



NOTICE OF PUBLIC HEARING
THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA

PROPOSED LAND USE BYLAW AMENDMENT
11:00 a.m., Wednesday, May 24, 2017
The Municipal District of Willow Creek No. 26 Council Chambers

PURSUANT to sections 230, 606, and 692 of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta hereby gives notice of its intention to consider an application by McNally Contractors (2011) Ltd. (Registered Owners: Clifford and Audrey Egger) to amend Bylaw No. 1616, being the municipal Land Use Bylaw.

THE PURPOSE of the proposed land use bylaw amendment is to redesignate a total of 161.0 acres within the NW 10-15-26-W4M (as shown on the map in Schedule A), from 'Rural General – RG' to 'Rural Industrial – RI'. The redesignation will allow the submitted development permit application to be processed – request for a Class II gravel resource extraction operation, to be contained within the subject lands.

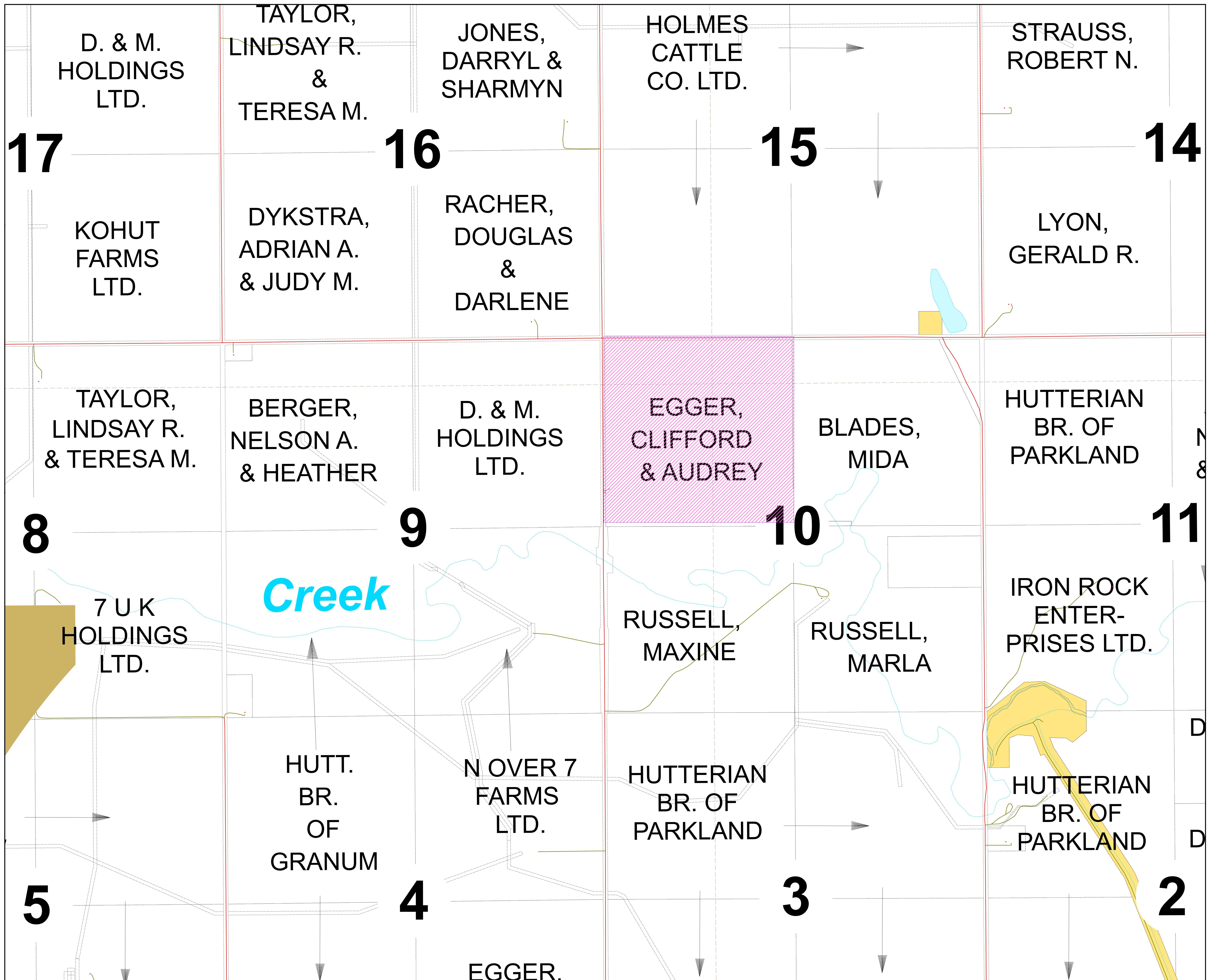
THEREFORE, TAKE NOTICE THAT a public hearing to contemplate the proposed land use bylaw amendment will be held in the Municipal District of Willow Creek No. 26 Council Chambers at **11:00 a.m., on the 24th day of May 2017.**

