

**SMOKY LAKE COUNTY**

Minutes of the **Municipal Planning Commission** meeting held on **Friday, November 29, 2019** in the County Council Chambers.

The meeting was called to Order at 8:43 a.m. by the Chief Administrative Officer, Cory Ollikka in the presence of the following persons:

**ATTENDANCE**

Councillor Dan Gawalko	Division 1
Johnny Cherniwchan	Division 2
Craig Lukinuk	Division 3 (Reeve)
Councillor Lorne Halisky	Division 4
Councillor Randy Orichowski	Division 5 (Deputy Reeve)
Jordan Ruegg	Planning and Development Manager
Cory Ollikka	Development Officer
Kyle Schole	Planning and Development Assistant
Patti Priest	Recording Secretary

**ABSENT**

Lydia Cielin	Assistant CAO
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No Members of the Public were present.

**Election of Chairperson**

The Chief Administrative Officer called first (1) time for nominations for Chairperson.

**MPC19.038: Gawalko**

That Councillor Lorne Halisky be nominated as the Chairperson of the Municipal Planning Commission.

The Chief Administrative Officer called second (2) time for nominations for Chairperson.

The Chief Administrative Officer called third (3) time for nominations for Chairperson.

NO FURTHER NOMINATIONS.

**MPC19.039: Orichowski**

That Municipal Planning Commission declare Nominations for Chairperson Ceased.

**CARRIED UNANIMOUSLY.**

Mr. Lorne Halisky was declared elected by acclamation by the Chief Administrative Officer as the Chairperson of the Municipal Planning Commission for the ensuing year, and assumed the Chair.

**Election of Vice-Chairperson**

The Chairperson called first (1) time for nominations for Vice-Chairperson.

**MPC19.040: Lukinuk**

That Councillor Randy Orichowski be nominated as the Vice-Chairperson of the Municipal Planning Commission.

The Chairperson called second (2) time for nominations for Chairperson.

The Chairperson called third (3) time for nominations for Chairperson.

NO FURTHER NOMINATIONS.

**MPC19.041: Gawalko**

That Municipal Planning Commission declare Nominations for Vice-Chairperson Ceased.

**CARRIED UNANIMOUSLY.**

Mr. Randy Orichowski was declared elected by acclamation by the Chairperson as the Vice-Chairperson of the Municipal Planning Commission for the ensuing year.

**2.0 ADOPTION OF AGENDA**

**MPC19.042: Orichowski**

That the Agenda for the Municipal Planning Commission meeting for Friday, November 29, 2019, be adopted as amended:

**Addition to the Agenda:**

1. Discussion of Engineering Costs Relating to Bonnie Lake Developments.

**CARRIED UNANIMOUSLY.**

**3.0 MINUTES**

**MPC19.043: Lukinuk**

That the Minutes of August 29, 2019 – Municipal Planning Commission meeting, be adopted as presented.

**CARRIED.**

**4.0 REQUEST FOR DECISION**

**4.1 Development Permits to be Considered:**

DP 059-19 SECONDARY COMMERCIAL (AUTO REPAIR & SALVAGE) USE AND 20 X 40' QUONSET.

**MPC19.044: Lukinuk**

That the Municipal Planning Commission **APPROVE** Development Permit No. 059-19: SE-28-59-16-W4M for the development of a Secondary Commercial Auto Repair & Salvage Use and 20 x 40' Quonset, subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Site Plan dated October 25, 2019, attached to, and forming part of, this Development Permit.  
Minimum Front Yard Setback: 92 ft  
Minimum Rear Yard Setback: 60 ft  
Minimum Side Yard Setback: 60 ft
2. The proposed development shall not exceed a maximum of 36.1 feet in height.
3. All applicants, private and general contractors shall, during the course of construction, renovation or demolition of a building, keep the land in a reasonable condition so as to prevent it from blowing onto any other private or public property. At the conclusion of construction, all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
4. Outdoor storage of vehicles shall not exceed three (3) weeks at a time.
5. Applicant must ensure that no greater than five (5) scrap, salvage, or repair vehicles are on-site at any time.

6. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
7. Municipal water and sewer services are not available at this location. It will be the sole responsibility of the Developer to ensure that water well and private sewage disposal systems associated with this Development conform to current provincial requirements. In addition, all infrastructure improvement costs associated with the Development will be borne solely by the Developer.
8. The proposed Development shall commence within twelve (12) months from the date of this Permit's issuance and be carried out with reasonable diligence within five (5) years.
9. The Developer shall obtain any and all necessary approvals, permits, authorizations and licenses from any and all agencies, departments and authorities as may be required.
10. Applicant to apply for and obtain any required building permits, and/or secondary permits (electrical, plumbing, sewage, gas).
11. Any Development involving pipeline and/or powerline rights-of-way shall be sited to comply with all relevant federal and provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.
12. Applicant to display the assigned civic address at or near the front of the property so that it can be clearly read from the roadway.
13. If not included within this Permit Application, the applicant must apply for signage separately.
14. The Alberta Motor Vehicle Industry Council (AMVIC) regulates the motor vehicle industry in Alberta. The County requires that the above development is registered with AMVIC prior to business operation and a copy is listed on file.
15. The applicant shall comply with all requirements of Alberta Environment and Parks, and any applicable provincial or federal legislation, including with regard to spill containment and setbacks from nearby watercourses.

**CARRIED UNANIMOUSLY.**

DP 060-19 NATURAL RESOURCE EXTRACTION/PROCESSING FACILITY (SAND AND GRAVEL).

**MPC19.045: Lukinuk**

That the Municipal Planning Commission **APPROVE** Development Permit No. 060-19: RL-10-58-17-W4M for the development of Natural Resource Extraction/Processing Facility (Sand and Gravel), (8 Acres), subject to the following conditions:

1. The proposed Development shall be constructed and sited as per the Development Plan originally prepared by CLH Group Inc., dated November 4, 2019 which has been amended by the Municipal Planning Commission on November 29, 2019, and attached to, and forming part of, this Development Permit.
2. This Development Permit will expire **one (1) year** from the date of issuance.
3. The Developer shall comply with all requirements of Alberta Environment and Parks, including any registrations, permits and approvals.
4. Tree and bush removal on Said Lands shall take place only during the approved period of July 31 to April 15, as required by the *Alberta Wildlife Act* and the federal *Migratory Birds Convention Act*.
5. Any burning of vegetation on Said Lands will require a Burn Permit issued by Smoky Lake County's Fire Chief or his designate.
6. **Reclamation and rehabilitation of Said Lands shall be in accordance with the *Alberta Environmental Protection and Enhancement Act (EPEA)*. A copy of the Reclamation Certificate shall be provided upon completion of operations.**
7. All equipment and activity relating to the mining and crushing operation shall be located within and take place in areas approved for gravel extraction.
8. Hours of Operation:
  - a. **Crushing Operations**: 24 hours per day, 365 days per year.
  - b. **On-Site Development Operations (including tree removal, pit development, reclamation)**: 24 hours per day, 365 days per year.
  - c. **Hauling**: 7:00 a.m. – 9:00 p.m., Monday to Saturday inclusive. Hauling will not be permitted on Sundays and Statutory Holidays.
9. **The Developer shall ensure that dust and noise control measures are undertaken to prevent such items from becoming a nuisance to adjacent landowners, or disruption of the enjoyment of the Victoria District and/or Victoria Trail. In this regard, stockpiles shall be located in a position so as to act as a sound barrier, located in such a way as to prevent them from being visible from the Victoria Trail. The Developer shall also apply methods of minimizing the noise created from machinery wherever possible, to the satisfaction of the Development Authority.**
10. The Developer shall be required to comply with Smoky Lake County Bylaw No. 1306-17: Licensing of Aggregate Extraction Businesses Operating Within Smoky Lake County prior to this Development Permit taking affect.

