

Regular Council

Agenda

Council Chamber, Leduc County Centre, Nisku, AB

Tuesday, April 27, 2021

1. **Order - 1:30 p.m.**
2. **Adoption of agenda**
3. **Adoption of previous minutes**
- April 13, 2021 regular council meeting ✓
4. **1:30 p.m. Public presentations**
a) Public
5. **1:30 p.m. Department reports / recommendations**
 - a) **1:30 p.m. Planning & Development**
 - i) Direct Control Permit D21-054 - Accessory Building, SW 36-50-23-W4, A-6 Holdings Ltd ✓ C. Haverland
 - ii) **1:45 p.m. Public Hearing** - Bylaw - Soil Movement, Stockpiling & Grading ✓ C. Haverland & M. Miller
 - b) **2:00 p.m. Policy approvals**
 - i) **Parks & Recreation:**
 - i. Rescind CD-04 Cost Share Agreements - General; ✓ D. Ohnysty
 - ii. Rescind PR-01 Campground Improvement Fee and PR-02 Campground Improvement Reserve; and approve new Policy PR-01 Campground Improvement Reserve ✓ D. Ohnysty
 - ii) **Economic Development** - ED-01 Legacy Fund Policy (*approve*) ✓ G. Bain
 - c) **2:15 p.m. County Manager's office** ✓ R. Thomas
 - i) Lease agreement and advertisement - Portion of Plan 1920391, Block 1, Lot 13A
 - d) **2:30 Finance**
 - i) 2021 final budget ✓ R. Klimosko & N. Wice
 - ii) 2021 Property Tax Bylaw ✓ R. Klimosko & N. Wice
6. **3:30 p.m. New Business**
 - a) April 19, 2021 letter from Town of High River - Eastern Slopes Coal Exploration & Public Consultation - 1976 Coal Development Policy ✓
7. **3:30 p.m. In-Camera item (in accordance with S. 24(1) & 25(1), Freedom of Information & Protection of Privacy Act)**
 - a) Edmonton International Airport (EIA) Joint Venture - Utilities, Sections 24(1) & 25(1), FOIP ✓ D. Mrgylod
8. **Adjournment**



Regular Council Meeting

Minutes

Council Chamber, Leduc County Centre, Nisku, AB

Tuesday, April 27, 2021

Order and roll call

The meeting was called to order at 1:30 p.m., Tuesday, April 27, 2021 by Mayor Tanni Doblanko as Chair and council members Kelly-Lynn Lewis, Kelly Vandenberghe, Larry Wanchuk, Glenn Belozar and Ray Scobie present. Council member Rick Smith participated in the meeting via teleconference.

Other attendees

- Duane Coleman, County Manager
- Rick Thomas, Deputy County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Grant Bain, Director - Planning and Development
- Joyce Gavan, Legislative Coordinator
- Charlene Haverland, Manager - Development Services
- Matthew Miller, Planning and Engineering Technologist

Others

- Simon Amyotte
- Real Amyotte

Agenda adoption

107-21 Councillor Lewis -- that the agenda for the April 27, 2021 regular County council meeting be adopted as amended:

6. b) Collaborative Economic Development signed Memorandum of Understanding - selection of delegate to serve on Oversight Committee

Carried Unanimously

Previous Minutes - April 13, 2021 regular meeting

108-21 Councillor Belozar -- that the April 13, 2021 regular council meeting minutes, be adopted as circulated.

Carried Unanimously

Public presentation

There was no one in attendance to provide a public presentation.

Direct Control Permit D21-054 - Accessory Building SW 36-50-23-W4, A-6 Holdings Ltd.

Manager of Development Services Charlene Haverland presented a recommendation for approval of Direct Control Permit D21-054 by Simon Amyotte, A-6 Holdings Ltd. for an accessory building on SW 36-50-23-W4.

109-21 Councillor Smith -- that Leduc County council approves Direct Control Permit D21-054 by Simon Amyotte, A-6 Holdings Ltd. for an accessory building on SW 36-50-23-W4, subject to the following conditions:

1. Approval is granted based on the information provided by the applicant for the approved development only and no other development.
2. The approved development shall be located as shown on the approved site plan.
3. The approved accessory building shall not be used as a dwelling unless specifically approved as a dwelling by a separate development permit.
4. The site shall be maintained in a neat and orderly manner including the containment of all construction materials and refuse, to the satisfaction of the Development Authority.
5. The applicant/landowner shall provide fire fighting access at all times to the satisfaction of Leduc County Fire Services.
6. The development shall not cause any adverse drainage impact on adjacent properties or flooding of nearby ditches in excess of their capabilities.
7. A Provincial Road Side Development Permit is required prior to development in this location. No development shall commence on the site until a Provincial Road Side Development Permit has been issued by Alberta Transportation.
8. All new accesses, approaches or upgrades, including driveways required off of a Leduc County public roadway, as a result of the development shall first require an Access Application to be provided to the satisfaction of and approved by Leduc County Public Works and Engineering.
9. No further development, expansion or change in use is permitted unless approved by Leduc County.

Carried Unanimously

Simon and Real Amyotte

Simon and Real Amyotte exited the council chamber at 1:44 p.m.

Public Hearing - Amend Leduc County Land Use Bylaw 7-08 - soil movement, stockpiling and grading

Mayor Doblanko called the public hearing to order at 1:45 p.m. with respect to the amendment to the Leduc County Land Use Bylaw No. 7-08 relating to soil movement, stockpiling and grading regulations.

Mayor Doblanko explained the purpose of the hearing and procedures to be followed.

Mayor Doblanko then called upon designated staff from Planning and Development to introduce the subject of the hearing.

Manager of Development Services Charlene Haverland and Planning and Engineering Technologist Matthew Miller provided a staff report with respect to the proposed bylaw to amend the Leduc County Land Use Bylaw No. 7-08 relating to proposed soil movement, stockpiling and grading.

Staff member Ohnysty

Director of Community Services Dean Ohnysty entered the council chamber at 1:47 p.m.

Mayor Doblanko asked if council members had any questions for administration.

In response to questions by council members, clarification was provided with respect to advertising, permitted uses and the proposed changes to the Land Use Bylaw.

Mayor Doblanko noted there was no one in attendance to speak to the proposed amendment.

Conclude public hearing

Mayor Doblanko concluded the public hearing at 2:16 p.m.



Bylaw No. 09-21 Amendment to Leduc County Land Use Bylaw No. 7-08 - soil movement, stockpiling and grading

110-21 Councillor Belozer -- that Bylaw No. 09-21 be given first reading to amend the Leduc County Land Use Bylaw 7-08 as follows:

1. That part 6.14 of the Table of Contents be revised to read as follows:
6.14 Soil Movement, Stockpiling, & Grading
2. That part(s) of Section 3.2: Development Not Requiring a Permit, be revised to read as follows:
 - (b) Agriculture, Extensive; Agriculture, Livestock or Agriculture, Horticulture use, structure, excavation or building in a district where the use is listed as permitted, including but not limited to a barn, hay shed, machine shed, livestock shelter, granary, dugout*, and the outdoor storage of equipment, supplies and products directly associated with the agricultural operation, but not including a Confined Feeding Operation or a dwelling; Notwithstanding the foregoing, these exemptions do not apply to Cannabis or any Cannabis related uses.
 - i. *Dugouts with a water volume less than 2,500m³ for agricultural use are exempted from obtaining a development permit. All dugouts with a water volume greater than 2,500m³ are subject to development permits and Alberta Water Act approval.
3. That Section 6.14 Site Leveling, In-filling and Grading, and parts 6.14.1 through 6.14.21 be amended as follows:
6.14 Soil Movement, Stockpiling and Grading
 - 6.14.2 Any application made for Soil Movement, Stockpiling and Grading under section 6.14 *shall* be processed as a *discretionary use* in all Districts, unless specifically exempt under section 3.2.
 - 6.14.3 Where a development site requires Soil Movement, Stockpiling and Grading the topsoil on the site shall be preserved, stockpiled, and replaced following completion of the site modifications.
 - 6.14.4 Any development permit application that involves Soil Movement, Stockpiling and Grading shall include the following, in addition to the application requirements set out in Section 3.3, as an integral part of the application:
 - a. Soil Testing, for clubroot of canola, hydrocarbons, and any other contaminant deemed necessary by the County, subject to the provisions of 6.14.10.
 - b. A detailed description of the source of the material being considered for the development permit (eg. legal land location, site map, aerial imagery)
 - c. A detailed description of the reason(s) for making the application (eg., grading for construction purposes; to increase agricultural productivity; flood control)
 - d. Any other supporting information deemed necessary by the County to protect agricultural crop land from harmful contaminants
 - e. Alberta Water Act Approval, if within the vicinity of a wetland, waterbody, watercourse or Environmental Significant Area (ESA), may be required
 - f. Applications for Soil Movement, Stockpiling, & Grading, on lands with a FAR rating greater than 51%, Class 1 soil, or with proposed soil depth greater than 30 cm (1 ft.)

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or clay depth greater than 30 cm (1 ft.) may be required to submit an Agricultural Impact Assessment Part 2 with a Development Application

- 6.14.9 Materials used for Soil Movement, Stockpiling and Grading on a site shall be free of contaminants and debris to the satisfaction of the Development Authority and the Province (where applicable). Any materials brought onto a premises from outside of the parcel subject to the development permit application, shall be required to submit, prior to development and road operations approval being issued, professional testing to ensure that all materials are free of agricultural soil borne pests, (including, but not limited to Clubroot of Canola) and hydrocarbons that may be of detriment to the development site, or surrounding areas, in accordance with the provisions of section
- 6.14.10 Any material brought onto a property under the provisions of 6.14, unless exempt under section 3.2, shall require soil testing for agricultural soil borne pests, (including, but not limited to Clubroot of Canola) and hydrocarbons to be completed by an accredited laboratory and the results be submitted to the County to accompany a Development Permit application. The following sample numbers (at minimum) shall be tested from the source material to reflect the amount of material being deposited:
- a. Up to 100m³ – 1 sample
 - b. Up to 1,000m³ – 5 samples
 - c. Up to 10,000m³ – 10 samples
 - d. Up to 100,000m³ – 20 samples
 - e. Over 100,000m³ – To be determined by the County
- 6.14.12 Sample results provided under the provisions of 6.14.10 for material sourced from outside of the County that is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) and hydrocarbons shall not be permitted.
- 6.14.13 Any sample results provided under the provisions of 6.14.10 for material sourced from within the County and intended for use on an agricultural parcel, or in close proximity to an agricultural parcel, that is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) and hydrocarbons *shall* not be permitted unless the applicant can demonstrate that the level of infection within the source material will not increase the existing infection level, (if any) of the lands in which the material will be placed.
- 6.14.14 Any sample results provided under the provisions of 6.14.10 for material sourced from within the County and intended for use on non-agricultural parcels, for non-agricultural use, and is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) and hydrocarbons *may* be permitted, providing the applicant can demonstrate, to the satisfaction of the County, that the material, its transit and its end use will not pose a risk to the Agricultural Crop land areas.
- 6.14.1 Should any proposed Soil Movement, Stockpiling and Grading be for the provision of future development, it *shall* be the responsibility of the applicant to demonstrate to the County, at the application stage, that the material being imported to the development site provides adequate ground stability for the intended use.

6.14.22 All Soil Movement, Stockpiling and Grading applications will be subject to a project completion start and end date to be determined by the Development Authority.

4. That Part Eleven Definitions be revised to read as follows:

Infilling – be deleted in its entirety

Filling be replaced with “Soil Movement”

Carried Unanimously

111-21 Councillor Smith -- that Bylaw No. 09-21 be given second reading.

Carried Unanimously

112-21 Councillor Vandenberghe -- that Bylaw No. 09-21 be given third reading with the unanimous consent of the council members present.

Carried Unanimously

113-21 Councillor Wanchuk -- that Bylaw No. 09-21 be given third reading.

Carried Unanimously

Staff members Haverland and Miller

Staff members Haverland and Miller exited the council chamber at 2:17 p.m.

