

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 11, 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 September 11, 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:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- S. Baers, Manager, Planning Services
- A. Keibel, Manager, Legislative and Legal Services
- L. Wesley-Riley, Manager, Enforcement Services
- C. McCullagh, Manager, Recreation and Community Services
- R. Barss, Manager, Intergovernmental Affairs
- T. Boyda, Manager, Assessment Services
- C. Nelson, Manager, Agricultural and Environmental Services
- M. Wilson, Planning Supervisor, Planning Services
- C. Graham, Municipal Lands Administrator, Agricultural and Environmental Services
- S. de Caen, Community Services Coordinator, Recreation & Community Services
- J. Anderson, Planner, Planning Services
- P. Simon, Planner, Planning Services
- L. Ganczar, Planner, Planning Services
- J. Kwan, Planner, Planning Services
- S. Kunz, Planner, Planning Services
- A. Pare, Engineering Support Technician, Engineering Services
- N. Ali, Intergovernmental Affairs Analyst, Intergovernmental Affairs
- 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.

1-18-09-11-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Gautreau that item C-3 be removed from the September 11, 2018 Council meeting agenda;

AND that the emergent business item "National Disaster Mitigation Program Grant Submission" be added to the September 11, 2018 Council meeting agenda as item D-5.

Carried

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MOVED by Councillor Hanson that the September 11, 2018 Council meeting agenda be accepted as amended.

Carried

1-18-09-11-02
Confirmation of Minutes

MOVED by Councillor McKylor that the July 24, 2018 Council meeting minutes be accepted as presented.

Carried

1-18-09-11-18 (D-5)
All Divisions – Emergent Business Item - National Disaster Mitigation Program Grant Submission
File: 1025-460

MOVED by Councillor Kamachi that a budget adjustment of \$140,000 from the Tax Stabilization Reserve for the 2018 fiscal year for Rocky View County to submit to the National Disaster Mitigation Program Grant on the West Bragg Creek flood mitigation engineer assessment be approved as per Attachment 'A'.

Carried

1-18-09-11-17 (K-2)
All Divisions – In Camera Item – Land Jurisdiction
File: RVC2018-22

MOVED by Councillor Hanson that Council move in camera at 9:11 a.m. to consider the confidential report "Land Jurisdiction" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 – Advice from officials

Carried

Council held the in camera session for item K-2 with the following people in attendance to provide a report and advice to Council:

Rocky View County: R. McDonald, Interim County Manager
K. Robinson, General Manager
B. Riemann, General Manager
C. O'Hara, General Manager
R. Barss, Manager, Intergovernmental Affairs
S. Baers, Manager, Planning Services
A. Keibel, Manager, Legislative and Legal Services

MOVED by Councillor Hanson that Council move out of in camera at 10:10 a.m.

Carried

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MOVED by Councillor Henn that Mandate #1 of the in-camera agenda report K-2 be approved as amended.

Lost

In Favour:

Councillor Henn

Opposed:

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

MOVED by Deputy Reeve Gautreau that Mandate #2 of the in-camera agenda report K-2 be approved.

Carried

In Favour:

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

Opposed:

Councillor Henn

1-18-09-11-03 (C-1)

Division 9 – Bylaw C-7800-2018 – Redesignation Item – New or Distinct Agricultural Use – Ranch and Farm District to Agricultural Holdings District

File: PL20180013 (08815008)

MOVED by Councillor Kissel that the public hearing for item C-1 be opened at 10:14 a.m.

Carried

Person(s) who presented: Agnes Dahl, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

The Chair called for a recess at 10:42 a.m. and called the meeting back to order at 10:53 a.m. with all previously mentioned members present.

MOVED by Councillor Kissel that the public hearing for item C-1 be closed at 10:56 a.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7800-2018 be amended by extending the portion of land to be redesignated from Ranch and Farm District to Agricultural Holdings District to the southern boundary of SW-15-28-04-W05M in accordance with the amended Schedule 'A'.

Carried

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MOVED by Councillor Kissel that Bylaw C-7800-2018 be given first reading as amended. Carried

MOVED by Councillor McKylor that Bylaw C-7800-2018 be given second reading as amended. Carried

MOVED by Councillor Wright that Bylaw C-7800-2018 be considered for third reading as amended. Carried

MOVED by Councillor Kissel that Bylaw C-7800-2018 be given third and final reading as amended. Carried

1-18-09-11-04 (C-2)

**Division 2 – Bylaw C-7815-2018 - Redesignation Item – Residential Two District to Residential Three District
– Springbank ASP**

File: PL20180062 (04716009)

MOVED by Councillor McKylor that the public hearing for item C-2 be opened at 11:00 a.m. Carried

MOVED by Councillor McKylor that the late letters of support for item C-2 be accepted. Carried

Person(s) who presented: Valerie Prather, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Valerie Prather, Applicant

MOVED by Councillor McKylor that the public hearing for item C-2 be closed at 11:39 a.m. Carried

MOVED by Councillor McKylor that Bylaw C-7815-2018 be given first reading. Carried

In Favour:

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

Opposed:

Councillor Wright
Councillor Kissel

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MOVED by Councillor Henn that Bylaw C-7815-2018 be given second reading.

Carried

In Favour:

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

Opposed:

Councillor Kissel

MOVED by Councillor Kamachi that Bylaw C-7815-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7815-2018 be given third and final reading.

Carried

The Chair called for a recess at 11:44 a.m. and called the meeting back to order at 11:51 a.m. with all previously mentioned members present.

1-18-09-11-16 (K-1)

Division 9 – In Camera Item – Response to July 10, 2018 Motion of Council - Cochrane Agricultural Lands
File: RVC2018-19 (06809018)

MOVED by Councillor Henn that Council move in camera at 11:54 a.m. to consider the confidential report “Response to July 10, 2018 Motion of Council – Cochrane Agricultural Lands” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body

Carried

Council did not hold the in camera session for item K-1.

MOVED by Councillor Henn that Council move out of in camera at 11:56 a.m.

Carried

1-18-09-11-13 (J-1)

Division 7 – Subdivision Item – Balzac East Area, Residential One District
File: PL20180047 (06415050)

MOVED by Councillor Henn that the applicant be allowed to address Council.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Reeve Boehlke

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The applicant, Grant Larson, proceeded to address Council on the proposed conditions of approval for Subdivision Application PL20180047.

MOVED by Councillor Henn that condition 2 be removed from Appendix 'A'.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOVED by Councillor Henn that Subdivision Application PL20180047 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a ≥ 0.81 hectare (≥ 2.0 acre) parcel with a ≥ 0.81 hectare (≥ 2.0 acre) remainder lot at Lot 2, Plan 9111892, within NW-15-26-29-W04M was evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulations*. 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 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:

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.

Site Servicing

- 2) The Applicant/Owner shall provide a letter from Rocky View Water Coop, an Alberta Environment licensed piped water supplier, confirming water connection for Lot 1 and the remainder lot, as shown on the Approved Tentative Plan. The letter shall include the following information:
 - a) Confirmation that the Applicant/Owner has completed all paperwork for water supply allocation to both lots;

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- b) Confirmation that the Applicant/Owner has paid all necessary fees for the purchase of required capacity units for both lots;
 - c) Confirmation that the utility has allocated and reserved the necessary capacity for both lots; and
 - d) The obligations of the Applicant and/or the utility to bring water lines into the subdivision (i.e.: water utility is to construct water line to the limits of the subdivision, and the Applicant/Owner is to construct all internal water lines, or the water utility will be responsible for all connections to individual lots).
- 3) The Applicant/Owner shall enter into a Development Agreement (Site Improvements Services Agreement) with the County for the installation of Packaged Sewage Treatment plants on Proposed Lot 1, complying with NSF 40 and/or BNQ standards in accordance with the Level II Private Sewage Treatment Assessment prepared by E2K Engineering Ltd., dated February 23, 2018.
 - 4) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for proposed Lot 1 and the remainder lot, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped wastewater and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Payments and Levies

- 5) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement.
- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

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*.

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

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright

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1-18-09-11-16 (K-1)

**Division 9 – In Camera Item – Response to July 10, 2018 Motion of Council - Cochrane Agricultural Lands
File: RVC2018-19 (06809018)**

MOVED by Councillor McKylor that Council move in camera at 12:24 p.m. to consider the confidential report “Response to July 10, 2018 Motion of Council – Cochrane Agricultural Lands” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body

Carried

Council held the in camera session for item K-1 with the following people in attendance to provide a report and advice to Council:

Rocky View County: R. McDonald, Interim County Manager
B. Riemann, General Manager
C. O’Hara, General Manager
A. Keibel, Manager, Legislative and Legal Services
C. McCullagh, Manager, Recreation and Community Services
C. Nelson, Manager, Agricultural and Environmental Services
S. de Caen, Community Services Coordinator, Recreation & Community Services
C. Graham, Municipal Lands Administrator, Agricultural & Environmental Services

MOVED by Councillor McKylor that Council move out of in camera at 1:32 p.m.

Carried

MOVED by Councillor Kissel that the Terms of Reference for the Cochrane Agricultural Lands Advisory Committee be amended as follows:

3) The Cochrane Ag Lands Advisory Committee consists of the following:

- (1) **Rocky View** County Manager;
- (2) Two **Rocky View County** Councillors; the Division Nine Councillor and one other.
- (3) **Rocky View County Administration General Managers** (as needed);
- (4) **One Town of Cochrane Elected Official and one member of Town of Cochrane Administration Manager – Recreation and Community Services;**
- (5) Stakeholder groups at the discretion of the **Rocky View** County Manager; and
- (6) Others as may be invited.

Carried

MOVED by Councillor Hanson that the in camera report, “Response to July 10, 2018 Motion of Council – Cochrane Agricultural Lands,” and any related information remain confidential pursuant to Sections 24 and 25 of the *Freedom of Information and Protection of Privacy Act*;

AND that the Terms of Reference for the Cochrane Agricultural Lands Advisory Committee be approved as per Attachment ‘A’ as amended.

Carried

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1-18-09-11-06 (C-4)

All Divisions – Bylaw C-7816-2018 – Land Use Bylaw Amendments – Recreational Cannabis Regulations
File: 1014-554

MOVED by Councillor Kamachi that the public hearing for item C-4 be opened at 1:34 p.m.

Carried

Person(s) who spoke in favour: Sonny Toor
 Bruce McIntosh
 Hugh Ham
 Joel Mandrek

Person(s) who spoke in opposition: Monyca Ambrozic
 Vern Bretin, and on behalf his neighbour Mr. Jones
 Steve Grande

The Chair called for a recess at 3:15 p.m. and called the meeting back to order at 3:30 p.m. with all previously mentioned members present.

MOVED by Councillor Schule that the public hearing for item C-4 be adjourned until later in the meeting.

Carried

1-18-09-11-07 (D-1)

All Divisions – Rescheduling the October 9, 2018 Regular Council Meeting
File: 0194

MOVED by Councillor Schule that the regular Council meeting scheduled for October 9, 2018 at 9:00am be changed to October 16, 2018 at 9:00am to be held at the new County Hall located at 262075 Rocky View Point, Rocky View County, AB.

Carried

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

1-18-09-11-08 (D-2)

Division 9 – Road Plan 6397I Closure located in NW-08-27-04-W5M for consolidation purposes
File: PL20180032

MOVED by Councillor Kissel that the resolution to close and consolidate a portion of road located within the NW-08-27-04-W5M as shown on Road Plan 6397I be approved as per Attachment 'A'.

Carried

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MOVED by Councillor Kissel that Administration be directed to forward the resolution included as Attachment 'A' to the Minister of Transportation for approval;

AND that Administration be authorized to prepare and endorse a Land Sale Agreement at the cost of \$11,000.00 for the transfer of lands with the applicant, and that all incidental costs to create the title and consolidate with the adjacent lands be at the sole expense of the applicant, subject to approval of the resolution by the Minister of Transportation.

Carried

1-18-09-11-09 (D-3)

All Divisions – Sales Negotiations – Airdrie Grader Shed

File: 06433007

MOVED by Deputy Reeve Gautreau that Administration be directed to negotiate a Sales Agreement with the Applicant and dispose of the County owned land described as Title Number 151 263 803, also known as the Airdrie Grader Shed.

Carried

1-18-09-11-10 (D-4)

All Divisions – Intermunicipal Collaboration Framework & Intermunicipal Development Plan Review

Committee Appointments

File: 1034-500, 1011-100

MOVED by Councillor McKylor that Councillor Kissel and Councillor Kamachi be appointed to the Review Committee for the Rocky View County and Municipal District of Bighorn Intermunicipal Collaboration Framework and Intermunicipal Development Plan.

AND that Reeve Boehlke, Councillor Kissel, and Councillor Henn be appointed to the Review Committee for the Rocky View County and Mountain View County Intermunicipal Collaboration Framework and Intermunicipal Development Plan.

AND that Reeve Boehlke be appointed to the Review Committee for the Rocky View County and Kneehill County Intermunicipal Collaboration Framework and Intermunicipal Development Plan.

AND that Deputy Reeve Gautreau and Councillor Schule be appointed to the Review Committee for the Rocky View County and Wheatland County Intermunicipal Collaboration Framework and Intermunicipal Development Plan.

Carried

The Chair called for a recess at 4:17 p.m. and called the meeting back to order at 4:43 p.m. with all previously mentioned members present with the exception of Councillor Henn.

1-18-09-11-14 (J-2)

Division 1 – Subdivision Item – Residential One District

File: PL20180068 (03915057)

Councillor Henn returned to the meeting at 4:46 p.m.

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MOVED by Councillor Kamachi that the applicant be allowed to address Council.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Reeve Boehlke

Mark Fawcett, on behalf of the applicants, proceeded to address Council on the proposed conditions of approval for Subdivision Application PL20180068.

MOVED by Councillor Schule that the meeting proceed past 5:00 p.m.

Carried

MOVED by Councillor Kamachi that condition 6 in Appendix 'A' be amended to read as follows:

- 6) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
 - a) The Transportation Off-Site Levy shall be calculated from the total gross acreage of Lot 1 as shown on the Plan of Survey.
 - b) The Transportation Off-Site Levy shall be deferred on Lot 2 as shown on the Plan of Survey.

Carried

In Favour:

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

Opposed:

Councillor Hanson

MOVED by Councillor Kamachi that Subdivision Application PL20180068 be approved with the conditions noted in Appendix 'A' as amended:

- A. The application to create a ± 1.63 hectare (± 4.03 acre) parcel with a ± 2.49 hectare (± 6.15 acre) remainder within Lot 4, Block 2, Plan 1810613, NE-15-23-05-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulation*, 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.

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- 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 shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision 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 approach on Fawn Hills Drive in order to provide access to Lot 1.
- 3) In order to provide access to Lot 2 (the remainder), the Owner shall:
 - a) Amend the existing access easement agreement (instrument #921103201) to include Lot 1; or
 - b) Provide a new access right of way plan and enter into an access easement agreement with Lot 1 in order to provide access to Lot 2 (the remainder).

Site Servicing

- 4) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - b) The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.

Payments and Levies

- 5) The Applicant/Owner shall pay the County subdivision endorsement fee in accordance with the Master Rates Bylaw for the creation of one (1) new Lot.
- 6) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
 - a) The Transportation Off-Site Levy shall be calculated from the total gross acreage of Lot 1 as shown on the Plan of Survey.
 - b) The Transportation Off-Site Levy shall be deferred on Lot 2 as shown on the Plan of Survey.

Municipal Reserve

- 7) 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 Sage Appraisals, file 20181164, dated June 27, 2018, 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

1-18-09-11-15 (J-3)

Division 2 – Subdivision Item – Residential Two District

File: PL20180014 (04726009)

MOVED by Councillor McKylor that Subdivision Application PL20180014 be approved with the conditions noted in Appendix 'A':

- A. That the application to create a ± 1.94 hectare (± 4.79 acre) parcel with a ± 1.94 hectare (± 4.79 acre) remainder from Block 3, Plan 7410685 within SE-26-24-03-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulation*, 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.
- 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:

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 an access right of way plan as shown on the Approved Tentative Plan in order to provide access to Lots 1 and 2, and is to prepare and register respective easements on each titles, where required.

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- 3) The Owner is to dedicate, by Plan of Survey, a 3.0 m wide portion of land for road widening along the southern boundary of Lots 1 and 2 as shown on the Approved Tentative Plan.

Access

- 4) The Owner shall upgrade the existing road approach to a mutual paved standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1 and 2.

Site Servicing

- 5) Water is to be supplied by individual wells on Lot(s) 1 and 2. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - b) The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.
- 6) 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 in accordance with the findings of the Private Sewage Treatment System Assessment prepared by Watertech Engineering Research & Health Inc. (May ,2018).
- 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:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Municipal Reserves

- 8) The provision of Reserve is to be provided by the dedication of a linear 8.0 m wide Municipal Reserve strip along Springbank Road (\pm 0.356 acres) to be determined by a Plan of Survey in accordance with the Approved Tentative Plan.
 - a) The proportionate amount of Municipal Reserves outstanding on Block 3, Plan 7410685 as per Deferred Reserve Caveat (741 080 371) after the linear Municipal Reserve dedication, are to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Bradford Real Estate Services – Carol A. Lewis, AACI, P.APP, dated July 6, 2018, pursuant to Section 666 (3) of the *Municipal Government Act*.
 - b) The existing Deferred Reserve Caveat (741 080 371) shall be discharged on Block 3, Plan 7410685 after dedication of the linear Municipal Reserve and payment of cash-in-lieu.
 - c) The Owner is to enter into a maintenance/operational agreement with the County to maintain and operate the 8.0 m wide linear Municipal Reserve strip, inclusive of the affected trees and landscaping, until such time the County initiates construction of the Springbank Road Active Transportation Network.

Fees and Levies

- 9) 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 the Lands to be subdivided as shown on the Plan of Survey.

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-
- 10) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

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

Carried

1-18-09-11-11 (E-1)

All Divisions – Consideration of Third Reading of Firearms Bylaw C-7782-2018

File: 3000-300

MOVED by Councillor Hanson that Bylaw C-7782-2018 be given third and final reading.

Carried

In Favour:

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

Opposed:

Deputy Reeve Gautreau

1-18-09-11-12 (E-2)

All Divisions – Redesignation Item – Site Specific Amendment to Direct Control Bylaw C-6031-2005 (DC-99)

File: PL20180069 (6411017)

Deputy Reeve Gautreau stated that he would participate in the debate on Bylaw C-7797-2018 but would abstain from voting on any motions related to the bylaw as he was not present for the public hearing held on July 24, 2018.

MOVED by Councillor Henn that Bylaw C-7797-2018 be amended in accordance with the amended Schedule 'A'.

Lost

Abstained: Deputy Reeve Gautreau

In Favour:

Councillor McKylor
Councillor Schule
Councillor Henn

Opposed:

Councillor Kamachi
Councillor Hanson
Reeve Boehlke
Councillor Wright
Councillor Kissel

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MOVED by Councillor Henn second reading of Bylaw C-7797-2018, adopted at the July 24, 2018 Council meeting, be rescinded.

Carried
Abstained: Deputy Reeve Gautreau

MOVED by Councillor Henn that Administration be directed to schedule an additional public hearing at the October 23, 2018 Council meeting for Bylaw C-7797-2018 to address odour and emissions management and the results of the meeting between Administration, the Applicants, and affected parties associated with the proposed development.

Carried
Abstained: Deputy Reeve Gautreau

The Chair called for a recess at 5:55 p.m. and called the meeting back to order at 6:28 p.m. with all previously mentioned members present with the exception of Councillor Henn.

1-18-09-11-06 (C-4)

All Divisions – Bylaw C-7816-2018 – Land Use Bylaw Amendments – Recreational Cannabis Regulations
File: 1014-554

The public hearing for item C-4 reconvened at 6:29 p.m.

MOVED by Councillor Schule that the public hearing for item C-4 be closed at 6:44 p.m.

Carried

MOVED by Councillor Schule that the cannabis facility setback regulations for General Business, Industrial Activity, and Business Agricultural Services districts in Bylaw C-7816-2018 be amended as follows:

- | | |
|------------------------|-----|
| a) School | 0m |
| b) Healthcare Facility | 0m |
| c) School Reserve | 0m |
| d) Residential | 75m |

Carried

In Favour:

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

Opposed:

Councillor Wright

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MOVED by Councillor Hanson that the *Cannabis Cultivation, Micro* and *Cannabis Cultivation, Standard* definitions in Bylaw C-7816-2018 be replaced with the following:

CANNABIS CULTIVATION means the growing and harvesting of cannabis as licensed by Health Canada.

AND that the *Cannabis Processing* definition in Bylaw C-7816-2018 be replaced with the following:

CANNABIS FACILITY means a development, as licensed by Health Canada, where cannabis is grown, harvested, processed, tested, destroyed and/or stored on site, but does not include *Cannabis Retail Store*.

Carried

MOVED by Councillor Henn that Bylaw C-7816-2018 be given first reading as amended.

Carried

MOVED by Councillor McKylor that Bylaw C-7816-2018 be given second reading as amended.

Carried

MOVED by Councillor Schule that Bylaw C-7816-2018 be considered for third reading as amended.

Carried

MOVED by Councillor Henn that Bylaw C-7816-2018 be given third and final reading as amended.

Carried

Adjournment

MOVED by Councillor Schule that the September 11, 2018 Council Meeting be adjourned at 7:10 p.m.

Carried



REEVE



CAO or Designate