



Public Hearing Date: September 11, 2025
Public Hearing Time: 9:15 a.m.

VIRTUAL PUBLIC HEARING BACKGROUND

PROPOSED BYLAW NAME & NO.: Proposed Smoky Lake County Bylaw No. 1482-25

APPLICANTS: Adrian Cardinal

PROPOSAL: A Bylaw amending the Smoky Lake County Land Use Bylaw No. 1272-14 to redistrict portions of the lands legally described as NW-22-59-14-W4M, Agriculture (AG) District to Highway Commercial (C1) District.

BACKGROUND:

- On June 25, 2025, an application was received by administration to amend Land Use Bylaw No. 1272-14, to redistrict the subject lands from Agriculture (AG) District to Highway Commercial (C1) District.
- The subject lands are designated as Commercial Area under Section 7.2 – Future Land Use, of Smoky Lake County Municipal Development Plan Bylaw No. 1249-12. The Municipal Development Plan serves to guide Council when considering redistricting applications. The proposed redistricting is consistent with the future land use ascribed for the property in Municipal Development Plan, and therefore, the Municipal Development Plan does not require amendment.
- The portion of the subject lands that the applicant proposes to redistrict are approximately 1.23 hectares (3.04 acres) in area. The remainder of the subject lands is proposed to remain as Agriculture (AG) District under the Land Use Bylaw.
- The applicant proposes to establish a towing business (including an impound/storage yard), and RV storage, both of which are neither Permitted nor Discretionary Uses in the Agriculture District. By redistricting the subject lands to Highway Commercial, these uses would be permissible.
- Should Bylaw #1482-25 receive Third Reading, the owner of the lands will be required to obtain approval from the County's Development Authority for any proposed development. Any proposed development shall meet the regulations of the Highway Commercial (C1) District under Land Use Bylaw #1272-14, and any additional conditions prescribed by the County's Development Authority. Adoption of Bylaw #1482-25 does not constitute Development Authority approval.

NOTICE:

- Public Notice has been advertised for two weeks consecutively in newsprint in the Redwater Review the week of **September 1, 2025** and **September 8, 2025**.
- Public Notice has been posted to the County's website beginning **September 3, 2025**.
- Adjacent landowners were notified of the proposed Bylaw and Public Hearing by letter, sent on **September 2, 2025**.

ATTACHMENTS:

1. Proposed Bylaw #1482-25
2. Smoky Lake County Land Use Bylaw #1272-14: Section 8.8 – Highway Commercial (C1) District
3. Relevant Legislation
4. Notice of Public Hearing

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1482-25**

**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 FOR SMOKY LAKE COUNTY**

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. 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 the portions of NW 22-59-14-W4M, commencing at the northwest corner of said lands, thence 57.29 meters east, thence south 138.60 meters, thence east 7.11 meters, thence south 58.93 meters, thence west 69.60 meters, thence north to the point of commencement, containing +/- 1.23 hectares (3.04 acres), as shown on Schedule 'A', be rezoned from Agriculture District (AG) to Highway Commercial (C1) District.
2. This Bylaw shall come into effect after third and final reading.

READ A FIRST TIME IN COUNCIL THIS 28TH DAY OF AUGUST, AD 2025.

Jered Serben
Reeve

S E A L

Kevin Lucas
Chief Administrative Officer

Bylaw 1482-25

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF ____, AD 20__.

READ A THIRD AND FINAL TIME IN COUNCIL THIS ____ DAY OF ____, AD 20__.

