

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 9, 2019

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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 April 9, 2019 commencing at 9:00 a.m.

Present:

Division 4	Deputy Reeve A. Schule
Division 6	Reeve G. Boehlke (participated electronically)
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
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- B. Woods, Manager, Financial Services
- R. Smith, Manager, Fire Services
- S. Hulsman, Manager, Transportation
- M. Wilson, Manager, Planning and Development
- S. MacLean, Planning Supervisor, Planning and Development
- D. Kazmierczak, Planner, Planning and Development
- X. Deng, Planner, Planning and Development
- L. Ganczar, Planner, Planning and Development
- A. Panaguiton, Community Project Coordinator, Recreation, Parks, and Community Support
- T. Andreasen, Legislative and Bylaw Coordinator, Municipal Clerk's Office

Call to Order

Deputy Reeve Schule assumed the Chair and called the meeting to order at 9:00 a.m. with all members present. Reeve Boehlke participated in the meeting electronically.

1-19-04-09-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the April 9, 2019 Council meeting agenda be amended as follows:

- Add emergent business item D-5 – Langdon Softball Association Grant Funding Request

Carried

MOVED by Councillor Gautreau that the April 9, 2019 Council meeting agenda be approved as amended.

Carried

1-19-04-09-02

Confirmation of Minutes

MOVED by Councillor McKylor that the March 26, 2019 Council meeting minutes be approved as presented.

Carried

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1-19-04-09-05 (D-1)

All Divisions – 2019 Budget Adjustment – Special Initiatives

File: N/A

MOVED by Reeve Boehlke that the water tender budget adjustment for \$530,000 be deferred to future budget considerations;

AND THAT Administration be directed to coordinate with our mutual aid partners and/or Rocky View County infrastructure for the use of a water truck.

Lost

In Favour:

Reeve Boehlke
Deputy Reeve Schule

Opposed:

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

MOVED by Councillor Wright that the water tender budget adjustment for \$530,000 be approved as presented in Attachment 'A' AND that Bylaw C-7877-2019 be given first reading.

Carried

In Favour:

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

Opposed:

Reeve Boehlke

MOVED by Councillor Gautreau that the increase in FCSS grants budget adjustment for \$71,200 be approved as presented in Attachment 'A'.

Carried

MOVED by Councillor Kissel that the full time staff positions budget adjustment for \$1,063,800 be approved as presented in Attachment 'A'.

Carried

In Favour:

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

Opposed:

Reeve Boehlke
Councillor Henn

MOVED by Reeve Boehlke that the plow truck budget adjustment for \$380,000 be approved as presented in Attachment 'A' AND that Bylaw C-7878-2019 be given first reading.

Carried

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MOVED by Councillor Kamachi that the Township Road 252 Bridge Rehabilitation budget adjustment for \$400,000 be approved as presented in Attachment 'A' AND that Bylaw C- 7879-2019 be given first reading.
Carried

MOVED by Councillor McKylor that item D-1 be tabled until after the public hearing.
Carried

The Chair called for a recess at 10:02 a.m. and called the meeting back to order at 10:12 a.m. with all previously mentioned members present.

1-19-04-09-04 (C-1)

Division 9 – Bylaw C-7871-2019 – Redesignation Item – New or Distinct Agricultural Use – Ranch and Farm Two District to Ranch and Farm Three District
File: PL20180148 (08817002)

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

Person(s) who presented: Terence Moman and Kim Knapp (Applicants)

Person(s) who spoke in favour: None

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-1 be closed at 10:33 a.m.
Carried

MOVED by Councillor Kissel that Bylaw C-7871-2019 be given first reading.
Carried

MOVED by Councillor Gautreau that Bylaw C-7871-2019 be given second reading.
Carried

MOVED by Councillor Hanson that Bylaw C-7871-2019 be considered for third reading.
Carried

MOVED by Councillor Kissel that Bylaw C-7871-2019 be given third and final reading.
Carried

1-19-04-09-05 (D-1)

All Divisions – 2019 Budget Adjustment – Special Initiatives
File: N/A

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

MOVED by Councillor McKylor that the Range Road 263 Bridge Replacement budget adjustment for \$1,292,000 be approved as presented in Attachment 'A' AND that Bylaw C-7880-2019 be given first reading.
Carried

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MOVED by Councillor Gautreau that the Range Road 265 Bridge Replacement budget adjustment for \$666,000 be approved as presented in Attachment 'A' AND that Bylaw C-7881-2019 be given first reading.
Carried

MOVED by Councillor McKylor that the Township Road 274 Bridge Replacement budget adjustment for \$666,000 be approved as presented in Attachment 'A' AND that Bylaw C-7882-2019 be given first reading.
Carried

The Chair called for a recess at 10:40 a.m. and called the meeting back to order at 10:47 a.m. with all previously mentioned members present.

1-19-04-09-09 (J-1)

Division 8 – Subdivision Item – Single Residential Lot, Residential Two District

File: PL20180101 (06606037)

MOVED by Councillor Wright that condition 8 in Appendix 'A' be amended 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 the gross acreage of Lot 2 as shown on the Plan of Survey; and
- b) the gross acreage of Lot 1 shall be deferred.

Carried

In Favour:

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

Opposed:

Councillor Hanson

The Chair called for a recess at 11:12 a.m. and called the meeting back to order at 11:20 a.m. with all previously mentioned members present.

MOVED by Councillor Wright that condition 10 in Appendix 'A' be amended as follows:

The provision of Reserve in the amount of nine percent of the area of Lot 1, 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 189161, dated September 12, 2018 pursuant to Section 666(3) of the *Municipal Government Act*:

- a) the provision of Reserve in the amount of nine percent on Lot 2, as determined by the Plan of Survey, shall be deferred by caveat in accordance with section 669(2) of the *Municipal Government Act*.

Lost

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In Favour:

Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Wright

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau
Councillor Kissel

MOVED by Reeve Boehlke that item J-1 be tabled until the April 30, 2019 Council meeting.

Lost

In Favour:

Councillor Kamachi
Reeve Boehlke

Opposed:

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

MOVED by Councillor Wright that condition 5 in Appendix 'A' be amended as follows:

The Owner is to provide confirmation of the tie-in for connection to the Rocky View Water Coop, an Alberta Environment licensed piped water supplier, for Lot 2, as shown on the Approved Tentative Plan. This includes providing the following information:

- a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for proposed Lot 2;
- b) Documentation proving that water supply has been purchased for proposed Lot 2;
- c) 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.

AND THAT condition 7(a) in Appendix 'A' be amended as follows:

Requirements for each future Lot Owner to connect to County wastewater and storm water, and water systems at their cost when such services become available;

Carried

In Favour:

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

Opposed:

Councillor Kamachi
Councillor Gautreau
Reeve Boehlke

MOVED by Councillor Wight that Part A of Appendix 'A' be amended to provide the following reasons for approval of the subdivision application:

- 1) The application is generally consistent with the statutory provisions of the Bears paw ASP;
- 2) The lands hold the appropriate land use designation (Residential Two District) for the intended subdivision and parcel sizes; and

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-
- 3) All technical considerations are addressed in the conditions of approval.

AND THAT Subdivision Application PL20180101 be approved with the conditions noted in Appendix 'A' as amended:

- A. Should the Subdivision Authority approve the application, the written decision of the Subdivision Authority must include the reasons for the decision, including an indication of how the Subdivision Authority has considered submissions made by adjacent landowners and the matters listed in Section 7 of the *Subdivision and Development Regulation*. The following reasons were provided:
- 1) The application is generally consistent with the statutory provisions of the Bears paw ASP;
 - 2) The lands hold the appropriate land use designation (Residential Two District) for the intended subdivision and parcel sizes; and
 - 3) All technical considerations are addressed in the conditions of approval.
- 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 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.