AND FURTHER TAKE NOTICE THAT documents relating to this matter may be viewed on the Municipal District's website or inspected at the Municipal District Administration Office, 273129 Hwy 520 West, Claresholm, during normal business hours. Both written and/or verbal presentations may be given at the public hearing. Written submissions are to be forwarded to the Manager of Planning & Development Services at Box 550, Claresholm, Alberta, T0L 0T0 or via email at development@mdwillowcreek.com, **no later than 4:00 p.m. on the 19th day of May 2017.** Any information submitted will become available to the public and is subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

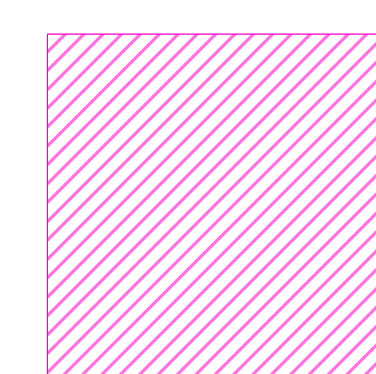
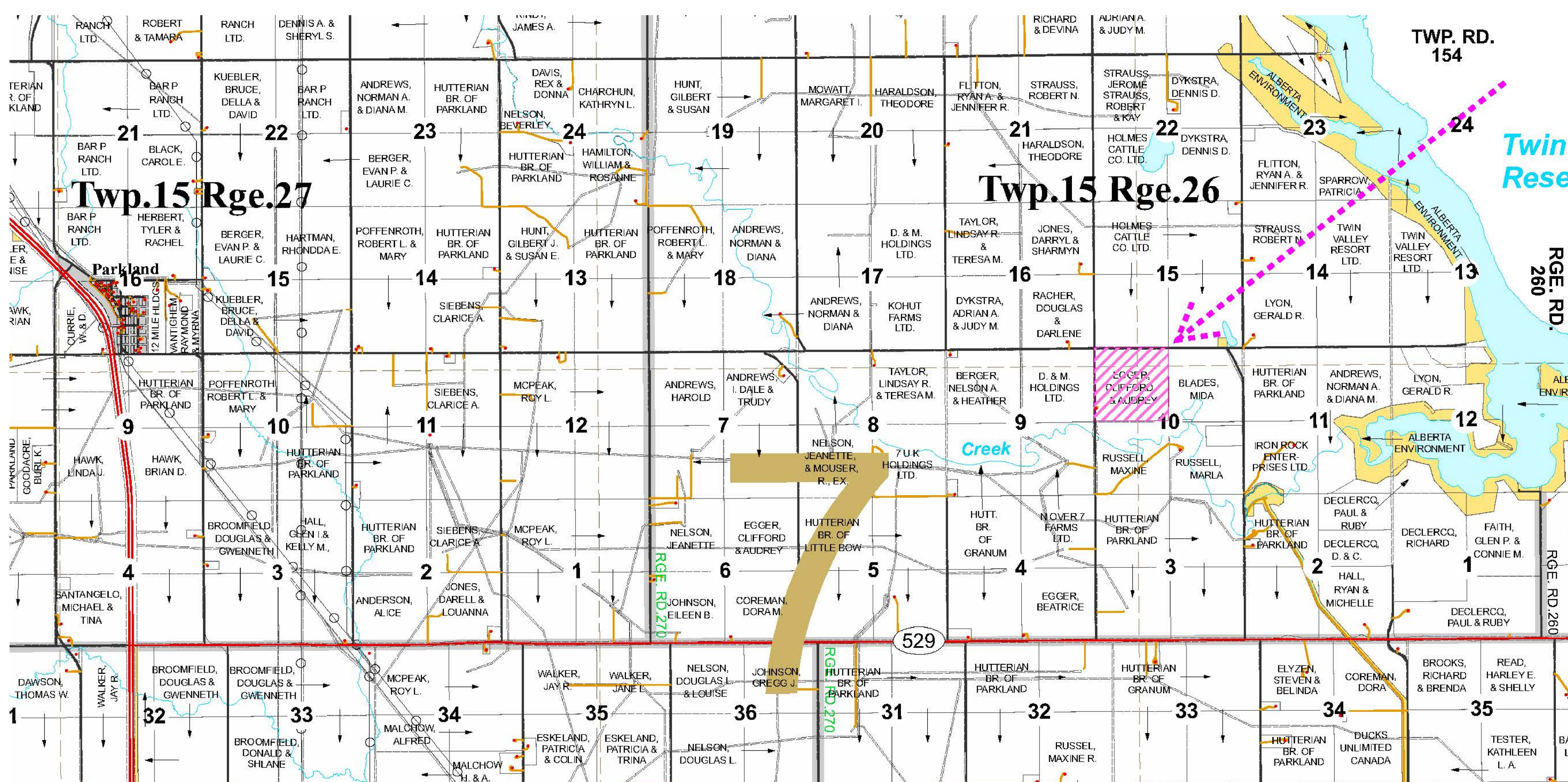
DATED at the Town of Claresholm in the Province of Alberta this 3rd day of May 2017.
(Publication dates May 10th & May 17th, 2017)

