

Michelle Mitton

From: Dave Hall [REDACTED]
Sent: July 5, 2022 7:34 AM
To: Legislative and Intergovernmental Services; Public Hearings Shared
Cc: Division 1, Kevin Hanson
Subject: [EXTERNAL] - FW: Subject: Proposed change to Policy C-433, hearing date February 8, 2022

Do not open links or attachments unless sender and content are known.

As a homeowner in the River Ridge Community, the undeveloped road allowance on Range Road 31 provides us and many others in our surrounding communities with our only legal access to the Elbow River. We are opposed to any change in Policies or ByLaws that affect undeveloped road allowances that could reduce or eliminate the access to the Elbow and the recreational opportunities that come with that access. For that reason, we are opposed to the proposed changes to Policy C-433.

Dave and Sharron Hall
30254 River Ridge Dr.

Sent from [Mail](#) for Windows



Virus-free. www.avg.com

Michelle Mitton

From: Dave Hall [REDACTED]
Sent: July 5, 2022 7:35 AM
To: Legislative and Intergovernmental Services; Public Hearings Shared
Cc: Division 1, Kevin Hanson
Subject: [EXTERNAL] - FW: Policy C-433, Feb 8th, 2022 Licensing of Undeveloped Road Allowances

Do not open links or attachments unless sender and content are known.

River Ridge Community Association represents homeowners who have access to an undeveloped road allowance on Range Road 31 that gives the people living in our community access to the Elbow River. The community association is opposed to any change in Policies or ByLaws that affect undeveloped road allowances that could reduce or eliminate the access to the Elbow and the recreational opportunities that come with that access. For that reason, the River Ridge Community Association is opposed to the proposed changes to Policy C-433.

Regards,

River Ridge Executive Council



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Michelle Mitton

From: [REDACTED]
Sent: July 10, 2022 5:14 PM
To: Division 2, Don Kochan; Division 1, Kevin Hanson; Division 3, Crystal Kissel; Division 4, Samantha Wright; Division 5, Greg Boehlke; Division 6, Sunny Samra; Division 7, Al Schule; Legislative and Intergovernmental Services; Public Hearings Shared
Cc: Hunter Karin; 'Edmond Wittstock'; 'Shelly Jacober'; 'Glenn Carbol'; 'Al Schmidt'
Subject: [EXTERNAL] - Road Allowance Licencing Bylaw C-8316-2022 Motion July 12, 2022

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Hello Everyone

Springbank Trials and Pathway Association (STAPA) is a volunteer group of Springbank residents promoting a livable community for Springbank. STAPA works closely with Springbank Community Association to identify and support ways to recreate locally. Our efforts involve proactively identifying and preserving recreational opportunities and enhancing regional infrastructure.

STAPA submits the following specific concerns regarding the proposed Road Licensing Bylaw C-8316-2022 being heard on July 12, 2022.

1. Under Section 6(3) (b) the proposed bylaw uses the word “dedicated” instead of “non-exclusive use only” as exists in Policy statement 5 of Policy 433. The primary purpose of roads and road rights-of-way is to provide unobstructed access to the public, including those that the public is currently using as well as identifying those that should be preserved for public access or may identify a beneficial public interest. Public interest, which includes the use of the road or road allowance for public outdoor recreation and physical and mental health purposes including for trail activities, photography, nature appreciation, access to other recreation areas/amenities. The proposed licensing does not consider nor recognize this additional public interest.
2. Under Section 6(1) the proposed bylaw has deleted the ability of those with a “beneficial interest” in the Road Allowance to apply for a licence. Under the existing Policy 433, it states “Only persons who are immediately adjacent to the lands or hold a beneficial interest in the Road Allowance may apply for a license. Public access means access for all residents not just selective application of the concept. Rural communities do not have equivalent similar access to trails and recreation facilities that urban centres provided and are viewed by residents as critical to active living and desirability for communities. In Springbank, undeveloped road rights-of-way help to fill this need/opportunity to provide areas of public access that support critical public health and recreation needs. Protecting public access, including river access, should be transparent and unequivocally applied for all residents. River Access is extremely limited and critical beneficial interest to the public. The words “beneficial interest” must be retained in any revised bylaw to recognize broader public interests in public lands. Public interest must not be restricted geographically only to persons immediately adjacent to the land.
3. Under Section (5) the Chief Administrative Officer determines and approves the application. This is not an open and transparent process that protects the public’s interest for all residents. The Transportation Services Executive summary states the strategic objectives are the development of “Enhancing Transparency and Communication” and this proposed process is in direct contravention of the stated objectives. Bypassing the opportunity for public comment and concerns when the primary purpose of road right-of-way is for public access. Please explain how public beneficial interest is identified and properly considered if there is no public notice, public hearing or public input in the process?

ATTACHMENT 'C' - PUBLIC SUBMISSIONS

4. The term of the license has not been defined. What would happen if the applicator requested a license for 99 years, or if a subsequent important public benefit is identified during the term? These are public lands set aside for public benefits. Licenses or permits should be evergreen and there should be terms for termination. Does public benefit supersede licensing or permits and what is the process to revoke or revise such a permit if a critical public benefit is identified which could happen with adjacent development?

STPAP is opposed to any license or permit on public lands that may affect public rights of access.

1. This is particularly disturbing if such license or permit is granted without full public disclosure, and offering a right to object. Public disclosure and input on proposed changes to use of public lands must be retained.
2. STAPA also requests that any revision to the bylaws with respect to undeveloped roads and rights-of-way includes language including formally recognizing trails and pathways on roads and rights-of-way as a public use and beneficial interest. Public corridors such as rights-of-ways often provide the last, and only, opportunity for public access to valuable remaining natural areas, river access, and connectivity to a wider local and regional pathway system.
3. Clarity must also be provided to reasonably define and restrict terms and guidelines for any licenses and permits to enable termination and for public benefits to be restored.

Furthermore, the motion (February 8, 2022 Council meeting) to direct Administration to prepare the proposed new bylaw was to be scheduled as a non-statutory public hearing when presented to Council. It is imperative that the public will have an opportunity to state their concerns in order to protect the public's interest.

Respectfully submitted,
Ronda Rankin, President
ronda@springbankpathways.ca
403-519-6870
Springbank Trails and Pathway Association (STAPA)



ATTACHMENT 'C' - PUBLIC SUBMISSIONS

From: [Shelly](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Road Allowance Licensing Bylaw C-8316-2022 - Motion July 12, 2022
Date: July 11, 2022 11:39:23 AM

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As a Springbank resident, I am completely opposed to the above changes in the proposed bylaw that would essentially remove the protections for the “non-exclusive” public use and allow for “dedicate use” under section 6.3b, and permit only those adjacent to the said property in question to license a road allowance at the discretion of the CAO, without public input. It is unconscionable, and outside of the County’s legal rights, to turn a public road allowance into a private land lease/permit. Furthermore, not defining a temporary permit presents further unintended consequences, potentially in perpetuity.

As already identified as a drafting problem during the Feb 8 council debate, Section 6.(3)(b) of the proposed bylaw uses the word "dedicated" instead of "non-exclusive use only" as exists in Policy Statement 5 of Policy 433.

Under Section 6(1) the proposed bylaw has deleted the ability of those with a “beneficial interest” to apply for a license. Under the existing Policy 433, it states: "Only persons who are immediately adjacent to the lands or hold a beneficial interest in the Road Allowance may apply for a license." Why have those with a "beneficial interest" been removed from the wording of the proposed bylaw?

We are aware of the existing applications of an interested party to prevent public access to land on RR31 and these proposed bylaws appear to allow that interested party to circumvent the existing requirements to preserve public access for all non-exclusive use to the river by restricting the public road allowance for his private purpose.

It should also be noted that there currently exists a cement structure and barbed wire fence into the river to prevent public access which is in contravention to this principle and the law.

I am opposed to any licence or permit that may affect rights of access without public disclosure, and a right to object, before being issued. Certainly, adjacent landowners and members of the public who hold a beneficial interest (i.e., surrounding community) need to be consulted prior to any licence or permit being granted that may restrict access. Additionally, any license or permit granted under the new proposed bylaw must be for non-exclusive use only - to allow all public access to be preserved for all residents of the public (not only for adjacent landowners).

Shelly Jacober

ATTACHMENT 'C' - PUBLIC SUBMISSIONS

From: [Karin Hunter](#)
To: [Michelle Milton](#)
Cc: [Ronda Rankin](#); [Division 2, Don Kochan](#); [Division 1, Kevin Hanson](#); [Division 3, Crystal Kissel](#); [Division 4, Samantha Wright](#); [Division 5, Greg Boehlke](#); [Division 6, Sunny Samra](#); [Division 7, Al Schule](#); [Legislative and Intergovernmental Services](#); [Public Hearings Shared](#); [Edmond Wittstock](#); [Shelly Jacober](#); [Glenn Carbol](#); [Al Schmidt](#); [Springbank Community Association](#)
Subject: Re: [EXTERNAL] - Road Allowance Licencing Bylaw C-8316-2022 Motion July 12, 2022
Date: July 11, 2022 11:49:51 AM

The Springbank Community Association fully supports the position of STAPA on Bylaw C-8316-2022. In accordance with this position, we submit the following email:

To RVC administration and Council:

Re: Road Licensing Bylaw C-8316-2022

1. Under Section 6(3) (b) the proposed bylaw uses the word “dedicated” instead of “non-exclusive use only” as exists in Policy statement 5 of Policy 433. The primary purpose of roads and road rights-of-way is to provide unobstructed access to the public, including those that the public is currently using as well as identifying those that should be preserved for public access or may identify a beneficial public interest. Public interest, which includes the use of the road or road allowance for public outdoor recreation and physical and mental health purposes including for trail activities, photography, nature appreciation, access to other recreation areas/amenities. The proposed licensing does not consider nor recognize this additional public interest.
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3. Under Section (5) the Chief Administrative Officer determines and approves the application. This is not an open and transparent process that protects the public’s interest for all residents. The Transportation Services Executive summary states the strategic objectives are the development of “Enhancing Transparency and Communication” and this proposed process is in direct contravention of the stated objectives. Bypassing the opportunity for public comment and concerns when the primary purpose of road right-of-way is for public access. Please explain how public beneficial interest is identified and properly considered if

ATTACHMENT 'C' - PUBLIC SUBMISSIONS

there is no public notice, public hearing or public input in the process?

4. The term of the license has not been defined. What would happen if the applicant requested a license for 99 years, or if a subsequent important public benefit is identified during the term? These are public lands set aside for public benefits. Licenses or permits should be evergreen and there should be terms for termination. Does public benefit supersede licensing or permits and what is the process to revoke or revise such a permit if a critical public benefit is identified which could happen with adjacent development?

The Community Association is opposed to any license or permit on public lands that may affect public rights of access.

1. This is particularly disturbing if such license or permit is granted without full public disclosure, and offering a right to object. Public disclosure and input on proposed changes to use of public lands must be retained.
2. We also request that any revision to the bylaws with respect to undeveloped roads and rights-of-way includes language including formally recognizing trails and pathways on roads and rights-of-way as a public use and beneficial interest. Public corridors such as rights-of-ways often provide the last, and only, opportunity for public access to valuable remaining natural areas, river access, and connectivity to a wider local and regional pathway system.
3. Clarity must also be provided to reasonably define and restrict terms and guidelines for any licenses and permits to enable termination and for public benefits to be restored.

Furthermore, the motion (February 8, 2022 Council meeting) to direct Administration to prepare the proposed new bylaw was to be scheduled as a non-statutory public hearing when presented to Council. It is imperative that the public will have an opportunity to state their concerns in order to protect the public's interest.

Karin Hunter
President, Springbank Community Association

From: [REDACTED]
Sent: July 10, 2022 5:14 PM
To: Division 2, Don Kochan <DKochan@rockyview.ca>; Division 1, Kevin Hanson <KRHanson@rockyview.ca>; Division 3, Crystal Kissel <CKissel@rockyview.ca>; Division 4, Samanntha Wright <SWright@rockyview.ca>; Division 5, Greg Boehlke <GBoehlke@rockyview.ca>; Division 6, Sunny Samra <SSamra@rockyview.ca>; Division 7, Al Schule <ASchule@rockyview.ca>; Legislative and Intergovernmental Services <LegislativeServices@rockyview.ca>; Public Hearings Shared <PublicHearings@rockyview.ca>
Cc: Hunter Karin [REDACTED] Edmond Wittstock' [REDACTED]
'Shelly Jacober' [REDACTED]; 'Glenn Carbol' [REDACTED] 'Al Schmidt' [REDACTED]
Subject: [EXTERNAL] - Road Allowance Licencing Bylaw C-8316-2022 Motion July 12, 2022

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Hello Everyone

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ATTACHMENT 'C' - PUBLIC SUBMISSIONS

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Furthermore, the motion (February 8, 2022 Council meeting) to direct Administration to prepare the proposed new bylaw was to be scheduled as a non-statutory public hearing when presented to Council. It is imperative that the public will have an opportunity to state their concerns in order to protect the public's interest.

Respectfully submitted,

Ronda Rankin, President

ronda@springbankpathways.ca

403-519-6870

Springbank Trails and Pathway Association (STAPA)



From: [Vivian Pharis](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022 - I oppose its implementation
Date: August 27, 2022 3:11:52 PM

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Dear RVC Legislative Services:

Re: Public Hearing September 13, 2022

I am a long-time resident of RVC (Bl10, NW1/2 S12 Twp26 R4 W5) and I do not favour bylaw changes that could affect decommissioned or unused country roads by rendering them less available or unavailable for the public to enjoy for healthful living through walking, horse and bike riding and nature appreciation. While RVC is the province's most populous province, it is very short on parks and public trail systems. It also encourages people to keep moving into "country lifestyles" through the constant conversion of agricultural land to acreage development, yet RVC does little to provide for that "country lifestyle". Recreation plans like RVC's 2011 Parks and Open Spaces Master Plan may be developed, but then they languish without implementation.

I have an almost 50 year history of living near the decommissioned roadway running through Bighill Creek from Cochrane to Hwy 567 and know how once it was allowed to be leased for grazing, public access was closed off. This closure is despite a stated goal in the Parks and Open Spaces Master Plan to open Bighill's roadway as a public trail by 2015.

When the Bighill Creek roadway was decommissioned in the 1980's, it was under provincial jurisdiction. For many years I helped to prevent this roadway from being sold to the Boothby family who own adjacent land and their cattle graze the creek. Each year for many, I wrote to the minister of Alberta Transportation and expressed the importance of this roadway to the recreating public. For several decades, the Boothby cattle grazed the creek, walkers walked the roadway and fishers fished the stream and all seemed compatible. That ended when the roadway fell under municipal jurisdiction and the Boothby family was allowed to lease it. No Trespassing signs went up and the public was excluded. It took nearly 10 years for RVC to force the Boothby family to remove the No Trespassing signs. They were immediately replaced by Bio Hazard signs and the same inhospitable public reception. The public remains largely alienated from this public right-of-way that belongs to them and they are denied an important recreational opportunity.

This story is not unusual elsewhere in RVC and in other counties too. Once a roadway is leased, invariably it becomes treated as private property and the public is excluded. I therefore recommend that Bylaw C-8316-2022 be denied implementation.

Sincerely
Vivian Pharis
193 Green Valley Estate, RVC

From: [Margo Trofimenkoff](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Road Licensing Bylaw - C-8316-2022
Date: August 27, 2022 5:28:13 PM


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Good day

I would like to voice my objection to this particular bylaw seeking amendment to the existing policy surrounding the licensing of undeveloped Road Allowances. I see no issues with the existing policy and procedures and believe that the residents of the MD of Rocky View have the right to be part of the process in dealing with Road Allowances in our community. These Road Allowances are **public land** and it concerns me greatly that the MD of Rocky View would grant itself the right to make decisions on Road Allowance use without any public notification or consultation.

I am most concerned as this amendment appears to directly contradict the decision on July 26th to deny the application for the closure of the RR #31 Road Allowance and leave it as is for the recreational use of the community.

We elected the Councilors to represent us and we would hope that they will vote to retain our right to be informed and involved in any decisions such as this that have the potential to detrimentally affect the quality of life in our community.

Margo Doherty
61 Springshire Place
Calgary, AB T3Z 3L2


From: [Molly Hamilton](#)
To: [Legislative and Intergovernmental Services](#); [Division 1, Kevin Hanson](#)
Subject: [EXTERNAL] - BYLAW C-8316-2022
Date: August 27, 2022 11:17:23 PM

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Re: BYLAW C-8316-2022

Good day

I would like to voice my **objection** to this particular Bylaw C-8316-2022 seeking amendment to the existing policy surrounding the licensing of undeveloped Road Allowances. I see no issues with the existing policy and procedures and believe that the residents of the MD of Rocky View have the right to be part of the process in dealing with Road Allowances in our community. These Road Allowances are **public land** and it concerns me greatly that the MD of Rocky View would grant itself the right to make decisions on Road Allowance use without any public notification or consultation.

I am most concerned as this amendment appears to directly contradict the decision on July 26th to deny the application for the closure of the RR #31 Road Allowance and leave it as is for the recreational use of the community.

We elected the Councillors to represent us and we would hope that they will vote to retain our right to be informed and involved in any decisions such as this that have the potential to detrimentally affect the quality of life in our community.

Please confirm receipt of this email and that it has been forwarded to the appropriate parties, by responding back to this email.

Thank You.

Molly Hamilton
39 Springshire Place
Calgary, Alberta, T3Z 3L2


From: [Glenn Carbol](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Revised Objection to Road Licensing Bylaw C-8316-2022 on Tuesday, September 13
Date: August 29, 2022 5:20:33 PM

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Regarding: Objection to Road Licensing Bylaw C-8316-2022 on Tuesday, September 13

From: Glenn Carbol, 30263 River Ridge Drive, Calgary, AB T3Z 3L1

Problem 1 with proposed bylaw (<https://pub-rockyview.escribemeetings.com/filestream.ashx?DocumentId=7970>). As already identified as a drafting problem, Section 6.(3)(b) of the proposed bylaw uses the word "dedicated" instead of "non-exclusive use only" as used in Policy Statement 5 of Policy 433 (<https://www.rockyview.ca/Portals/0/Files/Government/Policies/Policy-C-433.pdf>). As such, the word "dedicated" should not be used in the proposed bylaw.

Problem 2 with proposed bylaw. The word "temporary" is not defined, but should be. Would the County grant a 99-year temporary license? What is a reasonable temporary period to hold a license: 30-90 days? This could be fixed by putting an upper limit in by using wording such as, "but not longer than 90 days", etc.

Problem 3 with proposed bylaw. Under Section 6(1) the proposed bylaw has deleted the ability of those with a "beneficial interest" to apply for a license. Under the existing Policy 433, it states: "persons who are immediately adjacent to the lands or hold a beneficial interest in the Road Allowance may apply for a license." A primary purpose of road rights-of-way is to provide access to the public and therefore, the public has a beneficial interest in them. The proposed bylaw does not consider nor recognize this additional public interest. The words "beneficial interest" must be retained in any revised bylaw to recognize broader public interests in public lands such as using the road allowance for trails and pathways. Public interest should not be restricted geographically only to persons immediately adjacent to the land.

Problem 4 with proposed bylaw. The proposed bylaw appears to eliminate the opportunity for public comment in comparison to Policy 433 that has those opportunities.

Problem 5 with proposed bylaw. The proposed bylaw appears to do away with the use restriction of Statement #2 of Policy 433 that states, "The County shall permit licensing of undeveloped road allowances for grazing or cultivation purposes only as per section 13 (o) of the Traffic Safety Act." I am unclear whether this is a permitted deletion under the Traffic Act, but in any event, I would like to see it retained and if expanded, to include non-motorized trails and pathways as additional uses.

For the reasons stated above, I am not in favour of the proposed bylaw as currently drafted.

From: [Joyce Chu](#)
To: [Legislative and Intergovernmental Services](#)
Cc: [Glenn Carbol](#)
Subject: [EXTERNAL] - Objection to Road Licensing Bylaw C-8316-2022
Date: August 29, 2022 6:27:05 PM

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Regarding: Objection to Road Licensing Bylaw C-8316-2022 on Tuesday, September 13

From: Joyce Chu, 30263 River Ridge Drive, Calgary, AB T3Z 3L1

Problem 1 with proposed bylaw (<https://pub-rockyview.escribemeetings.com/filestream.ashx?DocumentId=7970>). As already identified as a drafting problem, Section 6.(3)(b) of the proposed bylaw uses the word "dedicated" instead of "non-exclusive use only" as used in Policy Statement 5 of Policy 433. As such, the word "dedicated" should not be used in the proposed bylaw.

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Problem 4 with proposed bylaw. The proposed bylaw appears to eliminate the opportunity for public comment in comparison to Policy 433 that has those opportunities.

For the reasons stated above, I am not in favour of the proposed bylaw.

Respectfully,

Joyce Chu

From: [Carol Berger](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 31, 2022 7:56:35 AM

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I am writing in opposition to the bylaw being considered in the public hearing. Under the proposed bylaw, there appears to be nothing stopping adjacent landowners from applying for “dedicated access” for any undeveloped road allowance thus limiting the recreational opportunities in much of Rocky View, especially in its more rural areas, and undeveloped road allowances are one of the few publicly accessible open spaces for residents to use.

Bud Berger
263064 Range Road 43
Rocky View County

ATTACHMENT 'C' - PUBLIC SUBMISSIONS

From: [B.B](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 9:22:31 PM

Do not open links or attachments unless sender and content are known.

I am writing in opposition to the bylaw being considered in the public hearing.
The following are my reasons:

- There are limited recreational opportunities in much of Rocky View, especially in its more rural areas, and undeveloped road allowances are one of the few publicly accessible open spaces for residents to use.
- In our neighbourhood our recreation revolves around walking and riding our horses. It is wonderful that we have a few undeveloped road allowances where we can walk our dogs or ride our horses without being on a road.
- In the past we have had difficult neighbours who have closed off undeveloped road ways without permission which has limited our use of these road ways.
- These licences of occupation make it clear that they are for non-exclusive use and must maintain non-vehicular public access to the road allowance but in my experience that has not happened.
- Permitting leasing of undeveloped road allowance for “dedicated access” to adjacent properties will reduce public access to those road allowances
- The proposed bylaw also does not include any requirements regarding notification of potentially affected landowners before applications are considered. It also has no information on how either applicants or affected neighbours can appeal decisions.
- The proposed bylaw would give Administration, rather than Council, the authority to effectively close undeveloped road allowances without any apparent process to notify area residents and without any apparent appeal process.
- Given how frequently road allowances are used by area residents, removing any public oversight on these decisions is extremely serious. In addition, the lack of notification requirements in the bylaw also raises concerns that nearby residents may not learn of applications on a timely basis

Carol Berger
106 Hacienda Estates
Rockyview County

From: [David Cenaiko](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 12:07:51 PM

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Please do not pass a by law that restricts public access to our natural resources via road allowances.
Road allowances should be available to all parties of interest not just developers.

David Cenaiko

From: [David M Reid](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022 - I am against its implementation
Date: August 30, 2022 9:06:39 AM

Do not open links or attachments unless sender and content are known.

Dear RVC

Regarding Bylaw C-8316-2022 . I am strongly against the implementation of this bylaw.

Already RVC does not have nearly enough walking/biking/riding trails. I am saddened that when recreation plans such as RVC's 2011 Parks and Open Spaces Master Plan are produced, they are not followed up and fully put into operation.

I am currently travelling outside of Canada and do have the official land description of our land in Bearspaw with me, but I have lived in RVC at 20 Poplar Hill Place in Bearspaw for about 25 years. I frequently walk on the old BigHill Creek road. It is depressing to see how the Boothby operation makes it uninviting and difficult to use this route.

In general I oppose any bylaw changes that could affect decommissioned country roads by making them less accessible to many users like myself. Given the rapid rise in population in this area, RVC should be doing all in its power to increase the number of roads and paths for recreation.

I therefore recommend that Bylaw C-8316-2022 be denied implementation.

Sincerely,
David M. Reid

From: [Dean Schultz](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 5:52:57 PM

Do not open links or attachments unless sender and content are known.

We are opposed to this bylaw, for the following reasons:

The license of occupation criteria outlined in paragraph 6. (3) (b) provides for “dedicated access” to the applicant’s lands. “Dedicated access” is not defined in the remainder of the bylaw, nor in Schedule A – Definitions. Further, there is no specific requirement to maintain public non-vehicular access within the proposed bylaw. As such, it would appear that the bylaw could remove or deny public non-vehicular access to an undeveloped road allowance, without any public notice or hearing.

The need to safeguard public non-vehicular access to undeveloped road allowances, particularly in areas that contain riparian lands, was recognized by Rocky View County Council during a recent public hearing (July 26, 2022, Bylaw C-8312-2022 and Bylaw C-8313-2022). Further, Council directed Administration to report to Council by November 29, 2022, with options to promote safe and accessible pathway connections to waterbodies and watercourses for recreational purposes along road allowances.


It would appear prudent to ensure that Bylaw C-8316-2022 is not in conflict with the existing decisions and obvious intent of Council to protect public non-vehicular access on public road allowances. We urge Council to redraft this bylaw accordingly, and make sure that public non-vehicular access cannot be removed or denied from any undeveloped road allowance without public notice and hearing.

Dean and Fran Schultz
30246 River Ridge Dr.

Sent from [Mail](#) for Windows

From: [Despina Brotea](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Please Reject the BYLAW C-8316-2022
Date: August 30, 2022 9:02:42 AM
Attachments: [BYLAW 8316-2022.doc](#)

Do not open links or attachments unless sender and content are known.

Good Morning,
Please consider the attached letter as my opposition to BYLAW C-8316-2022.
Thank you,
Despina Brotea
President of Cumana Geoconsulting Inc.


Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are public land and should be publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a license of occupation for public lands;
- The proposed by law does not define 'dedicated access' sufficiently; how does it differ from 'private or exclusive access' as written in previous policy,
- The proposed bylaw does not detail the length of time a License of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Despina Brotea (president of Cumana Geoconsulting Inc.)

Legal Land Description: SE1/4-9-28-5-5 Ricky View County

From: [Gerry Bietz](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022.
Date: August 30, 2022 9:45:44 AM

Do not open links or attachments unless sender and content are known.

Bighill Creek Preservation Society is opposed to the subject Bylaw C-8316-2022.

Bighill Creek Preservation Society (BCPS) was founded in 2015 by a group of Rocky View County residents to create public awareness and appreciation of the unique and diverse ecological, geologic and historic attributes of the Bighill Creek drainage. We are the stewards of the municipal reserves located in the Bighill Creek valley. We have undertaken numerous multi-year studies to create a State of the Watershed assessment of the drainage to support its long-term preservation.

Spending time in natural environments is known to provide significant physical and psychological benefits. In addition, public access and responsible use of our open spaces allow RVC residents to experience, value and thus protect our environmental assets. Undeveloped road allowances are public lands well suited to provide this much needed access. This proposed bylaw would substantially diminish outdoor opportunities for Rocky View residents. This, at the same time the population of the county and demand for outdoor experiences is increasing.

Closing the road allowance which follows Bighill Creek from Cochrane to Big Hill Springs Provincial Park would be a case in point. From the 1920's through the late 1970's as a vehicle roadway, it served family outings at Big Hill Springs and the fish hatchery that operated prior to creation of the provincial park. It was decommissioned from vehicle use when access to the park was provided from Highway 576. Since that time, notwithstanding attempts by the adjacent landowner to dissuade pedestrians, users of the road allowance have enjoyed quiet walks offering natural vistas which include wetlands, riparian zones, and sandstone laced escarpments plus sightings of diverse and abundant wildlife.

RVC's 2011 Open Spaces Master Plan laid out county's vision to enhance much needed opportunities for the public access to open spaces and the benefits thus derived. In Section 2.3; the plan incorporated the Bighill Creek roadway and several intersecting road allowances in a regional pathway system. The proposed bylaw would encumber and possibly destroy the opportunity to achieve this vision.

BCPS is strongly opposed to this proposed bylaw. Public access to public spaces must be protected.

Gerry Bietz
President
Bighill Creek Preservation Society
40020 Retreat Rd.
Rocky View County



From: [Greg Doehl](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 10:06:45 AM

Do not open links or attachments unless sender and content are known.

Dear Sir/Madam,
Attached letter to inform the Rocky View County that the undersigned is opposed to Bylaw C-316-2022

Regards,
Greg Doehl

Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

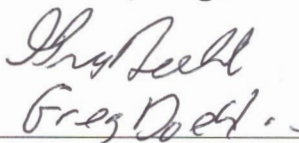
RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a licence of occupation for public lands;
- The proposed by law does not define 'dedicated access' sufficiently; how does it differ from 'private or exclusive access' as written in previous policy,
- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.



Name:

Legal Land Description: SE10 28 S West of 5
or
Rural Address: 52098 Grand Valley Road

From: [Harper Lee Overli](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022 - Written Submission in Opposition
Date: August 30, 2022 9:21:01 PM

Do not open links or attachments unless sender and content are known.

Proposed Road Licencing Bylaw C-8316-2022

I am writing in respect of the proposed Road Licencing Bylaw C-8316-2022 (the “**Proposed Bylaw**”) which is listed as an agenda item on the September 13, 2022 Public Hearing Agenda. I oppose the Proposed Bylaw based on the following:

I have reviewed the Proposed Bylaw and, while no express terminology is used which serves to impede public (non-vehicular) access to undeveloped road accesses for which Licences to Occupy are being sought, it is concerning that express wording allowing public (non-vehicular) access to such undeveloped road allowances when Licences to Occupy are issued is not found within the Proposed Bylaw.

As you are aware, the public, including area residents and non-area residents, use such undeveloped road allowances as parks, using them to hike, ride horses, exercise their dogs, experience nature and wildlife, etc., and to restrict, whether implicitly or otherwise, such access would be akin to eradicating outdoor public spaces, particularly at a time when outdoor public spaces have become so highly valued and appreciated.

Given this, it would be prudent to ensure express terminology in the Proposed Bylaw is included which serves to preserve this “public right”, wording which provides that such Licences of Occupation are non-exclusive and public (non-vehicular) access shall be maintained.

Ensuring such wording is found in the Proposed Bylaw will provide clarity respecting the value to be placed on such allowances and respecting the intention to maintain such allowances for recreational, non-vehicular use, by the public.

I live in an area where there are many undeveloped road allowances and I, like my neighbours, use these frequently and do not want access taken away from users of these allowances.

My address is 80 Hacienda Estates, MD of Rockyview.

Thank you for considering my submission in opposition to the Proposed Bylaw.

Harper-Lee Overli

This email message (including attachments, if any) is strictly confidential and is intended only for the addressee. Any unauthorized use or disclosure, whether in whole or in part, is strictly prohibited. Disclosure of this email message or its contents, in whole or in part, to anyone other than the intended addressee does not constitute waiver of privilege. If you have received this email message in error, please notify me immediately and delete this email message. Thank you for your cooperation.

From: [Hugh Magill](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022 Letter of Opposition
Date: August 30, 2022 3:54:42 PM

Do not open links or attachments unless sender and content are known.

I am a resident of Cochrane and a long-time, recreational user of the road allowance that connects between Cochrane and Big Hill Springs.

I have appreciated the quiet and natural beauty of the Big Hill Creek valley along this road allowance, in all seasons and have met other similar users, from Cochrane and Calgary. The creek valley provides a sunny and sheltered outdoor opportunity when the winds are howling and as a senior, I appreciate that I don't have to navigate steep and slippery hills, to walk there in the winter.

The potential closure of this road allowance should be addressed in consultation with the Town of Cochrane as a good neighbour and in respect of the collaboration that normally occurs on matters of transportation connections and recreational opportunities.

Cochrane has been actively working towards a recreational trail connection to Calgary and to Canmore as part of the TransCanada Trail system and the Big Hill Creek road allowance provides a wonderful link to Big Hill Springs and for many residents of Rockyview County to the TransCanada Trail system.

The private, for-profit licensing or permitting of the use of this road allowance, would bring negligible revenue to the County compared to the benefits of providing the recreational opportunity for public use. The use of the road allowance through a trail connection from Cochrane would serve to reduce vehicular traffic to Big Hill Springs and parking congestion at Big Hill Springs.

The highest and best use of the road allowance is as a recreational trail and the greater public good should be to maintain the recreational use of the road allowance.

Sincerely,

Hugh Magill
115 Sunset Circle
Cochrane, AB
T4C0C4

From: [Jamie Calon](#)
To: [Legislative and Intergovernmental Services](#); [CRYSTAL KISSEL](#)
Subject: [EXTERNAL] - Proposed Road Licencing Bylaw C-8316-2022
Date: August 30, 2022 9:40:17 PM

Do not open links or attachments unless sender and content are known.

RE Proposed Road Licencing Bylaw C-8316-2022

I understand a proposed Road Licencing Bylaw (C-8316-2022) is scheduled to be heard publicly on September 13, 2022 and I am emailing to oppose it and to express my concern over its wording.

I read the proposed Road Licencing Bylaw and am concerned that it does not provide that Licences of Occupation should be non-exclusive and that public, non-vehicular, use of the affected lands will be maintained.

One positive that has come from the COVID-19 Pandemic is the increased appreciation of our outdoors and these undeveloped road allowances serve to increase the public's ability to experience and appreciate our area. Omitting wording that continues to allow for unfettered public (non-vehicular) use of these undeveloped road allowances will surely result in confusion and, more than anything, may result in such (public) spaces being taken away from people.

People, whether they live in the area or otherwise, use these undeveloped road allowances for their recreational enjoyment and enjoy activities like walking their dogs, riding their horses, hiking, in these area, activities which the MD of Rockyview should continue to value and uphold.

Please include express wording in the proposed Road Licencing Bylaw (C-8316-2022) which ensures any Licence of Occupation is non-exclusive and open for public, non-vehicular, use of the affected lands.

My neighbours and I live in an area with many undeveloped road allowances and we enjoy using these and want to continue to do so and continue to see others do so, too.

My address is NE-23-27-05-05.

Thank you for considering my position.

Jamie Calon

From: jletwin@telus.net
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 8:46:59 PM
Attachments: [BYLAW 8316-2022 Letwin.pdf](#)

Do not open links or attachments unless sender and content are known.

Please see attached.

Janice

Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a licence of occupation for public lands;
- The proposed by law does not define 'dedicated access' sufficiently; how does it differ from 'private or exclusive access' as written in previous policy,
- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Name: Janice M Letwin

Legal Land Description: NW17-28-5W5

or

Rural Address: _____


From: [Laura Bodtke](#)
To: [Legislative and Intergovernmental Services](#)
Cc: [Stewart Bodtke](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 31, 2022 9:50:16 AM

Do not open links or attachments unless sender and content are known.

Good Afternoon,

We would like to voice our objection to this bylaw seeking amendment to the existing policy surrounding the licensing of undeveloped Road Allowances. Any decisions regarding public land, which include road allowances, should continue to consult the public, and especially members of nearby surrounding communities. Without this check and balance in place, personal interests, greed, and corruption are likely to influence certain decisions regarding road allowances. As members of the Springbank community, we are very concerned that this bylaw amendment appears to directly contradict the decision on July 26th to deny the application for the closure of the RR#31 Road Allowance and leave it as is for the recreational use of the community. Furthermore, there appears to be no problem with the existing policy and so this application brings up cause for concern as to why some individuals are trying to control public lands. As road allowances are considered public land, the public should always be notified and consulted in decisions regarding proposed changes or applications that would directly impact usage.

Thank you,


Laura & Stewart Bodtke
69 Springshire Pl
Calgary, AB T3Z 3L2


From: [Len Smook](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - BYLAW 8316
Date: August 30, 2022 9:53:29 AM
Attachments: [ByLaw C-8316-2022.pdf](#)

Do not open links or attachments unless sender and content are known.

See Attached

Have a great day!

Len Smook
GVR Consulting Ltd.
Cochrane AB


Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
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- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Len Smook

Name: 

Legal Land Description:
or

Rural Address: 54168 TWP 282A

From: [Leslie Fitzgerald](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Opposition to Bylaw C-8316-2022
Date: August 31, 2022 8:04:46 AM

Do not open links or attachments unless sender and content are known.

Dear Rocky View County,

My family strongly objects to this proposed bylaw.

It is inconceivable that RVC would consider granting “dedicated access” to adjacent landowners leasing undeveloped road allowances - with no requirement for public notification or hearings! As residents of Rocky View, we should have the right to be part of the decision-making process of dealing with the use of road allowances which are public land.

Furthermore, there is no reference in this bylaw to maintain public non-vehicular access. As a result, this bylaw could potentially have the devastating impact of closing our walkable Elbow River access on Range Road 31.

Most worrisome is that this Bylaw appears to contradict Council’s decision from the July 26 meeting. Council and RVC should make a conclusive decision supporting the majority of residents who desire that the Range Road 31 road allowance and river access be maintained and reserved for the recreational use of the community.

Leslie and Greg Fitzgerald
30192 River Ridge Drive
Calgary, AB T3Z 3L1


From: [Lorraine Somerville](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Re: C8316-2022
Date: August 31, 2022 10:06:34 AM

Do not open links or attachments unless sender and content are known.

my address is 30211 River Ridge Drive
phone number [REDACTED]

> On Aug 30, 2022, at 10:38 PM, Lorraine Somerville <lorraine427@icloud.com> wrote:

>

> As a resident of Rockyview County I am very concerned about maintaining public access to undeveloped road
> allowances in the county. The new proposed road licensing bylaw may very well restrict river access which will
> be problematic as stated in my previous emails. Please reconsidered this bylaw.

>

> Lorraine Somerville

>

From: [Mark Bartlett](#)
To: [Legislative and Intergovernmental Services](#)
Cc: [Janice & Len Letwin](#)
Subject: [EXTERNAL] - Legislative Services bylaw c83162022
Date: August 30, 2022 7:50:18 AM
Attachments: [Legislative Services..pdf](#)

Do not open links or attachments unless sender and content are known.

Please see attached stating my opposition to C83162022.

Thank you
Mark Bartlett
3/28/5/W5

Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a licence of occupation for public lands;
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- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Mark Bartlett
Name:

Legal Land Description: NE 1/3/28/5/WS
or
Rural Address: _____

From: [Melanie Keller](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - BYLAW C-8316-2022
Date: August 30, 2022 8:08:35 PM
Attachments: [BYLAW C-8316-2022.pdf](#)

Do not open links or attachments unless sender and content are known.

Please find attached our comments in regards to BYLAW C-8316-2022

Thank you!

Melanie Keller and Rolf Zingerli
87 Hacienda Estates
Rocky View County T4C 2W5

legislativeservices@rockyview.ca

Bylaw C-8316-2022

I am writing in opposition to the bylaw being considered in the public hearing.

The following are my reasons:

- There are limited recreational opportunities in much of Rocky View, especially in its more rural areas, and undeveloped road allowances are one of the few publicly accessible open spaces for residents to use.
- In our neighbourhood our recreation revolves around walking and riding our horses. It is wonderful that we have a few undeveloped road allowances where we can walk our dogs or ride our horses without being on a road.
- In the past we have had difficult neighbours who have closed off undeveloped roadways without permission which has limited our use of these roadways.
- These licences of occupation make it clear that they are for non-exclusive use and must maintain non-vehicular public access to the road allowance but in my experience that has not happened.
- Permitting leasing of undeveloped road allowance for “dedicated access” to adjacent properties will reduce public access to those road allowances
- The proposed bylaw also does not include any requirements regarding notification of potentially affected landowners before applications are considered. It also has no information on how either applicants or affected neighbours can appeal decisions.
- The proposed bylaw would give Administration, rather than Council, the authority to effectively close undeveloped road allowances without any apparent process to notify area residents and without any apparent appeal process.
- Given how frequently road allowances are used by area residents, removing any public oversight on these decisions is extremely serious. In addition, the lack of notification requirements in the bylaw also raises concerns that nearby residents may not learn of applications on a timely basis.

On behalf of

Melanie Keller and Rolf Zingerli
87 Hacienda Estates
Rocky View County

From: [Ray](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - September 13th public hearing
Date: August 31, 2022 9:14:40 AM

Do not open links or attachments unless sender and content are known.

To whom it my concern

After reading the proposal for leasing access to adjoining land holders, I find that there is no benefit to anyone as it will be for only people with adjoining land, but to only one land owner, if a road allowance is in the middle of different owners this becomes a problem. Insuring an county RA will totally get opposition . People prior to this have had to build a county standard road for this same reason, at there cost. There are many undeveloped RA being driven on today, nothing has been done to keep these roads for there intended purpose, what will happen in these situations. If people need to get to a river etc. they have the ability to walk or ride on the RA if they want, therefore I see no advantage to this proposal. The question, how many staff is required to keep this working , and at what cost, and will it pay its way, remember the RA is there for everyone and not just there for people to lease. R Nicoll

Sent from my iPad

From: [Despina Brotea](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Regarding my opposition to BYLAW C-8316-2022
Date: August 30, 2022 9:34:45 AM
Attachments: [BYLAW 8316-2022.doc](#)

Do not open links or attachments unless sender and content are known.

Please see the letter below opposing the bylaw,
Robert Sainsbury



Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are public land and should be publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a license of occupation for public lands;
- The proposed by law does not define 'dedicated access' sufficiently; how does it differ from 'private or exclusive access' as written in previous policy,
- The proposed bylaw does not detail the length of time a License of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Robert Sainsbury

Legal Land Description: Rocky View County SW ¼-27-32W5

From: [Roberta Remmington](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 30, 2022 7:36:26 PM

Do not open links or attachments unless sender and content are known.

Legislative Services, 2022-08-30
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
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- The proposed bylaw allows Administration to be solely responsible for the disbursement of a licence of occupation for public lands;
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- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Name: Roberta Remmington

Rural Address: 282152 Range Road 54A

From: [Suzi Martin](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw 8316-2022 Letter of Opposition
Date: August 30, 2022 10:46:16 PM
Attachments: [BYLAW 8316-2022_SM.doc](#)

Do not open links or attachments unless sender and content are known.

Hello, Please find the attached letter of opposition for Bylaw 8316-2022 as written. I've detailed concerns that I would want to see addressed before the passing of the bylaw.

If you have any questions, I may be reached by email or by phone at [REDACTED]

Thank you,

Suzanne Martin

Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that I am concerned about Bylaw C-8316-2022 and am therefore opposed without more information being provided.

I am concerned about the apparent lack of requirement for public notification regarding licenses of occupation that may be granted for public lands such as undeveloped road allowances. I believe the proposed bylaw doesn't define "dedicated access" sufficiently, leaving the potential for undesirable conditions to occur regarding licenses of occupation. Further, it is my understanding that the proposed bylaw doesn't detail the length of time a license of occupation is valid, which is concerning to me. Lastly, the proposed bylaw makes no mention of an appeal process, further removing power of the general public. More detail needs to be provided in order to protect the general public. If there are specific cases for which this bylaw has been generated, the county could share those to provide context.

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Thank you for your consideration.

Sincerely,

Suzanne Martin
52068 Grand Valley Road
Rocky View County

From: [Alicia Berger](#)
To: [Legislative and Intergovernmental Services](#)
Cc: [Division 3, Crystal Kisseel](#)
Subject: [EXTERNAL] - Opposition to Bylaw C-8316-2022
Date: August 31, 2022 2:56:16 PM

Do not open links or attachments unless sender and content are known.

Dear Legislative Services,

I am writing in opposition to Bylaw C-8316-2022 being considered in the public hearing. I oppose this bylaw based on the following considerations:

- There are limited recreational opportunities in much of Rocky View, especially in its more rural areas, and undeveloped road allowances are one of the few publicly accessible open spaces for residents to use.
- In our neighbourhood our recreation revolves around walking and riding our horses. It is wonderful that we have a few undeveloped road allowances where we can walk our dogs or ride our horses without being on a road.
- In the past we have had difficult neighbours who have closed off undeveloped roadways without permission which has limited our use of these road ways.
- These licences of occupation make it clear that they are for non-exclusive use and must maintain non-vehicular public access to the road allowance but in my experience this has not happened.
- Permitting leasing of undeveloped road allowance for “dedicated access” to adjacent properties will reduce public access to those road allowances
- The proposed bylaw also does not include any requirements regarding notification of potentially affected landowners before applications are considered. It also has no information on how either applicants or affected neighbours can appeal decisions.
- The proposed bylaw would give Administration, rather than Council, the authority to effectively close undeveloped road allowances without any apparent process to notify area residents and without any apparent appeal process.
- Given how frequently road allowances are used by area residents, removing any public oversight on these decisions is extremely serious. In addition, the lack of notification requirements in the bylaw also raises concerns that nearby residents may not learn of applications on a timely basis.

Given these reasons, I strongly discourage the approval of Bylaw C-8316-2022.

Thank you for your time and consideration,

Alicia Berger
273179 Horse Creek Road

From: [David Quinn](#)
To: [Legislative and Intergovernmental Services](#)
Cc: [Jennifer Lee](#)
Subject: [EXTERNAL] - Proposed Bylaw Change, BYLAW C-8316-2022
Date: August 31, 2022 1:22:35 PM

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Rocky View Council

The proposed change in the captioned bylaw to be reviewed at the Council Meeting September 13, 2022 is just a further attempt to deny access to the publicly owned Elbow River for all Albertans and Canadians.

The modification to the transfer of public owned road allowance to private parties can have some merit if **all the surrounding lands** are completely privately owned, however with the public lands (Elbow River) being at the end of the right away, this proposed change would not and should not apply since not all the adjacent lands are private.

This proposal appears to be an additional step by a developer to rezone the lands adjacent to the river for subdivision construction in the future. The natural unique setting of the Elbow River Valley for recreation, animal habitat and Calgary's water supply does not need more urban development.

COUNCIL honor and respect your decision on July 26, 2022;

"Council's decisions at its July 26th meeting. At that meeting, there were two public hearings dealing with competing road closure applications for the undeveloped road allowance at the south end of Range Road 31 in Springbank. **Both applications were refused because of public concern about the loss of public access to the Elbow River.**"

OPPOSE This Bylaw change.

David Quinn
30284 River Ridge Drive
Calgary, Alberta
T3Z 3k9
Lot/Blk,Plan # 45-9212151

From: [Glenn Carbol](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Revised Objection to Road Licensing Bylaw C-8316-2022 on Tuesday, September 13
Date: August 29, 2022 5:20:33 PM

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Regarding: Objection to Road Licensing Bylaw C-8316-2022 on Tuesday, September 13

From: Glenn Carbol, 30263 River Ridge Drive, Calgary, AB T3Z 3L1

Problem 1 with proposed bylaw (<https://pub-rockyview.escribemeetings.com/filestream.ashx?DocumentId=7970>).

As already identified as a drafting problem, Section 6.(3)(b) of the proposed bylaw uses the word "dedicated" instead of "non-exclusive use only" as used in Policy Statement 5 of Policy 433 (<https://www.rockyview.ca/Portals/0/Files/Government/Policies/Policy-C-433.pdf>). As such, the word "dedicated" should not be used in the proposed bylaw.

Problem 2 with proposed bylaw. The word "temporary" is not defined, but should be. Would the County grant a 99-year temporary license? What is a reasonable temporary period to hold a license: 30-90 days? This could be fixed by putting an upper limit in by using wording such as, "but not longer than 90 days", etc.

Problem 3 with proposed bylaw. Under Section 6(1) the proposed bylaw has deleted the ability of those with a "beneficial interest" to apply for a license. Under the existing Policy 433, it states: "persons who are immediately adjacent to the lands or hold a beneficial interest in the Road Allowance may apply for a license." A primary purpose of road rights-of-way is to provide access to the public and therefore, the public has a beneficial interest in them. The proposed bylaw does not consider nor recognize this additional public interest. The words "beneficial interest" must be retained in any revised bylaw to recognize broader public interests in public lands such as using the road allowance for trails and pathways. Public interest should not be restricted geographically only to persons immediately adjacent to the land.

Problem 4 with proposed bylaw. The proposed bylaw appears to eliminate the opportunity for public comment in comparison to Policy 433 that has those opportunities.

Problem 5 with proposed bylaw. The proposed bylaw appears to do away with the use restriction of Statement #2 of Policy 433 that states, "The County shall permit licensing of undeveloped road allowances for grazing or cultivation purposes only as per section 13 (o) of the Traffic Safety Act." I am unclear whether this is a permitted deletion under the Traffic Act, but in any event, I would like to see it retained and if expanded, to include non-motorized trails and pathways as additional uses.

For the reasons stated above, I am not in favour of the proposed bylaw as currently drafted.

From: [Zheng 郑日翔Alan](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Road Licencing Bylaw C-8316-2022
Date: August 31, 2022 2:18:36 PM

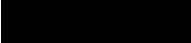
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Good day

I would like to voice my objection to this particular bylaw seeking an amendment to the existing policy surrounding the licensing of undeveloped Road Allowances. I see no issues with the existing policy and procedures and believe that the MD of Rocky View residents have the right to be part of the process in dealing with Road Allowances in our community. These Road Allowances are **public land** and it concerns me greatly that the MD of Rocky View would grant itself the right to make decisions on Road Allowance use without any public notification or consultation.

I am most concerned as this amendment appears to directly contradict the decision on July 26th to deny the application for the closure of the RR #31 Road Allowance and leave it as is for the recreational use of the community.

We elected the Councilors to represent us, and we hope they will vote to retain our right to be informed and involved in any decisions such as this that can potentially affect the quality of life in our community detrimentally.

Pangyeow Tay
60 Springshire Place
Calgary, AB T3Z 3L2


From: [Patti Lott](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022, road allowances
Date: August 31, 2022 1:34:02 PM

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We are submitting comments here for submission to Rocky View County's hearing in September regarding the road licensing bylaw. We offer some brief personal experience in the hope that it will help to round-out the bylaw formulation.

While we appreciate that, at least in some cases, the public ought to have non-vehicular access via road allowances to public areas, we also - as landowners - feel strongly about the importance of landowner control over road allowances in order to protect private property.

Our experience is that poachers come onto our property (which is clearly posted with no hunting/no trespassing signs) via the road allowance leased for grazing purposes by our adjacent neighbor, make their way several hundred meters or more onto our property, set up hunting blinds, shoot animals (near our home), potentially scope out our buildings, etc. We have also had poachers shoot onto our property from the regular road (from their vehicles), and then try to claim access with the argument that they "saw an injured animal". This is a slightly separate issue, but free access to road allowances only encourages further behavior like this, where hunters can say they shot something on the road allowance (when they actually shot it on our property), and then claim further access to retrieve the animal.

That said, the proposed bylaw ought to include public notification of applications for "dedicated access", and an appeal process. Cases ought to be considered on an individual basis, but with more decision-making input than simply RVC Administration.

Road allowances ought to be available for lease by the adjacent landowner (only), rather than for sale. This would prevent individuals buying up and blocking off large tracts of land. Leased allowances ought to be time-limited and include the option of exclusive access (i.e. no public access). This allows privacy for landowners and minimizes trespassing and poaching, but leaves the road allowance open for a future new-lessee, or road.

To summarize, our major concern is property owner privacy and safety, when public access on road allowances is granted (including poaching and scoping out property for criminal activity, as already noted, but also dogs running off leash and interfering with livestock, littering, the incentive for trespassing, etc.). Road allowances are often invisible from the regular roads, and monitoring and enforcement of problematic behavior is difficult.

Thank you for your consideration.

Sincerely,
Patti and Nash Lott

From: [Rocky View Forward](#)
To: [Legislative and Intergovernmental Services](#)
Subject: [EXTERNAL] - Bylaw C-8316-2022 - Submission for Sept. 13th public hearing
Date: August 31, 2022 4:19:30 PM
Attachments: [rvf-bylaw8316-2022-submission-final.docx](#)

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Greetings:

Please find attached our submission for the September 13th public hearing on Bylaw C-8316-2022.

all the best,
Janet Ballantyne for
Rocky View Forward

BYLAW 8316-2022 – ROAD LICENCING BYLAW
SUBMISSION FROM ROCKY VIEW FORWARD
AUGUST 31, 2022

As a grassroots resident advocacy group representing over 500 families in the County, Rocky View Forward opposes Bylaw 8316-2022 to provide for the licencing of undeveloped road allowances.

The reasons for our opposition to this Bylaw include:

- Potential negative impacts on recreational access for Rocky View residents
- Lack of clarity with respect to uses eligible for licences of occupation
- Absence of provisions to ensure licences of occupation will be for non-exclusive use only
- Effectively moving decisions on many road allowance licence applications from a public to a private forum
- Apparent conflict with council direction provided subsequent to first reading of this bylaw
- Failure to deal comprehensively with all issues associated with undeveloped road allowances

Before providing details on these concerns, Rocky View Forward wants to express concern with the procedural handling of this public hearing.

Council made an explicit decision to require a non-statutory public hearing for Bylaw 8316-2022. From our observation of council's discussions, council chose to hold a non-statutory public hearing because of the potential controversial nature of the proposed bylaw.

Given that, we expected Administration to ensure that notice of this public hearing was broadly distributed. Instead, they only posted notices on the County website. Although the County is again advertising in the local newspaper, this public hearing was not advertised. From our perspective, this is inconsistent with Council's direction to improve transparency and accountability for all county operations.

Potential negative impacts on recreational access

Many undeveloped road allowances are used for recreational purposes – casual hiking, dog walking, horseback riding, accessing crown land for hiking and/or horseback riding, accessing rivers for fishing, canoeing, and other aquatic-based recreational activities.

Rocky View has limited public open spaces that can be used for recreation. The undeveloped road allowances are a significant fraction of the County's publicly accessible open space, especially in the more rural parts of the County.

Expanding the uses for which licences of occupation for those road allowances can be issued will inevitably reduce public recreational access. This is inconsistent with the

County's stated objectives to improve recreational opportunities for its residents. It also ignores resident feedback that emphasizes the importance of unstructured open space for the pursuit of recreational opportunities.

Lack of clarity for uses eligible for licences of occupation

Bylaw C-8316-2022 provides three uses for which licences of occupation may be granted to immediately adjacent landowners – grazing, cultivation, and the provision of dedicated access to the lands owned or occupied by the applicant.

Bylaw C-8316-2022 is to replace the current Road Licencing Policy C-433. That policy makes it clear that its licences of occupation are for undeveloped road allowances defined as land dedicated as road rights-of-way that have not been fully developed and that may or may not be shown as roads on surveys or land titles.

In contrast, Bylaw C-8316-2022 consistently refers to licences of occupation for "County roads". It only once qualifies this as "undeveloped roads", and then in specific reference to grazing and cultivation licences. This choice of wording suggests the bylaw may be used to provide licences of occupation for developed county roads as well as for undeveloped road allowances.

If this is the intent, the Bylaw is proposing to extend licences of occupation far beyond what was discussed by Council. Our opposition to the proposed bylaw is even stronger if this is actually the bylaw's intention.

Even assuming the Bylaw's references to "county roads" is just extremely confused drafting and the Bylaw is meant to apply only to undeveloped road allowances, there is still a serious lack of clarity for licences of occupation to provide access to adjacent property.

The Notice of Motion that initiated this Bylaw stated that it was to permit undeveloped road allowances to be used to provide "private" access to adjacent properties. In its February 8, 2022 report, Administration pointed out that if a landowner wants private or exclusive access to the road allowance, compliance with the Municipal Government Act requires that the landowner apply to close the road allowance. Because of that, staff recommended that the proposed change to licences of occupation be referred to as "dedicated access" rather than "private access".

Unfortunately, Administration has not indicated what they see as differentiating "private" and "dedicated" access and the Bylaw does not define the term. In the absence of definitions in bylaws, legal interpretation must rely on dictionary definitions. The standard dictionary definition of "dedicated access" is access designed to be used for one particular purpose or access used solely for one purpose.

Based on those definitions, "dedicated access" appears to be indistinguishable from "private access". Given this, the proposed Bylaw appears to conflict with the Municipal Government Act.

Absence of provisions for non-exclusive use

The concerns about the lack of clarity regarding what the bylaw means by “dedicated access” are significantly heightened by the absence of any provisions to ensure that the licences of occupation are granted for non-exclusive use only.

Policy C-433, which currently governs grazing and cultivation licences of occupation on undeveloped road allowances, includes explicit provisions that stipulate the licences of occupation are for non-exclusive use only, but may limit public access to “human foot traffic and farm operation vehicles”.

Under Bylaw C-8316-2022, there appears to be no requirement to include a non-exclusivity provision in new or renewed licences of occupation. This concern is heightened for licences of occupation to provide “dedicated access” since the Bylaw’s terminology implies private / exclusive access.

While Administration may intend to include non-exclusive use provisions in the terms of actual licences of occupation, without the requirement in the Bylaw, there is no certainty that public access will be maintained or that such provisions will be included in future licences of occupation.

Effectively moving decisions from a public to a private forum

As mentioned above, the closure of a road allowance requires a public hearing. This ensures that nearby landowners and the public are notified of the application. The public hearing determines whether the road allowance is surplus to the County’s future needs for roads or other uses and assesses any opposition to the proposed closure.

In contrast, applications for licences of occupation to provide “dedicated access” to adjacent properties, along with other licences of occupation, will be decided in private by Administration. Given that licences of occupation can be renewed repeatedly and have no requirement mandating non-exclusive use, they will provide the equivalent of a permanent closure of a road allowance without any public oversight.

Section 22 of the *Municipal Government Act* prohibits municipalities from closing any road, including road allowances, except through the passage of a bylaw that must be advertised and for which anyone claiming to be affected by the bylaw be given the opportunity to be heard by the municipal council. The provisions in Bylaw C-8316-2022, as discussed above, pushes the boundary between what is the closure of a road allowance and the temporary licencing of that road allowance.

Another issue associated with shifting the decision-making from council to Administration is the lack of any provisions in the Bylaw for notification for potentially affected landowners of applications for licences of occupation. While Administration currently circulates notices for applications for grazing and cultivation licences of occupation to immediately adjacent landowners, there is nothing in this bylaw that requires such notifications. Combined with the bylaw’s lack of provisions for appealing

Administration's decisions on these applications, the practices being established by Bylaw C-8316-2022 completely contradict the County's commitment to improving its accountability and transparency.

Conflict with other council direction on road allowances

Bylaw C-8316-2022 was given first reading on July 12, 2022. At its next meeting on July 26th, Council directed Administration to return no later than the end of November with options for providing safe access to rivers and other waterbodies along road allowances.

Bylaw C-8316-2022 proposes to expand the licencing of undeveloped road allowances to include the provision of "dedicated access" to properties that are adjacent to the road allowance. A licence of occupation for an undeveloped road allowance that can be used to access the Bow or Elbow Rivers would effectively restrict public use of that road allowance for river access.

Given the Bylaw's language, landowners who obtain these licences of occupation will logically assume they have private access to the road allowance. Even if the Bylaw is amended to mandate non-exclusive use, experience with existing grazing and cultivation licences of occupation indicates that many landowners install fencing and/or gates that makes non-vehicular public access virtually impossible. The County rarely enforces the requirement to maintain public access, which accentuates the concerns.

These realities mean that licences of occupation for dedicated access on road allowances that were used for river access may become effectively closed to public access. Facilitating that possibility in advance of council's consideration of options for providing safe access to rivers and other waterbodies along road allowances would dramatically constrain council's options.

From our perspective, it would be more appropriate to deal with licences of occupation for access to property adjacent to road allowances at the same time as considering options for using road allowances to provide access to the rivers. By combining the issues, council would have the opportunity to ensure that these licences of occupation did not conflict with their objective to improve river access for Rocky View residents. As drafted, this Bylaw has no provisions that would restrict licences of occupation on road allowances that could provide river access.

Failure to address other issues associated with undeveloped road allowances

Bylaw C-8316-2022 focuses on licences of occupation on undeveloped road allowances for three specific purposes, adding "dedicated access" to adjacent properties to the already existing grazing and cultivation purposes.

In the past, Rocky View permitted the creation of an unknown number of parcels that did not have direct road access, many of these have houses built on them. At the time, landowners of these properties could obtain a lease that ensured access along the relevant undeveloped road allowance. The County is no longer renewing these leases.

Bylaw C-8316-2022 may be intended to replace these earlier leases; however, the requirement that the licensee owns property adjacent to the road allowance means that at least some of these properties will not qualify for the new licences of occupation. It would seem preferable to find a solution that dealt with all such properties in a manner that does not restricting public access to those road allowances.

Many landowners also have problems with people using the undeveloped road allowances for hunting. These are legitimate concerns; however, dealing with that problem by providing those landowners with the ability to obtain a licence of occupation for “dedicated access” to their property is excessive. Limiting all public access on a road allowance to eliminate problem hunting is not appropriate.

As these two examples illustrate, the proposed bylaw fails to address some legitimate issues while providing disproportionate solutions to others.

Conclusion

In response to all the concerns raised in this submission, Rocky View Forward believes that the Bylaw should be set aside, and Administration be directed to undertake a comprehensive review that balances adjacent landowners’ concerns and objectives with the public’s right to maintain access to public land in the County, which includes all County roads and undeveloped road allowances.

From: [REDACTED]
To: [Legislative and Intergovernmental Services](#)
Cc: [REDACTED]
Subject: [EXTERNAL] - Bylaw C-8316-2022
Date: August 31, 2022 2:54:12 PM
Attachments: [BYLAW 8316-2022 Flowers.pdf](#)

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Please see attached, on behalf of Roy Flowers.

Legislative Services,
Rocky View County,
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

2022-08-30

via e-mail to legislativeservices@rockyview.ca

RE: BYLAW C-8316-2022

This letter is to inform the Rocky View County that the undersigned is opposed to Bylaw C-8316-2022.

Main concerns;

- Undeveloped road allowances are publicly accessible,
- The proposed bylaw does not require public notification, removing the ability of the public to express concerns before Council,
- The proposed bylaw allows Administration to be solely responsible for the disbursement of a licence of occupation for public lands;
- The proposed by law does not define 'dedicated access' sufficiently; how does it differ from 'private or exclusive access' as written in previous policy,
- The proposed bylaw does not detail the length of time a Licence of Occupation is valid,
- The proposed bylaw makes no mention of an appeal process,

At this time, I urge Rocky View Council to reject BYLAW C-8316-2022, as written.

Name: Roy Flowers

Legal Land Description: _____

or

Rural Address: 52130 Twp 282A, Rocky View County, AB