The regular meeting of the Lacombe County Council was called to order by Reeve Law at 9:00 a.m. on September 14, 2017 in the Council Chamber of the Lacombe County Administration Office.

Present: Reeve, P. Law; Deputy Reeve, B. Knight and Councillors, D. Kreil, R. McDermand, B. Shepherd, K. Stephenson and K. Wigmore; County Commissioner, T. Hager; Manager of Corporate Services, Timmons; Manager of Planning, D. Freitag, Senior Planner, A. O’Driscoll, Planner/Development Officer, P. Duke, Planner Development Officer, J. McPhail and Executive Assistant L. Turnbull.

C/475/17

Agenda

Mrs. Law inquired if there were any additions or deletions to the agenda. There were two additions to the agenda.

- Gary Moe Auto Group Sportsplex Grand Opening
- Lacombe & District Chamber of Commerce Awards Gala

Moved by Mr. Stephenson that the agenda be adopted as amended. Carried Unanimously.

C/476/17

Minutes

Moved by Mrs. Kreil that the minutes of the August 10, 2017 meeting be approved as presented. Carried Unanimously.

C/477/17

Public Hearing

Moved by Mrs. Knight that the meeting recess in order to conduct a public hearing for Bylaw No. 1252/17. Carried Unanimously.

REFERENCE RESOLUTIONS: C/438/17; C/439/17

Mrs. Law opened the public hearing for Bylaw No. 1252/17. The public hearing process is intended to allow all interested parties to address Council on Bylaw No. 1252/17.

Bylaw No. 1252/17 received first reading on August 10, 2017 and approval to hold a public hearing.

Bylaw No.1252/17 is a bylaw of Lacombe County for the purpose of amending the Sylvan Lake Area Structure Plan (ASP).

Ms. O’Driscoll advised that these amendments are being proposed to ensure the ASP is consistent with the newly adopted Municipal Development Plan (MDP) and Land Use Bylaw (LUB). There is no change to the intent of the ASP or any of its main policies. Ms. O’Driscoll provided an overview of the proposed amendments.

Mrs. Law inquired if there were questions by Council.

Council Questions

Mr. Stephenson inquired if the 30 metre setback can be varied.

Ms. O’Driscoll advised that Council has the discretion to change the setback but 30 metres is the standard.

Mrs. Kreil inquired if a site (concept) plan was in place previous to the 30 metre setback being set could that plan stay in place. Mr. Freitag advised that previous approval would be grandfathered unless the plan is changed.

Ms. Shepherd inquired if the 30 metre setback is consistent with other municipalities on Sylvan Lake. Mr. Freitag advised that the Town of Sylvan Lake requires a 30 metre setback and that not all surrounding municipalities are following the 30 metre setback. Mr. Freitag commented that if those municipalities have development it is understood that 30 metres is a basic setback and the County works with the municipality to ensure this setback.
Mr. McDermand requested verification on the definition of ephemeral water. Ms. O’Driscoll advised that ephemeral means a temporary body of water, typically just at the time of spring run-off.

Mr. McDermand inquired if the 30 metre setback would be from a trail system. Ms. O’Driscoll advised that the setback is from the waterbody and then there is municipal reserve (MR) which is the trail.

Mrs. Law inquired if there were verbal submissions by government agencies.

There were no verbal submissions by government agencies.

Mrs. Law inquired if there were verbal submissions by municipal agencies.

There were no verbal submissions by municipal agencies.

Mrs. Law inquired if there were verbal submissions by the public.

Public Comments

Lance Dzaman provided the following comments:

• On a temporary drainage swale through a property which flows part of the season only there is a 30 metre setback on each side of the swale
• This is 60 metres in setbacks on a drainage swale that may or may not flow at all times
• 60 metres is a large swath through a piece of property

Mrs. Law inquired if there were written submissions from government or municipal agencies.

Written Submissions

The following written submissions were received from government or municipal agencies:

• Red Deer County has no concerns with the proposed amendments to the ASP.
• Alberta Health Services had no concerns with the proposed amendments to the ASP and provided a number of relative comments on the content of the ASP.

Mrs. Law inquired if there were written submissions from the public.

There was one written submission from the public.

• Qualico Communities expressed concern with the proposed amendment to change setbacks for ephemeral streams and wetlands to 30 metres.

Council Comments

Mr. McDermand inquired if property is being sterilized due to intermittent and seasonal streams. Mr. Freitag advised that riparian lands are being protected which are actual wetlands and watercourses. Public consultation has shown that stakeholders want to protect the environment.

Mr. McDermand inquired regarding water that runs along properties only in the spring of the year. Mr. Freitag commented that consideration is not given to spring run-off, it is for actual waterbodies, streams and watercourses, not man-made or seasonal drainage channels. If there is a seasonal drainage channel Alberta Environment will work with the developer to allow development.

Mrs. Knight inquired if watercourses must have riparian qualities such as reeds, grasses or cattails and are not just low spots that appear in the spring. Mr. Freitag advised that delineated streams or waterbodies with those characteristics and that run at least three quarters of the year are identified, not normal spring run-off.

Mrs. Law advised that if Council is satisfied that everyone has had an opportunity to make a presentation and that further information is not required it would be appropriate to have a resolution to close the public hearing.
Moved by Mrs. Knight that the public hearing adjourn. Carried Unanimously.

Moved by Mr. Wigmore that Bylaw No. 1252/17 having been read a first time, now be read a second time. Carried Unanimously.

Moved by Mrs. Shepherd that Bylaw No. 1252/17 having been read a first time and a second time now be read a third time and finally passed. Carried Unanimously.

Mr. Duke advised Council that a heritage survey has recently been completed by Judy Carleton which focuses on the Town of Blackfalds but further identifies heritage resources in Lacombe County. A total of 23 locations and 46 buildings within the County have been identified as having varying degrees of historical value. Full reports on all entries have been added to the Alberta Historical Resources Foundation (Hermis) database and to the Blackfalds Archives.

The information provided by Ms. Carleton regarding County heritage resources has been recorded by the creation of a layer within the County’s Geographic Information System (GIS). If a formal heritage register was considered in the future this information would serve as an important resource. To date St. Monica’s Anglican Church in the Hamlet of Mirror is the only structure to be designated as a Municipal Historical Resource within Lacombe County.

Moved by Mr. McDemand that the report on the heritage survey which identifies heritage resources in Lacombe County be received for information. Carried Unanimously.

Mr. McPhail advised that the 2017 Lacombe County Municipal Development Plan (MDP) introduced a housing strategy that seeks to direct future growth in accordance with identified priority areas. Under this strategy the priority areas for development have been identified firstly to growth hamlets.

Mr. McPhail referred to a grant pilot program that would initially focus on incentives for single lot, smaller scale commercial and industrial development within the growth Hamlet of Mirror. Council was provided with an overview of Policy AD (39) The Development Incentive Grant Policy for implementation within the Hamlet of Mirror in 2018 for a 3-year pilot period. Mr. McPhail addressed questions of Council.

Moved by Mrs. Knight that Policy AD (39) The Development Incentive Grant Policy be approved as presented; and further, that $ 5,000 be allocated for the first year of the program; subject to review in year two and three of the program. Carried Unanimously.

Ms. O’Driscoll and Mr. McPhail withdrew from the meeting. Larry Riep entered the meeting.

Council meeting from Brad Murray, President of Just Freehold Energy Corp. in support of the request that Lacombe County consider a property tax payment plan. This plan would include the payment of 2017 taxes over four months (August to November), and the payment of interest but not late payment penalties. A discussion followed Mr. Timmons’ presentation.

Moved by Mrs. Knight that the County Commissioner be authorized to negotiate and enter into a property tax payment plan with Just Freehold Energy Corp. with respect to their 2017 property taxes. Motion Lost.
C/484/17  Modernized Municipal Government Act Group 2 Regulations

Mr. Timmons advised that Alberta Municipal Affairs has requested comments on the final set of regulations developed in support of the new Municipal Government Act. Mr. Timmons reviewed the regulations with Council and proposed responses to each regulation were discussed.

Moved by Mr. Wigmore that Council endorse the proposed responses to the Modernized Municipal Government Act Group 2 Regulations.

Carried Unanimously.

C/485/17  Sandhill Estate Concept Plan

Bylaw No. 1236/17 is a bylaw of Lacombe County to amend the Lacombe County Land Use Bylaw No. 1056/07 to change the zoning of approximately 10.47 hectares (25.87 acres) of land identified as Pt. SW 24-39-27 W4M from Country Residential “R-CR” District to County Residential Estate “R-CRE” District. On April 19, 2017 a public hearing was held and Council subsequently gave second reading to Bylaw No. 1228/16 on May 11, 2017. The development agreement has now been finalized.

Mr. Duke advised that the request for rezoning is being put forward by Stantec Consulting on behalf of Brad Buchinski for the creation of a residential subdivision which allows for smaller lots and individual services. The proposed rezoning is consistent with the County’s Municipal Development Plan (MDP), the Town of Blackfalds/Lacombe County Intermunicipal Development Plan (IDP) and the Blackfalds/Lacombe Rural Fringe Area Structure Plan (ASP). Mr. Duke addressed questions of Council.

Moved by Mr. Stephenson that Council endorse the Concept Plan for the Sandhill Estate Development.

Carried.

C/486/17  Sandhill Estates Development Agreement

Moved by Mrs. Knight that Council authorize the signing officers of Lacombe County to execute the Development Agreement for the Sandhill Estates Development.

Carried.

C/487/17  Bylaw No. 1236/17 Third & Final Reading

Moved by Mr. Stephenson that Bylaw No. 1236/17, a bylaw of Lacombe County to amend the Lacombe County Land Use Bylaw No. 1056/07 to change the zoning of approximately 10.47 hectares (25.87 acres) of land identified as Pt. SW 24-39-27 W4M from Country Residential “R-CR” District to County Residential Estate “R-CRE” District having been read a first time and a second time, now be read a third time and finally passed.

Carried.

C/488/17  MPC

Moved by Mr. McDermand that the meeting recess in order to conduct a Municipal Planning Commission meeting.

Time: 11:20 a.m.

Carried Unanimously.

C/489/17  Reconvene

Moved by Mr. Stephenson that the meeting reconvene.

Time: 11:35 a.m.

Carried Unanimously.

11:35 a.m.  Debbie Olsen, Director, Alberta Trail Net and Cliff Soper entered the meeting.

C/490/17  Subdivision Application No. S-023-17 – Sandhill Estates - Approved

Mr. Duke advised that Stantec Consulting on behalf of Brad Buchinski, is seeking permission to develop approximately 10.47 hectares (25.87 acres) of land identified as Pt. SW 24-39-27 W4M into a residential subdivision. The proposed development is in the Burbank development and consists of 14 lots ranging in size from 1.25 to 1.33 acres. Third reading has been given to Bylaw No. 1236/17 which provides for the rezoning of the property. Mr. Duke addressed questions of Council.

11:45 a.m.  Phil Lodermier, Bill Cade, Brandon Maier, Dale Kary, Lindsay Vink and Vince Pratt entered the meeting.
Moved by Mr. Stephenson that Subdivision Application S-023-17 be approved subject to the following conditions:

1. residential lots to be a minimum of 0.51 ha (1.25 ac) but less than 1.01 ha (2.50 ac)
2. access into the development area from the existing access on Burbank Road to be constructed at the developer’s expense to the standards described in Schedule E of the development agreement between the County and Geo Real Estate Corporation (hereinafter referred to as the “developer”) dated August 10, 2017.
3. the developer shall pay to the County a per lot road improvement levy of $5,000 for each new residential lot to be created as per section 3.8 of the development agreement
4. all drainage works outlined in section 4.1 - 4.6 of the development agreement to be completed to the satisfaction of the County prior to final subdivision approval
5. the developer shall pay to the County the amount required by the County to install such signs as the County, in its discretion, deems necessary to identify the boundaries or other features of the public utility lots and other drainage rights of way that will be registered within the Subdivision Area as per section 4.7 of the development agreement
6. the developer, at no expense to the County, shall grant to the appropriate utility companies easements or grants of right of way as are necessary for utility servicing purposes, and shall register or cause to be registered such easements or grants of rights of way for the Subdivision Area or any part thereof concurrently with the registration of the plan of subdivision.
7. all reserves for the development as shown on Schedule B of the development agreement shall be dedicated prior to final subdivision approval
8. the developer to provide acceptable evidence from a qualified professional that the Ember Resources Inc. pipeline (R/W Plan 6639 KS) has been removed to the County’s satisfaction as per section 13.1 of the development agreement
9. the developer to provide confirmation that the Town of Blackfalds has no concerns with regard to their sewage pipeline (R/W Plan 772 0159) as per section 13.2 of the development agreement
10. the developer to provide acceptable evidence from a qualified professional engineer that each residential lot has an adequate developable area for a building site as per section 14.1 - 14.2 of the development agreement
11. the developer shall submit a drawing identifying areas where water wells and septic systems may be placed in order to ensure reciprocal distance requirements can be met between water wells and wastewater systems within each lot as well as adjacent parcels as per section 14.3 of the development agreement
12. a restrictive covenant to be simultaneously registered with the registration of the subdivision plan upon the titles to all or any of the lots within the Subdivision Area in respect of building setbacks and other development restrictions recommended in any geotechnical investigation that the County may require for the Subdivision Area as per section 15.1 of the development agreement
13. the developer shall provide acceptable evidence from a qualified professional engineer that all recommendations contained in the Geotechnical Report prepared by Parkland Geotechnical Consulting Ltd. dated February 3, 2016 which are applicable to the subdivision design and/or the construction and installation of the municipal improvements required by the County for the development of the Subdivision Area, have been complied with as per section 15.2 of the development agreement
14. the developer shall provide acceptable evidence from a qualified professional(s) that all recommendations contained in the Biophysical Assessment prepared by Stantec Consulting Ltd. dated July, 2016 which are applicable to the subdivision design and/or the construction and installation of the municipal improvements required by the County for the development of the Subdivision Area, have been complied with as per section 17.2 of the development agreement
15. the developer shall provide acceptable evidence from a qualified professional that the two groundwater monitoring wells associated with the reclaimed crude oil well are removed and properly capped as per Alberta Energy Regulator / Alberta Environment regulation to the County’s satisfaction as per section 17.3 of the development agreement
16. the developer shall provide acceptable evidence from a qualified professional(s) that all recommendations contained in the HistoricalResources Impact Assessment report prepared by Stantec Consulting Ltd. dated October 2016 which are applicable to the subdivision design and/or the construction and installation of the municipal improvements required by the County for the development of the Subdivision Area, have been complied with as per section 18.1 of the development agreement

17. the developer shall engage the services of a qualified professional to carry out a noise and other traffic-related impact study to determine what impact, if any, traffic on the adjacent CN Rail line would have on residents of the Subdivision Area and to recommend what means and methods might be necessary to mitigate any potential problems as per sections 19.1-19.4 of the development agreement

18. the developer shall provide to the County confirmation in writing from Canada Post respecting the postal service arrangements for the Subdivision Area. The provision of any mail receptacle equipment shall conform to the requirements set out in the County’s Standards Manual in effect as of the date hereof, subject only to such changes as may be approved in writing by the County in its sole discretion

19. all requirements outlined in the development agreement dated August 10, 2017 to be adhered to prior to the final subdivision approval

20. all taxes owing, up to and including the year in which the subdivision is to be registered, are to be paid to the County prior to the final approval of the subdivision

21. the subdivision to be carried out by a plan prepared by an Alberta Land Surveyor

Carried.

Alberta TrailNet Presentations
Ms. Olsen on behalf of Alberta TrailNet and in honor of Canada’s 150-birthday celebration presented the Alberta Hero award to Mr. Soper and Mr. Lodermeier in recognition of their great contribution to Alberta TrailNet and the Trans Canada Trail System. Volunteer award pins were presented to all Councillors, Mr. Hager, Mr. Timmons, Mr. Cade, Mr. Kary, Mrs. Vink and Mr. Pratt in appreciation of their contribution to the development of trails within Lacombe County.

Council reconvened at 1:00 p.m. with all Councillors (with the exception of Mrs. Law), Mr. Hager, Mr. Timmons, Mr. Freitag and Mrs. Turnbull present.

Mrs. Knight assumed the Chair.

1:00 p.m. Glen Fraser and Tony Kamlah, Lincoln Developments and Cajun Paradis entered the meeting.

C/491/17 Lincoln Developments Presentation
Lincoln Developments, is seeking permission to develop approximately 64.47 hectares (159.31 acres) on Pt. NW 14-41-28-W4M into a 100 lot residential community with a 9-hole golf course. The property is located on the east side of Gull Lake, and is accessed by Range Road 28-2. The property is currently zoned as Agricultural ‘A’ District under the County’s Land Use Bylaw. The proposal is to rezone the property to Recreation ‘PR’ District, Residential Conservation Cluster ‘R-RCC’ District, and High Density Residential ‘R-HDR’ District under the County’s Land Use Bylaw.

Mr. Fraser and Mr. Kamlah provided a detailed presentation regarding the following components of the development:

- Supportive Studies
- Plan Area
- Development Considerations
- Concept Plan
- Servicing & Implementation
- Site Concept Illustrations
- Public Information Session - Lincoln Community Hall, October 12, 2017 – 6:00 to 8:00 p.m.

Mr. Fraser and Mr. Kamlah addressed questions of Council.
Moved by Mr. Wigmore that the presentation on the development concept and rezoning for Lincoln Ranch be received for information.  

Carried Unanimously.

1:40 p.m. Karl Dillman, Wolfgang Hainzman, Nursery Golf & Country Club entered the meeting.

C/492/17  
Nursery Golf Course Presentation

The Nursery Golf Course & Country Club is seeking permission to redesignate approximately 64 hectares (160 acres) on SW 07-41-26-W5M to Recreation ‘PR’ District.

The property is currently zoned as Agricultural ‘A’ District under the County’s Land Use Bylaw, and has an 18 hole golf course. The development proposal includes 31 seasonal RV camping lots, a washroom/shower facility, and a caretaker suite.

Mr. Dillman provided the detailed presentation with regard to the following:

- Location
- History of the Golf Course
- RV Park Expansion Plan
- Rezoning – Studies Completed
- Public Information Session - Nursery Golf & Country Club, October 19, 2017 - 1:00 p.m.

Mr. Dillman and Mr. Hainzman addressed questions of Council.

Moved by Ms. Shepherd that the presentation on the development concept and rezoning for the Nursery Golf Course & Country Club be received for information.  

Carried Unanimously.

2:00 p.m. Mr. Fraser, Mr. Kamlah, Mr. Dillman and Mr. Hainzman withdrew from the meeting. Mr. Freitag and Ms. Paradis also withdrew from the meeting.

C/493/17  
Organization Review Report

Mr. Hager presented the Committee of the Whole meeting notes and recommendation from the August 9, 2017 meeting.

Moved by Ms. Shepherd that the County Commissioner be directed to provide a report addressing the recommendations contained within the Organizational Review of Lacombe County; and further, that the draft report be presented at a future Council meeting.

Carried Unanimously.

C/494/17  
Committee of the Whole Meeting Notes

Moved by Mr. Stephenson that the Committee of the Whole meeting notes for August 9, 2017 be received for information.

Carried Unanimously.

C/495/17  
Agenda Item Follow-up

Mr. Hager advised that the deadline for resolutions for the October 13, 2017 CAAMDC zone meeting is September 13, 2017. Council agreed that Lacombe County will have no resolutions to put forward at this time.

Moved by Mr. McDermand that the Agenda Item Follow-up be received for information.

Carried Unanimously.

C/496/17  
Strong Leaders, Strong Communities

Moved by Mrs. Kreil that Council be authorized to attend the Strong Leaders Strong Communities Professional Development Day on September 25, 2017.

Carried Unanimously.
Moved by Mrs. Kreil that Mrs. Law and Mrs. Shepherd be authorized to attend the Blackfalds Community Centre and Parent Link Centre Grand Opening to be held on September 21, 2017.

Carried Unanimously.

Moved by Mr. Wigmore that Mrs. Law and Mrs. Kreil be authorized to attend the Gary Moe Auto Group Sportsplex Grand Opening to be held on September 29, 2017.

Carried Unanimously.

Moved by Mr. Wigmore that Lacombe County purchase a table for the Lacombe & District Chamber of Commerce Award Gala being held on October 21, 2017.

Carried Unanimously.

Moved by Mrs. Kreil that the Consent Agenda be approved as presented.

Carried Unanimously.

Ms. Shepherd advised that the Ellis Bird Farm is developing a Safety Policy and inquired if Mrs. Croken, Lacombe County’s Health & Safety Officer could review the policy. Mr. Hager advised that Mrs. Croken could assist with the policy.

Mr. McDermand advised that the Village of Alix Municipal Inspection Report undertaken by Alberta Municipal Affairs is now complete. The report provided a number of recommendations to the Village for future consideration.

Moved by Mrs. Kreil that the meeting adjourn.

Time: 2:22 p.m.

Carried Unanimously.

Reeve

County Commissioner