

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 19, 2017

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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 September 19, 2017 commencing at 9:00 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 5	Deputy Reeve E. Solberg
Division 1	Councillor L. Breakey
Division 2	Councillor J. Arshinoff
Division 3	Councillor M. Bahcheli
Division 4	Councillor R. Ashdown
Division 7	Councillor L. Habberfield
Division 8	Councillor E. Lowther
Division 9	Councillor B. Kendall

Also Present:

- K. Greig, County Manager
- C. O'Hara, General Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- A. Keibel, Manager, Legislative and Legal Services
- M. Wilson, Supervisor, Planning Services
- A. Zaluski, Policy Supervisor, Planning Services
- P. Simon, Planner, Planning Services
- S. Kunz, Planner, Planning Services
- X. Deng, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative Clerk, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present, with the exception of Deputy Reeve Solberg, Councillor Bahcheli, and Councillor Arshinoff.

1-17-09-19-01

Updates/Acceptance of Agenda

MOVED by Councillor Ashdown that the September 19, 2017 agenda be accepted.

Carried
Absent: Deputy Reeve Solberg
Councillor Arshinoff
Councillor Bahcheli

1-17-09-19-02

Confirmation of Minutes

MOVED by Councillor Ashdown that the September 12, 2017 Council Meeting minutes be approved as amended.

Carried
Absent: Deputy Reeve Solberg
Councillor Arshinoff
Councillor Bahcheli

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1-17-09-19-08 (E-1)

All Divisions – Appeal and Review Panel Bylaw C-7717-2017

File: 0170

Councillor Arshinoff arrived at the meeting at 9:04 a.m., Deputy Reeve Solberg arrived at the meeting at 9:05 a.m., and Councillor Bahcheli arrived at the meeting at 9:08 a.m.

Councillor Ashdown moved that section 45 be removed from Attachment “A” and that the remaining sections be renumbered accordingly.

Carried

In Favour:

Reeve Boehlke
Deputy Reeve Solberg
Councillor Ashdown
Councillor Lowther
Councillor Kendall

In Opposition:

Councillor Breakey
Councillor Arshinoff
Councillor Bahcheli
Councillor Habberfield

Councillor Ashdown moved that item E-1 be tabled until after all the public hearings are complete.

Carried

1-17-09-19-03 (C-1)

Division 5 – Bylaw C-7697-2017 – Redesignation Item – Ranch and Farm District to Residential Two District

File: PL20170082 (05320003)

The Chair called for a recess at 9:53 a.m. and called the meeting back to order at 10:05 a.m. with all members previously mentioned present.

MOVED by Deputy Reeve Solberg that the public hearing for item C-1 be opened at 10:05 a.m.

Carried

Person(s) who presented: Wayne Thompson (Terradigm), Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Solberg that the public hearing for item C-1 be closed at 10:11 a.m.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7697-2017 be given first reading.

Carried

MOVED by Councillor Ashdown that Bylaw C-7697-2017 be given second reading.

Carried

MOVED by Councillor Kendall that Bylaw C-7697-2017 be considered for third reading.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7697-2017 be given third and final reading.

Carried

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1-17-09-19-04 (C-2)

**Division 5 – Bylaw C-7693-2017 – Redesignation Item – Ranch and Farm District to Residential Two District
PL20170083 (05320004)**

MOVED by Deputy Reeve Solberg that the public hearing for item C-2 be opened at 10:13 a.m.

Carried

Person(s) who presented: Wayne Thompson (Terradigm), Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Solberg that the public hearing for item C-2 be closed at 10:17 a.m.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7693-2017 be given first reading.

Carried

MOVED by Councillor Ashdown that Bylaw C-7693-2017 be given second reading.

Carried

MOVED by Councillor Kendall that Bylaw C-7693-2017 be considered for third reading.

Carried

MOVED by Deputy Reeve Solberg that Bylaw C-7693-2017 be given third and final reading.

Carried

1-17-09-19-05 (C-3)

**Division 6 – Bylaw C-7695-2017 – Redesignation Item – Ranch and Farm District to Farmstead District
File: PL20170072 (09306003)**

Reeve Boehlke vacated the Chair to Deputy Reeve Solberg.

MOVED by Reeve Boehlke that the public hearing for item C-3 be opened at 10:18 a.m.

Carried

Person(s) who presented: Kent Sackett, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Reeve Boehlke that the public hearing for item C-3 be closed at 10:22 a.m.

Carried

MOVED by Reeve Boehlke that Bylaw C-7695-2017 be given first reading.

Carried

MOVED by Councillor Habberfield that Bylaw C-7695-2017 be given second reading.

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Carried

MOVED by Councillor Kendall that Bylaw C-7695-2017 be considered for third reading.

Carried

MOVED by Reeve Boehlke that Bylaw C-7695-2017 be given third and final reading.

Carried

Deputy Reeve Solberg vacated the Chair to Reeve Boehlke.

1-17-09-19-10 (E-3)

Division 6 – Further consideration of Bylaw C-7678-2017 to adopt the proposed North Central Industrial Area Structure Plan

File: 1013-150

Reeve Boehlke vacated the Chair to Deputy Reeve Solberg.

MOVED by Councillor Arshinoff that item E-3 be tabled until the September 26, 2017 Council Meeting.

Lost

Abstained: Councillor Bahcheli

In Favour:

Reeve Boehlke
Councillor Breakey
Councillor Arshinoff

In Opposition:

Deputy Reeve Solberg
Councillor Ashdown
Councillor Kendall
Councillor Habberfield
Councillor Lowther

Deputy Reeve Solberg vacated the Chair to Reeve Boehlke.

MOVED by Councillor Habberfield that Bylaw C-7678-2017 be given third and final reading, as amended.

Carried

Abstained: Councillor Bahcheli

1-17-09-19-11 (J-1)

Division 8 – Subdivision Item – Watermark Development Phase 5

File: PL20170071 (05618004)

MOVED by Councillor Lowther that Subdivision Application PL20170071 be approved with the conditions noted in Appendix A:

- A. That the re-application for Subdivision for Watermark Phase 5 to create 17 residential lots and one public utility lot (PUL) within SW 18-25-02-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.

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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 that 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 report 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 Survey

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.

Development Agreement

2. The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act*, in accordance with the approved Tentative Plan, and shall include the following:
 - a) Construction of the public internal road system, including all related infrastructure (sidewalks, curb and gutter, lighting, signage, etc.), complete with temporary cul-de-sacs as necessary, and the registration of any necessary easements, as shown on the Tentative Plan;
 - b) Construction of the potable water distribution system and all related infrastructure, such as fire hydrants and service stubs, to all proposed lots. The water distribution system is to be extended from the existing distribution system within Phase I and serviced by Blazer Water Systems;
 - c) Construction of the wastewater collection system and all related infrastructure, such as service stubs, to all proposed lots. The wastewater collection system is to be tied into the existing collection system within Phase I that conveys wastewater to the Bearspaw Regional Wastewater Treatment Plant;
 - d) Construction of the stormwater collection system, including all necessary infrastructure required to support the proposed phase, in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - e) Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
 - f) Implementation of the recommendations of the Construction Management Plan;
 - g) Implementation of the recommendations of the Erosion and Sedimentation Management Plan; and
 - h) Provide for the installation of any power, natural gas, telephone and all other utility lines, and provide the County with written confirmation that said utilities have been, or are to be installed, to the satisfaction of the utility providers.

