

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 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 June 11, 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
- R. Barss, A/Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- S. Hulsman, Manager, Transportation Services
- B. Woods, Manager, Financial Services
- M. Wilson, Manager, Planning and Development
- A. Zaluski, Associate Manager, Intergovernmental Affairs
- T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office
- G. Nijjar, A/Engineering Supervisor, Planning and Development
- J. Anderson, Planner, Planning and Development
- J. Kwan, Planner, Planning and Development
- J. Kirychuk, Planner, Planning and Development
- S. Kunz, Planner, Planning and Development
- N. Ali, Intergovernmental Affairs Analyst, Intergovernmental Affairs

Call to Order

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

1-19-06-11-01

Updates/Acceptance of Agenda

MOVED by Councillor Kamachi that the June 11, 2019 Council meeting agenda be amended as follows:

- Remove item D-2 – Expropriation of Lands for Bragg Creek Flood Mitigation Project

Carried
Absent: Councillor Hanson

MOVED by Deputy Reeve Schule that the June 11, 2019 Council meeting agenda be approved as amended.

Carried
Absent: Councillor Hanson

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 2

1-19-06-11-02

Confirmation of Minutes

MOVED by Councillor Gautreau that the May 28, 2019 Council meeting minutes be approved as presented.

Carried

Absent: Councillor Hanson

Councillor Wright left the meeting at 9:02 a.m.

Councillor Hanson arrived at the meeting at 9:04 a.m.

Councillor Wright returned to the meeting at 9:05 a.m.

1-19-06-11-03 (C-1)

All Divisions – Todd Hirsch Economic Overview Presentation

File: N/A

MOVED by Deputy Reeve Schule that Council receive the presentation, Todd Hirsch Economic Overview, for information.

Carried

The Chair called for a recess at 9:44 a.m. and called the meeting back to order at 9:51 a.m. with all previously mentioned members present.

1-19-06-11-09 (D-1)

All Divisions – Boundary Roads Update

File: 4050-100

MOVED by Deputy Reeve Schule that the boundary roads update report be received as information.

Carried

1-19-06-11-16 (I-1)

All Divisions – Notice of Motion – Deputy Reeve Schule and Councillor Gautreau – Joint Highway 1 Corridor Area Structure Plan

File: N/A

Notice of Motion: To be read in at the June 11, 2019 Council Meeting
 To be debated at the June 25, 2019 Council Meeting

Title: Joint Highway 1 Corridor Area Structure Plan

Presented By: Deputy Reeve Al Schule, Division 4
 Councillor Gautreau, Division 5

WHEREAS Rocky View County and Wheatland County share a common municipal border and share a common interest in development along the Highway 1 Corridor;

AND WHEREAS development along the Highway 1 Corridor requires long-term planning and intermunicipal collaboration between Rocky View County and Wheatland County;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 3

AND WHEREAS Rocky View County and Wheatland County would benefit from a joint Area Structure Plan along the Highway 1 Corridor as outlined on the map titled "Highway 1 Corridor ASP";

AND WHEREAS servicing of the Area Structure Plan would be developer-funded and Rocky View County and Wheatland County would share the benefits of development within the Area Structure Plan;

THEREFORE BE IT RESOLVED THAT Administration be directed to explore a joint developer-funded Area Structure Plan for the Highway 1 Corridor between Rocky View County and Wheatland County;

AND THAT Administration be directed to return to Council with a report on the feasibility of the Area Structure Plan and potential expense and revenue sharing models between the two municipalities.

1-19-06-11-10 (D-3)

Division 6 – Tax Relief Due to Fire Loss – Roll #06313002

File: 2020-250

MOVED by Deputy Reeve Schule that the 2018 municipal and emergency tax cancellation request for roll 06313002 due to fire damage in the amount of \$1,418.48 be approved.

Carried

1-19-06-11-04 (C-2)

Division 4 – Bylaw C-7883-2019 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

File: PL20190019 (03208009)

MOVED by Deputy Reeve Schule that the public hearing for item C-2 be opened at 9:59 a.m.

Carried

The Chair called for a recess at 10:02 a.m. and called the meeting back to order at 10:07 a.m. with all previously mentioned members present.

Person(s) who presented: Jay Morris (Applicant/Owner)

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-2 be closed at 10:09 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7883-2019 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7883-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7883-2019 be considered for third reading.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 4

MOVED by Deputy Reeve Schule that Bylaw C-7883-2019 be given third and final reading.

Carried

1-19-06-11-05 (C-3)

**Division 5 – Bylaw C-7891-2019 – Redesignation Item – Fairways at Delacour Redesignation
File: PL20190009 (05219002/03/04/05/10/11/12/13/14)**

MOVED by Councillor Gautreau that the public hearing for item C-3 be opened at 10:10 a.m.

Carried

Person(s) who presented: Bob Wescott, Westcott Consulting Group (Applicant)

Person(s) who spoke in favour: Clinton Cornelius

Person(s) who spoke in opposition: Detlef Feicht

Person(s) who spoke in rebuttal: Bob Wescott, Westcott Consulting Group (Applicant)

MOVED by Councillor Gautreau that the public hearing for item C-3 be closed at 10:33 a.m.

Carried

MOVED by Councillor Gautreau that Bylaw C-7891-2019 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7891-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7891-2019 be considered for third reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7891-2019 be given third and final reading.

Carried

1-19-06-11-11 (D-4)

**Divisions 1, 6, 7, and 9 – Draft Intermunicipal Collaboration Frameworks and Intermunicipal Development Plans for the M.D. of Bighorn and Rocky View County, and for Mountain View County and Rocky View County
File: 1011-100**

MOVED by Councillor Henn that the draft Intermunicipal Collaboration Framework and intermunicipal Development Plan for the M.D. of Bighorn and Rocky View County be accepted for information.

