

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on September 29, 2011 at 9:00 a.m. Present were Councillors T. Mills, S. Oel, B. Castell, D. Longson, R. Nelson, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon. Reeve Spilak and Councillor Chase were not in attendance due to Municipal business.

Deputy Reeve Mills called the meeting to order.

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

AGENDA – SEPTEMBER 29, 2011

Moved that Council approve the agenda for the Council meeting of September 29, 2011.

CARRIED

ADDITIONS TO THE AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of September 29, 2011.

CARRIED

HERN – REDESIGNATION – NW 12-20-3 W5

BYLAW 77/2010

Bylaw 77/2010 was reintroduced into the meeting to authorize the redesignation of Ptn. LSD 11 in NW 12-20-3 W5 from Agricultural District to Country Residential District in order to permit the future subdivision of one additional parcel.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

Reeve Spilak entered the Council Chambers at 9:30 a.m. and assumed his position of Chairman.

EDWARDS – AREA STRUCTURE PLAN AMENDMENT – W. 23-21-29 W4

BYLAW 136/2010

Bylaw 136/2010 was reintroduced into the meeting to authorize the amendment to the Deer Creek Estates Area Structure Plan to allow for one additional parcel located within Plan 0612362 Block 7 Lot 1 in W. 23-21-29 W4.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

TOWN OF OKOTOKS

Moved that Council acknowledge receipt of the letter from the Town of Okotoks with respect to the Wind Walk development.

CARRIED

THE ROYAL CANADIAN LEGION BRANCH NO. 71

Moved that Council acknowledge receipt of the invitation from the Royal Canadian Legion Branch No. 71 in High River and that a Council representative will be honoured to attend the High River Annual Remembrance Day Ceremony at 10 a.m. on November 11, 2011 at the Memorial Centre and the dinner and dance commencing at 6 p.m.

CARRIED

INTERIM INDUSTRIAL LAND STRATEGIES

Moved that Council authorize a position as Interim Industrial Land Strategies Project Coordinator for the Tri-Municipal Highway 2A Industrial Land Strategies project.

CARRIED

CALGARY REGIONAL PARTNERSHIP

Moved that Council acknowledge receipt of the invitation for the Greenfield Tool Box Workshops scheduled for October 4, 2011, October 19, 2011, October 28, 2011, November 8, 2011, November 30, 2011 and that representatives from Council will attend on each of these dates.

CARRIED

SCHALLER – REDESIGNATION - SW 1-21-29 W4 - REDESIGNATION

Ms. S. Schaller and her agent Mr. P. Stier were in attendance for the public hearing in connection with the proposed redesignation of the 40-acre parcel in order to permit the future subdivision of two additional parcels. Ms. K. Beunder, Mr. G. Smith, Mr. W. Webber, Mr. A. Karman, Mr. M. Karman and Mr. M. Slezak 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 Northeast of the Town of Okotoks, East of Highway 2 and directly East of 64th St. E. One letter of concern was submitted by W. Webber and G. Smith.

The Planning Officer identified the subdivision development created in 2009 directly South of the subject property. At the time of subdivision, an internal subdivision road (Eastway Drive East) was developed to provide access to all of those lots. It was noted that this road is still under obligation of the developer and has not been taken over by the M.D.

The application is to allow for two 4.5+/-acre to 4.98+/-acre parcels along the West portion of the property, leaving a balance of approximately 30.5 acres. The most Northerly 4.98+/-acre parcels contains the dwelling, garage, two small greenhouses, two large animal shelters, two metal granaries, a shop and various small outbuildings. The subject lands are bounded on the West by 64th St. East and on the South by Eastway Driveway East. The site plan shows two existing approaches off 64th St. E. (one of which provides easement access to a Compton Petroleum well site) and two proposed approaches off Eastway Drive East. Upon circulation, the ERCB identified the pipeline in the property as a Sour Gas Level 3 and has recommended a setback of 500 metres. Compton Petroleum responded with no objection to the application and no response was received from Mazeppa Processing Partnership.

Mrs. Schaller stated that she inherited the land from her parents and is subdividing the land to follow through with her parents' wishes. The balance will remain as a hayfield and pasture.

Mr. Stier discussed different options for access and stated that they would be willing to enter into an Endeavour to Assist for a contribution to the road (Eastway Driveway East) should any subdivision occur in the future.

Discussion took place about the Compton access to the property and at this time, there is an existing easement to get to the lease site.

Ms. Beunder, speaking on behalf of Mr. W. Webber and Mr. G. Smith who own the property directly South, stated that they object to this development as the applicant wishes to make no contribution to the road and yet wishes to use it as access to her property.

In his closing comments, Mr. Stier stated that they would be willing to work with the landowners to the South regarding access to their balance parcel.

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

RUSTEBAKKE – REDESIGNATION - SW 33-18-29 W4

Mr. and Mrs. D. Rustebakke were in attendance for the public hearing in connection with the proposed redesignation of the 44.16-acre parcel in order to permit the future subdivision of three additional parcels. 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 Southwest of High River.

The proposed new parcels would be located within the South side of the property and would be comprised of two 2.59+/-acre parcels and one 3.9-acre parcel. The Planning Officer explained the history of development within this property. The residence, barn and outbuildings are located immediately North of the 3.53-acre parcel that was created in 2007. The existing access is from a long driveway off 56th St. E. and there is a common access for Lot 1 and Lot 2 (both created in 2007). The three new parcels are to be accessed South of the common approach onto an internal road which would be off a graveled section of 56th St. E.

The balance lands contain an irrigation canal and their eventual plan is to take ownership of it, although it is owned by the Municipality at this time.

Upon circulation, the Public Works Department recommended paving 56th St. E. from the South end of the chip seal to the proposed entrance of the internal subdivision road.

Mr. Rustebakke stated that the reason for the design of the internal road was to satisfy concerns of the existing landowners on Lots 1 and 2 but they would be amenable to revise the plan if recommended by Council. An additional lot was discussed, as was the consideration of lands in the Northwest corner of the balance lands as Environmental Reserve. Furthermore, the concern was noted as to additional costs of paving 56th St. W. to the South edge of the applicants' property as it may be better suited for the internal access road.

The public hearing was closed.

Moved that the decision with respect to the redesignation application in SE 33-18-29 W4 be tabled in order that the landowners provide options for the design of the internal road, proposed parcels and an environmental reserve.

CARRIED

LUNCH

Moved that Council adjourn for lunch.

CARRIED

WENDLING – SITE SPECIFIC AMENDMENT – SE 25-20-29 W4

Mr. and Mrs. L. Wendling and their agent, Mr. D. Badke, were in attendance for the public hearing in connection with a site specific amendment to allow for the expansion of the R.V. and self-storage facility that exists on Lot 9 to be extended into the parcel that lies to the South. Mr. K. Weissenborn was 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 between Highway 2 and 76th St. East, approximately ¼ mile North of 370th Ave. and two miles East of the Town of Okotoks.

The Development Officer stated that each of the subject properties are 8.81 acre in size and are located in Caravelle Estates. At the present time, the Northerly parcel is the subject of the relevant Development Permits and Land Use Amendments.

In 2003, approval was granted for the storage of 100 RV's and use of one 1,500 sq. ft. structure and one 2,400 sq. ft. structure for self storage and office space. In 2006, approval was granted for an additional 100 RV units (bringing the total number allowable to 200 units) and 54 contained for covered self storage. Permit conditions included the implementation of a landscape buffer of shrubbery along the South boundary of the parcel. A total of 28 containers only have been installed and no additional containers are intended.

The applicants are now requesting approval to allow for the expansion of the existing RV storage and enclosed self storage facility that is located on Lot 9, to include the additional storage of a maximum 356 RV units on Lot 10. The proposed storage facility would include an area of approximately 6 acres on Lot 10 and units stored on site may include small utility trailers and light trucks. Access to the facility is proposed to continue through Lot 9, off 76th St. E. and 370th Ave. It is proposed that the 6 ft. high chain link fencing, currently located within the service road right of way that borders Highway 2, will be moved to the East property line of Lot 9 and that additional fencing of the same nature will be constructed along the East, South and West sides of the proposed parking area on Lot 10.

It is proposed that screening from Highway 2 for both Lots 9 and 10 will consist of carigiana shrubs (mature height identified to be 8 ft. to 10 ft.) and poplar trees (up to 30 ft. when mature). Mr. Badke also noted the possibility of c-cans being placed as a screening that would face the highway.

Mr. Weissenborn, who also lives in Caravelle Estates, noted concerns with the application and with the creeping industrialization within this development. The public hearing was closed.

Moved that the application for a site specific amendment to allow for the expansion of the existing R.V. storage facility on Lot 9, by the addition of 356 R.V. parking stalls on Lot 10 in SE 25-20-29 W4 be refused as, in Council's opinion, the proposed application does not satisfactorily conform to the policies under which the land is included; and that the development as proposed within the application is contrary to Section 617 of the Municipal Government Act of Alberta.

Furthermore, due to the visibility of this facility along the primary highway, Council feels that development of this nature should be encouraged within land use districts designated for these purposes.

CARRIED

RECESS

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

CARRIED

HERN – SUBDIVISION – NW 12-20-3 W5

Moved that the subdivision of one 6+/-acre parcel from LSD 11 in NW 12-20-3 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;

The landowners are to comply with all requirements as outlined within the Development Agreement (including a payment of the road contribution fee of \$9,936.00 per new lot);

All accesses to be located and culverts and approaches to be installed to the MD subdivision road standards;
Public Reserve: to be deferred by Caveat on both parcels;
The landowners are to provide all utility easements and agreements to the satisfaction of the M.D. 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

ADJOURN

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

CARRIED

SCHALLER – REDESIGNATION – SW 1-21-29 W4

Moved that the decision regarding the redesignation application in SW 1-21-29 W4 be tabled for clarification by the developer with respect to ERCB on the setback requirements for the sour gas pipeline which crosses the property. In addition, Council requests that the developer negotiate with the developer of Eastway Drive East for access.

CARRIED

BILLS AND ACCOUNTS – SEPTEMBER 29, 2011

Moved that the following cheque nos. 50020; 50022-50027; 50029; 50031-50035; 50038; 50040-40051; 50043-50047; 50050-50062; 50064; 50067-50070; totalling \$27,877.42 be approved for payment:

50019	1009720 Alberta Ltd.	\$8,929.19
50021	A.A.M.D. & C.	\$81,385.71
50028	CDC Recreation Inc.	\$5,066.25
50030	DARE Works Foothills Society	\$7,956.00
50036	Foothills School Division	\$331,908.86
50037	Great West Life Assurance Co.	\$9,030.40
50039	Heintz, Roger & Doris	\$416,290.00
50042	Hilton Landmarks Inc.	\$6,465.70
50048	Lee, Sang Koo & Hee Suk	\$626,800.00
50049	M.D. of Foothills No. 31	\$350,000.00
50063	Town of High River	\$1,262,771.71
50065	Town of Okotoks	\$128,527.00
50066	Volker Stevin Contracting Ltd.	\$62,102.33

CARRIED

MINUTES – SEPTEMBER 22, 2011

Moved that Council adopt the minutes, as circulated, of its Council meeting of September 22, 2011.

CARRIED

ARTESIA AT HERITAGE POINTE DEVELOPMENT – PHASE 1

Moved that Council accept the revision to the municipal reserve parcel for the Artesia development at Heritage Pointe as submitted from Maidment Land Surveys Ltd. (dated August 30, 2011).

CARRIED

MILLARVILLE MEADOWS

Moved that Council conditionally accept the Letter of Intent dated August 31, 2011 regarding the transfer of the water treatment facilities in Millarville Meadows.

CARRIED

IN CAMERA

Moved that Council go 'In Camera' for legal and land matters at 4:00 p.m.

CARRIED

OUT OF CAMERA

Moved that Council go 'Out of Camera' at 4:30 p.m.

CARRIED

TRIMUNICIPAL INDUSTRIAL LANDS STRATEGY

Moved that Council accept the name *Alberta Foothills Industrial Corridor* (AFICA) as submitted by S. Olson of the Town of Okotoks.

CARRIED

C.P.R.

Moved that the Municipal Manager be authorized to sign the agreement for C.P.R.

CARRIED

ADJOURN

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