

Regular Council

Agenda

Leduc County Centre, Nisku, AB

Tuesday, November 9, 2021

1. **Order - 1:00 p.m.**
2. **Adoption of agenda**
3. **Adoption of previous minutes**
 - October 26, 2021 Organizational meeting ✓
 - October 26, 2021 Regular council meeting ✓
4. **1:00 p.m. Presentations**
 - a) Public
 - b) Service awards
 - 10 years
 - Charlene Haverland, Manager - Development Services
5. **1:15 p.m. Department reports / recommendations**
 - a) 1:15 p.m. County Manager's office
 - i) Albert & Maria Rimer Memorial Scholarship - 2021 ✓ R. Thomas
 - b) Planning and Development
 - i) 1:20 p.m. Bylaw (1st reading) - Rescind Bylaw No. 06-18 Intermunicipal Development Plan with Camrose County ✓ L. Johnson
 - ii) 1:45 p.m. Public Hearing - Amend Leduc County Land Use Bylaw No. 7-08 - Agricultural (AG) to Direct Control (DC) District, LA21-003, Knoppers ✓ C. Richards
6. **2:00 p.m. In-Camera (in accordance with Freedom of Information & Protection of Privacy Act)**
 - a)
7. **Business Arising from In-Camera session**
8. **Adjournment**

✓ Attachment provided





Regular Council Meeting Minutes

*Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, November 9, 2021*

Order and roll call

The meeting was called to order at 1:00 p.m., Tuesday, November 9, 2021 by Mayor Tanni Doblanko as Chair and Council members Rick Smith, Kelly-Lynn Lewis, Kelly Vandenberghe (via Zoom), Larry Wanchuk, and Ray Scobie present. Glenn Belozar was absent for personal reasons.

Other attendees

- Duane Coleman, County Manager
- Rick Thomas, Deputy County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Lynn White, Recording Secretary
- Grant Bain, Director - Planning and Development
- Kent Pudlowski, Manager - Human Resources and Corporate Services
- Charlene Haverland, Manager - Development Services

Others

- 4 other individuals were in attendance

Agenda adoption

266-21 Councillor Smith -- that the agenda for the November 9, 2021 Regular County Council meeting be adopted as circulated.

Carried Unanimously

Previous Minutes - October 26, 2021 Organizational meeting

267-21 Councillor Lewis -- that the October 26, 2021 Organizational meeting minutes be adopted as circulated with corrections noted relating to punctuation of Kelly-Lynn Lewis name.

Carried Unanimously

Previous Minutes - October 26, 2021 Regular meeting

268-21 Councillor Scobie -- that the October 26, 2021 Regular Council meeting minutes be adopted as circulated.

Carried Unanimously

Staff Member McNabb

Manager - Information Management Technology Jason McNabb entered council chamber at 1:02 p.m.

One Individual

One individual entered the council chamber at 1:05 p.m.

Public Presentations re: Aspen Valley Wedding Centre

Barry Soch, resident at 22428 Twp Rd 504, provided a written submission regarding the Aspen Valley Wedding Centre, highlighting the following:

- Lives about a half mile from the wedding centre.

- Would like to thank the members of the committee for protecting our rural community.
- As third generation farmers in the community, we have seen many changes over the years; road improvements, subdivisions, better signage to name a few.
- Recently not all changes have been for the betterment of this community.
- The Aspen Wedding Centre is bringing a negative experience to our quiet community.
- Bothered by noise pollution from the music and speeches at the event centre which has sent us into the house on several occasions.
- The noise pollution also initiates the neighborhood dogs to howl, which in turn causes the coyotes to howl, to the extreme of agitating our cattle.
- On one event weekend this past summer, the disturbance caused our cattle to break the fence. Thankfully the only repercussions were loss of time, money and damage to neighbors crop.
- Due to this past summer frustrating experiences, we ask that Leduc County not grant Aspen Wedding and Event Centre a permanent development permit.

Staff member Johnson

Regional Senior Planner Laurie Johnson entered the council chamber at 1:07 p.m.

Michelle Mitchell, resident at 50319 RR225, provided a written submission regarding the Aspen Valley Wedding Centre, highlighting the following:

- The County of Leduc has programs to support and preserve our farmland. Now I request the County support and save our quality of life.
- Chose to live in rural Alberta to enjoy the peace and quiet, be away from close neighbors, avoid the noise and hectic life of the city.
- Mostly, I live on farm so that I can have all my animals and enjoy caring for them. Have dogs, cats, long horn cattle, sheep, only to name a few.
- Since the event venue opened, the noise has been very disturbing to me and my animals. Can hear music and people over the microphones and speakers. It is difficult to enjoy time outside.
- Most disturbing is the affects that the noise and activity this venue has on my animals. My dogs are more agitated.
- My livestock have been affected by the noise. My cattle, sheep, goats have been agitated, making more noise, bolting in the pasture. They have broken through fences costing me money to have them repaired.
- I lost three healthy baby calves during one big event. This amount of death at once has never happened, and I feel the additional stress of the noise and agitation of the cattle may have been a factor.
- I am also worried that someone may come onto my property to see my long horn cattle and injure one of them or be injured.
- The health of my livestock affects my bottom line.
- There has been increased traffic, noise and dust.
- On one particular occasion, had to stop and wait behind a bus that was parked on the side of RR 225 before we could go around and on to our destination This shouldn't happen in a rural area; you would expect this in a busy city.
- Have concerns about the increased traffic/activity and alcohol use.
- Ever since this wedding venue has been operating, as a senior widower living alone, I have been fearful in my home. I now have a gate that I keep closed, doors locked. I am afraid someone may enter my property and hurt me or my animals.

- I would like to maintain the quality of life that I have had for 30 years. Please reconsider allowing this business to continue to operate in our community.

Karen Neilson, resident at 50516 RR 225, provided a written submission on behalf of Leslie Ducherer regarding the Aspen Valley Wedding Centre, highlighting the following:

- When is the County going to start taking care of the farmers and ranchers in our area?
- Moved to this area back in 2002 with the country in mind. We were able to leave our homes and vehicles unlocked, and everything was safe for the most part.
- It has come down to everywhere you look now, people have gates to access their property, cameras and alarm systems.
- People are coming and going that don't have no regard for the area. And vandalism is on the rise.
- We most recently lost a lamb that was actually shot and skinned on our property and the skin left in the field.
- Please take this as our vote against allowing any land being used that the actual owners aren't going to live on and take pride in.

Karen Neilson, provided her own written submission (along with photographs) regarding the Aspen Valley Wedding Centre, highlighting the following:

- Live directly across from the event centre.
- County of Leduc has made efforts to preserve the farmland in the County. Now we request that the County focus on preserving our quality of life.
- Chose a rural community for an increased quality of life; for the peace, quiet and solitude and not having the noise pollution present in the city.
- We both have very stressful professions and now especially during Covid the demands on us have been overwhelming.
- We are shift workers and we sleep at different times of the day. Coming home from night shifts and having to listen to all the noise created at this venue is difficult or impossible. We are unable to get adequate sleep and some nights none because of the noise and stress this venue has been causing us.
- We are in profession where peoples' lives are dependent on our decisions and care. This venue has been detrimental to our ability to look after ourselves by getting adequate sleep, etc. and to perform at our jobs to the best of our ability.
- Any weekends we do have off are now ruined by the noise and activity of this venue.
- We are also farmers. We chose this land for our horses to breed, train, show and ride.
- With each event our anxiety and stress levels increase; we have become more irritable, worried for our home and welfare of our animals.
- I never used to be afraid in my home before all these events started happening. Gates are now closed, and doors always locked.
- Loud music, people/speeches over the microphone, crowd noise, traffic from these events can be heard from in and outside our home. Now with large buses coming and going it's like we live next to the Greyhound Bus depot.
- We cannot keep our windows open because of the noise; we are unable to sleep; our dogs are barking; we are no longer able to sit outside and enjoy a quiet evening.
- Horses are my main hobby and source of enjoyment, relaxation and passion. Since this venue opened my ability to work with the horses has been dramatically impacted. The noise agitates the horses. If they spook or are agitated, it also places my safety at risk.

- Husband rides his motorcycle to work during the summer and must travel by this venue creating a danger for him. Visibility is significantly reduced, people may have consumed alcohol. I won't ride my motorcycle when these events are on for this reason. Fearful to ride past with all the traffic/dust.
- Cars come and go constantly for these events. There are large coach buses bringing people in from the city. Cars and buses parked on the range road.
- This venue is directed towards the wedding industry and not for agricultural use. No agricultural events have been held here.
- Our quality of life has dramatically declined since this venue opened. This venue has only brought disruption to our lives.
- It seems unfair that such a business can be allowed into the community to disrupt and ruin the lives of many.
- Please ensure our quality of life is preserved.

Kevin Neilson, provided a written submission regarding the Aspen Valley Wedding Centre, highlighting the following:

- Feel strongly that the County must make an effort to preserve the lifestyle that is a part of living in this rural area.
- This wedding venue has nothing to do with agriculture, farming or anything to do with a rural lifestyle. It is simply a place for people from the city to come and party.
- From the experience we've had during the permit process and the events this past summer, there has been a complete lack of demonstration of respect for this community and the people who live here.
- There is horrendous noise with every event held at this facility.
- The conditions and bylaw state that, "...there shall be no impact with respect to noise, dust...". Every wedding ceremony and every reception held at this facility has had an extreme impact on us.
- The reception party noise is unrelenting and very clearly heard from our home, barn and corral area.
- There is excessive traffic, dust and noise.
- The noise has prevented us from being able to work with our horses the way we should be able to.
- I fear for the safety of my wife.
- I am frequently unable to sleep because of the noise.
- I find it impossible to relax properly when I come home from work when an event is happening.
- There is not only the noise from the amplified sound system but we can clearly hear the background noise from the crowds accentuated by frequent hoots and hollers and yelling.
- The traffic, dust and parking on the range road have had a very significant impact on our lives.
- There are a number of permit conditions that are supposed to protect us that have proven to be impossible to verify compliance.
- If a permanent permit is granted, it will negatively affect us for the rest of our lives.
- This temporary permit is essentially a probationary period. If this developer is willing to disregard conditions and disrespect the community to this degree during a probationary period, what can we expect if the permit is made permanent?
- In summary, can we ensure that this facility will not be given a permit extension, and ruin our lives permanently; and do we really need to suffer another summer of this major negative impact on our lives prior to a decision to shut this operation down.

- As this type of facility is “discretionary” use, we would ask council to consider shutting this operation down and limiting its negative affect on our lives, lifestyle and livelihood, and that of our neighbors.

Fred Knoppers

Fred Knoppers entered the council chamber at 1:23 p.m.

In response to a question from a council member, Mr. Neilson indicated that he is an emergency physician at the University Hospital.

Councillor Smith, read a written submission from Winston Boychuk regarding the Aspen Valley Wedding Centre, highlighting the following:

- This event centre has created problems; noise of traffic, dust, back-up alarms, congestion on the road.
- When an event is going on, it gets loud. You can hear the noise over the air conditioner until the early morning hours.
- Sleep is difficult for those who have to work shiftwork over the weekend.
- This was a big mistake by giving this event centre the go ahead and ignoring the local people that have lived here for years.

Five Individuals

Five individuals exited the council chamber at 1:24 p.m.

Staff member Evans

Manager, Regional and Long Range Planning Jordan Evans entered the council chamber at 1:25 p.m.

269-21 Councillor Smith - that Leduc County Council receives as information the presentations regarding the Aspen Valley Wedding Centre.

Carried Unanimously

Recognition - long service award

Charlene Haverland, Manager - Development Services was recognized for 10 years of service.

Staff members Haverland

Staff member Haverland exited the council chamber at 1:27 p.m.

Albert & Maria Rimer Memorial Scholarship - 2021

270-21 Councillor Scobie -- that Leduc County Council awards the 2021 Albert & Maria Rimer Memorial Scholarship to Matt Gruninger in the amount of \$1,000.

Carried Unanimously

Bylaw No. 17-21 (1st reading) - Rescind Bylaw 06-18 Camrose County/Leduc County Intermunicipal Development Plan

Regional Senior Planner Laurie Johnson presented a recommendation to give 1st reading to Bylaw 17-21 to rescind Bylaw 06-18 referred to as the Camrose County/Leduc County Intermunicipal Development Plan.

271-21 Councillor Wanchuk -- that Bylaw No. 17-21 be given first reading to rescind Bylaw 06-18, Camrose County / Leduc County Intermunicipal Development Plan.

Carried Unanimously



Staff members Evans and Johnson

Staff members Evans and Johnson exited council chamber at 1:33 p.m.

