

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
February 26, 2019

A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on February 26, 2019 commencing at 9:00 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:

- A. Hoggan, Chief Administrative Officer
- K. Robinson, Executive Director, Corporate Services
- B. Riemann, Executive Director, Operations
- S. Baers, Executive Director, Community Development Services
- G. Kaiser, Executive Director, Community and Business Connections
- T. Andreasen, A/Municipal Clerk, Municipal Clerk's Office
- B. Woods, Manager, Financial Services
- C. Nelson, Manager, Corporate Business Development
- J. Loro, A/Manager, Enforcement Services
- G. Nijjar, A/Engineering Supervisor, Planning and Development Services
- G. Rowland, Supervisor, Roads Maintenance
- D. Kazmierczak, Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- J. Anderson, Planner, Planning and Development Services
- J. Kirychuk, Planner, Planning and Development Services
- P. Simon, Planner, Planning and Development Services
- M. Mitton, Administrative Coordinator, Municipal Clerk's Office

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present.

1-19-02-26-01

Updates/Acceptance of Agenda

MOVED by Councillor Henn that the February 26, 2019 Council meeting agenda be approved as presented.

Carried

1-19-02-26-02

Confirmation of Minutes

MOVED by Councillor Hanson that the February 12, 2019 Council meeting minutes be approved as presented.

Carried

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1-19-02-26-07 (D-1)
All Divisions – 2018 Audit Service Plan
File: 2025-100

Presenter: Julie Oliver, MNP

MOVED by Councillor Henn that the 2018 Audit Service Plan be received for information.

Carried

1-19-02-26-15 (E-1)
Division 4 – Further Consideration of Bylaw C-7858-2019 – Redesignation Item – Ranch and Farm District – Site Specific Amendment
File: PL20180033 (03311001/02/03/04/03314001/02)

MOVED by Deputy Reeve Schule that Bylaw C-7858-2019, as amended, be given third and final reading.

Carried

1-19-02-26-08 (D-2)
All Divisions – High Speed Internet Servicing
File: N/A

MOVED by Deputy Reeve Schule that Administration be directed to commence with Phase I of the Internet Servicing Strategy, seeking to evaluate the required provisions and report back to Council within the timeframe allotted;

AND THAT an amount of \$60,000.00 be assigned and funded from the 2019 Base Budget as per Attachment 'A'.

Carried

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

1-19-02-26-16 (E-2)
Division 8 – Further Consideration of Bylaw C-7849-2018 – Conceptual Scheme Item – Indigo Hills Conceptual Scheme
File: PL20170033/34 (06711002/030)

MOVED by Deputy Reeve Schule that Bylaw C-7849-2018 be given third and final reading.

Carried

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

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1-19-02-26-17 (E-3)

Division 8 – Further Consideration of Bylaw C-7850-2018 – Redesignation – Ranch and Farm District to Residential One District

File: PL20170035 (06711002/030)

MOVED by Councillor McKylor that Bylaw C-7850-2018 be given third and final reading.

Carried

In Favour:

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

Opposed:

Councillor Wright

The Chair called for a recess at 9:51 a.m. and called the meeting back to order at 10:11 a.m. with all previously mentioned members present.

1-19-02-26-03 (C-1)

Division 6 – Bylaw C-7865-2019 – Road Closure Item – Closure and Consolidation of Two Portions of Undeveloped Road Allowance Known as Range Road 264

File: PL20180125

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be opened at 10:11 a.m.

Carried

Person(s) who presented:

Ludwig Reichender (Applicant) on behalf of 705370 Alberta Ltd.

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 Schule that the public hearing for item C-1 be closed at 10:17 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7865-2019 be given first reading;

AND THAT Administration be directed to forward Bylaw C-7865-2019 to the Minister of Transportation for approval.

Carried

1-19-02-26-04 (C-2)

Division 5 – Bylaw C-7859-2019 – Redesignation Item – Farmstead District to Business Industrial Campus and Residential One District – Outside of a Business Area

File: PL20180040 (05330007)

MOVED by Councillor Gautreau that the public hearing for item C-2 be opened at 10:18 a.m.

