

**MINUTES**  
**COUNTY OF NORTHERN LIGHTS**  
**REGULAR COUNCIL MEETING HELD IN COUNTY CHAMBERS**  
**ON TUESDAY, MARCH 14, 2023 at 9:00 A.M.**  
**COUNTY BUILDING, MANNING, ALBERTA**  
<https://us02web.zoom.us/j/89677415950>

**PRESENT:**

Gary These	Ward One	Weberville/Stewart
Kayln Schug	Ward Two	Warrensville/Lac Cardinal
Brenda Yasinski	Ward Three	Dixonville/Chinook Valley
Brent Reese	Ward Four	Deadwood/Sunny Valley
Gloria Dechant	Ward Five	North Star/Breaking Point
Terry Ungarian	Ward Six	Hotchkiss/Hawk Hills
Linda Halabisky	Ward Seven	Keg River/Carcajou (zoom)

**IN ATTENDANCE:**

Theresa Van Oort – Chief Administrative Officer  
Teresa Tupper – Executive Assistant/ Recorder  
Josh Hunter – Director of Finance  
Dan Archer – Mile Zero Banner Post Reporter  
Anna Glover – ISL Engineering Planning & Development Technician  
Dave McRae, Land Use Planning Manager, ISL Engineering and Land Service

Reeve Terry Ungarian called the Tuesday, March 14, 2023 regular scheduled Council Meeting to order at 9:00 a.m.

**01.0 Call to Order**

01.1.1 Land Acknowledgement

**02.0 Adoption of the Agenda**

091/14/03/23 **MOVED BY Councillor Dechant to acknowledge receipt of the Tuesday, March 14<sup>th</sup>, 2023 Council Agenda Package and adopt it with the following additions:**  
**06.1.1-F Follow-up Actions from RMA District 4 Zone Meeting**  
**Info Package: 08.10-e) cc'd letter from the Town of Peace River RE: Carbon Tax Concerns**  
**06.1.1-G Grimshaw Gravels Aquifer Management Advisory Association**  
**CARRIED**

**03.0 Adoption of the Minutes of the Previous Regular or Special Meeting(s)**

*A. Tuesday, February 28, 2023 Council Meeting Minutes*

092/14/03/23 **MOVED BY Councillor Reese to acknowledge receipt of the Tuesday, February 28, 2023 Council Meeting minutes and adopt them with the correction of title.**  
**CARRIED**

**04.0 Delegations**

*A. Sam Zacharias regarding road designation & development at 9:02 a.m.*

Reeve welcomes Sam and his family. Sam spoke to his concern of a road to his property and a future development permit for a residence.

**05.0 Policies/ Bylaws**

*A. Proposed Borrowing Bylaw No. 23-15-481*

093/14/03/23 **MOVED BY Councillor Halabisky to give SECOND READING to Bylaw No. 23-15-481; a bylaw to authorize the County of Northern Lights to incur indebtedness by the issuance of debenture(s) for the purpose of funding the arbitration decision provided to the County in December of 2022.**  
**CARRIED**

094/14/03/23 **MOVED BY Councillor Schug to give THIRD AND FINAL READING to Bylaw No. 23-15-481; a bylaw to authorize the County of Northern Lights to incur indebtedness by the issuance of debenture(s) for the purpose of funding the arbitration decision provided to the County in December of 2022.**  
**CARRIED**

**06.0 Municipal/CAO & Departmental Reports/Business**

06.1 Government Services

06.1.1 Council/Legislative

*A. Paul Rowe Graduation Ceremony Invitation*

095/14/03/23 **MOVED BY Councillor Dechant to acknowledge receipt of the Paul Rowe Graduation Ceremony Invitation and send Reeve Ungarian to speak on behalf of Council.**  
**CARRIED**

*B. Council Meetings – Summer Schedule*

096/14/03/23 **MOVED BY Councillor Halabisky to acknowledge receipt of the Council Meeting – Summer Schedule Report and cancel the Tuesday, July 11<sup>th</sup> and Tuesday, August 8<sup>th</sup>, 2023 regular scheduled council meetings for summer break.**  
**CARRIED**

*C. Peace River Regional Airport Letters*

097/14/03/23 **MOVED BY Councillor Yasinski to acknowledge receipt of the Peace River Regional Airport Letters and direct administration to write a letter of support and send it to NAV Canada.**  
**CARRIED**

*D. Town of Manning request for financial contribution*

098/14/03/23 **MOVED BY Councillor Reese to acknowledge receipt of the Town of Manning request for financial contribution and that the amount of \$291,025.00 be approved for the County contribution towards the Town of Manning ice plant and required upgrades for 2023 from council grants.**  
**CARRIED**

*Councillor Halabisky exits meeting via zoom at 9:32 a.m.  
Recessed meeting at 9:33 a.m.  
Reconvene meeting at 9:42 a.m.*

*E. RMA 2023 Spring Convention Agenda and Resolutions*

099/14/03/23 **MOVED BY Councillor These to acknowledge receipt of the RMA 2023 Spring Convention Agenda and Resolutions and accept them for information.**  
**CARRIED**

*F. Follow-up Actions from RMA District 4 Zone Meeting*

100/14/03/23 **MOVED BY Councillor Schug to acknowledge receipt of the RMA District 4 Zone information and indicate to RMA Zone 4 District that the County of Northern Lights supports the position of the Board Governance recommendation of separate positions for Director, Chair and Vice-Chair to align all zones procedures.**  
**CARRIED**

*G. Grimshaw Gravels Aquifer Management Advisory*

101/14/03/23 **MOVED BY Councillor These to purchase a (one) map from the committee and ask if there is a shape file as well.**  
**CARRIED**

06.1.2 Administration

06.1.3 Assessment

06.1.4 Taxation

06.1.5 Finance

*A. February 2023 Cheque Registers*

102/14/03/23 **MOVED BY Councillor These to acknowledge receipt of the February 2023 Cheque Registers and accept them for information.**  
**CARRIED**

*B. Director of Finance Update*

103/14/03/23 **MOVED BY Councillor Reese to acknowledge receipt of the Director of Finance Report and accept it for information.**  
**CARRIED**

*Recessed meeting at 10:47 a.m.  
Reconvened meeting at 11:00 a.m.*

**04.0 Delegations**

*B. Public Hearing for Bylaw No. 23-61-479 at 11:00 a.m.*

Chair Terry Ungarian declared the Public Hearing for Bylaw No. 23-61-479 open at 11:00 a.m.

Chair Ungarian welcomed all participants, including Anna Glover, Planning and Development Technician and Dave McRae, Land Use Planning Manager, ISL Engineering and Land Service.

Chair Ungarian asked that the nature of the proposed amendment be read into the record. Dave McRae read the following into the record:

*The proposed amendments to the County of Northern Lights Land Use Bylaw (Bylaw 12-61-290) are intended to better align the development of farm residences with the road classification requirements of the County's Level of Service (LOS) policy. It is to clarify permit requirements for farm developments.*

Chair Ungarian requested confirmation that notification requirements (newspaper ads, announcements, time frames, etc.) had been met.

*Notice of the public hearing for the proposed amendment was advertised in the Mile Zero Banner Post on February 22 and March 1, 2023. No comments were received.*

Chair Ungarian stated the Rules of Conduct that would be followed during the hearing:

- Presentation of the resource person,
- Written submissions shall then be read into the record,
- Verbal presentations in support or against shall be received next, in an orderly fashion,
- Council may ask questions of the speakers after each presentation for clarification purposes,
- No debating is allowed between participants/presenters,
- Questions from the floor shall be addresses by the Chair.

Chair Ungarian called for the PRESENTATION.

*This matter was brought to Administration's attention after a "Farm Building" for residential purposes was constructed on a quarter section that was served by a road classified as a Field Access under the County's Level of Service (LOS) policy. Field Access roads are not intended to accommodate residential traffic or to serve residential development and are the County's lowest maintenance priority. The farm residence in question was constructed without a development permit.*

*Section D1 of the Land Use Bylaw (LUB) advises that all development requires a permit, unless exempted under Section D2. Section D2(g) of the LUB states that a "Farm Building" does not require a development permit. The proposed amendments will address this regulatory conflict and prevent farm residences from being constructed on Field Access roads in the future.*

*Based on the current definition of "Farm Building", the LUB requires the County to allow for the construction of an associated residence regardless of the road access available, and therefore undermines the County's LOS policy, which is designed to direct residential development to lands that are served by Provincial Highways, Resource Roads, Residential Roads or Collector Roads as defined in the LOS road classification system. In addition, this permit exemption is contrary to the intent of the Agriculture General (A) District, which lists the following as Permitted Uses:*

*"Manufactured Home, if the building site has access to a developed road", and  
"Single Detached Dwelling, if the building site has access to a developed road",*

*and the following as Discretionary Uses:*

*"Manufactured Home, if the building site does not have access to a developed road", and  
"Single Detached Dwelling, if the building site does not have access to a developed road".*

*Although the term "developed road" is not specifically defined in the LUB, the intent of this use class is to ensure that permit approval for a residence is not supported unless the site is served by an adequate road. As a result, the proposed amendment includes a definition for the term "Developed Road" that references the LOS policy for additional clarity.*

*In addition, "Farm Building" is not listed as a use in the Agriculture General (A) or Agriculture Restricted (AR) Districts. "Farm Building" is a defined use and should be listed in the applicable districts for clarity.*

*Lastly, although not directly related to the above issue, a scan of the LUB also resulted in the identification of a provision relating to Accessory Buildings that requires clarification:*

*11.1 No accessory building or any portion thereof or any accessory use shall be erected or placed within the front yard of any parcel with the exception of farm dwellings where approved by the Development Authority.*

*As a result, the proposed amendment includes a revision to this section that replaces the term "farm dwelling" with "farm building".*

Adoption of the above-noted amendments will allow for the successful and consistent implementation of the County's LOS policy through the development permitting process.

The proposed amendment ensures that all future residential development in the County is consistent with the requirements of the LOS policy, and that it is located on roads that are designed and maintained to meet residential needs.

**Chair Ungarian called for any WRITTEN SUBMISSIONS in support of the proposed amendment.**

*No written submissions of support received.*

**Chair Ungarian called for any WRITTEN SUBMISSIONS opposed to the proposed amendment.**

*An email was received asking for clarification on the specifics of residential developments.*

**Chair Ungarian called for any VERBAL SUBMISSIONS in support of the proposed amendment.**

*No verbal submissions of support for the amendment were expressed.*

**Chair Ungarian called for any VERBAL SUBMISSIONS opposed to the proposed amendment.**

*Member of Public – Phil Fazikos – Deadwood Area - made comments and concerns regarding:*

- *Industrial and Commercial Farming*
- *That the Farmhouse lived in is a farm building*
- *Bylaw hinders new people wanting to build houses because of councils' reclassification of roads, his opinion "I think it is wrong"*
- *The stopping of building roads devalues land.*

*Member of Public – Barb Findlay – North Star Area – made comments and concerns regarding:*

- *If we start restricting too much, we will eliminate peoples ability to live out on the farm*
- *People should have the right to live in structurally sound buildings (tiny homes/"non-standard") on their own land*
- *Government overreach to change or restrict what people can live in and infrastructure needs.*

**Chair Ungarian calls for a RECOMMENDATION.**

**Dave responded:**

*It is recommended that the proposed amendments be APPROVED.*

*Dave made statements of clarification to comments made by public participants regarding definitions and the Level of Service Policy:*

- *There are opportunities to revise policy*
- *It's meant to be flexible*
- *The purpose is not to limit the type of residence being built*
- *It is the access road that is the direct concern with this bylaw, the bylaws' purpose is tying the road that is servicing the property.*

**Chair Ungarian asked if there were any questions from Council.**

*Gloria – no question, replied to comments made by public*

*Brent – no question, replied to comments made by public (Level of Service Policy, Government Overreach)*

*Terry – no question, replied to comments made by public*

- *purpose of Road Classification was not to overreach, but to encourage development where there already is a collector or residential road.*
- *The ability is there to come to council.*
- *Building new roads isn't and hasn't been a priority of council.*

**Chair Ungarian adjourned the Public Hearing for Bylaw No. 23-61-479 at 11:16 a.m.**

#### **04.0 Delegations**

*C. Public Hearing for Bylaw No. 23-61-480 at 11:00 a.m.*

**Chair Terry Ungarian declared the Public Hearing for Bylaw No. 23-61-480 open at 11:16 a.m.**

**Chair Ungarian welcomed all participants, including Anna Glover, Planning and Development Technician and Dave McRae, Land Use Planning Manager, ISL Engineering and Land Service.**

**Chair Ungarian asked that the nature of the proposed amendment be read into the record. Anna Glover read the following into the record:**

The purpose of this Land Use Bylaw (LUB) amendment is to redesignate an 18.9 ha (46.7 ac) portion of SW 22-84-22-W5 from the Agriculture General (A) District to the Country Residential General (CR1) District

**Chair Ungarian requested confirmation that notification requirements (newspaper ads, announcements, time frames, etc.) had been met.**

Notice of the public hearing for the proposed amendment was advertised in the MileZero Banner Post on February 22 and March 1, 2023, and on the County website and its social media channels.

**Chair Ungarian dispensed with stating the Rules of Conduct that would be followed during the hearing.**

**Chair Ungarian called for the PRESENTATION.**

The proposal is to redesignate an 18.9 hectare (46.7 acre) portion of SW 22-84-22 W5 from the Agriculture General (A) District to the Country Residential General (CR1) District. The proposed amendment is being considered in conjunction with the proposed subdivision application 23NL02.

The amendment is required to accommodate the subdivision of a lot from a portion of quarter section. The proposed lot is the forth lot out of the quarter section, and rezoning is required to allow the subdivision.

Notice of the public hearing for the proposed amendment was advertised in the MileZero Banner Post on February 22 and March 1, 2023 and on the County website and its social media channels. One letter was received from an adjacent landowner who indicated they have no concerns.

The proposed lot exceeds the maximum parcel size of 4 ha (10 ac) as required in accordance with Policy 5.2.3, but the additional area is required to accommodate existing improvements.

A variance to the lot size requirement will be addressed at the time of subdivision review.

**Chair Ungarian called for any WRITTEN SUBMISSIONS in support of the proposed amendment.**

To date, one written submission was received from an adjacent landowner who indicated they have no concerns.

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**Chair Ungarian called for any WRITTEN SUBMISSIONS opposed to the proposed amendment.**

To date, no written objections have been received or expressed.

**Chair Ungarian called for any VERBAL SUBMISSIONS in support of the proposed amendment.**

No verbal submissions of support for the amendment were expressed.

**Chair Ungarian called for any VERBAL SUBMISSIONS opposed to the proposed amendment.**

No verbal submission opposed to the amendment were expressed.

**Chair Ungarian calls for a RECOMMENDATION.**

**Anna responded:**

It is recommended that the proposed amendments be APPROVED.

**Chair Ungarian asked if there were any questions from Council.**

None

**Chair Ungarian adjourned the Public Hearing for Bylaw No. 23-61-480 at 11:21 a.m.**

#### **05.0 Policies/ Bylaws**

##### *B. Proposed Land Use Bylaw Amendment No. 23-61-479*

104/14/03/23 **MOVED BY Councillor Dechant to give SECOND READING to Bylaw No. 23-61-479; a bylaw for the purpose of making text amendments to the County's Land Use Bylaw No. 12-61-290.  
CARRIED**

105/14/03/23 **MOVED BY Councillor Reese to give THIRD AND FINAL reading to Bylaw No. 23-61-479; a bylaw for the purpose of making text amendments to the County's Land Use Bylaw No. 12-61-290.  
CARRIED**

C. Proposed Land Use Bylaw Amendment No. 23-61-480

106/14/03/23 **MOVED BY Councillor Schug to give SECOND READING to Bylaw No. 23-61-480; a bylaw to amend the maps in the County's Land Use Bylaw No. 12-61-290.**  
**CARRIED**

107/14/03/23 **MOVED BY Councillor Yasinski to give THIRD AND FINAL READING to Bylaw No. 23-61-480; a bylaw to amend the maps in the County's Land Use Bylaw No. 12-61-290.**  
**CARRIED**

*Recessed meeting for MPC at 11:23 a.m.  
Reconvene meeting at 11:28 a.m.*

06.1.6 Equipment/Supplies

06.1.7 Buildings/Properties

06.1.8 Personnel/Human Resources

06.2 Protective Services

06.2.1 Policing

06.2.3 Fire protection

06.2.4 Emergency Measures & Disaster Services

06.2.5 Ambulance/First Aid

06.2.6 By-law Enforcement

06.3 Transportation/Drainage/Public Works

06.3.1 Public Works

*A. Director of Public Works Report*

108/14/03/22 **MOVED BY Councillor These to acknowledge receipt of the Public Works Report and accept it for information.**  
**CARRIED**

*B. Gravel Hauling and Grader Fuel Cost Adjustment*

109/14/03/23 **MOVED BY Councillor Reese to acknowledge receipt of the Gravel Hauling and Grader Fuel Cost Adjustment and Choose Option 1 as presented in the Report and set new hauling rates for the 2023 gravel haul with the additional fuel cost adjustment as presented.**  
**CARRIED**

06.3.2 Roads

06.3.3 Airport

06.3.7 Drainage Ditches

06.4 Utilities/Public Works

06.4.1 Water

*A. 2022 Notikewin and Keg River Water Quality Monitoring Program*

110/14/03/23 **MOVED BY Councillor Schug to acknowledge receipt of the 2022 Notikewin and Keg River Water Quality Monitoring Program Report and that it be accepted for information; and a copy be provided to the Town of Manning for their information and the Mighty Peace Watershed Alliance. Further, that the program continues for 2023 at all four sites as recommended with the inclusion of a mid-summer test.**  
**CARRIED**

06.4.2 Sewage

06.4.3 Solid Waste

06.6 Environmental Development

06.6.1 Development [Planning/Zoning/Subdivisions]

*A. Subdivision Report 23NL02*

111/14/03/23 **MOVED BY Councillor Yasinski to grant a variance of Section K3.2(a)(i) of the Land Use Bylaw (maximum lot size) granted in accordance with Section 654(1)(b) of the Municipal Government Act in regard to Subdivision 23NL02.**  
**CARRIED**

- 112/14/03/23 **MOVED BY Councillor Reese to approve subdivision application 23NL02; to create an 18.9 ha (46.7 ac) lot on SW 22-84-22-W5M subject to the following five (5) conditions:**
1. That the applicant/owner provide money-in-lieu of municipal reserve to the County of Northern Lights pursuant to Section 666(2) of the Municipal Government Act in the amount of:
    - a. \$4,323.34 (based on 1.89 ha at an assessed value of \$2,287.48/ha) and
    - b. \$370.57 (based on 0.162 ha at an assessed value of \$2,287.48/ha),
    - c. That Deferred Reserve Caveat (DRC) #862 107 194 be discharged on title.
  2. That the applicant/owner enter into a development agreement with the County of Northern Lights to include but not be limited to, the installation of an approach to the balance of the quarter section, if required.
  3. That the applicant/owner carry forward and/or provide agreements, caveats, easements and/or rights-of-way in accordance with the municipal requirements, and agency and/or utility company requirements as identified in the Comments from Referral Agencies Section of this report.
  4. That the applicant/owner pay all outstanding property taxes pursuant to Section 654(1)(d) of the Municipal Government Act prior to the endorsement of the plan of subdivision, or arrangements made which are satisfactory to the County of Northern Lights.
  5. That the applicant/owner contact an Alberta Land Surveyor for the preparation of a Plan of Subdivision suitable for registration at the Alberta Land Titles Office to obtain the title(s) under this decision.
- CARRIED**

06.6.2 Community Services / Economic Development  
A. Tradeshow Participation (Manning & Peace River)

- 113/14/03/23 **MOVED BY Councillor Reese to have the following Councillor's as listed, attend the Manning Regional Tradeshow and the Peace River Tradeshow:**
- Manning Regional Tradeshow**  
*Friday, April 21: 4pm to 9pm*  
4pm to 6pm: Gloria Dechant  
6pm to 9pm: Terry Ungarian
- Saturday, April 22: 10am to 4pm*  
10am to 12pm: Brent Reese  
12pm to 2pm: Kayln Schug  
2pm to 4pm: Gloria Dechant
- Peace River Tradeshow**  
*Friday, May 5: 4pm to 9pm*  
4pm to 6pm: Kayln Schug  
6pm to 9pm: Gary These
- Saturday, May 6: 10am to 5pm*  
10am to 12pm: Brenda Yasinski  
12pm to 2pm: Terry Ungarian  
2pm to 4pm: Brenda Yasinski  
3pm to 5pm: Gary These
- CARRIED**

06.6.3 Agriculture Services

06.6.5 Natural Resources

06.6.6 Housing / Seniors

06.6.9 Tourism

07.0 **Ward and/or Committee Reports**  
A. Councillor Ward Reports

- 114/14/03/23 **MOVED BY Councillor These to acknowledge receipt of the Councillor's written and verbal Ward reports and accept them for information.**  
**CARRIED**

08.0 **Info Items**  
A. Tuesday, March 14, 2023 Info Package

- 115/14/03/23 **MOVED BY Councillor Yasinski to acknowledge receipt of the Tuesday, March 14<sup>th</sup>, 2023 Info Package and accept it for information.**  
**CARRIED**

09.0 Open Mic

*Recessed meeting at 11:53 a.m.*

*Reconvened meeting at 12:07 p.m.*

*Councillor Halabisky returned to council meeting via zoom at 12:07 p.m.*

*Decisions on Delegations*

Delegation A - Sam Zacharias

**116/14/03/23 MOVED BY Councillor Reese to reclassify the undeveloped portion and field access portion of range road 224 (one mile) to residential classification north of highway 695.  
CARRIED**

*Councillor Halabisky exited meeting via zoom at 12:21 p.m.*

*Recessed meeting for lunch at 12:21 p.m.*

*Reconvened meeting at 12:53 p.m.*

*Dan Archer, Report exited meeting at 12:21 p.m.*

*Teresa Tupper, Executive Assistant exited meeting at 12:53 p.m.*

10.0 In Camera Items

*A. Legal Update – FOIP Act Section 27*

**117/14/03/23 MOVED BY Councillor Dechant to have the Tuesday, March 14, 2023 Council Meeting go in camera to discuss Legal Update under the FOIP Act Section 27 at 12:53 p.m.  
CARRIED**

*Councillor Kayln Schug exited in camera meeting at 12:55 p.m. stating conflict.*

**118/14/03/23 MOVED BY Councillor Dechant to have the Tuesday, March 14, 2023 Council Meeting come out of camera at 1:21 p.m.  
CARRIED**

*Councillor Kayln Schug returned to meeting at 1:21 p.m.*

11.0 Adjournment

Reeve Terry Ungarian adjourned the Tuesday, March 14, 2023 Council Meeting at 1:21 p.m.

  
\_\_\_\_\_  
Chief Elected Official  
Terry Ungarian

  
\_\_\_\_\_  
Chief Administrative Officer  
Theresa Van Oort