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The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on January 26, 2012 at 9:00 a.m. Present were Reeve L. Spilak, Councillors B. Castell, D. Longson, S. Oel, T. Mills, R. Chase, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

Reeve Spilak called the meeting to order.

The M.D.'s Deputy Director of Public Works and Engineering H. Pettigrew entered Council Chambers for a discussion period with Council.

COUNCIL AGENDA

Moved that Council approve the agenda for the Council meeting of January 26, 2012.

CARRIED

ADDITIONS TO COUNCIL AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of January 26, 2012.

CARRIED

CAYLEY REGIONAL WATERLINE PROJECT

Moved that Council acknowledge receipt of the tender summary and award the contract for the Cayley Regional Waterline Project to Chinook Pipeline.

CARRIED

SUBDIVISION AND DEVELOPMENT APPEAL BOARD & COMMUNITY

STANDARDS APPEAL BOARD

Moved that Council appoint the following members to the Subdivision and Development Appeal Board and the Community Standards Appeal Board, with terms to expire December 31, 2012:

Val LaRocke, Bill Campbell, Bob Robertson, Keranka Popova, Doreen Renn and Lee Misura.

CARRIED

DUNBOW RECREATION BOARD

Moved that Council accept the resignation of Roger Taylor from the Dunbow Recreation Board and that a letter of appreciation be sent to him thanking him for sitting on the Board.

CARRIED

Moved that Council accept the application of Theresa Berglund and that she be appointed to the Dunbow Recreation Board, effective February 1, 2012.

CARRIED

FISH CREEK WATERLINE

Moved that Council table this item on the agenda for further information from MPE Engineering.

CARRIED

MUNICIPAL ADMINISTRATION LEADERSHIP WORKSHOP

Moved that Council authorize the Municipal Manager to attend the Municipal Administration Leadership Workshop scheduled for May 8 to May 11, 2012 in Kananaskis.

CARRIED

ALBERTA ENVIRONMENT – WATER LICENCE

Moved that Council acknowledge the information received regarding the water licence and permission for the pipeline to go down a leased road allowance for access from the river and that this item be tabled for further information.

CARRIED

CAMERON AND KIRTON – NE 1-19-1 W5 – SITE SPECIFIC APPLICATION

Mrs. S. Jones was in attendance for the public hearing in connection with the site specific application to allow for a major home occupation for storage of construction equipment on the subject 10+/-acre parcel. Upon opening the hearing, Mrs. Jones stated that she was attending on behalf of the landowners and they have requested an adjournment. There were no other interested parties in attendance

Moved that Council adjourn the public hearing to April of 2012.

CARRIED

HERITAGE POINTE PROPERTIES INC.

Moved that Council authorize signs to be placed within the municipal right-of-ways for Artesia at Heritage Pointe.

CARRIED

KING – REDESIGNATION – SW 35-21-3 W5

BYLAW 72/2011

Bylaw 72/2011 was reintroduced into the meeting to authorize the redesignation of SW 35-21-3 W5 from Agricultural District to Country Residential District in order to

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permit the future subdivision of one additional parcel. The balance of the land shall be designated Agricultural 'A' District in order to ensure the protection of Pothole Creek. The proposed parcel is accepted to be 11+/-acres in size.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

BALL – REDESIGNATION – NE 33-21-4 W5

BYLAW 61/2011

Bylaw 61/2011 was reintroduced into the meeting to authorize the redesignation of NE 33-21-4 W5 from Agricultural District to Country Residential 'A' District in order to permit the future subdivision of one 6.1+/-acre parcel from the parent 91.81-acre parcel. The balance of the property is to be designated as Agricultural 'A' District in order to ensure that any future development would require approval through a Development Permit.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

ST. SIMEON MIROTOCIVI CHURCH – DEVELOPMENT PERMIT

NW 33-21-29 W4

Moved that Council approve the Development Permit for the St. Simeon Mirotocivi Church and accessory uses on the 16.17-acre parcel located within NW 33-21-29 W4, subject to the following conditions:

PRE-RELEASE CONDITION (Condition must be complied with before the Development Permit will be signed and released):

The applicant is required to submit a refundable security deposit in the amount of \$3,000.00 in order to ensure compliance with the Alberta Building and Fire Codes for the proposed use and occupancy of the development. This security will be refunded at such time that final Alberta Building Code schedules C-1 and C-2 are submitted by the professional(s) involved, and written confirmation for occupancy of the structure(s) is provided by the Municipal Safety Codes Officer and Municipal Fire Services.