Carried

MOVED by Councillor Kissel that the draft Intermunicipal Collaboration Framework and Intermunicipal Development Plan for Mountain View County and Rocky View County be accepted for information.

Carried

1-19-06-11-12 (D-5)

**Division 7 – Development Permit – Compost Facility, Type II & Manure Storage Facility
File: PRDP20190505 (07320007)**

The Chair called for a recess at 10:50 a.m. and called the meeting back to order at 10:55 a.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 5

MOVED by Councillor Hanson that until such time as a complete development permit application has been received and is approved with all conditions satisfied that Administration be directed to take the appropriate measures within the jurisdiction of Rocky View County to stop Thorlakson Nature's Call from accepting any new tipping receipts, and to continue operations until the current compost inventory has been processed sufficiently to meet Alberta Environment regulations and may be removed from the pads.

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 Henn that the applicants be allowed to address Council.

Lost

In Favour:

Councillor Hanson
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor Kamachi
Councillor McKylor
Councillor Gautreau
Reeve Boehlke
Deputy Reeve Schule

MOVED by Councillor Henn that Development Permit Application PRDP20190505 be refused.

Carried

MOTION ARISING:

MOVED by Councillor Henn that all of the offsite feedstock compost material entering TNC immediately cease and that a full site cleanup of all onsite compost material be completed within 90 days of today's date.

Carried

1-19-06-11-13 (D-6)

Division 7 – Response to Notice of Motion – Road Renaming

File: N/A

MOVED by Councillor Henn that Rocky View County change the name approximately 1 km of Range Road 291 immediately north of Highway 566 to John Church Lane, and waive the \$500 renaming application fee.

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
June 11, 2019

1-19-06-11-14 (D-7)

All Divisions – Request for Time Extension: Notice of Motion Response – Springbank Dry Dam

File: N/A

MAIN MOTION:

MOVED by Councillor McKylor that Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to the new provincial government.

AMENDING MOTION:

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

THAT Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to ~~the new provincial government~~ **higher levels of government.**

Lost

In Favour:

Councillor Hanson
Councillor Wright
Councillor Kissel

Opposed:

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

The Chair called for a vote on the main motion.

MAIN MOTION:

MOVED by Councillor McKylor that Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to the new provincial government.

Carried

1-19-06-11-15 (E-1)

All Divisions – Borrowing Bylaws C-7877-2019 to Bylaw C-7882-2019 – 2019 Special Initiatives

File: 2025-350

MOVED by Councillor Gautreau that the preamble in Borrowing Bylaw C-7877-2019 related to the Fire Water Tender be adjusted as shown in Attachment 'A' (adjusting the life of the asset from 15-20 years).

Carried

In Favour:

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

Opposed:

Reeve Boehlke

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

MOVED by Councillor Gautreau that Borrowing Bylaw C-7877-2019, as amended, 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 Kamachi that Borrowing Bylaw C-7877-2019, as amended, be given third and final reading.

Carried

MOVED by Councillor Hanson that Borrowing Bylaw C-7878-2019 be given second reading.

Carried

MOVED by Councillor McKylor that Borrowing Bylaw C-7878-2019 be given third and final reading.

Carried

MOVED by Councillor Wright that the preamble in Borrowing Bylaw C-7879-2019 related to Township Road 252 bridge rehabilitation be adjusted as shown in Attachment 'A' (adjusting the life of the asset from 20-10 years).

Carried

MOVED by Deputy Reeve Schule that Borrowing Bylaw C-7879-2019, as amended, be given second reading.

Carried

MOVED by Councillor Hanson that Borrowing Bylaw C-7879-2019, as amended, be given third and final reading.

Carried

MOVED by Councillor Kamachi that Borrowing Bylaw C-7880-2019 be given second reading.

Carried

MOVED by Councillor McKylor that Borrowing Bylaw C-7880-2019 be given third and final reading.

Carried

MOVED by Councillor Hanson that Borrowing Bylaw C-7881-2019 be given second reading.

Carried

MOVED by Councillor Gautreau that Borrowing Bylaw C-7881-2019 be given third and final reading.

Carried

MOVED by Councillor Wright that Borrowing Bylaw C-7882-2019 be given second reading.

Carried

MOVED by Councillor Henn that Borrowing Bylaw C-7882-2019 be given third and final reading.

Carried

1-19-06-11-17 (J-1)

Division 2 – Subdivision Item – Harmony Stage 1, Phase 5 Re-Subdivision

File: PL20190001 (05707001)

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

Carried

In Favour:

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

Opposed:

Councillor Hanson
Reeve Boehlke

MOVED by Councillor McKylor that Subdivision Application PL20190001 be approved with the conditions noted in Appendix 'A':

- A. THAT the application to create ten residential parcels ranging from $\pm 404 \text{ m}^2$ to $\pm 443 \text{ m}^2$ in size, with a $\pm 4,492 \text{ m}^2$ open space lot, and a $\pm 58,383 \text{ m}^2$ Municipal School Reserve remainder from SE-07-25-03-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*. 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 Harmony Conceptual Scheme;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application 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.

