

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 12, 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 – 32nd Avenue NE, Calgary, Alberta on June 12, 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, General Manager
- C. O'Hara, General Manager
- S. Jewison, Manager, Utility Services
- B. Woods, Manager, Financial Services
- R. Barss, Manager, Intergovernmental Affairs
- M. Wilson, Planning Supervisor, Planning Services
- V. Diot, Engineering Supervisor, Engineering Services
- D. Hafichuk, Capital Infrastructure Projects Supervisor, Engineering Services
- P. Simon, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- J. Anderson, Planner, Planning Services
- S. Kunz, Planner, Planning Services
- A. Pare, Engineering Support Technician, Engineering Services
- C. Graham, Municipal Lands Administrator, Agriculture and Environmental 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.

1-18-06-12-01

Updates/Acceptance of Agenda

MOVED by Councillor McKylor that an emergent business item be added to the June 12, 2018 Council meeting agenda regarding the appointment of the Interim County Manager.

Carried

MOVED by Councillor Hanson that the June 12, 2018 Council meeting agenda be accepted as amended.

Carried

1-18-06-12-02

Confirmation of Minutes

MOVED by Deputy Reeve Gautreau that the May 22, 2018 Council meeting minutes be accepted as amended.

Carried

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1-18-06-12-14 (D-5)

All Divisions – Emergent Business Item – Appointment of the Interim County Manager

File: N/A

MOVED by Councillor McKylor that in accordance with section 206 of the *Municipal Government Act*, Rick McDonald be appointed as the Interim County Manager of Rocky View County.

Carried

1-18-06-12-06 (D-1)

Division 8 – Tax Relief Due To Fire Loss – Roll #06712101

File: 06712101

MOVED by Councillor Wright that the 2016 and 2017 municipal tax cancellation request for roll #06712101 due to fire damage, in the amount of \$2,935.68, be approved.

Carried

1-18-06-12-07 (D-2)

Division 8 – Road Dedication affecting County Lands

File: 05736008/6030-100

MOVED by Councillor Wright that the requested assignment of the 0.08 acre portion of County Lands known legally as Block R-9; Plan 1085 LK be approved for road dedication.

Carried

1-18-06-12-08 (D-3)

All Divisions – Municipal Lands Office 2018 Disposal Work Plan

File: 6030-200

MOVED by Councillor Kissel that Administration be directed to proceed with the 2018 Disposal Work Plan and sell County surplus former road allowances to adjacent landowners.

Carried

1-18-06-12-09 (D-4)

Divisions 1, 2, 7, 8, and 9 – Bearspaw Reservoir Task Force – Terms of Reference

File: N/A

MOVED by Deputy Reeve Gautreau that the Bearspaw Reservoir Task Force Terms of Reference be approved as per Attachment 'A'.

Carried

1-18-06-12-10 (E-1)

Division 9 – Bylaw C-7745-2017 – Road Closure and Consolidation of two portions of Road Allowance known as Range Road 45

File: PL20160018

MOVED by Councillor Kissel that Bylaw C-7745-2017 be amended by replacing Schedule 'A' with the final Road Closure Plan as per Attachment 'B'.

Carried

MOVED by Councillor Kissel that Bylaw C-7745-2017 be given second reading as amended.

Carried

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MOVED by Deputy Reeve Gautreau that Bylaw C-7745-2017 be given third and final reading as amended.
Carried

MOVED by Councillor Kissel that the 5.98 acres of land be transferred and sold to the applicants Joel Hillis and Elmer (Buster) Fenton subject to:

- a) a sales agreement being signed at the appraised value of \$2,340.00 per acre, totaling \$14,000.00 (rounded), plus \$2,750.00 for the cost of the appraisal and all applicable taxes;
- b) that all incidental costs to create title and consolidation with the adjacent lands are at the expense of the applicants; and
- c) the terms of the sales agreement shall be completed within one year after Bylaw C-7745-2017 receives third and final reading.

Carried

1-18-06-12-11 (I-1)

Division 9 – Notice of Motion – Councillor Kissel and Councillor Hanson – 146 acre parcel of Rocky View County Lands leased by the Cochrane and District Agricultural Society

File: N/A

Notice of Motion: To be read in at the June 12, 2018 Council Meeting

To be debated at the July 10, 2018 Council Meeting

Title: **146 acre parcel of Rocky View County Lands leased by the Cochrane and District Agricultural Society**

Presented By: **Councillor Crystal Kissel, Division 9 and Councillor Kevin Hanson, Division 3**

Whereas Being almost an entirely new Council, it is important that Council has a clear understanding of the best use of the land for the future; and

Whereas This land was gifted to the residents of Rocky View County in 1999 by Her Majesty the Queen in Right of Alberta as represented by the Minister of the Environment for the total cost of \$1.00; and

Whereas There has been no Council decision as a whole made through a resolution to dispose of the 146 acre parcel of land; and

Whereas There have been numerous studies completed, including the 2010 County Community Needs Assessment Survey, the 2010 Ranch Lands Community Survey, the 2013 Tri-Party Concept Plan, and the 2014 Town of Cochrane Community Survey; and

Whereas The Cochrane and District Agricultural Society presented at the May 1, 2018 Policy and Priorities Committee meeting and raised some concerns regarding its business plan that did not include how the existing land could best be utilized should the Cochrane and District Agricultural Society plan to stay; and

Whereas The modernized *Municipal Government Act* and mandated membership in the Calgary Growth Management Board requires each municipality to specifically

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outline the provision of municipal services and facilities for collaborative and beneficial outcomes; and

Whereas

The responsibility for parks planning rests with local government and that recreation planning is a key part of the process of improving leisure opportunities available to residents and improving the health and well-being of the community; and

Whereas

Open space and recreational facilities that are of particular social value to the local community should be recognized and given protection by local planning authorities through appropriate planning policy. Open space of particular quality may include:

- 1) Areas of open space in urban areas that provide an important local amenity and variety of recreational opportunities;
- 2) Areas of open space that provide a community resource and use for agricultural shows and cultural festivals; and
- 3) Areas of open space that benefit wildlife and biodiversity; and

Whereas

Once all information is received, whether through studies, Administration, or public engagement, this Council will be able to decide the best direction for this land asset disposal serving the Rocky View County residents' best interests;

THEREFORE, BE IT RESOLVED that the Lands under the current lease by the Cochrane and District Agricultural Society be removed from the land disposal list until a time that Council has a clear understanding as to the best and most appropriate use of the land and provides direction on whether the land asset disposal is in the County's residents' best interest.

1-18-06-12-12 (J-1)

Division 2 – Subdivision Item – Residential One District

File: PL20180006 (05702033)

MOVED by Councillor McKylor that the applicant be allowed to speak on the subdivision application.

Carried

In Favour:

Councillor Wright
Councillor Henn
Councillor Schule
Councillor McKylor
Councillor Kamachi

Opposed:

Councillor Kissel
Deputy Reeve Gautreau
Reeve Boehlke
Councillor Hanson

The Chair called for a recess at 9:47 a.m. and called the meeting back to order at 9:54 a.m. with all previously mentioned members present.

The applicant, Terry Dowsett, proceeded to address Council regarding the conditions of approval for subdivision application PL20180006.

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MOVED by Councillor McKylor that condition 4 in Appendix 'A' be amended to require payment of the transportation off-site levy on Lot 1 only.

Carried

In Favour:

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

Opposed:

Councillor Kissel
Councillor Wright
Councillor Hanson

MOVED by Councillor McKylor that item J-1 be tabled until after the public hearings.

Carried

1-18-06-12-03 (C-1)

Division 1 – Bylaw C-7787-2018 – Redesignation Item – Residential Two District to Residential One District

File: PL20170053 (03901008)

MOVED by Councillor Kamachi that the public hearing for item C-1 be opened at 10:09 a.m.

Carried

Person(s) who presented: Jovan Vujinovic, 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 Kamachi that the public hearing for item C-1 be closed at 10:18 a.m.

Carried

MOVED by Councillor Kamachi that Bylaw C-7787-2018 be given first reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7787-2018 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7787-2018 be considered for third reading.

Carried

MOVED by Councillor Kamachi that Bylaw C-7787-2018 be given third and final reading.

Carried

The Chair called for a recess at 10:25 a.m. and called the meeting back to order at 10:36 a.m. with all previously mentioned members present.

1-18-06-12-04 (C-2)

Division 8 – Bylaw C-7789-2018 – Redesignation Item – Residential Two District to Residential One District

File: PL20170152 (06713017)

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MOVED by Councillor Wright that the public hearing for item C-2 be opened at 10:37 a.m.

Carried

Person(s) who presented: Justin Fleming, 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 Wright that the public hearing for item C-2 be closed at 10:45 a.m.

Carried

MOVED by Councillor Wright that Bylaw C-7789-2018 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7789-2018 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7789-2018 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7789-2018 be given third and final reading.

Carried

1-18-06-12-05 (C-3)

Division 4 – Bylaw C-7674-2017 – Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District

File: PL20150116 (03218008/8020/9019/9035)

Councillor Schule declared a potential conflict of interest and abstained from the discussion and voting on redesignation application PL20150116. Councillor Schule proceeded to leave the meeting at 10:46 a.m.

MOVED by Councillor McKylor that the public hearing for item C-3 be opened at 10:46 a.m.

Carried

Abstained: Councillor Schule

The Chair called for a recess at 10:47 a.m. and called the meeting back to order at 10:50 a.m. with all previously mentioned members present with the exception of Councillor Schule.

MOVED by Councillor Henn that the letters of support be accepted.

Carried

Abstained: Councillor Schule

Person(s) who presented: Bart Carswell, Carswell Planning, Applicant

Person(s) who spoke in favour: None

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Person(s) who spoke in opposition: Bryan Johnson, Resident
Brad Tennant, Resident
Sylvia Gibson, RGA Design
Vern Bretin, Resident

Person(s) who spoke in rebuttal: Bart Carswell, Carswell Planning, Applicant

MOVED by Councillor McKylor that the public hearing for item C-3 be closed at 11:51 a.m.

Carried
Abstained: Councillor Schule

MOVED by Deputy Reeve Gautreau that Bylaw C-7674-2017 be given first reading.

Carried
Abstained: Councillor Schule

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

The Chair called for a recess at 11:59 a.m. and called the meeting back to order at 12:12 p.m. with all previously mentioned members present with the exception of Councillor Schule.

Councillor Schule returned to the meeting at 12:13 p.m.

1-18-06-12-12 (J-1)
Division 2 – Subdivision Item – Residential One District
File: PL20180006 (05702033)

MOVED by Councillor McKylor that item J-1 be lifted from the table.

Carried

MOVED by Councillor McKylor that condition 10 be deleted from Appendix 'A'.

Carried

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

MOVED by Councillor McKylor that Council acknowledges and approves the secondary approach to Lot 2 in accordance with Policy 402;

AND that Subdivision Application PL20180006 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder from Lot 1, Block 14, Plan 8710689, within NW-2-25-3-W5M has been evaluated in terms of

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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;
 - 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 Owner shall construct a new paved approach on Lariat Loop in order to provide access to Lot 1.
- 3) The Owner shall upgrade the secondary existing field approach to Lot 2, as shown on the approved Tentative Plan, to County standards, or remove the approach.

Fees and Levies

- 4) The Owner shall pay the 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:
 - a) from the total gross acreage of Lot 1, as shown on the Plan of Survey.
- 5) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Site Servicing

- 6) The Owner is to provide confirmation of the tie-in for connection to North Springbank Water Co-op., an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 7) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1 & 2, indicating:

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- a) Requirements for each future Lot Owner to connect to County wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.
- 8) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County that shall include the following:
- a) The construction of a packaged sewage treatment system meeting BNQ or NSF 40 Standards, in accordance with the findings of the Private Sewage Treatment System Assessment and Site Evaluation prepared by Sedulous Engineering (July 2017).

Developability

- 9) The Owner shall provide an update to the Site Specific Implementation Plan (Sedulous Engineering, July 2017) to include the minimum building opening elevation in the report. If improvements are required, the Owner shall enter into a Development agreement (Site Improvements/Services Agreement) with the County to follow the recommendations outlined in the updated SSIP. Implementation of the Site Specific Implementation Plan shall include:
- a) a Development Agreement (Site Improvement Service Agreement) to be entered into with the County, addressing the design and construction of the required improvements, should the recommendations of the Stormwater Management Plan indicate that improvements are required;
 - b) Registration of any required easements and / or utility rights-of-way;
 - c) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;
 - d) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
- 10) The Owner is to provide a Geotechnical Developable Area Assessment to prove there is a minimum of one contiguous developable acre (1.0 acre) of land within Lot 1.
- a) Private Sewage Treatment System testing and analysis, shall be located within the defined contiguous developable acre.

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*.

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

In Favour:

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

Opposed:

Councillor Kissel

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Councillor Schule left the meeting at 12:19 p.m.

The Chair called for a recess at 12:20 p.m. and called the meeting back to order at 12:28 p.m. with all previously mentioned members present with the exception of Councillor Schule.

1-18-06-12-05 (C-3)

Division 4 – Bylaw C-7674-2017 – Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District

File: PL20150116 (03218008/8020/9019/9035)

MOVED by Councillor McKylor that further consideration of Bylaw C-7674-2017 be tabled *sine die* pending the following:

- 1) The Applicant is to provide a Phase II aquifer testing report for a minimum of seven lots (every second lot) and incorporate a minimum of two observation wells in that testing;
- 2) The Applicant is to investigate road upgrade options for Canal Court including but not limited to permanent dust control through calcium injection;
- 3) The Applicant is to investigate access and ownership arrangements associated with Lots 20 and 21 (Block 3, Plan 0214041) and obtain any necessary legal opinions; and
- 4) The Applicant is to undertake further community engagement on all raised concerns.

Carried
Abstained: Councillor Schule

Councillor Schule returned to the meeting at 12:32 p.m.

1-18-06-12-13 (G-1)


Council Reports


Deputy Reeve Gautreau reported on his attendance at the 2018 Federation of Canadian Municipalities conference held in Halifax.

Adjournment

MOVED by Deputy Reeve Gautreau that the June 12, 2018 Council Meeting be adjourned at 12:33 p.m.

Carried


REEVE


CAO or Designate