



ROCKY VIEW
COUNTY

COUNCIL MEETING MINUTES

Tuesday, June 25, 2024

9:00 AM

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

Present: Reeve C. Kissel
Deputy Reeve D. Kochan
Councillor G. Boehlke
Councillor K. Hanson
Councillor S. Samra
Councillor A. Schule (participated electronically; arrived at 2:46 p.m.; left at 4:27 p.m.)
Councillor S. Wright

Also Present: B. Riemann, I/Chief Administrative Officer
M. Boscarol, Executive Director, Community Services
J. Lee, A/Executive Director, Operations
K. Robinson, Executive Director, Corporate Services
G. van den Burg, Director/Municipal Clerk, Legislative Services
A. Zaluski, Director, Intergovernmental Services and Regional Planning
M. Austen, A/Manager, Utility Services
D. Kazmierczak, Manager, Planning
L. Wesley, Manager, Enforcement Services
L. Cox, Planning and Development Supervisor, Planning
J. Rebello, Planning and Development Supervisor, Planning and Development
T. Andreasen, Lead Legislative Officer, Legislative Services
D. Manawadu, Planner, Planning
M. Mitton, Legislative Officer, Legislative Services
M. Nolan, Planner, Planning
C. Shelton, Planner, Planning

A Call Meeting to Order

The Chair called the meeting to order at 9:00 a.m.

B Updates/Approval of Agenda

MOVED by Deputy Reeve Kochan that the June 25, 2024 Council meeting agenda be amended as follows:

- Remove item H-3 - Subdivision Item: Residential (PL20230105)

Carried
Absent: Councillor Schule



MOVED by Deputy Reeve Kochan that the June 25, 2024 Council meeting agenda be approved as amended.

Carried
Absent: Councillor Schule

C-1 June 11, 2024 Council Meeting Minutes

MOVED by Councillor Hanson that the June 11, 2024 Council meeting minutes be approved as presented.

Carried
Absent: Councillor Schule

**D-1 Division 5 - Bylaw C-8546-2024 - Redesignation Item: Residential
File: PL20230102 (06422007)**

MOVED by Councillor Boehlke that the public hearing for item D-1 be opened at 9:04 a.m.

Carried
Absent: Councillor Schule

Persons(s) who presented: Gurjit Grewall (Applicant)

Person(s) who presented in support: None

Person(s) who presented in opposition: Jassi Dhillon

Persons(s) who presented rebuttal: Gurjit Grewall (Applicant)

MOVED by Councillor Boehlke that the public hearing for item D-1 be closed at 9:41 a.m.

Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8546-2024 be given first reading.

Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8546-2024 be given second reading.

Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8546-2024 be considered for third reading.

Carried Unanimously
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8546-2024 be given third and final reading.

Carried
Absent: Councillor Schule

The Chair called for a recess at 9:43 a.m. and called the meeting back to order at 9:49 a.m.



**D-2 Division 5 - Bylaw C-8532-2024 - Redesignation Item: Agricultural
File: PL20240013 (06515003)**

MOVED by Councillor Boehlke that the public hearing for item D-2 be opened at 9:50 a.m.
Carried
Absent: Councillor Schule

Persons(s) who presented: Larry Konschuk, Konschuk Consulting (Applicant)
Person(s) who presented in support: None
Person(s) who presented in opposition: None
Persons(s) who presented rebuttal: None

MOVED by Councillor Boehlke that the public hearing for item D-2 be closed at 9:57 a.m.
Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8532-2024 be given first reading.
Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8532-2024 be given second reading.
Carried
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8532-2024 be considered for third reading.
Carried Unanimously
Absent: Councillor Schule

MOVED by Councillor Boehlke that Bylaw C-8532-2024 be given third and final reading.
Carried
Absent: Councillor Schule

**E-1 Division 6 – Closed Session Item – Prairie Gateway Memorandum of Understanding
File: RVC2024-23**

MOVED by Councillor Samra that Council move into closed session at 10:00 a.m. to consider the confidential item "Prairie Gateway Memorandum of Understanding" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 – Advice from officials

Carried
Absent: Councillor Schule



Council held the closed session with the following people in attendance:

Rocky View County:	B. Riemann, A/Chief Administrative Officer M. Boscariol, Executive Director, Community Services J. Lee, A/Executive Director, Operations K. Robinson, Executive Director, Corporate Services G. van den Burg, Director/Municipal Clerk, Legislative Services A. Zaluski, Director, Intergovernmental Services and Regional Planning
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Others:	Richard Barss, Project Manager, Prairie Economic Gateway Initiative
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MOVED by Councillor Samra that Council move into open session at 10:22 a.m.

Carried
Absent: Councillor Hanson
Councillor Schule

Councillor Hanson was not present when Council returned to open session.

Councillor Hanson returned to the meeting at 10:24 a.m.

MOVED by Councillor Samra that Council approves the Memorandum of Understanding with The City of Calgary (Attachment A) for the Prairie Economic Gateway, and authorizes Reeve Kissel to sign it on behalf of Rocky View County;

AND THAT Confidential Prairie Gateway Memorandum of Understanding Report RVC2024-23 be kept confidential pursuant to sections 21 (disclosure harmful to intergovernmental relations), 24 (advice from officials), and 25 (disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, except as deemed appropriate by the Director of Intergovernmental Services and Regional Planning;

AND THAT Administration be directed to conduct advocacy to relevant provincial and federal government representatives to secure funding and regulatory approvals to activate the Prairie Economic Gateway, and be allowed to share confidential attachments with those representatives as deemed necessary.

Carried
Absent: Councillor Schule

F-1 All Divisions - Solid Waste and Recycling Full Cost Recovery
File: N/A

MOVED by Deputy Reeve Kochan that Council directs Administration to prepare a report to be presented to Council, no later than the end of Q1 2025, with additional information on Solid Waste and Recycling funding options as it relates to Extended Producer Responsibility.

Carried
Absent: Councillor Schule



F-3 All Divisions - Employee Benefit Review
File: N/A

MOVED by Reeve Kissel that Council directs Administration to pay 100% of extended health, dental, and long-term disability benefit premiums effective July 5, 2024;

AND THAT Council approve the associated budget adjustment of \$469,200 from the Tax Stabilization Reserve as presented in Attachment A.

Defeated
Absent: Councillor Schule

MOVED by Reeve Kissel that Council directs Administration to pay 100% of extended health and dental benefit premiums effective July 5, 2024.

AND THAT Council approve the associated budget adjustment of \$169,900 from the Tax Stabilization Reserve as presented in Attachment B.

Defeated
Absent: Councillor Schule

MOVED by Councillor Samra that Council directs Administration to continue work on the strategic objectives of the People Strategy and bring a report back to Council with outcomes of delivered initiatives and a strategic priority status update in Q4 of 2024.

Carried
Absent: Councillor Schule

The Chair called for a recess at 10:58 a.m. and called the meeting back to order at 11:07 a.m.

F-4 All Divisions - Council Compensation and Expense Reimbursement Policy (C-195)
File: N/A

MOVED by Councillor Wright that Council Compensation and Expense Reimbursement Policy C-195 be referred to Administration for further review and amendments, including a workshop with Council, prior to further consideration by Council in Q3 2024.

Carried
Absent: Councillor Schule

G-1 Division 4 - Bylaw C-8139-2021 - Road Closure: Second and Third Reading
File: PL20210010 (08909002; 08910010/21)

MOVED by Councillor Wright that Bylaw C-8139-2021 be amended in accordance with Attachment D.

Carried
Absent: Councillor Schule

MOVED by Councillor Wright that Bylaw C-8139-2021 be given second reading, as amended.

Carried
Absent: Councillor Schule



MOVED by Councillor Wright that Bylaw C-8139-2021 be given third and final reading, as amended.

Carried
Absent: Councillor Schule

MOVED by Councillor Wright that the ± 1.58 hectare (± 3.91 acre) portion of land be transferred to Teodoro Ammirati and Daniel Jalbert & Nicola Veasey-Jalbert; respective owners adjacently east and west of the portion of land to be transferred, subject to:

- a) Sales agreements being signed at the appraised value of \$3,200.00 per acre, for each of the adjacent landowners to purchase equivalent portions of the ± 1.58 hectare (± 3.91 acre) portion of road allowance.
- b) The terms of the sales agreement being completed within one year after Bylaw C-8139-2021 receives third and final reading.

Carried
Absent: Councillor Schule

G-2 Division 2 - Bylaw C-8553-2024 - Road Closure: Bylaw Revisions
File: PL20230026 (04826001)

MOVED by Deputy Reeve Kochan that Bylaw C-8553-2024 be given first reading.

Carried
Absent: Councillor Schule

MOVED by Deputy Reeve Kochan that Bylaw C-8553-2024 be given second reading.

Carried
Absent: Councillor Schule

MOVED by Deputy Reeve Kochan that Bylaw C-8553-2024 be considered for third reading.

Carried Unanimously
Absent: Councillor Schule

MOVED by Deputy Reeve Kochan that Bylaw C-8553-2024 be given third and final reading.

Carried
Absent: Councillor Schule

The Chair called for a recess at 11:52 a.m. and called the meeting back to order at 1:03 p.m.

Councillor Hanson was not present when the meeting was called back to order.

D-3 All Divisions - Bylaw C-8534-2024 - Land Use Bylaw Amendments - Shipping Containers
File: 1013-137

MOVED by Deputy Reeve Kochan that the public hearing for item D-3 be opened at 1:03 p.m.

Carried
Absent: Councillor Hanson
Councillor Schule



Councillor Hanson returned to the meeting at 1:04 p.m.

Persons(s) who presented: J. Rebello, Planning and Development Supervisor,
Planning and Development

Person(s) who presented in support: Barb Smith and Mike Stuart

Person(s) who presented in opposition: Dale Sidelitz
Bruce Kendall
Lyle George

Persons(s) who presented rebuttal: J. Rebello, Planning and Development Supervisor,
Planning and Development

MOVED by Councillor Hanson that the public hearing for item D-3 be closed at 2:01 p.m.
Carried
Absent: Councillor Schule

MOVED by Councillor Hanson that Bylaw C-8534-2024 be given first reading.
Carried
Absent: Councillor Schule

MOVED by Councillor Hanson that Council table item D-3 to the end of the June 25, 2024
Council meeting.
Carried
Absent: Councillor Schule

Councillor Samra left the meeting at 2:33 p.m.

**H-1 Division 3 - Subdivision Item: Residential
File: PL20230092 (06715009)**

Councillor Samra returned to the meeting at 2:34 p.m.

MOVED by Reeve Kissel that the Subdivision Authority approves application PL20230092 with the conditions noted in Attachment F.

- A. THAT the application to subdivide a ± 1.65 hectare (± 4.08 acre) parcel and two ± 1.62 hectare (± 4.00 acre) parcels with a ± 2.67 hectare (±6.59 acre) remainder from Block 1 Plan 7410067 within SW-15-26-03-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) of the *Municipal Government Act*, the Subdivision Authority acknowledges the application does not comply with *Land Use Bylaw C-8000-2020* (LUB). The Subdivision Authority is of the opinion 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 parcels of land; and is of the opinion the proposed subdivision conforms with the use prescribed for that land in the LUB.
 1. The Subdivision Authority acknowledges that the existing dwelling on proposed Lot 4 does not meet the minimum front yard setback requirement of 45.0 metres from a County Road, as per the Residential, Rural District (R-RUR) (Section 323, LUB), and considers this dwelling as legally non-conforming.
 2. The Subdivision Authority acknowledges the approximately 321 m² of maximum accessory buildings parcel coverage on proposed Lot 4 and considers this coverage as non-conforming.
- 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 (PL20230092) and Roll number (06715009) of the parcel;
 - b) A Surveyor's Affidavit; and
 - c) Landowner's Consent to Register Plan of Survey.



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- d) The Owner is to dedicate, by Plan of Survey, a 3.0 m wide strip of land for road widening along the northern boundary of the subject lands.
- 2) The Owner shall submit a Real Property Report which confirms that Building A, as shown on the Approved Tentative Plan, has been removed or relocated to meet the minimum setback distances from the proposed property lines, as outlined in the *Land Use Bylaw C-8000-2020*.

Transportation

- 3) The Owner is to dedicate, by Caveat, a 3.0 m wide strip of land for road widening along the western boundary of the subject lands. The Owner is to enter into a Road Widening Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - a) The provision of 3.0 m road widening along the western boundary of the property;
 - b) Land is to be purchased for fair price by the County;
- 4) The Owner shall upgrade the existing approach to a single paved standard (minimum 6.1 m in width) to provide access to proposed Lot 4 and construct three new paved approaches on Range Road 33, in accordance with the County Servicing Standards to provide access to the proposed Lots 1 to 3.
 - a) Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.

Site Servicing

- 5) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title of proposed Lots 1 to 4, 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 is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for proposed Lots 1 to 4. This includes providing the following information:
 - a) The completion of all paperwork for potable water supply allocation e.g. Water Service Agreement;
 - b) The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision;
 - c) The allocation and reservation of the necessary capacity;
 - d) The obligations of the Owner and/or utility to bring water lines to the subdivision (i.e. whether the water utility is to construct the water line to the limits of the subdivision and applicant is to construct all internal water lines, or whether the water utility will be responsible for all connections to individual lots, etc.).



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- 7) The Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed Lots 1 to 3 and shall include the following:
 - a) Accordance with the Level 3 PSTS Assessment, prepared by WWR Inc. (March 13, 2024).
 - 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.

Stormwater

- 8) The Owner shall provide a Stormwater Management Plan, in accordance with the Nose Creek Watershed Water Management 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 Site Improvements Service 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.

Municipal Reserve

- 9) The provision of Municipal Reserve in the amount of 10% of the area of Lots 1-4, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the land value as listed in the land appraisal prepared by Dream Pursuit Real Estate Appraisal Service Inc., dated July 17, 2023, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a) The existing Deferred Reserve Caveat (1952LF) is to be discharged.

Payments and Levies

- 10) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area of Lots 1 to 3, as shown on the Plan of Survey.
- 11) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of three (3) new lots.

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*.



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: Councillor Schule

**H-2 Division 6 - Subdivision Item: Residential
File: PL20230144 (02233016)**

Councillor Schule arrived to the meeting via Microsoft Teams at 2:46 p.m.

MOVED by Councillor Samra that the Subdivision Authority refuses application PL20230144 for the following reasons:

- 1) The application does not comply with the Municipal Development Plan (County Plan).
- 2) The application does not comply with the *Land Use Bylaw*.
- 3) The application does not comply with section 654(1)(b) of the *Municipal Government Act*.

Carried

**F-2 All Divisions - Utility Financial Model and Rate Strategy
File: N/A**

Councillor Schule left the meeting at 2:56 p.m.

Councillor Schule returned to the meeting at 3:05 p.m.

The Chair called for a recess at 3:36 p.m. and called the meeting back to order at 3:37 p.m.

MOVED by Deputy Reeve Kochan that Council direct Administration to pause any further work on the establishment of Rocky View County's utility rates for water, wastewater and stormwater until an independent financial analysis can be completed as recommended by Mr. Jonathan Huggett;

AND THAT Council direct Administration to retain the services of Jonathan Huggett Company Corp. to complete a Request for Proposal (RFP) for the hiring of an accounting consultant to prepare financial statements of Rocky View's water, wastewater and stormwater utility systems;

AND THAT Council direct Administration to report back to Council in Q3 2024 with a recommendation for the selection of an accounting consultant.

Carried

Councillor Wright left the meeting at 4:27 p.m.

Councillor Schule left the meeting at 4:27 p.m. and did not return to the meeting.



**D-3 All Divisions - Bylaw C-8534-2024 - Land Use Bylaw Amendments - Shipping Containers
File: 1013-137**

MOVED by Councillor Hanson that Council lift item D-3 from the table.

Carried
Absent: Councillor Schule
Councillor Wright

Councillor Wright returned to the meeting at 4:28 p.m.

MOVED by Councillor Hanson that Amendment #2 in Schedule A of Bylaw C-8534-2024 be amended as follows:

150.2 Shipping Container Site Requirements:

- a) Shipping Containers shall be placed at least 50.0 m (164.04 ft.) away from a parcel holding an Agricultural or Residential District designation, and comply with the required setback from County roads, Highways and Service Roads in any District, whichever is greater.
 - i) This setback requirement does not apply to agricultural parcels where no dwelling unit exists on an adjacent agricultural parcel.
- b) The minimum setback from a parcel in an Agricultural or Residential District may be varied through a Development Permit, provided the Shipping Container is visually screened from an adjacent parcel or road to the satisfaction of the Development Authority.
- c) Any Shipping Container placed within 76.20 m (250.00 ft.) of any adjacent dwelling units not located on the subject parcel shall be treated with additional design measures and/or landscaping from an adjacent parcel to the satisfaction of the Development Authority.
- ed) Shipping Containers shall be in compliance with the maximum accessory building parcel coverage requirements of the subject district where applicable.

Carried
Absent: Councillor Schule

MOVED by Deputy Reeve Kochan that Amendment #5 in Schedule A of Bylaw C-8534-2024 be amended as follows:

THAT the following new discretionary use be added to the list of existing discretionary uses in sections 318, 325, 332, 341, 350, 361, 370, 377, 382, 388, 394, 405, 411, 417, 425, 433, 438, 445, 452, 460, and 470 of Land Use Bylaw C-8000-2020 in alphabetical order:

Shipping Container (parcels greater than 3.95 acres)

Carried
Absent: Councillor Schule



MOVED by Councillor Hanson that Bylaw C-8534-2024 be given second reading, as amended.

Carried
Absent: Councillor Schule

MOVED by Councillor Hanson that Bylaw C-8534-2024 be considered for third reading, as amended.

Carried Unanimously
Absent: Councillor Schule

MOVED by Councillor Hanson that Bylaw C-8534-2024 be given third and final reading, as amended.

Carried
Absent: Councillor Schule

K Adjourn the Meeting

MOVED by Councillor Samra that the June 25, 2024 Council meeting be adjourned at 4:47 p.m.

Carried
Absent: Councillor Schule

Reeve or Deputy Reeve

Chief Administrative Officer or designate