

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
November 28, 2017

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A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Building, 911 – 32nd Avenue NE, Calgary, Alberta on November 28, 2017 commencing at 9:00 a.m.

Present:

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

Also Present:

K. Greig, County Manager
K. Robinson, General Manager
C. O'Hara, General Manager
B. Riemann, General Manager
A. Keibel, Manager, Legislative and Legal Services
C. McCullagh, Manager, Recreation & Community Services
M. Wilson, Supervisor, Planning Services
A. Zaluski, Policy Supervisor, Planning Services
M. Norman, Planner, Planning Services
D. Kazmierczak, Planner, Planning Services
J. Kwan, Planner, Planning Services
P. Simon, Planner, Planning Services
A. Bryden, 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.

1-17-11-28-01

Updates/Acceptance of Agenda

MOVED by Councillor Kamachi that the November 28, 2017 Council Meeting agenda be accepted as presented.

Carried

1-17-11-28-02

Confirmation of Minutes

MOVED by Deputy Reeve Gautreau that the November 14, 2017 Council Meeting minutes be accepted as presented.

Carried

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1-17-11-28-08 (D-1)

All Divisions – 2017 Community Recreation Funding Capital Requests

File: 6060

MOVED by Councillor Schule that the Bearspaw Glendale Community Association's request for up to \$43,537.00 to replace the septic system and tie into the City of Calgary sanitary sewer be approved from the Bearspaw Glendale District Reserve;

AND that the Indus School Council Society's request for up to \$20,000.00 to assist with accessible playground construction be approved from the Bow North District Reserve conditional upon a successful grant application for \$125,000.00 from the Community Facility Enhancement Program;

AND that the Langdon Community Association's funding request for up to \$25,075.46 to purchase security cameras and for improvements to the fieldhouse and rink be approved from the Bow North District Reserve;

AND that Cochrane BMX Association's request for up to \$30,000.00 to assist with the purchase of a new start hill gate be approved from the Ranch Lands District Reserve;

AND that the Cochrane Roping Club's request for up to \$6,650.00 to purchase cattle enclosures at the Cochrane Ag Grounds be approved from the Ranch Lands District Reserve;

AND that Weedon Pioneer Community Association's request for up to \$5,772.72 to replace fencing and gates be approved from the Ranch Lands District Reserve;

AND that the Dalroy Community Hall's request for up to \$1,748.25 to replace the hall furnace be approved from the Rocky View East Recreation District Reserve;

AND that the Jumping Pound Community Hall Society's request for up to \$29,000.00 to replace the vinyl siding and renovate the west end of the Hall be approved from the Rocky View West District Reserve.

Carried

1-17-11-28-09 (D-2)

All Divisions – Council Committee Appointments

File: 0160

MOVED by Councillor McKylor that Deputy Reeve Gautreau be appointed to the Chestermere Regional Community Association Board for a four year term to expire at the organizational meeting in October, 2021.

Carried

MOVED by Councillor Kamachi that Councillor Kissel be appointed to the Bow Rivers Edge Campground Society's Capital Investment Committee for a four year term to expire at the organizational meeting in October, 2021.

Carried

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MOVED by Councillor Henn that Nevada Wright be appointed as member at large to the Rocky View East Regional Recreation Board for a three year term to expire at the organizational meeting in October, 2020.

Carried

MOVED by Deputy Reeve Gautreau that Jayden Backs be appointed as member at large to the Crossfield Recreation District Board for a three year term to expire at the organizational meeting in October, 2020.

Carried

MOVED by Councillor Wright that Gurinder Paul Grewal be appointed as member at large to the Chestermere-Conrich Regional Recreation District Board for a three year term to expire at the organizational meeting in October, 2020.

Carried

MOVED by Councillor Hanson that the appointment of Councillor Wright to the Subdivision and Development Appeal Board and the Enforcement Appeal Committee be amended to Council alternate effective January 1, 2018 to the organizational meeting on October 23, 2018.

Carried

MOVED by Councillor McKylor that the appointment of Councillor Kissel to the Subdivision and Development Appeal Board and the Enforcement Appeal Committee be rescinded effective January 1, 2018.

