

**MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD  
(THE "BOARD") MEETING HELD IN COUNCIL CHAMBERS AT THE COUNTY OFFICE ON  
JANUARY 29, 2018**

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**CALL TO ORDER**

Chairperson, P. Kobasiuk, called the meeting to order at 4:01 pm.

**PRESENT**

Members: P. Kobasiuk, J. Smith, G. MacDougall, K. Linder, L. Niblock

Clerk: B. Williams, Legislative Officer

Counsel for the Board: A. Simmonds

Recording Secretary: L. Tyerman

**ADOPTION OF AGENDA**

Moved by L. Niblock that the January 29, 2018 agenda be adopted, as presented.

**Carried**

**ADOPTION OF MINUTES**

- I. Moved by G. MacDougall that the September 11, 2017 meeting minutes be adopted, as presented;

**Carried**

- II. Moved by K. Linder that the September 25, 2017 meeting minutes be adopted, with amendments, by replacing the word "acre" with the word "section" referred to in paragraph 1 of the section "Submission of the Subdivision Authority";

**Carried**

- III. Moved by L. Niblock that the November 6, 2017 meeting minutes be adopted, as presented;

**Carried**

- IV. Moved by J. Smith that the November 20, 2017 meeting minutes be adopted, as presented.

**Carried**

**NEW BUSINESS**

**4:10 p.m. Appointment**

An appeal of conditions of approved Development Permit No. 82-D-019 for Continuing the Use of Natural Resource Extraction/Processing at 4229 Township Road 504, NW-22-50-4-W5M.

The Chairperson opened the Hearing at 4:14 p.m.

**Present Administration Staff**

K. Kormos, Development Planner

F. Long, Development Planner

The Chairperson introduced B. Williams, Clerk to the Board. The Chairperson advised that it is the Board's practice to have the Clerk participate in private discussions with the Board and

asked those present if there were any objections; there were none. The Clerk introduced the Appeal into the record.

The Chairperson acknowledged that the Appellant, E. Stanier of Border Paving Ltd. was not in attendance at the meeting. There were also no persons present in the gallery. No requests for postponement or additional submissions were received prior to the hearing.

#### **Submission of the Development Authority**

Ms. Long read the administrative report for Development Permit No. 82-D-019 into the record and provided the Board with the following information:

The Appellant, Border Paving Ltd. is appealing conditions of an Approved Discretionary Development Permit for Natural Resource Extraction/Processing. The permit was originally approved in 1982, and the site is within the boundaries of a larger pit. The permit has been continually renewed with varying expiry dates. The most recent approval was issued in November 2012 by the Subdivision and Development Appeal Board (the SDAB), with a condition that it would expire in 5 years.

On November 27, 2017, the Development Authority accepted a development permit application to continue the use of Natural Resource Extraction/Processing use on the subject lands. At the time, the Applicant did not request any changes to the conditions set out by the SDAB in 2012. On December 4, 2017, the Development Authority approved this application with the same set of conditions issued by the SDAB when it approved Development Permit No. 82-D-019 in 2012.

Ms. Long explained that the Appellant is appealing the following conditions of the permit:

#### **Condition 4. Hours for hauling**

The hours of hauling currently approved for the permit are not consistent with other gravel operations in the area. The current approved hours for hauling are 7:00 a.m. – 7:00 p.m. Monday to Friday, 8:00 a.m. to 4:00 p.m. Saturday with no hauling on Sundays. Section 12.12.6 of the Land Use Bylaw requires the hours of hauling for a gravel pit operation to be 6:00 a.m. to 6:00 p.m. Monday to Friday, 8:00 a.m. to 4:00 p.m. Saturday, with no hauling on Sundays. Other gravel operations in the area are operating during the hours of hauling as set out in the Land Use Bylaw. Ms. Long said that the total window of truck activity on the roads is extended by 1 hour due to the difference in hauling hours between the subject permit and the surrounding gravel pits in the area.

#### **Condition 10. Jake brakes**

Condition 10 stipulates that trucks while hauling on Range Road 43 shall not use jake brakes (engine brakes). Ms. Long explained that the road is hilly and engine brakes ensure safe operation of vehicles on County roads.

#### **Condition 12. Asphalt production**

Condition 12 states that the development permit does not allow for asphalt production. Ms. Long told the Board that this condition was likely added in error during a previous renewal of the permit. There has been asphalt production on the site since the permits initial approval in 1982.

When questioned by the Board, Ms. Long stated that to her knowledge other gravel operations in the area do not have restrictions related to engine brakes. Ms. Kormos agreed and stated that there are no pits in the area with a condition prohibiting engine brakes.

When questioned by the Board, Ms. Kormos said that she is aware of other pits in the area operating asphalt plants. She explained that some of these are temporary uses that operate at various times. The asphalt plant located on the site is permanent in nature. Condition 12 was added in a clerical error when the permit was renewed previously.

When questioned by the Board, Ms. Kormos explained that there is a steep incline leading into the site. Ms. Kormos does not recall receiving any noise complaints related to engine brakes in the last 5 years. The area land owner who was concerned with noise when the permit was approved by the SDAB in 2012 has since moved. There have been no further complaints regarding noise for this pit.

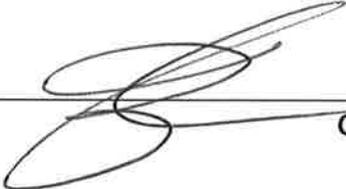
Ms. Long told the Board that the Development Authority supports the Appellants request to vary hauling hours and remove the conditions related to engine brakes and asphalt production. The requested changes are in alignment with the County's Land Use Bylaw and Municipal Development Plan.

The Chairperson asked the Board Members if they felt they had received sufficient information to make a Decision. The Board agreed that it had.

The Chairperson closed the hearing at 4:28 p.m.

#### **ADJOURNMENT**

The Chairperson adjourned the meeting at 4:29 p.m.

  
Chairperson