



Regular Council

Agenda

Leduc County Centre, Nisku, AB
Tuesday, January 24, 2023

1. **Order - 1:30 p.m.**
2. **Adoption of agenda**
3. **Adoption of previous minutes**
- January 10, 2023 Regular Council meeting ✓
4. **1:30 p.m. Presentations**
 - a) Public
 - b) Staff introductions:
 - Ashley Alexander, Manager - Human Resources, Health and Safety K. Pudlowski
 - Diane Melanson, Information Management Technician K. Pudlowski
5. **1:40 p.m. Department reports / recommendations**
 - a) 1:40 p.m. Community Services
 - i) Calmar and District Agricultural Society special project funding ✓ D. Ohnysty
 - ii) Yellowhead Regional Library member appointment ✓ D. Ohnysty
 - b) 1:50 p.m. Finance
 - i) Annual external audit letters and fraud response letter ✓ N. Wice
 - ii) Provincial Education Requisition Credit (PERC) and Designated Industrial Requisition Credit (DIRC) ✓ N. Wice
6. **2:00 p.m. Public Hearing**
 - a) 2:00 p.m. Public Hearing - Bylaw No. 24-22 (2nd and 3rd readings) ✓ J. Evans and B. Ansaldo
Southern Country Residential Area Structure Plan
Registered Speaker: Marty McCrea
7. **2:15 p.m. Department reports / recommendations**
 - a) 2:15 p.m. Road Operations
 - i) 2023 Motor Grader purchases (2023-CP-009, 2023-CP-010) ✓ G. Broadbent
 - ii) Heavy Equipment Rental Service Agreement - multi-year ✓ G. Broadbent
8. **2:30 p.m. In-Camera session - in accordance with Freedom of Information and Protection of Privacy Act (FOIP)**
 - a) 2:30 p.m. Engineering - Solar Project, Nisku (S. 16, FOIP) ✓ D. Mryglod
9. **Business arising from In-Camera session**
 - a) Solar Project, Nisku D. Mryglod

✓ Attachment provided

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Regular Council Meeting

Minutes

Council Chamber, Leduc County Centre, Nisku, AB

Tuesday, January 24, 2023

Order and roll call

The meeting was called to order at 1:30 p.m., Tuesday, January 24, 2023 by Mayor Tanni Doblanko as Chair and Council members Rick Smith, Kelly-Lynn Lewis, Glenn Belozar, Dal Viridi, Larry Wanchuk and Ray Scobie.

Staff members

- Duane Coleman, County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Joyce Gavan, Legislative Coordinator
- Miranda Anderson, Executive Assistant - Council
- Kent Pudlowski, Director - Corporate Services
- Ashley Alexander, Manager - Human Resources, Health and Safety
- Diane Melanson, Information Management Technician

Others

- Marty McCrea, Leduc County resident

Agenda adoption

09-23 Councillor Viridi -- that the agenda for the January 24, 2023 regular County Council meeting be adopted as circulated.

Carried Unanimously

Previous Minutes - January 10, 2023 regular meeting

10-23 Councillor Wanchuk -- that the January 10, 2023 regular meeting minutes be adopted as circulated.

Carried Unanimously

Public presentation

Marty McCrea, resident within Leduc County, provided a public presentation as follows:

- Will not consent to providing my address under the Freedom of Information and Protection of Privacy Act (FOIP), Section 17.4(g) as I feel it is an invasion of my person privacy.
- The question I do have for the County is within the Municipal Government Act (MGA) there is a local improvement tax that can be applied to our County residents indicating the types of infrastructure that can be charged; my question is what or do you have a policy on when the local improvement tax applies and how it applies to all residents for infrastructure.

Mayor Doblanko advised that administration will provide a response back to Marty McCrea.

Staff introductions

The following staff members were introduced to Council:

- Ashley Alexander, Manager - Human Resources, Health and Safety

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- Diane Melanson, Information Management Technician

Staff members Pudlowski, Alexander and Melanson

Staff members Pudlowski, Alexander and Melanson exited the council chamber at 1:34 p.m.

Staff member Ohnysty

Director of Community Services Dean Ohnysty entered the council chamber at 1:35 p.m.

