

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **February 23, 2017** at 9:30 A.M. in the County Council Chambers.

The meeting was called to Order by the Reeve, Mr. Craig Lukinuk, in the presence of the following persons:

			ATTENDANCE
<u>Div. No.</u>	<u>Councillor(s)</u>	<u>Thursday, February 23, 2017</u>	
1	Dareld Cholak	Present	
2	Ron Bobocel	Present @ 9:35 a.m.	
3	Craig Lukinuk	Present	
4	Cary Smigerowsky	Present @ 10:32 a.m.	
5	Randy Orichowski	Present	
CAO	Cory Ollikka	Present	
Asst. CAO	Lydia Cielin	Present	
Finance Manager	Brenda Adamson	Absent	
Public Works Mgr.	Doug Ponich	Absent	
GIS/Communication	Paul Miranda	Present	
Plan/Dev Manager	Jordan Ruegg	Present	
Legislative Svcs/R.S.	Patti Priest	Present	

1 Members of the Media:
Smoky Lake Signal in attendance.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd.

2. Agenda:

Agenda
414-17: Cholak

That the Agenda for Thursday, February 23, 2017 County Council Meeting be adopted, as presented.

Carried Unanimously.

3. Minutes:

No Minutes.

PUBLIC HEARING:

Bylaw 1298-16: Amending Land Use Bylaw 1272-14

The Reeve Craig Lukinuk called the Public Hearing to order at 9:30 a.m. in the presence of all the Council members, the Chief Administrative Officer; the Assistant Chief Administrative Officer, the Finance Manager, the GIS/Communication Director, and the Recording Secretary.

Jordan Ruegg, Planning and Development Manager in attendance for the Public Hearing.

Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. in attendance for the Public Hearing.

General Public: 6 members of the Public in attendance for the Public Hearing.

Smoky Lake County
Bylaw No. 1298-16

Bylaw No. 1298-16: to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw for the purpose of rezoning the lands legally described as River Lot 10 and River Lot 11, Victoria Settlement, from “Victoria Agriculture (A1) District” to “Victoria Commercial (C2) District”; and to add definitions for “Art, Craft and

Photography Studios” and “Cultural Facility” uses to “Section 1.7 - Interpretation/Definitions”; and to insert the uses “Art, Craft and Photography Studios”, “Campground, Basic”, “Campground, Recreational Vehicle” and “Cultural Facility” into “Section 8.9(2) – Victoria Commercial District” as “Permitted Uses”; and to insert the uses “Art, Craft and Photography Studios” and “Solar Energy Collection Systems” into “Section 8.2(2) – Agriculture District” and “Section 8.3(2) – Victoria Agriculture District” as “Permitted Uses”; and to delete the use “Solar Energy Collection Systems” from “Section 8.2(3) – Agriculture District” and “Section 8.3(3) – Victoria Agriculture District” as “Discretionary Uses”

1.0 Opening

- 1.1 Reeve Craig Lukinuk declared the Public Hearing open at 9:30 a.m. The Reeve stated he will Chair the Public Hearing and welcomed all persons in attendance to the Public Hearing.
- 1.2 Reeve at this time asked the Chief Administrative Officer to confirm that the Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation.

Chief Administrative Officer replied:

Proposed **County Bylaw No. 1298-16**: to amend Bylaw No. 1272-14 has been advertised and notice has been provided in accordance with Section 606 of the *Municipal Government Act, R.S.A. 2000*.

Specifically, Sec 606(2) which states:

Notice of the bylaw, resolution, meeting, public hearing or other thing must be:

- (a) *published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or*
- (b) *mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held.*

- 1.3 The purpose of this Hearing is for the Council of Smoky Lake County to obtain **public input**, in favour and opposed to proposed County Bylaw No. 1298-16: to amend Bylaw No. 1272-14.

Background:

- Bylaw 1298-16 was presented for 1st Reading on **December 15, 2016**.
- Notice of the proposed Bylaw was mailed to adjacent landowners on **February 2, 2017**.
- Notice of the proposed Bylaw was circulated to affected agencies for comment on **February 2, 2017**.
- A notice has also been posted on the County’s website since **February 7, 2017**.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and **February 13, 2017 and February 20, 2017**. The proposed Bylaw was advertised and Notice has been provided in accordance with the applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act.

1.4 The Reeve outlined the ground rules and the order of speaking will be:

The ground rules of the hearing and the order of speaking will be:

- a) the planner and/or planning staff will speak first to outline facts and present their recommendation on the proposed Bylaw;
- b) members of the public, who have signed in, will be given the opportunity to speak in the order they signed in, starting with those opposed to the Bylaw, followed by those who support the Bylaw;
- c) anyone else, who did not sign in will be given the opportunity to speak;
- d) the planner and/or planning staff will be given the opportunity to present closing remarks or address any of the issues or concerns presented;
- e) Councillors will be given the opportunity to ask questions;
- f) Only Councillors may ask questions of speakers during the Hearing. If any persons wish to ask questions of a speaker, they must ask Council to ask the question on their behalf during their presentation, and Council will only ask the question of a Councillor wishes to have an answer;
- g) Council will then end the Hearing and consider the information received during the Hearing;
- h) Council will consider the representations made regarding the Bylaw and any other matter Council considers appropriate.

2.0 Staff Presentation

2.1 Jane Dauphinee, Principal/Senior Planner, Municipal Planning Services (2009) Ltd. reported the following:

- The draft Area Structure Plan has been developed over a couple of years.
- Some comments received were in regard to the Area Structure Plan ensuring inclusion of small local businesses, as well as specifically, the development of Métis Crossing.
- The amendment to the plan is consistent with the statutory requirements.

3.0 Public Presentations Via Written Submissions

3.1 Jordan Ruegg, Planning and Development Manager reported there were no written submission(s) received.

4.0 Public Presentations at the Public Hearing

4.1 Against:

- Member of the General Public, Peter Bezboridka, Smoky Lake County Tax Payer:
 - No comment at this time.
- Member of the General Public, Ken Smith, Lamont County Resident - directly across the river from the Victoria Area:
 - Some positive things about the river valley is: it is unique in the county, nature thrives there and is a nature lovers paradise, it's close to the city, is a place where it is easy to control forest fires, and is a desirable place to live.
 - Some negative things are: you can't cultivate or farm it, the river flats are prone to flooding, in the spring time ice flows can jam up, the river banks can be dangerous because of beaver dams and/or holes, nobody pastures cattle along the river, being the lowest land in the area it collects cold air,

winter can be 10 degrees colder, is not a place for loud speakers.

- When steam powered boats came they often had to winch their way across.
- The river valley is a valuable resource to the County.
- County Council rules land use as to what can be done on it; the impact of these land use decision carry a lot of weight as to what happens in the county, impacting the local economy.
- Each resident will spend about \$40,000 a piece, not including the assessment of what they build per year in the community.
- If you take away the tranquility of the river valley it can detract from the economy.
- Nobody ever crossed the river at Métis Crossing; the river is too swift and too deep.
- The Fort Victoria site is not well utilized.
- In 2014 the Métis Crossing started musical events that you could hear all the way to the Hutterite Colony, starting on Fridays, carrying on all day and night, until ending Sunday.
- I have made complaints to the RCMP, who said they cannot do anything, because there are no regulations against it.
- Council has been lobbied by Métis Crossing for the last two years with funds from the federal government.
- Shaun Green, the County Economic Development Officer estimated the County would receive \$50,000 in additional tax revenue per year.
- This development is not helping anyone but the elite.

In Favor:

- Member of the General Public, Dwayne Bendfeld, Smoky Lake County Tax Payer:
 - How can I help; I have no problem with this bylaw amendment or the Métis Crossing development.
 - If there's any way to help this proposal go ahead, I will help.

- Member of the General Public, Hank Holowaychuk, Town of Smoky Lake:
 - Question: in regard to Solar Energy Collection Systems, are you taking that out of the plan, or will it be allowed in the area?
 - I do fully support this, if we allow a little more flexibility in our planning process, it will open up opportunities within our County to other Albertans and Canadians.
 - Most cities today are located along a river; proving rivers and development are compatible. Anywhere you go you can have people enjoy rivers alongside development; it does not compromise the serenity of area.
 - There will be lots of opportunities and benefits from this amendment.
 - The people opposed to this are the ones who give little support to local business.
 - We need people to come here and live here.
 - This will be a positive thing for everybody.

Comment: Planning and Development Manager, Jordan Ruegg: in regard to Solar Collection Systems, we are removing it as a discretionary use and adding it as a permitted use.

- Member of the General Public, Mark Watson, Town of Smoky Lake.
 - I have attended, as a reporter, the events of the Métis crossing and also stayed in their campground, and have not found too many adverse effects from those events.
 - I have studied the development plans that have been developed over the years and find that it's certainly a good use of that particular area.
 - Métis Crossing will contribute to the local economy by spilling over shopping, fuel, restaurants, increasing the tourism traffic.
 - On a personal basis, I support the changes to the bylaw.

For Comment – Not For or Against:

- Member of the General Public, Bob Gillespie, Smoky Lake County Tax Payer:
 - I am not for or against the changes to the bylaw, I want clarity as to what is going on with these properties, the map (site plan) is illegible.
 - I came here today out of curiosity and to get clarification on the map diagram.

Comment: Municipal Planning Services (2009) Ltd, Jane Dauphinee: The processing of today, is about making the changes in the bylaw. We don't have any more information on the Métis Crossing site development, we are waiting for the developer to apply for another permit. Any development permit that comes in, will have to be consistent with the listed discretionary uses in the bylaw.

Comment: Planning and Development Officer, Jordan Ruegg: The map picture is irrelevant because it is the original proposal, there may be changes.

Comment: Chief Administrative Officer, Cory Ollikka: The Public needs to understand the bylaw process: to define what is allowed and separate the development process. Today we are deciding what will be allowable, and then, at some point there will be a proposal from the developer when they are ready, this bylaw sets up the rules under which they will be governed.

Comment: Councillor Division No. 5, Randy Orichowski: There's got to be a way of producing a clearer map.

Comment: Planning and Development Officer, Jordan Ruegg: I agree, but that's what we have on file.

Comment: Member of the General Public, Ken Smith: All my objections would melt away, if we had a noise bylaw.

Comment: Member of the General Public, Hank Holowaychuk: The bylaw is going to be a very positive step, its' very fair, and there's ample opportunity for public input. That site is the most peaceful place, the events at Métis Crossing won't be all year round, and are well organized.

5.0 Questions and Answers

5.1 Public: no further items.

5.2 Council: no further items.

6.0 Closing Remarks

Reeve Craig Lukinuk declared discussion on the proposed Smoky Lake County Bylaw No. 1298-16: Amending Land Use Bylaw 1272-14, closed at 10:18 a.m.

County Council Meeting

County Council Meeting reconvened, time 10:32 a.m.

Councillor Cary Smigerowsky entered Council chambers, time 10:32 a.m.

4. Request for Decision:

Bylaw 1298-16: Amending Land Use Bylaw 1272-14

Councillor Cary Smigerowsky abstains from voting on the public hearing due to being absent from the public hearing.

Councillor Ron Bobocel stated he will be voting and apologized for being five minutes late.

415-17: Cholak

That **Bylaw No. 1298-16:** to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw, for the purpose of rezoning the lands legally described as River Lot 10 and River Lot 11, Victoria Settlement, from “Victoria Agriculture (A1) District” to “Victoria Commercial (C2) District”; and to add definitions for “Art, Craft and Photography Studios” and “Cultural Facility” uses to “Section 1.7 - Interpretation/Definitions”; and to insert the uses “Art, Craft and Photography Studios”, “Campground, Basic”, “Campground, Recreational Vehicle” and “Cultural Facility” into “Section 8.9(2) – Victoria Commercial District” as “Permitted Uses”; and to insert the uses “Art, Craft and Photography Studios” and “Solar Energy Collection Systems” into “Section 8.2(2) – Agriculture District” and “Section 8.3(2) – Victoria Agriculture District” as “Permitted Uses”; and to delete the use “Solar Energy Collection Systems” from “Section 8.2(3) – Agriculture District” and “Section 8.3(3) – Victoria Agriculture District” as “Discretionary Uses”; be given **SECOND READING.**

Carried.

Moved by Councillor Ron Bobocel that **Bylaw No. 1298-16:** Amending Land Use Bylaw 1272-14, be given the **THIRD and FINAL READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

ADJOURNMENT:

416-17: Lukinuk

That this meeting be adjourned, time 10:37 a.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER