

**FOOTHILLS COUNTY
COUNCIL MINUTES**

September 27, 2023, 9:00 a.m.

Present: Reeve Miller, Deputy Reeve Siewert, Councillor Castell, Councillor Alger, Councillor Waldorf, Councillor Oel

Absent: Councillor McHugh

Administration: CAO R. Payne, Municipal Manager H. Riva Cambrin, Director of Planning H. Hemingway, Manager of Infrastructure J. Edgington, Manager of Parks and Recreation J. Porter, Deputy Director of Operations M. Gallant, Manager of Agricultural Services C. Scott, Deputy Director of Corporate Services R. Hammond, Manager of Legislative Services S. Barrett

GENERAL MATTERS

Call Meeting to Order

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

Emergent Item - 2023/2024 Alberta Community Partnership Grant - Regional

Wastewater Service Delivery Study

That Council add the 2023/2024 Alberta Community Partnership Grant - Regional Wastewater Service Delivery Study as an emergent item on the agenda for the Council meeting of September 27, 2023.

CARRIED UNANIMOUSLY

Approval of the Agenda

That Council approve the agenda for the Council meeting of September 27, 2023.

CARRIED

PUBLIC WORKS / ENGINEERING / PARKS & RECREATION

Manager of Parks and Recreation J. Porter, Manager of Agricultural Services C. Scott, Deputy Director of Operations for Public Works M. Gallant, and Manager of Infrastructure J. Edgington were in attendance for a discussion period with Council.

MISCELLANEOUS PLANNING ITEMS

924637 Alberta Ltd. - NW 14-21-29 W4M - Request to Amend Condition of Bylaw 33/2023

That Council postpone its decision on item D.1 924637 Alberta Ltd. - Plan 0613506, Block 1, Lot 2; Ptn. NW 14-21-29 W4M – Request to Amend Condition #2 of Bylaw 33/2023 to the October 11, 2023 meeting of Council.

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 9:20 a.m. to discuss Cavalry FC Regional Field House as per Section 21 and 23 of the Freedom of Information and Protection of Privacy Act (FOIP, Laugh 'N' Learn as per Section 23 and 23 of the Freedom of Information and Protection of Privacy Act (FOIP, and Green Haven ASP as per 21 and 23 of the Freedom of Information and Protection of Privacy Act (FOIP). Municipal Manager H. Riva Cambrin, CAO R. Payne, Director of Planning H. Hemingway, Manager of Infrastructure J. Edgington 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 9:57 a.m.

CARRIED

PUBLIC HEARINGS & MEETINGS

10:00 a.m. - Akins - NW 04-21-02 W5M - Redesignation (A to CR)

J. Akins was in attendance for the public hearing in connection to the proposed redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a 48.29 +/- acre Agricultural District balance.

Also in attendance were D. Ochitwa and G. Armstrong.

The public hearing was closed.

MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

That Council award the contract to conduct the Cavalry FC Regional Fieldhouse utilization study to Binne for a total cost not to exceed \$34,720.00 plus applicable taxes.

CARRIED

OTHER MATTERS

Minutes – September 20, 2023

That Council adopt the minutes, as circulated, of its September 20, 2023 Council Meeting.

CARRIED

MISCELLANEOUS MUNICIPAL ITEMS

Cayley Lot Sales - Offer to Purchase

That Council authorize the sale of Plan 0813068, Block 9, Lot 2; Ptn. NW 19-17-28 W4M within the Cayley Phase II Subdivision to Hayden and Cassandra Brown for the purchase price of \$70,000.00 plus applicable taxes.

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 10:34 a.m. to discuss advice from officials as per Section 24 of the *Freedom of Information and Protection of Privacy Act (FOIP)*. Municipal Manager H. Riva Cambrin, CAO R. Payne, Director of Planning H. Hemingway, Manager of Infrastructure J. Edgington 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 10:57 a.m.

CARRIED

MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

Advice from Officials

That Council direct administration to endorse the 2023/2024 Alberta Community Partnership grant application with the Town of High River for a joint wastewater treatment facility.

CARRIED

That Council direct administration to contact Alberta Environment and Protected Areas requesting outfall locations for potential wastewater treatment facilities.

CARRIED

PUBLIC HEARINGS & MEETINGS

11:00 a.m. - Fee Bylaw Amendment - Schedule I - Foothills Fire Department Rates and Fees

Fire Chief R. Saulnier was in attendance for the public hearing in connection to the proposed amendment to the Foothills County Fee Bylaw, Schedule I, Foothills Fire Department.

Seven members of the public were in attendance for the public hearing.

The public hearing was closed.

OTHER MATTERS

Lunch

That Council adjourn for lunch.

CARRIED

PUBLIC HEARINGS & MEETINGS

10:00 a.m. - Akins - NW 04-21-02 W5M - Redesignation (A to CR)

Akins - NW 04-21-02 W5M – Decision

That the application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a 48.29 +/- acre Agricultural District balance be refused.

In consideration of Policy 2 and 4 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 District.

Additionally, in consideration of the criteria noted within Residential Policies 3, 9 and 11 of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to the cumulative effects of the development, the efficient use of the land and the suitability of the lands for future development.

THE MOTION WAS LOST

Bylaw 51/2023

Bylaw 51/2023 was introduced into the meeting to authorize the redesignation of a

portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of one 5.0 +/- acre Country Residential District parcel, leaving a 53.0 +/- acre Agricultural District balance. In their consideration of the criteria noted within the Agricultural section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and that fragmentation of the subject lands would not be detrimental to the overall nature of the area. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw. The new 5.0 +/- acre parcel shall be designated as Country Residential Sub-District 'A' to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), Comprehensive Site Drainage Plan, Lot Grading plan, and Building Envelopes (all conditions of subdivision) are complied with, to the satisfaction of the Public Works Department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met, and a \$5000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit will be required.

Prior to further consideration of the bylaw the applicant will be required to submit the following:

1. Landowner is to provide a revised site plan illustrating one 5.0 +/- acre parcel in the NW corner of the parcel with a common approach between the new parcel and the balance lands and show the removal of the existing western approach to the balance lands;
2. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department.
3. Proof of water supply to be provided in accordance with the Municipal Water Policy for the new parcel to the satisfaction of the County;
4. Final land use application fees to be submitted;
5. Submission of an executed subdivision application and the necessary fees.

That Bylaw 51/2023 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING

OTHER MATTERS

Accounts – September 27, 2023

That the following EFT's 023550-023557, 023559, 023562, 023564, 023567-023569, 023571, 023573-023574, 023576-023581, 023583-023585, 023587-023588, 023590-023601, 023603-023613 and Pre-Authorized Payments September 11, 2023, September 19, 2023, September 25, 2023 totalling \$65,136.65 be approved for payment.

EFT No.	Vendor Name	Vendor Amt.
EFT023549	1009720 Alberta Ltd.	\$9,658.94
EFT023558	Associated Engineering Alberta	\$16,144.07
EFT023560	Brownlee LLP	\$7,340.94
EFT023561	Canadian Dent -Airdrie	\$38,724.17
EFT023563	Canoe Procurement Group of Can	\$339,281.99
EFT023565	CDW Canada Inc.	\$6,924.63
EFT023566	Christ The Redeemer Catholic E	\$475,082.59
EFT023570	Contain-A-Way Services	\$8,591.71
EFT023572	Element Materials Technology C	\$7,249.10
EFT023575	Gregg Distributors Ltd	\$5,413.71
EFT023582	Kortech Calcium Services divis	\$32,904.64
EFT023586	McAsphalt Industries Limited	\$80,792.67
EFT023589	MPE Engineering Ltd.	\$55,144.97
EFT023602	Sinnott Farm Services Ltd.	\$122,095.54

CARRIED

PUBLIC HEARINGS & MEETINGS

1:30 p.m. - Maynard - NE 21-20-02 W5M - Redesignation (A to CR)

A. and L. Maynard were in attendance for the public hearing in connection to the proposed redesignation of a 9.20 +/- acre portion of Plan 9110446, Block 1; Ptn. NE 21-20-02 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of one 9.20 +/- acre Country Residential District lot, with an approximate 68.89 +/- acre Agricultural District balance parcel.

The public hearing was closed.

Maynard - NE 21-20-02 W5M – Decision

Bylaw 52/2023

Bylaw 52/2023 was introduced into the meeting to authorize the redesignation of a 9.20 +/- acre portion of Plan 9110446, Block 1; Ptn. NE 21-20-02 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of one 9.20 +/- acre Country Residential District lot, with an approximate 68.89 +/- acre Agricultural District balance parcel.

In their consideration of the criteria noted in the Agriculture Policy of the MDP2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area. Further, the application falls within the density provisions and lot size restrictions of the County's Land Use Bylaw with respect to Country Residential development.

The new 9.20 +/- acre parcel shall be designated as Country Residential Sub-District 'A' to ensure that the recommendations and restrictions as outlined in the septic disposal evaluation (provided as a condition of subdivision) are complied with to the satisfaction of the Public Works department.

Prior to further consideration of the bylaw the applicant will be required to submit the following:

1. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
2. Proof of adequate water supply to be provided for the proposed parcel in accordance with the Municipal Water Policy, to the satisfaction of the County;
3. Final redesignation application fees to be submitted;
4. Submission of an executed subdivision application and necessary fees.

That Bylaw 52/2023 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING

MISCELLANEOUS PLANNING ITEMS

White Moose Farms Ltd. - SE 26-22-03 W5M & SW/NW 25-22-03 W5M - New Direct Control District and Redesignation (A to New DC)

That the application for redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M; SW 25-22-03 W5M; and NW 25-22-03 W5M, from Agricultural District to the proposed Direct Control District to allow for an equestrian event venue on lands subject to a Conservation Easement for Agriculture be refused.

In consideration of the information submitted at the public hearing, Council is of the opinion that the proposed redesignation of the three quarter-sections of land to allow for the contemplated development is beyond the scale and scope of what Council feels is appropriate for these lands.

CARRIED

That the application for the creation of a new Direct Control District be refused.

In their consideration of the information submitted at the public hearing, it is Council's opinion that the proposed new Direct Control District is unnecessary.

CARRIED

PUBLIC HEARINGS & MEETINGS

Royal Canadian Mounted Police Presentation – Confidential Closed Session - FOIP s. 20

That, in accordance with Section 197 of the *Municipal Government Act*, Council moved into a Closed Meeting at 2:58 p.m. for the Royal Canadian Mounted Police presentation as per Section 20 of the *Freedom of Information and Protection of Privacy Act* (FOIP).

Municipal Manager H. Riva Cambrin, CAO R. Payne, Director of Planning H.

Hemingway, Manager of Infrastructure J. Edgington and Manager of Legislative

Services S. Barrett attended the closed session of Council for the purpose of providing information to Council.

CARRIED

Councillor Alger left the Council meeting at 3:47 p.m. for personal reasons.

That Council return to its open meeting of Council at 4:39 p.m.

CARRIED

OTHER MATTERS

Committee Reports

Council provided the following information and updates on the Council Committees attended for the period of September 20, 2023 – September 26, 2023:

- Reeve Miller: Calgary Metropolitan Region Board Land - Use and Servicing, Town of Okotoks/Foothills County IMC
- Deputy Reeve Siewert: Town of Okotoks/Foothills County IMC
- Councillor Castell: County Cemeteries Committee, Town of Okotoks/Foothills County IMC, Dark Sky Initiatives Stakeholders Working Group
- Councillor Oel: Calgary Metropolitan Region Board Land - Use and Servicing Committee, Town of Okotoks/Foothills County IMC, Dark Sky Initiatives Stakeholders Working Group
- Councillor Alger: Town of Okotoks/Foothills County IMC, County Cemeteries Committee
- Councillor Waldorf: Town of Okotoks/Foothills County IMC, Joint Worksite Health & Safety Committee

Adjourn

That Council adjourn at 4:40 p.m.

CARRIED