Carried

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Person(s) who presented: Steve Grande, Terradigm Development Consultants Inc. (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Mike Hindmarsh, on behalf of Baljit Johal

Person(s) who spoke in rebuttal: Steve Grande, Terradigm Development Consultants Inc. (Applicant)

MOVED by Councillor Gautreau that the public hearing for item C-2 be closed at 11:04 a.m.

Carried

The Chair called for a recess at 11:09 a.m. and called the meeting back to order at 11:20 a.m. with all previously mentioned members present.

MOVED by Councillor Gautreau that Bylaw C-7859-2019 be given first reading.

Carried

In Favour:

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

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Kissel

MOVED by Councillor Gautreau that Bylaw C-7859-2019 be referred to Administration to prepare an amendment to the bylaw for a site-specific amendment with a time limit for the land use.

Carried

In Favour:

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

Opposed:

Reeve Boehlke
Councillor Wright
Councillor Kissel

1-19-02-26-09 (D-3)

All Divisions – Response to Notice of Motion – Amendments to Firearms Bylaw C-7782-2018

File: 2025-100

MOVED by Councillor McKylor that Firearms Bylaw C-7782-2018 be referred to the Policy Review Subcommittee;

AND THAT Administration be directed to hold public consultation on Firearms Bylaw C-7782-2018.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Reeve Boehlke
Deputy Reeve Schule

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1-19-02-26-10 (D-4)

All Divisions – Airdrie RCMP Detachment – Enhanced Policing Position

File: N/A

Presenter: Inspector Kim Pasloske, Airdrie RCMP Detachment

MOVED by Councillor Gautreau that Administration be directed to enter into an MOU with the RCMP “K” Division with the duties and responsibilities of the County’s RCMP Member assigned to the Crime Reduction Unit.

Carried

The Chair called for a recess at 12:09 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present with the exception of Councillor Hanson.

1-19-02-26-05 (C-3)

Division 7 – Bylaw C-7856-2019 – Redesignation Item – Residential Two to Residential One District

File: PL20170172 (06518006)

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

Carried

Absent: Councillor Hanson

Person(s) who presented: Larry Konschuk (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 Henn that the public hearing for item C-3 be closed at 1:37 p.m.

Carried

Absent: Councillor Hanson

MOVED by Councillor Henn that Bylaw C-7856-2019 be given first reading.

Carried

Absent: Councillor Hanson

MOVED by Deputy Reeve Schule that Bylaw C-7856-2019 be given second reading.

Carried

Absent: Councillor Hanson

MOVED by Councillor Kissel that Bylaw C-7856-2019 be considered for third reading.

Carried

Absent: Councillor Hanson

MOVED by Councillor Henn that Bylaw C-7856-2019 be given third and final reading.

Carried

Absent: Councillor Hanson

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1-19-02-26-06 (C-4)

Division 4 – Further Consideration of Bylaw C-7674-2017 – Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District
File: PL20150116 (03218008/8020/9019/9035)

Deputy Reeve Schule abstained from participating in the public hearing and voting on Bylaw C-7674-2017 as he also abstained from participating in the original public hearing and voting on Bylaw C-7674-2017 held at the June 12, 2018 Council meeting. Deputy Reeve Schule proceeded to leave the meeting at 1:38 p.m.

MOVED by Councillor Henn that the public hearing for item C-4 be opened at 1:38 p.m.

Carried
Absent: Councillor Hanson
Abstained: Deputy Reeve Schule

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

MOVED by Councillor Gautreau that the late submission be accepted.

Carried
Absent: Councillor Hanson
Abstained: Deputy Reeve Schule

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Brad Tennant

Person(s) who spoke in rebuttal: Bart Carswell, Carswell Planning (Applicant)
Jason Dunn, Bunt & Associates
Jeff Palmer (Owner of a portion of the subject lands)

MOVED by Councillor Henn that the public hearing for item C-4 be closed at 2:19 p.m.

Carried
Absent: Councillor Hanson
Abstained: Deputy Reeve Schule

MOVED by Councillor Gautreau that Bylaw C-7674-2017 be given second reading.

