35-32-6-5, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within the NW and NE 35-32-6-5 submitted by Duane Saunders Co. Ltd., Development Permit File No. PLDP20160125, subject to the following conditions:

**CONDITIONS:**

**The works outlined in this application are subject to the following Conditions:**

**Standard Conditions:**

1. The provisions of the Land Use Bylaw No. 15/15.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in

contravention to the terms and conditions of the permit and/or Land Use Bylaw.

**Standard Conditions If Applicable:**

4. N/A
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. N/A
7. N/A
8. N/A
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.
10. If the development authorized by a development permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

**Permits Associated with Building Construction:**

11. N/A
12. N/A

**Additional Conditions:**

13. Summer hours – From May thru October the hours of operation for the gravel pit including but not limited to crushing/loading/hauling/landscaping maintenance/sales of aggregate and water, shall be Monday thru Saturday 7:00 am to 9:00 pm. No operation of the pit shall occur on Sundays or Statutory holidays. Hours of operation shall be strictly adhered to.
14. Winter hours – From November thru April the hours of operation for the gravel pit including but not limited to crushing/loading/hauling/landscaping maintenance/sales of aggregate and water, shall be Monday thru Saturday 7:00 am to 7:00 pm. No operation of the pit shall occur on Sundays or Statutory holidays. Hours of operation shall be strictly adhered to.
15. On the occasion that the applicant, landowner and/or operator wishes to extend the hours of operation for crushing purposes other than the hours specified in Condition #13 and #14, the operator shall obtain and submit to Mountain View County

written consent from the majority of adjacent landowners within a half (1/2) mile of the subject property.

16. The applicant, landowner and/or operator shall be permitted to use one (1) truck (single tandem gravel truck with hopper/spreader insert) for the purpose of sanding on a 24 hour basis for seven (7) days a week. This does not include any hauling of aggregate product, as this would be subject to Condition 13 & 14.
17. The applicant, landowner and/or operator shall conform to the signed Road Use/Haul Route Agreement for all existing pit operations on the NW and NE 35-32-6-5. Prior to operations commencing on the NW an amendment to the signed Road Use/Haul Route Agreement shall be approved by Mountain View County.
18. The applicant, landowner and/or operator shall not direct lights from trucks and equipment towards the adjacent residences. All lights shall be pointed so that they do not negatively affect the neighboring lands.
19. The applicant, landowner and/or operator shall provide dust control within the operation of the gravel pit to ensure there is no adverse impact to adjacent landowners and residences.
20. The operator and all parties leaving the pit shall ensure all loads leaving the pit are free of material outside of the haul box of the vehicle.
21. The applicant, landowner and/or operator shall install an identification sign at the entrance of the gravel pit. This sign must be legible and shall include the name of the pit, the legal land descriptions and rural address information, contact information, and hours of operation.
22. Soils shall be separated into top soil and sub soil piles and all piles and berms shall be seeded to prevent the contents from being blown off-site and shall be used for reclamation purposes within the pit.
23. Asphalt plants are not permitted to be placed on the NW and NE 35-32-6-5. Should this be required a new development permit shall be obtained from the County.
24. The applicant, landowner and/or operator shall obtain Water Act approval from Alberta Environment for the wash plant facility and water heating facility located on site.
25. The applicant, landowner and/or operator shall ensure that all contractors removing water from the subject property have approval to do so through the Water Act from Alberta Environment.



26. The applicant, landowner and/or operator shall observe and practice the standard code of practice for pits as described within the "A Guide to the Code of Practice for Pits" published by Alberta Environment.
27. That the applicant, landowner and/or operator complies with Section 6.6.2 Extraction Setbacks of the "A Guide to the Code of Practice for Pits" for the southerly gravel pit setbacks from the property lines.
28. The applicant, landowner and/or operator shall implement the phasing and reclamation plan consistent with their submitted application for the NW and NE 35-32-6-5 and return the pit back to agricultural use. Any additional uses for the subject property shall require the issuance of permits from Mountain View County. Any changes to the phasing and reclamation plan shall be submitted to Mountain View County and may require a new Development Permit.
29. The applicant, landowner and/or operator shall maintain a minimum 165 meter setback from dwelling units located adjacent to the NW and NE 35-32-6-5.
30. The applicant, landowner and/or operator shall conform to the noise control methods identified within Section 6.7.1 of "A Guide to the Code of Practice for Pits" published by Alberta Environment
31. The applicant, landowner and/or operator shall obtain all provincial registration/approvals from Alberta Environment and Parks for the existing and proposed gravel pit expansion within NW and NE 35-32-6-5.
32. That the applicant, landowner and/or operator obtain a new Roadside Development Permit from Alberta Transportation.
33. The applicant, landowner and/or operator shall submit to Mountain View County approval to extract up to the pipeline right of way's identified on the subject properties. This shall be provided within 60 days of the date of approval.
34. That the applicant, landowner and/or operator shall meet any standards and obtain any approvals and inspections required under the Fire Code or Petroleum Tank Management Association of Alberta.
35. The applicant, landowner and/or operator shall restrict the use of engine retarder brakes within the pit operating area.
36. The applicant, landowner and/or operator shall dispose of any chemicals collected and contained on site at an approved waste facility in a timely manner to prevent possible soil contamination. Any contamination clean up shall be the responsibility of the applicant, landowner and/or operator.

37. The applicant, landowner and/or operator shall be limited to burn Class A material (ordinary combustible materials that burn with an ember and leave an ash) on site, within a self-contained metal bin to allow for ash to be removed and disposed of properly.
38. The applicant, landowner and/or operator shall be permitted to leave the manufactured dwelling on the subject property to act as Security Suite for the gravel pit operation.
39. Positive drainage shall be maintained throughout the life of the pit as per the submitted Reclamation Plan Illustration #10-11 and shall be in consultation with Mountain View County.
40. The applicant, landowner and/or operator shall ensure that all truckers and/or contractors are aware of and comply with the conditions of this development permit relating to the operation of the gravel pit.
41. The applicant, landowner and/or operator shall comply with the Mountain View County's Community Aggregate Payment Levy Bylaw.
42. A change of use and size relaxation for the existing Dwelling, Manufactured to a Security Suite located on the NE 35-32-6-5 is be granted for the life of the building.
43. Issuance of this Development Permit and commencement of the development shall replace the Aggregate Extraction/Processing portion of Development Permit #PLDP20130049. The Water Heating Facility portion of PLDP20130049 still remains in effect.
44. If the development authorized by this Development Permit is not commenced within 5 years from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect; therefore, PLDP20130049 will remain in effect on its entirety.
45. This permit shall be reviewed by administration every five (5) years to confirm compliance with the above conditions. If the review confirms non-compliance, the Approving Authority will take the appropriate actions to remedy the non-compliance.
46. The applicant, landowner and/or operator shall conform to Schedule A of this Development Permit which indicates the assessed and approved footprint as identified by Alberta Historic Management Branch of Alberta Culture and Tourism when carrying out all operations and development of the gravel pit expansion within the NW 35-32-6-5 unless otherwise approved by Alberta Historic Management Branch of Alberta Culture and Tourism and submitted to Mountain View County.

**Prior to Issuance Conditions:**

47. Prior to Issuance of the Development Permit the applicant, landowner and/or operator shall provide the County with a detailed landscaping plan to screen the pit operations from the adjacent neighbor to the south of the expansion area within the NW 35-32-6-5. The plan may include vegetative screening and/or a berm to be placed along the south boundary of the pit operation to the satisfaction of the Development Officer.

**Additional Conditions:**

48. The applicant, landowner and or operator shall implement progressive reclamation consistent with their submitted application and return the pit back to an agricultural use with an end pit water body in conformance with Alberta Environments approvals. Any additional uses for the subject property shall require the issuance of permits from Mountain View County. A maximum of 13 hectares (32 acres) in total shall be disturbed at any one time (excluding access roads) on the NW 35-32-6-5; the remainder of the pit area within the NW 35-32-6-5 shall either remain in its natural state or reclaimed.

49. Within five (5) years from the date of the issuance of the Development Permit, the applicant, landowner and or operator shall ensure that there is no more than 16 hectares (40 acres) of total disturbed lands (excluding access roads) remaining on the NE 35-32-6-5.

Carried.

**CORRESPONDENCE**

Information Items

MPC 16-116

Moved by P. McKean

That the Municipal Planning Commission receive the following items as information:

- a) ASDAA Agenda from October 25, 2016
- b) Permitted Development Permits Approved

Carried.

**ADJOURNMENT**

MPC 16-117

Moved by D. Hedley

That the Municipal Planning Commission of November 03, 2016 be adjourned at 11:00 a.m.

Carried.

Adopted November 17, 2016

\_\_\_\_\_  
Chair

I hereby certify these minutes are correct.

\_\_\_\_\_  
Secretary, Municipal Planning Commission