

NM2017 September 11
ISC: UNRESTRICTED

NM2017-40
NM RECEIVED

2017 AUG 31 AM 9:52

THE CITY OF CALGARY
CITY CLERK'S

NOTICE OF MOTION
CC 661 (R2009-05)

**ELBOW VALLEY WEST SERVICING
COUNCILLOR GIAN-CARLO CARRA**

WHEREAS The City of Calgary [The City] has an established Council Policy (UEP004) for the provision of utility servicing outside of its boundaries;

AND WHEREAS City Council directed Administration in C2011-23 that prior to Provincial approval of the Calgary Regional Water and Wastewater Corporation (CRWWC), outside city servicing requests would be considered by City Council only for Calgary Regional Partnership (CRP) member municipalities and would be in accordance with the existing servicing policy;

AND WHEREAS Rocky View County has neither joined the Calgary Regional Partnership nor adopted the Calgary Metropolitan Plan but is expected to be a member of the forthcoming Calgary Metropolitan Growth Management Board;

AND WHEREAS on 1997 September 10, The City and Rocky View County entered into an agreement for the provision of sanitary servicing for lands along the Highway 8 corridor which as amended over time include the developments of Elbow Valley, Pinebrook, Stonepine, Glencoe Golf & Country Club and United Lands (Lott Creek/Country Haven Estates). This servicing was allowed for as an exception to existing policies due to environmental and source water protection;

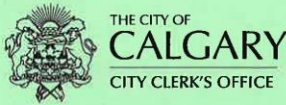
AND WHEREAS on 2017 June 28 Rocky View County Administration sent a letter to The City of Calgary Administration requesting that The City approve and extend servicing to 118 units in the Elbow Valley West Lands;

AND WHEREAS on 2017 July 14 City Administration sent a letter to Rocky View County reminding them that there were outstanding sewer capacity issues in the Highway 8 corridor and requested additional flow information prior to considering the request to service Elbow Valley West.

AND WHEREAS on 2017 August 10 Rocky View County Administration provided additional flow information to City Administration with respect to the Highway 8 corridor.

AND WHEREAS Elbow Valley West is an existing development that currently holds its wastewater in a storage tank which is then pumped out and hauled away to a treatment facility;

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AND WHEREAS in 2011 the developer of MacKenas Estates commenced a claim against The City and Rocky View County, which went all the way to the Court of Appeal, to allow a connection to the City's wastewater infrastructure servicing the Highway 8 corridor, and the Courts ruled against the developer as The City refused a connection based on existing policies rooted in fundamental differences in planning principles;

AND WHEREAS City Council on 2010 July 29 referred a previous motion on this matter to Administration to be considered with the implementation of the regional servicing strategy;

AND WHEREAS City Council on 2015 May 25 tabled a previous motion on this matter until such a time as Rocky View County joins the Calgary Metropolitan Plan (CMP);

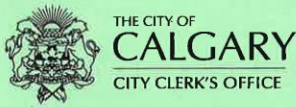
AND WHEREAS The City of Calgary worked with The City of Chestermere, The City of Airdrie and The Town of Cochrane to establish the Urban Municipalities Task Force (UMTF) to address regional concerns including reducing regional sprawl and fiscally responsible planning to specifically address issues of concern for the UMTF partners with respect to Rocky View County's development plans and the potential adverse impacts of those plans on the region;

AND WHEREAS in keeping with its mandate of a "shared common municipal interests, infrastructure and a vision for a sustainable region" the UMTF approved the content of those interests in the form of a regional story which included the following key points:

- 1. Regional planning must be built on a foundation of fiscally responsibility;
- 2. Growth for the sake of growth makes it impossible to correct planning errors;
- 3. One opportunity to get regional planning right;
- 4. Regional planning should serve needs of all stakeholders;
- 5. Collaborative approach to develop region and create fiscally responsible, vibrant communities, supported by fair taxation, and responding to agricultural priorities;
- 6. Regional planning focuses on balancing economic and social development with the protection of wilderness, natural and environmentally sensitive areas, and farmlands;

AND WHEREAS the evolving nature of regional planning in the Calgary region has established the need for Calgary to review its existing servicing policies prior to and following the establishment of the Calgary Metropolitan Growth Management Board and resolution of Water Licence discussions with the Province;

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NOW THEREFORE BE IT RESOLVED that City Council:

1. Reaffirm its commitment to not extend servicing beyond its boundaries without specific authorization from City Council;
2. Direct Administration to review The City's existing direction and policy for utility extensions beyond The City's boundaries in light of the evolving nature of regional planning in the Calgary region and develop interim guidance that would enable Council to consider outside City servicing requests on a case by case basis that aligns with the recommendations and key messages of the Urban Municipalities Task Force until such time as the Calgary Metropolitan Region Board establishes a servicing plan.
3. Direct Administration to continue negotiations of a new Master Servicing Agreement with Rocky View County for the provisions of wastewater servicing in alignment with the sound regional planning principles established through the Urban Municipalities Task Force, and return to Council for approval of a new service area that includes Elbow Valley West once it is confirmed that The City's wastewater system has sufficient capacity.

A handwritten signature in black ink, appearing to read "GIAN-CARLO", written over a horizontal line.

Signature of Member(s) of Council