11. The Developer shall keep the area subject to the Development Permit in a clean and tidy manner, free from rubbish and non-aggregate debris.
12. The Developer shall be required to enter into a Development Agreement with Smoky Lake County prior to this Development Permit taking affect.
13. The Developer shall be required to enter into a Haul Road Agreement with Smoky Lake County prior to this Development Permit taking affect.
14. The Developer shall install and maintain appropriate traffic and safety signage on and about Said Lands and adjacent road accesses.
15. Accesses and haul routes into extraction areas shall be located away from residential areas.
16. The Developer shall ensure that any development involving pipeline and/or powerline rights-of-way shall be sited to comply with all relevant federal and provincial regulations and legislation. Setbacks from pipelines shall be in accordance with appropriate provincial legislation and regulations established by the Alberta Energy Regulator (AER). Setbacks from utility corridors shall be in accordance with provincial legislation and regulations established by the Alberta Utilities Commission (AUC).
17. No development, disturbance or alteration of a surface waterbody is permitted without first obtaining the necessary approvals under the *Water Act* and from the Department of Fisheries and Oceans. Evidence of a *Water Act* approval or license must be provided to the Development Authority for Smoky Lake County in cases where a surface waterbody is altered or disturbed.
18. No washing activities shall take place under this Development Permit. Should the Developer wish to undertake any washing activities on Said Lands, the Developer must provide a copy of a *Water Act* License or Approval to the Development Authority for Smoky Lake County before washing activities may commence.
19. All reasonable measures shall be taken by the Developer to control erosion in the areas approved for sand and gravel extraction.
20. If a portion of the pit should become inactive for a period lasting more than **three (3) consecutive months**, the pit faces shall be sloped to a ratio of **2:1** to ensure public safety and prevent erosion.
21. The Developer shall obtain any and all approvals, permits, authorizations, certificates and licenses from any and all agencies, departments and authorities as may be required.
22. Truck drivers shall not be permitted to use engine-retarder brakes within ½ mile of a residence on municipally owned roads.

23. The storage of bulk fuels will not be permitted on Said Lands.
24. Weed control measures shall be implemented at the request of, and to the satisfaction of, Smoky Lake County.
25. The Developer shall provide a security deposit in accordance with Land Use Bylaw 1272-14 Section 2.7.1.C as a Class II pit, in the amount of \$2,000.00 / working acre.
26. The Developer shall identify the property lines with stakes as per a Land Surveyor, at no cost to the County.

**CARRIED UNANIMOUSLY.**

**MPC19.046: Orichowski**

DP 061-19 EXPANDED NATURAL RESOURCE EXTRACTION/PROCESSING FACILITY (SAND AND GRAVEL) – INCREASE PIT BOUNDARY BY 12.9 ACRES.

That the Municipal Planning Commission DEFER Development Permit No. 061-19: SE-36-60-18-W4M for the development of Natural Resource Extraction/Processing Facility (Sand and Gravel), (Increase if 12.9 Acres), to address and identify the best possible haul route and best season for hauling activity.

**CARRIED UNANIMOUSLY.**

#### **5.0 ISSUES FOR INFORMATION**

5.1 Nil.

#### **ADDITION TO THE AGENDA**

##### **Discussion of Engineering Costs Relating to Bonnie Lake Developments**

**MPC19.047: Lukinuk**

That the Municipal Planning Commission DEFER Discussion of engineering costs, if any, from Associated Engineering Alberta Ltd., in respect to the proposed Bonnie Lake Developments, to the Smoky Lake County Council Meeting scheduled for December 12, 2019.

**CARRIED UNANIMOUSLY.**

#### **6.0 CORRESPONDENCE**

6.1 Nil.

#### **7.0 DELEGATION**

7.1 Nil.

#### **8.0 ADJOURNMENT**

**MPC19.048: Halisky**

That the Municipal Planning Commission Meeting of November 29, 2019 adjourn at 9:25 a.m.

**CARRIED.**

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Lorne Halisky, Chairperson

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Cory Ollikka, Development Officer