JULY 24TH COUNCIL UPDATE

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BRAGG CREEK ROAD CLOSURE APPROVED

An application to have a 0.2-acre portion of undeveloped road closed and consolidated into an existing lot in Division 1's Circle 5 Estates was approved unanimously.

The land was originally designated to create a cul-de-sac bulb, however, when the road was upgraded another bulb was located a few hundred feet away, making this one redundant. The applicant claimed it had no use, rather it was hindering development on the existing parcel due to setbacks. Administration recommended approval.

DIVISION 4 AMENDMENT TO DC BYLAW 112 APPROVED

An amendment to District Control Bylaw 112 (DC112) was approved in Division 4. The application sought to include two additional uses in the bylaw: outdoor storage; and outdoor storage truck trailer. Administration recommended approval.

The application's proposed amended uses were comparable and consistent with the existing uses in DC112. The district is divided into three development cells, all of which allow for some type of storage (RV, general industry, etc). The application was approved unanimously.

DIVISION 7 PROPOSED MARIJUANA PRODUCTION FACILITY GIVEN SECOND READING

An application to allow a special amendment to Direct Control Bylaw 99 (located in the Wagon Wheel area of Balzac) was given second reading. The amendment sought to allow for a licensed medical marijuana production facility on lands currently zoned for commercial/light industrial use. Administration had recommended refusal as there are two schools within 30m of the proposed facility - a dance school/recording studio and a motorcycle instruction school.

There was debate as to whether the schools fell under the true definition of a school and whether a marijuana facility constitutes a commercial/light industrial landuse. There were three letters of opposition: two originated from the schools; and, one from a neighbouring Church.

Representatives from the Church and the dance school spoke before Council. The Church's objection was based primarily on security concerns, as well as morality and ethical issues. The dance school was concerned with the potential odour the plant would produce and the

deterrent it may have on potential clients. They stated that they would support first reading but asked that the hearing stop there so that the issue of odour could be addressed with all affected parties.

The applicant stated that the Cannabis Act does not permit for odours and Health Canada can shut them down if they are present. However, the opposition provided copies of articles that stated to the contrary.

On a decision of 5-3, Council gave the application second reading. Councillors Crystal Kissel, Kevin Hanson and I formed the opposition. Deputy Reeve Gautreau was absent.

The landuse bylaw clearly states that marijuana facilities cannot be located within 400m of a school. Allowing a relaxation like this effectively eliminates that setback – in which case, why have setbacks?

The argument that the schools are not real schools, rather training facilities, is, in my opinion, unfounded. The development permits of both facilities class them as schools and the existing DC bylaw permits both schools and churches as acceptable land-uses. The Merriam-Webster dictionary defines a school as "an organization that provides instruction". Before we, as Councillors, interpret what "school" means, when we are discussing a matter as contentious as marijuana production, our landuse bylaw should clearly define it.

Furthermore, Marijuana facilities pose some complexities not only in the fact that they are relatively new and their long-term impacts are somewhat unknown, but policing and enforcement of these facilities comes from the federal level (RCMP), not local enforcement. Meaning once approved the County has little to no input in ensuring a facility's compliance or negating any externalities it may impose on its neighbours. This alone should provide us with pause on making any rash decisions without examining the bylaw more closely before allowing landuse amendments.

The hearing for third reading is set for September.

RECORDS AND INFORMATION MANAGEMENT BYLAW APPROVED

The records and information management bylaw was accepted unanimously. The main goal of the bylaw is to streamline and standardize records management across the system, including making improvements to the FOIP process. It replaces the outdated Electronic Records Management bylaw.

New retention periods will be assigned to varying items. These time periods will reflect best practice. Items such as building permits and personal records will remain on file permanently as they provide historical context and background.

COUNTY SEEKS ENHANCEMENTS TO WATER ACT APPROVAL PROCESS

Alberta Environment and Parks is undertaking a process review of its approval systems with the intention of streamlining its approval process on matters regarding the Water Act. Currently, the Alberta Water Act approvals process poses timeline barriers for the completion of critical infrastructure projects for Rocky View County and other rural municipalities.

Administration asked that Council bring forward a resolution asking the Province to expedite the process. The resolution will be introduced at the Rural Municipalities of Alberta (RMA) Conference in November where we would seek support from other municipalities. The County will also submit a request to the RMA to hold a workshop on the Water Act approval process during the conference. Council supported the resolution unanimously.

BANDED PEAK SCHOOL WASTEWATER CONNECTION FEES TABLED

Rocky View Schools (RVS) made an appeal to Council to waive or reduce the connection fees for the Banded Peak school to the Bragg Creek Waste Water system, an estimated cost of $512,000. RVS stated that they currently spend $40,000 p.a. to pump and haul the waste for the school. Administration recommended that the connection fees be collected.

Administration stated that there was sufficient capacity to service the school, however, they also made it abundantly clear that waiving the connection fees unreasonably shifts infrastructure costs from system users to the County. It also sets a precedent by which other connection fees may sought to be waived.

RVS argued that a letter dating from 2004 stipulated that the costs would be shared. The letter referred to a “nominal cost” solution, however, there was debate around what that meant for each party. RVS also argued the school is a facility utilized by residents of the County. This is true, but County residents already pay taxes which fund schools.

Councillor Mark Kamachi made a motion to table the application to allow the County to work with the School Board to determine actual costs and determine if there was an alternate solution. His tabling motion passed 7-1. I was the opposition.

Administration already stated that the cost estimates were a worst-case scenario and that they would sit down with the School Board to determine actual costs. I believe Administration had done its due diligence and saw little benefit in delaying the matter.

The application will come back before Council later this year.