

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
April 10, 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 April 10, 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
Division 4	Councillor A. Schule
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

- K. Robinson, Interim County Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- A. Keibel, Manager, Legislative and Legal Services
- B. Woods, Manager, Financial Services
- S. Baers, Manager, Planning Services
- R. Wiljamaa, Manager, Engineering Services
- M. Wilson, Planning Supervisor, Planning Services
- J. Fleischer, Agricultural Services Supervisor, Agricultural and Environmental Services
- P. Simon, Planner, Planning Services
- D. Kazmierczak, 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.

### **1-18-04-10-01**

#### Updates/Acceptance of Agenda

Administration withdrew item E-1 from the April 10, 2018 Council meeting agenda.

MOVED by Councillor Wright that the April 10, 2018 Council meeting agenda be accepted as amended.

Carried

### **1-18-04-10-02**

#### Confirmation of Minutes

MOVED by Councillor Hanson that the March 27, 2018 Council meeting minutes be accepted as presented.

Carried

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**1-18-04-10-03 (B-1)**

**All Divisions – 2018 Tax Recovery Sale Properties – Reserve Bids**

**File: 2020-250**

MOVED by Councillor Hanson that the reserve bids for the 2018 tax recovery sale be approved as per Attachment 'A'.

Carried

**1-18-04-10-06 (D-1)**

**All Divisions – 2017 Agricultural Service Board Annual Report**

**File: 6000-300**

MOVED by Deputy Reeve Gautreau that the 2017 Agricultural Service Board Annual Report be received as information.

Carried

**1-18-04-10-09 (E-2)**

**All Divisions – Bylaw C-7778-2018 – Assessment Review Boards Bylaw and Appointment of Chair**

**File: 0160**

MOVED by Deputy Reeve Gautreau that Bylaw C-7778-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7778-2018 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7778-2018 be considered for third reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7778-2018 be given third and final reading.

Carried

MOVED by Deputy Reeve Gautreau that Ken Sawatzky be appointed as Chair of the Assessment Review Boards until the 2018 Organizational Meeting.

Carried

**1-18-04-10-10 (J-1)**

**Division 7 – Subdivision Item – Ranch and Farm Three District and Residential Three District**

**File: PL20170188 (07723008)**

MOVED by Councillor Henn that the applicant be allowed to address Council regarding Subdivision Application PL20170188.

Carried

**In Favour:**

Councillor Kamachi  
Councillor McKylor  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Wright  
Councillor Kissel

**In Opposition:**

Councillor Hanson  
Reeve Boehlke

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The applicant, Charles Goodhart, proceeded to address Council regarding the proposed conditions of approval for the subdivision application.

MOVED by Councillor Schule that condition 7, municipal reserves, in Appendix 'A' be amended to read as follows:

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 listed in the land appraisal prepared by Northern Lights Real Estate Appraisals, file 1712035, dated December 20, 2017, pursuant to Section 666(3) of the *Municipal Government Act*.

- a) The provision of Reserve in the amount of 10 percent of Lot 3 is to be deferred by caveat pursuant to Section 669(2) of the *Municipal Government Act*.

Lost

In Favour:

Councillor Henn  
Councillor Schule  
Reeve Boehlke

In Opposition:

Councillor Kissel  
Councillor Wright  
Deputy Reeve Gautreau  
Councillor Hanson  
Councillor McKylor  
Councillor Kamachi

MOVED by Councillor Henn that Subdivision Application PL20170188 be approved with the conditions as noted in Appendix 'A':

- A. The application to create one  $\pm$  4.49 hectare ( $\pm$  11.09 acre) parcel and one  $\pm$  4.29 hectare ( $\pm$  10.59 acre) parcel with a  $\pm$  13.27 hectare ( $\pm$  32.79 acre) remainder within SW-23-27-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act*, Sections 7 and 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
- 1) The application is consistent with the Statutory Policy;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the Province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application be approved subject to the following conditions of approval:

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*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) In order to provide access to Lots 1 and 3, the Owner shall:
  - a) Provide an access right-of-way plan; and
  - b) Prepare and register respective easements on each title, where required.
- 3) The Owner shall demonstrate that Lot 2 has been provided legal access through the existing access easement agreement (instrument # 891243196). If the existing access easement agreement does not provide legal access to Lot 2, the Applicant/Owner shall:
  - a) Amend the existing access easement agreement (instrument #891243196) to ensure Lot 2 has legal access; or
  - b) Provide a new access right-of-way plan and prepare and register respective easements on title, where required.
- 4) The Owner is to dedicate, by caveat, a 30 m wide service road along the highway frontage boundary of Lot 3 (the remainder), to the satisfaction of Alberta Transportation.

*Payments and Levies*

- 5) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new lots.
- 6) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement.
  - a) The TOL will be applicable on 3.00 acres of Lot 1.
  - b) The TOL will be applicable on 3.00 acres of Lot 2.
  - c) The TOL will be deferred on Lot 3 (the remainder).

*Municipal Reserve*

- 7) The provision of Reserve in the amount of 10 percent of the area of Lots 1, 2, and 3, 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 Northern Lights Real Estate Appraisals, file 1712035, dated December 20, 2017, pursuant to Section 666(3) 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/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

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The Chair called for a recess at 9:50 a.m. and called the meeting back to order at 10:12 a.m. with all previously mentioned members present.

**1-18-04-10-04 (C-1)**

**All Divisions – Bylaw C-7762-2018 and Bylaw C-7763-2018 – County Plan and Land Use Bylaw Amendments – First Parcel Out Process Change**

**File: 1014-825**

MOVED by Councillor Schule that the public hearing for item C-1 be opened at 10:12 a.m.

Carried

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be closed at 10:47 a.m.

Carried

The Chair called for a recess at 10:53 a.m. and called the meeting back to order at 11:14 a.m. with all previously mentioned members present.

MOVED by Deputy Reeve Gautreau that Administration be directed to bring the proposed amendments to the County's First Parcel Out process back to Council after the afternoon public hearing with the following considerations:

- 1) Simplifying the layout of the proposed district amendments, including:
  - a) the addition of headings clearly identifying the regulations based on parcel size;
  - b) Amending section 43.8 to provide for an accessory building of less than 2,000 sq. ft.; and
  - c) Amending section 43.9 to provide for an accessory building of greater than 2,000 sq. ft. but no more than 4,000 sq. ft.

Carried

The Chair called for a recess at 11:17 a.m. and called the meeting back to order at 1:32 p.m. with all previously mentioned members present.

**1-18-04-10-05 (C-2)**

**Division 8 – Bylaw C-7668-2017 – Redesignation Item – Residential One District to Public Services District**

**File: PL20150134 (05632020)**

**1-18-04-10-07 (D-2)**

**Division 8 – Master Site Development Plan – Centre for religious assembly and community services**

**File: PL20150086 (05632020)**

MOVED by Councillor Wright that the applicants be allowed to address Council regarding the request for a postponement of items C-2 and D-2.

Carried

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Jonathan Ryder, Abdul Rahman, and Riaz Ahmed proceeded to address Council on behalf of the applicants regarding the request for postponement of items C-2 and D-2.

MOVED by Councillor Wright that members of the public be allowed to address Council regarding the request by the applicants for a postponement of items C-2 and D-2, with a time limit of three minutes per person.

Carried

Person(s) who spoke:            Kyle Petryshen, Resident  
   Gerry Neustaedter, Resident  
   Ken Waddell, Resident  
   Habib Abdullah, Resident  
   Riaz Ahmed, on behalf of Canadian Muslims for Peace and Justice  
   Tahir Alvi, Resident  
   Vic Cotton, Resident  
   Bill Gwynn, Resident  
   Essa Al Awad, Resident  
   Muhammad Khahid, Resident

MOVED by Councillor Wright that Council move in camera at 2:21 p.m. pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

Section 27 – Advice from officials

Carried

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

Council held the in camera session with the following people in attendance to provide advice to Council:

K. Robinson, Interim County Manager, Rocky View County  
A. Keibel, Manager, Legislative Services, Rocky View County

MOVED by Councillor Schule that Council move out of in camera at 2:32 p.m.

Carried

MOVED by Councillor Wright that the public hearing for item C-2 be opened at 2:38 p.m.

Carried

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

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Person(s) who presented: Abdul Rahman, on behalf of the Islamic Association of Northwest Calgary

The Chair called for a recess at 3:04 p.m. and called the meeting back to order at 3:11 p.m. with all previously mentioned members present.

Person(s) who spoke in favour: Riaz Ahmed, on behalf of Canadian Muslims for Peace and Justice  
Essa Al Awad, Resident  
Tahir Alvi, Resident  
Habib Abdullah, Resident  
Afsham Habib, Resident  
Nabeed Abdullah, Resident  
Ghazanfar Zafar, on behalf of the Muslim Council of Calgary  
Adnan Mansoor, Resident  
Noman Faridi, on behalf of the Islamic Association of Northwest Calgary

MOVED by Councillor Wright that the late submission be accepted.

Carried

The Chair called for a recess at 4:09 p.m. and called the meeting back to order at 4:18 p.m. with all previously mentioned members present.

Person(s) who spoke in opposition: Donna Wasson, Resident  
Kelly Gwynn, Resident  
Bill Gwynn, Resident  
Kyle Petryshen, Resident, and on behalf of Gordon Thompson and Wally Batarseh  
Ken Waddell, Resident  
Vic Cotton, Resident

MOVED by Deputy Reeve Gautreau that the meeting proceed past 5:00 p.m.

Carried

The Chair called for a recess at 4:49 p.m. and called the meeting back to order at 5:00 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Abdul Rahman, on behalf of the Islamic Association of Northwest Calgary  
Riaz Ahmed, on behalf of Canadian Muslims for Peace and Justice

The Chair called for a recess at 5:44 p.m. and called the meeting back to order at 5:56 p.m. with all previously mentioned members present.

MOVED by Councillor Wright that the public hearing for item C-2 be closed at 5:57 p.m.

Carried

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MOVED by Councillor Wright that application PL20150134 be refused.

Carried

In Favour:

Councillor Hanson  
Reeve Boehlke  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Wright  
Councillor Kissel

In Opposition:

Councillor Kamachi  
Councillor McKylor

MOVED by Councillor Wright that application PL20150086 be refused.

Carried

**1-18-04-10-04 (C-1)**

**All Divisions – Bylaw C-7762-2018 and Bylaw C-7763-2018 – County Plan and Land Use Bylaw Amendments  
– First Parcel Out Process Change**

**File: 1014-825**

The Chair called for a recess at 6:31 p.m. and called the meeting back to order at 6:48 p.m. with all previously mentioned members present, with the exception of Councillor Henn and Councillor Wright.

MOVED by Deputy Reeve Gautreau that Bylaw C-7762-2018 be given first reading.

Carried

Absent: Councillor Wright  
Councillor Henn

MOVED by Councillor Schule that Bylaw C-7762-2018 be given second reading.

Carried

Absent: Councillor Wright  
Councillor Henn

MOVED by Deputy Reeve Gautreau that Bylaw C-7762-2018 be considered for third reading.

Carried

Absent: Councillor Wright  
Councillor Henn

MOVED by Councillor Schule that Bylaw C-7762-2018 be given third and final reading.

Carried

Absent: Councillor Wright  
Councillor Henn

Councillor Wright returned to the meeting at 6:49 p.m.



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MOVED by Deputy Reeve Gautreau that Bylaw C-7763-2018 be amended as follows:

- a) Adding headings clearly identifying the regulations based on parcel size;
- b) Amending section 43.8 to provide for an accessory building of less than 2,000 sq. ft.;
- c) Amending section 43.9 to provide for an accessory building of greater than 2,000 sq. ft. but no more than 4,000 sq. ft.; and
- d) Amending section 43.9 to state private riding arenas on parcels greater than 6.00 hectares in area (14.83 acres in area).

Carried  
Absent: Councillor Henn

MOVED by Deputy Reeve Gautreau that Bylaw C-7763-2018 be given first reading as amended.

Carried  
Absent: Councillor Henn

MOVED by Councillor Schule that Bylaw C-7763-2018 be given second reading as amended.

Carried  
Absent: Councillor Henn

MOVED by Deputy Reeve Gautreau that Bylaw C-7763-2018 be considered for third reading as amended.

Carried  
Absent: Councillor Henn

MOVED by Deputy Reeve Gautreau that Bylaw C-7763-2018 be given third and final reading as amended.

Carried  
Absent: Councillor Henn

Councillor Henn returned to the meeting at 6:52 p.m.

**Adjournment**

MOVED by Councillor McKylor that the April 10, 2018 Council Meeting be adjourned at 6:52 p.m.

Carried

  
REEVE

  
CAO or Designate