

## Administrative Backgrounder

Councillor Notice of Motion

<b>Title</b>	<b>Confined Feeding Operation (Councillor McLennan)</b>
<b>Purpose of Report</b>	To provide information in response to Councillor McLennan’s Notice of Motion made at the March 25, 2025 Regular Council Meeting.
<b>Proposed Motion(s)</b>	That Council direct the Mayor to send a letter to the Natural Resources Conservation Board indicating opposition to a proposed change to the confined feeding operation located on SW 12-55-27-W4M.
<b>Previous Council / Committee Direction</b>	None.
<b>Strategic Alignment</b>	<p><b>Planned Growth:</b> Support for agricultural preservation and support for expanded agricultural development, including Confined Feeding Operations (CFOs), can be aligned with the planned growth strategic direction.</p> <p><b>Thriving Communities:</b> Confined feeding operations can generate complaints by neighbouring residents, and can raise environmental concerns.</p>
<b>Statutory Requirement Considerations</b>	<p>The Natural Resources Conservation Board (NRCB) regulates Confined Feeding Operations as per the <i>Agricultural Operations Practices Act</i>. As such, CFOs are exempt from Municipal planning jurisdiction as per <i>Municipal Government Act (MGA)</i> s.618(2.1) and <b>Sturgeon County has no approval authority.</b></p> <p>To make decisions, the NRCB follows the <i>Agricultural Operations Practices Act</i>. Under this legislation (section 20), the NRCB:</p> <ul style="list-style-type: none"> <li>• must align with Sturgeon County’s Municipal Development Plan (MDP); and</li> <li>• must consider matters that would normally be considered if a development permit were being issued.</li> </ul>
<b>Alignment to Levels of Service Delivery</b>	Should Council approve the Notice of Motion, Administration would support the Mayor in issuing correspondence indicating the level of community opposition to the proposal.

<b>Anticipated Human Resource Requirements</b>	Limited resource requirements are anticipated.
<b>Anticipated Financial Resource Requirements</b>	None.
<b>Additional Background Information</b>	<p>The Natural Resource Conference Board identifies municipal involvement in their approval process for CFOs as follows:</p> <ul style="list-style-type: none"> <li>- <i>Municipalities are directly affected parties for all applications. The local municipality is sent the Part 1 application when it is received. It is sent the complete Part 2 application to respond to and is asked to provide comments. Its response is considered by the approval officer and is addressed in the decision summary.</i></li> <li>- <i>The act binds approval officers to the land use provisions set out in local municipal development plans. If an application is not consistent with the local land use provisions, the approval officer must deny the application. Approval officers consult with the municipality to determine whether the application is consistent with the land use provisions of the municipal development plan.</i></li> <li>- <i>When the Board of the NRCB agrees to review an approval officer decision, the Board must have regard for the municipal development plan but is not bound by the land use provisions. If the approval officer denied the application because it is not consistent with a land use provision, the Board may overturn the decision if there is an over-riding reason to approve the application.</i></li> </ul> <ul style="list-style-type: none"> <li>• Sturgeon County receives NRCB referrals regarding Confined Feeding Operations on a regular basis. Administration responds to these referrals in accordance with the County's established referral processes (procedures and policy).</li> <li>• Correspondence (Attachment 1: NRCB Application BA25008 Referral to Sturgeon County) was issued by Administration regarding the confined feeding operation located on SW 12-55-27-W4M. In accordance with the organization's established procedures and policy, Administration confirmed <b>technical consistency with County MDP and land use regulations</b>, for the application to change the livestock category from beef to poultry operation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Despite Administration submitting a confirmation to the NRCB that the application meets the County’s land use provisions and MDP policy, it remains at Council’s discretion whether it would like to provide the NRCB with an advocacy letter of opposition or support. This could reference the position of Council and/or the known position of area residents.</li> <li>• Please note the NRCB deadline for any potential additional response regarding NRCB Application BA25008 is April 9, 2025, at 4:30 p.m.</li> </ul>
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<b>Attachment(s)</b>	Attachment 1: NRCB Application BA25008 Referral to Sturgeon County
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<b>Report Reviewed by:</b>	<p>Tyler McNab, Acting Manager, Planning &amp; Development Services</p> <p>Jennifer Lavalley, Director, Communication &amp; Strategic Services</p> <p>Milad Asdaghi, Acting General Manager, Development Services</p> <p>Travis Peter, Chief Administrative Officer</p>
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