Cindy Chisholm
Manager of Planning & Development
MD of Willow Creek No. 26

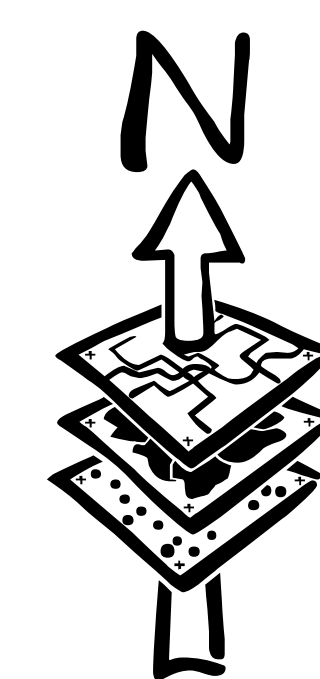
LAND USE BYLAW AMENDMENT A-04-17 SCHEDULE 'A'



LAND USE AMENDMENT FROM 'RURAL GENERAL-RG'
TO 'RURAL INDUSTRIAL - RI' NW 10-15-26-W4M



FROM 'Rural General - RG'
To "Rural Industrial - RI"



Date: May 3, 2017

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

Council May 24/17

**APPLICATION FOR A
LAND USE BYLAW AMENDMENT**

IMPORTANT: This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

Application No. A-04-17

Fees Submitted: \$ _____

Site Inspection: _____

Form I

APPLICANT: McNally Contractors

Telephone: _____

ADDRESS: _____

T1M 0X1, Lethbridge, Alberta

Fax: _____

Bus/Cell: _____

REGISTERED OWNER: Cliff and Audrey Egger

Telephone: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter NW Section 10 Township 15 Range 26 W 4 M

PROPOSED AMENDMENT:

From: Rural General

To: Rural Industrial

APPLICANT'S SUBMISSION: Please state your reasons for applying for this amendment and if applicable, supply details of future plans/development, complete with sketches that illustrate the proposal. Attaching separate sheets will be necessary.

Application for a LUB amendment for the quarter section to develop a class II pit
in the Northwest part that section. See attached site plans.
This will also correct the zoning for resource extraction.

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF: I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted above and hereby apply for that described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: April 21, 2017

SIGNED: _____

Applicant(s)



proposed development

Range Rd 263

Ruler

Line Path

Measure the distance between two points on the ground

Map Length: 3,061.40 Meters

Ground Length: 3,061.86

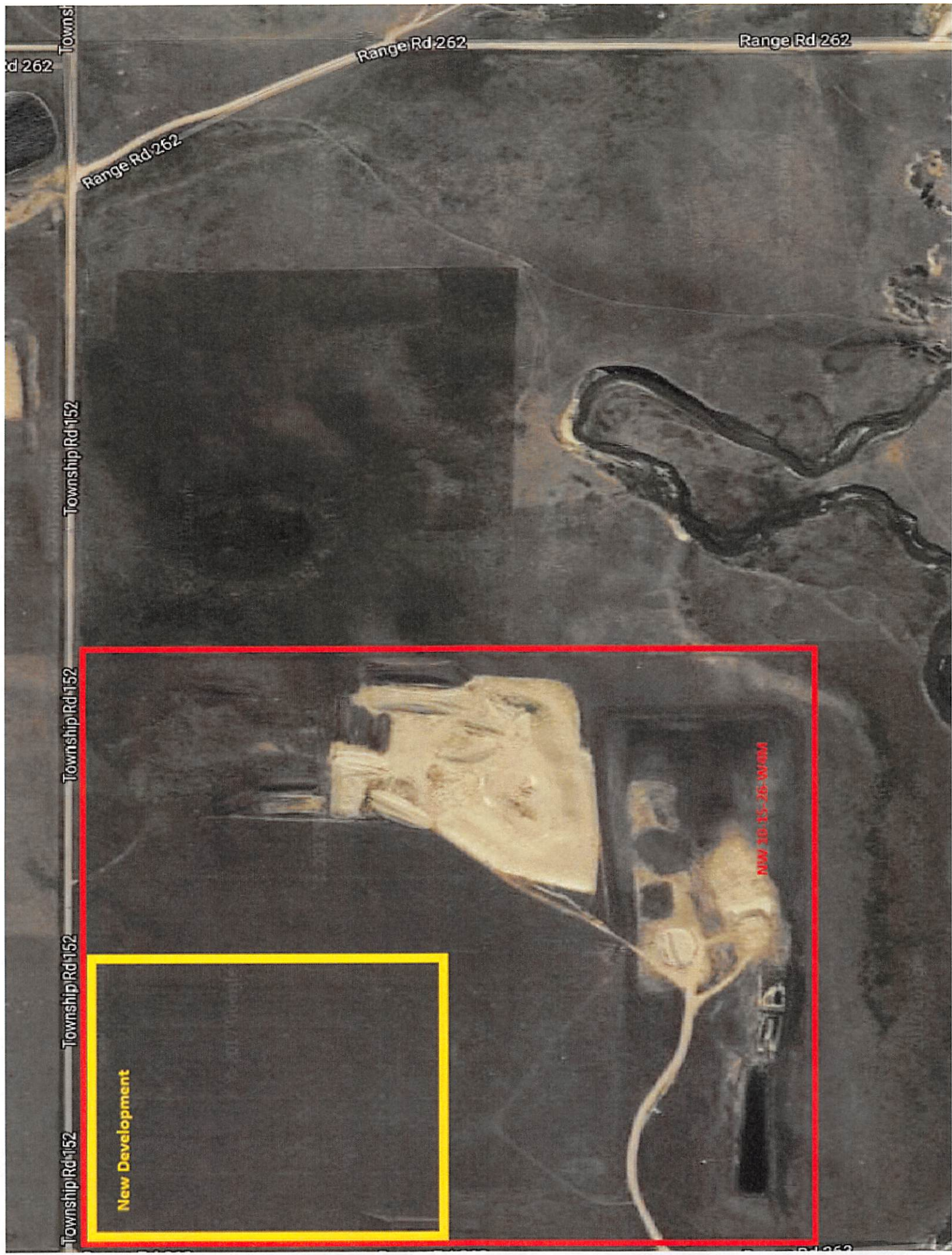
Heading: 180.01 degrees

☐ Mouse Navigation

Save

Clear

Highway 529



Range Rd 262

Range Rd 262

Range Rd 262

Range Rd 262

Township Rd 152

Township Rd 152

Township Rd 152

Township Rd 152

New Development

NEW TO 15-26-W004

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

APPLICATION FOR A DEVELOPMENT PERMIT

IMPORTANT: This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

Form A

APPLICANT: McNally Contractors

Telephone: _____

ADDRESS: _____

Fax: _____

MUNICIPAL ADDRESS: _____

Bus/Cell: _____

REGISTERED OWNER: Cliff and Audrey Egger

Telephone: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter NW Section 10 Township 15 Range 26 W 4 M

EXISTING USE: _____

PROPOSED USE: _____

PARTICULARS OF PROPOSED DEVELOPMENT: _____

Proposed sand extraction pit in the north west corner of the quarter section with a size of 4.7 Ha.

This would be classified as a class II pit. See attached plans for further information.

Additional information or clarification can be helpful in processing the application without delay. You may wish to use the back of this form, or attach a separate sheet with such information. **Please fill out the Right of Entry authorization on reverse.**

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____

SIGNED: _____

Applicant

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

IMPORTANT:

1. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term "development" includes any change in the use of buildings or land.
2. Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
3. Please submit a plan or drawing showing locations of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500
Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542(1) of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

**Activities Plan
Sand and Gravel**

**For
McNally Contractors (2011) Ltd.
On
NW 10-15-26-W4M
Egger Pit**

**Prepared by:
McNally Contractors (2011) Ltd.**

Toine Timmerman

April 2017

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- Appendix 1 Land Title
- Appendix 2 Site Plans and Cross Sections
- Appendix 3 Proposed Haul Route

ACTIVITIES PLAN

Information

1.1 Aggregate Type

- Sand
- Gravel

1.2 Site Description

- Currently the land is used as pasture
- Historically there has been a resource extraction operation in the quarter section, but any operational information is not available. This site is approx. 10.73 Acres.
- The new development is proposed in the North West corner of the quarter section (appendix 2) and will be 4.7 Hectares.

1.3 Average Thickness

- Topsoil 0.15 m
- Overburden 0.25 m
- Sand/Gravel 4.5 m (approx.)

1.4 Aggregate

- Sand/Gravel Volume (approx.) 200,000 m³

1.5 Topsoil Texture

- Sandy Loam texture

1.6 Erosion and Dust Control Techniques

Erosion Control:

- During construction and operation, physical barriers such as straw bales and silt fences will be utilized to minimize erosion when necessary

Stockpiles:

- Will be separated from each other by at least 3 m, with shallow slopes

Stockpile site locations will be prepared so that:

- Stockpiles are placed on stable ground;
- Topsoil piles are placed directly on topsoil;
- Topsoil and subsoil stockpiles are placed in locations unaffected by pit activities;
- Stock material is placed in areas where topsoil and subsoil have been stripped;
- Topsoil and subsoil stockpiles are stabilized to minimize erosion
- Stockpiles shall not be placed on the top of a bank or edge
- Topsoil will be salvaged a minimum of 15 m ahead of pit faces

