

Public Hearing - Bylaw 1453-23:

A G E N D A: Public Hearing to be held on
Thursday, December 14, 2023 at 9:15 A.M.
Virtual - Meeting ID: 527853925

<https://video.businessconnect.telus.com/join/527853925>

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. 1453-23: a Bylaw of Smoky Lake to amend the Land Use Bylaw No. 1272-14, for the purposes defining Supportive Living Facilities and creating provisions relating thereto, and to rezone Part of River Lot 15 (Victoria Settlement) from Victoria Commercial (C2) District to Direct Control (DC2) District'.

- Ground rules of the hearing and order of speaking are reviewed.

2. Staff Presentation:

- Smoky Lake County Planning Staff make their presentation(s).
Bylaw 1453-23: was given first reading on November 23, 2023.
- 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:

- Proponent's presentation.
- 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.



Public Hearing Date: December 14, 2023
Public Hearing Time: 9:15 a.m.

VIRTUAL PUBLIC HEARING BACKGROUND

<u>PROPOSED BYLAW NAME & NO.:</u>	Proposed Smoky Lake County Bylaw No.1453-23
<u>APPLICANTS:</u>	Métis Nation of Alberta
<u>PROPOSAL:</u>	A Bylaw amending the Smoky Lake County Land Use Bylaw No.1272-14 to define Supportive Living Facilities, provide provisions related to Supportive Living Facilities, to create a new land use district, "Direct Control Supportive Living Facilities (DC2) District" & to rezone part of the lands legally described as River Lot 15, Victoria Settlement, from Victoria Commercial (C2) District, to Direct Control Supportive Living Facilities (DC2) District.

BACKGROUND:

- The Smoky Lake County Planning and Development Department received an application to amend Smoky Lake County Land Use Bylaw No. 1272-14, from the Métis Nation of Alberta, dated October 4, 2023, to allow for the development of a 75-bed Supportive Living Facility.
- The lands in question are approximately 158.55 acres in area, and are separated into two portions, one north of Victoria Trail and the other to the south of Victoria Trail. The proposed Supportive Living Facility is planned to be located on the portion of River Lot 5 lying south of Victoria Trail.
- In its current iteration, Land Use Bylaw No. 1272-14 does not include a definition of "Supportive Living Facility" nor any similar land use type, nor does Bylaw No. 1272-14 contain provisions pertaining to Supportive Living Facilities and does not currently allow for Supportive Living Facilities to be located in any of the existing land use Districts as neither a Permitted Use nor as a Discretionary Use.
- Propose Bylaw No.1453-23 proposes to address these shortcomings in Bylaw No. 1272-14 by providing for a definition of Supportive Living Facility, by also providing provisions that ensure that issues relating to Supportive Living Facilities are addressed in ways that ensure public safety, environmental protection and minimize impacts on adjacent landowners, and to ensure that these types of facilities are located in appropriate locations.
- The subject site is classified as "Commercial" under Section 7.2 (Future Land Use Map) of Smoky Lake County Municipal Development Plan Bylaw No. 1249-12, which is congruent with the proposed rezoning.
- The subject site is classified as "Commercial" of the Victoria District Area Structure Plan Bylaw No. 1305-17. According to Policy #46, "**Commercial operations that are not home-based or agricultural-based will be encouraged to develop on lands designated as Commercial on Map 1 – Future Land Use**". This proposal is congruent with Policy #46.

- The subject site is classified as “Culture and Tourism Area” on Map 7.3 Future Land Use of Smoky Lake County Bylaw No. 1383-20: *Smoky Lake County & Lamont County Intermunicipal Development Plan*, and is located within the “Referral Area” as shown on Map 7.2 Plan Area and Referral Area Boundaries. According to Policy 4.2.2 of Bylaw No. 1383-20, “***Lands within the Culture and Tourism Area may be developed for a range of rural agricultural, residential, commercial, institutional, and recreational uses.***” This proposal is congruent with Policy #4.2.2.

NOTICE:

- Public Notice has been advertised for two weeks consecutively in newsprint in the Redwater Review on **November 29, 2023** and **December 6, 2023**.
- Public Notice has also been posted on the Smoky Lake County website since **November 27, 2023**, and on the County’s Facebook page on **November 27, 2023**.
- Adjacent landowners were notified of the proposed Bylaw and Public Hearing by Notice, sent on **November 24, 2023**.
- Lamont County was notified of the proposed Bylaw and Public Hearing by Notice on **November 24, 2023**.

ATTACHMENTS:

1. Proposed Bylaw No. 1453-23
2. Smoky Lake County Municipal Development Plan Bylaw No. 1249-12: Section 4.4 - Commercial Policy
3. Victoria District Area Structure Plan Bylaw No. 1305-17: Commercial Area policies
4. Smoky Lake County Bylaw No. 1383-20: *Smoky Lake County & Lamont County Intermunicipal Development Plan*: Section 4.2 - Culture and Tourism Area
5. Relevant Legislation
6. Notice of Public Hearing

**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA,
TO AMEND BYLAW 1272-14 BEING THE LAND USE BYLAW FOR SMOKY LAKE COUNTY.**

WHEREAS Council has adopted Smoky Lake County Bylaw 1272-14 to be the Land Use Bylaw;

WHEREAS it is deemed expedient to amend Bylaw 1272-14 as set out in Section 692 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and amendments thereto;

WHEREAS a Public Hearing has been held pursuant to Section 216.4 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and amendments thereto;

WHEREAS said Public Hearing has been advertised pursuant to Section 606 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and amendments thereto;

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Smoky Lake County, duly assembled, enacts as follows:

1. That 'Section 1.7 INTERPRETATION/DEFINITIONS' of Smoky Lake County Bylaw No. 1272-14: Land Use Bylaw, be amended:

i. By adding:

- a. "Supportive Living Facility" – means a facility that provides services to a minimum of four (4) persons in need of assistance due to age, physical or mental disability, addiction, behavioral issues, illness, or injury. The maximum number of residents in a Supportive Living Facility shall be determined by the Development Authority. The accommodation and hospitality services provided as part of this use may be complemented with supportive health services, such as health monitoring and medication assistance, and personal services such as non-emergency transportation, and social, leisure and spiritual opportunities.

and renumbered accordingly.

2. That 'SECTION 7 – SPECIAL PROVISIONS' of Smoky Lake County Bylaw No. 1272-14: Land Use Bylaw, be further amended:

i. By adding:

a. Supportive Living Facilities

1. A Supportive Living Facility shall not be allowed on a site unless specifically listed as a Permitted or Discretionary Use within the District in which the site is located.

2. No building or structure used for the purposes of a Supportive Living Facility shall be used for other forms of lodging.
3. In addition to the information requirements in Section 2.4 of the Land Use Bylaw, a Development Permit application shall include the following information:
 - i. confirmation that the Supportive Living Facility has been inspected by an executive officer under the *Public Health Act*;
 - ii. confirmation of compliance with the *Safety Codes Act* for a new or renovated Supportive Living Facility or where there has been a change in occupancy of the Supportive Living Facility;
 - iii. confirmation of current insurance coverage in accordance with section 5 of the *Supportive Living Accommodation Licensing Regulation*;
 - iv. confirmation of current corporate status of the operator of the Supportive Living Facility, if applicable;
 - v. the Site Plan and Floor Plan that identifies the location of secure areas for the storage of medication and hazardous wastes; and
 - vi. information related to proposed outdoor lighting, which shall be provided in accordance with Crime Prevention Through Environmental Design (CPTED) or other best practices accepted by the Development Authority.
4. A Supportive Living Facility must meet the following requirements:
 - i. develop and maintain written processes that promote the safety and security of residents, including processes that:
 1. accounts for all residents on a daily basis; and
 2. ensures that monitoring mechanisms or personnel are in place on continuous basis, that is 24 hours a day;
 - ii. hazardous and non-hazardous waste storage shall be provided on the site, and shall be secured from unauthorized access at all times to the satisfaction of the Development Authority;
 - iii. a site containing a Supportive Living Facility shall be fenced and screened, to the satisfaction of the Development Authority.

and renumbered accordingly.

3. That **'SECTION 8 LAND USE DISTRICTS'** of Smoky Lake County Bylaw No. 1272-14: Land Use Bylaw, be further amended:

i. **By adding Under 'Subsection 1.1':**

- a. Short Form 'DC2'; and
- b. District Designation 'Direct Control Supportive Living Facilities'.

ii. **By adding 'Subsection 8.15 DIRECT CONTROLL SUPPORTIVE LIVING FACILITIES (DC2) DISTRICT';**

a. 1. Purpose

The general purpose of this District is to provide Council with direct control over the use and design of Supportive Living Facilities, and similar and/or related uses.

b. 2. Permitted Uses

- I. Buildings and Uses Accessory to Permitted Uses
- II. Family Care Facility
- III. Group Care Facility
- IV. Supportive Living Facility

c. 3. Discretionary Uses

A. None

d. 4. Regulations

A. All regulations shall be established by Council, who shall evaluate any proposal for development with respect to its compliance with:

- I. the objectives and policies of an applicable Statutory Plan;
- II. the regulations of this Bylaw;
- III. the regulations of adjacent Districts; and
- IV. the satisfaction of any Provincial regulations or requirements.

However, Council shall not be bound by any of these matters.

B. Council may establish as a condition of a development permit that all provincial requirements and regulations be observed.

and renumbered accordingly.

iii. That appendix "B" of Smoky Lake County Bylaw No. 1272-14: Land Use Bylaw, be further amended such that all portions of the lands legally described as:

FIRSTLY: ALL THAT PORTION OF LOT FIFTEEN (15) OF THE VICTORIA SETTLEMENT WHICH LIES TO THE SOUTH OF A LINE DRAWN PARALLEL WITH AND FORTY TWO (42) CHAINS AND NINETEEN AND ONE TENTH (19.1) LINKS PERPENDICULARLY DISTANT SOUTHERLY FROM THE REAR LINE OF THE SAID LOT, AND WHICH IS NOT CONTAINED WITHIN THE LIMITS OF THE SURVEYED ROADWAY CROSSING THE SAID LOT, AS SHOWN ON A PLAN OF SURVEY OF THE SAID SETTLEMENT SIGNED AT OTTAWA ON THE 26TH DAY OF APRIL A.D. 1897, CONTAINING ONE HUNDRED AND SIXTY (160) ACRES, MORE OR LESS
EXCEPTING THEREOUT:

A) THREE AND NINETY FOUR HUNDREDTHS (3.94) ACRES MORE OR LESS, AS SHOWN ON ROAD PLAN 3008CL

B) ONE AND FOUR HUNDREDTHS (1.04) ACRES MORE OR LESS FOR ROAD, AS SHOWN ON ROAD PLAN 3932TR

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECONDLY: ALL THAT PORTION OF SAID LOT FIFTEEN (15) WHICH LIES BETWEEN A LINE DRAWN PARALLEL WITH AND FORTY TWO (42) CHAINS AND NINETEEN AND ONE TENTH (19.1) LINKS PERPENDICULARLY DISTANT FROM THE REAR LINE OF SAID LOT AND A LINE DRAWN PARALLEL WITH AND FORTY (40) CHAINS AND NINETY (90) LINKS PERPENDICULARLY DISTANT FROM THE SAID REAR LINE, CONTAINING TWO AND FIFTY FIVE HUNDREDTHS (2.55) ACRES, MORE OR LESS

EXCEPTING THEREOUT: SIX HUNDREDTHS (0.06) OF AN ACRE, MORE OR LESS, AS SHOWN ON ROAD PLAN 3008CL

EXCEPTING THEREOUT ALL MINES AND MINERALS

THIRDLY: ALL THAT PORTION OF THE SURVEYED ROAD CROSSING IN RIVER LOT FIFTEEN (15) IN THE VICTORIA SETTLEMENT AS SHOWN ON A PLAN OF SURVEY OF SAID SETTLEMENT SIGNED AT OTTAWA ON THE 26TH DAY OF APRIL, 1897 LYING NORTH EASTERLY OF A LINE DRAWN AT AN ANGLE OF NINETY (90) DEGREES TO THE SOUTH LIMIT OF THE ROAD AS SHOWN ON ROAD PLAN 3932TR, ESTABLISHED FROM 1R47 TO 1R9 COURSE TWO HUNDRED AND SIXTY (260) DEGREES, FORTY (40) FEET, AND FIFTY (50) INCHES AS SAID MONUMENTS AND COURSE ARE SHOWN ON SAID PLAN CONTAINING ONE AND FOUR HUNDREDTHS (1.04) ACRES, MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

as shown on Schedule "A", be rezoned from Victoria Commercial (C2) District to Direct Control Supportive Living Facilities (DC2) District.

4. Severability:

- i. If any part of this Bylaw is found to be invalid, the remaining sections remain in force.

5. Effective Date:

- i. This Bylaw comes into force and effect upon it receiving Third Reading.

READ A FIRST TIME IN COUNCIL THIS 23rd DAY OF November, AD 2023.

READ A SECOND TIME IN COUNCIL THIS _____ DAY OF _____, AD 202__.

READ A THIRD AND FINAL TIME IN COUNCIL _____ DAY OF _____, AD 202__.

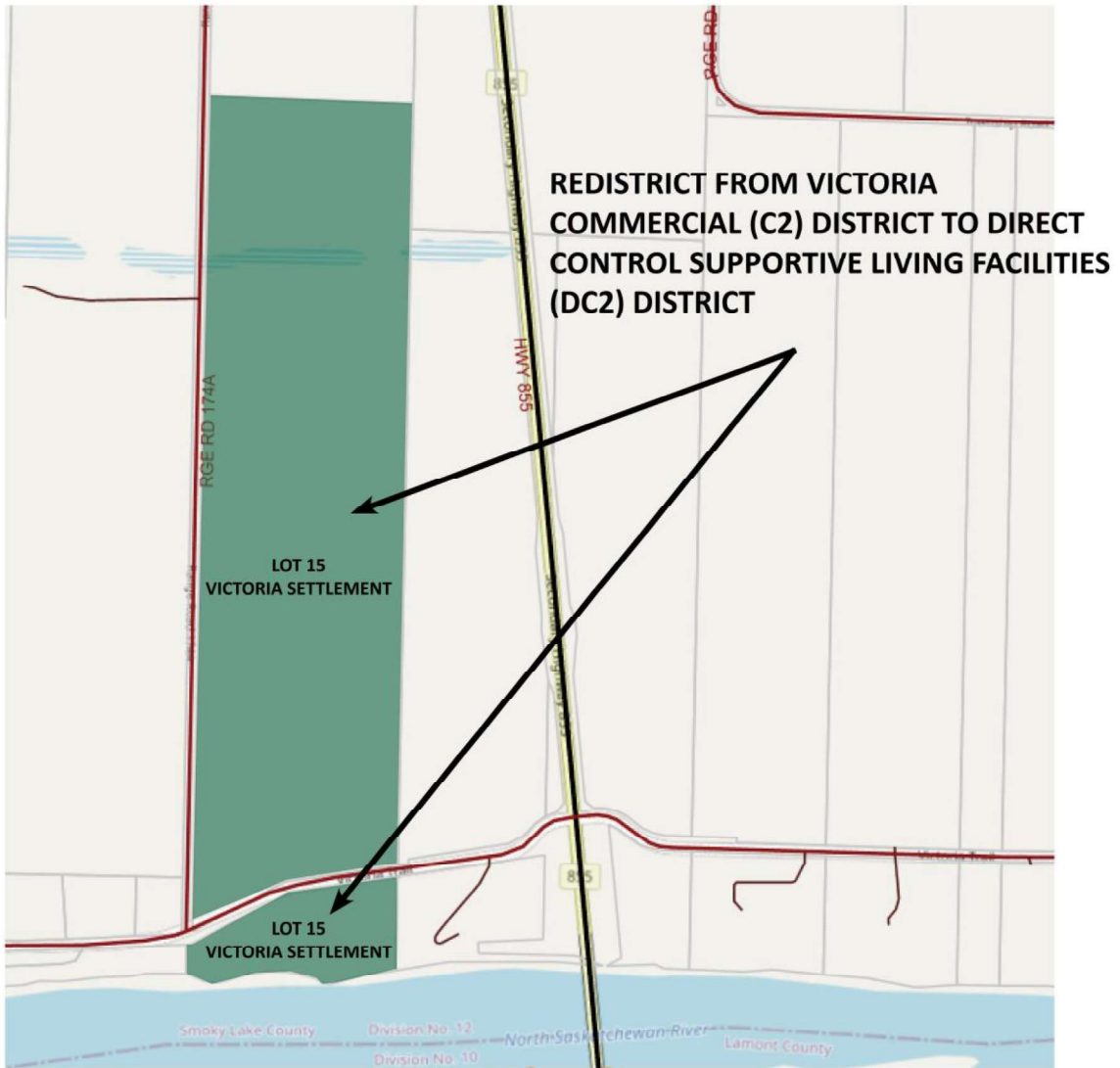
Jered Serben
Reeve

S E A L

Lydia Cielin
Interim Chief Administrative Officer



SCHEDULE "A" BYLAW NO. 1453-23





Date of Application: Oct 4/23.

APPLICATION TO AMEND

LAND USE BYLAW AREA STRUCTURE PLAN MUNICIPAL DEVELOPMENT PLAN

APPLICANT INFORMATION				
NAME OF APPLICANT [REDACTED]		NAME OF REGISTERED LANDOWNER (COMPLETE IF DIFFERENT FROM APPLICANT) METIS NATION of ALBERTA.		
SIGNATURE [REDACTED]		SIGNATURE FORM ATTACHED, AARON BARNER.		
MAILING ADDRESS [REDACTED]		MAILING ADDRESS 11738 KINGSWAY AVE EDMONTON AB.		
POSTAL CODE T9S1E1	TELEPHONE [REDACTED]	POSTAL CODE T5G 0X5	TELEPHONE 780-910-5818.	
LEGAL DESCRIPTION				
QTR/LSID LOT 15 VICTORIA SETTLEMENT	SECTION	TOWNSHIP	RANGE	W4M
REGISTERED PLAN 17339 VICTORIA TRAIL	BLOCK	LOT METIS CROSSING.		
PLANNING DOCUMENT				
EXISTING LAND USE DISTRICT		PROPOSED LAND USE DISTRICT		
<input type="checkbox"/> AGRICULTURAL DISTRICT (AG) <input type="checkbox"/> VICTORIA AGRICULTURE DISTRICT (A1) <input type="checkbox"/> MULTI-LOT COUNTRY RESIDENTIAL DISTRICT (R1) <input type="checkbox"/> RESIDENTIAL (CLUSTER) CONSERVATION DISTRICT (R2) <input type="checkbox"/> VICTORIA RESIDENTIAL DISTRICT (R3) <input type="checkbox"/> HAMLET RESIDENTIAL DISTRICT (R4) <input type="checkbox"/> HIGHWAY COMMERCIAL DISTRICT (C1) <input checked="" type="checkbox"/> VICTORIA COMMERCIAL DISTRICT (C2) C2 <input type="checkbox"/> HAMLET COMMERCIAL DISTRICT (C3) <input type="checkbox"/> INDUSTRIAL DISTRICT (M1) <input type="checkbox"/> RURAL INDUSTRIAL DISTRICT (M2) <input type="checkbox"/> COMMUNITY AND INSTITUTIONAL DISTRICT (P) <input type="checkbox"/> DIRECT CONTROL DISTRICT (DC) <input type="checkbox"/> DIRECT CONTROL LANDFILL DISTRICT (DC1)		<input type="checkbox"/> AGRICULTURAL DISTRICT (AG) <input type="checkbox"/> VICTORIA AGRICULTURE DISTRICT (A1) <input type="checkbox"/> MULTI-LOT COUNTRY RESIDENTIAL DISTRICT (R1) <input type="checkbox"/> RESIDENTIAL (CLUSTER) CONSERVATION DISTRICT (R2) <input type="checkbox"/> VICTORIA RESIDENTIAL DISTRICT (R3) <input type="checkbox"/> HAMLET RESIDENTIAL DISTRICT (R4) <input type="checkbox"/> HIGHWAY COMMERCIAL DISTRICT (C1) <input type="checkbox"/> VICTORIA COMMERCIAL DISTRICT (C2) <input type="checkbox"/> HAMLET COMMERCIAL DISTRICT (C3) <input type="checkbox"/> INDUSTRIAL DISTRICT (M1) <input type="checkbox"/> RURAL INDUSTRIAL DISTRICT (M2) <input type="checkbox"/> COMMUNITY AND INSTITUTIONAL DISTRICT (P) <input type="checkbox"/> DIRECT CONTROL DISTRICT (DC) <input type="checkbox"/> DIRECT CONTROL LANDFILL DISTRICT (DC1)		
MUNICIPAL DEVELOPMENT PLAN: Bylaw 1249-12		AREA STRUCTURE PLAN: Bylaw 1305-17: VICTORIA DISTRICT		
REASON IN SUPPORT OF APPLICATION FOR AMENDMENT: 75 BED FACILITY / REHAB CENTRE.				
OFFICE USE ONLY				
REPORTS	<input type="checkbox"/> Environmental Site Assessment <input type="checkbox"/> Stormwater Management Plan	<input type="checkbox"/> Biophysical Assessment <input type="checkbox"/> Certificate Of Title	<input type="checkbox"/> Geotechnical Report	
APPLICATION FEE \$1,000.00	RECEIPT # 27367	BYLAW NO. 1453-23		



LAND TITLE CERTIFICATE

S	LINC	SHORT LEGAL	TITLE NUMBER
	0027 175 935	VICTORI; ;15	232 317 474

LEGAL DESCRIPTION

FIRSTLY: ALL THAT PORTION OF LOT FIFTEEN (15) OF THE VICTORIA SETTLEMENT WHICH LIES TO THE SOUTH OF A LINE DRAWN PARALLEL WITH AND FORTY TWO (42) CHAINS AND NINETEEN AND ONE TENTH (19.1) LINKS PERPENDICULARLY DISTANT SOUTHERLY FROM THE REAR LINE OF THE SAID LOT, AND WHICH IS NOT CONTAINED WITHIN THE LIMITS OF THE SURVEYED ROADWAY CROSSING THE SAID LOT, AS SHOWN ON A PLAN OF SURVEY OF THE SAID SETTLEMENT SIGNED AT OTTAWA ON THE 26TH DAY OF APRIL A.D. 1897, CONTAINING ONE HUNDRED AND SIXTY (160) ACRES, MORE OR LESS

EXCEPTING THEREOUT: A) THREE AND NINETY FOUR HUNDREDTHS (3.94) ACRES MORE OR LESS, AS SHOWN ON ROAD PLAN 3008CL

B) ONE AND FOUR HUNDREDTHS (1.04) ACRES MORE OR LESS FOR ROAD, AS SHOWN ON ROAD PLAN 3932TR

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECONDLY: ALL THAT PORTION OF SAID LOT FIFTEEN (15) WHICH LIES BETWEEN A LINE DRAWN PARALLEL WITH AND FORTY TWO (42) CHAINS AND NINETEEN AND ONE TENTH (19.1) LINKS PERPENDICULARLY DISTANT FROM THE REAR LINE OF SAID LOT AND A LINE DRAWN PARALLEL WITH AND FORTY (40) CHAINS AND NINETY (90) LINKS PERPENDICULARLY DISTANT FROM THE SAID REAR LINE, CONTAINING TWO AND FIFTY FIVE HUNDREDTHS (2.55) ACRES, MORE OR LESS

EXCEPTING THEREOUT: SIX HUNDREDTHS (0.06) OF AN ACRE, MORE OR LESS, AS SHOWN ON ROAD PLAN 3008CL

EXCEPTING THEREOUT ALL MINES AND MINERALS

THIRDLY: ALL THAT PORTION OF THE SURVEYED ROAD CROSSING IN RIVER LOT FIFTEEN (15) IN THE VICTORIA SETTLEMENT AS SHOWN ON A PLAN OF SURVEY OF SAID SETTLEMENT SIGNED AT OTTAWA ON THE 26TH DAY OF APRIL, 1897 LYING NORTH EASTERLY OF A LINE DRAWN AT AN ANGLE OF NINETY (90) DEGREES TO THE SOUTH LIMIT OF THE ROAD AS SHOWN ON ROAD PLAN 3932TR, ESTABLISHED FROM 1R47 TO 1R9 COURSE TWO HUNDRED AND SIXTY (260) DEGREES, FORTY (40) FEET, AND FIFTY (50) INCHES AS SAID MONUMENTS AND COURSE ARE SHOWN ON SAID PLAN CONTAINING ONE AND FOUR HUNDREDTHS (1.04) ACRES, MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;17;58;15;RL

ESTATE: FEE SIMPLE

MUNICIPALITY: SMOKY LAKE COUNTY

REFERENCE NUMBER: 192 001 639 +1

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
232 317 474	19/10/2023	TRANSFER OF LAND	\$887,880	\$887,880

OWNERS

METIS CROSSING LTD.
OF BOX 548
SMOKY LAKE
ALBERTA T0A 3C0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
3923TR	20/02/1974	UTILITY RIGHT OF WAY GRANTEE - ALBERTA GOVERNMENT TELEPHONES. "PART"
982 063 359	05/03/1998	EASEMENT EASEMENT OVER PTN. 9720834;;4 FOR THE BENEFIT OF VICTORI;;15
982 063 360	05/03/1998	EASEMENT EASEMENT OVER VICTORI;;16,17 FOR THE BENEFIT OF VICTORI;;15
982 063 361	05/03/1998	EASEMENT EASEMENT OVER PTN. 9720834;;1-3 FOR THE BENEFIT OF VICTORI;;15
022 272 706	25/07/2002	EASEMENT AS TO PORTION OR PLAN:0224594 "FOR THE BENEFIT OF PORTION LOT 14 VICTORIA SETTLEMENT"
062 577 749	14/12/2006	UTILITY RIGHT OF WAY GRANTEE - SMOKY LAKE COUNTY.
192 001 640	03/01/2019	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 4715 TAHOE BOULEVARD MISSASSAUGA ONTARIO L4W0B4 ORIGINAL PRINCIPAL AMOUNT: \$20,000,000

