

**FOOTHILLS COUNTY
COUNCIL MINUTES**

June 5, 2024, 9:00 a.m.

Present: Reeve Miller, Councillor Siewert, Councillor Castell, Councillor McHugh, Councillor Alger, Deputy Reeve Waldorf, Councillor Oel
Administration: Municipal Manager H. Riva Cambrin, Director of Planning H. Hemingway, Manager of Legislative Services S. Barrett, Recording Secretary K. Conrad

GENERAL MATTERS

Call Meeting to Order

The meeting was called to order at 9:00 a.m.

Emergent Items

That Council add Red Deer Lake Hall Roof Repair as an emergent item to its June 5, 2024 agenda.

CARRIED

That Council add Davisburg Church Funds as an emergent item to its June 5, 2024 agenda.

CARRIED

Approval of the Agenda

That Council approve the agenda for the Council meeting of June 5, 2024 as amended.

CARRIED

PUBLIC WORKS / ENGINEERING / PARKS & RECREATION

Manager of Parks and Recreation J. Porter, Deputy Director of Operations for Public Works M. Gallant, Development and Roads Technologist W. Kruger, and Director of Community and Emergency Services R. Saulnier were in attendance for a discussion period with Council.

MISCELLANEOUS MUNICIPAL ITEMS

Davisburg Church Funds

That Council authorize the remaining repairs to the Davisburg Church from the Davisburg Cemetery and Church Reserves to include but not limited to the materials and labour for the Skirting Masonry, Construction of the Concrete Pad (stairway), painting, roofing, and any additional items to a maximum cost of \$35,592.42.

CARRIED

MISCELLANEOUS PLANNING ITEMS

Anderson - SE 27-19-29 W4M - Development Permit 24D 061

That Council approve Development Permit 24D 061 for the use of the existing arena as a Limited Public Facility including horse boarding, training, lessons, and clinics on Plan 0013143, Block 1, Lot 1; SE 27-19-29 W4M.

APPROVAL DESCRIPTION:

Upon completion of the Pre-Release Condition, this approval allows for the development and use of Plan 0013143, Block 1, Lot 1; Ptn. SE 27-19-29 W4M, in accordance with the submitted application and as accepted by Foothills County Council as the Development Authority, as follows:

- An equine facility, operating under the regulations for an Arena, Limited Public; including the use of existing +/- 13,008 sq. ft. riding arena/barn, horse boarding, training, lessons, and clinics;
- 6 Events per year having a maximum of 16 attendees;
- Hours of operation where by the facility may be open to the public are approved between 9:00 AM and 9:00 PM, daily;
- A maximum of 16 non-resident users are permitted on any given day which results in the generation of no more than 16 vehicle trips to the site;
- Allowance for a maximum of 22 animal units to be location on the property at any given time. This includes horses and other animals as noted within the application.

PRE-RELEASE CONDITION:

Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before November 5, 2024 will see this development permit decision deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).

1. The applicant is required to obtain all required building and safety code permits and inspections, and illustrate any/all existing buildings proposed to have public access as suitable for the intended use(s) and occupancy.

CONDITIONS OF APPROVAL:

The following requirements must be completed within twenty-four (24) months from the date the Development Permit is signed and issued unless a time extension is approved under agreement between the Development Authority and the Applicant(s). Failure to complete the conditions of approval will see the Development Permit be deemed null and void.

1. The applicant shall construct and maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the County to be appropriate. Any revisions and/or additions to the use of this land shall not proceed except under benefit of appropriate approvals;
2. The applicant shall obtain a passing Fire Inspection from the Foothills Fire Department and shall submit proof of such to the Development Authority, prior to the operation of the facility;
3. The applicant shall obtain and maintain an annual Business License(s) from Foothills County. Failure to obtain this each year will result in this permit being considered null and void;
4. The applicant shall obtain an emergency/civic addresses for the arena/barn, to the satisfaction of the GIS/Mapping Department. Please Contact the County's Mapping Department 403-652-2341 for assistance in this regard;
5. The applicant shall provide a Comprehensive Emergency Response Plan/Fire Safety Plan, to the satisfaction of the Foothills Emergency Services and Fire Department. The applicant is advised that these plans should address procedures during normal operations, as well shall address additional requirements during the annual events;
6. A manure management plan that includes specifics as to the type and volume of containment and storage area, as well as specifics with respect to setbacks from water/drainage area(s), shall be submitted to the development authority for review and acceptance. Manure storage facilities must be illustrated to be designed, constructed and maintained in order to avoid contamination of any groundwater, prevent contaminated surface water from leaving the property, and reduce any nuisance. The composting and short term storage of manure shall comply with all requirements and recommendations of Alberta Agriculture and Forestry and the applicable regulation(s). Manure in excess of that which may be used to benefit the lands is to be removed from the site and disposed of in a manner consistent with regulatory requirements;
7. A parking plan that includes specifics as to number of spaces, laneways, aisles, and loading spaces shall be provided to the size and specifications as outlined in Section 9.19 of the Land Use Bylaw. It is the applicant's responsibility to ensure that a minimum of 26 parking stalls are available at any given time for use by employees, clients, and/or guests attending the facility;
8. It is the applicant's responsibility to provide written notification to the Development Authority upon completion of the development, as approved herein.

ADVISORY REQUIREMENTS:

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity. It is the responsibility and liability of the applicant(s) and landowner(s) to ensure adherence with these requirements for the life of the development.

1. This approval wholly replaces Development Permits 10D 134 and 10D 179, which shall be considered null and void upon approval of this permit;
2. The development is required to illustrate compliance with the requirements of the Alberta Building, Plumbing, Electrical, Safety, and Fire Codes, at all times;
3. The total cumulative number of animals located on the property at any given time is not to exceed 22. Additional animal units on the parcel would first require appropriate independent approval from the County;
4. All parking, loading areas, and laneways must be kept free of all debris, materials and/or equipment, and is the landowner's responsibility to ensure access for fire department apparatus is provided for at all times. Loading/parking areas shall be located so that all vehicles using that space can be easily parked and maneuvered

- entirely within the bounds of the subject property without backing to or from adjacent public roadways;
5. No portion of the proposed arena/barn structure is permitted to be used for residential use, or for the purpose of overnight accommodations, without first obtaining any applicable approvals;
 6. All structures shall be located as to adhere to Municipal and Provincial setback requirements from the boundaries of the legally titled property. No variance for property line setbacks has been considered under this approval;
 7. No offensive noise, vibration, smoke, dust, odor, heat, glare, electrical, or radio disturbance shall be detectable beyond the boundary of the titled property;
 8. Natural drainage of the property must be maintained. Alteration to natural drainage may only proceed only under the authorization of an approved Development Permit for Lot Grading permit;
 9. Excepting those existing on the subject property at the time of this approval, no additional buildings are permitted to be constructed or located on the subject property without first obtaining necessary approvals from the Foothills County. This includes any structure with a roof; such as, any garage, tent, shelter, lean-to, shed, greenhouse, and/or any building(s) with temporary foundations;
 10. Water provided to the public for all of the facilities on-site must comply with Section 11 of the Alberta Public Health Act, Nuisance and General Sanitation Regulation 243/2003;
 11. The development shall at all times comply with the requirements of Alberta Environment, including with respect to water use. All required licenses and approvals from the Provincial authority shall be obtained if well water is to be used in support of the facility;
 12. All waste materials are to be handled and disposed of under guidelines provided by governing Provincial regulatory bodies, at an approved waste disposal and/ or recycling site. There shall be no long-term storage of waste materials on the property, nor burning of waste materials on the property. All garbage, waste, and recycling materials shall be stored in weatherproof and animal proof containers that are required to be fully screened from neighbouring lands and roadways;
 13. All installation(s) of exterior lighting and signage must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
 14. The landowners indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the owner, arising from soils being relocated to/on this property;
 15. The issuance of a development permit by the County does not relieve the applicant of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land;
 16. The applicants indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the Owner(s) arising from the use of the subject property.

CARRIED

PUBLIC HEARINGS & MEETINGS

10:00 a.m. - Weir - NW 01-19-28 W4M - Redesignation (CR to DC#26)

S. Weir was in attendance for the public hearing in connection to the redesignation of the 6.89 +/- acre portion of Plan 0813086, Block 1, Lot 1; Ptn. NW 01-19-28 W4M from Country Residential District to Direct Control District #26 to allow for the operation of a Commercial Dog Kennel facility.

The public hearing was closed.

