



TOWN OF PINCHER CREEK COUNCIL MEETING AGENDA

Monday, June 28, 2021 at 6:00 p.m.

Council Chambers, 962 St. John Avenue

[Virtual via Zoom](#)

1. **Call to Order**
2. **Scheduled Public Hearing**
3. **Agenda Approval**
4. **Scheduled Delegations**
 - 4.1 Pincher Creek and District Community Food Centre – Teresa Hlady & Anne Gover
5. **Adoption of Minutes**
 - 5.1 Minutes of the Regular Meeting of Council held on June 15, 2021
 - 5.2 Minutes of the Special Meeting of Council held on June 18, 2021
 - 5.3 Minutes of the Special Meeting of Council held on June 22, 2021
6. **Business Arising from the Minutes**
 - 6.1 Resident Road Safety Concerns
 - 6.2 Critical Bull Trout Habitat - Update
7. **Bylaws**
 - 7.1 Storm Drainage Bylaw 1630-21
 - 7.2 Obsolete and Redundant Bylaw, Repeal Bylaw 1628-21 (Temporary Mandatory Face Coverings Bylaw 1628-20)
 - 7.3 Land Use Bylaw Amendment 1547-AL
 - 7.4 Land Use Bylaw Amendment 1547-AM
8. **New Business**
 - 8.1 Proclamation Policy 123-21
 - 8.2 Chinook Arch Regional Library System Agreement
 - 8.3 AUMA Summer 2021 Municipal Leaders' Caucus
 - 8.4 CIBC Banker's Acceptance Swap
9. **Reports**
 - 9.1 Upcoming Committee Meeting and Events
10. **Administration**
 - 10.1 Council Information Distribution List
 - 10.2 First Quarter Financial Report
11. **Closed Session Discussion**
 - 11.1 Telus Next Generation Fibre Network Agreement – FOIP s. 16 & 24
 - 11.2 Tax and Utility Waiver Request – Roll # 00770000 – FOIP s. 16 & 17
12. **Notice of Motion**
13. **Adjournment**

The next Regular Council Meeting is scheduled for July 26, 2021 at 6:00 p.m.



REGULAR MEETING OF COUNCIL
Held on Tuesday June 15, 2021
Virtually, commencing at 6:00 p.m.

This meeting was scheduled for Monday June 14, 2021 however was postponed due to an unplanned power outage.

IN ATTENDANCE: Mayor: D. Anderberg
Councillors: B. McGillivray, L. Jackson, M. Barber and S. Korbett
Absent with Regrets: W. Elliott
Staff: L. Wilgosh, Chief Administrative Officer;
L. Rideout, Director of Community Services;
A. Levair, Operations Coordinator and L. Goss, Administrative Manager

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 6:00 pm.

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

McGILLIVRAY:

That Council for the Town of Pincher Creek approves the June 15, 2021 agenda as presented.

CARRIED 21-204

4. DELEGATIONS

4.1 Chamber President Introduction – Jeff Corradetti

Chamber of Commerce President, Jeff Corradetti attended the meeting to introduce himself to Council.

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on May 25, 2021

JACKSON:

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on May 25, 2021 as presented.

CARRIED 21-205

5.2 Minutes of the Committee of the Whole Meeting held on June 2, 2021

KORBETT:

That Council for the Town of Pincher Creek approve the minutes of the Committee of the Whole Meeting held on June 2, 2021 as amended to include the full Mayors Report under item 4.

CARRIED 21-206

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation – Judy Lane – Beverley McLachlin Drive

Safety

BARBER:

That Council for the Town of Pincher Creek receive the information regarding the disposition of delegation - Judy Lane - Beverley McLachlin Drive as presented.

CARRIED 21-207

6.2 Disposition of Delegation - Saint Michaels School Outdoor Basketball Court – Christy Gustavison, Karen Schmidt and Ted Harity

McGILLIVRAY:

That Council for the Town of Pincher Creek write a letter of support for the development of a new outdoor basketball court and refer the request for funding to the 2022 budget negotiations.

CARRIED 21-208

7. BYLAWS

8. NEW BUSINESS

8.1 Sanitary Forcemain Project Award Recommendation

JACKSON:

That Council for the Town of Pincher Creek award the Sanitary Forcemain Twinning Project to Dennis' Dirtworx Ltd. for a total of \$3,698,425.23 excluding GST.

CARRIED 21-209

A. Levair left the meeting at 6:36 pm.

8.2 National Indigenous Day – June 21

McGILLIVRAY:

That Council for the Town of Pincher Creek direct administration to continue with arrangements for a blessing and smudging for Council in honor of National Indigenous Day.

CARRIED 21-210

8.3 Alberta Counsel - Conflict of Interest Webinar

JACKSON:

That Council for the Town of Pincher Creek authorize the attendance of Councillor McGillivray at the June 23, 2021 Conflict of Interest Webinar hosted by Alberta Counsel at the cost of \$75.

CARRIED 21-211

9. REPORTS

9.1 Upcoming Committee Meetings and Events

Special Council Meeting
Crownsnest/Pincher Creek Landfill Association
Early Learning Centre Board
John Barlow Advisory Board
Alberta Association of Police Governance

Operations Committee
Pincher Creek Foundation
Pincher Creek Coop Board – Temporary Recycling Site

10. ADMINISTRATION

10.1 Council Information Distribution List

KORBETT:

That Council for the Town of Pincher Creek accept the June 14, 2021 Council Information Distribution List as information.

CARRIED 21-212

11. CLOSED MEETING DISCUSSION

JACKSON:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Tuesday, June 15, 2021 at 6:48 pm in accordance with section 16 & 19 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services and Administrative Manager in attendance.

CARRIED 21-213

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Tuesday, June 15, 2021 at 7:16 pm.

CARRIED 21-214

L. Rideout left the meeting at 7:16 pm.

11.1 Pincher Creek Early Learning Centre Ltd. Leases – FOIP s. 16

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the Lease Agreements between the Town of Pincher Creek and the Pincher Creek Community Early Learning Centre Ltd (PCCELC Ltd).

CARRIED 21-215

11.2 Lease agreement - Pincher Creek Co-op Recycling Collection Site – FOIP s. 16

JACKSON:

That Council for the Town of Pincher Creek agree to the terms of the lease for a temporary recycling collection site at the Pincher Creek Cooperative Mall parking lot, timeframe to be reviewed on a bi-monthly basis.

CARRIED 21-216

11.3 Crowsnest Pincher Creek Landfill – Proposed Temporary Bin Rental – FOIP s. 16

KORBETT:

That Council for the Town of Pincher Creek approve the draft bin lease agreement for the temporary recycling collect site with the Crowsnest Pass Pincher Creek Landfill.

CARRIED 21-217

BARBER:

That Council for the Town of Pincher Creek direct administration to prepare and send a letter to the Crowsnest Pincher Creek Landfill Authority regarding long term plans and commitment for recycling collection and bin rental.

CARRIED 21-218

L. Goss left the meeting at 7:22 pm.

KORBETT:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Tuesday, June 15, 2021 at 7:22 pm in accordance with section 19 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer in attendance.

CARRIED 21-219

JACKSON:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Tuesday, June 15, 2021 at 7:35 pm.

CARRIED 21-220

11.4 Personnel – FOIP s. 19

KORBETT:

That Council for the Town of Pincher Creek receive the Personnel information as presented.

CARRIED 21-221

12. NOTICE OF MOTION

13. ADJOURNMENT

McGILLIVRAY:

That this meeting of Council on June 15, 2021 be hereby adjourned at 7:38 pm.

CARRIED 21-222

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 28th DAY OF JUNE 2021**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY JUNE 28, 2021 AT
6:00 P.M.**



**SPECIAL MEETING OF COUNCIL
Town of Pincher Creek
Held on Friday, June 18, 2021
via Zoom, commencing at 9:00 a.m.**

IN ATTENDANCE: Mayor: D. Anderberg

Councillors: M. Barber, L. Jackson, M. Barber, S. Korbett and B. McGillivray

Absent with Regrets: W. Elliott

Staff: L. Wilgosh, Chief Administrative Officer; W. Catonio, Director of Finance and Human Resources; L. Rideout; Director of Community Services; A. Grose, Recreation Manager and L. Goss, Administrative Manager

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 9:00 a.m.

**2. AGENDA APPROVAL
McGILLIVRAY:**

That Council for the Town of Pincher Creek approves the June 18, 2021 Special Meeting of Council agenda as presented.

CARRIED 21-223

3. NEW BUSINESS

**4. CLOSED SESSION DISCUSSION
JACKSON:**

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Friday, June 18, 2021 at 9:02 am in accordance with sections 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Finance and Human Resources, Director of Community Services, Recreation Manager, Administrative Manager and KPMG Representative Tim Swanson in attendance.

CARRIED 21-224

A. Grose left the meeting at 9:08 am.

*T. Swanson left the meeting at 9:55 am.
W. Catonio, L. Rideout and L. Goss left the meeting at 10:03 am.
L. Wilgosh left the meeting at 10:15 am.
L. Wilgosh returned to the meeting at 10:20 am.*

KORBETT:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Friday, June 18, 2021 at 10:20 am.

CARRIED 21-225

4.1 KMPG Organizational Review – FOIP s. 19 & 24

JACKSON:

That Council for the Town of Pincher Creek receive the KMPG Organizational Review information as presented.

CARRIED 21-226

4.2 Personnel – FOIP s. 19& 24

KORBETT:

That Council for the Town of Pincher Creek approve the update regarding out of scope personnel salaries as presented.

CARRIED 21-227

5. ADJOURNMENT

McGILLIVRAY:

That this Special Meeting of Council on June 18, 2021 be hereby adjourned at 10:22 am.

CARRIED 21-228

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 28th DAY OF JUNE 2021**

S E A L

NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY JUNE 28, 2021



**SPECIAL MEETING OF COUNCIL
Town of Pincher Creek
Held on Tuesday, June 22, 2021
via Zoom, commencing at 9:00 a.m.**

IN ATTENDANCE: Mayor: D. Anderberg

Councillors: M. Barber, L. Jackson, W. Elliott, S. Korbett and B. McGillivray

Staff: L. Wilgosh, Chief Administrative Officer and L. Goss, Administrative Manager

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 9:00 a.m.

2. AGENDA APPROVAL

ELLIOTT:

That Council for the Town of Pincher Creek approves the June 22, 2021 Special Meeting of Council agenda as presented.

CARRIED 21-229

3. NEW BUSINESS

4. CLOSED SESSION DISCUSSION

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Tuesday, June 22, 2021 at 9:01 am in accordance with sections 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer and Administrative Manager in attendance.

CARRIED 21-230

ELLIOTT:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Tuesday, June 22, 2021 at 10:14 am.

CARRIED 21-231

**4.1 Fire Chief Employment Contract and Transition Plan – FOIP s. 19 & 24
McGILLIVRAY:**

That Council for the Town of Pincher Creek direct administration to include Committee Appointments to the Pincher Creek Emergency Services Commission to a Special Meeting of Council on June 29, 2021 at 1:30 pm.

CARRIED 21-232

**4.2 Emergency Services Commission Funding Formula Mediation – FOIP s. 24
McGILLIVRAY:**

That Council for the Town of Pincher Creek agree to defer the Emergency Services Commission Funding Formula Mediation to after the October 2021 Municipal Election with the appointment of new committee members.

CARRIED 21-233

**4.3 Regional Emergency Management Organization Management – FOIP s. 24
ELLIOTT:**

That Council for the Town of Pincher Creek agree to proceed with the transition of the Regional Emergency Management Organization under the umbrella of the Pincher Creek Emergency Services Commission as intended.

CARRIED 21-234

5. ADJOURNMENT

JACKSON:

That this Special Meeting of Council on June 22, 2021 be hereby adjourned at 10:22 am.

CARRIED 21-235

MAYOR, D. Anderberg

CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 28th DAY OF JUNE 2021**

S E A L

NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY JUNE 28, 2021

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Resident Road Safety Concerns	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 6/28/2021

PURPOSE:

To bring back recommendations to Council based on road safety concerns on Bev McLachlin Drive and Canyon Drive.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to install traffic signage as per the ISL Engineering "Canyon Drive and Bev McLachlin Drive Paint and Signing Considerations" report.

BACKGROUND/HISTORY:

Resident concerns regarding road safety issues were presented to Council at the May 25, 2021 Regular Meeting of Council and was subsequently discussed at the June 2, 2021 Committee of the Whole meeting. Specifically, a centreline has been requested to be painted at two locations within the Town of Pincher Creek:

- Bev McLachlin Drive between Main Street and Veteran's Street
- Canyon Drive between Beaver Drive and Canyon Crescent.

The Operations Department previously brought forward the Bev McLachlin concern to the Operations Committee on September 22, 2020 explaining both the resident's concern as well as Operation's opinion and recommendation. The final resolution of the Operations Committee read: "Councillor McGillvray moved to Direct Operations to proceed with having the CPO's contact the owner of the property on the corner of the hill to have the bushes trimmed to improve the site line." Administration moved forward with the recommendation and completed the bush trimming

In response to the resident concerns brought forward on May 25, 2021, administration engaged ISL Engineering & Land Service Ltd. to evaluate the two locations for road safety and provide recommendations related to centerlines, signage, and potential next steps. The received recommendation letter is attached.

Based on the engineering opinion, Administration does not recommend moving forward with centerline painting at either location. Specifically for Bev McLachlin Drive, the report indicates that "with the existing road widths in these areas, it would likely increase the chances of accidents and sideswipes along the parking lanes if directional dividing lines were introduced".

Regarding signage, the report has reviewed both locations and provided recommendations including curve ahead signage, advisory speeds (non-enforceable speed limits, but advanced warning to drivers to slow down for the curve), and pedestrian crossing signs. Please refer to the report for more details.

ALTERNATIVES:

That Council for the Town of Pincher Creek accept the road safety concern report from ISL Engineering & Land Service Ltd. as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

See ISL Engineering "Canyon Drive and Bev McLachlin Drive Paint and Signing Considerations" report.

FINANCIAL IMPLICATIONS:

Signage installation can be completed within the Streets 2021 Operating Budget.

PUBLIC RELATIONS IMPLICATIONS:

As the Director of Operations has been involved in this discussion with Council in the past it is still recommended to support our Engineering report as presented in this life safety Issue.

ATTACHMENTS:

Canyon Dr and Bev McLachlin Dr_Paint and Signing Considerations - 2662

CONCLUSION/SUMMARY:

The Operations Department has researched this issue and supports the Town of Pincher Creeks Engineering report as submitted.

Signatures:

Department Head:

A. Roth

CAO:

Laurie Wilgosh



416B Stafford Drive South, Lethbridge AB T1J 2L2, T: 403.327.3755 F: 403.327.3454

To: **Town of Pincher Creek** Date: **June 10, 2021**
Attention: **Alexa Levair, C.E.T., B. Tech.** Project No.: **27538**
Reference: **Canyon Drive and Bev McLachlin Drive Paint and Signing Considerations**
From: **ISL Engineering and Land Services**

Background

The Town of Pincher Creek has requested that ISL Engineering complete a Transportation Review regarding traffic line painting and signage requirements at the following areas:

- Main Street / Canyon Drive between Beaver Drive and Canyon Crescent
- Bev McLachlin Drive between Main Street and Veteran's Street

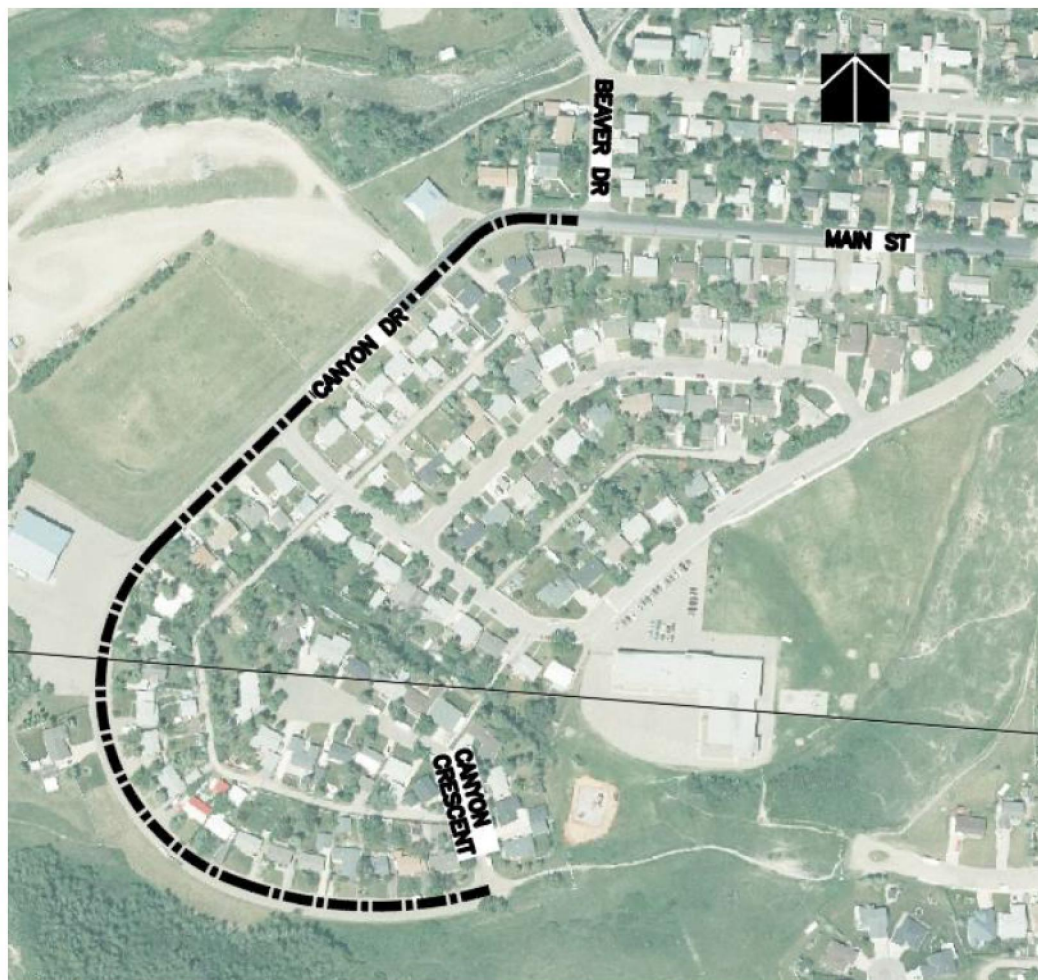


Figure 1.1 Main Street / Canyon Drive Limits

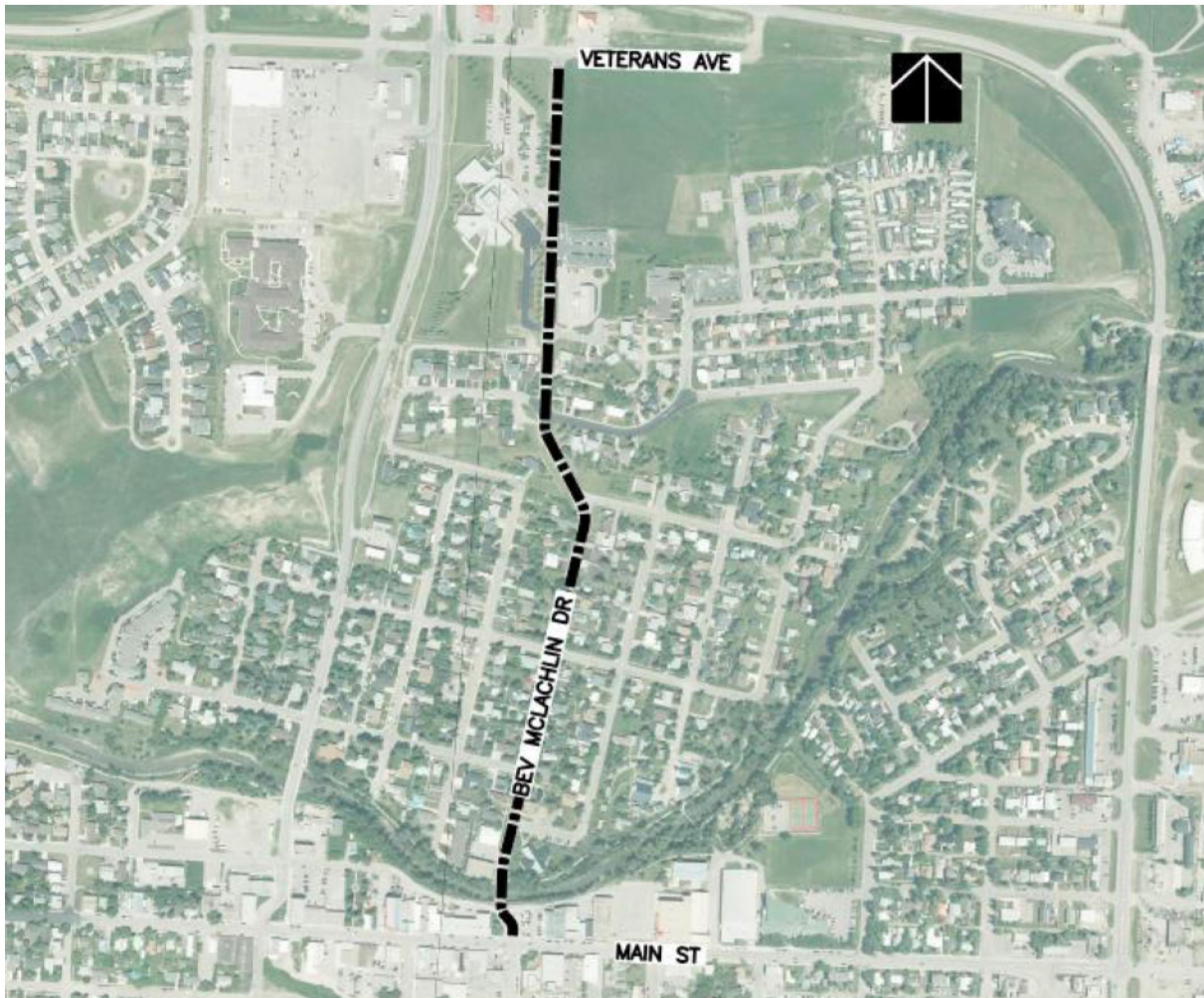


Figure 1.2 Bev McLachlin Drive Limits

In addition to the specific roadways that were specifically selected for review by the Town, there should be more community-wide considerations given to any implementation. In this memorandum, ISL has provided guidelines that should be considered.

Transportation Review

Line Painting Requirements

Roadway Width / X-Section

To investigate the need for line painting on urban streets, lane widths become a major factor as the dividing line will delineate travel lanes for traffic alongside area of parking if applicable. The Transportation Association of Canada (TAC) has the following recommendations for lane widths on urban roadways.



Through Lane Widths – Urban Roadways

Design Speed (km/hr)	Practical Lower Limit	Recommended Lower Limit	Recommended Upper Limit	Practical Upper Limit
60 and Less	2.7m	3.0m	3.7m	4.0m
70 to 100	3.0m	3.3m	3.7m	4.0m
100 and Higher	3.5m	3.7m	3.7m	4.0m

**Where buses and larger trucks are expected to regularly use a lane, a minimum land width of 3.3m is recommended regardless of the design speed or traffic volume.*

TAC also specifies the following in relation to parking lanes:

4.3.2.4 Parking Lanes

Cross section design may include provisions for parking; however, this is normally done only on urban roadways. Parking facilities should offer safety and convenience for parking users while, as the same time, maintaining safe and convenient operation for other traffic.

1. *Parking lanes are used on lower design speed roadways, normally local and collector urban streets, and generally are not applied to roadway having design speeds of 70km/h or over.*
2. *Parking lane width is generally 2.4m.*

Given the above information, the recommended lower limit width for an urban roadway with parking on both sides is 10.8m. This assumes 3.0m travel lanes and 2.4m parking lanes. However, when buses and larger vehicles are factored in for regular use, the recommended width of roadway becomes 11.4m. ISL obtained the following rough measurements for the reviewed sections of roadway:

- Main Street / Canyon Drive 12.0m – 12.2m Width
- Bev McLachlin Drive 10.5m – 11.7m Width

Based on the above measurements, Main Street / Canyon Drive would be considered above the recommended road width for two-way traffic accompanied with street parking on both sides. Bev McLachlin Drive would be considered borderline, with various sections between Grove Street and Dundas Street being less than the recommended width. This would also be factored with the tight radii found on Bev McLachlin Drive where corners may become congested with parking on each side and become more challenging for larger vehicles.

Both sections of roadway would likely be considered collector roads in the Town of Pincher Creek, with the 11.0m and 12.0m road widths being the standard for minor and major collector roads respectively. In general, it is not common practice to provide directional dividing paint on collector roads unless specific conditions warrant them such as:

- a) *On the approaches to the crest of a hill where the clear view ahead is less than 150 m;*
- b) *30 m in advance of and beyond any curve having a radius of less than 200m or where the sight distance is less than 150m;*
- c) *On the approach to a major road for a distance of at least 10m in urban areas and 30 m in rural areas from the stop line, or longer if necessary to extend to the point at which vehicles are normally queued when stopped; and*
- d) *For at least 30 m in advance of a railway crossing.*



For both roadways, the only limiting factor could be that both sections of roadway have sections with sight distances less than 150m. However, with the existing road widths in these areas, it would likely increase the chances of accidents and sideswipes along the parking lanes if directional dividing lines were introduced. The paint markings would encourage travelers to stay within them, but this could restrict travel lanes to roughly 2.8m in areas on Bev McLachlin Drive where turning movements are already restricted for larger vehicles.

Traffic Volumes

The Manual Uniform Traffic Control Devices for Canada (MUTCDC) has the following excerpt regarding directional dividing lines in urban street:

C2.1.2 Directional Dividing Lines on Urban Roads

Table C2-1 summarizes the application of Directional Dividing Lines on Urban roads. Long sections of Directional Dividing Line may not be necessary on roads where the total two-way peak hour volume is less than 500 vehicles per hour.

C2-1 Directional Dividing Lines on Urban Roads

Road Type	Number of Lanes for Moving Traffic	Type of Directional Dividing Line
High Speed Arterial	4 +	Double solid yellow
Arterial	4 +	Single solid yellow
Arterial	< 4	Single solid yellow (no passing) single broken yellow (where passing is permitted)
Controlled – Access Highway		Same as multi-lane undivided rural highways (see C2.1.1.2)
Other Urban Roads		Single solid yellow – to indicate that passing is not permitted, such as at approaches to railway crossings and controlled intersection or where sight distance is restricted

Although no traffic count data was available at either site, ISL has collected the following information from Alberta Transportation regarding nearby intersection data on Alberta highways. The data has also been appended to this memo.

Intersection Data	AM Peak Hour	PM Peak Hour
Highway 6 & Main Street (2020 Data)	344	404
Highway 6 & Highway 507	583	629

Based on the above data, it is not expected the either the Canyon Drive or Bev McLachlin Drive roadway sections would experience traffic in excess of 500 vehicles per hour, as the major intersections noted in the above table are either just below or above the 500 vehicle per hour threshold. Canyon Drive would have an especially low peak hour volume, as it only services an isolated area of residential housing, with the exception of the town Community Centre. Bev McLachlin Drive would likely have a slightly higher peak hour volume; however, it would still likely be



much lower than the 500 vehicles per hour threshold. Based only on traffic volumes, neither roadway would warrant directional dividing paint at this time.

Conclusion

Based on the existing conditions regarding roadway width and traffic volumes, directional dividing lines are not recommended for both Main Street / Canyon Drive and Bev McLachlin Drive. The current roadway widths would make for narrow driving lanes for traffic assuming bus traffic and residents parking on both sides of the roadways. Also, the existing traffic volumes also do not warrant long sections of directional dividing lines based on the MUTCDC.

Roadway Signage

Main Street / Canyon Drive

Based on a signage information collected from 2014 Google street view imagery, the following observations / recommendations are made from the Main Street / Canyon Drive section of roadway based on information from the MUTCDC.

The curve on Main Street / Canyon Drive just west of Beaver Drive currently has a radius of roughly 45m. Based on TAC guidelines, this curve should be set for a lower speed limit along with superelevated conditions. The existing x-section is currently a normal crown throughout the entire length, however reconstruction with superelevation would not be feasible or cost effective. It would still be recommended that this curve receive the following curve signs to mitigate high speeds around the corner:

- WB Direction – Left Curve Sign (WA-3L) with a Speed Advisory Tab (WA-7S) determined by a ball bank indicator.
- EB Directions – Right Curve Sign (WA-3R) with a Speed Advisory Tab (WA-7S) determined by a ball bank indicator.

The conclusion of the Canyon Drive curve approaching Canyon Crescent involves an abrupt change of alignment from a curve to a 2-legged intersection. Based on the MUTCDC, the following could be considered to warn drivers of this change, however it would be at the discretion of the Town since there is currently a pathway that could conflict with the sign location:

- EB Direction – Left Turn Only Checkerboard Sign (WA-8L)

At the end limits of the Canyon Drive section, a cul-de-sac is encountered where no sign is currently present. A cul-de-sac sign could be placed at the entrance of the roadway, however this would be based on Town precedence in the past:

- Cul-De-Sac Entrance – Cul-de-sac sign (ID-31)

No regulatory speed signs are currently located through this section, however typical town limit speeds are implied and additional speed signage is not necessary.



Bev McLachlin Drive

Based on the signage information collected from 2014 Google street view imagery, the following observations / recommendations are made from the Bev McLachlin section of roadway based on information from the MUTCDC.

At the south end of Bev McLachlin Drive, approaching the intersection of Main Street, there are currently back to back short radius curves which have radii of 20m or less. The northbound traffic coming from Main Street is coming out of a stop condition intersection and have low traveling speeds so no curve or speed advisory signage would be warranted. However the following would be recommended for southbound traffic:

- SB Direction – Reverse Turn Sign (WA-4L) with a Speed Advisory Tab (WA-7S) determined by a ball bank indicator

Near the south end of Bev McLachlin Drive there is a bridge crossing the Pincher Creek which has a narrow width in comparison to the roadway approaching the bridge on either side. The following should be considered:

- NB Direction – Narrow Structure Sign (WA-24)
- SB Direction – Narrow Structure Sign (WA-24)

North of the bridge exists a pedestrian crossing across Bev McLachlin Drive. The google street view information does not currently show signage designating the pedestrian crossing. If not already completed, or supplemented by a nearby designated crossing, the following would be recommended:

- NB Direction – Pedestrian Crossing Signs (RA-4R & RA-4L mounted back to back)
- NB Direction – Pedestrian Crossing Signs (RA-4R & RA-4L mounted back to back)

There are two back to back curves located near Dundas Street and Rigaux Drive which have radii of roughly 40m and 32m respectively. Based on these radii, compound curve signs, as well as speed advisory signage should be considered for incoming traffic. There is also considerable grade through this section of roadway which hides the intersection of Rigaux St from northbound travelers. The following signage is recommended:

- NB Direction – Reverse Turn Sign (WA-4L) with a Speed Advisory Tab (WA-7S) determined by a ball bank indicator.
- SB Direction – Reverse Turn Sign (WA-4L) with 30 km/h Speed Advisory Tab (WA-7S) determined by a ball bank indicator.
- NB Direction – Concealed Road Sign (WA-13R)

No regulatory speed signs are currently located through this section, however typical town limit speeds are implied and additional speed signage is not necessary.

Please note that the intersection of Veterans Ave shows an uncontrolled intersection in 2014 google street view data. The intersection has since been upgraded, but a stop sign (RA-1) should be placed for northbound traffic if there is not one already.

Conclusion

Our recommendations for signage for Main Street / Canyon Drive and Bev McLachlin Drive are noted above, however, each sites history of collisions and operational issues should be considered as well. The overuse of



warning signs may promote disrespect for traffic control devices, and the use of such signs should be kept to a minimum. Signage changes made to individual streets may have expectations and financial impacts to the entire community.

Additional Considerations

In addition to the pedestrian signage located north of the bridge on Bev McLachlin Drive, crosswalk paint was not observed in the 2014 Google street view imagery. The following pavement marking would be recommended if it is not already present:

- Zebra Crosswalk Markings would be beneficial over twin parallel markings to provide better indication of pedestrian traffic for motorists.

In addition, there are currently 4 locations along the west side of Bev McLachlin Drive which have yellow crosswalk markings for pedestrians. One is located at the intersection of Blairmore Street, and 3 are located at the entrances to the Pincher Creek Hospital. It is recommended that they be painted white to conform with the MUTCDC guidelines.

Appendices

Appendix A – Alberta Transportation AADT Data

Turning Movement Summary Diagram

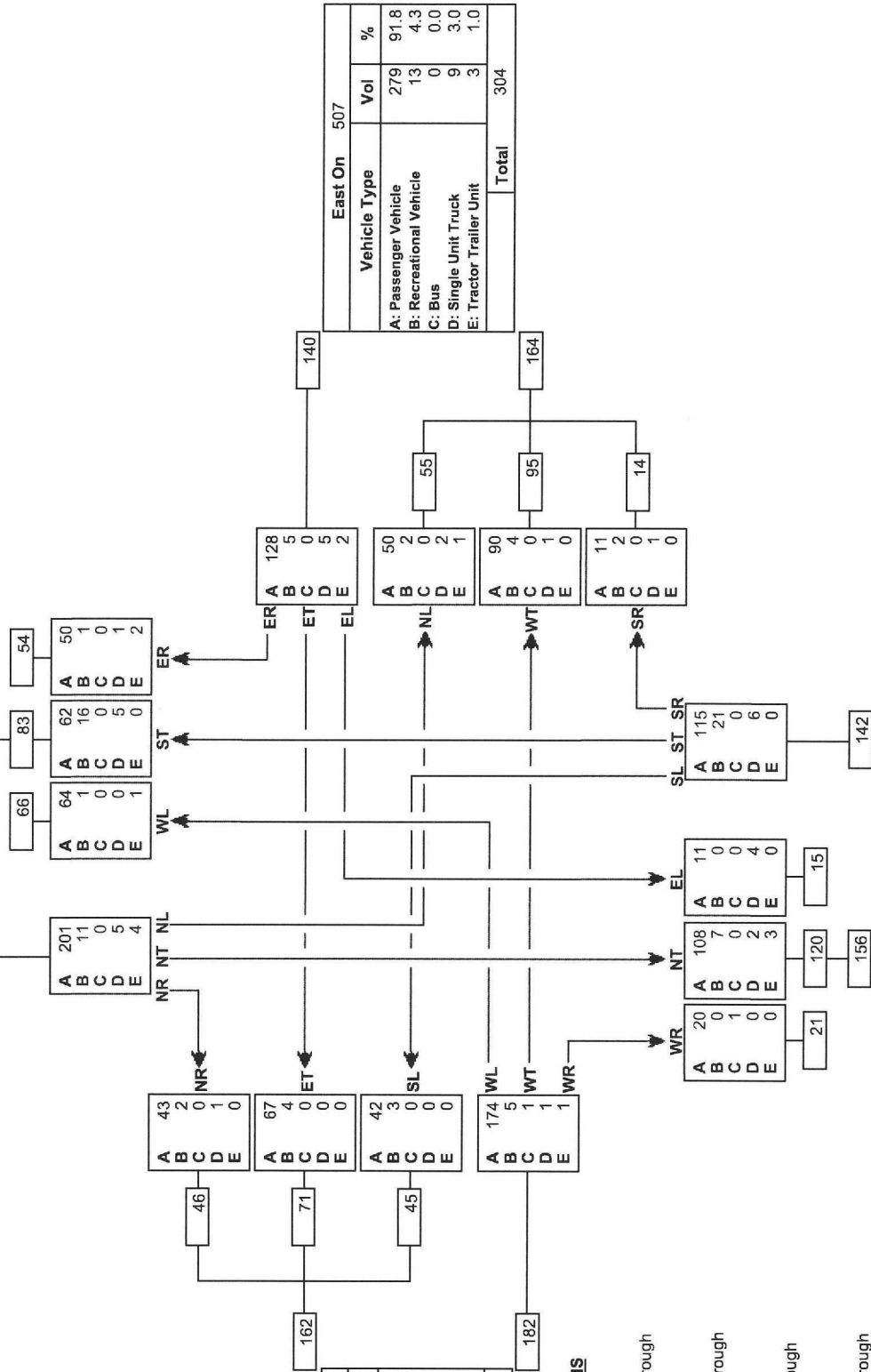
North On 6		
Vehicle Type	Vol	%
A: Passenger Vehicle	377	88.9
B: Recreational Vehicle	29	6.8
C: Bus	0	0.0
D: Single Unit Truck	11	2.6
E: Tractor Trailer Unit	7	1.7
Total	424	

Reference No.: 997009

Intersection of:

6 & 507 (MAIN ST) IN PINCHER CR SJ

2020 a.m. 100th Highest Hour ESTIMATES



West On Main St		
Vehicle Type	Vol	%
A: Passenger Vehicle	326	94.8
B: Recreational Vehicle	14	4.1
C: Bus	1	0.3
D: Single Unit Truck	2	0.6
E: Tractor Trailer Unit	1	0.3
Total	344	

East On 507		
Vehicle Type	Vol	%
A: Passenger Vehicle	279	91.8
B: Recreational Vehicle	13	4.3
C: Bus	0	0.0
D: Single Unit Truck	9	3.0
E: Tractor Trailer Unit	3	1.0
Total	304	

TURNING MOVEMENT ABBREVIATIONS

- NR: Traffic From North Turning Right
- NL: Traffic From North Turning Left
- NT: Traffic From North Proceeding Through
- SL: Traffic From South Turning Right
- SL: Traffic From South Turning Left
- ST: Traffic From South Proceeding Through
- ER: Traffic From East Turning Right
- EL: Traffic From East Turning Left
- ET: Traffic From East Proceeding Through
- WR: Traffic From West Turning Right
- WL: Traffic From West Turning Left
- WT: Traffic From West Proceeding Through

South On 6		
Vehicle Type	Vol	%
A: Passenger Vehicle	254	85.2
B: Recreational Vehicle	28	9.4
C: Bus	1	0.3
D: Single Unit Truck	12	4.0
E: Tractor Trailer Unit	3	1.0
Total	298	

Turning Movement Summary Diagram

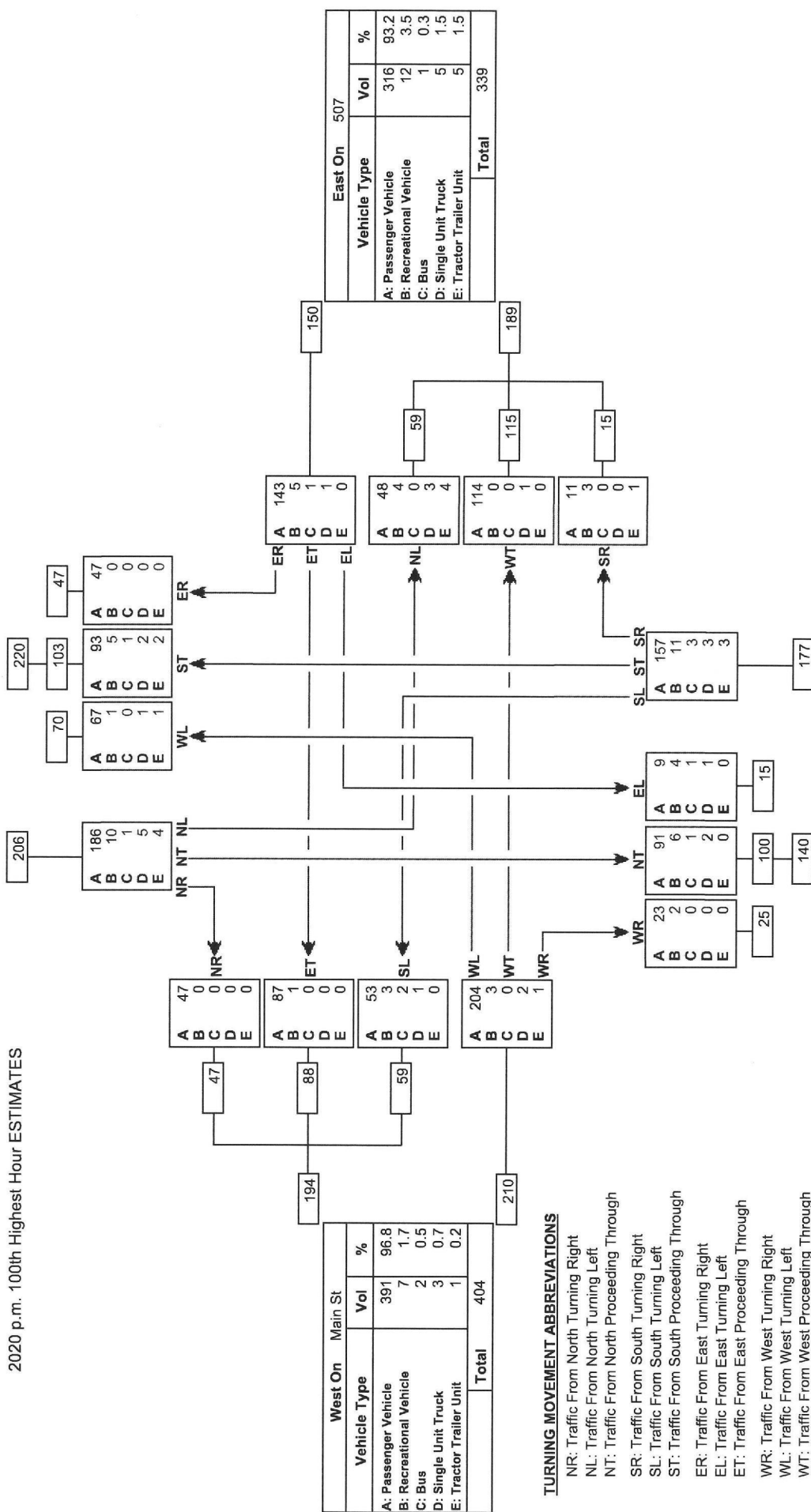
Reference No.: 997009

Intersection of:

6 & 507 (MAIN ST) IN PINCHER CR SJ

2020 p.m. 100th Highest Hour ESTIMATES

North On 6		
Vehicle Type	Vol	%
A: Passenger Vehicle	393	92.3
B: Recreational Vehicle	16	3.8
C: Bus	2	0.5
D: Single Unit Truck	8	1.9
E: Tractor Trailer Unit	7	1.6
Total	426	



West On Main St		
Vehicle Type	Vol	%
A: Passenger Vehicle	391	96.8
B: Recreational Vehicle	7	1.7
C: Bus	2	0.5
D: Single Unit Truck	3	0.7
E: Tractor Trailer Unit	1	0.2
Total	404	

East On 507		
Vehicle Type	Vol	%
A: Passenger Vehicle	316	93.2
B: Recreational Vehicle	12	3.5
C: Bus	1	0.3
D: Single Unit Truck	5	1.5
E: Tractor Trailer Unit	5	1.5
Total	339	

TURNING MOVEMENT ABBREVIATIONS

- NR: Traffic From North Turning Right
- NL: Traffic From North Turning Left
- NT: Traffic From North Proceeding Through
- SR: Traffic From South Turning Right
- SL: Traffic From South Turning Left
- ST: Traffic From South Proceeding Through
- ER: Traffic From East Turning Right
- EL: Traffic From East Turning Left
- ET: Traffic From East Proceeding Through
- WR: Traffic From West Turning Right
- WL: Traffic From West Turning Left
- WT: Traffic From West Proceeding Through

South On 6		
Vehicle Type	Vol	%
A: Passenger Vehicle	280	88.3
B: Recreational Vehicle	23	7.3
C: Bus	5	1.6
D: Single Unit Truck	6	1.9
E: Tractor Trailer Unit	3	0.9
Total	317	

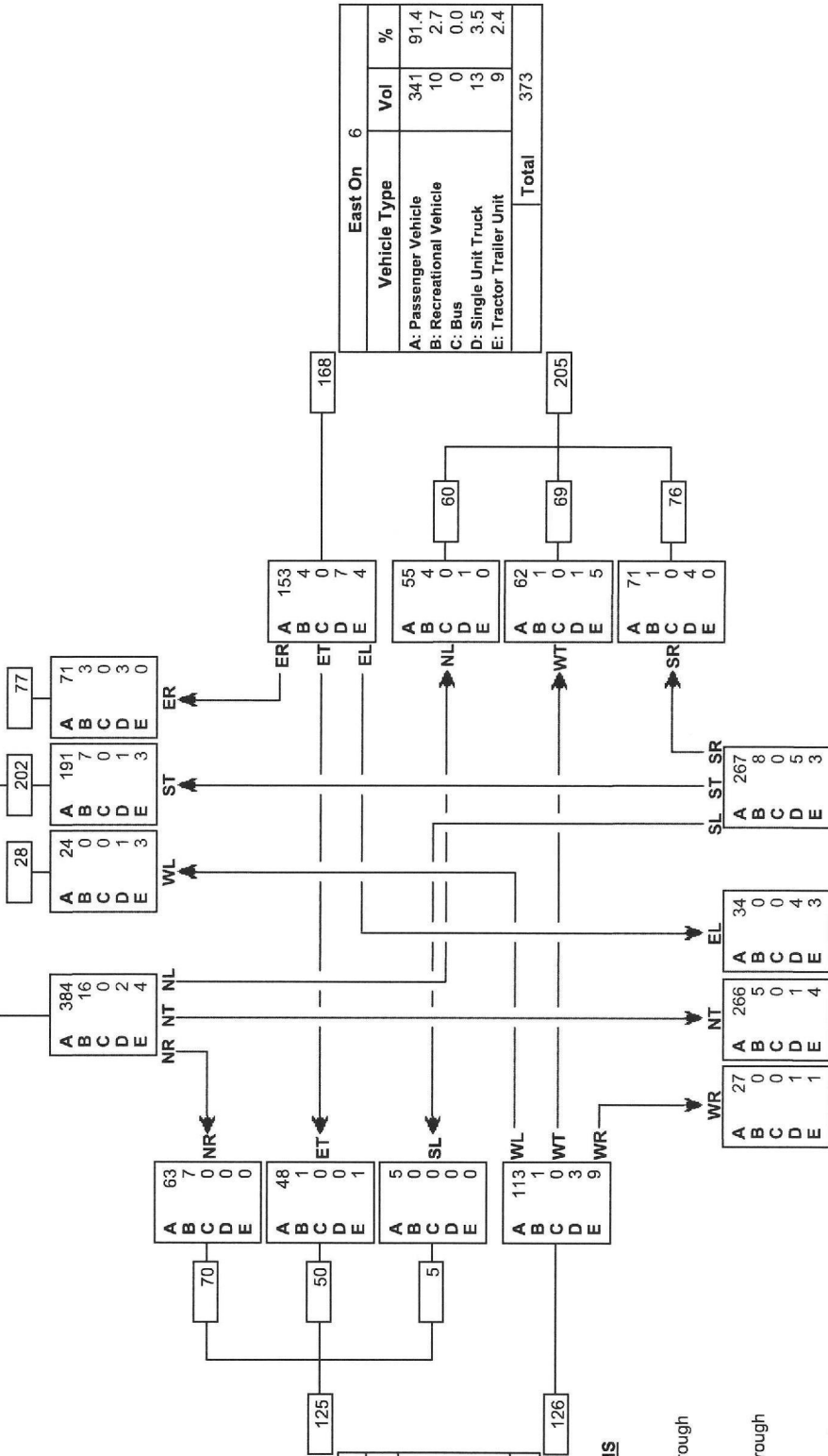
Turning Movement Summary Diagram

North On 6		
Vehicle Type	Vol	%
A: Passenger Vehicle	670	94.0
B: Recreational Vehicle	26	3.6
C: Bus	0	0.0
D: Single Unit Truck	7	1.0
E: Tractor Trailer Unit	10	1.4
Total	713	

Reference No.: 81050

Intersection of:
6 & 507 AT PINCHER CR NJ

2020 p.m. 100th Highest Hour ESTIMATES



TURNING MOVEMENT ABBREVIATIONS

- NR: Traffic From North Turning Right
- NL: Traffic From North Turning Left
- NT: Traffic From North Proceeding Through
- SR: Traffic From South Turning Right
- SL: Traffic From South Turning Left
- ST: Traffic From South Proceeding Through
- ER: Traffic From East Turning Right
- EL: Traffic From East Turning Left
- ET: Traffic From East Proceeding Through
- WR: Traffic From West Turning Right
- WL: Traffic From West Turning Left
- WT: Traffic From West Proceeding Through

South On Hewelton		
Vehicle Type	Vol	%
A: Passenger Vehicle	594	94.4
B: Recreational Vehicle	13	2.1
C: Bus	0	0.0
D: Single Unit Truck	11	1.7
E: Tractor Trailer Unit	11	1.7
Total	629	

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Critical Bull Trout Habitat - Update	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 6/28/2021

PURPOSE:

To inform Council of the ongoing communication with the Federal Department of Fisheries and Oceans regarding Pincher Creek's designation of critical bull trout habitat.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the critical bull trout habitat update as information.

BACKGROUND/HISTORY:

At the April 7, 2021 Committee of the Whole meeting of Council, administration updated Council of the newly implemented critical bull trout habitat designation for the Pincher Creek. In response, Council directed administration to send a letter to the Department of Fisheries and Oceans (DFO) outlining our concerns and impacts to capital projects. This letter was sent on April 13, 2021.

Administration received a response from the DFO on May 28, 2021. The letter stated that engagement was conducted in 2015 through public consultations.

The letter response from DFO did not address the Town's concerns regarding increased costs for construction projects, or their lack of willingness to communicate with the Town by agreeing to a preliminary meeting outside of the formal review process.

An update on how administration is working with DFO on current projects is listed below.

1. Waterline Creek Crossing project has been deferred to 2022 construction due to the need to complete a fish inventory prior to the ability to submit a Request for Review to DFO. Our consultants have submitted a Species At Risk Act (SARA) application. The Request for Review will need to be submitted prior to construction in 2022.
2. The grading/landscaping project at the Ag Society ground has been deferred to 2022 construction for the same reasons as above.
3. The Church to Willow Street Storm Upgrades project is still on schedule, but was required to adjust the phasing of the project to allow additional time for DFO approval for the storm outfall replacement. Our consultants have submitted the formal Request for Review but have had no response to date.

ALTERNATIVES:

That Council for the Town of Pincher Creek request additional information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

PUBLIC RELATIONS IMPLICATIONS:

N/A

ATTACHMENTS:

IN CONFIDENTIAL PACKAGE - 2021-001-00847 - 2674

IN CONFIDENTIAL PACKAGE - 2021-001-00847 Incoming - 2674

CONCLUSION/SUMMARY:

Administration supports Council accepting this update as information, with future updates to be provided as deemed necessary.

Signatures:

Department Head:

A. Roch

CAO:

Laurie Wilgosh



TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Storm Drainage Bylaw #1630-21	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 6/28/2021

PURPOSE:

For Pincher Creek to regulate storm drainage systems within the Town of Pincher Creek including all surface runoff and foundation drainage ultimately discharged into a storm sewer, storm pond, gutter, ditch, or the creek.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to give Bylaw No. 1630-21, Storm Drainage Bylaw, first reading.

That Council for the Town of Pincher Creek agree to give Bylaw No. 1630-21, Storm Drainage Bylaw, second reading.

That Council for the Town of Pincher Creek unanimously agree to present Bylaw No. 1630-21, Storm Drainage Bylaw, for third reading.

That Council for the Town of Pincher Creek agree to give Bylaw No. 1630-21, Storm Drainage Bylaw, third and final reading and that a copy of which be attached hereto and form part of the minutes.

BACKGROUND/HISTORY:

Pincher Creek does not currently have any Bylaw which regulates the storm drainage utilities within the Town including storm sewers, storm ponds or conveyance structures (such as gutters and ditches). This exposes the Town to liability for prohibited substances being released into the system, and ultimately the creek which can cause pollution. This bylaw is also intended to mitigate drainage flow issues by prohibiting blockage/impediment of a storm drainage system.

The Bylaw as presented is based off of the City of Calgary Drainage Bylaw, which has been used as a template for many municipalities across Alberta, including the City of Lethbridge.

The Storm Drainage Bylaw allows for the collection of a Storm Drainage Charge from all properties within the limits of Pincher Creek which are currently connected to any utility, not necessarily a direct connection to the storm sewer system. This is due to all parcels, regardless of connection, contribute to the storm drainage which the Town must

ultimately handle through surface drainage facilities (gutters and ditches), catch basins, storm sewers, storm ponds, outfall structures to the creek etc.

While this Bylaw allows for the implementation of a Storm Drainage Charge, the charge amount will be determined at a future date through a revision of the Fee Structure Bylaw. The Storm Drainage Bylaw only outlines the way in which the charge would be categorized, which will be two separate flat rates for residential / non-residential properties. Multiple fee structures were researched by Administration including flat rates for all parcels and charges based on lot size. In review of the data required for more complex calculation methods and the Town's ability to implement these systems, it was determined the residential / non-residential charges was the most advantageous method balancing fee distribution and utility billing system upgrades not being required.

The Storm Drainage Bylaw was presented to the Policy Review Committee on June 14, 2021 and, with minor amendments, recommended to be brought forward to Council for approval.

ALTERNATIVES:

That Council for the Town of Pincher Creek request additional information from Administration.

That Council for the Town of Pincher Creek receive the Storm Drainage Bylaw presented as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The implementation of the Storm Drainage Charge will result in changes to how property owners pay for storm infrastructure. While reducing taxes proportionately, there are some properties that will be captured in the Storm Drainage Charge that are currently exempt from taxes, such as churches and schools.

FINANCIAL IMPLICATIONS:

Through the passing of this Bylaw, no fees will be implemented. The Bylaw outlines the provision of being able to collect the Storm Drainage Charge, but does not set the value. Financial Implications will be discussed at such time that the Charge is implemented through an amendment to the Fee Structure Bylaw.

PUBLIC RELATIONS IMPLICATIONS:

Any changes to utility rates, including the introduction of a new charge, can result in negative reactions from the public. Administration plans to educate the public through the Utility News Letter and Social Media as to the implementation and reasoning behind the charges.

ATTACHMENTS:

DRAFT 1630-21 Storm Drainage Bylaw - 2656

CONCLUSION/SUMMARY:

Administration strongly supports the approval of the Storm Drainage Bylaw to protect Town Infrastructure and the environment, while providing for a dedicated fee to be collected to ensure the long-term sustainability of the utility.

Signatures:

Department Head:

A. Roth

CAO:

Laurie Wilgosh





TOWN OF PINCHER CREEK

STORM DRAINAGE BYLAW

#1630-21

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BYLAW #1630-21
of the
TOWN OF PINCHER CREEK

A BYLAW OF THE MUNICIPALITY OF THE
TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA,
FOR THE PURPOSE OF REGULATING THE STORM SEWERS AND STORM DRAINAGE
WITHIN THE MUNICIPALITY OF THE TOWN OF PINCHER CREEK

WHEREAS the *Municipal Government Act*, being Chapter M-26, R.S.A. 2000 and amendments thereto, permits the municipality to pass bylaws regarding public utilities;

AND WHEREAS the *Municipal Government Act*, being Chapter M-26, R.S.A. 2000 and amendments thereto, authorizes a municipality to pass Bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the *Municipal Government Act*, being Chapter M-26, R.S.A. 2000 and amendments thereto, authorizes a municipality to pass Bylaws for municipal purposes respecting the enforcements of bylaws including providing for inspections to determine is bylaws are being complied with;

AND WHEREAS the Council of the Town of Pincher Creek wishes to establish regulations, rates, and penalties for Storm Drainage services.

NOW THEREFORE, the Municipal Council of the Town of Pincher Creek hereby enacts as follows:

1. TITLE

1.1 Title

- a) This Bylaw may be cited as the “Storm Drainage Bylaw”.

2. INTERPRETATION AND DEFINITIONS

2.1 Definitions

In this Bylaw unless the context otherwise requires:

- a) **ANIMAL WASTE** means all forms of waste from animals or the treatment of animals and includes animal carcasses or parts.
- b) **AQUATIC INVASIVE SPECIES** means non-native species that have been introduced from other countries or ecosystems and threaten Alberta’s ecosystems and biodiversity. Aquatic Invasive Species are identified in the *Fisheries (Alberta) Act* and include, but are not limited to, Prussian carp (goldfish), Silver carp, Snakehead, Zebra mussel, Eurasian water milfoil, and Purple loosestrife.

- c) BIOMEDICAL WASTE means medical waste that requires proper handling and disposal because of environmental, aesthetic, health, or safety concerns and includes but is not limited to:
- Human anatomical waste;
 - Infectious human waste;
 - Infectious Animal Waste;
 - Microbiological waste;
 - Blood and body fluid waste; and
 - Medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.
- d) BYLAW means Bylaw 1630 also known as the Storm Drainage Bylaw.
- e) CAO means the Chief Administrative Officer of the Town of Pincher Creek as appointed by Town Council and includes any Person authorized by him/her to act for or carry out the duties of the CAO to the extent that authorization is given.
- f) COUNCIL means the Council of the Town of Pincher Creek elected pursuant to the provisions of the *Local Authorities Elections Act*.
- g) DIRECTOR OF OPERATIONS means the Director of Operations for the Town of Pincher Creek or Person authorized by him/her to act for or carry out the duties of the Director of Operations.
- h) FOUNDATION DRAINAGE means water collected beneath the surface of the ground by a foundation drain, weeping tile, sump pump or other similar means.
- i) GENERAL MEDICAL WASTE means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubing, filters, towels, and disposable sheets, but excludes Biomedical Waste.
- j) HAZARDOUS WASTE means waste that is generated from any Premises and has one or more hazardous properties as described in the *Environmental Protection and Enhancement Act*, as amended or any act passed in replacement of it.
- k) INDUSTRIAL WASTE means waste generated by commercial or industrial activities that presents health, safety, or environmental concerns, and includes, but is not limited to, lime, sulphur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes Hazardous Waste and Biomedical Waste.
- l) INTERCEPTOR means a receptacle approved by the Town and designed to prevent oil, grit, and other matter from passing from the source into the Storm Drainage System.
- m) NEGATIVE IMPACT means impairment of or damage to, or the ability to cause impairment to:
- The Storm Drainage System;
 - Human health or safety;

- Property; or
 - The environment.
- n) OUTFALL STRUCTURE means a pipe or structure in, on, under, or adjacent to a water body, that is constructed for the discharge of Storm Drainage to a water body and includes any associated structure that is required.
- o) OWNER means the registered Owner of a property or the purchaser thereof.
- p) PARCEL means the aggregate of one or more areas of land described in a certificate of title.
- q) PEACE OFFICER means a member of the Royal Canadian Mounted Police, Community Peace Officer, or Bylaw Enforcement Officer as appointed by the Town of Pincher Creek.
- r) PERSON includes any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators, or other legal representatives of a Person to whom the context can apply according to law.
- s) PREMISES includes lands and buildings or both, or a part thereof.
- t) PROHIBITED MATERIAL means any Substance that may, directly or indirectly, obstruct the flow of Water within the Storm Drainage System or may have a Negative Impact, and includes, but is not limited to:
- Soil, sediment, waste, or other solid matter;
 - Fecal matter, Animal Waste;
 - Cooking oils and greases;
 - Gasoline, motor oil, transmission fluid, and antifreeze;
 - Solvents;
 - Paint;
 - Cement or concrete wastes;
 - Sawdust, wood, fiberboard, or construction material;
 - Yard Waste;
 - Pesticides, herbicides, or fertilizers;
 - Biomedical Waste or General Medical Waste;
 - Hazardous Waste;
 - Industrial Waste;
 - Soaps or detergents;
 - Water from hot tubs;
 - Any Substance or combination of Substances that emits an odor; and
 - Aquatic Invasive Species;
- u) RELEASE means:

- To directly or indirectly conduct a Substance to the Storm Drainage System by spilling, discharging, disposing or, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means; or
 - a spill, Release, disposal, abandonment, deposit, leak, seep, pour, drain, or emptying of a Substance into the Storm Drainage System.
- v) REMEDIAL ORDER means a remedial order written pursuant to section 545 of the *Municipal Government Act*.
- w) RESERVE means a Parcel of land designated on its certificate of title as municipal reserve, school reserve, municipal and school reserve, environmental reserve or public utility lot, or a Parcel administered by the Town as if it had such reserve designation.
- x) SERVICE CONNECTION means a pipe or conduit installed between a Premises and the Storm Drainage System for the purpose of draining Storm Drainage from the Premises.
- y) SIDEYARD means that portion of a Parcel extending from the front yard to the rear yard and between the side property line of the Parcel and the closest side of the principal building.
- z) STORM DRAINAGE means Surface Runoff and uncontaminated water when discharged to the Storm Drainage System from foundation, roof and underground drains, weeping tile, groundwater, and Surface Runoff.
- aa) STORM DRAINAGE FACILITY means any facility associated with control of Storm Drainage that is ultimately directed to a Street or Storm Drainage System, and includes but is not limited to:
- Grass swales;
 - Concrete or asphalt walkways, gutters, or swales;
 - Storm Drainage control fences or structures;
 - The sloping and contouring of land to facilitate or control Storm Drainage.
- bb) STORM DRAINAGE SERVICE CHARGE means the flat monthly charge for the operation and maintenance or inspections of the Storm Drainage System.
- cc) STORM DRAINAGE SYSTEM means the system for collecting, transmitting, storing, treating, and disposing of Storm Drainage and Foundation Drainage, and includes:
- The catch basins, sewers and pumping stations that make up the Storm Drainage collection system,
 - The Storm Drainage Facilities, structures or things used for storage, management, and treatment to buffer the effects of Surface Runoff or improve the quality of the Storm Drainage,
 - The sewers and pumping stations that transport Storm Drainage to the location where it is treated or disposed of, and
 - The Storm Drainage Outfall Structures,
- but does not include plumbing or Service Connections in buildings.

- dd) STREET means any thoroughfare, highway, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- A sidewalk (including the boulevard portion of the sidewalk),
 - If a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - If a street is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but
 - Does not include a place declared by the Lieutenant Governor in Council not to be a street.
- ee) SUBSTANCE means any one or more of the following:
- Any solid matter;
 - Any liquid matter;
 - Any gaseous matter;
 - Any sound, vibration, radiation or other form of energy,
 - Any combination of the above.
- ff) SURFACE RUNOFF means rainwater, melted snow and ice that flows over the ground surface.
- gg) TOWN means the municipal corporation of the Town of Pincher Creek.
- hh) UTILITY and shall mean and include, as the context may require:
- The supply of water;
 - The provision of wastewater collection and treatment;
 - The provision of Storm Drainage collection, treatment, and disposal; or
 - The provision of solid waste management services including garbage collection and recycling services.
- ii) WASTEWATER SYSTEM means the system owned and operated by the Town for the collection, transmission, treatment, and disposal of wastewater.
- jj) WATER SYSTEM means the system owned and operated by the Town for the treatment and distribution of treated water, and all accessories and appurtenances thereto.
- kk) YARD WASTE means waste from gardening or horticultural activities and includes, but is not limited to, grass, leaves, plants, tree and hedge clippings, and sod.

2.2 Interpretation

- a) All references in this Bylaw shall read with such changes in number and gender as may be considered appropriate according to whether the reference is made to a male or female, or a corporation or partnership.

- b) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- c) Any headings, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- d) All schedules attached to this Bylaw shall form part of this Bylaw.
- e) Where this Bylaw cites or refers to any other Act, bylaw, regulation, agency, organization, or publication, the citation or reference is to the Act, bylaw, regulation, agency, organization, or publication as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any Act, bylaw regulation, agency, organization, or publication that may be substituted in its place.

2.3 Compliance with Other Laws

- a) Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, agency, organization, other bylaw, or any requirement of any lawful permit, order, or license.

3. AUTHORITY

3.1 Authority

- a) The CAO may delegate any or all of the powers granted to him/her pursuant to this Bylaw.
- b) The CAO may:
 - i. Establish any conditions or requirements of an approval or permit to Release water to the Storm Drainage System, including but not limited to:
 - ii. Testing, monitoring, or reporting requirements;
 - iii. Equipment or equipment maintenance or inspection requirements;
 - iv. Filtration, settling or other treatment requirements;
 - v. Order the testing of any Release to the Storm Drainage System;
 - vi. Establish fees for approvals or permits;
 - vii. Require the Owner or occupier of a Parcel to submit a plan setting out how Releases from the Parcel will not cause a Negative Impact;
 - viii. Impose conditions upon the Owner or occupier of a Parcel to prevent Releases from the Parcel from causing a Negative Impact.
- c) Notwithstanding any other provision in this Bylaw, the CAO may establish rates, volumes, locations, or other conditions for Releases, including but not limited to:
 - i. Overland flows to a Town owned Parcel, including a Reserve;
 - ii. Releases into a Storm Drainage System; and

- iii. Releases to a Street.

3.2 Inspections

- a) Subject to the entry notice provisions of the *Municipal Government Act*, the CAO, or their authorized designate, bearing proper identification, may inspect, observe, measure, sample and test the water, Foundation Drainage or Storm Drainage on any Premises in order to determine whether or not this Bylaw or an approval granted pursuant to this Bylaw is being complied with.
- b) In the event that the Owner or occupant of the Premises refuses to allow or interferes with the entry, inspection, enforcement or any other action of the CAO, the Town may apply to the Court of Queen's Bench of Alberta for an order restraining any Person from preventing or interfering with the entry, inspection, enforcement, or action, or requiring the production of anything to assist in the inspection, remedy, enforcement, or action.

4. ADMINISTRATION OF STORM DRAINAGE UTILITY

4.1 Administration of Utility Accounts

- a) All Utility accounts for a Parcel must be registered with the Town in the same name.

4.2 Fees and Charges

- a) In addition to any other fee or charge set out in this Bylaw, the Owner of a Premises which is located within the boundaries of the Town and connected to the Water System and/or Wastewater System must pay a Storm Drainage Service Charge to the Town in accordance with the Fee Structure Bylaw, or elsewhere in this Bylaw.
- b) The CAO may establish a system for the billing and collection of any rates, charges, and fees in relation to the Storm Drainage System.
- c) The CAO may establish rates, charges, or fees for any work done or service or material supplied for the construction, installation, connection, disconnection, repair, or replacement of any of the following:
 - i. Any part of the Storm Drainage System;
 - ii. Any part of a Person's Storm Drainage System located on private property.
- d) The Storm Drainage Service Charge is charged based on the provisions set out in Schedule "A" of this Bylaw, and as outlined in the Fee Structure Bylaw.

5. STORM DRAINAGE SYSTEM

5.1 Releases into Storm Drainage System

- a) No Person shall Release or allow or cause to be Released any hazardous materials into the Storm Drainage System.
- b) No Person shall Release, or allow or cause to be Released, any Prohibited Material into the Storm Drainage System.

- c) No Person shall Release, or allow or cause to be Released, any water into the Storm Drainage System that has been impounded either passively or actively, except as permitted in subsection d).
- d) The following may be Released into the Storm Drainage System unless the Release could cause a Negative Impact:
 - i. Foundation Drainage;
 - ii. Water from a tank, pond, reservoir or other containment device or structure that does not include chlorine, chloramine or chemical agents used for maintenance (i.e. sanitizer, algae control, and acidic/alkaline balance);
 - iii. Water resulting from extinguishing fires and Street cleaning;
 - iv. Materials used for snow and ice control; or
 - v. A discharge to the Storm Drainage System which has been approved in writing by the CAO.
- e) Any Person who Releases or allows or causes a Release into the Storm Drainage System any matter contrary to the provisions of this Bylaw shall:
 - i. Notify the Town immediately upon becoming aware of the Release;
 - ii. Provide the Town with information respecting the Release, to the satisfaction of the Town;
 - iii. Be liable for all cost incurred by the Town for containment, sampling, testing, removing, clean-up, disposal, and any other related activity and environmental damages including fish kill.

5.2 Prohibition of Dilution

- a) No Person shall Release or allow or cause to be Released any material into the Storm Drainage System that has been diluted in order to achieve compliance with this Bylaw.

5.3 Unauthorized Releases

- a) Any Person who, in contravention of this Bylaw, Releases, or causes or allows any Prohibited Material to be Released into the Storm Drainage System, shall immediately take all reasonable measures to:
 - i. Notify 911 if there is any immediate danger to human health or safety;
 - ii. Notify the CAO;
 - iii. Notify any other Person that may be directly affected by the Release;
 - iv. Mitigate the Release, including but not limited to, taking measures to prevent the obstruction of the Storm Drainage System or measures to prevent a Negative Impact; and

- v. Cover and clearly mark all hoses used to direct water to the Storm Drainage System to protect the public from harm.
- b) Nothing in this section relieves a Person of complying with the requirements of any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, or license.

5.4 Directing of Storm Drainage

- a) No Person shall allow downspouts, eavestroughing, piping or other means of directing Storm Drainage on a Parcel to terminate within two (2) meters of:
 - i. A Reserve;
 - ii. A Storm Drainage Facility, except where such Storm Drainage Facility is located in a Sideyard;
 - iii. A StreetUnless authorized to do so by the CAO, or their designate.
- b) No Person shall directly connect or allow direct connection of downspouts, eavestroughing, piping, or other means of directing roof drainage to a foundation drain or weeping tile unless authorized to do so by the CAO, or their designate.
- c) Except in an emergency, no Person shall direct, pump, or Release impounded water from a Parcel to the Storm Drainage System or to property owned or occupied by the Town without the written consent of the CAO, or their designate.

5.5 Retention and Treatment of Storm Drainage

- a) The CAO, or their designate, may permanently or temporarily require the Owner or occupant of a Parcel to treat, restrict, impound, manage, or otherwise retain water on such Parcel, including but not limited to requiring the Owner to install an Interceptor and/or pond at the Owner's expense; and, without limiting the generality of the foregoing, specifically if:
 - i. If Prohibited Materials are likely to enter the Storm Drainage System directly or indirectly from the Parcel; or
 - ii. If the water from the Parcel is likely to cause erosion, damage, or other Negative Impacts directly or indirectly to property owned or occupied by the Town; or
 - iii. In order to:
 - iv. Control the volume; or
 - v. Ensure the water quality;of water directly or indirectly entering the Storm Drainage System.
- b) On-site retention is required for all Commercial, industrial, institutional, and multi-family developments. The volume of on-site storage required will be determined by the CAO, or their designate, based on the available capacity downstream of a Service Connection and/or current infrastructure master plan(s).

5.6 Interceptors

- a) Any Person who owns or occupies a Parcel on which the CAO, or their designate, has directed that an Interceptor be installed, or a practice be implemented in order to control or reduce the amount of Surface Runoff or improve water quality or infiltration, must:
 - i. Keep the Interceptor in good working condition at all times;
 - ii. Service the Interceptor often enough so that it does not become overloaded;
 - iii. Ensure the practice operates efficiently and effectively at all times; and
 - iv. Keep maintenance or inspection record for a minimum of two years and provide such maintenance record to the Town upon request.
- b) No Person shall Release any Prohibited Material from an Interceptor or implementation of a practice, into the Storm Drainage System.

5.7 Use and Re-Use of Storm Drainage

- a) Storm Drainage must not be used or re-used for any purpose without written approval from the CAO, or their designate.
- b) The CAO, or their designate, may impose conditions on the approval granted for Storm Drainage re-use, including any of the following:
 - i. Limits on the types of applications for which Storm Drainage may be re-used;
 - ii. Requirements on applications, risks, volumes, and any other information the CAO may require.
- c) Notwithstanding subsections a) and b), the approval of the CAO is not required for the use of Storm Drainage captured by one or more water barrels located above ground and intended for outdoor use.

5.8 Interference with the Storm Drainage System

- a) Any Person who owns or occupies a Parcel on which a Storm Drainage Facility is located must ensure that:
 - i. No building or other structure is constructed, erected, places, or allowed to remain on or over the Storm Drainage Facility; and
 - ii. The Storm Drainage Facility remains clear of soil, silt, Yard Waste, debris, ice, snow, or other matter which may obstruct, restrict, or prevent the flow of Storm Drainage within the Storm Drainage Facility or the Storm Drainage System.
- b) Notwithstanding subsection a), a fence may be constructed over a Storm Drainage Facility provided there is a vertical clearance over the top of the Storm Drainage Facility of at least 0.15 meters (6 inches).
- c) No Person, unless authorized by the CAO, or their designate, shall obstruct, restrict, or prevent:

- i. Access to the Storm Drainage System; or
 - ii. Flow of Storm Drainage into or within the Storm Drainage System.
- d) No Person, unless authorized by the CAO, or their designate, shall alter, remove, or change, either temporarily or permanently, any part of the Storm Drainage System.
- e) A Person must not, unless authorized by the CAO, or their designate, make, or create a Storm Drainage Facility that connect to the Storm Drainage System.
- f) A Person must not, unless authorized by the CAO, or their designate, enter any facility or structure which is part of the Storm Drainage System, including a storm pond. This includes but is not limited to recreational activities such as wading, swimming, boating, fishing, or skating.

5.9 Connections

- a) No Person shall install, alter, or remove, or permit installation, alteration, or removal of any Service Connection to the Storm Drainage System without written approval of the CAO, or their designate.
- b) Applications for the installation, alteration or removal of a Service Connection shall be made in writing to the Town.
- c) The CAO, or their designate, may approve the installation, alteration, or removal of a Service Connection upon such terms and conditions as the Town considers necessary and the payment in advance of the cost or estimated cost of the installation, alteration, or removal of the Service Connection.
- d) The installation, alteration or removal of a Service Connection shall be carried out at the expense of the applicant.
- e) No Person shall re-use a Service Connection that has been discontinued, altered, or removed without first obtaining the written consent of the CAO, or their designate.
- f) Where the use of a Service Connection is discontinued, the Owner of the Premises which was serviced by such Service Connection shall immediately notify the Town in writing.

5.10 Disconnections

- a) The CAO, or their designate may, in addition to any other remedy available, disconnect or seal off the property from the Storm Drainage System or take such other action as is necessary to prevent a Release of Storm Drainage from entering the Storm Drainage System where the Release:
- i. Contains a Prohibited Material;
 - ii. Creates an immediate danger to any Person;
 - iii. Interferes with or endangers the operation of the Storm Drainage System; or
 - iv. May otherwise cause or result in a Negative Impact.

- b) Where the CAO, or their designate, has acted pursuant to subsection 5.10 a), such action may be maintained or continued until evidence satisfactory to the Town has been produced to assure that no further harmful discharge will be made.
- c) Where the CAO, or their designate, has acted pursuant to subsection 5.10 a), the Town may, by notice in writing, advise the Owner or occupier of the property from which the Release was emanating, of the cost of taking such action and the Owner or occupier shall forthwith reimburse the Town for all such costs which were incurred.

6. APPROVALS AND REQUIREMENTS

6.1 Conditions of Approvals

- a) A Person to whom a written approval or requirement has been issued pursuant to this Bylaw shall ensure every provision and condition of that approval or requirement is complied with.
- b) Every Person who relied on a written approval issued pursuant to this Bylaw has the onus of proving that they were the holder of a valid and subsisting approval.
- c) A written approval given by the CAO, or their designate, pursuant to this Bylaw, or an agreement entered into with the Town pursuant to this Bylaw, must be available for inspection on the request of the CAO, Director of Operations, or a Peace Officer.

7. OFFENCES, PENALTIES, AND ENFORCEMENT

7.1 Offences and Penalties

- a) Any Person who contravenes any provision of this Bylaw by:
 - i. Doing any act or thing with the Person is prohibited from doing; or
 - ii. Failing to do any act or thing which the Person is required to do, including:
 - iii. Failing to comply with a requirement imposed by the CAO, or their designate;
 - iv. Failing to comply with a condition of a written approval or permit given by the Town; or
 - v. Failing to comply with a requirement or condition of an agreement entered into by the Town with the Person;is guilty of an offence.
- b) Any offence created pursuant to this Bylaw is a strict liability offence for the purposes of prosecution under this Bylaw.
- c) Any Person who is convicted of an offence pursuant to this Bylaw is liable for every day or part thereof upon which such offence occurs or continues, on summary conviction to a fine not exceeding ten-thousand dollars (\$10,000) or imprisonment for not more than one (1) year, or both, and in default of payment of any fine imposed, to imprisonment for a term not exceeding one (1) year.
- d) Where a Peace Officer believes that a Person has contravened any provision of this bylaw, the Peace Officer may, in addition to any other remedy at law, serve upon the

Person a violation ticket, in the form provided under the *Provincial Offences Procedure Act*.

- e) Where there is a specified penalty listed for an offence in the Fee Structure Bylaw, that amount is the specified penalty for the offence.
- f) Notwithstanding specified penalties set out in the Fee Structure Bylaw:
 - i. Where a Person contravenes the same provision of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect to the second contravention shall be double the amount of the specified penalty for a first offence; and
 - ii. Where a Person contravenes the same provision of this Bylaw three (3) or more times within one twelve (12) month period, the specified penalty payable in respect of the third and subsequent contraventions shall be triple the amount of the specified penalty for a first offence.
- g) The section shall not prevent a Peace Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*, or from laying an information instead of issuing a violation ticket.
- h) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs from which that Person is liable under the provisions of this Bylaw or any other bylaw.

7.2 Enforcement

- a) Where the CAO, Director of Operations, or a Peace Officer believes a Person has contravened any provision of this Bylaw, he/she may issue the Person a Remedial Order, pursuant to section 545 of the *Municipal Government Act* to remedy the infraction.
- b) Every Remedial Order written with respect to this Bylaw must:
 - i. Indicate the Person to whom it is directed;
 - ii. Identify the property to which the Remedial Order relates by municipal address or legal description;
 - iii. Identify the date that it is issued;
 - iv. Identify how the Premises fails to comply with this Bylaw;
 - v. Identify the specific provisions of the Bylaw the Premises contravenes;
 - vi. Identify the nature of the remedial action required to be taken to bring the Premises into compliance;
 - vii. Identify the time within which the remedial action must be completed;
 - viii. Indicate that if the required remedial action is not completed within the time specified, the Town may take whatever action or measures are necessary to remedy the contravention;

- ix. Indicate that the expenses and costs of any action of measures taken by the Town under this section are an amount owing to the Town by the Person to whom the order is directed;
 - x. Indicate that the expenses and cost referred to in this section may be attached to the tax roll of the property is such costs are not paid by a specified time;
 - xi. Indicate that an appeal lies from the Remedial Order to Town Council, if a notice of appeal is filed in writing with the Town within fourteen (14) days of the receipt of the Remedial Order.
- c) A Remedial Order written pursuant to this Bylaw may be served:
- i. Personally, upon the Owner of the Premises to which it relates;
 - ii. May be left with a Person apparently over the age of 18 years at the Premises; or
 - iii. By registered mail to the Owner of the Premises to which is relates.
- d) If, in the opinion of the CAO, Director of Operations, or a Peace Officer, service of the Remedial Order cannot be reasonably affected, or if the CAO, Director of Operations or Peace Officer believes that the Owner of the Premises is evading service, the Remedial Order may be posted in a conspicuous place on the Premises to which the Remedial Order relates, or on the private dwelling place of the Owner of the Premises, as registered at the Land Titles Office or on the municipal tax roll for the Premises, and the Remedial Order shall be deemed to be served upon the expiry of three (3) days after the Remedial Order is posted.
- e) Every Person who fails to comply with a Remedial Order issued pursuant to this Bylaw within the time set out in the Remedial Order commits an offence.

7.3 Recovery of Costs

- a) The Owner or occupier of a Premises is responsible for all costs associated with any of the following:
- i. The implementation of any measures taken, or required to be taken with respect to the Premises, to meet the requirements of this bylaw with respect to the Premises or to remediate, mitigate or prevent a Negative Impact;
 - ii. Damage or harm to the Storm Drainage System resulting from the Owner's or occupier's contravention of the requirements of this Bylaw.

7.4 Interference with Town Forces

- a) No Person shall hinder, interrupt, or cause to be hindered any employee of the Town or its contractors, servants, and agents or workers, in the exercise of the powers or duties as authorized or required by this Bylaw.

8. DATE OF COMMENCEMENT

This Bylaw shall come into effect upon third and final reading.

READ A FIRST TIME THIS 28 DAY OF JUNE, 2021

MAYOR, D. Anderberg

CAO, L. Wilgosh

READ A SECOND TIME THIS 28 DAY OF JUNE, 2021

MAYOR, D. Anderberg

CAO, L. Wilgosh

READ A THIRD AND FINAL TIME THIS 28 DAY OF JUNE, 2021

MAYOR, D. Anderberg

CAO, L. Wilgosh

SCHEDULE "A" – STORM DRAINAGE SERVICE CHARGE

1. The Storm Drainage Service Charge(s) and penalties for contravening this Bylaw are outlined and updated in the Town's Fee Structure Bylaw.

2. The Storm Drainage Service Charge(s) as outlined in this Bylaw shall be separated into Residential and Non-Residential categories, as described below:

a) Residential

Where a Premises is connected to the Water System and/or Wastewater System and the Premises is:

- i. A single-family dwelling;
- ii. A modular and/or manufactured home;
- iii. Multi-family developments containing more than one (1) residential unit, with each unit having individual water meters.

For developments containing more than one (1) residential unit, each residential unit shall be charged the Residential Storm Drainage Service Charge.

b) Non-Residential

Where a Premises is connected to the Water System and/or Wastewater System and the Premises is classified as anything other than those described under the subsection a) including, but not limited to:

- i. Multi-family developments containing more than one (1) residential unit, with a single water meter
- ii. Mixed-use developments
- iii. Commercial uses
- iv. Industrial uses
- v. Churches
- vi. Schools
- vii. Properties owned and operated by non-profit organizations

For developments with multiple non-residential Premises within a Parcel, each non-residential Premises shall be charged the Non-Residential Storm Drainage Service Charge.

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Obsolete and Redundant Repeal Bylaw No 1628-21	
PRESENTED BY: Gus Kollee, Legislative Service Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

To present Town Council with the Obsolete and Redundant Repeal Bylaw - Bylaw No 1628-21 for the purpose to repeal the Temporary Mandatory Face Coverings Bylaw.

RECOMMENDATION:

That Council for the Town of Pincher Creek give the Obsolete and Redundant Repeal Bylaw No 1628-21 first reading.

That Council for the Town of Pincher Creek give the Obsolete and Redundant Repeal Bylaw No 1628-21 second reading.

That Council for the Town of Pincher Creek agree unanimously to give the Obsolete and Redundant Repeal Bylaw No 1628-21 third reading.

That Council for the Town of Pincher Creek give the Obsolete and Redundant Repeal Bylaw No 1628-21 third and final reading a copy of which be attached hereto and form part of the minutes.

BACKGROUND/HISTORY:

On March 11, 2020 the World Health Organization declared a global pandemic related to the spread of the COVID-19 virus and the COVID-19 pandemic remains a health risk.

On November 24, 2020 the Chief Medical Officer of Health implemented enhanced public health measures and mandatory restrictions to protect the health system and slow the spread of COVID-19.

December 2, 2020 the Committee of the Whole for the Town of Pincher Creek agree to conduct a Special Meeting of Council on December 2, 2020 to consider Temporary Mandatory Face Coverings Bylaw 1628-20, of which third and final reading was passed.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the Obsolete and Redundant Repeal Bylaw No 1628-21 for the purpose to repeal the Temporary Mandatory Face Coverings Bylaw as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

Draft - Bylaw No 1628-21 - 2671

CONCLUSION/SUMMARY:

Administration supports that Town Council repeal the Temporary Mandatory Face Coverings Bylaw - Bylaw No 1628-20 at such time when the rescinded Alberta health orders regarding the gatherings, activities, masking and business restrictions comes into effect.

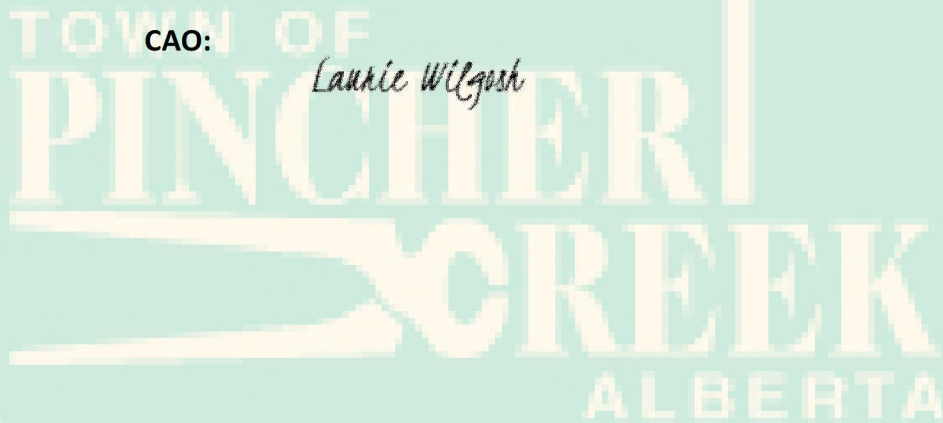
Signatures:

Department Head:

August Koflee

CAO:

Laurie Wilgosh





BYLAW NO. 1628-21

**BEING A BYLAW OF THE
TOWN OF PINCHER CREEK
TO REPEAL AN OBSOLETE AND
REDUNDANT BYLAW**

WHEREAS Council recognizes that the original mandate of the Temporary Mandatory Face Coverings Bylaw, Bylaw No. 1628-20 has been fulfilled;

AND WHEREAS Section 63(1) 2(b) of the Municipal Government Act states a council may by bylaw authorized the revision of all or any of the bylaws of the municipality. The bylaw may authorize the following: omit and providing for the repeal of a bylaw or a provision of a bylaw that is inoperative, obsolete, expired spent or otherwise ineffective.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PINCHER CREEK, duly assembled in open meeting assembled enacts as follows:

SHORT TITLE

This Bylaw may be cited as the "**Obsolete and Redundant Bylaw, Repeal Bylaw No. 1628-21**".

REPEAL

Repeal the “Temporary Mandatory Face Coverings Bylaw” – Bylaw No. 1628-20

COMING INTO FORCE

This bylaw **Obsolete and Redundant Bylaw, Repeal Bylaw No. 1628-21** comes into effect on the day the rescinded Alberta public health orders regarding, gatherings, activities, masking and business restrictions, and Public Health Orders comes into effect.

READ A FIRST TIME THIS 28th DAY OF June, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

READ A SECOND TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

READ A THIRD TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Bylaw No. 1547-AL – Land Use Bylaw Amendment	
PRESENTED BY: Gus Kollee, Legislative Service Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

To present Council for the Town of Pincher Creek with Land Use Bylaw Amendment proposed Bylaw No. 1547-AL to re-designate Plan 0614431, Block 1, Lot 4 from Transitional / Urban Reserve - TUR to Transitional Commercial – C4.

RECOMMENDATION:

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek agree and give Bylaw No. 1547-AL amending the Land Use Bylaw No. 1547 first reading.

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Bylaw No. 1547-AL amending the Land Use Bylaw on July 26th, 2021 before consideration of second and/or third reading.

BACKGROUND/HISTORY:

On November 9, 2020 the Town received a Real Estate Purchase Contract from Wild Winds Brewery to purchase Plan 0614431, Block 1, Lot 4 in the amount of \$60,000.00 plus a 10% Deposit cheque in the amount of \$6,000.00 with conditions that the property be re-designated (rezoned) to Transitional Commercial - C4 as shown in the correspondence attached to the Real Estate Purchase Contract dated November 8, 2020.

On November 9, 2020 Town Council accepted the offer from Wild Winds Brewery.

ALTERNATIVES:

- That Council for the Town of Pincher Creek receives Bylaw No. 1547-AL amending the Land Use Bylaw No. 1547 as information.

- That Council for the Town of Pincher Creek direct administration to bring back Bylaw No. 1547-AL with amendments.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

There is cost for advertising and notifying adjacent property owners. In Addition, the Land Use Bylaw and the GIS mapping are to be updated accordingly.

PUBLIC RELATIONS IMPLICATIONS:

In addition to the Towns' Departments referral comments, the adjacent property owners are to be notified in accordance with the Land Use Bylaw section 50 and the Municipal Government Act (MGA) sections 230, 606 and 692. Subsequent, to first reading of Bylaw No. 1547-AL, Notice of Public Hearing on Bylaw 1547-AL is to be published for two consecutive weeks in the local weekly newspaper as per Advertising for Public Hearing Policy Number 115-95. The suggested dates for advertising are July 7th and 14th, 2021 respectively.

ATTACHMENTS:

- Draft - Bylaw No. 1547-AL - 2672
- Draft - Notice of Public Hearing Bylaw No. 1547-AL - 2672
- LUB Schedule 2 TUR and C4 - 2672
- MGA Sec 230 - 606 - 606 - 2672

CONCLUSION/SUMMARY:

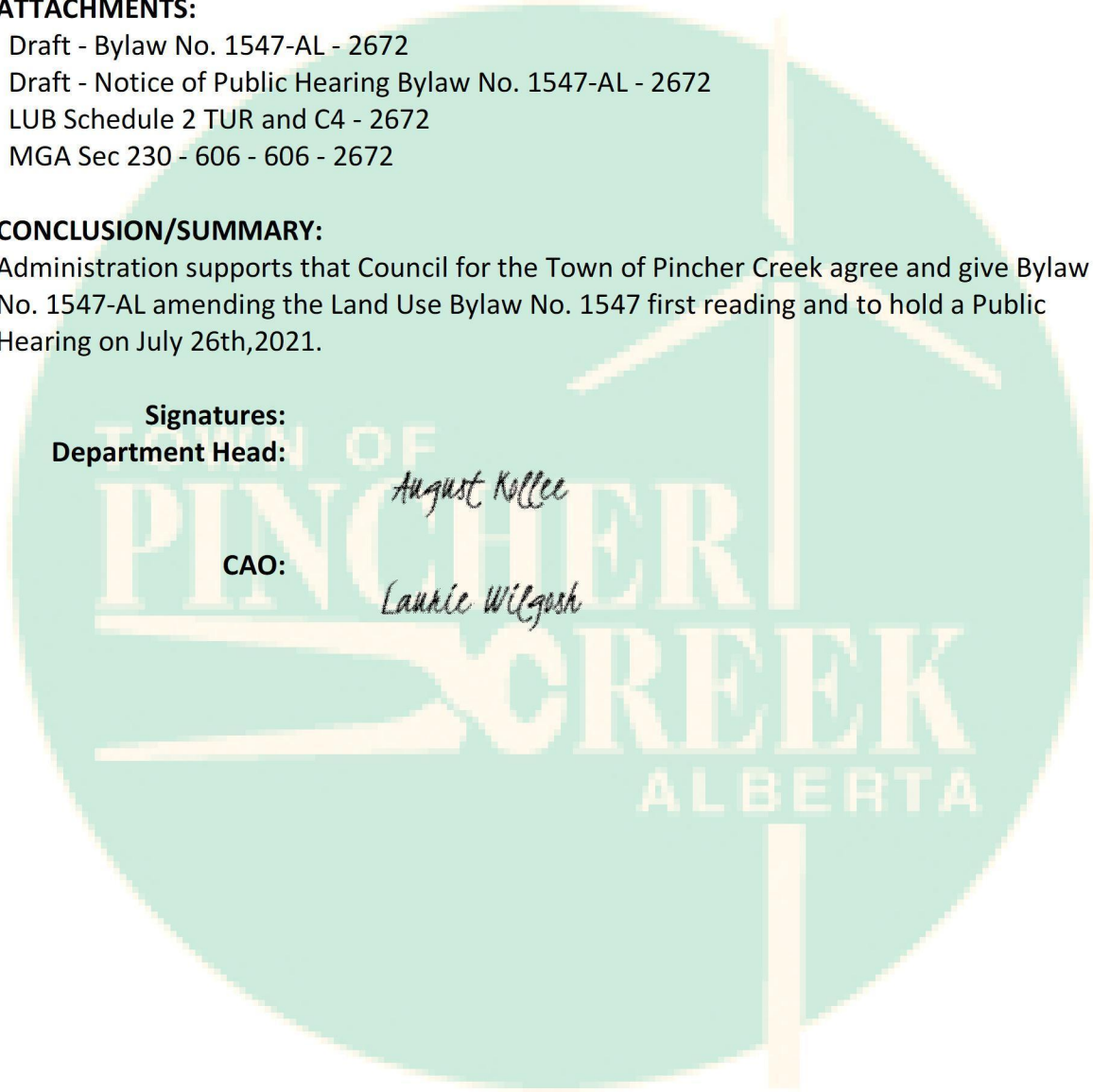
Administration supports that Council for the Town of Pincher Creek agree and give Bylaw No. 1547-AL amending the Land Use Bylaw No. 1547 first reading and to hold a Public Hearing on July 26th,2021.

Signatures:
Department Head:

August Kollee

CAO:

Laurie Wilgosh





**BYLAW NO. 1547-AL
OF THE
TOWN OF PINCHER CREEK,
IN THE PROVINCE OF ALBERTA, FOR
THE PURPOSE OF AMENDING
LAND USE BYLAW NO. 1547**

WHEREAS the Council of the Town of Pincher Creek has received a request to re-designate lands within its corporate limits;

WHEREAS the Town of Pincher Creek is the registered owner of the lands to be re-designated;

WHEREAS the registered owner of the lands wishes the re-designation of the land to accommodate “Restaurants, Dwelling units as a secondary use to an approved principal use, and Specialty manufacturing/cottage industries” uses development;

AND WHEREAS the purpose of proposed Bylaw No. 1547-AL is to re-designate the lands legally described as:

Plan 0614431

Block 1

Lot 4

EXCEPTING THEREOUT:

HECTARES (ACRES) MORE OR LESS

**A) PLAN 1910167 ROAD 0.037 0.09
EXCEPTING THEREOUT ALL MINES AND MINERALS**

From “Transitional / Urban Reserve – TUR” **To**

“Transitional Commercial – C4“;

AND WHEREAS the said lands are illustrated on the map in Schedule “A” attached hereto;

AND WHEREAS the Town of Pincher Creek must prepare a corresponding bylaw and provide for its consideration at a Public Hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Pincher Creek, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands legally described as:

Plan 0614431

Block 1

Lot 4

EXCEPTING THEREOUT:

HECTARES (ACRES) MORE OR LESS

**A) PLAN 1910167 ROAD 0.037 0.09
EXCEPTING THEREOUT ALL MINES AND MINERALS**

To Re-designate **From** “Transitional / Urban Reserve – TUR” **To**
“Transitional Commercial – C4“;
as illustrated on the map attached as Schedule “A”.

2. Bylaw No. 1547, being the Town of Pincher Creek Land Use Bylaw, is hereby amended.
3. The land use district map shall be amended to reflect this change.
4. This bylaw shall come into effect upon third and final reading hereof.

READ A FIRST TIME THIS 28th DAY OF June, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

READ A SECOND TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

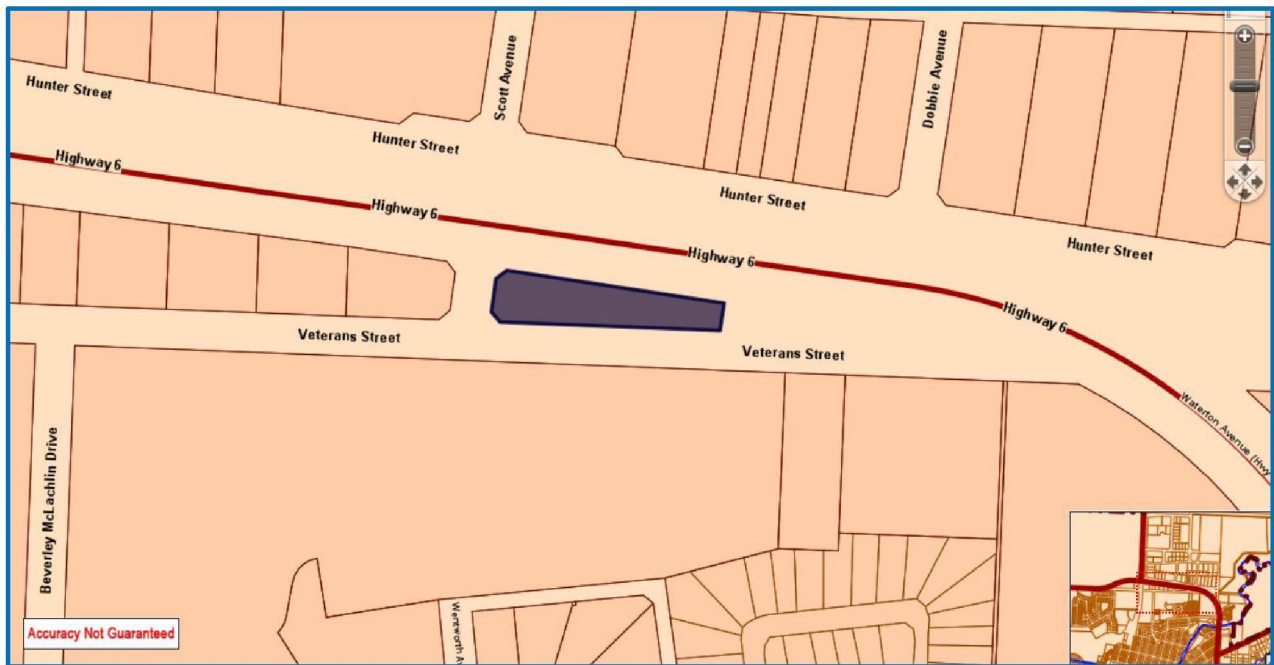
CAO, Laurie Wilgosh

READ A THIRD TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

SCHEDULE "A"





NOTICE OF PUBLIC HEARING
Town of Pincher Creek in the Province of Alberta
Proposed Bylaw No. 1547-AL to be held at 6:00 p.m.
Monday July 26th, 2021
962 St. John Avenue Town Hall in Council Chambers
VIRTUAL Via Zoom

PURSUANT to Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Council of the Town of Pincher Creek in the Province of Alberta, hereby give notice of its intention to adopt Bylaw No. 1547-AL being a bylaw to amend Town of Pincher Creek Land Use Bylaw No. 1547.

THE PURPOSE of proposed Bylaw No. 1547- AL is to re-designate the lands legally described as:

Plan 0614431

Block 1

Lot 4

EXCEPTING THEREOUT:

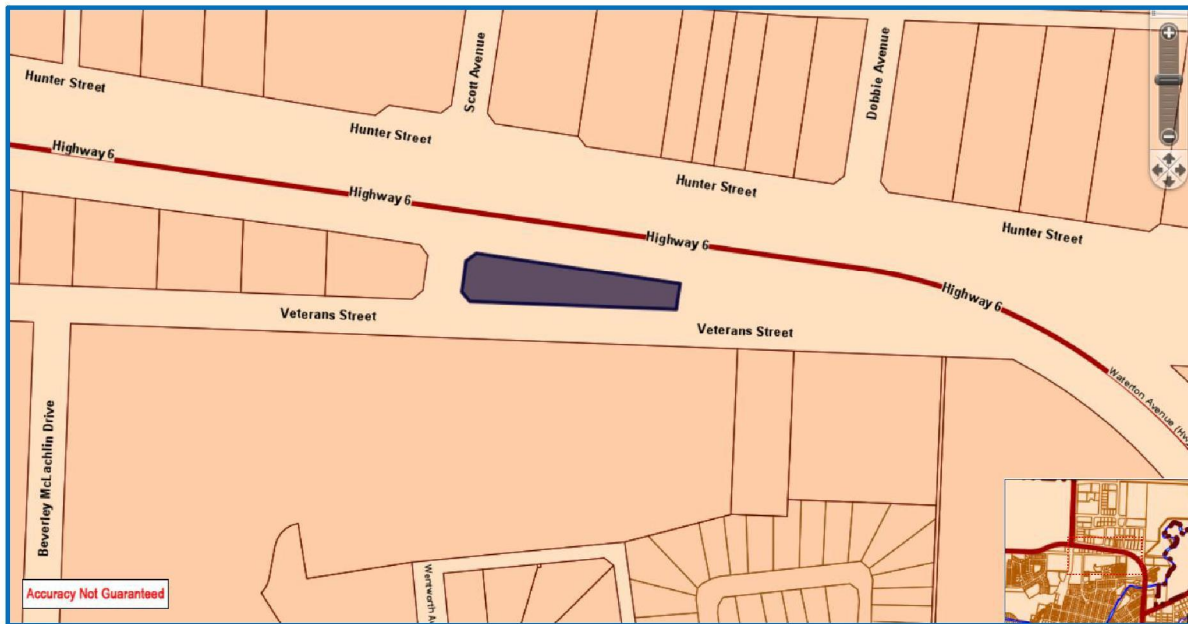
HECTARES (ACRES) MORE OR LESS

A) PLAN 1910167 ROAD 0.037 0.09
EXCEPTING THEREOUT ALL MINES AND MINERALS

From “Transitional / Urban Reserve – TUR” **To** “Transitional Commercial – C4“, as illustrated on the map attached as Schedule “A”.

THEREFORE, TAKE NOTICE that a public hearing to consider the proposed Land Use Bylaw Amendment Bylaw No. 1547-AL will be held on Monday July 26th, 2021 in the Council Chambers of the Town of Pincher Creek Town Hall at 6:00 p.m. Virtual via Zoom.

SCHEDULE “A”



Any person who claims to be prejudicially affected by the proposed Bylaw No. 1547-AL may submit comments or give notice of oral presentation by 12:00 Noon on Wednesday July 21st, 2021. A copy of the proposed bylaw may be inspected at the Town of Pincher Creek Office, 962 St. John Avenue, during regular hours.

Laurie Wilgosh,
Chief Administrative Officer

TRANSITIONAL COMMERCIAL – C4

1. INTENT

The intent of the Transitional Commercial land use district is to identify residential areas within the community whereby the commercial expansion of the downtown may be feasible and/or desirable to develop.

PERMITTED USES*

- Financial institutions
- Personal services
- Restaurants
- Retail stores
- Signs

PROHIBITED USES

- Hotels
- Shipping containers

DISCRETIONARY USES

- Accessory buildings and uses
- Additions to existing residential dwellings
- Amusement facilities
- Animal care services, small
- Apartments
- Business support services
- Cannabis retail sales
- Child care services
- Club and fraternal organizations
- Condominiums
- Duplexes
- Dwelling units as a secondary use to an approved principal use
- Entertainment establishments
- Existing accessory buildings
- Existing residences
- Farmers' markets
- Fleet and transportation services
- Fourplexes
- Group homes
- Home occupations
- Household repair services
- Offices
- Parking facilities
- Public and institutional
- Public or private utilities
- Public park or recreation
- Publishing, broadcasting or recording establishments
- Rowhouses
- Similar uses
- Single family dwellings
- Specialty manufacturing/cottage industries
- Triplexes

2. MINIMUM LOT SIZE

Use	Width	Length	Area
	m	ft.	m ² sq. ft.
Public and institutional, Public or private utilities, and Public park or recreation	As required by the Designated Officer		

* See Schedule 3, Development Not Requiring A Development Permit.

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
All other uses:						
– laned lot	20.1	66	30.5	100	613.1	6,600
– laneless lot	20.1	66	25.9	85	521.2	5,610

3. MINIMUM SETBACK REQUIREMENTS

(a) Lots – Served by Lane

A principal building on a lot which is served by a lane shall be setback in accordance with the following:

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	No requirement for front or side yard				7.6	25

(b) Lots – Laneless

A principal building on a lot which is not served by a lane is not subject to any yard setback requirements provided the use provides adequate parking and loading space requirements subject to Schedule 9 of this bylaw.

4. MAXIMUM LOT COVERAGE

Principal and accessory buildings – 80%

5. MAXIMUM BUILDING HEIGHT

- Principal building – 3 storeys
- Accessory buildings – 4.6 metres (15 ft.)
- Fences and gates – 1.8 metres (6 ft.) in rear yard
- As required by the MDSA in the front or side yard

6. MINIMUM FLOOR AREA

69.68 m² (750 sq. ft.) or a relaxation of the minimum floor area may be granted by the Municipal Development and Subdivision Authority if deemed appropriate.

7. NON-CONFORMING BUILDINGS AND USES

All non-conforming buildings and uses shall be governed by section 643 of the Act.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. HOME OCCUPATIONS – See Schedule 5.

10. MOVED-IN BUILDINGS – See Schedule 8.

11. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 9.

12. LANDSCAPING AND SCREENING – See Schedule 10.

13. SIGNS – See Appendix 4.

TRANSITIONAL / URBAN RESERVE – TUR

1. INTENT

The intent of the Transitional/Urban Reserve land use district is to:

- (a) provide an interim land use classification for lands adjoining the built-up area of the town, which may be subdivided and developed for urban uses in the future, but are presently essentially agricultural or unurbanized; and
- (b) prevent disorderly, incompatible or premature development and subdivision of essentially agricultural or unurbanized lands until they are needed or suited for suitable, economical and orderly urban development.

PERMITTED USES*

Extensive agriculture
Single-family dwellings

PROHIBITED USES

Intensive agricultural operations
Shipping containers

DISCRETIONARY USES

Accessory buildings and uses
Construction camps
Conventional single-family dwellings on existing lots
Farm buildings and structures
Home occupations
Mobile homes on existing lots
Public park or recreation
Public or private utilities
Signs
Second residence
Shipping containers
Similar uses
Wind energy conversion systems (WECS)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Extensive agriculture					32.4 ha (80 acres)	
Public park or recreation			As required by the Designated Officer			
Public or private utilities			As required by the Designated Officer			
All other uses	30.5	100	61.0	200	1858.0	20,000

3. MINIMUM SETBACK REQUIREMENTS

As required by the Designated Officer.

4. MAXIMUM LOT COVERAGE

As required by the Designated Officer.

* See Schedule 3, Development Not Requiring A Development Permit.

5. MAXIMUM BUILDING HEIGHT

Principal buildings – 8.5 metres (28 ft.)

Accessory buildings – 4.6 metres (15 ft.)

6. MINIMUM FLOOR AREA

69.68 m² (750 sq. ft.) or a relaxation of the minimum floor area may be granted by the Municipal Development and Subdivision Authority if deemed appropriate.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. MOVED-IN BUILDINGS – See Schedule 8.

9. LANDSCAPING AND SCREENING – See Schedule 10.

10. SIGNS – See Appendix 4.

- (3)** Every page of a petition must contain a statement that the personal information contained in the petition
- (a) will not be disclosed to anyone except the chief administrative officer and the chief administrative officer's delegates, if any, and
 - (b) will not be used for any purpose other than validating the petition.

2015 c8 s30

Meetings with the Public

Advertising

227 If council calls a meeting with the public, notice of it must be advertised and everyone is entitled to attend it.

1994 cM-26.1 s227

Improper conduct

228 The person chairing a meeting with the public may expel a person from the meeting for improper conduct.

1994 cM-26.1 s228

Petition for meeting

229 If a council receives a sufficient petition requesting that council call a meeting with the public, the council must call a meeting with the public to discuss the matters stated in the petition and the meeting must be held no later than 30 days after the chief administrative officer declares the petition to be sufficient.

1994 cM-26.1 s229;1995 c24 s27

Public Hearings

When to hold public hearing

230(1) When this or another enactment requires council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,

- (a) before second reading of the bylaw, or
- (b) before council votes on the resolution.

(2) When this or another enactment requires a public hearing to be held on a proposed bylaw or resolution, council must

- (a) give notice of the public hearing in accordance with section 606, and
- (b) conduct the public hearing during a regular or special council meeting.

- (3) A council may by bylaw establish procedures for public hearings.
- (4) In the public hearing, council
- (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the council, and
 - (b) may hear any other person who wishes to make representations and whom the council agrees to hear.
- (5) After considering the representations made to it about a proposed bylaw or resolution at the public hearing and after considering any other matter it considers appropriate, the council may
- (a) pass the bylaw or resolution,
 - (b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
 - (c) defeat the bylaw or resolution.
- (6) The minutes of the council meeting during which the public hearing is held must record the public hearing to the extent directed by the council.

RSA 2000 cM-26 s230;2015 c8 s31

Petitions for Vote of the Electors - Advertised Bylaws and Resolutions

Petition for vote on advertised bylaws and resolutions

231(1) Except for a bylaw under section 22, a resolution under Part 15.1 or a bylaw or resolution under Part 17, after a proposed bylaw or resolution that is required to be advertised under this or another enactment has been advertised, the electors may submit a petition for a vote of the electors to determine whether the proposed bylaw or resolution should be passed.

- (2) A separate petition must be filed with respect to each advertised bylaw or resolution even if a council advertises 2 or more bylaws or resolutions in a single advertisement.
- (3) A petition under this section for a vote of the electors on a proposed bylaw required to be advertised by Part 8 is not sufficient unless it is filed with the chief administrative officer within 15 days

- (e) respecting the content or form of anything required to be done by a municipality under this Act.

1994 cM-26.1 s604

Altering dates and time periods

605(1) When this Act, the regulations or a bylaw specifies a certain number of days or a day on or by which

- (a) something is to be done, or
- (b) certain proceedings are to be taken,

and the day that the thing is to be done or proceedings are to be taken is a holiday, the thing or proceedings must be done or taken on or by the next day that is not a holiday.

(2) When this Act or the regulations specify a certain number of days or a day on or by which

- (a) something is to be done, or
- (b) proceedings are to be taken,

the Minister may by order specify another number of days or another day for doing it or taking proceedings.

(3) An order under subsection (2) may be made at any time before or after the day that the thing is to be done or proceedings are to be taken and the time for doing any other thing that is determined in relation to that day is subject to a like delay.

(4) Anything done or proceedings taken within the number of days or by the day specified in an order under subsection (2) is as valid as if it had been done or taken within the number of days or by the day specified in this Act or the regulations.

1994 cM-26.1 s605

Requirements for advertising

606(1) The requirements of this section apply when this or another enactment requires a bylaw, resolution, meeting, public hearing or something else to be advertised by a municipality, unless this or another enactment specifies otherwise.

(2) Notice of the bylaw, resolution, meeting, public hearing or other thing must be

- (a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held,

- (b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or
 - (c) given by a method provided for in a bylaw under section 606.1.
- (3) A notice of a proposed bylaw must be advertised under subsection (2) before second reading.
- (4) A notice of a proposed resolution must be advertised under subsection (2) before it is voted on by council.
- (5) A notice of a meeting, public hearing or other thing must be advertised under subsection (2) at least 5 days before the meeting, public hearing or thing occurs.
- (6) A notice must contain
- (a) a statement of the general purpose of the proposed bylaw, resolution, meeting, public hearing or other thing,
 - (b) the address where a copy of the proposed bylaw, resolution or other thing, and any document relating to it or to the meeting or public hearing may be inspected,
 - (c) in the case of a bylaw or resolution, an outline of the procedure to be followed by anyone wishing to file a petition in respect of it, and
 - (d) in the case of a meeting or public hearing, the date, time and place where it will be held.
- (7) A certificate of a designated officer certifying that something has been advertised in accordance with this section is proof, in the absence of evidence to the contrary, of the matters set out in the certificate.
- (8) The certificate is admissible in evidence without proof of the appointment or signature of the person who signed the certificate.

RSA 2000 cM-26 s606;2015 c8 s56;2017 c13 s3

Advertisement bylaw

- 606.1(1)** A council may by bylaw provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606.
- (2) Before making a bylaw under subsection (1), council must be satisfied that the method the bylaw would provide for is likely to

bring proposed bylaws, resolutions, meetings, public hearings and other things advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held.

(3) Council must conduct a public hearing before making a bylaw under subsection (1).

(4) A notice of a bylaw proposed to be made under subsection (1) must be advertised in a manner described in section 606(2)(a) or (b) or by a method provided for in a bylaw made under this section.

(5) A notice of a bylaw proposed to be made under subsection (1) must contain

- (a) a statement of the general purpose of the proposed bylaw,
- (b) the address or website where a copy of the proposed bylaw may be examined, and
- (c) an outline of the procedure to be followed by anyone wishing to file a petition in respect of the proposed bylaw.

(6) A bylaw passed under this section must be made available for public inspection.

2015 c8 s57;2017 c13 s3

Service of documents

607 The service of a document on a municipality is sufficient if

- (a) the document is served personally on the chief administrative officer or a person working for the municipality in the office of the chief administrative officer,
- (b) the document is sent by certified or registered mail to the chief administrative officer at the municipality's office and the document is delivered to the municipality's office, or
- (c) the document is sent to the municipality by electronic means in accordance with a bylaw made by the municipality.

RSA 2000 cM-26 s607;2015 c8 s58

Sending documents

608(1) Where this Act or a regulation or bylaw made under this Act requires a document to be sent to a person, the document may be sent by electronic means if

- (a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail

(2) The Municipal Government Board is not required to give notice to or hear from any person other than the municipality making the appeal, the municipality against whom the appeal is launched and the owner of the land that is the subject of the appeal.

1995 c24 s95;1999 c11 s45

Division 12 Bylaws, Regulations

Planning bylaws

692(1) Before giving second reading to

- (a) a proposed bylaw to adopt an intermunicipal development plan,
- (b) a proposed bylaw to adopt a municipal development plan,
- (c) a proposed bylaw to adopt an area structure plan,
- (d) a proposed bylaw to adopt an area redevelopment plan,
- (e) a proposed land use bylaw, or
- (f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

(2) Despite subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.

(3) Despite subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,

- (a) councils may hold a joint public hearing to which section 184 does not apply, and
- (b) municipalities may act jointly to satisfy the advertising requirements of section 606.

(4) In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

- (a) include in the notice described in section 606(2)

- (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land,
- (b) give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown on the assessment roll of the municipality, and
- (c) give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (5)** If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
- (6)** Despite subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance.
- (6.1)** Subsection (1)(f) does not apply in respect of a proposed bylaw amending a statutory plan or land use bylaw to specify the purposes of a community services reserve.
- (7)** In this section,
- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream, and
 - (ii) any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;
 - (b) “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.
- (8)** If an ALSA regional plan requires a council to pass a bylaw referred to in this section, the council must

- (a) consider whether, in view of the requirement in the ALSA regional plan, consultation is necessary, desirable or beneficial, and
- (b) decide whether or not to proceed with consultation.

(9) If a council decides under subsection (8) that consultation is neither necessary nor desirable or would not be beneficial, subsections (1) to (7) do not apply to the council in respect of the bylaw concerned.

RSA 2000 cM-26 s692;2008 c37 s9;2009 cA-26.8 s83

Airport vicinity regulations

693(1) The Lieutenant Governor in Council may make regulations

- (a) establishing international airport vicinity protection areas surrounding the Calgary International Airport and the Edmonton International Airport;
- (b) controlling, regulating or prohibiting any use and development of land within an international airport vicinity protection area.

(2) Unless the contrary is expressed in regulations made under subsection (1), those regulations

- (a) operate despite any statutory plan, land use bylaw or other regulations under this Part, and
- (b) are binding on any subdivision authority, development authority and subdivision and development appeal board and the Municipal Government Board.

(3) If a municipality is affected by a regulation under subsection (1), the municipality must amend the statutory plan relating to that area and its land use bylaw to conform with the regulation.

(4) Section 692 does not apply to an amendment pursuant to subsection (3).

1995 c24 s95

Development in floodways

693.1(1) The Lieutenant Governor in Council may make regulations

- (a) controlling, regulating or prohibiting any use or development of land that is located in a floodway within a municipal authority, including, without limitation, regulations specifying the types of developments that are authorized in a floodway;

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Bylaw No. 1547-AM – Land Use Bylaw Amendment	
PRESENTED BY: Gus Kollee, Legislative Service Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

To present Council for the Town of Pincher Creek with Land Use Bylaw Amendment Application No. 2021-06 and the proposed Bylaw No. 1547-AM to re-designate Plan 8410214, Block 3, Lot 7 from General Industrial and Warehousing – I1 to Residential - R1.

RECOMMENDATION:

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek agree and give Bylaw No. 1547-AM amending the Land Use Bylaw No. 1547 first reading.

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Bylaw No. 1547-AM amending the Land Use Bylaw on July 26th, 2021 before consideration of second and/or third reading.

BACKGROUND/HISTORY:

On June 17, 2021 the Town received an Application for a Land Use Bylaw Amendment (Application No. 2021-06) to re-designate parcel Plan 8410214, Block 3, Lot 7 from "General Industrial and Warehousing – I1" to "Residential - R1".

The registered owner of the parcel wishes the re-designation of the land to accommodate "Single-family Dwellings" uses for future development.

ALTERNATIVES:

- That Council for the Town of Pincher Creek receives Bylaw No. 1547-AM amending the Land Use Bylaw No. 1547 as information.
- That Council for the Town of Pincher Creek direct administration to bring back Bylaw No. 1547-AM with amendments.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

There is cost for advertising and notifying adjacent property owners. In Addition, the Land Use Bylaw and the GIS mapping are to be updated accordingly.

PUBLIC RELATIONS IMPLICATIONS:

In addition to the Towns' Departments referral comments, the adjacent property owners are to be notified in accordance with the Land Use Bylaw section 50 and the Municipal Government Act (MGA) sections 230, 606 and 692. Subsequent, to first reading of Bylaw No. 1547-AM, Notice of Public Hearing on Bylaw 1547-AM is to be published for two consecutive weeks in the local weekly newspaper as per Advertising for Public Hearing Policy Number 115-95. The suggested dates for advertising are July 7th and 14th, 2021 respectively.

ATTACHMENTS:

- Draft - Bylaw No. 1547-AM - 2673
- Draft - Notice of Public Hearing Bylaw No. 1547-AM - 2673
- LUB Schedule 2 - R1 and I1 - 2673
- MGA Sec 230 - 606 - 606 - 2673

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek agree and give Bylaw No. 1547-AM amending the Land Use Bylaw No. 1547 first reading and to hold a Public Hearing on July 26th, 2021.