ADDITIONAL CONDITIONS

This approval is for lot development, including the construction and use of one 13,272 sq. ft. church, one 2,519 sq. ft. maintenance and washroom facility, and two 60m x 90m grass soccer fields;

The applicant is to provide a Professional Engineers review and stamped design for structural, mechanical, electrical and fire requirements; including proof of water supply. In addition, the applicant is to ensure that the development complies with Alberta Building Code with respect to water closets and barrier free design guidelines. Proof of such will be required to be submitted to the Municipal Safety Codes Officer;

The applicant shall obtain any necessary building and/or safety codes permits from the Municipality, and is to comply with the requirements of the Alberta Building, Plumbing, Electrical and Fire Codes at all times. It is the applicants' responsibility to contact Municipal Fire Services for final inspection of the building(s) prior to occupancy;

The applicant is responsible for observing the registered documents on title to the land and for complying with any requirements for the development regarding the use of and adjacency to the existing Right of Way on the property. The applicant is to obtain written proof of approval for any use of those areas identified within said Right of Way and a copy shall be submitted to the Development Department;

Development within the property boundaries shall be serviced by shallow rather than overhead utilities wherever possible. The applicant assumes full responsibility with regard to application and connection to required utility servicing;

Under this permit, the soccer fields are considered to be a Private Amenity Space, for use by the Serbian soccer academy and members of the surrounding community. The landowner is required to submit identification of the area / surrounding community that will benefit from priority access to the property and its amenities. A copy of any user policy / guidelines is to be submitted to the Development Office. Use by the general public or for the purposes of more intensive use (ie: for tournament play, or lease/rental for league play) may proceed only under the approval of an independent Development Permit;

The development must comply with all regulations and requirements of Alberta Health Services and the Alberta Public Health Act;

The buildings and associated structure are not to exceed a maximum of 18.25 m (59.86 ft.) in height;

It is the responsibility of the applicant to confirm the addition of any approach to the property and/or requirements to upgrade the existing approach to municipal standard, with Municipal Public Works;

Water for irrigation of landscaping and field maintenance is to be provided from surface water collection or water supplied from a licensed off site source. The use of groundwater to irrigate vegetation is not permitted;

The use of a water well to support the development is to comply with all regulations and requirements of Alberta Environment. It is the responsibility of the applicant to obtain licensing for the intended commercial use of any water well;

Wastewater treatment and disposal is to be designed for peak population and must meet requirements of the Alberta Private Sewage Systems Standard of Practice 2009;

It is the applicant's responsibility to observe the recommendations that have been provided within the Environmental Site Assessment for the property;

Prior to any installation, the applicant is responsible to submit a screening and containment plan for any waste materials that are to be stored outdoors on the property. All garbage and waste materials shall be stored in weather-proof and animal-proof containers that are to be screened. There shall be no long term storage of waste materials on the property, nor burning of waste materials on the property. All waste must be disposed of at an approved waste disposal site;

A current events sign, municipal address signage, and required jobsite signage only are permitted under this permit. The applicant is required to submit detailed description of and location of signage for review and approval by the Development Office.

Requirements with respect to signage are subject to compliance with any applicable local and/or provincial regulation. Signage not identified within this approval requires a separate Development Permit;

Prior to installation, it is the responsibility of the applicant to confirm final site plan details, including parking, loading, landscaping and fencing / entry feature requirements with the Development Office. In addition to being cognizant of the acknowledgement provided by Council for previously submitted plans and aesthetic details, the applicant must be able to illustrate that site configuration complies with any Provincial and/or Federal regulations with respect to site access for emergency purposes;

It is the responsibility of the applicant to fully comply with Alberta Transportation permit number 3659-10;

The applicant is responsible for confirming acceptance of the site grading / stormwater management plan with the Municipal Engineer;

No topsoil is to be removed from the said property;

The outdoor use of electronic amplification, speakers or microphones is not permitted under this permit;

For the purposes of this permit only, special events are to be defined as a wedding or seasonal celebration (ie: Easter, Christmas). A maximum of 10 special events per year are permitted. Attendance is not to exceed occupancy as identified herein or as superseded by the Municipal Safety Codes Officer or Municipal Fire Services;

Any installation of exterior lighting must adhere to the guidelines and specifications as outlined within the M.D. of Foothills Dark Sky Bylaw;

Any addition to uses or change of use from what has been approved under this permit may occur only upon issuance of a separate Development Permit;

The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by the M.D. with respect to this permit.

CARRIED

RECESS

Moved that Council recess in order to sit as the Subdivision Approving Authority.

CARRIED

JACOBS AND PRIESTNER – SUBDIVISION – SW 14-19-29 W4

Moved that Council has no objection to the time extension requested and the landowners therefore have until May 20, 2012 to comply with the conditions of subdivision approval as originally set forth on May 20, 2010.

CARRIED

ADJOURN

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

CARRIED

FREESTYLE HOLDINGS CORP. – SW 14-21-3 W5

The public hearing for this application was held on December 15, 2011 and at that time, Council tabled their decision to a later date.

Moved that the application for an amendment to the Millarville Country Estates Area Structure Plan be refused. Council is of the opinion that the Area Structure Plan amendment proposes a development that is not in keeping with the goals and policies of the Millarville Country Estates Area Structure Plan, as the initial plan

does not contemplate the two additional country residential lots. In addition, Council is of the opinion that the proposed amendment does not conform to Policies 2 and 4 of the MDP 2010.

CARRIED

Moved that the application for redesignation of the 45.83-acre portion of SW 14-21-3 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 3.4+/-acre lot, one 5.08+/-acre lot and one 3.71-acre municipal reserve parcel be refused for the following reasons:

The proposed redesignation does not conform to the adopted Area Structure Plan on the lands and cannot provide an appropriate Municipal Reserve parcel as requested. In addition, Council does not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

CARRIED

CALGARY REGIONAL PARTNERSHIP

Moved that Reeve L. Spilak, Councillor S. Oel and Municipal Manager H. Riva Cambrin be authorized to attend the CRP retreat scheduled for February 10th, 2012 in Banff, Alberta.

CARRIED

SORKILMO – SITE SPECIFIC AMENDMENT – SE 12-19-1 W5

Mrs. N. Sorkilmo and Mr. S. Sorkilmo were in attendance for the public hearing in connection with a site specific amendment to allow for a commercial dog kennel on the parent 18.76-acre parcel. Also in attendance were B. and B. Prestie, D. Longson, C. Chan and J. and T. Mclsaac. 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 corner of Coal Trail to the South and Meridian Street to the East. Letters of concern were received from Mr. D. Stonham and Ms. M. Credico, Mr. J. Rhodes, Mr. and Mrs. B. Prestie,

The proposed operation will consist of indoor boarding kennels, outdoor dog runs, three outdoor play areas and a covered outdoor dog play area (to be provided within the hay shed existing on the property). The application stated that the facility is expected to accommodate up to a maximum of 35 dogs. The dog boarding will be run out of the existing quonset structure on the property with 16 indoor/outdoor kennels and 19 indoor kennels. No new structures are proposed with this application.

The applicants stated that they held an open house with the neighbours in December and they wish to address their concerns. Their intention is to provide pickup and delivery of the animals and that their target market is more for extended stays. They now are of the opinion that 35 dogs as well as their own two pets is unreasonable and would now like to amend the application for 10 to 15 days at any one time.

Mr. Rhodes, who lives contiguous to the subject parcel, stated noise concerns as well as the disruption to his horses as reasons for objection to the application.

Mr. and Mrs. Prestie live North and East of the subject property. Noise and devaluation of their property are the main reasons for concern with this application. Mr. and Mrs. K. Mclsaac live North of the dog kennel and stated noise concerns as their source of objection.

In her closing comments, Mrs. Sorkilmo stated that they have attempted to address the majority of concerns. They feel that creating a barrier between the fencelines would help and the dogs are indoors at night.

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

LUNCH

Moved that Council adjourn for lunch.

CARRIED

SINCERUS (HAWK SPRINGS) GP LTD. – ADOPTION OF THE SPRINGS AT DEWINTON OUTLINE PLAN AND REDESIGNATION TO COUNTRY/CLUSTER RESIDENTIAL DISTRICT – NE 13-21-1 W5, SE 24-21-1 W5 AND SE 24-21-1 W5

Mr. A. Rempel from Sincerus and Mr. K. Venner from Brown and Associates, representative for Sincerus, were in attendance for the public hearing. Also in attendance were S. Biddle from Eagle Engineering, R. Sulton and K. Smith from Sincerus. Landowners and other interested parties in attendance were T. Bradley, R. Blackwood, K. and A. Olshaski, I. and V. Holmes, M. and C. Zbrodoff, J. Sutton, J. Hornby, A. Down, R. Sulten, H. Kohanik, S. Boan, C. Leroux, R. Giffin, P. Larkins, P. and S. Van Leeuwen, D. and J. Thompson, G. Leroux, J. Archer, S. Bradley, J. Fraser, G. Aebly, D. Thompson, D. Badke, L. Rabinovitch, B. Hilton, J. Dudley, B. Macpherson and M. Piper. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject properties which are located approximately 2.5 km. West of the Okotoks Overpass on the South side of 274th Ave. at its intersection with 5th St. W. Letters of concern

were received from K. and A. Olshaski, the Van Leeuwen family, W. and S. Gamp, D. and J. Thompson, L. McNish for the Royal Astronomical Society, the Calgary Centre of the Royal Astronomical Society of Canada, Pekisko Creek Stables Ltd. In addition, letters of support were submitted by S. and W. Gamp (who retracted their original objection), A. Kiegler and D. Bukvic, J. Vallings, J. Archer and P. Hillestad, K. and A. Popov, K. and C. Jones, A. Heater and P. Hall, J. Hornby from Blackwood Ranch, D. and L. Courtney, D. Badke, A. Mills, D. Gillis and C. Gillis, S. and G. Boan, N. Wiseman, J. Gilluley, B. Sundberg and P. Winklemann.

The subject property is made up of four contiguous parcels located approximately 2.5 km. West of the Okotoks Overpass (intersection of Highway #2 and Highway 552).

This application for an outline plan includes a total acreage size of 330.6 acres: 25.27 acres in NE 24-21-1 W5, 44.31 acres in NE 24-21-1 W5, 159.16 acres in SE 24-21-1 W5 and 101.9 acres in NE 13-21-1 W5. The Outline Plan contemplates the subdivision of 82 cluster residential lots, one municipal reserve lot, one agricultural parcel and one balance parcel which will be communal open space designed as Environmental Protection District.

The proposal includes an application for an amendment to create 95+/-acres of cluster residential, 19.1+/-acres of municipal reserve, a 32.6+/-acre agricultural parcel, 160.4+/-acres of communal open space to be zoned as Environmental Protection District and approximately 23.5 acres for roads. A site specific amendment on the Neighbourhood Focal Point portion of the Environmental Protection District parcel to allow for the future addition of specified community amenities.