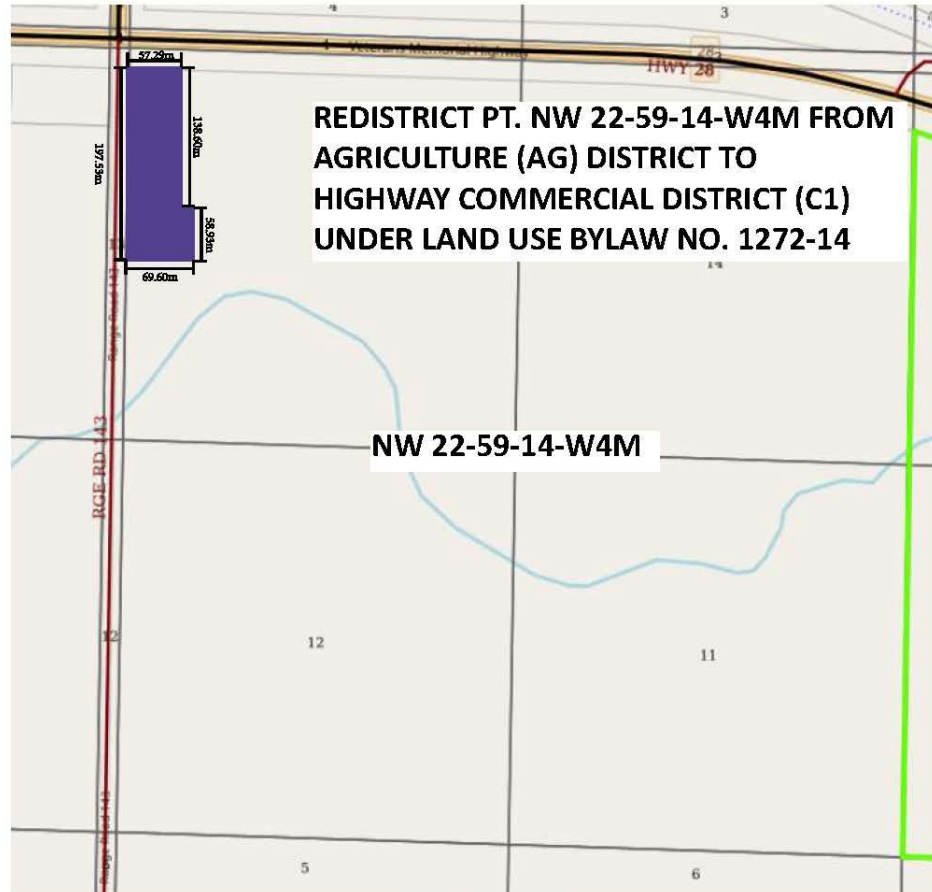
Jered Serben
Reeve

S E A L

Kevin Lucas
Chief Administrative Officer



SCHEDULE "A" BYLAW NO. 1482-25



8.8 HIGHWAY COMMERCIAL (C1) DISTRICT

1. Purpose

The general purpose of this District is to control development in the vicinity of Provincial Highways. Development should be restricted to that which is generally required to serve the motoring public.

2. Permitted Uses

- A. Agricultural Support Service
- B. Automobile Repair Shop, Major
- C. Automobile Repair Shop Minor
- D. Automobile Sales
- E. Bed and Breakfast Establishment
- F. Buildings and Uses Accessory to Permitted Uses
- G. Community Hall
- H. Convenience Retail Service
- I. Drive-in Business
- J. Eating and Drinking Establishment
- K. Extensive Agriculture
- L. Highway Commercial Use
- M. Home Occupation, Minor
- N. Home Occupation, Major
- O. Natural Area
- P. Protective or Emergency Services
- Q. Public or Quasi-Public Services
- R. Public Park

3. Discretionary Uses

- A. Alternative Energy, Personal.
- B. Amusement Establishment, Indoor
- C. Amusement Establishment, Outdoor
- D. Auctioneering Facility
- E. Campground, minor
- F. Campground, intermediate
- G. Campground, major
- H. Boutique Accommodation
- I. Buildings and Uses Accessory to Discretionary Uses
- J. Bulk Fuel Storage and Sales
- K. Cannabis accessory retail sales
- L. Cannabis retail sales

- M. Car wash Establishment
- N. Cemetery
- O. Commercial Use
- P. Dwelling, Single Detached
- Q. Dwelling, single detached, tiny
- R. Duplexes (Vertical and Side-By-Side)
- S. Highway Commercial
- T. Hotel
- U. Liquor Sales/Distribution Service
- V. Manufactured Home
- W. Modular Home
- X. Motel
- Y. Natural Resource Extraction
- Z. Outdoor Eating Establishment
- AA. Places of worship
- BB. Public Utilities
- CC. Recreational vehicle park
- DD. Rural Commercial
- EE. Rural Industries
- FF. Secondary Suite
- GG. Shipping Container
- HH. Surveillance Suite
- II. Transfer Station
- JJ. Workcamp
- KK. Workcamp, Short Term
- LL. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

- A. Minimum Lot Area – As determined by the Subdivision Authority

5. Development Regulations

- A. Minimum Yard Setback Requirements

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 Roads	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
When adjacent to an Internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to Another Parcel	7.6 m (25.0 ft.) from the property line

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
When adjacent to an internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to another parcel	7.6 m (25.0 ft.) from the property line

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

6. Other Regulations

- A. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.

- B. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- C. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- D. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
- E. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
- F. Motels shall be developed in accordance with **Section 7.4** of this Bylaw.
- G. Vehicle Washing Establishments (carwashes) shall be developed in accordance with **Section 6.24** of this Bylaw.
- H. Places of Worship shall be developed in accordance with **Section 6.29** of this Bylaw.
- I. Private Liquor Stores and Storage Facilities shall be developed in accordance with **Section 7.19** of this Bylaw.
- J. Natural Resource Extraction Industries shall be developed in accordance with **Section 6.22** of this Bylaw.
- K. Service Stations and Gas Stations shall be developed in accordance with **Section 6.22** of this Bylaw.
- L. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
- N. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw.
- O. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.



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VIRTUAL PUBLIC HEARING – RELEVANT LEGISLATION & PLANNING POLICIES

Proposed Bylaw #1482-25: A Bylaw amending the Smoky Lake County Land Use Bylaw No. 1272-14 to redistrict portions of the lands legally described as NW-22-59-14-W4M, from Agriculture (AG) District to Highway Commercial (C1) District.

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

SECTION 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 travelling 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 located near urban areas in consultation with the affected urban area, as determined by the Development Authority.
- 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 those 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.

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,

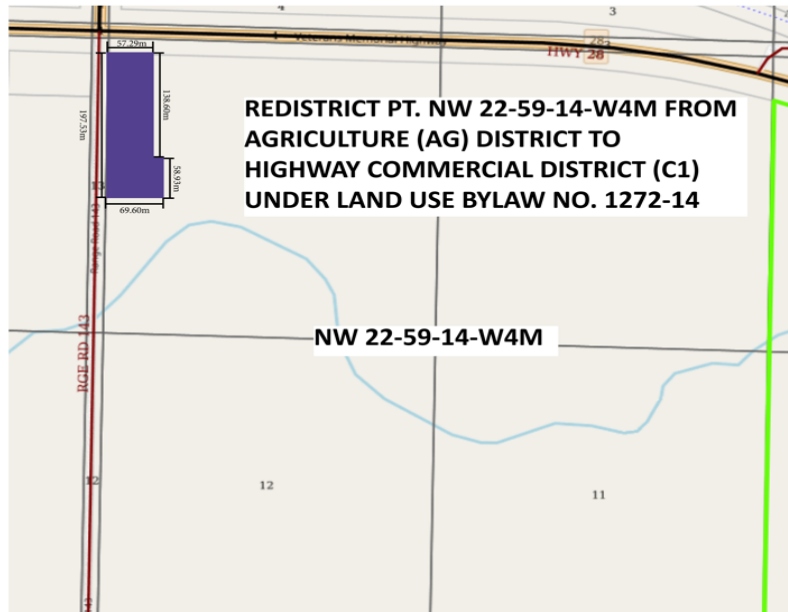
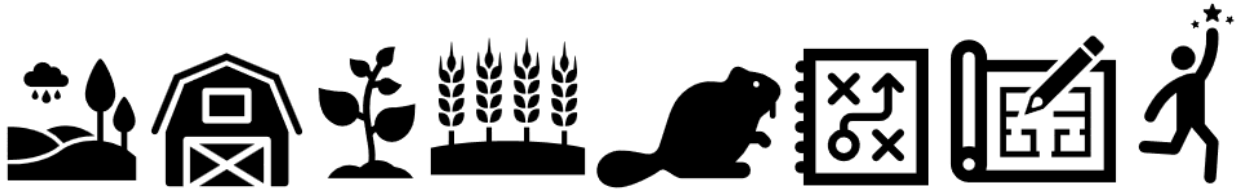
- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
 - i. land that would be contiguous if not for a highway, road, river or stream, and
 - ii. any other land identified in the land use bylaw as adjacent land for the purpose of notifications 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 #1482-25



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 #1482-25:

- To redistrict portions of the lands legally described as NW 22-59-14-W4M,, from AGRICULTURE (AG) DISTRICT to HIGHWAY COMMERCIAL (C1) DISTRICT, under the County's Land Use Bylaw #1272-14; &

A Statutory Public Hearing will be held in relation to Bylaw 1482-25, both in-person *and* via videoconference on Thursday, September 11, 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/191952852> Meeting ID: 191952852 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 Chyen Shaw 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 Chyen Shaw 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 csaw@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.