Parks and Recreation Policy - Rescind CD-04 Cost Share Agreements - General

Director of Community Services Dean Ohnysty provided a recommendation to rescind policy CD-04 Cost Share Agreements - General

114-21 Councillor Scobie -- that Leduc County council approves rescinding of policy CD-04 Cost Share Agreements - General, as recommended by the Municipal Policy Review Committee.

Carried Unanimously

Staff member Wice

Director of Finance Natasha Wice entered the council chamber at 2:20 p.m.

Parks and Recreation Policies - Rescind PR-01 Campground Improvement Fee and PR-02 Campground Improvement Reserve; and approve PR-01 Campground Improvement Reserve

Director of Community Services Dean Ohnysty provided recommendations to rescind policy PR-01 Campground Improvement Fee and PR-02 Campground Improvement Reserve; and approve new policy PR-01 Campground Improvement Reserve.

115-21 Councillor Lewis -- that Leduc County council approves the following recommendations by the Municipal Policy Review Committee:

1. Rescinding policies PR-01 Campground Improvement Fee and PR-02 Campground Improvement Reserve, and
2. approval of Policy PR-01 Campground Improvement Reserve.

Carried Unanimously

Staff member Ohnysty

Staff member Ohnysty exited the council chamber at 2:23 p.m.

Economic Development - Policy ED-01 Legacy Fund

Director of Planning and Development Grant Bain provided a recommendation to approve policy ED-01 Legacy fund, as recommended by the Municipal Policy Review Committee.

116-21 Councillor Vandenberghe -- that Leduc County council approves policy ED-01 Legacy Fund and directs administration to execute a public implementation plan for the new Legacy Fund Policy.

Carried Unanimously

Lease agreement and advertisement - Portion of Plan 1920391, Block 1, Lot 13A

Deputy County Manager Rick Thomas provided a recommendation for consideration of a lease agreement with Old Station Honey and Mead Inc. for a portion of Plan 1920391, Block 1, Lot 13A (old fire station at New Sarepta).

117-21 Councillor Smith -- that Leduc County council approves:

- 1) the lease agreement with Old Station Honey and Mead Inc. for a portion of Plan 1920391, Block 1, Lot 13A (old fire station at New Sarepta), subject to the future approval of a text amendment to the Leduc County Land Use Bylaw to allow the activities described in the agreement for a meadery; and further
- 2) in accordance with the Municipal Government Act Section 70, council approves to advertise the lease of a portion of Plan 1929391, Block 1, Lot 13A (old fire station at New Sarepta) at less than market value.

Carried Unanimously

Recess

The meeting recessed at 2:43 p.m. and reconvened at 2:47 p.m. with Mayor Tanni Doblanko as Chair and council members Rick Smith (via teleconference), Kelly-Lynn Lewis, Kelly Vandenberghe, Larry Wanchuk, Glenn Belozar and Ray Scobie present.

Other attendees

- Duane Coleman, County Manager
- Rick Thomas, Deputy County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Grant Bain, Director - Planning and Development
- Joyce Gavan, Legislative Coordinator
- Natasha Wice, Director - Finance
- Karen Burnand, Manager - Assessment Services

2021 final budget

General Manager Financial and Corporate Services Renee Klimosko presented the 2021 final budget for council consideration.

Recess

The meeting recessed at 3:04 p.m. and reconvened at 3:08 p.m. with Mayor Tanni Doblanko as Chair and council members Rick Smith (via teleconference), Kelly-Lynn Lewis, Kelly Vandenberghe, Larry Wanchuk, Glenn Belozar and Ray Scobie present.

Other attendees

- Duane Coleman, County Manager
- Rick Thomas, Deputy County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services



- Grant Bain, Director - Planning and Development
- Joyce Gavan, Legislative Coordinator
- Natasha Wice, Director - Finance
- Karen Burnand, Manager - Assessment Services

General Manager Financial and Corporate Services Renee Klimosko continued presentation of the 2021 final budget for council consideration.

118-21 Councillor Wanchuk -- that Leduc County council approves the 2021 final budget for Leduc County with operating expenses of \$84,228,934 and capital expenses of \$15,652,686.

Carried Unanimously

Bylaw No. 10-21 - 2021 Property tax rates

119-21 Councillor Scobie -- that Bylaw No. 10-21 be given first reading to authorize the tax rates for 2021 as follows:

	<u>Assessment</u>	<u>Mill Rate</u>	<u>Levy</u>
<u>Municipal</u>			
Residential	\$ 2,720,276,250	2.9150	\$ 7,929,606
Farmland	85,434,370	12.1400	1,037,173
Non-residential	5,573,302,140	6.3700	35,501,935
Machinery and equipment	<u>179,279,480</u>	6.3700	<u>1,142,010</u>
Total municipal	\$8,558,292,240		\$45,610,724
<u>Alberta School Foundation Fund & Opted Out School Boards</u>			
Residential/Farmland	\$2,805,561,820	2.5754	\$ 7,225,444
Non-residential	<u>4,989,818,630</u>	3.8363	<u>19,142,441</u>
Total - ASFF & OOSB	\$7,795,380,450		\$26,367,885
<u>Leduc Regional Housing Foundation</u>	\$8,557,975,600	.0264	\$225,931
<u>Designated Industrial Property</u>			
Farmland	\$ 752,110	.0766	\$ 58
Non-residential	1,497,825,950	.0766	114,733
Machinery and equipment	<u>140,589,060</u>	.0766	<u>10,769</u>
Total DIP	\$1,639,167,120		\$125,560
<u>Local Improvement & Frontage Levy</u>			\$1,115,597

Carried Unanimously

120-21 Councillor Smith -- that Bylaw No. 10-21 be given second reading.

Carried Unanimously

121-21 Councillor Lewis -- that Bylaw No. 10-21 be given third reading with the unanimous consent of the council members present.

Carried Unanimously

122-21 Councillor Belozer -- that Bylaw No. 10-21 be given third reading.

Carried Unanimously

Staff members Wice and Burnand

Staff members Wice and Burnand exited the council chamber at 3:35 p.m.

Town of High River - Eastern Slopes Coal Exploration & Public Consultation - 1976 Coal Development Policy

123-21 Councillor Wanchuk -- that Leduc County council receives as information the April 19, 2021 letter from the Town of High River with respect to the public consultation process for Albertans to provide their voice as it relates to coal development on the eastern slopes of the Rockies.

Carried Unanimously

Collaborative Economic Development signed Memorandum of Understanding - selection of delegate to serve on Oversight Committee

Councillor Vandenberghe expressed interest in serving as a delegate on the oversight committee.

Council determined this will be brought forward for consideration at the May 4, 2021 Governance & Priorities Committee meeting.

In-Camera session

124-21 Councillor Wanchuk -- that Leduc County council meet In-Camera in accordance with Sections 24(1) & 25(1) *Freedom of Information and Protection of Privacy Act* (F.O.I.P.) to discuss the provision of utilities services to the Edmonton International Airport (EIA).

Carried Unanimously

The in-camera session commenced at 3:38 p.m.

Staff members Mryglod and Downey

Director of Engineering and Utilities Des Mryglod and Manager of Utilities Dean Downey entered the council chamber at 3:39 p.m.

Revert to regular council open session

125-21 Councillor Scobie -- that the In-Camera session revert to the regular council open session.

Carried Unanimously

The In-Camera session reverted to the open session of council at 3:50 p.m.

Business arising - Edmonton International Airport (EIA) Joint Venture - utilities

126-21 Mayor Doblanko -- that Leduc County council provides a sole submission for the provision of utilities services to the Edmonton International Airport.

Carried Unanimously

Adjournment

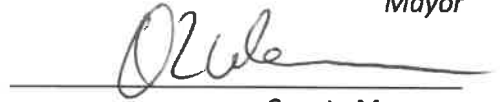
127-21 Councillor Vandenberghe -- that the regular County council meeting be adjourned.

Carried Unanimously

The regular County council meeting adjourned at 3:52 p.m.



Mayor



County Manager