

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
October 11, 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 – 32<sup>nd</sup> Avenue NE, Calgary, Alberta on October 11, 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 M. Bahcheli, Division 3 (Arrived at 9:22 a.m.)  
Councillor R. Ashdown, Division 4  
Councillor L. Habberfield, Division 7  
Councillor E. Lowther, Division 8  
Councillor B. Kendall, Division 9

Absent: Councillor J. Arshinoff, Division 2

Also Present: K. Greig, County Manager  
K. Robinson, General Manager  
B. Riemann, General Manager  
C. O'Hara, General Manager  
S. Baers, Manager, Development Services  
R. Wiljamaa, Manager, Engineering Services  
M. Wilson, Senior Planner - Team Lead, Development Services  
J. Kirychuk, Planner  
J. Sinclair, Legislative Clerk - Council  
C. Satink, A/Municipal Clerk

**Call to Order**

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

**1-16-10-11-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor Kendall that agenda item D-1 be deferred to the October 25, 2016 Council Meeting.

Carried  
Absent: Councillor Bahcheli

MOVED by Councillor Lowther that an Emergent Item, D-1, Meadow Drive Water Risk be added to the agenda for the October 11, 2016 Council Meeting.

Carried  
Absent: Councillor Bahcheli

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MOVED by Councillor Ashdown that the October 11, 2016 Council meeting agenda be approved, as amended.  
Carried  
Absent: Councillor Bahcheli

**1-16-10-11-02**  
**Confirmation of Minutes**

MOVED by Councillor Ashdown that the September 27, 2016 Council meeting minutes be approved.  
Carried  
Absent: Councillor Bahcheli

**1-16-10-11-07 (J-1)**  
**Division 1 – Subdivision Item – Residential Two District**  
**File: PL20150037 (03908017)**

MOVED by Councillor Breakey that Subdivision Application No. PL20150037 be approved with the conditions noted below;

- A. That the application to create a  $\pm$  1.82 hectare ( $\pm$  4.50 acre) parcel (Lot 1), a  $\pm$  2.17 hectare (5.37 acre) parcel (Lot 2), a  $\pm$  2.23 hectare (5.50 acre) parcel (Lot 3), and a  $\pm$  1.87 hectare (4.63 acre) remainder (Lot 4) from a portion of NW-08-23-05-W05M has 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, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the applicable policy documents;
  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 providing agreements and necessary securities 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 to be submitted as required by 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.

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- 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.

*Accessibility to a Road*

2. The Owner shall construct a new, paved, mutual approach on Township Road 232 in order to provide access to Lots 1, 2, 3, and 4. In addition, the Owner shall:
  - a. Provide an access right-of-way plan; and
  - b. Prepare and register respective easements on each title, where required.
3. The Owner shall remove and reclaim the existing road approach, as shown on the approved Tentative Plan.

*Site Servicing*

4. The Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County, which shall include:
  - i. implementation of recommendations in accordance with the Level 4 PSTS report submitted by Osprey Engineering (dated April 25, 2016); and
  - ii. construction of packaged sewage treatment systems and LFH at-grade disposal fields on each of the four lots.
5. Water is to be supplied by individual wells on Lots 1, 2, 3, and 4. The subdivision shall not be endorsed until:
  - i. a Phase 2 Groundwater Evaluation Report is provided, which is to include Aquifer Testing and the location of the well on each lot:
    - a. If the results of the testing do not meet the requirements of the Water Act, the subdivision shall not be endorsed or registered.
  - ii. the Owner has provided a Well Driller's Report to determine whether an adequate supply of water is available for Lots 1, 2, 3, and 4;
  - iii. verification is provided that each new well is located within each respective proposed lot's boundaries; and
  - iv. it has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

*Developability*

6. The Owner is to enter into a Restrictive Covenant; to be registered by Caveat prepared by the County, on the title of Lot 1 and Lot 4, excepting the portion of Lot 1 covered by the Environmental Reserve Easement; requiring a 5.0 m setback from the northern property line in order to achieve a Factor of Safety of 1.5 and greater.
7. The Owner is to provide and implement a Site-Specific Stormwater Management Plan. Implementation of the Stormwater Management Plan shall include the following:

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- i. The Owner shall enter into a Site Improvements / Services Agreement or Development Agreement with the County if the recommendations of the Stormwater Management Plan require improvements;
  - ii. Registration of any required easements and / or utility rights-of-way;
  - iii. Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and
  - iv. Necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

*Municipal Reserves*

8. The provision of Reserve, in the amount of 10 percent of the area of Lots 1, 2, 3, and 4, 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 16-016-MDRV, dated May 14, 2016, pursuant to Section 666(3) of the Municipal Government Act.
9. The Owner shall enter into an Environmental Reserve Easement for the protection and enhancement of the environment, in accordance with Section 664 of the Municipal Government Act:
  - i. The easement area is applicable to those lands identified on the approved Tentative Plan;
  - ii. The easement shall meet the requirements of Section 664(3) of the Municipal Government Act;
  - iii. The easement area shall encompass the wetlands, and include a riparian setback of 30.0 metres.

*Utility Easement:*

10. Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of Telus.

*Payments and Levies*

11. The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing from the total gross acreage of the Lands to be subdivided, as shown on the Plan of Survey.
12. The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three new Lots.

*Taxes*

13. 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  
Absent: Councillor Bahcheli

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**1-16-10-11-09 (D-1)**

**All Divisions – Meadow Drive Water Risk**

**File: N/A**

Councillor Bahcheli arrived to the meeting at 9:22 a.m.

MOVED by Councillor Lowther that Rocky View County immediately begin taking appropriate action to lower the water level in the Meadow Drive Area and specifically in the identified pond bordered on the North and East side by Meadow Drive, in order to proactively address imminent drainage concerns and associated flooding, so that repeat damage to County infrastructure and further damage to private property be averted.

Carried

The Chair called a recess at 9:40 a.m. and called the meeting back to order at 10:00 a.m. with all previously mentioned members present.

**1-16-10-11-03 (C-1)**

**Division 9– Bylaw C-7608-2016– Redesignation Item – Ranch and Farm Two District (RF-2) to Residential Three District.**

**File: PL20160021 (06929014)**

MOVED by Councillor Kendall that the public hearing for item C-1 be opened at 10:00 a.m.

Carried

Person(s) who spoke in favour:           Giovvani Fiorino, Applicant (C-1 Exhibit 1)

Councillor Lowther departed the meeting at 10:36 a.m. and returned at 10:38 a.m.

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

Person(s) who spoke in rebuttal:       Giovvani Fiorino, Applicant (C-1 Exhibit 1)

MOVED by Councillor Kendall that the public hearing for item C-1 be closed at 10:48 a.m.

Carried

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MOVED by Councillor Kendall that Planning Application PL20160021 be refused.

Carried

In Favour

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

In Opposition

Councillor Lowther  
Reeve Boehlke

The Chair called a recess at 10:48 a.m. and called the meeting back to order at 11:03 a.m. with all previously mentioned members present.

**1-16-10-11-04 (C-2)**

**Division 4- Bylaw C-7609-2016- Redesignation Item – An amendment to Direct Control 97 to allow for an increase in the size of individual accessory buildings**

**File: PL20160073**

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

Carried

Person(s) who spoke in favour:        Jamie Kirychuk on behalf of Rocky View County  
Shirley Brink, Rocky View Resident  
Richard Brink, Rocky View Resident  
Joe Ummels, Rocky View Resident  
Bill Knecht, Rocky View Resident

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

Person(s) who spoke in rebuttal:        Matthew Wilson on behalf of Rocky View County  
Richard Brink, Rocky View Resident

MOVED by Councillor Ashdown that the public hearing for item C-2 be closed at 11:29 a.m.

Carried

MOVED by Councillor Ashdown that Bylaw C-7609-2016 be given first reading.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7609-2016 be given second reading.

Carried

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MOVED by Councillor Habberfield that Bylaw C-7609-2016 be considered for third and final reading.

Carried

MOVED by Councillor Ashdown that Bylaw C-7609-2016 be given third reading.

Carried

**1-16-10-11-05 (C-3)**

**Division 9– Bylaw C-7610-2016– Redesignation Item – Site Specific Amendment to Direct Control Bylaw (DC-123) – Existing Upper Decks**

**File: PL20160049 (10013150)**

MOVED by Councillor Kendall that the public hearing for item C-3 be opened at 11:31 a.m.

Carried

Person(s) who spoke in favour: David Archibald, Project Builder

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 for item C-3 be closed at 11:42 a.m.

Carried

MOVED by Councillor Kendall that Bylaw C-7610-2016 be given first reading.

Carried

MOVED by Councillor Lowther that Bylaw C-7610-2016 be given second reading.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7610-2016 be considered for third and final reading.

Carried

MOVED by Councillor Kendall that Bylaw C-7610-2016 be given third reading.

Carried

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**1-16-10-11-08**  
**Council Reports**

The Councillors reported on the activities and meetings they attended during the past two weeks in their respective divisions.

**Adjournment**

MOVED by Councillor Kendall that the October 11, 2016 Council meeting be adjourned at 11:46 a.m.

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REEVE

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CAO or Designate