

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on October 27, 2011 at 9:00 a.m. Present were Reeve L. Spilak, Councillors B. Castell, D. Longson, R. Nelson, S. Oel, T. Mills, R. Chase, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

Reeve Spilak called the meeting to order.

#### **COUNCIL AGENDA**

Moved that Council approve the agenda for the Council meeting of October 27, 2011.

CARRIED

#### **ADDITIONS TO COUNCIL AGENDA**

Moved that Council approve the additions to the agenda for the Council meeting of October 27, 2011.

CARRIED

Protective Services Coordinator G. Carpenter introduced Mr. J. Smith, the new Fire Chief for the M.D. of Foothills.

Mr. Chase entered Council Chambers at 9:08 a.m.

#### **RESPECTFUL WORKPLACE DIRECTIVE HANDBOOK**

Moved that Council acknowledge the Respectful Workplace Directive Handbook and direct Administration to proceed with the training requirements.

CARRIED

#### **PROTECTIVE SERVICES FIRE DEPARTMENT**

##### **FIRE SERVICE TRAINING GROUNDS**

Moved that Council table this item on the Council agenda.

CARRIED

##### **FIRE SERVICE EDUCATIONAL REQUESTS**

Moved that Council table this item on the Council agenda.

CARRIED

##### **FIRE TRAINING AND EDUCATIONAL REQUESTS**

Moved that Council table this item on the Council agenda.

CARRIED

#### **VEHICLE PURCHASE**

Moved that Council authorize the purchase of a 2011 F150 Super Crew SLT for a purchase price of \$30,629.00 + taxes.

CARRIED

G. Carpenter and J. Smith left the Council Chambers.

#### **PROPOSED WATER LINE**

Moved that Council acknowledge receipt of the letter from Mrs. P. Hajdu and that all adjacent and existing landowners along the highway between High River and Cayley be circulated in order to determine the interest level regarding hooking up to the proposed water line if it was made available through full cost recovery. Water supply from the new water line will only be available for existing residences that have proven water quality/quantity problems and will not be made available for any future residences on existing lots, for existing residences that do not have demonstrated water concerns, or for new lots created through subdivision.

CARRIED

#### **ROAD CONSTRUCTION 56<sup>TH</sup> STREET EAST**

Moved that Council deny the request made by Mr. J.R. Perrott of Squaw Coulee Land & Cattle Ltd. to be reimbursed for a portion of their road construction costs on 56<sup>th</sup> Street East.

CARRIED

#### **GILLIS – REDESIGNATION – SW 3-20-2 W5**

Mr. T. Gillis was in attendance for the public hearing in connection with the proposed redesignation of the 80.21-acre parcel in order to permit the future subdivision of two additional parcels. Mr. D. Robertson and Mrs. D. Emerson were also in attendance. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located North of 434<sup>th</sup> Ave. and directly East of 144<sup>th</sup> St. W.

The application is to allow for one 5+/-acre parcel and one 7+/-acre parcel with the main residence to be contained within the 7+/-acre parcel and the barn to remain on the balance. The structures close to the proposed boundary line will either be removed or moved to meet setback requirements. There are two existing approaches onto the subject property off 144<sup>th</sup> St. W. and it was noted that the existing main approach is intended to be widened to accommodate a common access for both parcels.

Mr. Gillis stated that they would like to sell the original homestead and build a new home on the remaining property and the remainder of the property would continue to be farmed.

Mrs. Emerson, who lives in the area, is resistant to the land being broken down into acreages. She noted that when the quarter-section was divided in half, they didn't object because the intentions were to remain agricultural but that further subdivision could set a precedent for this area.

Mr. Robertson, who lives North of this property, requested that the property be kept in one agricultural parcel.

The public hearing was closed.

Moved that the application for redesignation of Plan 0912795 Block 1 Lot 1 in SW 3-20-2 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of two additional parcels be refused for the following reasons:

In their consideration of Policy 2 of the Agriculture section of the MDP2010, which states that the MD supports maintaining the integrity of the agricultural land base and discourages the fragmentation of agricultural land, particularly the subdivision of land into smaller agricultural parcels, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District; Council stated there was no justification to further subdivide the quarter-section when a 'first parcel out' was previously subdivided from the quarter-section.

CARRIED

#### **ORGANIZATIONAL MINUTES – OCTOBER 20, 2011**

Moved Council adopt the Organizational Minutes, as amended, of its October 20, 2011, Organizational Council meeting.

CARRIED

#### **CALGARY REGIONAL AIRSHED COMMITTEE**

Moved that Councillor S. Oel be appointed to the Calgary Regional Airshed Committee.

CARRIED

#### **BLUM – SITE SPECIFIC AMENDMENT – SE 33-19-28 W4**

Ms. J. Blum was in attendance for the public hearing in connection with a site specific amendment to allow for a commercial dog kennel. Ms. E. Berberick, Ms. D. Blais and Ms. S. Teucher were also in attendance. 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-half mile South of 434<sup>th</sup> Ave. and directly West of 128<sup>th</sup> St. E. Letters of support were received from E. Munson of the Calgary Agility Association, L. and A. Raatikainen, N. and S. Teucher, J. Minue and E. Berberich. One letter of concern was received from L. Spalding, who lives within one-half mile of the subject property.

The property is 8 acres in size and is the only parcel subdivided from the quarter-section. Access to the property is located West off 128<sup>th</sup> St. E. The proposed operation will consist of inboard boarding kennels located within a 1,410 sq. ft. attached garage. The kennel facility is expected to house up to a maximum of 20 overnight dogs (above and beyond the landowner's three personal dogs). In addition to the boarding services, there will be a 'sports and conditioning camp' service for the dogs as well as agility practice matches. The outdoor play area is approximately 1 acre in size and will be fenced with 'no climb' fencing.

Ms. Blum's submission noted the ideal location, with safe and easy access to the property from Highway #2 via the overpass exit 202 and the Aldersyde and Highway #7 overpass. She stated that with the increase in population, the number of dogs increase proportionately and is of the opinion that this kennel could be supported. She spoke at length about the noise generated from a kennel and feels strongly that with good management and lots of activity, barking can be kept at a minimum.

Speaking in support of the application was Mrs. S. Teucher, who lives 2+/-km. from the property, who stated that she does not hear any barking from the dogs. Also speaking in support of the application was Ms. E. Berberich who lives in Okotoks, but takes her dog to the property for training purposes.

The public hearing was closed.

#### **BYLAW 69/2011**

Bylaw 69/2011 was introduced into the meeting to authorize the site specific amendment within SE 33-19-28 W4 to allow for a commercial dog kennel as a permitted use. This Bylaw contains a sunset clause whereby a new land use application will be required three (3) years from the date of third reading of this Bylaw. The maximum number of dogs for a boarding will be twenty (20) dogs in a kennel with an allowance for up to ten (10) more dogs for the agility trials with the operation hours between 9 a.m. and 6 p.m.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING.

Council is of the opinion that the proposed use, in the scope and scale applied for under this application, will not unduly interfere with the amenities of the

neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

Prior to further consideration, the landowners will be required to pay the final administration fee and apply for a Development Permit with appropriate fees.

**LUNCH**

Moved that Council adjourn for lunch.

CARRIED

**BOW RIVER BASIN WATERSHED MANAGEMENT**

Mr. Mark Bennett was invited to update Council on Phase II of the Bow River Basin Watershed Management Plan.

**BILLS AND ACCOUNTS – OCTOBER 27, 2011**

Moved that the following cheque nos. 50288-50290; 50292-50293; 50295-50304; 50307-50313; 50316-50324; 50326-50331; 50333-50336; 50338-50339; 50341-50343; totalling \$49,766.84, be approved for payment:

<u>Cheque No.</u>	<u>Vendor Name</u>	<u>Vendor Amt</u>
50286	Canadian Western Bank	\$5,000,000.00
50287	1009720 Alberta Ltd.	\$8,929.19
50291	A.A.M.D. & C.	\$164,307.10
50294	Armtec Limited Partnership	\$9,916.85
50305	Goodwin, G. Herbert & Dora E.	\$246,885.00
50306	Great West Life Assurance Co.	\$7,446.60
50314	M Jackson Construction Ltd.	\$205,693.85
50315	M.D. of Foothills No. 31	\$375,000.00
50325	MPE Engineering Ltd.	\$28,900.94
50332	Shawne Excavating & Trucking	\$6,536.25
50337	Town of High River	\$78,869.93
50340	Volker Stevin Contracting Ltd.	\$10,778.78

CARRIED

**MINUTES – OCTOBER 20, 2011**

Moved that Council adopt the minutes, as circulated, of its October 20, 2011, Council meeting.

CARRIED

**RECESS**

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

CARRIED

**MUNICIPAL GOVERNMENT BOARD**

Moved that Council acknowledge receipt of Municipal Government Board Order 068/2011 whereby the appeal lodged by Dawn Johnson was denied and the subdivision application in SE 2-21-4 W5 is therefore refused.

CARRIED

**ADJOURN**

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

CARRIED

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

**MILLARVILLE COUNTRY ESTATES AREA STRUCTURE PLAN**

Moved that Council table this item until a site inspection has been done on the municipal reserve parcel proposed for the subdivision in SW 14-21-3 W5.

CARRIED

**RECESS**

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

CARRIED

**MORRISON – SUBDIVISION – SW 9-21-28 W4**

Moved that Council allow the revisions to the survey plan whereby the parcel sizes are amended from 27.4 acres to 23.48 acres and the balance parcel from 28.4+/- acres to 21 acres in SW 9-21-28 W4.

CARRIED

**ADJOURN**

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

CARRIED

**BROWNLEE SEMINAR – EMERGING TRENDS IN MUNICIPAL LAW 2012**

Moved that Council acknowledge receipt of the seminar scheduled on February 2, 2012 at the Carriage House Inn in Calgary.

CARRIED

**REQUEST TO CANCEL TAXES**

Moved that Council allow the cancellation of taxes in the amount of \$274.67 for Roll No. 2203135010.

CARRIED

**IN CAMERA**

Moved that Council go 'In Camera' at 2:37 p.m. to discuss land matters.

CARRIED

**OUT OF CAMERA**

Moved that Council go 'Out of Camera' at 4:25 p.m.

CARRIED

**ARTESIA AT HERITAGE POINTE**

Moved that Council has no objection to the road naming request for Artesia at Heritage Pointe, these names being Artesia Pointe, Willow Springs Court, Morning Mist Lane, Whispering Springs Way, Waters Edge Drive, Sweet Water Place, Artesia Boulevard, Waters Edge Drive, Artesia Gate, Stillwater Bay and Spring Water Close.

CARRIED

Moved that Council accept the expenses as submitted for the utility services for the municipal reserve parcel at Heritage Pointe.

CARRIED

**2011 PROPERTY TAXES**

Moved that Council allow the relaxation of the late payment penalty for 2011 taxes in the amount of \$147.32 for Roll No. 2101087500.

THE MOTION WAS LOST

**ADJOURN**

Moved that Council adjourn at 5:15 p.m.

CARRIED