

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Thursday, December 3, 2015** in the County Council Chambers.

The meeting was Called to Order at 2:50 p.m. by Jordan Ruegg, Planning and Development Manager, in the presence of the following persons:

ATTENDANCE

Councillor Cary Smigerowsky	Division 4
Councillor Randy Orichowski	Division 5
Councillor Dareld Cholak	Division 1
Cory Ollikka	Development Officer – 3:12 p.m.
Jordan Ruegg	Planning and Development Manager
Angela Bilski	Recording Secretary

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1.0 CALL TO ORDER

1.1 ELECTION OF CHAIRPERSON

Call for nominations for Chairperson.

MPC15.044: Smigerowsky

That Councillor Cholak be nominated as Chairperson for the Municipal Planning Commission.

CARRIED

Councillor Cholak accepts the nomination.

Second call for nominations for Chairperson.

Third call for nominations for Chairperson.

MPC15.045: Orichowski

That nominations be ceased.

CARRIED

Cory Ollikka, Development Officer declared Councillor Cholak as Chairperson for the Municipal Planning Commission.

1.2 ELECTION OF VICE-CHAIRPERSON

Call for nominations for Vice-Chairperson.

MPC15.046: Orichowski

That Councillor Smigerowsky be nominated as Vice-Chairperson for the Municipal Planning Commission Meeting.

CARRIED

Councillor Smigerowsky accepts the nomination.

Second call for nominations for Vice-Chairperson.

Third call for nominations for Vice-Chairperson.

MPC15.047: Cholak

That nominations be ceased.

CARRIED

Cory Ollikka, Development Officer, declared Councillor Smigerowsky as Vice-Chairperson for the Municipal Planning Commission.

2.0 ADOPTION OF AGENDA

MPC15.048: Orichowski

That the Agenda for the Municipal Planning Commission for December 3, 2015 be approved, as amended.

Addition(s)

1. Amended Development Permit Site Plan for DP 059-15: Collins, Darlene.

CARRIED

3.0 MINUTES

MPC15.049: Smigerowsky

- 3.1 Adopt Minutes of September 24, 2015 – Municipal Planning Commission

CARRIED

4.0 REQUEST FOR DECISION

4.1 Development Permit(s) to be Considered:

4.1.1 DP 056-15: Huchulak, McKenzie

MPC15.050: Orichowski

That the Municipal Planning Commission deny Development Permit No. 056-15: Plan 1423033, Block 1, Lot 1, for the development of a 9-stall rustic campsite and RV storage, for the following reasons:

1. The requested variance to the Front and Rear Yard Setbacks as proposed is not acceptable to the Development Authority because it would locate the proposed development too close to the top of the river bank.
2. The proposed gravel pad noted as "# 9" on the Site Plan dated October 22, 2015, has a zero-lot-line setback from the property line adjacent to TWP RD 590A (Victoria Trail) and therefore, is not acceptable to the Development Authority as proposed.
3. The Geotechnical Investigation, revised on June 10, 2013, and submitted as part of your application does not, in the opinion of the Development Authority, specifically support the proposed use for the subject site. Additionally, the Development Authority is concerned that the current geotechnical conditions of the subject site may differ from the conditions observed at the time of the initial geotechnical investigation.

CARRIED

4.1.2 DP 057-15: Sorokan, Ronald

MPC15.051: Smigerowsky

That the Municipal Planning Commission approve Development Permit No. 057-15: Pt. of NW 29-58-16-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 as per the Site Plan dated October 25, 2015.
2. This Development Permit will expire **ten (10) years** from the date of issuance.
3. The developer must provide written approval from Alberta Municipal Affairs to access Crown-owned land legally described as SE 36-59-17-W4M for purposes of hauling aggregate before commencing extraction and hauling activities.

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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.
7. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to any excavating or crushing activities on said lands.
8. The developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to any excavating or crushing activities on said lands.
9. Reclamation and rehabilitation shall be in accordance with the *Alberta Environmental Protection and Enhancement Act* (EPEA). Proof of compliance with reclamation requirements shall be submitted to the Development Authority upon completion of operations. A reclamation fee of **\$2,280.00** is due upon the issuance of this Development Permit.
10. Any and all structures and equipment used for excavation and crushing purposes are to be removed from said lands upon expiry or cancellation of this Development 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. No hauling will 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 Smoky Lake County. 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 and about the subject site and adjacent road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. Contravention of any condition of this Development Permit may result in Smoky Lake County cancelling this Development Permit or jeopardize the renewal of same.
17. The sand and gravel extraction 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 *Water Act* approval or licence must be provided to the Development Authority in cases where a surface water body is altered or disturbed.
19. Should the developer encounter conditions that require de-watering 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 the same.
20. All reasonable measures must be taken by the developer to control erosion in the areas of the sand and gravel operation.



21. The developer shall obtain any and all approvals, permits, authorizations, certificates and licences from any and all agencies, departments and authorities as may be required.
22. Truck drivers shall not be permitted to use engine retarder brakes within ½ mile of a residence of municipally-owned roads.
23. Any expansion of pit boundaries, or gravel extraction or crushing activities will require a separate Development Permit to be issued.

CARRIED

4.1.3 DP 059-15: Collins, Darlene

MPC15.052: Cholak

That the Municipal Planning Commission **approve** Development Permit No. 059-15: Plan 7822612, Block 1, Lot 1, for the development of a mobile home (2nd dwelling) to be used as a family care facility, subject to the following conditions:

1. The proposed development shall be constructed as per the Site Plan dated November 12, 2015, attached to, and forming part of, this Development Permit.

Minimum Front Yard Setback (from property line adjacent to TWP RD 615): 92.0 feet.
Minimum Rear Yard Setback (from property line of lot adjacent to the south): 25.0 feet.
Minimum Side Yard Setback (from property line adjacent to Bayda Drive): 25.0 feet.
Minimum Side Yard Setback (from property line adjacent to Environmental Reserve): 5.0 feet.
2. The dwelling shall be a minimum of 700 square feet (65sqm).
3. The dwelling shall be a maximum of 33.0 feet (10.0m) in height.
4. The maximum site coverage shall be 45%, of which, a maximum of 15% of the total site area may be covered in accessory buildings.
5. The proposed development shall commence within **twelve (12)** months of the date of issuance of this Development Permit, and carried out with reasonable diligence within **five (5)** years.
6. All applicants, private and general contractors shall, during construction, renovation and 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, renovation and demolition, all building materials shall be cleared from the site. As well, the applicant shall prevent excess soil from being spilled onto public road allowances, streets, lanes and sidewalks.
7. The developer shall keep the area subject to the Development Permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
8. Lot grade elevations must ensure that site grades are established so as not to allow one site to drain onto an adjacent site.
9. Natural gas services are provided by Smoky Lake County. All costs associated with connecting to this service are the sole responsibility of the developer. Please contact John Malysh, Manager, Smoky Lake County Gas Department at 780-650-1500 for more information.
10. Municipal water and sewer services may not be available at this location. It will be the responsibility of the developer to ensure that water well and private sewage disposal systems associated with this development conform to current provincial regulations. All infrastructure improvement costs associated with this development, including but not limited to road work and sewer connection, shall be borne solely by the developer.

11. The developer shall be held financially responsible during construction, renovation and demolition for any damage caused by the applicant, his servants, his suppliers, his agents or his contractors, to any public or private property.
12. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant federal and provincial 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.
13. The developer shall obtain all necessary approvals, permits, licenses and authorizations from any and all agencies, departments and authorities as may be required.
14. The developer shall be required to comply with all of the provisions of the *Child, Youth and Family Enhancement Act* (R.S.A. 2000) and amendments thereto, during the construction and operation of the development.
15. The developer shall be required to comply with all of the provisions of the *Residential Facilities Licensing Regulation* (Alberta Regulation 161/2004) and amendments thereto.
16. The developer shall be required to provide the Development Authority with proof of a valid *Child and Youth Facility License* prior to a Development Permit being issued by Smoky Lake County. Proof of a valid *Child and Youth Facility License* must be submitted to the Development Authority on an annual basis when said license is renewed by the province. Failure to submit proof of a valid license within 30 days of the expiry date of the previous license may result in the cancellation of this Development Permit and/or Stop Order and/or a fine being issued against the developer.
17. If the development ceases to exist as a Family Care Facility, Smoky Lake County reserves the right to require the developer to remove the mobile home (second dwelling) from the property at its discretion.

CARRIED

4.1.4 DP 060-15: Westload Transport Ltd.

MPC15.053: Orichowski

That the Municipal Planning Commission approve Development Permit No. 060-15: Pt. of SW 36-59-17-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 as per the Mine Sequencing Plan submitted as part of the Supplemental Information – Development Permit Application dated November 25, 2015, attached to, and forming part of, this Development Permit.
2. This Development Permit will expire **ten (10) years** from the date of issuance.
3. The developer must comply with all requirements of Alberta Environment and Parks, including any registrations, permits and approvals. A copy of any registration, permit or approval required by Alberta Environment and Parks must be submitted to the Development Authority prior to the commencement of any excavating and crushing operations on said lands.
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 related to mining and crushing shall be located in the areas provided for gravel extraction.



7. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to commencing any excavating and crushing activities on said lands.
8. The developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to commencing any excavating and crushing activities on said lands.
9. Reclamation and rehabilitation shall be in accordance with the *Alberta Environmental Protection and Enhancement Act* (EPEA) and the Conservation and Reclamation Plan as approved by Alberta Environment and Parks. Proof of compliance with reclamation requirements shall be submitted to the Development Authority upon completion of operations.
10. Any structures or equipment on the land are to be removed upon the expiration or cancellation of this Development 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. No hauling will 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 developer shall conduct dust control procedures at the request of, and to the satisfaction of Smoky Lake County. In this regard stock piles shall be located in a position to act as a sound barrier. Also, the developer 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 and about the subject site and adjacent road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. The sand and gravel extraction is required to comply with all municipal bylaws and setback requirements.
17. No development, disturbance or alteration of a surface water body is permitted without first obtaining the necessary approvals under the *Water Act* and from the Department of Fisheries and Oceans. Evidence of *Water Act* approval or license must be provided to the Development Authority in cases where a surface water body is altered or disturbed.
18. 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 and federal and provincial regulations concerning same.
19. All reasonable measures must be taken by the developer to control erosion in the areas 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. Truck drivers shall not be permitted to use engine retarder brakes within ½ mile of a residence on municipally-owned roads.
22. Any expansion of pit boundaries, or gravel extraction or crushing activities will require a separate Development Permit to be issued.

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23. Contravention of any condition of this Development Permit may result in Smoky Lake County cancelling this Development Permit or jeopardize the renewal of same.

CARRIED

4.1.5 DP 061-15: Whissell Rock Products Ltd.

MPC15.054: Smigerowsky

That the Municipal Planning Commission approve Development Permit No. 061-15: Pt. of SW 31-58-16-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 as per the Reclamation Plan dated November 2015, attached to, and forming part of, this Development Permit.
2. This Development Permit will expire **four (4) years** from the date of issuance.
3. The developer must comply with all requirements of Alberta Environment and Parks, including any registrations, permits and approvals. A copy of any registration, permit or approval required by Alberta Environment and Parks must be submitted to the Development Authority prior to the commencement of any excavating and crushing activities on said lands.
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 related to mining and crushing shall take place in the areas approved for gravel extraction.
7. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to commencing any excavating and crushing activities on said lands.
8. The developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to commencing any excavating and crushing activities on said lands.
9. Reclamation and rehabilitation shall be in accordance with the *Alberta Environmental Protection and Enhancement Act (EPEA)* and the Reclamation Plan as approved by Alberta Environment and Parks. Proof of compliance with reclamation requirements shall be submitted to the Development Authority upon completion of the operations. A reclamation security fee of **\$24,000.00** is due before this Development Permit will take effect. The reclamation security fee will be returned to the developer only when the Development Authority has received confirmation that reclamation and rehabilitation meets or exceeds the provisions of the Reclamation Plan and when a reclamation certificate from Alberta Environment and Parks has been submitted to the Development Authority.
10. Any structures or equipment on the land are to be removed upon expiry or cancellation of this Development 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 and 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 developer shall conduct dust control measures at the request of, and to the

satisfaction of Smoky Lake County. In this regard, stock piles shall be located in a position to act as a sound barrier. Also, the developer 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-aggregated debris.
14. The developer shall install and maintain appropriate traffic and safety signage on and about the subject site and adjacent road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. The sand and gravel extraction operation is required to comply with all municipal bylaws and setback requirements.
17. No development, disturbance or alteration of a surface water body is permitted without first obtaining the necessary approvals under the *Water Act* and from the Department of Fisheries and Oceans. Evidence of *Water Act* approval or license must be provided to the Development Authority in cases where a surface water body is altered or disturbed.
18. 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.
19. All reasonable measures must be taken by the developer to control erosion in the areas 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 as may be required.
21. Truck drivers shall not be permitted to use engine retarder brakes within ½ mile of a residence on municipally-owned roads.
22. Any expansion of the pit boundaries, or gravel extraction or crushing activities will require a separate Development Permit to be issued.
23. Contravention of any condition of this Development Permit may result in Smoky Lake County cancelling this Development Permit or jeopardize the renewal of same.

CARRIED.

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

Nil.

7.0 DELEGATION(S)

7.1 Development Permit 059-15: Collins, Darlene

Present before the Municipal Planning Commission from 3:22 p.m. to 3:35 p.m. were Darlene Collins and Shelby and Cheryl Huggins to present information on the Mission and Vision Statement of the Huggins Receiving Home as follows:

HUGGINS RECEIVING HOME

Our Mission

*Giving children a childhood and Future by Protecting them
Teaching them and Healing them.*

Our Vision

- *Quality care services*
- *Give each child every opportunity to become healthy*
- *Give each child a home away from home*

- Family preservation, Values, Cultural Traditions
- Elders, Sweats, Cree Language
- Attend Church Services
- Counselling, Health and Wellness
- Sense of Belonging, Education
- Working with Parents and Children Services to Reunite Families into a Safe Healthy Environment
- Building partnerships with various Organizations.
- Provide jobs for Qualified Individuals.
- Canadian Accreditation Council Approved.
- Alberta Children Services Offices Approved.

5.0 ISSUES FOR INFORMATION

5.1 Current Listing of 2015 Development Permits, Outstanding Subdivisions, and Business Licenses

MPC15.055: Smigerowsky

That the Municipal Planning Commission accept and file for information the Current Listing of 2015 Development Permits, the Current Listing of Outstanding Subdivisions, 2015 and the Current Listing of 2014 Business Licences dated November 26, 2015.

CARRIED.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 ADJOURNMENT

MPC15.056: Cholak

To adjourn the Municipal Planning Commission Meeting of December 3, 2015 at 3:40 p.m.

CARRIED


Darell Cholak, Chairperson

SEAL


Jordan Ruegg, Development Officer