



NRCB | Natural Resources
Conservation Board

Grandfathered (Deemed) Permit Determination

under the

Agricultural Operation Practices Act

Baltussen Hog Farm Ltd. (Gerry and Trudy Baltussen)

NE-30-60-04-W5

File # PB24004

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1.0 Introduction and Background

This document sets out the written reasons for my determination of the livestock capacity and type in a deemed permit under the *Agricultural Operation Practices Act* (AOPA). The subject of the determination is a swine operation located on NE-30-60-04-W5 (this quarter section will be referred to as “the site”). The site is located in the County of Barrhead, approximately 18 kilometres northwest of the Town of Barrhead. The process of ascertaining livestock capacity and livestock type under a deemed permit is known commonly as a “grandfathering” determination.

On April 28, 2024, Trudy and Gerry Baltussen of Baltussen Hog Farm Ltd. contacted the Natural Resources Conservation Board (NRCB) and requested that the NRCB conduct a grandfathering determination for their swine confined feeding operation (CFO). The CFO operates under the corporate name of Baltussen Hog Farm Ltd. and the land is owned by Baltussen Hog Farm Ltd.

The confined feeding operation (CFO) holds Development Permit #55-95 issued by County of Barrhead on August 9, 1995. Development Permit #55-95 authorized the development of “a 300 sow farrow to finish piggery barn and operation” (Appendix A).

On May 1, 1996 the County of Barrhead authorized the change of the Development Permit #55-95 from the 300 sow farrow to finish operation to a 500 sow farrow to finish of just the gilts operation. The county acknowledged that the change in the operations from the original development application was not significant enough to warrant a new development permit (Appendix B).

Additionally, on October 15, 1997, the County of Barrhead authorized the change of the Development Permit #55-95 from the 300 sow farrow to finish operation to a 1,400 sow farrow to early wean operation. The county indicated that this change in intensity is not significant enough to warrant a new application (Appendix C).

Under section 18.1(1)(b) of AOPA, CFOs that held a municipal development on January 1, 2002, are grandfathered.

NRCB Operational Policy 2023-01: *Grandfathering (Deemed Permit)* at part 7.1 says that, where the livestock capacity, category, and type claimed by the operator is the same as in the pre-2002 municipal development permit, a formal grandfathering report is not needed. Instead, NRCB field services staff may issue a letter to the operator. In the case of the Baltussen Hog Farm Ltd. CFO, the municipal permitting history is complex. This is the primary reason why I have opted to issue a more comprehensive report outlining the grandfathering determination for this CFO. In addition, I needed to interpret “early wean” as a swine type to fit into AOPA types, and I needed to ascertain the footprint and structures as they existed on January 1, 2002.

It is therefore necessary for me to confirm:

1. Was the CFO above the permitting thresholds under AOPA on January 1, 2002?
2. If so, what was the footprint on January 1, 2002?
3. What were the structures on January 1, 2002? How were the structures being used?
4. What, if any, permits or licences did the operation hold?

On May 28, 2024, Gerry and Trudy Baltussen submitted a grandfathering determination request to the NRCB on behalf of Baltussen Hog Farm Ltd.. The grandfathering determination was

requested at NE-30-60-04-W5 and it claimed a 1,400 sow farrow to early wean operation (Appendix D).

For the reasons that follow, I concluded that the under section 18.1 of AOPA, the CFO at NE-30-60-04-W5, currently owned by Baltussen Hog Farm Ltd. has a deemed approval with the capacity for a 1,400 sow farrow to wean operation. The CFO has not been abandoned and the deemed NRCB permit under AOPA is still valid today.

2.0 Context and Process

2.1 Legal Context

Under section 18.1(1)(b) of the *Agricultural Operation Practices Act*, the owner or operator of a “confined feeding operation” that existed on January 1, 2002, with respect to which a development permit was in effect on January 1, 2002, is deemed to have been issued a permit under AOPA. The capacity allowed by the deemed permit is that authorized by the development permit, or if the capacity was not authorized, the capacity of the enclosures to confine livestock on January 1, 2002.

The term “capacity” refers to a CFO’s livestock numbers, not to the scope of the CFO’s facilities. The term “deemed capacity” refers to the maximum number of livestock, or maximum volume or tonnage of manure storage, allowed by a CFO’s deemed permit as determined under section 18.1(2) of AOPA.

“Capacity” in relation to deemed manure storage means volume for liquid manure storage and tonnage for solid manure storage.

To be grandfathered, a CFO must have been at or above AOPA threshold numbers on January 1, 2002. The Part 2 Matters Regulation under AOPA identifies the threshold to require a permit for sow farrow to wean is 50-999 for a registration and ≥ 1000 for an approval.

The Administrative Procedures Regulation under AOPA includes section 11 governing deemed permit investigations. Section 11(1) of the Regulation states that:

11(1) At the request of an owner or operator for a determination related to a deemed permit under section 18.1 of the Act, or in response to a complaint where a determination of the terms or conditions or existence of a deemed permit is required, an inspector shall conduct an investigation to determine the capacity of a confined feeding operation or manure storage facility

- (a) that was in place on January 1, 2002, or*
- (b) that was constructed pursuant to a development permit issued before January 1, 2002.*

The NRCB has formalized grandfathering decisions by adopting processes set out in section 11 of the Administrative Procedures Regulations under AOPA and through the Operational Policy 2023-01: *Grandfathering (Deemed Permit)*. These documents provide the framework to establish the facts and the scope of the grandfathering determination process.

2.2 Standard of Proof

Section 11 of the Administrative Procedures Regulation under AOPA states that an inspector shall conduct an investigation to determine capacity of a CFO in place on January 1, 2002. Grandfathering determinations require findings of fact. Whether a CFO existed on January 1, 2002, above threshold, is a question of fact. Similarly, what category and type of livestock, and what capacity the CFO had on January 1, 2002 are also questions of fact.

If not otherwise specified in legislation, the standard of proof in a civil administrative proceeding like this is a “balance of probabilities”—that is, whether a relevant fact is more likely than not to be true.

2.3 Notice Not Required

Ordinarily, notice of a deemed permit determination is given to those parties who would be entitled to notice under AOPA for a new CFO with the same capacity as what the operator is claiming as deemed.

I determined that notice of the deemed permit determination in this case was unnecessary. Grandfathering Policy at 5.2.1 states that public notice is not required if an MD permit pre-dates January 1, 2002 and specifies the capacity and livestock type.

3.0 Evidence

3.1 Information at the NRCB

The confined feeding operation (CFO) holds Development Permit #55-95 issued by County of Barrhead on August 9, 1995. Development Permit #55-95 was issued to Gerry Baltussen c/o Sunnyside Realty and it authorized the development of “a 300 sow farrow to finish piggery barn and operation” (Appendix A).

On May 1, 1996 the County of Barrhead authorized the change of the Development Permit #55-95 from the 300 sow farrow to finish operation to a 500 sow farrow to finish of just the gilts operation. Additionally, on October 15, 1997, the County of Barrhead authorized the change of the Development Permit #55-95 from the 300 sow farrow to finish operation to a 1,400 sow farrow to early wean operation. For both of these changes, the county acknowledged that the change in the operation from the original development application was not significant enough to warrant a new development permit (Appendices B and C).

3.2 Information from Gerry and Trudy Baltussen

Gerry and Trudy Baltussen provided two documents that supported the claimed grandfathered capacity of a 1,400 sow farrow to wean operation.

The first document dated October 19, 1999 is a letter from Cotswold Canada (a swine genetics company) (Appendix E). The letter discusses the average number of pigs that the Baltussen operation weaned in an eight week period. This letter also mentions that the Baltussen’s average inventory is 1,400 sows.

The second document is a weekly farm report for Baltussen Hog Farm Ltd. which includes a weekly report from February 29, 2004 to January 2, 2005 (Appendix F). This document includes

weekly production information about the operation including sow breeding information, farrowing information and weaning information.

The following records were also submitted, however they were not relevant and/or considered in the grandfathering determination as they did not provide any information on the claimed animal numbers or type:

- photos of the operation including a photo of the barn from the outside and a photo of the barn from the inside (no date on photos)
- photo of Western Hog Exchange card (no date), Alberta Pork Producer card (issued 2011), and Canadian Quality Assurance for Hog Producer's card (expired 2006)
- Alberta Premises Identification (no date)
- 2005 Canadian Quality Assurance Program renewal letter from Alberta Quality Pork
- February 13, 2006 Canadian Quality Assurance Program Validation Report
- 2006 Canadian Quality Assurance Program renewal letter from Alberta Quality Pork
- 2007 Alberta Environmental Farm Plan Certificate
- 2008 aerial image of operation

On May 28, 2024, myself and NRCB Approval Officer Nathan Shirley met with Gerry and Trudy Baltussen. At this time, we also inspected all of the operation's facilities. Gerry and Trudy Baltussen provided the following information about their operation:

- This swine operation had always been operational since 2002 (and since it was originally built) up until three to four years ago when sows were sold due to the market conditions.
- The operation was a swine farrow to early wean operation. In 2012, Baltussen's started finishing some pigs as a revenue source.
- The barn on site is the same barn that has always been on site and used in this operation.
- The lagoon on site is the same lagoon that has always been at this site and the dimensions have not changed since 2002. The operators believe that the lagoon holds 5000 cubic metres.
- In the last couple of years, the farrowing crates were removed out of the barn. Gerry Baltussen told us that there were 220 farrowing crates.
- Piglets were weaned at 18 days old.
- Gerry and Trudy's children have expressed interest in wanting to operate this CFO in the future.

3.3 Information from Municipality

Under the Part 2 Matters Regulation under AOPA, the municipality where the CFO is located is an affected party (see section 5 of the Regulation). As such, the County of Barrhead is an affected party and is also a directly affected party in this deemed permit determination, as they would be if this were an application for an approval today.

On May 30, 2024 I received correspondence from the County of Barrhead in regards to this operation. The County of Barrhead provided me with the following records: Development Permit #55-95 records from 1995 (Appendix G), Development Permit #55-95 records from 1996 (Appendix H), and Development Permit #55-95 records from 1997 (Appendix I). The County of Barrhead also provided aerial photos of the operation from 2000, 2007, 2014 and 2021 (Appendix J).

3.4 Other Evidence

Historical aerial imagery (Valtus 1999-2003, Appendix K and the County of Barrhead imagery from 2000, Appendix J) show the footprint and facilities of the CFO that likely existed on or around January 1, 2002. These facilities include the hog barn as well as the earthen manure storage. In these aerial images, the barn and the earthen manure storage are in the same location and appear to have the same dimensions as they do today (Appendices K and J).

4.0 Analysis and Findings

4.1 Was the CFO Above AOPA Threshold on January 1, 2002?

The development permit #55-95 authorizes a 1,400 sow farrow to early wean operation. Accordingly, the CFO was above threshold on January 1, 2002 and has a deemed permit.

4.2 CFO Footprint and Structures

The evidence set out above shows that the footprint of the CFO has not changed since 2001. My May 28, 2024 site inspection also confirmed that the CFO footprint has not changed. I conclude that the footprint of the CFO today is the same footprint that existed on January 1, 2002.

Based on this evidence, I have concluded that on January 1, 2002, this CFO consisted of the following manure collection areas (MCAs) and manure storage facilities (MSFs).

- 1) Barn (226 ft x 185 ft)
- 2) Earthen Liquid Manure Storage Facility (138 ft x 282 ft x 4.5 ft). This is an approximate measurement, as the width and length measurements were taken on Google Earth 2012 aerial imagery (Appendix L). I calculated the approximate depth (4.5 ft) using the total volume of the facility that the operators provided me on May 28, 2024.

I verified that the animal numbers stated in Development Permit #55-95 do fit into the barn listed above utilizing Technical Guideline Agdex 096-81 calculator.

See Appendix "L" for a map of the MCAs and MSFs.

4.3 CFO Livestock Type

As to livestock type, the supporting materials show that this CFO was a swine farrowing to wean operation as the records include breeding, farrowing and weaning information (Appendices E and F). AOPA does not distinguish between "early wean" and "wean," so I am interpreting the municipal development permit to authorize "wean" under AOPA.

5.0 Affected Persons and Directly Affected Parties

Section 11(5) of the Administrative Procedures Regulation under AOPA requires that an inspector's decision report on a grandfathered (deemed) permit determination include reasons on whether affected persons who made a submission are directly affected parties.

In this case, as notice was waived, the only affected party in this determination is the municipality in which the operation is located (County of Barrhead). The applicant (Baltussen Hog Farm Ltd.) and the municipality (County of Barrhead) are directed affected parties.

6.0 Status of Deemed Permit Today

6.1 Abandonment

While a grandfathering determination is limited to a point in time – January 1, 2002 – the NRCB also takes this opportunity to assess the validity or status of a deemed permit, today. In other words, for a permit that is deemed under AOPA, does that same permit exist with the same terms in 2024? This assessment may be useful to provide certainty to prospective buyers, sellers or lenders; regulators (such as the NRCB); and the owner or operator of the CFO.

In a decision concerning a grandfathered (deemed) permit determination (RFR 2020-04 *Stant Enterprises Ltd.* at pg. 4), the NRCB Board implied that where 18 years have passed since the time window used in a grandfathering, it may be appropriate to evaluate a question of abandonment. If a facility were abandoned, that might invalidate its deemed permit today.

The NRCB's Operational Policy: 2016-3 *Abandonment and Permit Cancellations* guides how to assess whether an operation or facility is abandoned. I considered the following:

- when the CFO stopped being used to manage livestock or store livestock manure
- the owner's reason for ceasing or postponing use of the permitted CFO
- whether the CFO has changed ownership during the period of disuse
- the CFO's current use, if any
- the CFO's current condition
- whether the facilities have reached the end of their useful life
- what upgrades or major renovations would be required to resume using the facilities for confining livestock or storing manure
- the owner's intent with respect to future use of the CFO

From my observations and from information obtained during my site inspection, I was able to assess the status of the site:

- the CFO facilities stopped being used to confine livestock and store manure within the last three to four years
- the owner's reason for ceasing or postponing use of the CFO was due to the market conditions of the swine industry
- the CFO has not changed ownership during the period of disuse
- the CFO is not currently being used
- the CFO facilities are in good condition and the facilities have not reached the end of their useful life
- based on my observations of the conditions of the site, the CFO can continue being used without any major upgrades or renovations. To continue being used, the farrowing crates (or an alternative type of sow housing system) would need to be re-installed in the barn
- Gerry and Trudy's children have expressed interest in wanting to operate this CFO in the future, therefore there is intent with respect to future use of the CFO

Having considered the evidence and issues that relate to assessing abandonment, I am of the option that the CFO at NE-30-60-04-W5 is not abandoned.

6.2 Disturbed Liner

The *Grandfathering (Deemed Permit)* Policy states that facilities that are deemed to have an AOPA permit retain that deemed status only as long as the essential conditions of those facilities remain as they were on January 1, 2002.

The policy objective behind grandfathering is to protect legitimate expectations and reduce unfairness to operators who did not receive adequate notice of AOPA Part 2 taking effect from being expected to conform to the “new” standards. When AOPA was being developed, the expectation was that, over time, older facilities would adhere to AOPA’s requirements as they were upgraded or replaced. The idea is that, prior to AOPA, operators made their investment decisions on the basis of the rules as they stood at the time, and that it would be unfair to subject those operators to the new rules.

If an operator substantially changes the liner of a grandfathered manure storage facility or collection area, then the policy objective behind grandfathering that liner is erased. In addition, as a general rule, if a deemed facility is changed in a way that constitutes “construction” under AOPA, including the NRCB’s interpretation, then that facility will lose its deemed status. This rule applies even where the “construction” does not alter the existing liner (e.g. but where capacity of manure storage or collection increases). Further explanation of what constitutes “construction” is provided in NRCB Operational Policy 2012-1: *Unauthorized Construction*.

In this case, there is no information that any liners or protective layers for the CFO facilities were disturbed in a way that would constitute “construction” and would invalidate the deemed permit.

7.0 Conclusion

Having reviewed all the evidence listed above, I have determined that the CFO at NE-30-60-04 W5, currently owned by Baltussen Hog Farm Ltd. and operated by Gerry and Trudy Baltussen:

1. was above AOPA permitting thresholds for swine farrow to wean animals on January 1, 2002
2. had the same footprint (for confining livestock) on January 1, 2002 as it does today
3. has the same structures (for confining livestock and for storing manure) today as it did on January 1, 2002
4. has development permit #55-95 issued prior to January 1, 2002 from the County of Barrhead
5. was operating as a sow farrow to wean operation on January 1, 2002

Therefore, under section 18.1 of AOPA, the owner or operator of the CFO has a deemed approval with the capacity for a 1,400 sow farrow to wean operation. AOPA does not include a sow farrow to early wean livestock type. The most relevant livestock type is sow farrow to wean. Therefore the CFO’s deemed approval is for the capacity of 1,400 sow farrow to wean animals.

I have determined that the CFO has not been abandoned, has not had any of its liners disturbed, and the deemed NRCB permit under AOPA is still valid today. Please see Deemed (Grandfathered) Approval PB24004.

Please note that under section 18.1(4) of AOPA, the terms and conditions of the municipal Development Permit #55-95 continue to apply under the deemed permit.

Furthermore, I conclude that the only directly affected parties of this decision are: Baltussen Hog Farm Ltd. (operated by Gerry and Trudy Baltussen) and the County of Barrhead.

October 3, 2024

(Original signed)

Cathryn Thompson
Inspector

8.0 Appendices

- A. County of Barrhead Development Permit #55-95
- B. 1996 Change to Development Permit #55-95
- C. 1997 Change to Development Permit #55-95
- D. Grandfathering Determination Request to NRCB (May 28, 2024)
- E. October 19, 1999 Cotswold Canada Ltd. letter (supplied by Gerry and Trudy Baltussen)
- F. Baltussen Hog Farm Ltd. February 29, 2004 to January 2, 2005 Weekly Farm Report (supplied by Gerry and Trudy Baltussen)
- G. Development Permit #55-95 records from 1995 (supplied by the County of Barrhead)
- H. Development Permit #55-95 records from 1996 (supplied by the County of Barrhead)
- I. Development Permit #55-95 records from 1997 (supplied by the County of Barrhead)
- J. 2000, 2007, 2014, 2021 Aerial Imagery (supplied by the County of Barrhead)
- K. 1999-2003 Valtus Imagery
- L. 2012 Google Earth Aerial Imagery (labelling done by Cathryn Thompson)

PERMIT NO. 55- 95

FORM C

DEVELOPMENT PERMIT

COUNTY OF BARRHEAD NO. 11

Development involving: **To establish a 300 sow farrow to finish piggery barn and operation** by applicant; Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5, Certificate of Title #922 358 624; Registered owner; Marie Pepe as described in Application No.55-95 following the guidelines of the "Code of Practice" has been approved, subject to the following conditions:

1. County of Barrhead post notice on site.
2. Applicant receive approval from Alberta Protection Water Resource Division in regards to a water license.
3. Applicant receive approval from Alberta Transportation.
4. Notification be sent to adjoining landowners.

You are hereby authorized to proceed with the development specified provided that any stated conditions are complied with; that development is in accordance with any approved plans and made against this decision to the Development Appeal Board, the development permit shall be null and applications; and that a Building Permit is obtained if construction is involved. Should any appeal be void.

DATE OF DECISION: 4th August, 1995

DATE OF ISSUE OF PERMIT: 9th August, 1995

SIGNATURE OF DEVELOPMENT OFFICER: _____

NOTE:

1. The issuance of a Development Permit in accordance with the Notice of Decision is subject to the condition that it does not become effective until fifteen (15) days after the date the order, decision or development permit is issued.
2. The Land Use By-Law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after Notice of the Decision is given.
3. A permit issued in accordance with the Notice of Decision is valid for a period of twelve (12) months from the date of issuance. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
4. A development permit is an authorization for development under the Land Use Bylaw. The applicant is still responsible to adhering to any other Provincial or Federal codes and regulations that may be applicable.

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

This is to notify you with respect to a decision of the Development Officer whereby a development permit has been issued authorizing the following development:

To establish a 300 sow farrow to finish piggery barn and operation by applicant; Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5, Certificate of Title #922 358 624; Registered owner; Marie Pepe as described in Application No.55-95 following the guidelines of the "Code of Practice" has been approved Area of the above parcel to be developed is 157.39 acres.

DATE OF DECISION: August 4th, 1995

DATE OF ISSUANCE: August 9th, 1995

SIGNATURE OF DEVELOPMENT OFFICER 

The Land Use By-Law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice to the secretary of the Development Appeal Board within fourteen (14) days after Date of Issuance.

**COUNTY OF BARRHEAD NO. 11
MINUTES - COUNTY COUNCIL MEETING HELD MAY 1ST, 1996**

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Councillor Zyliński reported on the public meeting held with property owners around Thunder Lake on April 29th, 1996, discussing the possibility of developing an Area Structure Plan for Thunder Lake. Councillor Zyliński reported that the consensus of the majority of the attendees was for the County to proceed in developing an Area Structure Plan for the Thunder Lake Area.

**CONFERENCES AND SEMINARS
18TH ANNUAL ELECTED OFFICIALS SYMPOSIUM
JUNE 12TH TO 14TH, 1996 - RED DEER**

Council agreed that the above item be included on the May 15th, 1996 meeting agenda.

Carried Unanimously.

DEVELOPMENT APPLICATION #55-95 - NE 30-60-4-W5

Development Officer Rick Neumann entered the meeting at this time being 3:10 p.m. to discuss the change in the original proposal of the above development application wherein the original proposal called for a 300 sow farrow to finish operation and has been changed to a 500 sow farrow to finish of just the gilts. Mr. Neumann reported that the barrows are sold as weaners. Mr. Neumann reported that the change in the operations from the original development application which was approved was not significant enough to warrant a new development application.

Rick Neumann left the meeting at 3:23 p.m.

MARVIN FRAEDRICH LETTER

96-256 Moved by Reeve Visser that a response be made to Marvin Fraedrich, thanking him for his input for possible alternatives to imposing an earlier tax penalty date.

ADJOURNMENT

96-257 Moved by Councillor Fluet that the meeting recess at 3:25 p.m.

Carried Unanimously.

MAY 1ST, 1996

REEVE

COUNTY MANAGER

Appendix C

COUNTY OF BARRHEAD NO. 11
COUNTY COUNCIL MEETING HELD OCTOBER 15, 1997

PUBLIC WORKS EXPENDITURE REPORT TO OCTOBER 14, 1997

Council reviewed the Public Works Expenditure Report for the 1997 Road Program for the period ending October 14, 1997.

FORM 48A CHANGES

97-551 Moved by Councillor Fluet that the project changes included as Schedule "Z" attached and forming part of these minutes be approved under Form 48A:

Motion Carried.

Voting for the resolution: Councillors Fluet, Tupper, Keyes, Zylinski, Reeve Visser
Voting against the resolution: Councillors Hagen and Holsted.

97-552 Moved by Councillor Keyes that additional shoulder pulling be done in 1997 as warranted at the discretion of the Public Works Superintendent, if weather permits.

Motion Carried.

Voting for the resolution: Councillors Holsted, Tupper, Keyes, Zylinski, Hagen and Reeve Visser
Voting against the resolution: Councillor Fluet

Don Hove reported that Ed Weeks has been hired as a grader operator to replace Dave Borchers who had recently resigned.

Cal Fischer and Don Hove left the meeting at this time being 2:50 p.m.

