

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **September 15, 2010**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: L. Burrell; Member-At-Large/Chair
G. Harris; Member-At-Large
D. Kearney; Member-At-Large
L. Schafer; Member-At-Large
A. Kemmere; Reeve
G. Ingeveld; Councillor
E. Page; Councillor

IN ATTENDANCE: D. Plamping; Chief Administrative Officer
D. Hawryluk; Director of Planning & Development Services
S. Madge; Manager of Development & Permitting Services
J. Ruhe; Development Officer
C. Keleman; Recording Secretary

CALL TO ORDER: L. Burrell called the meeting to order at 1:02 p.m.

AGENDA MPC 10-154 Moved by D. Kearney
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of September 15, 2010 as amended with the addition of item 8.4 - Review of Section 654 of Municipal Government Act.
Carried

ADOPTION OF MINUTES MPC 10-155 Moved by G. Harris
That the Municipal Planning Commission defer the adoption of the minutes of the Municipal Planning Commission meeting of September 1, 2010 to the next Municipal Planning Commission meeting to allow for ensurance of accuracy.
Carried

SUBDIVISION TIME EXTENSIONS MPC 10-156 Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivisions SD 08-053/ SW 20-30-2-5 (Ryan) and SD08-030/ SW 21-31-28-4 (Kendze).
Moved by G. Harris
Thatthe Municipal Planning Commission approve a time extension for conditionally approved subdivision SD 08-053/ SW 20-30-2-5 (Ryan) to September 23, 2010.
Carried

MPC 10-157 Moved L. Schafer
That the Municipal Planning Commission approve a time extension for conditionally approved subdivision SD08-030/ SW 21-31-28-4 (Kendze) to November 17, 2010.

Carried

PLDP20090000077
SE 22-32-2-5

Planning and Development Services presented an overview of a proposed development located at SE 22-32-2-5, and provided information as introduced in the agenda package, such as the location map and aerial photos.

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

- Proposal to develop a Natural Resource Extraction (Gravel Pit) and Related Facilities
- Zoning is Agricultural
- Parcel size is 158 acres. Project size is 9.53 acres.
- There are no environmentally significant areas on the parcel.
- Proposed haul route.
- Adjacent land owners have been notified and letters of concern have been submitted by some of them. The main issues of concern were: hours of operation, noise and dust control.

Municipal Planning Commission discussed the following:

- Confirmation that the letters of objection/concern were received and reviewed by members of the Municipal Planning Commission.
- Clarification of the location of adjacent land owners that submitted letters of concern.
- Discussion regarding the use of straw bales as a sound barrier on the proposed site.
- Clarification of the interpretation of Conditions #4 and #19 regarding dust control.
- Discussion of removal of Condition #4.
- Clarification that the remainder of the quarter section is in crop land.
- The reason for the proposed hours of operation that do not include Saturdays.

Applicant discussed the following:

- Bill Turville of Richardson Bros. (Olds) Ltd. was in attendance and stated that overall they could work with the proposed conditions.
- Would take the use of straw bales into consideration when looking at ways to mitigate noise issues.
- Awareness and acceptance of the responsibility of dust control.

MPC 10-158 Moved By D. Kearney
That the Municipal Planning Commission approve the proposed Natural Resource Extraction (Gravel Pit) and Related Facilities, in accordance with the Land Use Bylaw 55/95 and the submitted application, within SE 22-32-2-5, submitted by RICHARDSON BROS (OLDS) LIMITED, Development Permit PLDP2009000077, subject to the following conditions:

Standard Conditions:

1. The provisions of the Land Use Bylaw No. 55/95.
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. N/A.

Permits Associated with Building Construction:

10. N/A
11. N/A

Additional Conditions:

12. Approval is granted for a gravel pit operation of 3.855ha (9.53 Ac.) This includes any reclamation required to bring the pit boundaries compliant with the required setbacks for undisturbed buffer zones. Any expansion beyond the 3.855ha will require a new development permit.
13. The applicant shall submit a revised surveyed site plan that incorporates set backs and buffers satisfactory to the approving

authority. A three (3) metre undistributed buffer zone from the south property line shall be clearly indicated in the revised site plan. The revised site plan shall still provide for a 69.73 metre set back from the west boundary, a 599.29 metre set back from the north boundary and a 429.38 metre set back from the east boundary as shown in the submitted site plan. The site plan shall be submitted to Mountain View County by October 1, 2010.

14. This approval is granted for 36 consecutive months and all gravel extraction and reclamation shall occur within or before this time frame.

15. Regular hours of operation for the gravel pit including truck traffic, excavations, crushing and screening shall be Monday thru Friday 7:00 am to 6:00 pm. No operation of the pit shall occur on Saturdays, Sundays or Statutory holidays. Hours of operation shall be strictly adhered to.

16. On the occasion that the operator wishes to extend the hours of operation for crushing purposes other than the hours specified in condition #15, 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.

17. The maximum number of loads per day shall not exceed 40.

18. PRIOR TO ISSUANCE OF THE PERMIT, the operator/owner shall enter into a Gravel Haul Route Agreement/Road Use Agreement with Mountain View County which will confirm that the haul route shall be north from the pit for 1.5 miles on Range Road 23 onto township road 324, then east to Highway 2A, and/or north on Range Road 22 to Highway 27. This agreement shall include provisions to be taken in regards to dust control. Any revisions or amendments to the identified haul route will require notification to and/or possible approval from Mountain view County. This agreement shall be completed within 60 days of this approval. (a letter of credit amounting to \$25,000 shall be a requirement of this agreement).

19. The operator shall provide dust control along the haul routes as described in condition #18 as per the provisions outlined in the Gravel Haul route Agreement/Road Use Agreement, and further, shall provide dust control over the operation of the gravel pit to ensure there is no adverse effect to adjacent land owners and residences.

20. The applicant/operator shall provide for signage 150 metres each direction of the entrance to the pit off of Range Road 22, a "open pit" sign at the access road entrance and "trucks entering" sign on Highway 27 west of Range Road 22.

21. The applicant/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 owner/operator.
22. The applicant/operator shall implement the reclamation plan consistent with their submitted application and return the pit back to agriculture use.
23. The applicant shall make every effort to reduce noise and dust and provide buffering wherever possible to ensure the least amount of impact to the residential subdivisions located to the east is being accomplished.
24. Soils shall be separated into top soil, 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.
25. The applicant/operator shall observe and practice the standard code of practice for pits as described within the "A Guide to the Code of Practice Pits" published by Alberta Environment.
26. The applicant/operator shall obtain sign permit from Alberta Transportation for the signage required along Provincial Highway 27 as described in condition # 20.
27. This permit shall expire 36 months from date of issuance. A new development permit shall be required should the applicant wish to continue to operate the gravel pit.

Carried

MPC MEETING
ROTATION

Planning and Development Services reported that October 20, 2010 and November 4, 2010 are the two (2) meetings after the election. Post election, Council has a re-organizational meeting and will be appointing Council members to committees which will include the MPC. To accommodate this process as well as for their orientation it would be practical to have these two meetings attended by only Members At Large.

Moved By G. Harris
MPC 10-159 That the Municipal Planning Commission approve the attendance of only Members at Large for the MPC meetings on occasion when Council members are not available, or on specific requests of Council, which will include October 20, 2010 and November 4, 2010.

Carried

REVIEW OF SECTION 654
OF MUNICIPAL
GOVERNMENT ACT

Planning & Development Services Director Diana Hawryluk presented an overview of Section 654 of the Municipal Government Act which deals with the approval of a subdivision application.

Specific reference was given to Section 654(2)(a) and the term 'unduly interfere'. When refusing an application, MPC must be specific and articulate why the subdivision would unduly interfere with the amenities of the neighborhood.

CORRESPONDENCE
Information Items

- Moved by G. Harris
- MPC 10-160 That the Municipal Planning Commission receive the following items as information:
- a) Subdivision Development Appeal Board Decision of August 12, 2010 Appeal
 - b) ASDAA Agenda from August 31, 2010
 - c) Permitted Development Permits Approved

Carried

ADJOURNMENT

- Moved by L. Schafer
- MPC 10-161 That the Municipal Planning Commission of September 15, 2010 be adjourned at 1:49 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Director of Planning and Development