

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

Page 1

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 30, 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
- G. Kaiser, Executive Director, Community and Business Connections
- R. Barss, A/Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- B. Woods, Manager, Financial Services
- R. Smith, Manager, Fire Services
- C. Nelson, Manager, Corporate Business Development
- G. Nijjar, A/Engineering Supervisor, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- J. Kirychuk, Planner, Planning and Development Services
- A. Pare, Engineering Support Technician, Planning and Development Services
- T. Andreasen, Legislative and Bylaw Coordinator, Municipal Clerk's Office

Call to Order

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

1-19-04-30-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Schule that the April 30, 2019 Council meeting agenda be amended as follows:

- Remove item I-1 – Notice of Motion – Policy and Procedure for Recruitment of a Chief Administrative Officer

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

Page 2

MOVED by Deputy Reeve Schule that the April 30, 2019 Council meeting agenda be approved as amended.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

1-19-04-30-02

Confirmation of Minutes

MOVED by Deputy Reeve Schule that the April 9, 2019 Council meeting minutes be approved as presented.

Carried

In Favour:

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

Opposed:

Councillor Wright

1-19-04-30-03 (B-1)

All Divisions – 2018 Year End Financial Statements

File: 2025-350

Persons who presented: Julie Oliver, MNP

MOVED by Deputy Reeve Schule that the 2018 Audited Financial Statements be approved as presented in Attachment 'A'.

Carried

1-19-04-30-07 (D-1)

Division 1 – Bragg Creek Connect – Community Broadband Project

File: N/A

MOVED by Councillor Kamachi that the Bragg Creek Connect Committee be allowed to present to Council.

Carried

In Favour:

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

Opposed:

Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

MOVED by Councillor Kissel that item D-1 be tabled until after the morning public hearings.

Carried

The Chair called for a recess at 9:59 a.m. and called the meeting back to order at 10:09 a.m. with all previously mentioned members present.

1-19-04-30-04 (C-1)

Division 9 – Bylaw C-7868-2019 – Redesignation Item – Site-Specific Amendment to Direct Control Bylaw C-5911-2004 (DC-96)

File: PL20180142 (07802005)

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

Carried

Person(s) who presented: Sean Veraart, Veraart Holdings Ltd. (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 Kissel that the public hearing for item C-1 be closed at 10:35 a.m.

Carried

The Chair called for a recess at 10:34 a.m. and called the meeting back to order at 10:40 a.m. with all previously mentioned members present.

MOVED by Councillor Kissel that Bylaw C-7868-2019 be given first reading.

Carried

MOVED by Councillor Wright that Bylaw C-7868-2019 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7868-2019 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7868-2019 be given third and final reading.

Carried

1-19-04-30-05 (C-2)

Division 7 – Bylaw C-7872-2019 – Redesignation Item – Direct Control 99 Amendment

File: PL20180158 (06403001)

MOVED by Councillor Henn that the public hearing for item C-2 be opened at 10:43 a.m.

Carried

Person(s) who presented: Mike Coldwell, Urban Systems Ltd. (Applicant)

Person(s) who spoke in favour: None

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

MOVED by Councillor Henn that the late letter in opposition be accepted.

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Wright
Councillor Kissel

Opposed:

Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn

Person(s) who spoke in opposition: Jigneth Trinez
Monyca Cummings

Person(s) who spoke in rebuttal: Mike Coldwell, Urban Systems Ltd. (Applicant)

MOVED by Councillor Henn that the public hearing for item C-2 be closed at 11:18 a.m.

Carried

MOVED by Councillor Henn that Bylaw C-7872-2019 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7872-2019 be given second reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7872-2019 be considered for third reading.

Carried

MOVED by Councillor Henn that Bylaw C-7872-2019 be given third and final reading.

Carried

The Chair called for a recess at 11:20 a.m. and called the meeting back to order at 11:25 a.m. with all previously mentioned members present.

1-19-04-30-07 (D-1)

Division 1 – Bragg Creek Connect – Community Broadband Project

File: N/A

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

Carried

The Chair called for a recess at 11:42 a.m. and called the meeting back to order at 11:47 a.m. with all previously mentioned members present.

MOVED by Councillor Kamachi that Administration be directed to discontinue Phase I of the Internet Servicing Strategy, pay all outstanding costs and assign the remaining funds to the new Community Broadband Study project;

AND THAT an application be made to the 2019 Community and Regional Economic Support (CARES) program, requesting 50% of the total estimated program cost;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

AND THAT subject to the successful award of a CARES grant, amounting to not less than 50% of project costs, an amount not to exceed \$28,500.00 be assigned to the Bragg Creek Community Broadband Study project and funded from the Tax Stabilization Reserve as per Attachment 'C'.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

1-19-04-30-09 (D-3)

Division 5 – Terms of Reference – Janet Area Structure Plan Amendments

File: 1015-251

MAIN MOTION:

MOVED by Councillor Gautreau that Administration be directed to assess the potential effects and considerations of expanding the Janet Area Structure Plan based on the inclusion of Sections 21, 22, 23 and 26 of Township 23 Range 28 West of the 4th Meridian and report back to Council on May 28, 2019.

MOTION TO RESCIND:

MOVED by Councillor Hanson that the main motion be rescinded.

Lost

In Favour:

Councillor Hanson
Councillor Kissel

Opposed:

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

The Chair called for a vote on the main motion.

MOVED by Councillor Gautreau that Administration be directed to assess the potential effects and considerations of expanding the Janet Area Structure Plan based on the inclusion of Sections 21, 22, 23 and 26 of Township 23 Range 28 West of the 4th Meridian and report back to Council on May 28, 2019.

Carried

In Favour:

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

Opposed:

Reeve Boehlke
Councillor Wright
Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

Page 6

1-19-04-30-08 (D-2)

All Divisions – Rocky View County Appointment of Fire Guardians for 2019 Fire Season

File: N/A

MOVED by Councillor Hanson that the individuals listed in Attachment 'A' be appointed as Local Fire Guardians for the 2019 fire season as per the *Forest and Prairie Protection Act*.

Carried

The Chair called for a recess at 12:15 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present.

1-19-04-30-06 (C-3)

Division 5 – Bylaw C-7866-2019 – Redesignation Item – Residential Two District to Industrial – Industrial Activity District

File: PL20180095 (03332014/03332017)

MOVED by Councillor Gautreau that the public hearing for item C-3 be opened at 1:31 p.m.

Carried

Person(s) who presented: Andre Chabot, ARJ Consulting (Applicant)
Maurizio Terrigno, Jaroc Holdings Ltd. (Owner)
Justin Barrett, JCB Engineering

Person(s) who spoke in favour: Darrel Winch

Person(s) who spoke in opposition: Barry Wakeford

Person(s) who spoke in rebuttal: Andre Chabot, ARJ Consulting (Applicant)

MOVED by Councillor Gautreau that the public hearing for item C-3 be closed at 2:28 p.m.

Carried

MOVED by Councillor Gautreau that Council sets aside Sections 8.1 and 10.5 of the Janet Area Structure Plan.

Carried

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Deputy Reeve Schule
Councillor Henn

Opposed:

Councillor Hanson
Reeve Boehlke
Councillor Wright
Councillor Kissel

MOVED by Councillor Gautreau that Bylaw C-7866-2019 be given first reading.

Carried

In Favour:

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

Opposed:

Councillor Wright
Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

MOVED by Councillor Kamachi that Bylaw C-7866-2019 be given second 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 Bylaw C-7866-2019 be considered for third reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7866-2019 be given third and final reading.

Carried

1-19-04-30-10 (D-4)

All Divisions – Policy Review Subcommittee Request – Aggregate Development Policy

File: 0160

MOVED by Councillor Wright that an aggregate resource extraction policy and accompanying procedure be completed and presented back to Council by July 23, 2019 for consideration;

AND THAT an aggregate resource extraction policy and accompanying procedures be scheduled for discussion at a CAO workshop to be held before the end of May 2019.

Lost

In Favour:

Councillor Hanson
Councillor Wright
Councillor Kissel

Opposed:

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

MOVED by Councillor Gautreau that Council cancel the creation of an aggregate resource extraction policy and procedure;

AND THAT Administration be directed to assess aggregate resource extraction applications through development permits and their associated conditions.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

1-19-04-30-11 (D-5)
All Divisions – 2019 Spring Budget Finalization
File: 2025-350

MOVED by Councillor Wright that the budget adjustments be approved as presented in Attachment 'A' and Attachment 'B';

AND THAT the excess amount of \$682,800 be applied to the 2019 operating budget to reduce the current 3% tax increase.

Carried

1-19-04-30-14 (E-3)
Division 4 – Bylaw C-7874-2019 – 2019 Langdon Special Levy Tax Rate Bylaw
File: 2025-350

MOVED by Deputy Reeve Schule that Bylaw C-7874-2019 be given first reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7874-2019 be given second reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7874-2019 be considered for third reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7874-2019 be given third and final reading.

Carried

1-19-04-30-15 (E-4)
All Divisions – Bylaw C-7873-2019 – 2019 Tax Rate Bylaw
File: 2025-350

MOVED by Deputy Reeve Schule that Administration be directed to return to Council later in the meeting with a revised tax rate bylaw with a 1% tax increase.

Lost

In Favour:
Reeve Boehlke
Deputy Reeve Schule
Councillor Henn
Councillor Kissel

Opposed:
Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau
Councillor Wright

MOVED by Councillor Gautreau that Administration be directed to return to Council later in the meeting with a revised tax rate bylaw with a 2% tax increase.

Carried

1-19-04-30-12 (E-1)
Division 9 – Further Consideration of Bylaw C-7839-2018 – Road Closure of a Portion of Parcel B on Plan 8732H.X
File: PL20180114

MOVED by Councillor Kissel that Bylaw C-7839-2018 be given second reading.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

Page 9

MOVED by Councillor Henn that Bylaw C-7839-2018 be given third reading.

Carried

MOVED by Councillor Kissel that the 0.10 acre portion of land be transferred to the applicants Frederik Serfranckx and Fiona Verlinde at no additional cost.

Carried

1-19-04-30-13 (E-2)

Division 2 – Further Consideration of Bylaw C-7826-2018 – Road Closure of a Portion of Road Shown on Plan 741 0359

File: PL20180075

MOVED by Councillor McKylor that Bylaw C-7826-2018 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7826-2018 be given third reading.

Carried

MOVED by Councillor McKylor that the 1.43 acre portion of land be transferred to the applicant Martha Proppe subject to:

- a) Sales agreement being signed at the appraised value of \$29,500.00, plus \$2,500.00 for the cost of the appraisal, and \$1,500.00 for the cost of the survey and all applicable taxes;
- b) That all incidental costs to create title and consolidation with the adjacent lands are at the expense of the applicant; and
- c) The terms of the sales agreement shall be completed within one year after Bylaw C-7826-2018 receives third and final reading.

Carried

1-19-04-30-17 (J-1)

Division 6 – Subdivision Item – First Parcel Out

File: PL20190022 (09412003)

MOVED by Deputy Reeve Schule that condition 2, *Accessibility to a Road*, be removed from Appendix 'A'.

Carried

MOVED by Deputy Reeve Schule that Subdivision Application PL20190022 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a ±4.05 hectare (±10.00 acre) parcel with a ±60.29 hectare (148.97 acre) remainder from NW-12-29-29-W04M has been 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 all relevant statutory plans;
 - 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;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

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- 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 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.

Utilities

- 2) Utility Easements, Agreements and Plans are to be provided and registered on Lots 1 and 2, as shown on the Tentative Plan, to the satisfaction of Rockyview Gas Co-op Ltd.

Payments

- 3) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for a first parcel out.

Taxes

- 4) 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

The Chair called for a recess at 3:16 p.m. and called the meeting back to order at 3:39 p.m. with all previously mentioned members present.

1-19-04-30-15 (E-4)

All Divisions – Bylaw C-7873-2019 – 2019 Tax Rate Bylaw

File: 2025-350

MOVED by Councillor Gautreau that Bylaw C-7873-2019 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7873-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7873-2019 be considered for third reading.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
April 30, 2019

Page 11

MOVED by Councillor Wright that Bylaw C-7873-2019 be given third and final reading.

Carried

MOVED by Councillor Kamachi that \$34,525.00 be transferred from the Tax Stabilization Reserve to balance the 2019 budget.

Carried

Adjournment

MOVED by Councillor Gautreau that the April 30, 2019 Council meeting be adjourned at 3:41 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate