

**AGENDA**  
**CLEAR HILLS COUNTY**  
**MUNICIPAL PLANNING COMMISSION MEETING**  
**May 26, 2020**

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The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, May 26, 2020, in the Council Chambers, 313 Alberta Avenue, Worsley Alberta, at 9:00 a.m.

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- A) CALL TO ORDER**
- B) AGENDA**
  - A. *REGULAR MEETING of May 26, 2020*..... 1
- C) ADOPTION OF THE PREVIOUS MINUTES**
  - A. *REGULAR MEETING of March 10, 2020* ..... 2
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
  - A. *SUBDIVISION APPLICATION – M & L Lubeck* ..... 4
  - B. *DEVELOPMENT PERMIT APPLIATION – Hines Creek Hutterian Brethren*..... 10
- I) CORRESPONDENCE AND INFORMATION**
- J) CONFIDENTIAL ITEMS**
- K) ADJOURNMENT**

<b>Initials show support - Reviewed by: Development Officer:</b> _____ <b>Manager:</b> _____
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**MINUTES OF CLEAR HILLS COUNTY  
MUNICIPAL PLANNING COMMISSION  
COUNTY COUNCIL CHAMBERS  
TUESDAY, MARCH 10, 2020**

**PRESENT**

Miron Croy	Chair
Amber Bean	Member
Raymond Wetmore	Member
David Janzen	Member
Peter Frixel	Deputy Chair

**ATTENDING**

Allan Rowe	Chief Administrative Officer (CAO)
Audrey Bjorklund	Community Development Manager (CDM)
Bonnie Morgan	Executive Assistant (EA)

**ABSENT**

**CALL TO ORDER**

Chairperson Croy called the meeting to order at 9:00 a.m.

**ACCEPTANCE OF  
AGENDA  
M10-20**

**RESOLUTION by Member Bean to adopt the agenda governing the March 10, 2020, Municipal Planning Commission Meeting as presented. CARRIED.**

**APPROVAL OF  
MINUTES  
Previous Regular  
Meeting Minutes  
M11-20**

**RESOLUTION by Member Janzen to adopt the minutes of the February 25, 2020 Municipal Planning Commission Meeting, as presented. CARRIED.**

**NEW BUSINESS  
Subdivision Referral  
Isaac & Elizabeth  
Zacharias**

Subdivision referral S02-20 (20-1MK004) was received from Mackenzie Municipal Services Agency regarding the application for a first parcel out, country residential subdivision from Isaac & Elizabeth Zacharias for NW 7-85-11-W6M (4.05 hectares – 10 acres).

**M12-20**

**RESOLUTION by Member Janzen that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the first parcel out, country residential subdivision from Isaac and Elisabeth Zacharias for NW 7-85-11-W6M (4.05 hectares – 10 acres) subject to the following conditions:**

- 1. Any outstanding property taxes to be paid in full on the land proposed to be subdivided or arrangements made which are satisfactory to the County.**
- 2. All required County, Provincial and Federal Regulations adhered to.**

**CARRIED.**

ADJOURNMENT

Chairperson Croy adjourned the March 10, 2020 Municipal Planning Commission Meeting at 9:04 a.m.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	May 26 2020
Originated By:	Audrey Bjorklund, CLGM – Acting Development Officer
Title:	<b>SUBDIVISION REFERRAL – Melvin &amp; Lisa Lubeck</b>
File:	61-02-02

### DESCRIPTION:

Subdivision referral S03-20 (20-1MK007) was received from Mackenzie Municipal Services Agency regarding the application for a Country Residential, first parcel out subdivision from Melvin and Lisa Lubeck for SW 26-85-7-W6M (4.05 hectares – 10 acres).

### BACKGROUND:

- Zoning: Agricultural (AG1)
- The proposal is to subdivide a 10 acre parcel from the quarter for country residential use.
- The parcel size is in compliance with Section 10.4 Land Use Bylaw: AG 1 Farmstead Separation – AG 1 – Site Provisions, Residential Parcel size:
  - 3(a)(i)2. Country Residential 4.05 ha (10 acre) maximum
- This would be the first parcel out of the quarter.

### ATTACHMENTS:

- Subdivision application

### OPTIONS:

- A. Deny the request
- B. Approve the subdivision request with conditions listed, or other conditions

### RECOMMENDED ACTION:

RESOLUTION BY ...that the Municipal Planning Commission recommend Mackenzie Municipal Services Agency approve the Country Residential, first parcel out subdivision from Melvin and Lisa Lubeck for SW 26-85-7-W6M (4.05 hectares – 10 acres), subject to the following conditions:

1. Any outstanding property taxes to be paid in full on the land proposed to be subdivided or arrangements made which are satisfactory to the County.
2. All required County, Provincial and Federal Regulations to be adhered to.

<b>Initials show support - Reviewed by: Development Officer:</b>	<b>Manager:</b>
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FORM 1  
APPLICATION FOR SUBDIVISION

FOR OFFICE USE ONLY

Date of Receipt for Completed Form: May 4, 2020 File No.: 201MK007 Fee Submitted: \$ 725.00

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND THAT IS THE SUBJECT OF THE APPLICATION OR BY A PERSON AUTHORIZED TO ACT ON THE REGISTERED OWNERS BEHALF.

