

RURAL MUNICIPALITY OF EXCEL NO. 71

BYLAW NO . 3-2017

A BYLAW TO AMEND BYLAW NO. 20-13 KNOWN AS THE ZONING BYLAW

The Council of the Rural Municipality of Excel No. 71 in the Province of Saskatchewan enacts to amend Bylaw No. 20-13 as follows:

1. The addition of the following:

7.10 AGGREGATE EXTRACTION (SAND, GRAVEL, TOPSOIL)

- b) An application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction operation shall be a temporary and discretionary use and shall adhere to all applicable municipal, provincial and federal requirements and guidelines.
- e) viii) a plan showing the final site conditions and post development land use plan following the completion for the operation (reclamation plan) including the phasing of remediation (progressive restoration is expected while extraction is ongoing in other sections of the pit);
- ix) method for storm water management/drainage control, and erosion and sediment control; and
- x) any other information that Council deems necessary.
- f) iii) Access routes into extraction areas shall be located away from residential areas and have efficient servicing, haul routes and have a high consideration for public safety.
- iv) a disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. Agricultural land) or a post-disturbance condition and land use (e.g. Conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with RM's Bylaw to License the Excavation of Gravel from Gravel Pits and the Ministry of Environment's Reclamation Guidelines for Sand and Gravel Operations.
- vi) Aggregate resource extraction industries shall have regard to adjacent land uses and no material that is to be stored or piled shall occur:
 - a) Within 805 metres (1/2 mile) from any dwelling, unless an agreement has been entered into with the owner of the dwelling consenting to a closer separation distance. If an agreement is entered into, Council will require that an interest protecting the parties to the agreement be registered against the lands, at the cost of the developer;
 - b) Within 15 metres (50 Feet) from the limit of any road allowance or provincial highway
 - c) Within 805 metres (1/2 mile) from any recreational or heritage lands;
 - d) Within 30 metres (100 Feet) from any hazard lands.
- ix) The Municipality shall require the aggregate resource extraction operator to post a performance bond equal to the cost of the reclamation of the pit, to be held by the Municipality for the lifespan of the operation to ensure the land is reclaimed to a satisfactory condition. The bond or other acceptable security must be in place before development proceeds. Once the site has been satisfactorily restored, the bond or security will be discharged or returned to the applicant or their predecessor to guarantee adherence to the above noted agreements.
- x) upon the requirement of Council, the developer shall undertake a mineral extraction study prior to development approval to determine specific development requirements and standards.
- xi) where sand and gravel development is proposed within the vicinity of a water source, the development permit application should be accompanied by an appropriate hydrological study which outlines necessary mitigation measures.

- xii) Where applicable, Council will specify development conditions in conjunction with recommendations from provincial agencies and report from a qualified person regarding site development, services, modifications to application and location of operation and any other mitigation measures deemed necessary.
 - xiii) Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.
- g) Council may require an agreement to be entered into with the developer to ensure the sand and gravel development complies with all relevant requirements of the Bylaw including any additional conditions of approval necessary to secure the objectives of this Bylaw.

2. 9-Hamlet District-H

Amend to exclude the Hamlet of Congress and include the Hamlets of Crane Valley, Ormiston, Readlyn, Viceroy and Verwood.

3. This Bylaw shall come into force and take effect when approved by the Minister.



Reeve Montgomery
 Reeve

[Signature]
 Administrator



Read a first time this 12th day of January, 2017
 Read a second time this 7th day of March, 2017
 Read a third time and adopted this 7th day of March, 2017

Certified a true copy of Bylaw No. 3-2017, adopted by council on March 7, 2017.

[Signature] Administrator