TOTAL INSTRUMENTS: 007

(CONTINUED)

PENDING REGISTRATION QUEUE

PAGE 3

232 317 474

DRR NUMBER	RECEIVED DATE (D/M/Y)	CORPORATE LLP TRADENAME	LAND ID
------------	-----------------------	-------------------------	---------

E00C4GR	23/10/2023	MILLER THOMSON LLP 780-429-9437 CUSTOMER FILE NUMBER: 0195877.0082	
---------	------------	---	--

001		DISCHARGE	#232 317 474
-----	--	-----------	--------------

TOTAL PENDING REGISTRATIONS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 31 DAY OF OCTOBER, 2023 AT 09:04 A.M.

ORDER NUMBER: 48748270

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

IF MORE INFORMATION IS REQUIRED ON A PENDING REGISTRATION WHERE THE CONTACT INFORMATION DISPLAYS N/A PLEASE EMAIL LTO@GOV.AB.CA.



State Road
APPLICABLE TO SECTION

Policy 4.3.2.2 Council shall only consider proposals for the development of lands for industrial uses in a hamlet if the proposal is for a light industrial use.

4.4 Commercial Policy

The intent of the Plan is to accommodate commercial facilities, primarily adjacent to the highway, secondary road systems, within established hamlets, and in appropriate locations within multi-lot recreation residential developments. Commercial developments provide a service to the agricultural community, local residents, the highway traveling public, and tourists to the region. The County will not support commercial developments that adversely affect the standard of safety or convenience, or the functional integrity of any highway or road. The Plan also recognizes that specific commercial uses may require unique site locations in order to serve the rural community.

Objective 4.4.1	To minimize the impacts of commercial activities on working landscapes and cultural landscapes
------------------------	---

Policy 4.4.1.1 The County shall consider proposals for commercial development:

- (a) that will not unnecessarily fragment the working landscape; and
- (b) that do not conflict with adjacent land uses.

Policy 4.4.1.2 Commercial uses shall be encouraged to avoid locating in areas of critical wildlife habitat wherever possible.

Policy 4.4.1.3 Commercial uses operated as secondary uses to agricultural operations may be allowed.

Objective 4.4.2	To minimize conflicts with adjacent land uses
------------------------	--

Policy 4.4.2.1 Commercial development may be allowed to locate near urban areas in consultation with the affected urban area, as determined by the Development Authority.



Smoky Lake County
Municipal Development Plan
Bylaw 1249-12

Policy 4.4.2.2 The Development Authority shall require the developer to construct and/or maintain an appropriate buffer, as determined by the Development Authority, between the development and nearby lands.

Policy 4.4.2.3 Council shall encourage commercial development in hamlets if the necessary servicing requirements do not exceed the servicing capabilities of the hamlet or negatively impact the character of the hamlet.

Objective 4.4.3	To minimize municipal servicing costs associated with commercial development
------------------------	---

Policy 4.4.3.1 The Development Authority shall require the developer of a commercial development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of an agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. Normally, however, all development servicing costs associated with the development will be carried by the developer.



Smoky Lake County
Municipal Development Plan
Bylaw 1249-12

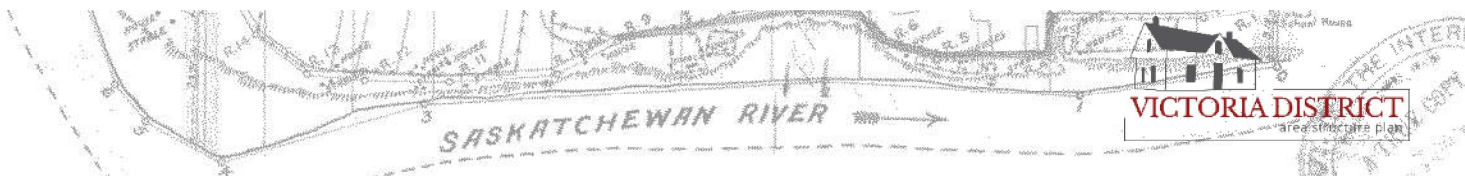
- Policy 40: The construction and development of residential dwellings shall retain mature trees and natural features (including shelterbelts and hedgerows) in order to minimize the impact on the land and the plan area's historic subdivision patterns.
- Policy 41: Subdivision and development proposals considered to be located within or adjacent to a high wildfire hazard area may be required to take into consideration FireSmart: Protecting Your Community from Wildfire design principles. Approvals of such an application may include conditions that require the implementation of FireSmart principles and fire prevention measures. Notwithstanding Policy 40, where the implementation of FireSmart principles would require the removal of vegetation clearing shall be permitted by the development authority with the condition that the vegetation is replaced with less combustible vegetation to the satisfaction of the Development Authority.
- Policy 42: Lots created as a part of multi-lot or cluster country residential development shall not be provided with direct access onto existing municipal or provincial roads; access to these lots shall normally be from internal subdivision roadways only. The subdivision authority will have the discretion to vary this requirement where the site is bounded by two or more existing municipal roads.
- Policy 43: No further subdivision will be permitted south of Victoria Trail throughout the Plan Area.

21. Commercial

Apart from agricultural operations, there are very few commercial businesses in the plan area. The only commercial uses within the Plan Area are the campground and environmental recreation facility associated with Métis Crossing. However, Metis Crossing has indicated that they may wish to pursue expansion of their holdings and the County wished to encourage tourism related development within the Plan area.

Within the south-central portion of the plan area are a series of parcels near Highway 855 that are districted 'C2 – Victoria Commercial District.' The general purpose of this District is to control development in the vicinity of the Victoria Trail in order to ensure that future commercial development in this area is compatible with significant cultural landscapes in the Victoria Trail area.

This plan encourages commercial developments that provide services to local residents and visitors, maintains the visual characteristics of the local landscape, and promotes the plan area's significant cultural and environmental features. These types of commercial development may include campgrounds, sport and recreation equipment rentals, interpretation centres, & businesses that promote traditional handcrafts, artwork and cultural practices, etc.



Objective: Encourage commercial developments that support traditional land practices, settlement patterns, local agricultural history, and ecological features within the Plan Area.

Policy 44: Smoky Lake County shall discourage resource extraction or processing operations from locating within the plan area, within view of municipal, provincial or federal historic sites, in order to protect the area's viewsapes, as well as significant cultural and environmental features.

Policy 45: The development of home-based businesses shall be encouraged throughout the plan area, consistent with provisions in the Smoky Lake County Land Use Bylaw.

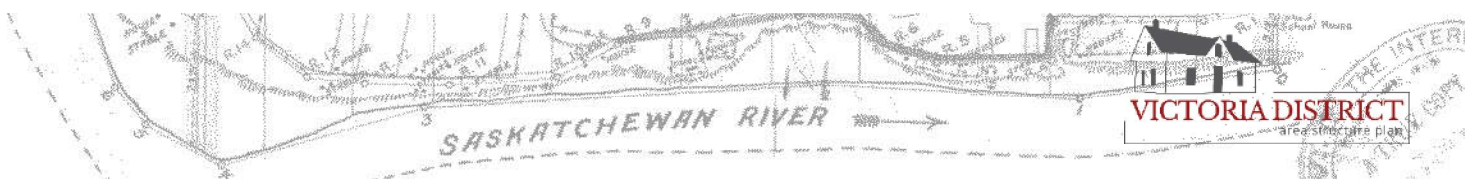
Policy 46: Commercial operations that are not home-based or agricultural-based will be encouraged to develop on lands designated as Commercial on **Map 1 – Future Land Use**.

Policy 47: Applications for significant commercial developments, or commercial developments on lands designated as Commercial on **Map 1 – Future Land Use**, shall require the submission of a neighbourhood structure plan or outline plan, to the satisfaction of the Development Authority. The requirements of a neighbourhood structure plan or outline plan, including provisions for public consultation, are detailed in **Part 5: Putting into Practice**.

Policy 48: Commercial businesses may operate on lands designated as Heritage and Environment on Map 1 Future Land Use of this plan, if developed in association with a museum, historic park, or a similar enterprise. Additional tourism oriented businesses and agri-commercial uses may also be allowed within this area in accordance with the County's Land Use Bylaw.

22. Heritage & Environment

This plan acknowledges the equal significance of local environmental and heritage assets, and their interdependent relationship with one another. Significant Heritage and environmental features are jointly identified on **Map 1 - Future Land Use** as the Heritage & Environment Area. The intent of this designation is to identify areas where major cultural and environmentally significant assets (i.e. heritage properties, archeological sites, significant slopes, riparian areas, etc.) are present, and to protect these areas into the future, so that they may remain as valued assets for the Victoria District.



	<ul style="list-style-type: none"> b. Provided for in the respective County's LUB; or c. Supported by an approved ASP or Conceptual Scheme.
Policy 4.1.12	<p>Land uses and developments that may create negative offsite impacts on surrounding properties by way of:</p> <ul style="list-style-type: none"> a. Noise; b. Pollution; c. Dust control; d. Smell; and/or e. Fragmentation of local viewscapes <p>shall be discouraged from being developed in portions of the Agriculture and Rural Development Area that may affect existing or proposed developments in the Culture and Tourism Area.</p>
Policy 4.1.13	Proposals from subdivision and/or development described in Policy 5.1.13 shall be subject to the policies of Section 5.4 - Circulation and Referral .

4.2 CULTURE AND TOURISM AREA

The policies in this section apply to lands within the Culture and Tourism Area on **Map 7.3 – Future Land Use**.

Policy 4.2.1	The development of lands within the Culture and Tourism Area shall be guided by an approved Area Structure Plan or Conceptual Scheme.
Policy 4.2.2	Lands within the Culture and Tourism Area may be developed for a range of rural agricultural, residential, commercial, institutional, and recreational uses.
Policy 4.2.3	Development within the Culture and Tourism Area will be consistent with the Victoria District Economic Development Strategy.
Policy 4.2.4	Development within the Culture and Tourism Area shall be designed to enhance the socio-cultural authenticity of the communities, conserve built and living cultural heritage and traditional values, and contribute to intercultural understanding and tolerance.



Public Hearing Date: December 14, 2023
Public Hearing Time: 9:15 a.m.

VIRTUAL PUBLIC HEARING – RELEVANT LEGISLATION

Proposed Bylaw 1453-23: A Bylaw amending the Smoky Lake County Land Use Bylaw No.1272-14 to define Supportive Living Facilities, provide provisions related to Supportive Living Facilities, to create a new land use district, “Direct Control Supportive Living Facilities (DC2) District” & to rezone part of the lands legally described as River Lot 15, Victoria Settlement, from Victoria Commercial (C2) District, to Direct Control Supportive Living Facilities (DC2) District.

WHEN TO HOLD A PUBLIC HEARING

Municipal Government Act, R.S.A. 2000

- Section 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 the proposed bylaw or Resolution at the public hearing and after considering any other matter it considers appropriate, the council may
 - (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 of hearing, or
 - (c) defeat the bylaw or resolution.
- (6) The minutes of the council meeting during which the public hearing is held must record the public hearing to the extent directed by the 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 the certificate.
- (8) The certificate is admissible in evidence without proof of the appointment or signature of the person who signed the certificate.

PLANNING BYLAWS

Municipal Government Act, R.S.A. 2000

Section 692(1) Before giving second reading to

- (a) a proposed bylaw to adopt an intermunicipal development plan,
- (b) a proposed bylaw to adopt a municipal development plan,
- (c) a proposed bylaw to adopt an area structure plan,
- (d) a proposed bylaw to adopt an area redevelopment plan,
- (e) a proposed land use bylaw, or
- (f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

- (2) Despite subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.
- (3) Despite subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,
- (a) councils may hold a joint public hearing to which section 184 does not apply, and
 - (b) municipalities may act jointly to satisfy the advertising requirements of section 606.

- (4)** In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

 - (a)** include in the notice described in section 606(2)

 - (i)** the municipal address, if any, and the legal address of the parcel of land, and
 - (ii)** a map showing the location of the parcel of land.
 - (b)** give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown on the assessment role of the municipality, and
 - (c)** give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment role of the municipality.
- (5)** If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
- (6)** Despite subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical or grammatical or typographical errors and does not materially affect the bylaw in principle or substance.
- (6.1)** Subsection (1)(f) does not apply in respect of a proposed bylaw amending a statutory plan or land use bylaw to specify the purposes of a community services reserve.
- (7)** In this section,

 - (a)** “adjacent land” means land that is contiguous to the parcel of land that is being re-designated and includes

 - (i)** land that would be contiguous if not for a highway, road, river or stream, and
 - (ii)** any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;
 - (b)** “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.
- (8)** If an ALSA regional plan requires a council to pass a bylaw referred to in this section, the council must,

- (a) consider whether, in view of the requirement in the ALSA regional plan, consultation is necessary, desirable or beneficial, and
 - (b) decide whether or not to proceed with consultation.
- (9) If a council decides under subsection (8) that consultation is neither necessary nor desirable or would not be beneficial, subsections (1) to (7) do not apply to the council in respect of the bylaw concerned.

Designation of direct control districts

- 641(1)** The council of a municipality that has adopted a municipal development plan, if it wishes to exercise particular control over the use and development of land or buildings within an area of the municipality, may in its land use bylaw designate that area as a direct control district.
- (2) If a direct control district is designated in a land use bylaw, the council may, subject to any applicable statutory plan, regulate and control the use or development of land or buildings in the district in any manner it considers necessary.
 - (3) In respect of a direct control district, the council may decide on a development permit application or may delegate the decision to a development authority with directions that it considers appropriate.

**Smoky Lake County
NOTICE – PUBLIC HEARING
on Proposed Bylaw 1453-23**



TAKE NOTICE THAT in accordance with sections 216.4, 606 & 692 of the *Municipal Government Act*, the Council of Smoky Lake County is giving consideration of Bylaw 1453-23:

- To define and provide specific provisions for Supportive Living Facilities;
- To establish a Supportive Living Facilities Direct Control (DC2) District;
- To rezone the lands legally described as River Lot 15, Victoria Settlement, from Victoria Commercial (C2) District to Supportive Living Facilities Direct Control (DC2) District.

A Statutory Public Hearing will be held in relation to Bylaw 1453-23, both in-person *and* via videoconference on Thursday, December 14, 2023, at 9:15 a.m. (or as soon as practical thereafter) at: Smoky Lake County Council Chambers, 4612 McDougall Drive, Smoky Lake, AB T0A 3C0 or online: <https://video.businessconnect.telus.com/join/527853925> Meeting ID: 527853925 or via phone: 1-844-511-2074

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 Telus Business Connect 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.

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> or view the Bylaw www.smokylakecounty.ab.ca/p/publicnotices

Questions? Contact:

Jordan Ruegg or Kyle Schole, of Planning & Development Services, Smoky Lake County at 780-656-3730 / pd@smokylakecounty.ab.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.