



Mountain View
C O U N T Y

NOTICE OF DECISION

August 01, 2019

File No.: PLDP20190175

Sent via email and mail: billrbo@gmail.com

RICHARDSON BROS (OLDS) LIMITED
BOX 19 SITE 11 RR 3
OLDS, AB T4H 1P4

Dear Bill Turville:

RE: Proposed Development Permit
Legal: SW 30-30-4-5
Development Proposal: Aggregate Extraction/Processing (Expansion - 26.69 acres/10.8 hectares) for a maximum gravel pit size of 39.53 acres/16.0 hectares and Accessory Building (Scale Shack)

The above noted Development Permit Application on the SW 30-30-4-5 for a Aggregate Extraction/Processing (Expansion - 26.69 acres/10.8 hectares) for a maximum gravel pit size of 39.53 acres/16.0 hectares and Accessory Building (Scale Shack) was considered by the Municipal Planning Commission on August 01, 2019.

The following policies were taken into consideration by the Municipal Planning Commission when reviewing the application:

Municipal Development Plan Bylaw No. 09/12	Section 8.0 Natural Resources
Land Use Bylaw No. 16/18	Section 4.5 Community Consultation Program Section 9.16 Topsoil Management and Removal Section 10.11 (a) Aggregate Extraction/Processing Section 14.3 AEP Aggregate Extraction/Processing District Discretionary Use

The Municipal Planning Commission concluded that a Aggregate Extraction/Processing (Expansion - 26.69 acres/10.8 hectares) for a maximum gravel pit size of 39.53 acres/16.0 hectares and Accessory Building (Scale Shack) is suitable development for SW 30-30-4-5 and conforms to the above noted policies.

As such, the Municipal Planning Commission has approved the application subject to the following conditions:

STANDARD CONDITIONS:

T 403.335.3311 1.877.264.9754 F 403.335.9207
1408 · Two Rd 320 Postal Bag 100 Didsbury, AB, Canada T0M 0W0
www.mountainviewcounty.com

Building Rural Better

1. The provisions of the Land Use Bylaw No. 16/18.
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.
4. If the development authorized by a Development Permit is not complete 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.

STANDARD CONDITIONS IF APPLICABLE:

5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. N/A
11. N/A

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

12. N/A

PRIOR TO ISSUANCE CONDITIONS:

13. **PRIOR TO ISSUANCE:** The applicant, landowner and/or operator shall sign an updated the Road Use/Haul Route Agreement related to the Development Permit PLDP20190175 for expansion of Aggregate Operations commencing within SW 30-30-4-5. The designated haul route is; from the entrance of the gravel pit east 4.3 km along Township Road 304 (paved surface) to Highway 22. The applicant, landowner and/or operator shall ensure any persons leaving the pit are aware of the designated haul route for the gravel pit.

ADDITIONAL CONDITION(S):

14. Regular Hours of Operation for the gravel pit including stripping and stockpiling, aggregate extraction, loading, crushing, hauling and truck traffic 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 #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. Additional uses other than the Aggregate Extraction & Processing on the SW 30-30-4-5 will require issuance of a new Development Permit.
17. The applicant, landowner and/or operator shall provide dust control within the operation of the gravel pit to ensure there are no adverse impacts to adjacent landowners and residences.
18. The applicant, landowner, and/or operator shall reduce or restrict the use of engine retarder brakes and reduce the amount of heavy gearing within the pit operating area.
19. All trucks leaving the pit shall be free of materials outside of the haul box of the vehicle.
20. The applicant, landowner and/or operator shall comply with the Mountain View County's Community Aggregate Payment Levy, Bylaw No. 14/11.
21. The applicant, landowner and/or operator shall ensure a stop sign is where the pit's approach enters onto the municipal road and there shall be an identification sign at the entrance of the gravel pit property. This sign must be legible and shall include the name of the pit, the legal and rural address, contact information, and Hours of Operation.
22. Soils shall be separated into topsoil and subsoil piles. 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. Positive drainage shall be maintained throughout the life of the pit and shall be in consultation with Mountain View County.
24. The applicant, landowner and/or operator shall maintain 165 meter setback from any dwelling and shall maintain a natural treed buffer on the north easterly boundaries, as indicated on the site sketch, to create a visual site barrier. The buffer shall remain for the life of the pit.
25. The applicant, landowner and/or operator shall implement the phasing and reclamation plan consistent with their submitted application for the SW 30-30-4-5 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. A maximum of 30 acres in total shall be disturbed at any one time (excluding access roads); the remainder of the pit shall either remain in its natural state or reclaimed.
26. This approval is for an Aggregate Extraction & Processing (Expansion - 26.69 acres/10.8 hectares) for a maximum size of 39.53 acres/16.0 hectares. The Operation Regulations shall cease to apply to the 12.85 acres/5.2 ha with the issuance of this Development Permit. The applicant, landowner and/or operator shall obtain all provincial registration/approvals from Alberta Environment and Parks for the proposed expansion of the gravel pit within SW 30-30-4-5.
27. Portable batch plants are not permitted within SW 30-30-4-5 with this Development Permit. Should a portable batch plant be required, a Development Permit shall be obtained from the Mountain View County. Wet scrubber systems shall not be allowed through the permitting process for portable batch plants.
28. The Aggregate Extraction & Processing located within SW 30-30-4-5 is approved as a Dry Pit only.
29. A final reclamation certificate shall be obtained from Alberta Environment and submitted to Mountain View County upon completion/reclamation of the gravel pit area.

