

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 24, 2019

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A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on September 24, 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
- M. Wilson, Manager, Planning and Development Services
- R. Smith, Fire Chief, Fire Services and Emergency Management
- T. Cochran, Manager, Recreation, Parks, and Community Support
- B. Beach, Manager, Building Services
- C. Morrice, Manager, Legal and Land Administrations
- T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office
- G. Nijjar, Engineering Supervisor, Planning and Development Services
- J. Koole, Lead Solid Waste and Recycling Advisor, Utility Services
- S. Kunz, Senior Planner, Planning and Development Services
- J. Anderson, Planner, Planning and Development Services
- P. Simon, Planner, Planning and Development Services
- J. Kwan, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services

Call to Order

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

1-19-09-24-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the September 24, 2019 Council meeting agenda be amended as follows:

- Remove item K-1

Carried

MOVED by Councillor Henn that the September 24, 2019 Council meeting agenda be approved as amended.

Carried

1-19-09-24-02

Approval of Minutes

MOVED by Councillor Hanson that the September 10, 2019 Council meeting minutes be approved as presented.

Carried

1-19-09-24-25 (J-1)

Division 8 –Subdivision Item – Creation of Eight Residential Parcels in Bearspaw Heights

File: PL20190073

MOVED by Councillor Wright that Subdivision Application PL20190073 be approved with the conditions noted in Appendix 'B':

- A. The application to create four ≥ 1.98 acre lots (Lots 1-4), three ± 1.97 acre lots (Lots 5,6,8), one ± 1.94 acre lot (Lot 7), one ± 1.88 acre public utility lots (PUL) and an internal subdivision road within Block 7, Plan 1501 LK within SE-13-26-03-W05M, 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:

Survey Plans

- 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 shall dedicate a 5 m wide strip of land, by Plan of Survey along the eastern property line for future road widening on Bearspaw Road.
- 3) The Owner shall dedicate a 3 m wide strip of land, by Caveat along the eastern property line for future road widening on Bearspaw Road.

Development Agreement

- 4) The Owner shall 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 internal public road to a Country Residential standard (400.4) complete with a cul-de-sac and paved approaches to each parcel;
 - b) Removal and reclamation of the existing approach off of Bearspaw Road;
 - c) Design and construction of the necessary stormwater management infrastructure required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County.
 - d) Design and implementation of the overall site grading, including a building grade plan for all newly created lots, to the satisfaction of the County.
 - e) Installation of power, natural gas, telecommunication, and all other shallow utilities;
 - f) Dedication of necessary easements and rights-of-way for utility line assignments;
 - g) Mailboxes to be located in consultation with Canada Post Corporation;
 - h) Implementation of the recommendations and findings of the Geotechnical Reports prepared in support of the proposed development;
 - i) Implementation of the recommendations of the Erosion and Sedimentation Control Plan; and
 - j) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;

Geotechnical

- 5) The Owner shall provide a Geotechnical Investigation to evaluate the soil characteristics, make recommendations for pavement structure design of the internal road, make storm pond liner recommendations, measure existing groundwater conditions and provide all other relevant geotechnical information for the proposed development to the satisfaction of the County.

Stormwater

- 6) The Owner shall provide a Site Specific Stormwater Management Plan, in accordance with the Bearspaw-Glenbow Master Drainage Plan and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
 - a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
 - b) Registration of any required easements and / or utility rights-of-way;
 - c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and
 - d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

Site Servicing

- 7) The Applicant/Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lots 1-2 and 4-8, 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 1-2 and 4-8;
 - b) Documentation proving that water supply has been purchased for proposed Lots 1-2 and 4-8;
 - c) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 8) The Applicant/Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed Lots 1-8, which shall include the following:
 - a) In accordance with Level 3 PSTS Assessment prepared by Groundwater Information Technologies Ltd. (July 15, 2019); and
 - b) The construction of a Packaged Sewage Treatment Plan that meets Bureau de Normalisation du Quebec (BNQ) standards for treatment.
- 9) The Applicant/Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of proposed Lots 1-8, indicating:
 - a) Each future lot Owner is required to connect to County piped wastewater and stormwater systems at their cost when such services become available; and
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Site Construction

- 10) The Owner shall 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.
- 11) The Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Municipal Reserve

- 12) The provision of Municipal Reserve, in the amount of ± 0.78 hectares (± 1.95 acres), is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Wernick Omura Singh, dated May 28, 2019, File No. 10119122, pursuant to Section 666(3) of the *Municipal Government Act*

Others

- 13) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the onsite wetland areas prior to entering into the Development Agreement with the County.

Payments and Levies

14) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing from the total gross acreage as shown on the Plan of Survey.

15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 8 residential lots and 1 public utility lot.

Taxes

16) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried

1-19-09-24-08 (D-1)

All Divisions – Quarterly Report – Fire Services and Emergency Management

File: N/A

MOVED by Councillor Kamachi that the Fire Services and Emergency Management Year-to-Date report submission be received as information.

Carried

1-19-09-24-09 (D-2)

All Divisions – Solid Waste and Recycling Regional Issues

File: 4075-100

MOVED by Councillor Hanson that the Solid Waste and Recycling Regional Issues report be received as information.

Carried

1-19-09-24-10 (D-3)

All Divisions – Recreation Governance Committee

File: N/A

MOVED by Councillor Wright that the Recreation Governance Committee terms of reference in Appendix 'B' be amended as follows:

Add new section 1(5) with the following wording:

“Long-term strategic planning is required, planning for future facilities needs to be prioritized, and funding needs to be allocated.”

Carried

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MOVED by Councillor Hanson that the Recreation Governance Committee terms of reference in Appendix 'B' be amended as follows:

Amend section 30 to read as follows:

“Notwithstanding section 28, any dialogue between Committee members and Administration outside of Committee meetings will be informal, and RGC members should not provide direction to Administration except through resolution passed at a Committee meeting.”

Carried

MOVED by Councillor Kissel that Bylaw C-7927-2019 be given first reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7927-2019 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7927-2019 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7927-2019 be given third and final reading.

Carried

MOVED by Councillor Kissel that the Recreation Governance Committee Terms of Reference be approved as per Attachment 'B' as amended.

Carried

The Chair called for a recess at 9:58 a.m. and called the meeting back to order at 10:05 a.m. with all previously mentioned members present.

1-19-09-24-04 (C-1)

Division 4 – Bylaw C-7926-2019 –Redesignation Item – Residential Two District to Public Services District File: PL20180127 (03219028)

1-19-09-24-19 (D-12)

**Division 4 – Master Site Development Plan – Calgary Lao Buddhist Society
File: PL20180126 (03219028)**

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be opened at 10:06 a.m.

Carried

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

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be closed at 10:21 a.m.

Carried

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MOVED by Deputy Reeve Schule that Bylaw C-7926-2019 be given first reading. Carried

MOVED by Councillor Kissel that Bylaw C-7926-2019 be given second reading. Carried

MOVED by Councillor Henn that Bylaw C-7926-2019 be considered for third reading. Carried

MOVED by Deputy Reeve Schule that Bylaw C-7926-2019 be given third and final reading. Carried

MOVED by Deputy Reeve Schule that the Calgary Lao Buddhist Society Master Site Development Plan be approved as presented in Appendix 'C'. Carried

1-19-09-24-05 (C-2)

Division 7 – Bylaw C-7911-2019 – Redesignation Item – Ranch and Farm Three District to Residential Two District

File: PL20190012 (07308011)

MOVED by Councillor Henn that the public hearing for item C-2 be opened at 10:23 a.m. Carried

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

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for item C-2 be closed at 10:35 p.m. Carried

MOVED by Councillor Henn that Council varies Policy 10.12 of the County Plan with respect to redesignation application PL20190012. Carried

MOVED by Councillor Gautreau that Bylaw C-7911-2019 be given first reading. Carried

MOVED by Councillor Wright that Bylaw C-7911-2019 be given second reading. Carried

MOVED by Councillor Hanson that Bylaw C-7911-2019 be considered for third reading. Carried

MOVED by Councillor Henn that Bylaw C-7911-2019 be given third and final reading. Carried

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The Chair called for a recess at 10:37 a.m. and called the meeting back to order at 10:41 a.m. with all previously mentioned members present.

1-19-09-24-11 (D-4)
Division 2 – Springbank Community Facility Funding Alternatives
File: 6060-650

MOVED by Councillor McKylor that Administration be directed to explore the establishment of a Recreation and Parks Foundation to support the buildout and long-term maintenance of recreation and parks amenities and programs in Rocky View County.

Carried

1-19-09-24-12 (D-5)
Division 1 – Request to Re-evaluate the Bragg Creek Snowbirds Specialized Transportation Grant Application
File: 2015-550

MOVED by Councillor Kamachi that the Bragg Creek Snowbirds Seniors Fellowship's application be re-evaluated and approved as per the initial amount requested;

AND THAT the budget adjustment of \$6,500.00 be approved as per Attachment 'B'.

Carried

1-19-09-24-13 (D-6)
All Divisions – Notice of Motion Response – Sale of Land to the Cochrane & District Agricultural Society
File: 06809018

MAIN MOTION:

MOVED by Councillor Kissel that Administration be directed to explore the viability of a long-term lease, including the pros and cons, with the Cochrane and District Agriculture Society.

MOTION TO TABLE:

MOVED by Deputy Reeve Schule that the main motion be tabled until later in the afternoon.

Carried

1-19-09-24-14 (D-7)
Divisions 4 and 5 – Motion Arising Response – New Area Structure Plan Along Highway 560 (Glenmore Trail)
File: N/A

MOVED by Deputy Reeve Schule that Administration be directed to prepare a Terms of Reference for the proposed new Glenmore Trail ASP project, including budget variance and an option for developer-funded, and return to Council within three months for consideration.

Carried

1-19-09-24-15 (D-8)
All Divisions – Municipal Planning Commission
File: N/A

MOVED by Councillor Gautreau that Administration be directed to prepare a bylaw providing authority for the Municipal Planning Commission to make decisions on subdivision and development permit applications.

Carried

1-19-09-24-16 (D-9)

All Divisions – West View Area Structure Plan – IREF Application 2019-04

File: N/A

MOVED by Councillor Gautreau that Administration be directed to challenge the recommendation of the Calgary Metropolitan Region Board (CMRB) administrative review for approval.

Carried

1-19-09-24-17 (D-10)

Division 1 – Development Permit Item – Direct Control District 155 (C-7612-2016) Film Production Facility

File: N/A

MOVED by Councillor Kamachi that further consideration of Development Permit Application PRDP20192533 be tabled until later this afternoon.

Carried

The Chair called for a recess at 12:08 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present.

1-19-09-24-06 (C-3)

Division 4 – Bylaw C-7910-2019 –Redesignation Item – Ranch and Farm District to Public Services District

File: PL20190010 (03323025)

1-19-09-24-20 (D-13)

Division 4 – Master Site Development Plan – St. Mary’s Malankara Orthodox Church

File: PL20190011 (03323025)

MOVED by Deputy Reeve Schule that the public hearing for item C-3 be opened at 1:32 p.m.

Carried

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

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Debra Giberson

Person(s) who spoke in rebuttal: Bart Carswell, Carswell Planning (Applicant)

The Chair called for a recess at 1:58 p.m. and called the meeting back to order at 2:00 p.m. with all previously mentioned members present.

MOVED by Deputy Reeve Schule that the public hearing for item C-3 be closed at 2:04 p.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7910-2019 be given first reading.

Carried

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MOVED by Deputy Reeve Schule that Bylaw C-7910-2019 be amended as follows:

Add new section under Part 3 that reads as follows:

“THAT a new section 65.8 be added to Land Use Bylaw C-4841-97 to read as follows:

‘THAT on Block 1, Plan 941 1626 Council shall be the Development Authority.’”

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7910-2019 be given second reading as amended.

Carried

MOVED by Councillor Kissel that Bylaw C-7910-2019 be considered for third reading as amended.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7910-2019 be given third and final reading as amended.

Carried

MOVED by Deputy Reeve Schule that the St. Mary’s Malankara Orthodox Church Master Site Development Plan (PL20190011) be adopted in accordance with Appendix ‘B.’

Carried

1-19-09-24-07 (C-4)

Division 4 – Bylaw C-7921-2019 – Redesignation Item – Ranch and Farm District to Industrial – Industrial Storage District

File: PL20190017 (03315003)

1-19-09-24-21 (D-14)

Division 4 – Master Site Development Plan – Singer Transportation Industrial Storage Yard

File: PL20190018 (03315003)

MOVED by Deputy Reeve Schule that the public hearing for item C-4 be opened at 2:12 p.m.

Carried

Person(s) who presented: Ken Venner, B&A Planning (Applicant)
Garnett Dawes, ISL Engineering

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-4 be closed at 2:41 p.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7921-2019 be given first reading.

Carried

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- MOVED by Councillor Hanson that Administration be directed to work on the wording of section 77.6 of Land Use Bylaw C-4841-97 as proposed by Mr. Venner. Defeated
- MOVED by Deputy Reeve Schule that Bylaw C-7921-2019 be given second reading. Carried
- MOVED by Councillor Gautreau that Bylaw C-7921-2019 be considered for third reading. Defeated
- MOVED by Councillor Hanson that the Singer Transportation Industrial Storage Yard Master Site Development Plan be tabled until Bylaw C-7921-2019 is considered for third reading. Carried

1-19-09-24-17 (D-10)

Division 1 – Development Permit Item – Direct Control District 155 (C-7612-2016) Film Production Facility
File: N/A

MOTION TO LIFT FROM THE TABLE:

MOVED by Councillor Kamachi that item D-10 be lifted from the table. Carried

MOTION TO TABLE:

MOVED by Councillor Kamachi that item D-10 be further tabled. Carried

1-19-09-24-18 (D-11)

Division 7 – Improvements to Intersection of Highway 566/Range Road 292 – Budget Adjustment
File: N/A

MOVED by Councillor Henn that the 2019 Operating Budget be amended as per Attachment 'A' to release funds in the amount of \$500,000 to HD East Balzac II LP related to the Development Amendment and Settlement Agreement dated May 1, 2014 between Rocky View County, Avenue Capital Partners Ltd. and Rocky Mountain Property Inc. Carried

1-19-09-24-24 (I-1)

All Divisions – Notice of Motion – Councillor McKylor and Deputy Reeve Schule – Termination of Reserves Agreement
File: N/A

Notice of Motion: Read at the September 24, 2019 Council Meeting
To be debated at the October 22, 2019 Council Meeting

Title: Termination of Reserves Agreement

Presented By: Councillor Kim McKylor, Division 2
Deputy Reeve Al Shule, Division 4

WHEREAS Municipal Reserve Lands in Rocky View County are governed under section 671(2) of the *Municipal Government Act*,

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- AND WHEREAS Municipal Reserve Lands, whether in land or cash equivalent, can be utilized in Rocky View County for parks, public recreation areas, school board purposes, and to separate areas of land that are used for other purposes;
- AND WHEREAS Rocky View County has a commitment to support Rocky View County residents with parks, public recreation areas, and school board purposes with funding or land to support those amenities;
- AND WHEREAS Rocky View County, Rocky View School Division, and Calgary Roman Catholic Separate School District entered into an agreement dated April 23, 1998 which pre-determines that 50% of municipal proceeds are automatically directed without Council review for purpose;
- AND WHEREAS Rocky View County Council should review requests for recreation dollars to ensure residents within the County are receiving the value which is intended in the *Municipal Government Act*,

THEREFORE BE IT RESOLVED THAT Administration be directed to formally terminate the 1998 Reserves Agreement by providing the required 12-month notice;

AND THAT that once the agreement is terminated, funding requests from Rocky View School Division, Calgary Roman Catholic Separate School District, or any other school division will be brought to Council for consideration.