Accessibility to a Road

- 2) The Owner shall provide an Access Easement Agreement to provide for mutual access to Lots 1 and 2, as per the approved Tentative Plan, which shall include:
 - a) Registration of the applicable access right of way plan;
 - b) Preparation and registration of respective easements on each title, where required.
- 3) 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;

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 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:
 - a) The provision of a road acquisition ± 400 metres in length and ± 15 metres in width (± 0.6 hectares) along the western boundary of Lot 2, Block A, Plan 8610401, NE-32-26-04-W5M;
 - b) The purchase of land by the County for \$1.

Water Supply

- 5) The Owner is to provide confirmation of the tie-in for connection to the Rocky View Water Coop, an Alberta Environment licensed piped water supplier, for Lot 2, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for proposed Lot 2;
 - b) Documentation proving that water supply has been purchased for proposed Lot 2;
 - c) 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.

Wastewater and Storm Water

- 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 3 PSTS Assessment, prepared by Western Water Resources Inc. on August 7, 2018.
 - 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, 2018.

Deferred Services Agreement

- 7) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for both proposed Lot(s) 1 and 2 denoted on the approved Tentative Plan, indicating:
 - a) Requirements for each future Lot Owner to connect to County wastewater and storm water, and 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 the gross acreage of Lot 2 as shown on the Plan of Survey; and
 - b) the gross acreage of Lot 1 shall be deferred.
- 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 nine 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 RDS Appraisal Group, file 189161, dated September 12, 2018 pursuant to Section 666(3) 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*.

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D. 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

1-19-04-09-10 (J-2)

Division 4 – Subdivision Item – Additional Agricultural Holdings Lot

File: PL20180146 (03322005)

MOVED by Councillor Gautreau that the applicant be allowed to speak on item J-2.

Carried

In Favour:

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

Opposed:

Councillor Hanson

Larry Konschuk proceeded to address Council on behalf of the applicant on the proposed conditions of approval for subdivision application PL20180146.

MOVED by Councillor Henn that item J-2 be tabled until the afternoon.

Carried

1-19-04-09-11 (J-3)

Division 2 – Subdivision Item – Residential One District

File: PL20180131 (05714035)

MOVED by Councillor McKylor that Subdivision Application PL20180131 be approved with the conditions listed in Appendix 'A':

- A. The application to create a ± 1.14 hectare (2.82 acre) parcel with a ± 1.15 hectare (2.84 acre) remainder on Lot 10, Block B, Plan 9512428 within NW-14-25-03-W05M, has 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, 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 Central Springbank ASP.
 - 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 Survey

- 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 Plan

- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) The Site Plan is to confirm removal of the existing Quonset.

Transportation and Access

- 3) The owner shall provide an Access Right-of-Way Plan and Access Easement Agreement to be registered on title of Lots 1 & 2 for the new shared-road access easement.

Servicing

- 4) The Owner shall enter into a Site Improvements / Services Agreement with the County, which shall be registered on title of Lots 1 & 2 and shall include the following:
 - a) The system is to be in accordance with the Level 4 PSTS Assessment (Sedulous Engineering Inc. – December, 2018);
 - b) The construction of a Packaged Sewage Treatment Plant shall meet Bureau de Normalisation du Quebec (BNQ) standards.
- 5) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1.
 - b) Verification is provided that the well is located within the respective proposed lot's boundaries.
 - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.
- 6) The Owner is to provide and implement a Site-Specific Storm Water Management Plan that meets the requirements outlined in the County Servicing Standards and the Springbank Master Drainage Plan. Implementation of the Storm Water Management Plan shall include:
 - a) Registration of any required easements and / or utility rights-of-way;
 - b) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the storm water infrastructure system;
- 7) Should the Site Specific Storm Water Management Plan indicate that improvements are required, then the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.
- 8) A Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie in to municipal water and sanitary services when they become available.

Payments and Levies

- 9) 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.
- 10) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
 - a) From the total gross acreage of Lots 1 and 2 as shown on the Plan of Survey.

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*.

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

1-19-04-09-12 (K-1)

Division 9 – Confidential In Camera Item – Cochrane and District Ag Society Request

File: RVC2019-09

1-19-04-09-13 (K-2)

All Divisions – Confidential In Camera Item – Recreation Board Discussion

File: RVC2019-10

MOVED by Councillor Henn that Council move in camera at 12:05 p.m. to consider the confidential in camera items “Cochrane and District Ag Society Request” and “Recreation Board Discussion” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 16 – Disclosure harmful to the business interests of a third party
- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 – Advice from officials

Carried

Reeve Boehlke did not participate in the in camera sessions for confidential items K-1 and K-2 as he participated in the meeting electronically.

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

Rocky View County: A. Hoggan, Chief Administrative Officer
 B. Riemann, Executive Director, Operations
 S. Baers, Executive Director, Community Development Services
 G. Kaiser, Executive Director, Community and Business Connections
 R. Barss, Manager, Intergovernmental Affairs
 T. Cochran, Manager, Recreation, Parks, and Community Support

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

Rocky View County: A. Hoggan, Chief Administrative Officer
 S. Baers, Executive Director, Community Development Services
 G. Kaiser, Executive Director, Community and Business Connections

MOVED by Councillor Kissel that Council move out of in camera at 2:21 p.m.

Carried

MOVED by Councillor Kissel that Council:

- 1) Direct Administration to prepare a response to the Cochrane District Agricultural Society's letter, dated October 18, 2018, that follows the mandate as discussed in camera;
- 2) Direct that the in camera report and discussion remain confidential pursuant to the *Municipal Government Act*, Section 16 (disclosure harmful to business interests of a third party) of the *Freedom of Information and Protection of Privacy Act*.

Carried

1-19-04-09-10 (J-2)

Division 4 – Subdivision Item – Additional Agricultural Holdings Lot
File: PL20180146 (03322005)

MOVED by Councillor Gautreau that item J-2 be lifted from the table.

Carried

Larry Korschuk proceeded to further address Council on behalf of the applicant on the proposed conditions of approval for subdivision application PL20180146.

MOVED by Councillor Gautreau that condition 3 in Appendix 'A' be amended as follows:

Water is to be supplied by cistern on Lot 2.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOVED by Councillor Gautreau condition 4 in Appendix 'A' be amended 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 on Lot 2 as shown on the Plan of Survey; and
- b) from three acres on Lot 1 as shown on the Plan of Survey shall be deferred.

Carried

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In Favour:

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

Opposed:

Councillor Hanson
Reeve Boehlke
Councillor Wright

The Chair called for a recess at 2:58 p.m. and called the meeting back to order at 3:10 p.m. with all previously mentioned members present.

MAIN MOTION:

MOVED by Councillor Gautreau that Part A of Appendix 'A' be amended to provide the following reasons of approval for the subdivision application:

- 1) The lands hold the appropriate land use designation (Agricultural Holdings District) for the intended subdivision;
- 2) All technical considerations are addressed in the conditions of approval; and
- 3) The subdivision conforms with the Rocky View County-City of Calgary Intermunicipal Development Plan and the County Plan; and
- 4) The subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

AND THAT Subdivision Application PL20180146 be approved with the conditions noted in Appendix 'A' as amended.

AMENDING MOTION:

MOVED by Councillor Hanson that the main motion be amended as follows:

THAT Part A of Appendix 'A' be amended to provide the following reasons of approval for the subdivision application:

- 1) The lands hold the appropriate land use designation (Agricultural Holdings District) for the intended subdivision;
- 2) All technical considerations are addressed in the conditions of approval; and
- ~~3) The subdivision conforms with the Rocky View County-City of Calgary Intermunicipal Development Plan and the County Plan; and~~
- 4) The subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

AND THAT Subdivision Application PL20180146 be approved with the conditions noted in Appendix 'A' as amended.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Henn
Councillor Kissel

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The Chair called for a vote on the main motion as amended.

MAIN MOTION AS AMENDED:

MOVED by Councillor Gautreau that Part A of Appendix 'A' be amended to provide the following reasons of approval for the subdivision application:

- 1) The lands hold the appropriate land use designation (Agricultural Holdings District) for the intended subdivision;
- 2) All technical considerations are addressed in the conditions of approval; and
- 3) The subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

AND THAT Subdivision Application PL20180146 be approved with the conditions noted in Appendix 'A' as amended:

- A. Should the Subdivision Authority approve the application, the written decision of the Subdivision Authority must include the reasons for the decision, including an indication of how the Subdivision Authority has considered submissions made by adjacent landowners and the matters listed in Section 7 of the *Subdivision and Development Regulation*. The following reasons were provided:
 - 1) The lands hold the appropriate land use designation (Agricultural Holdings District) for the intended subdivision;
 - 2) All technical considerations are addressed in the conditions of approval; and
 - 3) The subdivision would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.
- 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 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 Plan of Survey, a 30-metre-wide portion of land along the northern boundary of Block 1, Plan 9710832, NE-22-23-28-W4M, to accommodate a service road right-of-way adjoining Highway 560.

Water Well

- 3) Water is to be supplied by cistern on Lot 2.

Payments and Levies

- 4) 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 on Lot 2 as shown on the Plan of Survey; and
 - b) from three acres on Lot 1 as shown on the Plan of Survey shall be deferred.
- 5) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new Lot.

Municipal Reserves

- 6) The provision of Reserve in the amount of 10 percent of the area of Lot 1, 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 Weleschuk Associates Ltd., dated December 7, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.
- 7) The provision of Reserve in the amount of 10% of Lot 2 is to be deferred by Caveat proportionately to that parcel pursuant to Section 669(2) 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 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
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

1-19-04-09-06 (D-2)

All Divisions – 2019 Tax Recovery Sale Properties – Reserve Bids

File: 2020-250

MOVED by Councillor Hanson that the reserve bids for the 2019 tax recovery sale be approved as per Attachment 'A'.

Carried

1-19-04-09-07 (D-3)

All Divisions – Priority Setting for Canada Post Municipal Address Changes

File: N/A

MOVED by Councillor Gautreau that Administration is directed to inform Canada Post that converting Rural Route addresses to municipal addresses is a priority.

Carried

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1-19-04-09-08 (D-4)

Division 6 – Subdivision Fee Waiver Request – Village of Beiseker Airport

File: N/A

MAIN MOTION:

MOVED by Reeve Boehlke that application fees associated with the subdivision of the Village of Beiseker Airport, approximately \$18,315.00 in value, be WAIVED.

TABLING MOTION:

MOVED by Councillor Hanson that the main motion be tabled until Administration returns with a more in-depth report on the tax and financial implications and potential for a visible public good news story no later than the April 30, 2019 Council meeting.

Lost

In Favour:

Councillor Hanson
Councillor Gautreau
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Henn

TABLING MOTION:

MOVED by Councillor Gautreau that the main motion be tabled until after item D-5.

Carried

In Favour:

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

Opposed:

Councillor Henn

1-19-04-09-09 (D-5)

Division 4 – Emergent Business Item – Langdon Softball Association Grant Funding Request

File: N/A

MOVED by Councillor Gautreau that recreation operational district funding for Langdon Softball Association be approved as recommended by the Bow North Recreation District Board in the amount of \$19,891.89, as follows:

- \$3,129.67 for the infield upgrade; and
- \$16,762.22 pending approved and proper agreements from Rocky View County's Legal & Land Administration and Langdon Community Association

With the remaining operational funding requests to District Recreation Boards to be considered at Council's May 28, 2019 meeting.

Carried

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1-19-04-09-08 (D-4)

Division 6 – Subdivision Fee Waiver Request – Village of Beiseker Airport

File: N/A

MOVED by Councillor Gautreau that the main motion be lifted from the table.

Carried

The Chair called for a vote on the main motion.

MAIN MOTION:

MOVED by Reeve Boehlke that application fees associated with the subdivision of the Village of Beiseker Airport, approximately \$18,315.00 in value, be WAIVED.

Carried

Adjournment

MOVED by Councillor Gautreau that the April 9, 2019 Council meeting be adjourned at 3:47 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate