

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
May 24, 2016

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A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Complex, 911 – 32nd Avenue NE, Calgary, Alberta on May 24, 2016 commencing at 9:00 a.m.

Present: Reeve G. Boehlke, Division 6
 Deputy Reeve E. Solberg, Division 5
 Councillor L. Breakey, Division 1
 Councillor J. Arshinoff, Division 2 (Departed the meeting at 5:11 p.m.)
 Councillor M. Bahcheli, Division 3
 Councillor R. Ashdown, Division 4
 Councillor L. Habberfield, Division 7
 Councillor E. Lowther, Division 8
 Councillor B. Kendall, Division 9

Also Present: K. Greig, County Manager
 K. Robinson, General Manager
 B. Riemann, General Manager
 C. O'Hara, General Manager
 S. Baers, Manager, Planning Services
 M. Wilson, Senior Planner Team Lead
 D. Kazmierczak, Senior Planner
 X. Deng, Planner
 J. Anderson, Planner
 M. Norman, Planner
 V. Diot, Engineering Technologist
 L. Wesley – Riley, Manager, Enforcement Services
 C. Satink, Appeal and Policy Coordinator
 J. Sinclair, Legislative Clerk - Council
 N. Housenga, Municipal Clerk

Call to Order

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

1-16-05-24-01

Updates/Acceptance of Agenda

Emergent Motion

Title: Letter from RVC (Rocky View County) to CEAA (Canadian Environmental Assessment Agency) regarding SR1 (Springbank Dry Dam)

Submitted by: Jerry Arshinoff, Councillor, Division 2 (Springbank), Rocky View County

Whereas: The deadline for submissions to CEAA regarding SR1 is May 30, 2016

Whereas: May 24 2016 is the last RVC Council meeting prior to May 30, thereby making this an emergent matter.

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Whereas : SR1 will produce unwanted and deleterious consequences for Rocky View County and Rocky View residents .

In no particular order that includes but is not restricted to:

- environmental concerns
- landowner concerns
- transportation concerns
- lack of flood mitigation in some areas of Rocky View
- future RVC expense

Therefore Be It Resolved that Rocky View Council submit a strongly worded letter of objection to CEAA prior to May 30, 2016. This letter shall specify environmental concerns and detail other concerns. Copies of this letter shall be forwarded to all appropriate Federal and Provincial Ministries, elected representatives and agencies.

MOVED by Deputy Reeve Solberg to add an emergent item titled "Letter from RVC (Rocky View County) to CEAA (Canadian Environmental Assessment Agency) regarding SR1 (Springbank Dry Dam)" to the May 24, 2016 Council Agenda as agenda item K-1.

MOVED by Councillor Ashdown that the May 24, 2016 Council meeting agenda be approved, as amended,

1-16-05-24-02
Confirmation of Minutes

MOVED by Councillor Ashdown that the May 10, 2016 Council meeting minutes be approved, as presented.

MOTION ARISING

MOVED by Councillor Ashdown that Administration be directed to investigate how to change the Area Structure Plan to reflect the correct date Langdon became a Hamlet.

Carried

In Favour

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

In Opposition

Councillor Arshinoff

1-16-05-24-07 (D-1)

All Divisions – Changes to the 2016 Council Meeting Dates Schedule

File: 0194

MOVED by Deputy Reeve Solberg that the 2016 Rocky View Council & Committee Dates Schedule previously approved on October 27, 2015 be changed to reflect the following:

- (a) Policy & Priorities Committee meetings to commence at 9:00 a.m.; and
- (b) reschedule the Stampede Breakfast from July 5, 2016 to July 12, 2016.

Carried

1-16-05-24-08 (D-2)

Division 7 – Renaming of a road in the East Balzac Area

File: 2030-625

MOVED by Councillor Habberfield the request to rename Crosspointe Crescent to Century Downs Drive be approved as noted on Schedule A.

Carried

In Favour

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

In Opposition

Councillor Arshinoff

1-16-05-24-09 (D-3)

Division 4, 5 – Strathmore RCMP Enhanced Position

File: 3000-300

MOVED by Councillor Ashdown that Administration be authorized to enter into a three (3) year agreement with Alberta Justice and the Solicitor General and a Memorandum of Understanding with the RCMP K Division for an enhanced RCMP position, reporting from the Strathmore Detachment, for Division 4 and the part of Division 5 that forms part of the Strathmore rural response area.

Carried

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1-16-05-24-10 (J-1)

Division 8 – Subdivision Item – Agricultural Holdings District (AH)

File: PL20160032 (06608003)

The Chair called a recess at 9:39 a.m. and called the meeting back to order at 9:48 a.m. with all members present.

MOVED by Councilor Lowther that the *Municipal Reserves* condition be amended to read;

Municipal Reserves

6. The provision of Reserve in the amount of 3% of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Douglas Pollard, File No. 16-013-MDRV, dated April 20, 2016 pursuant to Section 666(3) of the Municipal Government Act.
 - a. Provision of reserve in the amount of 7% of Lot 1, as determined by the Plan of Survey, is to be deferred by caveat and remain on Lot 1 pursuant to Section 669 of the Municipal Government Act.

Carried

In Favour

Councillor Lowther
Councillor Habberfield
Councillor Ashdown
Deputy Reeve Solberg
Reeve Boehlke
Councillor Arshinoff
Councillor Breakey

In Opposition

Councillor Kendall
Councillor Bahcheli

MOVED by Councillor Lowther that Subdivision Application No. PL20160032 be approved as per the conditions noted in Attachment “A, as amended.

- A. That the application to create a ≥ 8.10 hectare (≥ 20.01 acre) parcel (Lot 1) with a ± 48.56 hectare (± 120 acre) remainder (Lot 2) within SE-08-26-02-W05M, 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:
 - a. The application is consistent with the statutory policy;
 - b. The subject lands hold the appropriate land use designation; and
 - c. 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. Conditions that require

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technical reports to be submitted, 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:

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.

Transportation

2. The Applicant/Owner shall upgrade the existing approach along Range Road 24 to a mutual approach in order to provide access to Lots 1 & 2.
3. The Applicant/Owner shall provide an Access Right-of-Way Plan, and prepare and register an Access Easement Agreement, on title of Lots 1 & 2.

Site Servicing

4. Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) The Applicant/Owner has provided a Well Driller's Report to determine whether an adequate supply of water is available for Lot 1.
 - b) Verification is provided that the new well is located within the Lot 1 boundaries.
 - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.
5. The Applicant/Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County for Lot 1, and shall include the following:
 - a) In accordance with the Level 1 PSTS Assessment prepared by Osprey Engineering Inc. (March 11, 2016); and
 - b) For the installation of a Mounded Treatment System receiving primary or secondary treated effluent.

Municipal Reserves

6. The provision of Reserve in the amount of 3% of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Douglas Pollard, File No. 16-013-MDRV, dated April 20, 2016 pursuant to Section 666(3) of the Municipal Government Act.
 - a. Provision of reserve in the amount of 7% of Lot 1, as determined by the Plan of Survey, is to be deferred by caveat and remain on Lot 1 pursuant to Section 669 of the Municipal Government Act.

Payments and Levies

7. The Applicant/Owner shall pay the Transportation Off-site Levy on 3 acres of Lot 1, in accordance with the applicable levy at the time of subdivision approval prior to entering into the Development Agreement.

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8. The Applicant/Owner shall pay the County subdivision endorsement fee for creating one new lot, in accordance with the Master Rates Bylaw.

Utility Easement

9. Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.
10. The Applicant/Owner is required to submit a Historic Resources Application and obtain an Historic Clearance from Alberta Historic Resource Management Branch.

Taxes

11. 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

The Chair called a recess at 9:52 a.m. and called the meeting back to order at 10:00 with all members present with the exception of Councillor Kendall.

1-16-05-24-03 (C-1)

Division 2- Bylaw C-7506-2015- Springbank Creek Redesignation – Ranch and Farm District (RF) to Direct Control District (DC)

File: PL20140169 (04715003/004/005)

MOVED by Councillor Arshinoff that the public hearing be opened at 10:01 a.m.

Carried
Absent: Councillor Kendall

Councillor Kendall returned to the meeting at 10:03 a.m.

MOVED by Councillor Breakey that late submissions from Gloria Wilkinson (Exhibit 1), JJ Doolan (Exhibit 2) and Rencor Developments (Exhibit 3) be accepted for information.

Carried

In Favour

Councillor Breakey
Councillor Arshinoff
Councillor Bahcheli
Reeve Boehlke
Councillor Ashdown
Councillor Lowther
Councillor Kendall

In Opposition

Deputy Reeve Solberg
Councillor Habberfield

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Person(s) who spoke in favour: David Wyatt, B & A Planning Group (Applicant) (Exhibit 5)

MOVED by Councillor Lowther that a late submission from Ryan Remington (Exhibit 4) be accepted for information.

Carried

In Favour

Councillor Breakey
Councillor Arshinoff
Councillor Bahcheli
Reeve Boehlke
Councillor Ashdown
Councillor Lowther
Councillor Kendall

In Opposition

Deputy Reeve Solberg
Councillor Habberfield

Person(s) who spoke in favour: David Wyatt, B & A Planning Group (Applicant)
Steven Ross, Devonian Properties (Applicant)
Richard Geleta, BSCI Engineering (Applicant)

Reeve Boehlke departed the meeting at 10:53 a.m.

Reeve Boehlke vacated the chair at 10:53 a.m. and it was assumed by Deputy Reeve Solberg at 10:53 a.m.

Councillor Ashdown departed the meeting at 10:55 a.m. and returned at 10:56 a.m.

Reeve Boehlke returned to the meeting at 10:56 a.m.

Deputy Reeve Solberg vacated the chair at 10:56 a.m. and it was assumed by Reeve Boehlke at 10:56 a.m.

The Chair called a recess at 11:15 a.m. and called the meeting back to order at 11:27 a.m. with all previously mentioned members present with the exception of Councillor Ashdown and Councillor Bahcheli.

Councillor Bahcheli returned to the meeting at 11:28 a.m.

Councillor Ashdown returned to the meeting at 11:29 a.m.

Person(s) who spoke in favour: David Wyatt, B & A Planning Group (Applicant)
Richard Geleta, BSCI Engineering (Applicant)

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MOVED by Councillor Arshinoff that agenda item C-1 be tabled until the Springbank Area Structure Plan is in place.

Lost

In Favour

Councillor Breakey
Councillor Arshinoff
Councillor Bahcheli

In Opposition

Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

Person(s) who spoke in opposition: Kim Magnuson, Rocky View Resident
Gordon Robson, Rocky View Resident
Way Singh, Rocky View Resident

MOVED by Councillor Kendall that agenda item C-1 be tabled until 1:30 p.m.

Carried

1-16-04-26-15 (K-1)

All Divisions – In-Camera Item – Letter from RVC (Rocky View County) to CEAA (Canadian Environmental Assessment Agency) regarding SR1 (Springbank Dry Dam)

File: N/A

MOVED by Councillor Arshinoff, that Council moves into Committee of the Whole, in camera, at 12:02 p.m., in accordance with:

- (a) the *Municipal Government Act*, Section 197(2)
- (b) the *Freedom of Information and Protection of Privacy Act*,
 - i. Intergovernmental Relations - Sections 21(1)(a)(ii)
 - ii. Advice from Officials - 24(1)(b)(i) and 25(1)(c)(iii)

Carried

The Chair called the meeting back to order at 1:34 p.m. with all members present.

MOVED by Councillor Arshinoff that Committee of the Whole move into open session at 1:34 p.m.

Carried

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MOTION ARISING

MOVED by Councillor Arshinoff that Administration be directed to submit a letter to the Canadian Environmental Assessment Agency requesting an Environmental Assessment of the Springbank Off-Stream Reservoir Project based on the environmental and other effects the project will have on Rocky View County.

Carried

1-16-05-24-03 (C-1)

Division 2- Bylaw C-7506-2015- Springbank Creek Redesignation – Ranch and Farm District (RF) to Direct Control District (DC)

File: PL20140169 (04715003/004/005)

MOVED by Deputy Reeve Solberg to lift agenda item C-1 from the table.

Person(s) who spoke in rebuttal: David Wyatt, B & A Planning Group (Applicant)
Richard Geleta, BSCI Engineering (Applicant)
Steven Ross, Devonian Properties (Applicant)

Councillor Bahcheli departed the meeting at 1:49 p.m. and returned at 1:53 p.m.

MOVED by Councillor Arshinoff that the public hearing be closed at 2:10 p.m.

Carried

MOVED by Councillor Arshinoff that Application No. PL20140169 be refused.

Lost

In Favour

Councillor Arshinoff

In Opposition

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

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MOVED by Councillor Bahcheli to amend Bylaw C-7506-2015 to remove Development Regulations Subsection 5.2.0 that reads;

5.2.0 The Development Authority may issue a Development Permit for Stripping and/or Grading within any portion of the development area prior to subdivision approval.

Carried

In Favour

Councillor Kendall
Councillor Habberfield
Deputy Reeve Solberg
Reeve Boehlke
Councillor Bahcheli
Councillor Arshinoff
Councillor Breakey

In Opposition

Councillor Lowther
Councillor Ashdown

MOVED by Councillor Kendall that Schedule A and Schedule B be amended, as presented.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7506-2015 be given first reading, as amended.

Carried

In Favour

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

In Opposition

Councillor Arshinoff

MOVED by Councillor Habberfield that Bylaw C-7506-2015 be given second reading, as amended.

Carried

In Favour

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

In Opposition

Councillor Arshinoff

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MOVED by Councillor Kendall that Bylaw C-7506-2015 be considered for third reading, as amended.

Lost

In Favour

Councillor Breakey
Councillor Bahcheli
Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Habberfield
Councillor Lowther
Councillor Kendall

In Opposition

Councillor Arshinoff

MOTION ARISING

MOVED by Councillor Bahcheli that Administration schedule a workshop addressing Striping/Grading.

Carried

The Chair called a recess at 2:47 p.m. and called the meeting back to order at 3:01 p.m. with all previously members mentioned with the exception of Councillor Arshinoff.

1-16-05-24-04 (C-2)

Division 8- Bylaw C-7561-2016- Redesignation Item - Community Land Use - Farmstead District (F) to Public Services District (PS)

File: PL20150088 (06609005)

MOVED by Councillor Lowther that the public hearing be opened at 3:01 p.m.

Carried

Absent: Councillor Arshinoff

Councillor Arshinoff returned to the meeting at 3:02 p.m.

MOVED by Councillor Lowther that late submissions (5) from Michelle Della Costa, Michael and Roberta Black, Leona Hawkwood, Steve and Ulla Kalny and Jiang Xu and Rui Yang (Exhibit 1) be accepted for information.

Carried

In Favour

Councillor Breakey
Councillor Arshinoff
Councillor Bahcheli
Reeve Boehlke
Councillor Ashdown
Councillor Lowther
Councillor Kendall

In Opposition

Deputy Reeve Solberg
Councillor Habberfield

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Person(s) who spoke in favour: Bin Chen, Applicant
Jinny Jin , Rocky View Resident
Rui Yang, Rocky View Resident

Person(s) who spoke in opposition: Ken Waddell, Rocky View Resident

Person(s) who spoke in rebuttal: Bin Chen, Applicant
Jinny Jin , Rocky View Resident
Rui Yang, Rocky View Resident

MOVED by Councillor Lowther that the public hearing be closed at 4:00 p.m.

Carried

MOVED by Councillor Lowther that Bylaw C-7561-2016 be given first reading.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7561-2016 be given second reading.

Carried

MOVED by Councillor Bahcheli that Bylaw C-7561-2016 be considered for third reading.

Carried

MOVED by Councillor Habberfield that Bylaw C-7561-2016 be given third and final reading.

