

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting from **Wednesday, February 2, 2022**, held in County Council Chambers and Virtually online through Zoom Meeting.

The meeting was called to Order at 1:03 p.m. by the Chairperson: Councillor Dominique Cere, in the presence of the following persons:

PRESENT

Dan Gawalko, Deputy Reeve	Councillor Div. 1	Present in Chambers
Linda Fenerty	Councillor Div. 2	Present in Chambers
Dominique Cere	Councillor Div. 3	Present in Chambers
Lorne Halisky, Reeve	Councillor Div. 4	Present in Chambers
Jered Serben	Councillor Div. 5	Present in Chambers
Gene Sobolewski	CAO	Present in Chambers
Lydia Cielin	Assist. CAO	Virtually Present
Jordan Ruegg	P&D Manager	Present in Chambers
Kyle Schole	P&D Assistant	Absent
Patti Priest	Recording Secretary	Virtually Present

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No Members of the Public were virtually present.
No Members of the Media were present.

2.0 ADOPTION OF AGENDA

MPC22.007: Halisky

That the Agenda for the Municipal Planning Commission meeting for Wednesday, February 2, 2022, be adopted as presented.

CARRIED UNANIMOUSLY.

3.0 MINUTES

MPC22.008: Fenerty

That the Minutes of Municipal Planning Commission meeting held on Tuesday, December 14, 2021, be adopted as presented.

CARRIED.

4.0 REQUEST FOR DECISION

4.1 Development Permits to be Considered:

4.1.1 DP 046-21: Natural Resource Processing/Extraction Facility (Sand & Gravel)

MPC22.009: Halisky

That the Municipal Planning Commission APPROVE Development Permit No. 046-21: **SW-34-60-16-W4M** for the development of **Natural Resource Extraction/Processing Facility (Sand and Gravel), (12.0 Acres)**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the site drawings, attached to, and forming part of, this Development Permit, and not to exceed a maximum of 12.0 acres in size, inclusive of the road access to the pit area.
2. The Developer shall enter into a Development Agreement with Smoky Lake County prior to issuance of this Development Permit.
3. 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 issuance of this Development Permit.
4. The Developer shall pay to Smoky Lake County, in accordance with Bylaw No. 1387-20: *Planning and Development Fees* Bylaw, Development Permit fees of \$750.00/acre (\$750.00 x 12.0 acres =

- \$9,000.00), prior to the issuance of this Development Permit, as well as pay a Reclamation Security of \$2,000/acre (\$2,000 x 12.0 acres = \$24,000.00) payable to Smoky Lake County, which may be partially released up to ¼ (\$6,000.00), upon reclamation completed to the satisfaction of the Development Authority.
5. The Developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to the issuance of this Development Permit.
 6. The Developer shall obtain a Historical Resources Act Approval from the Province prior to the issuance of this Development Permit.
 7. This Development Permit will expire **five (5) years** from the date of issuance.
 8. The Developer must comply with all requirements of Alberta Environment and Parks, including any registrations, permits and approvals.
 9. 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*.
 10. Any burning of vegetation on Said Lands will require a Burn Permit issued by Smoky Lake County's Fire Chief or his designate.
 11. 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.
 12. All equipment and activity relating to the mining and crushing operation shall be located within and take place in areas approved for gravel extraction.
 13. 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.
 14. The Developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming a nuisance to adjacent landowners. In this regard, stockpiles shall be positioned to act as a sound and dust barrier and the Developer shall utilize any method of minimizing the noise created from machinery wherever possible.
 15. The Developer shall provide at minimum, 10-days' notice to all surrounding residents within 1-mile (or 1.6 kilometers) of the subject lands, of commencing crushing activities and provide a copy of the said notice to the Smoky Lake County Development Authority.
 16. The Developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
 17. The Developer shall install and maintain appropriate traffic and safety signage on and about Said Lands and adjacent road accesses.
 18. Accesses and haul routes into extraction areas shall be located away from residential areas.
 19. 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.
 20. All reasonable measures shall be taken by the Developer to control erosion in the areas approved for sand and gravel extraction.

21. 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.
22. Truck drivers shall not be permitted to use engine-retarder brakes within ½ mile of a residence on municipally-owned roads.

CARRIED UNANIMOUSLY.

4.1.1 DP 001-22: Home Occupation, Minor (Small Engine Repair)

MPC22.010: Fenerty

That the Municipal Planning Commission APPROVE Development Permit No. 001-22: **PT. NE-35-58-18-W4M** for the development of **Secondary Commercial (small engine repair)**, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Site Plan, dated January 19, 2022, attached to, and forming part of, this Development Permit.
 - a. Minimum Front Yard Setback: 23.1 meters.
 - b. Minimum Rear Yard Setback : 18.3 meters.
 - c. Minimum Side Yard Setbacks: 18.3 meters.
2. The proposed Development shall not exceed 11.0 meters in height.
3. The Developer shall, during the course of construction, keep the land in a reasonable condition so as to prevent debris from blowing onto any adjacent private or public property. At the conclusion of construction, all building materials, supplies and debris shall be removed from the site.
4. Lot grade elevations must ensure that the site does not drain onto adjacent property.
5. Construction of the proposed development shall commence within twelve (12) months of the date of issuance of this Development Permit, and be completed within five (5) years. The Secondary Commercial use may carry on beyond this timeline provided that construction has been completed.
6. The Developer shall be required to obtain the applicable Safety Codes Act Permits (e.g. Building, Plumbing, Electrical & Gas Permits) upon issuance of this Development Permit.
7. The Developer shall ensure that no offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance is detectable beyond the boundary of the lot on which the Secondary Commercial use is located.
8. There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 1.0 square meters in size unless otherwise granted in a separate Development Permit.
9. No more than one (1) commercial vehicle, up to the size of a tandem truck, to be used in conjunction with the Secondary Commercial use, shall be parked or maintained on site. The parking space of the commercial vehicle shall be either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority.
10. The storage of materials or equipment related to the Secondary Commercial use shall be allowed in either the dwelling or accessory buildings.
11. The Developer shall provide space for a minimum of four (4) parking spaces on site.
12. The Developer shall provide for the appropriate disposal of all materials, refuse, garbage and waste related to the Secondary Commercial use to the satisfaction of the Development Authority.

CARRIED UNANIMOUSLY.

5.0 ISSUES FOR INFORMATION

5.1 Nil.

6.0 CORRESPONDENCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

NEXT MEETING

The next Municipal Planning Commission Meeting will be at the call of Chairperson and Public Notice of the next meeting be provided at least 24 hours in advance in accordance with the *Municipal Government Act, RSA 200, cM-26.1 s195*, by posting the information on the Smoky Lake County website.

8.0 ADJOURNMENT

MPC22.011: Halisky

That the Municipal Planning Commission Meeting of February 2, 2022, adjourn at 3:00 p.m.

CARRIED.

Dominique Cere, Chairperson

S E A L

Gene Sobolewski, CAO