

JULY 9TH COUNCIL UPDATE

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VOTERS' LIST REJECTED

As you may well recall, in February 2018, Council supported my motion to introduce a municipal voters' list for Rocky View for all future county elections. That motion directed Administration to begin preparations to create a voters' list no later than this fall. They brought a report to Council outlining the alternatives for creation of the voters' list. Instead of choosing between these alternatives, the majority on Council decided to reject a voters' list 6-3 with only Councillors Hanson, Kissel and me voting in favour of proceeding.

Despite Kissel's description of the clear case of voter fraud in Division 9 in the 2017 election, which was not pursued by the RCMP because she had won by such a large number of votes, Henn insisted that there was no need to change the system since it wasn't broken. He also felt that since only 30% of eligible voters actually voted in 2017, there couldn't be voter fraud problems.

I reminded Council of the importance of voters' lists as a mechanism to improve public trust in our electoral system and that Alberta was one of only two provinces where municipal voters' lists were not mandatory. Hanson emphasized that a voters' list was a fundamental step in protecting democratic rights and that the price to create a voters' list was a small investment to make the system as fair as possible.

The majority, however, were far more swayed by Schule's insistence that the controversies regarding voting in the last provincial election was a good reason to reject a voters' list for Rocky View. This was despite the fact that those controversies involved inadequacies in voter identification requirements.

As Councillor McKylor was quoted in this week's Rocky View Weekly, "I'm not saying voter fraud doesn't happen, I just don't believe it's happening to the tune of...\$366,000." To put a price on helping

eliminate voter fraud is especially disturbing when you consider that Councillor Henn won by a mere four votes in the last election.

REVIEW AND DISPOSAL OF COUNTY'S FEE SIMPLE LANDS

On June 25th, Councillor McKylor brought forward a motion to review how the county disposes of fee simple lands and to place net proceeds from the sale of these lands in a separate fund for special recreational and cultural capital projects within Rocky View County.

County policy already states that any County-owned land must be sold at market value. The majority of fee-simple lands owned by the County were acquired for specific municipal purposes or because of tax forfeiture. With respect to tax forfeited lands, per the MGA, all proceeds from sales must be held in a separate account for a period no less than 10 years from the date of acquisition and only funds equal to the taxes owed to the County may be transferred to revenues once directed by the Court of Queen's Bench. After 15 years, the remainder of the funds are then released to the County. Proceeds from the sale of other fee-simple lands are not subject to a hold, and all funds are available to County immediately.

Administration stated that the sale of most of the small fee-simple land parcels, which account for about half of the all fee-simple parcels, would be revenue neutral meaning their sales would not generate any additional monies. As well, many of the other parcels were being actively used and/or would require significant assessment by Council before being considered for sale. Not to mention, Administration also pointed out that they were already working on a plan to bring forward a list of potentially surplus fee-simple lands for Council review – something they do on a regular basis.

Despite this, McKylor made a motion to direct Administration to prepare and provide Council, by November 26th, with a complete list of all County fee-simple lands with their associated use. Her motion passed on a 6-3 vote with Hanson, Kissel and me in opposition. I voted against the decision as I believed we were interfering in the work Administration was already doing and were micromanaging not governing.

LIVE/WORK LAND USE NOTICE OF MOTION ACCEPTED

On June 25th, Councillor Gautreau and Deputy Reeve Schule brought forward a notice of motion to direct Administration to prepare a Live/Work land use district for inclusion in the Land Use Bylaw to allow for "more intensive but controlled businesses activity on appropriate residential parcels in the Central East Rocky View Region".

As was stated in Administration's report Council typically develops land use policy within the Municipal Development Plan (the County Plan) or an Area Structure Plan to guide redesignation application decisions. The Land Use Bylaw is then used to regulate the activities on parcels within each land use district. Given this, Administration suggested that Council should consider whether Administration should undertake additional analysis to establish a policy framework to support a Live/Work land use district.

I am not opposed to creating a live/work land use district, but it should be well thought out. Home based businesses in the current land use bylaw are restricted to ensure that they preserve the privacy of adjacent neighbours and do not unduly offend or interfere with one's neighbours. Live/work arrangements in residential areas are basically an extension and relaxation of existing home-based business uses.

The proposed live/work land use district would allow uses such as light industrial, truck/RV storage, automotive services, and general contracting. The proposal would cover residential properties between 2.5 acres and 24.75 acres. Operating a workshop or parking one's trucks after work is one thing. However, I'm not sure how RV storage falls under a live/work land use.

I asked how much public engagement there would be on the matter, whether it would just be a public hearing or whether there would be more extensive consultation. Administration stated that would depend on how Council chose to proceed. Schule argued whether a public hearing was needed since he had already been waiting too long for this land use to be introduced. Thankfully, Administration clarified that a public hearing was a legal requirement. The CAO also pointed out that the motion was a cursory plan and it would be amended through the land use bylaw review.

Gautreau then chose not to go with any council recommended option and instead made his own motion that "Administration add the live-work land use to the Land Use Bylaw". The motion passed 5-4 with Boehlke, Hanson, Kissel and me in opposition. As Boehlke commented, this just puts more work on an already over-burdened Administration.

ELECTORAL BOUNDARY REVIEW

The last electoral boundary review by the county was conducted in 2000. Since that time, there was one minor change to the Division 7/8 boundary in 2010. There is no doubt the current boundaries do not allow for proper representation. The generally accepted guidelines allow for up to a +/-25% deviation from average. Four of the nine divisions have populations that deviate more than 25% from the county average – the worst deviating by 55% and 44%.

Administration was clear that they did not have the staff nor the expertise to complete the work in-house and suggested it be contracted out. They did, however, create a list of criteria for the consultant to work from.

Hanson and I questioned the weighting of the criteria and offered to reprioritize their order. Administration had recommended that the populations in each division be as equal as possible. I disagree, I believe the need to keep communities together is far more important than making sure every division is as close to the average as possible – that's the purpose of the +/- 25% guideline. Many on Council didn't agree and felt the way it was written was fine and there was no need to put additional work onto Administration's already heavy load.

Administration's report proposed three scenarios: the current 9-councillor model; a 7-councillor model; and an 8-councillor plus a mayor-at-large model.

The option to send it to a consultant was passed 8-1, with Henn in opposition. He felt the boundaries were fine as they are. The consultant's work is to include public consultation to get feedback from residents both on preferences for redrawing the electoral boundaries and on preferences for Rocky View's governance structure. I will be sure to let everyone know about the consultant's plans as soon as more information is available.

APPLICATION TO REDESIGNATE R2 TO R1 IN DIV 9 HELD AT 3RD READING

An application to redesignate two 4-acre parcels and create four 2-acre parcels was passed in a 5-4 split. The application was deemed non-compliant by Administration as the applicant did not complete a conceptual scheme – a requirement of the Cochrane North Area Structure Plan.

This was the first 2-acre application in the Cochrane North Area Structure Plan. Letters of support suggested that neighbours supported the idea so they could redesignate in the future. In explaining why he had not prepared a concept scheme, the applicant stated that trying to do so with that many neighbours was like "herding cats". However, Administration emphasized that the required concept scheme would be extremely helpful in outlining how development could unfold in the future and address issues like emergency access and stormwater treatment.

As a result, Councillor Kissel moved to have the application held at first reading pending the outcome of a limited-scope concept scheme. Her motion passed 7-2 with all but Deputy Reeve Schule and Councillor Gautreau in favour.

After the motion passed, CAO, Al Hoggan, approached Councillor Kissel and asked her to consider rescinding the motion and reword it to list the items to be included in the limited scope concept scheme since there is no actual definition of a limited scope concept scheme.

Councillor Kissel agreed and the motion was rescinded. The reworded motion included the following limited scope for the required concept scheme: lot configuration and developability; transportation networks, connections and off-site improvements; stormwater treatment; and, servicing. Councillor Hanson asked to include Municipal Reserves and intercommunity connectivity. Hanson's amendment was accepted 7-2. However, when it came time to vote to accept the concept scheme as amended the motion failed 5-4 with Gautreau, Schule, Henn, Kamachi and McKylor in opposition. They provided no rationale for their change of heart. This was particularly inexplicable since these councillors had supported similar decisions in both Henn and McKylor's divisions at the last Council meeting. The majority then went on to give the application 1st and 2nd reading without requiring the mandatory concept scheme. Kissel, Hanson and I held the application at third reading in hopes of some sober second thought.

DIVISION 9 APPLICATION TO CREATE SEVEN 10-ACRE LOTS APPROVED

The application to approve seven 10-acre lots at the northeast corner of Township Rd 262 and Glendale Rd was approved unanimously. Administration stated the application was compliant with policy.

The applicant had provided a concept scheme for the 74.7-acre lot. The plan was comprehensive for a development of that scale and addressed issues of low-impact environmental designs and considered connectivity to future development on other parcels. Although the concept scheme assumes individual wells for each of the seven parcels, the applicant has reserved water supply with Rocky View Water Co-op with the intention of providing piped water once the Water Co-op extends its service to cover this development.

SUBDIVISION ON WILLOW CREEK HEIGHTS/WOODLAND LANE APPROVED

An application for subdivision to create 7 lots on 16.6-acres of land in Willow Creek was approved. The subdivision will accommodate the existing lot which accesses Woodland Lane and 6 new lots, 5 of which will enter from Willow Creek. Administration had stated the application was non-compliant as it did not provide an emergency access.

County standards state that when a road has more than 10 homes on it, a secondary emergency exit route should be identified. Based on the location of the property, secondary access would be virtually impossible since additional access onto Woodland Lane would have to be through identified wetlands.

There were no letters of opposition from the affected properties with regards to this matter. It was also stated that the properties will join the Willow Creek Homeowners' Association. The application was approved unanimously.

APPLICATION FOR PHASE 1B OF THE EMCOR INDUSTRIAL PARK IN DIVISION 5 APPROVED

An application to create 56 lots ranging in size from 1.26 to 1.38 acres in Division 5 was approved unanimously. Administration found the application to be compliant with policy.

The applicant had originally wanted to do Phase 1 in its entirety when it was approved in 2015. However, due to some potential road upgrades and related traffic studies, Administration asked them to hold off on the second part of phase I. Because of this, the applicant asked that the cash-in-lieu of Municipal Reserves be based on the appraisal from 2015 as opposed to the current appraisal. While the difference in the land's appraised value was substantial, it didn't seem fair to charge them for delaying at the request of Administration. The application was approved with the MR's payable at the 2015 appraisal rate.

APPLICATION TO APPROVE 2 PARCEL SUBDIVISION IN BEARSPAW APPROVED

An application to approve a 3-acre subdivision with a 3.14-acre remainder was approved unanimously. Administration found the application compliant with policy.

Because the application was only asking for one additional lot, the applicants asked that the transportation off-site levies (TOL) be waived on both or at least one of the lots. It is true that the application will only generate additional traffic from the new home. As such, Council voted unanimously to waive the TOL on the original parcel.

THORLAKSON'S COMPOST PAD GRANTED AN EXTRA 90 DAYS FOR CLEANUP

On June 25th, Thorlakson's compost pad was denied a development permit by Council and were ordered to have their compost pad cleaned up by September 9th. The applicant claimed that the timeline was impossible and requested to have a full year to have the cleanup completed.

Councillor Henn, the area councillor, stated that a year was too long but he would support an extension to 6-months based on the advice from industry specialists presented by Administration. His suggestion was supported unanimously, The operator now has until December to have the cleanup completed.

BUILDING SERVICES QUARTERLY REPORT

Building Services experienced an overall decrease of 17% in the total number of building permits in the 2nd quarter of 2019 compared to the 2nd quarter of 2018. Construction values for all project types within the same time frame decreased by 55%. A large portion of the construction value decrease can be contributed to the Amazon facility, which was \$65 million in early 2018; so far in 2019, there has not been a project of this scale and size. While last year had bigger applications, the timing on processing building permits has increased over the same time last year.

It was interesting to note that in a busy year, the County processes approximately 290 residential dwelling permits. Administration is hopeful that this number will increase due to growth in Langdon and in Harmony. However, the number has been relatively consistent over the past 10 years, averaging 233 new residential permits per year. As well, a recent presentation to Council on the Alberta economy emphasized that things are not likely to turn around just yet.

Council noted that they would like to see an overall improvement in the processing time for permits within the department.

UTILITY SERVICES QUARTERLY REPORT

The County's Utility Services also provided its quarterly report. The county is currently exploring franchise agreements with a number of water co-ops in the County, including Rocky View Water Co-Op. The talks are still in the early stages.

The County is also looking at expanding the CHUCKwagon program (recycling program) to include garbage drop-off. It will be based on the tag-a-bag system where you can buy tags in advance and drop your garbage at the determined site. I'll be sure to keep you posted as I have more information.

Administration is also undertaking a servicing study with regards to providing water and wastewater throughout the county. The results of that study should be available by the end of the year.