- Subsoil will be salvaged a minimum of 10 m ahead of pit faces

Dust Control

- Dust control will be carried out to the satisfaction of the municipality
- During dry periods, the pit and access roads will be watered down
- The crusher will be cleaned regularly

1.7 Inactive Pit Conservation & Reclamation Techniques

- The pit will be clearly identified by signs that indicate danger and discourage trespassing
- Slopes around structures and equipment will be stabilized and sloped no steeper than 3:1
- Stockpiles will be vegetated
- Weeds will be sprayed and mowed
- The site will be monitored bi-annually to ensure soil reclamation material is stable, weeds are controlled and the site is secure

1.8 Scale Drawings (Existing, Operational & Reclaimed conditions)

- See attached Site Plans and Cross Sections (Appendix 2)

1.9 Maximum Pit Size

- The maximum size of the pit will be 4.7 Ha.

1.10 Depth to Groundwater

- Ground water has not been encountered while digging test holes up to a depth of 5 meters.

1.11 Pit Activities

- Dry pit excavations, as groundwater has not been encountered
- The pit will be mined for sand and gravel
- Crushing and screening

1.12 Mining phases

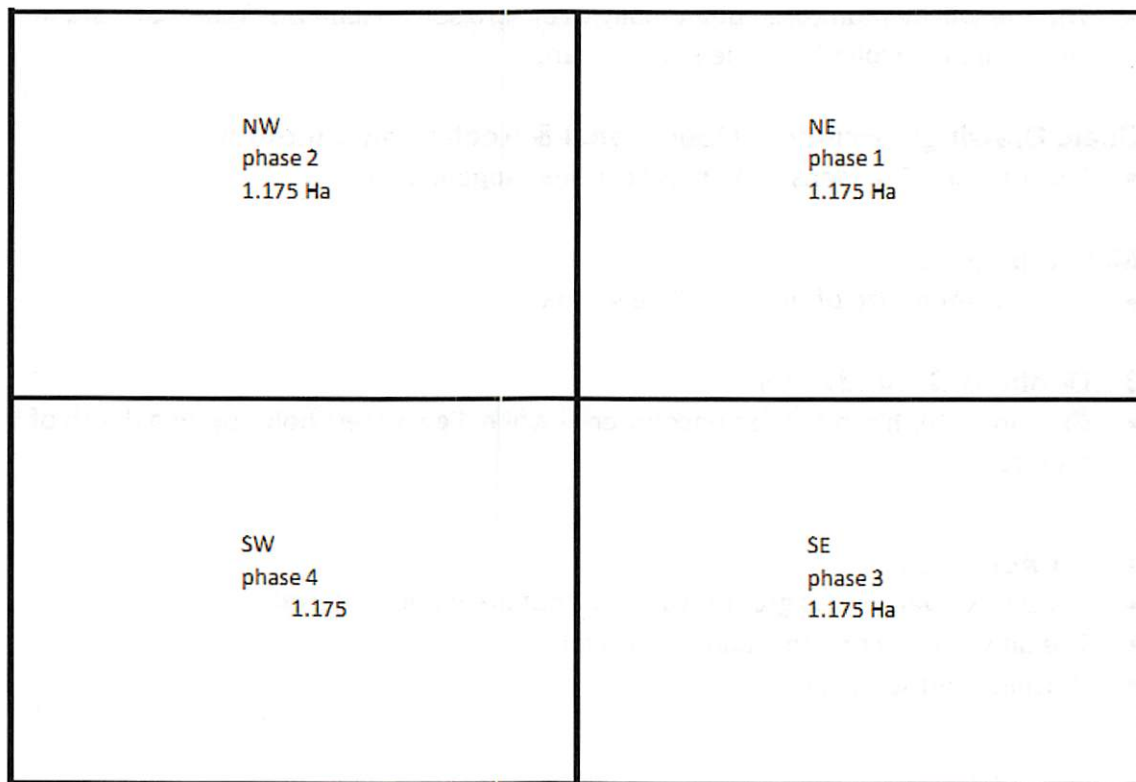
Please see the quadrants for a divide of the phases of the New Development. The first phase of the work will be that the top soil will be stripped from the NW and NE quadrants and stockpiled along the North/South property line of the development, starting in the north. The pile will be approximately 10 meters wide, no more 5 meters high with a flat top of approx. 3 meters. The topsoil will be stockpiled on unstripped soil.

Then the overburden will be stripped in the NE quadrant and temporarily stockpiled in the NW quadrant, along the NW and SW border line. The overburden will be stockpiled on top of overburden in the NW quadrant.

The order of mining the quadrants is as following: NE, NW, SE and then SW.

