

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
October 22, 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 October 22, 2019 commencing at 10:45 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
- M. Wilson, A/Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- T. Cochran, Manager, Recreation, Parks & Community Support
- S. Hulsman, Manager, Transportation Services
- D. Hafichuk, Manager, Capital Project Management
- A. Zaluski, Manager, Intergovernmental Affairs
- T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office
- G. Nijjar, Engineering Supervisor, Planning and Development Services
- A. Bryden, Planner, Planning and Development Services
- J. Anderson, Planner, Planning and Development Services
- J. Kwan, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- P. Simon, Planning and Development Services
- S. Kunz, Planning and Development Services
- X. Deng, Planning and Development Services

**Call to Order**

The Chair called the meeting to order at 10:45 a.m. with all members present.

**1-19-10-22-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor McKylor that the October 22, 2019 Council meeting agenda be amended as follows:

- Add emergent business item D-6 – Amendment to the *Appeal and Review Panel Bylaw*;
- Add emergent business item D-7 – Rural Policing Resolution for the Fall RMA Convention; and
- Add confidential emergent business item K-1 – Condominium Corporation No. 071894, Elbow Valley West Ltd. – Settlement Agreement

Carried

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MOVED by Councillor McKylor that the October 22, 2019 Council meeting agenda be approved as amended.  
Carried

**1-19-10-22-02**  
**Approval of Minutes**

MOVED by Deputy Reeve Schule that the October 8, 2019 Council meeting minutes be approved as presented.  
Carried

**1-19-10-22-26 (J-2)**  
**Division 7 – Subdivision Item – McLellan Business Park Multi-lot Subdivision**  
**File: PL20180133**

MOVED by Councillor Henn that Subdivision Application PL20180133 be approved with the conditions noted in Appendix 'B':

- A. PHASE ONE: That the application to create three (3) lots (ranging from 8.68 acres to 17.68 acres in size), public internal road system, and a Public Utility Lot ( $\pm$  9.39 acres) at SE-03-26-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 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.

*Development Agreement*

- 2) The Owner is to enter into a Development Agreement pursuant to Section 648, 650, 651 and 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include, without restriction, the following:
  - a) Design and construction of a public road system with associated infrastructure which includes the following:

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- i) Intersection upgrades and treatments in accordance with the approved Transportation Impact Assessment (TIA);
  - ii) Installation of Traffic Signals at Dwight McLellan Trail and the proposed access road(s) in accordance with the approved TIA;
  - iii) Additional offsite upgrades, if any, in accordance with the approved TIA;
  - iv) Approaches to each lot;
  - v) Temporary cul-de-sac(s) including access easement(s);
  - vi) Sidewalks/Pathways;
- b) Design and construction of Landscaping features for all public pathways, and public roadways and the Public Utility Lot, in accordance with the approved Landscaping Plan;
  - c) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
    - i) A detailed sanitary servicing study is required in order to confirm the servicing capacity required for the development of the proposed parcels, and to determine if offsite upgrades to the regional system or additional lift station capacity is required;
    - ii) If offsite upgrades or additional lift station capacity are required than all improvements shall be constructed as part of the Development Agreement;
    - iii) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County policy 406.
  - d) Design and construction of a piped water distribution system and fire suppression system;
    - i) A detailed potable water servicing and hydraulic design study is required in order to ensure the pipelines are sized adequately considering existing and future phases, to determine if upgrades or additional infrastructure is required, and to confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with the County Servicing Standards;
    - ii) All improvements shall be constructed as part of the Development Agreement.
  - e) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
  - f) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - g) Dedication of necessary easements and right of ways for utility line assignments;
  - h) Mailboxes are to be located in consultation with Canada Post;
  - i) Installation of power, natural gas, and telephone lines;
  - j) Implementation of the recommendations of the Construction Management Plan;
  - k) Implementation of the recommendations of the Geotechnical Report;
  - l) Implementation of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
  - m) Alberta Environment and Parks approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
  - n) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Subdivision Approval.

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- o) Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
  - p) The construction of any oversized or excess capacity infrastructure, roads and/or services benefiting the Owner's lands and development and other lands.

*Transportation and Access*

- 3) The Owner shall provide an update to the Traffic Impact Assessment (2016 and 2019), demonstrating the validity of the previously provided TIA, or identifying any changes and detailing the related required improvements in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.
  - a) Any improvements or additional road right of way required will be at the Owner's expense;
  - b) If the recommendation 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;
  - c) The Owner is to provide for the dedication of land as road widening for the proposed intersection locations on Dwight McLellan Trail in accordance with the approved TIA.
- 4) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

*Site Servicing*

- 5) The Owner shall enter into a Cost Contribution and Capacity Allocation Agreement for servicing allocation to the lot(s) created in this phase. The agreement shall be based on the servicing need identified in the detailed servicing study as approved by the County.

*Developability*

- 6) The Owner shall submit a Stormwater Management Plan and detailed stormwater servicing design, including any improvements related water re-use Low Impact Development measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable Provincial regulations, standards, and/or guidelines. Implementation of the Stormwater Management Plan shall include:
  - a) If the recommendations of the Stormwater Management Plan require improvements, then a Development Agreement (Site Improvements/Services Agreement) shall be entered into;
  - b) Registration of any required easements and/or utility Rights-of-Way;
  - c) Provision of necessary approvals and compensation provided to Alberta Environment and Parks for wetland loss and mitigation;
  - d) Provision of necessary Alberta Environment and Parks registration documentation, approvals, and licensing for the stormwater infrastructure system.
- 7) The Owner shall submit an updated Biophysical or Wetland Impact Assessment to confirm the status of regulatory approvals related to the existing wetlands on site.
  - a) The Owners is responsible for securing any approvals related to Provincial and Federal environmental regulations or legislation; these approvals are required to be provided for County records prior to issuance of the Development Agreement.
- 8) The Owner shall submit a Geotechnical investigation in accordance with the County Servicing Standards to verify the site is suitable for the proposed buildings, site works, and utilities.

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- a) A Deep Fill report is required in accordance with the County Servicing Standards for any areas with greater than 1.2 meters of fill.

*Site Construction*

- 9) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County Servicing standards.
- 10) The Owner shall provide a Construction Management Plan that is to include, but not limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction and management details.

*Association and Condominium Association*

- 11) The Owner shall legally establish a Lot Owners' Association (LOA) and register an encumbrance against the title of each new lot, requiring that each individual Lot Owner is a member of the LOA, or register an instrument against the title of each lot that is satisfactory to the County, to oversee the management of common infrastructure.
  - a) The instrument shall specify the future obligations of the Lot Owners or others, to manage any common stormwater infrastructure including, but not limited, to irrigation infrastructure.

*Municipal Reserves*

- 12) The provision of Municipal Reserve in the amount of 10 percent of the gross area to be subdivided for Phase 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Altus Group Limited, dated February 21, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) Reserves for the remainder lands are to be deferred with Caveat for Phase 2 and 3 pursuant to Section 669(2) of the *Municipal Government Act*. If all phases are to be registered concurrently, the full outstanding balance of Municipal Reserve must be provided.

*Payments and Levies*

- 13) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with C-7273-2013, for Lot 1 and Lot 2 Block 1, and Lot 1 Block 2.
  - a) If required, the Applicant/Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 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:
  - a) From the total gross acreage of all lots and roadways to be subdivided as shown on the Plan of Survey; and
  - b) The Levy shall be deferred on the remainder lands as shown the Lands to be subdivided as shown on the Approved Tentative Plan.
- 15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of four (4) new lot.
- 16) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the *Master Rates Bylaw*, as amended.

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Taxes

- 17) 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 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*.
- A. PHASE TWO: That the application to create two (2) lots (approximately 17.51 acres and 21.42 acres in size) and public internal road system at SE-03-26-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 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:

*Phasing*

- 1) Prior to the endorsement and registration of a survey plan associated with Phase 2, the survey plan for Phase 1 must be registered and titles issued. Alternatively, Phase 1 and Phase 2 may be registered concurrently.

*Survey Plans*

- 2) 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.

*Development Agreement*

- 3) The Owner is to enter into a Development Agreement pursuant to Section 648, 650, 651 and 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include, without restriction, the following:
  - a) Design and construction of a public road system with associated infrastructure which includes the following:

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- i) Upgrade of Range Road 292 to a paved commercial/industrial standard in accordance with the approved TIA and conceptual scheme;
  - ii) Intersection upgrades and treatments in accordance with the approved TIA;
  - iii) Installation of Traffic Signals at Dwight McLellan Trail and the proposed access road(s) in accordance with the approved TIA;
  - iv) Additional offsite upgrades, if any, in accordance with the approved TIA;
  - v) Approaches to each lot;
  - vi) Temporary cul-de-sac(s) including access easement(s);
  - vii) Sidewalks/Pathways;
- b) Design and construction of Landscaping features for all public pathways, and public roadways in accordance with the approved Landscaping Plan;
  - c) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
    - i) A detailed sanitary servicing study is required in order to confirm the servicing capacity required for the development of the proposed parcels, and to determine if offsite upgrades to the regional system or additional lift station capacity is required;
    - ii) If offsite upgrades or additional lift station capacity are required than all improvements shall be constructed as part of the Development Agreement;
    - iii) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County policy 406.
  - d) Design and construction of a piped water distribution system and fire suppression system;
    - i) A detailed potable water servicing and hydraulic design study is required in order to ensure the pipelines are sized adequately considering existing and future phases, to determine if upgrades or additional infrastructure is required, and to confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with the County Servicing Standards;
    - ii) All improvements shall be constructed as part of the Development Agreement.
  - e) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
  - f) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - g) Dedication of necessary easements and right of ways for utility line assignments;
  - h) Mailboxes are to be located in consultation with Canada Post;
  - i) Installation of power, natural gas, and telephone lines;
  - j) Implementation of the recommendations of the Construction Management Plan;
  - k) Implementation of the recommendations of the Geotechnical Report;
  - l) Implementation of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
    - i) Alberta Environment and Parks approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.

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- m) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Subdivision Approval.
  - n) Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
  - o) The construction of any oversized or excess capacity infrastructure, roads and/or services benefiting the Owner's lands and development and other lands.

*Transportation and Access*

- 4) The Owner shall provide an update to the Traffic Impact Assessment (2016 and 2019), demonstrating the validity of the previously provided TIA, or identifying any changes and detailing the related required improvements in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.
  - a) Any improvements or additional road right of way required will be at the Owner's expense;
  - b) If the recommendation 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.
- 5) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

*Site Servicing*

- 6) The Owner shall enter into a Cost Contribution and Capacity Allocation Agreement for servicing allocation to the lot(s) created in this phase. The agreement shall be based on the servicing need identified in the detailed servicing study as approved by the County.

*Developability*

- 7) The Owner shall submit a Stormwater Management Plan and detailed stormwater servicing design, including any improvements related water re-use Low Impact Development measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable Provincial regulations, standards, and/or guidelines. Implementation of the Stormwater Management Plan shall include:
  - a) If the recommendations of the Stormwater Management Plan require improvements, then a Development Agreement (Site Improvements/Services Agreement) shall be entered into;
  - b) Registration of any required easements and/or utility Rights-of-Way;
  - c) Provision of necessary approvals and compensation provided to Alberta Environment and Parks for wetland loss and mitigation;
  - d) Provision of necessary Alberta Environment and Parks registration documentation, approval, and licensing for the stormwater infrastructure system.
- 8) The Owner shall submit an updated Biophysical or Wetland Impact Assessment to confirm the status of regulatory approvals related to the existing wetlands on site.
  - a) The Owners remain responsible for securing any approvals related to Provincial and Federal environmental regulations or legislation; these approvals are required to be provided for County records prior to issuance of a Development Agreement.
- 9) The Owner shall submit a Geotechnical investigation in accordance with the County Servicing Standards to verify the site is suitable for the proposed buildings, site works, and utilities.



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- a) A Deep Fill report is required in accordance with the County Servicing Standards for any areas with greater than 1.2 meters of fill.

*Site Construction*

- 10) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County Servicing standards.
- 11) The Owner shall provide a Construction Management Plan that is to include, but not limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction and management details.

*Municipal Reserves*

- 12) The provision of Municipal Reserve in the amount of 10 percent of the area to be subdivided for Phase 2, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Altus Group Limited, dated February 21, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.
- a) Reserves for the remainder lands are to be deferred with Caveat pursuant to Section 669(2) of the *Municipal Government Act*. If all phases are to be registered concurrently, the full outstanding balance of Municipal Reserve must be provided.

*Payments and Levies*

- 13) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with C-7273-2013, for Lot 1 Block 3 and Lot 2 Block 2.
  - a) If *required*, the Applicant/Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 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:
  - a) From the total gross acreage of all lots and roadways to be subdivided as shown on the Plan of Survey; and
  - b) The Levy shall be deferred on the remainder lands as shown the Lands to be subdivided as shown on the Approved Tentative Plan.
- 15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of two (2) new lot.
- 16) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the *Master Rates Bylaw*, as amended.

*Taxes*

- 17) 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 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*.

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- A. PHASE THREE: That the application to create five (5) lots (ranging from 7.30 acres to 10.37 acres in size) and public internal road system at SE-03-26-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 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:

*Phasing*

- 1) Prior to the endorsement and registration of a survey plan associated with Phase 3, the survey *plan* for Phase 1 must be registered and titles issued. Alternatively, Phase 1 and Phase 3 may be registered concurrently.

*Survey Plans*

- 2) 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.

*Development Agreement*

- 3) The Owner is to enter into a Development Agreement pursuant to Section 648, 650, 651 and 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include, without restriction, the following:
  - a) Design and construction of a public road system with associated infrastructure which includes the following:
    - i) Intersection upgrades and treatments in accordance with the approved TIA;
    - ii) Additional offsite upgrades, if any, in accordance with the approved TIA;
    - iii) Approaches to each lot;
    - iv) Temporary cul-de-sac(s) including access easement(s);
    - v) Sidewalks/Pathways;
  - b) Design and construction of Landscaping features for all public pathways, and public roadways in accordance with the approved Landscaping Plan;

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- c) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
    - i) A detailed sanitary servicing study is required in order to confirm the servicing capacity required for the development of the proposed parcels, and to determine if offsite upgrades to the regional system or additional lift station capacity is required;
    - ii) If offsite upgrades or additional lift station capacity are required than all improvements shall be constructed as part of the Development Agreement;
    - iii) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County policy 406.
  - d) Design and construction of a piped water distribution system and fire suppression system;
    - i) A detailed potable water servicing and hydraulic design study is required in order to ensure the pipelines are sized adequately considering existing and future phases, to determine if upgrades or additional infrastructure is required, and to confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with the County Servicing Standards;
    - ii) All improvements shall be constructed as part of the Development Agreement.
  - e) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
  - f) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - g) Dedication of necessary easements and right of ways for utility line assignments;
  - h) Mailboxes are to be located in consultation with Canada Post;
  - i) Installation of power, natural gas, and telephone lines;
  - j) Implementation of the recommendations of the Construction Management Plan;
  - k) Implementation of the recommendations of the Geotechnical Report;
  - l) Implementation of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
    - i) Alberta Environment and Parks approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
  - m) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Subdivision Approval.
  - n) Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
  - o) The construction of any oversized or excess capacity infrastructure, roads and/or services benefiting the Owner's lands and development and other lands.

#### *Site Servicing*

- 4) The Owner shall enter into a Cost Contribution and Capacity Allocation Agreement for servicing allocation to the lot(s) created in this phase. The agreement shall be based on the servicing need identified in the detailed servicing study as approved by the County.

#### *Transportation and Access*

- 5) The Owner shall provide an update to the Traffic Impact Assessment (2016 and 2019), demonstrating the validity of the previously provided TIA, or identifying any changes and detailing the related required

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improvements in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.

- a) Any improvements or additional road right of way required will be at the Owner's expense.
  - b) If the recommendation 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.
- 6) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

*Developability*

- 7) The Owner shall submit a Stormwater Management Plan and detailed stormwater servicing design, including any improvements related water re-use Low Impact Development measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable Provincial regulations, standards, and/or guidelines. Implementation of the Stormwater Management Plan shall include:
- a) If the recommendations of the Stormwater Management Plan require improvements, then a Site Improvements/Services Agreement shall be entered into;
  - 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;
  - d) Necessary Alberta Environment licensing documentation for the stormwater infrastructure system.
- 8) The Owner shall submit an updated Biophysical or Wetland Impact Assessment to confirm the status of regulatory approvals related to the existing wetlands on site.
- a) The Owners remain responsible for securing any approvals related to Provincial and Federal environmental regulations or legislation; these approvals are required to be provided for County records prior to issuance of a Development Agreement.
- 9) The Owner shall submit a Geotechnical investigation in accordance with the County Servicing Standards to verify the site is suitable for the proposed buildings, site works, and utilities.
- a) A Deep Fill report is required in accordance with the County Servicing Standards for any areas with greater than 1.2 meters of fill.

*Site Construction*

- 10) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County Servicing standards.
- 11) The Owner shall provide a Construction Management Plan that is to include, but not limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction and management details.

*Municipal Reserves*

- 12) The provision of Municipal Reserve in the amount of 10 percent of the gross area to be subdivided for Phase 3, 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 Altus Group Limited, dated February 21, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

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- a) Reserves for the remainder lands are to be deferred with Caveat pursuant to Section 669(2) of the *Municipal Government Act*. If all phases are to be registered concurrently, the full outstanding balance of Municipal Reserve must be provided.

*Payments and Levies*

- 13) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with C-7273-2013, for Lot 1 and Lot 2 Block 5, Lot 1 Block 6, and Lot 2 and Lot 3 Block 4.
- a) If required, the Applicant/Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 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:
- a) From the total gross acreage of all lots and roadways to be subdivided as shown on the Plan of Survey; and
- b) The Levy shall be deferred on the remainder lands as shown the Lands to be subdivided as shown on the Approved Tentative Plan.
- 15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of five (5) new lot.
- 16) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the *Master Rates Bylaw*, as amended.

*Taxes*

- 17) 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 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

**1-19-10-22-27 (J-3)**

**Division 7 – Subdivision Item – Residential Subdivision**

**File: PL20190104**

MOVED by Councillor Henn that Subdivision Application PL20190104 be approved with the conditions noted in Appendix 'B':

- A. The application to create a ± 12.5 acre parcel with a ± 141.92 acre remainder at NW-13-28-03-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.

*Payments and Levies*

- 2) The Owner shall pay the Transportation Off-site Levy in accordance with Bylaw C-7356-2014.
- 3) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new lot.

*Municipal Reserve*

- 4) The provision of Reserve in the amount of 10 percent of the area of the subject land as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Black Valuation Group Ltd. dated September 3, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

*Taxes*

- 5) 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

**1-19-10-22-28 (J-4)**

**Division 8 – Subdivision Item – Bearspaw Area Structure Plan – Residential Two District**

**File: PL20180100**

MOVED by Councillor Wright that Subdivision Application PL20180100 be approved with the conditions noted in Appendix 'B':

- A. That the application to create a  $\pm 1.62$  hectare ( $\pm 4.00$  acre) parcel with a  $\pm 6.44$  hectare ( $\pm 15.92$  acre) remainder from Block 4, Plan 731167 within NE-32-25-2-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*.

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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 Bearspaw Area Structure Plan;
  - 2) The subject lands hold the appropriate land use designation; and
  - 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 – Site Improvements*

- 2) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County, which shall be registered on Lot 2 and shall include the following:
  - a) Construction of a shallow treatment field with secondary treatment of septic tank effluent in accordance with the Level 3 Site Assessment for PSTS Suitability (Global Engineering and Testing Ltd., August 2019).

*Accessibility to a Road*

- 3) The Owner shall construct a new paved approach on Burma Road in order to provide access to Lot 2.
- 4) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
  - a) The provision of 25m (+/- 0.5 ha) road acquisition along the western edge of Lot 1; and
  - b) The purchase of land by the County for \$1.
- 5) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 1 that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan.

*Site Servicing*

- 6) The Owner is to provide confirmation of tie-in for connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lot 2, as shown on the Approved Tentative Plan. This includes providing information regarding:
  - a) Documentation proving that water supply has been purchased for proposed Lot 2;

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- 
- b) Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.

*Payments and Levies*

- 7) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing.
  - a) From the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 8) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new lot.

*Municipal Reserves*

- 9) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by (Altus Group, file 13120.102658.029, dated May 30, 2019), pursuant to Section 666(3) of the *Municipal Government Act*;
  - a) Reserves for Lot 2 are to be deferred with Caveat, pursuant to Section 669(2) of the *Municipal Government Act*;

*Taxes*

- 10) 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

**1-19-10-22-29 (J-5)**

**Division 7 – Subdivision Item – Balzac East Area Structure Plan – Industrial – Industrial Activity District  
File: PL20190066**

MOVED by Councillor Henn that condition 11 in Appendix 'B' be amended to read as follows:

The provision of Reserve in the amount of 10 percent of the area of Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Altus Group, project number 13120.102658.033, dated July 13, 2019 (inclusive of revisions to the satisfaction of the County), pursuant to Section 666(3) of the *Municipal Government Act*.

Carried

MOVED by Councillor Henn that condition 11 in Appendix 'B' be further amended to add a subsection 11(a) that reads as follows:

- a) Reserves owing on Lot 2 shall be deferred by caveat in accordance with the *Municipal Government Act*.

Carried



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MOVED by Councillor Henn that Subdivision Application PL20190066 be approved with the conditions noted in Appendix 'B' as amended:

- A. That the application to create a  $\pm 7.50$  acre parcel with a  $\pm 23.00$  acre remainder from a portion of NW-01-26-29-W04M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*. 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 Balzac East Area Structure Plan;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- 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.

*Transportation and Access*

- 2) The Applicant/Owner is to provide a Traffic Impact Assessment (TIA) in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.
  - a) If the recommendations of the Traffic Impact Assessment require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.

*Developability*

- 3) The Applicant/Owner shall submit a Stormwater Management Report and detailed stormwater servicing design, including any improvements related water re-use, LID measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
  - a) All improvements shall be constructed under a Development Agreement.
  - b) Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.

*Site Servicing*

- 4) The Applicant/Owner shall submit a Detailed Sanitary Servicing Study to support this phase of the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.

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- a) If offsite upgrades or additional lift station capacity are required, then all improvement shall be constructed under a Development Agreement.
  - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
  - 5) The Applicant/Owner shall submit a Detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.
    - a) If upgrades or improvements are identified in the potable water servicing and hydraulic design study, then the Applicant/Owner shall enter into a Development Agreement.
  - 6) The Applicant/Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lot created in this Phase based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

*Association Information*

- 7) The Owner is to prepare a Solid Waste Management Plan, which will outline the responsibility of the Lot Owners' Association for the management of solid waste.

*Payments and Levies*

- 8) The Applicant/Owner shall pay the Transportation Off-Site Levy (including the Base Levy and the Special Area Levy) in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
  - a) From the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 9) The Applicant/Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-7273-2013, for Lot 1.
  - a) If required, the Applicant/Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 10) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new Lot.

*Municipal Reserve*

- 11) The provision of Reserve in the amount of 10 percent of the area of Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Altus Group, project number 13120.102658.033, dated July 13, 2019 (inclusive of revisions to the satisfaction of the County), pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) Reserves owing on Lot 2 shall be deferred by caveat in accordance with the *Municipal Government Act*.

*Taxes*

- 12) 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

**1-19-10-22-30 (J-6)**

**Division 9 – Subdivision Item – Boundary Adjustment**

**File: PL20190042**

MOVED by Councillor Kissel that Subdivision Application PL20190042 be approved with the conditions noted in Appendix 'B':

- A. That the application to adjust the boundaries between a  $\pm 160.00$  acre parcel and a  $\pm 107.29$  acre parcel in order to create a  $\pm 50.00$  acre parcel and a  $\pm 217.29$  acre parcel at NW-29-26-05-W05M and SW-32-26-05-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*. 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 County Plan;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- 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.

*Fees*

- 2) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for a boundary adjustment affecting two parcels.

*Taxes*

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

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D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

**1-19-10-22-07 (D-1)**

**All Divisions – Quarterly Report – Transportation Services**

**File: N/A**

MOVED by Councillor Kissel that the Transportation Services Quarterly Report be received for information.

Carried

**1-19-10-22-08 (D-2)**

**Division 5 – Request to Waive the Development Permit Six-Month Waiting Period**

**File: 05325001**

MOVED by Councillor Gautreau that the requirement of a six-month waiting period for re-application under Section 16 of Land Use Bylaw C-4841-97 for a development permit of a cannabis cultivation facility at SE-25-25-28-W4M be denied.

Carried

**1-19-10-22-09 (D-3)**

**All Divisions – Response to Notice of Motion – Termination of 1998 Reserves Agreement**

**File: N/A**

MOVED by Councillor McKylor that as per the terms of the Reserves Agreement, Administration be directed to formally terminate the 1998 Reserves Agreement by providing the required 12-month written notice.

Carried

**1-19-10-22-10 (D-4)**

**Division 1 – Connection of Wintergreen Woods to the Bragg Creek Water Treatment Plant**

**File: 5045-275**

MOVED by Councillor Kamachi that a budget adjustment for the connection of Wintergreen Woods Water Coop to the Bragg Creek water supply system be approved as described in the revised Attachment 'A'.

Carried

**1-19-10-22-11 (D-5)**

**All Divisions – Consideration of Motion – Rescind Motion – RMA Conference and Expenses**

**File: N/A**

MOVED by Councillor Henn that Council Rescind the motion approved on September 24, 2019 that read as:

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

Carried

The Chair called for a recess at 11:42 a.m. and called the meeting back to order at 11:49 a.m. with all previously mentioned members present.

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**1-19-10-22-31 (D-6)**

**All Divisions – Emergent Business Item – Amendment to the *Appeal and Review Panel Bylaw***  
**File: N/A**

MOVED by Deputy Reeve Schule that Bylaw C-7952-2019 be given first reading

Carried

MOVED by Councillor Gautreau that Bylaw C-7952-2019 be given second reading

Carried

MOVED by Councillor Henn that Bylaw C-7952-2019 be considered for third reading.

Defeated

**1-19-10-22-12 (E-1)**

**All Divisions – Consideration of First Reading for a *Public Notification Bylaw (C-7860-2019)***  
**File: N/A**

MOVED by Councillor Gautreau that the *Public Notification Bylaw C-7860-2019* be given first reading.

Carried

**1-19-10-22-13 (E-2)**

**Division 5 – Consideration of First Reading of Bylaw C-7923-2019 – Redesignation Item – Residential Redesignation**  
**File: PL20190071 (03231019)**

MOVED by Councillor Gautreau that Bylaw C-7923-2019 be given first reading.

