

**SMOKY LAKE COUNTY**

Minutes of the **County Council Committee of the Whole Meeting for the purpose of Planning on Friday, March 15, 2019 at 10:09 A.M.** in County Council Chambers.

The meeting was called to Order by the Reeve Mr. Craig Lukinuk, in the presence of the following persons:

		<b>ATTENDANCE</b>
		<u>Friday, March 15, 2019</u>
<u>Div. No.</u>	<u>Councillor(s)</u>	
1	Dan Gawalko	Present
2	Johnny Cherniwchan	Present
3	Craig Lukinuk	Present
4	Lorne Halisky	Present
5	Randy Orichowski	Present
CAO	Cory Ollikka	Present
Asst. CAO	Lydia Cielin	Present
Legislative Svcs/R.S.	Patti Priest	Present
Plan & Dev Manager	Jordan Ruegg	Present
Plan & Dev Assistant	Kyle Schole	Present
Bylaw Officer	Ed English	Present
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Village of Waskatenau representatives:  
Bernice Macyk – Chief Administrative Officer,  
Casey Caron – Mayor, and  
Richard Warren – Councillor were present.

No Members of the Media or Public were present.

**2. Agenda:**

**Agenda**

492-19: Orichowski

That the Smoky Lake County Council Committee of the Whole Meeting for the purpose of Planning Agenda for Friday, March 15, 2019, be adopted, as amended:

**Addition to the Agenda:**

1. Discussion - Draft Noise Bylaw.
2. Municipal Road Renaming Request.
3. Haul Road \ Road Bans.

Carried Unanimously.

**3. Minutes:**

No Minutes.

**4. Request for Decision:**

No Request for Decision.

**7. Delegation:**

Present before County Council at 10:09 a.m. to 11:10 a.m. was Village of Waskatenau representatives: Bernice Macyk – Chief Administrative Officer, Casey Caron – Mayor, and Richard Warren – Councillor, to review and discuss the Phase II Environmental Site Assessment, Ground-water Monitoring Report and Remedial Action Plan for the Waskatenau Nuisance Ground located on SE-16-59-19-W4, 5225CL; OT.

**5. Issue for Information:**

**Waskatenau Nuisance Ground**

Discussion was held regarding the Waskatenau Nuisance Grounds including the following points:

- The Phase II Site Ground Assessment and Ground Water Testing has been completed and the final results are available.
- We have been approved by the Federation of Canadian Municipalities for Green Municipal Funds in the amount of \$42,500.
- The total cost of remediation is approximately \$200,000.
- Prefer to do the work inhouse in conjunction with local contractors.
- There is potential for the old Waskatenau water reservoirs berm which is approximately 600 meters away to be utilized as fill material.

493-19: Halisky

That Smoky Lake County Council recommend administration research potential grants applicable to the remediation of the Waskatenau Nuisance Ground legally described as: SE-16-59-19-W4, 5225CL; OT; and prepare to pursue an application to Alberta Environment for a reduction of the development setback surrounding the said property; and recommend the Village of Waskatenau: provide a letter of support for reducing the setback as well as investigate the protocol for providing fill material.

Carried.

**Pre-zoning Industrial Land**

**Where are we currently?**

- 'Northern Eagle 6' attended the February 21, 2019 Council Meeting as a delegation to provide information regarding possibly locating a Bio-Fuel facility within the County;
- Either in order to leverage this specific opportunity, or in the pursuit of enhanced opportunities generally, Council may choose to look at 'pre-zoning' certain areas deemed appropriate for future industrial development;
- The 2018-2020 Strategic Plan identifies an 'Industrial Park' as an Economic Development Strategic Priority for the 2019 calendar year.


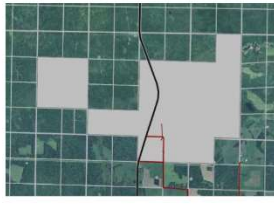
**What is pre-zoning?**



- Land Use Districts describe the Permitted and Discretionary Uses within a zoning area, as well as other development regulations and standards.
  - Examples:
    - Agriculture District, AG
    - Multi-lot Country Residential District, R1
    - Industrial District, M1
- The goal of zoning is:
  1. to assign compatible Uses according to the land's characteristics and existing Uses, and
  2. to separate incompatible Uses from one another
- A change in zoning does not constitute a Development Permit, which must still be applied for at a later date prior to commencement of work by the developer.

## Current Industrial Lands Inventory

- Presently, there are only two areas zoned as industrial either under the Industrial (M1) District, or the Rural Industrial (M2) District:

Zoned: Industrial (M1) District	Zoned: Rural Industrial (M2) District
	

## Why Pre-zone?

- Lessens uncertainty for potential developers looking at the County as a potential location and investment;
- Minimizes red tape and timelining for shovel-ready projects;
- Enhanced certainty strategic visioning and longer-term planning;

Smoky Lake County is open for business!

## Key Points

- **Opting to pre-zone does not commit the County to spending money for extending or connecting municipal services to specific developments.**
  - Investments of this nature are negotiated separately, later, and directly with developers on a case-by-case basis.
- The pre-zoning process takes time, requiring a land use bylaw amendment, as well as Public Hearing
- Potential Risks:
  - Adjacent landowner concerns
  - Concerns from the Village of Waskatenau
  - Prematurely narrowing the scope of potential uses in a given area

## Recommendations

1. That the County consider directing Administration to investigate what lands it may view as being appropriate for consideration for potentially pre-zoning to an Industrial District.
  - Waskatenau area, or
  - Elsewhere
2. That the County begin a dialogue with the Village of Waskatenau,
  - Regarding the potential Northern Eagle Bio-Fuel Facility specifically, and
  - Possible designation of nearby Industrial lands, generally.
3. That the County consider any potential changes or amendments to the existing industrial Land Use districts of LUB 1272-14.

494-19: Orichowski

That Smoky Lake County Council recommend administration prepare a bylaw amendment to rezone suitable lands to “Industrial District” near the Canadian National Railway spur-line located on the west side of the Village of Waskatenau as a proactive effort to encourage industrial development.

Carried.

**Meeting Recessed** Meeting recessed for Lunch, time 12:12 p.m.

**Meeting Reconvened** The meeting reconvened on a call to order by Reeve Craig Lukinuk at 12:53 p.m. in the presence of all Council, the Chief Administrative Officer, the Assistant Chief Administrative Officer, Planning and Development Manager, Planning and Development Assistant, Bylaw Officer, and Recording Secretary.

## Municipal Environmental Land Reserves and Accretion

### Reserve/ER Background

▶ At Garner Lake and elsewhere, private individuals have been accessing and utilizing County lands classified as Reserve or Environmental Reserve (ER)

▶ Per Council Motion No. 993-16 of August 25, 2016:

MOTION NO.	RESOLUTION
993-16	That Smoky Lake County research and prepare a bylaw in regards to the permitted use on Environmental Reserves.

### Relevant Documents

- ▶ Municipal Government Act
- ▶ Municipal Development Plan
- ▶ Garner Lake Area Structure Plan
- ▶ Land Use Bylaw

### Types of Reserve

Reserve lands are taken at the time of subdivision, and their purposes vary:

- ▶ CR - Conservation Reserve
- ▶ ER - Environmental Reserve
- ▶ MR - Municipal Reserve
- ▶ SR - School Reserve
- ▶ PUL - Public Utility Lot
- ▶ Other

### Types of Reserve

1. ER - Environmental Reserve
  - a swamp, gully, ravine, coulee or natural drainage course,
  - land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or
  - a strip of land, not less than 6 metres in width, abutting the bed and shore of any body of water.
    - to preserve the natural features of land where, in the opinion of the subdivision authority, those features should be preserved;
    - to prevent pollution of the land or of the bed and shore of an adjacent body of water;
    - to ensure public access to and beside the bed and shore of a body of water lying on or adjacent to the land;
    - to prevent development of the land where, in the opinion of the subdivision authority, the natural features of the land would present a significant risk of personal injury or property damage occurring during development or use of the land.
  - For the purposes of subsection (1.1)(b) and (c), "bed and shore" means the natural bed and shore as determined under the Surveys Act.
2. CR - Conservation Reserve
  - in the opinion of the subdivision authority, the land has environmentally significant features,
  - the land is not land that could be required to be provided as environmental reserve,
  - the purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land, and
  - the taking of the land as conservation reserve is consistent with the municipality's municipal development plan and area structure plan.

### Types of Reserve

3. MR - Municipal Reserve, and;
4. SR - School Reserve
  - a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision
    - to provide part of that parcel of land as municipal reserve, school reserve or municipal and school reserve,
    - to provide money in place of municipal reserve, school reserve or municipal and school reserve, or
    - to provide any combination of land or money
  - The aggregate amount of land that may be required may not exceed the percentage set out in the municipal development plan, which may not exceed 10% of the parcel of land less all land required to be provided as conservation reserve or environmental reserve or made subject to an environmental reserve easement.
5. PUL - Public Utility Lot
6. Other

A council may by bylaw require that a parcel of land or a part of a parcel of land that it owns or that it is in the process of acquiring be designated as municipal reserve, school reserve, municipal and school reserve, environmental reserve, conservation reserve or public utility lot.

### Recommendations

- ▶ That the County considers what uses should be authorized on reserve lands.
- ▶ That the County considers what enforcement measures should be utilized.
  - ▶ Signage;
  - ▶ Ticketing;
  - ▶ Etc.
- ▶ That the County direct Administration to propose and bring forward a draft Environmental Reserve ER Bylaw along those lines.

495-19: Gawalko That Smoky Lake County Council recommend administration prepare a survey for public participation of all lake-resort-area-landowners of property adjacent to an Environmental Reserve, to obtain public input on Environmental Reserve use; and include a County informational brochure on lake shoreline/riparian setback with the said survey.

Carried.

**Addition to the Agenda:**

**Draft Noise Bylaw - Discussion**

Discussion was held in regard to a Draft Noise Bylaw prepared by administration in response to the Policy Committee Meeting held on March 6, 2019, Motion #144-19: "That the Policy Committee recommend administration be directed to draft a Noise Bylaw specific to noise in hamlets and resort areas; and bring a draft Noise Bylaw forward to the next scheduled Policy Committee meeting."

**Noise Bylaw Concept – Direction from Council**

496-19: Cherniwchan That Smoky Lake County Council recommend administration provide information on the current status of the "makeshift" campgrounds first, prior to proceeding with a Noise Bylaw concept.

Carried.

**Municipal Road Renaming Request**

497-19: Lukinuk That Smoky Lake County recommend, further to Council's August 30, 2018, Motion # 895-18, denying the letter request from Simon Sochatsky, dated July 24, 2018, in regard to renaming a County road in Dwain Sochatsky's honor; and notify Simon Sochatsky of the same and request he provide recommendations for alternative options in honoring Dwain Sochatsky; and carbon copy the Smoky Lake County Regional Heritage Board.

Carried.

**Haul Road / Road Bans**

498-19: Cherniwchan That Smoky Lake County Council recommend communicating the imminent road bans information to the public in the most expedient way; and encourage those who are hauling, to notify the county to ensure the roads are given extra maintenance if necessary.

Carried.

**6. Correspondence:**

No Correspondence.

**8. Executive Session:**

No Executive Session.

**ADJOURNMENT**

499-19: Lukinuk That the meeting be adjourned, time 2:46 p.m.

Carried.

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REEVE

S E A L

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CHIEF ADMINISTRATIVE OFFICER