



ROCKY VIEW COUNTY

COUNCIL MEETING MINUTES

Tuesday, January 23, 2024

9:02 AM

Council Chambers
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Present: Reeve C. Kissel
Deputy Reeve D. Kochan
Councillor K. Hanson
Councillor S. Samra (arrived 9:04 a.m.)
Councillor A. Schule
Councillor S. Wright

Absent: Councillor G. Boehlke

Also Present: R. McDonald, Interim Chief Administrative Officer
M. Boscariol, Executive Director, Community Services
B. Riemann, Executive Director, Operations
K. Robinson, Executive Director, Corporate Services
G. van den Burg, Municipal Clerk, Legislative and Intergovernmental Services
S. Hulsman, Manager, Asset Management
D. Lang, Manager, Recreation, Parks and Community Support
J. Lee, Manager, Capital and Engineering Services
C. Morrice, Manager, Legal Services
L. Cox, Supervisor, Planning
B. Mulrooney, Supervisor, Capital and Engineering Services
J. Targett, Senior Development Officer, Planning
C. Berger, Planner, Planning
A. Cairns, Community Project Coordinator, Recreation, Parks and Community Support
B. Leyeza, Planner, Planning
C. Shelton, Planner, Planning
S. Braak, Legislative Officer, Legislative and Intergovernmental Services
K. Tuff, Legislative Officer, Legislative and Intergovernmental Services

A Call Meeting to Order

The Chair called the meeting to order at 9:02 a.m. with all members present, with the exception of Councillor Samra and Councillor Boehlke. Councillor Samra arrived at 9:04 a.m. and Councillor Boehlke did not attend the meeting.

B Updates/Approval of Agenda



MOVED by Deputy Reeve Kochan that the January 23, 2024 Council meeting be amended as follows:

- Add emergent closed session item E-1 "Chestermere Regional Community Association (CRCA) Litigation Update";

AND THAT the January 23, 2024 Council meeting agenda be approved as amended.

Carried

C-1 January 9, 2024 Council Meeting Minutes

MOVED by Councillor Wright that the January 9, 2024 Council meeting minutes be approved as presented.

Carried

E-1 RVC2024-06 – Chestermere Regional Community Association Litigation Update

MOVED by Deputy Reeve Kochan that Council move into closed session at 9:06 a.m. to consider item E-1 "Chestermere Regional Community Association (CRCA) Litigation Update" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials

Carried

Council held the closed session for confidential item E-1 with the following additional people in attendance:

Rocky View County: R. McDonald, Interim Chief Administrative Officer
 M. Boscariol, Executive Director, Community Services
 B. Riemann, Executive Director, Operations
 K. Robinson, Executive Director, Corporate Services
 G. van den Burg, Municipal Clerk, Legislative and Intergovernmental Services
 S. Hulsman, Manager, Asset Management
 C. Morrice, Manager, Legal Services

Councillor Samra did not return from closed session.

MOVED by Councillor Wright that Council move into open session at 9:42 a.m.

Carried

Absent: Councillor Samra

Councillor Samra returned to the meeting at 9:43 a.m.

MOVED by Councillor Hanson that Council direct Administration to proceed with Mandate #1 as discussed in confidential report RVC-2024-06.

Carried



F-4 Division 6 - Development Permit: Condition Expiry Time Extension Agreement Request

File: PRDP202226218 (03314001/2 & 03311001/2/3/6)

The Chair called for a recess at 9:55 a.m. and called the meeting back to order at 10:01 a.m. with all previously mentioned members present, with the exception of Councillor Wright.

Councillor Wright returned to the meeting at 10:02 a.m.

MOVED by Deputy Reeve Kochan that application PRDP20226218 be referred to the April 9, 2024 Council meeting for Administration to bring back a report to summarize the outcomes of the provincial update on the moratorium of the Alberta Utilities Commission, including possible impacts on this application.

Carried

F-5 Division 4 - Road Plan Closure Application: Closure by Resolution

File: PL20220184 (08831001)

MOVED by Councillor Wright that the Applicant be permitted to address Council on Item F-5 for 5 minutes in accordance with section 116 of the *Procedure Bylaw*.

Carried

Presenter: John and Joanne Fenton, the Applicant

MOVED by Councillor Wright that Council approve application PL20220184.

Carried

MOVED by Councillor Wright that the resolution included as Attachment 'F' be approved;

AND THAT Administration be directed to forward the resolution included as Attachment 'F' to the Minister of Transportation and Economic Corridors for approval.

Carried

MOVED by Councillor Wright that the ± 1.85 hectare (± 4.57 acre) of land be transferred to John Charles Fenton and Hendrina Joanne Fenton subject to:

- a) The sales agreement being signed at the appraised value of \$27,000.00.
- b) The terms of the land sales agreement be completed within one year following the approval from the Minister of Transportation and Economic Corridors.

Carried

H-1 Division 3 - Subdivision Item: Residential

File: PL20220054 (06826038)

Deputy Reeve Kochan left the meeting at 10:34 a.m. as he is Chair of the Subdivision and Development Appeal Board and wished to be able to participate in an appeal hearing if either subdivision application considered under items H-1 and H-2 is appealed.



MOVED by Councillor Wright that the Applicant be permitted to address Council on item H-1 for 5 minutes in accordance with section 116 of the *Procedure Bylaw*.

Carried
Absent: Deputy Reeve Kochan

Presenter: Greg Barsi, the Applicant

The Chair called for a recess at 10:54 a.m. and called the meeting back to order 11:01 a.m. with all previously mentioned members present, with the exception of Deputy Reeve Kochan.

Main motion

MOVED by Reeve Kissel that the conditions for application PL20220054, as noted in Attachment F, be amended as follows:

- Remove conditions 3 and 4; and
- Renumber the remaining conditions accordingly.

AND THAT the Tentative Plan be updated to reflect the condition set.

Motion to withdraw the main motion

MOVED by Reeve Kissel that the main motion be withdrawn.

Defeated
Absent: Deputy Reeve Kochan

The Chair called for a recess at 11:08 a.m. and called the meeting back to order at 11:15 a.m. with all previously mentioned members present, with the exception of Deputy Reeve Kochan.

Motion to amend the main motion

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

THAT the conditions for application PL20220054, as noted in Attachment F, be amended as follows:

- Remove conditions 3 and 4; and
- Renumber the remaining conditions accordingly; and
- Part A of Attachment F be amended to increase the parcel size of proposed and remainder lots to be greater than or equal to 0.80 hectares (1.98 acres).

AND THAT the Tentative Plan be updated to reflect the condition set.

Carried
Absent: Deputy Reeve Kochan

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

MOVED by Reeve Kissel that the conditions for application PL20220054, as noted in Attachment F, be amended as follows:

- Remove conditions 3 and 4; and
- Renumber the remaining conditions accordingly; and



- Part A of Attachment F be amended to increase the parcel size of proposed and remainder lots to be greater than or equal to 0.80 hectares (1.98 acres).

AND THAT the Tentative Plan be updated to reflect the condition set.

Carried
Absent: Deputy Reeve Kochan

MOVED by Reeve Kissel that application PL20220054 be approved subject to conditions noted in Attachment F, as amended:

- A. THAT the application to create a \pm 0.80 hectare (\pm 1.98 acre) parcel with a \pm 0.81 hectare (\pm 2.00 acre) remainder from Lot 4, Block 23, Plan 0812064 within SW-26-26-04-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation*, and the Municipal Development Plan (County Plan), 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. In accordance with Section 20(1) of the *Matters Related to Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation and Economic Development on behalf of the Minister of Transportation, varies the requirements of Sections 18 with regards to subdivision approvals within the prescribed distance from a highway right of way.
- D. In accordance with Section 654(2) the Subdivision Authority is of the opinion that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- E. 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.
 - a) A Plan of Survey, including the Application number (PL20220054) and Roll number (06826038) of the parcel;
 - b) A Surveyor's Affidavit; and
 - c) Landowner's Consent to Register Plan of Survey.

Transportation

- 2) The Owner shall construct a new paved approach on Camden Drive, in accordance with the County Servicing Standards, in order to provide access to Lot 2.
 - a) Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.

OR

The Owner shall update the existing Access Easement Agreement to include Lot 2.

Servicing

- 3) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed until
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new well on the new Lot 2, in accordance with the County's Servicing Standards and requirements of the Water Act;
 - b) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided.
- 4) The Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for the proposed new lot and shall include the following:
 - a) Accordance with the Level 4 PSTS Assessment, prepared by Almore Testing Services Ltd. (November 28, 2023).
 - b) The installation of a Packaged Sewage Treatment System (or any other specialized PSTS) complying with NSF 40 and/or BNQ standards and any other recommendations.
- 5) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title the proposed Lots 1 and 2, indicating:
 - a) Each future Lot Owner is required to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater and stormwater systems once County servicing becomes available.



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

Payments

- 7) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 1 new lot.

Taxes

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

F. 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
Absent: Deputy Reeve Kochan

H-2 Division 4 - Subdivision Item: Residential

File: PL20230094 (08916006)

MOVED by Councillor Wright that the Applicant be permitted to address the Subdivision Authority on item H-2 for 5 minutes in accordance with section 116 of the *Procedure Bylaw*.

Carried
Absent: Deputy Reeve Kochan

Presenter: Patty Fraser, the Applicant

MOVED by Councillor Wright that Part A of Attachment F for application PL20230094 be amended to approve the minimum parcel size of proposed and remainder lots be greater than or equal to 8.1 hectares (20.01 acres);

AND THAT Part C be removed;

AND THAT Part D and E be renumbered accordingly.

Carried
Absent: Deputy Reeve Kochan



MOVED by Councillor Wright that application PL20230094 be approved with the conditions noted in Attachment F, as amended:

- A. THAT the application to create a greater than or equal to ± 8.1 hectare (± 20.01 acre) parcel with a greater than or equal to ± 8.1 hectare (± 20.01 acre) remainder from Block 2, Plan 9111177 within SE-16-28-05-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act*, Section 9 of the *Matters Related to Subdivision and Development Regulation*, and the Municipal Development Plan (County Plan); 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.
 - a) A Plan of Survey, including the Application number (PL20230094) and Roll number (08916006) of the parcel;
 - b) A Surveyor's Affidavit; and
 - c) Landowner's Consent to Register Plan of Survey.
 - d) As per the RVC Servicing Standards, a road approach providing access to a panhandle shall be centered within the minimum allowable panhandle width of 12.5 m.



Site Plan

- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) All existing buildings and structures are to conform to the setback requirements in relation to the new property line, as described in the Agricultural, Small Parcel (A-SML p8.1) Land Use District, as per the Land Use Bylaw C-8000-2020, as amended.
 - b) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 1, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2021;
 - c) The Site Plan is to confirm that all water wells are located within the boundaries of Lot 1;

Transportation

- 3) The Owner shall construct a new gravel approach on Township Road 282, in accordance with the County Servicing Standards, in order to provide access to Lot 2.
 - a) Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.

Site Servicing

- 4) The Owner is to provide a Level 2 Private Sewage Treatment System Assessment in accordance with the Model Process Reference Document for Lot 2;
 - a) If the recommendations of the Model Process Assessment require improvements, then a Site Improvements / Services Agreement shall be required to be entered into.
- 5) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new well on the new Lot 2, in accordance with the County's Servicing Standards and requirements of the Water Act;
 - b) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided.

Site Developability

- 6) The applicant/owner shall provide a Wetland Impact Assessment memo for the County identified wetland on panhandle of proposed lot 2 to check whether it is actually a wetland or not. If WIA memo confirms it to be a wetland, the memo will provide recommendations for wetland impact mitigation and applicant/owner will be required to obtain approval from Alberta EPA under the Water Act for the disturbance of onsite wetland prior to construction of future driveways.

Municipal Reserve

- 7) The provision of Reserve, in the amount of 10% of Lot(s) 1 and 2, is to be deferred by caveat, pursuant to Section 669(2) of the Municipal Government Act;



- a) Deferred reserve caveat to be registered on each lot.

Payments and Levies

- 8) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Taxes

- 9) 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
Absent: Deputy Reeve Kochan

The Chair called for a recess at 11:42 a.m. and called the meeting back to order at 11:45 a.m. with all previously mentioned members present, including Deputy Reeve Kochan.

F-1 Division 3 - Cochrane Lake Improvement Plan

File: 5000-650

MOVED by Reeve Kissel that Council approves the Terms of Reference as per Attachment A.

Carried

MOVED by Reeve Kissel that Council directs Administration to sign the Cost-sharing Agreement between the County and Macdonald Communities Limited, as per Attachment B.

Carried

MOVED by Reeve Kissel that Council approves the budget adjustment of \$90,000 to complete the Cochrane Lake Improvement Plan as per Attachment C.

Carried

The Chair called for a recess at 12:11 p.m. and called the meeting back to order at 1:03 p.m. with all previously mentioned members present.

F-2 Division 6 - Cambridge Parking Lot Assessment

File: N/A

MOVED by Councillor Samra that Council receives the report for information.

Carried



MOVED by Councillor Samra that Council directs Administration to incorporate the parking lot at Cambridge Park initiative and associated costing in the future development of the Connecting Conrich initiative to be discussed at the February 27, 2024 Regular Meeting of Council.

Carried

F-3 All Divisions - Policy C-329: Recreation and Community Infrastructure Naming

File: N/A

MOVED by Councillor Hanson that Council approve the amendments to Council Policy 329: Recreation and Community Infrastructure Naming, as per Attachment A.

Carried

The Chair called for a recess at 1:38 p.m. and called the meeting back to order at 1:43 p.m. with all previously mentioned members present.

F-6 Division 7 - Langdon Ball Diamonds Maintenance and Operational Models

MOVED by Councillor Schule that Council approve a new license of occupation that accommodates the maintenance and operations of the six ball diamonds in Langdon for a one-year period;

AND THAT Council direct Administration to present the 2025 operating model report by Q4 2024.

Defeated

MOVED by Councillor Wright that Council approve Model #1, as presented in this report, to accommodate a one-year pilot for the maintenance and operational requirements of the six ball diamonds in Langdon for the 2024 season;

AND THAT Council direct Administration to bring back a report highlighting the successes and challenges of the one-year pilot no later than Q4 2024.

Carried

The Chair called for a recess at 2:02 p.m. and called the meeting back to order at 2:05 p.m. with all previously mentioned members present.

G-1 Division 2 - Road Plan Closure Application: Bylaw Amendment

File: PL20230026 (04826001)

MOVED by Deputy Reeve Kochan that Bylaw C-8496-2024 be given first reading.

Carried

MOVED by Deputy Reeve Kochan that Bylaw C-8496-2024 be given second reading.

Carried

MOVED by Deputy Reeve Kochan that Bylaw C-8496-2024 be considered for third reading.

Carried



ROCKY VIEW
COUNTY

MOVED by Deputy Reeve Kochan that Bylaw C-8496-2024 be given be given third and final reading.

Carried

MOVED by Deputy Reeve Kochan that the sales agreement shall be signed at an amended value of \$11,725.00 in accordance with the updated size of the portion of road allowance closure being 1.90 hectares (4.69 acres).

Carried

K Adjourn the Meeting

MOVED by Councillor Samra that the January 23, 2024 Council meeting be adjourned at 2:10 p.m.

Carried

Reeve or Deputy Reeve

Chief Administrative Officer or designate