Reclamation will be done progressively and we will use the topsoil and overburden stripped from the next quadrant on the previously mined out area. We plan that a maximum of 2 phases, 2.35 Ha, will be worked on at a time.

4.7 Ha. New Development quadrants



Section NW 10-15-26-W4M

1.13 Use of Alternative Reclamation Material

- Only approved backfill material will be used as per Section 4.11.4 *Use of Alternative Reclamation* (Alberta Environment, 2004. Guide to the Code of Practice for Pits. Alberta Environment, Edmonton, Alberta. 84 pp.)

1.14 Proposed Reclaimed Pit land Uses

- Pasture: 100%

1.15 Soil Replacement Depth

Topsoil:

- All available topsoil will be used for reclamation. Topsoil will be replaced to a depth of 0.15 m

Subsoil:

- All available subsoil will be used for reclamation. Subsoil will be replaced to a depth of 0.10 m

1.16 Additional Information

Area description:

- The area is primarily used for pasture lands
- In the direct proximity, within 2 km, of the proposed development there are 3 other resource extraction sites.
- Highway 529 is located approximately 3 km from the proposed access road of the development.
- There are approximately 10 residences within a 2 mile radius.

Excavation:

- Average depth of excavation including removal of topsoil and aggregate: 5 m without going below the waterline
- Equipment used for moving topsoil: dozer, grader and scraper/buggy.

Boundaries:

- Property boundaries are fenced between landowners

Revegetation:

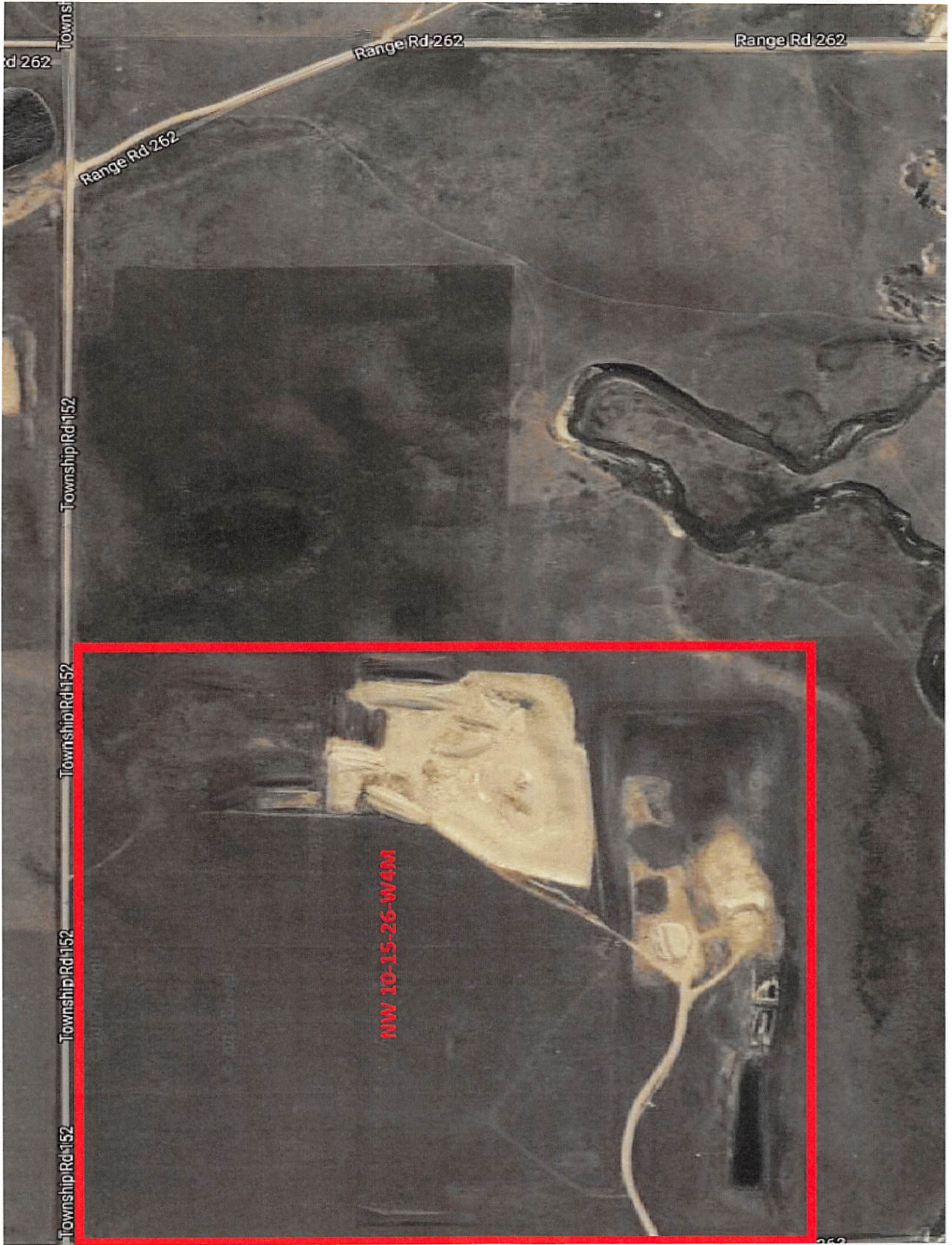
- The disturbed/reclaimed area will be reseeded to pasture

