

**Municipal District of Bighorn No. 8
Public Hearing
7:00 p.m., Monday, March 28, 2011
Council Chambers, M.D. Administration Building, Exshaw**

**RE: BYLAW NO. 04/11
TO AMEND THE RAFTER SIX RANCH RESORT AREA STRUCTURE PLAN**

Present: Reeve Dene Cooper (Chair) Councillor Carolyn Montgomery
 Deputy Reeve Erik Butters Councillor Reid Thomas
 Councillor Paul Ryan

M.D. Staff: Greg Birch, Assistant Municipal Manager/Recording Secretary
 Tracy Woitenko, Community Planner

Gallery: David Cowley Bill Dekker
 Gloria Cowley Ben Lee, IBI Group
 Stan Cowley Tom Cowley
 Will Davies Trevor Selanders, Lafarge
 1 Unidentified Observer Press

Call to Order

Reeve Cooper called the room to order at 7:00 p.m., and welcomed everyone to the hearing. He reminded everyone to turn off any electronic devices, and noted that procedure sheets for the hearing were placed in the gallery for reference. He provided a brief overview of the hearing purpose and those who would be heard, noting that the public hearing is for proposed Bylaw 04/11, a bylaw to amend the Rafter Six Ranch Resort Area Structure Plan. He then asked for a motion to officially start the hearing.

MOVED by Councillor Carolyn Montgomery to commence the Public Hearing for Bylaw 04/11, a bylaw to amend the Rafter Six Ranch Resort Area Structure Plan.

CARRIED

Outline of Public Hearing Procedure

Reeve Cooper asked for and received, from a show of hands, an indication of the approximate number of people who wished to speak at the hearing. He explained the purpose of the hearing which is to receive public input regarding the proposed Bylaw 04/11, an amendment to the Rafter Six Ranch Resort Area Structure Plan. He then outlined in detail the procedures to be followed during the hearing. He emphasized that, when the public hearing is closed, no further oral or written submissions on proposed Bylaw 04/11 will be accepted. He then asked Administration to introduce the proposal, to be followed by any questions of Council.



Introduction by Administration

Community Planner Tracy Woitenko described the hearing notification, that being a notice placed in the February 17 and 24, 2011 editions of the Rocky Mountain Outlook newspaper, as well as a direct mailing to adjacent landowners. She noted that two written submissions had been received pursuant to that notification. She provided an overview (attached as Schedule "A") of the Rafter Six Ranch Resort ASP and the application using a power point presentation (attached as Schedule "B"). The major points were:

- a description of the property's location;
- a summary of adjacent land uses;
- wildlife corridor and habitat patch map information;
- a history of the current ASP and the issues it addressed;
- the fall 2010 amendment to the ASP, notably the change from a 40 to 112 unit hotel proposal; and,
- the principal changes to the ASP proposed through the amendment that is the subject of proposed Bylaw 04/11, notably additional cabins in the northeast area and a western-themed main street.

The Community Planner then presented Council with a copy of a summary list of the proposed wording changes generated by draft Bylaw 04/11 (attached as Schedule "C").

There was a question from Councillor Ryan asking about the location of the proposed new development areas relative to wildlife corridors. Community Planner Tracy Woitenko clarified that they were not in the designated corridor but rather adjacent to it. She said the development is, however, located within a larger habitat patch area.

Councillor Ryan then asked how long the Rafter Six Resort had been there, and when the habitat study was done. Ms. Woitenko responded that the resort had been on the property for decades, and that the habitat study had been published in the late 1990s.

Councillor Ryan then asked about the size of the proposed cabin area. Ms. Woitenko responded with the size of four to five acres. Councillor Ryan asked about the wildlife corridor along the Kananaskis River and if it followed the River along its length. Ms. Woitenko responded yes, and that it was a more generalized corridor identified during some preliminary field work by the applicant's consultants a few years ago. It was then clarified that the development area is approximately 60 m from the Kananaskis River, and hence the wildlife corridor.

Introduction by Applicant

Reeve Cooper then asked the applicant to come forward and make a presentation in support of the proposed bylaw, adding that following this presentation he will call for those speaking in support of the proposed bylaw followed by those speaking in opposition to the proposed bylaw.



Ben Lee of IBI Group, speaking on behalf of the property owners, said that he would use a Power Point presentation to outline the proposal. He introduced Stan and Gloria Cowley (owners) and Bill Dekker, consultant, saying that they would be available to answer Council's questions, if necessary. His points were:

- the Bylaw 04/11 proposals are part of a master plan done for the Rafter Six Ranch;
- the purpose and vision for the Rafter Six Resort has changed in the last two years to reflect the changing market;
- the master plan was presented to Council in the summer of 2010;
- the location of the "main street" component and other proposed Resort amenity features, and the accommodation features of the master plan were illustrated;
- the Rafter Six Resort's master plan is not an approved document by the MD of Bighorn even though it is being used by IBI Group and Rafter Six to establish the vision for the Resort's development;
- the changes made in fall of 2010 with the ASP and LUB amendments were to bring consistency to the two MD of Bighorn documents;
- changes made at the proposed hotel to be located in the northwest portion of the properties, and the design features of the proposed hotel, continue to be works in progress;
- a description of the "woodland cabins" that are the subject of the proposed ASP amendment are set out in draft Bylaw 04/11; and
- a brief overview of the cabin design and main street proposals was presented.