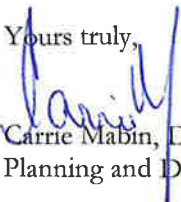
30. The applicant, landowner and/or operator shall observe and practice the Standard Code of Practice for Pits as described within the “A Guide to the Code of Practice for Pits” published by Alberta Environment.
31. The applicant, landowner and/or operator shall conform to the noise control methods identified within Section 6.7.1 Noise of the “A Guide to the Code of Practice for Pits” published by Alberta Environment.
32. That the applicant, landowner and/or operator complies with Section 6.2.2 Extraction Setbacks of the “A Guide to the Code of Practice for Pits” published by Alberta Environment for the gravel pit setbacks from the property lines.
33. 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.
34. Subject to obtaining a Fire Permit, 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.
35. This permit shall be reviewed by Administration every five (5) years to confirm compliance with the above conditions. In addition, and as part of the Administrative Compliance Review, the applicant, landowners and/or operator shall submit to Administration an up to date activities plan with a site plan containing the following information: Total Pit Area, Active Pit Area, Reclaimed Area, Certified Area from the Registration with Alberta Environment.

A Notice of Decision for this Development Permit, that lists all the conditions and includes the site plan, will be placed on the County's website at <http://www.mountainviewcounty.com/home-property-development/recent-decisions>. This decision will also be advertised on **August 06, 2019** and **August 13, 2019** in the Mountain View Gazette. Should you wish to appeal this decision, or any of its conditions, you must file your appeal to the Subdivision & Development Appeal Board, at the County Office, prior to 4:00 pm on **August 22, 2019**. Enclosed is a copy of the appeal provisions which outlines your right to appeal this decision pursuant to Section 685(1) of the Municipal Government Act. Please note that if development commences prior to the end of the appeal period, a fine as specified in Section 7 of Land Use Bylaw No. 16/18 will be applied.

Following the appeal period, should no appeals be submitted, you will receive a letter detailing the “Prior To Issuance” conditions that must be met prior to the Development Permit being issued. Once all “Prior To Issuance” conditions have been met, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 135 or by email at cmabin@mvcountry.com.

Yours truly,



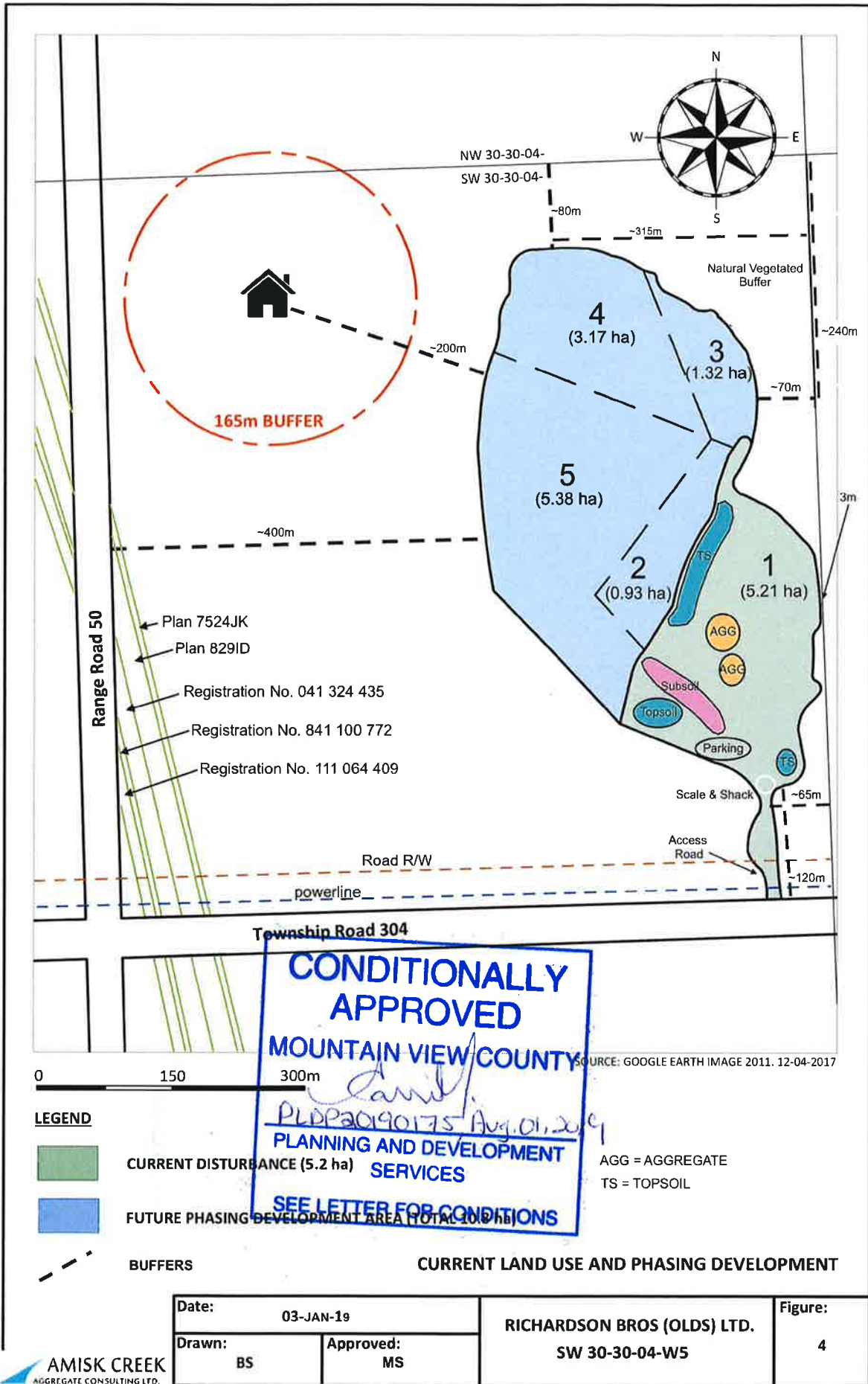
Carrie Mabin, Development Officer
Planning and Development Services

/s/

Enclosures

cc: PENNER, CURTIS RAY & BONITA JEAN [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]







Mountain View
C O U N T Y

NOTICE OF DEVELOPMENT APPEAL

1408 Twp. Rd. 320 / Postal Bag 100, Didsbury, AB Canada T0M 0W0
T 403.335.3311 F 403.335.9207 Toll Free 1.877.264.9754
www.mountainviewcounty.com

Excerpt from the Municipal Government Act, Section 685 - Grounds for Appeal

685(1) - If a development authority:

- (a) fails or refuses to issue a development permit to a person,
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under section 645,
- the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

File Number of the Development Application: _____

APPELLANT: Name: _____ Telephone: _____
Address: _____
Email: _____

LANDOWNER: Name: _____ Telephone: _____
Address: _____

LAND DESCRIPTION: Registered Plan: _____ Block: _____ Lot: _____
Part: _____ Section: _____ Twp.: _____ Range: _____ Meridian: _____

THIS APPEAL IS COMMENCED BY, ON BEHALF OF:

(a) _____ Adjacent Landowner (Fee \$425.00) (b) _____ Developer/Applicant/Landowner (Fee \$425.00)

REASON(S) FOR THE APPEAL (use additional paper if required):

The personal information on this form is being collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act (FOIP) and *Municipal Government Act* Sections 678 and 686 for the purpose of preparing and conducting an Appeal Hearing. By providing the above personal information, the applicant consents to the information being made available to the public and Appeal Board in its entirety under Section 17(2) of the Alberta Freedom of Information and Protection of Privacy Act. Any inquiries relative to the collection or use of this information may be directed towards to: Mountain View County FOIP Coordinator 1408 - Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0 Ph: 403-335-3311

Signature of Appellant/Agent

Date