Stormwater

3. The Owner shall provide and implement a Site Specific Stormwater Management Plan. Implementation of the Stormwater Management Plan shall include the following:
 - a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County;
 - b) Registration of any required easements and / or utility rights-of-way;
 - c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and
 - d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

Site Servicing

4. The Owner shall provide confirmation from Blazer Water Systems ensuring:
 - a) the completion of all paperwork for water supply allocation;
 - b) the payment of all necessary fees for the purchase of required capacity units for the proposed subdivision;
 - c) the allocation and reservation of the necessary capacity;
 - d) the obligations of the Applicant and/or utility to bring water lines to the subdivision (i.e. whether water utility to construct water line to limits of subdivision and applicant is to construct all internal water lines or, whether water utility will be responsible for all connections to individual lots, etc.).
 - e) access for fire hydrant maintenance, firefighting, and testing for fire protection flow requirements.
 - f) adequate supply of water for required for fire flow.
5. The Owner shall register the existing Development Agreement for the Bears paw Regional Wastewater Treatment Plant and Outfall Line on the title of the proposed lots.
6. Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of ATCO Pipelines, TransAlta, Telus, and Enmax.

Site Construction

7. The Owner is to provide a Construction Management Plan, which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Specific other requirements include:
 - a) Weed Management Plan during the construction phases of the project;

Municipal Reserve

8. Outstanding Municipal Reserve dedication of ± 4.41 hectares (10.89 acres) shall be deferred by caveat to the remainder parcel.

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Others

9. The Owner shall amend the existing Homeowners' Association (HOA) agreement to include the proposed phase and the newly created PUL, as it covers the future maintenance obligations of the HOA through the existing Maintenance/Operation Agreement with the County.
10. The Owner shall amend the Solid Waste Management Plan to include the proposed phase, as it outlines the responsibility of the Developer and/or HOA for solid waste management.
11. The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls.
12. The Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards.

Payments and Levies

13. The Owner shall pay the Transportation Off-Site Levy in accordance with the applicable levy at the time of subdivision approval prior to entering into the Development Agreement. The County shall calculate the total amount owing from the total gross acreage of Phase 5 as shown on the Plan of Survey.
14. The Owner shall pay the County subdivision endorsement fee for creating 17 new residential lots, in accordance with the Master Rates Bylaw.

Taxes

15. All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the 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

1-17-09-19-12 (J-2)
Division 9 – Subdivision Item – Residential Two District
File: PL20170093 (06812036)

MOVED by Councillor Kendall that the applicant be allowed to address Council on this application.

Carried

Person(s) who presented: Martin Polach

MOVED by Councillor Kendall item J-2 be tabled pending a report from Administration addressing the sections in legislation that identify that residential properties are subject to a different standard than non-residential properties.

Carried

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1-17-09-19-13 (J-3)

Division 5 – Subdivision Item – Ranch and Farm District, Agricultural First Parcel Out

File: PL20170069 (05224004)

The Chair called for a recess at 11:24 a.m. and called the meeting back to order at 11:39 a.m. with all previously members mentioned present, with the exception of Councillor Breakey and Councillor Kendall.

Councillor Breakey returned to the meeting at 11:40 a.m. and Councillor Kendall returned to the meeting at 11:42 a.m.

MOVED by Deputy Reeve Solberg that Subdivision Application PL20170069 be approved with the conditions noted in Appendix A:

- A. That the application to create a ± 31.96 hectare (± 78.97 acre) parcel with a ± 32.37 hectare (± 80.00 acre) remainder from NE-24-25-27-W4M 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. 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 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 dedicate, by Plan of Survey, a 30 m wide service road along the northern boundary of Lot 2, to the satisfaction of Alberta Transportation.

Payments and Levies

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

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Taxes

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

C. 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 inquire if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

1-17-09-19-14 (J-4)

Division 8 – Subdivision Item – Boundary Adjustment

File: PL20170081 (05629001/83)

MOVED by Councillor Bahcheli that the public be allowed to speak to item J-4.

Carried

Person(s) who presented: Satnam Dhanda

MOVED by Councillor Lowther that Subdivision Application PL20170081 be approved with the conditions noted in Appendix A:

- A. That the application to adjust the boundaries between a ± 1.77 hectare (± 4.38 acre) parcel and a ± 5.66 hectare (± 14 acre) parcel in order to create a ± 2.33 hectare (± 5.76 acre) parcel and a ± 5.11 hectare (± 12.62 acre) parcel 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 subject land holds the appropriate land use designation; and
 2. The technical aspects of the subdivision proposal have been considered, and there are no technical limitations to the proposal.
- 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.

Transportation and Access

- 2) The Owner shall construct a new approach on Aspen Road in order to provide access to Lot 2 in accordance the County Servicing Standards.

Municipal Reserves

- 3) The provision of Reserves in the amount of 10% of the boundary adjustment area (± 1.38 acres), 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 17-015 MDRV on May 30, 2017, pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) Reserves for the remainder lot are to be deferred by caveat, pursuant to Section 669(2) of the *Municipal Government Act*;

Payments and Levies

- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the boundary adjustment affecting two parcels.

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

1-09-19-27-18 (K-1)

All Divisions – In Camera Item – Legal Update on Sunterra Beef

File: RVC2017-23

MOVED by Councillor Habberfield that Council move in camera at to receive a legal update on Sunterra Beef 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

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MOVED by Councillor Bahcheli that Council move back into open session at 1:40 p.m.

Carried

MOVED by Councillor Bahcheli that the report and in camera discussion on RVC2017-23 be held in confidence pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 (Advice from officials)
- Section 27 (Privileged information)

AND

That the County Manager or his designate be authorized to enter into mediation for Action Number 1301-03934 in the Court of Queen's Bench matter between Sunterra Beef Ltd. and Rocky View County based on the mandate received in camera in Confidential Report RVC2017-23.

Carried

1-17-09-19-06 (C-4)

**Division 9 – Bylaw C-7702-2017 – Redesignation Item – Site-specific amendment to Direct Control Bylaw 96
File: PL20170019 (07802005)**

MOVED by Councillor Kendall that the public hearing for item C-4 be opened at 1:41 p.m.

Carried

Person(s) who presented: Sean Veraart, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kendall that the public hearing for item C-4 be closed at 1:51 p.m.

Carried

MOVED by Councillor Kendall that Bylaw C-7702-2017 be given first reading.

Carried

MOVED by Councillor Habberfield that Bylaw C-7702-2017 be given second reading.

Carried

MOVED by Councillor Lowther that Bylaw C-7702-2017 be considered for third reading.

Carried

MOVED by Councillor Kendall that Bylaw C-7702-2017 be given third and final reading.

Carried

1-17-09-19-07 (C-5)

**Division 9 – Bylaw C-7679-2017 – Redesignation Item – Ranch and Farm District to Residential Two District
File: PL20170045 (06826028)**

MOVED by Councillor Kendall that the public hearing for item C-5 be opened at 1:57 p.m.

Carried

Person(s) who presented: Alfred Gomez (LMJ Consultants), Applicant

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Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Alan Edgecomb, Resident
Ryan Holt, Resident
Christina Foster, Resident

Person(s) who spoke in rebuttal: Alfred Gomez (LMJ Consultants), Applicant

MOVED by Councillor Kendall that application PL20170045 be tabled pending submission of a conceptual scheme showing an internal road and a single point of access to Range Road 41.

Carried

<u>In Favour:</u>	<u>In Opposition:</u>
Councillor Kendall	Reeve Boehlke
Councillor Lowther	Councillor Ashdown
Deputy Reeve Solberg	Councillor Habberfield
Councillor Bahcheli	
Councillor Arshinoff	
Councillor Breakey	

The Chair called for a recess at 2:51 p.m. and called the meeting back to order at 3:08 p.m. with all previously members mentioned present, with the exception of Councillor Kendall.

1-17-09-19-15 (J-5)

Division 6 – Subdivision Item – Agricultural First Parcel Out

File: PL20170077 (07126003)

Reeve Boehlke vacated the Chair to Deputy Reeve Solberg.

Councillor Kendall returned to the meeting at 3:12 p.m.

MOVED by Reeve Boehlke that Subdivision Application PL20170077 be approved with the conditions noted in Appendix B:

- A. That the application to create a ± 32.06 hectare (79.21 acre) parcel (Lot 1) with a ± 31.16 hectare (77 acre) remainder (Lot 2) within SW 26-27-26-W04M, 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:
- The application is consistent with the statutory policy;
 - The subject lands hold the appropriate land use designation;
 - 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

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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.

Payments and Levies

- 2) The Owner shall pay the County subdivision endorsement fee for creating one new lot, in accordance with the Master Rates Bylaw.

Taxes

- 3) 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

Motion Arising:

MOVED by Reeve Boehlke that Administration be directed to work with the applicant and Alberta Transportation for the closure of a portion of Road Allowance Plan 4639 AZ and consolidation with the adjacent parcel, and that the road closure application fee under the Master Rates Bylaw be waived for the applicant.

Carried

Deputy Reeve Solberg vacated the Chair to Reeve Boehlke.

1-17-09-19-16 (J-6)

Division 2 – Subdivision Item – Commercial – Springbank Court District (C-SC)

File: PL20170042 (04734036/04734037)

MOVED by Councillor Arshinoff that Subdivision Application PL20170042 be approved with the conditions as noted in Appendix A:

- A. The application to create a bareland condominium plan comprising 21 units, an exclusive use area, and common property, with one unit at 0.2900 hectare, one unit at 0.0730 hectare, and nineteen units at

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0.0036 hectares at Lot 5 Block 2 Plan 0710558 / Lot 6 Block 2 Plan 0710558 within SW-34-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act*, 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;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/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 conditions 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 Applicant/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.

Payments and Levies

- 2) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 21 new Units.

Taxes

- 3) 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 Applicant/Owners 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 for a recess at 3:42 p.m. and called the meeting back to order at 3:50 p.m. with all previously members mentioned present.

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1-17-09-19-08 (E-1)
All Divisions – Appeal and Review Panel Bylaw C-7717-2017
File: 0170

MOVED by Councillor Ashdown that item E-1 be lifted from the table.

Carried

MOVED by Councillor Bahcheli that Attachment A in Bylaw C-7717-2017 be amended as follows:

That the following be added after section 10, and the following sections renumbered, as follows:

“The Subdivision and Development Appeal Board may seek clarification from Council for Bylaw or Subdivision decisions.”

Carried

MOVED by Councillor Bahcheli that Section 9(1) in Attachment A in Bylaw C-7717-2017 be amended to read as follows:

“Appeals concerning Bylaw interpretations and Subdivision decisions, except those which lie to the Municipal Government Board as set out in s 678 of the *Municipal Government Act*; and”

Carried

MOVED by Councillor Ashdown that section 11(1)(b) in Attachment A in Bylaw C-7717-2017 be amended to read 3 members of Council and that Council members cannot exceed the Members at Large.

Carried

In Favour:

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

In Opposition:

Councillor Arshinoff

MOVED by Councillor Ashdown that section 11(3) in Attachment A in Bylaw C-7717-2017 be amended to be no less than 5 members and no more than 7 members.

Carried

MOVED by Councillor Ashdown that section 11(2) be deleted from Attachment A in Bylaw C-7717-2017.

Carried

In Favour

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

In Opposition

Councillor Arshinoff

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MOVED by Councillor Ashdown that the words “and alternates” be deleted from section 17 in Attachment A in Bylaw C-7717-2017.

Carried

The Chair called for a recess at 4:27 p.m. and called the meeting back to order at 4:32 p.m. with all previously members mentioned present.

MOVED by Councillor Ashdown that Bylaw C-7717-2017 be given first reading as amended.

Carried

In Favour

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

In Opposition

Councillor Arshinoff

MOVED by Councillor Habberfield that Bylaw C-7717-2017 be given second reading as amended.

Carried

In Favour

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

In Opposition

Councillor Arshinoff

MOVED by Councillor Habberfield that Bylaw C-7717-2017 be considered for third reading as amended.

Carried

MOVED by Councillor Ashdown that Bylaw C-7717-2017 be given third and final reading as amended.

Carried

In Favour

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

In Opposition

Councillor Arshinoff

1-17-09-19-09 (E-2)

All Divisions – Nuisance and Unsightly Property Bylaw C-7690-2017

File: 3000-300

Councillor Breakey left the meeting at 4:56 p.m. and did not return to the meeting.

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MOVED by Councillor Lowther that the meeting be allowed to proceed past 5:00 p.m. in accordance with section 8(2) of the Procedure Bylaw.

Carried
Absent: Councillor Breakey

The Chair called for a recess at 5:13 p.m. and called the meeting back to order at 5:17 p.m. with all previously mentioned members present, with the exception of Councillor Breakey.

MOVED by Councillor Lowther that Attachment A, Bylaw C-7690-2017, be amended as follows:

That item 2 be deleted from section 6.

Lost
Absent: Councillor Breakey

<u>In Favour:</u>	<u>In Opposition:</u>
Reeve Boehlke	Councillor Arshinoff
Deputy Reeve Solberg	Councillor Ashdown
Councillor Habberfield	Councillor Kendall
Councillor Lowther	Councillor Bahcheli

MOVED by Councillor Lowther that Attachment A, Bylaw C-7690-2017, be amended as follows:

That item 3 be deleted from section 6.

Carried
Absent: Councillor Breakey

<u>In Favour:</u>	<u>In Opposition:</u>
Reeve Boehlke	Councillor Arshinoff
Deputy Reeve Solberg	Councillor Ashdown
Councillor Habberfield	Councillor Bahcheli
Councillor Lowther	
Councillor Kendall	

MOVED by Councillor Lowther that Attachment A, Bylaw C-7690-2017, be amended as follows:

That item 1 be deleted from section 7.

Lost
Absent: Councillor Breakey

<u>In Favour:</u>	<u>In Opposition:</u>
Reeve Boehlke	Councillor Arshinoff
Councillor Lowther	Councillor Bahcheli
Councillor Kendall	Deputy Reeve Solberg
	Councillor Habberfield
	Councillor Ashdown

MOVED by Councillor Lowther that Attachment A, Bylaw C-7690-2017, be amended as follows:

That item 2 be deleted from section 7.

Lost
Absent: Councillor Breakey

<u>In Favour:</u>	<u>In Opposition:</u>
Councillor Kendall	Councillor Arshinoff
Deputy Reeve Solberg	Councillor Ashdown
Councillor Habberfield	Councillor Bahcheli

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Councillor Lowther Reeve Boehlke

MOVED by Councillor Ashdown the wording "or make frivolous or vexatious complaints" be added to the end of section 31 in Attachment A, Bylaw C-7690-2017.

Carried
Absent: Councillor Breakey

In Favour

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

In Opposition

Councillor Arshinoff

MOVED by Councillor Ashdown that Bylaw C-7690-2017 be given first reading as amended.

Carried
Absent: Councillor Breakey

MOVED by Councillor Habberfield that Bylaw C-7690-2017 be given second reading as amended.

Carried
Absent: Councillor Breakey

MOVED by Councillor Bahcheli that Bylaw C-7690-2017 be considered for third reading as amended.

Carried
Absent: Councillor Breakey

MOVED by Deputy Reeve Solberg that Bylaw C-7690-2017 be given third and final reading as amended.

Carried
Absent: Councillor Breakey

Adjournment

MOVED by Councillor Kendall that the September 19, 2017 Council Meeting be adjourned at 5:36 p.m.

Carried
Absent: Councillor Breakey



REEVE


Charlotte Arshinoff
CAO or Designate