

SMOKY LAKE COUNTY

Minutes of the **County Council Committee of the Whole Meeting for the purpose of Planning on Wednesday, May 22, 2019 at 10:40 A.M.** in County Council Chambers.

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

| | | ATTENDANCE |
|-----------------------|----------------------|--------------------------------|
| | | <u>Wednesday, May 22, 2019</u> |
| <u>Div. No.</u> | <u>Councillor(s)</u> | |
| 1 | Dan Gawalko | Present |
| 2 | Johnny Cherniwchan | Present |
| 3 | Craig Lukinuk | Present |
| 4 | Lorne Halisky | Present |
| 5 | Randy Orichowski | Present |
| CAO | Cory Ollikka | Present @11:13 a.m. |
| Asst. CAO | Lydia Cielin | Present @ 11:40 a.m. |
| Legislative Svcs/R.S. | Patti Priest | Present |
| Plan & Dev Manager | Jordan Ruegg | Present |
| Plan & Dev Assistant | Kyle Schole | Present |
| ***** | | |

No Members of the Media or Public were present.

2. Agenda:

692-19: Halisky

That the Smoky Lake County Council Committee of the Whole Meeting for the purpose of Planning Agenda for Wednesday, May 22, 2019, be adopted, as presented.

Carried Unanimously.

3. Minutes:

No Minutes.

4. Request for Decision:

No Request for Decision.

5. Issue for Information:

Environmental Reserve Bylaw - Public Feedback Survey Results

Discussion was held in regard to the responses generated from the following Public Engagement letter, pamphlet and survey which was mailed to Smoky Lake County lake resort landowners on April 10, 2019:



Box 310
4612 McDougall Drive
Smoky Lake, AB T0A 3C0
ph (780) 656-3730 fx (780) 656-3768

SMOKY LAKE COUNTY LAKE RESORT LANDOWNER

Via Regular Mail

April 10, 2019

Re: Call for Public Input – Adoption of Environmental Reserve Bylaw

Smoky Lake County is considering drafting an Environmental Reserve (ER) Bylaw, and we are seeking your feedback about what this might look like.

Enclosed is an informational brochure, as well as a short survey that we kindly request you would complete and return to us **prior to May 15, 2019**.

You are encouraged to reply either by:

- Regular mail;
- Drop-off in-person; or
- Online at <http://www.smokylakecounty.ab.ca>.


Your anonymous feedback will be taken into consideration as we move towards drafting an ER bylaw, and once this draft bylaw has been proposed, you will have another opportunity at the Public Hearing to express any comments for, or opposed, to the proposal.

If you have any further questions or concerns, please contact (780) 656-3730 or pd@smokylakecounty.ab.ca.

Sincerely,

Smoky Lake County Planning & Development Services

Encl. ER Informational Brochure
Public Feedback Survey



Bed & Shore

- ER is not the same as 'bed and shore'
- The *Alberta Public Lands Act* states that the Province owns the **beds and shores** of all permanent and naturally occurring bodies of water including wetlands, as well as what activities are permitted in bed and shore areas.

You don't own the water on your land!

- The *Alberta Water Act* prohibits anyone from draining, altering or infilling wetlands on **private or public land** unless authorized to do so by the Province through an approval under the provisions of the Act.

You don't own the land under the water!

ATVs and Shorelines

- Alberta Public Lands Administration Regulations Section 43 outlines that no wheeled or tracked conveyance shall enter the bed or shore of a waterbody.

Solutions

County Council is considering:

- Public education;
- Installing new signage;
- Adopting a new bylaw which would regulate the activities of residents and visitors on ER;
 - Enforcement action

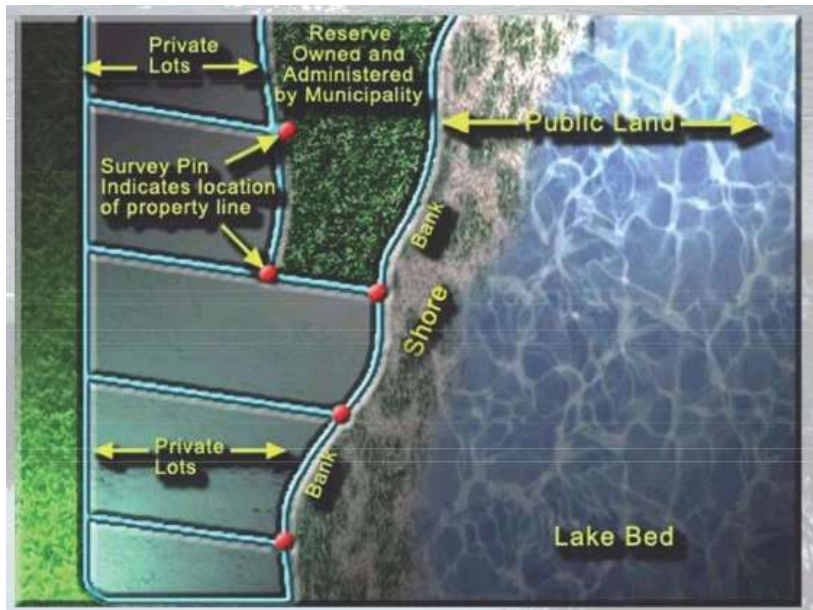
Environmental Reserves (ER)

The *Alberta Municipal Government Act (MGA)* states:

- a municipality has the direction, control and management of the rivers, streams, watercourses, lakes and other natural bodies of water within it;
- at the time of subdivision, a municipal government can take Environmental Reserve (ER) as a buffer around any body of water;
- This may both allow public use/ access, and help to prevent pollution;
- ER must be used as a public park or remain in its natural condition;

Problems

- Individuals sometimes assume that ER is part of their land, and may:
 - Clear vegetation,
 - Operate various motorized vehicles
 - Build fences, stairs, or illegally develop/encroach onto ER
- Abuse of these lands may require updating bylaws for use and management of ER



Public Feedback Survey

Please return prior to **May 15, 2019**, to: Planning & Development Services
Smoky Lake County
4612, McDougall Drive, PO Box 310
Smoky Lake AB, T0A 3C0

1. What are some activities that you **currently** enjoy on Reserve Lands? (Check any that apply)

| | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Quad / ATV / OHV / etc. |
| <input type="checkbox"/> | Picnic |
| <input type="checkbox"/> | Day Use |
| <input type="checkbox"/> | Camping |
| <input type="checkbox"/> | a) RVs & Holiday Trailers |
| <input type="checkbox"/> | b) Tents |
| <input type="checkbox"/> | Playgrounds |
| <input type="checkbox"/> | Sports Fields |
| <input type="checkbox"/> | Parks/Greenspaces |
| <input type="checkbox"/> | Trails |
| <input type="checkbox"/> | Access to docks and/or boat lifts |
| <input type="checkbox"/> | Lake/beach Access |
| <input type="checkbox"/> | Fireworks |
| <input type="checkbox"/> | Other (Please specify): |
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | _____ |

2. Do you park or operate any motorized vehicles / ATVs / trailers / RVs in order to:

- a. Access a lake through ER? Yes ___ No ___
- b. Transit along a lake shore through ER? Yes ___ No ___

3. Which of the following should **not** be prohibited under a new ER Bylaw? (Check any that apply)

| | |
|--------------------------|---|
| <input type="checkbox"/> | Construct or remove structures such as stairs/decks on any municipal land or reserve without entering into an Encroachment Agreement and/or a development permit. |
| <input type="checkbox"/> | In any way injure, deface, or clear any turf, tree, shrub, hedge, plant, flower, vegetation, or structure. |

| | |
|--|---|
| | Dig in the earth or remove any natural feature or man-made structure. |
| | Conduct any activity, which causes a disturbance to anyone's peaceful enjoyment of public or private property. |
| | Discard any litter on land or water. |
| | Discard any contaminants or utilize herbicides and fertilizers on land or water. |
| | Obstruct any peace officer in the performance of their investigation and lawful authority to enforce this Bylaw. |
| | Place or erect any structures, sign, bulletin board, post, pole, or advertising device of any kind, attach any notice, bill, poster, sign, wire, or cord to any tree, shrub, fence, railing, post or structure. |
| | Sell or offer for sale any article of food, drink, or merchandise, or carry on any business. |
| | Discharge or ignite any fireworks or missiles. |
| | Camp or take up occupancy. |
| | Light any outdoor fire. |
| | Permit any livestock to graze. |
| | Discharge any firearms. |
| | Hunt or trap any animal. |

4. What would you consider to be a reasonable **minimum** offence ticket amount? (Check one)

| | |
|--|--------------------------------------|
| | Minimum Fine of \$200 |
| | Minimum Fine of \$500 |
| | Minimum Fine of \$1,000 |
| | Other Amount (Please specify): _____ |

5. What would you consider to be a reasonable **maximum** offence ticket amount? (Check one)

| | |
|--|--------------------------------------|
| | Maximum Fine of \$10,000 |
| | Maximum Fine of \$5,000 |
| | Maximum Fine of \$500 |
| | Other Amount (Please specify): _____ |

6. Any Additional Comments (add any pages if necessary):

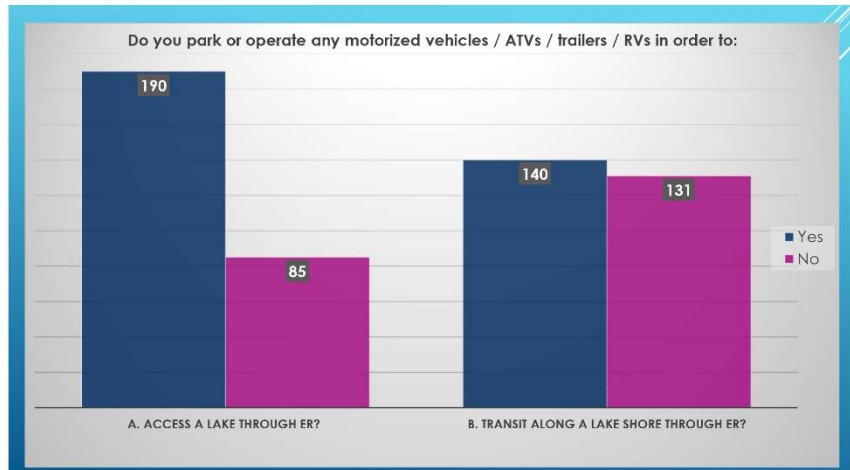
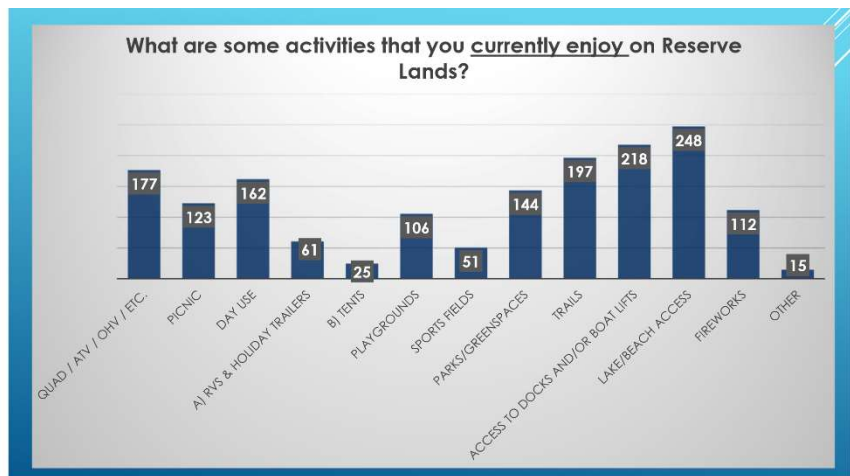
Thank you for participating!

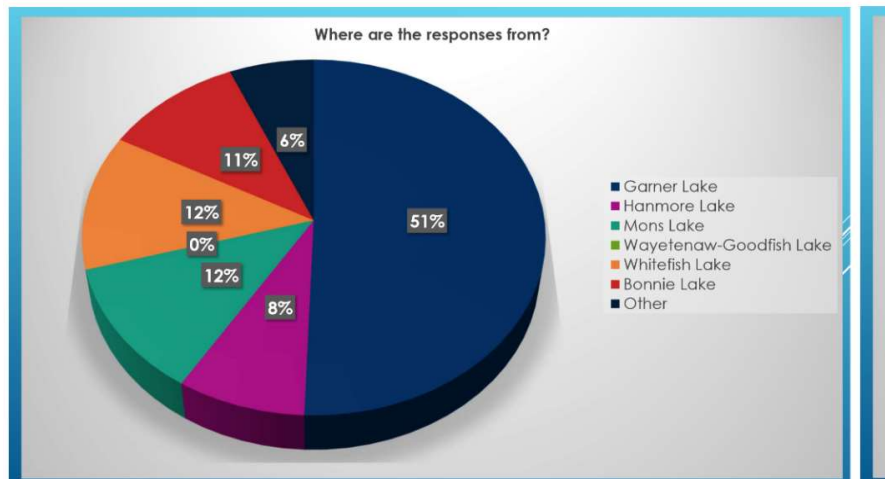
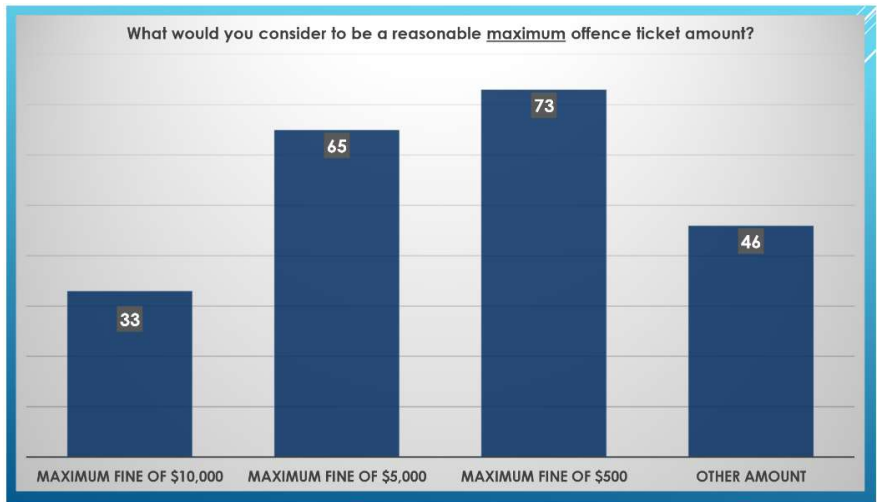
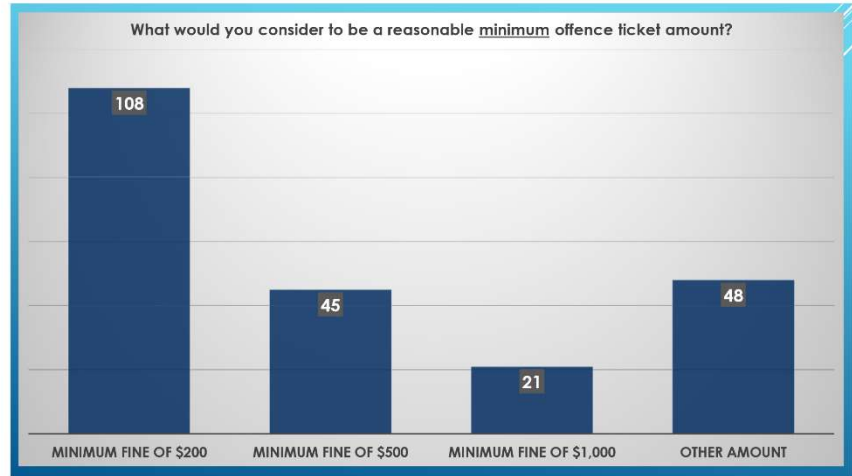
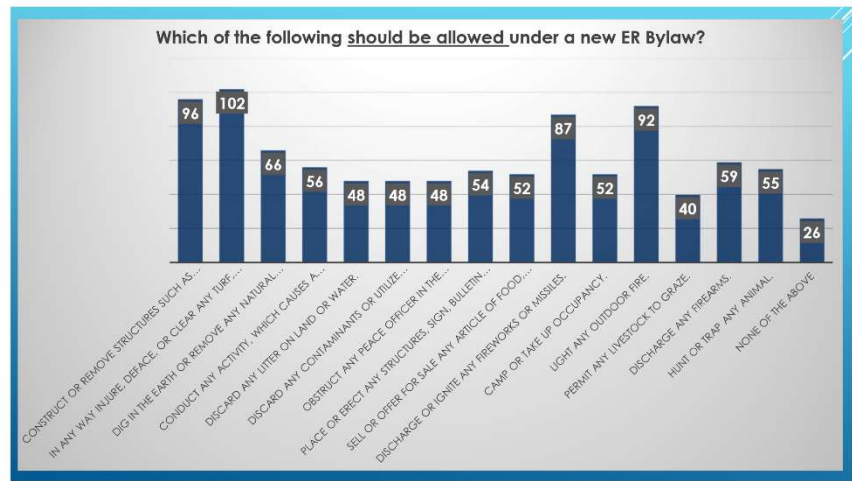
Jordan Ruegg, Planning and Development Manager and Kyle Schole, Planning and Development Assistant, presented the following:

ENVIRONMENTAL RESERVE BYLAW

SURVEY RESPONSES

COMMITTEE OF THE WHOLE
 MAY 22, 2019





693-19: Lukinuk

That Smoky Lake County Council recommend Administration research relevant surrounding municipalities' encroachment agreements and Environmental Reserve land use protocols, that may include, but are not limited to:

- ✓ all Environmental Reserve Land being treated equally,
- ✓ a maximum fine for noncompliance of \$500.00, and/or
- ✓ the ability to issue special event permits for unique situations, before proceeding to draft an Environmental Reserve Bylaw.

Carried.

6. **Correspondence:**

No Correspondence.

7. **Delegation:**

No Delegation.

8. **Executive Session:**

No Executive Session.

ADJOURNMENT

694-19: Orichowski

That the meeting be adjourned, time 12:21 p.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER