

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Thursday, July 20, 2017** in the County Council Chambers.

The meeting was called to Order at 12:38 p.m. by the Chairman Dareld Cholak in the presence of the following persons:

ATTENDANCE

Councillor Randy Orichowski	Division 5
Councillor Cary Smigerowsky	Division 4
Councillor Dareld Cholak	Division 1
Cory Ollikka	Development Officer
Jordan Ruegg	Planning and Development Officer
Patti Priest	Recording Secretary

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Doug Ponich, Smoky Lake County Public Works Manager was also in attendance as requested by Jordan Ruegg, Planning and Development Manager.

2.0 ADOPTION OF AGENDA

MPC17.049: Orichowski That the Agenda for the Municipal Planning Commission for July 20, 2017 be approved as presented.

CARRIED UNANIMOUSLY.

3.0 MINUTES

MPC17.050: Smigerowsky That the minutes of May 25, 2017 – Municipal Planning Commission, be adopted as presented.

CARRIED.

4.0 REQUEST FOR DECISION

4.1 Development Permit(s) to be Considered:

4.1.1 DP 020-17: Elliott, Gertrude - Plan 2924MC, Block 1, Lot 4 (Pt. of NE 9-60-12-W4M),.

MPC17.051: Smigerowsky That the Municipal Planning Commission refuse Development Permit No. 020-17: Plan 2924MC, Block 1, Lot 4 (Pt. of NE 9-60-12-W4M), for the development of a Guest House, for the following reasons:

1. The proposed Guest House does not conform to Section 3.3.9 of Smoky Lake County Bylaw #1227-11 – Garner Lake Area Structure Plan which states that “Only one single family dwelling shall be allowed on each lot. Guest houses shall not be allowed as they constitute a second dwelling unit.”

CARRIED UNANIMOUSLY.

4.1.2 DP 022-17: Dale Croswell Construction Co. Ltd. - Plan 5011CE, Block 17, (PT of HB-58-17-Wm4)

MPC17.052: Orichowski That the Municipal Planning Commission approve Development Permit No. 022-17: Plan 5011CE, Block 17 (PT. OF HB-58-17-W4M), for the development of **Natural Resource Extraction/Processing Facility (Sand and Gravel)**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Development Permit Renewal Application, dated June, 2017, attached to, and forming part of, this Development Permit.
2. This Development Permit will expire **ten (10) years** from the date of its issuance.
3. The Developer must comply with all the requirements established by Alberta Environment and Parks, including any registrations, permits, licenses and approvals.
4. The Developer must provide Smoky Lake County with a copy of the updated *Environmental Protection and Enhancement Act* Registration (Registration No. 307647-00-00) prior to this Development Permit taking effect.
5. The Developer must comply with any and all provisions of the *Historical Resources Act*.
6. Brush clearing on Said Lands shall take place only during the approved period of July 31 to April 15, as required by the *Alberta Wildlife Act* and the federal *Migratory Birds Convention Act*.
7. Any burning of vegetation on Said Lands will require the Developer to obtain a Burn Permit from Smoky Lake County prior to the commencement of the burn.
8. The Developer shall be required to comply with the Community Aggregate Payment as stated in accordance with Smoky Lake County Bylaw #1142-06 and amendments thereto.
9. The Developer shall be required to enter into a Development Agreement with Smoky Lake County prior to the commencement of extraction or crushing activities on Said Lands.
10. The Developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to the commencement of extraction or crushing activities on Said Lands.
11. Reclamation and rehabilitation shall be in accordance with the *Alberta Environmental Protection and Enhancement Act* (EPEA), the Code of Practice for Pits and the Updated Activities Plan as approved by Alberta Environment and Parks.
12. The Developer shall stake the mining area at all times.
13. All equipment and activity relating to the mining and crushing operation shall take place and be located in the areas approved for gravel extraction.
14. Any structures or equipment related to the excavation or crushing activities shall be removed from Said Lands upon expiration or cancellation of this Development Permit.
15. Hours of Operation:
 - a. **Crushing Operations:**
24 hours per day, 365 days per year.
 - b. **On-Site Development Operations (including tree harvesting, pit development, reclamation):**
24 hours per day, 365 days per year.
 - c. **Hauling:**
7:00 a.m. – 9:00 p.m., Monday to Saturday inclusive. Hauling will not be permitted on Sundays and Statutory Holidays.
17. The Developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners. The Developer shall conduct dust and noise control measures at the request of, and to the satisfaction of, Smoky Lake County. In this regard, stockpiles shall be located in a position to act as a sound barrier. Also, the Developer shall apply methods of minimizing the noise and dust created from machinery and equipment.
18. The Developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
19. The Developer shall install and maintain appropriate traffic and safety signage on and about Said Lands and adjacent road accesses.
20. Accesses and haul routes into extraction areas shall be located away from residential areas.
21. The sand and gravel operation is required to comply with all municipal bylaws and setback requirements.
22. The Developer shall ensure that any development involving pipeline and/or powerline rights-of-way shall be sited to comply with all relevant federal and provincial legislation and regulations. Setbacks from

pipelines shall be in accordance with appropriate provincial legislation and regulations established by the Energy Resources Conservation Board (ERCB). Setbacks from utility corridors shall be in accordance with provincial legislation and regulations established by the Alberta Utilities Commission (AUC).

23. No development, disturbance or alteration of a surface waterbody is permitted without first obtaining the necessary approvals under the *Water Act* and from the Department of Fisheries and Oceans, where applicable. Evidence of *Water Act* approval or license must be provided to the Development Authority for Smoky Lake County in cases where a surface waterbody is altered or disturbed.
24. Should the Developer encounter conditions that require dewatering from below the surface water tables, the Developer must advise Smoky Lake County of same, and as well, comply with any federal and provincial regulations concerning same.
25. All reasonable measures shall be taken by the Developer to control erosion in the areas approved for sand and gravel extraction.
26. If a portion of the Pit shall become inactive for a period lasting of more than **two (2) years**, the pit faces shall be sloped to a ratio of **2:1** to ensure public safety and prevent erosion.
27. The Developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities as may be required.
28. Truck drivers shall be prohibited from using engine-retarder brakes within ½ mile of a residence on municipally-owned roads.
29. Any expansion of the Pit boundaries or gravel extraction and crushing activities will require a separate Development Permit to be issued.
30. Contravention of any condition of this Development Permit may result in Smoky Lake County rescinding this Development Permit or jeopardize renewal of same.

CARRIED UNANIMOUSLY.

5.0 ISSUES FOR INFORMATION

5.1 Nil.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

8.0 ADJOURNMENT

MPC17.053: Cholak

To adjourn the Municipal Planning Commission Meeting of July 20, 2017 at 12:55 p.m.

CARRIED.

Dareld Cholak, Chairperson

S E A L

Cory Ollikka, Development Officer