Carried

The Chair called a recess at 4:06 p.m. and called the meeting back to order at 4:21 p.m. with all previously mentioned members present with the exception of Councillor Arshinoff.

1-16-05-24-05 (C-3)

Division 4- Bylaw C-7576-2016- Redesignation Item - Farmstead First Parcel Out

File: PL20150152 (02313004)

MOVED by Councillor Ashdown that the public hearing be opened at 4:21 p.m.

Carried

Absent: Councillor Arshinoff

Person(s) who spoke in favour: No one came forward

Person(s) who spoke in opposition: No one came forward

Person(s) who spoke in rebuttal: No one came forward

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MOVED by Councillor Ashdown that the public hearing be closed at 4:24 p.m.

Carried
Absent: Councillor Arshinoff

MOVED by Councillor Ashdown that Bylaw C-7576-2016 be given first reading.

Carried
Absent: Councillor Arshinoff

MOVED by Deputy Reeve Solberg that Bylaw C-7576-2016 be given second reading.

Carried
Absent: Councillor Arshinoff

MOVED by Councillor Kendall that Bylaw C-7576-2016 be considered for third reading.

Carried
Absent: Councillor Arshinoff

MOVED by Councillor Ashdown that Bylaw C-7576-2016 be given third and final reading.

Carried
Absent: Councillor Arshinoff

1-16-05-24-06 (C-4)

Division 9- Bylaw C-7574-2016- Redesignation Item - New or Distinct Agricultural Use

File: PL20150087 (07932001)

MOVED by Councillor Kendall that the public hearing be opened at 4:25 p.m.

Carried
Absent: Councillor Arshinoff

Person(s) who spoke in favour: Lance Taylor, Applicant (Exhibit 1)

Councillor Arshinoff returned to the meeting at 4:39 p.m.

MOVED by Deputy Reeve Solberg that the May 24, 2016 council meeting proceed past 5:00 p.m.

Carried

Councillor Lowther departed the meeting at 5:09 p.m. and returned at 5:11 p.m.

Councillor Arshinoff departed the meeting at 5:11 p.m.

Person(s) who spoke in favour: Malcolm Cox, Applicant

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Kevin Murphy, Rocky View Resident

Person(s) who spoke in opposition: No one came forward

Person(s) who spoke in rebuttal: No one came forward

MOVED by Councillor Kendall that the public hearing be closed at 5:27 p.m.

Carried
Absent: Councillor Arshinoff

MOVED by Councillor Kendall that Bylaw C-7574-2016 be given first reading.

Carried
Absent: Councillor Arshinoff

In Favour

Councillor Kendall
Councillor Lowther
Councillor Ashdown
Deputy Reeve Solberg
Reeve Boehlke

In Opposition

Councillor Habberfield
Councillor Bahcheli
Councillor Breakey

MOVED by Deputy Reeve Solberg that Bylaw C-7574-2016 be given second reading.

Carried
Absent: Councillor Arshinoff

In Favour

Councillor Kendall
Councillor Lowther
Councillor Ashdown
Deputy Reeve Solberg
Reeve Boehlke

In Opposition

Councillor Habberfield
Councillor Bahcheli
Councillor Breakey

MOVED by Councillor Kendall that Bylaw C-7574-2016 be considered for third reading.

Carried

MOVED by Councillor Kendall that Bylaw C-7574-2016 be given third and final reading.

Carried
Absent: Councillor Arshinoff

In Favour

Councillor Kendall
Councillor Lowther
Councillor Ashdown
Deputy Reeve Solberg
Reeve Boehlke

In Opposition

Councillor Habberfield
Councillor Bahcheli
Councillor Breakey

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MOTION ARISING

MOVED by Councillor Ashdown that Administration check the legalities of this matter for subdivisions.

Carried
Absent: Councillor Arshinoff

Adjournment

MOVED by Deputy Reeve Solberg that the May 24, 2016 Council Meeting be adjourned at 5:43 p.m.

Carried
Absent: Councillor Arshinoff

REEVE

CAO or Designate