

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
May 14, 2019

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A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on May 14, 2019 commencing at 9:00 a.m.

Present:	Division 6	Reeve G. Boehlke
	Division 4	Deputy Reeve A. Schule
	Division 1	Councillor M. Kamachi
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 5	Councillor J. Gautreau
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Also Present:

- A. Hoggan, Chief Administrative Officer
- K. Robinson, Executive Director, Corporate Services
- B. Riemann, Executive Director, Operations
- G. Kaiser, Executive Director, Community and Business Connections
- R. Barss, A/Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- T. Cochran, Manager, Recreation, Parks, and Community Support
- G. Nijjar, A/Engineering Supervisor, Planning and Development
- C. Graham, Municipal Lands Administrator, Legal and Land Administration
- J. Anderson, Planner, Planning and Development
- X. Deng, Planner, Planning and Development
- P. Simon, Planner, Planning and Development
- S. Kunz, Planner, Planning and Development
- O. Newmen, Planner, Planning and Development
- A. Panaguiton, Community Services Coordinator, Recreation, Parks, and Community Support
- A. Pare, Engineering Support Technician, Planning and Development
- T. Andreasen, Legislative and Bylaw Coordinator, Municipal Clerk's Office

Call to Order

The Chair and called the meeting to order at 9:00 a.m. with all members present.

1-19-05-14-01

Updates/Acceptance of Agenda

MOVED by Councillor McKylor that the May 14, 2019 Council meeting agenda be amended as follows:

- Add emergent business item E-2 – Amendments to *Firearms Bylaw C-7782-2018*

Carried

MOVED by Councillor Hanson that the May 14, 2019 Council meeting agenda be amended as follows:

- Add emergent business item D-5 – Completion of CMRB Growth and Servicing Plans

Carried

MOVED by Councillor Kamachi that the May 14, 2019 Council meeting agenda be approved as amended.

Carried

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1-19-05-14-02

Confirmation of Minutes

MOVED by Councillor Hanson that the April 30, 2019 Council meeting minutes be approved as presented.

Carried

1-19-05-14-06 (D-1)

All Divisions – Leading Rocky View County – Council's Strategic Plan

File: N/A

MOVED by Councillor Gautreau that the 2019-and-Beyond *Strategic Plan* be adopted.

Carried

1-19-05-14-07 (D-2)

All Divisions – 2019 Specialized Transportation Assistance Grant Allocation

File: 2015-550

MAIN MOTION:

MOVED by Councillor Hanson that the 2019 Specialized Transportation Grant funds totaling \$303,500.00 be approved and awarded as follows:

- a) \$296,500 to the Rocky View Regional Handibus Society for operational services in the County; and
- b) \$7,000 among qualified individual applicants.

AMENDING MOTION:

MOVED by Councillor Wright that the main motion be amended as follows:

THAT the 2019 Specialized Transportation Grant funds totaling \$303,500.00 be approved and awarded as follows:

- a) \$291,500 to the Rocky View Regional Handibus Society for operational services in the County;
- b) \$5,000 to the Bragg Creek Snowbirds Seniors Fellowship Society for operational Services in Bragg Creek; and
- c) \$7,000 among qualified individual applicants.

Lost

In Favour:

Councillor Hanson
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

The Chair called for a vote on the main motion.

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MAIN MOTION:

MOVED by Councillor Hanson that the 2019 Specialized Transportation Grant funds totaling \$303,500.00 be approved and awarded as follows:

- a) \$296,500 to the Rocky View Regional Handibus Society for operational services in the County; and
- b) \$7,000 among qualified individual applicants.

Lost

In Favour:

Councillor Hanson

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Wright
Councillor Kissel

MOVED by Councillor McKylor that the 2019 Specialized Transportation Grant funds totaling \$303,500.00 be approved and awarded as follows:

- a) \$289,000 to the Rocky View Regional Handibus Society for operational services in the County;
- b) \$7,500 to the Bragg Creek Snowbirds Seniors Fellowship Society for operational Services in Bragg Creek; and
- c) \$7,000 among qualified individual applicants.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Kissel

Opposed:

Councillor Wright

1-19-05-14-08 (D-3)

All Divisions – Regulation of Short Term Rental Units

File: N/A

MOVED by Councillor Hanson that Council places a moratorium on the issuance of compliance notices for short term rentals in the County, pending the preparation of amendments to *Land Use Bylaw C-4841-97* to regulate short term rental units as a separate project ahead of the rewrite of the *Land Use Bylaw*.

Lost

In Favour:

Councillor Hanson
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

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MOVED by Councillor McKylor that Council places a moratorium on the issuance of compliance notices for short term rentals in the County, pending the rewrite of *Land Use Bylaw C-4841-97*.

Carried

The Chair called for a recess at 9:55 a.m. and called the meeting back to order at 10:08 a.m. with all previously mentioned members present.

1-19-05-14-03 (C-1)

Division 4 – Bylaw C-7757-2018 – Redesignation Item – Farmstead District to Public Services District
File: PL20170029 (07802005)

1-19-05-14-09 (D-4)

Division 4– Master Site Development Plan – Solid Rock Baptist Church
File: PL20170183 (02332005)

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be opened at 10:08 a.m.

Carried

MOVED by Deputy Reeve Schule that the two late letters of opposition be accepted.

Carried

In Favour:

Councillor Kamachi
Councillor Hanson
Deputy Reeve Schule
Councillor Kissel
Councillor Wright

Opposed:

Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Councillor Henn

Person(s) who presented: Robert Kelham, Solid Rock Baptist Church (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Nicholas Wynder

Person(s) who spoke in rebuttal: Robert Kelham, Solid Rock Baptist Church (Applicant)

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be closed at 10:34 a.m.

Carried

MOVED by Deputy Reeve Schule that application PL20170029 be refused.

Lost

In Favour:

Councillor Gautreau
Deputy Reeve Schule
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Reeve Boehlke
Councillor Henn
Councillor Wright

MOVED by Deputy Reeve Schule that Bylaw C-7757-2018 be given first reading.

Carried

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MOVED by Councillor McKylor that Bylaw C-7757-2018 be given second reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor Gautreau

MOVED by Councillor Henn that Bylaw C-7757-2018 be considered for third reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7757-2018 be given third and final reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor Gautreau

MOVED by Deputy Reeve Schule that the Solid Rock Baptist Church Master Site Development Plan be approved as presented in Appendix 'C'.

Carried

The Chair called for a recess at 10:43 a.m. and called the meeting back to order at 10:51 a.m. with all previously mentioned members present.

1-19-05-14-04 (C-2)

Division 8 – Bylaw C-7875-2019 – Redesignation Item – Site-Specific Amendment – Direct Control District 73
File: PL20180156 (05630007)

MOVED by Councillor Wright that the public hearing for item C-2 be opened at 10:52 a.m.

Carried

Person(s) who presented: Mahyar Khosravi (on behalf of the Applicant)

Person(s) who spoke in favour: Bruce Gowans

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-2 be closed at 11:03 a.m.

Carried

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MOVED by Councillor Wright that Bylaw C-7875-2019 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7875-2019 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7875-2019 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7875-2019 be given third and final reading.

Carried

MOTION ARISING:

MOVED by Councillor Wright that the requirement for payment of the Transportation Offsite Levy be deferred for Development Permit application #PRDP20190214.

Carried

1-19-05-14-10 (E-1)

Division 4 – Further Consideration of Bylaw C-7781-2018 – Road closure of a portion of Road known as Range Road 281

File: PL20180001

MOVED by Deputy Reeve Schule that Bylaw C-7781-2018 be given second reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7781-2018 be given third reading.

Carried

MOVED by Deputy Reeve Schule that the 1.43 acre portion of land be transferred to the applicant Darrell & Alice Barr subject to:

- a) Sales agreement being signed at the appraised value of \$5,000.00, plus \$2,500.00 for the cost of the appraisal, and \$1,500.00 for the cost of the survey and all applicable taxes;
- b) That all incidental costs to create title and consolidation with the adjacent lands are at the expense of the applicant; and
- c) The terms of the sales agreement shall be completed within one year after Bylaw C-7781-2018 receives third and final reading.

Carried

1-19-05-14-17 (D-5)

All Divisions – Emergent Business Item – Completion of CMRB Growth and Servicing Plans

File: N/A

MOVED by Councillor Gautreau that the intent of the Calgary Metropolitan Region Board motions, as per Attachment A, be supported.

Carried

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1-19-05-14-18

Further Updates/Acceptance of Agenda

MOVED by Deputy Reeve Schule that the May 14, 2019 Council meeting agenda be further amended as follows:

- Add emergent business item D-6 – Springbank Off-Stream Reservoir

Carried

MOVED by Councillor McKylor that the May 14, 2019 Council meeting agenda be further amended as follows:

- Remove item I-1 – Notice of Motion – Councillor McKylor – Springbank Off-Stream Reservoir

Carried

The Chair called for a recess at 11:20 a.m. and called the meeting back to order at 11:30 a.m. with all previously mentioned members present.

1-19-05-14-12 (J-1)

Division 2 – Subdivision Item – Residential One District

File: PL20190013 (04726013)

Councillor Henn left the meeting at 11:31 a.m.

MOVED by Councillor McKylor that condition 5, *Fees and Levies*, in Appendix A be amended to read as follows:

The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new lot.