Carried
Absent: Councillor Hanson
Abstained: Deputy Reeve Schule

MOVED by Councillor Henn that Bylaw C-7674-2017 be given third and final reading.

Carried
Absent: Councillor Hanson
Abstained: Deputy Reeve Schule

The Chair called for a recess at 2:22 p.m. and called the meeting back to order at 2:25 p.m. with all previously mentioned members present.

Deputy Reeve Schule returned to the meeting at 2:25 p.m.

1-19-02-26-11 (D-5)

All Divisions – Agricultural Service Board Terms of Reference Amendment

File: N/A

MOVED by Councillor Henn that the Agricultural Service Board Terms of Reference be amended by deleting section 11 and renumbering the remaining sections as necessary.

Carried
Absent: Councillor Hanson

1-19-02-26-12 (D-6)

Division 1 – Proposed Speed Limit Change on Highway 22 at Highway 1 Interchange

File: N/A

MOVED by Councillor Kamachi that Administration be directed to issue a letter of support regarding the proposed speed limit change.

Carried
Absent: Councillor Hanson

1-19-02-26-13 (D-7)

All Divisions – Request for Budget Adjustment – County Plan Targeted Amendments

File: 1013-135

Councillor Hanson returned to the meeting at 2:56 p.m.

MOVED by Deputy Reeve Schule that \$150,000.00 be transferred from the Tax Stabilization Reserve to complete the County Plan Targeted Amendments.

Carried

In Favour:

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

Opposed:

Councillor Kissel
Councillor Wright

1-19-02-26-14 (D-8)

Division 5 – Waiving of Securities for a Road Improvements on Township Road 240

File: 4055-650

MOVED by Councillor Gautreau that the requirement to collect securities from the City of Chestermere to complete road improvements for Township Road 240, as described in Attachments 'A' and 'B', be waived.

Carried

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1-19-02-26-20 (J-1)

Division 9 – Subdivision Item – Four Lots, Residential Three District

File: PL20180070 (06832001)

MOVED by Councillor Kissel that Council hear from the applicant.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Reeve Boehlke
Councillor Henn

The Chair called for a recess at 3:26 p.m. and called the meeting back to order at 3:40 p.m. with all previously mentioned members present.

MOVED by Councillor Kissel that condition 8 in Appendix 'A' be amended to read as follows:

The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing:

- a) From three acres per subdivided lot (Lots 2 to 4) as shown on the Plan of Survey.

Carried

MOVED by Councillor Kissel that condition 10 in Appendix 'A' be amended to read as follows:

The provision of Reserve in the amount of 5% of the area of the Lots of 1-4 (inclusive), 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 RDS Appraisal Group, file 189027, dated July 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.

- a) The provision of Reserve, in the amount of 5%, of Lots 1-4 (inclusive) is to be deferred by caveat proportionally to Lots 1-4 (inclusive), pursuant to section 669(2) of the *Municipal Government Act*.

Carried

In Favour:

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

Opposed:

Councillor Henn

MOVED by Councillor Kissel that Subdivision Application PL20180070 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create four \pm 4.05 hectare (\pm 10.00 acre) parcels from Block 1, Plan 7410082 within NE-32-26-04-W5M was evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 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 the Cochrane North Area Structure Plan;
 - 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. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application is 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.
- 2) The Owner is to dedicate, by caveat, a 1 metre wide portion of land along the northern boundary of Block 1, Plan 7410082, NE-32-26-04-W5M, to accommodate the future widening of Weedon Trail, as identified in the Cochrane North ASP and Hamlet Plan Transportation Study (iTrans, March 2010).

Accessibility to a Road

- 3) The Applicant / Owner shall construct a new mutual paved approach on Weedon Trail in order to provide access to Lots 2, 3 and 4 denoted on the approved Tentative Plan. In addition, the Applicant / Owner shall:
 - a) Provide an Access Right-of-Way Plan; and
 - b) Prepare and register the respective Access Easements on each title.

Road Acquisition Agreement

- 4) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lots 3 and 4, 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:
 - a) The provision of a road acquisition ± 665 metres in length and ≥ 25 metres in width (± 1.66 hectares) along the western boundary of Block 1, Plan 7410082, NE-32-26-04-W5M;
 - b) The purchase of land by the County for \$1.

Water Wells

- 5) Water is to be supplied by an individual well on Lots 2, 3 and 4. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided demonstrating a minimum flow rate of 1.0 IGPM, and including 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.

Waste Water and Stormwater

- 6) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County for:
 - a) Construction of wastewater infrastructure in accordance with the recommendations of the submitted Level III PSTS Assessment prepared by Groundwater Information Technologies Ltd. on December 27, 2017.
 - b) Construction of storm water infrastructure in accordance with the recommendations of the submitted Storm Water Management Report prepared by Stormwater Solutions Inc. on September 19, 2017.

Deferred Services Agreement

- 7) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lot(s) 1 to 4 denoted on the approved Tentative Plan, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and storm water systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Payments and Levies

- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing:
 - a) From three acres per subdivided lot (Lots 2 to 4) as shown on the Plan of Survey.
- 9) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of three new Lots.

Municipal Reserves

- 10) The provision of Reserve in the amount of 5% of the area of the Lots of 1-4 (inclusive), 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 RDS Appraisal Group, file 189027, dated July 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a) The provision of Reserve, in the amount of 5%, of Lots 1-4 (inclusive) is to be deferred by caveat proportionally to Lots 1-4 (inclusive), pursuant to section 669(2) of the *Municipal Government Act*.

Taxes

- 11) 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*.

C. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the Subdivision, the Planning Department 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

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1-19-02-26-19 (I-1)

Division 2 – Notice of Motion – Councillor McKylor and Councillor Kamachi – Removal of Municipal Reserve Designation and Disposal of the Commercial Court Municipal Reserve Parcel

File: N/A

Notice of Motion: Read at the February 26, 2019 Council Meeting

To be debated at the March 12, 2019 Council Meeting

Title: Removal of Municipal Reserve Designation and Disposal of the Commercial Court Municipal Reserve Parcel

Presented By: Councillor Kim McKylor, Division 2

Councillor Mark Kamachi, Division 1

WHEREAS the 4-acre Commercial Court Municipal Reserve (MR) Parcel was created with the approval of Subdivision Application 2003-RV-277 (File: 04734002) on a motion by Councillor Brenda Goode on February 24, 2004;

AND WHEREAS Councillor Brenda Goode reported to the Springbank Community Association on April 19, 2004 that the Commercial Court Municipal Reserve (MR) Parcel approved on February 24, 2004 was suitable for the future home of the Community Association;

AND WHEREAS the Springbank Community Hall (circa 1905) was condemned in May 2018;

AND WHEREAS the draft Master Recreation Plan demonstrates a need for multi-purpose community space in the Springbank area;

AND WHEREAS the 4-acre Commercial Court Municipal Reserve (MR) Parcel will not adequately accommodate both parking and a community facility with possible growth in the Springbank area;

AND WHEREAS the Commercial Court Municipal Reserve (MR) Parcel is situated within a commercial development and is not suitable for a community centre that will be accessible to all members of the community;

AND WHEREAS the Springbank Community Association presented to the Policies and Priorities Committee on June 5, 2018 and highlighted the need for, and interest in, building a new multi-purpose community space in the near-term to alleviate a shortage in community space;

AND WHEREAS the *Municipal Government Act* allows for the removal of municipal reserve designation and disposal of the Municipal Reserve land, or if disposal is not suitable, then suitable lands should be secured for the Springbank Community Association;

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to initiate the process of removing the municipal reserve designation and disposing of the 4-acre Commercial Court Municipal Reserve Parcel;

AND THAT Rocky View County's share of the proceeds be used towards acquiring a minimum of 14 acres of land on or near the Range Road 33 corridor for a future community centre in Springbank.

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1-19-02-26-18 (E-4)

All Divisions – Bylaw C-7855-2018 – Board and Committee Code of Conduct Bylaw

File: N/A

MOVED by Councillor Kissel that Bylaw C-7855-2018 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7855-2018 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7855-2018 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7855-2018 be given third and final reading.

Carried

Adjournment

MOVED by Councillor Henn that the February 26, 2019 Council meeting be adjourned at 3:51 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate