



Public Hearing Date: March 13, 2025
Public Hearing Time: 9:15 a.m.

VIRTUAL PUBLIC HEARING BACKGROUND

<u>PROPOSED BYLAW NAME & NO.:</u>	Proposed Smoky Lake County Bylaw #1472-25
<u>APPLICANTS:</u>	Casey Tchir
<u>PROPOSAL:</u>	A Bylaw amending the Smoky Lake County Land Use Bylaw #1272-14 to redistrict all the portions of the lands legally described as NE-34-59-13-W4M, from Residential Conservation (R2) District to Agriculture (AG) District; to amend Municipal Development Plan Bylaw #1249-12, to reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area; and to amend Bonnie Lake Area Structure Plan Bylaw #1146-07, to reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area.

BACKGROUND:

- The Smoky Lake County Planning and Development Department received an application to amend Smoky Lake County Land Use Bylaw #1272-14, Municipal Development Plan Bylaw #1249-12, and Bonnie Lake Area Structure Plan #1146-07, from Casey Tchir, dated December 17, 2024, to redistrict/reclassify all the portions of the lands legally described as NE-34-59-13-W4M, located on the south shore of Whitefish Lake.
- The lands in question are approximately 142.7 acres in area.
- The applicant proposes to amend the Land Use Bylaw, Municipal Development Plan, and Bonnie Lake Area Structure Plan to allow for the quarter section to be subdivided for acreage purposes under the Agriculture District in Land Use Bylaw #1272-14.
- Should Bylaw #1472-25 receive Third Reading, the owner of the lands will be required to obtain approval from the County's Subdivision Authority for any proposed subdivision. Any proposed subdivision shall meet the regulations of the Agriculture District under Land Use Bylaw #1272-14, and any additional conditions prescribed by the County's Subdivision Authority. Adoption of Bylaw #1472-25 does not constitute subdivision approval.

NOTICE:

- Public Notice has been advertised for two weeks consecutively in newsprint in the Redwater Review on **February 12, 2025** and **February 19, 2025**.
- Public Notice has also been posted on the Smoky Lake County website since **February 4, 2025**, and on the County's Facebook page on **February 7, 2025**.

- Adjacent landowners were notified of the proposed Bylaw and Public Hearing by letter, sent on **January 29, 2025.**

ATTACHMENTS:

1. Proposed Bylaw #1472-25
2. Smoky Lake County Land Use Bylaw #1272-14: Section 8.2 – Agriculture District (AG) District
3. Relevant Legislation
4. Notice of Public Hearing

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1472-25**

A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 1272-14 BEING THE LAND USE BYLAW, TO AMEND BYLAW NO. 1249-12 BEING THE MUNICIPAL DEVELOPMENT PLAN, TO AMEND BYLAW NO. 1146-07 BEING THE BONNIE LAKE AREA STRUCTURE PLAN FOR SMOKY LAKE COUNTY.

WHEREAS Council has adopted Smoky Lake County Bylaw No.1146-07 to be used at the Bonnie Lake Area Structure Plan;

WHEREAS Council has adopted Smoky Lake County Bylaw No.1249-12 to be used at the Municipal Development Plan;

WHEREAS Council has adopted Smoky Lake County Bylaw No.1272-14 to be used at the Land Use Bylaw;

WHEREAS it is deemed expedient to amend Bylaw No. 1146-07, Bylaw No. 1249-12, and Bylaw No. 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. Appendix "B" of the Smoky Lake County Land Use Bylaw No. 1272-14 be amended such that all that portions of NE 34-59-13-W4M containing +/- 57.7 Ha (142.70 acres) in size more or less, as shown on Schedule 'A' be rezoned from Residential (Cluster) Conservation District (R2) to Agriculture District (AG).
2. That Section 7.2 of Bylaw No. 1249-12: Municipal Development Plan is hereby amended such that all portions of NE 34-59-13-W4M as shown on Schedule "B", and being approximately +/- 57.7 Ha (142.70 acres) in size more or less be reclassified from Residential Conservation Area to Agricultural Area.
3. That Bylaw No. 1146-07: Bonnie Lake Area Structure Plan is hereby amended such that all portions of NE 34-59-13-W4M as shown on Schedule "C", and being approximately +/- 57.7 Ha (142.70 acres) in size more or less be reclassified from Residential Conservation Area to Agricultural Area.
4. This Bylaw shall come into effect after third and final reading.

Bylaw 1472-25

READ A FIRST TIME IN COUNCIL THIS 23RD DAY OF JANUARY, AD 2025.

Jered Serben
Reeve

S E A L

Kevin Lucas
Chief Administrative Officer

READ A SECOND TIME IN COUNCIL THIS _____ DAY OF _____, AD 2025.

READ A THIRD AND FINAL TIME IN COUNCIL _____ DAY OF _____, AD 2025.

Jered Serben
Reeve

S E A L

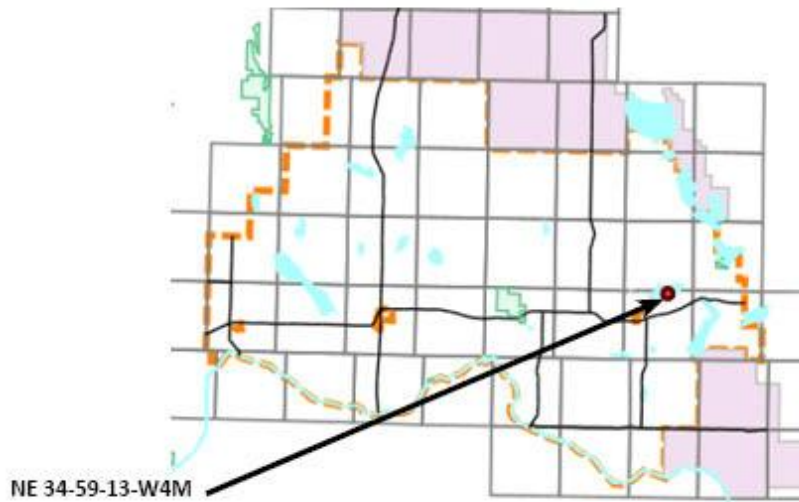
Kevin Lucas
Chief Administrative Officer

DRAFT



SCHEDULE "A" BYLAW NO. 1472-25

REDISTRIBUTE FROM RESIDENTIAL
CONSERVATION (R2) DISTRICT TO
AGRICULTURE (AG) DISTRICT
UNDER LAND USE BYLAW #1272-14

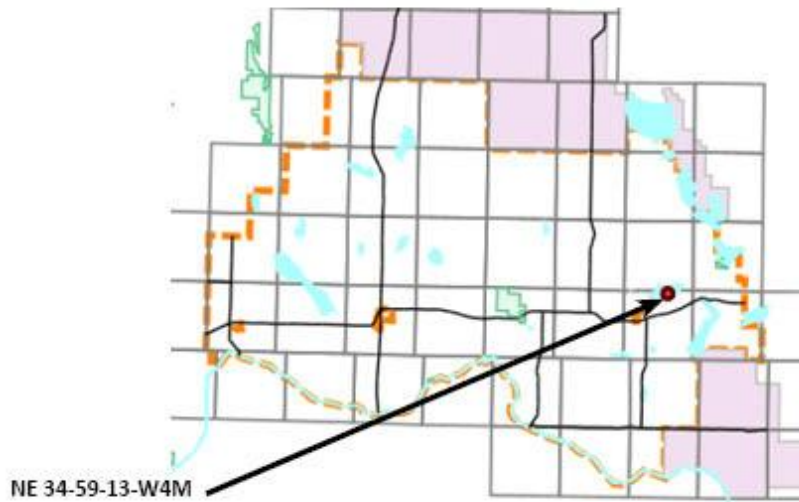


Bylaw 1472-25



SCHEDULE "B" BYLAW NO. 1472-25

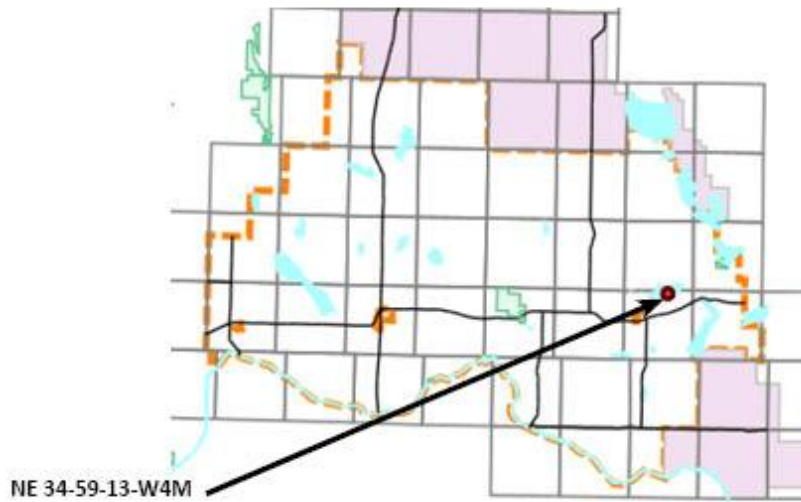
RECLASSIFY FROM RESIDENTIAL
CONSERVATION AREA TO
AGRICULTURE AREA UNDER
MUNICIPAL DEVELOPMENT PLAN
BYLAW #1249-12





SCHEDULE "C" BYLAW NO. 1472-25

RECLASSIFY FROM RESIDENTIAL
CONSERVATION AREA TO
AGRICULTURE AREA UNDER
BONNIE LAKE AREA STRUCTURE
PLAN BYLAW #1146-07



8.2 AGRICULTURE (AG) DISTRICT

1. Purpose

The general purpose of this District is to allow a range of activities associated with working landscapes including agricultural uses and resource extraction uses that support the rural economy, rural lifestyle and discourage the fragmentation of the County's land base.

2. Permitted Uses

- A. Art, Craft and Photographic Studios
- B. Agricultural Support Service
- C. Basement Suite
- D. Bed and Breakfast Establishment
- E. Buildings and Uses Accessory to Permitted Uses
- F. Community Hall
- G. Day Home
- H. Dwelling, Single Detached
- I. Dwelling, single detached, tiny
- J. Extensive Agriculture
- K. Garage Suite
- L. Garden Suite
- M. Guest House
- N. Home Occupation, Major
- O. Home Occupation, Minor
- P. In-law Suite
- Q. Manufactured Home
- R. Modular Home
- S. Natural Area
- T. Public Utility
- U. Secondary Suite
- V. Shipping Container

3. Discretionary Uses

- A. Alternative Energy, Commercial; and
- B. Alternative Energy, Personal.
- C. Animal Breeding and/or Boarding Facility
- D. Animal Clinic
- E. Animal Hospital
- F. Animal Hospital, Large
- G. Boarding Facility
- H. Buildings and Uses Accessory to Discretionary Uses
- I. Campground, minor
- J. Campground, intermediate
- K. Campground, major
- L. Cemetery
- M. Child Care Facility
- N. Day Care Facility

- O. Duplex (Vertical and Side-by-Side)
- P. Family Care Facility
- Q. Intensive Agriculture
- R. Kennel
- S. Natural Resource Extraction Industry
- T. Place of Worship
- U. Public and Quasi-Public Building and Use
- V. Public Utility
- W. Recreational Use
- X. Recreational vehicle park
- Y. Relocated Building
- Z. Secondary Commercial
- AA. Sign
- BB. Surveillance Suite
- CC. Transfer Station
- DD. Utility Building
- EE. Workcamp, Short-Term
- FF. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A maximum of five (5) parcels per quarter section may be subdivided for agricultural, or residential uses including the subdivision of fragments. The following chart presents information by use type regarding the maximum number of parcels allowed per quarter section.

	Maximum Parcel Density Per Quarter Section By Use Type	Minimum Parcel Size	Maximum Parcel Size
Agricultural Use	2 parcels per quarter section	Normally 32.0 ha (80.0 ac.) however a single 16.0 ha (40.0 ac.) parcel may be subdivided if the proposed parcel conforms to 4(A)(ii)	At the Discretion of the Subdivision Authority
Residential Use	4 parcels per quarter section	0.8 ha (2.0 ac.)	8.0 ha (20.0 ac.)
Commercial Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
Community/ Institutional Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
Industrial Use	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority

A. Lot Area – Agricultural Use

- i. The **minimum** parcel size for extensive agricultural uses shall normally be 32.0 ha (80.0 ac.) less any approved subdivisions.
- ii. Notwithstanding (A)(i) above, the subdivision of a single 16.0 ha (40.0 ac.) parcel for agricultural use may be permitted out of an **un-subdivided** quarter section if the following criteria are met to the satisfaction of the County:
 - a. Legal and year round physical access to the proposed parcel and the remainder are developed to County standards;
 - b. The proposed use of the parcel will not adversely impact adjacent agricultural uses;
 - c. The parcel is should normally be located:
 - I. adjacent to or near quarter section boundaries;
 - II. in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
 - III. along a designated rural residential collector road;
 - d. The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
 - e. If the parcel is to be used for an intensive agricultural operation or a value added agricultural industry¹, the use and size of the parcel is supported by a business plan that may include:
 - I. a financial plan to the satisfaction of the County;
 - II. a detailed site plan of the proposed operation including the required land area, expansion possibilities and possible effects on adjacent landowners, uses and municipal infrastructure;
 - III. information regarding potential traffic generation which may include a Traffic Impact Assessment;
 - IV. potential nuisance factors and any mitigation measures necessary to reduce nuisance factors; and
 - V. where necessary, a detailed site assessment which indicates the location, character and parcel coverage percentages of the

¹ Value added industry in this context means: an industry which economically adds value to a product by changing it from its current state to a more valuable state.

environmentally sensitive areas and/or heritage features on the site.

B. Lot Area – Residential Use

- i. Normally, a **maximum** of 8.0 ha (20.0 ac.) per quarter section will be allowed for residential subdivisions.
- ii. Normally, the minimum lot area allowed for vacant residential parcels or for farmstead separations will be 0.8 ha (2.0 ac.) and the maximum lot area will be 8.0 ha (20.0 ac.).

C. Lot Area - Other Uses

The minimum parcel size for other uses shall be as provided for elsewhere in this Bylaw, in the County's Municipal Development Plan, in any relevant Area Structure Plan, or as required by the Subdivision Authority.

5. Development Regulations

A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

From Municipal Road Allowances	23.1 m (92.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line

Adjacent to Another Parcel	18.3 m (60.0 ft.) from the property line
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iii. Minimum Rear Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Road	7.6 m (25.0 ft.) from the property line
Adjacent to Another Parcel	18.3 m (60.0 ft.) from the property line

- iv. Notwithstanding **subsections (A), (B), and (C)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

B. Minimum Floor Area

- i. Single detached dwellings – 69.7 sq. m (750.0 sq. ft.)
- ii. Manufactured and modular home units – 65.0 sq. m (700.0 sq. ft.)
- iii. All others uses at the discretion of the Development Authority

C. Maximum Site Coverage - 45%

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings

D. Maximum Height

- i. 11.0 m (36.1 ft.)
- ii. In the case of buildings which are accessory to extensive agriculture and for discretionary uses, the maximum height shall be at the discretion of the Development Authority.

6. Other Regulations

A. Residential parcels in the Agriculture District will not be allowed:

- i. within required setbacks from a sewage treatment plant or lagoon or solid waste

- disposal site as specified by the appropriate guidelines or authority;
- ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
 - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
 - iv. within a 1 in 100 year flood plain.
- B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
- C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
- D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- G. Shipping containers shall be developed in accordance with **Section 7.31** of this Bylaw
- H. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.



Public Hearing Date: March 13, 2025
Public Hearing Time: 9:15 a.m.

VIRTUAL PUBLIC HEARING – RELEVANT LEGISLATION & PLANNING POLICIES

Proposed Bylaw #1472-25: Amendment to Smoky Lake County Land Use Bylaw #1272-14 to redistrict all the portions of the lands legally described as NE-34-59-13-W4M, from Residential Conservation (R2) District to Agriculture (AG) District; to amend Municipal Development Plan Bylaw #1249-12, to reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area; and to amend Bonnie Lake Area Structure Plan Bylaw #1146-07, to reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area.

SMOKY LAKE COUNTY MUNICIPAL DEVELOPMENT PLAN **BYLAW #1249-12**

SECTION 4.1 – AGRICULTURE POLICY

The County's most enduring resource is its working landscapes; the agricultural, forestry and resource lands which generate approximately 29% of all employment for County residents. Working landscapes are irreplaceable and contribute to the high quality of life enjoyed by all Smoky Lake County residents. Working landscapes within the County must be carefully and equitably managed in order to retain the integrity and value of these areas for the benefit of future generations while supporting economic growth within the agricultural community.

In order to encourage the future viability of a diverse range of agricultural operation within the County, the Municipal Development Plan includes objectives and policies to not only protect, where appropriate, but also enhance the agri-based economy and rural lifestyle.

The following objectives and policies have been adopted by the County relating to agriculture areas within the County:

Objective 4.1.1 – To ensure that working landscapes remain an integral and viable component of the regional economy and rural social structure

Policy 4.1.1.1 The Agricultural Use Area is to be, for the most part, conserved for working landscapes; the agricultural, forestry and resource uses.

Policy 4.1.1.2 While the primary use of the Agricultural Use Area is for extensive agriculture and confined feeding operations involving the production of feed grains, cereal grains, forage crops,

specialty crops, livestock and other animals on a commercial basis, other uses which, in the opinion of Council, do not adversely affect present or future agricultural pursuits may also be permitted on a discretionary basis provided that the development will not adversely affect the agricultural community. Within the Agricultural Use Area, a wide range of resource utilization uses may also occur provided that such uses do not negatively impact other surrounding uses.

Objective 4.1.2 – To minimize the fragmentation of working landscapes while encouraging a variety of agricultural parcel sizes and developments

- Policy 4.1.2.1 Where agricultural land is taken for roads, rail lines, pipelines or other transmission lines, the County shall endorse only those proposals which minimize fragmentation of agricultural land.
- Policy 4.1.2.2 The minimum parcel size for extensive agricultural uses shall normally be a half quarter section less any permitted Country Residential Subdivisions.
- Policy 4.1.2.3 Notwithstanding Policy 4.1.2.2., the subdivision of a single 40.0 ac. (16.18 ha) parcel for agricultural use may be permitted out of an unsubdivided quarter section if the following criteria are met to the satisfaction of the County:
- (a) The parcel contains a farmstead or, if it is a bare parcel, a suitable building site;
 - (b) Leal and year round physical access is sufficient to meet the needs of the proposed use;
 - (c) The proposed use of the parcel does not negatively impact adjacent agricultural uses;
 - (d) In the sole discretion of the Subdivision Authority, the parcel is located:
 - (i) adjacent to or near quarter section boundaries without jeopardizing agricultural operations on the quarter section;
 - (ii) where possible, in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
 - (iii) along a designated rural residential collector road in order to not increase traffic on market roads and reduce conflict between residential and agricultural traffic;
 - (iv) where possible, given the other location criteria listed in subsection (d), in a manner that respects natural capital, including but not limited to soils, vegetation (natural and planted), water bodies and their associated riparian zones, views, etc., and optimizes the use of these assets;

- (e) The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
- (f) If the parcel is to be used for intensive agriculture operation or a home-based value added agricultural industry, the County may require a business plan and/or financial plan, supporting the use and size of the parcel;
- (g) Any other considerations as may be required by the Subdivision Authority.

Objective 4.1.3 – To minimize any negative impacts of agricultural operations on the quality of the environment and adjacent land uses by encouraging good stewardship of the land through the provision of information and the use of beneficial management practices

- Policy 4.1.3.1 The County will provide information to the agricultural community regarding beneficial management practices and other conservation practices.
- Policy 4.1.3.2 Input shall be provided to the Natural Resources Conservation Board (NRCB) in responding to application for new or expanded Confined Feeding Operations (CFOs) based on the technical and locational merits of each application.
- Policy 4.1.3.3 Minimum distance separations of CFOs shall conform to standards set out in the Agricultural Operations Practices Act.
- Policy 4.1.3.4 CFOs will be discouraged from locating in environmentally sensitive areas where slope instability and or groundwater contamination may be of concern.

Objective 4.1.4 – To provide opportunities for low net environmental impact Country Residential development in the Agricultural Use Area without unnecessarily fragmenting working landscapes

- Policy 4.1.4.1 Country Residential development will be allowed within the Agricultural Use Area shown on Map 2, subject to the policies noted below.
- Policy 4.1.4.2 Country Residential subdivisions should be located in proximity to gas, electrical, and telephone lines which have existing spare capacity to sustain the additional usage. Subdivisions shall have direct access to existing maintained roads.
- Policy 4.1.4.3 Where a subdivision for Country Residential purposes is proposed, the developer shall be required to enter into a development agreement with the County wherein the developer agrees to be responsible for all the costs associated with the subdivision and development.
- Policy 4.1.4.4 Documentation indicating that satisfactory arrangements have been made regarding the developer's sewage disposal system may be a condition of approval for Country Residential development.

- Policy 4.1.4.5 The assessment of the suitability of a proposed Country Residential subdivision will not take into consideration require setbacks for private sewage disposal systems. Rather, if a subdivision results in the reduction of setbacks between an existing or proposed private sewage disposal system and a property line then the developer will be required to ensure that the existing or proposed private sewage disposal system conforms to all relevant provincial regulations effecting private sewage disposal systems.
- Policy 4.1.4.6 Spatial buffers or setbacks shall be maintained between Country Residential uses and adjacent uses which may be incompatible for any reason.
- Policy 4.1.4.7 Residential development in the Agricultural Use Area within 1.6km (1 mile) of a lake shall be subject to any controls the County deems necessary to provide that the development will be compatible with the lake environment.
- Policy 4.1.4.8 Residential development in the Agricultural Use Area must be designed to preserve working and cultural landscapes.
- Policy 4.1.4.9 Normally, a maximum of 20.0 ac. (8.08 ha.) will be allowed for Country Residential subdivisions for farmstead separations per quarter section.
- Policy 4.1.4.10 Normally, subdivision of a quarter section for a Country Residential use will be allowed without requiring an amendment to the Land Use Bylaw on the basis of the following:
- (a) subdivision of the quarter section based on an equal split of the quarter section (commonly called an 80-acre split); or
 - (b) subdivision of the quarter section on the basis of a natural or man-made fragmentation by a river, railroad, or road.
- Policy 4.1.4.11 The maximum number of parcels per quarter section in the Agricultural Use Area is five (5). This includes agricultural parcels, Country Residential parcels and fragmented parcels. Additional parcels will not be permitted without a land use bylaw amendment.
- Policy 4.1.4.12 The maximum number of Country Residential parcels permitted per quarter section is dependent on the number of agricultural parcels and fragmented parcels located within a subject quarter section. Conversely, the number of allowable agricultural and fragmented parcels is dependent on the number of Country Residential parcels located within a subject quarter section.
- Policy 4.1.4.13 If one (1) or more agricultural parcels have been previously subdivided from a quarter section then the maximum area of land that can be removed from each agricultural parcel will be determined proportionally based on the size of the previously subdivided agricultural parcels.

- Policy 4.1.4.14 If one (1) or more Country Residential parcels have been previously subdivided from a quarter section then all new agricultural parcels should normally be approximately equal size unless the subdivision is the result of a fragment.
- Policy 4.1.4.15 The design of a parcel for Country Residential use should ensure that if the parcel is further subdivided, access to a government road allowance from an internal roadway can be provided.
- Policy 4.1.4.16 Farmstead separations may be permitted provided the site exhibits at least three (3) of the following characteristics: a residence, well, dugout, shelter belts, fences, ancillary farm buildings, power facilities, access.
- Policy 4.1.4.17 Only one (1) vacant Country Residential parcel will be allowed per quarter section at any time.
- Policy 4.1.4.18 Vacant Country Residential lots shall not be less than 2.0 ac. (0.9 ha), and normally no more than 40.0 ac. (16.18 ha) in size.

SMOKY LAKE COUNTY BYLAW #1146-07 – BONNIE LAKE AREA STRUCTURE PLAN

SECTION 2.2 – AGRICULTURAL AREA

This designation identifies areas where existing higher quality agricultural lands are to be retained for continued agricultural crop production. Agricultural activities shall be protected from incompatible non-farm developments. At the same time, negative impacts of agricultural activity on Bonnie Lake water quality shall be minimized.

Residential development in this Area shall be designed to fit into the existing rural landscape in a manner that will retain the land's capacity to grow crops, produce timber, provide wildlife habitat, prevent soil erosion, provide recreational open space, contribute to maintaining clean water and air and preserve rural character. These features not only contribute to the health and welfare of County residents but also contribute to the economic base by providing jobs and revenues in resource-related and tourism-related enterprises. New buildings and roads shall be designed to enhance rather than to replace these important existing features. Site disturbance shall be held to a minimum.

The following policies apply to lands designated as Agricultural:

1. The preferred use within the Agricultural Area shall be extensive agriculture and farm related uses. Intensive farming activities such as tree nurseries, apiaries, etc., which would not adversely affect the Bonnie Lake environment may be allowed. New confined feeding operations, such as feedlots, hog barns, poultry farms, etc. shall not be allowed. Agricultural operators will be encouraged to use best practices to limit nutrient inputs into Bonnie Lake.
2. Farmstead separation and single lot Country Residential subdivision may be allowed in accordance with requirements stated in the Smoky Lake County Municipal Development Plan and Land Use Bylaw. The operation of the existing sewage disposal facility associated with the dwelling shall be certified as conforming with current sewage disposal regulations prior to approval of the subdivision. Thus, development will be at the maximum density of 3 dwellings per sq. km (8 dwellings per sq. mile or 2 dwellings per quarter section).
3. Commercial, industrial, and recreational development or subdivision shall not be allowed.
4. Transportation, communication, and public utility uses are considered discretionary.

MUNICIPAL GOVERNMENT ACT (MGA)

PUBLIC HEARINGS

Municipal Government Act, R.S.A. 2000

When to hold public hearing

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 or hearing, or
- (c) defeat the bylaw or resolution.

(5.1) Unless this Act or another enactment specifies otherwise, a council may hold only one public hearing on each proposed bylaw or resolution, or any part thereof, that considers residential developments or developments with residential and non-residential developments under Part 17.

(6) The minutes of a 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,
- (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, or
- (c) given by a method provided for in a bylaw under section 606.1.

(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 of 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

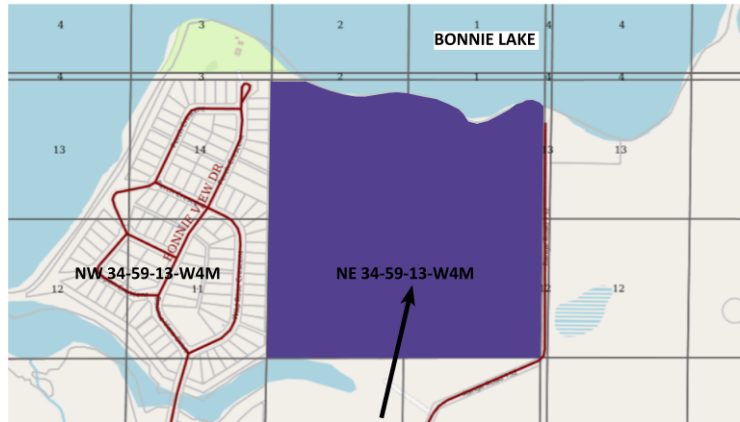
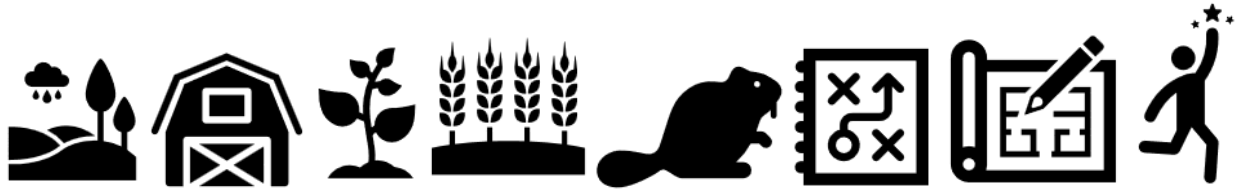
Section 692

- (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 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 216.4 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 in the assessment roll 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 roll 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, 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 redesignated 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.

Smoky Lake County
NOTICE – PUBLIC HEARING
on Proposed Bylaw #1472-25



REDISTRICIT FROM RESIDENTIAL CONSERVATION (R2) DISTRICT
 TO AGRICULTURE (AG) DISTRICT
 UNDER LAND USE BYLAW #1272-14;
 RECLASSIFY FROM RESIDENTIAL CONSERVATION AREA
 TO AGRICULTURE AREA UNDER
 MUNICIPAL DEVELOPMENT PLAN BYLAW #1249-12; &
 RECLASSIFY FROM RESIDENTIAL CONSERVATION AREA TO
 AGRICULTURE AREA UNDER BONNIE LAKE AREA STRUCTURE PLAN BYLAW #1146-07

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 #1472-25:

- To redistrict the lands legally described as NE-34-59-13-W4M, from Residential Conservation (R2) District to Agriculture (AG) District, under the County's Land Use Bylaw #1272-14; &
- To reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area, under the County's Municipal Development Plan Bylaw #1249-12; &
- To reclassify the lands legally described as NE-34-59-13-W4M, from Residential Conservation Area to Agriculture Area, under Bonnie Lake Area Structure Plan Bylaw #1146-07.

A Statutory Public Hearing will be held in relation to Bylaw 1472-25, both in-person *and* via videoconference on Thursday, March 13, 2025, 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/393963085> Meeting ID: 393963085 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 Patti Priest, Executive Services Clerk, 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 Executive 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 <https://www.smokylakecounty.ab.ca/notices>

Questions? Contact:

Jordan Ruegg Planning & Development Manager, Smoky Lake County at 780-650-5207 / jruegg@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.