

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Wednesday, July 8, 2015** in the County Council Chambers.

The meeting was Called to Order at 11:10 a.m. by the Chairman Dareld Cholak, in the presence of the following persons:

ATTENDANCE

Councillor Ron Bobocel	Division 2
Councillor Cary Smigerowsky	Division 4
Councillor Dareld Cholak	Division 1
Cory Ollikka	Development Officer
Jordan Ruegg	Planning and Development Officer
Angela Bilski	Recording Secretary

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2.0 ADOPTION OF AGENDA

MPC15.027: Bobocel

That the Agenda for the Municipal Planning Commission for July 8, 2015 be approved as presented.

CARRIED

3.0 MINUTES

MPC15.028: Smigerowsky

3.1 Adopt Minutes of April 22, 2015 – Municipal Planning Commission

CARRIED

MPC15.029: Bobocel

3.2 Adopt Minutes of May 28, 2015 – Municipal Planning Commission

CARRIED

4.0 REQUEST FOR DECISION

4.1 Development Permit(s) to be Considered:

4.1.1 DP 011-15: Whissell Rock Products Ltd.

MPC15.030: Smigerowsky

That the Municipal Planning Commission approve Development Permit No. 011-15: SE 31-58-16-W4M (+/- 12 acres) for the development of Natural Resource Extraction (Sand and Gravel), subject to the following conditions:

1. The proposed development shall be constructed as per the Reclamation Plan dated March, 2015.
2. This Permit will expire **(three) 3 years** from the date of issuance.
3. The developer must comply with all requirements of Alberta Environment, including any registrations, permits and approvals. A letter of approval from Alberta Environment for the pit must be submitted to Smoky Lake County prior to commencement of any excavating and/or crushing operations.
4. 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.
5. The developer shall stake the mining area at all times.
6. All equipment and activity relating to the mining and crushing shall take place in the areas approved for gravel extraction.

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7. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to any excavating and crushing operations on said lands.
8. The developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to any excavating and crushing operations on said lands.
9. Reclamation and rehabilitation shall be in accordance with *Alberta Environmental Protection and Enhancement Act (EPEA)* and the Conservation and Reclamation Plan as approved by Environment and Sustainable Resource Development (ESRD). Proof of compliance with reclamation requirements shall be submitted to the Development Authority upon completion of the operations. A reclamation fee of **\$24,000.00** is due upon the issuance of this Permit. Reclamation must meet or exceed provisions of the Conservation and Reclamation (CRB) Plan.
10. Any structures or equipment on the land are to be removed upon expiry or cancellation of this Permit.
11. 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
12. The developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Development Authority, acting reasonably. In this regard, stock piles shall be located in a position so as to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment.
13. The developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
14. The developer shall install and maintain appropriate traffic and safety signage on an about the subject site and adjacent to road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. Contravention of any conditions of this Permit may result in Smoky Lake County cancelling this Development Permit or jeopardize the renewal of same.
17. The sand and gravel operation is required to comply with all municipal bylaws and setback requirements.
18. No development, disturbance or alteration of a surface water body is permitted without first obtaining the necessary provincial approvals under the *Water Act* and from the Department of Fisheries and Oceans. Evidence of a *Water Act* approval or license must be provided to the Development Authority.
19. All reasonable measures must be taken to control erosion in the area of the sand and gravel operation.
20. The developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities that may be required. Copies of such approvals must be provided to the Development Authority.
21. Should the developer encounter conditions that require de-watering from below the surface water tables, they must advise

- Smoky Lake County of same, and as well, comply with any and all Federal and Provincial regulations concerning the same.
22. Truck drivers will not be permitted to use engine retarder brakes within ½ mile of a residence on municipally-owned roads.
 23. Any expansion of pit boundaries shall require a new Development Permit.
 24. The developer shall obtain any and all authorizations required from Alberta Transportation.
 25. The developer must comply with all requirements under the *Historical Resources Act*. An approval under the *Historical Resources Act* in the form of a "clearance" must be obtained from Alberta Culture and submitted to Smoky Lake County prior to the commencement of any land disturbance activities. Applications for *Historical Resources Act* clearance are available on Alberta Culture's website.

CARRIED

4.1.2 DP 016-15: Jean Phillips

MPC15.031: Bobocel

That the Municipal Planning Commission approve Development Permit No. 016-15: LOT 1, BLOCK 1, PLAN 0325361 Pt. of NE 23-59-19-W4M (9.04 acres) for the development of a greenhouse and related office building, subject to the following conditions:

1. The proposed development shall be located as per the attached site plan dated April 28, 2015.
Minimum Front Yard Setback (from property line adjacent to RGE RD 191): 92 ft (23.1m).
Minimum Side Yard Setback (from property line adjacent to TWP RD 594): 60 ft (18.3m).
Minimum Side Yard Setback (adjacent to adjoining property): 60 ft (18.3m).
Minimum Rear Yard Setback (adjacent to adjoining property): 60 ft (18.3m).
2. The greenhouse and office shall not be used as a dwelling.
3. The greenhouse and office shall not encroach upon an easement or right-of-way.
4. A minimum of six (6) stalls of on-site parking shall be provided and located to the satisfaction of the Development Authority. The minimum requirements for each on-site parking stall must be in accordance with Section 6.13.3(c) of Land Use Bylaw 1272-14.
5. All applicants, private or general contractors shall, during construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction, all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
6. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
7. Natural Gas Services are provided by Smoky Lake County. All costs associated with connecting to this service are the responsibility of the developer.
8. The developer shall obtain any and all approvals, permits, and authorizations from any and all agencies, departments, and authorities that may be required.
9. Municipal water and sewer services are not available in this location. It will be the responsibility of the developer to ensure that water well and private sewage disposal systems associated with the development conform to current provincial

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- requirements. All infrastructure improvement costs associated with the development will be borne by the proponent of the development.
10. The proposed development shall commence within 12 months from the date of its issuance and carried out with reasonable diligence within five (5) years.
 11. The developer shall keep the area subject to the development permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
 12. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
 13. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.
 14. The developer shall be required to provide access to the proposed development to the satisfaction of the Development Authority at the cost of the developer. All points of access and egress shall be located to the satisfaction of the Development Authority.
 15. The developer shall ensure that dust control measures are undertaken to prevent such items from becoming an annoyance to neighbouring land owners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Development Authority.

CARRIED

4.1.3 DP 018-15: Holly Gale

MPC15.032: Smigerowsky

That the Municipal Planning Commission approve Development Permit No. 018-15: Pt. of SW 17-59-17-W4M (2.94 acres) for the development of a skid shack for micro scale production of goat milk & cheese, subject to the following conditions:

1. The proposed development shall be located as per the attached site plan dated May 5, 2015.
Minimum Front Yard Setback (from property line adjacent to RGE RD 175): 92 ft (23.1m).
Minimum Side Yard Setback (from property line adjacent to TWP RD 592): 60 ft (18.3m).
Minimum Side Yard Setback (adjacent to adjoining property): 60 ft (18.3m).
Minimum Rear Yard Setback (adjacent to adjoining property): 60 ft (18.3m).
2. No additional parking stalls shall be required provided that the sale of products is strictly limited to off-site locations.
3. All applicants, private or general contractors shall, during construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
4. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.

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5. Natural Gas Services are provided by Smoky Lake County. All costs associated with connecting to this service are the responsibility of the developer.
6. The developer shall obtain any and all approvals, permits, and authorizations from any and all agencies, departments, and authorities that may be required.
7. Municipal water and sewer services are not available in this location. It will be the responsibility of the developer to ensure that water well and private sewage disposal systems associated with the development conform to current provincial requirements. All infrastructure improvement costs associated with the development will be borne by the proponent of the development.
8. The proposed development shall commence within 12 months from the date of its issuance and carried out with reasonable diligence within five (5) years.
9. The developer shall keep the area subject to the development permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
10. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
11. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.
12. The developer shall be required to provide access to the proposed development to the satisfaction of the Development Authority at the cost of the developer. All points of access and egress shall be located to the satisfaction of the Development Authority.
13. The developer shall ensure that dust control measures are undertaken to prevent such items from becoming an annoyance to neighbouring land owners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Development Authority.