1. Name of registered owner of land to be subdivided: MEL LUBECK & LISA LUBECK Address and phone number: Box 68, Worsley AB T0H3W0 780 835 1749  
(Full Name in Block Capitals)

2. Name of agent (person authorized to act on behalf of registered owner), if any: Borderline Surveys - Ronda Coates Address and phone number: Box 2661 Fairview Ab T0H1K0 780 835 4618  
(Full Name in Block Capitals)

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:  
All/part of the SW  $\frac{1}{4}$  Sec 26 TWP 8.5 Range 7 West of 6 Meridian  
Being all/parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No. \_\_\_\_\_ C.O.T. No. 852081361  
Area of the above parcel of land to be subdivided 4.05 hectares 10.01 (acres).  
Municipal Address if applicable \_\_\_\_\_

4. LOCATION OF LAND TO BE SUBDIVIDED:  
a. The land is situated in the municipality of Clear Hills County  
b. Is the land situated immediately adjacent to the municipal boundary? Yes \_\_\_\_\_ No   
If "yes", the adjoining municipality is \_\_\_\_\_  
c. Is the land situated within 1.6 kilometres (1.0 miles) of the right-of-way of a highway? Yes \_\_\_\_\_ No   
If "yes", the Highway is No \_\_\_\_\_ the Secondary Road is No. \_\_\_\_\_  
d. Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water or by a drainage ditch or canal?  
Yes \_\_\_\_\_ No  If "yes", state its name: \_\_\_\_\_  
e. Is the proposed parcel within 1.5 kilometres (0.932 miles) of a sour gas facility? Yes \_\_\_\_\_ No

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED  
Describe:  
a. Existing use of the land agri  
b. Proposed use of the land residential (yard site)  
c. The designated use of the land as classified under a land use bylaw agri

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)  
a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) slightly rolling pasture with some bush  
b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc - sloughs, creeks, etc) some bush  
c. Describe the kind of soil on the land (sandy, loam, clay, etc) clay

7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED  
Describe any buildings and any structures on the land and whether they are to be demolished or moved no buildings or structures or improvements

8. WATER AND SEWER SERVICES  
If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal.  
proposed water and sewage

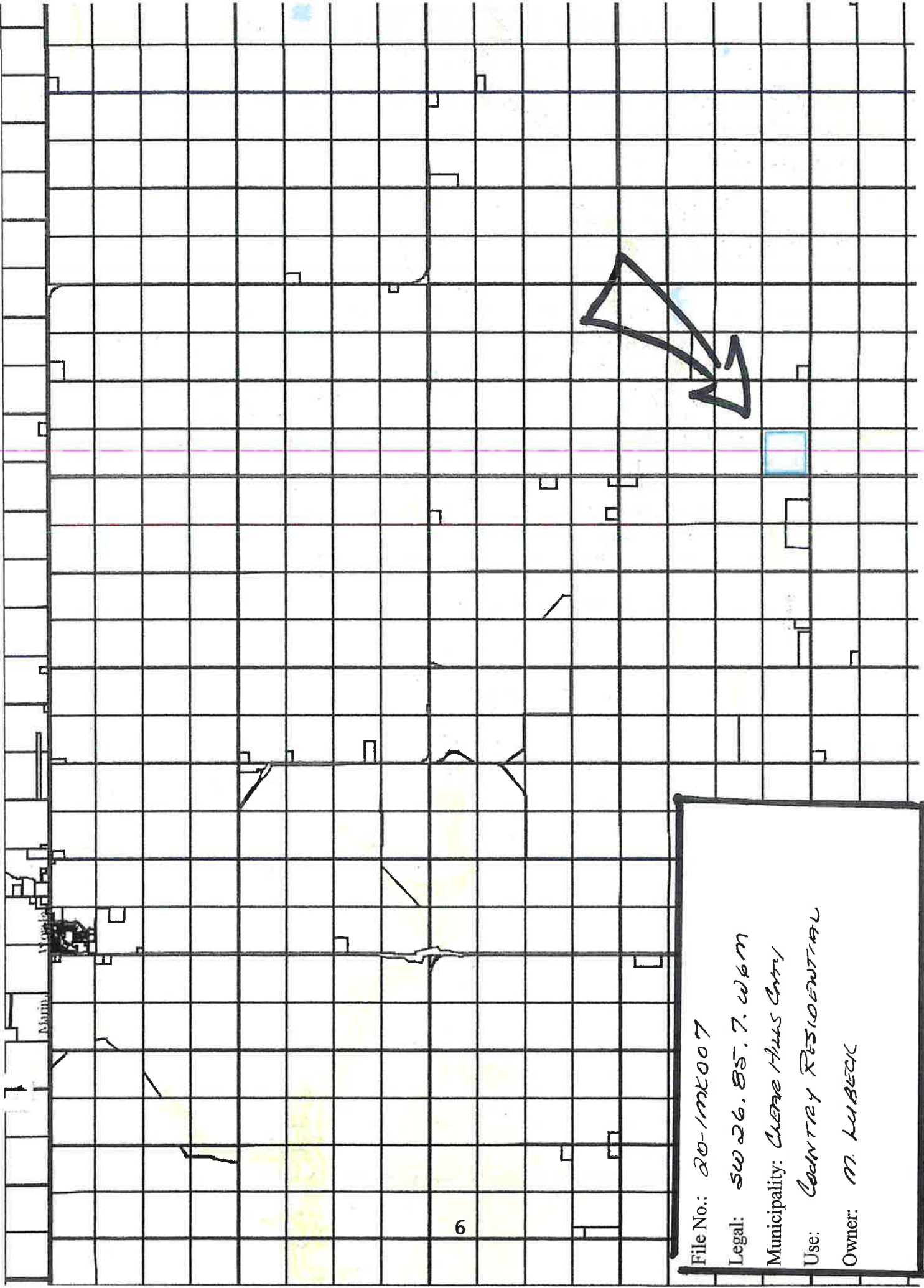
9. REGISTERED OWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF  
i. Borderline Surveys, Ronda Coates hereby certify that  
(Full Name in Block Capitals)  
 I am the registered owner, or  
 I am the agent authorized to act on behalf of the registered owner

and that the information given on this form is full and complete as is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision.

Address: Box 2661 Fairview Ab T0H1K0 Signature: Ronda Coates

Phone No.: 780 835 4618 Date: April 8 2020

FURTHER INFORMATION MAY BE PROVIDED BY THE APPLICANT ON THE REVERSE SIDE OF THIS FORM



6

File No.: 20-1MKT007  
 Legal: SW 26, BS. 7, W6M  
 Municipality: Clear Hills Cnty  
 Use: COUNTRY RESIDENTIAL  
 Owner: M. LUBECK

MACKENZIE MUNICIPAL SERVICES AGENCY  
SUBDIVISION COMMENTS

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MUNICIPALITY: Clear Hills County DATE RECEIVED: May 4, 2020

FILE: 20-1MK007 EXPIRY DATE: July 2, 2020

LEGAL: SW 26.85.7.W6M TIME EXTENSION \_\_\_\_\_

APPLICANT/AGENT: Melvin & Lisa Lubeck

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PROPOSAL: The proposal is to subdivide from the quarter section, a 10 acre parcel for country residential use.

ACREAGE IN TITLE: 157.45 acres

RESERVE REQUIREMENTS: Reserve is not required

PROXIMITY TO URBAN MUNIC: Approx. 8.5 miles south east of Worsley

PREVIOUS APPLICATIONS:

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SITE CHARACTERISTICS

C.L.I.: 95% 4t5w, 5% 4s

TOPOGRAPHY: The subject land is described as slightly rolling.

EXISTING USE/DEVELOPMENT: There is no existing development on site. The land is partially cultivated, with some minor bush areas. The balance of the quarter is partially under cultivation with some minor bush areas.

ROAD ACCESS: Access is available via the local road to the south. There does not appear to be an approach to the subdivision, however, there are two approaches to the balance of the quarter.

SERVICING: Proposed servicing hauling and cistern for water supply and an open discharge for sewage disposal. All regulations and setbacks will have to be adhered to at the development stage.

PARCEL SIZE: The parcel size is deemed to be appropriate for the intended use.

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LEGISLATION

LAND USE BYLAW: Located in the Agricultural District (AG-1). No conflicts

MUNICIPAL DEVELOPMENT PLAN: May be allowed

INTER MUNICIPAL DEV. PLAN: n/a

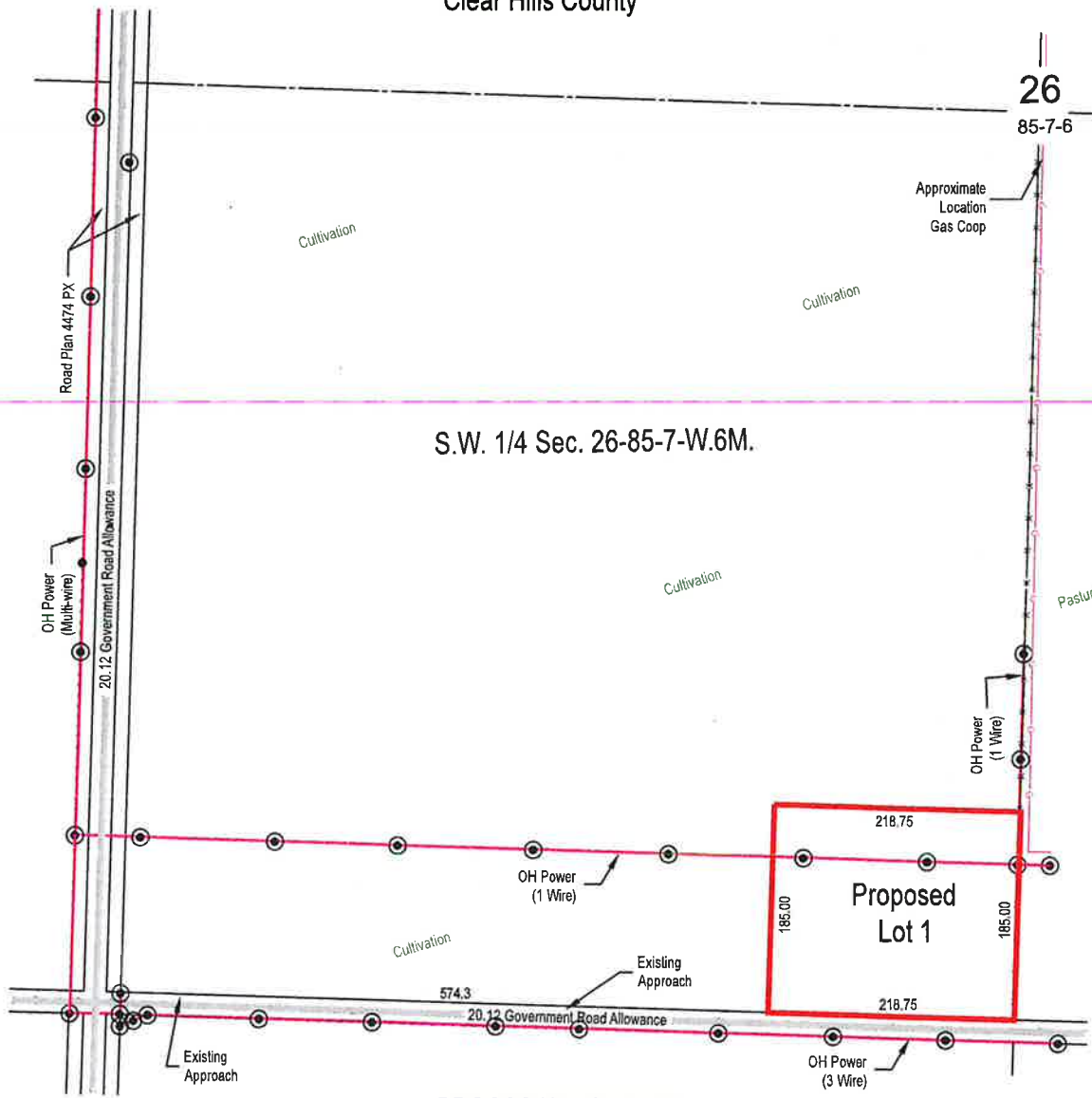
SUBDIVISION REGULATIONS: No conflicts

MUNICIPAL GOVERNMENT ACT: No conflicts

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(These comments are subject to change based on additional information that may be received).

**Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 26, Twp. 85, Rge. 7, W.6M.  
(New Lot)  
Within  
Clear Hills County**



S.W. 1/4 Sec. 26-85-7-W.6M.

26  
85-7-6

**PROPOSED LOT AREA:**

Lot 1: 4.05 ha (10.01 Ac.)

**LEGEND**

- Lands Dealt With Road
- Overhead Gas Co-op Line
- ⊙ Power Pole
- x - x - Fence



**LANDOWNER(S):**

S.W. 26-85-7-W6M:

Melvin Dwayne Lubeck  
Lisa Rose Lubeck

C. of T. 852 081 361

**REGISTERED TITLE ENCUMBERANCES**

1. 912 352 121:  
Caveat (Easement) - Atco Electric Ltd.
2. 962 271 219:  
Caveat(R/W) - Alberta Power Limited
3. 112 250 075:  
Caveat (R/W) - Atco Electric Ltd.



**BORDERLINE  
SURVEYS**

11028 102th Ave, Box 2661  
Fairview, AB. T80 - 330 - 9939  
www.borderlinesurveys.com

Page: 1 of 2

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April 7th, 2020

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Drawn by: SW

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Job No. 190128 R2



Tentative Plan Showing  
Proposed Subdivision of  
S.W. 1/4 Sec. 26, Twp. 85, Rge. 7, W.6M.  
(New Lot)  
Within  
Clear Hills County



Photo Date: 2017  
Scale: 1:5000



**BORDERLINE**  
**SURVEYS**

11028 102th Ave, Box 2661  
Fairview, AB. 780 - 330 - 9939  
www.borderlinesurveys.com

Page: 2 of 2
April 7th, 2020
Drawn by: SW
Job No. 190128 R2

# Clear Hills County

## Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	May 26, 2020
Originated By:	Audrey Bjorklund
Title:	<b>DEVELOPMENT PERMIT APPLICATION – Hines Creek Hutterian Brethern</b>
File:	61-02-02

### DESCRIPTION:

Development Permit Application W12-20 was received from the Hines Creek Hutterian Brethern to develop a multi-species confined feeding operation at NE 4-85-5 W6M, as approved in NRCB Application FA19003X – Notice of Decision.

### BACKGROUND:

- Zoning: Agricultural (AG1)
- NRCB Application FA19003X – Notice of Decision (May 8, 2020)
- Construction deadlines will align with NRCB Notice of Decision

### ATTACHMENTS:

1. Development Permit Application
2. NRCB Application FA 190003X – Notice of Decision (May 8, 2020)

### OPTIONS:

- A. Approve the application with the conditions recommended
- B. Approve the application with different conditions.

### RECOMMENDED ACTION:

RESOLUTION by that the Municipal Planning Commission approves Development Permit Application W12-20 from the Hines Creek Hutterian Brethren to develop a multi-species confined feeding operation at NE 4-85-5-W6M, as approved in NRCB Application FA19003X-Notice of Decision, subject to the following conditions:

1. Prior to start of construction, any outstanding property taxes to be paid in full on the land(s) proposed for development.
2. Minimum setbacks from the property lines:
  - a) Front yard, 40.8m (134 feet)
  - b) Side yard, 15.2m (50 feet)
  - c) Rear yard, 15.2m (50 feet)
3. All conditions of Natural Resource Conservation Board Application FA19003X Notice of Decision dated May 8, 2020 to be complied with, including but not limited to construction of barns, manure storage pads and total permitted animal capacity.
4. All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Codes Council.
5. All required Provincial and Federal Regulations to be adhered to.

Initials show support - Reviewed by: Development Officer: *ABj* Manager: *JK*



**CLEAR HILLS COUNTY**  
 Box 240  
 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**APPLICATION FOR  
 DEVELOPMENT PERMIT**

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:	W12-20		
DATE RECEIVED:	Jan 2019 Deemed May 8, 2020		
FEE PAID:	YES	NO	(N/A)

*NRCB. Application Approved*

I/We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and forming part of this application.

I/We understand that this application will not be accepted without the following:

- (a) application fee;
- (b) site plan sketch that includes all relevant details for the proposed development (e.g.: proposed and existing structure, property lines, creeks/ravines, parking and vehicle access, building plans, etc.).

