

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
March 13, 2018

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 March 13, 2018 commencing at 9:01 a.m.

Present:

Division 6	Reeve G. Boehlke (arrived at 9:25 a.m.)
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
- B. Riemann, General Manager
- B. Beach, Manager, Building Services
- A. Keibel, Manager, Legislative and Legal Services
- L. Wesley-Riley, Manager, Enforcement Services
- B. Woods, Manager, Financial Services
- A. Zaluski, Policy Supervisor, Planning Services
- J. Kwan, Planner, Planning Services
- O. Newmen, 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

Deputy Reeve Gautreau assumed the Chair and called the meeting to order at 9:01 a.m. with all members present with the exception of Reeve Boehlke.

1-18-03-13-01

Updates/Acceptance of Agenda

MOVED by Councillor Hanson that the March 13, 2018 Council Meeting agenda be approved with the following amendment:

- K-1 – Personnel Matter – Emergent In Camera Item

Carried
Absent: Reeve Boehlke

1-18-03-13-02

Confirmation of Minutes

MOVED by Councillor McKylor that the February 27, 2018 Council Meeting minutes be approved as presented.

Carried
Absent: Reeve Boehlke

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1-18-03-13-03 (B-1)

All Divisions – 2018 Budget Adjustment – Carry Forwards

File: 2025-100

MOVED by Councillor Hanson that the 2018 budget adjustment be approved as presented in Attachment 'A'.

Carried

Absent: Reeve Boehlke

1-18-03-13-05 (D-1)

Division 4 – Adding Costs to the Tax Roll – 03305002

File: 3000-300

Reeve Boehlke arrived at the meeting at 9:25 a.m.

MOVED by Councillor Schule that Administration is directed to add \$9,822.25 to Tax Roll 03305002 as per section 553(1)(h.1) of the *Municipal Government Act*, in accordance with:

- a) The order of the Court of Queen's Bench, File 1701 09281 granting Rocky View County costs and expenses for contravention of the Land Use Bylaw; and
- b) Further to a Bill of Costs personally served on the landowner on October 3, 2017 wherein payment remains outstanding and is now in arrears.

Carried

1-18-03-13-06 (D-2)

Division 5 – Adding Costs to the Tax Roll – 04227012

File: 3000-300

MOVED by Councillor Hanson that Administration is directed to add \$7,189.68 to Tax Roll 04227012 as per section 553(1)(h.1) of the *Municipal Government Act*, in accordance with:

- a) The order of the Court of Queen's Bench, File 1701-03314 granting Rocky View County costs for contravention of the Land Use Bylaw; and
- b) Further to a Bill of Costs personally served on the landowner on August 9, 2017 wherein payment remains outstanding and is now in arrears.

Carried

1-18-03-13-07 (D-3)

Division 2 – Adding Costs to the Tax Roll – 04727012

File: 3000-300

MOVED by Councillor McKylor that Administration is directed to add \$3,930.67 to Tax Roll 04727012 as per section 553(1)(h.1) of the *Municipal Government Act*, in accordance with:

- a) The order of the Court of Queen's Bench, File 1501-02974 granting Rocky View County costs for contravention of the Land Use Bylaw; and
- b) Further to a Bill of Costs personally served on the landowner on June 2, 2017 wherein payment remains outstanding and is now in arrears.

Carried

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1-18-03-13-08 (D-4)

Division 5 – Adding Costs to the Tax Roll – 05218004

File: 3000-300

MOVED by Reeve Boehlke that Administration is directed to add \$7,387.20 to Tax Roll 05218004 as per section 553(1)(h.1) of the *Municipal Government Act*, in accordance with:

- a) The order of the Court of Queen’s Bench, File 1701-02590 granting Rocky View County costs for contravention of the Land Use Bylaw; and
- b) Further to a Bill of Costs personally served on the landowner on July 4, 2017 wherein payment remains outstanding and is now in arrears.

Carried

1-18-03-13-09 (D-5)

Division 9 – Adding Costs to the Tax Roll – 06718020

File: 3000-300

MOVED by Councillor Kissel that Administration is directed to add \$11,148.35 to Tax Roll 06718020 as per section 553(1)(h.1) of the *Municipal Government Act*, in accordance with:

- a) The order of the Court of Queen’s Bench, File 1701-09353 granting Rocky View County costs for contravention of the Land Use Bylaw; and
- b) Further to a Bill of Costs personally served on the landowner on October 3, 2017 wherein payment remains outstanding and is now in arrears.

Carried

The Chair called for a recess at 9:50 a.m. and Deputy Reeve Gautreau proceeded to vacate the Chair.

Reeve Boehlke assumed the Chair and called the meeting back to order at 10:05 a.m. with all previously mentioned members present.

1-18-03-13-04 (C-1)

Division 9 – Bylaw C-7758-2018 – Redesignation Item – Agricultural Holdings District to Residential Two District – Cochrane North ASP

File: PL20170108 (06823011)

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

Carried

MOVED by Councillor Kissel that the late letter in opposition be received as information.

Carried

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

The Chair called for a recess at 10:45 a.m. and called the meeting back to order at 10:51 a.m. with all previously mentioned members present with the exception of Councillor Hanson.

Councillor Hanson returned to the meeting at 10:52 a.m.

Person(s) who spoke in favour: Tracy McLeod, Builders Capital

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Person(s) who spoke in opposition: Alan Edgecombe, Resident
Dawne Lewis, Resident
Michele Holt, Resident
Scott Kern, Resident
Christina Foster, Resident

The Chair called for a recess at 11:29 a.m. and called the meeting back to order at 11:38 a.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Jocelyn Appleby, CivicWorks Planning + Design, Applicant

MOVED by Councillor Kissel that the public hearing for item C-1 be closed at 11:46 a.m.

Carried

MOVED by Councillor Kissel that application PL20170108 be refused.

Lost

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

MOVED by Councillor Kissel that Administration be directed to bring application PL20170108 back to Council only after the Applicant has submitted a conceptual scheme.

Carried

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

1-18-03-13-10 (D-6)

Division 7 – Development Permit – Direct Control District 100 (DC-100) Cell B – Permitting of two existing accessory buildings (tents)

File: PRDP20172186 (06635004)

MOVED by Councillor Henn that conditions 2 and 3 be deleted from Appendix 'A'.

Carried

MOVED by Councillor Henn that Development Permit PRDP20172186 be approved with the conditions noted in Appendix 'A' as amended:

Description:

- 1) That the two existing accessory buildings (tents), each 1,615.25 square feet (150.06 sq. m), shall be permitted to remain on the subject property in general accordance with the submitted site plan and application.

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Permanent:

- 2) That all conditions of Development Permit 2005-DP-11338 shall remain in effect.
- 3) That any plan, technical submission, or agreement submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.
- 4) That this approval shall be for the accessory buildings (tents) in place on the property at the time of approval.
- 5) That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.

Advisory:

- 6) That a Building Permit shall be obtained through Building Services.
- 7) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
- 8) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
- 9) That if this Development Permit is not issued by May 31, 2018, then this approval is null and void and the Development Permit shall not be issued.

Note: That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation as there may be wetlands on site that could be impacted by the proposed facility.

Carried

1-18-03-13-11 (J-1)

Division 5 – Subdivision Item – Agricultural Holdings District

File: PL20180002 (04213004)

MOVED by Deputy Reeve Gautreau that condition 5 in Appendix 'A' be amended to defer municipal reserves on all lots.

Carried

In Favour:

Councillor Kamachi
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Kissel

Opposed:

Councillor McKylor
Councillor Hanson
Councillor Wright

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20180002 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 ± 31.27 hectare (± 77.27 acre) remainder from a portion of NE-13-24-27-W4M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations and, having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:

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- 1) The application is consistent with statutory policy;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.

B. The 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 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 Applicant/Owner shall provide confirmation indicating that Wheatland County is satisfied with the standards and conditions of the approaches accessing Boundary Road. Any modifications to the approaches required by Wheatland County shall be constructed to their satisfaction.

Fees and Levies

- 3) The Applicant/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 3.0 acres of Lot 1 to be subdivided as shown on the Plan of Survey.
- 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.

Municipal Reserves

- 5) The provision of Reserves, in the amount of 10% of Lots 1 & 2, are 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.

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1-18-03-13-12 (K-1)

All Divisions – Emergent In Camera Item – Personnel Matter

File: RVC2018-09

MOVED by Councillor Hanson that Council move in camera at 12:16 p.m. to consider a personnel matter pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 19 – Confidential evaluations

Carried

MOVED by Councillor McKylor that Council move out of in camera at 2:10 p.m.

Carried

MOVED by Councillor Hanson that the report and in camera discussion on RVC2018-09 be held in confidence pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 - Disclosure harmful to personal privacy
- Section 19 - Confidential evaluations

AND that the Reeve and Deputy Reeve be authorized to continue to process the personnel matter based on the mandate received in camera in Confidential Report RVC2018-07 on February 13, 2018;

AND that Kent Robinson be appointed as interim County Manager.

Carried

Adjournment

MOVED by Councillor Schule that the March 13, 2018 Council Meeting be adjourned at 2:12 p.m.

Carried



REEVE



CAO or Designate