Development Agreement

- 2) The Owner is to enter into a separate Development Agreement for this phase of development for provision of the following infrastructure improvements:
 - a) Design, dedication and construction of an internal public road system as shown on the Tentative Plan with associated infrastructure which includes the following:

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

-
- i) Construction of Harmony Circle and Elderberry Way in accordance with the final approved Harmony Traffic Impact Assessment (TIA) and conceptual scheme;
 - ii) Intersection treatments in accordance with the final approved TIA;
 - iii) Additional offsite upgrades, if any, in accordance with the final approved TIA;
 - iv) Approaches to each lot;
 - v) Pathways;
 - vi) Necessary easements;
 - vii) Sidewalks;
 - viii) Dark sky street lighting;
 - ix) Signage.
- b) Design and construction of Landscaping features for all public pathways, and public roadways and open space, in accordance with the approved Landscaping Plan;
 - c) Design and construction of landscaping features for all Municipal Reserve and Municipal School Reserve lands, Public Utility lots, public pathways and public roadways, Owners Association of Harmony open space, all in accordance with an approved Landscaping Plan;
 - d) Design and construction/expansion of a piped potable water and raw water distribution system (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot in accordance with the applicable servicing reports;
 - e) Design and construction/expansion of a piped sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot in accordance with the applicable servicing reports;
 - f) Design, construction and implementation of storm water management facilities and piped storm water collection system in accordance with the recommendations of the approved Storm Water Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Storm Water Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
 - g) Construction of a central water fire suppression and distribution system including fire hydrants for firefighting purposes, in accordance with the requirements described in the Fire Hydrant Water Suppression Bylaw (C-7259-2013) designed to meet minimum fire flows as per County Standards and Bylaws;
 - h) Installation of power, natural gas and telephone lines;
 - i) Dedication of necessary easements and right of ways for utility line assignments;
 - j) Mailboxes are to be located in consultation with Canada Post;
 - k) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
 - l) Implementation of the revised Water and Wastewater Franchise Agreement with Harmony Advanced Water Systems Corporation (as amended);
 - m) Implementation of the recommendations of the Geotechnical Report;
 - n) Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;

-
- o) Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
 - p) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Subdivision Approval.
 - q) The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

Transportation and Access

Traffic Impact Assessment

- 3) The Owner shall provide an update to the Traffic Impact Assessment to reflect current on-site and off-site development and network conditions, detailing the related required improvements, to the County's satisfaction:
 - a) If the recommendations of the TIA identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.

Road Naming

- 4) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

Site Servicing

Franchise Agreement

- 5) The Owner is responsible for implementation of a Franchise Utility Servicing Plan, satisfactory to the County, that reflects the operational details of water, fire protection, wastewater servicing, and storm water management in accordance with the signed Preliminary Services Agreement and Franchise Agreement and as further defined within the Development Agreement, including without restriction:
 - a) Ownership of the water treatment and distribution, fire protection, wastewater treatment and disposal, storm water management facilities, and related facilities;
 - b) Operation/Management for the water treatment and distribution, fire protection, wastewater treatment and disposal, storm water management, and related facilities
 - c) Transfer Agreement for facility, infrastructure, and associated lands;
 - d) Franchise Agreement, satisfactory to the County including, without restriction, stipulation of service levels and operational requirements to be maintained by the franchised utility provider;
 - e) Franchised utility provider, satisfactory to the County;
 - f) Dedication and transfer of water allocation(s) and associated water licenses required to provide for all water needs for the development;
 - g) The identification of the area of spray irrigation disposal, and registration of a utility right-of-way over the affected area.

Geotechnical Conditions

- 6) The Owner shall provide a set of lot grading plans showing the depth of fill that has been or is to be placed on the subject property. Should fill depth exceed 1.2 metres, a Deep Fill Assessment shall be prepared and submitted, in accordance with the County Servicing Standards.

-
- a) Compaction testing shall be performed after placement of fill to ensure that the requirements outlined in the examined Deep Fill Report have been met. Confirmation of compactions shall be submitted to the County upon completion of fill placement.
 - 7) The Owner shall engage the services of qualified Geotechnical Engineering Consultant to prepare a Geotechnical Report to evaluate soil characteristics, existing groundwater conditions, suitability of soils for Low Impact Development stormwater management, and development constraints of the proposed development, to the satisfaction of Rocky View County.

Alberta Environment Approval for Water Treatment Plant

- 8) The Owner shall provide Alberta Environment and Parks licensing and approval documentation for a potable water treatment plant and distribution network.

Alberta Environment Approval for Wastewater Treatment Facilities

- 9) The Owner shall provide Alberta Environment and Parks licensing and approval documentation for a wastewater treatment plant and associated storage/collection and disposal systems suitable for servicing and development.

Developability

- 10) The Owner shall provide a detailed water servicing analysis for potable water, raw water irrigation and fire suppression, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine pipe type and sizes and water treatment plant capacity and reservoir storage requirements.
 - a) If the recommendations of the water servicing analysis identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 11) The Owner shall provide confirmation of the tie-in for connections to HAWCO, an Alberta Environment licensed piped water supplier, for lots, 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 the proposed new lots;
 - b) Documentation proving that water supply has been purchased for the proposed lots;
 - c) Documentation proving all necessary paperwork has been completed, to the County's satisfaction.
- 12) The Owner shall provide detailed construction drawings, based on the potable water servicing study, for a potable water distribution and fire suppression system (including registration of necessary easements), connection to the water treatment plant, and service connections to each lot.
- 13) The Owner shall provide a detailed wastewater servicing study, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine pipe type and sizes, number of lift stations (if applicable), and wastewater treatment plant capacity, and treated effluent storage requirements.
 - a) If the recommendations of the wastewater servicing analysis identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 14) The Owner shall provide confirmation of the tie-in for connections to HAWCO, an Alberta Environment licensed piped wastewater supplier, for lots, as shown on the approved Tentative Plan. This includes providing for the following information:

-
- a) Confirmation from the wastewater utility supplier that adequate capacity has been allocated and reserved for the proposed new lots.
- 15) The Owner shall provide detailed construction drawings, based on the approved sanitary servicing study, for a sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot.
- 16) The Owner shall provide and implement a Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Harmony Stage 1 Master Drainage Plan, satisfactory to the County and Alberta Environment and Parks. Implementation of the Storm Water Management Plan shall include:
- a) Registration of any required on and offsite easements and/or utility rights-of-way
 - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
 - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the storm water infrastructure system.
 - d) If the recommendations of the storm water management plan identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 17) The Owner shall submit a full Erosion and Sedimentation Control Plan and Report in accordance with the County Servicing Standards.

Municipal Reserves

- 18) The provision of Municipal School Reserves is to be provided by the dedication of Lot 28MSR 5.84 hectares (\pm 14.43 acres) being 11.95% Reserve land dedication owing, to be determined by a Plan of Survey, in respect to SE-7-25-03-W5M, as indicated on the Approved Tentative Plan.
- a) \pm 1.95% Municipal Reserve over dedication on SE-7-25-03-W5M is to be applied to the existing Deferred Reserve Caveat on NW-7-25-03-W5M, NE-7-25-03-W5M, SW-7-25-03-W5M, SE-7-25-03-W5M, Lot 1, Block 2, Plan 111 2762, Lot 1, Block 3, Plan 111 2762, Lot 1, Block 4, Plan 111 2762, and NW-05-25-03-W5M pursuant to Section 669 of the *Municipal Government Act*.

Landscaping

- 19) The Owner shall provide a Landscaping Plan for all Municipal School Reserve parcels, Public Utility Lots, public pathways, public road right of ways and Owners Association of Harmony open space in accordance with the Direct Control Bylaw and the Harmony Conceptual Scheme and Stage 1 Neighbourhood Plan.
- a) Development of the approved Landscaping Plans shall be included within the requirements of the Development Agreement.

Community Association

Homeowners'/Landowners' Association

- 20) The Owner shall legally establish a Homeowners' Landowners' Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Homeowners'/Landowners' Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and sustainable operation of the

Homeowners'/Landowners' Association.

- 21) The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of public lands and Owners Association of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.

Solid Waste Management Plan

- 22) The Owner shall prepare a Solid Waste Management Plan that will outline the responsibility of the Developer and/or Owners Association of Harmony for management of solid waste.
- a) The Waste Management Plan shall also identify how construction waste will be controlled and diverted to landfill.

Cost Recovery

- 23) 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.

Site Construction

Construction Management Plan

- 24) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, dust control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, and other construction management details. Other specific requirements include:
- a) Weed management during the construction phases of the project
- b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment
- c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.

Emergency Response Plan

- 25) The Owner shall provide an Emergency Response Plan that is to include firefighting procedures, evacuation measures, containment of hazardous spills, and aircraft incidents to the satisfaction of the County.

Airport Proximity

- 26) The Owner shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.

Levies, Payments and Dedications

Transportation Offsite Levy

- 27) The Owner shall pay Transportation Off-site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing:
- a) From the total gross area of the Lands to be subdivided as shown on the Plan of Survey to be paid in stages tied to the gross area and timing of signing of each individual phased Development Agreement.

Subdivision Endorsement Fee

- 28) The Owner shall pay the County subdivision endorsement fee for the creation of twelve (12) new lot(s), in accordance with the *Master Rates Bylaw*.

Dedications

- 29) The Owner shall provide all utility right of ways, roadways and utility lots necessary for the completion of all servicing and access contemplated within any of the foregoing.
- 30) The Owner shall dedicate and transfer all water allocation(s) and corresponding water license(s) necessary to permanently service the lots created at no cost to the County, any applicable franchised utility provider, and the consumer.

Taxes

- 31) 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

1-19-06-11-18 (J-2)

Division 2 – Subdivision Item – Harmony Stage 2, Phase 10 Re-Subdivision

File: PL20190005 (05708082)

MOVED by Councillor McKylor that Subdivision Application PL20190005 be approved with the conditions noted in Appendix 'A':

- A. That the application to create 47 residential parcels ranging from $\pm 201.42 \text{ m}^2$ to $\pm 628.92 \text{ m}^2$ in size from Lot 1, Block 2, Plan 1112762 within W-08-25-03-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*. 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 Harmony Conceptual Scheme;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.

-
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application 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.

Community Association

Homeowners'/Landowners' Association

- 2) The Owner shall legally establish a Homeowners' Landowners' Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Homeowners'/Landowners' Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and sustainable operation of the Homeowners'/Landowners' Association.
- 3) The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of public lands and Owners Association of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.

Airport Proximity

- 4) The Owner shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.

Levies, Payments and Dedications

Subdivision Endorsement Fee

- 5) The Owner shall pay the County subdivision endorsement fee for the creation of forty-seven (47) new lot(s), in accordance with the *Master Rates Bylaw*.

Dedications

- 6) The Owner shall provide all utility right of ways, roadways and utility lots necessary for the completion of all servicing and access contemplated within any of the foregoing.
- 7) The Owner shall dedicate and transfer all water allocation(s) and corresponding water license(s) necessary to permanently service the lots created at no cost to the County, any applicable franchised utility provider, and the consumer.

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*.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

1-19-06-11-20 (J-4)

Division 5 – Subdivision Item – Heatherglen Industrial Business Park – Direct Control District
File: PL20180147 (03329002)

MOVED by Councillor Gautreau that condition 12 in Appendix 'A' be amended to read as follows:

The Owner shall prepare and register a Utility Right-of-Way, satisfactory to the County, on the title of Lot: 2 Block: 11 Plan: 1812235:

- i. identifying that the purpose and intent of the lands is for utility service, for the disposal stormwater by irrigation, until such time as an amendment to the Direct Control Bylaw and/or a regional servicing solution is available; and
- ii. securing all rights on, over, under, or through the lands to carry out the above-noted utility service and disposal.

AND THAT condition 20 in Appendix 'A' be amended to read as follows:

The provision of Reserve in the amount of 10 percent of the area of Lots 1 to 15, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by (Colliers International / CGY-18-0563/151724 / December 6, 2018), pursuant to Section 666(3) of the *Municipal Government Act*.

