

SMOKY LAKE COUNTY

Minutes of the **County Council Committee of the Whole for the purpose of the Planning Workshop** held on Wednesday, **May 28, 2014** at 1:06 P.M. in the County Council Chambers.

The meeting was called to Order by the Deputy Reeve Mr. Randy Orichowski in the presence of the following persons:

<u>A T T E N D A N C E</u>		
<u>Wednesday, May 28, 2014</u>		
<u>Div. No.</u>	<u>Councillor(s)</u>	
1	Dareld Cholak	Present
2	Ron Bobocel	Present
3	Craig Lukinuk	Present
4	Cary Smigerowsky	Absent
5	Randy Orichowski	Present
C.A.O.	Cory Ollikka	Absent
Asst CAO/R.S	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Absent

Member of the Administrative Staff in attendance:

Aline Brousseau – Planning and Development	Present
Jeremy Smith, Planning and Dev. Assistant	Present

MUNICIPAL PLANNING SERVICES:

**Facilitator: Jane Dauphinee, Senior Planner
James Haney, Planner**

Agenda:

627-14: Bobocel That the Agenda for Wednesday, May 28, 2014 County Council Committee of the Whole meeting for the purpose of Planning, be adopted as amended:

Addition(s):

1. Executive Session: Legal.
2. Committee of the Whole: Planning Meeting for Land Use Bylaw.

Carried Unanimously.

Addition to the Agenda:

Executive Session: Legal

628-14: Cholak That County Council go into Executive Session to discuss a legal issue, time 1:07 p.m.

Carried.

629-14: Lukinuk That County Council go out of Executive Session, time 1:28 p.m.

Carried.

1. Overview of Victoria District Area Structure Plan:

Facilitator Jane Dauphinee, Municipal Planning Services provided an Overview of the Victoria District Area Structure Plan: Background Report.

VICTORIA DISTRICT AREA STRUCTURE PLAN – Background Report
PowerPoint Presentation – Draft May 27, 2014



SMOKY LAKE COUNTY.
Victoria District ASP – Background Report

Project Meeting
May 28, 2014
Municipal Planning Services (2009) Ltd.



Agenda

- 'Great Place' Discussion
- Purpose of the Project
- Background Report Outline
- Mapping
- Data Gaps
- Next Steps



Great Places

- What makes a place 'great'?
- Why is it important to recognize great places within your community?
- Economic value of great places
- Value in preservation of great places



Purpose of the Project

Recognize one the great places of rare beauty and historic value within the County and develop a plan for capitalizing on localized assets while protecting and celebrating those characteristics and elements that make it special, desirable and add to the overall cultural and economic value to the community and larger Smoky Lake Region.



Background Report Outline

1 | INTRODUCTION

- Project Purpose
- Background Report Purpose
- Study Area
- Approach
- Definition of Terms



Background Report Outline

2 | PLANNING CONTEXT

- Enabling Legislation
- Statutory Plans
- Municipal Regulations
 - Victoria Agriculture District (A1)
 - Victoria Residential District (R3)
 - Victoria Commercial District (C2)
 - Smoky Lake Region Heritage Survey and Inventory
 - Smoky Lake Heritage Management Plan



Background Report Outline

2 | PLANNING CONTEXT (Continued)

- Provincial Regulations
 - Alberta Land Stewardship Act (AESRD)
 - Environmental Protection and Enhancement Act (AESRD)
 - Forest Act (AESRD)
 - Historic Resources Act (ACCS)
 - Mines and Minerals Act (AESRD & AE)
 - Public Land Act (AESRD)
 - Soil Conservation Act (AARD)
 - Water Act (AESRD)
 - Weed Control Act (AARD)
 - Wildlife Act (AESRD)
 - Floor Recovery Act (AMA)



Background Report Outline

2 | PLANNING CONTEXT (Continued)

- Federal Regulations
 - Fisheries Act
 - Historic Sites and Monuments Act
 - Migratory Birds Convention Act
- Historic Site Designation
 - National Historic Site Designation
 - Provincial Historic Site Designation
 - Municipal Historic Site Designation



Background Report Outline

3 | PHYSICAL ENVIRONMENT

- Climate
- Geology
- Soil Characteristics
- Water Bodies
- Slope
- Vegetation
- Fish, Waterfowl and Wildlife
- Environmentally Significant Areas



Background Report Outline

4 | SETTLEMENT HISTORY

- First Peoples
- Metis & Early European Settlement
- Victoria Trail
- Ukrainian Immigration
- Modern Settlement



Background Report Outline

5 | LAND USE & BUILD ENVIRONMENT

- Property Ownership
- Land Uses
- Roadways
- Potable Water & Sewage Disposal
- Waste Management
- Stormwater Management



Background Report Outline

6 | Social Infrastructure

- Schools
- Protective & Emergency Services
- Heritage & Cultural Assets

7 | Public Consultation

- Stakeholder Meetings
- Public Meetings

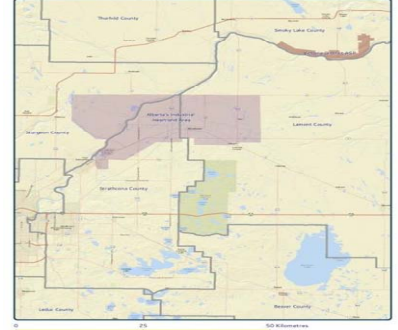
6 | Analysis & Findings



Mapping

Victoria District ASP

Map 1 – Regional Location

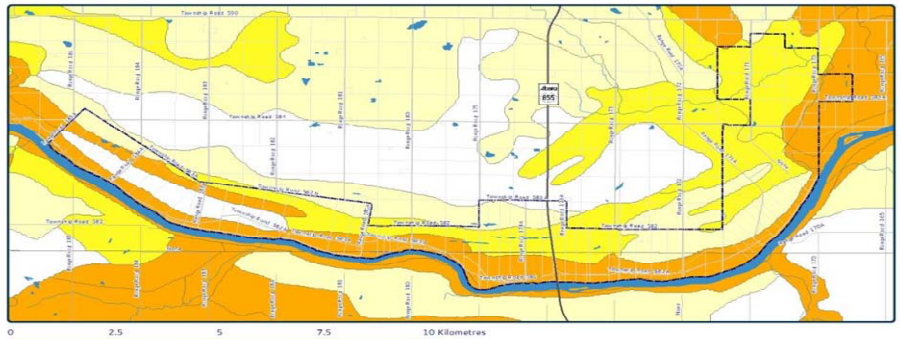


Mapping

Victoria District ASP

Map 2 – Agriculture

- Plan Area
- 1 No significant limitations
- 3 Moderately severe
- 4 All other classifications
- Water Body
- 2 Moderate
- Water Course



FOR MORE INFORMATION: www.mmaplan.ab.ca
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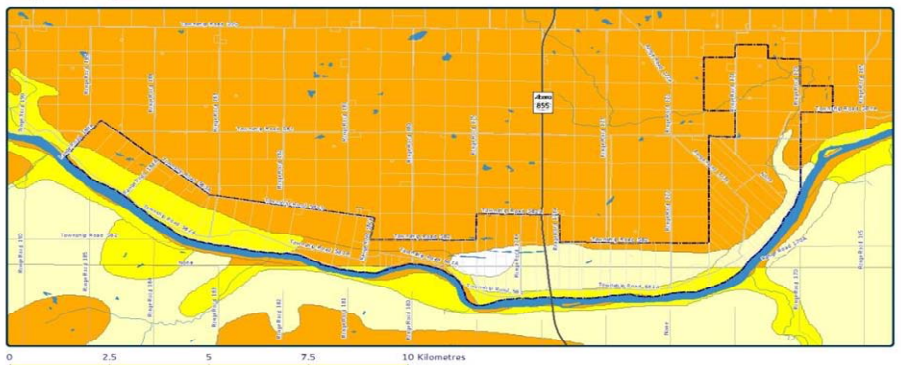


Mapping

Victoria District ASP

Map 3 – Ungulates

- Plan Area
- 1 No limitations
- 3 Slight limitations
- 4 All other classifications
- Water Body
- 2 Very slight limitations
- Water Course



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Mapping

Victoria District ASP

Map 4 – Waterfowl

- Plan Area
- 3 Slight limitations
- 4 All other classifications
- Water Body
- Water Course



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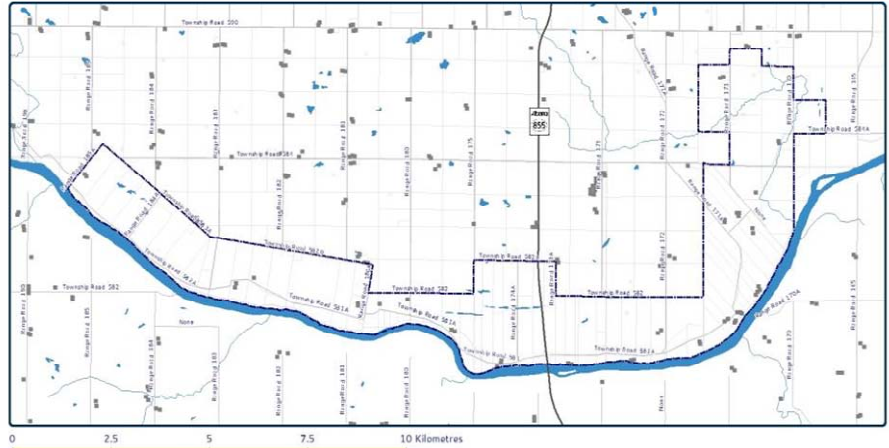
Mapping

Victoria District ASP

Plan Area — Water Course
Water Body ■ Building



Map 5 - Dwellings



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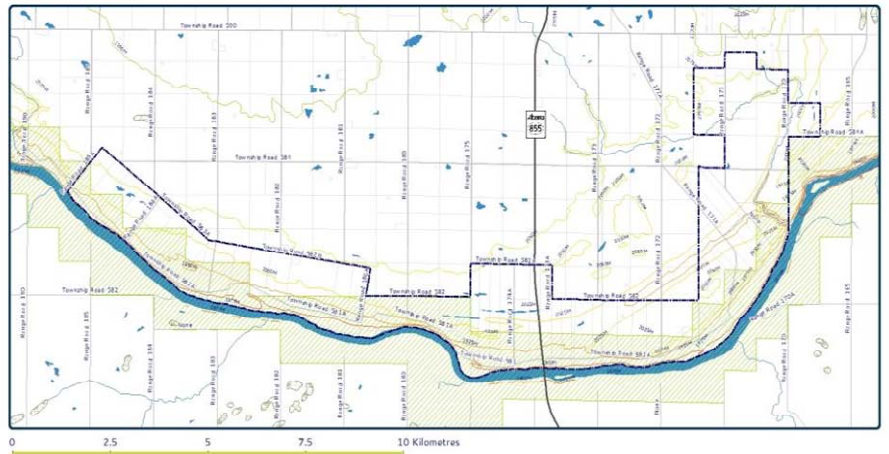
Mapping

Victoria District ASP

Plan Area — Water Course
Water Body ■ Wetland
Environmentally Significant Area



Map 6 - Natural Environment



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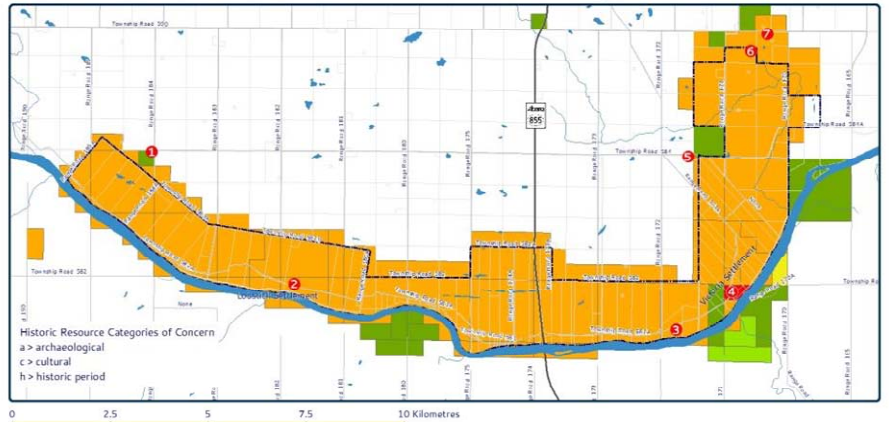
Mapping

Victoria District ASP

Plan Area — Water Course
Water Body ■ Wetland
Environmentally Significant Area
a h
a, c, h h, a
a, h
1 Kulka House 6 Murphy House
2 Anderson House 7 Ruthenia School
3 Victoria Settlement Prov Historic Site
4 Fort Victoria
5 St. Ella's Russo Greek Orthodox Church



Map 7 - Historic Resources Inventory



Historic Resource Categories of Concern
a > archaeological
c > cultural
h > historic period

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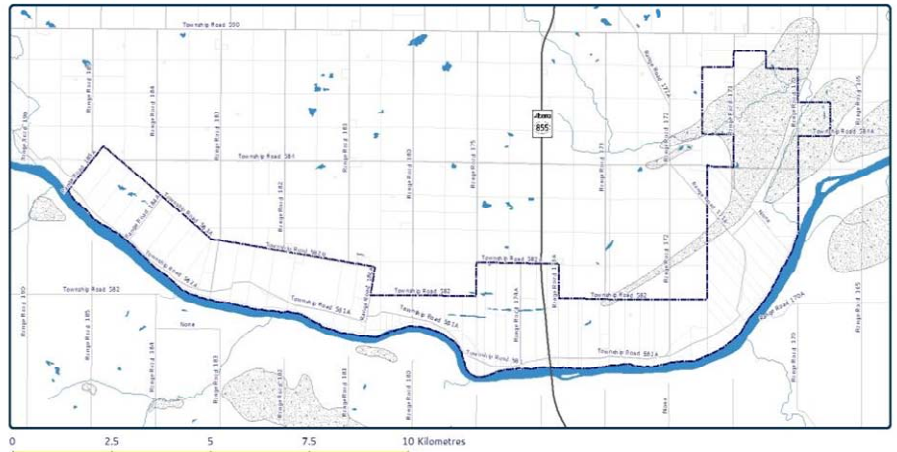


Mapping

Victoria District ASP

Map 8 – Aggregate Resources

Plan Area
 Aggregate Resource
 Water Body
 Sand and/or gravel with resource potential were confirmed in this deposit by Alberta Geological Survey site investigation and limited sampling and/or testing.
 Water Course



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Data Gaps

What are we missing that could enhance the background report?

- Study Area/Plan Area
- MDP Policy 3.2.2.6
- Resource Extraction
- McDonald Stopping House
- Aggregate Operations
- Lagoons, landfills
- Transfer stations



Next Steps

- Make changes as directed by Council
- Schedule meeting to review information collected
- Public Open House



May 28, 2014
 Municipal Planning Services (2009) Ltd.



**VICTORIA DISTRICT AREA STRUCTURE PLAN – Background Report
Report – Draft May 27, 2014**

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1 | INTRODUCTION

1.1 Project Purpose

The Victoria District Area Structure Plan (ASP) project was initiated in response to growing development pressure within the historically significant Victoria District which is located adjacent to the northern boundary of the North Saskatchewan River in Smoky Lake County. The Victoria Trail National Historic Site, located within the Victoria District provides an exceptional illustration of major themes in Prairie settlement from the mid-nineteenth century to the early twentieth century. (See Map 1 – Regional Location) Settlement patterns of early Missionaries, fur traders, Métis and Ukrainian farmers are reflected in land use and development patterns prevalent within this area to this day.

The proximity of lands within the ASP area to major employment centres (Alberta’s industrial Heartland and the Capital Region), the exceptional natural beauty of the North Saskatchewan River Valley and the presence of aggregate deposits has resulted in increasing demands of country residential properties and aggregate extraction operations within the ASP area.

The purpose of the Victoria District Area Structure Plan is to provide policy direction related to land use and management to enable continued use and development while protecting the commemorative integrity of the Victoria District.

Recognizing the development potential of this special area, the County has determined that an ASP should be developed in order to mitigate the impacts of future development within this area on historic and environmental features which make the Victoria District a unique and significant place. Smoky Lake County recognizes that in order to preserve the area’s national, regional and local significance, greater thought and planning is required to avoid development which might negatively and permanently impact those features which define and reflect the area’s historic value.

The purpose of the Victoria District Area Structure Plan is to provide policy direction related to land use and land management within the Plan area in order to enable continued use and future development opportunities while protecting the commemorative integrity of the Victoria District.

The purpose of the Victoria District Area Structure Plan is to provide policy direction related to land use and land management within the Plan area in order to enable continued use and future development opportunities while protecting the commemorative integrity of the Victoria District.

1.2 Background Report Purpose

The Victoria District Background Report is the accompanying document to the Victoria District Area Structure Plan. The purpose of this Background Report is to present an analysis of background data which will inform land use and development policy recommendations for those lands situated within the Victoria District Area Structure Plan. This Background report will be utilized to inform the policies articulated within the Victoria District Area Structure Plan.

The Background Report does not form part of the approved Victoria District Area Structure Plan.

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1.3 Study Area

The Victoria District Area Structure Plan (the Plan) will provide statutory plan policies which effect the lands identified on the Future Development Plan, as established in the Plan. Within the *Plan Area*, the policies of the Plan will apply. However, for the purposes of this Background Report, a larger area referred to as the *Study Area*, has been examined.

The Study Area is generally determined by the boundaries of the National Historic Site designation. The boundaries are shown on Map X.

Council: This is subject to change. We can broaden the Study area if Council would prefer.

1.4 Approach

The Background Report utilizes a comprehensive approach to land use planning. In practice, this means that all aspects of the area are considered in the process, including local information, specialized viewpoints, environmental stewardship and historic preservation. The comprehensive approach takes into account community goals and the potential effects of transportation, recreation, land use, demographics, economics and housing opportunities on the environment, the existing community, sensitive features and the surrounding area.

This approach results in recommendations for land use and development formulated on, and informed by, a wide range of perspectives and baseline information.

1.5 Definition of Terms

There are terms used throughout the Background Report that may be unfamiliar to some readers. Please consult the following definitions as a reference.

“ALBERTA REGISTER OF HISTORIC PLACES” the program responsible for identifying, evaluating and designating Provincial Historic Resources updating and maintaining the Register, and submitting eligible sites for listing on the Canadian Register of Historic Places.

“BANK” separates the shore and bed of a lake from terrestrial lands. The location of the bank is not affected by occasional periods of drought or flooding.

“BED” refers to the land upon which the lake water sits.

“CHARACTER DEFINING ELEMENTS” refers to the materials, forms, location, spatial configurations or meanings that contribute to the heritage value of an historic place, which must be retained in order to preserve its heritage value.

“COMMEMORATIVE INTEGRITY” refers to the health and wholeness of a national historic site. A national historic site possesses commemorative integrity when:

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- The resources directly related to the reasons for designation as a national historic site are not impaired or under threat.
- The reasons for designation as national historic site are effectively communicated to the public, and
- The site's heritage values (including those not related to designation as a national historic site) are respected in all decisions and actions affecting the site.

"CONSERVATION" means all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve preservation, rehabilitation, restoration or a combination thereof.

"CULTURAL LANDSCAPES" means those places and landscapes that have been shaped or influenced by human occupation. They include agricultural systems, modified landscapes, patterns of settlement and human activity, and the infrastructure or production, transportation and communication.

"DEVELOPMENT" means development as defined in the Municipal Government Act, and includes the following:

- A. the carrying out of any construction or excavation, or other operations, in, on, over, or under land,
- B. the making of any change in the use or the intensity of use of any land, buildings or premises, and, without restricting the generality of the foregoing, includes the removal and/or placement of topsoil,
- C. in a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel; and any alteration or additions which provide for an increase in the number of dwelling units within the building or on the parcel,
- D. the placing or refuse or waste material on any land,
- E. an excavation or stockpile and the creation of either of them,
- F. a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
- G. the resumption of the use for which land or buildings had previously been utilized,
- H. the use of the land for the storage or repair or motor vehicles or other machinery or equipment,
- I. the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect,
- J. the more frequent or intensive use of land for the parking of trailers, bunkhouses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed or affixed to the land in any way,
- K. the placement of an already constructed or a partially constructed building on a parcel of land, and
- L. the erection of signs.

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"DISCRETIONARY USE" means a use of land or a building within a specific land use district, for which a development permit may be issued.

"HERITAGE or HISTORIC VALUE" refers to all that is inherited from the past. In therefore includes the built environment, those buildings and works of the past, sites of historic events, historic skills, behaviours and patterns of life.

"HERITAGE VALUE" means the aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present or future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses, and cultural associations or meanings.

