

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
January 14, 2020

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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 January 14, 2020 commencing at 9:00 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 4	Deputy Reeve A. Schule
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 5	Councillor J. Gautreau
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

- A. Hoggan, Chief Administrative Officer
- K. Robinson, Executive Director, Corporate Services
- B. Riemann, Executive Director, Operations
- G. Kaiser, Executive Director, Community and Business
- T. Cochran, Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- B. Woods, Manager, Financial Services
- D. Kalinchuk, Manager, Economic Development
- G. Nijjar, A/Manager, Recreation, Recreation, Parks & Community Support
- J. Fleischer, Manager, Agricultural and Environmental Services
- M. Wilson, Manager, Planning and Development Services
- L. Plante, Manager Information and Technology Services, Information and Technology Services
- T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office
- S. MacLean, Planning Supervisor, Planning and Development Services
- A. Bryden, Senior Planner, Planning and Development Services
- S. Kunz, Senior Planner, Planning and Development Services
- J. Anderson, Planner, Planning and Development Services
- J. Kwan, Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- N. Mirza, Municipal Engineer, Planning and Development Services
- L. Stark, Lead Taxation Representative, Financial Services
- M. Mitton, Legislative Coordinator, Municipal Clerk's Office

**Call to Order**

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

**1-20-01-14-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor Henn that the January 14, 2020 Council meeting agenda be approved as presented.

Carried

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**1-20-01-14-02**  
**Approval of Minutes**

MOVED by Councillor Henn that the December 10, 2019 Council meeting minutes be approved as presented.  
Carried

**1-20-01-14-10 (D-1)**  
**All Divisions – Presentation from Canadian Badlands Tourism Association**  
**File: N/A**

Lonna Hoggan, Executive Director of Canadian Badlands Tourism Association, addressed Council on membership with the Canadian Badlands Tourism Association.

MOVED by Councillor Kamachi that the presentation by Canadian Badlands Tourism Association be received as information;

AND THAT Administration be directed to pursue Rocky View County's membership in the Canadian Badlands Tourism Association.

Carried

**1-20-01-14-11 (D-2)**  
**All Divisions – 2020 Tax Recovery Sale Properties – Tax Sale Conditions**  
**File: 2020-250**

MOVED by Councillor Hanson that 2020 Tax Sale conditions be approved as follows:

Terms:	Cash or certified cheque.
Deposit:	10% of bid at the time of the sale on April 17, 2020.
Balance:	90% of the bid within 30 days of receipt by Rocky View County; Goods and Services Tax (GST) applicable as per Federal Statutes.

Carried

**1-20-01-14-12 (D-3)**  
**All Divisions – Penalty Cancellation Request – Tax Roll 04306054**  
**File: 0785**

MOVED by Councillor Gautreau that the request for late tax payment penalty cancellation in the amount of \$3,947.23 be approved.

Carried

Councillor Wright left the meeting at 9:50 a.m. and returned to the meeting at 9:50 a.m.

**MOTION ARISING:**

MOVED by Councillor McKylor that Late Tax Payment Penalty Cancellation Policy C-204 be brought back to Council for review by the end of March, 2020.

Carried

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**1-20-01-14-13 (D-4)**

**All Divisions – Penalty Cancellation Request – Tax Roll 06703036**

**File: 0785**

MOVED by Councillor Kissel that the request for late tax payment penalty cancellation in the amount of \$462.00 be approved.

Defeated

MOVED by Councillor Henn that the request for late tax payment penalty cancellation in the amount of \$923.11 be denied.

Carried

The Chair called for a recess at 9:55 a.m. and called the meeting back to order at 10:03 a.m. with all previously mentioned members present.

**1-20-01-14-03 (C-1)**

**Division 2 – Bylaw C-7941-2019 – Redesignation Item – Site-Specific Amendment to Direct Control Bylaw 27**

**File: PL20190113 (05704005)**

Councillor McKylor declared a pecuniary interest and abstained from the discussion and voting on redesignation application PL20190113.

Councillor McKylor proceeded to leave the meeting at 10:04 a.m.

MOVED by Councillor Gautreau that the public hearing for item C-1 be opened at 10:04 a.m.

Carried

Abstained: Councillor McKylor

Person(s) who presented: Brenden Smith, LandSolutions LP (Applicant)

Person(s) who spoke in favour: Elaine Moses, Springbank United Church (Owner)

Person(s) who spoke in opposition: Keith Taylor, on behalf of Edge School

The Chair called for a recess at 10:48 a.m. and called the meeting back to order at 10:52 a.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Brenden Smith, LandSolutions LP (Applicant)

MOVED by Councillor Gautreau that the public hearing for item C-1 be closed at 11:02 a.m.

Carried

Abstained: Councillor McKylor

MOVED by Councillor Gautreau that application PL20190113 be refused.

Carried

Abstained: Councillor McKylor

Councillor McKylor returned to the meeting at 11:07 a.m.

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**1-20-01-14-04 (C-2)**

**Division 4 – Bylaw C-7945-2019 – Redesignation Item – Amendment to Direct Control Bylaw  
File: PL20190111 (03223312)**

MOVED by Deputy Reeve Schule that the public hearing for item C-2 be opened at 11:07 a.m.

Carried

Person(s) who presented: April Kojima, Rick Balbi Architect Ltd. (Applicant)  
Michael Sydenham, Watt Consulting Group  
Erin Falkner, Rick Balbi Architect Ltd.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Schule that the public hearing for item C-2 be closed at 11:29 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7945-2019 be given second reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7945-2019 be given third and final reading.

Carried

**1-20-01-14-05 (C-3)**

**Division 9 – Bylaw C-7848-2018 – Redesignation Item – Agriculture Redesignation – Highway 567  
File: PL20180097 (07706005)**

MOVED by Councillor Kissel that the public hearing for item C-3 be opened at 11:43 a.m.

Carried

Person(s) who presented: Kristi Beunder, Township Planning + Design Inc. (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Keith Koebisch, and on behalf of Doug Brewer

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kissel that the public hearing for item C-3 be closed at 12:01 p.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7848-2018 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7848-2018 be given third and final reading.

Carried

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**1-20-01-14-25 (K-1)**

**All Divisions – Closed Session – Confidential Item – Personnel Matter**

**File: RVC2020-01**

**1-20-01-14-26 (K-2)**

**All Divisions – Closed Session – Confidential Item – Personnel Matter**

**File: RVC2020-02**

The Chair called for a recess at 12:04 p.m. and called the meeting back to order at 12:07 p.m. with all previously mentioned members present.

MOVED by Deputy Reeve Schule that Council move into closed session at 12:10 p.m. to consider the confidential item “Personnel Matter” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 23 – Local public body confidences
- Section 27 – Privileged information

Carried

MOVED by Deputy Reeve Schule that Council move into closed session at 12:10 p.m. to consider the confidential item “Personnel Matter” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 23 – Local public body confidences
- Section 27 – Privileged information

Carried

Council held the closed session for confidential item K-1 and K-2 with no additional people in attendance.

MOVED by Deputy Reeve Schule that Council move into open session at 1:37 p.m.

Carried

**1-20-01-14-25 (K-1)**

**All Divisions – Closed Session – Confidential Item – Personnel Matter**

**File: RVC2020-01**

MOVED by Councillor McKylor that Councillor Gautreau is hereby sanctioned under Council Code of Conduct Bylaw C-7768-2018 and hereby required to make apologies at the January 28, 2020 Council meeting regarding two separate code of conduct violations.

Carried

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1-20-01-14-26 (K-2)

All Divisions – Closed Session – Confidential Item – Personnel Matter

File: RVC2020-02

MOVED by Councillor McKylor:

WHEREAS:

- A. Pursuant to Section 170 of the Municipal Government Act, RSA 2000, c.M-26 (the “MGA”), a Councillor has a pecuniary interest in a matter if the matter could monetarily affect the Councillor or the Councillor knows or should know that the matter could monetarily affect the Councilor’s family.
- B. Pursuant to Section 172 of the MGA, when a Councillor has a pecuniary interest in a matter before Council, the Councillor must abstain from voting on any question relating to the matter.
- C. Pursuant to Section 174(1)(g) of the MGA, a Councillor is disqualified from Council if the Councillor contravenes section 172 of the MGA.
- D. Pursuant to Section 175(1) of the MGA, a Councillor that is disqualified must resign immediately.
- E. Pursuant to Section 175(2) of the MGA, if the Councillor does not resign immediately, then Council may apply to a Judge of the Court of Queen’s Bench of Alberta for an Order declaring the person to be disqualified from Council.
- F. At a Council meeting on January 8, 2019, Councillor Wright participated in the discussion regarding and voted on a conceptual scheme and re-designation motions that related to property immediately adjacent to property owned by Councillor Wright and her husband.
- G. On September 24, 2019 Councillor Wright voted on a subdivision application regarding the same property.
- H. Councillor Wright had a pecuniary interest in both of the matters set out above.
- I. Councillor Wright therefore is disqualified.
- J. Councillor Wright has not resigned.

IT IS HEREBY MOVED that Council directs the CAO to instruct legal counsel to apply to a Judge of the Court of Queen’s Bench of Alberta for an order declaring Councillor Wright to be disqualified from Council.

Carried

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**1-20-01-14-06 (C-4)**

**Division 5 – Bylaw C-7923-2019 – Redesignation Item – Residential Redesignation – Northglen Estates**  
**File: PL20190071 (03231019)**

MOVED by Councillor Gautreau that the public hearing for item C-4 be opened at 1:48 p.m.

Carried

Person(s) who presented: Alan Rose (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Alan Rose (Applicant)

MOVED by Councillor Gautreau that the public hearing for item C-4 be closed at 1:55 p.m.

Carried

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

Carried

MOVED by Councillor Gautreau that Bylaw C-7923-2019 be given third and final reading.

Carried

**1-20-01-14-07 (C-5)**

**Division 6 – Bylaw C-7944-2019 – Redesignation Item – Ranch and Farm to Agricultural Holdings**  
**File: PL20180029 (06228005)**

Reeve Boehlke vacated the Chair and Deputy Reeve Schule proceeded to assume the Chair.

MOVED by Reeve Boehlke that the public hearing for item C-5 be opened at 1:57 p.m.

Carried

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

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

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

MOVED by Reeve Boehlke that the public hearing for item C-5 be closed at 2:19 p.m.

Carried

MOVED by Reeve Boehlke that Bylaw C-7944-2019 be amended in accordance with Appendix 'C'.

Carried

MOVED by Reeve Boehlke that Bylaw C-7944-2019 be given second reading as amended.

Carried

MOVED by Reeve Boehlke that Bylaw C-7944-2019 be given third and final reading as amended.

Carried

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The Chair called for a recess at 2:22 p.m. and called the meeting back to order at 2:29 p.m. with all previously mentioned members present.

Deputy Reeve Schule vacated the Chair and Reeve Boehlke proceeded to assume the Chair.

**1-20-01-14-08 (C-6)**

**Division 6 – Bylaw C-7943-2019 – Kneehill County and Rocky View County Intermunicipal Development Plan**  
**File: N/A**

MOVED by Councillor Gautreau that the public hearing for item C-6 be opened at 2:29 p.m.

Carried

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Schule that the public hearing for item C-6 be closed at 2:33 p.m.

Carried

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

Carried

**1-20-01-14-09 (C-7)**

**All Divisions – Bylaw C-7968-2019 – Amendments to the Subdivision Authority Bylaw and Land Use Bylaw**  
**File: N/A**

MOVED by Councillor Henn that the public hearing for item C-7 be opened at 2:34 p.m.

Carried

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Schule that the public hearing for item C-7 be closed at 2:47 p.m.

Carried

MOVED by Deputy Reeve Schule that Schedule 'A' of Bylaw C-7968-2019 be amended in accordance with Attachment 'A'.

Carried

MOVED by Councillor Henn that Bylaw C-7968-2019 be given second reading as amended.

Carried

MOVED by Councillor Gautreau that Bylaw C-7968-2019 be given third and final reading as amended.

Carried



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**1-20-01-14-23 (J-1)**

**Division 1 – Subdivision Item – First Parcel Out**

**File: PL20190168 (05821003)**

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

Defeated

The Chair called for a recess at 2:53 p.m. and called the meeting back to order at 3:00 p.m. with all previously mentioned members present.

MOVED by Councillor Kamachi that subdivision application PL20190168 be tabled until the January 28, 2020 Council meeting.

Carried

**1-20-01-14-24 (J-2)**

**Division 2 – Subdivision Item – Residential**

**File: PL20190076 (05711004)**

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

Defeated

MOVED by Councillor McKylor that subdivision application PL20190076 be tabled until March 10, 2020 to allow time for the developer and the area utility provider to discuss water and wastewater servicing connections. These discussion must include capacity or lack of capacity for both water and wastewater. Costs associated with a per unit connection fee (split between water and waste water). Staff can also be made available to assist in the facilitation should that be required. A detailed report back with the findings must be returned to Administration so that Council can further consider this application.

Carried

**1-20-01-14-21 (I-1)**

**All Divisions – Notice of Motion – Councillor Gautreau and Deputy Reeve Schule – Development Proponent-Led Area Structure Plan Preparation**

**File: N/A**

WHEREAS Rocky View County's Municipal Development Plan titled the "County Plan" provides that a new area structure plan, or an amendment to an area structure plan, shall be prepared by, or directed by, the County;

AND WHEREAS A minor amendment to an area structure plan may be prepared by the development proponent in consultation with the local community, at the discretion of the County;

AND WHEREAS A major amendment to an area structure plan shall be led or directed by the County in consultation with the local community;

AND WHEREAS There may be circumstances wherein Council is satisfied that a development proponent may prepare a new area structure plan or an amendment to an area structure plan, subject to a Council-adopted terms of reference.

THEREFORE BE IT RESOLVED THAT Administration be directed to prepare amendments to the County Plan to allow a development proponent to prepare a new area structure plan or amendment to an area structure plan, subject to a Council-adopted terms of reference.

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MOVED by Councillor Gautreau that Administration be directed to prepare a response to the Notice of Motion for the February 11, 2020 Council meeting.

Carried

**1-20-01-14-22 (I-2)**

**All Divisions – Notice of Motion – Councillor Gautreau and Deputy Reeve Schule – Moratorium on Off-Site Levies**

**File: N/A**

WHEREAS The Municipal Government Act permits a Council to impose a levy known as an off-site levy in respect of land to be developed or subdivided within a municipality's jurisdictional limits, and to authorize an agreement to be entered into for payment of the levy;

AND WHEREAS Municipalities are responsible to regulate development by setting conditions that must be satisfied before development begins, including fees and charges related to funding new or expanded infrastructure or facilities;

AND WHEREAS The costs associated to off-site levies for the development business does not support the business climate and current economic situation of the County;

AND WHEREAS The economic downturn in the Province has affected commercial development in the County;  
AND WHEREAS Financial institutions are becoming wary of significant investment due to current economic conditions;

AND WHEREAS Payment of levies prior to the sale of developed or undeveloped land reduces the ability to continue with development;

AND WHEREAS Lower up front costs for developers may create incentives for increased development in the County;

AND WHEREAS Lower development costs will also lower both business start-up investment and residential home prices;

AND WHEREAS Placing a moratorium on the collection of off-site levies could be used as an incentive program that could help spur new development within the County and ease the financial burden for Developers in the County;

AND WHEREAS Lower development costs will signal to the business, development, and investment community that Rocky View County is open for business.

THEREFORE BE IT RESOLVED THAT:

1. Administration be directed to outline the estimated financial impacts including a cost-benefit analysis on the collection of all off-site levies for development within the County for the next three years, and report back to Council on May 12, 2020.

MOVED by Councillor Gautreau that Administration be directed to prepare a response to the Notice of Motion for the January 28, 2020 Council meeting.

Carried

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**1-20-01-14-14 (D-5)**

**All Divisions – Road Renaming – Range Road 31**

**File: N/A**

MOVED by Councillor Hanson that the request to rename a portion of Range Road 31 to Glencoe Club Gate be refused.

Carried

**1-20-01-14-15 (D-6)**

**All Divisions – Terms of Reference – Recreation and Parks Master Plan**

**File: N/A**

MOVED by Councillor Wright that the Recreation and Parks Master Plan Terms of Reference be approved as per Attachment 'A'.

Carried

**1-20-01-14-16 (D-7)**

**All Divisions – Langdon Quad Diamond Complex Budget Adjustment**

**File: N/A**

MOVED by Deputy Reeve Schule that the budget adjustment of \$56,348.81 be approved, as per Appendix 'A', to put towards the construction of the Langdon Quad Diamonds.

Carried

**1-20-01-14-17 (D-8)**

**All Divisions – Response to Motion Arising – Development Potential of Fee-Simple County Lands**

**File: N/A**

MOVED by Councillor Hanson that Administration be directed to assess the development potential of County-owned fee-simple lands when the lands are being considered for disposal.

Carried

The Chair called for a recess at 3:42 p.m. and called the meeting back to order at 3:47 p.m. with all previously mentioned members present.

**1-20-01-14-18 (D-9)**

**All Divisions – Municipal Planning Commission Appointments and Remuneration**

**File: N/A**

MOVED by Councillor Wright that all of Council be appointed to the Municipal Planning Commission for a term to expire in October 2020.

Defeated

MOVED by Councillor Gautreau that all of Council, excluding those councillors appointed to the Subdivision and Development Appeal Board and Enforcement Appeal Committee, be appointed to the Municipal Planning Commission for a term to expire in October 2020.

Carried

MOVED by Councillor Henn that Councillor Gautreau be appointed as Chair and Deputy Reeve Schule be appointed as Vice Chair of the Municipal Planning Commission for a term to expire in October 2020.

Carried

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**1-20-01-14-19 (D-10)**

**All Divisions – Livestreaming Board and Committee Meetings**

**File: N/A**

MOVED by Councillor Gautreau that meetings of the following boards and committees be recorded and uploaded following the meeting:

- Governance and Priorities Committee
- Municipal Planning Commission
- Recreation Governance Committee

Carried

MOVED by Councillor Gautreau that the following boards and committees be authorized to record their meetings and upload the recordings following the meeting should they wish to do so:

- Assessment Review Boards
- Enforcement Appeal Committee
- Subdivision and Development Appeal Board

Defeated

MOVED by Councillor McKylor that the following boards and committees be authorized to record their meetings and upload the recordings following the meeting:

- Assessment Review Boards
- Enforcement Appeal Committee
- Subdivision and Development Appeal Board

Carried

MOVED by Councillor Gautreau that meetings of the following boards and committees continue not to be recorded or livestreamed:

- Agricultural Service Board
- ALUS Partnership Advisory Committee
- Bragg Creek FireSmart Committee
- Family and Community Support Services Board

Carried

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**1-20-01-14-20 (E-1 to E-10)**  
**First Reading Bylaws**  
**Files: Various**

MOVED by Deputy Reeve Schule that the following bylaws be given first reading:

- E-1 – Bylaw C-7977-2020
- E-2 – Bylaw C-7978-2020
- E-3 – Bylaw C-7979-2020
- E-4 – Bylaw C-7983-2019
- E-5 – Bylaw C-7981-2019
- E-6 – Bylaw C-7982-2019
- E-7 – Bylaw C-7986-2019
- E-8 – Bylaw C-7987-2019
- E-9 – Bylaw C-7980-2019
- E-10 – Bylaw C-7988-2019

Carried

**1-20-01-14-20 (E-11)**  
**Division 9 – First Reading Bylaw - Ranch and Farm District to Residential Two District**  
**Files: PL20190186 (06732004)**

MOVED by Councillor Henn that Bylaw C-7989-2019 be given first reading.

Carried

**Adjournment**

MOVED by Deputy Reeve Schule that the January 14, 2020 Council meeting be adjourned at 4:35 p.m.

Carried

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

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