APPLICANT INFORMATION				COMPLETE IF DIFFERENT FROM APPLICANT				
NAME OF APPLICANT <i>Hines Creek Hutterian Brethren</i>				NAME OF REGISTERED LAND OWNER <i>1577912 Alberta Ltd.</i>				
ADDRESS <i>Box 389 Hines Creek AB,</i>				ADDRESS <i>Box 389 Hines Creek AB,</i>				
POSTAL CODE <i>T0H 2A0</i>	EMAIL <i>RozyGross40@gmail.com</i>			POSTAL CODE <i>T0H 2A0</i>	EMAIL <i>RozyGross40@gmail.com</i>			
CONTACT NUMBERS				CONTACT NUMBERS				
Home <i>780-833-6475</i>				Home <i>780-833-6475</i>				
Business				Business				
Cell <i>403-627-7444</i>				Cell <i>403-627-7444</i>				
LAND INFORMATION								
Legal description of proposed development site								
QTR/L.S. <i>NE</i>	SEC. <i>04</i>	TWP. <i>085</i>	RG. <i>05</i>	M. <i>W6</i>	OR	REGISTERED PLAN NO.	BLOCK	LOT
Size of the proposed development site:								
LENGTH		m	WIDTH		m	NUMBER OF HECTARES		OR ACRES <i>5 acres</i>
		ft			ft			
Lot type: INTERIOR      CORNER      THROUGH						LAND USE DISTRICT:		
Describe the existing use of the land: <i>Form Land</i>								



# APPLICATION FOR DEVELOPMENT PERMIT

**FORM A**

Page 2

<b>DEVELOPMENT INFORMATION</b>			
Describe the proposed use of the land: <i>Farm yard with Chicken egg layer barn</i> <span style="float: right;"><i>All Barns as per NRCB approval.</i></span>			
Check (✓) any proposed use(s) not identified above:			
Dwelling unit(s)	Accessory structure(s) / use(s)		Home Occupation(s)
Sign(s)	Commercial or industrial structure(s) / use(s) ✓		
Other (specify)			
Indicate the proposed setback from the property line:			
FRONT YARD	m	REAR YARD	m
<i>150</i>	ft	<i>1800</i>	ft
SIDE YARD (1)	m	SIDE YARD (2)	m
<i>150</i>	ft	<i>1800</i>	ft
Off street parking:		Size of space	Number of spaces
Off street loading:		Size of space	Number of spaces
Accessory use:			
PERCENTAGE OF LOT OCCUPIED:	HEIGHT OF ACCESSORY BLDG:	SETBACK FROM SIDE LOT LINE:	SETBACK FROM REAR LOT LINE:
The land is adjacent to:			
PRIMARY HIGHWAY		SECONDARY HIGHWAY <i>64</i>	RURAL ROAD <i>53</i>
Estimate the Project:			
COMMENCEMENT DATE	COMPLETION DATE	CONSTRUCTION COSTS	
<i>May 15/2019</i>	<i>May 15/2020</i>	<i>1,500,000.00</i>	
Attached is			
<i>Highlight portions apply</i>			
(a) SITE PLAN	Yes ✓	No	N/A
(b) FLOOR PLAN	Yes	No ✓	N/A
<b>DECLARATION</b>			
I/WE hereby declare that the above information is, to the best of my/our knowledge, factual and correct.			
DATE: <i>Jan. 18/19</i>	SIGNATURE OF APPLICANT: <i>[Signature]</i>		
DATE:	SIGNATURE OF REGISTERED LAND OWNER:		