Carried

Absent: Councillor Henn

MOVED by Councillor McKylor that Subdivision Application PL20190013 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a ≥ 0.80 hectare (≥ 1.98 acre) parcel with a ± 6.86 hectare (± 16.95 acre) remainder from a portion of Block 6, Plan 7611043, SW-26-24-3-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
 - 1) The application is consistent with statutory policy;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval

do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.

- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, that the application be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) All existing buildings and structures are to conform to the setback requirements in relation to the new property line, as described in the Residential One and Two Land Use Districts, as per the *Land Use Bylaw C-4841-97*, as amended.

Transportation and Access

- 3) The Owner shall construct a new paved approach on Panorama Ridge in order to provide access to Lot 1.

Fees and Levies

- 4) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to endorsement. The County shall calculate the total amount owing:
 - a) from the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 5) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new lot.

Site Servicing/Developability

- 6) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County that includes the following:
 - a) The installation of a packaged sewage treatment system meeting BNQ Standards, in accordance with the findings of the Level 2 Private Sewage Treatment System Assessment (Almor Testing Services, 2019).
 - b) The installation of stormwater low-impact development measures in accordance with the findings of the Site-specific Stormwater Drainage Memo (Osprey Engineering Inc, 2018);
- 7) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1 & 2, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available;

Municipal Reserves

- 8) The provision of Reserve in the amount of 9 percent of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) Reserves for (Lot 2 are to be deferred with Caveat, pursuant to Section 669(2) of the *Municipal Government Act*;

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Taxes

- 9) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION

- 1) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried
Absent: Councillor Henn

Councillor Henn returned to the meeting at 11:36 a.m.

1-19-05-14-19 (D-6)

All Divisions – Emergent Business Item – Springbank Off-Stream Reservoir

File: N/A

MOVED by Councillor McKylor that Council update and resend the letter to the new Premier, responsible Ministers, and County MLAs.

Carried

1-19-05-14-16 (E-2)

All Divisions – Emergent Business Item – Amendments to *Firearms Bylaw C-7782-2018*

File: N/A

MOVED by Councillor McKylor that Bylaw C-7867-2019A be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7867-2019A be given second reading.

Carried

MOVED by Councillor Wright that Bylaw C-7867-2019A be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7867-2019A be given third and final reading.

Carried

MOVED by Councillor McKylor that Administration be directed to forward Bylaw C-7867-2019A to the Minister of Environment and Parks for approval.

Carried

MOVED by Councillor Henn that Bylaw C-7867-2019B be given first reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

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MOVED by Councillor Gautreau that Bylaw C-7867-2019B be given second reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOVED by Councillor Kamachi that Bylaw C-7867-2019B be considered for third reading.

Lost

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

1-19-05-14-15 (K-1)

All Divisions – Confidential In Camera Item – Appointment of Investigator

File: RVC2019-11

MOVED by Councillor Henn that Council move in camera at 12:02 p.m. to consider the confidential item “Appointment of Investigator” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials
- Section 27 – Privileged information

Carried

Council held the in camera session for confidential item K-1 with the following people in attendance to provide a report and advice to Council:

Rocky View County:	A. Hoggan, Chief Administrative Officer
	K. Robinson, Executive Director, Corporate Services
	B. Riemann, Executive Director, Operations
	G. Kaiser, Executive Director, Community and Business Connections
	R. Barss, A/Executive Director, Community Development Services

MOVED by Deputy Reeve Schule that Council move out of in camera at 1:35 p.m.

Carried

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MOVED by Deputy Reeve Schule that Reynolds Mirth Richards & Farmer LLP be appointed as the Investigator in accordance with section 62 of the *Council Code of Conduct Bylaw C-7768-2018* to investigate any and all Code of Conduct formal complaints.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Wright

Opposed:

Councillor Kissel

1-19-05-14-05 (C-3)

Division 3 – Bylaw C-7799-2018 – Conceptual Scheme Item – Lazy H Estates Conceptual Scheme (Alandale Estates Final Phase)

File: PL20180007 (04724003/177)

MOVED by Councillor Hanson that the public hearing for item C-3 be opened at 1:34 p.m.

Carried

Person(s) who presented: David Wyatt, B&A Planning (Applicant)

The Chair called for a recess at 2:25 p.m. and called the meeting back to order at 2:38 p.m. with all previously mentioned members present.

Person(s) who spoke in favour: Louis Champagne
Peter Chernik
Dwayne Lesack
Dale Hodgson
Sue Scully

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: David Wyatt, B&A Planning (Applicant)

MOVED by Councillor Hanson that the public hearing for item C-3 be closed at 3:23 pm.

Carried

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MOVED by Councillor Hanson that Schedule B to Bylaw C-7799-2018, the Lazy H Estates Conceptual Scheme, be amended as follows:

1) Policy 3.1.4.1

Municipal Reserve owing of 2.3 ha (5.69 ac) shall be provided through payment of cash-in-lieu at the future subdivision stage.

2) Policy 4.6.1

At the time of subdivision, the developer shall legally establish a Condominium Board charged with the responsibility for owning and ongoing maintenance of the natural integrity of the Private Open Space area shown as #2 and #3 on Figure 17: Maintenance and Management Areas in the Lazy H Estate Conceptual Scheme.

3) Figure 10

Proposed Municipal Reserves be renamed Units 11 & 12 as common properties.

4) Figure 17

Ownership and Maintenance for #2 be amended from County to Condominium Board.

Carried

MOVED by Councillor Hanson that Bylaw C-7799-2018, as amended, be given first reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7799-2018, as amended, be given second reading.

Carried

MOVED by Councillor Wright that Bylaw C-7799-2018, as amended, be considered for third reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7799-2018, as amended, be given third and final reading.

Carried

1-19-05-14-13 (J-2)

Division 8 – Subdivision Item – Creation of Two Residential Parcels

File: PL20180044 (06606088)

MOVED by Councillor Wright that Subdivision Application PL20180044 be approved with the conditions noted in Appendix 'A':

A. That the application to create a ± 0.80 hectare (± 1.98 acre) parcel (Lot 1) with a ± 0.79 hectare (± 1.97 acre) remainder (Lot 2) within Lot 8, Block 1, Plan 1211572, NW-6-26-2-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

- 1) The application is consistent with the statutory policy;
- 2) The subject lands hold the appropriate land use designation; and
- 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.

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- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Applicant/Owner is to dedicate, by Caveat, a 3 m strip of land on the east side of Bearspaw Road for future road widening.

Transportation

- 3) The Applicant/Owner shall construct a new paved approach on Bearspaw Place in order to provide access to Lot 1.

Site Servicing

- 4) The Applicant/Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot 1;
 - b) Documentation proving that water supply has been purchased for proposed Lot 1;
 - c) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 5) The Applicant/Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed Lot 1, which shall include the following:
 - a) In accordance with Level 3 PSTS Assessment prepared by Almor Testing Services Ltd. (March 18, 2019) for the installation of a Packaged Sewage Treatment Plan that meets Bureau de Normalisation du Quebec (BNQ) standards for treatment.
- 6) The Applicant/Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of proposed Lot 1 and Lot 2, indicating:
 - a) Each future lot Owner is required to connect to County piped wastewater and stormwater systems at their cost when such services become available; and
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

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Payments and Levies

- 7) The Owner is to pay the County subdivision endorsement fee for creating one new parcel, in accordance with the *Master Rates Bylaw*.

Taxes

- 8) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the Subdivision, the Planning Department is directed to present the Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried

1-19-05-14-14 (J-3)

Division 6 – Subdivision Item – Boundary Adjustments

File: PL20190002 (08515005/08515008/08515010)

MOVED by Deputy Reeve Schule that Subdivision Application PL20190002 be approved with the conditions noted in Appendix 'A', but substituting condition 2 with the following:

“The Owner of Lot 2 shall secure an agreement with the owner(s) of Lot 1 for the purposes of securing an easement for use of the well.”

- A. That the application to adjust the boundaries between a ± 23.73 hectare (78.77 acre) parcel, a ± 12.80 hectare (31.63 acre) parcel, and a ± 2.76 hectare (6.82 acre) parcel to create a ± 22.07 hectare (54.52 acre) parcel (Lot 1); as well as resulting in a ± 9.68 hectare (23.93 acre) parcel (Lot 2) and ± 15.69 hectare (38.77 acre) remainder from SE-15-28-1-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations. Having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
 - 1) The application is consistent with Section 7 and 14 of the Subdivision and Development Regulation;
 - 2) The subject lands hold the appropriate land use designation; and
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application be approved subject to the following conditions of approval:

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Plan of Subdivision

- 1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Water Servicing

- 2) The Owner of Lot 2 shall secure an agreement with the owner(s) of Lot 1 for the purposes of securing an easement for use of the well.

Payments

- 3) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the boundary adjustment between three Lots.
- 4) The proportionate amount of Reserves owing on Lot 1, as per Deferred Reserve caveat 071422614; Lot 2, as per Deferred Reserve caveat 071422615; and the remainder, as per Deferred Reserve caveat 961141383, are to be deferred by caveat proportionately pursuant to Section 669(2) of the *Municipal Government Act*.

Taxes

- 5) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the Subdivision, the Planning Department is directed to present the Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried

Adjournment

MOVED by Councillor Hanson that the May 14, 2019 Council meeting be adjourned at 3:43 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate