

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on May 26, 2011 at 8:30 a.m. Present were Reeve L. Spilak, Councillors T. Mills, S. Oel, B. Castell, D. Longson, R. Nelson, R. Chase, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

The M.D.'s Director of Public Works and Engineering M. Savard entered the Council Chambers to answer Council questions and concerns and to deal with Public Works agenda items.

Reeve Spilak called the meeting to order.

AGENDA - MAY 26, 2011

Moved that Council approve the agenda for the Council meeting of May 26, 2011.

CARRIED

ADDITIONS TO THE AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of May 26, 2011.

CARRIED

LETTER OF APPRECIATION

Moved that Council acknowledge receipt of the letter of appreciation from T. Phelan of the Hamlet of Blackie for the work done on their streets by the Public Works Department.

CARRIED

PUBLIC-PRIVATE PARTNERSHIPS (P3) CANADA – FUNDING REQUEST

Mr. R. Payne and Mr. W. Robinson were in attendance with Ms. S. Lawrence from the Town of Okotoks to present the proposal prepared by Consultant Jonathon Huggett, structured according to P3 requirements.

The application consists of three projects:

Indoor fieldhouse near Aldersyde 50/50 partnership of MD and Town;

Single pad ice arena at Heritage Heights solely developed by the MD;

Single pad ice arena in Priddis/Millarville area solely developed by the MD.

This application and business case must be submitted by June 1, 2011 and required a Council resolution.

Moved that Council authorize administration to submit application to Public-Private Partnerships (P3) Canada:

WHEREAS the Town of Okotoks and Municipal District of Foothills wish to cooperate in the provision of cost effective recreational facilities for their communities; and

WHEREAS the Town and the MD wish to provide a new Field House in the Aldersyde area and share the capital and operating cost implications on a 50/50 basis; and

WHEREAS the MD additionally wishes to provide two single pad ice arenas in the Heritage Heights and Priddis areas; and

WHEREAS the MD and the Town have jointly prepared a comprehensive business plan for the implementation of these projects under a single Design/Build/Operate contract in accordance with the requirements of P3 Canada; and

WHEREAS the Town and the MD understand that this will involve a long term partnership between the MD, the Town and a private operator for a period typically in the 20 to 25 year range; and

WHEREAS the Town and the MD understand that if the funding application to P3 Canada is successful then the Town and the MD will be responsible for establishing a governance relationship that will result in the Town and the MD incurring capital funding and long term operating cost obligations;

NOW THEREFORE be it resolved that the Town and the MD agree to submit the Two Single Pad Ice Arenas and Field House comprehensive business plan to P3 Canada with full knowledge and understanding of the commitments as outlined in the business plan.

CARRIED

CALGARY REGIONAL PARTNERSHIP

Moved that Councillors S. Oel and D. Longson and Municipal Planner H. Hemingway be authorized to attend the CRP's Spring General Assembly at the Town of Crossfield on June 22, 2011 at 8:30 a.m.

CARRIED

BYLAW 28/2011

Bylaw 28/2011 was introduced into the meeting to authorize the amendment of Bylaw 130/95 whereby the designated Officer Position is amended from Senior Assessor to Appointed Assessor.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved that Bylaw 28/2011 be given third reading.

CARRIED UNANIMOUSLY

Moved third reading.

THE BYLAW WAS PASSED

HANSMA – REDESIGNATION – SE 12-20-28 W4

Mr. S. Hansma was 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 approximately five miles East of Aldersyde and one mile North of 434th Ave.

The site plan indicated that there are currently no structures located within the boundaries of the balance parcel however, within the proposed new 4.9-acre parcel, existing structures include a residence, garage and three accessory buildings. Currently, the locations of the residence, garage and two of the three accessory buildings do not comply with the Land Use Bylaw, as they do not meet the minimum front yard setback requirement of 48 metres from the structures to the centre line of the municipal road.

In outlining the history of this quarter-section, it was noted that in 2010, an application for one 80-acre parcel was refused as Council was of the opinion that no justification was provided to warrant the further subdivision of an agriculturally productive quarter-section.

Mr. Hansma stated that there has been a renter living in the residence and they would like to sell the small parcel and allow himself and his brother the opportunity to farm the balance of the quarter-section.

The public hearing was closed.

BYLAW 29/2011

Bylaw 29/2011 was introduced into the meeting to authorize the redesignation of SE 12-20-28 W4 from Agricultural District to Country Residential 'A' District in order to allow for the future subdivision of one 4.9+/-acre parcel.

Moved first reading.

In their consideration of the criteria noted in Agricultural Policies 4 & 5 of the MDP 2010, Council is of the opinion that allowing a first parcel out would not be detrimental to the agricultural use of the balance of the quarter-section. In addition, Council agrees that the proposal is in alignment with the intent and policy outlined in the Residential section of the MDP 2010 as the application falls within the density provisions and lot size restrictions for Country Residential development.

THE BYLAW WAS LOST

Moved that the application for the redesignation of SE 12-20-28 W4 from Agricultural District to Country Residential District in order to allow for the further subdivision of one 4.9+/-acre parcel be refused. In their consideration of Policy 2 of the Agriculture section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural land use district. In addition Policy 5 of the MDP2010 states that the subdivision of one parcel from a previously unsubdivided quarter section maybe supported if the subdivision does not negatively impact adjacent agricultural uses and in this instance, to subdivide this parcel, the adjacent land would continue to be in good agricultural use and therefore a new building site would have to be located on agricultural land.

CARRIED

HILL – REDESIGNATION – NW 1-21-1 W5

Mr. and Mrs. G. Hill and their agent, Mr. P. Stier, 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 3.52+/-acre parcel. Also in attendance were Mr. and Mrs. T. Yoshisaka and Ms. S. Titheridge. 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 mile Northwest of Okotoks and one mile East of Highway 552.

The site plan indicates one 3.52+/-acre parcel in the Northeast portion of the quarter-section with access to be provided by way of an existing approach off 322nd Ave. A new approach off 322nd Ave. is proposed to provide access to the balance. The residence with an attached garage and shop is located within the boundaries of the proposed new parcel. It was noted that the shop does not meet the required side yard setback distance of 15 metres from the structure to the East property line.

With reference to the recommendation from Public Works for a cul-de-sac, Mr. Stier stated his opinion that the standard width of 50 metres is unnecessary in this circumstance. It was also noted that the pond serves a great purpose as an accumulation pond but they would be prepared to make application for a Development Permit if required.

Mr. Hill outlined the reasons for the application and would like to retain the balance of the quarter-section in an agricultural manner.

Ms. Titheridge stated that she shares a common fenceline with the subject property and has questions regarding the impact on her land with respect to drainage should a cul-de-sac be required in this location. Ms. Titheridge was told that there is an obligation not to impact her land regarding drainage if a cul-de-sac was required to be built.

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

HILL – REDESIGNATION – SW 1-21-1 W5

Mr. and Mrs. G. Hill and their agent, Mr. P. Stier, 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 3.52+/-acre parcel. Also in attendance were Mr. and Mrs. T. Yoshisaka and Ms. S. Titheridge. 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 mile Northwest of Okotoks and one mile East of Highway 552.

The site plan indicates one parcel of 10+/-acres in the Southeast corner of the quarter-section with access to the proposed new parcel to be provided by way of an existing approach from 338th Ave. The balance of the quarter-section is proposed by way of the registration of a Development Agreement for the future construction of the undeveloped road allowance (338th Ave.).

While there is no residence within the quarter-section, there are two sheds within the boundary of the new parcel. The small shed does not meet the required rear yard setback distance of 15 metres from the structure to the North property line. Located along the South boundary of the proposed parcel is a seasonal drainage channel.

