

MINUTES
County Council Regular Meeting

Lac Ste. Anne County held a County Council Regular Meeting on December 17, 2021 commencing at 9:30 a.m. in the Council Chambers of the County Administration Building in Sangudo, Alberta.

Councillors Present: Joe Blakeman, Reeve
Nick Gelych, Deputy Reeve
George Vaughan, Councillor
Lloyd Giebelhaus, Councillor
Ross Bohnet, Councillor
Lorne Olsvik, Councillor

Councillors Absent: Steve Hoyda, Councillor

Administration Present: Mike Primeau, County Manager
Trista Court, GM Community & Protective Services
Joe Duplessie, GM of Utilities & Special Projects
Matthew Ferris, Planning & Development Manager
Trinity Hindes, Property & Taxation Administrator
Greg Edwards, GM of Infrastructure & Planning

Also Present: There were twelve people in attendance.

CALL TO ORDER

Reeve Joe Blakeman called the meeting to order at 9:40 a.m.

ADDITIONS TO AGENDA

6.C.2. - Villeneuve Landing Network Discussion.
6.C.3. - Growth/WILD Discussion

ACCEPTANCE OF AGENDA

Acceptance of the Agenda

799-2021 MOVED BY Councillor Ross Bohnet that County Council accepts December 17, 2021, County Council meeting agenda as amended.

Carried.

ADOPTION OF MINUTES

DELEGATIONS & PRESENTATIONS

9:45 a.m. Appointment Joe Fraietta - Fees and Traffic Impact Assessment

800-2021 MOVED BY Deputy Reeve Nick Gelych that County Council accepts the presentation from ratepayer Mr. Joe Fraietta regarding his fees and the requirement of a Transportation Impact Assessment (TIA), for information.

Carried.

INFRASTRUCTURE & PLANNING SERVICES

PUBLIC WORKS**INFRASTRUCTURE****PLANNING AND DEVELOPMENT****Request to waive as built fees for safety codes for Lot 17, Block 4, Plan 6CL, Rochfort Bridge within NW 07-57-07 W5M**

801-2021

MOVED BY Councillor Lorne Olsvik that the refund request to waive as-built fees for safety codes for Lot 17, Block 4, Plan 6CL, Rochfort Bridge within NW 07-57-07 W5M be reduced from triple fees to double the fees (refund \$514.80 Safety Code Permit fee plus \$20.59 Safety Codes Levy for a total of \$535.39).

Carried.

UTILITIES & SPECIAL PROJECTS**MUNICIPAL PLANNING COMMISSION****Into Municipal Planning Commission**

802-2021

MOVED BY Councillor George Vaughan that County Council enters into the Municipal Planning Commission Meeting at 10:17 a.m.

Carried.

193193-21-D0308, Lot 2, Block 1, Plan 0520663, within NW 24-54-4 W5M, for Minor Home Based Business: Animal memorial services, urn/memorial sales business.

803-2021

MOVED BY Deputy Reeve Nick Gelych that development permit application 193193-21-D0308, Applicant: Dornbusch, Krista, Owner: Fedorek, Kathleen, for Minor Home Based Business: Animal memorial services, urn/memorial sales business on Lot 2, Block 1, Plan 0520663, within NW 24-54-4 W5M, Tax Roll #5404243002, be approved subject to the following conditions:

1. Failure to conform to the conditions of a development permit will render the permit null and void.
2. Prior to construction or commencement of any development, the Owner/Applicant or contractor is responsible to obtain building, electric, plumbing, sewage, and gas permits, if required. Permits must be obtained from Lac Ste. Anne County. The Applicant is required to consult with the permit issuer to ensure that there are no conflicts between homeowner/contractor permits and the person(s) responsible for performing the actual work.
3. The Applicant shall be responsible for obtaining and complying with any required permits from federal, provincial, or other regulatory bodies. The Applicant shall also be responsible for complying with the condition of any easement, covenant, building scheme, or development agreement affecting the site.
4. The development that is the subject of the permit to be commenced within twelve months of the issue date of the development permit and be completed within twenty-four months.
5. All development shall be landscaped and graded in a manner that all surface run-off is either contained on-site or public drainage system (i.e. a municipal ditch).
6. The Applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner.
7. Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the Owner(s)/Applicant(s).
8. The Applicant must obtain Public Works approval for all approaches required for the proposed development.
9. Any changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
10. The Applicant/landowner shall pay the annual Solid Waste Utility bill as per Solid Waste Utility Bylaw.
11. The proposed development shall be sited and conform to all building setbacks as shown on the submitted drawing, shall not be moved or enlarged except where authorized and conform to all building setbacks as required as per the Land Use Bylaw requirements:

12. The applicant/owner shall enter into an Overland Drainage Easement and Restrictive Covenant with the Lac Ste. Anne County, in a form and on terms and conditions satisfactory to the County, which shall be registered against title to the lands prior to the commencement of development.
13. The Applicant will be required to provide an emergency and fire protection plan.
14. The permit is valid for two (2) year commencing the effective date of the decision. The applicant shall reapply in two years should they wish to extend the use.
15. The Applicant is advised that any application for renewal is subject to review by the Development Authority. The Development Authority shall be notified in writing of such renewal requests, accompanied by the appropriate development permit application fee, if required, at least six months prior to the expiry date of the development permit.
16. The Applicant is responsible for obtaining and complying with any required permits from federal, provincial, or other legislation, or the condition of any easement, covenant, building scheme, or development agreement affecting the land.
17. All major and minor Home-Based Businesses may also be regulated through the County's Business Licence Bylaw as per Business License Bylaw.
18. The Applicant shall supply, at the Applicant's own expense, portable commercially serviced toilets to be used on the lands during the entire term of the permit.
19. No highly explosive materials used for blasting will be used or stored on the premises. No activity shall be allowed that would interfere with radio or television in the area, nor shall there be any offensive odour, heat, or glare noticeable at or beyond the property line.
20. The Applicant must obtain a business license from Lac Ste. Anne County before the opening of the facility as per Business License Bylaw.
21. The Applicant Shall maintain at all times a Lac Ste. Anne County Business License as per Business License Bylaw.
22. The Applicant must obtain a business license from Lac Ste. Anne County before the opening of the facility and shall maintain at all times a Lac Ste. Anne County Business License as per Business License Bylaw.
23. No loading or unloading of equipment or materials shall occur on the municipal road network.
24. That no business-related truck traffic to and from the premises is allowed to occur between the hours of 7:00 a.m. to 8:30 a.m. and 3:30 p.m. to 5:00 p.m., which Northern Gateway defines as normal bussing hours. This does not extend to employees entering or exiting the site.
25. The Applicant must obtain a business license from Lac Ste. Anne County before the opening of the facility as per Business License Bylaw.
26. No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
27. The site of the buildings shall be maintained in a clean and orderly condition and free from all rubbish and debris.
28. The Applicant shall obtain approval from Lac Ste. Anne County for the location of any and all accesses to the development, and any and all accesses approved shall be constructed to the standards and specifications of the County, at the Applicant's sole expense. Any and all accesses constructed by the Applicant are subject to inspections by the County, at any time during regular business hours, to ensure compliance with the County's standards and specifications.
29. Applicant must abide by rules and regulations imposed by Alberta Transportation as per Roadside Development Permit
30. This permit is issued to the current property Applicant/Owner and is not transferrable when the property changes ownership.
31. The incinerator and venting system shall be maintained annually by a certified inspector and reports of inspections shall be available to the development authority upon request.
32. The use of the incinerator shall be prohibited on weekends and any statutory holiday recognized in the province of Alberta.
33. That a minimum of 25 single stem columnar trees, being a minimum of 2.0 meters high, 50mm caliber, be placed at 3.0 metres on-center be placed on the southern perimeter of the site starting in the southwest corner following the property line to the east but not the complete property line.
34. Ongoing maintenance and replacement of the trees outlined in Condition 35 is a requirement should any of them die.
35. Those air scrubbers be installed in addition to any filtration system that comes with the incinerator.
36. That all venting be thru the back wall of the garage and not thru a verticle vent in the roof.

Carried.

033SUB2021, NE 35-54-05 W5M, to create three (3) 10.0 +/- acre parcels from an unsubdivided quarter-section

804-2021

MOVED BY Councillor Ross Bohnet that based upon a review of the applicable bylaws and legislation as well as a review of the land-use planning criteria as set forth in the Subdivision and Development Regulation, 2002, that subdivision application 033SUB2021, Applicant: Derek Prue, Owner: Arthur Lee to create three (3) 10.0 +/- acre parcels from an unsubdivided quarter-section within NE 35-54-05 W5M, Tax Roll #5405354001 (Div. 4), be approved subject to conditions and for the following reasons:

Adjacent Landowner Concerns: See attached Adjacent Landowner comments received: October 26, 2021

Allen & Shirley Wild

Topography: The property is rolling with a good amount of tree cover.