The main access is an existing access on 5th St. West via 274th Ave., a chip coated municipal road classified as a collector. The access to the municipal reserve and the agricultural area is proposed to be from an existing access off Meridian Street; a gravel municipal road that runs parallel to the railway line off 274th Ave. at the bottom of the coulee.

Mr. Venner gave a powerpoint presentation of the proposed development. With respect to water servicing, groundwater assessments showed that there was no measurable interaction detected between production wells and adjacent wells. Alberta Environment has approved a preliminary certificate. A communal water system is proposed to be owned, operated and maintained by a Home Owner's Association. The Outline Plan states that approximately 2/3 of the site will be maintained as open space. With respect to transportation, upgrades are proposed to the intersection at 274th Ave. and 5th St., 5th St. will be widened and paved, and an emergency access is proposed to 286th Ave.

Mr. Rempel stated that the development is an environmentally sensitive development that coincides with the Municipal Development Plan in that there is only one lot per 4 acres of density.

Speaking in support of the application were C. Leroux, G. Leroux, J. Archer, V. Holmes, J. Sutton

Speaking in objection to the application were T. Bradley, L. Rabinovitch, J. Thompson, P. Larkin, B. Macpherson, D. Thompson on behalf of Mr. and Mrs. Van Leeuwen, M. Brodoff, H. Kohanik and A. Down. Numerous reasons were noted with concerns expressed over the high density, the water supply, maintaining the integrity of the coulee, traffic safety, conserving quality of life, crime rates and the creation of a town in a country residential setting.

Mr. Rempel made closing comments and attempted to answer all concerns as brought forth by all interested parties.

Moved that Council recess the public hearing at 4:45 p.m.

CARRIED

SORKILMO – SITE SPECIFIC AMENDMENT – SE 12-19-1 W5

Moved that the decision regarding the application for a site specific amendment to allow for a commercial dog kennel within Plan 9810382 Block 2 in SE 12-19-1 W5 be tabled until February 9, 2012.

CARRIED

BILLS AND ACCOUNTS – JANUARY 26, 2012

Moved that the following cheque nos. 51091-51097; 51099-51100; 51104-51113; 51115-51117; 51119-51124; 51126-51130; 51132; totalling \$19,484.66 be approved for payment:

<u>Cheque No.</u>	<u>Vendor Name</u>	<u>Vendor Amt</u>
51089	1009720 Alberta Ltd.	\$8,929.19
51090	A.A.M.D. & C.	\$55,252.36
51098	Bow Mark Paving Ltd.	\$79,111.09
51101	Chandos Construction Ltd.	\$528,089.45
51102	The City of Calgary	\$62,147.50

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51103	Compass Municipal Services Inc	\$20,286.00
51114	M.D. of Foothills No. 31	\$250,000.00
51118	MPE Engineering Ltd.	\$11,803.59
51125	Room to Run Boarding Kennels	\$7,218.75
51131	Volker Stevin Contracting Ltd.	\$8,977.50
51132	Great West Life Assurance Co.	\$3,528.17

CARRIED

MINUTES – JANUARY 19, 2012

Moved that Council adopt the minutes, as circulated, of its Council meeting of January 19, 2012.

CARRIED

IN CAMERA

Moved that Council go 'In Camera' at 5:10 p.m. to discuss legal matters.

CARRIED

OUT OF CAMERA

Moved that Council go 'Out of Camera' 5:40 p.m.

CARRIED

FOOTHILLS REGIONAL EMERGENCY SERVICES COMMISSION (FRESC)

Moved that Council authorize the Reeve to send a letter to the Foothills Regional Emergency Services Commission (FRESC) regarding the confirmation of support of their efforts of advocacy.

CARRIED

SOUTH CALGARY HEALTH CAMPUS

Moved that Council authorize Councillor S. Oel to attend a dialogue with government members (Premier, Minister of Health and Wellness, Minister of Energy and the Minister of Service Alberta) at the South Calgary Health Campus on January 24, 2012.

CARRIED

ADJOURN

Moved that Council adjourn at 5:55 p.m.

CARRIED