Staff member Wice

Director of Finance Natasha Wice entered the council chamber at 1:36 p.m.

Calmar & District Agricultural Society special project funding

Director of Community Services Dean Ohnysty provided a staff report relating to the special project funding for the Calmar & District Agricultural Society.

11-23 Councillor Smith -- that Leduc County Council provide conditional funding of \$67,000 to support the Society funds of \$140,000 and the external grant of \$64,000 to the Calmar and District Agricultural Society.

Carried Unanimously

Three individuals

Three individuals entered the council chamber at 1:41 p.m.

Yellowhead Regional Library member appointment

Director of Community Services Dean Ohnysty provided a staff report relating to member appointments on the Yellowhead Regional Library

12-23 Mayor Doblanki -- that Leduc County Council accept the nominations of Dana McFaull and Missy Chehayeb (alternate) to represent Leduc County as a member of the Yellowhead Regional Library Board.

Carried Unanimously

Staff member Ohnysty

Staff member Ohnysty exited the council chamber at 1:42 p.m.

Annual external audit and fraud response letters

Director of Finance Wice provided a staff report relating to annual external audit letters and fraud response letter.

13-23 Councillor Lewis -- that Leduc County Council accept the audit engagement and planning letters as information and review and approve the fraud response letter.

Carried Unanimously

Provincial Education Requisition Credit (PERC) and Designated Industrial Requisition Credit (DIRC)

Director of Finance Wice provided a staff report relating to 2022 Provincial Education Requisition Credit (PERC) and Designated Industrial Requisition Credit (DIRC).

14-23 Mayor Doblanko -- that Leduc County Council acknowledge that they are aware of the 2022 Provincial Education Requisition Credit (PERC) and Designated Industrial Requisition Credit (DIRC) applications for \$20,870.15 and \$481.31 respectively and that Leduc County remains obligated to remit

the education property tax requisition to the Alberta School Foundation Fund (ASFF) for these properties.

Carried Unanimously

Staff member Wice

Staff member Wice exited the council chamber at 1:52 p.m.

Staff members Broadbent and Bain

Director of Road Operations and Agricultural Services Garrett Broadbent and Director of Planning and Development Grant Bain entered the council chamber at 1:53 p.m.

2023 Motor Grader purchases (2023-CP-009, 2023-CP-010)

Director of Road Operations and Agricultural Services Broadbent provided a recommendation for the purchase of two motor graders.

15-23 Councillor Scobie --- that Leduc County Council authorize up to \$73,000 to be used from the Capital Asset Lifecycle Management - Machinery and Equipment Management reserve or internal savings to fund the increase in price for the purchase of two motor graders (2023-CP-009, 2023-CP-010).

Carried Unanimously

Staff members Evans and Ansaldo

Manager of Long Range Planning Jordan Evans and Long Range Planner Ben Ansaldo entered the council chamber at 1:57 p.m.

Heavy equipment rental service agreement - multi-year

Director of Road Operations and Agricultural Services Broadbent provided a recommendation for the authorizing of entering into a multi-year agreement for heavy equipment rentals.

16-23 Councillor Viridi --- that Leduc County Council authorize entering into a multi-year agreement with Prograde Service Ltd. for heavy equipment rentals.

Carried Unanimously

Staff member Broadbent

Staff member Broadbent exited the council chamber at 2:00 p.m.

Public Hearing - Bylaw No. 24-22 (2nd and 3rd readings) Southern Country Residential Area Structure Plan (SCRASP)

Mayor Doblanko called the public hearing to order at 2:01 pm with respect to the Southern Country Residential Area Structure Plan Bylaw No. 24-22.

Mayor Doblanko called upon administration to introduce the subject of the hearing.

Long Range Planner Ben Ansaldo provided a staff report with respect to the Southern Country Residential Area Structure Plan (SCRASP) Bylaw No. 24-22, highlighting the following:

- 1) In December 2019, Leduc County and AV Exterior Homes Ltd. entered into a Memorandum of Understanding to jointly contract V3 Companies of Canada Ltd. to prepare the SCRASP. The SCRASP is intended to provide framework for the long-term growth and development of the area for future planning while balancing the impact on existing residential development, municipal infrastructure and environmental features.

- 2) A multi-phased engagement approach was taken as part of developing the SCRASP. The public and stakeholder engagement undertaken as a part of the SCRASP project falls within the “consult” level on the IAP2 engagement spectrum.
- 3) Due to circumstances surrounding Covid, the partners decided to use online tools and mail-outs for public involvement. The virtual engagement sessions occurred in the fourth quarter of 2020 and the second quarter of 2021 with the initial public hearing conducted in May of 2021.
- 4) An additional engagement was undertaken to educate the public on the changes that have been made within the draft document since the previous public hearing. This was made available to the public on the project website between November 3 and 25, 2022. The public had the opportunity to provide input on these proposed changes by submitting an online form through the project web page or by contacting the project team directly. A letter containing information about the changes and how to provide feedback was also mailed to affected landowners at the start of November. The feedback received can be found in the “What We Heard” report.
- 5) Leduc County Council gave first reading to Bylaw No. 24-22 on December 13, 2022 to adopt the SCRASP.
- 6) The public hearing was advertised in accordance with the provisions of the Municipal Government Act (MGA). There were no responses received by administration.
- 7) At this time administration feels that the proposed SCRASP accurately reflects the policies and intentions of the Edmonton Metropolitan Regional Growth Plan as well as the Leduc County Municipal Development Plan. The SCRASP does not require submission to the EMRB in accordance with S. 4.1.c of Ministerial Order MSD:088/20. As such, administration supports the continuation of the adoption process for the plan and that Leduc County Council gives 2nd and 3rd reading to Bylaw No. 24-22.

Peter Vana, Planning Advisor - V3 Companies of Canada provided a background/summary of prior submissions included within the PowerPoint presentation.

Staff member Mryglod

Director of Engineering and Utilities Des Mryglod entered the council chamber at 2:06 p.m.

Mayor Doblanko asked Council members if they had any questions of administration.

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

- Prior to first reading were changes done to the water servicing as well as the sanitary sewage options.
- Changes since first reading were updates to the Parks, Open Space and Environmental Reserve Policy: in terms of the 40m setback from Clearwater Creek; 30m setback for all other water courses considered for environmental reserve and in terms of wetlands a 20m setback be considered environmental reserve and be determined by a biophysical assessment and prepared by a qualified biologist.
- The primary change to the Plan was that there was confusion with the policy so separated the 40m setback and environment reserve. The second change was clarity from the County, which was outlined in original Policy. Overall there are minimal changes.
- Public engagement occurred in 2020/2021 with changes incorporated and further changes were directed by Council around servicing.
- The message administration heard around municipal servicing was to have sustainable servicing that wasn't truck based on an individual basis. The policy's written intention is to illustrate the developer can provide how they will provide servicing other than that being truck based. For example the water line along Township Road 500 but if they wanted to demonstrate that they

had Water Act approval for some type of communal water fed cistern, then administration would look at that. The intention is to ban individual truck based service and the developer has to ensure the lots are self-servicing.

- The owner must have their own on-site well and approval would be proof. Same thing with sanitary.

Mayor Doblanko asked if any additional relevant correspondence has been received that is not part of the agenda package, and County Manager Coleman advised there was none.

Mayor Doblanko called upon the registered speaker, Marty McCrea, to speak to the subject of the public hearing.

Marty McCrea, Leduc County resident, provided the following comments:

- With respect to wastewater there seems to be great concern with cost and not reducing trucking, how is this plan going to address the wastewater and reduce trucking service?
- The following concerns were presented:
 - The landscape of Leduc County as a result of this Plan as well as Edmonton Metropolitan Growth Plan for the next 30 years; there is a huge section identified in that plan which changes the landscape of our land.
 - Population growth and community infrastructure required for these types of development and at whose costs?
 - Commercial development identified - with that comes planning and need to identify phases.
 - The amount of multi-purpose trails - what will they be used for and by whom?
 - Section 4.5.2 identifies that the defined Environmental Reserve, Municipal Reserve and Conservation Reserve areas shall be accessible to the public; concerned about wildlife.
 - There is some confusion within the documentation - western half of the development concept of this plan is considered the reserve area, in reading the table it references the eastern side? Also, in reading the Policy there is a reference to 6.5.4 however it is not found in the Plan?
 - Community engagement - did not feel they have been communicated with and would like to have had communication with the County.

Mayor Doblanko called upon anyone in attendance to speak in support or against the subject of the public hearing.

Mr. Vernon Ansorger, Leduc County resident at 23248 Township Road 500, provided the following comments:

- Live in proposed development area expressing he is not against this but provided comments about the water issue because we have good quality water but not good quantity.
- If water has to be hauled in and self-provided and if there is a big development like this there will not be enough water.

Mr. Rod Sagert, Leduc County resident at 22542 Township Road 500, provided the following comments:

- Reside in the proposed area expressing he is not wishing to comment for or against.
- This Plan is very incomplete and there was no participation.
- He did submit a letter and hoped it would be included for Council's preview.

- Of the area proposed, not including those in smaller parcels under 30 acres or so as they are already in a subdivided area this will not have an effect.
- Of the remaining area, about 90% of the land is held by about 20 landowners and those individuals should have been notified that are in the zone.
- Why put such a heavy restrictions around a certain area when we have a broader area that is being dictated by the greater Edmonton area and Leduc County, why are we shoving into a smaller area or where is the explanation of why the dense area?
- I reside in the reserve side and if it is east side then how does that affect my land subdivision, future development? Can I take naturally divided area and develop?
- Also have concerns over water hauling or sewage; this seems unattainable on a development standpoint and is so restricting that no further development is feasible.
- Would also like to hear some response back.

Mayor Doblanko called upon administrative staff to provide closing comments.

Administrative staff provided the following closing comments:

- 1) The expectation for wastewater is to put the onus on the developer to demonstrate that each site can have two viable sites for a safety codes system if they choose to do a private system.
- 2) Clarified that the reserve is located on the east side and there are no constrictions for agricultural use.
- 3) Section 6.5.4 of the Plan is missing and planning and development will provide that.
- 4) The finalized plan will not give a detailed analysis of servicing as this is a high level document and not detailed.
- 5) Each developer will have to provide an Outline Plan which is more detailed which includes servicing and how many units/sites that can be located on property.

Conclude public hearing

Mayor Doblanko concluded the public hearing at 2:36 pm.

Bylaw No. 24-22 Southern Country Residential Area Structure Plan (SCRASP).

17-23 Mayor Doblanko -- that Bylaw No. 24-22 be given second reading.

Carried

Pro: Mayor Doblanko and Councillors Smith, Belozer, Viridi, Wanchuk and Scobie

Con: Councillor Lewis

18-23 Councillor Smith -- that Bylaw No. 24-22 be given third and final reading.

Lost

Pro: Mayor Doblanko and Councillors Smith and Wanchuk

Con: Councillors Lewis, Scobie, Viridi and Belozer

Staff members Evans and Ansaldo; Peter Vana and 3 individuals

Staff members Evans and Ansaldo; Peter Vana and 3 individuals exited the council chamber at 245 p.m.

In-Camera session

19-23 Councillor Lewis -- that Leduc County Council meet In-Camera in accordance with *Section 16, Freedom of Information and Protection of Privacy Act (F.O.I.P.)* relating to the solar project, Nisku.

Carried Unanimously

The in-camera session commenced at 2:46 p.m.

Revert to regular Council open session

20-23 Councillor Belozer -- that the in-camera session revert to the regular Council open session.

Carried Unanimously

The in-camera session reverted to the open session of regular Council at 2:55 p.m.

One individual

One individual entered the council chamber at 2:56 p.m.

Business arising - Solar Project, Nisku

21-23 Councillor Smith -- that Leduc County Council accepts a lease value of \$1,000/acre/year for Plan 1422750, Block 1, Lot 1PUL for the purpose of constructing a solar facility.

Carried Unanimously

Adjournment

Mayor Doblanko adjourned the meeting at 2:58 p.m.



Mayor



County Manager