Buffers:

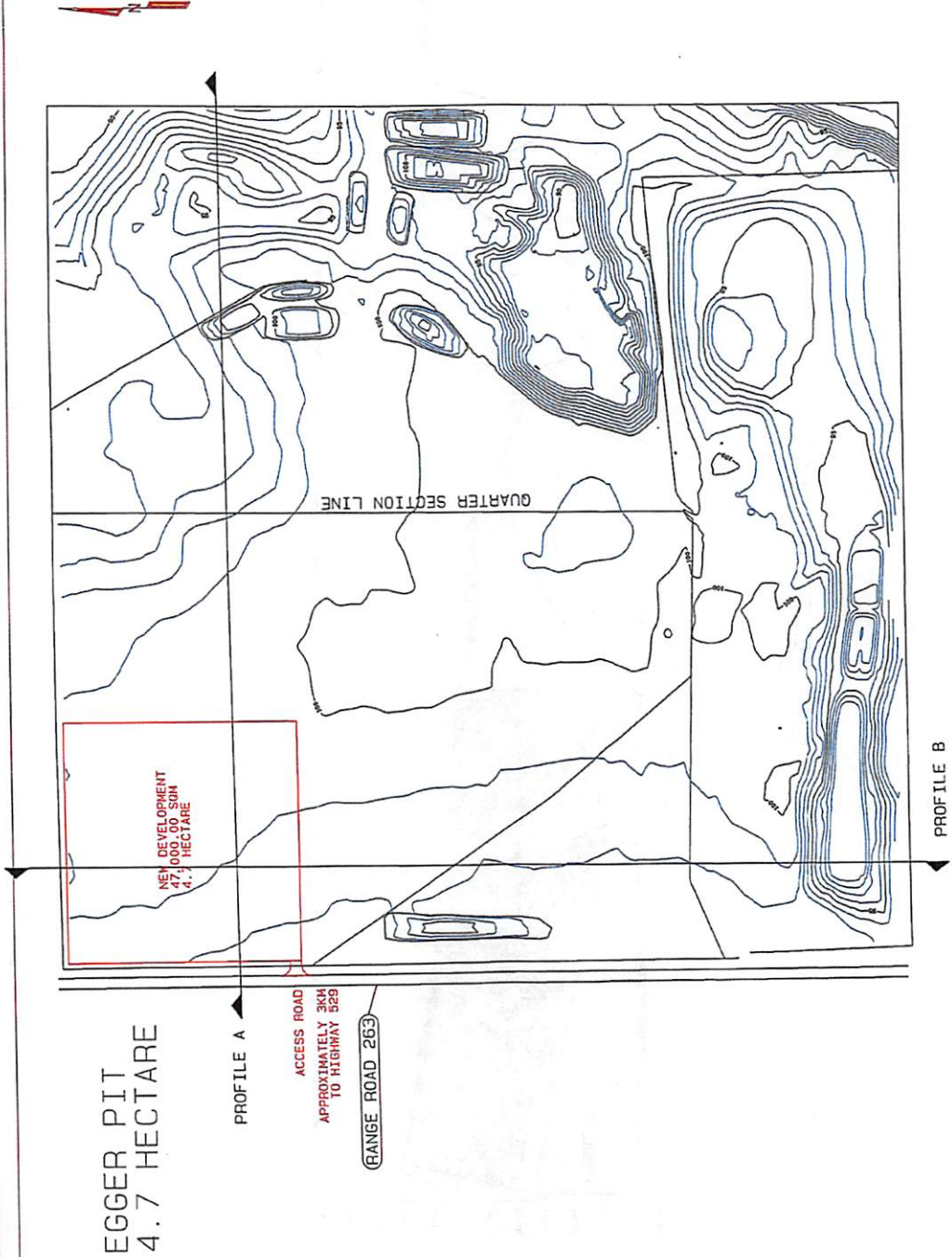
- A 3 meter buffer will be maintained between the pit and all property boundaries and other defined rights of way

Hours of Operation:

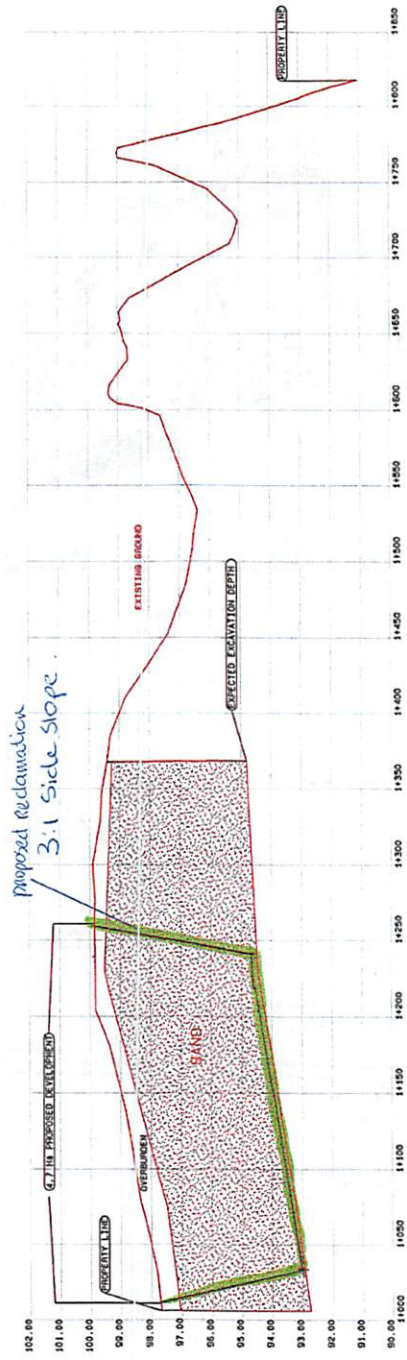
- Mining and crushing operations will be from 7:00 until 19:00 on weekdays and 7:00 until 17:00 on weekends
- Hauling operations will be from 7:00 until 19:00 on weekdays and 7:00 until 17:00 on weekends



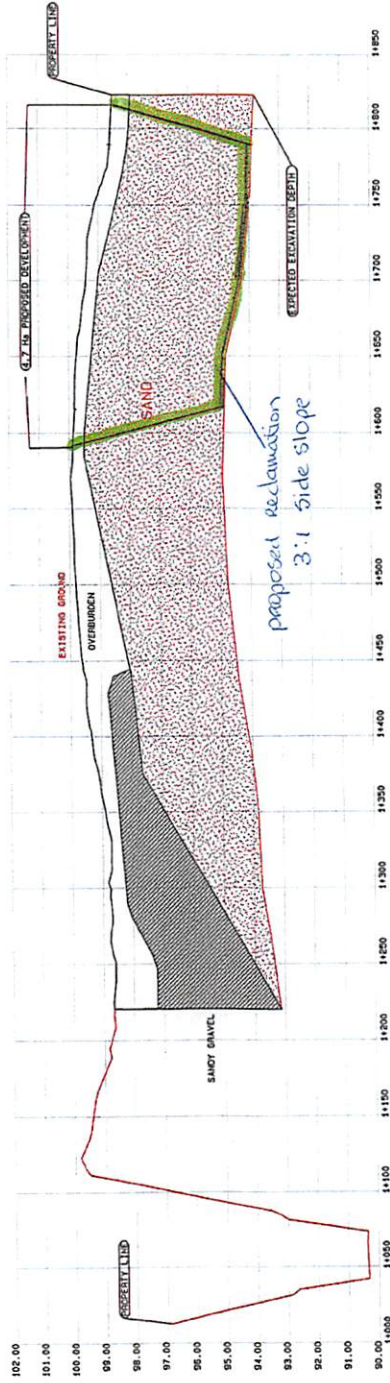
NW 10-15-26-W4M

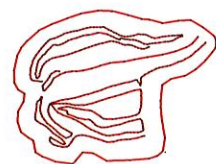


| | | |
|-----------------|--------------------------------|-----------------|
| EGGER PT | MENJAY Contractors (2011) Ltd. | (403) -328-3924 |
| JAN 2017 SURVEY | 4155 - 6 Ave North | (403) -328-3509 |
| PROFILE B | Lethbridge Alberta T1H 6X1 | |



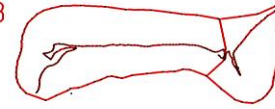
PROFILE B





PITRUN
2618.00 M3

SAND
2522.00 M3



PITRUN
577.00 M3

COBBLE ROCK
693.00 M3



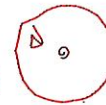
COBBLE ROCK
387.50 M3

COBBLE ROCK
22.50 M3



2" ROCK
1207.00 M3

PEA GRAVEL
1511.00 M3



PEA GRAVEL
1622.00 M3



COBBLE ROCK
782.00 M3



SAND
102.00 M3

SAND
2322.00 M3



SAND
1288.00 M3

SAND
925.50 M3



PITRUN / SANDY MIX
1495.00 M3

(403) -328-3924
(403) -328-3509

McNally Contractors (2011) Ltd.
4155 - 6 Ave North
Lethbridge Alberta T1H 6X1

EGGER PIT
January 2017 Inventory
SCALE 1:2000