Carried

**1-19-10-22-14 (E-3)**

**Division 7 – Consideration of First Reading of Bylaw C-7938-2019 – Redesignation Item – Residential Redesignation**  
**File: PL20190036 (06421007)**

MOVED by Councillor Henn that Bylaw C-7938-2019 be given first reading.

Carried

**1-19-10-22-15 (E-4)**

**Division 2 – Consideration of First Reading of Bylaw C-7941-2019 – Redesignation Item – Site-Specific Amendment to Direct Control Bylaw 27 (DC-27)**  
**File: PL20190113 (05704005)**

Councillor McKylor declared a pecuniary interest on redesignation application PL20190113 and recused herself from discussion and abstained from voting on the motion. Councillor McKylor proceeded to leave the meeting at 11:50 a.m.

MOVED by Deputy Reeve Schule that Bylaw C-7941-2019 be given first reading.

Carried  
Abstained: Councillor McKylor

Councillor Kamachi left the meeting at 12:00 p.m.

Councillor Kamachi and Councillor McKylor returned to the meeting at 12:00 p.m.

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**1-19-10-22-16 (E-5)**

**Division 4 – Consideration of First Reading of Bylaw C-7862-2019 – Redesignation Item – Site-Specific Direct Control District Amendment**  
**File: PL20180149 (03214108)**

MOVED by Deputy Reeve Schule that Bylaw C-7862-2019 be given first reading.

Carried

The Chair called for a recess at 12:02 p.m. and called the meeting back to order at 1:00 p.m.

**1-19-10-22-17 (E-6)**

**Division 4 – Consideration of First Reading of Bylaw C-7939-2019 – Redesignation Item – Site-Specific Direct Control District Amendment**  
**File: PL20190101 (03222172)**

MOVED by Deputy Reeve Schule that Bylaw C-7939-2019 be given first reading.

Carried

**1-19-10-22-18 (E-7)**

**Division 6 – Consideration of First Reading of Bylaw C-7943-2019 – Kneehill County and Rocky View County Intermunicipal Development Plan**  
**File: PL20190084**

MOVED by Deputy Reeve Schule that Bylaw C-7943-2019 be given first reading.

Carried

**1-19-10-22-19 (E-8)**

**Division 9 – Consideration of First Reading of Bylaw C-7942-2019 – Conceptual Scheme Item Camden Heights**  
**File: PL20180113 (06826028)**

**1-19-10-22-20 (E-9)**

**Division 9 – Consideration of First Reading of Bylaw C-7679-2017 – Redesignation Item – Ranch and Farm District to Residential Two District**  
**File: PL20170045 (06826028)**

MOVED by Councillor Kissel that Bylaw C-7942-2019 be given first reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7679-2017 be given first reading.

Carried

**1-19-10-22-27 (J-3)**

**Division 7 – Subdivision Item – Residential Subdivision**  
**File: PL20190104**

MOVED by Councillor Henn that the following motion passed on October 22, 2019 be reconsidered by Council:

“MOVED by Councillor Henn that Subdivision Application PL20190104 be approved with the conditions noted in Appendix ‘B’.”

Carried

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MAIN MOTION:

MOVED by Councillor Henn that Subdivision Application PL20190104 be approved with the conditions noted in Appendix 'B'.

AMENDING MOTION:

MOVED by Deputy Reeve Schule that the main motion be amended as follows:

THAT Subdivision Application PL20190104 be approved with the conditions noted in Appendix 'B' with the following amendment to condition 4:

The provision of Reserve in the amount of 10 percent of the area of the ~~subject land~~ Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Black Valuation Group Ltd. dated September 3, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

Carried

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

MAIN MOTION AS AMENDED:

MOVED by Councillor Henn that Subdivision Application PL20190104 be approved with the conditions noted in Appendix 'B' with the following amendment to condition 4:

The provision of Reserve in the amount of 10 percent of the area of the ~~subject land~~ Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Black Valuation Group Ltd. dated September 3, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

- A. The application to create a  $\pm$  12.5 acre parcel with a  $\pm$  141.92 acre remainder at NW-13-28-03-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:

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*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.

*Payments and Levies*

- 2) The Owner shall pay the Transportation Off-site Levy in accordance with Bylaw C-7356-2014.
- 3) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new lot.

*Municipal Reserve*

- 4) The provision of Reserve in the amount of 10 percent of the area of the subject land Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Black Valuation Group Ltd. dated September 3, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

*Taxes*

- 5) 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

**1-19-10-22-21 (I-1)**

**All Divisions – Notice of Motion – Councillor Gautreau and Deputy Reeve Schule – Highway 8 Area Structure Plan**

**File: N/A**

Read at the October 22, 2019 Council Meeting

To be debated at the December 10, 2019 Council Meeting

Title: The Highway 8 Area Structure Plan

Presented By: Councillor Jerry Gautreau, Division 5

Seconded By: Deputy Reeve Schule, Division 4

WHEREAS The County Plan establishes a vision for sustainable community development that balances agriculture with diverse residential, recreational and business opportunities;

AND WHEREAS The Rocky View / Calgary Intermunicipal Development Plan identifies the Highway 8 area as a residential growth corridor;

AND WHEREAS The Elbow Valley community includes a series of attractive and highly-desirable country residential neighborhoods within and adjacent to the Elbow Valley Area Structure Plan;



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- AND WHEREAS Notwithstanding, the neighborhoods within the Elbow Valley community have reached or are nearly at full build out, the area lacks essential services such as schools, recreation and commercial amenities;
- AND WHEREAS Opportunity to accommodate a more complete range of housing, increased residential densities, recreation and institutional facilities, and appropriately-scaled commercial amenities within the Highway 8 area could enhance the Elbow Valley community and support the County in achieving its fiscal, social, and environmental objectives;
- AND WHEREAS Capacity of the Highway 8 area to accommodate continued growth has been enhanced due to recent infrastructure investment including:
- The Province's construction of the West Calgary Ring Road and twinning of a portion of Highway 8; and
  - The County's construction of the Elbow Valley Fire Station 101.
- AND WHEREAS The Calgary Metropolitan Regional Board (CMRB) Interim Growth Plan and an Interim Regional Evaluation Framework provides a regional policy framework to consider continued growth within the Highway 8 area;
- AND WHEREAS Recent amendments to the Municipal Government Act could enable the County and the City of Calgary to jointly-adopt offsite levy Bylaws to fund regional infrastructure projects such as expanded use of libraries and community recreation facilities;
- AND WHEREAS The County Plan directs review of an Area Structure Plan (ASP) if:
- Available residential capacity is reaching build-out;
  - Multiple applications are received for development forms that are inconsistent with the ASP;
  - Changes in major infrastructure servicing policies or conditions occur; and
  - External planning changes affecting the ASP.
- AND WHEREAS It is timely and prudent for the County to assess opportunity for continued growth in the Highway 8 area;
- AND WHEREAS The County acknowledges expressed landowner/developer interest to advance and fund comprehensive planning within the Highway 8 area;
- AND WHEREAS A landowner/developer-funded Area Structure Plan (ASP), would mitigate financial risk to the County relative to the costs of preparing an Area Structure Plan (ASP);
- AND WHEREAS To support preparation of an Area Structure Plan (ASP), landowner/developers should be required to provide:
- A funding strategy and water licensing for a community potable water system;
  - A funding strategy for a community wastewater system or connection to a regional wastewater utility;
  - A funding strategy for continued upgrades to Highway 8 area; and
  - A Fiscal Impact Analysis to demonstrate the County's net fiscal position would not be negatively impacted.

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AND WHEREAS The TsuuTina Nation shall be consulted, and their future plans and servicing requirements shall be considered.

THEREFORE BE IT RESOLVED THAT Administration initiate a landowner/developer funded Area Structure Plan (ASP) to accommodate continued growth within the Highway 8 Area in accordance with the County Plan's triple-bottom line objectives as well as the principals, policies and objectives of the Calgary Metropolitan Regional Board's (CMRB) Interim Growth Plan and Interim Regional Evaluation Framework.

MOVED by Councillor Gautreau that Administration be directed to prepare a report in response to this Notice of Motion for a Highway 8 Area Structure Plan for Council's consideration and debate on December 10, 2019.

Carried

**1-19-10-22-22 (I-2)**

**All Divisions – Notice of Motion – Councillor Wright and Councillor Kissel – Creation of Authorized Truck Routes/Truck Haul Agreements in Rocky View County**

**File: N/A**

Read in at the October 22, 2019 Council Meeting

To be debated at the November 26, 2019 Council Meeting

Title: Creation of authorized truck routes/truck haul agreements in Rocky View County

Presented By: Councillor Samantha Wright, Division 8

Seconded By: Councillor Crystal Kissel, Division 9

WHEREAS the safety of the community is a priority;

AND WHEREAS the safety of motorists/cyclists/pedestrians is often jeopardized by the volume of large trucks using roads not designed for such traffic;

AND WHEREAS while it is recognized that, although municipal roads are public roads, frequent heavy hauling by commercial / industrial users impose not only significant safety risks on other road users but disproportionate damage to the municipality's transportation infrastructure, when there is often provincial infrastructure available in close proximity;

AND WHEREAS the traffic issues/noise complaints associated with heavy truck use impose significant negative impacts on other users of the County roads and that the County has a responsibility to minimize these impacts;

AND WHEREAS roads in many communities in Rocky View are not conducive to truck traffic, such as those designated residential/country residential;

AND WHEREAS there has been an increased industrial truck presence in Bearspaw, Weedon Trail and Horse Creek Rd and other areas of the County;

AND WHEREAS the City of Calgary, after another recent incident involving a gravel truck in the city's NW, is exploring alternative haul routes and other potential restrictions;

AND WHEREAS in the case of truck hauls from gravel pits in other municipalities, the generated CAP levies go to the other municipality for road maintenance;

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AND WHEREAS there have been numerous complaints by local residents to the County;

AND WHEREAS many municipalities, including our neighbour, the City of Calgary, have identified truck routes;

AND WHEREAS roads that already have signs indicating "LOCAL TRAFFIC ONLY" should never be considered as acceptable truck routes;

NOW THEREFORE BE IT RESOLVED THAT Administration assess the feasibility of creating authorized truck haul routes and/or truck haul agreements to minimize the negative impacts from heavy truck traffic on County roads, both for the safety of the travelling public and for the on-going maintenance of these County roads, and explore identifying certain roads in the County as unsuitable for truck traffic. And, that such solutions include, but not be limited to, introducing weight restrictions to detour heavy truck traffic onto the provincial highway network, as well as, sub-regional collaboration with our municipal neighbours;

AND THEREFORE BE IT RESOLVED THAT this matter be referred to Administration for a report no later than February 15, 2020.

MOVED by Councillor Wright that Administration be directed to prepare a report in response to this Notice of Motion for the November 26, 2019 Council meeting.

Defeated

TABLING MOTION:

MOVED by Councillor Wright that item I-2 be tabled until after the public hearings.

Carried

**1-19-10-22-03 (C-1)**

**Division 6 – Bylaw C-7928-2019 –Redesignation Item – Ranch and Farm District to Business-Highway Frontage District**

**File: PL20190072 (08112002)**

Reeve Boehlke vacated the Chair as the redesignation application was located in Division 6 and he wished to participate in debate and voting on the matter. Deputy Reeve Schule assumed the Chair.

MOVED by Reeve Boehlke that the public hearing for item C-1 be opened at 1:36 p.m.

Carried

Person(s) who presented: Manu Chugh, Manu Chugh Architect Ltd. (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Reeve Boehlke that the public hearing for item C-1 be closed at 1:45 p.m.

Carried

MOVED by Reeve Boehlke that Bylaw C-7928-2019 be given second reading.

Carried

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MOVED by Reeve Boehlke that Bylaw C-7928-2019 be given third and final reading.

Carried

MOTION ARISING:

MOVED by Reeve Boehlke that Administration be directed to put possible tax gifting or exchange on the next IMC meeting with the Village of Beiseker.

Carried

Deputy Reeve Schule vacated the Chair and Reeve Boehlke reassumed the Chair.

**1-19-10-22-04 (C-2)**

**Division 9 – Bylaw C-7912-2019 – Redesignation Item – Ranch and Farm District to Ranch and Farm Three District**

**File: PL20190049 (07808011)**

MOVED by Councillor Kissel that the public hearing for item C-2 be opened at 1:48 p.m.

Carried

Person(s) who presented: Larry Konschuk, Konschuk Consulting (Applicant)

Person(s) who spoke in favour: Nicole Henson (Owner)

Person(s) who spoke in opposition: None

The Chair called for a recess at 2:05 p.m. and called the meeting back to order at 2:08 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Larry Konschuk, Konschuk Consulting (Applicant)

MOVED by Councillor Kissel that the public hearing for item C-2 be closed at 2:13 p.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7912-2019 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7912-2019 be given third and final reading.

Carried

**1-19-10-22-05 (C-3)**

**Division 7 – Bylaw C-7930-2019 – Redesignation Item – Site-Specific Amendment to DC-99**

**File: PL20180139 (06403002)**

**1-19-10-22-06 (C-4)**

**Division 7 – Bylaw C-7929-2019 – Conceptual Scheme Item – Interlink Logistics Park**

**File: PL20180140 (06403002)**

MOVED by Councillor Henn that the public hearing for item C-3 and C-4 be opened concurrently at 2:14 p.m.

Carried

Person(s) who presented: Kate Beatson, Kellam Berg Engineering & Surveys Ltd. (Applicant)

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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 items C-3 and C-4 be closed at 2:26 p.m.

Carried

MOVED by Councillor Henn that Bylaw C-7930-2019 be given second reading.