Recess

The meeting recessed at 1:33 p.m. and reconvened at 1:44 p.m. with Mayor Doblanko as Chair and Council members Rick Smith, Kelly-Lynn Lewis, Kelly Vandenberghe (via Zoom), Larry Wanchuk, 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
- Lynn White, Recording Secretary
- Kent Pudlowski, Manager - Human Resources and Corporate Services
- Colin Richards, Supervisor - Development
- Charlene Haverland, Manager - Development Services

Others

- Fred Knoppers

Public Hearing - Proposed Amendment to Leduc County Land Use Bylaw No. 7-08 - Redistrict from Agricultural (AG) District to Direct Control (DC) District for Natural Resource Extraction (Clay) at Pt. SE 27-49-24-W4, LA21-003, Fred Knoppers

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 to redistrict 14.2 ha± (35 ac±) of the subject property (63 ha± / 155 ac± parcel) from Agricultural (AG) District to Direct Control (DC) District to allow for natural resource extraction (clay).

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

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

Supervisor - Development Services Colin Richards provided a staff report with respect to the proposed amendment to Leduc County Land Use Bylaw No. 7-08, highlighting the following:

- 1) The applicant has applied to redistrict 14.2 ha± (35 ac±) of the subject property from the Agricultural (AG) District to the Direct Control (DC) District. The purpose of the proposed amendment is to allow for natural resource extraction (clay). According to the application, following the completion of the clay extraction, the area will be placed back in to agricultural use.
- 2) The subject site is located immediately northwest of the intersection of Highway 623 and Highway 814. The property is adjacent to the southern portion of Saunders Lake which lies to the west and is located approximately 4 kilometers east of the municipal boundary of the City of Leduc. The principal use of the property is agriculture and existing structures on the parcel consist of two detached dwellings and a number of farm buildings. The proposed redistricting area is rated at 55% in accordance with the County's Farm Assessment Rating tool.

- 3) In 2019, application LA19-004 was approved by Council to amend 1.3 ha (3.21 ac) of the subject parcel to the Direct Control District for the purpose of approximately 30,000 m³ of clay extraction and agricultural betterment. Upon completion of that project (under subsequent development permit application D19-092), the lands were graded and utilized as a corral area for cattle. The current amendment application proposes to expand the previously approved Direct Control area by approximately 14.2 ha± (35 ac±) and the applicant has indicated that the purpose of the proposed clay extraction is to ultimately make the area more suitable for agricultural cropping.
- 4) The proposed Land Use Bylaw amendment application was advertised in accordance with the provisions of the Municipal Government Act (MGA). The application was referred to adjacent landowners as well as to the County's internal departments and external stakeholders. During the referral of the amendment application, no concerns were received from County departments or adjacent landowners. Transportation matters concerning this property fall within the jurisdiction of Alberta Transportation, and as a result, Alberta Transportation have issued a Roadside Development Permit (ref: RSDP035457-1) in support of the proposal.
- 5) Should the proposed amendment be supported by Council, a development permit approval shall be required prior to the proposed extraction operation commencing. The subsequent development permit application will be determined by Council unless Council chooses to delegate approval powers to the development authority in accordance with Part 9.13.3 of the Land Use bylaw. Although the detailed information pertinent to the proposal will be reserved for the subsequent development permit application, it is envisaged that the proposal will result in the extraction of approximately 175,000 m³ of clay during the duration of the project, prior to the lands being placed back into productive agricultural use.
- 6) In consideration of the above and that the purpose of the proposed amendment is to ultimately increase the agricultural capability of the property, administration consider that the proposal is supportable and recommend that Council provide first, second and third reading to the proposed amending bylaw to restrict at 14.2 ha± (35 ac±) portion of land from the Agricultural District to the Direct Control District for the purpose of natural resource extraction (clay).

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

In response to questions by Council members, the following clarification was provided:

- According to records on file, no complaints have been issued against previous developments.
- Property is located 4 km from the City of Leduc boundary.
- Time restrictions on operational hours will be dealt with through the development permit application process.
- A standard condition of development permits includes a date when the project will be required to be completed.
- Rezoning stays with the property not the landowner.

Mayor Doblanko asked if there was any other correspondence received, and there was none.

Mayor Doblanko called upon the applicant to speak to the proposed amendment.

Fred Knoppers, landowner and applicant, provided the following information:

- Appreciate the opportunity to speak but don't have much to add.

- If this application is approved, the time frame will be quick. Will have work completed through the winter with the intention to have the land back to agricultural working condition by May 1st as every acre is required to grow crops.
- Land is getting more costly. In order to make land more farmable, need to get rid of clay and reclaim it with black dirt.

Mayor Doblanko asked if there was anyone else in attendance to speak to the proposed amendment, and there was no one.

Mayor Doblanko asked if there were any further questions by council members.

In response to questions by council members, Mr. Knoppers provided the following information:

- Will likely use the same company he used for a previous project for the extraction. Was pleased with their work and they have a good record. Project needs to happen quick as there is no benefit to this project dragging on and need to continue running operation.
- Will use existing driveway for trucks to enter property as that is what is approved on the permit from Alberta Transportation.

Mayor Doblanko asked if there were any further questions for administration and there were none.

Conclude Public Hearing

Mayor Doblanko concluded the Public Hearing at 1:59 p.m.

Bylaw No. 18-21 - Amendment to Leduc County Land Use Bylaw 7-08 - Redistrict from Agricultural (AG) District to Direct Control (DC) District for Natural Resource Extraction (Clay) at Pt. SE 27-49-24-W4, LA21-003, Fred Knoppers

272-21 Councillor Vandenberghe -- that Bylaw No. 18-21 be given first reading to amend the Leduc County Land Use Bylaw No. 7-08 as follows:

1. That those lands described as Pt. SE 27-49-24-W4 affecting 14.2 ha± (35 ac±) be redistricted from the Agricultural (AG) District to the Direct Control (DC) District as shown on Schedule A.

Direct Control District DC-031

General Purpose

The purpose of this district is to allow for Natural Resource Extraction, specifically the recovery, processing and removal of natural extractive resources (clay) while ensuring that neighbouring land uses and environmentally sensitive areas are not negatively impacted.

Area of Application

This bylaw will apply to SE 27-49-24-W4 affecting ±14.02 ha (±35 acres) of a title area of ±63 ha (±155.4 ac).

Discretionary Uses

- a) Natural Resource Extraction (clay).

Minimum Building Setback Requirements

From the property line adjacent to:	Excavation
Road, Highway	As per Alberta Transportation requirements

Additional Regulations

- (a) Only those operations where adverse impacts on the environment and neighbouring land uses can be mitigated to the satisfaction of Leduc County will be permitted.
- (b) Natural Resource Extraction operations shall be required to reclaim, to the satisfaction of the County and relevant government agencies or departments, all lands affected by the operations and shall be required to submit reclamation plans when applying for a development permit.
- (c) The County shall require landscaping and/or screening to the satisfaction of the Development Authority.
- (d) The development shall manage dust emissions to the satisfaction of the Development Authority
- (e) The number of vehicles exiting the site shall be restricted to the satisfaction of the Development Authority.
- (f) Vehicles entering or leaving the site shall not use engine brakes.
- (g) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:
 - i) odorous and toxic matter
 - ii) dust, fly ash or other particulate matter
 - iii) noise
 - iv) vibrations
 - v) air pollution
 - vi) water quality deterioration
 - vii) high brightness light sources
- (h) No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province pursuant to the Environmental Protection and Enhancement Act.
- (i) Environmental impact assessments may be required where there is uncertainty as to potential health or environmental effects.
- (j) Natural Resource Extraction shall not be permitted within 100m of an existing dwelling, nor shall a dwelling be permitted within 100m of a Natural Resource Extraction operation. This minimum setback requirement shall not be applicable if an existing dwelling is on the same parcel as a proposed Natural Resource Extraction operation.

Carried Unanimously

273-21 Councillor Smith -- that Bylaw No. 18-21 be given second reading.

Carried Unanimously

274-21 Councillor Wanchuk -- that Bylaw No. 18-21 given third reading with the unanimous consent of the council members present.

Carried Unanimously

275-21 Councillor Scobie -- that Bylaw No. 18-21 be given third reading.

Carried Unanimously

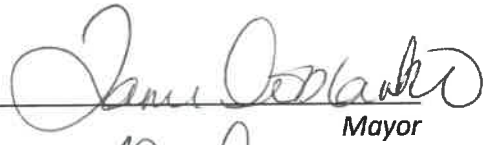


Adjournment

276-21 Councillor Lewis -- that the regular County Council meeting be adjourned.

Carried Unanimously

The regular County Council meeting adjourned at 2:00 p.m.



Mayor



County Manager