



Regular Council
Agenda
Leduc County Centre, Nisku, AB
Tuesday, March 22, 2022

1. **Order - 1:00 p.m.**
2. **Adoption of agenda**
3. **Adoption of previous minutes**
- March 8, 2022 Regular Council meeting ✓
4. **1:00 p.m. Presentations**
 - a) Public
 - b) Service awards:
 - o 5 years - Ivana Irwin, Deputy Fire Chief - Training and Emergency Management K. Lefebvre
5. **1:15 p.m. Public Hearings**
 - a) 1:15 p.m. Amend Leduc County Land Use Bylaw No. 07-08 - LA21-004, NE 5-51-25-W4 Agricultural (AG) to Light Industrial (LI), Select Engineering Consultants Ltd. on behalf of Pioneer Skies Business Park Inc. ✓ D. Desimone
 - b) 1:30 p.m. Road Allowance Closure and Land Sale - Township Road 480, Waters ✓ A. Kotb & C. Iles
Registered Speaker: Frank Osterwoldt (26206 Twp. Rd 482)
6. **1:45 p.m. Department reports / recommendations**
 - a) 1:45 p.m. Finance
 - i) 2021 carry forward request ✓ N. Wice
 - ii) 2021 year-end information update - transfers to reserves ✓ N. Wice
 - b) 2:00 p.m. Road Operations and Engineering
 - i) Policy MS-14 Country Residential Subdivision Access Road Surfacing and rescind Policy MS-13 Rural Roadway Surfacing Contributions (Last link policy) ✓ D. Mryglod
 - ii) Bylaw - Fees and Charges (Road Operations) and rescind Bylaw No. 19-21 ✓ D. Mryglod & G. Broadbent
 - c) 2:15 p.m. Planning and Development
 - i) Letter from Clarity Development Advisory and Aplin Martin Consultants ✓ G. Bain
7. **Adjournment**

✓ Attachment provided



Regular Council Meeting Minutes

Council Chamber, Leduc County Centre, Nisku, AB
Tuesday, March 22, 2022

Order and roll call

The meeting was called to order at 1:01 pm, Tuesday, March 22, 2022 by Mayor Tanni Doblanko as Chair and Council members Rick Smith, Kelly-Lynn Lewis, Kelly Vandenberghe, Larry Wanchuk, Glenn Belozer and Ray Scobie present.

Staff members

- Duane Coleman, County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Joyce Gavan, Legislative Coordinator
- Michelle Edgerly, Executive Assistant - County Manager
- Grant Bain, Director - Planning and Development
- Keven Lefebvre, Fire Chief
- Ivana Irwin, Deputy Fire Chief - Training and Emergency Management
- Charlene Haverland, Manager - Development Services
- Dave Desimone, Senior Planner
- Gary Restau, Information Technology System Support Analyst

Others

- Frank and Susan Osterwoldt, County resident
- Herb and Fay Waters, County residents
- Brian Middleton, Lear Real Estate Ltd.

Agenda adoption

64-22 Councillor Wanchuk -- that the agenda for the March 22, 2022 Regular County Council meeting be adopted with the following addition:

6. d) Notice of motions:
 - i) Councillor communication distribution
 - ii) Councillor participation in State of County address and promotional County videos
 - iii) Councillor external committee reporting

Carried Unanimously

Previous Minutes - March 8, 2022 Regular meeting

65-22 Councillor Smith -- that the March 8, 2022 Regular meeting minutes be adopted as circulated.

Carried Unanimously

Public Presentation

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

Service award

Ivana Irwin, Deputy Fire Chief - Training and Emergency Management was recognized for 5 years of service with Leduc County.

Staff members Lefebvre and Irwin

Staff members Lefebvre and Irwin exited the council chamber at 1:05 pm.

Letter from Clarity Development Advisory and Aplin Martin Consultants

Director of Planning and Development Grant Bain presented a report with respect to a letter submitted from Clarity Development Advisory and Aplin Martin Consultants.

Staff members Kotb and Iles

Manager of Engineering Amro Kotb and Municipal Engineer Chelsey Iles entered the council chamber at 1:13 p.m.

66-22 Councillor Smith -- that Leduc County Council receives as information the report relating to the February 8, 2022 letter from Clarity Development Advisory and Aplin Martin Engineering Architecture Planning Surveying, and that a letter of response be sent to the authors of the letter.

Carried Unanimously

Public Hearing - Amend Leduc County Land Use Bylaw No. 07-08 - LA21-004, NE 5-51-25-W4 Agricultural (AG) to Light Industrial (LI), Select Engineering Consultants Ltd. on behalf of Pioneer Skies Business Park Inc.

Mayor Doblanko called the public hearing to order at 1:16 p.m. with respect to the proposed amendment to Leduc County Land Use Bylaw No. 07-08.

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

Senior Planner Dave Desimone provided a staff report with respect to the proposed amendment to Leduc County Land Use Bylaw No. 07-08, highlighting the following:

- 1) The applicant Select Engineering Consultants Ltd. on behalf of Pioneer Skies Business Park Inc. applied to redistrict ±32.39 ha (±80 ac) of the subject property from the Agricultural (AG) to Light Industrial (LI) District to allow for the development of light industrial uses in accordance with the QEII business Park Local Area Structure Plan.
- 2) The subject lands are located within the NE 5-51-24-W4 directly adjacent east of the Nisku Spine Road. Surrounding and wider land uses in the vicinity of the application site are primarily districted Industrial to the west and Agricultural to the east.
- 3) The notice of public hearing was advertised for two consecutive weeks in accordance with the provisions of the Municipal Government Act.
- 4) One adjacent landowner responded in support of the proposed amendment. No concerns were received opposing the amendment.
- 5) The lands are located within the Nisku North area of the Nisku Major Employment Centre Area Structure Plan where the intent for development is warehousing and logistics as primary developments with secondary developments such as commercial, retail and hospitality.
- 6) The QEII Business Park Local Area Structure Plan provides a land use framework for the subject lands and outline the objectives, planning principles, servicing and requirements to develop Light Industrial Business Park uses in accordance with applicable statutory plans.
- 7) The general purpose of the Light Industrial District, as proposed in this amendment, is to allow logistics and distribution land uses with opportunities for related and supporting land uses. This

district will offer greater flexibility, while being subject to a high standard of architectural design and landscaping in order to maintain the aesthetic environment and contain the great majority of the nuisances created within the building and/or the site.

- 8) The amendment aligns with the policies of the Nisku Major Employment Centre Area Structure Plan and the QEII Business Park Local Area Structure Plan.

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

In response to a question, Dave Desimone clarified the boundaries of the subject rezoning plan.

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

Mayor Doblanko called upon the applicants, Select Engineering Consultants Ltd. on behalf of Pioneer Skies Business Park Inc., to speak to the application for the proposed amendment.

Applicant Blaydon Dibben, Senior Planner, Select Engineering Consultants Ltd., introduced himself and Brian Middleton, Lear Real Estate Ltd. advising they are in attendance to answer any questions Councillors may have.

In response to a question by Council, Brian Middleton advised his experience working with Leduc County administration has been the best he's ever experienced and expressed thanks to administration for providing exceptional customer service.

Mayor Doblanko noted there were no registered speakers to speak in support or non-support of the proposed land use bylaw amendment.

Mayor Doblanko called upon anyone else wishing to speak in support or against the proposed land use bylaw amendment, and there was no one.

Mayor Doblanko called upon administrative staff to provide closing comments, and there were none.

Conclude public hearing

Mayor Doblanko concluded the public hearing at 1:24 pm.

Bylaw No. 03-22 - Amend Leduc County Land Use Bylaw No. 07-08 - LA21-004, NE 5-51-25-W4 Agricultural (AG) to Light Industrial (LI), Select Engineering Consultants Ltd. on behalf of Pioneer Skies Business Park Inc.

67-22 Councillor Smith -- that Bylaw No. 03-22 be given first reading to amend the Leduc County Land Use Bylaw No. 07-08 as follows:

That those lands described at Pt. NE 5-51-24-W4 affecting ±32.39 ha (±80.04 ac) be redistricted from the Agricultural (AG) District to the Light Industrial (LI) District.

Carried Unanimously

68-22 Councillor Belozer -- that Bylaw No. 03-22 be given second reading.

Carried Unanimously

69-22 Councillor Vandenberghe -- that Bylaw No. 03-22 be given third reading with the unanimous consent of the council members present.

Carried Unanimously

70-22 Councillor Lewis -- that Bylaw No. 03-22 be given third reading.

Carried Unanimously

Recess

The meeting recessed at 1:26 pm, and reconvened at 1:31 pm with Mayor Tanni Doblanko as Chair and Council members Rick Smith, Kelly-Lynn Lewis, Kelly Vandenberghe, Larry Wanchuk, Glenn Belozar and Ray Scobie present.

Staff members

- Duane Coleman, County Manager
- Renee Klimosko, General Manager - Financial and Corporate Services
- Joyce Gavan, Legislative Coordinator
- Michelle Edgerly, Executive Assistant - County Manager
- Grant Bain, Director - Planning and Development
- Gary Restau, Information Technology System Support Analyst
- Amro Kotb, Manager - Engineering
- Chelsey Iles, Senior Planner
- Charlene Haverland, Manager - Development Services
- Dave Desimone, Senior Planner
- Natasha Wice, Director - Finance

Others

- Frank and Susan Osterwoldt, County residents
- Herb and Fay Waters, County residents

Public Hearing - Road Allowance Closure and Land Sale - Township Road 480, Waters

Mayor Doblanko called the public hearing to order at 1:32 p.m. with respect to the proposed road allowance closure and land sale - Township Road 480.

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

Municipal Engineer Chelsey Iles provided a staff report with respect to the proposed road allowance closure and land sale of Township Road 480, adjacent to the south of the SW 6-48-26-W4, highlighting the following:

- 1) The Public Works Committee adopted resolution 021-22 on February 14, 2022 to commence the process for the closure of a portion of the undeveloped road allowance on Township Road 480, east of Highway 795.
- 2) In accordance with Section 22 of the Municipal Government Act (MGA), a road allowance closure must be completed by bylaw, which requires advertising. The proposed road allowance closure was advertised in the March 4 and 11, 2022 issues of the Leduc Representative. On March 2, 2022 the road closure was published on the Leduc County public participation opportunities webpage, as well as a notice on the front page of the Leduc County website.
- 3) A letter was sent to adjacent landowners on February 24, 2022. Administration received a letter of opposition from an adjacent landowner, Norman Tinston residing on SE 6-48-26-W4. Administration does not consider the objection valid as the aerial photos show access around the south portion of the water body.

JD

- 4) The proposed road closure was also referred to various utility companies as third party referrals to protect their interests for utility right of ways. ATCO Gas & Pipelines Ltd. requires a utility right of way agreement.

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

In response to a question, Chelsey Iles illustrated on the map the adjacent landowner's location and access to the proposed road closure and further advised:

- Council provided first reading of the bylaw on December 19, 2019. It was subsequently referred to Alberta Transportation for approval, however due to Covid and other reasons approval was not provided within the two year timeline; therefore the process must start over.
- The property to the north is the same owner as the southerly parcel.

Staff member Mryglod

Director of Engineering Des Mryglod entered the council chamber at 1:41 pm.

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

Mayor Doblanko called upon the applicant(s), Herb and Fay Waters, to speak to the proposed road closure.

Herb and Fay Waters, residents at 475077 Hwy 795, spoke to the proposed road closure as follows:

- Agree with the road closure as is, which is located at the end of existing driveway.
- We do not use the roadway, however trespassers do causing a nuisance.
- Bought the property in 1994 and a portion of road from Highway 795 was included.
- In 2009 we bought back the roadway, however no one advised that Leduc County owned a small portion.
- The subject area of the roadway is 1.07 acre.
- There is a gate just off Hwy 795 which was erected by ourselves to eliminate party goers drinking on property.

Mayor Doblanko called upon the registered speaker, Frank Osterwoldt, to speak in support or non-support of the proposed road closure.

Frank and Susan Osterwoldt, residing at SE 15-48-26-W4, owners of quarter to the north of proposed road closure spoke against the proposed road closure for the following reasons:

- Own the quarter that the subject road allowance is against.
- Submitted two letters of objection when this was previously submitted to Council in 2018. The reasons are as follows:
 - If a portion of the road allowance was closed, it would make the remainder of the road allowance inaccessible.
 - Would like consideration of closing the remaining part of the road allowance on the south side of SE 6-48-26-W4, consisting of ±652.5m of road allowance.
 - We would be interested in purchasing that portion of the closed road allowance from the County at the assessed value.
- There are buildings on the road allowance owned by Waters which is an encroachment.

- Our first concern is if it is sold to the Waters, those buildings/improvements may still be within the setback distance which contravenes the rules.
- Secondly, we asked for a survey to be submitted to clearly show the boundaries of the property and where the buildings and septic system is situated; those requirements are stipulated in development bylaws that we feel need to be addressed before this sale is satisfactory to us.
- Where the red mark is indicated on the map, have concern that if it gets enlarged there is a drainage that goes through our quarter section and feel that would not give us proper access.
- Submit that before the sale is agreed to in some form, it should be altered and ask that if Council does agree to the closure, then we be given the opportunity to purchase that property.

Mayor Doblanko asked Council members if they have any questions of Mr. Osterwoldt.

In response to questions by council members, Frank Osterwoldt advised of the following:

- The NE portion is accessed from the north side as it is restricted in the SW portion.
- The access to Tinston's parcel is determined by a caveat on our property allowing Tinston to access his part of land from ours.
- Currently access to the northern quarter section is off Hwy 795 on north corner as a joint approach from us and quarter to the north.
- The flow of water was shown on the GIS map which flows easterly, southerly and under a culvert under 795 into wetland and then eventually into Wizard Lake.

In response to questions to administration, Chelsey Isles advised of the following:

- The area requested by the applicant(s) is 1.07 ac.
- This area is under consideration in conjunction with the County of Wetaskiwin as it borders their municipality.
- Are not aware of any caveats on the subject land.
- With respect to buildings within the right of way, there is a mobile home which may not be removable; the four stock trailers could be easily removed.
- An encroachment agreement could be entered into, however the County of Wetaskiwin may also be required to enter into such an agreement.
- Are aware of the Osterwoldt's interest in purchasing the remainder of the road allowance.

Mayor Doblanko called upon anyone else wishing to speak in support or against the proposed road closure, and there was no one.

Mayor Doblanko called upon the registered landowners, Herb and Fay Waters to provide closing comments.

Herb and Fay Waters provided the following closing comments:

- The trailer was in place when we purchased the property.
- The County of Wetaskiwin was the owner as we understood at the time of purchase, however then discovered Leduc County owned a portion.

Conclude public hearing

Mayor Doblanko concluded the public hearing at 2:04 p.m.

Bylaw No. 04-22 - Road Allowance Closure and Land Sale - Township Road 480, Waters

71-22 Mayor Doblanko -- that Bylaw No. 04-22 be given first reading to close to public travel for the purpose of disposing the following portion of Township Road 480, subject to rights of access granted by other legislation:

A portion of the undeveloped road allowance south of the SW 6-48-26-W4M described as follows: starting as a point 30 metres east of the south west corner of the SW 6-48-26-W4M, continuing 117.5 metres east along the south boundary of the SW 6-48-26-W4M, from this point southerly 20.12 metres to the northern boundary of the NW 31-47-26-W4M, continuing westerly 117.5 metres along the north boundary of the NW 31-47-26-W4M, and northerly 20.12 metres to the starting point; containing a total of ±0.24 ha.

Excepting thereout all mines and minerals

Carried Unanimously

Staff members Kotb and Iles; Herb and Fay Waters and Frank and Susan Osterwoldt

Staff members Kotb and Iles; Herb and Fay Waters and Frank and Susan Osterwoldt exited the council chamber at 2:09 p.m.

2021 carry forward request

Director of Finance Natasha Wice presented a recommendation with respect to the 2021 carry forward request.

72-21 Councillor Lewis -- that Leduc County Council approves a transfer of \$460,000 to operating special purpose reserve to support the 2021 carry forward request for the 2022 gravelling program.

Carried Unanimously

2021 year-end information update - transfers to reserves

Director of Finance Natasha Wice presented a recommendation with respect to the 2021 year-end financial transactions.

73-21 Councillor Wanchuk -- that Leduc County Council approves the following 2021 year-end financial transactions:

- 1) Transfer of \$1,285,000 to capital asset lifecycle management - engineered structure management reserve.
- 2) Transfer of \$600,000 to operating special purpose multi-year/future year projects reserve.
- 3) Any additional surplus dollars, above approximately \$60,000, identified during the year-end process be transferred to the operating stabilization and contingency reserve.

Carried Unanimously

Staff member Wice

Staff member Wice exited the council chamber at 2:13 p.m.

MS-14 Country Residential Subdivision Access Road Surfacing Policy (Last Link) and rescind Policy MS-13 Rural Roadway Surfacing Contributions

Director of Engineering and Utilities Des Mryglod provided a recommendation to approve Policy MS-14 Country Residential Subdivision Access Road Surfacing (last link) and rescind Policy MS-13 Rural Roadway Surfacing Contributions.

74-22 Councillor Smith -- that Leduc County Council approves the policy MS-14 Country Residential Subdivision Access Road Surfacing (last link), with amendments under #4, Policy standards adding "complete with appropriate securities", and rescind policy MS-13 Rural Roadway Surfacing Contributions.

Carried Unanimously

Staff members Haverland and Desimone

Staff members Haverland and Desimone exited the council chamber at 2:26 pm.

2022 Fees and Charges (Road Operations) and repeal Bylaw No. 19-21

Director of Road Operations Garrett Broadbent provided a recommendation for the 2022 Fees and Charges Bylaw to be revised relating to 2022 dust control fees and removal of the rural roadway surfacing contribution and that Bylaw No. 19-21 be repealed.

Bylaw No. 05-22 -Fees and Charges (Road Operations) and Rescind Bylaw No. 19-21

75-22 Councillor Lewis -- that Bylaw No. 05-22 be given first reading for the 2022 Fees and Charges and that Bylaw No. 19-21 be repealed, effective March 22, 2022.

Carried Unanimously

76-22 Councillor Scobie -- that Bylaw No. 05-22 be given second reading.

Carried Unanimously

77-22 Councillor Smith -- that Bylaw No. 05-22 be given third reading with the unanimous consent of the council members present.

Carried Unanimously

78-22 Councillor Belozer -- that Bylaw No. 05-22 be given third reading.

Carried Unanimously

Notice of motions:

- Councillor communication distribution
- Councillor participation in State of County address and promotional County videos
- Councillor external committee reporting

Councillor Vandenberghe presented the following Notice of Motions to be presented at the next (April 12, 2022) regular Council meeting:

1. Councillor communication distribution

- 1) All Council requests, including Mayor, be distributed to all of Council for information and consideration and reposted electronically or hard copy for Council review.

This would include:

Requests to attend public and partner openings, announcements and engagements. Requests for information or commentary.

- 2) All outgoing messaging including email responses, acceptance replies and letters be circulated to Council in advance of going out for information and consideration.

This would include:

Official council responses to Government agencies.

Council response to requests for openings, announcements, engagements or information. All messaging prepared by Communications or Council for the purpose of attending openings, announcements or engagements.

Background

Leduc County Strategic Plan 2018 to 2021

Mission: Leduc County is dedicated to serving its citizens and will create an enhanced quality of life through effective leadership, committed partnerships and open and transparent communication.

Values and Commitments

Leduc County believes in:

Our citizens

Serving our communities

Making ethical decisions

Seeking fairness and equitability

Pursuing innovation

2. Councillor participation in State of County address and promotional County videos

Motion that State of County messaging and county promotional type videos that may include a messaging component on behalf of Council include County Councillor participation, in addition to official spokesperson, if a Councillor so wishes to participate.

Background

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3. Councillor external committee reporting

Councillors serving on External Committee meetings provide External Committee agendas for immediate distribution to Council prior to the meeting date.

Further, that the approved minutes for External Committee meetings be arranged by the attending Councillor to be provided for distribution to Council or posting to repository.

Further, that a summary of key points arising from External Committees be presented in Governance & Priorities OR Regular Council by attending Councillor or Administration.

Further, that a repository be completed by Administration to contain all external committee

meeting reports for Council reference and a method of distribution to Councillors be enacted.

External Committee reporting will commence from date of resolution approval.

Background

Leduc County Strategic Plan 2018 to 2021

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Adjournment

Mayor Doblanko adjourned the meeting at 2:32 pm.



Mayor



County Manager