"HISTORIC RESOURCE" means any work of nature or humans that is primarily of value for its palaeontological, archaeological, prehistoric, historic, cultural, natural, scientific, or aesthetic interest, including but not limited to a palaeontological, archaeological, prehistoric, historic or natural site, structure or object (Alberta Historical Resources Act, Ch. H-9).

"HISTORIC SITE" means a site that includes or is comprised of an historical resource of an immovable nature or that cannot be disassociated from its context without destroying some or all of its value as an historical resource (Alberta Historical Resources Act, Ch. H-9)

"INTEGRITY" means the ability of a resource to convey its significance. A building, or structure, together with its site, should retain a large part of its integrity, its relation to its earlier state, in the maintenance of its original or early materials and craftsmanship.

"INTERVENTION" means any action other than demolition or destruction that results in a physical change to an element of a historic place.

"LITTORAL ZONE" refers to the zone below the bank, and includes the portion of the lake and its bed that is relatively well lit by the sun and which supports photosynthetic plants.

"MAINTENANCE" means the routine, cyclical, or non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

“MUNICIPAL HERITAGE RESOURCE” means a resource that is designated by municipal bylaw, according to the terms set out in the Alberta’s Historical Resource Act.

“NATURAL RESOURCE EXTRACTION” means an industry engage in the extraction and/or processing of natural resources such as clay, sand, gravel, lumber and natural gas, through primary treatment into a raw marketable form.

“PERMITTED USE” means the use of land or a building within a specific land use district, for which a development permit shall be issued, with or without conditions, provided the development conforms to the Land Use Bylaw.

“PRESERVATION” means the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place or of an individual component, while protecting its heritage value.

“PROVINCIAL HISTORIC RESOURCE” means a resource that has been designated by ministerial order, according to the terms set out in Alberta’s Historical Resources Act.

“RIPARIAN ZONE” refers to the strip of moisture-loving vegetation growing along the edge of the lake.

“SHORE” is situated below the bank but above the present water level. It is the part of the lake bed that is exposed when water levels are low.

“STATEMENT OF SIGNIFICANCE” means a statement that identifies the description, heritage value and character-defining elements of an historic place.

“VIEWSCAPE” means a visual connection that occurs between a person and the spatial arrangement of urban and landscape features. There are three components to a viewscape they are:

- A. View subject – the view must be of something
- B. Vantage point – the view must be from some place
- C. Visual corridor- the area extending out from the vantage point

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2 | PLANNING CONTEXT

Land use and development within the Victoria District is impacted by statutes and regulations from all three levels of government. The following sections briefly describe important municipal, provincial and federal regulations and policies which impact the Victoria District and its future use and development.

2.1 Enabling Legislation

The Municipal Government Act is the provincial enabling legislation that gives extensive governing powers to municipalities. The Municipal Government Act allows municipalities to regulate land use and development through statutory plans (intermunicipal development plans, municipal development plans, area structure plans and area redevelopment plans) and land use bylaws.

The Municipal Government Act stipulates that an Area Structure Plan may be adopted by Municipal Council to establish a framework to guide future development and subdivision of an area. The Municipal Government Act sets out the criteria for the contents of an Area Structure Plan in Section 633 (2).

An Area Structure Plan must describe:

- a) The sequence of development proposed for the area,
- b) The land uses proposed for the area, either generally or within respect of specific parts of the area,
- c) The density of population proposed for the area either generally or with respect of specific parts of the area, and
- d) The general location of major transportation routes and public utilities.

And may contain any other matters the council considers necessary.

Pursuant to subsection (b) of Section 633(2) of the Municipal Government Act, Smoky Lake County Council has directed that the Victoria District Area Structure Plan should address development issues that affect the Victoria District’s sensitive historic and environmental features. County Council has also indicated that stakeholder and community interest should be included and reflected where possible within the Plan.

2.2 Statutory Plans

Until such time as the Victoria District Area Structure Plan is adopted by Bylaw by Smoky Lake County Council, the only statutory plan affecting the area is the Municipal Development Plan (MDP).

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The Smoky Lake County Municipal Development Plan (MDP) was adopted in 2013 as Bylaw 1249-12. In order to ensure compliance with the requirements of the Municipal Government Act, all policies within the Victoria District Area Structure Plan should conform to policies of the MDP.

The MDP identifies fifteen goals to be achieved through the objectives and policies of the Plan. While all fifteen goals should be reflected in the Victoria District Area Structure Plan, several specific goals are worthy of note. The MDP aims to achieve the following:

- Facilitate sustainable growth and development in the County by balancing economic growth, environmental protection and the preservation of recognized historic resources.
- Maintain and enhance the County's Agricultural and forest-based economy.
- Maintain a physical separation between incompatible land uses.
- Identify and promote significant cultural and heritage resources within the County.

The MDP includes several specific policies related to cultural and heritage resources. They include:

- Policy 3.1.1.3 The County will require Heritage Resource Impact Assessments to be included with proposed subdivision and development applications in locations where the proposal may impact significant cultural landscapes.
- Policy 3.1.1.4 The County will encourage the use of historic resources to promote tourism, where appropriate.
- Policy 3.1.2.1 The County will require that proposed subdivisions in significant cultural landscapes, including but not limited to the Victoria District, retain recognized historically significant patterns of spatial organization.
- Policy 3.1.2.2 The County will require future subdivisions and developments in significant cultural landscapes preserve existing vegetation.
- Policy 3.1.3.1 The County will require that proposed subdivision and developments in significant cultural landscapes, including but not limited to the Victoria District, preserve recognized, historically significant views.

The MDP also includes specific policies related to environmental management. They include:

- Policy 3.2.1.4 The County may require an environmental impact assessment or evaluation related to a proposed development which may have and impact on an identified natural or environmentally sensitive feature.
- Policy 3.2.2.2 Development shall not be allowed in areas characterized by wetlands, swamps, muskeg or saturated soils. Development shall also be prohibited in valleys, ravines or seasonal draws.
- Policy 3.2.2.3 Development shall be prohibited on slopes in excess of 15% or on slopes which are subject to slippage or mass movement.
- Policy 3.2.2.4 Development is prohibited in or adjacent to important wildlife habitat areas.
- Policy 3.2.2.6 No permanent structures will be allowed within the 1:100 year flood plain of any river, stream or lake shore.
- Policy 3.3.1.4 The County may require subdivision and development applications adjacent to water bodies and watercourses to prepare an engineering and/or geotechnical study to determine an adequate setback based on soil conditions and slope stability.
- Policy 3.3.1.6 An environmental reserve of not less than 30m (98 ft.) in width from the high water mark of water bodies and /or the top of bank of lakes and rivers shall be required as a condition of subdivision approval. As a condition of development approval where there is no subdivision, a comparable setback of 30 m (98 ft.) shall be required from the high water mark of Whitefish Lake and/or the top of bank of the lake to the wall of the nearest building.
- Policy 3.3.1.14 A Conservation Easement may be considered to preserve significant areas that do not qualify as Environmental Reserve under the Municipal Government Act, such as natural features, scenic values and agricultural land. The use and control of these features and areas shall be clearly stated in the easement agreement.

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Other objectives and policies established in the MDP may impact development and land use within the Victoria District. They include provisions for residential development, recreational uses, resource extraction, agricultural uses and location of industrial developments.

2.3 Land Use Bylaw

The Smoky Lake County Land Use Bylaw provides regulation and land use control throughout the County. The Land Use Bylaw (LUB) was adopted in 2013 as Bylaw 1250-12. The LUB is intended to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land.

The LUB provides specific regulations for a wide range of land uses and developments. In addition, it divides the County in fourteen Land Use Districts. Within each district, different uses are either permitted or discretionary, and regulations unique to each district are provided depending on use types.

The Victoria District is affected by three Land Use Districts:

- the Victoria Agriculture (A1);
- the Victoria Residential (R3) District; and
- the Victoria Commercial (C2) District.

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2.3.1 Victoria Agriculture (A1) District

The general purpose of this District is to recognize the historic value of the area near the Victoria Trail within the County. Subdivision and development proposals within this use area must be compatible with and/or increase the historic value of the Victoria Trail.

2.3.2 Victoria Residential (R3) District

The general purpose of this District is to regulate residential development within the Victoria Trail area. The subdivision regulations within this District include the following:

- all residential subdivisions must be designed to retain historically significant patterns of spatial organization and significant environmental features;
- the County considers river lots to be historically significant patterns of spatial organization. Therefore multi-lot country residential subdivisions within existing river lots must be designed in such a manner that the original river lot pattern is retained;
- the County will normally require that new developments in areas identified as containing significant cultural landscapes preserve a minimum of 50% of the existing vegetation on each site;
- new developments within the Victoria Residential District should also be required to maintain, as much as possible, the current land form and to be sited in such a manner as to ensure that the current viewscape of the area from the trail is not negatively impacted; and
- two types of residential subdivision are permitted within the Victoria Residential District. They are; low density multi-lot residential developments and cluster residential developments.

2.3.3 Victoria Commercial (C2) District

The general purpose of this District is to control development in the vicinity of the Victoria Trail in order to ensure that future commercial development in this area is compatible with significant cultural landscapes in the Victoria Trail area.

The uses types listed as either permitted or discretionary are intended to be consistent with tourism and recreation commercial developments, such as eating and drinking establishments, motels, amusements establishments and outdoor eating establishments. **One notable exception is natural resource extraction, which is included in the list of discretionary uses.**

2.4 Other Municipal Plans

In 2012 the Smoky Lake Region completed the following projects:

- Historic Resources Survey,
- Historic Resources Inventory; and
- Regional Heritage Management Plan.

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The Smoky Lake Region Heritage Survey and Inventory Project was developed to produce an accurate and comprehensive record of the potential historic resources that were constructed prior to and including 1950. The survey identified 275 historic resources or places of interest within the Smoky Lake Region. The inventory identified a large number of sites which convey significance and integrity. During the inventory identified a large number of sites which convey significance and integrity. During the inventory stage of the project 93 of the identified sites, which met the assessment criteria were further researched to develop a draft Statement of Significance for each historic place. The process was undertaken to determine which sites within the region demonstrate historic significance, have integrity and meet the standard requirements for placement on the Alberta and Canadian Register of Historic Places.

During the inventory component of the project the eligibility, significance and integrity of the 83 selected sites was assessed in accordance with the evaluation criteria developed by the Municipal Heritage Partnership Program (MHPP) in order to determine placement within the Smoky Lake Region Inventory of Historic Place.

Sites identified during the survey and inventory that are located within or adjacent to the proposed Plan area are shown on Map 7 – Historic Resources Inventory and listed in the following table:

INVENTORY	Name	Location	Description
	RUTHENIA SCHOOL	SW-6-59-16-W4	Multi-level School
	KULKA HOUSE	NW 21-58-18-W4	Farm House
SURVEY	Name	Location	Description
	MURPHY HOUSE 1	NW 36-58-17-W4	Farm House
	MURPHY HOUSE 2	NW 36-58-17-W4	Farm House
	ST. ELLA'S RUSSO GREEK ORTHODOX CHURCH	HB 01-58-17-W4	Church

2.4.2 Smoky Lake Heritage Management Plan

The purpose of the Heritage Management Plan is to provide a framework to encourage and facilitate heritage conservation activities in the Smoky Lake Region. The Plan was designed to guide future initiatives for the identification, stewardship, and management of heritage resources in the Region.

The Heritage Management Plan includes recommendations related to cultural and heritage resource management however, the plan does not include policies that would be directly applicable to land use and land management within the Plan area.

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2.5 **Provincial Regulations**

2.5.1 Alberta Land Stewardship Act (AESRD)

Regional plans in Alberta will consider the combined impact of all activities on the land, air, water and biodiversity. There is currently no approved regional plan for the County of Barrhead. It is anticipated that work on the North Saskatchewan Regional Plan, will begin in the fall of 2014. Once the plan is approved municipalities will be required to revise statutory plans to ensure that they conform to the regional plan.

2.5.2 Environmental Protection and Enhancement Act (AESRD)

This Act requires a review of proposed projects that may cause an adverse effect on the environment, and the reclamation and conservation of land. Key regulations that may apply to the operation of pits on private land include: Conservation and Reclamation Regulations and the Pesticide Regulation.

The "Code of Practice for Pits" fall under the Conservation and Reclamation Regulation. It applies to all pits on private land greater than 5 hectares.

2.5.3 Forests Act (AESRD)

This Act requires approval for any forest management activity (e.g. timber harvest) which occurs on public land.

2.5.4 Historical Resources Act (Alberta Culture and Community Spirit)

The purpose of this Act is to preserve, protect, and present historical and archaeological resources of provincial, national and international significance. The historical resources act is also the legislation that, among other things, empowers municipal governments to designate municipal historic resources.

2.5.5 Mines and Minerals Act (AESRD and Alberta Energy)

This Act governs the management and disposition of rights in Crown owned mines and minerals, including the levying and collecting of bonuses, rentals and royalties.

2.5.6 Public Lands (AESRD)

This Act requires approvals for activities taking place on public land under the administration of Minister of AESRD, as well as the beds and shores of all naturally occurring rivers, streams, watercourses and lakes, under the administration of the Minister of AESRD.

The Public Lands Administration Regulation provides regulatory requirements respecting aggregate extraction on public land.

2.5.7 Soil Conservation Act (Alberta Agriculture and Rural Development)

This Act requires that landholders (the occupant or owner of the land) take appropriate measures to prevent soil loss or deterioration or, if it is occurring, stop the loss or deterioration from occurring on their land.

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2.5.8 Water Act (AESRD)

This Act regulates the allocation, protection and conservation of water within Alberta. The "Code of Practice for Watercourse Crossings" directs all watercourse crossings and requires that notice be submitted to the Minister prior to conducting any in-stream works.

2.5.9 Weed Control Act (Alberta Agriculture and Rural Development)

This Act governs the legislation of restricted, noxious and nuisance invasive plant species or weeds.

2.5.10 Wildlife Act (AESRD)

This Act prohibits the disturbance of wildlife habitation. The Wildlife Regulation identifies the wildlife, areas and times of year to which the Act applies.

2.5.11 Flood Recovery and Reconstruction Act (Alberta Municipal Affairs)

Bill 27, the Flood Recovery and Reconstruction Act enacted in December 2013, amended the Municipal Government Act (MGA) to include regulation making powers for controlling, regulating or prohibiting any use or development in a floodway. The purpose of the regulation is to set out limitations on development in a floodway needed to ensure that building and rebuilding occurs in a manner that limits the potential for future flood damage.

2.6 Federal Regulations

2.6.1 Fisheries Act

As a fish bearing river, the federal Department of Fisheries and Oceans (DFO) regulates the North Saskatchewan River and the surrounding shoreline. Pursuant to Section 35(1) of the Fisheries Act, "No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat." Fish habitat includes not only the water in the lake, but also the plants and other life forms that interact to support the ecosystem of the fish. Section 34(1) of the Fisheries Act defines this habitat as, "spawning grounds, and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes."

Activities that harm fish or fish habitat preclude a wide range of activities, including the clearing of aquatic vegetation, dumping sand, dredging of sediment or the removal of bank materials.

As per the Federal Governments' Sustainable Development initiative, the DFO has established principles for development in and around water bodies that may disrupt fish habitat. Although the DFO does not require notification prior to development, if development results in the disruption of fish habitat the developer may be subject to prosecution under the Fisheries Act.

¹ For the purpose of this *Background Report*, sustainable development is defined as "development *that* meets the needs of the present without compromising the ability of future generations to meet their own needs." See the Sustainable Development Strategy 2007-2009, Department of Fisheries and Oceans.

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Transport Canada also regulates vessel-operating activities on Canadian Water bodies. According to the Canada Shipping Act, 2001, Vessel Operating Restriction Regulations SOR/2008-120, no person shall operate a power-driven vessel at a speed in excess of 10km/h within 30 m of the shore. Further, age restriction for boat operators apply, and all boat users must operate their vessel in a safe manner.

2.6.2 Historic Sites and Monuments Act

The Historic Sites and Monuments Act establishes the Historic Sites and Monuments Board of Canada (the Board). The Board advises the Minister of the Environment on the commemoration of sites, buildings or other places of national historic interest or significance.

2.6.3 Migratory Birds Convention Act

The Migratory Birds Convention Act, administered by the Canadian Wildlife Service, protects migratory birds, their eggs and their nests from harmful activities. The Migratory Birds Convention Act will apply throughout all stages of an aggregate operation but may be most applicable during construction, as it is considered an offence to "disturb, destroy or take a nest, egg, or nest shelter" of any migratory bird (nesting period is generally early April to late August in most parts of Canada). Through this Act, efforts are made to protect any site that has nesting birds, including riparian areas, uplands and wetlands. In addition, the Act also prevents a person from depositing oil or any other harmful substance into waters or any area frequented by migratory birds.

2.7 Historic Site Designation

Federal Historic Sites and Monuments are evaluated and recommended to the Minister of Heritage by the Federal Historic Sites and Monuments Board of Canada. Federally Designated sites are listed in the Directory of Federal Heritage Designations. The Directory includes:

- National Historic Sites;
- National Historic Events;
- National Historic People;
- Heritage Railway Stations; and
- Federal Heritage Buildings

Historic places in Alberta are administered by Alberta Culture and Community Spirit. Sites that are included in the Alberta Register of Historic Places include:

- Provincial Historic Areas;
- Provincial Historic Resources; and
- Registered Municipal Historic Resources.

2.7.1 National Heritage Designation

Parks Canada defines National Historic Sites as “places of profound importance to Canada. They bear witness to this nation’s defining moments and illustrate its human creativity and cultural traditions.”² Within Smoky Lake County there is currently (1) Designated National Heritage Site located within the Study Area. Information about the sites is listed in the following table:

NATIONAL	Name	Location	Description
	VICTORIA SETTLEMENT NATIONAL HISTORIC SITE	Represented by plan boundary <ul style="list-style-type: none"> Characterized by farmlands organized in long narrow river lots running back from the North Saskatchewan River for about 19 kilometres in length, as well as others organized in 800 square metre sections 	Rural Cultural Landscape

The Victoria Settlement National Historic Site was designated a National Historic Site by the federal minister of the Environment in 2001. In its recommendation for designation, the Historic Sites and Monuments Board indicated the area was of national historic significance because “its cultural landscape, through highly visible and intact physical attributes, represents an exceptional illustration in one concentrated area of major themes in Prairie settlement including the development of the fur trade, the establishment of the Métis river lot system, the arrival of missions, Prairie agricultural development and the establishment of eastern European immigrants at the beginning of the 20th century.”

Map 7 – Historic Resources Inventory illustrates the location of all national historic sites within the Study Area.

2.7.2 Provincial Heritage Designation

The Historical Resources Act empowers the Minister of Culture and Community Spirit to designate any site as a Provincial Historic Resource, if its preservation is in the public interest. Alberta’s Historic Places Research and Designation Program administers the process of designating sites as Provincial Historic Resources. Designation serves to recognize the significance of historic places and provided them with the protection necessary to ensure their preservation. It also makes site owners eligible for grants from the Alberta Historical Resources Foundation for conservation work. Historic places eligible for consideration by the Minister for designation include buildings, structures, archaeological sites, palaeontological resources and other works of humans or nature that are of value for their historic, cultural, natural, scientific or aesthetic interest. Historic places designated by the Government of Alberta include Provincial Historic Areas, Provincial Historic Resources, and Registered Historic Resources.

² National Historic Sites of Canada Retrieved 5 May 2014 From: http://www.pc.gc.ca/progs/lhn-nhs/into_e.asp

Within Smoky Lake County there are currently **three (3)** Designated Provincial Heritage Sites located within the Study Area. Information about the sites is listed in the following table:

PROVINCIAL	Name	Location	Description
	FORT VICTORIA	Victoria Settlement, Pakan Settlement	Clerks Quarters (Hudson’s Bay Company Post)
	RIVER LOT 3, VICTORIA SETTLEMENT (FREE TRADER’S HOUSE)	Pt. River Lot 3, Victoria Settlement	Four log structures
*For Discussion	MCDONALD STOPPING HOUSE	SW 35-58-19-W4 (Outside of study area)	Stopping house, farm, general store and post office

Map 7 – Historic Resources Inventory illustrates the location of all provincial historic sites within the Study Area

2.7.3 Municipal Heritage Designation

The Historical Resources Act also empowers Municipalities to designate historic resources of local significance as Municipal Historic Resources. The County’s Municipal Heritage Site Designation program was developed in conjunction with the Smoky Lake Region Heritage Inventory, Survey and Heritage Plan project completed in 2012. Within Smoky Lake County there is currently one (1) Designated Municipal Heritage Site. This site is located within the proposed Plan Area. Information about the site is listed below:

MUNICIPAL	Name	Location	Description
Municipal Heritage Resource	ANDERSON HOUSE	PT LOT 14 Lobstick Settlement	House

Map 7 – Historic Resources Inventory illustrates the location of all municipal historic sites within the Study Area

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3 | PHYSICAL ENVIRONMENT

3.1 Climate

The Victoria District is located within the Dry Mixedwood Natural Subregion. This Subregion is characterized by undulating plains, aspen-dominated forests and fens.

The Dry Mixedwood Natural Subregion has the warmest summers and highest growing degree-day accumulations of any of the boreal Natural Subregions.

3.2 Geology

The Victoria District lies within a much larger geological formation, known as the Belly River Group. The Belly River Formation is composed of very fine grained sandstone with coarse grained beds of minor bentonite, coal green shale and concretionary beds.

The surficial geology of the Victoria District includes a range of gravel, sand, silt, clay, local till and bedrock exposures along the river bank. This surficial geology is a result of the glacial ice sheets which covered the area, retreating approximately ten-thousand years ago. The glacial retreat left numerous gravel deposits now accessible along the North Saskatchewan River, and sand and silts which resulted in rich soil supporting many types of vegetation and agricultural production.

3.3 Soil Characteristics

Level to gently undulating glacial till or lacustrine plains are the dominant terrain type within the Dry Mixedwood Natural Subregion.

Typical soils for the Dry Mixedwood Natural Subregion are Orthic Gray Luvisols under moderately well drained aspen forests. Significant areas of Dark Gray Luvisols are dominant, particularly in cultivated areas. Solonchic soils and Solonchic intergrades occupy sizeable areas in the Peace River portion, reflecting the slightly saline, fine textured parent materials.

Imperfect or restricted drainage is particularly common in the heavy clay soils of the Peace River Lowlands, and Gleysols or Gleyed Gray Luvisols are locally common. Brunisols and weakly developed Gray Luvisols occur on sandy claciofluvial or eolian deposits.

Organic soils underlying wetlands are Terric Mesisols, while Fibric Mesisols are associated with poor fens and bogs. Peaty and Orthic Gleysols are also common wetland soils, particularly on level to gently undulating landforms.

Soils within the Victoria District range in their capability for agriculture. The lowland areas along the North Saskatchewan tend to have moderate to severe limitations for agriculture, while the upland areas and the western portion of the District contain areas with no to moderate limitations for agriculture (see Map 2 – Agriculture).

There are some identified aggregate deposits of unknown quality and quantity located in the northeastern portion of the Plan area. Known aggregate areas are shown on May 8-Aggregate Resources.

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3.4 Waterbodies

The Victoria District is in large part defined by the North Saskatchewan River, which constitutes the south boundary of the District.

Smoky Creek, a small tributary watercourse of the North Saskatchewan River, affects the northern portion of the District.

Other waterbodies include small seasonal sloughs and wetlands throughout the Victoria District. Wetlands and waterbody information is shown on Map 6 –Natural Environment.

3.5 Slope

Elevation Information is shown on Map 6- Natural Environment.

3.6 Vegetation

While much of the Victoria District is under cultivation, areas of natural vegetation occur throughout the area along the watercourses and in areas of greater slope.

The vegetation within these more naturalized areas are characterized by aspen forests with understories of beaked hazelnut, prickly rose, low bush cranberry, red-osier dogwood, Saskatoon and purple peavine.

3.7 Fish, Waterfowl and Wildlife

3.7.1 Fish

The North Saskatchewan River supports several fish sport fish species, including burbot, goldeye, lake sturgeon, mooneye, mountain whitefish, northern pike, walleye, yellow perch, sauger and several species of sucker. Numerous species of small non-sport fish can also be found within the river and its tributaries, including Smoky Creek.

3.7.2 Waterfowl

Localized wetlands and intermittent sloughs within the Victoria District provide nesting habitat for several species of waterfowl, including several species of ducks and geese. Waterfowl capability within the plan are within the Canada Land Inventory 4+ rating which indicates that the Plan area is not generally conducive to waterfowl habitat. (See Map 4- Waterfowl)

3.7.3 Wildlife

Typical, widespread mammals within the area include beaver, muskrat, varying hare, black bear, wolf, lynx, Gapper’s red-backed vole, cincereous shrew, deer mouse, least chipmunk, river otter, white tail deer, moose and ermine.

The mix of aspen forest and cultivated land supports a diverse range of song birds and birds of prey, including western wood peewee, gray jay, red-breasted nuthatch, golden and ruby-crowned kinglets,

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yellow-rumped warbler, pine siskin, red and white-winged crossbills, dark-eyed junco, boreal chickadee, least flycatcher, house wren, ovenbird, red-eyed and warbling vireos, rose-breasted grosbeak, red tailed hawk, barred owl and great horned owl.

Within the Plan area there are some areas which are very conducive to ungulate habitat (no limitations) and other lands show very slight, slight or more extreme limitations to ungulate habitat. Overall, the lands located closest to the northern bank of the North Saskatchewan River appear to be most suitable for ungulate habitat. (See Map 3-Ungulates)

3.8 Environmentally Significant Areas

ESA’s represent places in Alberta that are vital to the long-term maintenance of biological diversity, soil, water or other natural processes, at multiple spatial scales. They are identified as areas containing rare or unique elements in the province, or areas that include elements that may require special management consideration due to their conservation needs. ESAs are rated as having international, national or provincial significance.

There is one (1) ESA identified within the Victoria District Plan Area (See Map 6 0 Natural Environment). This area, adjacent to the North Saskatchewan River, contains important wildlife habitat and is rated as provincially significant.

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4 | SETTLEMENT HISTORY

4.1 First Peoples

The first human habitation of the region occurred approximately 12,000 years ago, with continual use of the area by successive cultural groups. Prior to European colonization in North America, the area of the Victoria District was utilized by Chipewyan, Slavey, Beaver, Cree and Blackfoot peoples.

The North Saskatchewan River provided transportation, settlement and food sources for pre-colonization first peoples. As early as 600 years ago, the Victoria District provided important camp sites due to the proximity to an important ford across the river, sheltered sites within the river valley and easy access to rich grazing grounds for bison. Evidence of settlement and use of the area may be found in archaeological features along the river.

4.2 Metis and Early European Settlement

Early European exploration and settlement of Alberta was driven by the fur trade. With the establishment of Hudson’s Bay Company and North West Company trading posts along the North Saskatchewan River beginning in 1795, the fur trade drove settlement patters within the region. A 1400 kilometre overland trail linking Fort Garry in present-day Manitoba with Fort Edmonton followed the North Saskatchewan River through the Victoria District.

The first permanent settlement within the Victoria District was established in 18692 when the Reverend George McDougall established a Methodist mission near the mouth of Smoky Creek. McDougall named the settlement Victoria in honour of the Queen. A Hudson’s Bay Company trading post was established two years later just east of the mission site.

McDougall encouraged Métis families from the Red River area in Manitoba to settle the area. Between 1865 and 1870, the Métis population grew to 130, with the newly arrived families establishing river lot farms extending 23 kilometres along the north bank of the river. Log farmsteads were established close to the river and Métis settlers began farming the fertile bench lands.

4.3 Victoria Trail

Following the North Saskatchewan River, an overland trail linking Fort Garry and Fort Edmonton was established. Within the Victoria District, the Trail follows the north bank of the river, before turning north at Pakan. The route provided an overland option for the movement of people and goods between the various settlements along the river and further north.

4.4 Ukrainian Immigration

With the transfer of land rights of the region from the Hudson's Bay Company to the young Dominion of Canada in 1870, the Canadian government began an aggressive settlement campaign. Between 1870 and 1900, the Canadian government signed treaties with most First Nations, established territorial government over the North West Territories (including present-day Alberta), supported the construction of the Canadian Pacific Railway and began the surveying of land according to square mile grid pattern.

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The Dominion Lands Act was passed in 1872 to encourage immigration and agricultural settlement across the Prairies. In exchange for a commitment to build a farmstead and work the land, the government gave individuals a quarter section of land. The township grid system was imposed over those lands not already established as river lots by the earlier Métis settlers, and new waves of immigration began.

In 1899, the first new immigrants began settling quarter sections just north of the Victoria Settlement. These new settlers were drawn primarily from the Bukovyna region of Ukraine. Within seven years, two hundred and fifty families had settled in the area. Many of the Métis families sold their river lots and resettled in the Lac La Biche region further north. The Ukrainian farmers retained the river lots boundaries, while consolidating many of the smaller parcels to enable more intensive agricultural practices.

The Ukrainian settlers brought their traditional building techniques to their new farmsteads, resulting in unique development patterns and architectural styles.

4.5 Modern Settlement

Over the past one hundred years, little has changed in the settlement of the Victoria District. Many features of the Métis and Ukrainian settlement patterns remain, including hedgerows and shelterbelts consistent with the river lot system established between 1865 and 1870. The Victoria Settlement, renamed Pakan in 1887, dwindled with the arrival of the Canadian Northern Railway, as businesses and residents were drawn to the railway settlement at Smoky Lake.

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5 | LAND USE & BUILT ENVIRONMENT

5.1 Property Ownership

The majority of land within the plan area is privately owned. A couple of small parcels of crown land can be found in the southeastern portion of the plan area. Municipally owned lands are located in the south-central portion of the plan area, adjacent to Range Roads 173 and 180.

5.2 Land Uses

The majority of the plan area is districted as 'A1-Victoria Agriculture District.' The purpose of this district is to recognize the historic value of the area near the Victoria Trail within the County. Subdivision and development proposals on these parcels of land must be compatible with and/or increase the historic value of the Victoria Trail.

Within the south-central portion of the plan area are a series of parcels near Highway 855 that are districted 'C2-Victoria Commercial District.' The general purpose of this District is to control development in the vicinity of the Victoria Trail in order to ensure that future commercial development in this area is compatible with significant cultural landscapes in the Victoria Trail area.

Approximately 3.5 km to the west of the C2 area within the plan area is a single parcel of land districted 'R1-Country Residential District.' The general purpose of this District is to provide opportunities for the development of a variety of multi-lot country residential subdivisions and bareland condominiums.

Residential and agricultural developments are the most predominate land uses within the plan area. Other developed land uses include cemeteries, a church, a campground, trails, and institutional developments associated with Métis Crossing and the Victoria Settlement Provincial Historic Site.

Are there any aggregate operations within the plan area?

5.3 Roadways

Highway 855 passes through the central portion of the plan area in a north-south direction. To the north, Highway 855 travels on the Town of Smoky Lake, and intersects with Highway 28. To the south, Highway 855 crosses the North Saskatchewan River, where it later merges with Highway 45.

The primary east-west road through the plan area is the Victoria Trail (Township Roads 851/851A/851B).

West of Highway 855, the Victoria Trail is primarily gravel surfaced, with two small segments being paved. East of Highway 855, the Victoria Trail is paved to Pakan.

Local Range and Township roads within the plan area are primarily gravel surfaced, with small portions of paved surfaces existing throughout

5.4 Potable Water and Sewage Disposal

Water services for developments within the plan area are provided privately, onsite, via wells and cisterns. Sanitary sewage disposal is also provided onsite for existing developments, via onsite septic systems and/or hauling services. There are currently no municipal sanitary sewage disposal or potable water services available within the Plan area.

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Are there any reclaimed lagoons within the Plan area?

5.5 Waste Management

The disposal of household waste within the plan area is managed by the Evergreen Regional Waste Management Commission. Waste brought to local transfer sites within Smoky Lake County is collected and brought to the regional landfill site near St. Paul.

Are there any transfer stations within the Plan area worth noting?

Are there any historic, reclaimed landfills within the Plan area?

5.6 Storm Water Management

Storm water flows within the plan area are controlled by onsite methods and roadway ditch networks. The general topography of the plan area means that storm water within the plan area will travel south to the North Saskatchewan River via existing ditches and overland flow.

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6 | SOCIAL INFRASTRUCTURE

6.1 Schools

There are currently no schools within the plan area, which is a part of the Aspen View Public Schools Board. The nearest school is H.A. Kostash School, which services grades K to 12, located within the Town of Smoky Lake.

6.2 Protective and Emergency Services

The majority of the plan area is within the Smoky Lake Fire District, which is covered by the Smoky Lake Fire Department. A small number of parcels in the western portion of the plan area are within the Waskatenau Fire District, which is covered by the Waskatenau Fire Department. Both fire departments are a part of the Smoky Lake County Emergency Services, which also includes the Vilna Fire Department.

Police services for the plan area are provided by the Smoky Lake RCMP detachment. Paramedic and ambulance services are available locally via the George McDougall Health Centre in the Town of Smoky Lake.

6.3 Heritage and Cultural Assets

Built heritage and cultural assets with the plan area include Métis Crossing and the Victoria Settlement Provincial Historic Site. Métis Crossing is a major cultural interpretive centre that seeks to be the premiere center for Alberta Métis cultural interpretation, education, gatherings , and business development.

The Victoria Settlement Provincial Historic Site is a provincial historical museum that consists of a series of historic structures, trails and working landscapes that provides a glimpse into life in the Victoria District during the 1860s.

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7 | PUBLIC CONSULTATION

7.1 Stakeholder Meetings

7.2 Public Meetings

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8 | ANALYSIS & FINDINGS

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Addition to the Agenda:

**County Council Committee of the Whole Meeting
Planning: Land Use Bylaw**

630-14: Bobocel That the next **County Council Committee of the Whole Meeting** for the purpose of Planning: Land Use Bylaw be scheduled for Friday, **June 20, 2014** at 10:00 a.m.; to be held at the County Council Chambers.

Carried.

ADJOURNMENT:

631-14: Cholak That the County Council Committee of the Whole Meeting for the purpose of Planning – Victoria District Area Structure Plan, be adjourned at 3:05 p.m.

Carried.

DEPUTY REEVE

S E A L

ASSISTANT CHIEF ADMINISTRATIVE OFFICER