# APPLICATION FOR DEVELOPMENT PERMIT

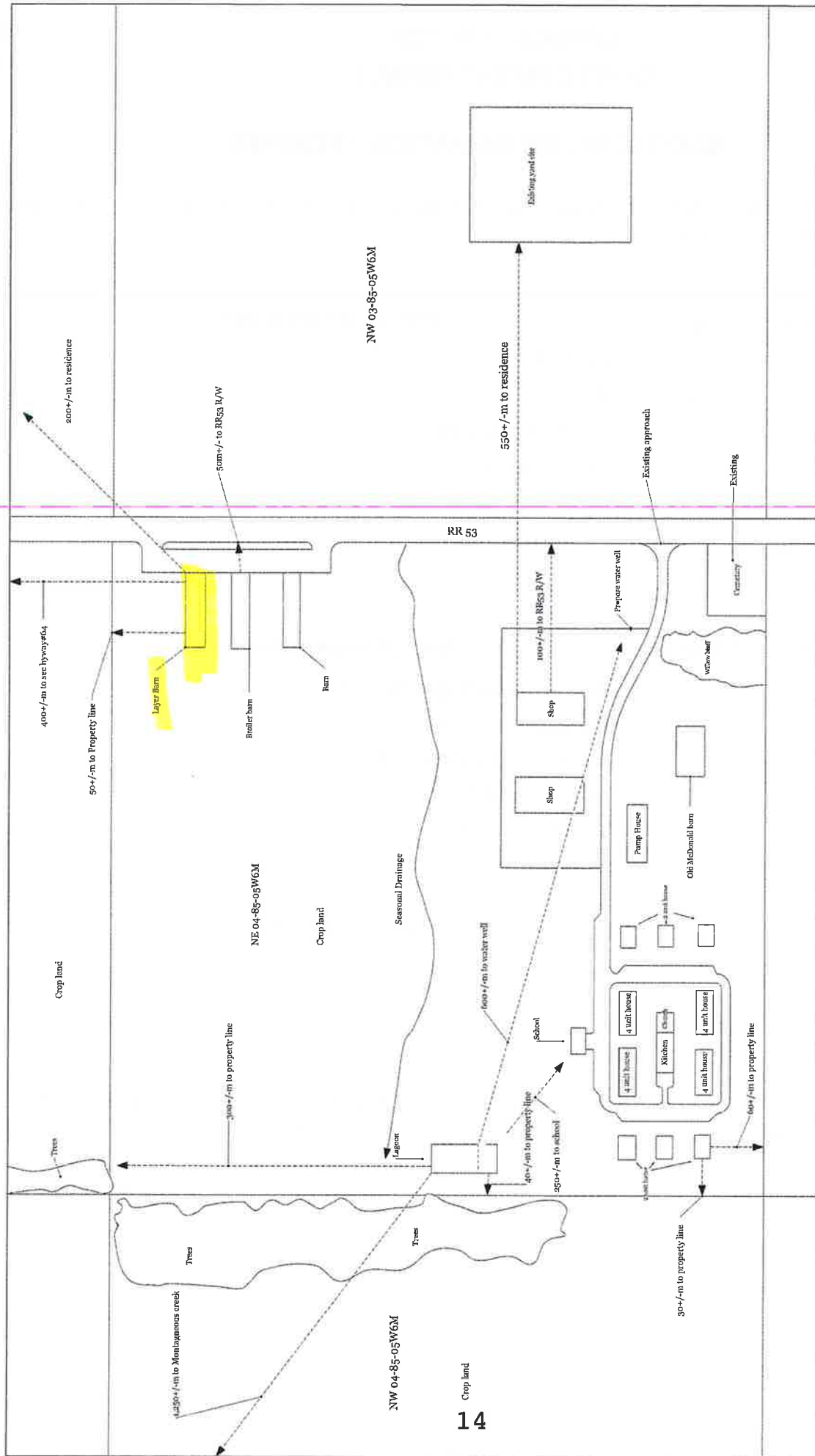
## ADDITIONAL INFORMATION REQUIRED

Indicate below the type of water supply and sewage disposal to be used by your development proposal and if it is existing or proposed.

Existing	Proposed	TYPE OF WATER SUPPLY
		DUGOUT
	✓	WELL
		CISTERN & HAULING
		COUNTY SERVICE
		OTHER (Please specify)

Existing	Proposed	TYPE OF SEWAGE DISPOSAL
		OPEN DISCHARGE/SEPTIC TANK
		SUB-SURFACE DISPOSAL/SEPTIC TANK
		ABOVE GROUND/SEPTIC TANK
		SEWAGE LAGOON
		OUTDOOR PRIVY
		COUNTY SERVICE
	✓	OTHER (Please Specify) <i>Dry manure - land spread</i>

FOR ADDITIONAL INFORMATION CONTACT ALBERTA MUNICIPAL AFFAIRS – CODES AND PERMITS AT 1-866-421-6929 (EMAIL [safety.services@gov.ab.ca](mailto:safety.services@gov.ab.ca)) OR A LICENSED PERMITTING AGENCY.



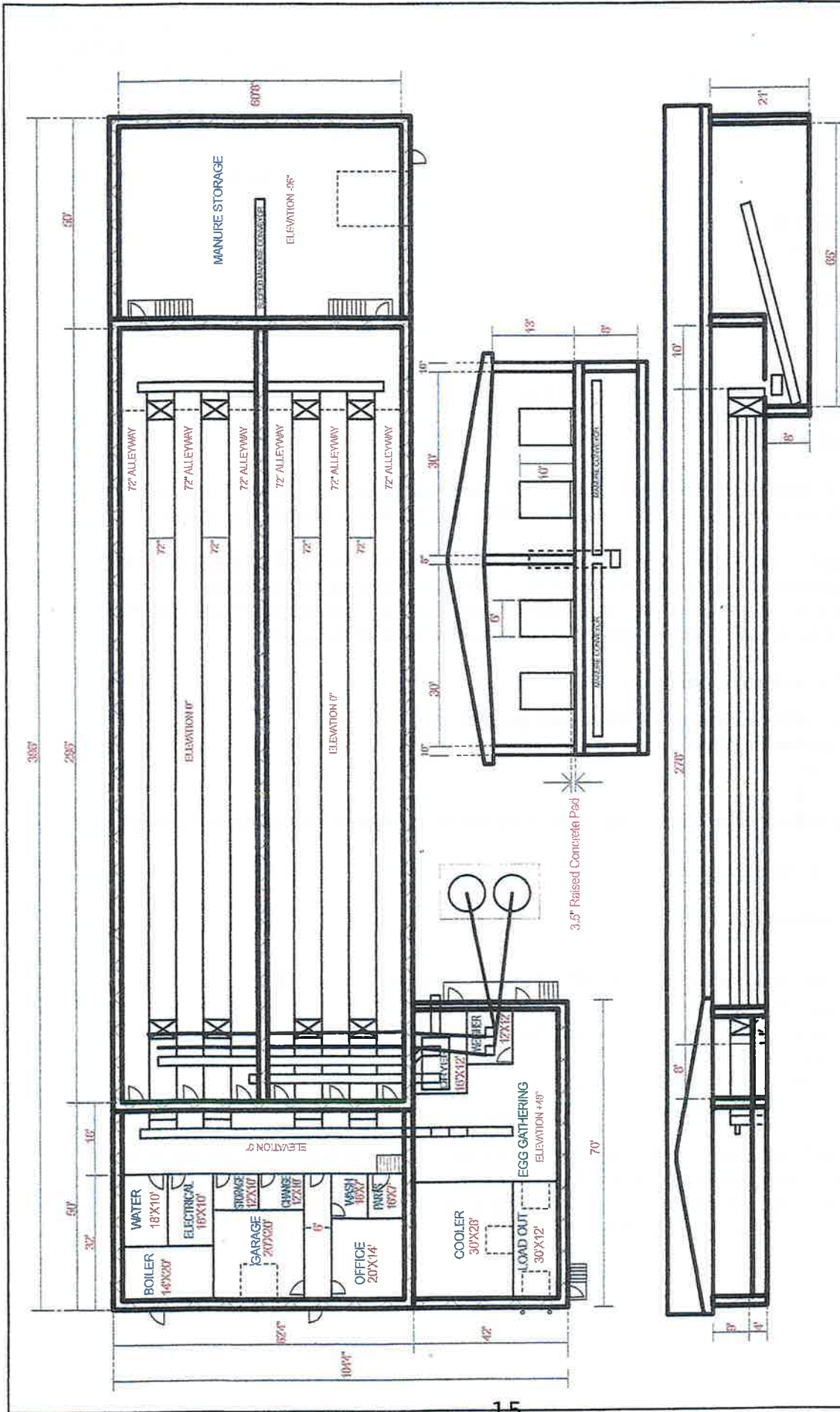
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v

NO.	REVISION	DATE
1	11/07/18	
2		
3		
4		
5		
6		

Murk Construction Services  
Design, Survey, Construct

Hines Creek Colony

# Hines Creek Colony Yard Layout



**HINES CREEK COLONY**  
**VALLI**  
 NOT TO SCALE

**VALLI SPACE COLONY 60 (30+30)**  
 4 ROWS, 4 TIERS, 27 SECTIONS PER ROW  
 25,920 LAYERS



May 8, 2020

sent by email to [2grossmichael@gmail.com](mailto:2grossmichael@gmail.com)

1577912 Alberta Ltd.  
c/o: Michael Gross  
Box 389  
Hines Creek AB T0H 2A0

Dear Michael:

**Re: Application FA19003X – Notice of Decision  
1577912 Alberta Ltd.  
NE 4-85-5 W6M**

On January 31, 2020, approval officer Nathan Shirley issued a decision denying application FA19003. Subsequently, the applicant requested the NRCB Board review the decision.

On April 23, 2020, the NRCB board issued Board Decision RFR 2020-03/FA19003; and 2020-03/FA19003 approving the proposed new multi-species confined feeding operation, notwithstanding the applications inconsistency with the municipal development plan (MDP). The board further directed the approval officer to issue an approval allowing the:

**Total permitted animal capacity**

- 21,000 chicken layers (plus associated pullets),
- 5,000 chicken broilers,
- 500 geese,
- 1,000 ducks,
- 5 dairy milking cows (plus associated dries and replacements)(for personal consumption), and
- 300 turkey broilers.

**Permitted construction**

- Layer barn (93 m x 18 m)
- Layer barn manure storage pad (attached to layer barn) (12 m x 18 m)
- Pullet barn (54 m x 12 m)
- Pullet barn manure storage pad (attached to pullet barn) (12 m x 12 m)
- Broiler barn (30 m x 19 m)
- Multi-species barn (mixed poultry and dairy) (33 m x 21 m)
- Solid manure storage pad (30 m x 15 m)

Enclosed you will find a copy of the decision with respect to the application. In accordance with the *Agricultural Operation Practices Act (AOPA)*, copies of the decision are being provided to all directly affected parties and to all parties determined not directly affected that provided written input to the Natural Resources Conservation Board.



Yours truly,

(Original signed)

Nathan Shirley  
Approval Officer

Cc: Audrey Bjorklund, Clear Hills County (*sent by email only to [audrey@clearhillscounty.ab.ca](mailto:audrey@clearhillscounty.ab.ca)*)

Encl. (2)



**Total permitted animal capacity from all permits for this site:**

21,000 chicken layers (plus associated pullets),  
5,000 chicken broilers,  
500 geese,  
1,000 ducks,  
5 dairy milking cows (plus associated dries and replacements),  
300 turkey broilers

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In consideration of Decision Summary FA19003X and parts of Decision Summary FA19003, Approval FA19003X is issued to:

Name: 1577912 Alberta Ltd. (Hutterian Brethren Church of Hines Creek) (the "permit holder")

Address: ~~Box 389 Hines Creek AB T0H 2A0~~

Contact person: Michael Gross

**Permitted construction** (based on the submitted site plan):

- Layer barn (93 m x 18 m)
- Layer barn manure storage pad (attached to layer barn) (12 m x 18 m)
- Pullet barn (54 m x 12 m)
- Pullet barn manure storage pad (attached to pullet barn) (12 m x 12 m)
- Broiler barn (30 m x 19 m)
- Multi-species barn (mixed poultry and dairy) (33 m x 21 m)
- Solid manure storage pad (30 m x 15 m)

The permit holder shall comply with the requirements of the *Agricultural Operation Practices Act* (AOPA) and the regulations passed pursuant to that act.

The permit holder shall adhere to the descriptions contained in the filed application FA19003, Board Decision 2020-03/FA19003, and 2020-03/FA19003, together with the site plan, building plans, engineering reports and other attached documents, unless otherwise noted in the following conditions.

The permit holder shall contact the NRCB at least 10 working days in advance of the desired inspection date to schedule the inspection in conditions 3, 6, 9, 12, and 14.

**Construction conditions**

Layer barn with attached manure storage pad

1. Construction completion deadline

The permit holder shall complete construction of the layer barn with attached manure storage pad prior to December 1, 2023. Upon request, this deadline may be extended by the NRCB in writing.



2. Concrete

The concrete used to construct the manure collection and storage liner of the layer barn with attached manure storage pad must meet the specifications for category D (solid manure - dry) in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas." The permit holder shall provide written proof to the NRCB confirming the specifications of the concrete used. This document must be provided to the NRCB prior to the inspection referenced in condition #3 below or by a later date stated by the NRCB.

3. Post construction inspections (prior to populating facilities)

The permit holder shall not place livestock or manure in the layer barn with attached manure storage pad barn until the NRCB has inspected the facility and stated in writing that they have been constructed in accordance with this approval.

Pullet barn with attached manure storage pad

4. Construction completion deadline

The permit holder shall complete construction of the pullet barn with attached manure storage pad prior to December 1, 2023. Upon request, this deadline may be extended by the NRCB in writing.

5. Concrete

The concrete used to construct the manure collection and storage liner of the pullet barn with attached manure storage pad must meet the specifications for category D (solid manure - dry) and category C (solid manure – wet), in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas." The permit holder shall provide written proof to the NRCB confirming the specifications of the concrete used. This document must be provided to the NRCB prior to the inspection referenced in condition #6 below or by a later date stated by the NRCB.

6. Post construction inspections (prior to populating facilities)

The permit holder shall not place livestock or manure in the pullet barn with attached manure storage pad until the NRCB has inspected the facilities and stated in writing that they have been constructed in accordance with this approval.

Broiler barn

7. Construction completion deadline

The permit holder shall complete construction of the broiler barn prior to December 1, 2023. Upon request, this deadline may be extended by the NRCB in writing.

8. Concrete

The concrete used to construct the manure collection and storage liner of the broiler barn must meet the specifications for category D (solid manure - dry) in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas." The permit holder shall provide written proof to the NRCB confirming the specifications of



the concrete used. This document must be provided to the NRCB prior to the inspection referenced in condition #9 below or by a later date stated by the NRCB.

9. Post construction inspections (prior to populating facilities)  
The permit holder shall not place livestock or manure in the broiler barn until the NRCB has inspected the facility and stated in writing that it has been constructed in accordance with this approval.

Multi species barn

10. Construction completion deadline  
The permit holder shall complete construction of the multi species barn prior to December 1, 2023. Upon request, this deadline may be extended by the NRCB in writing.

11. Concrete  
The concrete used to construct the manure collection and storage liner of the multi species barn must meet the specifications for category D (solid manure - dry) in Technical Guideline Agdex 096-93 "Non-Engineered Concrete Liners for Manure Collection and Storage Areas." The permit holder shall provide written proof to the NRCB confirming the specifications of the concrete used. This document must be provided to the NRCB prior to the inspection referenced in condition #12 below or by a later date stated by the NRCB.

12. Post construction inspections (prior to populating facilities)  
The permit holder shall not place livestock or manure in the multi species barn until the NRCB has inspected the facility and stated in writing that it has been constructed in accordance with this approval.

Solid manure storage pad

13. Construction completion deadline  
The permit holder shall complete construction of the solid manure storage pad prior to December 1, 2023. Upon request, this deadline may be extended by the NRCB in writing.
14. Post construction inspections (prior to populating facilities)  
The permit holder shall not place manure on the solid manure storage pad until the NRCB has inspected the facility and stated in writing that it has been constructed in accordance with this approval.

This approval becomes effective immediately. The approval conditions will remain in effect unless amended in writing by the NRCB.

May 8, 2020

(Original signed)

Nathan Shirley  
Approval Officer

## Decision Summary FA19003X

This document summarizes my reasons for issuing Approval FA19003X under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Decision Summary FA19003, Technical Document FA19003, and in Board Decision RFR 2020-03/FA19003. Those documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at [www.nrcb.ca](http://www.nrcb.ca) under Confined Feeding Operations (CFO)/CFO Search.

### 1. Background

On September 17, 2019, 1577912 Alberta Ltd. (Hutterian Brethren Church of Hines Creek) applied to the NRCB to construct a new multi-species confined feeding operation (CFO).

The proposed CFO was for:

- 21,000 chicken layers (plus associated pullets),
- 5,000 chicken broilers,
- 500 geese,
- 1,000 ducks,
- 5 dairy milking cows (plus associated dries and replacements)(for personal consumption), and
- 300 turkey broilers.

The proposed CFO facilities are as follows:

- Layer barn (93 m x 18 m)
- Layer barn manure storage pad (attached to layer barn) (12 m x 18 m)
- Pullet barn (54 m x 12 m)
- Pullet barn manure storage pad (attached to pullet barn) (12 m x 12 m)
- Broiler barn (30 m x 19 m)
- Multi-species barn (mixed poultry and dairy) (33 m x 21 m)
- Solid manure storage pad (30 m x 15 m)

My review of the application determined that it met all of the AOPA technical requirements, however, was not consistent with the land use provisions of Clear Hills County's municipal development plan (MDP). Because of that I denied the application on January 31, 2020. Hutterian Brethren Church of Hines Creek requested a review of my decision. The NRCB board granted the review and conducted a written hearing. The board's decision granting the review requests is available on the NRCB's website (Hutterian Brethren Church of Hines Creek, RFR 2020-03/FA19003.)

On April 23, 2020 the board issued Decision 2020-03/FA19003, following their review hearing. In their decision, the board exercised their discretion under section 25(4)(g) of AOPA and, notwithstanding its inconsistency with the MDP, directed the approval officer to issue an approval for the application. In addition, the board identified that road setbacks to range road 53 should be easily resolved directly with the county and in a manner consistent with setbacks established for non-CFO structures on AG-1 lands. According to the land use bylaw, this setback is 40.8 m from the road right of way. The proposed facilities meet this setback.

## **2. Conclusion**

In consideration of Board Decision 2020-03/FA19003 and Decision Summary FA19003, Approval FA19003X is issued.

May 8, 2020

(Original Signed)

Nathan Shirley  
Approval Officer

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