CARRIED

4.1.4 DP 028-15: Dale Crowell Construction Co. Ltd.

MPC15.033: Bobocel

That the Municipal Planning Commission approve Development Permit No. 028-15: Pt. of NW 29-58-16-W4M (+/- 10 acres) for the development of Natural Resource Extraction/Processing Facility, subject to the following conditions:

1. The proposed development shall be constructed as per the Reclamation Plan dated May, 2015.
2. This Permit will expire **(six) 6 years** from the date of issuance.
3. The developer must comply with all requirements of Alberta Environment, including any registrations, permits and approvals. A letter of approval from Alberta Environment for the pit must be submitted to Smoky Lake County prior to commencement of any excavating and/or crushing operations.
4. 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.
5. The developer shall stake the mining area at all times.
6. All equipment and activity relating to the mining and crushing shall take place in the areas approved for gravel extraction.

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7. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to any excavating and crushing operations on said lands.
8. The developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to any excavating and crushing operations on said lands.
9. Reclamation and rehabilitation shall be in accordance with *Alberta Environmental Protection and Enhancement Act* (EPEA) and the Conservation and Reclamation Plan as approved by Environment and Sustainable Resource Development (ESRD). Proof of compliance with reclamation requirements shall be submitted to the Development Authority upon completion of the operations. A reclamation fee of **\$20,000.00** is due upon the issuance of this Permit.
10. Any structures or equipment on the land are to be removed upon expiry or cancellation of this Permit.
11. 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)**
 - c. 24 hours per day, 365 days per year
 - d. **Hauling:**
7:00 a.m. – 9:00 p.m., Monday to Saturday inclusive. Hauling will not be permitted on Sundays and Statutory Holidays
12. The developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Development Approving Authority, acting reasonably. In this regard, stock piles shall be located in a position so as to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment.
13. The developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
14. The developer shall install and maintain appropriate traffic and safety signage on an about the subject site and adjacent to road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. Contravention of any conditions of this Permit may result in Smoky Lake County cancelling this Development Permit or jeopardize the renewal of the same.
17. The sand and gravel operation is required to comply with all municipal bylaws and setback requirements.
18. No development, disturbance or alteration of a surface water body is permitted without obtaining the necessary provincial approvals under the *Water Act* and from the Department of Fisheries and Oceans. Evidence of a *Water Act* approval or license must be provided to the Development Authority.
19. All reasonable measures must be taken to control erosion in the area of the sand and gravel operation.
20. The developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities that may be required.
21. Should the developer encounter conditions that require de-watering from below the surface water tables, they must advise Smoky Lake County of same, and as well, comply with any and all Federal and Provincial regulations concerning the same.
22. Truck drivers will not be permitted to use engine retarder brakes within ½ mile of a residence on municipally-owned roads.

23. Any expansion of pit boundaries shall require a new Development Permit.
24. The developer shall obtain any and all authorizations require from Alberta Transportation.
25. The developer must comply with all requirements under the *Historical Resources Act*. An approval under the *Historical Resources Act* in the form of a "clearance" must be obtained from Alberta Culture and submitted to Smoky Lake County prior to the commencement of any land disturbance activities. Applications for *Historical Resources Act* clearance are available on Alberta Culture's website.

CARRIED

4.1.5 DP 032-15: Edith Campbell

MPC15.034: Bobocel

That the Municipal Planning Commission approve Development Permit No. 032-15: Lot 3, Plan 919ET (south ½ of the north ½ of Block 3, 4923 49th Street, Hamlet of Spedden) for the development of front and side yard fences, subject to the following conditions:

1. The proposed development shall be constructed as per the Site Plan dated June 19, 2015.
Variance Granted to Maximum Height of Fence (Front and Side Yards): From 3.3 ft. (1.0m) to 4.79 ft. (1.46m).
2. All applicants, private or general contractors shall, during construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction, all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
3. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
4. The developer shall obtain any and all approvals, permits and authorizations from any and all agencies, departments and authorities that may be required.
5. The proposed development shall commence within 12 months from the date of its issuance and carried out with reasonable diligence within five (5) years.
6. The developer shall keep the area subject to the Development Permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
7. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.

CARRIED

4.1.6 DP 064-15: Rose Dawe

MPC15.035: Smigerowsky

That the Municipal Planning Commission approve Development Permit No. 064-14: Lot 1, Block 1, Plan 0321675 on Pt. of SW 9-61-17-W4M for the development of a Recreational Use subject to the following conditions:

1. The proposed camp sites, and their accessory buildings are to be sited as shown on the site plan dated May 17, 2015, and attached to, and forming part of, this Development Permit.
Minimum Front Yard Setback (adjacent to RGE RD 174): 92.0 ft. (23.1m).

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Minimum Side Yard Setback (from adjacent lot to the north): 60.0 ft. (18.3m).

Minimum Side Yard Setback (from adjacent lot to the south): 60.0 ft. (18.3m).

Minimum Rear Yard Setback (from adjacent lot to the east): 60.0 ft. (18.3m).

2. Maximum site coverage of 45% of the total lot, of which, a maximum 15% of the total site may be covered by accessory buildings.
3. A maximum of **six (6)** recreational vehicles will be allowed on the property at a time. No additional recreational vehicles, tents, or temporary dwellings may be located on the site at any time. In addition, the developer shall only allow parking of Recreational Vehicles and Passenger Vehicles on site.
4. The site shall be kept in a neat and tidy condition in accordance with Smoky Lake County's Bylaw 1169-08: Nuisance and Unsightly Premises.
5. Municipal waste collection services are not available at this location. It shall be the responsibility of the developer to ensure that proper waste collection and removal procedures are in place to the satisfaction of the Development Authority.
6. The developer shall be responsible to comply with "Quiet Time Hours" between the hours of 11:00 p.m. and 7:00 a.m.
7. Sufficient on-site water supply (non-potable) shall be available at all times in the event of a fire.
8. A maximum of **6 (six)** fire pits will be allowed on site for cooking purposes, one fire pit per unit. All burning shall be in accordance with the Forest and Prairie Protection Act R.S.A. 2000 and amendments thereto. The fire pits shall be constructed to the satisfaction of Smoky Lake County.
9. Any expansion of the proposed development shall require a new development permit.
10. All applicants, private or general contractors shall, during construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction, all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
11. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
12. Natural gas services are provided by Smoky Lake County. All costs associated with connecting to this service are the responsibility of the developer.
13. The developer shall obtain any and all approvals, permits and authorizations from any and all agencies, departments and authorities that may be required.
14. Municipal water and sewer services are not available at this location. It will be the responsibility of the developer to ensure that water well and private sewage disposal systems associated with the development conform to current provincial requirements. All infrastructure improvement costs associated with the development shall be borne by the proponent of the development.
15. The proposed development shall commence within 12 months from the date of issuance of this Permit and carried out with reasonable diligence within five (5) years.
16. The developer shall keep the area subject to the Development Permit in a clean and tidy condition, free from rubbish and non-aggregate debris.

17. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his supplies, agents or contractors to any public or private property.
18. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant federal and provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.

CARRIED

4.2 Heritage Resource Intervention Permit(s) to be Considered:

Nil.

5.0 CORRESPONDENCE

5.1 Nil.

6.0 ADJOURNMENT

MPC15.036: Cholak

To adjourn the Municipal Planning Commission Meeting of July 8, 2015 at 11:52 a.m.

CARRIED



Dareld Cholak, Chairperson

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Cory Ollikka, Development Officer