IN-CAMERA SESSION

97-553 Moved by Councillor Holsted that the meeting move into in-camera at this time being 2:50 p.m.

Carried Unanimously.

97-554 Moved by Councillor Tupper that the meeting move out of in-camera at this time being 4:45 p.m.

Carried Unanimously.

DEVELOPMENT APPLICATION NO. 55-95

- GERRY BALTUSSEN - NE 30-60-4-W5

Reeve Visser declared a pecuniary interest pursuant to Section 170(1) of the Municipal Government Act, disclosing the general nature of his pecuniary interest pursuant to Section 172(1)(a), and abstained from voting and discussion on this item.

97-555 Moved by Councillor Hagen that Mr. Baltussen's verbal presentation relating to his change in operation from the original approval for 300 sow farrow to finish operation to the present 1400 sow farrow to early wean operation on the NE 30-60-4-W5 be accepted and further that the change in intensity is not significant enough to warrant a new application as shown by the comparison figures from Alberta Agriculture requiring the minimum distance separation from the original application of 1795 feet to this new operation to 2015 feet.

Motion Carried.

OCTOBER 15, 1997

REEVE

COUNTY MANAGER

Grandfathering Determination Request



Request under the *Agricultural Operation Practices Act* (AOPA) for a grandfathering determination for a confined feeding operation (CFO), manure collection area (MCA), or manure storage facility (MSF)

NRCB USE ONLY	NRCB Grandfathering Number PB24004	Date Stamp NRCB APPLICATION MAY 28 2024 RECEIVED
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CONTACT/OWNER INFORMATION

Name of owner: Georgy & Trudy Baltussen	Corporate Name (if applicable): Baltussen Hog Farm Ltd	
Name of person making request: Georgy Baltussen		
Address: (Street/P.O. Box) Box 13, site 14, RR#2		
City/Town: Barrhead	Province: AB	Postal Code: T7N1N3

LOCATION FOR WHICH GRANDFATHERING DETERMINATION IS REQUESTED

Legal Land Description: NE30-60-4W5	(Qtr-Sec-Twp-Rg-W Mer)
County/Municipal District: County of Barrhead	
Is the person making the request the registered landowner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If no, please attach letter of consent signed by all landowners)	
Does this legal land location have an existing permit(s) for CFO facilities? (e.g. municipal development permit): <input checked="" type="checkbox"/> Yes (if yes please provide a copy) <input type="checkbox"/> No Permit(s) #:	

Claimed Grandfathered Livestock Capacity (Capacity of the enclosures On **January 1, 2002**)

Livestock category and type	Claimed grandfathered livestock capacity
1400 Farrow to early wean	1400 Farrow to early wean

Claimed Grandfathered Facilities (On **January 1, 2002**)

Facility Name	Dimensions Length x width (x depth as applicable) (m)	Description of management of the facility (Seasonal use, movement of livestock, type of livestock etc.)
Baltussen Hog Farm Ltd.	226 FT x 185 FT	Farrow to early wean
EMS	42 m x 86 m	Lagoon

Grandfathering Determination Request

Information to support grandfathering determination request: (Provide all relevant information to support the grandfathering claim. This can include, permits issued prior to January 1, 2002, records supporting the claimed capacity, photographs, details of facilities used to confine livestock, site layout plan, etc. Attach pages as required.)

Types of Records for Years 2000-2004	Yes	No	Comments
Aerial imagery (old farm photos)	✓		
Photographs (personal photos taken of animals/facilities)	✓		
Livestock Purchase Records (auction market receipts)		✓	
Livestock Sales Records (auction market receipts)		✓	
Financial Records (Taxes)		✓	
Feed, Straw, Mineral Purchase Records		✓	
Government Support Program Records (GRIP, NISA)		✓	
Premises Identification Registration Records	✓		
Quota Records			N/A
Veterinary Records		✓	
Manifests		✓	
Calving/Farrowing/Lambing etc. Records		✓	
Livestock Health Records (records of livestock treatments/vaccinations)			CQA
Purchases of Livestock Holding/Handling Equipment (poultry cages, dairy cow beds/stalls, farrowing crates)		✓	
Testimonies from Employees or Family Members (that worked on the operation in 2002-2004 and could be contacted now)			
Building and Construction Records (concrete bunkers, buildings, sheds, slab fences, barns, waterers, etc.)	✓	✓	blue print Barn
Any Diaries, Journals or Daily Logs		✓	
Other weekly farm Report 2004	✓		

Grandfathering Determination Request

REQUEST DISCLOSURE

I acknowledge that this information is collected under the authority of the *Agricultural Operation Practices Act*, is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, and shall be deemed public unless the NRCB grants a written request that certain sections remain private.

I, the owner, or agent of the owner, have read and understand the statements herein and acknowledge that the information provided in this application is true to the best of my knowledge.

28 April 2024
Date of signing

[Redacted Signature]
Signature

Baltussen Hog Farm Ltd.
Corporate name (if applicable)

Geerzy Baltussen
Print name

This contact information is only for NRCB, municipal, and referral agency use, and is not for public disclosure.			
Owner Contact Information			
Name: <u>Geerzy Baltussen</u>		Corporate Name (if applicable): <u>Baltussen Hog Farm Ltd.</u>	
Contact Numbers	Business:	Cell: [Redacted]	Home:
Email: [Redacted]			

Person (Other than Owner) Requesting the Determination Contact Information (if applicable)		
Name:		Relationship to Owner:
Contact Numbers	Home:	Cell:
Email:		



October 19, 1999

Gerry & Trudy Baltussen
Baltussen Hog Farm Ltd.
Box 13, Site #14, RR #2
Barrhead, AB T7N 1N3

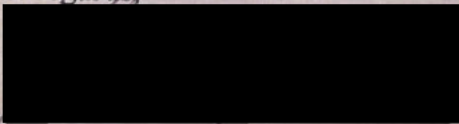
Dear Gerry;

Just looking at your PigCHAMP® Performance Monitor this morning for the period August 8th, 99 to October 2nd, 99. I am very pleased to see how your unit has come around over the past year. By my calculation, you averaged 637 pigs weaned for the 8-week period. That is excellent for a unit your size.

When looking at PigCHAMP® Performance, I tend not to spend a lot of time worrying about weaned per mated female per year, but rather I look at the pig flow out of the barn which is your ultimate revenue source. An average of 637 per week for the entire year would give you 33,124 pigs sold out of your unit. If your average inventory is 1,400 sows this would equate to 23.66 pigs sold per sow per year. This is excellent and above any levels that we ever used in budgets for you.

I also know that the piglet quality into the nursery is good and I commend you on that as well. I know that at times during the past 3 years, you have probably had cause to wonder why you got into the business that you did. But with these results I feel the future is very bright for you and your family. My congratulations of course extend to Trudy as well.

Best regards,


Cam M°Gavin

cc Ian Moor, Cotswold Canada Ltd.
Tim Snider, Cotswold Canada Ltd.
John Sawatzky, Cotswold Canada Ltd.

CM°/ccr

2004

Line	Prod. dest.																						
	12	13	309	18	20	314	316	6	7	17	319	9	8	11	19	3	5						
Period	End date	Wn 1st S	1st - last srv	# ins.	Rep. Matings	% used sows	Age 1st ins.	No. of litters	# abortions	BA litter	BA / litter	BD / litter	GA / litter	% 1st litters	Weaned sow	Weaned	Wean li	%Suckling Mortality	Farr. % 1st ins.	farraned/ litter index			
200409	29/02/04		3.9	72	13		153	236												100			
200410	07/03/04		8.0	83	22		78	233												100			
200411	14/03/04		11.2	68	26		74	232												100			
200412	21/03/04		12.5	85	40		60	229												100			
200413	28/03/04		9.4	61	26		74	232												100			
200414	04/04/04		11.8	63	29		71	243												100			
200415	11/04/04		16.9	45	38		62	260												100			
200416	18/04/04		14.4	34	29		71	242												100			
200417	25/04/04	9.0	17.3	44	36		105	248	19	1	197	10.4	0.4	0.5	100	1		100.0		100	1.02		
200418	02/05/04	9.3	13.1	59	27		68	234	60		643	10.7	0.5	0.5	100	2			2.5	56	3.07		
200419	09/05/04		9.9	46	22		78	215	77	1	805	10.5	0.5	0.5	100					62	3.86		
200420	16/05/04	3.0	4.2	59	10		86	215	59	1	615	10.4	0.4	0.5	100	45	434	9.6	6.1	17.0	82	2.85	21
200421	23/05/04	5.4	6.1	77	12		34	231	60		615	10.3	0.5	0.3	100	50	486	9.7	4.9	15.0	79	2.81	22
200422	30/05/04	6.5	9.1	64	16		14	217	34	1	341	10.0	0.6	0.3	100	45	421	9.4	6.0	20.1	80	1.59	16
200423	06/06/04	5.4	5.7	67	13		9	218	105	2	1066	10.2	0.4	0.3	100	100	887	8.9	6.7	18.1	79	4.92	41
200424	13/06/04	7.9	8.2	74	14		4	286	55		561	10.2	0.5	0.4	100	49	437	8.9	6.0	17.4	82	2.57	20
200425	20/06/04	8.8	13.3	72	22		6	293	44	1	405	9.2	0.8	0.7	100	54	503	9.3	8.0	17.4	77	2.06	20
200426	27/06/04	12.2	8.2	79	15		8	251	50		507	10.1	0.3	0.4	100	57	546	9.6	7.9	19.2	51	2.34	26
200427	04/07/04	7.9	6.6	80	15		326	241	56		571	10.2	0.5	0.3	100	60	601	10.0	8.9	21.0	81	2.13	22
200428	11/07/04	8.9	10.4	91	22		26	242	50		477	9.5	0.4	0.6	100	51	499	9.8	8.4	20.7	74	1.87	16
200429	18/07/04	15.1	8.4	91	15		24	246	47		441	9.4	0.5	0.6	100	64	562	8.8	9.9	17.6	63	1.73	20
200430	25/07/04	11.7	12.7	81	26		14	239	55		542	9.9	0.7	0.3	100	34	327	9.6	5.8	20.9	78	2.01	12
200431	01/08/04	8.9	14.2	81	25		17	252	72		732	10.2	0.3	0.2	100	45	444	9.9	2.8	21.3	71	2.66	16
200432	08/08/04	6.8	18.5	65	28		3	283	47		442	9.4	0.9	0.4	100	52	415	8.0	8.4	19.2	77	1.73	16
200433	15/08/04	10.8	9.1	76	22		4	295	59		612	10.4	0.4	0.3	100	93	843	9.1	4.4	19.6	78	2.17	31
200434	22/08/04	7.9	11.8	94	27		2	288	70		737	10.5	0.4	0.3	99	46	442	9.6	3.3	19.9	66	2.57	16
200435	29/08/04	9.7	17.0	84	38				40		425	10.6	0.4	0.4	98	42	404	9.6	6.9	21.9	74	1.47	14
200436	05/09/04	14.7	16.5	60	37				57		573	10.1	0.6	0.5	100	71	679	9.6	5.7	20.9	75	2.12	26
200437	12/09/04	10.3	15.3	113	35		4	284	49		516	10.5	0.4	0.2	69	69	671	9.7	5.6	19.7	82	1.82	26
200438	19/09/04	8.4	20.0	123	41		1	298	70		685	9.8	0.6	0.4	50	51	465	9.1	6.3	18.5	80	2.61	17
200439	26/09/04	6.7	12.0	87	23				64		655	10.2	0.3	0.2	27	50	437	8.7	6.4	16.9	79	2.41	16
200440	03/10/04	7.3	19.6	74	24				79		855	10.8	0.4	0.4	27	50	441	8.8	8.1	16.9	85	2.98	16
200441	10/10/04	8.2	11.4	86	19				62		635	10.2	0.5	0.3	40	93	901	9.7	5.9	16.6	82	2.34	34
200442	17/10/04	9.2	22.6	81	30				74		795	10.7	0.3	0.2	27	70	709	10.1	5.0	16.5	75	2.80	26

Line	Prod. dest.																							
	12	13	309	18	20	314	316	6	7	17	319	9	8	11	19	3	5							
Period	End date	Wn 1st S	1st - last srv	# ins.	Rep. Matings	% used sows	Age 1st ins.	No. of litters	# abortions	BA litter	BA / litter	BD / litter	GA / litter	% 1st litters	Weaned sow	Weaned	Wean li	%Suckling Mortality	Farr. % 1st ins.	farraned/ litter index				
200443	24/10/04	7.8	10.3	79	14				71		797	11.2	0.4	0.1	27	69	723	10.5	6.7	16.9	86	2.69	27	
200444	31/10/04	8.6	11.8	100	24				68		689	10.1	0.3	0.4	32	74	713	9.6	5.3	14.2	83	2.58	27	
200445	07/11/04	8.4	14.0	92	28				73		813	11.1	0.3	0.2	36	66	696	10.5	4.3	16.7	82	2.77	26	
200446	14/11/04	7.8	10.9	89	16				53		508	9.6	0.5	0.7	26	71	709	10.0	5.5	16.5	84	2.06	27	
200447	21/11/04	9.5	13.4	71	23				34		337	9.9	0.4	0.3	29	49	446	9.1	10.1	18.1	63	1.32	17	
200448	28/11/04	8.3	18.9	85	41				40		364	9.1	0.4	0.3	18	74	717	9.7	6.3	18.8	58	1.56	27	
200449	05/12/04	5.2	14.2	92	32				37		351	9.5	0.5	0.3	8	53	510	9.6	6.8	18.8	44	1.44	16	
200450	12/12/04	6.7	27.4	80	41				59		598	10.1	0.4	0.1	10	44	408	9.3	7.7	17.0	62	2.30	16	
200451	19/12/04	8.8	22.5	77	39				38		383	10.1	0.3	0.2	11	27	231	8.6	10.5	17.8	73	1.48	16	
200452	26/12/04	13.9	25.4	52	42				48		470	9.8	0.4	0.2	2	48	439	9.1	10.0	16.8	39	1.87	17	
200453	02/01/05	9.3	15.1	71	31				81		880	10.9	0.3	0.2	6	49	440	9.0	10.2	17.4	71	3.16	17	
Total				3407					2116	9	21638				65	1988	18586	9.4						
Ø		8.7	13.5		26		29	236			10.2	0.4	0.3					6.6	18.2	73	2.03	17		

The meeting of the Municipal Planning Commission of the County of Barrhead No. 11 held on August 4, 1995 was called to order by Chairman White at 8:50 a.m.

Present

K. White, Chairman
L. Zylinski
E. Wimmer
G. Visser
R. Neumann, Development Officer

ADOPTION OF MINUTES - JULY 11, 1995

Moved by Member Visser to approve the above minutes as circulated.

Carried Unanimously

APPLICATION NO.54-95 - Dwight & Phyllis Boyson - SW 36-59-7-W5

The Development Officer presented the application requesting relaxation of the front yard setback to allow construction of a 40' x 40' shop.

After reviewing the application and believing the proposal would not materially interfere with the amenities of the neighborhood, Member Visser moved to approve Application 54-95 as submitted subject to the following conditions:

1. County of Barrhead post notice on site.
2. Relaxation of front yard be granted to allow for a 126' setback from the centerline of the adjoining County road.

Carried Unanimously

APPLICATION NO.56-95 - Richard J. Hensel - PT. SE 36-57-3-W5

The Development Officer presented the application requesting relaxation from the Hudson Bay road allowance to allow construction of a 28' x 32' garage.

After reviewing the application and believing the proposal would not materially interfere with the amenities of the neighborhood, Member Zylinski moved to approve Application 56-95 as submitted subject to the following conditions:

1. County of Barrhead post notice on site.
2. Relaxation be granted to allow for a 120' setback from the centerline of the adjoining Hudson Bay road allowance.

Carried Unanimously

AUGUST 4TH, 1995

CHAIRMAN

SECRETARY

APPLICATION NO.59-95 - James Careless - SW 34-56-1-W5

The Development Officer presented the application requesting relaxation from the front and side yard setbacks to allow development of a 70' x 240' dugout.

After reviewing the application and believing the proposal would not materially interfere with the amenities of the neighborhood, Member Zylinski moved to approve Application 59-95 as submitted subject to the following conditions:

1. County of Barrhead post notice on site.
2. Relaxation of front yard be granted to allow for a 73' setback from the centerline of the County road and 15' setback from the south property line.
3. A berm of at least 4 feet in height be constructed to the satisfaction of the County Public Works Supervisor along the County road allowance and the north and south sides of the dugout.

Carried Unanimously

APPLICATION NO.55-95 - Gerry Baltussen c/o Sunnyside Realty - NE 30-60-4-W5

The Development Officer presented the application for a 300 sow farrow to finish piggery barn and operation. Comments from Alberta Agriculture and the local Health Authority indicate that no problems appear to be present with this proposal.

Chairman White moved to approve Application 55-95, as submitted following the guidelines of the "Code of Practice", subject to the following conditons:

1. County of Barrhead post notice on site.
2. Applicant receive approval from Alberta Protection Water Resource Division in regards to a water license.
3. Applicant receive approval from Alberta Transportation.
4. Notification be sent to adjoining landowners.

Carried Unanimously

ADJOURNMENT

Moved by Member Zylinski to adjourn the meeting at 9:25 a.m.

Carried Unanimously

AUGUST 4TH, 1995

CHAIRMAN

SECRETARY

DEVELOPMENT PERMIT

COUNTY OF BARRHEAD NO. 11

Development involving: **To establish a 300 sow farrow to finish piggery barn and operation** by applicant; Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5, Certificate of Title #922 358 624; Registered owner; Marie Pepe as described in Application No.55-95 following the guidelines of the "Code of Practice" has been approved, subject to the following conditions:

1. County of Barrhead post notice on site.
2. Applicant receive approval from Alberta Protection Water Resource Division in regards to a water license.
3. Applicant receive approval from Alberta Transportation.
4. Notification be sent to adjoining landowners.

You are hereby authorized to proceed with the development specified provided that any stated conditions are complied with; that development is in accordance with any approved plans and made against this decision to the Development Appeal Board, the development permit shall be null and applications; and that a Building Permit is obtained if construction is involved. Should any appeal be void.

DATE OF DECISION: 4th August, 1995
DATE OF ISSUE OF PERMIT: 9th August, 1995

SIGNATURE OF DEVELOPMENT OFFICER: _____

NOTE:

1. The issuance of a Development Permit in accordance with the Notice of Decision is subject to the condition that it does not become effective until fifteen (15) days after the date the order, decision or development permit is issued.
2. The Land Use By-Law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within fourteen (14) days after Notice of the Decision is given.
3. A permit issued in accordance with the Notice of Decision is valid for a period of twelve (12) months from the date of issuance. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
4. A development permit is an authorization for development under the Land Use Bylaw. The applicant is still responsible to adhering to any other Provincial or Federal codes and regulations that may be applicable.

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

This is to notify you with respect to a decision of the Development Officer whereby a development permit has been issued authorizing the following development:

To establish a 300 sow farrow to finish piggery barn and operation by applicant; Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5, Certificate of Title #922 358 624; Registered owner; Marie Pepe as described in Application No.55-95 following the guidelines of the "Code of Practice" has been approved Area of the above parcel to be developed is 157.39 acres.

DATE OF DECISION: August 4th, 1995

DATE OF ISSUANCE: August 9th, 1995

SIGNATURE OF DEVELOPMENT OFFICER: 

The Land Use By-Law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice to the secretary of the Development Appeal Board within fourteen (14) days after Date of Issuance.

COUNTY OF BARRHEAD NO. 11

5306-49th Street

BARRHEAD, ALBERTA

T7N 1N5

Telephone (403) 674-3331

Facsimile (403) 674-2777

August 9, 1995

Gerry Baltussen
c/o Sunnyside Realty
Box 4468
Barrhead, Alberta T0G 1A0

Dear Mr. Baltussen:

RE: Development Permit No. 55-95 - NE 30-60-4-W5

I am pleased to advise that your application for development has been approved by the Municipal Planning Commission at their meeting of August 4th, 1995 for the following:

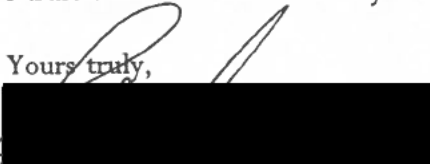
To establish a 300 sow farrow to finish piggery barn and operation by applicant;
Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5,
Certificate of Title #922 358 624; Registered owner; Marie Pepe

Enclosed is a development permit as well as a Notice of Decision form which was posted on your property. You will note from the Development Permit that if no appeal is launched within the fourteen (14) day period, that your Development Permit then automatically becomes valid. If an appeal is launched, then a Public Hearing will be held and the Development Permit will be held in "limbo", pending that meeting.

Please be advised that pursuant to the Safety Codes Act permits may be required for this project from Alberta Municipal Safety Codes Service Commission. Any inquiries can be directed to their office at 1-800-268-8215 or by fax to 1-800-268-8218.

I trust this is the information you require.

Yours truly,


Rick Neumann
Development Officer
Enclosure

cc: Alberta Municipal Safety Codes Service Commission, #201, 10211-100 Avenue,
Fort Saskatchewan, AB, T8L 1Y7
Alberta Transportation & Utilities, Unit 2, Jewell Building, 3603-53 Street, Athabasca, AB,
T9S 1A9

ASPEN HEALTH SERVICES

Box 4131
Barrhead, Alberta
T7N 1A1
Telephone: 674-3408

July 17, 1995

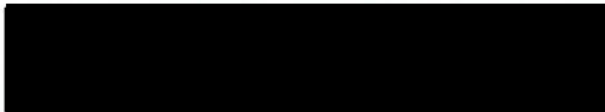
Rick Neumann, Development Officer
County of Barrhead No. 11
5306 - 49th Street
Barrhead, Alberta
T7N 1N5

Dear Mr. Neumann:

RE: Development Application No. 55-95
300 Sow - Farrow to Wean Operation
NE 30 - 60 - 4 - W5

An inspection of the above development was completed and all documents reviewed on July 17, 1995. Don Baron (representing Gerry Baltusen who currently lives in Holland) from Sunnyside Realty, Barrhead was contacted to determine critical isolation distances and future manure storage and disposal. There were no environmental health problems noted at this time.

Sincerely,



Ladislav (Les) Kermet, D.V.M., C.P.H.I.(C)



July 25, 1995

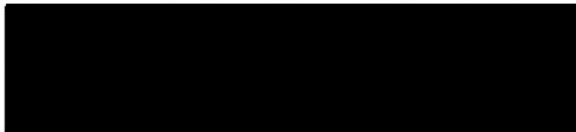
Rick Neumann
Development Officer
County of Barrhead
BARRHEAD AB

RE: DEVELOPMENT APPLICATION #55-95 - 300 Sow-Farrow to Finish Operation

I have reviewed the application for the above on the N.E. 30-60-4-W5. I would suggest that, because of the adequate separation from neighbours; the apparent clay subsoil for an earthen lagoon; and the availability of sufficient cultivated land for spreading manure, this proposal is non-sensitive and falls within the recommended guidelines of the Code of Practice.

A 300 sow farrow to finish swine operation does however fall under the licensing guidelines of Alberta Environmental Protection (any use over 1430 gallons per day requires a license). Therefore, this operation would be advised to get their well(s) licensed. I will drop off an application form at Sunnyside Realty.

Sincerely,



Wayne Winchell
REGIONAL ENGINEER

WW/lr

COUNTY OF BARRHEAD NO. 11

**5306 - 49th STREET
BARRHEAD, ALBERTA
T7N 1N5**

**TELEPHONE (403) 674-3331
FACSIMILE (403) 674-2777**

July 13, 1995

Alberta Agriculture Food & Rural Development
Box 4560
Barrhead, Alberta T7N 1A4
Attention: Wayne Winchell

FILE COPY

Dear Sir:

RE: Development Application No. 55-95
300 Sow - Farrow to Wean Operation
NE 30-60-4-W5

Attached is a copy of a development application form and sketch proposing a 300 sow - farrow to wean operation on the said parcel. Please review this application and advise of any recommendations your department may have with regard to this proposal by July 28th, 1995. If we have not received any comment from your office by this date, it will be considered that you have no objection to the above proposal. Should you require additional time to process this item, please advise this office.

Yours truly,

Rick Neumann
Development Officer

c:\data\develop.prm\55-95.aag

COUNTY OF BARRHEAD NO. 11

**5306 - 49th STREET
BARRHEAD, ALBERTA
T7N 1N5**

**TELEPHONE (403) 674-3331
FACSIMILE (403) 674-2777**

July 13, 1995

Aspen Regional Health Authority #11
Population Health Services
Box 4131
Barrhead, Alberta T7N 1A1
Attention: Les Kermet

FILE COPY

Dear Sir:

RE: Development Application No. 55-95
300 Sow - Farrow to Wean Operation
NE 30-60-4-W5

Attached is a copy of a development application form and sketch proposing a 300 sow - farrow to wean operation on the said parcel. Please review this application and advise of any recommendations your department may have with regard to this proposal by July 28th, 1995. If we have not received any comment from your office by this date, it will be considered that you have no objection to the above proposal. Should you require additional time to process this item, please advise this office.

Yours truly,

Rick Neumann
Development Officer

c:\data\develop.prm\55-95.hlu

NUMBER:

55-95

FORM A

APPLICATION FOR A DEVELOPMENT PERMIT

I 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 which form part of this application.

Applicant: GERRY BALTUSSEN		Telephone: [REDACTED]
Address: c/o SUNNYSIDE REALTY BARRHEAD BOX 4468 T/W 1A3.		
Lot: NE 30-60-4-WS	Block:	Plan:
or Certificate of Title: 922 358 624		
Registered Owner: MARIE PEPE ^{RR2 5hd} T/W 1A3	Address: WESTLOCK	
Existing Use: MIXED FARM	Land Use District: Hwy Dev.	
Proposed Use: FARROW TO FINISH PIGGERY 300 Sow.		
Lot Type: Interior	Corner	Through
Lot Width:	Lot Length:	Lot Area: 157.39 Acres
Front Yard: 200m.	Side Yards:	Rear Yard:
Floor Area:		
Off-street Parking: Size of Space		Number of Spaces
Off-street Loading: Size of Space		Number of Spaces
Accessory Use:		
Height of Accessory Building:		
Setback from Side Lot Line:		Setback from Rear Lot Line:
Estimated Cost of the Project or Contract Price: [REDACTED]		
Estimated Dates of Commencement: NOV 95		
Estimated Date of Completion: MAR 95		

I hereby give my consent to allow all authorized persons the right to enter the above land and/or buildings, with respect to this application only.

Signature: [REDACTED]

Date: July 10/95
~~06/23/95~~

Sample
**DEVELOPMENT PERMIT APPLICATION
 FOR INTENSIVE LIVESTOCK OPERATIONS**

DRAFT

Permit No. _____
 Part One - Development Description

I/We hereby make application for a development permit under the provisions of Land Use By-Law _____ in accordance with the plans and supporting information submitted herewith and which form part of the application.

1 Owner Description

1.1 Land Owner
 Name: G. BALTUSSEN
 Address: _____
 Phone: _____

1.2 Facility Operator (if not owner)
 Name: _____
 Address: _____
 Phone: _____

2 Land Description

All / Part of NE 1/4 Sec 30 Twp 60 Rge 4 W of 5 Meridian
 All / Part of Lot _____ Block _____ Reg Plan No. _____ COT No. _____

3 Development Description:

3.1 Development Type: New Renovation Expansion Replacement

3.2 Description:

Animal Type	Housing Capacity (# of livestock)	
	Existing	Additional or New
<u>HOGS - FARRAW TO FINISH</u>		<u>300 sows</u>
TOTALS:		

3.3 Land Base: Area for Manure Spreading
 Owned: 320 ac/ha
 Access to land: 160 ac/ha

NOTES:

3.4 Water Supply Requirements:

Livestock Type & Total Number	Gal/Animal	Water Demand	Gallons
<u>HOGS (300)</u>			
<u>300 SOWS</u>	<u>22</u>	<u>6600</u>	<u>1 day</u>
TOTAL:			

Is Well Licensed by Environmental Protection: Yes No

PART TWO - Environmental Screening

Based on the Code of Practice for the Safe and Economic handling of Animal Manures

1 Siting (Code of Practice Section 2)

1.1 Minimum Distance Separation

Neighbour Type	Type	Distance (ft)
Nearest Neighbour	<u>FARM</u>	<u>2600</u> ft
Next Nearest Neighbour	<u>FARM</u>	<u>5280</u> ft
Next Nearest Neighbour		

Single residences, multi parcel cr., homes, recreational, etc

1.2 Distance to High Sensitivity Areas - Category 4 (town, hospital, food establishment, etc)
 Within 3 miles Yes No If yes, state distance _____ ft

2 Manure Storage (Code of Practice Section 3)

2.1 Storage Volumes
 Proposed Storage Period 365 days/yr

Planned Liquid Manure Storage Volume (gals. or cu. ft.)	
Existing Manure Storage	<u>3000</u>
Proposed Manure	<u>300,000 cu ft</u>
Total Manure Storage Provided:	

2.2 Storage Type

Liquid Manure Go to section 2.2 (a) (liquid manure storage)
 Solid Manure Go to section 2.2 (b) (solid manure storage)
 Open Lot Go to section 2.2 (b) (solid manure storage)

2.2 (a) Liquid Manure Storage
 Storage Structure
 Earthen Storage
 Concrete or similar

Soil Permeability of Storage Site
 Low Medium w/o lining Medium w/ lining
 High w/o lining High w/ lining

Ground Water
 Static Water Table
 Greater than 3 feet below storage bottom
 Less than 3 feet below storage bottom

2.2 (b) Solid Manure Storage
 Site Conditions
 Soil Permeability Low Medium High
 Static water table: Less than 10 feet More than 10 feet
 Depth to bed rock: Less than 3 feet More than 3 feet

For Use by Development Officer or Municipal Planning Commission.

Recommended MDS (Tables D-1 to D-7)	
<u>1795 ft</u>	ft
	ft
	ft

MDS Guidelines
 Meets Does not meet

Required Storage	
<u>253,200 cu ft</u>	
Total	
6447000	

Low Risk High Risk

Guidelines
 Meets Does not Meet

Guidelines
 Meets Does not meet

Low Risk High Risk

Storage Structure

Compacted Clay Base With berm Without berm
 Concrete Pad With berm Without berm

Storage Runoff Control

Contained on own property
 Contained in liquid storage (fill out section 2.1)
 No Runoff control

Additional Comments: _____

3 Site Details for Feedlot Developments (Code of Practice Section 4)

3.1 Soil Test

Yes How often: _____
 How deep: _____
 Type: _____

No

3.2 Soil and Sub-soil Characteristics

Sands and Gravels
 Sands and Silts
 Sandy Loams
 Clay Loams

3.3 Ground Water Hydrology

Depth to static water table: _____ ft
 Depth to bedrock (if data available): _____ ft
 Water source for development Yes No

3.4 Surface Water Protection

Surface water within 500 ft of the proposed site Distance
 Continuous water course (creek, stream, etc.) _____
 Intermittent water course (draw, coulee, etc.) _____
 Self contained (pot hole, slough) _____
 Lake _____
 Site subject to flooding Yes No
 Manure runoff control proposed Yes No

4 Nutrient Management (Code of Practice Section 5)

4.1 Soil Zone

Brown Dark Brown
 Black Grey Wooded
 Irrigated

For Use by Development Officer or Municipal Planning Commission.

Low Risk High Risk

Low Risk High Risk

Low Risk High Risk

Low Risk High Risk

Low Risk High Risk

4.2 Land Base

4.2 Total Available Land for Manure Utilization

Animal Type	Total Animal Numbers
HOGS	300 sows.
Land Owned * 320 ac	Adjacent Land * 160
Total Land Available 480 ac/ha	

* Use the values entered in Section 3.3 of Part One

4.3 Frequency of Manure Application

Manure application to land occurs

> once per month
 1 - 3 months
 4 - 6 months
 7 - 12 months

4.4 Manure Incorporation

Planned incorporation within:

24 hours 2-7 days
 24-48 hours 7-14 days
 Not incorporated Reason: _____

Further Comments: _____

5 Disposal of Dead Animals (Code of Practice Section 6)

5.1 Method of Dead Animal Disposal

Burial
 Rendering Plant
 Incineration
 Municipal Facility
 Other

Comments: _____

Recommended Land Base Tables E-1 to E-10	
	451 A
	392 J
TOTAL:	
(ac/ha)	

Guidelines
 Meets Does not Meet

Low Risk High Risk

Guidelines
 Meets Does not meet

Low Risk High Risk

6 Surrounding Land Uses Diagram

Please draw a map showing land uses (houses, farm buildings, towns, roads, watercourses, wells, etc.) within 1 mile of the proposed site. Please show approximate scale and appropriate distances.



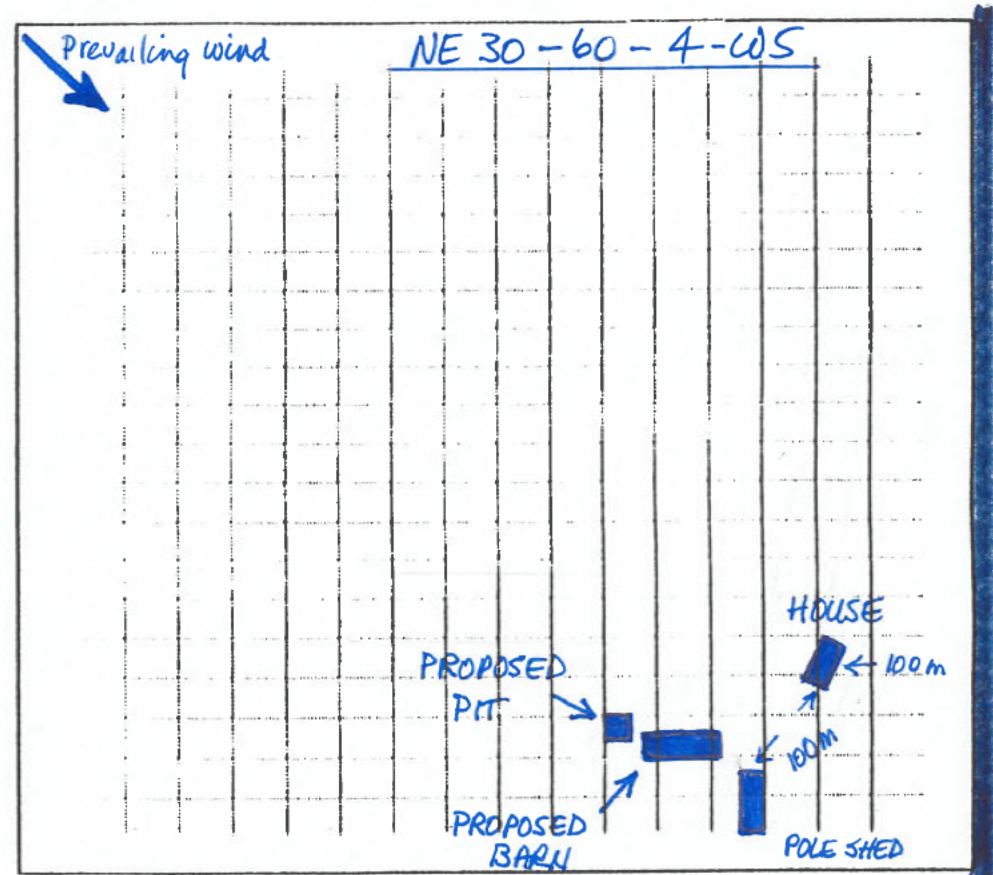
7 Sketch of Proposed Development

The following items must be shown on the property sketch (below):

- Location of all property lines.
- ✓ North direction.
- Location of all existing and proposed buildings on the property.
- Distances from subject structures to public roads and neighbouring dwellings.
- Location and distance of subject structures to all streams, ditches, irrigation canals, etc.
- Location of all manure storages, catch basins, stockpiles, and above ground concrete storage pads.
- Location and distances from subject structures to nearest area zoned residential, recreational, country residential, commercial, etc.
- ✓ Prevailing wind direction.
- Any other unusual siting conditions.



Draw Sketch Below:

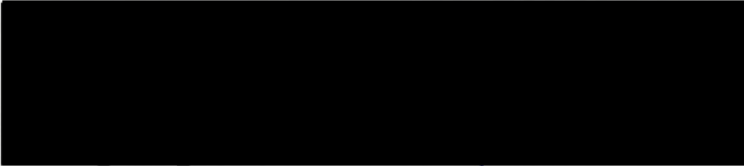


Proposed Site
Aug 9/95

July 6, 1995

RE: G. Baltussen

This is to confirm that I will allow access to the
NE 12-60-5 W5 for spreading manure.



Don Baron

COUNTY OF BARRHEAD NO.11

NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the Development Appeal Board against a decision in respect of Application No. 55-95 which involves development described as follows:

To establish a 300 Sow Farrow to Finnish Piggery Barn and Operation
on NE 30-60-4-W5, Certificate of Title #922 358 624;
Applicant - Gerry Baltussen c/o Sunnyside Realty
Registered Owner - Marie Pepe.

The decision **Approved with Conditions** a Development Permit for the following reasons:

The property is zoned Highway Development District under our Land Use Bylaw 23-94. Intensive livestock operations are at the discretion of the Municipal Planning Commission subject to the guidelines of the "Code of Practice".

Appeals are based on environmental and health concerns as well as properties devaluing.

PLACE OF HEARING: County of Barrhead No. 11 Council Chambers

TIME OF HEARING: 1:30 p.m.

DATE OF HEARING: September 7th, 1995

Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than September 6th, 1995.

August 28, 1995
Date

Signature of Secretary
Development Appeal Board

AGENDA - DEVELOPMENT APPEAL BOARD
SEPTEMBER 7TH, 1995 - 1:30 PM - COUNTY COUNCIL CHAMBERS
APPLICATION NO. 55-95 - NE 30-60-4-W5
GERRY BALTUSSEN C/O SUNNYSIDE REALTY

1. Adoption of Minutes of June 20, 1995 and June 26, 1995
2. Introductions
 - a) Members of the Development Appeal Board
 - b) D. Tymchyshyn, County Manager
 - c) R. Neumann, Development Officer
 - c) Applicants
 - d) Appellants
3. Rules for the Hearing
4. Background Information on Application and Appeal
5. Presentation of Applicants
6. Presentation of Appellants
7. Rebuttal by Applicants
8. Cross Examination Allowance
9. Decision or Adjournment

MEMO

TO: Development Appeal Board
FROM: Rick Neumann, Development Officer
DATE: August 25, 1995
RE: HISTORY FOR APPEAL HEARING - SEPTEMBER 7TH, 1995

- 1) Application No. 55-95 was received on July 10th, 1995 To establish a 300 sow farrow to finish piggery barn and operation by applicant; Gerry Baltussen c/o Sunnyside Realty on NE 30-60-4-W5, Certificate of Title #922 358 624; Registered owner; Marie Pepe.
- 2) Application was dealt with at the MPC meeting of August 4th, 1995. Under our Land Use Bylaw 23-94 the property is zoned Highway Development District .

Under the Highway Development District, intensive livestock operations are approved at the discretion of the Municipal Planning Commission subject to the guidelines of the "Code of Practice". Using their discretion the MPC approved the application subject to the following conditions:

1. County of Barrhead post notice on site.
2. Applicant receive approval from Alberta Protection Water Resource Division in regards to a water license.
3. Applicant receive approval from Alberta Transportation.
4. Notification be sent to adjoining landowners.

The development permit and the notices were sent out on August 9th, 1995.

- 3) Since notices were sent out on August 9th, 1995 any appeals must be received by August 23rd, 1995. Nine letters of appeal were received on August 23rd, 1995 from concerned ratepayers. One letter of appeal was received on August 24th, 1995 that was post marked August 23rd.
- 4) Under the Planning Act a Development Appeal meeting must be held within 30 days of receipt of notice of appeal. This meeting date of September 7th, 1995 meets this requirement.
- 5) The appeal board must give 5 days notice in writing of the public hearing. These notices were sent out on August 28th, 1995 meeting this requirement.
- 6) The appeal board shall give its decision in writing within 15 days of the conclusion of the hearing. Their decision is final and binding on all parties and subject only to an appeal upon a question of jurisdiction or law to the Appellate Division of the Supreme Court of Alberta within 30 days after the issue of the decision.

X-m

The Development Appeal Board Hearing held September 7, 1995, regarding Development Permit #55-95 - Gerry Baltussen c/o Sunnyside Realty - NE 30-60-4-W5 was called to order by Chairman Tupper at 1:30 p.m. in the County of Barrhead Council Chambers.

PRESENT

D. Fraser
A. Fluet
A. Tiemstra
D. Tupper
R. Neumann, Development Officer
D. Tymchyshyn, Recording Secretary

GALLERY

D. Baron representing G. Baltussen
Charles Parsons representing the Applicant
A. & W. Penner - Appellants
H. Anderson - Appellant
D. Barkemeyer - Appellant
P. Rogerson - Appellant
J. Craig - Appellant
J. Ashton - Appellant
M. Ushko
J. Craig

INTRODUCTIONS

The Chairman introduced the various members of the Development Appeal Board along with the Development Officer and Recording Secretary.

Chairman Tupper determined that the Appellants will speak at random strictly addressing the Chair rather than having one spokesperson.

ADOPTION OF MINUTES FOR JUNE 20, 1995 AND JUNE 26, 1995

Moved by Member Tiemstra that the minutes be approved as circulated.

Carried Unanimously

RULES FOR THE HEARING

Rules for the Appeal Board Hearing as set forth under Section 687 of the Municipal Government Amendment Act R.S.A. 1995 were outlined by the Chairman for the Appeal Board Hearing.

Development Officer Rick Neumann reviewed the purpose of the County's Land Use Bylaw to the Hearing. Chairman Tupper reviewed the history and process of establishing the Land Use Bylaw.

Further Chairman Tupper introduced the Code of Practice to the Hearing where the Development Officer indicated that the County of Barrhead has endorsed the application of the Code of Practice in conjunction with the Land Use Bylaw of the County. Chairman Tupper addressed how the Land Use Bylaw and Code of Practice are used in conjunction in the consideration of Development Applications.

BACKGROUND INFORMATION ON DEVELOPMENT PERMIT AND APPEAL

The Development Officer gave background information on Development Permit #55-95 outlining the application for the Development Permit on behalf of the applicant as it relates to the processing of the application advertising and the appeal leading to the Development Appeal Board Hearing. Chairman Tupper circulated a copy of the Development Permit #55-95 Application and supporting documentation to the appellants.

SEPTEMBER 7, 1995

CHAIRMAN

SECRETARY

PRESENTATION OF APPLICANTS

D. Baron acting on behalf of the Applicant outlined the Applicant's Development Proposal indicating they wish to build a three hundred (300) Hog Operation within the guidelines provided by Alberta Agriculture, Food and Rural Development in relation to possible site locations.

PRESENTATION OF APPELLANTS

A. Penner expressed concerns regarding property values, odour during the manure spreading process, currently with the existing small operators in comparison to the size of this intensive operation.

W. Penner indicated concern over the location of the property where the manure is to be spread. Existing problems of the Hog Operations within the Bloomsbury area and have reviewed numerous operating hazards associated with intensified Hog Operations. These hazards included a number of flies attracted to the area, odour concerns, manure spreading concerns, liquid waste storage concerns, and property value concerns.

M. Ushko indicated concern over the location of the existing residence in relation to the proposed Development, along with water requirements, existing land topography, drainage, soil conditions in relation to the liquid manure storage facility, contamination to underground water sources, hog operation concerns specifically in relation to carcass disposal, odour, concerns verses health problems and land value concerns.

H. Anderson indicated land value concerns, health concerns in relation to allergies, size of the proposed operation and manure spreading concerns verses land topography and drainage.

D. Barkemeyer expressed concerns in regards to Development Operations in relation to data collected on health problems, outlining a specific situation within the area, reiterating main concern is within the health of neighbours.

P. Rogerson expressed health concerns in regards to her two asmatic children in relation to this proposed Hog Operation due to information she has collected.

J. Craig indicated great drainage concerns in relation to manure spreading and water contamination indicating limited liquid manure spreading is required in the area due to the land topography and water sources.

J. Ashton indicated concerns over surface water contamination, land drainage in relation to liquid manure spreading, and land topography.

Member Tiemstra requested information from P. Rogerson in regards to her residence in relation to the proposed development. P. Rogerson indicated that she resided one mile North of the development.

Member Fraser requested information in regards to whether a drainage inspection has been completed for this development noting that the topography of this area lends for it to be periodically wet.

Member Fluet requested clarification from the Appellants as to whether their basic concerns were in relation to the spreading of the liquid manure odour with the proposed development, water and land valuations. Consensus of the Appellants where these were the major concerns.

REBUTTAL OF APPLICANTS

D. Baron, representing the Applicant, circulated a picture of existing Hog Operations in the Vega area indicating to the Hearing that the proposed developments would be a similar operation. Further, the Hogs, are always confined, only the operator enters the Hog facility. D. Baron indicated there would be no major smell with this proposed development until the liquid manure lagoon is emptied and disposed of onto the lands.

Further he indicated the area residents would not see the Hogs but would only see the trucks delivering and shipping the Hogs, in regards to the land value concern.

D. Baron indicated that it may be possible for landowners down wind to be affected by varying land values but he personally believes that people North or West of this development should not be affected.

C. Parsons felt the proposed development may affect property values socially and economically although this is a subjective opinion .

CROSS EXAMINATION ALLOWANCE

H. Anderson requested whether West properties may not be affected during an East or South East wind and further, on calm nights. He felt the Hog Operation smell may be detected within miles of the proposed development.

D. Barkemeyer inquired as to what assurances the area residents have from the Applicant that this proposed development will operate appropriately.

D. Baron indicated that he could not give assurances on behalf of the Applicant but in his opinion, when the Applicant is investing 1.5 million dollars he felt that they would operate to the best of their ability.

The Development Officer advised that Alberta Agriculture, Food, and Rural Development and the guidelines indicated within the Code of Practice indicate how the operator should manage the proposed developments and that further Alberta Agriculture, Food and Rural Development would continue to work with the operator in this regard.

Further if the guidelines of the Code of Practice were not followed, Alberta Agriculture, Food and Rural Development and Alberta Health would have to consider the enforcement measures required, and that area residents may lodge their complaints to the Aspen Regional Health Authority in this regard.

The Development Officer further advised that the Alberta Agriculture, Food and Rural Development's representative is Wayne Winchell, regarding the guidelines for the Code of Practice.

Chairman Tupper read the letter from the Aspen Regional Health Authority into the Hearing attached informing part of these minutes which indicated no environmental health concerns at this time.

C. Parsons indicated that the operators that are considering locating here have been good operators in the past, further expressing that the offer to purchase is in place and would be beneficial to deliver a decision with or without the operator's representation to the Hearing.

D. Baron advised that the Applicant is currently being advised of the Development Permit Appeal.

H. Anderson requested in regards to dead animals being removed by the rendering plant operators and whether their pick up service would respond every two days.

A. Penner requested whether the current proposed development could expand past a three hundred (300) Hog Operation proposed.

The Development Officer indicated that an Application to expand would have to be submitted for consideration and that site distance considerations would be varied as the numbers increased.

A. Penner questioned whether the taxes and assessment would be changed in relation to the property value concerns.

Chairman Tupper indicated this request would have to be submitted and responded to by the Assessment Review Board for the County.

The Development Officer requested of the Gallery in attendance of the Hearing as to whether the intensive Agricultural Development process appears to be adequate. Consensus of the Gallery appear to indicate they believe the process was adequate.

D. Barkemeyer suggested the only concern was that there was not an opportunity to talk or to meet with the Development's Applicant and that the Applicant or Appellants have the opportunity to have agents in attendance representing their interest.

Chairman Tupper commended the Hearing Participants for their conduct, integrity and actions today.

The Development Appeal Board requested that the Development Officer, Rick Neumann, investigate the drainage concerns with Wayne Winchell of Alberta Agriculture, Food and Rural Development or the Alberta Water Resources Branch and further request more conclusive soil composition information from Wayne Winchell.

Chairman Tupper recessed the meeting at 3:49 p.m. to the call of the Chair.

The Development Appeal Board Hearing held September 18, 1995, reconvening from September 7, 1995, regarding Development Permit #55-95 - Gerry Baltussen, c/o Sunnyside Realty, NE 30-60-4-W5, was called to order by Chairman Tupper at 1:00 p.m. in the County of Barrhead Council Chambers in the County of Barrhead Council Chambers.

PRESENT

A. Fluet
D. Fraser
A. Tiemstra
D. Tupper
R. Neumann, Development Officer
D. Tymchyshyn, Recording Secretary

The Development Officer presented the requested information in regards to soil conditions and drainage concerns as outlined in a letter from Bob Buchanon from Alberta Agriculture, Food and Rural Development.

The Recording Secretary advised the Board that the drainage concerns would be an operational issue under the authority of Alberta Environmental Protection and that any contraventions would be subject to their actioning.

D. Tymchyshyn and R. Neumann left the meeting at 1:58 p.m. and re-entered at 2:35 p.m.

Moved by Member Tiemstra that Development Permit #55-95 be upheld with the following conditions:

- 1) Applicant to receive approval of Water Resources for this operation.
- 2) Applicant to receive approval of Alberta Transportation and Utilities.

Carried Unanimously

The Development Appeal Board further requested that the following be included as a note to the Board's decision:

That the Board is reluctant to identify with the Codes of Practice or Section thereof as a measure or of condition because the guidelines outlined in the Code of Practice are outside the jurisdiction of the County of Barrhead No. 11 Land Use Bylaw. However the Development Appeal Board also feels obligated to make reference and quotations to the Code of Practice. The Applicant is responsible to follow the guidelines of the Code of Practice as required by the interim Livestock Committee of Alberta Agriculture, Food and Rural Development.

Adjournment moved by Member Fraser that the meeting adjourn at 2:50 p.m.

Carried Unanimously

COUNTY OF BARRHEAD
NOTICE OF APPEAL DECISION

This is to notify you that an appeal against NE 30-60-4-W5; Gerry Baltussen c/o Sunnyside Realty Registered Owner - Marie Pepe, approved with conditions was considered by the Development Appeal Board on September 7th, 1995 and September 18th, 1995 with regard to the following:

To establish a 300 Sow Farrow to Finnish Piggery Barn and Operation on NE 30-60-4-W5, Certificate of Title #922 358 624;

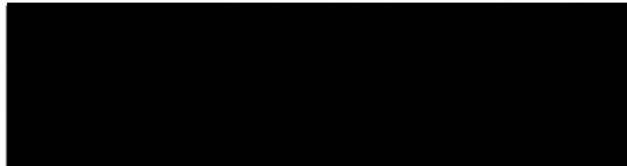
Applicant - Gerry Baltussen c/o Sunnyside Realty Registered Owner - Marie Pepe as described in Application No. 55-95 following the guidelines of the "Code of Practice".

Development Permit #55-95 be approved with the following conditions:

1. **Applicant receive approval from Alberta Protection Water Resource Division in regards to a water license.**
2. **Applicant receive approval from Alberta Transportation.**

Note: The Appeal Board chooses not to identify the "Code of Practice" or sections thereof as a measure of "condition" because the guidelines outlined in the Code of Practice are outside the jurisdiction of the County of Barrhead No. 11, Land Use By-Law 23-94. However the Board feels obligated to "make reference" to the Code of Practice. The applicant is responsible to follow the guidelines of the Code of Practice as required by the Intensive Livestock Committee for Alberta Agriculture Food and Rural Development.

DATE: September 18, 1995



SIGNATURE OF SECRETARY
DEVELOPMENT APPEAL BOARD

Note:

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

- (a) to a judge of the Court of Appeal, and
- (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

April 19, 1996

DP #55-95
NE 30-60-4-W5

Mr. Rick Neuman
Development Officer
County of Barrhead
5306 - 49 Street
Barrhead, AB T7N 1N5

RE: GERRY BALTUSSEN - 500 SOW OPERATION [REDACTED]

Mr. Baltussen explained his change from his original proposal of a 300 sow farrow to finish operation to a 500 sow farrow to finish of just the gilts (the barrows are sold as weaners).

His original 300 sow farrow to finish proposal would have had about 1188 LSU's (Livestock Siting Units). His new proposal will have the 500 sows farrow to wean (about 735 LSU's) plus about 1400 gilts (about 616 LSU's) for a total of about 1351 LSU's. The original proposal recommended a set-back distance from the nearest neighbor of about 1795 feet. His current proposal would require a recommended set-back of about 1880 feet. This is only about 85 feet more than before. That is, set-back distance is still adequate.

The recommended land base for spreading the manure on works out to about 460 acres of cultivated grey wooded land. This is only 10 more acres than what was recommended for the 300 sow farrow to finish proposal.

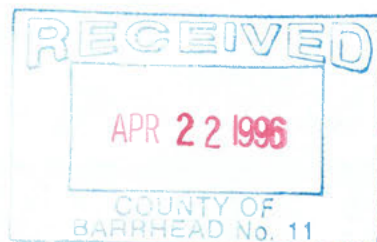
Thus, his current proposal is not significantly different from this original one as it relates to recommended set-back and land base.

[REDACTED]

for

Wayne Winchell
REGIONAL AGRICULTURAL ENGINEER

WW:ps



Appendix B

Councillor Zylinski reported on the public meeting held with property owners around Thunder Lake on April 29th, 1996, discussing the possibility of developing an Area Structure Plan for Thunder Lake. Councillor Zylinski reported that the concensus of the majority of the attendees was for the County to proceed in developing an Area Structure Plan for the Thunder Lake Area.

CONFERENCES AND SEMINARS

18TH ANNUAL ELECTED OFFICIALS SYMPOSIUM

JUNE 12TH TO 14TH, 1996 - RED DEER

Council agreed that ~~the above item be included on the May 15th, 1996 meeting agenda.~~

Carried Unanimously.

DEVELOPMENT APPLICATION #55-95 - NE 30-60-4-W5

Development Officer Rick Neumann entered the meeting at this time being 3:10 p.m. to discuss the change in the original proposal of the above development application wherein the original proposal called for a 300 sow farrow to finish operation and has been changed to a 500 sow farrow to finish of just the gilts. Mr. Neumann reported that the barrows are sold as weaners. Mr. Neumann reported that the change in the operations from the original development application which was approved was not significant enough to warrant a new development application.

Rick Neumann left the meeting at 3:23 p.m.

MARVIN FRAEDRICH LETTER

96-256 Moved by Reeve Visser that a response be made to Marvin Fraedrich, thanking him for his input for possible alternatives to imposing an earlier tax penalty date.

ADJOURNMENT

96-257 Moved by Councillor Fluet that the meeting recess at 3:25 p.m.

Carried Unanimously.

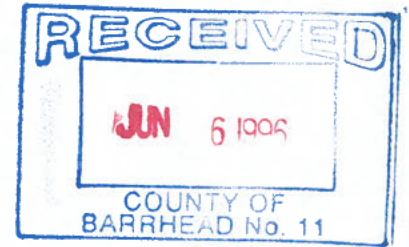
North Central Region
Athabasca Office

Unit 2, 3603-53 Street
Athabasca, Alberta
Canada T9S 1A9

Telephone 403/675-2624
Fax 403/675-5855

Our File No: 5-4-60-SEC 30 (d)

June 3, 1996



Gerry Baltussen
Box 13, Site 14, RR # 2
Barrhead, AB
T7N 1N3

NE30-60-4-W5

Dear Mr. Baltussen:

**RE: PROPOSED DEVELOPMENT - HOG BARN AND MANURE LAGOON
SE-30-60-4-W5 - COUNTY OF BARRHEAD**

In follow up to your discussion with Mr. Rick Ellwein, Maintenance Contract Inspector in Barrhead, please treat this letter as formal approval for the proposed hog barn and manure lagoon as noted above. The Department will allow the existing access to be relocated as per your proposal, however this shall be done at your expense and to a standard acceptable to the Department. Please contact Rick for details on approach standards as well as the elimination of the existing approach.

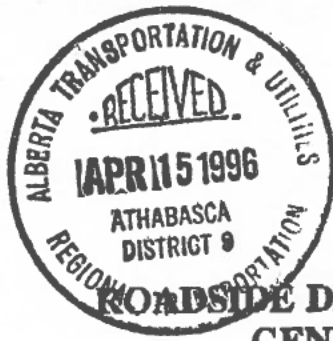
Sincerely: ✓

[Redacted signature area]

HOWARD PETERSON
Development/Project Services Technologist

HP:me

cc: Rick Ellwein
Rick Neuman, County of Barrhead



5-4-60-sec. 30(D) ⊗

ROADSIDE DEVELOPMENT APPLICATION - GENERAL INSTRUCTIONS -

COMPLETE THE ATTACHED APPLICATION FORM -- please print. Indicate the development proposed and details of location and access etc. as requested.

PLEASE NOTE: Application forms must be completed for all proposed developments, including change in use of existing development or access, within 300 metres of the primary highway right-of-way boundary or within 800 metres of the centre point of an intersection of primary highway with another public road. The development may not proceed until a permit has been issued by the Department subject to the provisions of the Public Highways Development Act, chapter P28 RSA 1980, amendments thereto, and Highway Development Control Regulations (Alberta Regulation 242/90) and amendments thereto.

ACCESS - Direct highway access is a potential safety hazard to highway users and will only be permitted when considered essential by the Department. Property with access via a local road will not normally qualify for direct highway access. Where direct access is essential only one direct highway access per quarter section will be permitted.

SETBACK - Every proposal will be assessed on an individual basis and the setbacks determined after reviewing the specifics of the proposal and future highway improvement plans. However, the general minimum set-back for all development is 70 metres from the highway centre-line and no closer than 40 metres from the highway right-of-way boundary except where these distances must be increased to allow for highway widening.

VEGETATION - Placement of any trees, hedges or shrubs within 30 metres from highway right-of-way boundary, or 60 metres from the centre line of the highway, whichever distance is greater, is prohibited without a permit.

APPLICATION must be signed by the applicant and also the registered owner or an authorized agent.

SEPARATE "SIGN APPLICATION" shall be submitted for any proposed sign.

SITE plan showing set-back and location of the existing and proposed development and access must be provided. Building details are not required but location, size and type of building must be shown (see attached example). If the plan size is larger than this page four copies must be provided. Applicant must sign each copy of the plan.