MOVED by Councillor McKylor that Administration be directed to prepare a response to the Notice of Motion for the October 22, 2019 Council meeting.

Carried

1-19-09-24-22 (E-1)

Division 4 – Consideration of First Reading of Bylaw C-7934-2019 - Redesignation Item – Farmstead District to Residential One District

File: PL20190108 (03232002)

MOVED by Deputy Reeve Schule that Bylaw C-7934-2019 be given first reading.

Carried

1-19-09-24-23 (E-2)

Divisions 6, 7, and 9 – Consideration of First Reading of Bylaw C-7936-2019 – Mountain View County and Rocky View County Intermunicipal Development Plan

File: PL20190083

MOVED by Councillor Henn that Bylaw C-7936-2019 be given first reading.

Carried

1-19-09-24-13 (D-6)

**All Divisions – Notice of Motion Response – Sale of Land to the Cochrane & District Agricultural Society
File: 06809018**

MOTION TO LIFT FROM THE TABLE:

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

Carried

MAIN MOTION:

MOVED by Councillor Kissel that Administration be directed to explore the viability of a long-term lease, including the pros and cons, with the Cochrane and District Agriculture Society.

Councillor Kissel, with the unanimous permission of Council, withdrew the tabled main motion.

MOVED by Councillor Kissel that Administration be directed to explore all options for a 50-year long term license of occupation for the Cochrane and District Agriculture Society, and include an option for the Agriculture Society to exit the agreement amicably if they deem necessary.

Defeated

MOVED by Councillor McKylor that Administration be directed to negotiate, subject to Council's final approval, a Purchase and Sale Agreement (PSA) with the Cochrane and District Agricultural Society to purchase the lands within the Town of Cochrane, legally described as Plan 731674;OT.

Councillor Wright requested a recorded vote on the motion.

Carried

In Favour:

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

Opposed:

Councillor Hanson
Councillor Wright
Councillor Kissel

MAIN MOTION:

MOVED by Councillor McKylor that the PSA reflect, at minimum, the following terms and conditions:

- a) Purchase Price - \$1.00;
- b) Provisions that ensure the lands remain used as green space and/or recreational land for a period of 20 years;
- c) Provisions that prescribe the County's options should the lands cease being used as green space and/or recreational land prior to the expiry of 20 years.

AMENDING MOTION:

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

THAT the PSA reflect, at minimum, the following terms and conditions:

- a) Purchase Price - \$1.00;
- b) Provisions that ensure the lands remain used as green space and/or recreational land for a period of ~~20~~ 50 years;

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- c) Provisions that prescribe the County's options should the lands cease being used as green space and/or recreational land prior to the expiry of ~~20~~ 50 years.

Defeated

The Chair called for a vote on the main motion.

MAIN MOTION:

MOVED by Councillor McKylor that the PSA reflect, at minimum, the following terms and conditions:

- a) Purchase Price - \$1.00;
- b) Provisions that ensure the lands remain used as green space and/or recreational land for a period of 20 years;
- c) Provisions that prescribe the County's options should the lands cease being used as green space and/or recreational land prior to the expiry of 20 years.

Carried

The Chair called for a recess at 3:25 p.m. and called the meeting back to order at 3:32 p.m. with all previously mentioned members present.

1-19-09-24-17 (D-10)

Division 1 – Development Permit Item – Direct Control District 155 (C-7612-2016) Film Production Facility
File: N/A

MOTION TO LIFT FROM THE TABLE:

MOVED by Councillor Kamachi that item D-10 be lifted from the table.

Carried

MOVED by Councillor Kamachi that condition 2 in Appendix 'B' be amended as follows:

That the Applicant/Owner shall provide payment of the Transportation Offsite Levy on 5 acres at \$4,595 per acre and that the rest be deferred in accordance with Bylaw C-7356-2014. The Applicant/Owner shall provide a Site Plan to the County identifying the total Development Area including the private driveway access for the purpose of preparing the TOL calculation.

Carried

MOVED by Councillor Kamachi that a new condition 32 be added to Appendix 'B' that reads as follows:

“THAT this development permit shall be valid for 10 years from the date of issuance.”

Carried

MOVED by Councillor Kamachi that Development Permit Application PRDP20192533 be approved in accordance with the conditions noted in Appendix 'B' as amended:

Development Description:

- 1) A *Film Production Facility* development in accordance with the Site Plan submitted with the Development Permit application is approved on the subject Lands. The approved development includes:
 - i) existing western town including set structures;
 - ii) a prop rail station;
 - iii) a prop warehouse approximately 599.97 sq. m (6,458.00 sq. ft.) in area;

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- iv) parking areas; and
 - v) a staging area for portable trailers, equipment, and materials.

Prior to Issuance Conditions:

Fees

- 2) That the Applicant/Owner shall provide payment of the Transportation Offsite Levy on 5 acres at \$4,595 per acre and that the rest be deferred in accordance with Bylaw C-7356-2014. The Applicant/Owner shall provide a Site Plan to the County identifying the total Development Area including the private driveway access for the purpose of preparing the TOL calculation.

Transportation and Access

- 3) That the Applicant/Owner shall enter into a revised Road Maintenance Agreement with the County to reflect the following updates:
 - i) That maintenance of the Access Route as required to support the development shall be undertaken by the County and the costs shall be payable by the Applicant/Owner;
 - ii) That the agreement shall be revised to be permanent rather than interim; and
 - iii) That the timelines shall be effective in perpetuity.

Permanent Conditions:

- 4) During periods of production site set up and tear down, development generated traffic exiting Township 242 to the east shall turn right (south) at the Highway 22 intersection.
- 5) The maximum Film Production Facility Development Area shall be 16.19 hectares (40 acres).
- 6) Emergency Contact Information shall be provided via email to designated contacts at Rocky View County in Enforcement Services, Planning, and Infrastructure and Operations by the Applicant/Owner or the Location Manager prior to filming activities commencing on the Lands for each film project that occurs from time to time.
- 7) The Applicant shall submit a Fire Emergency Response Plan to the County. The Fire Emergency Response Plan shall be updated yearly.
- 8) Sewage disposal for the Development shall be supplied by a pump-out holding tank that is hauled off the Lands to an approved sewage disposal site.
- 9) Potable water servicing for the Development shall be supplied via water cistern. Should the Applicant/Owner wish to drill a well on the Lands to provide water servicing, the Applicant/Owner shall provide proof of licensing from AEP for the commercial well to the County.
- 10) There shall be adequate parking for the Development maintained on the Development Area at all times, to the satisfaction of the County.
- 11) Dust control shall be maintained on the Lands during operation of the Development. The Applicant/Owner shall take whatever means necessary to keep visible dust from blowing from the Lands onto adjacent lands.
- 12) All on-site lighting shall comply with the following requirements:
 - a) lighting shall be located and arranged so that no direct rays of light are directed at any adjoining properties,
 - b) lighting be dark-sky as much as is possible,
 - c) all private lighting, including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare, and reduce uplight, and

d) lighting design shall reduce the extent of spill-over glare, and minimize glare as viewed from nearby residential properties.

- 13) The Development Area shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
- 14) The garbage and waste material generated by the Development shall be stored in weather-proof and animal-proof containers, located within buildings or adjacent to the side or rear of buildings.
- 15) The Development Area shall be managed in accordance with the submitted and approved Solid Waste Management Plan in perpetuity.
- 16) Any plan, technical submission, agreement, matter or understanding submitted and approved as part of the Application, in response to a Prior to Issuance, Permanent or Occupancy condition, shall be implemented and adhered to in perpetuity.

Permanent:

- 17) The Development shall be accessed via Township Road 242 as described in the TIA.
- 18) The Applicant/Owner shall provide the County with the following advance written notification of any usage of the Access Route that may impact regular traffic flow or the condition of the Access Route, so that a pre-use road inspection can be performed to establish and record the original pre-use condition of the Access Route:
 - i) Not less than seven (7) business days advance notification for long term-film shoots; and
 - ii) As much notification as reasonably possible for short-term film shoots.
- 19) (a) The Applicant/Owner shall provide all area residents who reside on properties located adjacent to the Access Route with the following advance notification of any upcoming use of the Access Route for Development related purposes:
 - i) Not less than seven (7) business days' advance notification for long-term (in excess of 72 hours) film shoots; and
 - ii) As much notification as possible for short-term (less than 72 hours) film shoots.(b) The Notice shall be in the form of a "Dear Neighbor Letter" consisting of the following information and to be hand delivered to each residence:
 - i) Film shoot contact person;
 - ii) Details of Access Route road usage; and
 - iii) Schedule of Access Route road usage.
- 20) The Applicant/Owner shall, at his/her sole cost and expense, maintain the Access Route when the Access Route is being used for Development related purposes to the original pre-use condition as identified during the pre-use road inspection to the satisfaction of the County. The maintenance of the Access Route shall be carried out by the County at the expense of the Applicant/Owner. The Access Route road maintenance work shall include but not be limited to:
 - i) Removing dirt/mud tracked along the Access Route attributed to traffic generated by the Development;
 - ii) Controlling dust along the access route during activities related to the Development being carried out on the Lands;
 - iii) Replenishing existing calcium chloride along the Access Route that has been disturbed by traffic generated by the Development;

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- iv) Replenishing existing gravel along the access route that has been depleted as a result of traffic generated by the Development;
 - v) Repairing any surface or sub-surface damage to the Access Route as a result of traffic generated by the Development.
- 21) The Applicant/Owner shall, at his/her sole cost and expense, ensure that appropriate traffic accommodation measures are in place when performing maintenance or repair work to the Access Route to safeguard the lives and property of the travelling public and adjacent property owners. Traffic accommodation measures shall be in accordance with the requirements outlined in the most current version of the following documents and manuals, and may require the use of certified flag persons and the submission of a Traffic Accommodation Plan for County review and acceptance:
- i) Traffic Accommodation Plan - Manual of Uniform Traffic Control Devices for Canada, Part D-Temporary Conditions;
 - ii) Alberta Infrastructure and Transportation -Traffic Accommodations in a
 - iii) Work Zone; and
 - iv) Alberta Infrastructure and Transportation -Standard Specifications for Highways.
- 22) (a) The Applicant/Owner shall notify the County of the final use of the Access Route for each specific filming project undertaken with respect to the Development so that a post-use road inspection can be performed on the Access Route to determine if any road damage has occurred that requires road repair work or road maintenance work to be completed by the County at the Applicant/Owner's sole cost and expense to restore the Access Route to the original pre-use condition. The County shall be the final authority in assessing the road restoration or repairs required.
- (b) The Applicant/Owner shall pay the full amount of invoice to the County within 30 days of receipt of the invoice.
- 23) If the Applicant/Owner requires permits due to road bans for any trucks hauling material, equipment, and/or supplies along the Access Route, the Applicant/Owner shall contact Roadata Services Ltd @ 1-888-830-7623. These arrangements and approvals must be made prior to the haul. The Applicant/Owner will be responsible, at his/her own expense, for any damages or maintenance to the Access Route caused directly by Development related trucks or heavy equipment and the Applicant, to the extent he/she does not repair same, will be billed for actual repairs and maintenance performed by the County to the road as a result of damage caused by Development related trucks or heavy equipment.
- 24) That the submitted Security, #2184, registered with the County, in the amount in the amount of Twenty Five Thousand Dollars (\$25,000.00) shall remain with the County to secure the Appellants/Owners' obligations pursuant to the Development Permit, to Rocky View County's reasonable satisfaction, subject to the following terms and conditions:
- i) The security shall be used to cover the cost of any road maintenance or repair work performed by the County to the Access Route as a result of the Development in cases where the Applicant/Owner fails to perform or pay for such road maintenance or repair work as directed by the County.
 - ii) Any portion of the \$25,000 security used by the County for road maintenance or repairs by the County shall be replaced by the Applicant/Owner to maintain the \$25,000 security.
 - iii) The security is to be returned to the Applicant/Owner at such time the Applicant/Owner has notified the County that the Development's use of the Access Route is discontinued, the Development Permit has been terminated and no further Access Route road maintenance or repair work is or will be required.

Advisory:

- 25) The Development shall conform to the County's Noise Bylaw C-5773-2003, as amended or replaced, in perpetuity.
- 26) Any future expansion or significant changes to the Development operation shall require new Development Permits.
- 27) If required, Building Permits and associated sub-trade permits shall be obtained for:
 - a) the prop storage building (north/east of town site); and,
 - b) the maintenance/prop workshop building (within/adjacent to town site), using the commercial/industrial checklist requirements.
- 28) Obtaining and complying with any other required Federal, Provincial or County permit, approval, or compliance is the sole responsibility of the Applicant.
- 29) Existing or future set structures within the Film Production Facility Development Area are not required to obtain Building Permits or development permits where in accordance with the provisions of DC 155.
- 30) The Applicant/Owner shall be responsible for all Alberta Environment & Parks approvals and/or payment of compensation if any disturbance to wetlands is proposed.
- 31) If this Development Permit is not issued by MARCH 31, 2020, or by an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 32) That this development permit shall be valid for 10 years from the date of issuance.

Carried

1-19-09-24-26 (K-2)

Closed Session – “Chestermere Regional Community Association Lands”

File: RVC2019-22

1-19-09-24-27 (K-3)

Closed Session – “Sale of County Lands”

File: RVC2019-23

MOVED by Councillor Henn that Council move into closed session at 3:46 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 – Chestermere Regional Community Association Lands

- Section 24 – Advice from Officials
- Section 25 – Disclosure harmful to economic or other interests of a public body

K-3 – Sale of County Lands

- Section 24 – Advice from Officials
- Section 25 – Disclosure harmful to economic or other interests of a public body

Carried

Council held the closed session for confidential item K-2 and K-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

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G. Kaiser, Executive Director, Community and Business
R. Barss, A/Executive Director, Community Development Services
T. Cochran, Manager, Recreation, Parks, and Community Support
B. Beach, Manager, Building Services
C. Morrice, Manager, Legal and Land Administration

MOVED by Councillor McKylor that Council move into open session at 4:32 p.m.

Carried

MOVED by Councillor Gautreau that Administration be directed to close the facility effective immediately due to safety concerns and communicate the decision to the Chestermere Regional Recreation Association and the City of Chestermere.

Carried

MAIN MOTION:

MOVED by Councillor Gautreau that Administration be further directed to explore the sale of this land and facility.

AMENDING MOTION:

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

THAT Administration be further directed to explore the sale of this land ~~and~~ or remediation of this facility.

Carried

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

MAIN MOTION AS AMENDED:

MOVED by Councillor Gautreau that Administration be further directed to explore the sale of this land or remediation of this facility.

Carried

MOVED by Councillor Hanson that Administration be directed to decline the Offer to Purchase.

Carried

MOTION ARISING:

MOVED by Councillor Hanson that Administration be directed to prepare a report on development potential with this particular piece of property to be delivered no later than three months and two weeks from today.

AMENDING MOTION:

MOVED by Councillor McKylor that the motion arising be amended as follows:

THAT Administration be directed to prepare a report on development potential with ~~this particular piece of property~~ fee-simple County Lands to be delivered no later than three months and two weeks from today.

Carried

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

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MOTION ARISING:

MOVED by Councillor Hanson that Administration be directed to prepare a report on development potential with fee-simple County Lands to be delivered no later than three months and two weeks from today.

Carried

MOVED by Councillor Kissel that Councillors Hanson, Wright, and Kissel be allowed to attend the fall RMA conference and have their travel expenses covered.

Carried

Adjournment

MOVED by Councillor Hanson that the September 24, 2019 Council meeting be adjourned at 4:53 p.m.

Carried



Reeve or Deputy Reeve



Chief Administrative Officer or Designate