

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on April 3, 2008 at 9:00 a.m. Present were Reeve R. McLean, Councillors T. Waddock, R. Chase, T. Mills, R. Nelson, L. Spilak, B. Castell, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

The M.D.'s Director of Public Works and Engineering T. Gilliss entered the Council Chambers to answer any questions that Council may have with respect to Public Works.

Reeve McLean called the meeting to order.

AGENDA – APRIL 3, 2008

Moved that Council approve the agenda for the Council meeting of April 3, 2008.

CARRIED

ADDITIONS TO AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of April 3, 2008.

CARRIED

TENDER FOR ALDERSYDE WATERMAIN EXTENSION CONTRACT 2

Moved that Council accept the recommendation from staff and award the contract for the above-mentioned project to Shawne Excavating and Trucking Ltd.

CARRIED

REPLACEMENT SANDING/PATCHING BODIES

Moved that Council accept the recommendation from staff and authorize the purchase of two Henderson Units from Fort Garry Industries.

CARRIED

VOLKER STEVIN CONTRACTING LTD.

D.A. BADKE ENTERPRISES LTD.

REQUEST FOR WATER FOR SAND WASHING

Moved that Council approve the request to allow Volker Stevin a supply of water for a one-time washing of sand, provided they enter into a water supply agreement with the M.D.

CARRIED

TETRAULT- REDESIGNATION – NW 33-22-2 W5

Mr. C. Tetrault, representative for Mrs. N. Tetrault, was in attendance for the public hearing in connection with the proposed redesignation of the 158.82-acre parcel in order to permit the future subdivision of one additional parcel. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located approximately two miles North of Highway 22X and one-half mile West of the City of Calgary. The subject parcel is located within the Agricultural Policy Area as identified by the Intermunicipal Development Plan between the City of Calgary and the Municipality.

The present proposal is to allow for one 11.91+/-acre parcel in the Southwest corner of the unsubdivided quarter-section. There are two residences, a garage, greenhouse and four accessory buildings within the balance of the quarter-section, with the access being from 160th St. W.

Mr. Tetrault stated that the area of the proposed subdivision is located on high ground. The reason for the size is that the landowner would like to create parcels of equal size for family members. The survey has already been done and they have followed the contour of the hill for the parcel boundaries. Mr. Tetrault was unable to answer the question posed to him about the future of subdivision of this parcel as he stated that the parcels will not be under his ownership.

The public hearing was closed and no decision was made at this time.

899081 ALBERTA LTD. – REDESIGNATION – SW 33-22-3 W5

Mr. C. Tetrault, representative for 899081 Alberta Ltd. (N. Tetrault), was in attendance for the public hearing in connection with the proposed redesignation of the 160-acre parcel in order to permit the future subdivision of one additional parcel. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located approximately two miles North of Highway 22X and one-half mile West of the City of Calgary. The subject parcel is located within the Agricultural Policy Area as identified by the Intermunicipal Development Plan between the City of Calgary and the Municipality.

The application is to create a parcel of 11.91 acres in size and located immediately adjacent to the South boundary of the 11.91+/-acre parcel that was the subject of the earlier public hearing. There is one existing approach that would provide access to the balance parcel along 160th St. W. and a separate approach is proposed to the new parcel.

Mr. C. Tetrault's reiterated his comments from the previous hearing. He stated that Ms. Tetrault would prefer that the parcels remain 11.91 acres in size.

The public hearing was closed and no decision was made at this time.

RAVENCREST AREA STRUCTURE PLAN AMENDMENT – W. 19-20-28 W4-

Mr. H. Trimble was in attendance for the public hearing in connection with the proposed amendment to the Ravencrest Area Structure Plan. The subject lands are located approximately one-half mile North of the Aldersyde Overpass on the East side of Highway #2.

Council approved the existing Ravencrest Area Structure Plan in 2002 for 38 country residential lots. In 2003, the plan was amended to allow for 52 country residential lots developed in four phases, two municipal reserve lots and one public utility lot. All phases of development have been subdivided and are 100% sold.

In 2006, an application for an amendment to allow for three additional lots was denied as Council was of the opinion that there was no justification provided to approve a development that exceeds the density provisions as set out in the Land Use Bylaw. Council also stated that an additional amendment to the Plan was premature in that the existing development had not been fully built out at that time. The present application would allow for two 2.7-acre lots from the 16.21-acre title as well as a consolidation of future road dedication into Lot 30 and replaced by the registration of a Caveat. A double wide approach is proposed off the service road for access and a panhandle will allow for access to the existing residence on the property.

The development is serviced by way of a series of communal wells situated on Phase 1 of the development. The existing water licence has capacity for 54 lots and the water treatment system has the existing capacity to service two additional lots. The communal water plant is operated and maintained by the Ravencrest Water System Ltd. but will eventually be taken over by Ravencrest Homeowners Association.

In outlining the sewage disposal, Planner C. Carr stated that this amendment must include provisions indicating that high water table and percolation testing be completed on both new lots prior to finalization of the redesignation.

An additional clause is required within the transportation section of the amendment indicating a willingness to pay the required road improvement fee prior to finalization of the redesignation if deemed necessary by Council.

The present proposal within the plan area brings the total lots to 54 on 249 acres. When looking at the entire development, including Totem Ranch subdivision completed prior to the Ravencrest development, the total number of lots comes to 60 lots on just over 300 acres. Mr. Trimble asked that consideration be given to include the Totem Ranch subdivision as part of the overall development when determining density.

The public hearing was closed.

BYLAW 49/2008

Bylaw 49/2008 was introduced into the meeting to authorize the amendment of the Ravencrest Area Structure Plan to allow for two additional lots within Plan 0413076 Block 1 Lot 5 in W. 19-20-28 W4.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

The amendment shall include the following additions:

High water table and percolation testing shall be completed on the two new lots to the satisfaction of the Municipal Engineer prior to third reading of the redesignation.

A development agreement shall be entered into upon first reading of redesignation for the applicable road improvement contribution as per our municipal policy if deemed necessary by Council.

Council took into consideration the lands including both the Totem Ranch subdivision and Ravencrest development when determining allowable density for the site and felt that the two additional lots can be considered within the CR density for this development area.

TETRAULT – REDESIGNATION – NW 33-22-2 W5

In their deliberations, Council discussed the potential for further subdivision of an 11.9-acre parcel and the fact that there has been no justification provided for a 'first parcel out' of that size.

BYLAW 50/2008

Bylaw 50/2008 was introduced into the meeting to authorize the redesignation of NW 33-22-2 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 6+/-acre parcel.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Prior to further consideration, the landowner will be required to submit the following:

Final lot fee of \$650.00;
Proof of adequate water supply as per the Municipal Water Policy;
Revised site plan for one 6+/-acre parcel;
High water table and percolation testing to the satisfaction of the Municipality;
Subdivision application with appropriate fees.

BYLAW 51/2008

Bylaw 51/2008 was introduced into the meeting to authorize the redesignation of SW 33-22-2 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 6+/-acre parcel.

Mr. Waddock asked for a recorded vote.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

In Favour

B. Castell, R. McLean, T. Mills, R. Nelson

In objection:

L. Spilak, T. Waddock, R. Chase

Prior to further consideration, the landowner will be required to submit the following:

Final lot fee of \$650.00;

Proof of adequate water supply as per the Municipal Water Policy;

High water table and percolation testing to the satisfaction of the Municipality;

Revised site plan for one 6+/-acre parcel;

Subdivision application with appropriate fees.

MINUTES – MARCH 27, 2008

Moved that Council adopt the minutes, as circulated, of its Council meeting of March 27, 2008.

CARRIED

“FLAVOURS OF THE FOOTHILLS”

Moved that Council authorize \$250 towards sponsorship of the brochure, subject to five members being advertised in the brochure.

THE MOTION WAS LOST

BILLS AND ACCOUNTS – APRIL 3, 2008

Moved that the following cheque nos. 19060-19090; 19092-19101; 19103-19113; totalling \$39,459.15 be approved for payment:

<u>Cheque No.</u>	<u>General</u>	<u>Amount</u>
MAN38253	Foothills Regional Services Commission	\$200,000.00
C19059	A.A.M.D. & C.	28,467.39
C19091	Local Authorities Pension Plan	69,137.07
C19102	Receiver General For Canada	143,479.61

CARRIED

LUNCH

Moved that Council adjourn at 12:08 p.m.

CARRIED

COMMUNITY STANDARDS BYLAW

Carol Robinson, Community Services Officer, Municipal Intern Rebecca Mulligan, Bylaw Officer Denice Stewart and Bylaw Officer Geoff Carpenter were in attendance for the open house regarding the implementation of a Community Standards Bylaw. Also in attendance were R. Blackwood, M. Plue, E. Alston, D. Baker, R. Taylor, N. and S. Worthington, R. Taylor, representing Division 6 Ratepayers' Association, highlighted some concerns brought forth from the association. Mr. D. Baker spoke as the representative for Heritage Pointe landowners. Ms. M. Plue, Mr. N. Worthington, and Mr. R. Blackwood spoke in relation to the bylaw.

Ms. Robinson gave a brief history of the work that has been done to the present time and commented that this meeting was held today to give the landowners and/or their representatives the opportunity for input prior to further consideration of the bylaw being drafted in its final form.

DYCK & NOBLE – NW 09-19-29 W4M

REQUEST TO REOPEN PUBLIC HEARING

Moved that Council acknowledge receipt of the request from the landowners and that they be informed that Council is willing to waive the six-month waiting requirement and allow them to reapply with an application fee of \$600.00.

CARRIED

COMMITTEE REPORTS

The Councillors were all given an opportunity to report on various meetings attended throughout the past week.

FOOTHILLS REGIONAL EMS

Moved that Council acknowledge receipt of the letter from Executive Director, Fred Stegmeier, regarding a request to meet with Council, and that staff be instructed to schedule an appointment for Mr. Stegmeier to attend a future Council meeting.

CARRIED

OLD BLACKIE FIRE TRUCK

Moved that the decision with respect to the bid for the old fire truck be tabled until further information has been obtained.

CARRIED

DAVIES – LAND USE BYLAW AMENDMENT – NW 20-22-2 W5

BYLAW 241/2007

Bylaw 241/2007 was reintroduced into the meeting to authorize the amendment of Ptn. NW 20-22-2 W5 from the Agricultural District land use rules in order to permit the future subdivision of one 35.82+/-acre parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

DAVIES – SUBDIVISION – NW 20-22-2 W5

Moved that the subdivision of one 35.82+/-acre parcel from Ptn. NW 20-22-2 W5 has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 of the Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

The application is consistent with Section 7 of the Subdivision and Development Regulations;

The subject land has the appropriate land use designation. Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application be approved subject to the following conditions:

Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such means as satisfactory to the Registrar of the South Alberta Land Titles Office District;

All approaches to be located and constructed to MD standards and approved by the Public Works Department;

The Municipality's road widening requirement of 5 metres of land along the West boundary of the existing parcel to be dedicated by Caveat and registered concurrently with the Plan of Survey;

Public Reserve: to be deferred by Caveat on the 35.82+/-acre parcel;

Acquisition of 20 metres of land for dedication along the East boundary with Easement and Right-of-Way Agreements to be registered concurrently with the Plan of Survey;

Landowner is to provide all utility easements and agreements to be satisfaction of the MD and the utility companies;

Landowner is to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision; and furthermore,

It is the applicant's responsibility to provide a Real Property Report or an 'As Built Drawing' signed and sealed by an Alberta Land Surveyor certifying the location of the water well within the boundaries of the new parcel and additionally, that the site plan is surveyed according to municipal requirements.

CARRIED

KERWOOD RESOURCES AND HARKER – BOUNDARY ADJUSTMENT

NE 31-20-1 W5

Moved that the boundary adjustment whereby 5 acres from the 153.81-acre portion of NE 31-20-1 W5 is consolidated into Plan 9311890 Lot 1 in NE 31-20-1 W5 in order to create a parcel of 10.19 acres be approved subject to the following conditions:

Boundary adjustment and consolidation to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such means as satisfactory to the Registrar of the South Alberta Land Titles Office District;

All approaches to be located and constructed to MD standards and approved by the Public Works Department;

The Municipality's road widening requirement of 5 metres of land along the East boundary of the existing parcel to be dedicated by Caveat and registered concurrently with the Plan of Survey;

Landowners are to provide all utility easements and agreements to be satisfaction of the MD and the utility companies;

Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and furthermore,

It is the applicants' responsibility to provide a Real Property Report or an

'As Built Drawing' signed and sealed by an Alberta Land Surveyor certifying the location of the water well within the boundaries of the new parcel and additionally, that the site plan is surveyed according to municipal requirements.

CARRIED

ADJOURN

Moved that Council adjourn at 4:45 p.m.

CARRIED