RETURN your **ROADSIDE DEVELOPMENT APPLICATION** to the appropriate Alberta Transportation and Utilities District Office.

*ATHABASCA	BOX 1078 T0G 0B0	675-2624	675-5855
CALGARY	Room 107, Hill Park, 2411-4th Street, N.W. T2M 2Z8	297-6311	
EDMONTON	Room 203, Bedford Square, 4209-99th Street T6E 5V7	422-1972	
EDSON	#202, 111-54 Street T7E 1T2	723-8250	
GRANDE PRAIRIE	8424-108th Street T8V 4C7	538-5310	
HANNA	BOX 1300 T0J 1P0	854-5550	
HIGH PRAIRIE	BOX 550 T0G 1E0	523-6620	
HIGH LEVEL	BAG 1045 T0H 1Z0	926-2241	
LAC LA BICHE	BOX 1529 T0A 2C0	623-5250	
LETHBRIDGE	9th Street & 3rd Avenue North T1J 4C7	381-5480	
MEDICINE HAT	346-3 Street S.E. T1A 0G7	529-3640	
PEACE RIVER	BAG 900 - 29, PROVINCIAL BUILDING T8S 1T4	624-6130	
RED DEER	4th Floor, 4920-51st Street T4N 6K8	340-5200	
STETTNER	BOX 10 T0C 2L0	742-7577	
VERMILION	BOX 690 T0B 4M0	853-8178	



Permit No. _____

**ROADSIDE DEVELOPMENT APPLICATION
FOR DEVELOPMENT NEAR A PRIMARY HIGHWAY**
(print please)

APPLICATION IS HEREBY MADE TO: (please provide a description of the proposed development including all proposed above and below ground installations)

- 55.2m x 66m ONE STOREY HOG BARN
- 5000 CUBIC METER LIQUID MANURE LAGOON.

Note: Please attach a plan showing in detail the location of all existing and proposed development and access relative to the 1/4 line and highway. Location of items such as existing or proposed shelterbelts, wells, sewage fields, signs etc, must also be shown (see attached example).

PROPERTY DESCRIPTION: SE 30 60 4 W5
(1/4 Sec) (Twp) (Range) (West of Meridian)
 Hwy No. 33 20 ~~km~~ kilometres West of: Barrhead
(north, south, etc.) (City, Town or Village)
 Municipality County of Barrhead
(County, MD, ID, Special Area, Town, Village)

Lot/Block No. _____ Plan No. _____ Parcel size _____

Land use: (e.g. Agricultural, County Residential, etc) AGRICULTURAL _____
(Proposed)

Estimated cost of proposed development _____
Closest distance of the proposed development from Highway property line 650'

In consideration of any permit issued in respect to this application, the Applicant shall indemnify and hold harmless Alberta Transportation and Utilities, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized. The Applicant consents hereby also to a person designated by Alberta Transportation and Utilities to enter upon land for the purpose of inspection during the processing of this application.

It is understood that all works will be constructed, altered, maintained or operated at the sole expense of the undersigned, and that work must not begin before a permit has been issued by Alberta Transportation and Utilities. The issuance of a permit by Alberta Transportation and Utilities does not relieve the holder of the responsibility of complying with relevant municipal by-laws and this permit once issued does not excuse violation of any regulation, by-law or act which may affect this project.

APPLICANT'S NAME (print please): Gerry Baltussen
 ADDRESS: Box 13, Site 14, JRP #2
Barrhead, AB
 POSTAL CODE: T7N 1N3 PHONE: _____

APPLICANT'S SIGNATURE: _____ DATE: April 11 1966

LANDOWNER'S NAME (print please): _____
(if other than applicant's)

ADDRESS: _____

LANDOWNER'S OR AUTHORIZED AGENT'S SIGNATURE: _____

(to be completed by Alberta Transportation and Utilities)
ROADSIDE DEVELOPMENT APPLICATION APPROVAL FOR DEVELOPMENT NEAR A PRIMARY HIGHWAY

PERMIT CONDITIONS: (Note: This permit is subject to the provisions of Section 23-27 inclusive of the Public Highways Development Act, Chapter P28 RSA 1980, amendments thereto, and Highway Development Control Regulations (Alberta Regulation 242/90) and amendments thereto).

A. ACCESS CONDITIONS: (Note: All highway accesses are to be considered temporary. No compensation shall be payable to the applicant or his assigns or successors when the Department removes or relocates the temporary access or if highway access is removed and access provided via service road).

1. ~~Access to the highway shall be provided. Access shall be maintained at all times.~~ (delete if not applicable)
- (b) Use of existing highway access may continue on a temporary basis. (delete if not applicable)
- (c) Permit authorizes construction of proposed access at the location shown and to the attached specifications. (delete if not applicable)
2. ~~No additional highway access shall be permitted.~~
3. The applicant shall construct and maintain any highway access to the District Transportation Engineer's satisfaction.
4. Approval of companies having buried utilities shall be obtained prior to access construction or upgrading.

B. SET - BACK CONDITIONS: (Note: Minimum set-backs usually allow for anticipated highway widening and construction of a service road parallel and adjacent to the highway).

1. The proposed hog barn & manure lagoon is to be set back 198.12 metres (650 feet) from the highway property line.
(house, barn, machine shed, etc.)
2. The Department accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof.

C. OTHER CONDITIONS:

1. This permit is issued subject to the approval of the County of Barrhead
(County, MD, ID, Special Area, Town, Village)
2. This permit approves only the development contained herein, and a further application is required for any changes or additions.
3. The Department is under no obligation to reissue a permit if the development is not completed before expiry of this permit.
4. Howard Peterson at 675-2624 shall be notified before construction commencement.
(District Transportation Engineer or Development Officer & phone No.)
5. The Applicant shall not place any signs contrary to Alberta Regulation 242/90. The separate "SIGN APPLICATION" form shall be submitted for any proposed sign.

Permission is hereby granted to <u>Gerry Baltussen</u>	
to carry out the development in accordance with the plan(s) and specifications attached hereto and subject to the conditions shown above.	
If the development has not been carried out by the <u>3rd</u> day of <u>June</u> 19 <u>97</u>	
this permit lapses and the applicant must reapply for new permit if they wish to proceed.	
SIGNED <u>[Signature]</u>	PERMIT No. _____
title <u>District Transportation Engineer</u>	FILE No. <u>5-4-60-SEC 30 (D)</u>
(for Deputy Minister)	DATE <u>June 3, 1996</u>

Apr. 01 1995 08:20AM P1

Jerry Baltussen

Box 13 Site 14 RR 2

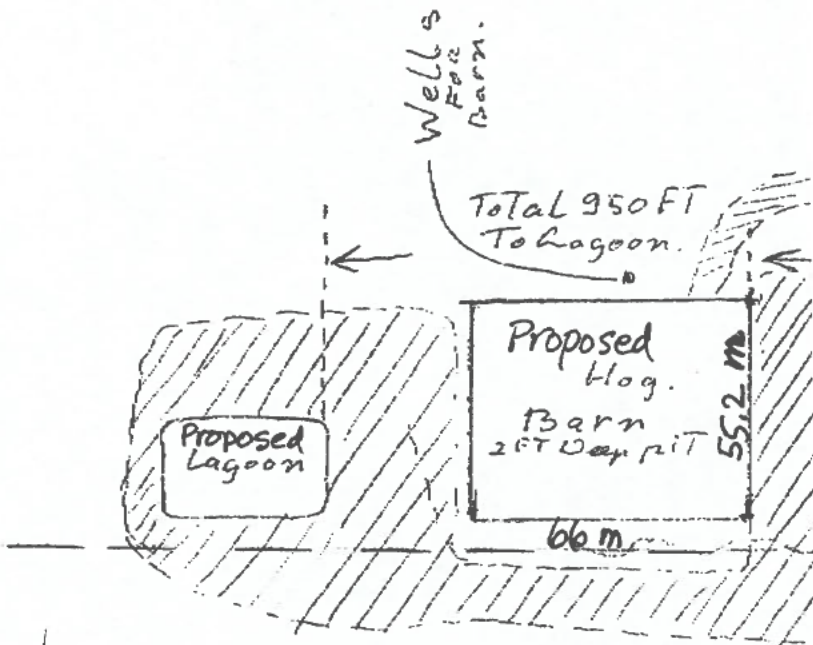
7N1N3 Barrhead

Quarter section nr: NE 30-60-4

PHONE NO. :

FROM : BALTJUSSEN BARRHEAD

Quarterline



Quarter section. SE 30-60-4 W 5.

PUBLIC WORKS EXPENDITURE REPORT TO OCTOBER 14, 1997

Council reviewed the Public Works Expenditure Report for the 1997 Road Program for the period ending October 14, 1997.

FORM 48A CHANGES

- 97-551 Moved by Councillor Fluet that the project changes included as Schedule "Z" attached and forming part of these minutes be approved under Form 48A:

Motion Carried.

Voting for the resolution: Councillors Fluet, Tupper, Keyes, Zylinski, Reeve Visser
Voting against the resolution: Councillors Hagen and Holsted.

- 97-552 Moved by Councillor Keyes that additional shoulder pulling be done in 1997 as warranted at the discretion of the Public Works Superintendent, if weather permits.

Motion Carried.

Voting for the resolution: Councillors Holsted, Tupper, Keyes, Zylinski, Hagen and Reeve Visser
Voting against the resolution: Councillor Fluet

Don Hove reported that Ed Weeks has been hired as a grader operator to replace Dave Borchers who had recently resigned.

Cal Fischer and Don Hove left the meeting at this time being 2:50 p.m.

IN-CAMERA SESSION

- 97-553 Moved by Councillor Holsted that the meeting move into in-camera at this time being 2:50 p.m.

Carried Unanimously.

- 97-554 Moved by Councillor Tupper that the meeting move out of in-camera at this time being 4:45 p.m.

Carried Unanimously.

**DEVELOPMENT APPLICATION NO. 55-95
- GERRY BALTUSSEN - NE 30-60-4-W5**

Reeve Visser declared a pecuniary interest pursuant to Section 170(1) of the Municipal Government Act, disclosing the general nature of his pecuniary interest pursuant to Section 172(1)(a). and abstained from voting and discussion on this item.

- 97-555 Moved by Councillor Hagen that Mr. Baltussen's verbal presentation relating to his change in operation from the original approval for 300 sow farrow to finish operation to the present 1400 sow farrow to early wean operation on the NE 30-60-4-W5 be accepted and further that the change in intensity is not significant enough to warrant a new application as shown by the comparison figures from Alberta Agriculture requiring the minimum distance separation from the original application of 1795 feet to this new operation to 2015 feet.

Motion Carried.

RECOMMENDATIONS FROM
"CODE OF PRACTICE"

	MIN. DISTANCE SEPARATION (FT)	LAND BASE (GREY WOODS, ACRES)	LAGOON CAP. 1 YEAR (CUBIC FT)	APPROX. WATER USAGE (GAL/DAY)
ORIGINAL APPLICATION (300 SOW FARROW TO FINISH)	1795	451	253,200	5400
FACILITY BUILT IN 1996 (500 SOW FARROW TO 1/2 FINISH)	1880	516	290,050	7200
FACILITY BUILT IN 1997 (1400 SOW FARROW TO EARLY WEAN)	2015	512	288,000	8500



Appendix J

Aerial Imagery: Provided by the County of Barrhead on May 30, 2024

2000



2007



2014



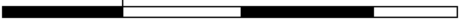
2021



Natural Resource Conservation Board



0.0 0 0.02 0.0 Kilometers



Projection: NAD_1983_10TM_AEP_Forest

Map Scale: 2,257

Printed on: August 22, 2024 14:04:44 -06:00



Comments:
 1999-2003 Valtus Imagery

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Appendix L

July 2012 Google Earth Aerial Imagery. Labelled by Cathryn Thompson

