

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Friday, December 20, 2019** in the County Council Chambers.

The meeting was called to Order at 12:35 p.m. by the Chairperson, Lorne Halisky in the presence of the following persons:

ATTENDANCE

Councillor Dan Gawalko	Division 1
Johnny Cherniwchan	Division 2
Craig Lukinuk	Division 3 (Reeve)
Councillor Lorne Halisky	Division 4
Councillor Randy Orichowski	Division 5 (Deputy Reeve)
Jordan Ruegg	Planning and Development Manager
Kyle Schole	Planning and Development Assistant
Patti Priest	Recording Secretary

ABSENT

Lydia Cielin	Assistant CAO
Cory Ollikka	Development Officer

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No Members of the Public were present.

2.0 ADOPTION OF AGENDA

MPC19.049: Orichowski That the Agenda for the Municipal Planning Commission meeting for Friday, December 20, 2019, be adopted as presented.

CARRIED UNANIMOUSLY.

3.0 MINUTES

MPC19.050: Lukinuk That the Minutes of November 29, 2019 – Municipal Planning Commission meeting, be adopted as presented.

CARRIED.

4.0 REQUEST FOR DECISION

4.1 Development Permits to be Considered:

MPC19.051: Orichowski DP 061-19 EXPANDED NATURAL RESOURCE EXTRACTION/PROCESSING FACILITY (SAND AND GRAVEL) – INCREASE PIT BOUNDARY BY 12.9 ACRES.

That the Municipal Planning Commission APPROVE Development Permit No. 061-19: **SE-36-60-18-W4M** for the development of **Natural Resource Extraction/Processing Facility (Sand and Gravel), (Increase if 12.9 Acres)**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Development Plan dated November 2019, and prepared by Dale Croswell Construction Co. Ltd., attached to, and forming part of, this Development Permit.
2. This Development Permit will expire **twenty (20) years** from the date of issuance.
3. The Developer shall comply with all requirements of Alberta Environment and Parks, including any registrations, permits and approvals.

4. Tree and bush removal 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*.
5. Any burning of vegetation on Said Lands will require a Burn Permit issued by Smoky Lake County's Fire Chief or his designate.
6. The Developer shall be required to comply with Smoky Lake County Bylaw No. 1306-17: Licensing of Aggregate Extraction Businesses Operating Within Smoky Lake County prior to this Development Permit taking affect.
7. The Developer shall be required to enter into a Development Agreement with Smoky Lake County prior to this Development Permit taking affect.
8. The Developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to this Development Permit taking affect.
9. **Reclamation and rehabilitation of Said Lands shall be in accordance with the *Alberta Environmental Protection and Enhancement Act (EPEA)* and the Code of Practice for Pits. The Developer must provide a copy of *Environmental Protection and Enhancement Act* Registration to the Development Authority for Smoky Lake County before this Development Permit will take effect.**
10. All equipment and activity relating to the mining and crushing operation shall be located within and take place in areas approved for gravel extraction.
11. Hours of Operation:
 - a. **Crushing Operations**: 24 hours per day, 365 days per year.
 - b. **On-Site Development Operations (including tree removal, 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.
12. The Developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
13. The Developer shall install and maintain appropriate traffic and safety signage on and about Said Lands and adjacent road accesses.
14. Accesses and haul routes into extraction areas shall be located away from residential areas.
15. 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 regulations and legislation. Setbacks from pipelines shall

be in accordance with appropriate provincial legislation and regulations established by the Alberta Energy Regulator (AER). Setbacks from utility corridors shall be in accordance with provincial legislation and regulations established by the Alberta Utilities Commission (AUC).

16. 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. Evidence of a *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.
17. No washing activities shall take place under this Development Permit. Should the Developer wish to undertake any washing activities on Said Lands, the Developer must provide a copy of a *Water Act* License or Approval to the Development Authority for Smoky Lake County before washing activities may commence.
18. All reasonable measures shall be taken by the Developer to control erosion in the areas approved for sand and gravel extraction.
19. If a portion of the pit should become inactive for a period lasting more than **three (3) consecutive months**, the pit faces shall be sloped to a ratio of **2:1** to ensure public safety and prevent erosion.
20. The Developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities as may be required.
21. Truck drivers shall not be permitted to use engine-retarder brakes within ½ mile of a residence on municipally owned roads.
22. The storage of bulk fuels will not be permitted on Said Lands.
23. Weed control measures shall be implemented at the request of, and to the satisfaction of, Smoky Lake County.
24. The Developer shall provide a security deposit in accordance with Land Use Bylaw 1272-14 Section 2.7.1.C as a Class II pit, in the amount of \$2,000.00 / working acre.

Notes:

1. The applicant is responsible to accurately locate any oil, gas, power, and telephone lines on the subject property prior to undertaking any excavation work by contacting Alberta One Call at 1-800-242-3447.
2. Contraventions of the Land Use Bylaw or this Development Permit are enforceable under Section 5 of the Land Use Bylaw 1272-14 and amendments thereto.

3. The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact Smoky Lake County.
4. The development being advertised in newsprint, and direct notification being sent to adjacent landowners by regular direct mail, the applicant or another affected person may appeal this decision, or any conditions, by filing a written appeal to the: Smoky Lake County Subdivision and Development Appeal Board, Attention: SDAB Clerk Smoky Lake County 4612 MacDougall Drive Smoky Lake, AB T0A 3C0 Appeals must be received by the SDAB Clerk on or before 4:00 pm, 21 days from the Decision Date, and must be accompanied by an appeal fee of \$250.00. If no appeal from the applicant is received by the above noted date, the development permit is in effect. Should work/construction begin prior to the appeal deadline, you waive your right to an appeal. Contact Planning and Development Services at 780-656-3730 regarding any questions.

CARRIED UNANIMOUSLY.

5.0 ISSUES FOR INFORMATION

5.1 Nil.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

8.0 ADJOURNMENT

MPC19.052: Halisky

That the Municipal Planning Commission Meeting of December 20, 2019 adjourn at 12:52 p.m.

CARRIED.

Lorne Halisky, Chairperson

S E A L

Cory Ollikka, Development Officer