

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Page 1

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 January 9, 2018 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 (arrived at 9:05 a.m.)
Division 4	Councillor A. Schule
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

K. Robinson, Acting County Manager
C. O'Hara, General Manager
B. Riemann, General Manager
A. Keibel, Manager, Legislative and Legal Services
S. Baers, Manager, Planning Services
C. McCullagh, Manager, Recreation & Community Services
M. Wilson, Planning Supervisor, Planning Services
A. Zaluski, Policy Supervisor, Planning Services
X. Deng, Planner, Planning Services
J. Anderson, Planner, Planning Services
A. Bryden, Planner, Planning Services
M. Norman, Planner, Planning Services
D. Dominic Kazmierczak, Planner, Planning Services
S. Kunz, 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 Councillor Hanson.

1-18-01-09-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Gautreau that the January 9, 2018 Council Meeting agenda be accepted as presented.

Carried
Absent: Councillor Hanson

The Chair called for a recess at 9:01 a.m. and called the meeting back to order at 9:02 a.m. with all members present with the exception of Councillor Hanson.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

1-18-01-09-02
Confirmation of Minutes

MOVED by Councillor Schule that the December 12, 2017 Council Meeting minutes be accepted as presented.

Carried
Absent: Councillor Hanson

1-18-01-09-08 (D-1)
All Divisions – Response to Notice of Motion - Donating Funds to the Town of Cochrane
File: 6070-175

Councillor Hanson arrived at the meeting at 9:05 a.m.

MOVED by Councillor Kissel that the \$255,000 in land sale proceeds be directed to the General Regional Recreation Reserve to resource future joint capital projects initiated by the Spray Lakes Sawmills Recreation Park Society.

Carried

1-18-01-09-09 (I-1)
Division 5 – Notice of Motion - Deputy Reeve Gautreau – Increase Speed Limit on Highway 1 East of Chestermere
File: N/A

Notice of Motion: To be read in at the January 9, 2018 Council Meeting

To be debated at the January 23, 2018 Council Meeting

Title: Increase Speed Limit on Highway 1 East of Chestermere

Presented By: Councillor Jerry Gautreau, Division 5

Whereas The speed limit on Highway 1 commencing approximately 1 km east of the City of Chestermere was reduced from 110 km/h to 80 km/h in the spring of 2017;

Whereas The reduced speed limit of 80 km/h applies to both east bound and west bound traffic of approximately a 5 km stretch of the highway from the intersection of Range Road 281 to the intersection east of secondary highway 791;

Whereas Motorists continue to drive the original speed limit of 110 km/h up to 120 km/h;

Whereas This stretch of highway is now more dangerous as drivers can no longer judge the speed of traffic;

Whereas The newly constructed acceleration lane heading westbound at the intersection of secondary highway 791 and highway 1 has made the intersection more safe;

Whereas The Minister of Transportation should be advised of Rocky View County's safety concerns;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

THEREFORE, BE IT RESOLVED THAT on behalf of Rocky View County Council, the Reeve shall submit a letter to the Minister of Transportation advising of the safety concerns on this stretch of highway and that the speed limit should be returned to 110 km/h.

1-18-01-09-10 (J-1)

**Division 4 – Subdivision Item – Two Lots, Business – Highway Frontage near intersection of Highways 1 and 797
File: PL20150047 (04210009)**

Councillor Schule recused himself from Item J-1 for the reason that he is friends with the applicant. Councillor Schule proceeded to leave the meeting at 9:14 a.m.

MOVED by Councillor Hanson that Subdivision Application PL20150047 be approved with the conditions noted in Appendix 'A':

- A. That the application to create two \pm 1.21 hectare (\pm 3.00 acre) parcels (Lots 1 and 2) with a \pm 1.62 hectare (\pm 4.00 acre) remainder (Lot 3) from Lot 1, Block 1, Plan 1113617, NW-10-24-27-W04M 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 Plans;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plan

- 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 Applicant/Owner is to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include, without restriction, the following:
 - a. Design and construction of both Township Road 241B and Vale View Road to a Regional Transitional Paved Standard (400.10) from the existing edge of pavement immediately east of the eastern property line along Township Road 241B, to the southern boundary of the subject lands, in accordance with the County Servicing Standards as shown in the tentative plan;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

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- b. Payment of all applicable cost recovery contributions to third parties for oversized or excess capacity infrastructure, roads, and/or services;
 - c. Installation of power, natural gas, telecommunication and all other shallow utilities;
 - d. Dedication of necessary easements and rights-of-way for utility line assignments;
 - e. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
 - f. Implementation of the recommendations and findings of the geotechnical report prepared in support of the proposed development; and
 - g. Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

Construction Management Plan

- 3) The Applicant/Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - a. Weed management during the construction phase of the project;
 - b. Implementation of the Construction Management Plan recommendations, which will be implemented through the Development Agreement;

Geotechnical Investigation

- 4) The Applicant/Owner is to provide a Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County;
 - a. The report is to provide recommendations for the pavement structure design for the required upgrades to Township Road 241B and Vale View Road, liner requirements for the proposed stormwater ponds, recommendations for the future grading and filling of the lots, and any other applicable geotechnical information.

Cost Contribution and Recovery

- 5) The Owner shall be required to pay cost recoveries to the original developer of the adjacent lands directly east of the subject lands (J-Squared Land Corporation) for the paving of Township Road 241B in accordance with the Infrastructure Cost Recovery Agreement between the County and J-Squared Land Corporation.
- 6) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will also provide benefit to other lands. This Agreement shall apply to the design and construction of sections of Township Road 241B and Vale View Road to a paved standard, all to the satisfaction of the County.

Site Servicing

- 7) Utility Easements, Agreements and Plans are to be provided to the satisfaction of Telus Communications Limited, and are to be registered concurrently with the Plan of Subdivision.

Payments and Levies

- 8) The Owner shall pay the County's Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreement. 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.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Page 5

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- 9) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two new Lots.

Municipal Reserves

- 10) The provision of Reserve in the amount of 10 percent of the area of Lots 1 to 3 (inclusive), as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Douglas Pollard, file 15-107-MDRV, dated July 10, 2015 pursuant to Section 666(3) of the *Municipal Government Act*.

Taxes

- 11) 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, Administration 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 Schule

Councillor Schule returned to the meeting at 9:19 a.m.

1-18-01-09-11 (J-2)

**Division 8 – Subdivision Item – Residential One District and Agricultural Holdings District - Bears paw ASP
File: PL20170023 (05724009)**

The Chair called for a vote to allow the applicant be allowed to speak on Item J-2.

Carried

The applicant, David Dyrholm, proceeded to address Council on the subdivision application.

The Chair called for a recess at 9:44 a.m. and called the meeting back to order at 10:00 a.m. with all previously mentioned members present.

MOVED by Councillor Wright that condition 16(ii) be deleted from Appendix 'A' and that the wording "and 3.0 acres of proposed Lot 3" be deleted from condition 16.

Carried

MOVED by Councillor Wright that the requirement for the preparation of a Concept Plan, as set out in the Bears paw Area Structure Plan, be waived for Subdivision Application PL20170023.

Carried

MOVED by Councillor Wright that the supporting technical materials (servicing, stormwater and access) as required by section 8 of the ASP and the County Servicing Standards be deferred to a condition of approval for Subdivision Application PL20170023;

AND that Subdivision Application PL20170023 be approved with the conditions as noted in Appendix 'A' as amended:

- A. 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

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

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 shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - i) All existing buildings and structures are to conform to the setback requirements in relation to the new property lines, as described in the Residential One Land Use District, as per the Land Use Bylaw C-4841-97;
 - ii) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 1, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2009, or that they have been removed;
 - iii) The Site Plan is to confirm that all water wells are located within the boundaries of Lot 1 and/or 2, or have been decommissioned; and
 - iv) The Site Plan is to confirm removal of the greenhouse, as shown on the Approved Tentative Plan, or compliance with the setbacks as per the Land Use Bylaw C-4841-97.
- 3) The Owner is to dedicate, by caveat, 3.00 m of road dedication along the east boundary of Lot 3, to the satisfaction of Alberta Transportation.

Transportation

- 4) The Owner shall upgrade the existing approach on Bearspaw Pointe Place in order to provide access to Lots 1 and 2. If a mutual approach is constructed, the Owner shall:
 - i) Provide an access right-of-way plan; and
 - ii) Prepare and register respective easements on each title, where required.
- 5) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements:
 - i) A temporary off-set cul-de-sac at the south end of Bearspaw Road, and associated infrastructure, in accordance with Rocky View County Servicing Standards. Associated infrastructure refers to the approach to proposed Lot 3 and Stormwater Infrastructure.
- 6) The Owner is to enter into an Access Easement Agreement, to provide access to SE-24-25-03-W05M, as per the approved Tentative Plan, which shall include:
 - i) Registration of the applicable access right of way plan;
- 7) A copy of Alberta Transportation's Waiver and Roadside Development Permit shall be provided.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Servicing

- 8) The Applicant/Owner shall submit a Level 4 PSTS Assessment Report for Lot 2 and Lot 3 in accordance with the County Servicing Standards and Policy 449.
- 9) The Applicant/Owner shall enter into a Site Improvements/Services Agreement with the County, which shall include the following:
 - i) All necessary improvements and recommendations in accordance with the approved Level 4 PSTS Assessment.
- 10) The Applicant/Owner shall provide confirmation of connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lots 1 & 2, as shown on the Approved Tentative Plan. This includes providing the following information:
 - i) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed Lots 1 & 2;
 - ii) Documentation proving that water supply has been purchased for proposed Lots 1 & 2; and
 - iii) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 11) The Applicant/Owner shall submit a Phase 2 Aquifer Pumping & Testing Report for the new well on proposed Lot 3, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. This shall include a Well Driller's Report indicating that the well is capable of supplying water at a minimum rate of 1 iGPM.
- 12) The Applicant/Owner shall enter into a Deferred Services Agreement with the County to be registered on title for Lot 1 - 3 indicating the following:
 - i) Each future Lot Owner is required to connect to tie into municipal wastewater services at their cost when they become available;
 - ii) Each future Lot Owner of Lot 3 is required to connect to County piped water at their cost when such services become available; and
 - iii) Requirements for decommissioning and reclamation once County Servicing becomes available.

Developability

- 13) The Applicant shall provide and implement a Site Specific Stormwater Management Plan, prepared by a qualified professional, assessing the post development site stormwater management to determine if any stormwater management infrastructure or strategies are required, in accordance with the requirements outlined within the County Servicing Standard for the proposed Lot 2 and Lot 3. The Stormwater Management Plan shall assess how the existing site manages water, and how the proposed subdivision will manage stormwater.
 - i) If required, the Applicant shall enter into a Site Improvements Services Agreement (Development Agreement) to ensure the owner of the property (at any given time) is held responsible for the proper management and control of stormwater/wastewater arising from the proposed and/or future development of the lands in question, in accordance with the recommendations of an approved Site Specific Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Plan, all to the satisfaction of Alberta Environment and the County.
- 14) The Applicant/Owner shall provide a Historical Resources Impact Assessment (HRIA) for the subject lands, to the satisfaction of Alberta Community Development.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

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- i) If the HRIA identifies that any portion of the subject lands requires mitigation or excavation, as directed by Alberta Community Development, the recommendations of the HRIA shall be implemented prior to the stripping and grading of any portion of the site;
- 15) The Applicant/Owner is to provide a Slope Stability Assessment for the proposed Lot 3, addressing the suitability of the land for the development proposal:
- i) The report shall identify any required setbacks;
 - ii) A Slope Stability Analysis may be required pending the recommendations of the Slope Stability Assessment;
 - iii) The Applicant/Owner is to provide for the implementation of the recommendations of the Assessment;
 - iv) Registration of any required easements and/or Restrictive Covenants;

Payments and Levies

- 16) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 for the total gross acreage of proposed Lot 1 and Lot 2 prior to subdivision endorsement. The County shall calculate the total amount owing:
- i) From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 17) The provision of Reserve in the amount of 10 percent of the area of Lots 1 and 2, 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 17-013_MDRV, dated May 24, 2017, pursuant to Section 666(3) of the *Municipal Government Act*:
- i) A Deferred Reserve Caveat shall be registered on the title of Lot 3 deferring reserves owing to a future subdivision application.
- 18) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new Lots.

Taxes

- 19) All taxes owing up to and including the year in which the 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, Administration 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

1-18-01-09-03 (C-1)

Division 5 – Bylaw C-7744-2017 – Redesignation Item – New or Distinct Agricultural Use - From Ranch and Farm District to Ranch and Farm Two District
File: PL20170157 (05201011)

MOVED by Councillor Schule that the public hearing for item C-1 be opened at 10:06 a.m.

Carried

Person(s) who presented: Wolfgang Schneider, Applicant

Person(s) who spoke in favour: Doug Kier, Resident

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be closed at 10:22 a.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7744-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7744-2017 be given second reading.

Carried

MOVED by Councillor Wright that Bylaw C-7744-2017 be considered for third reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7744-2017 be given third and final reading.

Carried

1-18-01-09-04 (C-2)

Division 2 – Bylaw C-7738-2017 – Redesignation Item – Residential Two District to Residential One District

File: PL20170123 (05702033)

MOVED by Councillor McKylor that the public hearing for item C-2 be opened at 10:24 a.m.

Carried

Person(s) who presented: Terry Dowsett, 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 McKylor that the public hearing for item C-2 be closed at 10:32 a.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7738-2017 be given first reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7738-2017 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7738-2017 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7738-2017 be given third and final reading.

Carried

The Chair called for a recess at 10:34 a.m. and called the meeting back to order at 10:51 a.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

1-18-01-09-122 (J-3)

Division 5 – Subdivision Item – Boundary Adjustment – Janet ASP

File: PL20170149 (03332005/015)

MOVED by Deputy Reeve Gautreau that the applicant be allowed to address Council on Item J-3.

Carried

The applicant, Mark Jette, proceeded to address Council on the subdivision application.

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

MOVED by Deputy Reeve Gautreau that condition 4 and 5 be deleted from Appendix 'A' and that condition 3 be amended to read as follows:

“The Owner shall construct a new mutual industrial/commercial standard approach on Range Road 284 in order to provide access to Lot 1 and Lot 2, that the northernmost approach be allowed to remain as an emergency egress and is to be gated and locked, and that the southernmost existing approach be reclaimed.”

Carried

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170149 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to adjust the boundaries between a ± 3.21 hectare (± 7.94 acre) parcel and a ± 26.35 hectare (± 65.11 acre) parcel, in order to create a ± 11.31 hectare (± 27.94 acre) parcel and a ± 18.26 hectare (± 45.11 acre) parcel between Block 2, Plan 9610137, NE-32-23-28-W4M, and a portion of NE-32-23-28-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; and
 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 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:

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

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 5 metre wide portion of land for road widening along the eastern boundary of Lots 1 & 2, as shown on the approved Tentative Plan.

Transportation and Access

- 3) The Owner shall construct a new mutual industrial/commercial standard approach on Range Road 284 in order to provide access to Lot 1 and Lot 2, that the northernmost approach be allowed to remain as an emergency egress and is to be gated and locked, and that the southernmost existing approach be reclaimed.

Fees and Levies

- 4) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the two (2) lots involved in the boundary adjustment.

Municipal Reserves

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

Taxes

- 6) 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 ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

1-18-01-09-13 (J-4)

**Division 6 – Subdivision Item – New or Distinct Agricultural Use – Southwest of the Town of Crossfield
File: PL20170129 (08509001)**

Reeve Boehlke vacated the Chair to Deputy Reeve Gautreau as the subdivision application was located in his division. Deputy Reeve Gautreau then assumed the Chair.

The Chair called for a recess at 11:51 a.m. and called the meeting back to order at 11:58 a.m. with all previously mentioned members present.

MOVED by Reeve Boehlke that condition 3 in Appendix 'A' be amended to read as follows:

“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:

- i. from 3.0 acres of Lot 2 (total of 3.0 acres) to be subdivided as shown on the Plan of Survey; and
- ii. payment of the Levy on Lot 1 is deferred to future development.”

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

<u>In Favour:</u> Councillor Kamachi Councillor Hanson Reeve Boehlke Deputy Reeve Gautreau Councillor Schule Councillor Henn Councillor Wright Councillor Kissel	<u>Opposed:</u> Councillor McKylor
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MOVED by Reeve Boehlke that condition 6 in Appendix 'A' be amended to read as follows:

"The provision of Reserve in the amount of 10 percent of the area of Lot 2, 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.

- a) The provision of Reserve in the amount of 10 percent of the area of Lot 1 is to be deferred by caveat."

Carried

<u>In Favour:</u> Councillor Kamachi Councillor Hanson Reeve Boehlke Deputy Reeve Gautreau Councillor Kissel	<u>Opposed:</u> Councillor McKylor Councillor Schule Councillor Henn Councillor Wright
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MOVED by Reeve Boehlke that Subdivision Application PL20170129 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a ± 8.10 hectare (± 20.01 acre) parcel with a ± 8.09 hectare (± 20.00 acre) remainder from Block 1, Plan 1628 LK, SE-9-28-1-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulations* and, having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with statutory policy;
 2. The subject lands hold the appropriate land use designation:
 - a. The variance to the minimum parcel size will not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 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,

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

or other jurisdictions are obtained. 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 gravel approach on Range Road 13 in order to provide access to Lot 1.

Payments and Levies

- 3) 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:
 - i. from 3.0 acres of Lot 2 (total of 3.0 acres) to be subdivided as shown on the Plan of Survey; and
 - ii. payment of the Levy on Lot 1 is deferred to future development.
- 4) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

Site Servicing

- 5) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - i. The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1;
 - ii. Verification is provided that each well is located within each respective proposed lot's boundaries;
 - iii. It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes;

Municipal Reserves

- 6) The provision of Reserve in the amount of 10 percent of the area of Lot 2, 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.
 - a) The provision of Reserve in the amount of 10 percent of the area of Lot 1 is to be deferred by caveat.

Taxes

- 7) 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 ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

Deputy Reeve Gautreau vacated the Chair to Reeve Boehlke. Reeve Boehlke then assumed the Chair.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

The Chair called for a recess at 12:01 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present.

1-18-01-09-05 (C-3)

Division 9 – Bylaw C-7745-2017 – Road Closure Item – Joint application to close for consolidation two portions of Road Allowance known as Range Road 45

File: PL20160018

MOVED by Councillor Kissel that the public hearing for item C-3 be opened at 1:30 p.m.

Carried

Person(s) who presented: Joel Hillis, 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 Kissel that the public hearing for item C-3 be closed at 1:38 p.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7745-2017 be given first reading.

Carried

In Favour:

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

Opposed:

Deputy Reeve Gautreau
Councillor Wright

MOVED by Councillor Kissel that Administration be directed to forward Bylaw C-7745-2017 to the Minister of Transportation for approval.

Carried

1-18-01-09-07 (C-5)

Division 9 – Bylaw C-7708-2017 – Redesignation Item - Agricultural Holdings District to Residential Two District – Cochrane North ASP (Camden Lane)

File: PL20170108 (06823011)

MOVED by Councillor Kissel that the public hearing for item C-5 be opened at 1:40 p.m.

Carried

Person(s) who presented: Jocelyn Appleby, Applicant (CivicWorks Planning + Design)

Person(s) who spoke in favour: Andrew Hall, Resident

Person(s) who spoke in opposition: Alan Edgecombe, Resident

Person(s) who spoke in rebuttal: None

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Page 15

MOVED by Councillor Kissel that the public hearing for item C-5 be closed at 2:13 pm.

Carried

MOVED by Councillor Kissel that application PL20170108 be refused.

Lost

In Favour:

Councillor Hanson
Councillor Schule
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Henn

MOVED by Deputy Reeve Gautreau that the Country Residential Standard Road requirement in Section 400.5 of the County Servicing Standards be varied for Lot 2 Block 6 Plan 9210341 to accommodate a paved, internal road within a 20.0 m road right-of-way.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Henn

Opposed:

Councillor Hanson
Councillor Schule
Councillor Wright
Councillor Kissel

MOVED by Councillor Henn that Bylaw C-7708-2017 be given first reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Henn

Opposed:

Councillor Hanson
Councillor Schule
Councillor Wright
Councillor Kissel

MOVED by Deputy Reeve Gautreau that Bylaw C-7708-2017 be given second reading.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Henn

Opposed:

Councillor Hanson
Councillor Schule
Councillor Wright
Councillor Kissel

MOVED by Councillor Schule that Bylaw C-7708-2017 be considered for third reading.

Lost

In Favour:

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

Opposed:

Councillor Wright
Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
January 9, 2018

Page 16

The Chair called for a recess at 2:27 p.m. and called the meeting back to order at 2:42 p.m. with all previously mentioned members present.

1-18-01-09-06 (C-4)

Division 7 – Bylaw C-7742-2017 – Redesignation Item – First Parcel Out (Farmstead – Ranch and Farm District to Farmstead District) – Highway 574

File: PL20160131 (08634001)

MOVED by Councillor Henn that the public hearing for item C-4 be opened at 2:42 p.m.

Carried

Person(s) who presented: Dave Swanson, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Dave Swanson, Applicant

MOVED by Councillor Henn that the public hearing for item C-4 be closed at 2:58 p.m.

Carried

MOVED by Councillor Henn that application PL20160131 be refused.

Carried

In Favour:

Councillor Kamachi
Councillor Hanson
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule

Adjournment

MOVED by Councillor McKylor that the January 9, 2018 Council Meeting be adjourned at 3:01 p.m.

Carried



REEVE



CAO or Designate