



ROCKY VIEW COUNTY

COUNCIL MEETING MINUTES

Tuesday, February 8, 2022
9:01 AM

Held Electronically in accordance with the Meeting Procedures (COVID-19 Suppression) Regulation,
Alberta Regulation 50/2020

Present: Mayor D. Kochan
Deputy Mayor C. Kissel (participated electronically)
Councillor K. Hanson (participated electronically)
Councillor S. Wright (participated electronically)
Councillor G. Boehlke
Councillor S. Samra
Councillor A. Schule

Also Present: B. Riemann, A/Chief Administrative Officer
K. Robinson, Executive Director, Corporate Services
B. Beach, A/Executive Director, Community Development Services
A. Zaluski, Director, Legislative and Intergovernmental Services
A. Yurkowski, Manager, Capital Project Management
B. Woods, Manger, Financial Services
D. Lang, I/ Manager, Recreation, Parks and Community Support
J. Anderson, A/Manager, Planning
S. Hulsman, Manager, Transportation Services
S. Seroya, Manager, Utility Services
B. Bateman, Supervisor Budget and Reporting, Financial Services
G. Rowland, Supervisor Roads Maintenance, Transportation Services
O. Newmen, Supervisor, Planning and Development Services
J. Targett, Senior Development Officer, Planning
S. Altena, Senior Municipal Engineer, Capital Project Management
X. Deng, Planner, Planning and Development Services
B. Manshanden, Intergovernmental Affairs Coordinator, Legislative and Intergovernmental Services
T. Pozniak, Municipal Lands Administrator, Transportation Services
C. Anderson, Legislative Officer, Legislative and Intergovernmental Services
M. Mitton, Legislative Officer, Legislative and Intergovernmental Services
T. Andreasen, Legislative Officer, Legislative and Intergovernmental Services

A Call Meeting to Order

The Chair called the meeting to order at 9:01 a.m. with all members present.



ROCKY VIEW
COUNTY

B Updates/Approval of Agenda

MOVED by Councillor Boehlke that the February 8, 2022 Council meeting agenda be amended as follows:

- Add emergent Closed Session Item M-3 – RVC2022-03 “Kissel et al v. Rocky View County, 2020 ABQB 406”

Carried

MOVED by Councillor Boehlke that the February 8, 2022 Council meeting agenda be accepted as amended.

Carried

C-1 January 17 and 18, 2022 Special Council Meeting Minutes

C-2 January 25, 2022 Council Meeting Minutes

MOVED by Councillor Samra that the January 17 and 18, 2022 Special Council meeting minutes be approved.

Carried

MOVED by Councillor Samra that the January 25, 2022 Council Meeting minutes be approved.

Carried

E-1 Division 3 - Bylaw C-8183-2021 - Redesignation Item – Agricultural Use
File: PL20210070 (07925008)

The Chair called for a recess at 9:08 a.m. and called the meeting back to order at 9:12 a.m. with all previously mentioned members present.

MOVED by Deputy Mayor Kissel that the public hearing for item E-1 be opened at 9:12 a.m.

Carried

Person(s) who presented: Lynn McLeod (Applicant)

Pre-recorded audio/video Presentations in support: None

Pre-recorded audio/video Presentations in opposition: None

The Chair made the final call for email submissions and called for a recess at 9:33 a.m. The Chair called the meeting back to order at 9:38 a.m. with all previously mentioned members present and declared email submissions closed.

Person(s) who presented in favour: None

Person(s) who presented in opposition: None

Person(s) who presented rebuttal: None



ROCKY VIEW
COUNTY

MOVED by Deputy Mayor Kissel that the public hearing for item E-1 be closed at 9:39 a.m.
Carried

MOVED by Deputy Mayor Kissel that Bylaw C-8183-2021 be given second reading.
Carried

MOVED by Deputy Mayor Kissel that Bylaw C-8183-2021 be given third and final reading.
Carried

E-2 Division 3 - Bylaw C-8134-2021 - Special Use, and Master Site Development Plan for a Seniors' Housing Development
File: PL20200185/187 (06705041)

MOVED by Deputy Mayor Kissel that the public hearing for item E-2 be opened at 9:46 a.m.
Carried

Person(s) who presented: Nicholas Khul, O2 Planning & Design Inc. (Applicant)
Brian Horton, O2 Planning & Design Inc. (Applicant)
Garnet Dawes, ISL Engineering
Tom Hong, 1343797 Alberta Ltd. (Landowner)

The Chair called for a recess at 10:54 a.m. and called the meeting back to order at 11:05 a.m. with all previously mentioned members present, with the exception of Deputy Mayor Kissel, Councillor Hanson and Councillor Wright that all returned to the meeting at 11:06 a.m.

Pre-recorded audio/video
Presentations in support: None

Pre-recorded audio/video
Presentations in opposition: None

The Chair made the final call for email submissions and called for a recess at 11:06 a.m. The Chair called the meeting back to order at 11:11 a.m. with all previously mentioned members present and declared email submissions closed.

Person(s) who presented in favour: None

Person(s) who presented in opposition: The City of Calgary

The Chair called for a recess at 11:12 a.m. and called the meeting back to order at 11:17 a.m. with all previously mentioned members present, with the exception of Councillor Wright who returned to the meeting at 11:18 a.m.

Person(s) who presented rebuttal: Nicholas Khul, O2 Planning & Design Inc. (Applicant)
Brian Horton, O2 Planning & Design Inc. (Applicant)
Garnet Dawes, ISL Engineering

MOVED by Deputy Mayor Kissel that the public hearing for item E-2 be closed at 11:22 a.m.
Carried



ROCKY VIEW
COUNTY

MOVED by Deputy Mayor Kissel that application PL20200185 be refused.

Carried

MOVED by Deputy Mayor Kissel that application PL20200187 be refused.

Carried

D-1 All Divisions - 2021 Year-End Audit Service Plan
File: 0630

Presenter: Julie Oliver, MNP

Councillor Wright left the meeting at 11:39 a.m. and returned to the meeting at 11:41 a.m.

MOVED by Councillor Schule that the 2021 Year-End Audit Service Plan be received as information.

Carried

Councillor Wright left the meeting at 11:50 a.m. and returned to the meeting at 11:51 a.m.

F-1 All Divisions - Leasing of Undeveloped Road Allowance Right-of-Ways
File: N/A

MOVED by Councillor Hanson that the letters submitted for item F-1 be circulated to Council.

Carried

Deputy Mayor Kissel left the meeting at 12:13 p.m.

The Chair called for a recess at 12:15 p.m. and called the meeting back to order at 1:00 p.m. with all previously mentioned members present, with the exception of Deputy Mayor Kissel and Councillor Wright who both returned to the meeting at 1:01 p.m.

Main Motion

MOVED by Councillor Boehlke that Council direct Administration to prepare the proposed amendment to Council Road Licensing Policy C-433 and bring to Council for consideration as a Bylaw and rescind Council Road Licensing Policy C-433.

Amending Motion

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

THAT Council direct Administration to prepare the proposed amendment to Council Road Licensing Policy C-433 and bring to Council for consideration as a Bylaw and rescind Council Road Licensing Policy C-433, and that Administration be directed to schedule a non-statutory public hearing when this is presented to Council.

Carried



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

MOVED by Councillor Boehlke that Council direct Administration to prepare the proposed amendment to Council Road Licensing Policy C-433 and bring to Council for consideration as a Bylaw and rescind Council Road Licensing Policy C-433, and that Administration be directed to schedule a non-statutory public hearing when this is presented to Council.

Carried

**F-2 Division 4 - Bearspaw Meadow Drive Drainage Project – Budget Adjustment Request
File: 5000-375**

MOVED by Councillor Wright that the Budget Adjustment for the Bearspaw Meadow Drive Drainage project be approved in accordance with Attachment 'A'.

Carried

**F-3 Division 7 - Request for Direction: Langdon High School Pre-Release Conditions
File: PRDP20201822 (03222206)**

MOVED by Councillor Hanson that the letter from Alberta Infrastructure be circulated to Council.
Carried

MOVED by Councillor Schule that the Langdon Wastewater connection fee for the Langdon High School, as required by Condition #7 of Development Permit PRDP20201822 be upheld.
Carried

**F-4 Division 2 - Redesignation Application Status Update – Request for Time Extension to Prepare Supporting Documentation
File: PL20200136 (05714039)**

MOVED by Councillor Hanson that an extension of time to prepare the requested additional studies be granted until no later than May 10, 2022.

Carried

**G-1 Division 3 - Bylaw C-8266-2022 - Amendments to the 2021 Master Rates Bylaw - Blazer Water and Wastewater Fees
File: 1007-500**

MOVED by Deputy Mayor Kissel that Bylaw C-8266-2022 be given first reading.

Carried

MOVED by Deputy Mayor Kissel that Bylaw C-8266-2022 be given second reading.

Carried

MOVED by Deputy Mayor Kissel that Bylaw C-8266-8022 be considered for third reading.

Carried

MOVED by Deputy Mayor Kissel that Bylaw C-8266-8022 be given third and final reading.

Carried



ROCKY VIEW
COUNTY

G-2 Division 6 - Bylaw C-8261-2022 - First Reading Bylaw – Business Redesignation
File: PL20210192 (03316013)

G-3 Division 6 - Bylaw C-8259-2022 - First Reading Bylaw – Residential Redesignation
File: PL20210190 (03305005)

G-4 Division 6 - Bylaw C-8263-2022 - First Reading Bylaw – Business Redesignation
File: PL20210142 (03323017)

MOVED by Councillor Schule that the following bylaws receive first reading:

- Bylaw C-8261-2022;
- Bylaw C-8259-2022; &
- Bylaw C-8263-2022

Carried

I-1 All Divisions - Calgary Metropolitan Region Board (CMRB) Update

The Calgary Metropolitan Region Board (CMRB) Update for February 8, 2022 was provided as information.

J-1 All Divisions - 2022 Council Priorities and Significant Issues List

The 2022 Council Priorities and Significant Issues List for February 8, 2022 was provided as information.

M-1 RVC2022-01 - Proposed City of Calgary Annexation
File: RVC2022-01

M-2 RVC2022-02 - Chestermere Lands Discussion
File: RVC2022-02

MOVED by Councillor Wright that Council move into closed session at 2:19 p.m. to consider the following items under the following sections of the *Freedom of Information and Protection of Privacy Act*:

M-1 – Proposed City of Calgary Annexation

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to the economic or other interests of a public body

M-2 – Chestermere Lands Discussion

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

Carried



ROCKY VIEW
COUNTY

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

- Rocky View County: B. Riemann, A/Chief Administrative Officer
- K. Robinson, Executive Director, Corporate Services
- B. Beach, A/Executive Director, Community Development Services
- A. Zaluski, Director, Legislative and Intergovernmental Services
- J. Anderson, A/ Manager, Planning
- B. Manshanden, Intergovernmental Affairs Coordinator, Legislative and Intergovernmental Services
- B. Scott, Executive Coordination

Council held the closed session for confidential item M-2 with the following additional people in attendance:

- Rocky View County: K. Robinson, A/Chief Administrative Officer
- B. Riemann, Executive Director, Operations
- B. Beach, A/Executive Director, Community Development Services
- D. Lang, I/ Manager, Recreation, Parks and Community Support
- S. Hulsman, Manager, Transportation Services
- I. Smith, Supervisor Asset Management, Transportation Services
- T. Pozniak, Municipal Lands Administrator, Transportation Services
- B. Scott, Executive Coordination

Councillor Wright left during the closed session items and did not return to the meeting.

MOVED by Councillor Samra that Council move into open session at 3:32 p.m.

Carried
Absent: Councillor Wright

M-1 RVC2022-01 – Proposed City of Calgary Annexation
File: RVC2022-01

MOVED by Councillor Schule that Administration be directed to release confidential report RVC2022-01 – Proposed City of Calgary Annexation – Initiation of Process and Appointments to Annexation Negotiation Committee to the public.

Carried
Absent: Councillor Wright

MOVED by Councillor Schule that receipt of the City of Calgary’s initiation of proposed annexation be acknowledged, and that the County enter into annexation negotiations.

Carried
Absent: Councillor Wright

MOVED by Councillor Schule that Council approve the Annexation Negotiation Committee Terms of Reference, as per Attachment B.

Carried
Absent: Councillor Wright



ROCKY VIEW COUNTY

MOVED by Councillor Schule that the Division 6 and Division 7 Councillors be appointed to the Annexation Negotiation Committee, and the Division 3 Councillor be appointed as an alternate member.

Carried
Absent: Councillor Wright

MOVED by Councillor Schule that Administration be directed to assign three members of Administration as representatives on the Annexation Negotiation Committee.

Carried
Absent: Councillor Wright

MOVED by Councillor Schule that Rocky View County supports the City of Calgary's submission of a joint Alberta Community Partnership grant application to defray mediation costs associated with annexation negotiations.

Carried
Absent: Councillor Wright

Motion Arising

MOVED by Councillor Schule that Administration draft a letter to send to the City of Calgary as directed by Council in Closed session.

Carried
Absent: Councillor Wright

M-2 RVC2022-02 – Chestermere Lands Discussion **File: RVC2022-02**

MOVED by Councillor Schule that the County continue discussions with the City of Chestermere regarding the potential sale of the Chestermere Recreation Centre.

Carried
Absent: Councillor Wright

M-3 RVC2022-03 - Kissel et al v. Rocky View County, 2020 ABQB 406 **File: RVC2022-03**

MOVED by Councillor Samra that Council move into closed session at 3:38 p.m. to consider the following items under the following sections of the *Freedom of Information and Protection of Privacy Act*:

M-3 – Kissel et al v. Rocky View County, 2020 ABQB 406

- Section 23 – Local public body confidences
- Section 24 – Advice from officials
- Section 27 – Privileged information

Councillor Hanson declared a pecuniary interest and abstained from the discussion and voting on item M-3.



Deputy Mayor Kissel declared a pecuniary interest and abstained from the discussion and voting on item M-3.

Carried
Absent: Councillor Wright
Abstained: Deputy Mayor Kissel
Councillor Hanson

Council held the closed session for confidential item M-3 with the following additional people in attendance:

Rocky View County: K. Robinson, A/Chief Administrative Officer
B. Riemann, Executive Director, Operations

MOVED by Councillor Schule that Council move into open session at 4:46 p.m.

Carried
Absent: Councillor Wright
Abstained: Deputy Mayor Kissel
Councillor Hanson

M-3 RVC2022-03 – Kissel et al v. Rocky View County, 2020 ABQB 406
File: RVC2022-03

MOVED by Councillor Samra that Administration be directed to accept the conditions included in the offer discussed in closed session, related to the appeal of Alberta Queen’s Bench decision ABQB 406.

Defeated
Absent: Councillor Wright
Abstained: Deputy Mayor Kissel
Councillor Hanson

The Chair called for a recess at 4:49 p.m. and called the meeting back to order at 4:53 p.m. with all previously mentioned members present.

MOVED by Councillor Schule that Administration be directed to withdraw the appeal of Alberta Queen’s Bench decision ABQB 406 based on previous Council direction and the conditions discussed in closed session.

Carried
Absent: Councillor Wright
Abstained: Deputy Mayor Kissel
Councillor Hanson



ROCKY VIEW
COUNTY

N Adjourn the Meeting

MOVED by Councillor Schule that the February 8, 2022 Council Meeting be adjourned at 4:54 p.m.

Carried
Absent: Deputy Mayor Kissel
Councillor Hanson
Councillor Wright

Mayor or Deputy Mayor

Chief Administrative Officer or Designate