

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
October 23, 2018

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A regular meeting of Rocky View County Council was held in Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on October 23, 2018 commencing at 11:08 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 4	Deputy Reeve A. Schule
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 5	Councillor J. Gautreau
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
S. Baers, Acting General Manager
D. Kalinchuk, Manager, Economic Development
H. Bell, Manager, Roads Maintenance
B. Woods, Manager, Financial Services
C. McCullagh, Manager, Recreation and Community Services
M. Wilson, Planning Supervisor, Planning Services
P. Simon, Planner, Planning Services
J. Kirychuk, Planner, Planning Services
J. Kwan, Planner, Planning Services
L. Ganczar, Planner, Planning Services
G. Van Soest, Parks Planner, Agriculture and Environmental Services
M. Ferris, Customer Support Representative, Engineering Services
C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 11:08 a.m. with all members present.

1-18-10-23-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the October 23, 2018 Council meeting agenda be approved with the following amendment:

- Remove item C-2 at the request of the applicants

Carried

1-18-10-23-02

Confirmation of Minutes

MOVED by Councillor Henn that the October 16, 2018 Council meeting minutes be accepted as presented.

Carried

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1-18-10-23-05 (D-1)

All Divisions – Economic Development Update Report – 2017

File: N/A

MOVED by Councillor Kamachi that the 2017 Economic Development Update Report be received for information.

Carried

1-18-10-23-06 (D-2)

All Divisions – Snow and Ice Control Budget Adjustment for 2018

File: 4050-100

MOVED by Deputy Reeve Schule that the budget adjustment of \$1.2m for additional snow and ice control funding be approved as per Attachment 'A'.

Carried

The Chair called for a recess at 12:10 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present.

1-18-10-23-04 (C-3)

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

File: 1042-155 (06816005 & 06814007)

MOVED by Councillor Kissel that the public hearing for item C-3 be opened at 1:30 p.m.

Carried

Person(s) who spoke in favour: Mark Love, on behalf of the Mount St. Francis Retreat Centre

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kissel that the public hearing for item C-3 be closed at 1:38 p.m.

Carried

MOVED by Councillor Kissel that the proposed Rocky View County/Town of Cochrane annexation regarding SW-16-26-4-W5M and Block 1, Plan 1364 LK within NW-14-26-04-W05M be approved.

Carried

MOVED by Councillor Kissel that Administration be directed to proceed with the formal submission of the proposed annexation to the Municipal Government Board.

Carried

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1-18-10-23-07 (D-3)

Division 5 – Property Tax Cancellation Request – Dalroy Gymkhana Club

File: 2025-600

MOVED by Councillor Gautreau that the 2018 municipal tax levy, in the amount of \$599.08 for roll numbers 05214014 and 05214030, be cancelled.

Carried

In Favour:

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

Opposed:

Councillor McKylor

1-18-10-23-08 (D-4)

Divisions 1-5 – PPC Recommendations for the Active Transportation Plan: South County

File: N/A

MOVED by Councillor Hanson that the Active Transportation Plan: South County be approved.

Carried

1-18-10-23-09 (D-5)

Division 9 – Request for Capital Contribution – Friends of Westbrook School

File: 1006-600

MOVED by Councillor Kissel that Administration be directed to provide a Letter of Notification (Attachment 'C') to Rocky View Schools.

Carried

In Favour:

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

Opposed:

Councillor Gautreau

1-18-10-23-10 (E-1)

Division 9 – Bylaw C-7835-2018 to Revise Road Closure Bylaw C-7745-2017

File: PL20160018

MOVED by Councillor Kissel that Bylaw C-7835-2018 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7835-2018 be given second reading.

Carried

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MOVED by Councillor Kissel that Bylaw C-7835-2018 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7835-2018 be given third and final reading.

Carried

1-18-10-23-11 (E-2)

Division 2 – Bylaw C-7824-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180045 (05714035)

MOVED by Councillor McKylor that Bylaw C-7824-2018 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7824-2018 be given third and final reading.

Carried

The Chair called for a recess at 2:17 p.m. and called the meeting back to order at 2:25 p.m. with all previously mentioned members present.

1-18-10-23-12 (J-1)

Division 1 – Subdivision Item – Residential One District
File: PL20180087 (03901008)

MOVED by Councillor Kamachi that the applicant submission for item J-1 be received.

Carried

MOVED by Councillor Kamachi that condition 8, payment of transportation offsite levy, in Appendix 'A' be amended to read as follows:

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) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Carried

In Favour:

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

Opposed:

Councillor Hanson

MOVED by Councillor Kamachi that Subdivision Application PL20180087 be approved with the conditions noted in Appendix 'A' as amended:

- A. The application to create a ± 0.94 hectare (± 2.32 acre) parcel with a ± 1.03 hectare (± 2.53 acre) remainder within Lot 1, Block B, Plan 9511735; SE-01-23-05-W05M, having been evaluated in terms of

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Section 654 of the *Municipal Government Act* and Section 7 and Section 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 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 upgrade the existing approach to a mutual standard as shown on the Approved Tentative Plan.
- 3) The Owner shall demonstrate that Lot 1 has been provided legal access through the existing access easement agreement (instrument # 951165 542). If the existing access easement agreement does not provide legal access to Lot 1, the Applicant/Owner shall:
 - a) Amend the existing access easement agreement (instrument #951165 542) to ensure Lot 1 has legal access; or
 - b) Provide a new access right-of-way plan and prepare and register respective easements on title, where required.

Site Servicing

- 4) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County:
 - a) In accordance with the Level 2 PSTS report from Western Water Resources Inc., dated September 2017.
 - b) For the construction of a Type II packaged sewage treatment plant and LFH at-grade soil based sewage treatment and dispersal system.
- 5) 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;

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- b) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Developability

- 6) The Owner is to provide and implement a Site Specific Stormwater Implementation Plan (SSIP) in accordance with the County Servicing Standards and Bragg Creek Master Drainage Plan. Implementation of the SSIP shall:
- a) Include pre and post-development release rates, volume control targets and water quality;
 - b) Demonstrate that there are no adverse impacts to adjacent properties and downstream lands on drainage routes;
 - c) Include provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
 - d) Require that the Applicant/Owner enter into a Development Agreement (Site Improvements/Services Agreement) with the County should the SSIP indicate that improvements are required.

Payments and Levies

- 7) 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.
- 8) 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) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Taxes

- 9) 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

1-18-10-23-13 (J-2)

Division 5 – Subdivision Item – Industrial – Industrial Activity and Public Services District

File: PL20180066 (03329006)

MOVED by Councillor Gautreau that Subdivision Application PL20180066 be approved with the conditions noted in Appendix 'A':

- A. The application to create two ± 1.67 hectare (± 4.13 acre) parcels, two ± 1.10 hectare (± 2.72 acre) parcels, two ± 1.01 hectare (± 2.50 acre) parcels, two ± 1.64 hectare (± 4.05 acre) with a ± 3.82 hectare (± 9.44 acre) remainder within a portion of NW-29-23-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

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- 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 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 dedicate, by Plan of Survey, a 5.0 m wide portion of land for road widening along the western boundary of Lots 1 and 2.

Development Agreement

- 3) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements (further details are provided in the various sections below):
 - i. Construction of a public internal road system (Industrial/Commercial – 400.6 Standard) complete with a cul-de-sac bulb and all associated infrastructure;
 - ii. Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - iii. Fire servicing via a drafting hydrant system to the satisfaction of the County;
 - iv. Construction of stormwater facilities in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - v. Implementation of the recommendations of the approved ESC Plan;
 - vi. Implementation of the recommendation of the approved Construction Management Plan; and
 - vii. Installation of power, natural gas, and telephone lines;
- 4) The Owner shall enter into a Special Improvements Development Agreement for the following required off-site transportation infrastructure in accordance with the approved TIA at the intersection of Range Road 285 and Highway 560, including the following:
 - i. Implementation of a southbound left turning lane at the north leg of the intersection;
 - ii. Modification of the traffic islands at the south leg of the intersection at the SE and SW corners;

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- iii. Local widening of Highway 560 through the intersection to a four (4) lane cross-section in accordance with Alberta Transportation guidelines. The length of the widening in each direction shall be determined at the detailed design stage, to the satisfaction of the County and Alberta Transportation; and
 - iv. Modifications to the signal timings to include appropriate phasing required for all left turning movements at the intersection.

OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

Stormwater

- 5) The Owner is to provide and implement a Stormwater Management Report that meets the requirements outlined in the Janet Master Drainage Plan and CSMI Report. Implementation of the Stormwater Management Plan shall include the following:
 - i. If the recommendations of the Stormwater Management Report require improvements, then the Applicant/Owner shall enter into a Site Improvements / Services Agreement or Development Agreement;
 - ii. Registration of any required easements and/or utility rights-of-way;
 - iii. Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation;
 - iv. Necessary Alberta Environment licensing documentation for the stormwater infrastructure system.
- 6) The Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Site Construction

- 7) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - i. Weed management during the construction phases of the project;
 - ii. Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;

Transportation and Access

- 8) The Owner is to enter into an Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - i. The provision of 3.0 m road widening along the western boundary of the property;
 - ii. The purchase of land by the County for \$1.

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- 9) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lots 1 and 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
- i. The provision of 30 m (+/- 0.60 ha) road acquisition along the north/south boundaries of Lots 1 and 2;
 - ii. The purchase of land by the County for \$1.
- 10) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lots 1, 2, 3, 4, 8, and 9 that restricts the erection of any structure on or within 15 meters of a future road right-of-way, as shown on the approved Tentative Plan.
- 11) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County.

Site Servicing

- 12) The Applicant/Owner shall design a central water fire suppression distribution system, including fire hydrants, for firefighting purposes, in accordance with the requirements described in the Fire Hydrant Water Suppression Bylaw (C-7259-2013):
- i. Construction of the fire suppression collection system shall be included within the Development Agreement;
- 13) The Owner shall legally establish a Lot Owners' Association (LOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owners' Association;
- i. The LOA agreement shall specify the future maintenance obligations of the Lot Owners' Association for Stormwater facilities located on private and public lands.

Others

- 14) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
- i. Implementation of a groundwater measurement program within the boundaries of the proposed phase, in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into the detailed design of the on-site infrastructure; and
 - ii. Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised; and
 - iii. Establish the loading capacity of the on-site soils for stormwater irrigation purposes. If the on-site soils are deemed to be inadequate, the report is to provide recommendations (i.e.: topsoil thicknesses) to allow for the adequate loading and absorption of stormwater irrigation.
- 15) Utility Easements, Agreements, and Plans are to be registered to the satisfaction of ATCO Gas.

Payments and Levies

- 16) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of eight (8) new Lots.
- 17) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-7535-2015 for the gross area of lands to be subdivided prior to entering into the Development Agreement. The County shall calculate the total amount owing:

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- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 18) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreements. The County shall calculate the total amount owing:

- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Municipal Reserve

- 19) The provision of Reserve in the amount of 10 percent for the gross area of the subject site, 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 Outlook Realty Advisors Inc. dated June 20, 2018, in the amount of \$125,000.00 per acre. The county shall calculate the total amount owing:

- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Cost Recovery

- 20) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands:

- i. This Agreement shall apply to the construction of the improvements to the intersection of Range Road 285 and Highway 560.

OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

- 21) The Owner shall pay to the County the relevant cost recoveries, plus applicable interest, for the improvements to Range Road 285 development area, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement.

Taxes

- 22) 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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Adjournment

MOVED by Deputy Reeve Schule that the October 23, 2018 Council meeting be adjourned at 2:50 p.m.

Carried



Handwritten signature in blue ink, appearing to read "Deputy Reeve".

REEVE



Handwritten signature in blue ink, appearing to read "Charlotte Aotink".

CAO or Designate