Mr. Stier stated that the reason for the size of this parcel is to accommodate the well and the sheds but provided alternative site plans. The alternate plans consist of Alternate Plan B for 8.23 acres or Alternate Plan C for 4.8 acres.

Mr. Hill stated that their understanding that they could build a residence on this property without subdivision but their idea was to prevent further subdivision and maintain the agricultural component of the property.

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

HAMLET OF BLACKIE

Moved that this item be tabled for further clarification.

CARRIED

LUNCH

Moved that Council adjourn for lunch.

CARRIED

LUNCHEON MEETING

Councillors, Municipal Manager, Municipal Treasurer and the Director of Public Works and Engineering met for a luncheon meeting with Mr. G. Groeneveld, M.L.A. for Highwood, Dr. T. Morton, M.L.A. for Foothills – Rocky View and Mr. E. Berger, M.L.A. for Livingstone – Macleod.

DIXON – LAND USE BYLAW AMENDMENT – NE 28-19-28 W4

Mr. C. Dixon and his agent, Mr. D. Badke, were in attendance for the public hearing in connection with the proposed amendment of the 20.27-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 between Highway 2 and 128th St. E. The site plan identifies one 7.26+/-acre parcel from the Northwesterly portion of the property. There are two existing approaches off 2453 Drive East (South boundary of the parcel). The residence and existing development will be contained within the balance parcel.

Mr. Badke stated that there is a good water supply on the parcel and anticipates that proof of adequate water supply on the new parcel should not be problematic.

Mr. Dixon stated that when he bought the property, there were about 24 structures but at the present time, about half of them have been removed from the property.

They would be prepared to move any of the remaining buildings if required.

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

BIEBER – REDESIGNATION – NW 23-21-3 W5

Mr. and Mrs. W. Bieber and their agent, Mr. P. Stier, 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. Also in attendance were Ms. S. Schaefer and Mr. C. Schaefer. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located directly South of 274th Ave. and directly East of 224th St. W.

The site plan identifies one 4.1+/-acre parcel along the Northerly boundary that would contain a dwelling and outbuildings within the proposed parcel and a second residence on the balance of the quarter-section. The approaches to both parcels are located along 274th Ave. It was stated that there are two approaches into the new parcel and recommended by the Public Works Department that one of these access points should be removed as only one access is permitted to remain on a 10-acre parcel or less.

Dr. and Mrs. Bieber have lived on the property for 35 years and they built the second residence in 1987. They are doing humanitarian work in disadvantaged countries and rent out one of the residences. The Schaefer family would like to purchase the new parcel as they love the community.

They are of the opinion that the two driveways within the parcel are necessary due to the hill accessing the property and it would be a challenge getting in and out of the property without the two separate driveways.

The public hearing was closed.

BYLAW 30/2011

Bylaw 30/2011 was introduced into the meeting to authorize the redesignation of NW 23-21-3 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 4.1+/-acre parcel.

Moved first reading.

In their consideration of the criteria noted in Agricultural Policies 4 & 5 of the MDP 2010, Council is of the opinion that allowing a first parcel out would not be detrimental to the agricultural use of the balance of the quarter-section. In addition, Council agrees that the proposal is in alignment with the intent and policy outlined in the Residential section of the MDP 2010 and the application falls within the density provisions and lot size restrictions for Country Residential development.

THE BYLAW WAS PASSED FOR ONE READING

Prior to further consideration, the landowners are required to submit the following:
Proof of water supply on the balance of the quarter-section in accordance with the Municipal Water Policy and proof of disconnection from the existing dwelling on the balance lands to the existing well;

Final redesignation fee of \$650.00 to be paid;

The existing buildings are deemed to be non-conforming at this time;

Submission of an executed subdivision application and the necessary fees.

DIXON – REDESIGNATION – NE 28-19-28 W4

BYLAW 31/2011

Bylaw 31/2011 was introduced into the meeting to authorize the amendment of Plan 8017JK Block C Lot 3 South of Railway in NE 28-19-28 W4 from the Country Residential District land use rules in order to permit the future subdivision of one 7.26+/-acre parcel.

Moved first reading.

Council supports the application as it is considered to be in alignment with the intent of the Residential Section of the MDP 2010, specifically with respect to directing additional CR development to lands already zoned Country Residential. In addition, the application falls within the density provisions and lot size restrictions of the Land Use Bylaw.

THE BYLAW WAS PASSED FOR ONE READING

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

Applicant to fully execute and comply with all requirements as outlined within the Development Agreement for the purposes of payment of external improvement to the satisfaction of M.D. Council and Public Works;

Applicant to prove water supply in accordance with the Provincial Water Act;

Final redesignation fee of \$650.00 to be paid;

Submission of subdivision application with appropriate fees.

HILL – REDESIGNATION - SW 1-21-1 W5M

BYLAW 32/2011

Bylaw 32/2011 was introduced into the meeting to authorize the redesignation of SW 1-21-1-W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one 8.23+/- acre parcel. The site plan identifying

an 8.23+/- acre parcel provided for a more appropriate access alternative for the agricultural balance.

Moved first reading.

In their consideration of the criteria noted in Agricultural Policies 4 & 5 of the MDP2010, Council is of the opinion that allowing a first parcel out would not be detrimental to the agricultural use of the balance of the quarter section. In addition, Council agrees that the proposal is in alignment with the intent and policy outlined in the Residential section of the MDP2010 and the application falls within the density provisions and lot size restrictions for Country Residential development.

THE BYLAW WAS PASSED FOR ONE READING

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

Revised Site Plan B identifying an 8.23+/- acre lot as well as a 30m x 45m access dedication area is to be submitted;

Proof of adequate water supply to be provided in accordance with the Municipal Water Policy on the proposed 8.23+/- acre CR lot;

Public Works is to provide alternative styles of the turnaround at the terminus of 338th Avenue. These options will be brought back to Council for consideration.

Overland Drainage Easement to be fully executed to the satisfaction of the Public Works department at the land use redesignation stage and to be registered concurrently with a right-of-way plan at the subdivision stage;

The large shed identified on the site plan is to be acknowledged as non-conforming;

The small shed identified on the site plan is to be relocated a minimum of 15 meters from the rear property line of the 8.23+/- acre lot;

Final redesignation lot fees of \$650.00 per new lot to be paid;

Submission of the subdivision application and the necessary fees.

HILL – REDESIGNATION – NW 1-21-1 W5

BYLAW 33/2011

Bylaw 33/2011 was introduced into the meeting to authorize the redesignation of NW 1-21-1 W5 from Agricultural District to Country Residential 'A' District in order to permit the future subdivision of one 4.41+/- acre parcel. The 4.41+/- acre parcel is to be designed as Country Residential 'A' District to ensure that all and any improvements on the 4.41+/- acre parcel do not negatively impact the natural drainage.

Moved first reading.

In their consideration of the criteria noted in Agricultural Policies 4 & 5 of the MDP2010, Council is of the opinion that allowing a first parcel out would not be detrimental to the agricultural use of the balance of the quarter section. In addition, Council agrees that the proposal is in alignment with the intent and policy outlined in the Residential section of the MDP2010 and the application falls within the density provisions and lot size restrictions for Country Residential development.

THE BYLAW WAS PASSED FOR ONE READING

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

Public works is to provide alternative styles of the turnaround at the terminus of 322nd Avenue. These options will be brought back to Council for consideration.

Development permit for the existing pond located within the boundaries of the 4.41+/- acre parcel is to be obtained.

Overland Drainage Easement to be fully executed to the satisfaction of the Public Works department at the land use redesignation stage and to be registered concurrently with a right-of-way plan at the subdivision stage;

The shop identified on the site plan is to be acknowledged as non-conforming;

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

Final redesignation lot fees of \$650.00 per new lot to be paid;

Submission of the subdivision application and the necessary fees.

MINUTES – MAY 19, 2011

Moved that Council adopt the minutes, as circulated, of its Council meeting of May 19, 2011.

CARRIED

BILLS AND ACCOUNTS – MAY 26, 2011

Moved that the following cheque nos. 48957; 48959-48960; 48962-48971; 48973-48975; 48977-48981; 48984-48990; 48993-48996 totaling \$22,931.00 be approved for payment:

<u>Cheque No.</u>	<u>Vendor Name</u>	<u>Vendor Amt</u>
48955	1009720 Alberta Ltd.	\$8,929.19

48956	A.A.M.D. & C.	\$26,129.04
48958	Ambertec Ltd.	\$15,568.77
48961	Chandos Construction Ltd.	\$506,604.74
48972	Jeffery, Patricia	\$5,000.00
48976	M.D. of Foothills No. 31	\$275,000.00
48982	Moody's Equipment	\$50,694.86
48983	MPE Engineering Ltd.	\$38,735.29
48991	Town of High River	\$183,631.42
48992	Town of Okotoks	\$6,070.34

CARRIED

REQUEST TO REVIEW PROPOSED ROAD STANDARDS

Moved that Council allow a scheduled meeting with Council for a presentation of the internal road design for Stage 3 Heritage Pointe Area Structure Plan as requested.

CARRIED

HIGHWOOD RIVER ADVISORY COMMITTEE FUNDING

Moved that Council acknowledge receipt of the letter from the Highwood River Advisory Committee and, as requested, approve the request for \$125,000.00 to support the completion of the Flood Management Master Plan.

CARRIED

BALL – LAND USE BYLAW AMENDMENT – NW 18-22-4 W5

BYLAW 103/2010

Bylaw 103/2010 was reintroduced into the meeting to authorize the amendment of NW 18-22-4 W5 from the Agricultural District land use rules in order to permit the future subdivision of one additional parcel. The new parcel is to be designated as Agricultural 'A' District In order that a building site can be determined.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

BALL – LAND USE AMENDMENT – SW 19-22-4 W5

BYLAW 104/2010

Bylaw 104/2010 was reintroduced into the meeting to authorize the amendment of SW 19-22-4 W5 from the Agricultural District land use rules in order to permit the future subdivision of one 80-acre parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

PROPOSED LAND USE BYLAW AMENDMENT – LOT GRADING

Further to first reading to Bylaw 24/2011 being granted on May 5, 2011, the Development Officer was instructed to proceed with minor word changes prior to third and final reading of the Bylaw.

BYLAW 24/2011

Bylaw 24/2011 was reintroduced into the meeting to authorize certain amendments as follows to Land Use Bylaw 01-99:

Section 3.1.1 DEFINITIONS

Amend the Definition for

“Lot Grading” (Also Site Grading) means:

the construction of berms in excess of 2m (6.5 ft.) in height;

stockpiling of soil in excess of 2m (6.5 ft.) in height;

trenching and/or excavation that redirects a watercourse;

changing the natural drainage on the property, which means changing how the water flows on the property from the point of ingress to the point of egress.

Add Section 10.23.0 – LOT GRADING & DRAINAGE

Lands being graded to accommodate such things as landscaping, land contouring, borrow pits (that does not create a dugout), on site access roads, the erection of buildings, etc, that in any way changes the natural drainage of the property must apply for and receive a development permit approval before such work is permitted to be carried out, provided that Lot Grading is a use that falls under either the Permitted or Discretionary uses of the appropriate Land Use District. It should be noted that materials leaving the site, defined under Natural Resources, require additional permits to be obtained.

The only exception to this section would be if there was a site grading or lot grading plan already in place from an existing approved subdivision or development permit. If this is the case, all work must be carried out and conform to that approved plan.

In considering whether to approve a site or lot grading plan, the approving authority may have additional due regard for:
any statutory plans;
a statement of the effect on water courses and drainage patterns;
any geotechnical reports;
conservation of water courses;
ensuring that any alteration does not effect the ingress or egress of water flow from a property, nor create potential drainage effects either positive or negative, on other properties or environmentally significant areas;
Materials being brought to the site.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

DOWNEY – SW 4-20-2 W5

Moved that Council acknowledge receipt of the request from the landowners but is unable to meet their request for a meeting to discuss screening requirements of the outdoor RV storage compound. The landowners are to be informed that their opportunity to meet with Council in this regard would be available upon the submission of a new application, thereby giving them a new public hearing.

CARRIED

FRASER – NW 25-21-1 W5

Moved that this item on the agenda be tabled for further information.

CARRIED

RECESS

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

CARRIED

UTU HOLDINGS LTD. (BROGDEN) – SUBDIVISION – NE 29-22-3 W5

Moved that, due to the personal extenuating circumstances as explained to the Council, the landowners have until May 28, 2012, to comply with all conditions of subdivision as set forth on May 28, 2009.

CARRIED

BALL – SUBDIVISION – NW 18-22-4 W5

Moved that the subdivision of one 50+/- acre parcel from NW 18-22-4 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 accesses to be located and culverts and approaches to be installed in accordance with MD subdivision road standards;

Executed Development Agreements (two) to be registered on the title of the lands subject to the Development Agreements concurrently with the Plan of Survey;

Executed Agreements for Acquisition of Land (two) to be registered by way of Caveat on the title of the lands subject to the Agreements for Acquisition of Land concurrently with the Plan of Survey;

Executed Easement and Right-of-Way Agreements (two) to be registered concurrently with a right-of-way plan on the title of the lands subject to Easement and Right-of-Way Agreements concurrently with the Plan of Survey;

The Municipality's road widening requirement of 5 metres of land along the entire West boundary of the existing parcel to be dedicated by Caveat;

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

The landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;

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 adjacent municipal road(s), water well within the boundaries of the new and balance parcels and additionally, that the site plan is surveyed according to municipal requirements.

CARRIED

BALL – SUBDIVISION – SW 19-22-4 W5

Ms. Oel moved that the subdivision of one 80+/- acre parcel from SW 19-22-4 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;

Compliance with all requirements as set forth by Alberta Transportation;

Executed Development Agreement to be registered on the title of the lands subject to the Development Agreements concurrently with the Plan of Survey;

Executed Agreements for Acquisition of Land (two) to be registered by way of Caveat on the title of the lands subject to the Agreements for Acquisition of Land concurrently with the Plan of Survey;

Executed Easement and Right-of-Way Agreement to be registered concurrently with a right-of-way plan on the title of the lands subject to Easement and Right-of-Way Agreement concurrently with the Plan of Survey;

The Municipality's road widening requirement of 5 metres of land along the entire West boundary of the existing parcel to be dedicated by Caveat;

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

The landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;

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 adjacent municipal road(s), water well within the boundaries of the new and balance parcels and additionally, that the site plan is surveyed according to municipal requirements.

CARRIED

GALLUP – SUBDIVISION – NW 21-18-2 W5

Moved that the subdivision of one 8.49+/-acre parcel from NW 21-18-2 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;

Compliance with all requirements as set forth by Alberta Transportation;

Four Party Easement and Right-of-Way Agreement to be fully executed between the landowners of the 8.49+/-acre parcel, the landowners of the 139.12+/-acre parcel, the Village of Longview and the M.D. of Foothills and is to be registered by way of plan concurrently with the Plan of Survey;

Public Reserve: to be by way of cash in lieu of land based on \$4,700.00 per acre on account of 10% of the proposed new parcel and deferred by Caveat on the balance;

The Municipality's road widening requirement of 5 metres of land along the full North boundary of the existing parcel to be dedicated by Caveat;

Site plan to be provided that identifies firstly, all of the pipelines, wells, battery sites, and other facilities on and adjacent to the proposed parcel and secondly, a building envelope that meets the required setback distances to the pipelines, wells, battery sites and other facilities to the satisfaction of Council and Public Works;

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

The landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;

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

HANSMA AND HANSMA – BOUNDARY ADJUSTMENT – NW 12-20-28 W4

Moved that the boundary adjustment whereby 0.07 acres from the NW 12-20-28 W4 Block 1 Lot 1 (West Lot) is to be consolidated into NW 12-20-28 W4 (East Lot), in order to create one 59-acre parcel and one 80-acre parcel, 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 other means satisfactory to the Registrar of the South Alberta Land Titles District;

All accesses to be located and culverts and approaches to be installed to M.D. subdivision road standards;

Landowners are to provide all utility easements and agreements to the satisfaction of the M.D. and the utility companies;

Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;

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 adjacent municipal road(s), water well within the boundaries of the new and balance parcel and that the site plan is surveyed according to municipal setback requirements.

CARRIED

BUSHKO – SUBDIVISION – SW 21-22-3 W5

Moved that the subdivision of one additional parcel from Plan 9913508 Block 4 in SW 21-22-3 W5 be refused as Council is not supportive of further subdivision of this parcel due to the residence being served by an offsite water well and the fragmentation of agricultural land.

CARRIED

1503967 ALBERTA LTD. – SUBDIVISION – NW 1-22-1 W5

Moved that Council has no objection to the time extension requested and the landowners have until May 20, 2012 to comply with all conditions 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

PEKISKO CREEK RANCH AND CATTLE CO. – ROAD CLOSURE FOR LEASE BYLAW 120/2010

Bylaw 120/2010 was reintroduced into the meeting to authorize the road closure for lease of:

Firstly, that portion of Road Allowance lying between the North East of Section 11 and the South East of Section 15 in Township 16 Range 4 West of the 5th Meridian and that portion of Road Allowance lying between the East Half of Section 11 and the West Half of Section 12 in Township 16 Range 4 West of the 5th Meridian and that portion of Road Allowance lying between the West Half of Section 11 Township 16 Range 4 West of the 5th Meridian and Improvement District No. 5 containing 16 acres more or less;

Secondly, that portion of Road Allowance lying between the West Half of Section 10 in Township 18 Range 3 West of the 5th Meridian and the East Half of Section 9 in Township 18 Range 3 West of the 5th Meridian and the East Half of Section 9 in Township 18 Range 3 West of the 5th Meridian containing 4 acres more or less;

Thirdly, that portion of Road Allowance lying between the East Half of Section 20 Township 18 Range 3 West of the 5th Meridian South of the Highwood River and the West Half of Section 21 Township 18 Range 3 West of the 5th Meridian South of the Highwood River, containing 5 acres more or less.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

HIGH LONESOME RANCH LTD. – ROAD CLOSURE FOR LEASE BYLAW 119/2010

Bylaw 119/2010 was reintroduced into the meeting to authorize the road closure for lease of that portion of Road Allowance lying between the North Half of Section 21 in Township 18 Range 3 West of the 5th Meridian and the South Half of Section

28 in Township 18 Range 3 West of the 5th Meridian, lying East of the Right Bank of the Highwood River.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

VENTURER'S SOCIETY OF CALGARY

Moved that this item on the agenda be tabled for clarification purposes.

CARRIED

IN CAMERA

Moved that Council go 'In Camera' to discuss land issues at 5:20 p.m.

CARRIED

OUT OF CAMERA

Moved that Council go 'Out of Camera' at 5:33 p.m.

CARRIED

ADJOURN

Moved that Council adjourn at 5:34 p.m.

CARRIED