Carried

1-17-11-28-10 (D-3)

Division 5 – Mediation Team Mandate – Omni Area Structure Plan Intermunicipal Appeal

File: 1014-380

MOVED by Councillor Hanson that a mediation team consisting of members of Administration, particularly Planning Services and Engineering Services, be formed to participate in mediation with The City of Calgary on the matter of the appeal of the Omni Area Structure Plan.

Carried

MOVED by Deputy Reeve Gautreau that the Administration mediation team be directed to enter into mediation discussions with The City of Calgary to negotiate a resolution to the appeal against the Omni Area Structure Plan, subject to Council approval of any final agreements or solutions.

Carried

MOVED by Councillor Hanson that the budget adjustment for the Omni ASP mediation be approved as per Appendix 'A'.

Carried

1-17-11-28-11 (E-1)

Division 4 – Further Consideration of Bylaw C-7733-2017 – Indus Recreation Centre Expansion

File: 6070-150

MOVED by Councillor Schule that Bylaw C-7733-2017 be given second reading.

Carried

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MOVED by Councillor Wright that Bylaw C-7733-2017 be given third and final reading.

Carried

1-17-11-28-12 (E-2)

Division 5 – Consideration of third reading for Bylaw-C-7714-2017 – Redesignation Item – Site Specific Amendment to Direct Control Bylaw District (DC-120)

File: PL20170119 (04329030)

Reeve Boehlke recused himself from item E-2 because he had not been in attendance for the associated public hearing. Reeve Boehlke then vacated the Chair and left the meeting at 9:25 a.m. Deputy Reeve Gautreau then assumed the Chair.

The Chair called for a recess at 9:30 a.m. and called the meeting back to order at 9:40 a.m. with all previously mentioned members present with the exception of Reeve Boehlke

MOVED by Councillor Schule that Schedule 'A' forming part of Bylaw C-7714-2017, Amendment #1 be amended by inserting the following wording:

2.4.7 That notwithstanding Section 2.2.0, Lot 14, Block 1, Plan 0913273 shall be permitted a maximum of six dogs over three months of age, pursuant to the definition and regulations within the Land Use Bylaw.

TABLING MOTION:

MOVED by Councillor Schule that this item be tabled until after the public hearings in the afternoon.

Carried

Abstained: Reeve Boehlke

In Favour:

Councillor Hanson
Deputy Reeve Gautreau
Councillor Schule
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Henn

Deputy Reeve Gautreau vacated the Chair at 9:44 a.m. Reeve Boehlke then assumed the Chair.

The Chair called for a recess at 9:45 a.m. and called the meeting back to order at 9:51 a.m. with all previously mentioned members present.

1-17-11-28-13 (J-1)

Division 1 – Subdivision Item – Residential purposes – West Bragg Creek (Breezewood Bay)

File: PL20170155 (03909029)

MOVED by Councillor Kamachi that Subdivision Application PL20170155 be approved with the conditions noted in Appendix A:

- A. That the application to create a ± 1.70 hectare (± 4.20 acre) parcel (Lot 1) with a ±6.88 hectare (± 17.00 acre) remainder (Lot 2) within Lot 8, Plan 9813102, NW-09-23-05-W05M, having been evaluated

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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.
 3. The technical aspects of the subdivision proposal have been considered, and, where required, 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 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 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 is approved subject to the following conditions:

Plan of Subdivision

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

Transportation and Access

- 2) The Owner shall construct a new paved approach on Range Road 54 in order to provide access to Lot 2.

Site Servicing

- 3) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of the 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; and
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.
- 4) The Owner shall provide a Phase 2 Aquifer Pumping & Testing Report for the new well on Lot 2, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards:
 - a) The Phase 2 Aquifer Pumping & Testing Report shall include a Well Driller's Report indicating that the well is capable of supplying water at a minimum rate of 1 iGPM.

Payments and Levies

- 5) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the applicable levy at the time of subdivision approval. The County shall calculate the total amount owing from the total gross acreage of Lot 1, and a total of 3 acres of Lot 2 as shown on the Plan of Survey.
- 6) The Applicant/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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Municipal Reserves

- 7) The provision of Reserves in the amount of 10 percent of the area 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 Weleschuk Associates Ltd., file 17-21479, dated July 2017, pursuant to Section 666(3) of the Municipal Government Act.
 - a) The Applicant/Owner is to discharge the existing Deferred Reserve Caveat Registration Number 951 117 150 from Lots 1 and 2.
 - b) 10% Municipal Reserve dedication outstanding on Lot 2 is to be deferred by Caveat to Lot 2 pursuant to Section 669 of the Municipal Government Act.

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 Applicant / 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

1-17-11-28-14 (J-2)

Division 9 – Subdivision Item – Agricultural Holdings District – Horse Creek Road

File: PL20170131 (07936005)

MOVED by Councillor Kissel that the applicant be allowed to present on item J-2.

Carried

TABLING MOTION:

MOVED by Councillor Kissel that item J-2 be tabled until after the morning public hearings.

Carried

1-17-11-28-03 (C-1)

Division 6 – Bylaw C-7725-2017 – Redesignation Item – Farmstead

File: PL20170146 (06135002)

Reeve Boehlke vacated the Chair at 10:04 a.m. for item C-1 because the subject lands are in his Division and he was wishing to join in the debate and/or make a motion related to the item. Deputy Reeve Gautreau then assumed the Chair.

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

Carried

Person(s) who presented: Larry Konschuk, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

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Person(s) who spoke in rebuttal: None

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

Carried

MOVED by Reeve Boelhke that Bylaw C-7725-2017 be given first reading.

Carried

MOVED by Councillor Henn that Bylaw C-7725-2017 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7725-2017 be considered for third reading.

Carried

MOVED by Reeve Boelhke that Bylaw C-7725-2017 be given third and final reading.

Carried

Deputy Reeve Gautreau vacated the Chair at 10:11 a.m. Reeve Boehlke then assumed the Chair.

1-17-11-28-04 (C-2)

Division 2 – Bylaw C-7600-2016 – Redesignation Item – Residential Two to Residential One – Springbank Heights

File: PL20160038 (05715034/05715038)

MOVED by Councillor McKylor that the public hearing for item C-2 be opened at 10:12 a.m.

Carried

Person(s) who presented: Devon Maillot, on behalf of the Applicants

MOVED by Councillor McKylor that the late submissions be accepted for item C-2.

Carried

The Chair called for a recess at 10:32 a.m. and called the meeting back to order at 10:40 a.m. with all previously mentioned members present.

Councillor McKylor recused herself at 10:40 a.m. for the following reason: she made statement that may have indicated a lack of an open mind on item C-2. Councillor McKylor left the meeting at 10:40 a.m.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for item C-2 be closed at 10:41 a.m.

Carried
Absent: Councillor McKylor

MOVED by Councillor Schule that Bylaw C-7600-2016 be given first reading.

Carried
Absent: Councillor McKylor

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<u>In Favour:</u> Councillor Kamachi Councillor Hanson Reeve Boelhke Deputy Reeve Gautreau Councillor Schule Councillor Henn Councillor Kissel	<u>Opposed:</u> Councillor Wright
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MOVED by Councillor Henn that Bylaw C-7600-2016 be given second reading.

Carried
Absent: Councillor McKylor

MOVED by Councillor Schule that Bylaw C-7600-2016 be considered for third reading.

Carried
Absent: Councillor McKylor

MOVED by Councillor Hanson that Bylaw C-7600-2016 be given third and final reading.

Carried
Absent: Councillor McKylor

Councillor McKylor returned to the meeting at 10:44 a.m.

1-17-11-28-05 (C-3)

Division 7 – Bylaw C-7730-2017 – Redesignation Item – Site Specific Amendment to Direct Control Bylaw C-6031-2005 (DC-99)

File: PL20170137 (06410004)

MOVED by Councillor Henn that the public hearing for item C-3 be opened at 10:45 a.m.

Carried

Person(s) who presented: Jonathan Schmidt, B&A Planning, Applicant

Person(s) who spoke in favour: Kit Rowley, Resident

Person(s) who spoke in opposition: William Leschasin, Resident

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for item C-3 be closed at 11:05 a.m.

Carried

MOVED by Councillor Henn that Bylaw C-7730-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7730-2017 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7730-2017 be considered for third reading.

Carried

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MOVED by Councillor Henn that Bylaw C-7730-2017 be given third and final reading.

Carried

The Chair called for a recess at 11:05 a.m. and called the meeting back to order at 11:17 a.m. with all previously mentioned members present.

1-17-11-28-12 (E-2)

Division 5 – Consideration of third reading for Bylaw-C-7714-2017 – Redesignation Item – Site Specific Amendment to Direct Control Bylaw District (DC-120)

File: PL20170119 (04329030)

Reeve Boehlke recused himself from item E-2 because he had not been in attendance for the associated public hearing. Reeve Boehlke then vacated the Chair and left the meeting at 11:17 a.m. Deputy Reeve Gautreau then assumed the Chair.

The Chair called for a recess at 11:28 a.m. and called the meeting back to order at 11:30 a.m. with all previously mentioned members present with the exception of Reeve Boehlke.

MOVED by Councillor Schule that Schedule 'A' forming part of Bylaw C-7714-2017, Amendment #1 be amended by inserting the following wording:

2.4.7 That notwithstanding Section 2.2.0, Lot 14, Block 1, Plan 0913273 shall be permitted a Kennels use, pursuant to the definition and regulations within the Land Use Bylaw, **with the following additional regulations:**

- a) **There shall be no more than six dogs, over three months of age, at any one time;**
- b) **That Dog Licenses shall be obtained yearly from Rocky View County for each of the six (6) dogs involved in the Kennel operation;**
- c) **That the Applicant/Owner shall apply annually for the Kennel Operation with Rocky View County; and**
- d) **Notwithstanding Section 2.4.7 a, the number of dogs over three months of age shall be reduced to a maximum of three by November 30, 2027.**

Lost

Absent: Reeve Boehlke

In Favour:

Deputy Reeve Gautreau
Councillor Schule

Opposed:

Councillor Kamachi
Councillor Hanson
Councillor Henn
Councillor Kissel
Councillor Wright
Councillor McKylor

MOVED by Councillor Henn that third and final reading for Bylaw C-7714-2017 be refused.

Carried

Absent: Reeve Boehlke

In Favour:

Councillor Kamachi
Councillor Hanson

Opposed:

Deputy Reeve Gautreau
Councillor Schule

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Councillor Henn
Councillor Kissel
Councillor Wright
Councillor McKylor

Reeve Boehlke returned to the meeting at 11:35 a.m. and Deputy Reeve Gautreau vacated the Chair. Reeve Boehlke then assumed the Chair.

1-17-11-28-14 (J-2)

Division 9 – Subdivision Item – Agricultural Holdings District – Horse Creek Road

File: PL20170131 (07936005)

MOVED by Councillor Kissel that item J-2 be lifted from the table.

Carried

Presenters: Kevin Wttewaal, Applicant
Soraya Arteaga, Applicant

The Chair called for a recess at 11:55 a.m. and called the meeting back to order at 12:04 p.m. with all previously mentioned members present.

MOVED by Councillor Kissel that Subdivision Application PL20170131 be approved with the conditions noted in Appendix A.

AMENDING MOTION:

MOVED by Councillor Kissel that condition 8 in Schedule 'A' be amended to read as follows:

“The provision of Reserve, in the amount of 10% of Lots 1 and 2, is to be deferred by caveat proportionately to Lots 1 and 2 pursuant to Section 669(2) of the *Municipal Government Act.*”

Carried

In Favour:

Councillor Kamachi
Councillor Hanson
Reeve Boehlke
Councillor Schule
Councillor Henn
Councillor Kissel

Opposed:

Councillor McKylor
Deputy Reeve Gautreau
Councillor Wright

AMENDING MOTION:

MOVED by Councillor Kissel that conditions 3 and 4 be deleted from Schedule 'A'.

Carried

In Favour:

Councillor Kamachi
Councillor Hanson
Reeve Boehlke
Councillor Schule
Councillor Henn
Councillor Kissel

Opposed:

Councillor McKylor
Deputy Reeve Gautreau
Councillor Wright

The Chair then called for a vote on the main motion as amended:

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MOVED by Councillor Kissel that Subdivision Application PL20170131 be approved with the conditions noted in Appendix A as amended:

- A. 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 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.

Transportation and Access

- 2) The Owner shall upgrade the existing road approach to a mutual paved standard in order to provide access to Lot 2. In addition, the Applicant/Owner shall:
 - i. Provide a mutual access right-of-way plan; and
 - ii. Prepare and register respective easements on each title, where required.

Site Servicing

- 3) Water is to be supplied by an individual well on Lots 1 and 2. The subdivision shall not be endorsed until:
 - i. An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - ii. The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.

Payments and Levies

- 4) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new Lot.
- 5) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
 - i. The TOL will be applicable on 3.00 acres of Lot 1.
 - ii. The TOL will be applicable on 3.00 acres of Lot 2.

Municipal Reserve

- 6) The provision of Reserve, in the amount of 10% of Lots 1 and 2, is to be deferred by caveat proportionately to Lots 1 and 2 pursuant to Section 669(2) of the *Municipal Government Act*.

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Taxes

- 7) 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.

B. 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

In Favour:

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

Opposed:

Deputy Reeve Gautreau

1-17-11-28-16 (K-1)

Division 9 – Application to Remove Reserve Designation

File: 08821006/08821012/08821013

MOVED by Deputy Reeve Gautreau that Council move in camera at 12:10 p.m. to consider an application to remove reserve designation pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

Section 24 – Advice from officials

Section 25 – Disclosure harmful to economic and other interests of a public body

Carried

The following people attended the in camera session to provide a report and/or advice to Council on the in camera item:

Rocky View County:

K. Greig, County Manager
B. Riemann, General Manager
C. O'Hara, General Manager
A. Keibel, Manager Legislative and Legal Services
C. Nelson, Manager Agriculture and Environmental Services
C. Graham, Municipal Lands Administrator, Agricultural & Environmental Services

MOVED by Councillor McKylor that Council come out of in camera at 1:30 p.m.

Carried

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MOVED by Councillor Kissel that Administration be directed to decline the application for the removal of reserve designation for the three parcels of land legally described as Lots: 2A, 2B, and 2C; Plan: 5199JK forming the location known locally as the Bottrel Park Campground;

AND that the in camera report, 'Application to Remove Reserve Designation', related discussions, and any related articles remain confidential pursuant to Sections 24 and Section 25 of the *Freedom of Information and Protection of Privacy Act*;

AND that Administration be directed to investigate public interest for the future recreational purposes of the lands.

Carried

1-17-11-28-06 (C-4)

Division 1 – Bylaw C-7709-2017 – Conceptual Scheme – Greater Bragg Creek Area Structure Plan Amendment to include the Resorts of the Canadian Rockies Wintergreen Golf Course and Country Club Redevelopment Conceptual Scheme **related to item C-5
File: PL20150065 (03925001)**

1-17-11-28-07 (C-5)

Division 1 – Bylaw C-7710-2017 – Redesignation Item – Recreation Business District to Direct Control District – Resorts of the Canadian Rockies Wintergreen Golf Course and Country Club Redevelopment **related to item C-4
File: File: PL20150066 (03925001)**

MOVED by Councillor Kamachi that the public hearings for items C-4 and C-5 be opened concurrently at 1:33 p.m.

Carried

Person(s) who presented: Mike Coldwell, Urban Systems Ltd., Applicant
Patrick Major, Resorts of the Canadian Rockies, Landowner

The Chair called for a recess at 2:29 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: Tim Grant, Resident
Susan Cameron, Resident, and on behalf of Paul Cameron
Liz Breakey, Resident
Gail Gold, Resident
Wim VanderPoel, Resident
David Deere, Resident
Darwin Perrier, Resident
Rav Singh, Resident
Susan Norrie, Resident

MOVED by Councillor Hanson that the late submissions for items C-4 and C-5 be accepted.

Carried

The Chair called for a recess at 3:12 p.m. and called the meeting back to order at 3:18 p.m. with all previously mentioned members present.

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Person(s) who spoke in opposition: Bernie Luft, Resident, and on behalf of a group of residents from the community of Wintergreen Estates
Gordon McIlwain, Resident
Mike Woertman, Resident

The Chair called for a recess at 3:51 p.m. and called the meeting back to order at 4:04 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Mike Coldwell, Urban Systems Ltd., Applicant
Patrick Major, Resorts of the Canadian Rockies, Landowner

MOVED by Councillor Kamachi that the public hearing for items C-4 and C-5 be closed at 4:13 p.m.

Carried

MOVED by Councillor Kamachi that Bylaw C-7709-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7709-2017 be given second reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Kamachi	Councillor Hanson
Councillor McKylor	
Reeve Boehlke	
Deputy Reeve Gautreau	
Councillor Schule	
Councillor Henn	
Councillor Wright	
Councillor Kissel	

MOVED by Councillor Henn that the applicant be allowed to speak to items C-4 and C-5.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Kamachi	Councillor McKylor
Reeve Boehlke	Councillor Hanson
Deputy Reeve Gautreau	Councillor Wright
Councillor Schule	
Councillor Henn	
Councillor Kissel	

Mike Coldwell, Urban Systems Ltd. Ltd. then spoke on behalf of the applicant.

MOVED by Councillor Schule that Bylaw C-7709-2017 be considered for third reading.

Lost

<u>In Favour:</u>	<u>Opposed:</u>
Reeve Boehlke	Councillor Kamachi
Councillor Schule	Councillor McKylor
Councillor Henn	Councillor Hanson
	Deputy Reeve Gautreau
	Councillor Wright
	Councillor Kissel

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MOVED by Councillor Hanson that the meeting proceed past 5:00 p.m.

Carried

The Chair called for a recess at 4:44 p.m. and called the meeting back to order at 5:11 p.m. with all previously mentioned members present.

MOVED by Councillor Kamachi that Bylaw C-7710-2017 be given first reading.

Carried

MOVED by Councillor Kamachi that Bylaw C-7710-2017 be given second reading.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOVED by Councillor Kamachi that Administration be directed to work with Urban System Ltd. and Resorts of Canadian Rockies to address technical issues identified within the administrative reports prior to consideration of third reading of Bylaws C-7709-2017 and C-7710-2017 at the January 23, 2018 Council Meeting.

Carried

1-17-11-28-15 (J-3)

Division 4 – Subdivision Item – Residential Two District – Located approximately 0.81 km (1/2 mile) north of Township Road 230 and on the east side of Range Road 283A

File: PL20170040 (03304004)

MOVED by Councillor Schule that Subdivision Application PL20170040 be approved with the conditions noted in Appendix A.

AMENDING MOTION:

MOVED by Councillor Schule that condition 5 in Schedule 'A' be amended to read as follows:

“The Owner shall pay the amount per gross acre plus applicable interest for Lot 1, in accordance with the Infrastructure Cost Recovery Agreement between the County and (1227908 Alberta Ltd), dated September 14, 2007.”

Carried

The Chair called for a vote on the main motion as amended:

MOVED by Councillor Schule that Subdivision Application PL20170040 be approved with the conditions noted in Appendix A as amended:

- A. That the application to create a ± 1.62 hectare (± 4.0 acre) parcel with a ± 37.43 hectare (± 92.48 acre) remainder from within NE-04-23-28-W4M 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

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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 statutory policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered, and there are no technical limitations to the proposal.
- 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 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 Survey

- 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 and Access

- 2) The Owner shall construct a new field approach on Range Road 283A in order to provide access to Lot 2. If a mutual approach is constructed, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.

Municipal Reserve

- 3) The provision of Reserve in the amount of 10% of the area 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 17-004-MDRV, March 7, 2017, pursuant to Section 666(3) of the Municipal Government Act:
 - a) Reserves for Lot 2 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 Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision 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 amount per gross acre plus applicable interest for Lot 1, in accordance with the Infrastructure Cost Recovery Agreement between the County and (1227908 Alberta Ltd), dated September 14, 2007.
- 6) 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

- 7) 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.

Site Construction

- 8) The Owner shall prepare and register a Utility Right-of-Way, satisfactory to ATCO Gas.

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 Schule that the November 28, 2017 Council Meeting be adjourned at 5:22 p.m.

Carried



REEVE



CAO or Designate