

IV. BUSINESS ARISING FROM MINUTES

1. DP Application No. 03/10 – Donnelly

Ms. Thompson stated that there was no new information on this tabled matter. Ms. Montgomery stated that she wondered if they were operating the B & B or not. Ms. Thompson stated that the application had been tabled by the MPC to a future meeting for two reasons. One was because Alberta Health Services had requested it because they have been unable to contact the operators and the other reason was a request of the applicant to table so that time could be taken to work towards compliance with Bighorn Policy T-16. She said that Alberta Health Services is now satisfied but that the operators have not contacted Bighorn with any revised wording for the release and hold harmless agreement that forms part of Policy T-16.

2. S/DAB Decision - Application No. 13/10

Ms. Thompson stated that the S/DAB hearing had been held and that two members of MPC had attended (Carolyn Montgomery and Rhody Litschke). She said that the decision of the S/DAB regarding the Adams' turbine application had been handed down and the decision was to uphold the MPC refusal of the application. She said that the decision is in the agenda material and can be reviewed in more detail but that in short the reason for the decision was due to there being insufficient community support.

Chairperson Montgomery asked Ms. Thompson if there was a guest in attendance for the next item, V.A.1. Ms. Thompson stated that the applicants had responded that they would try to attend so she said that if MPC wished, it could move to item V.A.2, given a representative was in attendance. The MPC members then agreed to move to item V.A.2 on the agenda.

V. DEVELOPMENT APPLICATIONS

A. Applications Referred to the Municipal Planning Commission

2. Amendment #7 to DP 29/05 – Timber Creek Developments

Doug Stephen was present and joined MPC at the table. Introductions were made. Ms. Thompson outlined the background information as per the Development Officer's Report. She said that the Copperstone Resort was approved in 2005. She said the developer is Timber Creek Developments. She said that the application before the MPC is for a seventh amendment to DP 29/05. She said that the request involves cancelling Amendment #6, which provided for two of the six parking stalls for the project to be on the adjacent Lot 1, the phase two site of the Copperstone Resort. She said that the developers do not wish to do this now and instead are asking to place these two parking stalls in the road allowance of Third Street. She said that the four required parking stalls have been installed on Second Avenue and clarified that the two remaining parking spaces are being requested to be placed on Third Street. She said as justification for the request that when the water truck delivers water to the project it is pulling onto the landscaped berm and damaging the road edge, the landscaping, and the swale along Third Street. Also, Ms. Thompson said, that when phase two is developed those parking stalls would have to be relocated anyway so this would seem to be a more desirable option. Ms. Thompson then stated that street parking specifications are not addressed in Policy T-16, Bighorn's road development standards, so the engineered plans for the street parking specifications were referred to Bighorn's Director of Operations for review. She said that the Director of Operations has stated no objection to the proposal. She ended with stating that the developers have stated that a new berm extension would be installed to match the existing landscaped berm and prevent any run-off from the street onto the property.

Chairperson Montgomery asked Mr. Stephen if he had anything further to add. Mr. Stephen clarified that the road is not being damaged when the water truck comes but rather it is the landscaping because the truck driver is trying to pull off the road as much as possible. He said that they tried to get an easement on lot 1 from the landowners but they are not allowing it. He stated that with Phase II coming he felt they may as well determine a permanent solution. He said he had photo's to show the members of the area.

John Haasen asked Mr. Stephen if the depressed concrete curb was more than six inches. Mr. Stephen answered that the specifications would meet the City of Calgary standards and that the MD's Director of Operations must approve any drawings prior to anything being installed.

MOTION 03.05.10 DUNKI THAT

the Municipal Planning Commission **APPROVE** Amendment #7 to Development Permit No. 29/05, representing an amendment to Condition No. 16 of DP 29/05 to allow four of the six parking stalls required to be installed on Second Avenue and two of the six parking stalls required to be located on Third Street in the Hamlet of Dead Man's Flats, subject to the following conditions:

1. Amendment # 6 is here by cancelled and replaced with this subject Amendment #7 proposal.
2. Prior to commencing any work within the municipal road allowance of Third Street, the developer shall contact Bighorn's Director of Operations for approval to commence and to provide a copy of the construction schedule for the parking work to that department.
3. The parking stall installation shall meet the requirements of Bighorn's Director of Operations.
4. The remaining conditions of approval as listed in Development Permit No. 29/05 and all associated amendments as applicable, remain in full force and effect.

CARRIED UNANIMOUSLY

3. DP Application No. 26/10 – Pigeon Holdings Inc.

Chairperson Montgomery asked Ms. Thompson if there was a representative in attendance for this item. Ms. Thompson stated that there was not. The Chair then asked Ms. Thompson to outline the background information on the application. Ms. Thompson began by stating that the application is for a concession trailer at the Route 60's restaurant in the Hamlet of Dead Man's Flats. She said that Pigeon Holdings is the new tenant for the property and has taken over operation of the restaurant and would like this concession trailer at the site seasonally between May 15th and September 30th. She said that at the end of the season the concession trailer would be removed from the site. She noted to MPC that the site plan shows the proposed trailer to be across the property line onto the adjacent lot. Ms. Thompson explained that the applicant leases both Lot 3 and Lot 4 from the owner. She said that the restaurant is situated on Lot 3 and the parking lot for the restaurant and a staff accommodation residence are on Lot 4. She said that the landowner has consented to the application by signing the proposal letter submitted with the application. Ms. Thompson stated that part of the application involves a sandwich board type of sign that would contain the menu and hours of operation for the concession trailer. She said that the current Land Use Bylaw does not address this type of signage but that MPC could likely rely on Sections 30.6.5 and 12.10.6 of the LUB in terms of the signage if the MPC find the signage acceptable. She said that staff have treated the application as an Accessory Use to the main restaurant use and that Accessory

Uses are listed as Discretionary Uses in the Three Sisters Subdivision Tourist-Recreation Commercial (C-TOUR) District. She said the staff recommendation is for approval and addresses such things as garbage containment, that the signage cannot project onto municipal property and an expiry date. She said that the current application would be to apply yearly for the concession trailer but that if MPC wished it could grant approval for the seasonal trailer as a whole without an expiry like it had done for the greenhouse operation in Harvie Heights and then she described how that development was handled.

The Chair asked MPC members if there were any questions of Ms. Thompson. Maria Dunki asked if a trailer fits with the definition of accessory building. Ms. Thompson stated that the application was being processed as an accessory use not an accessory building but that if MPC felt this accessory use did not fit then something else could be discussed. Ms. Dunki then asked if support had been obtained from the DMF Business Association as she thought that this was an unusual request for that area. Ms. Thompson stated that no information was submitted by the applicant.

Mr. Litschke stated that if the MPC did choose to approve the application he would like to see the need for animal-proof garbage containers to be provided as an addition to staff recommendation No. 2. Ms. Thompson stated that she believes there is a garbage bin at the restaurant site that gets picked up in accordance with Bighorn's Solid Waste Bylaw which requires that the bin be animal proof so the garbage containers for the concession trailer would presumably be emptied and bags placed in the bin. Mr. Litschke wanted staff recommendation No. 2 to require that the refuse containers be emptied and refuse placed in the animal proof bin at the end of each day. Mr. Litschke ended with stating that he was okay with processing the application as an accessory use.

There was a discussion amongst members regarding the various types of clientele and businesses along First Avenue in terms of the subject application. A discussion on accessory buildings vs. accessory uses, time frame of approval, and definitions as outlined in the Land Use Bylaw of which Ms. Thompson read out loud those which the members requested. A discussion as to whether a trailer is considered a building was also discussed. Ms. Montgomery asked that if the concession trailer was approved, next year when a renewal would be required she asked which Land Use Bylaw would be used, given the MD has a draft LUB in the public hearing stage. Ms. Thompson stated that any renewal would be subject to the Land Use Bylaw in effect at the time of the application.

Mr. Litschke added that the applicants would be required to comply with any public health regulations with respect to the concession trailer. He reconfirmed that staff recommendation No. 2 be revised to include the need for the garbage containers at the concession to be emptied daily and the garbage placed in an animal-proof bin.

MOTION 04.05.10 LITSCHKE THAT

the Municipal Planning Commission **APPROVE** Development Permit Application No. 26/10 subject to the following amended conditions:

1. The concession trailer shall be situated as outlined in the application.
2. Animal-proof garbage containers shall be provided and any garbage receptacles for the concession trailer shall be emptied daily and placed in the animal proof containers each evening. The site shall be kept tidy of refuse while the concession trailer is on the property.
3. The trailer shall be kept in an aesthetically-pleasing fashion and not be allowed to fall into a state of disrepair.

4. One portable sign as applied for is approved and shall be removed from the property when the concession trailer is removed.
5. The portable sign shall be situated at least 600 mm (1.97 feet) back from any property line.
6. The concession trailer shall be removed from the property at the end of the operating season.
7. The applicant shall comply with any requirements of Alberta Health Services.
8. This permit is subject to consideration for renewal but shall otherwise expire on October 4, 2010.

CARRIED UNANIMOUSLY

Ms. Thompson asked MPC members if they wanted a copy of the Notice of Decision to be sent to the Dead Man's Flats Community businesses along First Avenue. She said the Land Use Bylaw allows for this if MPC wish. Additionally, she said, the decision would be advertised in the local paper. Following a discussion of this, the members directed staff to send a copy of the decision to those business owners.

The MPC members agreed to move back to item V.A.1 on the agenda.

1. DP Application No. 09/10 – Francis

Ms. Thompson outlined the background information for the application as per the Development Officer's Report. She reiterated that the application is for a new dwelling in the Hamlet of Lac des Arcs at #2 Mountaineer Close. She said that this is the first dwelling to be constructed in the newly created subdivision. She said that while dwellings are permitted uses in the R-1 District, the application contains a request for a discretionary height variance so the application has been referred to the MPC for a decision. She said also the application is for a home occupation and the use of a site construction trailer during construction. She said the dwelling is quite large, at 279 m² (3,000 ft²) in size but given the size of the lot, the house only encompasses approximately 14% site coverage and the bylaw allows 30%. She said that the dwelling complies with the required setback distances to property lines, however, there are some cautions outlined in the staff recommendation. She described these cautions as being that one of the foundation walls (garage portion) is exactly at the 1.5 m setback line. She said there is no room for error so the applicants are being cautioned. Secondly, she said that the land use bylaw allows for eaves to overhang into side yard setback distances a maximum of 600 mm (2 feet) but that the size of the eaves in this area were not indicated. She said that she scaled the eaves and they appear to be no more than 600 mm but, again, she said there is no room for error and so the caution is being expressed that measurements need to be very accurate. Ms. Thompson continued to outline a third caution. She said that the site plan submitted with the application shows that the driveways have been placed very close to the property line and that care needs to be made to ensure that the driveways do not encroach onto neighbouring properties. Ms. Thompson stated that with respect to the height variance requested that an approximate 18.75% (1.68 m or 5.5 feet) is needed. She said that the LUB allows for up to a 20% variance capability and that the overall height would be 10.68 m (35.03 feet). Ms. Thompson stated that the applicants had contacted the neighbouring landowners that she was aware of and emailed them describing the request. No objections to the proposal were received and the responses from adjacent landowners are in the agenda package. Ms. Thompson continued to explain that when the subdivision was created that a caveat was placed on each new lot requiring a packaged sewage treatment system to be installed for new dwellings. She said that the landowners have submitted a copy of a plumbing permit evidencing that a package sewage treatment system is being installed to accommodate the volumes expected from the dwelling. Ms. Thompson stated that there are some interesting features with this new home and drew the MPC members to the floor plans submitted showing an elevator from the lower portion and a two storey attached garage. Ms. Thompson began her conclusion by stating that the landowners would like a site office trailer on site during construction to store tools and other items

related to the construction. She said that, lastly, the landowners own Bow Kor Excavating and a home office is being requested as part of the application.

Maria Dunki asked if there was a need for slope stability testing. Ms. Thompson stated that no slope of 15% or more has been indicated on the drawings and that the box on the application form does not indicate there is a steep slope. She said, though, that if when reviewing the working drawings in terms of the building permit if Bighorn's SCO deems necessary he can request such a report to be created. Mr. Haasen stated that the drawings do not show there is any issue with slope that he could see.

There was a brief discussion regarding the driveways splitting upon entering the property from the road approach. Ms. Thompson stated that Bighorn's Director of Operations has been involved and reviewed the drawings and no concerns were expressed.

Mr. Litschke stated that if concerns arise regarding setbacks during construction then staff could request a Real Property Report to be prepared verifying setbacks are being met. Ms. Thompson stated that if MPC wish a Real Property Report could be requested once the footings have been poured. John Haasen suggested that once the walls are poured would be more accurate. Ms. Montgomery asked if this would be too late then. Mr. Litschke commented that if they are not in compliance with the approval then staff can stop construction. There was a brief discussion regarding the highlighted, hand-drawn driveway and those originally drawn by the design company. Ms. Thompson stated that it would appear that the highlighted alignment of the driveway is a correction by the applicants. There was a discussion on the walk out basement area and the heights shown, the buried telus line and if there was a right-of-way for it. The Certificate of Title provided was referred to.

John Haasen stated that he is happy with the staff recommendation but that a new No. 22 be added (with renumbering as needed) to address the need for a Real Property Report to be provided following foundation walls being poured evidencing that the setbacks to property boundaries have been met.

MOTION 05.05.10 HAASEN THAT

the Municipal Planning Commission **APPROVE** Development Permit Application No. 09/10 subject to the following amended conditions:

1. All construction shall conform to the Alberta Building Code.
2. Prior to the issuance of a building permit, the applicant shall be required to provide a site drainage plan to the satisfaction of the M.D. of Bighorn's Director of Operations. The drainage plan shall be established with regard to preventing drainage onto adjacent properties.
3. All electrical wiring and plumbing, all natural gas or propane connections, and all sewage alterations and installations shall be approved by Alberta-registered Safety Codes Officers.
4. A packaged sewer treatment plant (e.g., aerobic sewage system) in accordance with the Alberta Private Sewage Systems Standard of Practice, 1999 or subsequent Alberta guideline shall be installed and inspected by an Alberta-registered Safety Codes Officer.
5. Pursuant to Section 4.3.3. (b) of the MD of Bighorn's Land Use Bylaw No. 19/96, the Municipal Planning Commission grants an 18.75% variance (1.68 m) for the dwelling thereby allowing the height of the dwelling to be a maximum of 10.68 m.
6. In accordance with Bylaw 15/05, the developer shall install low-water-use plumbing fixtures only. As applicable, these fixtures shall have the following features:

- a. toilets shall have a capacity no greater than 6.0 litres per flush; and
 - b. shower heads shall have a flow capacity of not more than 9.5 litres per minute.
7. The existing access approach shall be utilized and any alterations to that approach shall first be approved by Bighorn's Director of Operations and be undertaken in accordance with Council Policy T-16.
 8. The applicants should consider using Fire Smart construction materials for the exterior of the building and, in particular, should use a roofing material with a Class A or B Underwriter's Laboratories of Canada (ULC) fire rating.
 9. Pursuant to Council Bylaw 01-Z/07, in order to allow for recycling the applicant shall endeavour to sort the waste material generated as a result of the development prior to transporting the material to a disposal facility, such as the Francis Cooke Regional Landfill. As a minimum, the MD of Bighorn would expect to see the following material sorted for recycling purposes: metal, cardboard, and kiln-dried lumber.
 10. There shall be no more than five bedrooms created as part of this project for a single family dwelling based on the submitted Private Sewage Disposal Permit issued by Davis Inspection Services Ltd., (by an Alberta-registered Safety Codes Officer), outlining that the existing sewage handling system has been designed to accommodate only five bedrooms within the new dwelling.
 11. Any future development within the dwelling shall be the subject of a separate development permit application. Part of any development permit application shall include proof that the sewage handling system functions properly and can handle any additional sewage volumes expected from any new bedrooms to be added.
 12. Pursuant to Section 12.3.2 of the MD of Bighorn Land Use Bylaw, eaves for the proposed dwelling may project into the side yard setback area a maximum of 600 mm (2 feet). In no event shall any eave extend closer than 600 mm to any property line. The developer shall use caution, especially on the northwest side of the dwelling (adjacent to Lot 3), to ensure that the eaves of the dwelling do not project more than as allowed in the MD of Bighorn Land Use Bylaw No. 19/96 as amended given the foundation wall of the dwelling is exactly at the 1.5 m minimum setback distance.
 13. Notwithstanding that Bighorn's Land Use Bylaw provides for eaves to overhang 600 mm (2.0 feet) into a side or rear yard setback area, the Alberta Building Code 2006 contains spacial separation requirements for fire safety purposes. Modifications to the locations of the buildings or the material used in construction of the eaves may be required. In this event, any modifications to the site plan or proposed structure will require approval of the Planning and Development Officer prior to implementation.
 14. The developer shall also use caution when developing the on-site driveways within the property as they are shown to be very close to the respective property lines. Care shall be taken to ensure that these driveways do not encroach onto adjacent parcels, which, on the northeast side is an MD of Bighorn Municipal Reserve lot.
 15. A minimum of two on-site parking stalls shall be provided in accordance with the MD of Bighorn Land Use Bylaw No. 19/96.
 16. All landscaping and any fencing proposed shall be undertaken in accordance with Section 12.11.0 of the MD of Bighorn Land Use Bylaw No. 19/96.
 17. A site construction trailer may be placed on the property during construction of the dwelling but must be removed upon occupancy of the new dwelling or June 30, 2011 whichever is the soonest.

18. The exterior lighting for the development shall be compatible with “dark sky” lighting principles and strive to preserve the night environment through the reduction of light pollution. All light fixtures shall be designed to not emit light above the horizontal plane or cause light trespass onto adjacent properties.
19. The developer shall undertake weed management practices and control weeds on the subject property both during and after construction.
20. There shall be no suite, or separate living space developed within the dwelling without the prior written consent of the MD of Bighorn.
21. The developers shall ensure that the dwelling is 0.5 m above the 1:100 year flood elevation as established in the “Bow River-MD of Bighorn Flood Risk Mapping Study”.
22. The developers shall provide a Real Property Report, following foundation walls being poured, evidencing that the setbacks to property boundaries have been met as referenced in the Hamlet Single Family Residential (R-1) District regulations.

For the Home Occupation

23. The home occupation shall be limited to office-type uses that generally take place at a desk and include telephone, computer, mail, scheduling, book-keeping or similar activities.
24. The home occupation shall be operated in accordance with Section 12.13.0 of MD of Bighorn Land Use Bylaw.
25. Any future signage shall be the subject of a separate development permit application.
26. This approval is valid only so long as the applicants reside at the subject property.
27. All storage associated with the home occupation shall be inside buildings on the subject property.
28. The home occupation approval is subject to consideration for renewal but shall otherwise expire on **June 30, 2011**.

CARRIED UNANIMOUSLY

VI. SUBDIVISION APPLICATIONS

1. Application No. 2508-04S½(1)R – Urban Systems (TransAlta)
 Gary Youde of Urban Systems was present and joined MPC at the table. Ms. Thompson explained that Urban Systems is the agent for TransAlta for the subdivision. She said that TransAlta is requesting to subdivide RW Plan 486 to create one new 17.26 ha (42.65 acre) lot which generally is the area comprising the old Seebe townsite. She said that the balance of RW Plan 486 would contain the power generation facilities. She said the new lot may or may not be developed. Ms. Thompson added that a time extension agreement was needed given the difference between the legislated 60-day processing period and the date that the Municipal Planning Commission regularly meet. She said the time extension agreement has been signed. Ms. Thompson stated that RW Plan 486 is designated as both Natural Resource Extraction District and Agriculture Conservation District. She said that MPC may have noticed that RW Plan 486 parcel size does not meet the minimum parcel size of the districts. She said that prior to applying for subdivision a Land Use Bylaw amendment process was required and she drew MPC members’ attention to Bylaw 11-Z/09 which granted the required district amendments and thus allows the subdivision process to proceed. Ms. Thompson stated that on the subject new lot to be created there contains a number of unserviced buildings. She said that the options to TransAlta were to service these buildings with water and sewage services, demolish or remove the buildings, and/or preserve those which were significant. She said that TransAlta has expressed that the buildings would

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be removed and/or demolished. She said this has been addressed in the staff recommendation. Ms. Thompson continued to explain that RW Plan 486 has been used for access to previous subdivisions to the east. She said that there are caveats and easements registered on the property title with respect to this. She said that these easements and caveats must be carried over to the new lot being created so access may legally continue and that the staff recommendation addresses this. Ms. Thompson stated that municipal and environmental reserve allocation is provided for in the Municipal Government Act (MGA). She said that with respect to environmental reserve that staff are recommending that an environmental reserve easement along the Bow River be required on the residual RW Plan 486. She said staff are suggesting that any environmental reserve on the proposed new lot be addressed in the future when or if the property is ever subdivided. Ms. Thompson stated that with respect to municipal reserve it is being suggested that it be cash-in-lieu for the balance of RW Plan 486 in accordance with the MGA and that municipal reserve be deferred to the new lot being created until such time as it is subdivided in the future. Ms. Thompson stated that the subdivision application was referred to those agencies required pursuant to the Subdivision and Development Regulation and that the responses received from that referral are contained within the agenda package. She said that since the MPC package had been prepared and sent to members a second response from ATCO, from its pipeline department, was received. Ms. Thompson then passed it out to the members to read. She said, in short, the letter is saying there is a high pressure line crossing through RW Plan 486 and a crossing agreement may be needed. ATCO Gas is asking that it be contacted and contact information was provided in the letter. Ms. Thompson provided the applicants with a copy of this referral response and the other responses received. Ms. Thompson ended with stating that an interesting response came from Shaw Cable. She said that Shaw has stated that the fibre optic lines in the subject area belong to Monarch Cable, that Shaw leases the lines from them. They provided contact information for Monarch so staff quickly sent them a referral. That referral to Monarch Cable came back unclaimed. She said this was rather puzzling.

Chairperson Montgomery asked Mr. Youde if he had anything further to add. Mr. Youde stated he did, agreeing that the process has taken a while to get through. He said that TransAlta intends to sell the proposed new lot as it would be included in the Horseshoe Lands Area Structure Plan. He agreed that it would be best to take ER and MR on the proposed new lot at the time of any future development.

Ms. Dunki asked if the requirements of ATCO Pipelines were addressed in the conditions. Ms. Thompson said that they were not as the letter was received after the MPC package had been sent out but that it needed to be addressed today. Mr. Youde said that if there is a high pressure gas line then a crossing agreement is fine with him. Ms. Thompson said she had some suggested wording for a possible condition to address ATCO Pipeline's concerns and then she read it aloud. It was agreed this new clause would be added as a new No. 7 and renumbering of the remaining conditions.

There was a discussion around the location of the subject land in terms of the Alberta Township System and that the subdivision file number is based on that. Ms. Thompson explained that the subject land does not have a typical section, township or range description as it is a right-of-way plan so she hypothetically determined what it would be in terms of assigning a number to the file.

MOTION 06.05.10 DUNKI THAT

the Municipal Planning Commission, acting as Subdivision Authority, **APPROVE** Subdivision Application No. 2508-04S½(1)R, as per the attached plan, and subject to the following amended conditions:

1. Any outstanding property taxes shall be paid or arrangements made which are satisfactory to the Municipal District of Bighorn No. 8.
2. The proposed subdivision shall be registered in a manner satisfactory to the Registrar of Land Titles.
3. The size of the new lot being created shall be approximately 17.3 ha (42.7 acres).
4. An access easement for the benefit of the new lot being created shall be secured on the balance of the land in RW Plan 486, providing legal access from Highway 1X.
5. The existing access easements currently registered on RW Plan 486 shall carry forward onto the new lot being created in order to secure access across the new lot to the parcels further east.
6. All utility easements, caveats and similar instruments, such as ATCO Gas's natural gas pipeline, shall remain as registered on RW Plan 486 and such easements, caveats and similar instruments shall be transferred onto the new lot being created or be amended as necessary by agreement between the landowner and utility companies. Proof of this shall be provided to the MD of Bighorn prior to subdivision endorsement.
7. Prior to subdivision endorsement, the developer shall satisfy the requirements of ATCO Pipelines and a crossing agreement shall be executed.
8. An environmental reserve easement shall be established along the banks of the Kananaskis and Bow Rivers within the residual parcel RW Plan 486. The easement shall extend approximately 10 m from the shore of the rivers, taking into account the diverse topography and being adjacent as reasonably necessary through discussion between the land owner, a registered Alberta Land Surveyor and the Municipal District of Bighorn's Subdivision Officer to account for that topography.
9. Municipal reserve shall be provided at 10% of the land area as follows:
 - a) by deferral against the land title for the new lot being created; and
 - b) as cash-in-lieu of municipal reserve, in accordance with the Municipal Government Act, for the residual parcel RW Plan 486.
10. All buildings that fall within the boundary of the new lot to be created shall be removed from the property prior to subdivision endorsement with the exception of the following buildings that may remain at the land owner's discretion:
 - a) the water reservoir and pump house building;
 - b) the old Superintendent's House and Garage; and
 - c) the old Seebe school house.

REASONS FOR DECISION:

- The subdivision application is consistent with the MD of Bighorn's Municipal Development Plan policy and Land Use Bylaw regulations, and the Horseshoe Lands Area Structure Plan.
- The application meets the requirements of Alberta Regulation 43/2002 (Subdivision and Development Regulation) of the Municipal Government Act and is consistent with the Province's Land Use Policies.

- There were no objections to the subdivision proposal from those parties to which a copy of the proposed application was circulated pursuant to Section 653 (3) of the Municipal Government Act.
- Both the existing RW Plan 486 and the proposed new lot to be created will have guaranteed legal access secured by easement and registered on the subject property titles.
- ATCO Gas's infrastructure (natural gas pipelines) and other utilities will be protected by easement on both the new and residual properties.
- The municipal reserve requirements follow Bighorn's policy direction, including the Horseshoe Lands Area Structure Plan, and the Municipal Government Act.
- The environmental reserve and/or easement will allow the continued operation of the Kananaskis Dam and its associated facilities while protecting land along the banks of the Bow River from other types of development
- The majority of the houses and related structures remaining in the old Seebe settlement will be removed, thus eliminating concerns related to access and to water and sewer provisions.

CARRIED UNANIMOUSLY

The MPC members agreed to move back to item V.B.1 on the agenda and resume the normal flow of the agenda.

B. Applications Processed by Development Officers

1. Notice of Decision No. 18/10 - Mercer
2. Notice of Decision No. 22/10 – Stevenson
3. Notice of Decision No. 23/10 – Coombs
4. Notice of Decision No. 24/10 - Kolenda

Janice Thompson gave a brief explanation of each of the above V.B.1 through V.B.4. Following this explanation the MPC members accepted the submitted decisions as information.

VIII. NEW BUSINESS

1. Council Minutes – Regular – April 13, 2010

There was a discussion around Council minutes being included in the MPC package and the timing of them and whether they were adopted or unadopted. The members agreed that they would be satisfied with the unadopted Council minutes in the MPC agenda package if they are prepared as they would be available to them sooner than the adopted minutes. Following this discussion the MPC members accepted the submitted Council minutes as information.

2. June 16, 2010 Municipal Planning Commission Meeting - Quorum

Ms. Thompson said that Ms. Dunki had given advance notice some time ago indicating that she would not be able to attend the June meeting. She said that Chairperson Montgomery has now indicated that she would not be able to attend the June meeting. Ms. Thompson asked the other three members if they were able attend as there is a need to ensure there would be a quorum.

Mr. Haasen and Mr. Litschke both said that they would be able to attend and Paul Adams had previously confirmed his attendance so a quorum was established for the June 16, 2010 meeting.

MOTION 07.05.10 DUNKI THAT
the Municipal Planning Commission go in camera at 10:33 a.m.

CARRIED UNANIMOUSLY

MOTION 08.05.10 LITSCHKE THAT
the Municipal Planning Commission come out of camera at 11:24 a.m.

CARRIED UNANIMOUSLY

MOTION 09.05.10 LITSCHKE THAT
the Municipal Planning Commission meeting adjourn at 11:25 a.m.

CARRIED UNANIMOUSLY



CHAIR



DESIGNATED OFFICER