

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
January 23, 2018

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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 – 32<sup>nd</sup> Avenue NE, Calgary, Alberta on January 23, 2018 commencing at 9:01 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. Robinson, Acting County Manager  
C. O'Hara, General Manager  
B. Riemann, General Manager  
S. Baers, Manager, Planning Services  
B. Woods, Manager, Financial Services  
R. Barss, Manager, Intergovernmental Affairs  
M. Wilson, Planning Supervisor, Planning Services  
A. Zaluski, Policy Supervisor, Planning Services  
S. De Caen, Community Services Coordinator, Recreation & Community Services  
J. Anderson, Planner, Planning Services  
J. Kwan, Planner, Planning Services  
A. Bryden, Planner, Planning Services  
M. Norman, Planner, Planning Services  
O. Newmen, Planner, Planning Services  
C. Satink, Deputy Municipal Clerk, Legislative and Legal Services  
T. Andreasen, Legislative Clerk, Legislative and Legal Services  
J. Klauer, Counsel, MLT Aikins

**Call to Order**

The Chair called the meeting to order at 9:01 a.m. with all members present.

**1-18-01-23-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor McKylor that the January 23, 2018 Council Meeting agenda be accepted as presented.  
Carried

**1-18-01-23-02**

**Confirmation of Minutes**

MOVED by Councillor Hanson that the January 8, 2018 Special Council Meeting minutes be approved as presented.  
Carried

MOVED by Deputy Reeve Gautreau that the January 9, 2018 Council Meeting minutes be approved as amended.  
Carried

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**1-18-01-23-05 (D-1)**  
**All Divisions – 2017 Audit Service Plan**  
**File: 2025-100**

Julie Oliver from MNP LLP presented the 2017 Audit Service Plan to Council.

MOVED by Councillor Hanson that the 2017 Audit Service Plan be received as information.

Carried

**1-18-01-23-06 (D-2)**  
**All Divisions – Appointments to the Calgary Metropolitan Region Board**  
**File: N/A**

MOVED by Councillor Schule that Reeve Boehlke be appointed as the Council representative to the Calgary Metropolitan Region Board until the October 2018 Organizational Meeting;

AND that Deputy Reeve Gautreau be appointed as the alternate Council representative to the Calgary Metropolitan Region Board until the October 2018 Organizational Meeting.

Carried

**1-18-01-23-07 (D-3)**  
**Division 5 – Tax Penalty Cancellation Request – Roll 03231059**  
**File: 03231059**

MOVED by Deputy Reeve Gautreau that the tax penalty cancellation request for Roll 03231059 be refused.

Carried

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

**1-18-01-23-08 (D-4)**  
**Division 4 – 2016 Property Tax Refund Request – Roll 04209003**  
**File: 04209003**

Reeve Boehlke vacated the Chair and left the meeting at 9:59 a.m. Deputy Reeve Gautreau then assumed the Chair.

Reeve Boehlke returned to the meeting at 10:02 a.m. Deputy Reeve Gautreau vacated the Chair. Reeve Boehlke then assumed the Chair.

MOVED by Councillor Schule that the municipal portion of the property tax refund request for Roll 04209003 be approved in the amount of \$2,077.65.

Lost

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<u>In Favour:</u> Deputy Reeve Gautreau Councillor Schule Councillor Henn	<u>Opposed:</u> Councillor Kamachi Councillor McKylor Councillor Hanson Reeve Boehlke Councillor Wright Councillor Kissel
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The Chair called for a recess at 10:05 a.m. and called the meeting back to order at 10:21 a.m. with all previously mentioned members present.

**1-18-01-23-04 (C-2)**

**Division 5 – Bylaw C-7746-2017 – Redesignation Item – Ranch and Farm Two District to Business – Highway Frontage District outside of an identified business area – Located at the northeast junction of Range Road 281 and Secondary Highway 560**  
**File: PL20170001 (03325002)**

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

Carried

Person(s) who presented: Paul Schneider, Applicant

Person(s) who spoke in favour: Sheila Schneider, Landowner  
Harris Hanson, Resident

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-2 be closed at 10:47 a.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7746-2017 be given first reading.

Lost

<u>In Favour:</u> Deputy Reeve Gautreau Councillor Schule Councillor Kissel	<u>Opposed:</u> Councillor Kamachi Councillor McKylor Councillor Hanson Reeve Boehlke Councillor Henn Councillor Wright
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**1-18-01-23-03 (C-1)**

**Division 4 – Bylaw C-7737-2017 – Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District – Outside an Area Structure Plan – Range Road 284**  
**File: PL20170100 (03305007)**

MOVED by Councillor Schule that the public hearing for item C-1 be opened at 10:52 a.m.

Carried

Person(s) who presented: Paul Schneider, Applicant

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Person(s) who spoke in favour: Sheila Schneider, Resident

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Schule that the public hearing for item C-1 be closed at 11:13 a.m.

Carried

MOVED by Councillor Schule that Bylaw C-7737-2017 be given first reading.

Carried

The Chair called for a recess at 11:20 a.m. and called the meeting back to order at 11:28 a.m. with all previously mentioned members present.

MOVED by Councillor Schule that the requirement for a lot and road plan, as per policy 10.11 of the County Plan, be waived.

Carried

In Favour:

Councillor Kamachi  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Kissel

Opposed:

Councillor McKylor  
Councillor Hanson  
Reeve Boehlke  
Councillor Wright

MOVED by Councillor Schule that the supporting technical materials (servicing, conceptual stormwater plan, and access), as required by section 10 of the County Plan and the County Servicing Standards, be provided prior to Bylaw C-7737-2017 being considered for second reading.

Carried

**1-18-01-23-09 (D-5)**

**All Divisions – 2018 Tax Sale Date and Conditions**

**File: 2020-250**

MOVED by Deputy Reeve Gautreau that the 2018 Tax Sale be held on April 20, 2018 at 2:00 p.m. and that the sale conditions be as follows:

**Terms:** Cash or certified cheque.

**Deposit:** 10% of bid at the time of the sale on April 20, 2018.

**Balance:** 90% of the bid within 30 days of receipt by Rocky View County; Goods and Services Tax (GST) applicable as per Federal Statutes.

Carried

**1-18-01-23-10 (D-6)**

**Division 9 – Rocky View County/Town of Cochrane – Annexation Notification**

**File: 1042-155 (06816005 & 06814007)**

MOVED by Councillor Kissel that receipt of the Town of Cochrane's request to add Block 1 Plan 1364LK to the proposed annexation area be acknowledged, and that the County enter into annexation negotiations;

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AND that the Division 9 Councillor and the Deputy Reeve be appointed to the Annexation Negotiating Committee;

AND that Administration be directed to assign two members of Administration as representatives on the Annexation Negotiating Committee;

AND that Administration be directed to arrange a date for a Negotiating Committee meeting with the Town of Cochrane, at the earliest possible mutually convenient date, and begin discussions.

Carried

**1-18-01-23-11 (D-7)**

**Division 4 – 2017 Langdon Special Tax Grant Applications**

**File: 6060-300**

MOVED by Councillor Schule that 2017 Langdon Recreation Special Tax Funding Grant funding be approved for the following community initiative:

- a) Langdon Community Association – Baby Talk and Adopt-a-Planter programs, not to exceed \$5,000.00.

Carried

MOVED by Councillor Schule that 2017 Langdon Recreation Special Tax Funding Grant funding be approved for the following community initiative:

- b) Langdon Community Association - maintenance of and services for the Langdon Fieldhouse, community rink and the Langdon Community Playground; and volunteer training, not to exceed \$15,000.00;

Carried

MOVED by Councillor Schule that 2017 Langdon Recreation Special Tax Funding Grant funding be approved for the following community initiative:

- c) 1st Bow Valley Scouts – replacement and repair of outdoor activity equipment, not to exceed \$5,000.00; and

Carried

MOVED by Councillor Schule that 2017 Langdon Recreation Special Tax Funding Grant funding be approved for the following community initiative:

- d) Synergy Youth and Community Development Society – program leader wages, volunteer bursaries, and program supplies, not to exceed \$5,000.00.

Carried

In Favour:

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

Opposed:

Deputy Reeve Gautreau

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**1-18-01-23-12 (D-8)**  
**All Divisions – 2018 Census**  
**File: 0185**

MOVED by Councillor Hanson that Administration be authorized to conduct a Rocky View County Census for 2018;

AND that an interim budget adjustment of \$130,000 be approved for the 2018 Rocky View County Census as per Attachment 'A'.

Carried

**1-18-01-23-13 (D-9)**  
**Division 7 – Appointment to the Rocky View Central District Recreation Board**  
**File: 0160**

MOVED by Councillor Henn that Jackie Diemert be appointed to the Rocky View Central District Recreation Board as a member at large from east of Highway 2 for a three year term to expire at the Organizational Meeting in October 2020.

Carried

The Chair called for a recess for lunch at 12:05 p.m. and called the meeting back to order at 1:34 p.m. with all previously mentioned members present.

**1-18-01-23-14 (D-10)**  
**Division 5 – Response to Notice of Motion – Increase Speed Limit on Highway 1 East of Chestermere**  
**File: N/A**

MOVED by Deputy Reeve Gautreau 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.

Carried

**1-18-01-23-15 (E-1)**  
**Division 1 – Third reading of Bylaw-C-7709-2017 – Greater Bragg Creek Area Structure Plan amendment to include the Resorts of the Canadian Rockies (RCR) Wintergreen Golf Course and Country Club Redevelopment Conceptual Scheme (related to item E-2)**  
**File: PL20150065 (03925001)**

**1-18-01-23-16 (E-2)**  
**Division 1 – Third reading of Bylaw-C-7710-2017 – Redesignation Item – Recreation Business District to Direct Control District – Resorts of the Canadian Rockies (RCR) Wintergreen Golf Course and Country Club Redevelopment (related to item E-1)**  
**File: PL20150066 (03925001)**

The Chair called for a recess at 2:11 p.m. and called the meeting back to order at 2:25 p.m. with all previously mentioned members present.

MOVED by Councillor Kamachi that application PL20150065 be refused.

Carried

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<b><u>In Favour:</u></b> Councillor Kamachi Councillor McKylor Councillor Hanson Reeve Boehlke Councillor Henn Councillor Wright Councillor Kissel	<b><u>Opposed:</u></b> Deputy Reeve Gautreau Councillor Schule
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MOVED by Councillor Kamachi that application PL20150066 be refused.

Carried

**1-18-01-23-17 (E-3)**

**Division 9 – Third reading of Bylaw C-7708-2017 –Redesignation Item - Agricultural Holdings District to Residential Two District – Cochrane North ASP (Camden Lane)  
File: PL20170108 (06823011)**

The Chair called for a recess at 2:42 p.m. and called the meeting back to order at 2:53 p.m. with all previously mentioned members present.

MOVED by Councillor Kissel that Administration be directed to prepare a new bylaw and advertise a new public hearing for the March 13, 2018 Council Meeting at no additional cost to the applicant.

Carried

<b><u>In Favour:</u></b> Councillor Kamachi Councillor Hanson Reeve Boehlke Deputy Reeve Gautreau Councillor Schule Councillor Henn Councillor Wright Councillor Kissel	<b><u>Opposed:</u></b> Councillor McKylor
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**1-18-01-23-18 (I-1)**

**All Divisions – Notice of Motion – Councillor Wright – Creation of a List of Electors  
File: N/A**

**Notice of Motion:** To be read in at the January 23, 2018 Council Meeting  
To be debated at the February 13, 2018 Council Meeting

**Title:** Creation of a List of Electors

**Presented By:** Councillor Samantha Wright, Division 8

**Whereas** Democratic principles and rights must be preserved and, where possible, enhanced;

**Whereas** Democratic principles and the rights of all residents are based on fair elections;

**Whereas** The National Register of Electors is a database of Canadians who are qualified to vote. It contains basic information about each person – name, gender, date of birth, address, and unique identifier. The Register may also be used to produce lists of electors for provinces, territories, municipalities and school boards that

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- have signed agreements for that purpose, as permitted by the Canada Elections Act and provincial statutes;
- Whereas** Elections Canada produces preliminary lists of electors for federal elections, by-elections and referendums, using information from the National Register of Electors. Returning officers then update the lists for each riding during the revision period;
- Whereas** Rocky View County has not created any such proper list of eligible voters and that a lack of a list of voters in any jurisdiction can make it seem to be unfair;
- Whereas** There is a belief among, at least some, Rocky View County residents that there has been improper voting in one or more previous Rocky View County elections;
- Whereas** The creation, use and maintenance of a list of electors is dependent on a municipal bylaw passed by Council (LAEA s. 49(1), 50(1)). If a list of electors is prepared, the bylaw must also prescribe procedures and forms governing the enumeration of electors. This should include policy regarding: enumeration, collection methods, collection frequency, type of information collected, data security, permanent storage, retention, access, list revision, list distribution and use;
- Whereas** Under LAEA 49(2)(a)(b), the County may also by bylaw enter into an agreement with Elections Alberta to receive information that will assist the County in compiling a list of electors. In return, the County is required to provide to Elections Alberta information for the purpose of revising the register of electors under the Elections Act.

**THEREFORE, BE IT RESOLVED** THAT Rocky View County create and use a Rocky View County resident list of electors voter list in the next and all subsequent RVC elections.

**1-18-01-23-19 (J-1)**

**Division 7 – Subdivision Item – New and Distinct Use - Agricultural Holdings District and Ranch and Farm District – Near Big Hill Springs Road  
File: PL20170166 (07505005)**

MOVED by Councillor Henn that Subdivision Application PL20170166 be approved with the conditions noted in Appendix 'A':

- A. That the application to create a ± 9.71 hectare (24.00 acre) parcel (Lot 1) with a ± 23.78 hectare (58.77 acre) remainder within SE-05-27-01-W05M has been evaluated under the *Municipal Government Act* and of the *Subdivision and Development Regulations*, and adjacent land owner submissions have been considered. Administration recommends 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; 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 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



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satisfaction of the County and any other additional party named within a specific condition. Technical reports required and 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 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.

*Municipal Reserves*

- 2) 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 Weleschuk Associates Ltd., file 17-2163, dated October 19, 2017, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) Reserves for the remainder are to be deferred with caveat, pursuant to Section 669(2) of the *Municipal Government Act*.

*Payments and Levies*

- 3) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement for 1.2 hectares (3.0 acres) of Lot 1.
- 4) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new Lot.

*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 Applicant / 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

**1-18-01-23-19 (K-1)**

**Divisions 8/9 – In Camera Item – Negotiated Agreement for Glenbow Ranch Area Structure Plan**

**File: RVC2018-02**

MOVED by Deputy Reeve Gautreau that Council move in camera at 3:03 p.m. to consider a negotiated agreement for the Glenbow Ranch Area Structure Plan pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 21 (Disclosure harmful to intergovernmental relations)
- Section 23 (Local public body confidences)
- Section 24 (Advice from officials)

Carried

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

Rocky View County: K. Robinson, Acting County Manager  
B. Riemann, General Manager  
C. O'Hara, General Manager  
S. Baers, Manager Planning Services  
R. Wiljamaa, Manager Engineering Services  
A. Zaluski, Planning Policy Supervisor

MOVED by Councillor Henn that Council move out of in camera at 3:31 p.m.

Carried

MOVED by Councillor Henn that:

1. The Mediated Settlement Agreement (Appendix 'A') reached with The City of Calgary to resolve the Section 690 appeal filed against the Glenbow Ranch Area Structure Plan be approved; and
2. The County's participation in a regional recreation study in the northwest portion of the City of Calgary and adjacent lands within the County, which includes Bearspaw and the Glenbow Ranch Area Structure Plan areas be approved as per Appendix 'A'; and
3. The In-Camera report, The Mediated Settlement Agreement for the Glenbow Ranch Area Structure Plan, and the discussion remain confidential pursuant to:
  - (a) the *Municipal Government Act*, Section 197(2) – Public presence at meetings; and
  - (b) the *Freedom of Information and Protection of Privacy Act*:
    - i. Section 21 – Disclosure harmful to business interests of a third party;
    - ii. Section 23 – Notifying the third party; and
    - iii. Section 24 – Time limit and notice of decision.

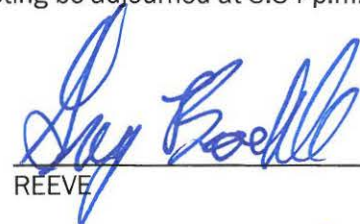
until the agreement has been ratified by both parties.

Carried

Adjournment

MOVED by Councillor Hanson that the January 23, 2018 Council Meeting be adjourned at 3:34 p.m.

Carried

  
REEVE

  
CAO or Designate