

SMOKY LAKE COUNTY

Minutes of the **County Council Meeting** held on Thursday, **January 29, 2015** at 9:10 A.M. in the County Council Chambers.

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

<u>Div. No.</u>	<u>Councillor(s)</u>	<u>ATTENDANCE</u> <u>Thursday, January 29, 2015</u>
1	Dareld Cholak	Present
2	Ron Bobocel	Present
3	Craig Lukinuk	Present
4	Cary Smigerowsky	Present
5	Randy Orichowski	Present
CAO	Cory Ollikka	Present
Asst CAO	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Present
Planning & Development	Aline Brousseau	Present
GIS/Communication	Paul Miranda	Present
Legislative Svcs/R.S.	Angela Bilski	Present

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2 Members of the Media:

Redwater Review and Smoky Lake Signal in attendance.

Reeve Ron Bobocel requested a minute of silence to commemorate the recent passing of Constable David Wynn of the St. Albert RCMP and expressed a "Thank You" to all RCMP members for their dedicated service.

**2. Agenda:**

**Agenda**

288-15: Cholak

That the Agenda for Thursday, January 29, 2015 County Council Meeting be adopted, as amended.

Additions

1. Legal – Haul Road Agreement
2. Northern Alberta Mayors & Reeves Caucus

Carried Unanimously.

**3. Minutes:**

**Minutes of October 30, 2014 – County Council Budget Meeting**

289-15: Lukinuk

That the minutes of the County Council Budget Meeting held on Thursday, October 30, 2014, be adopted.

Carried.

**Minutes of December 4, 2014 - County Council Meeting**

290-15: Orichowski

That the minutes of the County Council Meeting held on Thursday, December 4, 2014, be adopted.

Carried.

**Minutes of December 12, 2014 – County Council Budget Meeting**

291-15: Lukinuk

That the minutes of the County Council Budget Meeting held on Friday, December 12, 2014, be adopted.

Carried.

**Minutes of December 12, 2014 – Smoky Lake County and Town of Smoky Lake Joint Council Meeting**

292-15: Cholak

That County Council acknowledge receipt of the minutes of the **Smoky Lake County and Town of Smoky Lake Joint Council Meeting** held on Friday, December 12, 2014.

Carried.

**Action List of December 12, 2014 – Smoky Lake County and Town of Smoky Lake Joint Council Meeting**

293-15: Smigerowsky

That County Council acknowledge receipt of the Action List of the **Smoky Lake County and Town of Smoky Lake Joint Council Meeting** held on Friday, December 12, 2014.

Carried.

**Minutes of January 13, 2015 – County Council Strategic Plan Priorities Meeting**

294-15: Orichowski

That the minutes of the **County Council Strategic Plan Priorities Meeting** held on Tuesday, January 13, 2015, be adopted.

Carried.

**4. Request for Decision.**

**Bylaw No. 1275-15: to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**

295-15: Orichowski

That **Bylaw No. 1275-15: to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**, that Appendix "B" such that all portions of NE 34-59-13-W4 containing +/- 57.7 Hectares (142.70 acres) in size more or less, as shown on Schedule "A" be rezoned from Agriculture District (AG) to Residential (Cluster) Conservation District (R2); to amend **Bylaw No. 1249-12 being the Municipal Development Plan**, that Section 7.2 such that all portions of NE 34-59-13-W4M as shown on Schedule "B"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area; to amend **Bylaw 1146-07 being the Bonnie Lake Area Structure Plan** for Smoky Lake County, that such that all portions of NE 34-59-13-W4M as shown on Schedule "C"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area, be given **FIRST READING**.

Carried.

296-15: Smigerowsky

That County Council recess the County Council meeting to call the Public Hearing Meeting to order, time 9:15 a.m.

Carried.

**PUBLIC HEARING:**

The Reeve Ron Bobocel called the Public Hearing to Order at 9:20 a.m. in the presence of all the Council members, the Chief Administrative Officer; the Assistant Chief Administrative Officer, the Finance Manager, the GIS/Communication Director, and the Recording Secretary.

Aline Brousseau, Planning and Development Manager in attendance for the Public Hearing.

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



General public: 5 members of the public in attendance for the Public Hearing.

**Bylaw No. 1269-14:**

Road Closure – Long Island Lake.

**1.0 Opening**

**1.1** Reeve Ron Bobocel declared the Public Hearing open at 9:20 a.m. The Reeve stated he will Chair the Public Hearing and welcomed all persons in attendance to the Public Hearing.

**1.2** Reeve at this time asked the Chief Administrative Officer to confirm that the Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation

► Chief Administrative Officer replied: Yes.

**1.3** The Chief Administrative Officer summarized the purpose of the Hearing is for the Council of Smoky Lake County to obtain **Public Input**, in favor and opposed to the **Bylaw No. 1269-14**: to close to public travel for the purpose of cancellation of the following road allowances and consolidation of the resulting vacant lands into the adjacent crown land subject to Section 38.1 of the Highway Development and Protection Act and to rights of access granted by other legislation:

**FIRSTLY:** The most Westerly 73 meters in perpendicular width of the Statutory Road Allowance adjoining the South boundary of the SW ¼ 1-62-17-W4M, containing 0.147 ha., more or less.

**SECONDLY:** The most Easterly 140 meters in perpendicular width of the Statutory Road Allowance adjoining the South boundary of the SE ¼ 2-62-17-W4M, containing 0.282 ha., more or less

**EXCEPTING THEREOUT ALL MINES AND MINERALS**

Background:

- A request by AESRD was submitted on April 11, 2014 confirming details of the Road Closure area.
- Agencies were sent letters via mail on January 9, 2015.
- A notice has also been posted on the County's website since January 9, 2015.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review the week of January 12 and 19, 2015. The proposed bylaws were advertised and notice has been provided in accordance with applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act.

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

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

- a. Planner will speak first to outline facts and present the recommendations on the proposed Bylaw.
- b. Members of the public, who have signed in will be given the opportunity to speak in the order they signed in.
- c. Anyone else, who did not sign in will be given the opportunity to speak.
- d. Planner will be given the opportunity to answer any questions or to comment on any of the issues presented.
- e. Councillors will be given the opportunity to ask questions.
- f. Council will then end the Hearing and retire to make consider the information received at the Public Hearing.
- g. Council will only consider matters raised at the Hearing.
- h. Only Councillors may ask questions of speakers during the Hearing. If any persons wish to ask questions of a speaker, they must ask Council to ask the question on their behalf during their presentation, and Council will only ask the question if it feels it wishes to have an answer in order to undertake its consideration.

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## 2.0 Public Testimony and Written Submissions

2.1 The Chief Administrative Officer reported that no written submissions were received.

## 3.0 Public Testimony in attendance of the hearing

### 3.1 Opposed to the Bylaw:

- G.E. Deputat:
  - Representing Smoky Lake Twisters Snowmobile Club
  - National Coalition Trail is situated along road allowance
  - Appropriate permission was granted by Council
  - Concerned that winter access to snowmobiles would be limited by closure

### 3.2 In Favour of the Bylaw:

- Bill Black:
  - Approvals manager from SRD
  - Public access exists east of road allowance
  - Current road will remain to guarantee access to public
- Frank Weichman:
  - Cottage owner at westerly lot
  - Cabin is currently located on road allowance
  - Allowance has never been used
  - Would like to see road allowance closed
- James Joesse:
  - Speaking on behalf of Long Island Lake Cottage Owners
  - leaseholders are contractually bound to allow public access

## 4.0 Questions and Answers

### 4.1 Public Response:

- Hank Holowaychuk:
  - Former member of Fish & Game
  - Real issue is SRD legitimizing leases
  - Concern is public losing access to lakes and waterfronts; sets a precedent for future issues
  - Cabins intersect road allowance; creates user conflicts in the future

### 4.2 Council:

- Councillor Cholak:
  - Was the agreement with the snowmobile club considered during this process?
  - Response: the road allowance is not being closed in its entirety, just certain portions that would not affect the snowmobilers
- Councillor Orichowski
  - There is still some road allowance available to ensure access to the lake

297-15: Smigerowsky

That County Council recommends that Bylaw 1269-14 : Road Closure – Long Island Lake be submitted to Minister of Alberta Transportation for approval prior to second reading.

Carried.

## Closing

Reeve Ron Bobocel declared discussion on the proposed Bylaw No. 1269-14: Road Closure – Long Island Lake, closed at 9:44 a.m.

### PUBLIC HEARING:

The Reeve Ron Bobocel called the Public Hearing to Order at 9:56 a.m. in the presence of all the Council members, the Chief Administrative Officer; the Assistant Chief Administrative Officer, the Finance Manager, the GIS/Communication Director, and the Recording Secretary.



Aline Brousseau, Planning and Development Manager in attendance for the Public Hearing.

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

General public: 9 members of the public in attendance for the Public Hearing.

**Bylaw No. 1275-15:**

**1.0 Opening**

1.1 Reeve Ron Bobocel declared the Public Hearing open at 9:56 a.m. The Reeve stated he will Chair the Public Hearing and welcomed all persons in attendance to the Public Hearing.

1.2 Reeve at this time asked the Chief Administrative Officer to confirm that the Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation.

► Chief Administrative Officer replied: Yes.

1.3 The Chief Administrative Officer summarized the purpose of the Hearing is for the Council of Smoky Lake County to obtain **Public Input**, in favor and opposed to the **Bylaw No. 1275-15**: to amend **Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**, that Appendix "B" such that all portions of NE 34-59-13-W4 containing +/- 57.7 Hectares (142.70 acres) in size more or less, as shown on Schedule "A" be rezoned from Agriculture District (AG) to Residential (Cluster) Conservation District (R2); to amend **Bylaw No. 1249-12 being the Municipal Development Plan**, that Section 7.2 such that all portions of NE 34-59-13-W4M as shown on Schedule "B"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area; to amend **Bylaw 1146-07 being the Bonnie Lake Area Structure Plan** for Smoky Lake County, that such that all portions of NE 34-59-13-W4M as shown on Schedule "C"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area;

**Background:**

- The application was submitted on June 11, 2014.
- Agencies were sent letters via mail on October 7, 2014.
- Bylaw 1275-15 is being presented for 1<sup>st</sup> Reading at this same meeting.
- Neighboring landowners within +/-500m were sent letters via mail on January 9, 2015.
- A notice has been posted on the County's website since January 9, 2015.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review the weeks of January 12 and 19, 2015. The proposed bylaws were advertised and notice has been provided in accordance with the applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act.
- An updated Bonnie Lake Resort Outline Plan was provided on behalf of the applicant on January 22, 2015.

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

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

- a. Planner will speak first to outline facts and present the recommendations on the proposed Bylaw.
- b. Members of the public, who have signed in will be given the opportunity to speak in the order they signed in.
- c. Anyone else, who did not sign in will be given the opportunity to speak.
- d. Planner will be given the opportunity to answer any questions or to comment

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- on any of the issues presented.
- e. Councillors will be given the opportunity to ask questions.
  - f. Council will then end the Hearing and retire to make consider the information received at the Public Hearing.
  - g. Council will only consider matters raised at the Hearing.
  - h. Only Councillors may ask questions of speakers during the Hearing. If any persons wish to ask questions of a speaker, they must ask Council to ask the question on their behalf during their presentation, and Council will only ask the question if it feels it wishes to have an answer in order to undertake its consideration.

## 2.0 Public Testimony and Written Submissions

2.1 The Chief Administrative Officer reported that no written submissions have been received In Favour and twelve written submissions have been received Opposed to the proposed Bylaw No. 1275-15.

■ In Favour: None

■ Opposed:

1. Letter from Bascor Developments Ltd. is opposed of the proposed Bylaw: January 16, 2015

**Bascor Developments Ltd.**

Cell 780-498-6585 [ebasaraba@telus.net](mailto:ebasaraba@telus.net)

I am opposed to Bylaw 1275-15 (Estates of Bonnie Lake) in its present form. My reason for the opposition is as follows;

1 Alberta Transportation's requirement is on any subdivision that is within 800 meters of a highway that they be notified. This development is outside the requirement. However given the magnitude of the development, with slow water and sewer trucks, large RVs, and school buses coming and going, the County should ask for a Traffic Impact Assessment Study to be conducted. If the county does not ask for an assessment and a safety issue arises, then Alberta Transportation will require the County to construct an acceleration and deceleration lanes at the intersection of Rge Rd 132 and Hwy 28 at the County's cost. Speaking with Alberta Transportation (780-675-2603) they have indicated with the number of lots and the heavy traffic it would generate, it would be a requirement to construct acceleration and deceleration lanes at Rge Rd 132 and Hwy 28. The County would then have to construct the lanes and the ratepayers would end up paying this bill. The County **should** impose that the developer conduct a Traffic Impact Assessment Study prior to any application being considered. With the extra traffic the development would create, it would be a safely issue to the public. These lanes would provide extra safety.

2 The primary access (north-south) road to the development on (Rge Rd 132 from Highway 28 does not support RV traffic, School buses, water and sewer trucks in its present condition. The current road barely supports local traffic. This road should be upgraded to 100' width to support the development. This road would mainly be to the benefit to the estate residences. The upgraded road, if the subdivision is approved should be completed prior to any registration of subdivision and at the developers expense. The road access to Bonnie Lake Resort varies from 100' to 120' wide. This should be the minimum standard for the access road to the Estate development. Along the east side of the subdivision there is no provisions for road widening. There should be a 5m allowance for road widening to be completed at the developers expense. The County should not entertain a offsite levy with the developers to pay for this upgraded road as he subdivides the lots. The County would never get back there investment including interest. The ratepayers would end up paying the bill. If the County does not impose these condition, then the Estate owners of the lots will come to the County asking for the road be upgraded. It would not be in the best interests of the rate payers of the County to pay for these upgrades. The County should not consider paying for this upgrade as it only would benefit the subdivision.

3 My concern is the emergency access to the proposed subdivision through Bonnie Lake Resort. Even though it is not called that, it will be a access into Bonnie Lake Resort. In its present form, it appears that the access is 66 feet wide. This emergency assess will turn into a permanent access with pressure from the Estate residents. With no amenities proposed for the subdivision, the residents will use this access as a permanent access to Bonnie Lake Resort. Golf carts will use it to go to the golf course. If a connecting walkway is to be considered it should be 6m wide and as per the concept plan attached. There should be boulders placed to stop any ATV traffic. The attached diagram shows the alternative to the 66' wide access. In Figure 4 Development Concept dated Sept 18, 2014 it shows a proposed Emergency

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Access at the south end of the subdivision. There would not be a need to have the access as wide between lots 50 and 51 in this location. The revised attached plan would be reduced to 6M and to be a walkway only.

4 The Cul-de-sac road between lot 50 and 51 comes very close to the lake and should be revised as in the concept plan attached. With the revision it would redirect the water from the ditch going directly into the lake.

5 No provisions are made for a beach area for the development. There is also no provisions for a boat launch. With no beach or boat launch for the development, the lot owners would come to the Bonnie Lake Resorts and use the beach and boat launch area. Bonnie Lake Resort has the best boat launch and beach area on the lake and the Estate owners would want to use it. Provisions should be made for a public beach and boat launch area for the development.

6 It appears that lots 17-18 are in a low drainage gully that drains water to the lake. These lots should be given up as environmental reserve.

7 There is no provisions for a common area playground that the developer should provide. If this is not done then the Estates owners will come to use the facilities at Bonnie Lake Resorts.

8 The criteria for determining the set back from the lake should be the elevation of 639.5M. This is the elevation of the high water mark as determined by Alberta Environment.

9 A ground water report should be conducted to determine the suitable building sites and lot determination. Where high water conditions exist, then the lots should be eliminated.

10 On lots 4, 24-28, 63-67 it appears that on these lots the boundary's should be adjusted to reflect the high water table.

11 The County may impose the followings, Under the

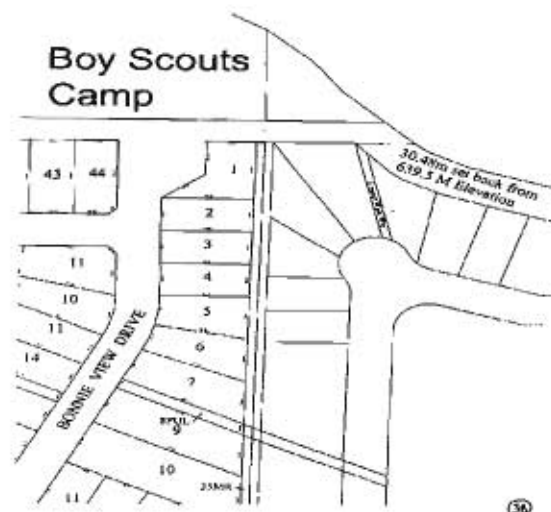
- Municipal Government Act sec 655(1) (i) (ii)
- to *construct or pay for the construction of a road required to give access to the subdivision,*
- *(ii) to construct or pay for the construction of*
  - *o a pedestrian walkways system to serve the subdivision, or*
  - *o pedestrian walkways to connect the pedestrian walkways system servicing the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,*

• *or both*

I am sorry not being able to attend the hearing where I could answer any questions. You may contact me later for further discussion.

Thanks.

**Bascor Developments Ltd.**  
Ed Basaraba



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2. Letter from Bill Minnes is opposed of the proposed Bylaw:  
January 16, 2015

**PROPOSED BYLAW 1275-15: ESTATES OF BONNIE LAKE**

We have examined the information available related to proposed Bylaw 1275-15 in Smoky Lake County. We have concluded that it would be premature at this time for County Council to pass any readings of this Bylaw for the following reasons:

1 The latest version of the Estates of Bonnie Lake Outline Plan provides no information or insight, with the exception of a few general statements, as to how the proposed development will satisfy the requirements of Section 2.4 Residential Conservation Area in the Bonnie Lake Area Structure Plan Bylaw 1146-07. This section is fundamental because it occupies a third of the entire ASP and includes 10 Goals, 18 Policies, and 20 Conservation Residential Development Policies. Many of these policies are not only lengthy but comprehensive.

2 The EBL Outline Plan includes a short section called Development Concept with an attached Figure 4 Development Concept. There is no reference to several mandatory conservation design-based guidelines listed in Policy 19 of the ASP. Conservation Policies ignored in the EBL Outline Plan include 6. Open space Management Plan, 11. Form of Ownership of Open Space, and 12. Legal Instrument for Permanent Protection. An explanation from the developer is required to explain their commitment to follow these policy guidelines. This information must be added to the Development Concept Plan because it is vital to the interests of the County.

3 There is another section in the EBL Outline Plan that lacks important information: Transportation and Servicing. It states that "The lots will be individually serviced with holding tanks for sewage and cisterns for water." It also says that "Vehicular access to the subdivision will be provided via a local road entering from Range Road 132". There is no further information in this section to explain how the developer plans to upgrade and rebuild existing Range Road 132 to accommodate future volumes of car and truck traffic that could exceed the existing levels associated with the Bonnie Lake Resort area. There is a real possibility that the intersection of Range Road 132 and Highway 28 will require upgrading by the developer to accommodate the Estates of Bonnie Lake. A traffic impact assessment (TIA) is usually required by the municipality prior to the approval of any bylaw amendments.

4 Council should be very concerned that the Estates of Bonnie Lake Outline Plan will have no statutory or legal status in Smoky Lake County even if our three previous concerns are addressed. Unless the Outline Plan is formally adopted by Council Resolution, or preferably by Bylaw, the contents of the Outline Plan are not legally enforceable by the County.

5 There is another option to solve this issue of enforceability. Policy 4.2.1.9 of Municipal Development Plan Bylaw 1249-12 requires "an Area Structure Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a multi-lot country residential subdivision". It also states "that the County may require the preparation of a conceptual plan or outline plan if ... the preparation of an Area Structure Plan is considered by the County to be impractical or inappropriate given ... the scale of the lands and lots proposed for development". There are few developments in the County that match the scale of the proposed by

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the Estates of Bonnie Lake. If the Outline Plan was improved and converted back to an area structure plan format, it would automatically be legally enforceable because it would be approved as a statutory bylaw.

Prepared by Bill Minnes, Bradwill Consultants  
January 16, 2015

**3. Letter from Dale and Patty Bilyk is opposed of the Bylaw:  
January 17, 2015**

77 Cranston Place  
Ft. Saskatchewan, AB  
T810K7

January 17, 2015

Smoky lake County  
PO Box 310, e-mail Aline Brosseau  
Smoky lake, AB TOA 3CO

Dear Aline:

Re: Proposed Bylaw 1275-15, NE 34-59-13-W4M

We are opposed to Bylaw 1275-15 (Estates of Bonnie lake) in its present form.  
Our reasons are as follows:

1 The County needs to ask Alberta Transportation for a Traffic Impact Assessment Study regarding the intersection of Rg. Rd. 132 and Hwy 28 before granting approval of this development so current ratepayers don't end up footing the bill to construct the necessary lanes onto Hiway 28.

2 Rg. Rd. 132 is not wide enough to accommodate the traffic that will result from this subdivision IF it is approved. This SHOULD NOT fall on current taxpayers to pay for the upgraded road which will be necessary. The developer (Kacy) should be paying for all improvements to Rg. Rd. 132 prior to subdividing and selling his lots.

3 The access to Bonnie lake Resorts by lot 51 is still a concern and needs to be addressed. Mr. Basaraba has made a suggestion on how to remedy this problem so it doesn't become a permanent access from one development to the other with ATV's, golf carts, motor bikes, etc. We strongly suggest you consider his new proposal which we are attaching.

4 The estates of Bonnie Lake has no provisions for a beach, boat launch or playground in his current proposal. If the developer does not address these for his subdivision his residents will be coming over to Bonnie lake Resorts and using their facilities.

5 Mr. Bill Minnes, Bradwill Consultants has brought up some very important Issues that the County needs to address prior to passing any readings of bylaw 1275-15. (Conservation , Open space management, Permanent Protection).

We are unable to attend the January 29 Council meeting. Please bring our concerns to this meeting.

Sincerely,

Dale & Patty Bilyk Lot 85, Bonnie Lake Resorts

**4. Email from Jim and Marilyn McInnes is opposed of the Bylaw:  
January 19, 2014**

**From:** Jim McInnes [mcinnes163@gmail.com]  
**Sent:** Monday, January 19, 2015 2:07 PM  
**To:** pd  
**Subject:** Jan. 29 public meeting regarding the Estates of Bonnie Lake

Good afternoon Aline,

Thanks for leaving me a phone message. I just picked it up a few days ago. Looks like Marion Kaiser and Ed Basaraba have been holding down the fort! (We are in Texas).

Please accept this email as our formal notice that we absolutely agree with the Bascor Development letter and all of the issues contained within, particularly the

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comment's regarding the emergency egress.

Best regards, Jim and Marilyn McInnes  
p.s. can you please let me know if you have received this email?

**5. Letter from Brian Bentou and Marion Kaiser is opposed of the Bylaw: January 19, 2015**

January 19, 2015

Aline Brousseau Planning and Development Manager

RE: Proposed bylaw 1275-15 NE 34-59-13-W4M

Dear Aline and Council members,

As my wife and I are unable to attend the public hearing on January 29, 2015 at the town of Smoky Lake council chambers, we wish to make it known that we are NOT IN FAVOR of proposed bylaw 1275-15 for the following reasons:

- 1) No provisions have been made for a beach area or boat launch for the development. With no beach or boat launch development the owners will come to the Bonnie Lake Resorts areas which will increase road traffic and usage of these already busy areas.
- 2) We learned on August 28, 2014 in council chambers that covenants aren't bylaws and the County doesn't enforce them, hence they aren't of much value.
- 3) A water quality assessment and update is needed for Bonnie Lake.
- 4) Page 6 of the Bonnie Lake area structure plan bylaw 1146-07, indicated that phosphorus increases based on land use is more damaging than forest; but the surface runoff from urban areas is dependent upon the number of people/population and sewage management. So, even with perfect sewage containment the phosphorus loading to the lake and subsequent damage will continue.
- 5) Page 6 of the BLASP 1146-07 indicated under 2.1.2 that higher density activities such as ATV and horse trails are permitted back 1.6 km or 1 mile from Bonnie Lake. This doesn't appear to be the plan on the current development publication. Bylaw enforcement currently at Bonnie Lake does not consider this boundary. How will the new development manage this situation when the County, bylaw and residents can't currently manage it?
- 6) Page 7, 2.1.5 seems to indicate that land parcels should be 1.6 km or 1 mile back from the lake and forest areas should be maintained. Isn't that different than the current development plan outlined?
- 7) Page 13, 2.4.17 also declares the residential conservation area management of ATVs and snowmobiles; which we are not seeing. This has been an ongoing problem with no resolution in sight.

There are many issues regarding the proposed development that haven't been answered or considered. A great deal of work and study needs to be completed yet before this issue should proceed any farther.

Yours truly,

Brian Benton and Marion Kaiser. (Roll # 13593440)

**6. Letter from Peter Therrien is opposed to the Bylaw: January 20, 2015**

Peter Therrien  
Box 278 Vilna AB T0A 3L0  
Lot 302 Bonnie Lake Resorts  
Ph: 780 614 6245

(Note to reader – this letter is similar to Ed Basaraba's letter with any addition (#12). I am opposed to Bylaw 1275-15 (Estates of Bonnie Lake) in its present form.

My reason for the opposition is as follows:

1. Alberta Transportation's requirement is on any subdivision that is within 800 meters of a highway that they be notified. This development is outside the requirement. However given the magnitude of the development, with slow water and sewer trucks, large RVs, and school buses coming and going, the County should ask for a Traffic Impact Assessment Study to be conducted. If the county does not ask for an assessment and a safety issue arises, then Alberta Transportation will require the County to construct an acceleration and deceleration lanes at the intersection of Rge Rd 132 and Hwy 28 at the County's cost. Speaking with Alberta Transportation (780-675-2603) they have indicated with the number of lots and the heavy traffic it would generate, it would be a requirement to construct acceleration and deceleration lanes at Rge Rd 132 and Hwy 28. The County would then have to construct the lanes and the ratepayers would end up paying this bill. The County **should** impose that the developer

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conduct a Traffic Impact Assessment Study prior to any application being considered. With the extra traffic the development would create, it would be a safety issue to the public. These lanes would provide extra safety.

2. The primary access (north-south) road to the development on (Rge Rd 132 from Highway 28 does not support RV traffic, School buses, water and sewer trucks in its present condition. The current road barely supports local traffic. This road should be upgraded to 100' width to support the development. This road would mainly be to the benefit to the estate residences. The upgraded road, if the subdivision is approved should be completed prior to any registration of subdivision and at the developers expense. The road access to Bonnie Lake Resort varies from 100' to 120' wide. This should be the minimum standard for the access road to the Estate development. Along the east side of the subdivision there is no provisions for road widening. There should be a 5m allowance for road widening to be completed at the developers expense. The County should not entertain a offsite levy with the developers to pay for this upgraded road as he subdivides the lots. The County would never get back there investment including interest. The ratepayers would end up paying the bill. If the County does not impose these condition, then the Estate owners of the lots will come to the County asking for the road be upgraded. It would not be in the best interests of the rate payers of the County to pay for these upgrades. The County should not consider paying for this upgrade as it only would benefit the subdivision.
3. My concern is the emergency access to the proposed subdivision through Bonnie Lake Resort. Even though it is not called that, it will be a access into Bonnie Lake Resort. In its present form, it appears that the access is 66 feet wide. This emergency assess will turn into a permanent access with pressure from the Estate residents. With no amenities proposed for the subdivision, the residents will use this access as a permanent access to Bonnie Lake Resort. Golf carts will use it to go to the golf course. If a connecting walkway is to be considered it should be 6m wide and as per the concept plan attached. There should be boulders placed to stop any A TV traffic. The attached diagram shows the alternative to the 66' wide access. In Figure 4 Development Concept dated Sept 18, 2014 it shows a proposed Emergency Access at the south end of the subdivision. There would not be a need to have the access as wide between lots 50 and 51 in this location. The revised attached plan would be reduced to 6M and to be a walkway only.
4. The Cul-de-sac road between lot 50 and 51 comes very close to the lake and should be revised as in the concept plan attached. With the revision it would redirect the water from the ditch going directly into the lake.
5. No provisions are made for a beach area for the development. There is also no provisions for a boat launch. With no beach or boat launch for the development, the lot owners would come to the Bonnie Lake Resorts and use the beach and boat launch area. Bonnie Lake Resort has the best boat launch and beach area on the lake and the Estate owners would want to use it. Provisions should be made for a public beach and boat launch area for the development.
6. It appears that lots 17-18 are in a low drainage gully that drains water to the lake. These lots should be given up as environmental reserve.
7. There is no provisions for a common area playground that the developer should provide. If this is not done then the Estates owners will come to use the facilities at Bonnie Lake Resorts.
8. The criteria for determining the set back from the lake should be the elevation of 639.5M. This is the elevation of the high water mark as determined by Alberta Environment.
9. A ground water report should be conducted to determine the suitable building sites and lot determination. Where high water conditions exist, then the lots should be eliminated.
10. On lots 4, 24-28, 63-67 it appears that on these lots the boundaries should be adjusted to reflect the high water table.
11. The County may impose the followings, Under the
  - Municipal Government Act sec 655(1) (i) (ii)
  - *to construct or pay for the construction of a road required to give*

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- access to the subdivision,
- (ii) to construct or pay for the construction of
    - a pedestrian walkways system to serve the subdivision, or
    - pedestrian walkways to connect the pedestrian walkways system servicing the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,
    - or both
12. Any egress planned from the new development or any other "Touch points" to the existing BLR community should ensure a permanent style of blockage to ensure no vehicular travel can be performed onto the BLR community.

I am sorry not being able to attend the hearing where I could answer any questions. You may contact me later for further discussion.

Thanks  
Peter Therrien

**7. Email from Roy and Shirley Speer is opposed of the Bylaw: January 21, 2015**

From: Roy and Shirley Speer [r.s.speer@hotmail.com]  
Sent: Wednesday, January 21, 2015 9:19 AM  
To: aline brousseau  
Subject: Development at Bonnie Lake

I am unable to attend the meeting regarding the proposed development at Bonnie Lake because I spend the winters in Arizona. Bonnie Lake Resort is my summer home.

I believe that more research is needed before this project is approved.

1. The lake is already distressed. It was once a fishing lake. No more. Last year there was a blue-green algae alert making the lake unusable. More development will only aggravate this situation. As the lake deteriorates, the value of our places decreases.
2. Range road 132 will not stand up to traffic by large RV's, lumber trucks hauling building supplies, sewage trucks, etc. Are existing tax payers going to be responsible for upgrades?
3. How will the security of the people living in the Bonnie Lake Resort be affected by quads, snowmobiles, etc? Will the developer live up to his promise to build a fence between the two resorts?
4. Will acceleration/deceleration lanes be needed on Highway 28 and range road 132? Who will pay for them?
5. Who, from the County of Smoky Lake, will be supervising the development to be sure that all environmental and safety issues are addressed?

I am deeply concerned about the new development. With the current economic conditions in Alberta, my concerns increase.

Shirley Speer

**8. Letter from Merv and Rosann Lastiwska is opposed of the Bylaw: January 21, 2015**

TO: Aline Brousseau Planning & Development Manager Smoky Lake County  
RE: Proposed Bylaw 1275-15 Estates of Bonnie Lake

Thank you again for permitting us to express our concerns about the proposed development. As per your suggestion, we reviewed the comments on your website that were submitted regarding our concerns about the proposed development and did not see our previously submitted comments included in your list. We appreciate the opportunity to submit further comments.

We have some concerns about the proposed development and about the process:

- We received our first formal communication regarding the proposed bylaw in a letter (with detailed attachments) dated January 13, 2015, advising us about a public hearing on the bylaw is taking place on January 29, 2015. (It is difficult for seniors like us to sort through documents that appear to be written for people who understand the legal language of developers.

All other communications have been mostly through the BLSC emails. The first indication that we had of the proposed development was in an August 16, 2014



email from the BLSC, inviting our input. We did not see this email right away, and did not take it as seriously as we should have because it came from the BL Resorts social club.

We now have about 10 days to respond to the formal letter we received on January 14, 2015. We are "scrambling" now, looking to email communications mostly from the BLSC to find out what is really happening!

- Our biggest concern by far, is the environmental impact that increased development will have on the lake itself. Last year we were unable to use the lake for recreation because of a bluegreen algae warning by Alberta Health. Much larger lakes like Pigeon Lake have constant problems with blue-green algae attributed to the development around the lake. How is Bonnie Lake, a much smaller lake, going to respond to increased development? We believe that a thorough environmental study should be conducted before any further development is approved. In the communications we have received from Smoky Lake County, and Scheffer Andrew Ltd., we have not seen any assurances about the health of the lake itself.
- We are concerned about the pressure that additional development will have on the recreational facilities at Bonnie Lake Resorts. We could not find any indication that the new development has any plans for recreation for its own residents (boat launch, playground, etc.). A substantial increase to the population on the lake would result in increased traffic at BL Resorts which betrays the "quality of life" expectations of a community that invested into BL Resorts.

We are aware from anecdotal conversations with other residents of BL Resorts in the past, that the County had NOT approved further development across from the golf course. Although this is of no concerns to us, we would like to see in writing, and compare, the reasons for rejections of this smaller property, to the approval of a much larger development. We know that some development is inevitable, but we feel a sense of betrayal by the size of this proposed development and the impact it could have on property values and the quality of life that we have invested in over 30 years.

Thank you again for the opportunity to provide at least some feedback to you. You may contact us by telephone or email if you have any further questions regarding our concerns.

Respectfully submitted,

Merv & Rosann Lastiwka Landowners in the Bonnie Lake Area  
eMail: mervlast@telus.net Telephone: (780) 467-1077

**9. Email from Brian and Judy Dietz is opposed of the Bylaw:  
January 21, 2015**

From: Judy Dietz [judyldietz@hotmail.com]  
Sent: Wednesday, January 21, 2015 5:41 PM  
To: aline brousseau Cc: Ed & Joan Basaraba  
Subject: Comments re; Bylaw #1275-15

Good Day Aline;

Please accept this message as support for the letter sent by Ed Basaraba, Bascor Developments, in opposition of the above noted bylaw regarding The Estates of Bonnie Lake. We understand our support message will be added to the messages of support at the January 29th council meeting.

Regards

Brian & Judy Dietz  
Lot 306 Bonnie Lake Resorts  
780-903-8829

**10. Email from Dwayne and Linda Roth is opposed of the Bylaw:  
January 21, 2015**

From: D & L Roth [daroht@telusplanet.net]  
Sent: Wednesday, January 21, 2015 3:22 PM  
To: aline brousseau  
Subject: Proposed Bylaw 1275-15 (Estates of Bonnie Lake)  
Aline Brousseau Planning & Development Manager

Aline:

In part because of an error on the part of the Smoky Lake County regarding the mail out of this proposed bylaw to us, it will be necessary that we provide our comments via this email rather than in hard copy. Our apologies.



We are opposed to Bylaw 1275-15 (Estates of Bonnie Lake) in its present form for a number of reasons. We do not have the detailed knowledge (or have sufficient time to gain that knowledge) to speak to any of the more complex issues that could impact either the County or the taxpayers if the development went forward without being addressed at this time (road upgrades/traffic, site drainage, environmental issues, etc.), but we do feel that they will be issues of concern.

We are also concerned that there is no playground area, no tennis court, basketball court or any other recreational amenities in the plans. Because Bonnie Lake Resort has all three, we believe residents from the Estates would come to use the facilities there.

We are concerned that the proposed emergency access between the Estates and Bonnie Lake Resort will likely become a 'permanent' access for golf carts and perhaps ATVs and dirt bikes into the green space behind us. With no amenities proposed for the Estates, any easy direct vehicular (motorized) access into Bonnie Lake Resort could become an attractive option.

There is no beach area or boat launch proposed for the Estates. We are concerned that the owners will use the facilities in Bonnie Lake Resorts rather than the Provincial campground facilities. This can result in not only a large number of vehicles/trailers left around the beach area (with a corresponding high use of the beach), but also a much higher amount of traffic throughout the Bonnie Lake Resorts area itself.

Lastly, although we have nothing other than our general understanding of the conditions of the lake to support our view, we are not of the opinion that Bonnie lake is a 'healthy' enough lake to sustain this much development. Your numbers, or those of Scheffer Andrew (7) may prove otherwise, or if not, I expect some kind of environmental or water table study would be done before this development would be approved. In any event, we would be opposed to any development that would in any way impact the lake any further, as when we purchased our lot, we had lake behind us. Today, we have green space and 30 foot trees. The water has long disappeared.

We will not be available to attend the hearing but look forward to receiving updates regarding the outcome, and where this ultimately goes.

Thank you for consideration of our concerns.

Dwayne & Linda Roth 14209 24A Street Edmonton, AB

**11. Email from Pearl and Alojz Kobe is opposed of the Bylaw:  
January 22, 2015**

aline brousseau  
From: alojz@telus.net  
Sent: Thursday, January 22, 2015 11 :20 AM  
To: pd  
Subject: Proposed Bylaw 1275-15NE 34-59-13-W4M

To whom it may concern:

We have received the Memorandum dated January 13, 2015 on January 19, 2015 regarding the proposed bylaw 1275-15 (Estates of Bonnie Lake) NE 34-59-13-W4M which did not give us more time to write a formal letter so I have chosen to send this email regarding this proposal.

Please note that we would like to inform the Smoky Lake Council that we are opposed to having the development of further lots to the Bonnie Lake Area Structure. The lake's eco environment is very fragile and cannot sustain further development.

Thank you for your consideration in this matter.

Pearl and Alojz Kobe 13012 -158 Avenue  
Edmonton , Alberta T6V 1 C3  
Phone: 780406 3877

**12. Letter from John and Lynn McIntosh is opposed of the Bylaw:  
January 22, 2015**

As landowners of Lot #259 of Bonny Lake resort, John and Lynn McIntosh request immediate dismissal of the request for further development of the Bonnie lake resort area for three primary reasons; the lake is not viable, there is no plan in the new development to prevent taxing existing resources and recreational property market is not viable with Alberta's current/ near future economy.



- 1) The lake is not viable with the current number of residents, Algae blooms are happening earlier in the year, there is no fish population and the small beach space is over-crowded, particularly on long weekends. At the time of our purchase in 2001 fishing off the dock was possible, that has not been possible in at least 10 years. More development and traffic to the lake will make that worse.

Supporting Evidence; Lake depth -Sounding image, June 1966 (49 years ago) Over the last several decades, the lake has lost more than 1 meter of depth, the proposed area for development has likely lost a little less than 2 meters of depth. The small land area noted by the 3.0, just off the north shore of the lake is now part of the lake shore. Any development will put additional pressure on the primary lake area.

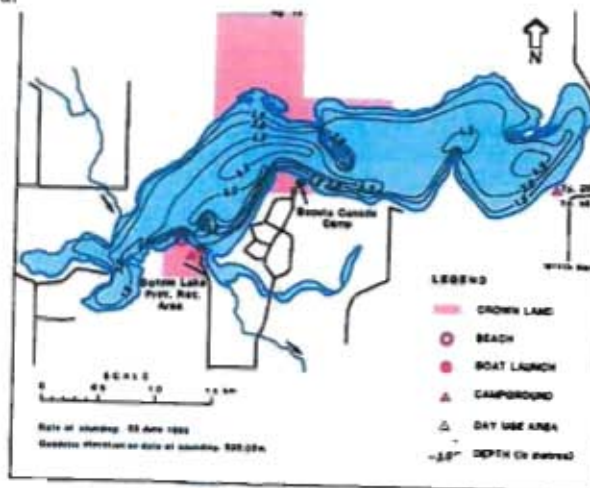


Figure 2. Bathymetry and shoreline features of Bonnie Lake.  
BATHYMETRY SOURCE: Alta. Envir. n.d.[c].

Additional evidence; Bonnie Lake Area structure plan Bylaw 1146-07 <http://www.smokylakecounty.ab.ca/pdf/bylaws/1146-07.pdf> August 2007 The document indicates that it's impossible to get an accurate measure of lake usage, most of it was based on assumption, estimates and empirical data.

**Note: Nothing has been done in the last 8 years to improve the lake other than sewage requirements, distance for the watering of cattle and Vilna finding another primary water source. Measures may have prevented some deterioration but it has not improved lake health. The report from 2007 is almost 8 years old a new study should be done to find the real current lake status.**

1.2 LAKE CAPACITY Biological capacity -"It is commonly known that the age pyramid at the Bonnie Lake area is aging; but it can also be assumed that, with generational change, that pyramid will be very volatile and subject to continual revision if used as a determinant for planning purposes.

1.3 BONNIE LAKE TODAY (August 2007) Bonnie Lake is much less a quality active recreation experience today than it was 20 years ago. Current water quality and water levels of the lake impede Recreational use. As a result, Recreational use around the Lake has changed from being "consumptive" to being "non-consumptive". "the water quality at Bonnie Lake has deteriorated, the water level has fallen, and the general water related recreational experience of Bonnie lake lot-owners, residents, and users has deteriorated over this time. The Lake is too shallow to use for safe, unrestricted motor boating (except for small horsepower motors). The Lake fishery is almost non-existent. Water contact (swimming) is limited to those times during the summer when the lake is not in algae bloom." "An analysis of the background information revealed that the Lake has changed from a recreation amenity to a landscape amenity. The available background information does not clearly identify which factor has caused the change. Several factors such as: cattle grazing, forest reduction activities on the north shore, inappropriate lawn and garden care, fertilizers, aging private sewage systems and illegal sewage disposal by some lakeside lot owners (allowing cuttings and fertilizers/pesticides into the Lake and having pit privies and "grey water" discharge), and the general reduction in surface water levels affecting the Smoky Lake region of Alberta have had an impact on the Lake. We can estimate that all of these factors have contributed to the decrease in lake water quality.

"...landowners around the Lake are notably concerned lest there be additional development around the Lake which would impact their experience of the Lake and of the Resort area.

"it is clear from the Plan development process that the socio-perceptual limits of the current lot owners and users for lake development are exceeded."

Future development should be **designed and located** so as to have almost no biophysical impact on the Lake. It cannot be next to the current development.

- 2) Access -While the proposed development is immediately adjacent to the current development, the road access is planned for upgrading but not guaranteed to be

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paid for by the developer. Additionally, there will be a "road for emergency" access. Will the 80 new lot owners travel farther up the highway to "their" main entrance, or will they access through the established roads of the development past the playground and tennis courts? If the access is there they will take the easier route -it's human nature. Nothing is proposed to inhibit regular use of the so called emergency access road. Bonnie Lake amenities -the 80 proposed lots will need to use the current beaches, boat launch and playground/ tennis court area since there is no development in the structure plan for any of these features. Lot service -The plan indicates that lots will be individually serviced but there are no stated design caveats. With specified requirements for the timing and design of sewage tanks and cisterns, then owners can decide what they want to do and when; this is not acceptable.

Submission from the proposed Developers, Scheffer Andrew Ltd. Submitted to Smoky lake council July 2014.

#### TRANSPORTATION AND SERVICING

6.1 Servicing -The lots will be individually serviced with holding tanks for sewage and cisterns for water.

6.2 Transportation Network -Vehicular access to the subdivision will be provided via a local road entering from Range Road 132 on the east side of the property. An emergency access is provided in the northwest corner of the site, connecting to the existing Bonnie Lake Resort subdivision.

7. IMPLEMENTATION AND STAGING Implementation of the plan will depend on several factors. The most significant of these being the municipal approvals required at different stages of the planning process, and the development aspirations of the property owners. The rate of development in the plan area will be influenced by many factors, particularly the local real estate market, and the status of the economy. It is expected that the area will be developed in a number of stages, in an east to west sequence. The new stages will be introduced in response to market demand in the area. It is expected that it could take up to 4 to 5 years to build out the plan area.

3) Many are predicting a recession in Alberta which will drive down the value of current properties. Adding another 80 lots to a lake that is already over-populated for the size of the lake does not make any sense. If addition of this development drives down the property values of the existing owners, what option do we have? Will we pay less in taxes? Further the "plan" indicates that development will be up to the aspirations of the property owners. Most new developments have specific and clear guidelines about what is allowed and what is not. There should be clear architectural guidelines reflecting the developers vision for the community. The Bonnie Lake region does not need an additional 80 lots consisting of scattered trailers and camping clearings. Without these guidelines, existing owners of Bonnie Lake Resort properties will likely see a tremendous loss in property value due to saturation of the market with available lots.

There is no basis to continue entertaining the concept of new development at Bonnie Lake resorts.

### 3.0 Staff Presentation

#### 3.1 Municipal Planning Services, Jane Dauphinee, Principal/ Planner presented a report on the Proposed Bylaw 1275-15.

- Report:

##### 1 Introduction

MPS has conducted a review of proposed Bylaw 1275-15 which has been proposed by a developer to amend the Smoky Lake County Land Use Bylaw, Municipal Development Plan and the Bonnie Lake Area Structure Plan. The purpose of the proposed amendment is to facilitate future subdivision and development of a multi-lot conservation (cluster) residential development within NE 34-59-13-W4, located in the Bonnie Lake Area Structure Plan area in Smoky Lake County.

##### 2 Comments

At the County's request, we have prepared some comments to assist the municipality in your review of the documents submitted. Our comments are included below.

**MDP**



Section	Comment
Section 1.4.4	<p>The proposed plan amendment is consistent with the following Smart growth principles:</p> <ul style="list-style-type: none"> <li>• Encouraging growth in existing urban areas</li> <li>• Preserving open spaces, natural beauty and environmentally sensitive areas</li> <li>• Development will respect natural landscape features and thus have higher aesthetic, environmental, and financial value.</li> </ul>
Section 1.5	<p>The proposed plan amendment is consistent with the following MDP Goals:</p> <ul style="list-style-type: none"> <li>• <b>Goal: 1.5.1</b> <ul style="list-style-type: none"> <li>• The proposed conservation (cluster) subdivision may facilitate sustainable growth and development in the County by incorporating elements of conservation design that will result in the preservation of identified features within the quarter section of high environmental sensitivity.</li> <li>• This approach to design may help the County to “balance economic growth, environmental protection and the preservation of recognized historic resources.”</li> </ul> </li> <li>• <b>Goal 1.5.5</b> <ul style="list-style-type: none"> <li>• The proposed design provides “a variety of transportation choices including safe infrastructure for walking and cycling, in addition to driving in the proposed multi-lot residential area” by incorporating multimodal trail linkages throughout the development which will provide opportunities for off lake recreation and the opportunity to connect the new development to the existing development area using trails.</li> <li>• Additionally, the proposed walking trail located in the northwestern portion of the quarter section will assist the County in correcting an existing transportation and safety hazard within the adjacent development by providing a 2<sup>nd</sup> emergency access/egress into the Bonnie Lake Resort Development and Boy Scout Camp which will enable residents and emergency service providers an alternate route to enter and exit the resort in the event of a medical emergency or fire.</li> </ul> </li> <li>• <b>Goal 1.5.8 &amp; Goal 1.5.12</b> <ul style="list-style-type: none"> <li>• The proposed development is located in close proximity to similar development and may utilize some existing infrastructure</li> </ul> </li> <li>• <b>Goal 1.5.10</b> <ul style="list-style-type: none"> <li>• The location of the proposed open space creates a buffer between the proposed multi-lot development and the adjacent agricultural land users. This design feature will minimize adverse impacts on the neighbouring agricultural community</li> </ul> </li> </ul>
Section 3.2	<ul style="list-style-type: none"> <li>• <b>Objective 3.2.2</b> <ul style="list-style-type: none"> <li>• In support of their application the developer has provided Council with <u>some</u> information about the location of lands with critical development constraints and has demonstrated how a development may be designed on the site to ensure that these constraint areas are not disturbed by the proposed development. Therefore, the proposed conservation (cluster) design is consistent with this objective</li> </ul> </li> </ul>

**Bonnie Lake ASP**

The development shown within the draft Estates of Bonnie Lake Outline Plan may be consistent with the proposed Bonnie Lake ASP amendment. The information provided demonstrates that a Conservation (cluster) residential development may be designed in this location without impacting significant

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environmental features on the site. In order to determine the specific design of a future subdivision in this location the developer will have to submit additional studies to ensure that all significant environmental features have been accurately identified and accommodated by the proposed design.

#### LUB

The development described in the draft Estates of Bonnie Lake Outline Plan may be consistent with the proposed LUB amendment. The amendment can be approved if the County gives prior approval or concurrent approval to the proposed amendments to the MDP and the Bonnie Lake ASP.

### 3 Recommendations

**Recommendation 1:** In the option the County's planner, the developer has provided sufficient information at this time to determine that there is suitable areas on the site for a conservation (cluster) residential subdivision

**Recommendation 2:** In the option the County's planner, the developer has provided sufficient information at this time to determine that he proposed amendments are consistent with the goals in the County's MDP

**Recommendation 3:** Prior to approval of the Outline plan and submission of a subdivision application we recommend that the applicant be required to submit the following supporting documents and studies:

- Biophysical Assessment
- Phase I Environmental Assessment;
- Traffic Impact Assessment for the intersection of the local road and the intersection of Highway #28;
- Geotechnical Report – which identifies the flood plain and flood fringe of Bonnie Lake within the proposed development area;
- Water Report satisfies Section 23(3)(a) of the Water Act;
- A copy of the September 2, 2014 letter from AB Culture and Community Spirit which provides Historical Resources Act clearance; and
- A draft Conservation Easement Agreement – to be approved by the County with the intent that the Agreement will be registered on title of the open space if and when the subdivision is approved in order to ensure the conservation value of the open space.

**Recommendation 4:** That as per County policy, the developer be responsible for all costs associated with providing on and off site services to the development area. These improvements may include but are not limited to: storm water management facilities, natural gas service, local roadways, and if required, any improvements to the intersection of the local road and Highway #28 required to facilitate development on the site.

- The Reeve, at this time asked: Does Council have any questions or points of clarification, they wish to ask of the Planner?
  - No Questions

CAO Cory Ollikka read a written submission from Bascor Developments opposed to the bylaw, received on Jan. 26, 2015.

Bascor Developments Ltd. 10805-120 Street  
Edmonton, Alberta, T5T 3P9 Cell 780-498-6585 [ebasaraba@telus.net](mailto:ebasaraba@telus.net) Jan 26, 2015

To members of Smoky Lake County Council:

I am **opposed** to proposed Bylaw 1275-15 (Estates of Bonnie Lake) as presented in its present form. The reasons for my latest concerns are outlined in the following submission.

The Estates of Bonnie Lake -Outline Plan (Revised January 2015) was posted on the website on January 22, 2015, after the newspaper and land owner notifications were made to advertise the Public Hearing for Bylaw 1275-15. Although the Outline Plan will have no legal status it describes the proposed development and includes a development concept. Some of my concerns have been addressed by modifications made in this latest version of the OP. However, many items are still left unanswered. The major unresolved items are:

- Traffic Impact Assessment Study,
- Primary access (north-south) road to the development,
- Access walkway to Bonnie Lake Resort
- Beach and boat launch for the development



- Lot width size
  - Statutory Requirements of the County including Land Use Bylaw 1272-14
1. Alberta Transportation's requirement is on any subdivision that is within 800 meters of a highway that they be notified. This development is outside the requirement. However given the magnitude of the development, with slow water and sewer trucks, large RVs, and school buses coming and going, the County should ask for a Traffic Impact Assessment Study to be conducted. If the County does not ask for an assessment and approves the subdivision and a safety issue arises, then the County would be liable to construct an acceleration and deceleration lanes at the intersection of Range Rd 132 and Hwy 28 at the County's cost. Alberta Transportation would require the County to construct this and not the developer. Speaking with Alberta Transportation (780-675-2603) they have indicated that with the number of lots and the heavy traffic it would generate, it would be a requirement to construct acceleration and deceleration lanes at Range Rd 132 and Hwy 28. If the County did not ask for one and one was required then County would then have to construct the lanes and the ratepayers would end up paying this bill. The County **should** require that the developer conduct a Traffic Impact Assessment Study prior to this application being considered. With the extra traffic the development would create, it would be a safety issue to the public. These lanes would provide extra safety.
  2. The primary access (north-south) road to the development on (Rge Rd 132 from Highway 28 does not support RV traffic, School buses, water and sewer trucks in its present condition. The current road barely supports local traffic. This road should be upgraded to 100' width to support the development. In the development plan under section 8.1 Services it stats that the lots will be serviced with holding tanks for sewage and cisterns for water individually. The road will be used by heavy trucks and RV's. The existing road will be pounded out in one season and there is no way two large vehicles would be able to pass on the road. This road would mainly be to the benefit to the estate residences. The upgraded road, if the subdivision is approved should be completed prior to any registration of subdivision and at the developer's expense. The road access to Bonnie Lake Resort varies from 100' to 120' wide. This should be the minimum standard for the access road to the Estate development. Along the east side of the development, it appears provisions for road widening have been made but no mention off upgrading Range Rd 132. The County should not entertain an offsite levy with the developers to pay for this upgraded road as he subdivides the lots. The County would never get back there investment including interest. The ratepayers would end up paying the bill. If the County does not impose these condition, then the Estate owners of the lots will come to the County asking for the road be upgraded. It would not be in the best interests of the ratepayers of the County to pay for these upgrades. The County should not consider paying for this upgrade as it only would benefit the subdivision. This would be unfair to the other developers and give the Estate developer an unfair competitive advantage.

**SMOKY LAKE COUNTY MUNICIPAL DEVELOPMENT PLAN BYLAW  
1249-12**

Objective 4.2.3 To minimize municipal servicing costs associated with multi-lot residential developments

Policy 4.2.3.1

The County will require the proponent of a multi-lot country residential development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of a development agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. Normally, however, all development servicing costs associated with the development, including the provision of internal roadway systems to a high standard and the *upgrading of other County roads leading to the site in order to provide good access to the residential site will be the responsibility of the developer.*

The County may impose the followings, under the

- Municipal Government Act sec 655(1) (i) (ii)
  - to construct or pay for the construction of a road required to give access to the subdivision,
    - (ii) to construct or pay for the construction of
      - a pedestrian walkways system to serve the subdivision, or
      - pedestrian walkways to connect the pedestrian walkways system servicing the subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent subdivision,

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#### 4.0 Public Testimony in attendance of the hearing

##### 4.1 Opposed to the Bylaw:

- Bill & Delores Lipon
  - Concerns with traffic and use of beach and boat launch of Bonnie Lake
  - Lake is at maximum usage already
  - refer to letter from Shirley Speers; added more people will only make it worse
- Mavis Wilkinson
  - Not against development but wants rules followed
  - Past developers have only done half the job; what is in place to prevent this again?
- Bill Minnes
  - Representing Ed Basaraba
  - Had previously prepared a draft expansion to the Bonnie Lake resort area; believes that development should be good for both the county and the developer
  - Not opposed to development in principle; latest outline plan is better than the one from September; amendment to MDP is a principle
  - ASP is more detailed document; policies approved by previous council should be respected; developer needs to meet all requirements in the ASP;
  - LUB – half of the site should be zoned Public; LUB amendment should be in tandem with subdivision application; should amend ASP after all reports are completed to county's satisfaction
  - Site should not necessarily be zoned as a blanket R2; there may be other zonings applicable

##### 4.2 In Favour of the Bylaw:

- Michael Gourley & Casey Tchir
  - Mr. Gourelly is with Scheffer Andrew Ltd.
  - Met in camera with council in spring 2014
  - Involved residents by hosting 2 open houses in the summer; feedback was provided to county
  - Development update distributed to residents
  - Plan has been changed based on feedback from stakeholders (CNRL, Alberta Culture, AER)
  - CNRL wellsite is still considered active; 4 or 5 dwellings already fall within 100m setback
  - Residential conservation cluster district; still at beginning of process; looking for information from council and prepared to consider alternatives
  - Passive recreation lifestyle; ATV usage is always a concern but that is not part of the client's vision; goal is to retain natural state; trails are for walking, not ATVs or snowmobiles
  - Development would provide another egress to the area; would benefit Bonnie Lake Resort also; would be pleased to remove the emergency access if necessary
  - Have addressed the requirements of the Bonnie Lake ASP, working closely with staff and planner
- Questions
  - Randy Orichowski: Where is access to wellsite located?
    - Response: Emergency access road follows lease road access to some degree
  - Ron Bobocel: Is access considered emergency only?
    - Response: Yes
  - Dareld Cholak: Would access be gated? Would gate be locked with access to emergency services?
    - Response: Yes
    - Public utility lot could be tied into emergency access road; owners of Bonnie Lake Resort would be required to work with applicant; may be used for drainage purposes
  - Ron Bobocel: Who owns the public utility lot?
    - Response: Should be owned by municipality; there is a second public utility lot that drains into the wetlands to keep them healthy; feeds into Bonnie Lake as a natural filtration
- Perry Phillips
  - Key stakeholder – adjacent landowner mile south on RR132; renting subject quarter section for last 15 years from Casey Tchir; manages the land in environmentally sustainable fashion to maintain wetlands with good agricultural practices
  - Access road to CNRL transects land; receive payments for lease
  - Not in opposition to development; confident that the land use rules will ease any concerns
  - Continued rent of land for cattle grazing; would want to know impact of



- rezoning on his land
- Need to consider entire system; renewed look at current impacts of Bonnie Lake Resort
- Hank Holowaychuk
  - Supports change in bylaw; need to consider the health of the lake but developers have spent time and money; future costs and benefits for municipality; need to take opportunity for population growth
  - Agricultural practices i.e. cattle grazing may impact lake health more than the proposed development
  - Highly atrophic lake
  - Have to find a balance and move forward to encourage development; over regulation is putting development at a standstill

## 5.0 Questions and Answers

### 5.1 Public Response

No further questions.

### 5.2 Council

No further questions.

## Closing

Reeve Ron Bobocel declared discussion on the proposed Bylaw No. 1275-15, closed at 11:13 a.m.

298-15: Bobocel

That the Public Hearing be adjourned, time 11:13 a.m.

Carried.

Doug Ponich, Public Works Manager entered the Council Chambers, time 11:20 a.m.

## County Council Meeting

County Council Meeting reconvened, time 11:25 a.m.

### 4. Request for Decision.

#### **Bylaw No. 1269-14: Road Closure – Long Island Lake**

299-15: Smigerowsky

That Bylaw 1269-14: Road Closure – Long Island Lake be submitted to Minister of Alberta Transportation for approval prior to second reading.

Carried.

#### **Bylaw No. 1275-15: to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**

300-15: Cholak

That **Bylaw No. 1275-15: to amend Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**, that Appendix "B" such that all portions of NE 34-59-13-W4 containing +/- 57.7 Hectares (142.70 acres) in size more or less, as shown on Schedule "A" be rezoned from Agriculture District (AG) to Residential (Cluster) Conservation District (R2); to amend **Bylaw No. 1249-12 being the Municipal Development Plan**, that Section 7.2 such that all portions of NE 34-59-13-W4M as shown on Schedule "B"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area; to amend **Bylaw 1146-07 being the Bonnie Lake Area Structure Plan** for Smoky Lake County, that such that all portions of NE 34-59-13-W4M as shown on Schedule "C"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area, be given **SECOND READING**.

Carried.



Moved by Councillor Smigerowsky that **Bylaw No. 1275-15:** to amend **Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**, that Appendix "B" such that all portions of NE 34-59-13-W4 containing +/- 57.7 Hectares (142.70 acres) in size more or less, as shown on Schedule "A" be rezoned from Agriculture District (AG) to Residential (Cluster) Conservation District (R2); to amend **Bylaw No. 1249-12 being the Municipal Development Plan**, that Section 7.2 such that all portions of NE 34-59-13-W4M as shown on Schedule "B"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area; to amend **Bylaw 1146-07 being the Bonnie Lake Area Structure Plan** for Smoky Lake County, that such that all portions of NE 34-59-13-W4M as shown on Schedule "C"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area, be given **PERMISSION for THIRD AND FINAL READING.**

Carried Unanimously.

Moved by Councillor Lukinuk that **Bylaw No. 1275-15:** to amend **Bylaw No. 1272-14 being the Smoky Lake County Land Use Bylaw**, that Appendix "B" such that all portions of NE 34-59-13-W4 containing +/- 57.7 Hectares (142.70 acres) in size more or less, as shown on Schedule "A" be rezoned from Agriculture District (AG) to Residential (Cluster) Conservation District (R2); to amend **Bylaw No. 1249-12 being the Municipal Development Plan**, that Section 7.2 such that all portions of NE 34-59-13-W4M as shown on Schedule "B"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area; to amend **Bylaw 1146-07 being the Bonnie Lake Area Structure Plan** for Smoky Lake County, that such that all portions of NE 34-59-13-W4M as shown on Schedule "C"; and being approximately +/- 57.7 Hectares (142.70 acres) in size more or less, be reclassified from Agriculture Area to Residential Conservation Area, be given **THIRD AND FINAL READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

301-15: Orichowski

That Smoky Lake County request that the owner of lands legally described by NE 34-59-13-W4M provide the following reports to the satisfaction of the Subdivision Authority with the subdivision application: Biophysical Assessment, Traffic Impact Assessment, Water Report which satisfies Section 23(3) of the Water Act, Geotechnical Report, Environment Site Assessment Phase I & Phase II if necessary, a Historical Resource Act Clearance, and a Conservation Easement Agreement and addresses issues with RR132 to the satisfaction of the Subdivision Authority.

Carried.

11:40 a.m.

#### 9. Public Question and Answer Period:

- Bill Minnes – When will copies of Planner's Report and wording of motions be made available?
- Response
  - Planner's Report will be included in the minutes
  - draft minutes should be completed within a few days
  - Mr. Minnes is welcome to contact Administration to discuss

Jane Dauphinee of Municipal Planning Services left the meeting at 11:42 a.m.



**Bylaw 1277-15: Protocol for Regional Cooperation- Joint Agreement**

302-15: Smigerowsky That **Bylaw 1277-15:** to authorize the Municipal Council to enter into a **JOINT AGREEMENT** to establish the provision on the Protocol for **Regional Cooperation**, for the purpose of agreed merits for guiding organizational actions and individual behaviors, be given **FIRST READING**.

Carried.

Moved by Councillor Lukinuk that **Bylaw 1277-15:** to authorize the Municipal Council to enter into a **JOINT AGREEMENT** to establish the provision on the Protocol for **Regional Cooperation**, for the purpose of agreed merits for guiding organizational actions and individual behaviors, be given **SECOND READING**.

Carried.

Moved by Councillor Cholak that **Bylaw 1277-15:** to authorize the Municipal Council to enter into a **JOINT AGREEMENT** to establish the provision on the Protocol for **Regional Cooperation**, for the purpose of agreed merits for guiding organizational actions and individual behaviors, be given **PERMISSION for THIRD AND FINAL READING**.

Carried Unanimously.

Moved by Councillor Orichowski that **Bylaw 1277-15:** to authorize the Municipal Council to enter into a **JOINT AGREEMENT** to establish the provision on the Protocol for **Regional Cooperation**, for the purpose of agreed merits for guiding organizational actions and individual behaviors, be given **THIRD READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

**Bylaw 1278-15: Community Economic Development Officer**

303-15: Lukinuk That **Bylaw 1278-15:** to enter into a contract agreement to hire a Community Economic Development Officer, be given **FIRST READING**.

Carried.

Moved by Councillor Smigerowsky that **Bylaw 1278-15:** to enter into a contract agreement to hire a Community Economic Development Officer, be given **SECOND READING**.

Carried.

Moved by Councillor Orichowski that **Bylaw 1278-15:** to enter into a contract agreement to hire a Community Economic Development Officer, be given **PERMISSION for THIRD AND FINAL READING**.

Carried Unanimously.



Moved by Councillor Smigerowsky that **Bylaw 1278-15**: to enter into a contract agreement to hire a Community Economic Development Officer, be given **THIRD READING** and that the Reeve and the Chief Administrative Officer are hereby authorized to fix their signatures to all necessary documents and that the corporate seal also be fastened where it is deemed to be necessary.

Carried.

**County Lakes: Recreational Area Facility Supervision and Cleaning Services**

304-15: Smigerowsky That Smoky Lake County award the Request For Proposal: County Lakes – Recreational Area Facility Supervision and Cleaning Services and Schedule “A” – The Agreement for a Five (5) Year term: January 1, 2015 – December 31, 2019 to Contractors Veronica Fox and Donald Holmes to supervise the sites at Mons and Kaduk Lakes for the amount of \$0.00 per year and the Contractors will retain camping fees.

Carried.

**Meeting Recessed** Meeting recessed for Lunch, time 12:00 p.m.

**Meeting Reconvened** The meeting reconvened on a call to order by Reeve Ron Bobocel at 12:38 p.m. in the presence of all Council members, the Chief Administrative Officer, the Assistant Chief Administrative Officer, Finance Manager, Public Works Manager, GIS/Communication Director, and Recording Secretary.

**Addition to the Agenda:**

**Executive Session: Land and Legal**

305-15: Cholak That County Council go into Executive Session to discuss a land issue relating to the environmental reserve at Garner Lake and a legal issue regarding a haul road agreement with Dale Croswell Construction Co. Ltd./DDC Sand & Gravel, time 12:40 p.m.

Carried.

306-15: Cholak That County Council go out of Executive Session, time 1:07 p.m.

Carried.

**Request for Compliance Certificate on Lot 8, Block 5, Plan 7520244 (0.72 acres) – Birchland Resort at Garner Lake**

307-15: Smigerowsky That Smoky Lake County Council direct administration to issue a letter to the landowner of the property legally described as Lot 8, Block 5, Plan 7520244 (Pt. of NE 15-60-12-W4M) requiring the landowner to apply for a Development Permit to relocate the existing garage within the prescribed property setbacks as established in the Land Use Bylaw 1272-14 and furthermore to return the lands legally described as Lot R2, Plan 7520244 (Pt. of NE 15-60-12-W4M) to its natural state (ie. soil, grass seed).

Carried.

**Delegation(s):**

**H.A Kostash School – Lorraine Ponich and Two Students Leadership Program**

Present before County Council at 1:10 to 1:20 p.m. were Lorraine Ponich and two students from H. A. Kostash School to thank Smoky Lake County Council for the contribution to the Leadership Program. Funds were used to purchase program resources such as books and furniture. Ms. Ponich invited Council members to visit the school’s wellness project area.





**Resolution for Closure of Undeveloped Road Allowance on NW 5-59-16-W4M**

308-15: Lukinuk

A Resolution of the Council of Smoky Lake County for the purpose of closing to public travel and cancelling a portion of a Public Highway in accordance with Section 24 of the Municipal Government Act, Chapter M26, RSA 2000.

**WHEREAS**, the lands hereafter described are no longer required for public travel.

**THEREFORE**, be it resolved that the Council of Smoky Lake County does hereby close the following described road, subject to right of access granted by other legislation or regulations.

All of Road Plan 2494 B.M. in NW ¼ 5-59-16-4.

Carried.

**Policy Statement No. 61-03-04: Application for Development Permit**

309-15: Cholak

That **Policy Statement No. 61-03-04** entitled "Application for Development Permit", be amended:

<b>Title: Application for Development Permit</b>		<b>Policy No.: 03-04</b>
<b>Section: 61</b>	<b>Code: P-A</b>	<b>Page No.: 1 of 9 E</b>
<b>Purpose:</b>	To outline the procedures and requirements for applying for a Development Permit in Smoky Lake County.	
<b>Policy Statement and Guidelines:</b>		
<b>1.0 STATEMENT</b>		
1.1	Development Permits are issued by Smoky Lake County, pursuant to Land Use Bylaw, as amended. If site work has already begun, then you are advised that <u>no further work on the development is to occur until a permit is issued</u> . Any access to, site servicing of, or construction started on the property prior to the issuance of a development permit, and completion of the expiry of the appeal period, is at the Applicant's risk and is subject to a fine under the Land Use Bylaw.	
<b>2.0 PROCEDURES</b>		
2.1	Application Forms are available from the County Office and from the County website at <a href="http://www.smokylakecounty.ab.ca">www.smokylakecounty.ab.ca</a> .	
2.2	A Development Permit Application must be completed and submitted to the County Office, accompanied with a fee as set out in the "Schedule A – Development Permit Application Package".	
2.3	All applications must be in issued in accordance with the Land Use Bylaw.	
<b>3.0 SCHEDULE "A"</b>		
<b>DEVELOPMENT PERMIT APPLICATION PACKAGE</b>		
<b>DEVELOPMENT PERMIT INSTRUCTIONS</b>		
It is important to read and understand the following instructions prior to completing this application form.		
1)	Every application for a development permit shall be submitted in complete form, accompanied by the appropriate fees set forth pursuant to Land Use Bylaw <del>1250-12</del> 1272-14, as amended. If site work has already begun, then you are advised that <u>no further work on the development is to occur until a permit is issued</u> . Any access to, site servicing of, or construction started on the property prior to the issuance of a development permit, and completion of the expiry of the appeal period, is at the Applicant's risk and is subject to a fine under the Land Use Bylaw.	
2)	The Development Authority requires an applicant to include the following support information when submitting an application for a development permit in accordance with Section 2.0: Development Permit, Rules, and Procedures of the Land Use Bylaw <del>1250-12</del> 1272-14 and amendments thereto. Please follow sample site plan provided in this package.	

3) Failure to complete this form and to supply the required supporting information, may result in delays in the processing of the application. If more information or other reports are required to be submitted, you will be notified in writing of same. Application is not deemed accepted and complete until all information is received.

~~4) A permit issued in accordance with the notice of decision is valid for a period of twelve (12) months from the date of issued. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, or at any time the development has been discontinued for a period of six (6) months, the permit shall be null and void.~~

- 5) A permit granted under the provisions of the Bylaw does not become effective until fourteen (14) days or a longer period at the discretion of the Development Authority after the date of issue of the notice of decision, in accordance with the appeal process outlined in items 6, 7, 8 and 9 below.
- 6) If an application is refused, the applicant may exercise the right of appeal. Written notice of appeal must be submitted to the Secretary of the Subdivision and Development Appeal Board (SDAB) of Smoky Lake County within fourteen (14) days after the notice of the decision is given. The Subdivision and Development Appeal Board will then give reasonable notice of the appeal hearing to the appellant and those, who in the opinion of the Subdivision and Development Appeal Board, may be affected.
- 7) Where an appeal is made within the fourteen (14) day period, outlined in item 5 above, by a person claiming to be affected by the approval or refusal of an application for development, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit confirmed, modified or nullified by the Subdivision and Development Appeal Board (SDAB).
- 8) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision is not made by a Development Authority within forty (40) days after the receipt of the application in its complete and final form by a Development Authority, and the person claiming to be affected may appeal in writing as though they had received refusal at the end of the period specified in this item.
- 9) A decision of the Subdivision and Development Appeal Board is final and binding on all parties, and all persons subject to the provisions of the Municipal Government Act, as amended.
- 10) All information and design criteria as it relates to the application for Development Permit shall be in conformance with the provisions of the Land Use Bylaw ~~1250-12~~ 1272-14 and amendments thereto.
- 11) You are advised to accurately locate any oil, gas, power and telephone lines on your property prior to undertaking any excavation work by contacting Alberta One-Call at 1-800-242-3447 / [albertaonecall.com](http://albertaonecall.com).
- 12) If you have any questions regards this application package, please contact Smoky Lake County Planning and Development Department at 1-888-656-3730 / 780-656-3730 / [pd@smokylakecounty.ca](mailto:pd@smokylakecounty.ca) or alternatively, you may arrange a pre-application meeting to discuss same.

**A DEVELOPMENT PERMIT IS REQUIRED FOR:**

- 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 of 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 in, on, 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 of 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.

**HOW LONG DOES IT TAKE TO GET A DEVELOPMENT PERMIT?**

It is important to plan ahead and submit your application well in advance of starting the development. According to the Municipal Government Act, a Development Authority has 40 days in which to make a decision on a completed development permit application. The 40 days begins after all of the necessary information has been provided.

If a your proposed development falls into the Permitted Use classification, a Development Permit can typically be issued within the 40 day time limit. Although, if your proposed development falls into the Discretionary Use classification according to the Land Use Bylaw, approximately 2-4 months may be required to obtain a Development Permit (including the appeal period).

**WHY DO I NEED A DEVELOPMENT PERMIT?**

The County's Land Use Bylaw requires development permit approval prior to the commencement of many types of development. A development permit ensures that the proposed use of the land does not conflict with surrounding uses. The development permit can ensure that the development is set back the appropriate distances from property lines. Setbacks are also required to ensure that the development is located in a safe place so that it isn't too close to a road, steep slope, water body, oil and gas facilities, etc.

**WHEN DOES MY DEVELOPMENT PERMIT EXPIRE?**

A Development Permit is valid for a period of twelve (12) months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, or at any time the development has been discontinued for a period of six (6) months, the permit shall be null and void. An extension may be requested in writing if needed (there is a fee for this service), however there is no guarantee that an extension will be granted.

<b>Internal Use Only</b>	
Our File Number: _____ Your File Number: _____ Roll Number: _____	
<b>Applicant Information</b>	
Applicant/Agent: _____	Phone: _____
Address: _____	Cell Phone: _____
City/Prov. _____ Postal Code: _____	Fax: _____
Email address: _____	Signature: _____
Applicant/Agent Authorization: I am the applicant/agent authorized to act on behalf of the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.	
<b>Registered Landowner Information</b> <input type="checkbox"/> <i>Owner same as applicant</i>	
Registered Owner: _____	Phone: _____
Phone: _____	
Address: _____	Fax: _____
City/Prov. _____ Postal Code: _____	Signature: _____
<b>Right of Entry</b>	
Pursuant to Section 542 of the Municipal Government Act, I hereby do _____ or do not _____ grant consent for a designated officer of Smoky Lake County to enter upon the land as described above, for a site inspection.	
Print Name: _____	Signature: _____

**Section A - Property Information**

Division \_\_\_\_\_

Legal: Lot \_\_ Block \_\_ Plan \_\_ and Part of \_\_ ¼ Sec \_\_ Twp \_\_ Rge \_\_ W4M

Subdivision Name (if applicable) or Area of Development \_\_\_\_\_

Rural Address/Street Address \_\_\_\_\_ Parcel Size \_\_\_\_\_

Number of existing dwellings on property (please describe)  
\_\_\_\_\_

Has any previous application been filed in connection with this property?  Yes  No

If yes, please describe the details of the application and file number:  
\_\_\_\_\_

Is the subject property near a steep slope (exceeding 15%)?  Yes  No

Is the subject property near or bounded by a body of water?  Yes  No

Is the subject property within 800m of a provincial highway?  Yes  No

Is the subject property near a Confined Feeding Operation?

Yes  No Distance: \_\_\_\_\_

Is the subject property within 1.5km of a sour gas facility?

Yes  No Distance: \_\_\_\_\_

Is the subject property within 1.5km of a sewage treatment plant/lagoon?

Yes  No Distance: \_\_\_\_\_

Is the subject property immediately adjacent to the County boundary?

Yes  No

If yes, the adjoining municipality is: \_\_\_\_\_

**Section B - Proposed Development Information**

Permitted Use  Discretionary Use

Estimated Cost of Project \$ \_\_\_\_\_

Estimated Commencement Date \_\_\_\_\_

Estimated Completion Date \_\_\_\_\_

Dwelling: Floor Area \_\_ sq. ft. % of Lot Occupied \_\_ Height of Dwelling \_\_\_\_\_ ft / m

Accessory Building:

Floor Area \_\_ sq. ft. % of Lot Occupied \_\_ Height of Acc. Bldg \_\_\_\_\_ ft / m

Parking: No. of Off-Street Parking \_\_\_\_\_

Existing Land Use District or Zoning of Property: \_\_\_\_\_

Recreational Vehicle: Year \_\_ Make \_\_ Model \_\_ License Plate \_\_

Description of Work: \_\_\_\_\_

Parking Plan	Biophysical Assessment	Master Sign Plan	Site Plan
Stormwater Management Plan	Hydrogeological Report	Landscaping Plan (Garner Lake ASP)	Industrial Development (Section 2.5/7.10 of LUB)
Geotechnical Report	Environmental Site Assessment Phase I or Phase II or Phase III	Wind/Energy Conversion System (Section 2.9/7.36-7.38 of LUB)	Commercial/Recreation Development (Section 2.6/7.3/7.4/7.30-3.34 of LUB)
Natural Resource Extraction (Section 2.7/7.16 of LUB.)	Reclamation Plan	Excavation & Stripping Development (Section 2.8 of LUB)	Historical Resource Impact Assessment (HRIA) (Section 2.4/9.2 of LUB)
Real Property Report	Cumulative Effects Assessment	Applicable Provincial /Federal Authorization	Copy of ERCB Abandoned Well Viewer Map [*required for all applications]

**Section C - Abandoned Wells**

Effective November 1, 2012, the Subdivision and Development Regulation requires that an applicant for a development permit (for buildings larger than 47m<sup>2</sup>/505 sq. ft.) provide information about abandoned oil and gas wells on the subject property. Before an application for development can be considered complete, applicants MUST provide this information. The following outlines the process for determining what information is required with your development application. Applicants are required to verify the ERCB Alberta Energy Regulator's Abandoned Well Viewer online at:

*RB*

[mapview.ercb.ca/spatialdatabrowser/default.aspx?config=AbandonedWells.xml](http://mapview.ercb.ca/spatialdatabrowser/default.aspx?config=AbandonedWells.xml) to determine if abandoned wells are located on the subject property. Information can be obtained by phoning Alberta Energy Regulator at 1-855-297-8311.

If an abandoned well is found, then the Applicant MUST provide Smoky Lake County with all Licensees identified by the **ERCB AER** as affecting their property to confirm the following:

1. a sketch showing the location and setback distance required by the Licensee from each abandoned well;
2. the map from the ERCB Viewer of the subject property;
3. a list of all abandoned wells, including the surface coordinates;
4. any additional information from Licensee(s) that led to a change in the setback.

If an abandoned well is not found, then the Applicant must sign in the space provided below confirming that there are no abandoned wells located on the property. The Applicant MUST attach the map from ERCB Viewer of the property.

Applicant Print Name _____	Applicant Signature _____	Date _____
----------------------------	---------------------------	------------

**Section D – Preferred Method of Communication**

When a decision has been made on your file, do you wish for us to:

- call you for pick up       mail the decision

**\*\***If a decision has not been picked up within 5 (five) working days, the decision will be automatically mailed to applicant.

**\*\***Once a Development Permit has been issued, a copy of the permit is automatically sent by mail to the applicant if an email address is provided on page 4.

Should the Planning and Development Department **if we** have any questions or require clarification regarding your application, how do you to be contacted:

- phone       mail       fax       e-mail

**OFFICE USE ONLY**

Type of Payment:  
 DEBIT     CASH     CHEQUE  
 Fee \$ \_\_\_\_\_  
 Receipt # \_\_\_\_\_  
 Receipt Date \_\_\_\_\_  
 Date Received \_\_\_\_\_  
 \*and deemed complete by  
 Development Authority.  
 Entered into e-SITE # \_\_\_\_\_

**Authorization:**

Issuing Officer's Name \_\_\_\_\_  
 Issuing Officer's Signature \_\_\_\_\_  
 Date of Approval \_\_\_\_\_  
 Date Issued \_\_\_\_\_  
 Comments and/or Variances \_\_\_\_\_

The personal information provided is being collected under the authority of the Municipal Government Act and will be used for the purposes under that Act. Information that you provide may be made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act. Any questions regarding the collection, use or disposal of this information should be directed to Smoky Lake County at 780-556-3730.

Our File Number: \_\_\_\_\_ Roll Number: \_\_\_\_\_

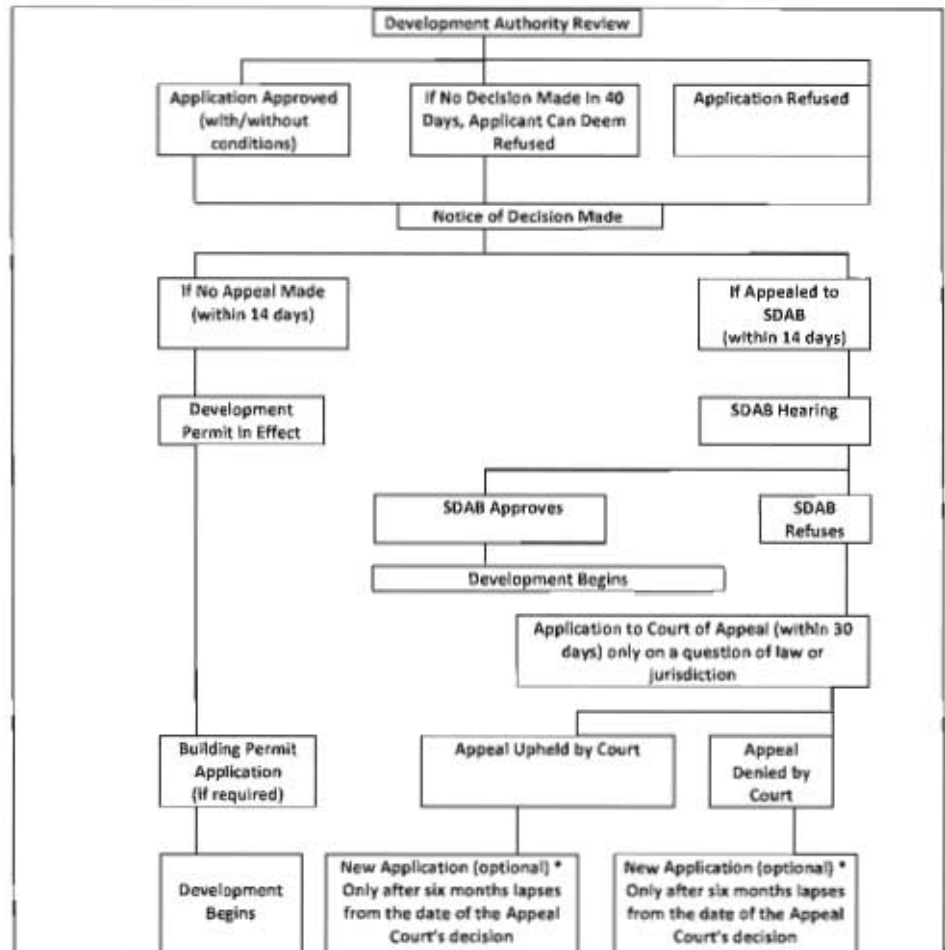
**DEVELOPMENT PERMIT SITE PLAN**



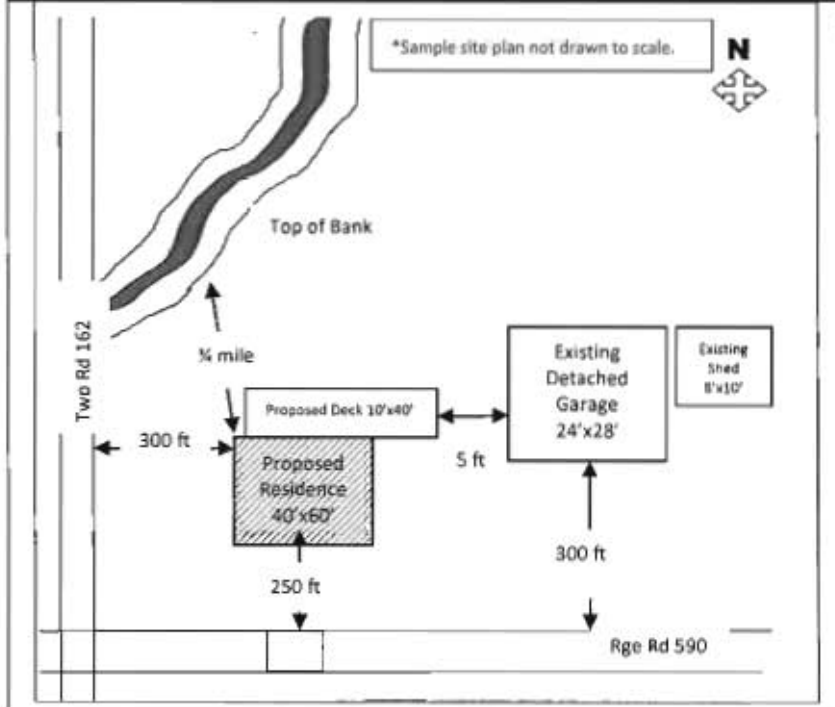
DATE: _____	SIGNATURE OF APPLICANT: _____
DATE: _____	SIGNATURE OF APPLICANT: _____

**DEVELOPMENT PERMIT PROCESS**

Development Permit  
Application Submitted



**SAMPLE SITE PLAN**



**INCLUDE THE FOLLOWING INFORMATION IN YOUR SITE PLAN:**

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li>✓ Location of existing buildings.</li> <li>✓ Location of proposed buildings.</li> <li>✓ Existing and proposed access(es).</li> <li>✓ Location of any abandoned wells</li> </ul> | <ul style="list-style-type: none"> <li>✓ Front, Side and Rear Yard setbacks from <u>property lines</u> in meters/feet.</li> <li>✓ Location of any water bodies on subject property.</li> <li>✓ Location of driveway.</li> <li>✓ All developed/ undeveloped road allowances.</li> </ul> | <ul style="list-style-type: none"> <li>✓ Indicate the North direction</li> <li>✓ Location of all right-of-way and easements within or abutting the subject property.</li> </ul> |
|--|--|---|

Carried.

**2015 Gravel Crushing to Stockpile "Contract"**

310-15: Orichowski

That Smoky Lake County execute the **2015 Gravel Crushing Agreement** with **Ferbey Sand and Gravel Ltd.**, Vermillion, Alberta to stockpile at the White Earth Creek Gravel Pit – NW ¼ Section 2-61-18-W4 Gravel Crushing of product Designation 4 and 3 for the following volumes; and at the rates, as per the signed three-year contract dated February 20, 2014.

Class 20 (3/4") material	30,000	Unit Price of \$3.93
Class 25 (1") material	60,000	Unit Price of \$3.90
Class 40 (1 ½ ") material	8,000	Unit Price of \$3.85
Class 12.5c (1/2") material	2,000	Unit Price of \$4.20
Sand Elimination based on 8,000 to 15,000		Unit Price of \$1.00

Carried.

**Policy Statement No. 03-39-10: Dust Control**

311-15: Lukinuk

That **Policy Statement No. 03-39-10** entitled " Dust Control" be amended:

<b>Title: Dust Control</b>		<b>Policy No.: 39-10</b>
<b>Section: 03</b>	<b>Code: P-R</b>	<b>Page No.: 1 of 6 E</b>
<b>Purpose:</b>	To specify guidelines for the provision of dust control suppression applications to areas of municipal roadways adjacent to residences.	

**Policy Statement and Guidelines:**

**1. STATEMENT:**

- 1.1 County recognizes that dust from gravel roads may create health, safety or general nuisance concerns for residents and therefore, provides a dust suppression program to mitigate the impact of dust in front of residences.
- 1.2 The County will implement the use of products for dust suppression which are environmentally safe and cost effective.
- 1.3 The County reserves the right to maintain or rework the application as required for safety and rideability.
- 1.4 The dust control suppression program usually commences in late spring and can continue through the summer months.
- 1.5 The County does not guarantee, in any way, the effectiveness of the dust control treatment agent or application for the purpose intended. Once the suppressant has been applied no refunds will be made.

**DEFINITIONS:**

- 2.1 **Blade Mix Oil:** Mineral substance agent mixed with gravel to be on road surface for dust suppression.
- 2.2 **Calcium Chloride:** A treatment agent for road surface that can be applied for dust suppression.
- 2.3 **Dust Control:** Measures to suppress dust on roads in front of residences.
- 2.4 **Exceptional Roads:** Active and high usage arterial and feeder gravel roads.
- 2.5 **Haul Roads:** Designated roads used regularly for hauling purposes.

**3. RURAL RESIDENCES:**

- 3.1 The County will arrange for dust control on roads in front of a residence with a fee for **Blade Mix Oil - 2 ½ inch thickness for \$2,500.00**; and a fee for **Calcium Chloride** of \$750.00 with two applications of treatment and application.

<b>BLADE MIX OIL</b>		
County Cost		2 ½"
Gravel 1	120 Tonne of ¾ " at \$20.00	\$2,560.00
Total	Material	\$2,560.00
Equipment 2	Tandem Oil Truck: 2.5 hours at \$110.00  Graders:	\$ 275.00

	Grader 1: 3.0 hours at \$188.00	\$ 564.00
	Grader 2: 2.0 hours at \$188.00	\$ 376.00
	Double Drum Packer: 1.5 hours at \$124.00	\$ 186.00
<b>Total</b>	<b>Equipment</b>	<b>\$ 1,401.00</b>
Labour:	Oil Truck Operator 2.5 hours at \$ 37.60	\$ 94.00
	Grader Operator 1: 3.0 hours at \$39.42	\$ 118.26
	Grader Operator 2: 2 hours at \$39.42	\$ 78.84
	Double Drum Packer Operator: 1.5 hours at \$28.54	\$ 42.81
<b>Total</b>	<b>Labour</b>	<b>\$ 333.91</b>
	<b>Sub-Total</b>	<b>\$ 4,294.91</b>
Oil	7540 litres at \$0.43	\$ 3,278.20
Project	Oil Dust Control Project: 500 ft application	3 hours
<b>Total</b>	<b>PROJECT COST</b>	<b>\$ 7,573.11</b>
<b>Total</b>	<b>Residence: Fee</b>	<b>\$2,500.00</b>

<b>CALCIUM CHLORIDE</b>		
County Cost	1 <sup>st</sup> Application	2 <sup>nd</sup> Application
30 Tonnes of 1" at \$20.00	\$ 600.00	\$ 0.00
<b>Material</b>	<b>\$ 600.00</b>	<b>\$ 0.00</b>
Water Truck: 2.0 hours at \$110.00 1.0 hour at \$110.00	\$ 220.00	\$ 110.00
Grader: 2.5 hours at \$188.90 1.0 hour at \$188.90	\$ 470.00	\$ 188.00
Smooth Drum Packer: 1.5 hours at \$110.00	\$ 165.00	
<b>Equipment</b>	<b>\$ 855.00</b>	<b>\$ 298.00</b>
Water Truck Operator 2.0 hours at \$ 37.60 1.0 hour at \$ 37.60	\$ 75.20	\$ 37.60
Grader Operator 1: 2.5 hours at \$39.42 1.0 hour at \$39.42	\$ 98.55	\$ 39.42
Smooth Drum Packer Operator: 1.5 hours at \$28.54	\$ 42.81	
<b>Labour</b>	<b>\$ 216.56</b>	<b>\$ 77.02</b>
<b>Sub-Total</b>	<b>\$ 1,671.56</b>	<b>\$ 375.02</b>
1100 Litres at \$0.23 1100 Litres at \$0.23	\$ 253.00	\$ 253.00
Calcium Dust Control Project: 500 ft application	2.5 hours	1 hour
<b>PROJECT COST</b>	<b>\$ 2,177.56</b>	<b>\$ 743.02</b>
<b>Residence: Fee</b>	<b>\$ 750.00</b>	<b>\$ 0.00</b>

1 Gravel: Cost includes the cost of crushing & dewatering plus the average of the cost of trucking and labour to each division.

2 Equipment: Cost includes the estimated cost of amortization, insurance, maintenance, and fuel.

3 Labour: Includes the employee hourly salary plus 23% for payroll costs and benefits.

4 Oil/Calcium: Costs are the estimated purchase cost.

Overhead: Has not been allocated. Overhead is the cost that the county would incur even if the project did not take place.

Direct Costs: Are the costs that can be cost effectively allocated to the project (gravel, equipment, labour, and oil/calcium).

Indirect Costs: Cannot be cost effectively allocated to the project, but are impacted by the project (small supplies, supervisor costs, etc.)

- 3.2 Request for dust control along with payment should be received by the County on or before April 1<sup>st</sup> of each year. Minimum of two advertisements: one in the Month of February and one in the Month of March of the current year.
- 3.3 The resident will have their choice of calcium chloride or blade mix oil as dust control suppressant.
- 3.4 Calcium Chloride Dust Control suppressant shall consist of two (2) applications. The initial application shall take place in late Spring. Upon inspection during the Month of September, a decision will be

*RR*



made on whether to proceed with the second application at the time or wait until the following Spring season. Conditions of the Dust Control shall dictate the decision made.

- 3.5 Payment must be made in advance when the request for dust treatment is submitted. Requests are to be submitted to the Public Works Department by completing *Schedule "A": Application for Dust Control Suppression*.
- 3.6 The length for the dust control provided under this policy will be minimum of 150 meters (500 feet), and any additional length of dust treatment will be a full cost to the applicant.
- 3.7 The County will be responsible for erecting proper signage, when necessary.
- 3.8 Residents of neighboring municipalities who reside adjacent to a road under the jurisdiction of Smoky Lake County may apply for dust control suppression under this policy, but will require prior approval of Council before installation proceeds.
- 3.9 The County reserves the right to rework or remove dust control applications at its own discretion. Normally, dust control applications are good for one dust control season.

#### 4. HAMLETS AND MULTI-LOT COUNTRY RESIDENTIAL:

- 4.1 The County hamlets and multi-lot Country residential subdivisions dust control will only be applied to whole street lengths or cul-de-sac streets, on provision that application is made on behalf of all adjacent residences, and the amount paid shall be the standard fee for each resident.

#### 5. WARRANTY

- 5.1 The County does not guarantee or warrant any life expectancy of the dust control Calcium Chloride or Blade Mix Oil suppressant applications.
  - 5.1.1 The treated roadway can be reverted back to gravel when it is deemed necessary by the County, which would allow for grading of the road to eliminate pot holes, and that will not obligate the County to re-apply Blade Mix Oil or Calcium Chloride to the road.

#### 6. PRIVATE RESIDENTIAL DRIVEWAYS

- 6.1 The County shall apply dust control at their own cost provided there is funding in the budget to the following areas:
  - 6.1.1 County designated gravel haul routes.
  - 6.1.2 County exceptional roads that have a permanent, active, high volume of traffic, as per *Policy Reference – Policy 03-15: Road Policy*.
  - 6.1.3 Any other location deemed necessary by County Council by Council resolution.
- 6.2 In areas where occasional or intermittent gravel hauls may cause dust problems, the Public Works Manager shall arrange for a water truck to provide temporary dust suppression as deemed appropriate.
- 6.3 This policy is not applicable where oiling or other dust suppressant is required as a condition of a subdivision development agreement.
- 6.4 In the case where municipal roadways are being used to haul commodities such as logs, sand and gravel, etc., the trucking firm or contractor shall be responsible for providing dust control for the duration of the haul as per *Policy Reference – Policy 03-14: Haul Road Agreement*.

Schedule "A"  
APPLICATION FOR DUST CONTROL SUPPRESSION

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_.

**BETWEEN:**

**SMOKY LAKE COUNTY**  
(hereinafter called "the Municipality")

OF THE FIRST PART

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address Phone Numbers: Residence Work Cellular  
(hereinafter called "the Landowner")

OF THE SECOND PART

Legal Land Description: \_\_\_\_\_ W4  
Quarter Section Township Range

Legal Address: \_\_\_\_\_ Sub-division Name: \_\_\_\_\_

WHEREAS the Landowner hereby make application for a Dust Control Agent of the following:

- Blade Mix Oil Dust Control Suppressant: \$ 2,500.00
- Calcium Chloride Dust Control Suppressant \$ 750.00
- Length: 150 meters (500 feet)  Additional Length: \_\_\_\_\_

to be applied by the Smoky Lake County Public Works Department to the municipal roadway adjacent to the landowner residence as indicated above and as described on the plan herein.

The Applicant hereby agrees to the following terms and conditions:

1. Dust Control Suppressant to be applied to the identified road upon completion of the application for by the applicant and pre-payment of the calculated fee. Scheduling of the work shall be subject to regular dust control treatment program priorities and in combination with other requests due to cost effectiveness.
2. The applicant shall pay full cost of additional length over the 150 meters (500 feet) in its entirety.
3. Smoky Lake County does not warrant the effectiveness of the dust control agent. Once the agent has been applied, no refunds of the application fee will be made.
  - 3.1 The County does not guarantee or warrant any life expectancy of the dust control **Blade Mix Oil or Calcium Chloride** treatment application.
    - 3.1.1 The treated roadway can be reverted back to gravel when it is deemed necessary by the County, which would allow for grading of the road to eliminate pot holes, and that will not obligate the County to re-apply blade mix oil or calcium chloride to the road.
4. The dust control treatment program usually commences in late spring and can continue through the summer months.
5. The "Landowner", covenant and agree with the said municipality, for myself, my heir, executors, administrators and assigns that I shall not have any claim for loss or damage caused by reason of the performance work of the said application of dust control suppression program adjacent to my property, whether such loss or damage is the result of the negligence of any servant, agent, or employee of the said municipality, or otherwise.
6. Please show exact location of dust control placement:


7. Calculation of Total Fee:

BLADE MIX OIL			CALCIUM CHLORIDE		
County Cost	2 1/2"		County Cost	1 <sup>st</sup> Application	2 <sup>nd</sup> Application
Total	PROJECT COST	\$ 7,674.11	PROJECT COST	\$ 2,162.81	\$ 743.02
Total	Residence: Fee	\$2,500.00	Residence: Fee	\$ 750.00	\$ 0.00

Cost of first 150 meters (500 feet) = \_\_\_\_\_  
 Add: Additional length = \_\_\_\_\_  
**Total Fee Required = \$ \_\_\_\_\_**

8. Applicants who wish to be considered for the dust control treatment program must apply each year no later than April 1.

IN WITNESS WHEREOF has hereunto acknowledge and accept the terms and conditions on the day and year first above written.

SIGNED \_\_\_\_\_ ) SMOKY LAKE COUNTY  
 )  
 )  
 Applicant \_\_\_\_\_ Per: \_\_\_\_\_

Carried.

**Policy Statement No. 03-20-03: Safety Clothing and Footwear**

312-15: Smigerowsky That Policy Statement No. 03-20-03 entitled "Safety Clothing and Footwear", be amended:

Title: Safety Clothing and Footwear		Policy No.: 20-03
Section: 03	Code: P-R	Page No.: 1 of 3 E
Purpose:	To promote the importance of safety clothing and proper footwear according to the County's Safety Manual.	

**Policy Statement and Guidelines:**

**1. OBJECTIVE:**

- 1.1 This policy applies to all staff that are in a position that are required to wear safety clothing and/or safety boots.
- 1.2 To promote the importance of good safety clothing in making a safer work environment for all employees.

**2. GUIDELINES:**

**2.1 Safety Clothing Reimbursement Summer:**

Smoky Lake County employees that are required to wear coveralls and/or safety vests according to their job description, be given the opportunity to purchase two pairs of coveralls with reflective markings or reflective shirts, which the County will subsidize **50% (fifty) percent** of the cost of the coveralls and/or reflective shirts.

This subsidization can only be used once (1) every calendar year.

**2.2 Safety Clothing Reimbursement Winter:**

Smoky Lake County employees that are employed throughout the winter months that require to wear safety clothing be given the opportunity to purchase one (1) pair of winter wear with reflective striping. The County will subsidize **50% (fifty) percent** of the cost of the winter wear.

This subsidization can only be used once every two (2) calendar years.

**2.3 Safety Clothing Fire Service:**

Smoky Lake County employees that are identified to assist in the field of fire protection be given one pair of fire protection clothing to be used only for this purpose. The County will cover **100% (one hundred) percent** of the cost of the fire protection wear.

**2.4 Safety Footwear:**

Smoky Lake County employees that are required to wear steel-toed footwear for the purpose of their job description be reimbursed for

the cost of the footwear to a maximum cost of \$100.00 (one hundred) dollars.

This reimbursement can only be used once (1) throughout the calendar year.

2.4.1 Employees shall be required to complete and submit *Schedule "A": **Boot Reimbursement Form*** and provide a copy of the receipt of purchase to receive the refund.

**SCHEDULE "A"**

**WORK BOOT REIMBURSEMENT FORM**

Name of Employee: \_\_\_\_\_

Address: \_\_\_\_\_  
Box Town Province Postal Code

\*\*\*\*\*  
I, hereby do apply for:

A maximum cost of \$100.00 (fifty) dollars for approved footwear as per Policy.

Receipt for proof of purchase is attached.

\_\_\_\_\_  
*Employee Signature* Date: \_\_\_\_\_

\_\_\_\_\_  
*Approved For Reimbursement*  
Date: \_\_\_\_\_  
Safety Officer

Carried.

**5. Issues for Information:**

**Chief Administrative Officer's Report**

The Chief Administrative Officer gave an updated report to Council for the period of December 5, 2014 to January 28, 2015.

**Legislative / Governance:**

- RMFR Municipal Law Seminar
- List of Bylaws, Policies and Management Policies visited/amended in 2014
- Assessment and taxation of land adjacent to railway in Waskatenau
- Departmental Operations Meeting for March or early April

**Administration:**

- Completed AAMDC Asset Management Survey and U of S Community Asset & Services Survey
- 2015 Office renovations have begun
- Clear Hills Community Grazing Association – permission to remove brush from some undeveloped County Road Allowance
- Letter from Linda Yurdiga & Hank Keller claiming property damage resulting from tree branch removal in Bellis

**Human Resources:**

- Submitted application to Rideau Hall via the Alberta Fire Commissioner's Office for Exemplary Service Medals for 4 long-standing Fire Department Members.

**Community:**

- Received 2 verbal requests from the Smoky Lake Ag Society for Public Works Assistance for scarifying parking lot and removal from ice from the arena.

**Training:**

- No report.

**RMFR Municipal Law Seminar**

313-15: Cholak

That County Council and relevant Administration who can attend thereby attend the Reynolds Mirth Richards & Farmer Municipal Law Seminar on February 20, 2015 in Edmonton, Alberta.

Carried.

Councillor Dareld Cholak left the Council Chambers, time 1:45 p.m.

**2014 List of Bylaws, Policies and Management Policies**

314-15: Orichowski

That the 2014 List of Bylaw, Policies and Management Policies reviewed and amended, be filed for information.

Carried.

**Clear Hills Community Grazing Association**

315-15: Orichowski

That Smoky Lake County grant permission to the Clear Hills Community Grazing Association to remove brush from some undeveloped County Road Allowance adjacent to the lands SE25-60-15, E1/2-24-60-16, E1/2-13-60-16, and E1/2-12-60-16 in order to make working space for installation of their fence.

Carried.

**Tree Branch Removal Complaint**

316-15: Orichowski

That Smoky Lake County take no action on the letters received from Linda Yurdiga and Hank Keller dated December 15, 2014 and January 28, 2015 in regards to compensation requested for damages from tree branch removal in County road adjacent to Lots 23 & 24, Block 3, Plan 1039CL in Bellis and that the letters be filed for information.

Carried.

**Smoky Lake Ag Society**

317-15: Smigerowsky

That Smoky Lake County waive the custom work fees for the Smoky Lake Agricultural Society parking lot maintenance.

Carried.

318-15: Lukinuk

That Smoky Lake County defer the issue on the Smoky Lake Agricultural Society request on the ice removal; and that Administration prepare a cost analysis and bring back to a future meeting.

Carried.

**2015 Minister's Seniors Service Award Nominations**

319-15: Orichowski

That Smoky Lake County advertise the 2015 Minister's Seniors Service Award Nominations for self-nominations and to promote community awareness.

Carried.

**STRATEGIC PRIORITIES – CHART:**

**The Strategic Priorities Chart – January 13, 2015.**

Process included in every Council meeting Agenda as a constant reference:

**Financial Update:**

As annexed to the minutes:

- ↳ Financial Statement for the Month: November 30, 2014.



**Action List(s):**

↳ **Action List(s):**

- County Council Budget Meeting: October 30, 2014
- County Council Meeting: December 4, 2014
- County Council Budget Meeting: December 12, 2014

320-15: Orichowski That the updated report for the period of December 4, 2014 to January 28, 2015 by the Chief Administrative Officer, be accepted and filed for information.

Carried.

Dareld Cholak entered the Council Chambers, time 2:22 p.m.

**Finance Manager's Report:**

Brenda Adamson, Finance Manager provided an updated Finance report for the period of November 25, 2014 to January 21, 2015.

**Property Tax Penalty: Cancellation**

321-15: Cholak That Smoky Lake County take no action with regards to the request to cancel the 2014 Property Tax penalties for Tax Roll Account Number 35250118 in the amount of \$100.29.

Carried.

**Property Tax Penalty: Cancellation**

322-15: Lukinuk That Smoky Lake County cancel the 2014 Property Tax penalties for Tax Roll Account Number 35250127 in the amount of \$61.74, and for Tax Roll Account Number 35250128 in the amount of \$154.50, and for Tax Roll Account Number 35250130 in the amount of \$41.50.

Carried.

**Property Tax Penalty: Cancellation**

323-15: Smigerowsky That Smoky Lake County cancel the 2014 Property Tax penalties on Tax Roll Account Number 18601031 in the amount of \$17.27.

Carried.

**Property Tax Penalty: Cancellation**

324-15: Orichowski That Smoky Lake County cancel the 2014 Property Tax penalties on Tax Roll Account Number 23090905 in the amount of \$20.16.

Carried.

**Property Tax Penalty: Cancellation**

325-15: Cholak That Smoky Lake County cancel the 2014 Property Tax penalties on Tax Roll Account Number 19600131 in the amount of \$66.49.

Carried.

**2015 Tax Sale**

326-15: Cholak That Smoky Lake County set the reserve bid in the amount of \$22,000 for Tax Roll Account Number 30190107 (Lot 7, Block 1, Plan 7822612); and that the 2015 Tax Sale be scheduled for March 31, 2015 at 10:00 a.m.

Carried.



327-15: Orichowski That the Finance Manager's Report received by Brenda Adamson for the period of November 25, 2014 to January 21, 2015, be accepted and filed for information.

Carried.

**Reeve's Report:**

Reeve Ron Bobocel presented the following report:

- Mayors/Reeves Committee Meeting, 2015 Spring AAMDC Convention; consider adding ambulance issue for to agenda for discussion unless there is a resolution already presented through AAMDC
- Letter from Alberta Transportation
- Anti-Bully Coalition
- St. Albert RCMP
- Email from ATCO Electric Distribution Division

328-15: Smigerowsky That Smoky Lake County donate in the amount of \$1,000.00 to the trust fund for the family of Constable David Wynn from St. Albert, Alberta.

Carried.

329-15: Cholak That the email received from Brain Roy, District Manager, Bonnyville District, ATCO Electric Distribution Division, dated December 16, 2014 in regards to the New Education Program ATCO Electric, be filed for information and that the link to ATCO's educational video be placed on the County website.

Carried.

330-15: Smigerowsky That the Municipal Planning Commission meeting be rescheduled from Thursday, January 29, 2015 to Monday, February 9, 2015 at 1:00 p.m.

Carried.

Aline Brousseau, Planning and Development Manager, left the Council Chambers, time 2:58 p.m.

331-15: Cholak That Smoky Lake County acknowledge receipt of the letter received from Wayne Drysdale, Minister, Alberta Transportation, dated December 8, 2014 in regards to the Summary of Issued Raised at AAMD&C Fall Convention and that Michael Botros, Regional Director for Alberta Transportation - North Central Region, be invited to attend the Departmental Operations meeting as a delegation on Thursday, March 12, 2015 at 9:00 a.m.

Carried.

332-15: Cholak That Smoky Lake County Council schedule a meeting with the Minister of Transportation at the 2015 Spring Alberta Association of Municipal Districts and Counties Convention.

Carried.

**ADDITION TO THE AGENDA**

**Northern Alberta Mayors' and Reeves' Caucus Meetings**

333-15: Orichowski That Smoky Lake County renew the 2015 membership to the Northern Alberta Mayors' and Reeves' Caucus at a cost of \$300.00.

Carried.



334-15: Bobocel That the Reeve's Report received, be accepted.

Carried.

**Management Reports  
Public Works Manager**

**Haul Road Agreement**

335-15: Orichowski That Smoky Lake County execute a haul road agreement with Dale Croswell Construction Co. Ltd. / DDC Sand & Gravel to haul approximately 30,000 tonnes during the Month of February 2015 provided the conditions are right, from TWP 610 South on RR 181 to TWP 604 and West to Highway 831.

Carried.

336-15: Cholak That Smoky Lake County write a letter to Aspen View Regional School Division No. 78 regarding safe driving conditions on county roads.

Carried.

**Management Reports**

337-15: Lukinuk That the management reports received for the period of December 5, 2014 to January 22, 2015 from Doug Ponich, Public Works Manager; Bob Novosiwsky, Public Works Foreman; Dave Kully, Public Works Shop Foreman; Ed English, Peace Officer; Aline Brousseau, Planning and Development Manager; Trevor Tychkowsky, Safety Officer; and Paul Miranda, GIS/Communication Director, be accepted and filed for information.

Carried.

**Committee Task Forces and Boards: Reports**

**Alberta Care**

- Attended regional meeting on January 16, 2015.

**Corridor Communications Incorporated**

- AGM is scheduled for April 1, 2015 in Calgary.
- 3 director positions are up for re-election; nominations close February 23, 2015 at 4:30 p.m.

338-15: Cholak That Smoky Lake County nominate Councillor Ron Bobocel for Director to the Corridor Communications Incorporated Board for a Three-Year Term.

Carried.

**Doctor Retention & Recruitment Committee**

- No report.

**Evergreen Regional Waste Management Commission**

- Next meeting is scheduled for February 11, 2015 at 10:00 a.m.
- Alberta Community Partnership Program: \$50,000 Grant

339-15: Lukinuk That the letter received from Diana McQueen, Minister, Alberta Municipal Affairs, dated January 2, 2015 in regards to approval under the 2014/2015 Alberta Community Partnership Program for \$50,000.00, be filed for information.

Carried.





**Family Community Support Services Committee**

- No report.

**Family-School Liaison Committee**

- Organizational Meeting held on December 8, 2014:
  - Chairperson: Craig Lukinuk
  - Vice-Chairperson: Donna Cherniwchan
- Barb Rose has closed a couple of her cases but picked up a few cases as well.
- Barb Rose to attend AAFSLW Conference.

**Fire and Rescue Liaison Committee**

Smoky Lake:

- No report.

Vilna:

- Dine and Dance at Vilna Cultural Centre on January 31, 2015.

Waskatenau:

- No report.

**Government Liaison Committee**

- Senior's Minister Honourable Jeff Johnson will be hosting open house on January 30, 2015 in Waskatenau and Smoky Lake Drop In Centre.

**Highway 28/63 Regional Water Commission**

- Meeting on February 5, 2015 in Thorhild.
- St. Paul's engineers have been communicating with Gene Sobolewski and Dave Franchuk regarding the regional waterline extension.

**In-House Safety Committee**

- Rick Smith was elected Chair for Year 2015.
- First aid course was completed; currently doing course for fire departments.
- Annual meeting will be held in April 10 – 15, 2015.
- 3 incidents from October to current; most involved backing up.
- 7 plow operators completed wing training at the end of November.
- Northern Alberta Safety Committee/Southern Alberta Safety Committee meeting held in Red Deer on January 21, 2015.
- Passed internal safety audit done by Jennifer Harms with a score of 90%
- Next meeting is scheduled for January 30, 2015 at 8:00 a.m.

**Municipal Planning Commission**

- Meeting rescheduled to February 9, 2015 at 10:00 a.m.

**Northeast Alberta Information HUB**

- No report.

**North East Muni-Corr. Ltd**

- Proposal from MCSNet to put a fibre optic line along Muni-Corr Trail has been declined as further studies are needed.
- M. Johnston Construction Ltd. for the Beaver River Trestle rebuild has been confirmed and are preparing a work schedule.
- All gates have been locked open for the winter.
- Trail Dogs Canada Inc. was held on the trail on January 10, 2015; they were teaching basic techniques to teach their dogs to pull sleds and people were able to try kicksleds held in Smoky Lake.
- Area 3 was sold to the Town of St. Paul for \$125,000 and Area 13 for \$175,000; \$30,000 will be paid annually over the next 10 years.
- \$105,983 was received from the National Trails Coalition.
- Next meeting is scheduled for March 9, 2015.

*RB*

**Northern Lights Library Board**

- Per capita levy has been increased to \$5.07 per capita from \$4.8756 for municipalities with library boards and \$10.14 per capita from \$9.7512 for municipalities without library boards; results in increase of \$1055.98 from last year.
- Smoky Lake library will receive \$7401.10.
- Waskatenau and Vilna will receive \$3700.55.
- Next meetings are March 7, September 12, and November 7, 2015.
- Councillor Randy Orichowski attended Grand Opening of Anne Chorney Public Library in Waskatenau.

**Policy Committee**

- No report.

**R.C.M.P. Liaison Committee**

- No report.

Brenda Adamson, Finance Manager, left the Council Chambers at 4:00 p.m.

**Regional Community Development Committee (RCDC)**

- Approved a new regional strategic plan at meeting on January 28, 2015 and will present at next Joint Municipalities meeting.
- Update on the work plan – completed actions.
- Gave direction to new Community Economic Development Officer.

**Regional Disaster Services Agency Committee**

- No report.

**Risk-Pro Control Management Committee**

- **Minutes:** Added Named Insured:
  - **Smoky Lake Agricultural Society:**  
October 14, 2014.

**Smoky Lake Agricultural Society**

- Sharon Boychuk elected President at AGM; Jason Senetza elected Vice President.
- Researching custodial contracting companies.
- Debbie Howard Treasurer working on a financial report.
- Not doing a raffle for Year 2015.

**Smoky Lake Foundation**

- Business plan was submitted to government.
- Hired new secretary in the office; hired new maintenance person.
- Continuing with the Alberta Seniors and Community Supports Affordable Supportive Living Initiative – Project is well underway. Building Project: 66% complete.
- Union negotiations planned for February 2015.
- Site project meetings on February 12 and 26, 2015
- Foundation meeting on February 18, 2015.

**Smoky Lake Heritage Board**

- No report.

**Joint Municipalities**

- Next meeting on March 2, 2015; Terms of reference for Regional Fire Committee; Strategic Priorities Chart update for RCDC; invite community partners; RCMP, school trustees.



340-15: Orichowski That the Committee Task Force and Board Reports presented by Councillors be accepted.

Carried.

**6. Correspondence:**

341-15: Cholak That the following correspondence received from the Alberta Association of Municipal Districts and Counties, be filed for information:

- a. Contact Newsletter:
  - December 10, 2014 – Volume 2014, Issue 44.
- b. Contact Newsletter:
  - December 17, 2014, 2014 – Volume 2014, Issue 45.
- c. Contact Newsletter:
  - January 7, 2015 – Volume 2015, Issue 1.

Carried.

**Vilna School**

342-15: Smigerowsky That Smoky Lake County donate in the amount of \$500 to Vilna School to support the trip to Costa Rica, as per the letter received from Paula Jespersen, Costa Rica Project Trip Coordinator, Vilna School, dated December 2014.

Carried.

**Pumpkin Growers Association**

343-15: Lukinuk That Smoky Lake County take no action in regards to the letter received from Pat Elaschuk, Secretary, Pumpkin Growers Association, dated December 2, 2014, request for Smoky Lake County to appoint a representative to the Pumpkin Growers Association.

Carried.

**MCSNet**

344-15: Cholak That Smoky Lake County take no action in regards to correspondence received from Leo VanBrabant, CEO, MCSNet, dated December 19, 2014 in regards to the Connecting Canadians Grant Program.

Carried.

**Aspen View Public Schools Division No. 78**

345-15: Orichowski That Smoky Lake County decline the invitation to attend the Aspen View Public Schools Division No. 78 Board Meeting on February 5, 2015; as per received correspondence from Mark Francis, Superintendent of Schools, dated January 20, 2015, due to conflicting schedules.

Carried.

**Smoky Lake RCMP Detachment Regimental Ball**

346-15: Bobocel That Smoky County Council who can attend – attend the Smoky Lake Royal Canadian Mounted Police Detachment Regimental Ball on April 18, 2015 at the Smoky Lake Complex.

Carried.

**Community of St. Paul's Membership: Concerto Network**

347-15: Cholak That Smoky Lake County take no action in regards to the correspondence received from Glenn Anderson, Mayor, Town of St. Paul, dated January 2015 in regards to the Invitation to the Official Announcement of the Community of St. Paul's membership to the Concerto Network on February 6, 2015 at Portage College, St. Paul Alberta.

Carried.

**Community Learning Council**

348-15: Orichowski That County Council approve the action by the Chief Administrative Officer on behalf of Smoky Lake County, as the legal host, executing the Grant Agreement in the amount of \$27,000.00 with Alberta Enterprise and Advanced Education for the 2014/2015 Community Adult Learning Program Grant for the Smoky Lake County Community Learning Council; as per letter received from Eileen Passmore, Director, Education and Training Program Coordination, Alberta Innovation and Advanced Education, dated December 18, 2014.

Carried.

**Hillside Acres**

349-15: Cholak That Smoky Lake County take no action on the letter received from Roy Shupenia, dated January 19, 2015 in regards to Property Tax deferral on the recent registration of lots at Hillside Acres and advise Mr. Shupenia to resubmit his request after 2015 Tax Notices are released.

Carried.

**Alberta Order of Excellence Nominations**

350-15: Lukinuk That Smoky Lake County advertise the 2015 Alberta Order of Excellence nominations in the Grapevine for self-nominations; and post on County website and social media.

Carried.

**Alberta Catholic School Trustees' Association Spring Retreat**

351-15: Bobocel That Smoky Lake County takes no action on the correspondence received from Mary Anne Penner, Chairperson, Board of Trustees, Lakeland Catholic Schools, dated January 15, 2015, in regards to the Alberta Catholic School Trustees' Association Spring Retreat on March 6-8, 2015 at Assumption High School, Cold Lake Alberta.

Carried.

**Thank You: Summary Listing**

352-15: Lukinuk That Smoky Lake County file for information the January 2015 Summary Listing of Thank You received from organizations extending appreciation of support:

- H.A.K. School – Grade 2 and 3 Class – Donation of reusable bags
- Rural Crime Watch – Donation of pins

Carried.

**Information Releases**

353-15: Smigerowsky That the Information Releases for the Months of December 2014 and January 2015, be accepted and filed for Information.

Carried.



**10. Bills & Accounts:**

354-15: Cholak

That all the Bills and Accounts approved for payment, including the bills and accounts recommended for payment by the Natural Gas Council, including transfers to the Payroll Account be filed for information:

Batch #	Cheque Numbers	Total of Batch
30121	37099 to 37116	\$84,645.83
30123	37117 to 37129	\$182,144.35
30137	37130 to 37172	\$187,034.42
30156	37173 to 37185	\$21,591.24
30194	37186 to 37224	\$390,494.60
30197	37225 to 37260	\$203,829.03
30217	37261 to 37295	\$178,387.63
30249	37296 to 37338	\$100,804.54
30253	37339 to 37350	\$185,475.85
30278	37351	\$44,411.06
30285	37352 to 37371	\$47,041.32
30290	37372 to 37386	\$111,093.79
30302	37387 to 37415	\$38,893.24
30331	37416 to 37450	\$363,289.36
Total Cheques		<b>\$2,139,136.26</b>
Direct Debit Register		
30329	Smoky Lake County	\$302,943.83
30186	Smoky Lake County	\$293,886.56
<b>Total Direct Debits</b>		<b>\$596,830.39</b>
<b>Grand Total Bills and Accounts</b>		<b>\$2,735,966.65</b>

Carried.

**County Council Meeting(s)**

355-15: Cholak

That the next County Council Meeting(s) be scheduled for Thursday, **February 19, 2015**; Thursday, **March 26, 2015**; Thursday, **April 16, 2015**; Thursday, **May 28, 2015**; and Thursday, **June 25, 2015** at 9:00 a.m.; to be held at the County Council Chambers.

Carried.

**ADJOURNMENT:**

356-15: Lukinuk

That this meeting be adjourned, time 4:45 p.m.

Carried.

  
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REEVE

SEAL  
  
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CHIEF ADMINISTRATIVE OFFICER