

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on April 28, 2011 at 9:00 a.m. Present were Reeve L. Spilak, Councillors T. Mills, S. Oel, B. Castell, D. Longson, R. Nelson, R. Chase and Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

Reeve Spilak called the meeting to order.

**AGENDA - APRIL 28, 2011**

Moved that Council approve the agenda for the Council meeting of April 28, 2011.  
CARRIED

**ADDITIONS TO THE AGENDA – APRIL 28, 2011**

Moved that Council approve the additions to the agenda for the Council meeting of April 28, 2011.

CARRIED

**WORTHINGTON – LAND USE BYLAW AMENDMENT – SE 35-21-3 W5**

Moved that Council acknowledge receipt of the letter dated April 18, 2011 from N. Worthington and that the following be confirmed in response to the concerns raised in his letter:

The subject parcel shall be designated as Country Residential 'A' District;

The Environmental Reserve is required to be surveyed into the adjacent Environmental Reserve parcel;

The applicant will be required to submit a revised plan identifying the sensitive areas within the subject property to the satisfaction of Council;

Council confirms the decision made by previous Council in November of 2009 whereby the road contribution fee was set at \$18,750.00 and is of the opinion that this amount was calculated in a fair and equitable manner.

CARRIED

**JOHNSON – REDESIGNATION – SE 13-19-2 W5**

Mr. and Mrs. R. Johnson and their agent, Mr. D. Badke, were in attendance for the public hearing in connection with the proposed redesignation of the unsubdivided quarter-section 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 3.5 miles East of the Hamlet of Hartell. One letter was received from Mr. M. Morrison stating that he has no objection to the proposal.

The proposal is to redesignate a portion of the property in order to allow for the future subdivision of one 7.7+/-acre parcel. In addition, an environmental reserve easement is also proposed to be registered over the treed portion of the new parcel. The access to the proposed parcel is proposed by way of a 7-metre graveled road that would be constructed within the 96th St. W. road allowance to the satisfaction of Public Works and access to the balance parcel would be by way of two existing approaches off Highway 543.

In outlining this application, the Planning Officer noted that an application for one 9-acre parcel from the Southeasterly portion of this quarter-section was refused as Council stated their unwillingness to promote subdivision activity immediately adjacent to a provincial highway.

There is a shop on the balance portion of the quarter-section. In addition, there is an abandoned well site and a Compton Surface Lease area within the quarter-section and is located North and West of the proposed new parcel. Upon circulation, ERCB identified the abandoned well site within the boundaries of the balance parcel. The recommended setback distances consist of a 20 metre by 35 metre work area surrounding the well site as well as an 8-metre wide access strip. Also identified within the boundaries of the balance parcel is a Level 1 Sour Gas Pipeline with a recommended setback distance to the pipeline being 100 metres. Upon circulation, the Public Works Department recommended the construction of the undeveloped road allowance, a stormwater management plan, identification of a building envelope within the proposed new parcel, high water table, percolation and slope stability testing, and a drainage easement as well as an environmental reserve easement to be registered against the new title.

Mr. Badke stated that he discussed the access location onto Highway 543 with Mr. J. Thomas of Alberta Transportation who had no objection. The applicants have moved the site of the proposed new parcel to an area that wouldn't be agriculturally productive. The main objective was to obtain a good building site and they are proposing an environmental reserve easement being registered against the treed portion of the property. The reason for the size of the parcel being 7.7+/- acres is to allow for the sloping, treed area to be kept within the boundaries of the new parcel to prevent the clearing of trees from the property.

Mr. Johnson submitted that their long-term plans were to build on the balance of the property but for personal reasons, they have been unable to pursue this at the present time.

In his closing comments, Mr. Badke stated that they would be preparing a stormwater management report that would properly address the drainage on the property.

The public hearing was closed and no decision was made at this time due to a scheduled public hearing.

**RISE – WEBSITE ANNUAL LICENSING**

Moved that Council authorize a payment of \$77.40 for the Municipality's contribution towards the RISE website annual licensing fee.

CARRIED

**RONAGHAN – LAND USE BYLAW AMENDMENT – SE 4-22-29 W4**

Mr. R. Ronaghan was in attendance for the public hearing in connection with the proposed amendment of the 9.8-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 one mile South of Calgary and one-half mile East of Heritage Pointe.

The subject property is located in the most Southeasterly portion of the quarter-section and in terms of access, there are two existing approaches off 32<sup>nd</sup> St. E. that would provide access to both parcels. There is a residence and two accessory buildings located within the subject property and a low lying area is identified with drainage.

Mr. Ronaghan discussed the water issues on his property and his plans to create a road by using the material from the dugout and building a bridge to the building site location. He said that he is aware that he will require permits from Alberta Environment prior to any permits being obtained from the Municipality.

The public hearing was closed.

Moved that Council table the decision regarding the application for an amendment of Plan 7911289 Lot 4 in SE 4-22-29 W4 from the Country Residential District land use rules in order to permit the future subdivision of one additional lot until Council as a whole can inspect the property on their road tour scheduled for May 2 and May 3, 2011.

CARRIED

**JOHNSON – REDESIGNATION – SE 13-19-2 W5**

Moved that the application for the redesignation of SE 13-19-2 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 7.7+/-acre parcel be refused for the following reasons: Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural land use district. Furthermore, in their consideration of Policies 3 and 9 of the Residential Section of the MDP2010, Council is of the opinion that the proposed parcel is not suitable for residential uses specifically relating to the construction of a residence and septic system due to a near surface water table and the presence of slopes in excess of 15% of the lands.

CARRIED

**CALLAN – REDESIGNATION – NE 32-22-3 W5**

**BYLAW 23/2011**

Bylaw 23/2011 was introduced into the meeting to authorize the amendment of NE 32-22-03 W5M from the Agricultural District land use rules in order to allow the future subdivision of one additional Agricultural 'A' parcel of 21+/- acres. The 21+/- acre parcel as well as the agricultural balance parcel are to be designed as A-A in order to ensure that all construction on these parcels would require the benefit of a development permit, for the purposes of compliance with the stormwater management plan provided at the Land Use stage, site drainage plan, high water and percolation testing, as well as ensuring that all setbacks are adhered to. In their consideration of the criteria noted in Agricultural Policy 4 of the MDP2010, Council is of the opinion that further fragmentation of the subject lands would not be detrimental to the agricultural nature of the area.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

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

Council to provide third and final reading to Bylaw 12/2011, that being the Callan Meadows Area Structure Plan;

Revised site plan to be submitted identifying a 21+/- acre agricultural parcel and an agricultural balance parcel that is less than 40 acres to the satisfaction of Council;

Conservation Easement Agreement as indicated in the Area Structure Plan as amended to be executed at the land use amendment stage and to be registered concurrently with a right-of-way plan at the subdivision stage;  
 Due to the known water shortages in the area, proof of adequate water supply for both the 21+/- acre parcel and the 39+/- acre parcel is required to be provided in accordance with the Provincial Water Act;  
 Applicant is to fully execute and comply with all of the requirements as outlined within the Development Agreement (the existing Development Agreement and the new Development Agreement) for the purposes of construction of the proposed internal road, payment of the external road improvement fee and on-site stormwater management to the satisfaction of Council and Public Works;  
 Stormwater Management Plan is to be provided for the subject lands to the satisfaction of Council and Public Works;  
 Final redesignation lot fees to be paid;  
 Submission of an executed subdivision application and the necessary fees.

**WEBB – REDESIGNATION/SUBDIVISION – NW 8-21-2 W5**

Moved that Council acknowledge receipt of the letter from Longview Planning + Design relating to the subdivision approved in NW 8-21-2 W5 and deny the request for a return of a portion of the road improvement contribution as the \$8,000.00 payment is both fair and consistent with the decisions made by Council throughout the past four years.

CARRIED

**ECONOMIC DEVELOPMENT FOR ELECTED OFFICIALS**

Moved that Council acknowledge receipt of the invitation for the ‘Economic Development for Elected Officials’ course to be held in Cochrane, Alberta, on April 29, 2011.

CARRIED

**BLACKIE LIONS CLUB**

Moved that Council agree to the request from the Blackie Lions Club for a 960 sq. ft. extension to the existing camp shelter located in the Lions Park and that the building fee will be waived for this purpose.

CARRIED

**FORTIS ALBERTA**

Moved that Council acknowledge the invitation for the Fortis Alberta Grand Opening scheduled in High River on Tuesday, May 10, 2011, at 11:30 a.m. at the Fortis Alberta High River Office.

CARRIED

**LUNCH**

Moved that Council adjourn for lunch.

CARRIED

When Council reconvened, Councillor Nelson was not in attendance due to personal reasons.

**BILLS AND ACCOUNTS – APRIL 28, 2011**

Moved that the following cheque nos. 48702-48707; 48709; 48711-48719; 48721-48725; 48727-48729 totalling \$18,568.76 be approved for payment:

<u>Cheque No.</u>	<u>Vendor Name</u>	<u>Vendor Amount</u>
48699	1009720 Alberta Ltd.	\$8,929.19
48700	A.A.M.D. & C.	\$46,374.93
48701	Blackie & District Ag. Society	\$23,184.64
48708	Elevate Auctions Inc.	\$5,967.36
48710	Foothills Foundation	\$764,432.51
48720	MPE Engineering Ltd.	\$16,019.85
48726	Shearer Licensed Interior Desi	\$8,464.83

CARRIED

**MINUTES – APRIL 21, 2011**

Moved that Council adopt the minutes, as circulated, of its Council meeting of April 21, 2011.

CARRIED

**ADJOURN**

Moved that Council adjourn to sit as the Subdivision Approving Authority.

CARRIED

**FORBES – SUBDIVISION – SE 20-20-1 W5**

Moved that Council has no objection to the time extension requested and the land owner therefore has until June 24, 2012 to comply with all conditions of subdivision approval as originally set forth on June 24, 2010.

CARRIED

**PITTS – SUBDIVISION – SE 36-21-29 W4**

Moved that Council has no objection to a final time extension requested and the land owner therefore has until June 24, 2012 to comply with all conditions of subdivision approval as originally set forth on April 29, 2009.

CARRIED

**ADJOURN**

Moved that the meeting of the Subdivision Approving Authority be adjourned and that Council resume its regular meeting.

CARRIED

**ASSESSMENT REVIEW BOARDS**

**BYLAW 15/2011**

Bylaw 15/2011 was reintroduced into the meeting to establish Assessment Review Boards for the Calendar Years 2011 and 2012.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

**ALBERTA TRANSPORTATION – LOCAL ROAD BRIDGE PROGRAM**

Moved that Council acknowledge receipt of the confirmation from Alberta Transportation regarding their approval to cover eligible costs for the Grant Description BF84104 - local road over Watercourse, West of Millarville with the grant amount being \$130,000.00.

CARRIED

**SHEEP RIVER HEALTH TRUST**

Moved that Council support the 8<sup>th</sup> Annual Golf 4 Wellness Charity Golf Tournament on July 21, 2011 at D'Arcy Ranch Golf Club by way of a Silver Sponsorship in the amount of \$1,000.00.

CARRIED

**IN CAMERA**

Moved that Council go 'In Camera' at 3:08 p.m. for land issues.

CARRIED

**OUT OF CAMERA**

Moved that Council go 'Out of Camera' at 3:46 p.m.

CARRIED

**ADJOURN**

Moved that Council adjourn at 3:47 p.m.

CARRIED