Reeve Cooper asked Council if there were any questions.

Councillor Reid Thomas asked if this master plan forms part of an approved MD conceptual scheme. Ben Lee responded no, it is not, and that the ASP is the MD's statutory plan. Mr. Lee said that the Rafter Six master plan is an internal document of the Rafter Six. Community Planner Tracy Woitenko added that the Rafter Six master plan is an internal corporate document, somewhat like a marketing plan.

There was a discussion about the master plan. Councillor Thomas asked for a copy of the master plan. Ben Lee of IBI Group said he would be happy to provide it. The Council members discussed whether or not that document should be requested and if it would be considered part of the public hearing material if it was provided. The Council members agreed that it may be useful and that it should be obtained. They indicated that it should be included with the public hearing minutes so that it would form part of the public record.

Councillor Thomas asked if the proposed bylaw additions would increase density on the property. Ben Lee said no, there was no increase in numbers, due to the lack of existing overnight accommodation at the Rafter Six Ranch. Currently, guests go to Canmore or elsewhere.

Councillor Ryan commented that there are hamlets in the MD of Bighorn that are smaller than this proposed Resort. He asked what stops this from turning into permanent residency. Ben Lee responded that the MD has the ability to prevent permanent residency based on its bylaws.



Councillor Ryan then asked if there is intent to subdivide. Mr. Lee said no, only the Cowley's residence would be subdivided. Councillor Ryan asked clarification about there being no separate titles being created. Ben Lee said there would be condominium titles created within buildings. Bill Dekker then added that their intention is not to create permanent residency but the units would be sold separately to anyone who wanted one.

Reeve Cooper then asked how many new cabins there are with the Bylaw 04/11 proposal. Ben Lee responded that there would be 16 new detached cabins, and 4 buildings containing multiple units. However, up to 42 units may be generated by the fact that some of the buildings will have more than one unit, and some units will be lock-off units.

Reeve Cooper then asked for an explanation of the topography and Ben Lee said that the cabins would be to the east and below the existing development.

Reeve Cooper asked if there are existing cabins in that area now. Ben Lee and Stan Cowley said that there were a few cabins in that lower area and that they would be removed. Additionally, some of the older existing cabins on the upper bench would be removed as per the current ASP document.

Erik Butters asked about the fire response for the Resort. Ben Lee said that the Resort would rely on the Exshaw fire department. He also stated that there would be a substantial water supply on site for firefighting purposes.

Reeve Cooper asked if the Power Point presentation would be available for Council? Ben Lee said yes, that he will provide copies for Council (attached as Schedule "D").

Councillor Ryan asked if the master plan will form part of that information. Ben Lee responded yes, copies will be provided to be added to the record as part of the hearing material (attached as Schedule "E").

In Favour

Reeve Cooper asked if there was anyone present who wished to speak in favour of proposed Bylaw 04/11. No one responded. Reeve Cooper called a second and then a third time for anyone present who wished to speak in favour of proposed Bylaw 04/11. There were no presenters.

In Opposition

Reeve Cooper asked if there was anyone present who wished to speak in opposition to proposed Bylaw 04/11.

Trevor Selanders of Lafarge Canada Inc. stood up and read from a presentation (attached as Schedule "F"). His main points were:

- he met with MD staff to discuss the Rafter Six proposal;



- Council and Rafter Six Resort should recognize that the Lafarge quarries will be operating in their current locations for approximately 75 more years;
- the planned Lafarge cement plant expansion is dependent on these quarries;
- he requested that people who may buy into the Rafter Six development be informed of the existing, on-going Lafarge operation; and
- those owners should be aware that the quarries involve blasting, gravel sorting and other industrial operations.

Councillor Montgomery asked Mr. Selanders where the Lafarge operation is relative to the Rafter Six. Mr. Selanders responded that it is a few kilometres to the north. At this point an MD area map was brought out and Mr. Selanders pointed to the Lafarge quarry located near the 1X Highway and south of the Bow River.

Reeve Cooper asked if traffic from the quarry goes to the north along the 1A Highway or south to the TransCanada Highway. Trevor Selanders responded that the quarry traffic goes north to the 1A Highway. Reeve Cooper asked which quarries are being referenced. Mr. Selanders responded the two quarries near the Bow River on the 1X Highway; not the quarries located north of the 1A.

Reeve Cooper then asked if there were any others present who wished to speak in opposition to proposed Bylaw 04/11. Hearing none, Reeve Cooper called a second and then a third time for any persons wishing to speak in opposition to proposed Bylaw 04/11. There were no further presenters.

Reeve Cooper asked if there were any written submissions. Community Planner Tracy Woitenko said that there were two submissions: one from Steve Donelon of Alberta Tourism, Parks and Recreation (attached as Schedule "G") and the other from Clarke Bullock of Alberta Transportation (attached as Schedule "H") and that copies of these letters will be provided with the usual Council submission package.

Reeve Cooper then provided one last opportunity for anyone present to provide a written, not oral, submission and said that this could be from those in favour or those opposed. There were no further submissions received.

Rebuttal by Applicant

Reeve Cooper then stated that Council would hear any rebuttal from the applicant. He added that this is not an opportunity to provide new information but rather is an opportunity for rebuttal only on any of the points or comments submitted tonight.

Ben Lee of IBI Group said that they would like to see the written submissions. Council discussed this and whether or not to take a break for everyone to view them. Community Planner Tracy Woitenko said that the new hearing process requires all submissions to be available in advance of the hearing so those two letters were available for a couple of weeks to everyone, including IBI Group. The MD's process had been revised specifically to allow the early review of submissions so that people were better prepared at hearings.

The Council members discussed Mr. Lee's request and decided, at 8:09 p.m., to recess for 10 minutes so that copies of the letters submitted could be made and circulated.

Reeve Cooper called the hearing back to order at 8:18 p.m. and asked Community Planner Tracy Woitenko to distribute copies of the letters. He said that he would provide a few minutes for everyone to read them.

Reeve Cooper then asked if the applicants had a rebuttal. Ben Lee of IBI Group said that all of the concerns raised by the letters were addressed in the Rafter Six Resort master plan and other documents.

He said that the Spruce Meadows type component would not be developed for a long time. Moreover, the Rafter Six Resort would not develop anything if the land capacity was going to be exceeded.

Councillor Ryan asked if there are other developments near Rafter Six that would impact the land. Ben Lee said that the volume of users contemplated are already visiting the Resort but they cannot stay overnight due to the limited number of rooms available.

Reeve Cooper asked if it was not accurate that there was a world scouting jamboree held on the land next to Rafter Six? Gloria Cowley said yes, in 1983 and 1993. Also, there is the Camp Chief Hector facility nearby and the North American Endurance Riders once used an area near the Rafter Six Resort.

Councillor Ryan asked if there are not river rafters out there in the area, too. Gloria Cowley said yes, there are several rafting companies using the Kananaskis River besides the ones at their property, and other kayakers and canoists use the area, too. Stan Cowley said that all of the hotels in the Rockies, combined, are equivalent in room numbers to one hotel in Las Vegas. He also noted that Travel Alberta is advertising to the Chinese, and that this will contribute to more growth. He said that he would be very happy if all of the tourists referenced in the Tourism, Parks and Recreation letter actually visited the Rafter Six property.

Final Questions of Administration

Councillor Ryan asked if the development could evolve into a property with several titles and permanent residency. Community Planner Tracy Woitenko responded that the current ASP and LUB do not allow subdivision or permanent residency except for the Cowley's residence. They would need to be amended to allow for those uses.

Reeve Cooper asked: what is the largest hamlet in Alberta? Ms. Woitenko answered: Sherwood Park. Reeve Cooper then asked if Seebe was ever a hamlet. Ms. Woitenko responded no, it was a settlement. Reeve Cooper then asked what happens if a community becomes a village. Ms. Woitenko stated that this process of incorporation is set out in the Municipal Government Act. Reeve Cooper asked if there is a strata title possibility in Alberta. Ms. Woitenko stated yes, but it is not called that.

Reeve Cooper asked if Administration would like to correct anything heard tonight? Ms. Woitenko stated that she wanted to ensure that the master plan that will be provided has no bearing on matters for Council or other approval authorities as it is an internal Rafter Six document, not an MD of Bighorn document. Councillor Ryan added that, for clarity, the submission of the document does not make it an MD document. Ms. Woitenko agreed.

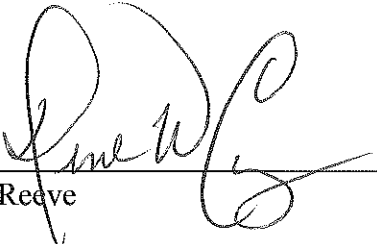
A handwritten signature in black ink, appearing to be 'J. Woitenko', is located in the bottom right corner of the page.

There were no more questions of Administration.

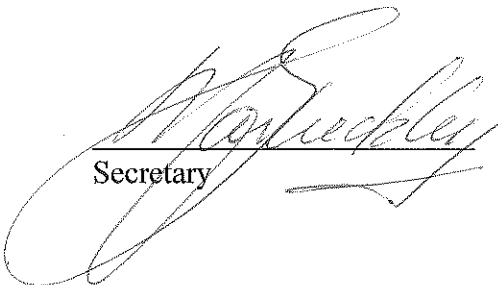
Closure of the Public Hearing

The Reeve reminded the gallery that no further oral or written submissions would be received by Council on Bylaw 04/11, and all submission received regarding this public hearing are a matter of public record. No further submissions will be considered in this matter.

After consulting with the other Council members, the Reeve declared the Public Hearing on Bylaw 04/11 closed at 8:40 p.m.



Reeve



Secretary