Carried

MOVED by Councillor Gautreau that Subdivision Application PL20190005 be approved with the conditions noted in Appendix 'A' as amended:

- A. The application to create fifteen commercial/industrial lots ranging in size from \pm 0.81 hectares (\pm 2.00 acres) to \pm 2.23 hectares (\pm 5.50 acres) in size together with an internal access road and public utility lot on Lot 1, Block 11, Plan 1812235, 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:
 - 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:

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

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, an 8.00 m wide portion of land for road widening along the entire west boundary of Lots 1, 6 and 15.

Development Agreement

- 3) The Owner is to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include the following:
 - a) Construction of a public internal road system (Industrial/Commercial Standard – 400.6) complete with cul-de-sacs and any necessary easement agreements, as shown on the Tentative Plan, in accordance with the County Servicing Standards;
 - b) Appropriate signalization of the site access onto RR 285 as identified in the approved TIA to the satisfaction of the County;
 - c) Construction of a gated emergency access road from the internal N/S roadway to Range Road 285 in accordance with the County Servicing Standards;
 - d) Construction of the pressurized central fire suppression system including a stubbed connection at the western boundary of the subject lands to facilitate future connection to adjacent business parks to the satisfaction of the County;
 - e) Construction of stormwater management facilities including the drainage connection to the golf course ponds in accordance with the recommendations of the approved storm water Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the storm water Management Plan;
 - f) Accommodation of a 2.5 m wide pathway as part of the 4.0 m wide maintenance access road on the west side of the proposed stormwater management pond within the proposed Public Utility Lot;
 - g) Engineering and construction of the pathway alignment on the west side of Range Road 285 to provide uninterrupted connectivity between existing pathway infrastructure located on the south side of Wesview Industrial Park to the existing Pathway in the Western Headworks Main Canal upon acquisition of necessary agreements (if achievable);
 - h) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - i) Installation of power, natural gas, and communication utilities;
 - j) Obtain all necessary approvals from AEP for the loss of wetlands
 - k) Obtain all necessary approvals from AEP for the use of stormwater for irrigation purposes;
 - l) Obtain all necessary approvals from Alberta Culture & Tourism under the Historical Resources Act;
 - m) Implementation of the recommendations of the approved construction management plan; and
 - n) Implementation of the recommendations of the approved ESC plan.
- 4) The Owner shall enter into a Special Improvements Development Agreement for the following required off-site transportation infrastructure in accordance with an updated Traffic Impact Assessment for the intersection of Range Road 285 and Highway 560 to the satisfaction of the County and Alberta Transportation.

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 or Infrastructure Cost Contribution 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 or cost contribution to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

Transportation and Access

- 5) The Owner shall receive approval for a road naming application from the County.
- 6) The County shall 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:
 - a) This Agreement shall apply to the construction of the improvements to the intersection of Range Road 285 and Highway 560.
- 7) The Owner is to provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, evacuation plan, construction and management details. Specific other requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Management and mitigation of environmentally significant features as identified in the approved Geotechnical Investigation;
 - c) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement;
- 8) The Owner shall provide an Erosion & Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands.
- 9) The Owner shall provide a 12.50 m temporary access easement and associated right-of-way plan across the southern boundary of the proposed Lot 1 and northern boundary of Lots 6 and 7 for the purposes of a temporary emergency access road to Range Road 285.
- 10) The Applicant/Owner shall enter into a Utility Right-of-Way with the County for the temporary cul-de-sac as shown on the tentative plan.
- 11) The Owner is responsible for implementation of a Franchise Utility Servicing Plan satisfactory to the County that reflects the control, operation and maintenance of the stormwater utility system servicing the proposed development in accordance with the signed Master Servicing Agreement and as further defined within the Development Agreement including, without restriction:
 - a) Ownership of the storm water management and fire suppression related facilities;
 - b) Turnover strategy for facility, infrastructure, and associated lands;
 - c) Franchise Agreement satisfactory to the County including, without restriction, stipulation of service levels and operational requirements to be maintained by the franchised utility provider;
 - d) Franchised utility provider satisfactory to the County;
 - e) Once the CSMI system and regional conveyance system within the Janet area are constructed and a permanent outfall from the proposed stormwater system be established, the County shall have

the ability to act on the Franchise Agreement (transfer of infrastructure) and take over control and ownership of the stormwater management systems;

Other

- 12) The Owner shall prepare and register a Utility Right-of-Way, satisfactory to the County, on the title of Lot: 2 Block: 11 Plan: 1812235:
 - a) identifying that the purpose and intent of the lands is for utility service, for the disposal stormwater by irrigation, until such time as an amendment to the Direct Control Bylaw and/or a regional servicing solution is available; and
 - b) securing all rights on, over, under, or through the lands to carry out the above-noted utility service and disposal.
- 13) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of Fortis and ATCO.
- 14) The Owner shall submit a Solid Waste Management Plan in accordance with the County Solid Waste Master Plan and shall identify how the Developer will manage solid waste during construction and how the responsibility of solid waste will be transferred to the Lot Owner's Association via the development's architectural controls.
- 15) The Owner shall submit a Landscaping Plan to the satisfaction of the County. This plan must illustrate the treatment on the proposed PUL and south interface area between the proposed industrial lands and the Prairie Schooner Estates residential lands, WH Canal trail system, and the Heatherglen south golf course lands.
 - a) Development of the approved landscaping plan shall be included within the requirements of the Development Agreement.
- 16) That the Owner shall prepare and register an easement and right-of-way plan to ensure protection of the 8.0 m landscaping area on Lots 9 to 15 in accordance with the Tentative Plan.
- 17) 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 Owner's Association;
 - a) The LOA agreement shall specify the future maintenance obligations of the lot owner's association for: pathways and landscaping, solid waste collection, , etc.;
- 18) That a restrictive covenant shall be registered on the title of each lot implementing the Developer's Architectural Controls.

Payments and Levies

- 19) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of fifteen (15) new lots.

Municipal Reserve

- 20) The provision of Reserve in the amount of 10 percent of the area of Lots 1 to 15, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by (Colliers International / CGY-18-0563/151724 / December 6, 2018), pursuant to Section 666(3) of the *Municipal Government Act*.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Taxes

- 21) 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*.
- 2) Administration is directed to work to secure agreements with the Province and Alta-Link regarding securing a pathway alignment on the west side of Range Road 285 to provide uninterrupted connectivity between existing pathway infrastructure located on the south side of Wesview Industrial Park to the existing Pathway in the Western Headworks Main Canal in advance of pathway engineering and construction by the developer.

Carried

1-19-06-11-21 (K-1)

**All Divisions – Confidential In Camera Item – Municipal Development Plan Proposal Recommendation
File: RVC2019-13**

1-19-06-11-19 (J-3)

**Division 3 – Subdivision Item – Elbow Valley West Multi-Lot Subdivision
File: PL20180104 (04702183)**

MOVED by Councillor Hanson that Council move in camera at 11:59 a.m. to consider the following confidential items pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

K-1 (Municipal Development Plan Proposal Recommendation)

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

J-3 (Subdivision Item - Elbow Valley West Multi-lot Subdivision)

- Section 24 – Advice from officials
- Section 27 – Privileged information

Carried

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

Rocky View County: 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
M. Wilson, Manager, Planning and Development

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Council held the in camera session for confidential item J-3 with the following people in attendance to provide a report and advice to Council:

Rocky View County: 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
 M. Wilson, Manager, Planning and Development
 J. Kwan, Planner, Planning and Development

MOVED by Councillor Kamachi that Council move out of in camera at 1:30 p.m.

Carried

MOVED by Deputy Reeve Schule that Administration be directed to award the RFP 19-005 Municipal Development Plan to O2 Planning & Design Inc.

Carried

1-19-06-11-06 (C-4)

Division 2 – Bylaw C-7889-2019 – Conceptual Scheme Item – Devonian Ridge Conceptual Scheme
File: PL20180120 (05711004)

1-19-06-11-07 (C-5)

Division 2 – Bylaw C-7890-2019 – Redesignation Item – Agricultural Holdings District to Residential One District
File: PL20180121 (05711004)

MOVED by Councillor McKylor that the public hearing for items C-4 and C-5 be opened concurrently at 1:32 p.m.

Carried

Person(s) who presented: Paul McCormick (Owner)
 Stu Bradley

MOVED by Councillor McKylor that the late letter of support be accepted.

Carried

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor McKylor that the public hearing for items C-4 and C-5 be closed at 2:06 p.m.

Carried

MOVED by Councillor McKylor that the use of water wells for the proposed Devonian Ridge Estates Conceptual Scheme be accepted, subject to further studies and confirmation at the subdivision stage.

Carried

MOVED by Councillor Kamachi that Bylaw C-7889-2019 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7889-2019 be given second reading.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 22

MOVED by Councillor Gautreau that Bylaw C-7889-2019 be considered for third reading. Carried

MOVED by Councillor McKylor that Bylaw C-7889-2019 be given third and final reading. Carried

MOVED by Councillor McKylor that Bylaw C-7890-2019 be given first reading. Carried

MOVED by Councillor Gautreau that Bylaw C-7890-2019 be given second reading. Carried

MOVED by Councillor Kamachi that Bylaw C-7890-2019 be considered for third reading. Carried

MOVED by Councillor McKylor that Bylaw C-7890-2019 be given third and final reading. Carried

1-19-06-11-08 (C-6)

All Divisions – Bylaw C-7885-2019 – Amendments to the Rocky View County Municipal Development Plan (The County Plan)

File: 1013-135

MOVED by Deputy Reeve Schule that the public hearing for item C-6 be opened at 2:11 p.m. Carried

Person(s) who spoke in favour: Guy Buchanan
 Lowell Harder
 Bruce McAllister
 Alysha Bates
 Rolly Ashdown
 Bob Orysiuk
 Ken Venner
 Steve Grande
 Peter Loats
 Stuart Longhair
 Bruce Kendall
 Louise Locke

Person(s) who spoke in opposition: Janet Ballantyne

MOVED by Deputy Reeve Schule that the public hearing for item C-6 be closed at 3:10 p.m. Carried

The Chair called for a recess at 3:10 p.m. and called the meeting back to order at 3:23 p.m. with all previously mentioned members present.

The Chair called for a recess at 3:24 p.m. and called the meeting back to order at 3:37 p.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

MOVED by Councillor Gautreau that Amendment #4 in Schedule 'A' of Bylaw C-7885-2019 be amended to read as follows:

Revise Policy 14.19 to read:

Applications to redesignate land for business uses adjacent to, or in the vicinity of, the boundaries of an identified business area may be supported if:

- a) Technical studies have been submitted that address and incorporate the relevant master technical studies associated with the adjacent Area Structure Plan; and
- b) The applicable levies of the adjacent Area Structure Plan are applied.

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 Deputy Reeve Schule that Bylaw C-7885-2019 be given first reading as amended.

Carried

MOVED by Councillor Gautreau that Bylaw C-7885-2019 be given second reading as amended.

Carried

MOVED by Councillor Hanson that Bylaw C-7885-2019 as amended be referred to the Calgary Metropolitan Region Board for approval.

Carried

1-19-06-11-19 (J-3)

Division 3 – Subdivision Item – Elbow Valley West Multi-Lot Subdivision

File: PL20180104 (04702183)

MOVED by Councillor Hanson that condition 4 in Appendix 'A' be amended as follows:

The Developer shall, prior to registration of the plan of subdivision, ~~directly or indirectly~~ ensure the decommissioning and removal of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897, and reclaim the impacted lands to the satisfaction of Alberta Environment and Parks and the County.

Carried

MOVED by Councillor Hanson that Subdivision Application PL20180104 be approved with the conditions noted in Appendix 'A' as amended as per the County's legal counsel's recommendation:

- A. That the application to create five ± 0.10 hectare (± 0.25 acre) parcels with a ± 0.12 hectare (± 0.30 acre) remainder from Lot Unit 92, within Plan 0714894 within N ½ -02-24-03-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development*

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Regulations. Having considered adjacent landowner submissions, the application is approved as per the Tentative Plan for the reasons listed below:

- 1) The application is consistent with the Elbow Valley West Conceptual Scheme;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application 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.

Accessibility to a Road

- 2) The private internal roadway adjacent to Lot 1, 2, 3, 4, 5 and the remainder lot, and contained within Unit 1, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure legal access to the lots in accordance with Section 9 of the *Subdivision and Development Regulations*, the Elbow Valley Area Structure Plan, and the Elbow Valley West Conceptual Scheme.

Water Servicing

- 3) The Applicant/Owner shall provide confirmation of tie-in for connection to the Westridge water utility, an Alberta Environment licensed piped water supplier, for Lot 1, 2, 3, 4, 5 and the remainder lot as shown on the Approved Tentative Plan. This includes providing:
 - a) Documentation proving that water supply has been purchased for proposed Lots 1, 2, 3, 4, 5, and the remainder lot;
 - b) Documentation proving that all necessary water infrastructure, including the connection stubs to each proposed lots, are installed.

Sanitary Servicing

- 4) The Developer shall, prior to registration of the plan of subdivision, ensure the decommissioning and removal of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897, and reclaim the impacted lands to the satisfaction of Alberta Environment and Parks and the County.

-
- 5) If the placement of fill is required as part of the reclamation of the holding tanks, the Applicant/Owner is required to provide a geotechnical report prepared by a geotechnical engineer outlining recommendations for adequate placement of fill.

OR

Should the placement of fill not be needed and the interim waste water facilities (including all wastewater tanks storage tanks, and related facilities) be decommissioning in another method acceptable to Alberta Environment and Parks and the County, this condition shall be considered satisfied.

Storm Water Conditions

- 6) The Applicant/Owner shall confirm that all lots to be subdivided conform to the previously approved Elbow Valley West lot grading plans prepared by Eclipse Geomatics & Engineering Ltd.
- 7) The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the grading of lands on Unit 98, Condominium Plan 071 4894 remain unchanged after site reclamation. Should the Applicant/Owner be required to place fill, the Applicant/Owner is required to provide a site grading plan to confirm the final site grades conform to the examined grading plans prepared by Eclipse Geomatics & Engineering Ltd. for the Elbow Valley West development for Unit 98, Condominium Plan 071 4894.
- 8) The Applicant/Owner is to submit a Construction Management Plan addressing noise attenuation and source control, dust control, erosion and sediment control, management of storm water during construction, and all other relevant construction management details due to activities related to the decommissioning and removal activities of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897

Condominium Association Open Space

- 9) The private open space contained within Unit 98, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure availability to the lots in accordance with the Elbow Valley Area Structure Plan and the Elbow Valley West Conceptual Scheme.

Payments and Levies

- 10) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of five new lots.

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 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

1-19-06-11-22 (K-2)

All Divisions – Confidential In Camera Item – Personnel Matter

File: RVC2019-14

1-19-06-11-23 (K-3)

All Divisions – Confidential In Camera Item – Advice to Government Officials

File: RVC2019-15

MOVED by Deputy Reeve Schule that Council move in camera at 3:53 p.m. to consider the following confidential items pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

K-2 (Personnel Matter)

- Section 17 – Disclosure harmful to personal privacy
- Section 24 – Advice from officials

K-3 (Advice to Government Officials)

- Section 24 – Advice from officials
- Section 27 – Privileged Information

Carried

Council held the in camera session for confidential items K-2 and K-3 without any additional persons in attendance.

MOVED by Councillor Henn that Council move out of in camera at 4:46 p.m.

Carried

MOVED by Councillor Henn that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Kevin Hanson has breached the Code of Conduct Section 29(a), by releasing privileged legal information to an outside party not authorized by Rocky View County Council to receive such information.

Rocky View County Council hereby censures and places the following sanctions on Councillor Hanson in regards to the found breach:

- 1) Councillor Hanson shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to Council.
- 2) Councillor Hanson shall be removed from all Council Committees and bodies to which Council has the right to appoint members, until the Organizational Meeting of October, 2020, or at Council's discretion.
- 3) Councillor Hanson shall have a reduction in remuneration as defined by Section 275.1 of the ACT corresponding to a reduction in duties, excluding allowances for attendance at Council meetings, this reduction shall equal 30% of the gross remuneration that is being currently received by Councillor Hanson. This sanction to apply until Organizational meeting of 2020, or at Council's discretion.

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
June 11, 2019

MOVED by Councillor Henn that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Kevin Hanson has breached the Code of Conduct Section 21 and 22, by being a signatory to a Letter to the Editor in which Councillor Hanson used language that was without courtesy and respect as required by Section 21/22 of the Bylaw.

Rocky View County Council hereby censures and places the following sanctions on Councillor Hanson in regards to the found breach:

- 1) Councillor Hanson shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to both Council and the media.
- 2) Rocky View County Council may authorize representation or travel on behalf of, or expensed to Rocky View County, upon receiving a request for representation or travel by Councillor Hanson. Such request will be presented at a Regular Council meeting and authorization must be received from Rocky View County Council through a Council resolution. This sanction to apply until June 11, 2020.
- 3) That Councillor Hanson is to have no contact with Rocky View County staff, including the Chief Administrative Officer, with the sole exception of appropriate Councillor and administrative communications at regular Council meetings or as otherwise approved by Rocky View Council. Rocky View Council will direct by resolution, the actions of Administration regarding any request made by Councillor Hanson.

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 Deputy Reeve Schule that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Samantha Wright has breached the Code of Conduct Section 29(a), by releasing privileged legal information to an outside party not authorized by Rocky View County Council to receive such information.

Rocky View County Council hereby censures and places the following sanctions on Councillor Wright in regards to the found breach:

- 1) Councillor Wright shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to Council.
- 2) Councillor Wright shall be removed from all Council Committees and bodies to which Council has the right to appoint members, until the Organizational Meeting of October, 2020, or at Council's discretion.
- 3) Councillor Wright shall have a reduction in remuneration as defined by Section 275.1 of the ACT corresponding to a reduction in duties, excluding allowances for attendance at Council meetings, this reduction shall equal 30% of the gross remuneration that is being currently received by Councillor Wright. This sanction to apply until Organizational meeting of 2020, or at Council's discretion.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOVED by Deputy Reeve Schule that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Samantha Wright has breached the Code of Conduct Section 21 and 22, by being a signatory to a Letter to the Editor in which Councillor Wright used language that was without courtesy and respect as required by Section 21/22 of the Bylaw.

Rocky View County Council hereby censures and places the following sanctions on Councillor Wright in regards to the found breach:

- 1) Councillor Wright shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to both Council and the media.
- 2) Rocky View County Council may authorize representation or travel on behalf of, or expensed to Rocky View County, upon receiving a request for representation or travel by Councillor Wright. Such request will be presented at a Regular Council meeting and authorization must be received from Rocky View County Council through a Council resolution. This sanction to apply until June 11, 2020.
- 3) That Councillor Wright is to have no contact with Rocky View County staff, including the Chief Administrative Officer, with the sole exception of appropriate Councillor and administrative communications at regular Council meetings or as otherwise approved by Rocky View Council. Rocky View Council will direct by resolution, the actions of Administration regarding any request made by Councillor Wright.

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 McKylor that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Crystal Kissel has breached the Code of Conduct Section 29(a), by releasing privileged legal information to an outside party not authorized by Rocky View County Council to receive such information.

Rocky View County Council hereby censures and places the following sanctions on Councillor Kissel in regards to the found breach:

- 1) Councillor Kissel shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to Council.
- 2) Councillor Kissel shall be removed from all Council Committees and bodies to which Council has the right to appoint members, until the Organizational Meeting of October, 2020, or at Council's discretion.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

-
- 3) Councillor Kissel shall have a reduction in remuneration as defined by Section 275.1 of the ACT corresponding to a reduction in duties, excluding allowances for attendance at Council meetings, this reduction shall equal 30% of the gross remuneration that is being currently received by Councillor Kissel. This sanction to apply until Organizational meeting of 2020, or at Council's discretion.

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 McKylor that regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Crystal Kissel has breached the Code of Conduct Section 21 and 22, by being a signatory to a Letter to the Editor in which Councillor Kissel used language that was without courtesy and respect as required by Section 21/22 of the Bylaw.

Rocky View County Council hereby censures and places the following sanctions on Councillor Kissel in regards to the found breach:

- 1) Councillor Kissel shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to both Council and the media.
- 2) Rocky View County Council may authorize representation or travel on behalf of, or expensed to Rocky View County, upon receiving a request for representation or travel by Councillor Kissel. Such request will be presented at a Regular Council meeting and authorization must be received from Rocky View County Council through a Council resolution. This sanction to apply until June 11, 2020.

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 Kamachi that Regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Crystal Kissel has breached the Code of Conduct Section 24, by using derogatory language in a voicemail sent to another Councillor, regarding the Chief Administrative Officer.

Rocky View County Council hereby censures and places the following sanctions on Councillor Kissel in regards to the found breach:

- 1) Councillor Kissel shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to both Council and to the Chief Administrative Officer.
- 2) That Councillor Kissel is to have no contact with Rocky View County staff, including the Chief Administrative Officer, with the sole exception of appropriate Councillor and administrative communications at regular Council meetings or as otherwise approved by Rocky View Council. Rocky

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

View Council will direct by resolution, the actions of Administration regarding any request made by Councillor Kissel.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MOTION ARISING:

MOVED by Councillor Kissel that Administration be directed to contact the Minister of Municipal Affairs to request a mediator to intervene and work with all of Council to help Council move forward in a cohesive and positive manner.

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 McKylor that the following portion of the following previous motion be rescinded:

MOVED by Councillor Kamachi that Regarding a Formal Complaint filed under Section 57 of the Rocky View County Code of Conduct Bylaw C-7768-2018 and acted on as per the provisions of the same Bylaw, Rocky View County Council finds that Councillor Crystal Kissel has breached the Code of Conduct Section 24, by using derogatory language in a voicemail sent to another Councillor, regarding the Chief Administrative Officer.

Rocky View County Council hereby censures and places the following sanctions on Councillor Kissel in regards to the found breach:

- ~~1) Councillor Kissel shall publicly apologize for the breach of the Code of Conduct as stated above and shall issue a letter of apology to both Council and to the Chief Administrative Officer.~~
- 2) That Councillor Kissel is to have no contact with Rocky View County staff, including the Chief Administrative Officer, with the sole exception of appropriate Councillor and administrative communications at regular Council meetings or as otherwise approved by Rocky View Council. Rocky View Council will direct by resolution, the actions of Administration regarding any request made by Councillor Kissel.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
June 11, 2019

Page 31

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

Adjournment

MOVED by Deputy Reeve Schule that the June 11, 2019 Council meeting be adjourned at 5:24 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate