

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on March 20, 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 – MARCH 20, 2008

Moved that Council approve the agenda for the Council meeting of March 20, 2008.

CARRIED

ADDITIONS TO AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of March 20, 2008.

CARRIED

M.D. OF FOOTHILLS NO. 31 - FIRE BAN

Moved that Council impose a fire ban throughout the M.D. of Foothills No. 31.

CARRIED

HAMLET OF CAYLEY – PHASE 2

Moved that the M.D. has the capacity to service up to a maximum of twenty-six residential lots in addition to the existing M.D. development and that for a period of one year Council will allocate this capacity to private development within the Hamlet of Cayley.

CARRIED

COUNTRY LANE RV PARK LOCAL IMPROVEMENT PETITION

Moved that Council accept the staff recommendation as submitted and proceed with the waterline.

CARRIED

REQUEST FOR PROPOSALS

REGIONAL WATER FEASIBILITY STUDY

Moved that Council accept the staff recommendation as submitted and award the engineering work to MPE Engineering.

CARRIED

FOOTHILLS SCHOOL DIVISION NO. 38 - MEETING

Moved that Council accept the invitation to meet with representatives from the Foothills School Division on May 22, 2008.

CARRIED

MEYER – LAND USE BYLAW AMENDMENT - SE 34-19-1 W5

Mrs. S. Meyer and Mr. and Mrs. S. Meyer were in attendance for the public hearing in connection with the proposed amendment of the 21+/-acre 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 one-half mile South of 434th Ave. and accessed West off 32nd St. W.

The subject property is located in an area of predominantly agricultural land. In terms of history, in 1996 an application for one 12.9+/-acre parcel was refused due to the proposing parcel not having a legal access. Although the Appeal Board later approved the decision, the application eventually expired without the registration of the parcel.

The present proposal would allow for one 21+/-acre parcel in the Northeast corner of the quarter-section. The residence and outbuildings are located in the Southwest corner of the quarter-section and the existing driveway is accessed from the Northeast corner of the quarter-section. It is anticipated that the proposed parcel will obtain legal access by way of an easement agreement from this driveway.

Upon circulation, the Public Works Department recommended that geotechnical testing for high water table and percolation testing be done. In addition, they recommended that a panhandle access with a common approach be given consideration rather than the easement access as submitted.

Mrs. Meyer stated that there is a road allowance along the East boundary but the road remains undeveloped from the access point South. The parcel is intended for their son and they would like the parcel to remain agricultural in nature.

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

SIDORSKY AND TARKAN – SITE SPECIFIC AMENDMENT

SW 9-19-28 W4

Mr. K. Tarkan and Ms. K. Beunder were in attendance for the public hearing in connection with the proposed site specific amendment to allow for a storage facility on the 17.5-acre 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 on the East side of Highway #2, just South of the John Deere dealership.

The storage facility is comprised of three 60 ft. x 180 ft. mini storage buildings and one 100 ft. x 100 ft. covered RV storage building. There is an existing residence on site and the intention is to retain this for an on-site manager's office. The access is from the Municipal service road, adjacent to Highway #2. The storage areas are open through a pass card between the hours of 7 a.m. to 9 p.m.

Ms. Beunder stated that Mr. Tarkan will be living on the premises. The area of the facility will contain approximately 5 acres in the Northerly portion of the parcel, with the remainder of the property to be undeveloped at this time.

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

COUNTRY LANE RV PARK - WATER SERVICE

BYLAW 41/2008

Bylaw 41/2008 was introduced into the meeting to authorize the provision of water service to Country Lane RV Park to be charged by way of a local improvement levy.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved that Bylaw 41/2008 be given third reading.

CARRIED UNANIMOUSLY

Moved third reading.

THE BYLAW WAS PASSED

KLASSEN – SITE SPECIFIC AMENDMENT – W. 4-19-28 W4

Mr. T. Klassen and Mr. D. Klassen were in attendance for the public hearing in connection with the proposed site specific amendment in order to allow for an RV storage facility. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located adjacent to the Town of High River on the East side of Highway #2. One letter was received from D. Green.

The subject parcel is 6.2 acres in size and the proposal includes approximately 400 to 500 spaces to park RV's, boats, automobiles and equipment. The applicants plan to have a 6 ft. metal chain link fence surrounding the parking area with an electric gate to allow entry through a pass code keypad. Traffic is proposed to be approximately 100 vehicles per month. The parcel is accessed by way of a service road that sits parallel to the East side of Highway #2. A trailer is proposed at the front of the property and a storage area for the RV's and miscellaneous vehicle storage are proposed towards the rear.

The Development Officer stated that the Town of High River was circulated but no response was received. The Intermunicipal Development Plan states in Section 2.3.4 that we agree to the principle of standards which recognize the importance of the appearance of development such as landscaping, signage, architectural treatment and the screening of outside storage.

The letter from D. Green stated that they have no objection but that his only concern would be that drainage of the site would not flow onto his property.

The public hearing was closed.

Moved that the application for a site specific amendment to allow for an RV Storage Facility on Plan 3751C Block C in W. 4-19-28 W4, designated as Commercial Highway District, be refused for the following reasons:

Council is of the opinion that an RV Storage facility is not an appropriate use for this area;

As outlined in Section 2.3.4 Intermunicipal Gateways of the Intermunicipal Development Plan, Council was of the opinion that the applicants could not satisfy the agreement between the Municipality and the Town of High River with respect to the appearance of this development.

CARRIED

SIDORSKY AND TARKAN - SITE SPECIFIC AMENDMENT - SW 9-19-28 W4

BYLAW 42/2008

Bylaw 42/2008 was introduced into the meeting to authorize the site specific amendment from the Country Residential District land use rules to allow for a storage facility on the property legally described as SW 9-19-28 W4 (East of the High River/Aldersyde Highway on Plan 5399HX).

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Prior to further consideration, the landowners will be required to submit the final administration fee and the Development Permit application.

**MEYER - LAND USE BYLAW AMENDMENT - SE 34-19-1 W5
BYLAW 43/2008**

Bylaw 43/2008 was introduced into the meeting to authorize the amendment of SE 34-19-1 W5 from the Agricultural District land use rules in order to permit the future subdivision of one 21+/-acre parcel.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

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

Final lot fee of \$650.00;

Revised site plan for one parcel South of the existing driveway with a common approach to the new parcel;

Subdivision application with appropriate fees.

**GOETTLER - LAND USE BYLAW AMENDMENT - SW 3-21-1 W5
BYLAW 158/2007**

Bylaw 158/2007 was reintroduced into the meeting to authorize the amendment of Plan 9611478 Block 3 in SW 3-21-1 W5 from the Country Residential District land use rules in order to permit the future subdivision of one 3.5+/-acre parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

GOETTLER - SUBDIVISION - SW 3-21-1 W5

Moved that the subdivision of one 3.5+/-acre parcel from Plan 9611478 Block 3 in SW 3-21-1 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;

Public Reserve: to be by way of cash in lieu of land based on \$32,823.00 per acre on account of 10% of the proposed new parcel and to be deferred by Caveat on the balance;

The landowners will be required to enter into an acquisition of land agreement for 15 metres of road dedication along the panhandle area North to the existing residence, to be registered by Caveat 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 parcel 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

**MITCHELL - REDESIGNATION - NE 18-17-28 W4
BYLAW 8/2008**

Bylaw 8/2008 was reintroduced into the meeting to authorize the redesignation of NE 18-17-28 W4 from Agricultural District to Country Residential District in order to permit the future subdivision of one 9+/-acre parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

MITCHELL - SUBDIVISION - NE 18-17-28 W4

Moved that the subdivision of one 9+/-acre parcel from NE 18-17-28 W4 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 landowner will be required to enter into an acquisition of land agreement for 5 metres of land along the North boundary of the existing parcel;
 Public Reserve: to be deferred by Caveat on the proposed new parcel;
 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

ACIMOVIC - SUBDIVISION - SE 1-22-29 W4

Letter of concern: E. Peters

Moved that the application for the subdivision of one additional parcel from Plan 9211288 Block 5 Lot 1 in SE 1-22-29 W4 be refused for the following reasons:
 The application for the amendment of this parcel from the Country Residential District land use rules was recently refused as Council was in agreement with the past decision with respect to the density and is of the opinion that in the absence of a landowner driven Area Concept Plan that would address both the density and surface water issues, that they are unwilling to approve any further development other than a total of two additional parcels per 20+/-acre parent parcel.

CARRIED

JACOBS - REDESIGNATION - SW 14-19-29 W4

Moved that the request for a revision in the site plan to allow for two additional parcels in SW 14-19-29 W4 be refused as Council is of the opinion that a new application would be required for such a significant alteration in the site plan.

CARRIED

GREEN HAVEN ESTATES DEVELOPMENT CORP. - REDESIGNATION SE 27-20-29 W4

BYLAW 37/2006

Bylaw 37/2006 was reintroduced into the meeting to authorize the redesignation of SE 27-20-29 W4 from Agricultural District to Residential District to allow for the future development of 27 residential units of .8 acres each, with lands to be designated municipal reserve and one 22-acre agricultural balance parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

DIAMOND VALLEY FAMILY RUN

Moved that Council acknowledge receipt of the letter dated March 6, 2008 from The Energy Shop Fitness & Lifestyle Inc. and that they be informed that no approval is required from the Municipality with the route they have identified as they will be using roads under the jurisdiction of Alberta Transportation.

CARRIED

COMMUNITY FUTURES HIGHWOOD

Moved that Mr. Chase be authorized to attend the video conferencing presentation held by the Honourable Rona Ambrose, Minister for Western Economic Diversification.

CARRIED

LUNCH

Moved that Council adjourn for lunch.

CARRIED

BILLS AND ACCOUNTS – MARCH 20, 2008

Moved that the following cheque nos. C18951, 953-956, 958, 960-964, 966-967, 970-978, 981, 983-991, 993, 011 totalling \$3,797,279.80 approved for payment:

<u>Cheque No.</u>	<u>General</u>	<u>Amount</u>
C18950	A.A.M.D. & C.	\$51,855.68
C18952	AMEC Earth & Environmental	57,236.88
C18957	CDW Canada Inc.	11,566.24

C18959	Christ The Redeemer Catholic	317,888.03
C18965	EPCOR Energy Services (AB) Inc	5,676.27
C18968	Fort Garry Industries Ltd	101,103.71
C18969	Fortis Alberta Inc.	5,442.47
C18979	Mainline Heating	6,825.00
C18980	Meota Gas	5,120.13
C18982	Minister of Finance	3,260,715.58
C18992	Receiver General For Canada	23,675.69

CARRIED

**A-MEN SIDING & ROOFING – ROCKY MOUNTAIN RACEWAY PARK LTD.
RENEWAL OF RACEWAY PARK – NW 32-19-28 W4**

Mr. and Mrs. B. McCaughan and Mr. S. Butt, owners of Rocky Mountain Raceway, were in attendance for the public hearing in connection with the proposed Development Permit application. Also in attendance were S. Mills, T. Lasseter and R. Harris.

The application is to renew the temporary application for the Raceway Park with additional events on a parcel that is designated as Direct Control #16 District. The components to be considered by Council are whether to permit the application for renewal and if so, whether it should be allowed permanent status or whether it should remain as a temporary permit. The request for proposed changes to the conditions include the following to be considered:

#12 on existing permit:

All uses for Category 'A' (Discretionary Uses) and Category 'B' (Event Specific) to be on a permanent basis as long as they operate within appropriate guidelines;

#13 on existing permit:

13 1. - Applicants feel the condition for noise should be deleted;

13.2. - Applicants feel that the condition should be amended to read that the noise is not permitted to exceed 80 dBA at any existing residence within one mile of the buildings (excluding the Action Mart);

#15 on existing permit:

Applicants are asking for different hours of operation;

#19 and #20 on existing permit:

Applicants are asking for the Letter of Credit to be eliminated.

The public hearing was closed.

Moved that Development Permit Application 07D 266 be approved for the Rocky Mountain Raceway Park Ltd. on a temporary basis for a one-year period and that all conditions of Development Permit Application 06D 252 remain in effect until further recommendations can be brought back to Council for further consideration.

CARRIED

**CALGARY AND REGION WASTE REDUCTION PARTNERSHIP
WASTE SUMMIT – APRIL 9, 2008**

Moved that Mr. Mills be authorized to attend the above-mentioned event to be held on April 9, 2008 at the Cochrane Ranchehouse.

CARRIED

IN CAMERA

Moved that Council go 'In Camera' to discuss land issues.

CARRIED

OUT OF CAMERA

Moved that Council go 'Out of Camera'.

CARRIED

ADJOURN

Moved that Council adjourn at 4:40 p.m.

CARRIED