Soils: Class 4: Soils in this class have severe limitations that restrict the range of crops or require special conservation practices. The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants and may be improved by the use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilizing, or water control.

Subclass T: adverse topography-either steepness or the pattern of slopes limits agricultural use.

Class 5: Soils in this class have very severe limitations that restrict their capability to produce perennial forage crops, and improvement practices are feasible. The limitations are so severe that the soils are not capable of use for sustained production of annual field crops. The soils are capable of producing native or tame species of perennial forage plants and may be improved by the use of farm machinery. The improvement practices may include clearing of bush, cultivation, seeding, fertilization, or water control.

Subclass T: adverse topography-either steepness or the pattern of slopes limits agricultural use.

Storm Water: No stormwater issues for the proposed parcels.

Flooding Risk: No flood issues are expected on the property.

Access: Access is to be provided through the local road system.

Water Supply: The proposed property is currently unserved. Water may be obtained through cistern or well for the proposed parcel. The remainder of the quarter is currently serviced.

Private Sewage System: The property is currently unserved. A variety of private sewage disposal systems may be used on the proposed acreage properties and the remainder of the quarter-section.

Adjacent Land Uses: Adjacent land uses are agricultural.

Response To Landowner Comments:

Concern #1: Range Road 51 to be upgraded to County standard.

Concern #2: As per the Water Act: "water body" means any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent, or occurs only during a flood, and includes but is not limited to wetlands and aquifers but does not include except for clause (nn) and section 99 "water body" that is part of an irrigation works if the irrigation works are subject to a license and the irrigation works are owned by the licensee unless the regulations specify that the location is included in the definition of the water body;

Concern #3: The quarter-section boundary would be within 1.0 miles of the sour gas line, however, there are no restrictions as the existing sour gas is 1200 meters from the closest proposed acreage.

Concern #4: Municipal Development Plan allows for the creation of 3 Country Residential parcels:

Policy 5.3.7 A maximum of three (3) residential parcels from a quarter-section should generally be permitted for a combination of country residential lots, new farmsteads, or separation of an abandoned farmstead, subject to the following criteria:

- a. The parcel should be re-districted for residential purposes to the appropriate country residential land use district;
- b. The parcel shall have direct access to a municipal roadway;
- c. Sufficient developable land must be available for a new residential building;
- d. All water and wastewater servicing can be facilitated on-site and without negative impact on adjacent land uses;

And based upon staff recommendations and the above reasoning, the Subdivision Approving Authority approves the proposed subdivision, subject to the following conditions:

1. All subdivision conditions must be fulfilled within twenty-four months of date of subdivision approval.
2. Pursuant to Section 654 of the Municipal Government Act, R.S.A. 2000, all outstanding property taxes be paid.
3. Pursuant to Section 655 of the Municipal Government Act, R.S.A. 2000, the Owner and/or Developer shall enter into and abide by the provisions of a development agreement with Lac Ste. Anne County to the County's satisfaction and at the Developer's expense. This agreement may include, but not necessarily be limited to:
 - Approach #1: New approach, shall be installed to County standards as per policy.
 - Approach #2: New approach, shall be installed to County standards as per policy.
 - Approach #3: New approach, shall be installed to County standards as per policy.
 - Approach #4: New approach, shall be installed to County standards as per policy, this approach does not require a culvert, this approach shall be utilized as bus turnaround area

Once the above-noted work has been completed on your approach(es), you MUST return your "Final Approach Inspection Form" to the Planning and Development Department to have your approach(es) inspected. The proposed survey (from your surveyor) must be submitted before Public Works can complete the inspection of the approach(es).

4. Pursuant to Section 661 of the Municipal Government Act, R.S.A., 2000, 5.2 metres (17.1 ft.) of road widening adjoining all municipal road allowances is required and may be registered through caveat. Caveat and agreement to be provided by the Surveyor for road widening on Range Road(s) and Township Road(s).
5. This decision shall be valid for two (2) years from the date of issuance; if this decision is appealed (to Subdivision and Development Appeal Board {SDAB} or Municipal Government Board {MGB}), any new decision will be valid for a time specified by the appeal body as listed within a revised decision (SDAB decision or MGB order).
6. Applicant/Landowner is required to submit a survey drafted by an Alberta Land Surveyor. Any alterations to the subdivision design from the date of referral may require a new application and referral process.
7. The Applicant must provide a market value appraisal of the subject land, excluding any and all buildings or improvements, prior to subdivision. This appraisal is used to determine money-in-lieu of Reserves value as per Section 667 of the Municipal Government Act (MGA). A market value appraisal is to be obtained from a licensed Alberta Appraiser as a condition of this subdivision approval. For this application, the land subject to Reserves is 10% of the following: 12.141 HA (proposed parcel(s)).

Reserve Eligible:	<i>Yes</i>	MR Eligible (HA) (total parcel):	<i>12.141</i>
Value per hectare (HA) :	<i>\$6,691.00</i>	Land Subject to Reserves (10% of MR Eligible):	<i>1.2141</i>

Amount Owning:	Shall be no more than <i>\$6,691.00/ha \$8,123.54</i>
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8. This proposal does not meet the requirements of Sections 14 and 15(3) of the Subdivision and Development Regulation. Considering the nature of the proposal, subject to Section 16 of the Subdivision and Development Regulation, Alberta Transportation is willing to approve the variance by the subdivision authority of the requirements of Section 14. The Subdivision and Development Regulation states that when the subdivision proposal does not meet the requirements of Section 15(3), the subdivision authority must require the development to provide service road that is satisfactory to Alberta Transportation. Given the nature of this proposal, to meet the requirements of Section 15(2) of the regulation Alberta Transportation would be satisfied if the subdivision authority required no service road to be dedicated. Alberta Transportation requires that any appeal of this subdivision be referred to the Municipal Government Board (Section 678(2) of the Municipal Government Act), now known as the Land and Property Rights Tribunal.
9. This proposal will require Rge Rd 51 to be upgraded to County standards from TWP RD 550 south 1/2 mile to south property line. The road gravelling application rate shall be determined by a geotechnical engineer based on the roadway use and soil conditions (shall be at minimum 500m tonnes per mile of D4-20).
10. Lac Ste. Anne County will require a blanket drainage easement and restrictive covenant to the County's satisfaction be registered on the parcel within sixty days (60) of the date of this approval to ensure current and future drainage is accommodated to the satisfaction of the Municipality.

Carried.

193193-21-D0288, Lot , Block , Plan , within NE 2-57-7 W5M, for 45.0m (±48.5m to top of lightning rod) slimline lattice self-support telecommunications facility and supporting equipment shelter

805-2021

MOVED BY Councillor Lloyd Giebelhaus that development permit application 193193-21-D0288, Applicant: Xplornet C/O LandSolutions LP, Owner: Lewis Farmlands 9 Ltd, for 45.0m (±48.5m to top of lightning rod) slimline lattice self-support telecommunications facility and supporting equipment shelter within NE 2-57-7 W5M, Tax Roll #5707024001 (Div. 7), be approved subject to conditions:

1. Failure to conform to the conditions of a development permit will render the permit null and void.
2. Prior to construction or commencement of any development, the Owner/Applicant or contractor is responsible to obtain building, electric, plumbing, sewage, and gas permits, if required. Permits must be obtained from Lac Ste. Anne County. The Applicant is required to consult with the permit issuer to ensure that there are no conflicts between homeowner/contractor permits and the person(s) responsible for performing the actual work.

3. The Applicant shall be responsible for obtaining and complying with any required permits from federal, provincial, or other regulatory bodies. The Applicant shall also be responsible for complying with the condition of any easement, covenant, building scheme, or development agreement affecting the site.
4. The development that is the subject of the permit to be commenced within twelve months of the issue date of the development permit and be completed within twenty-four months.
5. All development shall be landscaped and graded in a manner that all surface runoff is either contained on-site, or public drainage system (i.e. a municipal ditch).
6. The Applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner.
7. Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the Owner(s)/Applicant(s).
8. The Applicant must obtain Public Works approval for all approaches required for the proposed development.
9. Any changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
10. The Applicant/landowner shall pay the annual Solid Waste Utility bill as per Solid Waste Utility Bylaw.
11. The proposed development shall be sited and conform to all building setbacks as shown on the submitted drawing, shall not be moved or enlarged except where authorized and conform to all building setbacks as required as per the Land Use Bylaw requirements:
Minimum Setbacks in the Agricultural 1 (AG1) District

Rear: 7.5 m (24.61 ft)

Side: 6.0 m (19.69 ft)

Front: 25.0 (82.02 ft) from any Municipal roadway, 40.0 m (131.23 ft) from any highway right-of-way.

Notwithstanding the above setbacks, the Tower base must be located no closer than the distance calculated by adding height of the tower plus 10% of the height of the tower from any adjacent parcels, occupied dwellings, or roadways.

*SIDE

Side Yard Variance Request for proposed Tower – Regulation: 53.35 meters, Requested: 7.5 meters, Variance 45.85 meters (85% variance)

12. Pursuant to the Municipal Addressing System Bylaw, the applicant to provide confirmation that a rural address sign that complies with the County's Rural Address Sign Specifications is placed within 3 months of the approval of this development permit. Rural addressing signs can be obtained from Lac Ste. Anne County.
13. All freestanding telecommunication towers shall be designed to prevent climbing or sliding down, and their base and stabilizing lines shall be separately fenced.
14. The use of any portion of a tower or antenna for signs, other than to provide a warning or equipment information, is prohibited.
15. Communication facilities and towers are to be removed and the site reclaimed within six months of cessation of use or when telecommunication towers, buildings, or antenna equipment become obsolete.
16. A sign shall be placed on the tower, structure or fencing which includes the identity of the owner, warnings of safety issues, and the full rural address.
17. Any security lighting to be installed must follow dark sky lighting principles and standards to the satisfaction of the Development Authority.
18. Applicant must abide by rules and regulations imposed by Alberta Transportation as per Roadside Development Permit RSDP037297 dated December 17, 2021.

Carried.

Out of Municipal Planning Commission

806-2021

MOVED BY Deputy Reeve Nick Gelych that County Council adjourns the Municipal Planning Commission meeting at 10:30 a.m. to resume the County Council meeting.

Carried.

Villeneuve Landing Network

807-2021

MOVED BY Deputy Reeve Nick Gelych that County Council approves the Villeneuve Landing Network discussion for information and further directs Administration to contact Sturgeon County to have them give a presentation on the Villeneuve Landing Network.

Carried.

Growth discussion

808-2021

MOVED BY Deputy Reeve Nick Gelych that County Council direct administration to invite Barrhead County Councillor, Walter Preugschas to give a presentation to Council concerning WILD Alberta Committee.

Carried.

COMMUNITY & PROTECTIVE SERVICES

COMMUNITY SERVICES

Recreation Facility & Program Assistance Allocations (2021)

809-2021

MOVED BY Councillor Lloyd Giebelhaus that County Council approves the allocation of funds equally between, Snow Mo Days \$905.50, and Mayerthorpe Ag Society \$905.50.

Carried.

CORPORATE SERVICES REPORT

FINANCE

2022 Interim Operating Budget

810-2021

MOVED BY Councillor George Vaughan that County Council hereby authorize the 2022 Interim Operating Budget based on approving 50% of the prior year (2021) operating budget expenditures excluding any one time special purchases, as per Section 242(2) of the Municipal Government Act, and that this interim budget cease to have any affect at the time the 2022 operating budget is adopted by County Council.

Carried.

ECONOMIC DEVELOPMENT

Economic Development Officer Report

811-2021

MOVED BY Deputy Reeve Nick Gelych that County Council review the Economic Development Officer's (EDO) report for information and feedback.

Carried.

ADMINISTRATION

COUNTY MANAGER

Meeting Schedule

812-2021

MOVED BY Councillor Lorne Olsvik that the following meeting(s) be scheduled as: January 11, 2022 meeting be move to January 7, 2021 at 9:30 a.m.

Carried.

CLOSED SESSION

Closed Session

- 813-2021 MOVED BY Councillor Ross Bohnet that County Council enters a Closed Session at 11:43 a.m. pursuant to Section 197(2) of the Municipal Government Act to discuss the following;
- Legal
 - Land
 - Personnel
- subject to Sections 16, 17(2)(e), of the *Freedom of Information & Protection of Privacy Act* (FOIP).
Carried.
- 814-2021 MOVED BY Deputy Reeve Nick Gelych that County Council adjourn the Closed Session at 12:03 p.m.
Carried.

COUNCIL COMMITTEE REPORTS

ADJOURNMENT

Reeve Joe Blakeman adjourned the meeting at 12:04 p.m.



CAO



Reeve