

## **Public Hearing - Bylaw 1425-22:**

**A G E N D A:** Public Hearing to be held on  
Thursday, March 16, 2023 at 1:15 P.M.  
Virtual through Zoom Platform

<https://us02web.zoom.us/j/86085444606?pwd=aXJNaVpJc0hUdG81MG1DNmxWbVZmZz09>

Meeting ID: 860 8544 4606 Passcode: 835692

And with Council physically present in the County Council Chambers, Smoky Lake.

### **1. Opening:**

- Public Hearing is called to order.
- Public wishing to be heard sign in on the sign-in sheet.
- Confirmation is provided that the Public Hearing was advertised and notice was provided in accordance with the applicable legislation.
- Purpose of the hearing is summarized:
  - To obtain public input in regard to Bylaw No. 1425-22: a bylaw for Village of Vilna and Smoky Lake County Intermunicipal Development Plan (IDP).**
- Ground rules of the hearing and order of speaking are reviewed.

### **2. Staff Presentation:**

- Smoky Lake County Planning Staff make their presentation(s).
  - Bylaw 1425-22: was given first reading on December 14, 2022.**
- Council asks questions and/or request points of clarity.

### **3. Public Presentations via Written Submissions:**

- Written submissions are read.
- Council asks questions and/or request points of clarity.

### **4. Public Presentations at the Public Hearing:**

- Persons signed in whom are **in opposition** to the proposed bylaw are called upon to speak.
- Council asks questions and/or request points of clarity.
- Persons signed in whom are **in support** of the proposed bylaw are called upon to speak.
- Council asks questions and/or request points of clarity.
- Anyone else who has not spoken and wishes to speak is called upon to speak.
- Council asks questions and/or request points of clarity

### **5. Questions and Answers:**

- Any Council member having any additional questions of any speaker or of the staff or those who have spoken may speak.

### **6. Closing Remarks:**

- Declare the Public Hearing closed.

**SCHEDULE 'C': PUBLIC HEARING SCRIPT**  
**REEVE'S SCRIPT FOR PUBLIC HEARING**  
 (BYLAW 1425-22: Smoky Lake County and Village of Vilna Intermunicipal Development Plan)

Action	✓	Statements
<b>1.0 Opening</b>		
Reeve:		<p>I, LORNE HALISKY, the Reeve for the Smoky Lake County will proceed with discussion on proposed bylaw <b>1425-22: Smoky Lake County and Village of Vilna Intermunicipal Development Plan</b>.</p> <p>The Public Hearing open at _____ (any time after 1:15p.m. <u>not</u> before)</p> <p>Planning advice will be provided by Jordan Ruegg, Planning and Development Manager.</p> <p>All persons wishing to be heard at this public hearing in-person or online should indicate so by signing in on the sign in sheet.</p> <p>Persons who do not sign in shall speak only after all those who signed in have given their presentations. We ask that anyone who wishes to speak but has not yet signed in, please sign in now.</p> <p style="text-align: center;"><b><i>(Pause to allow sign in if they have not already done so).</i></b></p>
Reeve:		I would, at this time, ask the CAO to confirm whether this Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation.
CAO:		Yes, it has Mr. Chairman.
Reeve:		I would ask the CAO to summarize the purpose of the Hearing.
CAO:		The purpose of this hearing is for the Council of Smoky Lake County to obtain <b>public input</b> , in favour and opposed to proposed Bylaw <b>1425-22: Smoky Lake County and Village of Vilna Intermunicipal Development Plan</b> .
Reeve:		<p>The ground rules of the hearing and the order of speaking will be:</p> <ol style="list-style-type: none"> <li>a) planner and/or planning staff will speak first to outline facts and present her recommendation on the proposed bylaw (<b>if necessary</b>),</li> <li>b) members of the public, who have signed in will be given the opportunity to speak in the order they signed in,</li> <li>c) anyone else, who did not sign in will be given the opportunity to speak,</li> <li>d) planner and/or planning staff will be given the opportunity to present closing remarks or address any of the issues presented,</li> <li>e) Councillors will be given the opportunity to ask questions,</li> <li>f) Council will then end the Hearing and consider the information received at the public hearing,</li> <li>g) 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 a Councillor wishes to have an answer.</li> <li>h) Council will consider the representations made regarding the bylaw and any other matter Council considers appropriate.</li> </ol>
<b>2.0 Staff Presentation</b>		
The Reeve announces:		Before hearing from the public, I would ask JORDAN to present a brief report on the proposed bylaw.

Action	✓	Statements
<i>After the Planner/ staff representative is finished, the Reeve asks:</i>		Does Council have any questions or points of clarification they wish to ask of the planner and/or planning staff?
<b>3.0 Public Presentations via Written Submissions</b>		
<i>The Reeve announces:</i>		Before hearing from the public present today, I would ask JORDAN (County's planner) and/or planning staff to advise of any written submissions received. (Read all written submissions into record).
<i>After the Planner is finished the Reeve asks:</i>		Does Council have any questions or points of clarification they wish to ask of the planner and/or planning staff?
<b>4.0 Public Presentations at the Public Hearing</b>		
<i>Then announce:</i>		I will now call upon persons signed up on the sign-in sheet whom are <b>in opposition to the proposed bylaw</b> . Please state your <u>name</u> for the record. Please note that each party wishing to speak will have only one opportunity to do so, and their time will be limited to 5 minutes. Council Members may ask presenters questions for the purpose of clarifying the speaker's comments. Council will not debate this matter during the hearing. The decision(s) regarding whether or not to approve the bylaw(s) further readings will be dealt with later in the meeting.
<i>Public – Opposed of proposed Bylaw:</i>		Record names here: _____ _____ _____
<i>After each speaker is finished the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<i>Reeve:</i>		I will now call upon persons signed up on the sign-in sheet whom are <b>in support of the proposed bylaw</b> . Please state your <u>name</u> for the record. Please note that each party wishing to speak will have only one opportunity to do so, and their time will be limited to 5 minutes. Council Members may ask presenters questions for the purpose of clarifying the speaker's comments. Council will not debate this matter during the hearing. The decision(s) regarding whether or not to approve the bylaw(s) further readings will be dealt with later in the meeting.
<i>Public – In Favour of proposed Bylaw:</i>		Record names here: _____ _____ _____
<i>After each speaker is finished the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<i>After all who signed in have spoken, say:</i>		Is there anyone else who has not spoken and wishes to speak?

<b>Action</b>	✓	<b>Statements</b>
<i>After each speaker the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<b>5.0 Questions and Answers</b>		
<i>Following all comments from the public, the Reeve asks Council:</i>		At this time, does any Council member have any additional questions of any speaker or of the staff or planner?
<b>6.0 Closing Remarks</b>		
<i>The Reeve announces:</i>		<p>There being no further presentations. I would like to thank all presenters for their comments. Council will take your comments into consideration when deciding on this matter.</p> <p>I declare the public hearing on proposed bylaw <b>1425-22: Smoky Lake County and Village of Vilna Intermunicipal Development Plan</b> closed at _____.</p>



**Public Hearing Date: March 16, 2023**  
**Public Hearing Time: 1:15 p.m.**

### **PUBLIC HEARING BACKGROUND**

**PROPOSED BYLAW NAME & NO.:** Smoky Lake County Bylaw 1425-22: *Smoky Lake County and Village of Vilna Intermunicipal Development Plan*

**BACKGROUND:**

- Proposed Bylaw No. 1525-22 received First Reading on December 14, 2022.
- A Notice has been posted on the County's website since February 15, 2023 and has also appeared on the County's social media platforms, and been advertised in the Redwater Review in accordance with Section 606 of the Municipal Government Act and Smoky Lake County policies and Bylaws.
- This Hearing has been scheduled to obtain public input on proposed Bylaw No. 1425-22 in accordance with Section 216.4 of the Municipal Government Act.

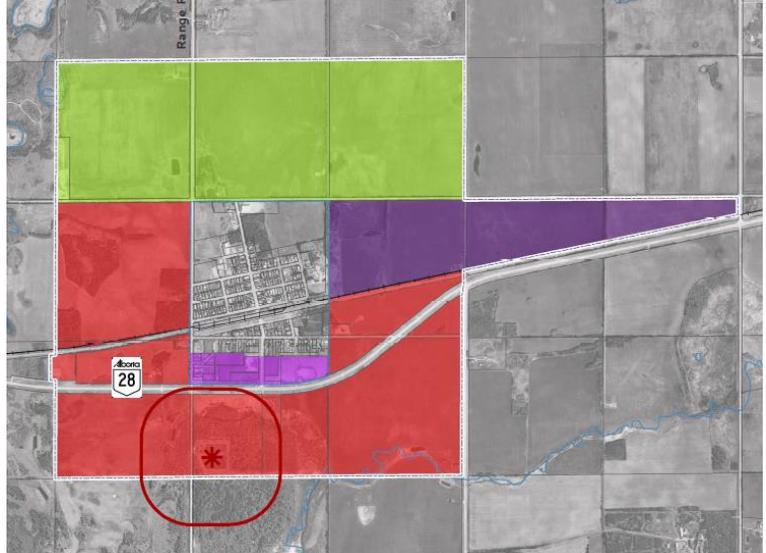
**ATTACHMENTS:**

1. Notice of Public Hearing
2. Relevant Legislation

**NOTICE – JOINT PUBLIC HEARING**  
**on Proposed Smoky Lake County and Village of**  
**Vilna Intermunicipal Development Plan**  
**(County Bylaw 1425-22 / Village Bylaw 584-23)**



**TAKE NOTICE THAT** in accordance with sections 606 of the Municipal Government Act, the Council of Smoky Lake County, and the Council of the Village of Vilna is giving consideration of an Intermunicipal Development Plan (IDP) Bylaw. *An Intermunicipal Development Plan contemplates and guides the future land uses within the policy area.*



**The Public Hearing will be held both in-person and via Zoom videoconference on Thursday,**

**March 16, 2023, at 1:15 p.m. (or as soon as practical thereafter)** at: Smoky Lake County Council Chambers, 4612 McDougall Drive, Smoky Lake, AB T0A 3C0 or online:

<https://us02web.zoom.us/j/86085444606?pwd=aXJNaVpJc0hUdG81MG1DNmxWbVZmZz09>, Meeting ID: 860 8544 4606; Passcode: 835692.

**In-person Speakers:**

If you intend on participating in person, you are encouraged to pre-register for the Public Hearing by contacting Legislative Services at 780-656-3730.

**Speakers participating through Zoom videoconference:**

If you wish to speak at the Public Hearing via videoconference, you are asked to register 24 hours prior to the opening of the Public Hearing by contacting Legislative Services at 780-656-3730. This is to ensure that virtual participants receive instructions to access the videoconference.

**Requirements for all Speakers:**

All speakers will be given a 5-minute time limit and are encouraged to provide a written copy of their submission in advance of the Public Hearing.

**Written Submissions:**

All interested parties are encouraged to express their views by providing a written submission to Legislative Services by email at [patti.priest@smokylakecounty.ab.ca](mailto:patti.priest@smokylakecounty.ab.ca).

Persons wishing to view the Bylaw and/or the Public Hearing are invited to attend in person or view the Meeting at the County website at <http://www.smokylakecounty.ab.ca>.

**Questions? Contact:**

Jordan Ruegg or Kyle Schole, of Planning & Development Services, Smoky Lake County at 780-656-3730 / [pd@smokylakecounty.ab.ca](mailto:pd@smokylakecounty.ab.ca)

Or Earla Wagar, CAO, Village of Vilna at 780-636-3620 / [vilna@mcsnet.ca](mailto:vilna@mcsnet.ca)

Freedom of Information and Protection of Privacy Act: By submitting comments on this bylaw, either orally or in writing, the personal information you provide may be recorded in the minutes of the Public Hearing, or otherwise made public. This information is collected in line with section 33(c) of the Freedom of Information and Protection of Privacy Act. If you have any questions, please contact the Smoky Lake County Access and Privacy Officer at 4612 McDougall Drive Box 310, Smoky Lake, AB T0A 3C0, 780-656-3730, or [county@smokylakecounty.ab.ca](mailto:county@smokylakecounty.ab.ca).







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## RELEVANT LEGISLATION

### INTERMUNICIPAL DEVELOPMENT PLANS

*Municipal Government Act, R.S.A. 2000*

**631(1)** Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

**(2)** Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).

**(3)** The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.

**(4)** Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.

**(5)** If 2 or more councils that are required to adopt an intermunicipal development plan under subsection (1) do not have an intermunicipal development plan in place by April 1, 2020 because they have been unable to agree on a plan, they must immediately notify the Minister and the Minister must, by order, refer the matter to the Land and Property Rights Tribunal for its recommendations in accordance with Part 12.

**(6)** Where the Minister refers a matter to the Land and Property Rights Tribunal under this section, Part 12 applies as if the matter had been referred to the Tribunal under section 514(2).

**(7)** Two or more councils of municipalities that are not otherwise required to adopt an intermunicipal development plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

**(8)** An intermunicipal development plan

**(a)** must address

- (i) the future land use within the area,
- (ii) the manner of and the proposals for future development in the area,
- (iii) the provision of transportation systems for the area, either generally or specifically,
- (iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,
- (v) environmental matters within the area, either generally or specifically, and
- (vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,

and

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan.

(9) Despite subsection (8), to the extent that a matter is dealt with in a framework under Part 17.2, the matter does not need to be included in an intermunicipal development plan.

(10) In creating an intermunicipal development plan, municipalities must negotiate in good faith.

**RSA 2000 cM-26 s631;2016 c24 s97;2019 c22 s10(20);  
2020 cL-2.3 s24(30)**

## **PUBLIC HEARINGS**

*Municipal Government Act, R.S.A. 2000*

### **When to hold public hearing**

**216.4(1)** When this or another enactment requires council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,

- (a) before second reading of the bylaw, or
- (b) before council votes on the resolution.

(2) When this or another enactment requires a public hearing to be held on a proposed bylaw or resolution, council must

- (a) give notice of the public hearing in accordance with section 606, and
  - (b) conduct the public hearing during a regular or special council meeting.
- (3) A council may, by bylaw, establish procedures for public hearings.
- (4) In the public hearing, council
  - (a) must hear any person, group of persons or person representing them who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the council, and
  - (b) may hear any other person who wishes to make representations and who the council agrees to hear.
- (5) After considering the representations made to it about a proposed bylaw or resolution at the public hearing and after considering any other matter it considers appropriate, the council
  - (a) pass the bylaw or resolution,
  - (b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
  - (c) defeat the bylaw or resolution.
- (6) The minutes of the council meeting during which a public hearing is held must record the public hearing to the extent directed by council.

## **REQUIREMENTS FOR ADVERTISING**

*Municipal Government Act, R.S.A. 2000*

**Section 606(1)** The requirements of this section apply when this or another enactment requires a bylaw, resolution, meeting, public hearing or something else to be advertised by a municipality, unless this or another enactment specifies otherwise.

- (2) Notice of the bylaw, resolution, meeting, public hearing or other thing must be
  - (a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or
  - (b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held.
- (3) A notice of a proposed bylaw must be advertised under subsection (2) before second reading.
- (4) A notice of a proposed resolution must be advertised under subsection (2) before it is voted on by council.

**(5)** A notice of a meeting, public hearing or other thing must be advertised under subsection (2) at least 5 days before the meeting, public hearing or thing occurs.

**(6)** A notice must contain

- (a) a statement of the general purpose of the proposed bylaw, resolution, meeting, public hearing or other thing,
- (b) the address where a copy of the proposed bylaw resolution or other thing, and any document relating to it or to the meeting or public hearing may be inspected,
- (c) in the case of a bylaw or resolution, an outline of the procedure to be followed by anyone wishing to file a petition in respect of it, and
- (d) in the case of a meeting or public hearing, the date, time and place where it will be held.

**(7)** A certificate of a designated officer certifying that something has been advertised in accordance with this section is proof, in the absence of evidence to the contrary, of the matters set out in that certificate.

**(8)** The certificate is admissible as evidence without proof of the appointment or signature of the person who signed the certificate.