Carried

MOVED by Councillor Hanson that Schedule 'A' of Bylaw C-7930-2019 be amended as follows:

2.5.0 Cell C – List of Uses

2.5.30 The following uses are allowed within a portion of SW-03-26-29-W4M as shown on Schedule 'F':

- Auctioneering Services
- Automotive Services
- ~~Cannabis Facility~~
- Dealership/Rental Agency Automotive
- Indoor Participant Recreation Service
- Health Care Service
- Mini Storage
- Personal Service Business
- Religious Assembly

Carried

MOVED by Councillor Henn that Bylaw C-7930-2019 be given third and final reading as amended.

Carried

MOVED by Councillor Henn that Bylaw C-7929-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7929-2019 be given third and final reading.

Carried

**1-19-10-22-25 (J-1)**

**Division 7 – Subdivision Item – Industrial Subdivision**

**File: PL20180088**

MOVED by Councillor Henn that Subdivision Application PL20180088 be approved with the conditions noted in Appendix 'B':

- A. The application to create a ± 18.27 hectare (± 45.13 acre) parcel, a ± 8.94 hectare (± 22.08 acre) parcel, with a ± 24.53 hectare (± 60.61 acre) remainder, dedication of a public utility lot and internal road at SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

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- 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.

*Development Agreement*

- 2) The Owner is to enter into and comply with 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) Design and construction of a public road system with associated infrastructure which includes the following:
    - i) Construction of Nose Creek Boulevard to a 4 lane arterial paved commercial/industrial standard in accordance with the approved TIA and conceptual scheme;
    - ii) Upgrade of Range Road 293, from the future John Ware Drive to the southern property boundary, to a paved commercial/industrial standard in accordance with the approved TIA and conceptual scheme;
    - iii) Intersection treatments in accordance with the approved TIA;
    - iv) Installation of Traffic Signals at Dwight McLellan Trail and the proposed access road(s) in accordance with the approved TIA;
    - v) Additional offsite upgrades, if any, in accordance with the approved TIA;
    - vi) Approaches to each lot; and
    - vii) Sidewalks/Pathways.
  - b) Registration of private access easements in favor of proposed Lot 1, over proposed Lot 2, to provide for access to Nose Creek Boulevard;
  - c) Design and construction of Landscaping features for all public pathways, and public roadways and the Environmental Reserve, in accordance with the approved Landscaping Plan;
  - d) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;

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- e) A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity is required. All improvements shall be constructed as part of the Development Agreement;
  - f) Design and construction of a piped water distribution system and fire suppression system;
  - g) A detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
  - h) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
  - i) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - j) Dedication of necessary easements and right of ways for utility line assignments;
  - k) Mailboxes are to be located in consultation with Canada Post;
  - l) Installation of power, natural gas and telephone lines;
  - m) Implementation of the recommendations of the Construction Management Plan;
  - n) Implementation of the recommendations of the Geotechnical Report;
  - o) Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
  - p) Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
  - q) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
  - r) Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services; and
  - s) The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

As contemplated by and in accordance with Section 650, 655, 651 and 648 of the MGA and Council policies respecting infrastructure and cost recovery.

#### *Transportation and Access*

- 3) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements; and
  - c) The Owner is to provide for the dedication of land as road widening for the proposed intersection locations on Dwight McLellan Trail, as generally shown on the tentative plan, in accordance with the approved TIA.

#### *Site Servicing*

- 4) The Owner shall submit a detailed wastewater servicing study to support the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and

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determine if offsite upgrades to the regional system are required.

- a) If offside upgrades or additional lift station capacity are required, then all improvements shall be constructed under a Development Agreement; and
  - b) Improvements that benefit other lands will qualify for Cost Recovery in accordance with Rocky View County Policy 406.
- 5) The Owner shall submit a detailed potable water servicing and hydraulic design study to ensure the pipelines are adequately sized considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with the County Servicing Standards.
  - 6) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies approved under Conditions 4 and 5.

#### *Developability*

- 7) The Owner shall submit a Stormwater Management Report and detailed stormwater servicing design, including any improvements related to water re-use, LID measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable Provincial regulations, standards, and/or guidelines. Implementation of the report shall include:
  - a) All improvements shall be constructed under a Development Agreement;
  - b) Registration of any required easements and / or utility rights-of-way;
  - c) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
  - d) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
- 8) The Owner shall submit an updated Biophysical or Wetlands Impact Assessment to confirm the status of regulatory approvals related to the existing wetlands onsite.
  - a) The Owner is responsible for securing any approvals related to Provincial and Federal environmental regulations or legislation; these approvals are required to be provided to the County prior to issuance of the Development Agreement.
- 9) The Owner shall submit a Geotechnical Investigation in accordance with the County Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
  - a) A Deep Fill report shall be submitted for any areas with greater than 1.20 m of fill.

#### *Site Construction*

- 10) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County Servicing standards.
- 11) The Owner shall provide a Construction Management Plan that is to include, but not limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:
  - a) Weed management during construction phases of the project;
  - b) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement.



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*Association and Condominium Association*

12) The Owner shall legally establish a Lot Owners' Association (LOA) and register an encumbrance against the title of each new lot, requiring that each individual Lot Owner is a member of the LOA, or register an instrument against the title of each lot that is satisfactory to the County, to oversee the management of common infrastructure.

- a) The instrument shall specify the future obligations of the Lot Owners or others, to manage any common stormwater infrastructure including but not limited to irrigation infrastructure.

*Municipal Reserve*

13) The provision of Municipal Reserve in the amount of 10 percent of the gross area of the subject lands, 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 Altus Group Limited, dated July 18, 2019, pursuant to Section 666(3) of the *Municipal Government Act*.

*Payments and Levies*

14) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-7273-2013. The County shall calculate the total amount owing:

- a) Based on the engineering assessment of the projected usage.

15) The Owner shall pay the Transportation Off-Site Levy (including the Base Levy and Special Area) in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing:

- a) From the total gross acreage of the lands to be subdivided as shown on the Plan of Survey.

16) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of three new lots.

17) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the *Master Rates Bylaw*, as amended.

*Taxes*

18) 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

The Chair called for a recess at 2:36 p.m. and called the meeting back to order at 2:43 p.m. with all previously mentioned members present.

**1-19-10-22-22 (I-2)**

**All Divisions – Notice of Motion – Councillor Wright and Councillor Kissel – Creation of Authorized Truck Routes/Truck Haul Agreements in Rocky View County**

**File: N/A**

The Chair called for a recess at 2:50 p.m. and called the meeting back to order at 3:00 p.m. with all previously mentioned members present.

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MOTION TO LIFT FROM THE TABLE

MOVED by Councillor Wright that item I-2 be lifted from the table.

Carried

MOVED by Councillor McKylor that the motion defeated by Council on October 22, 2019 be reconsidered by Council:

*MOVED by Councillor Wright that Administration be directed to prepare a report in response to this Notice of Motion for the November 26, 2019 Council meeting*

Carried

MOVED by Councillor Wright that Administration be directed to prepare a report in response to this Notice of Motion for the November 26, 2019 Council meeting.

Defeated

**1-19-10-22-23 (I-3)**

**All Divisions – Notice of Motion – Councillor Wright and Councillor Hanson – Recommendation to RMA to Endorse A Letter Writing Campaign Regarding the Creation of Extended Producer Responsibility (EPR) Paper and Packaging Program**

**File: N/A**

Read at the October 22, 2019 Council Meeting

To be debated at the November 26, 2019 Council Meeting

Title: Recommendation to RMA to endorse a letter writing campaign regarding the creation of Extended Producer Responsibility (EPR) paper and packaging program

Presented By: Councillor Samantha Wright, Division 8

Seconded By: Councillor Kevin Hanson, Division 3

WHEREAS Rocky View County is a non-voting Associate Member of the Alberta Urban Municipalities Association (AUMA);

AND WHEREAS AUMA wants municipalities to write to their Members of the Legislative Assembly (MLA) about modernizing Alberta's regulatory framework to develop a provincial EPR program; expand current recycling programs to accept new materials that are currently going to our landfills but can be recycled; and, amend the regulations to give the Alberta Recycling Management Authority (Alberta Recycling) the flexibility to change the recycling fees;

AND WHEREAS Alberta is currently the only province in Western Canada that does not have an EPR paper and packaging program.; and EPR programs shift the cost of managing recyclable materials from municipalities to producers;

AND WHEREAS Alberta Recycling manages the province's used oil, scrap tires, paint, and end-of-life electronic programs; and in spite of the variety of products having increased exponentially, today's programs are still accepting the same items they did two decades ago;

AND WHEREAS the increasing costs for recycling/eliminating such variety of materials is increasingly being borne by local governments;

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AND WHEREAS Alberta Recycling does not have the authority to determine recycling fees for the programs it operates, and the fees are no longer sufficient to cover the costs; and AUMA believes a workable and straightforward solution is to provide Alberta Recycling with the ability to adjust the fees according to the cost of operation;

AND WHEREAS municipalities have highlighted the need to have an EPR paper and packaging program since 2013;

NOW THEREFORE BE IT RESOLVED THAT Rocky View County recommends that the RMA initiate a similar letter writing program asking the Government of Alberta to develop and Extended Producer Responsibility (EPR) paper and packaging program.

MOVED by Councillor Hanson that Administration be directed to prepare a report in response to this Notice of Motion for the November 26, 2019 Council meeting.

Defeated

**1-19-10-22-24 (I-4)**

**All Divisions – Notice of Motion – Councillor Kissel and Councillor Wright – Bylaw C-6034-2005 – Mountain Ridge Place Waterline Construction**

**File: N/A**

Read at the October 22, 2019 Council Meeting

To be debated at the November 26, 2019 Council Meeting

Title: Bylaw C-6034-2005 Mountain Ridge Place Waterline Construction

Presented By: Councillor Crystal Kissel, Division 9

Seconded By: Councillor Samanntha Wright, Division 8

WHEREAS Bylaw C-6034-2005 is exclusively for the 22 properties on the West side of Mountain Ridge Place;

AND WHEREAS the 22 Mountain Ridge property owners paid the initial unfunded portion totalling \$122,200.00 to have the Engineer Design, Surveys and Construction quote for the construction of the waterline;

AND WHEREAS financing for construction of the waterline was facilitated by the County via a \$700,000 debenture which was distributed equally amongst those 22 properties and attached to the individual property taxes;

AND WHEREAS the cost included a tie-in to the waterline on the east side of Mountain Ridge Place, a mainline throughout the Mountain Ridge Place area, and one single valve connection tie-in for each of the 22 original parcels;

AND WHEREAS there was no mechanism put in place within the Bylaw to share the initial cost of the Bylaw for the water line construction with any future development;

AND WHEREAS In October of 2011, then Councillor, Paul McLean contacted Rocky View County regarding a requirement to have the bylaw amended with a cost recovery clause regarding any new participant connecting to the water line; this was never completed;

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AND WHEREAS the new Glenbow Ranch ASP has now been approved and there is a growing interest in developing the Mountain Ridge Place area that may require access to the existing water supply line;

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to work with the residents of Mountain Ridge Place to amend Bylaw C-6034-2005 to include mechanisms to allow all original users to receive a cost recovery credit that is a proportionate share of the Tax Bylaw C-6034-2005 and that this be implemented on all new tie-ins/users.

MOVED by Councillor Kissel that Administration be directed to work with the residents of Mountain Ridge Place to amend Bylaw C-6034-2005 to include mechanisms to allow all original users to receive a cost recovery credit that is a proportionate share of the Tax Bylaw C-6034-2005 and that this be implemented on all new tie-ins/users.

Carried

MOTION TO RESCIND:

MOVED by Councillor McKylor that the motion passed by Council at the October 22, 2019 Council meeting be rescinded:

*MOVED by Councillor Kissel that Administration be directed to work with the residents of Mountain Ridge Place to amend Bylaw C-6034-2005 to include mechanisms to allow all original users to receive a cost recovery credit that is a proportionate share of the Tax Bylaw C-6034-2005 and that this be implemented on all new tie-ins/users.*

Carried

MOVED by Councillor Kissel that Administration be directed to prepare a report in response to this Notice of Motion for the November 26, 2019 Council meeting.

Carried

**1-19-10-22-32 (D-7)**

**All Divisions – Emergent Business Item – Rural Municipalities of Alberta Resolution on Rural Policing  
File: N/A**

MOVED by Councillor Gautreau that Council approve the resolution to submit to the Rural Municipalities of Alberta for the Fall 2019 Resolution Session, as provided in Attachment 'A'.

Carried

**1-19-10-22-33 (K-1)**

**Division 3 – Closed Session – Confidential Emergent Business Item – Condominium Corporation No. 071894, Elbow Valley West Ltd. – Settlement Agreement  
File: RVC2019-24**

MOVED by Councillor Hanson that Council move into closed session at 3:07 p.m. to consider the confidential emergent business item "Condominium Corporation No. 071894, Elbow Valley West Ltd. – Settlement Agreement" pursuant to the following sections of the Freedom of Information and Protection of Privacy Act:

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

Carried

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Council held the closed session for confidential emergent business 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

MOVED by Councillor Hanson that Council move into open session at 3:25 p.m.

Carried

MOVED by Councillor Hanson that Council authorize Administration to execute the Settlement Agreement as per Attachment 'A'.

Carried

**Adjournment**

MOVED by Deputy Reeve Schule that the October 22, 2019 Council meeting be adjourned at 3:27 p.m.

Carried

  
\_\_\_\_\_  
Reeve or Deputy Reeve

  
\_\_\_\_\_  
Chief Administrative Officer or Designate