

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Tuesday, January 17, 2017** in the County Council Chambers.

The meeting was called to Order at 12:51 p.m. by the Chairman Dareld Cholak in the presence of the following persons:

ATTENDANCE

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

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2.0 ADOPTION OF AGENDA

MPC17.035: Orichowski That the Agenda for the Municipal Planning Commission for January 17, 2017 be approved as presented.

CARRIED UNANIMOUSLY

3.0 MINUTES

MPC17.036: Smigerowsky That the minutes of October 20, 2016 – Municipal Planning Commission, be adopted as presented.

CARRIED

4.0 REQUEST FOR DECISION

4.1 Development Permit(s) to be Considered:

4.1.1 DP 052-16: Delamater, Dwight

MPC17.037: Smigerowsky That the Municipal Planning Commission approve Development Permit No. 052-16: Plan 1424131, Block 1, Lot 1 (Pt. of SE 33-59-12-W4M), for the development of **two Secondary Suites**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Site Plan dated November 29, 2016, attached to, and forming part of, this Development Permit.
2. A Secondary Suite shall remain accessory to and subordinate to the main use on the site, shall be a minimum of 322.9 square feet and shall not exceed 860 square feet. The maximum total square footage of the two Secondary Suites shall not exceed 1,720 square feet. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the Secondary Suites.
3. Each Secondary Suite shall include, at minimum, a food preparation area, counter/cupboard space, a sink, a refrigerator, a stove or provision of 220 volt wiring and a toilet with bathing facilities.
4. The Secondary Suites shall have an entrance separate from the entrance to the main building, either from a common indoor landing or directly from the exterior if the structure.
5. The Secondary Suites may include conversion of a portion of existing space in the main building or the addition of new floor space to the main building or a combination of both.
6. The Secondary Suites shall not exceed the maximum height of the main building on the site.

7. The proposed Development shall commence within **twelve (12) months** from the date of issuance of this Development Permit, and be carried out with reasonable diligence within **five (5) years**.
8. The Developer shall obtain any and all necessary approvals, licenses, permits and authorizations from any and all agencies, departments and authorities that may be required, including the relevant Safety Codes Act Permits (i.e. building, gas, plumbing, electrical and sewage).
9. The Developer shall be solely responsible for any costs associated with infrastructure and servicing, including, but not limited to, connection to County gas services and municipal water and sewer systems where applicable.
10. All applicants, private and general contractors shall, at the conclusion of construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction, all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil and debris from being spilled onto public road allowances, streets, lanes and sidewalks.
11. Lot grade elevations must ensure that site grades are established so as not to allow one site to drain onto an adjacent site.
12. The Developer shall be held financially responsible during construction, renovation and demolition, for any and all damage caused by the Developer, his servants, his suppliers, his agents or his contractors, to any private or public property.

CARRIED UNANIMOUSLY.

4.1.2 DP 001-17: Dale Croswell Construction Co. Ltd.

MPC17.038: Orichowski

That the Municipal Planning Commission approve Development Permit No. 001-17: Pt. of SE 2-61-18-W4M, for the development of **Natural Resource Extraction/Processing Facility (Sand and Gravel)**, subject to the following conditions:

13. The proposed Development shall be constructed and sited as per the Development Permit Application – Supplemental Information, dated January, 2017, attached to, and forming part of, this Development Permit.
14. This Development Permit will expire **fifteen (15) years** from the date of its issuance.
15. The Developer must comply with all the requirements established by Alberta Environment and Parks, including any registrations, permits, licenses and approvals.
16. The Developer must provide Smoky Lake County with a revised *Environmental Protection and Enhancement Act* Registration (Registration Application No. 004-15778) for the extended pit operations before this Development Permit will take effect.
17. The Developer must provide Smoky Lake County with a copy of a *Water Act* License or Approval before any washing activities take place on Said Lands.
18. The Developer must comply with any and all provisions of the *Historical Resources Act*. An approval under the *Historical Resources Act* in the form of a “clearance” must be obtained from Alberta Culture and Tourism and submitted to Smoky Lake County prior to any excavation or crushing activities on Said Lands.
19. Brush clearing on Said Lands shall take place only during the approved period of July 31 to April 15, as required by the *Alberta Wildlife Act* and the federal *Migratory Birds Convention Act*.

20. Any burning of vegetation on Said Lands will require the Developer to obtain a Burn Permit from Smoky Lake County prior to the commencement of the burn.
21. The Developer shall be required to comply with the Community Aggregate Payment as stated in accordance with Smoky Lake County Bylaw #1142-06 and amendments thereto.
22. The Developer shall be required to enter into a Development Agreement with Smoky Lake County prior to the commencement of extraction or crushing activities on Said Lands.
23. The Developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to the commencement of extraction or crushing activities on Said Lands.
24. Reclamation and rehabilitation shall be in accordance with the *Alberta Environmental Protection and Enhancement Act* (EPEA), the Code of Practice for Pits and the Conservation and Reclamation Plan as approved by Alberta Environment and Parks.
25. The Developer shall stake the mining area at all times.
26. All equipment and activity relating to the mining and crushing operation shall take place and be located in the areas approved for gravel extraction.
27. Any structures or equipment related to the excavation or crushing activities shall be removed from Said Lands upon expiration or cancellation of this Development Permit.
28. Hours of Operation:
 - a. **Crushing Operations:**
24 hours per day, 365 days per year.
 - b. **On-Site Development Operations (including tree harvesting, pit development, reclamation):**
24 hours per day, 365 days per year.
 - c. **Hauling:**
7:00 a.m. – 9:00 p.m., Monday to Saturday inclusive. Hauling will not be permitted on Sundays and Statutory Holidays.
17. The Developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners. The Developer shall conduct dust and noise control measures at the request of, and to the satisfaction of, Smoky Lake County. In this regard, stockpiles shall be located in a position to act as a sound barrier. Also, the Developer shall apply methods of minimizing the noise and dust created from machinery and equipment.
18. The Developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
19. The Developer shall install and maintain appropriate traffic and safety signage on and about Said Lands and adjacent road accesses.
20. Accesses and haul routes into extraction areas shall be located away from residential areas.
21. The sand and gravel operation is required to comply with all municipal bylaws and setback requirements.
22. The Developer shall ensure that any development involving pipeline and/or powerline rights-of-way shall be sited to comply with all relevant federal and provincial legislation and regulations. Setbacks from pipelines shall be in accordance with appropriate provincial legislation and regulations established by the Energy Resources Conservation Board (ERCB). Setbacks from utility corridors shall be in accordance with provincial legislation and regulations established by the Alberta Utilities Commission (AUC).
23. No development, disturbance or alteration of a surface waterbody is permitted without first obtaining the necessary approvals under the *Water Act* and from the Department of Fisheries and Oceans, where applicable. Evidence of *Water Act* approval or license must be provided

- to the Development Authority for Smoky Lake County in cases where a surface waterbody is altered or disturbed.
24. Should the Developer encounter conditions that require dewatering from below the surface water tables, the Developer must advise Smoky Lake County of same, and as well, comply with any federal and provincial regulations concerning same.
 25. All reasonable measures shall be taken by the Developer to control erosion in the areas approved for sand and gravel extraction.
 26. If a portion of the Pit shall become inactive for a period lasting of more than **two (2) years**, the pit faces shall be sloped to a ratio of **2:1** to ensure public safety and prevent erosion.
 27. The Developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities as may be required.
 28. Truck drivers shall be prohibited from using engine-retarder brakes within ½ mile of a residence on municipally-owned roads.
 29. Any expansion of the Pit boundaries or gravel extraction and crushing activities will require a separate Development Permit to be issued.
 30. Contravention of any condition of this Development Permit may result in Smoky Lake County rescinding this Development Permit or jeopardize renewal of same.

CARRIED

5.0 ISSUES FOR INFORMATION

5.1 Nil.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

8.0 ADJOURNMENT

MPC17.039: Cholak

To adjourn the Municipal Planning Commission Meeting of January 17, 2017 at 1:02 p.m.

CARRIED

Dareld Cholak, Chairperson

S E A L

Cory Ollikka, Development Officer