Weir - NW 01-19-28 W4M - Decision

Bylaw 32/2024

Bylaw 32/2024 was introduced into the meeting to authorize the redesignation of the 6.89 +/- acre portion of Plan 0813086, Block 1, Lot 1; Ptn. NW 01-19-28 W4M from Country Residential District to Direct Control District #26 to allow for the operation of a Commercial Dog Kennel facility for the following reasons:

In consideration of the criteria noted within the Economy Section of the MDP2010 and the Direct Control District #26 Land Use District, Council is of the opinion that allowing the proposed Commercial Dog Kennel on the subject lands would not be detrimental to the intended use of the subject parcel and neighbouring parcels.

Further, it is noted that a Development Permit will be required to be submitted and considered by Council in advance of the applicant undertaking any of the uses not currently permitted on the subject lands.

Conditions of Approval

1. Final redesignation application fees to be submitted;
2. Submission of a complete development permit application and the necessary fees.

That Bylaw 32/2024 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING

Highfield Investment Group Ltd. / Bramta Development Ltd. / Munro /Munro / Rowland - Decision

That Council refuse the application for the adoption of the Highfield & Rowland Acres Area Structure Plan.

THE MOTION WAS LOST

Bylaw 33/2024

Bylaw 33/2024 was introduced into the meeting to authorize the adoption of the Highfield & Rowland Acres Area Structure Plan to allow for the future development of the Highfield neighbourhood Hamlet Growth Area of approximately 848.55 +/- acres of developable land and the Rowland Acres neighbourhood of approximately 273.0 +/- acres of developable land, consisting of single family and multi-family residential properties, commercial and recreation uses, two school sites, public utility lots, stormwater management facilities, pathways, parks, roads and Environmental Reserve lands.

CONDITIONS FOR APPROVAL

1. Applicant to provide textual and map amendments to the Area Structure Plan, as per recommendations by Foothills County staff and Council direction to the satisfaction of the Foothills County;
2. Approval of the Highfield & Rowland Acres Area Structure Plan by the Calgary Metropolitan Region Board.

Note: Prior to proceeding with submission of a Regional Evaluation Framework application to the Calgary Metropolitan Region Board, Foothills County Council shall review and accept the draft Area Structure Plan.

That Bylaw 33/2024 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING

CONFIDENTIAL CLOSED SESSION

Confidential Closed Session

That, in accordance with Section 197 of the *Municipal Government Act*, Council move into a Closed Meeting at 11:08 a.m. for a meeting with the Integrity Commissioner as per Sections 23, 24, and 27 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. Municipal Manager H. Riva Cambrin and CAO R. Payne attended the closed session of Council for the purpose of providing information to Council.

Council remained in Closed Meeting at 11:43 a.m. to discuss FORWP Phase 2 Memorandum of Understanding and FORWP Request for Land Ownership as per Section 23 of the *Freedom of Information and Protection of Privacy Act (FOIP)*.

Municipal Manager H. Riva Cambrin, Director of Planning H. Hemingway, and Manager of Legislative Services S. Barrett attended the closed session of Council for the purpose of providing information to Council.

CARRIED

Return to Open Session

That Council return to its open meeting of Council at 12:11 p.m.

OTHER MATTERS

Lunch

That Council adjourn for lunch.

CARRIED

CONFIDENTIAL CLOSED SESSION

That, in accordance with Section 197 of the *Municipal Government Act*, Council move into a Closed Meeting at 1:08 p.m. to discuss 2024 Capital Budget - Data Storage System Replacement and Red Deer Lake Roof Replacement as per Section 16, FORWP Phase 2 MOU and FORWAP Land Ownership Request as per Section 23, and advice from officials as per Section 24 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. Municipal Manager H. Riva Cambrin, Director of Planning H.

Hemingway, and Manager of Legislative Services S. Barrett attended the closed session of Council for the purpose of providing information to Council.

CARRIED

Return to Open Session

That Council return to its open meeting of Council at 1:38 p.m.

CARRIED

SUBDIVISION APPROVING AUTHORITY ITEMS

That Council recess to sit as the Subdivision Approving Authority.

CARRIED

1:30 p.m. - Laird - NW 22-20-28 W4M - Request for Subdivision

R. and W. Laird and Agent K. Beunder were in attendance for the public meeting in connection to the proposed subdivision of one (1) 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel and 0.97 +/- acres to be surveyed out as future Service Road, from Plan 402LK, Block 1; Ptn. NW 22-20-28W4M.

The public meeting was closed.

Adjourn

That the meeting of the Subdivision Approving Authority adjourn and that Council continue its regular agenda.

CARRIED

CONFIDENTIAL CLOSED SESSION

Confidential Closed Session

That, in accordance with Section 197 of the *Municipal Government Act*, Council move into a Closed Meeting at 2:06 p.m. to discuss Red Deer Lake Hall Roof Replacement as per Section 16, U7U Water Co-op - Request for Local Improvement Study as per Section 23, and advice from officials as per Section 24 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. Municipal Manager H. Riva Cambrin, Director of Planning H. Hemingway, and Manager of Legislative Services S. Barrett attended the closed session of Council for the purpose of providing information to Council.

CARRIED

Return to Open Session

That Council return to its open meeting of Council at 2:55 p.m.

CARRIED

PUBLIC HEARINGS & MEETINGS

2:30 p.m. - Goudy - SW 21-20-28 W4M (WITHDRAWN)

That Council acknowledge the letter from A. Goudy indicating withdrawal of the application for an Amendment to the County Residential District Land Use Rules to allow for the future subdivision of the 8.08 +/- acre portion of SW 21-20-28 W4M.

CARRIED

SUBDIVISION APPROVING AUTHORITY ITEMS

Subdivision Approving Authority

That Council recess to sit as the Subdivision Approving Authority.

CARRIED

Laird - NW 22-20-28 W4M - Decision

That the subdivision of one (1) 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel and 0.97 +/- acres to be surveyed out as future Service Road, from Plan 402LK, Block 1; Ptn: NW 22-20-28 W4M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9 and 20 of the *Matters Related to Subdivision and Development Regulation* and therefore the application is approved as per the tentative plan for the following reasons:

- The application is consistent with Section 9 of the *Matters Related to Subdivision and Development Regulation*;
- Pursuant to Section 20(1) of the *Regulation*, written approval was received by the Minister of Transportation allowing the Subdivision Authority to grant a variance to Section 18 and allowing Section 19 of the *Regulation* to be met through the provision of a 30 meter wide service road by Plan of Survey along with removal of the existing Highway 547 approach, located approximately 50 meters east of the intersection of 128th Street East;
- The subject lands have the appropriate land use designations.

In consideration of the criteria noted in Residential Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use

and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Subdivision 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;
2. It is the applicant's 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), septic tank and field and water well(s) within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
3. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of drainage, grading, and payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;
4. Service road dedication, with respect to an area of the subject parcel measuring approximately 132.21 meters in length by 30 meters in width (0.97 acres), as illustrated on the applicant's site plan, is to be surveyed out, to the satisfaction of Alberta Transportation and Economic Corridors;
5. Landowner is to provide payment of the \$11,300.00 Community Sustainability Fee with respect to the new 5.0 +/- acre proposed lot;
6. Public Reserve: to be provided by cash in lieu of land based on \$21,179.00 per acre, on account of 10% of the proposed 5.0 +/- acre Country Residential District lot, and deferred by caveat on the 20.90 +/- acre Country Residential District balance parcel;
7. Proof of adequate water supply is to be provided in accordance with the Provincial Water Act, to the satisfaction of the County;
8. Septic disposal evaluation to be provided for both the proposed 5.0 +/- acre lot in accordance with Part 2, Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department;
9. Site plan to be provided which identifies building envelopes, for the proposed 5.0 +/- acre lot, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department;
10. Lot grading/Drainage plan to be provided for the subject lands, to the satisfaction of the Public Works department;
11. Road acquisition agreement for the purpose of future road widening to be executed by the landowners and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 5.17 metres in width parallel to the full west boundary of the subject parcel (128th St. E), to the satisfaction of the Public Works department;
12. All access provided from 128th Street East is to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;
13. All access provided from Highway 547 is to be located and constructed or removed, to the satisfaction of Alberta Transportation and Economic Corridors;
14. Landowner is to provide all utility right of way agreements, easements, licenses and installation, to the satisfaction of the County and the utility companies;
15. Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision; and
16. Submission of subdivision endorsement fees.

CARRIED

Adjourn

That the meeting of the Subdivision Approving Authority adjourn and that Council continue its regular agenda.

CARRIED

MISCELLANEOUS MUNICIPAL ITEMS

Chow / Halasz - W 29-22-03 W5M - Request to Purchase Municipal Reserve Land

That Council refuse the request to consider selling 17.00 +/- acres of Municipal Reserve land on Plan 0715672, Blk 2, Lot 14; Ptn. W 29-22-03 W5M.

CARRIED

U7U Water Co-op - Request for Local Improvement Study

That Council authorize administration to proceed with negotiations regarding the assumption of ownership of the U7U Water Cooperative.

CARRIED

That Council authorize administration to develop a Local Improvement Plan to allow the water system to be connected to the Priddis Greens/Hawks Landing water system.

CARRIED

MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

That Council acknowledge the report submitted by the integrity commissioner for Foothills County.

CARRIED

That Council authorize administration to purchase the quoted data storage system from CDW Canada and additional installation supplies for a total cost not to exceed \$56,723.08 plus applicable taxes.

CARRIED

MISCELLANEOUS MUNICIPAL ITEMS

Crankmasters Granary Road Hill Climb - Road Use Event

That Council authorize use of municipal roads during the Crankmasters Granary Road Hill Climb scheduled for June 12, 2024, subject to the standard municipal conditions and any further requirements as set forth by the Public Works and Foothills Protective Services departments of Foothills County, including the following:

- No parking is allowed under any circumstances at the start and finish lines;
- Cyclists may not stop at the finish line, which is a corner at the top of the hill with poor sight lines. Vehicles are not permitted to pick up cyclists at the finish line;
- Signage similar to what is being placed at the start and finish lines must also be placed at intersections where marshals are not present.

CARRIED

MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

That Council authorize administration to accept the quote from Tim Green to re-roof in steel all the Red Deer Lake buildings except for the public washrooms, for a total not to exceed \$161,854.00 plus applicable taxes, to be disbursed from Council contingency funds until such time as a Municipal Reserve parcel has been sold to cover the expenditure.

CARRIED

OTHER MATTERS

Accounts – June 5, 2024

That the following cheques 0069990 - 0069997, 0069999 - 0070005, 0070009, 0070011- 0070015, ETFs 025620 - 025621, 025623 - 025629, 025631- 025638, 025640 - 025641, 025643 - 025650, 025652 - 025657, 025659 - 025679 and Pre-Authorized Payments from May 24, 2024, May 27, 2024, May 28, 2024, May 29, 2024 and May 31, 2024 totalling \$68, 833.47 be approved for payment.

Cheque No.	Vendor Name	Vendor Amt.
0069998	High River Ag Society	\$80,000.00
0070006	Owerko, Kelly	\$5,000.00
0070007	Ramsfield, Merle I.	\$5,000.00
0070008	Receiver General For Canada	\$294,221.57
0070010	SBL Contractors Ltd.	\$16,100.00
EFT No.	Vendor Name	Vendor Amt.
EFT025919	Caron & Partners LLP	\$2,996,729.71
EFT025622	Advantage VM	\$69,841.24
EFT025630	Canadian Pacific Railway Company	\$7,351.00
EFT025639	Foothills County	\$525,000.00
EFT025642	Frontier Construction Products Ltd.	\$45,129.00
EFT025651	Local Authorities Pension Plan	\$108,111.50
EFT025658	O'Leary Excavating Ltd.	\$8,272.02
Pre-Authorized Payments	Vendor Name	Vendor Amt.
May 27, 2024	TD Visa	\$9,093.89

CARRIED

Minutes – May 28, 2024 and May 29, 2024

That Council adopt the minutes, as circulated, of its May 28, 2024 Council meeting.

CARRIED

That Council adopt the minutes, as circulated, of its May 29, 2024 Council meeting.

CARRIED

Committee Reports

Council provided the following information and updates on the Council Committees attended for the period of May 29, 2024 to June 4, 2024:

- Reeve Miller: Town of Okotoks / Foothills County Intermunicipal Committee, Longview Recreation Board
- Deputy Reeve Waldorf: Town of Okotoks / Foothills County Intermunicipal Committee, Foothills Rural Fire Board, Joint Health and Safety Committee
- Councillor Siewert: Foothills Rural Fire Board
- Councillor Castell: Millarville and District Recreation Board, North West Foothills Recreation Board, Town of Okotoks / Foothills County Intermunicipal Committee
- Councillor Oel: Alberta Municipal Climate Leadership Council, North West Foothills Recreation Board, Foothills Rural Fire Board, Town of Okotoks / Foothills County Intermunicipal Committee
- Councillor Alger: North West Foothills Recreation Board
- Councillor McHugh: Town of Okotoks / Foothills County Intermunicipal Committee, Joint Health and Safety Committee

Adjourn

That Council adjourn at 4:05 p.m.

CARRIED