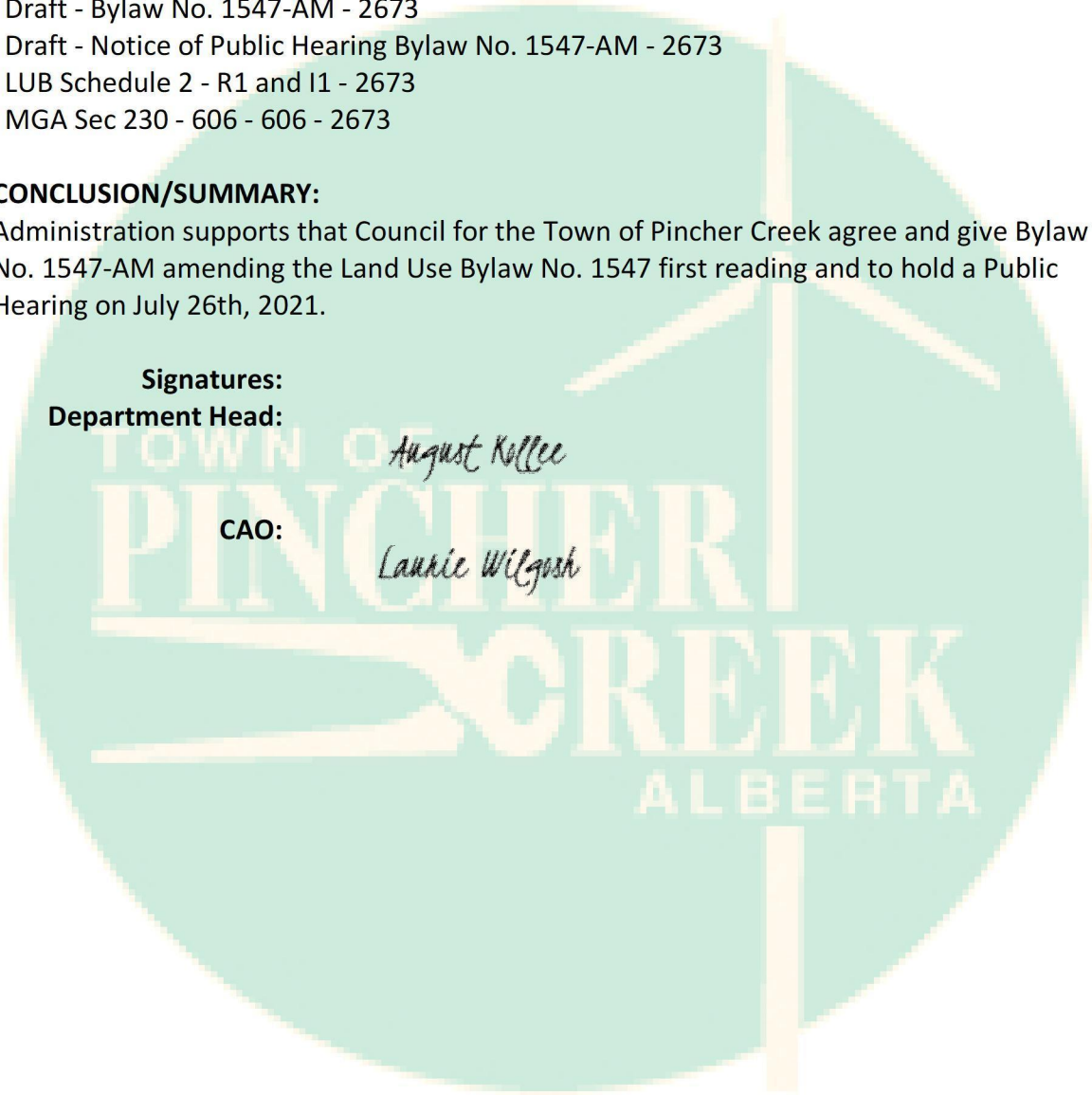
Signatures:

Department Head:

August Kellee

CAO:

Lannie Wilgosh





**BYLAW NO. 1547-AM
OF THE
TOWN OF PINCHER CREEK,
IN THE PROVINCE OF ALBERTA, FOR
THE PURPOSE OF AMENDING
LAND USE BYLAW NO. 1547**

WHEREAS the Council of the Town of Pincher Creek has received a request to re-designate lands within its corporate limits;

WHEREAS the registered owner of the lands wishes the re-designation of the land to accommodate “Single-family Dwellings” uses development;

AND WHEREAS the purpose of proposed Bylaw No. 1547-AM is to re-designate the lands legally described as:

**Plan 8410214
Block 3
Lot 7
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.518 HECTARES (1.28 ACRES) MORE OR LESS**

From “General Industrial and Warehousing – I1” **To** “Residential – R1”;

AND WHEREAS the said lands are illustrated on the map in Schedule “A” attached hereto;

AND WHEREAS the Town of Pincher Creek must prepare a corresponding bylaw and provide for its consideration at a Public Hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Pincher Creek, in the Province of Alberta, duly assembled does hereby enact the following:

1. Lands legally described as:

**Plan 8410214
Block 3
Lot 7
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.518 HECTARES (1.28 ACRES) MORE OR LESS**

To Re-designate **From** “General Industrial and Warehousing” **To** “Residential – R1”;
as illustrated on the map attached as Schedule “A”.

2. Bylaw No. 1547, being the Town of Pincher Creek Land Use Bylaw, is hereby amended.
3. The land use district map shall be amended to reflect this change.
4. This bylaw shall come into effect upon third and final reading hereof.

READ A FIRST TIME THIS 28th DAY OF June, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

READ A SECOND TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

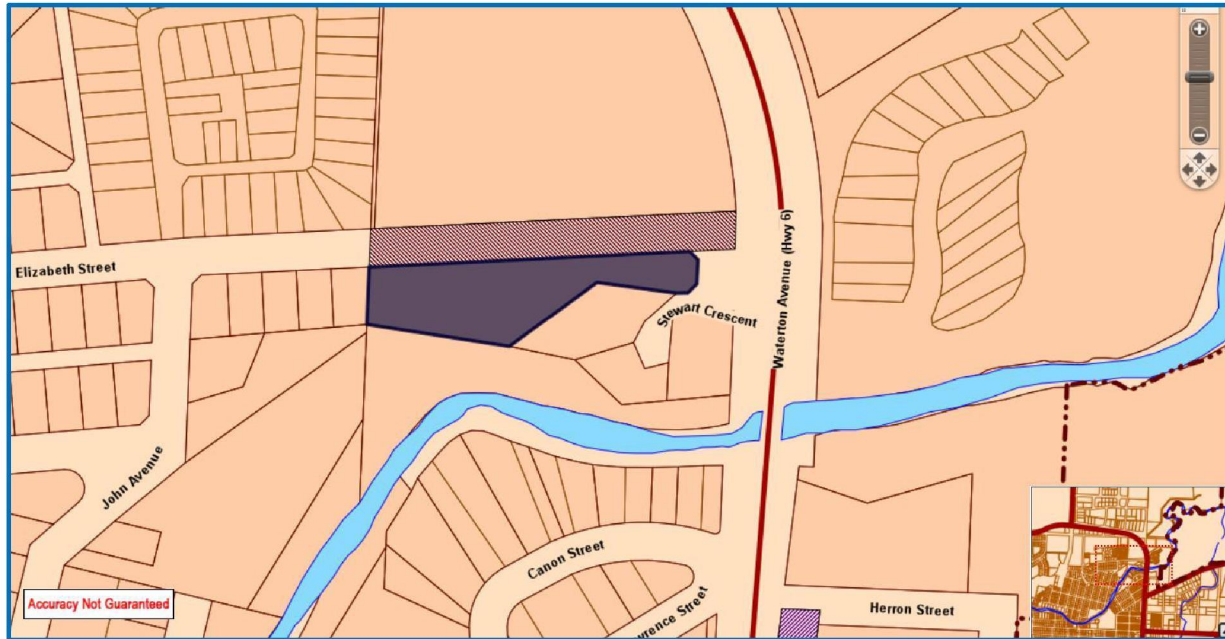
CAO, Laurie Wilgosh

READ A THIRD TIME THIS _____ DAY OF _____, 2021, A.D.

MAYOR, Don Anderberg

CAO, Laurie Wilgosh

SCHEDULE "A"





NOTICE OF PUBLIC HEARING
Town of Pincher Creek in the Province of Alberta
Proposed Bylaw No. 1547-AM to be held at 6:00 p.m.
Monday July 26th, 2021
962 St. John Avenue Town Hall in Council Chambers
VIRTUAL Via Zoom

PURSUANT to Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Council of the Town of Pincher Creek in the Province of Alberta, hereby give notice of its intention to adopt Bylaw No. 1547-AM being a bylaw to amend Town of Pincher Creek Land Use Bylaw No. 1547.

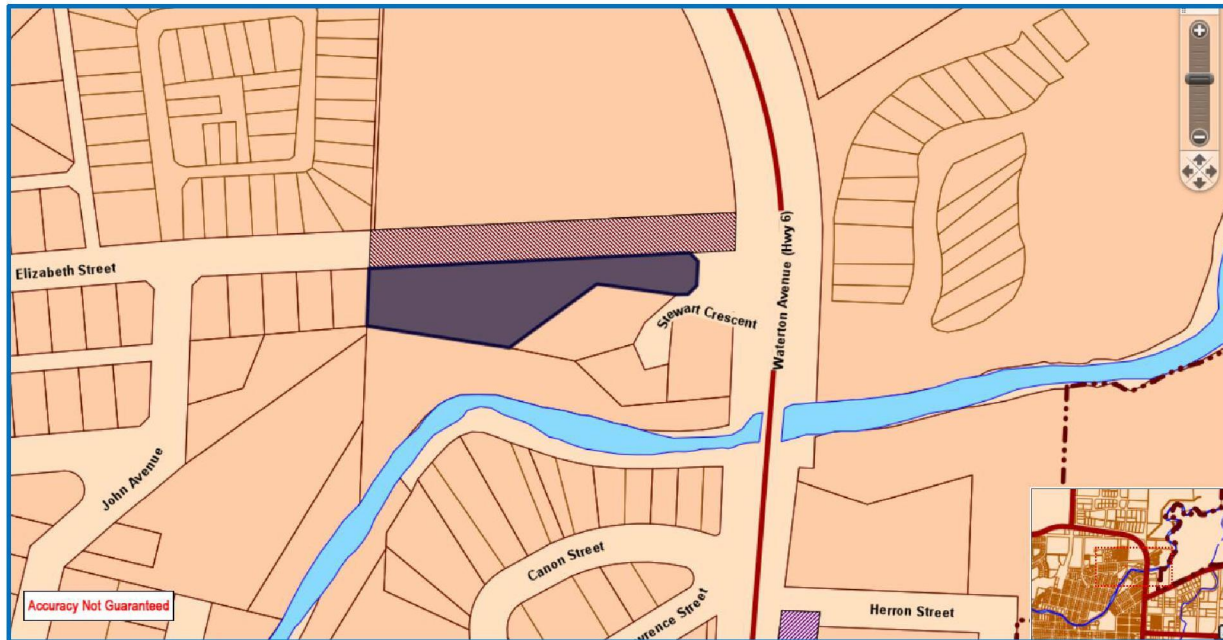
THE PURPOSE of proposed Bylaw No. 1547- AM is to re-designate the lands legally described as:

Plan 8410214
Block 3
Lot 7
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.518 HECTARES (1.28 ACRES) MORE OR LESS

From “General Industrial and Warehousing – I1” **To** “Residential – R1“, as illustrated on the map attached as Schedule “A”.

THEREFORE, TAKE NOTICE that a public hearing to consider the proposed Land Use Bylaw Amendment Bylaw No. 1547-AM will be held on Monday July 26th, 2021 in the Council Chambers of the Town of Pincher Creek Town Hall at 6:00 p.m. Virtual via Zoom.

SCHEDULE “A”



Any person who claims to be prejudicially affected by the proposed Bylaw No. 1547-AM may submit comments or give notice of oral presentation by 12:00 Noon on Wednesday July 21st, 2021. A copy of the proposed bylaw may be inspected at the Town of Pincher Creek Office, 962 St. John Avenue, during regular hours.

Laurie Wilgosh,
Chief Administrative Officer

RESIDENTIAL – R1

1. INTENT

The intent of the Residential land use district is to provide a district where conventional single-family residences are encouraged and other types of residential development that may be allowed on a selective basis.

PERMITTED USES*

Accessory buildings and uses
Single-family dwellings

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Bed and breakfast operations
Boarding houses
Child care services
Clubs and fraternal organizations
Duplex dwellings
Home occupations
Modular homes
Places of worship
Public and institutional
Public or private utilities
Public park or recreation
Residential additions
Semi-detached dwellings
Signs
Similar uses

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family dwellings	13.7	45	30.5	100	418.1	4,500
Duplexes	20.1	66	30.5	100	613.1	6,600
Semi-detached dwellings	20.1	66	30.5	100	613.1	6,600
Lots with lanes	10.7	35	30.5	100	325.3	3500
All other uses	As required by the Designated Officer					

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwellings	6.1	20	1.5	5	7.6	25
Duplexes	6.1	20	1.5	5	7.6	25
Semi-detached dwellings	6.1	20	1.5	5	7.6	25
Attached, unenclosed improvements	6.1	20	1.2	4	7.6	25
Accessory buildings	6.1	20	1.2	4	1.5	5

* See Schedule 3, Development Not Requiring A Development Permit.

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Corner lots	– One frontage at 6.1 metres (20 ft.) – Second frontage may be reduced to 3.0 metres (10 ft.)					
All other uses	As required by the Designated Officer (also see Schedule 4)					

4. MAXIMUM LOT COVERAGE

- Principal buildings – 45%
- Accessory buildings – 10%

5. MINIMUM FLOOR AREA

- Single-family dwellings – 92.9 m² (1000 sq. ft.)
- Duplexes – 74.3 m² (800 sq. ft.)
- Semi-detached dwellings – 74.3 m² (800 sq. ft.)

6. MAXIMUM BUILDING HEIGHT

- Principal buildings – 8.5 metres (28 ft.)
- Accessory buildings – 4.6 metres (15 ft.)

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. HOME OCCUPATIONS – See Schedule 5.

9. MOVED-IN BUILDINGS – See Schedule 8.

10. PARKING SPACE REQUIREMENTS – See Schedule 9.

11. LANDSCAPING AND SCREENING – See Schedule 10.

12. BED AND BREAKFAST OPERATIONS – See Appendix 3.

13. SIGNS – See Appendix 4.

GENERAL INDUSTRIAL AND WAREHOUSING – II

1. INTENT

The intent of the General Industrial and Warehousing land use district is to:

- (a) accommodate a wide range of predominantly light industrial and warehousing uses;
- (b) accommodate selected commercial uses; and
- (c) accommodate where possible other industrial uses which may:
 - be considered noxious or hazardous since they involve operations, processes or substances which require safety or other precautions;
 - require special precautions and/or siting to minimize land use conflicts;
 - require exceptionally large lots; or
 - require careful consideration because they require services beyond those which are readily available.

PERMITTED USES*

Agricultural/industrial machinery sales,
rental and service
Automotive repair and service
Fleet and transportation service, major
and minor
Signs
Vehicle sales and rentals
Wholesale or storage warehousing

DISCRETIONARY USES

Abattoirs
Accessory buildings and uses
Amusement facilities
Animal care service, large and small
Auctioneering establishments
Auto body and/or paint shops
Business support services
Bulk fuel stations
Cannabis facility
Construction camps
Construction supply and contractors
Dwelling units as a secondary use to an
approved principal use
Equipment sales, rental and service
Exterior storage uses
Farm supplies and service
Farmers' markets
Funeral homes
Garden centres
Household repair services
Intensive horticultural operations or facilities
Light industrial/manufacturing
Livestock auctioneering establishments
Meat processing plants
Mobile home sales and service
Natural resource extractive uses
Noxious or hazardous industries
Public and institutional uses
Public or private utilities
Publishing, broadcasting or recording
establishments
Recycling facilities

* See Schedule 3, Development Not Requiring A Development Permit.

Retail warehousing
 Salvage or waste disposal facilities
 Service stations
 Shipping containers
 Similar uses
 Specialty manufacturing/cottage industries
 Truck stops
 Wind energy conversion systems (WECS)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Public or private utilities	As required by the MDSA					
All other uses	As required by the MDSA				557.4	6,000

3. MINIMUM SETBACK REQUIREMENTS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	1.5	5	1.5	5
or as required by the MDSA						

4. MAXIMUM LOT COVERAGE

As required by the Designated Officer.

5. MAXIMUM BUILDING HEIGHT

As required by the Designated Officer.

6. MINIMUM FLOOR AREA

69.68 m² (750 sq. ft.) or a relaxation of the minimum floor area may be granted by the Municipal Development and Subdivision Authority if deemed appropriate.

7. SHIPPING CONTAINERS

The Municipal Development and Subdivision Authority, as a condition of development approval, may require that all shipping containers be painted in the heritage colours upon placement in this land use district.

8. ENVIRONMENTAL IMPACT ASSESSMENT

Where, in the opinion of the Designated Officer or the Municipal Development and Subdivision Authority, a proposed development may create an unacceptable environmental impact, an environmental impact assessment may be required prior to dealing with the application.

9. LANDSCAPING REQUIREMENTS

- (a) Landscaping shall be provided on all street frontage and shall be to the satisfaction of the Designated Officer or the Municipal Development and Subdivision Authority.
- (b) Other landscaping requirements – See Schedule 10.
- (c) 10 percent of the total lot area must be landscaped.

10. RESTRICTIVE COVENANTS

As a condition of subdivision approval, the Municipal Development and Subdivision Authority may request the concurrent registration of a restrictive covenant against any new lots to address landscaping and architectural controls for all new development.

11. STANDARDS OF DEVELOPMENT – See Schedule 4.

12. MOVED-IN BUILDINGS – See Schedule 8.

13. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 9.

14. SIGNS – See Appendix 4.

- (3)** Every page of a petition must contain a statement that the personal information contained in the petition
- (a) will not be disclosed to anyone except the chief administrative officer and the chief administrative officer's delegates, if any, and
 - (b) will not be used for any purpose other than validating the petition.

2015 c8 s30

Meetings with the Public

Advertising

227 If council calls a meeting with the public, notice of it must be advertised and everyone is entitled to attend it.

1994 cM-26.1 s227

Improper conduct

228 The person chairing a meeting with the public may expel a person from the meeting for improper conduct.

1994 cM-26.1 s228

Petition for meeting

229 If a council receives a sufficient petition requesting that council call a meeting with the public, the council must call a meeting with the public to discuss the matters stated in the petition and the meeting must be held no later than 30 days after the chief administrative officer declares the petition to be sufficient.

1994 cM-26.1 s229;1995 c24 s27

Public Hearings

When to hold public hearing

230(1) When this or another enactment requires council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,

- (a) before second reading of the bylaw, or
- (b) before council votes on the resolution.

(2) When this or another enactment requires a public hearing to be held on a proposed bylaw or resolution, council must

- (a) give notice of the public hearing in accordance with section 606, and
- (b) conduct the public hearing during a regular or special council meeting.

- (3) A council may by bylaw establish procedures for public hearings.
- (4) In the public hearing, council
- (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the council, and
 - (b) may hear any other person who wishes to make representations and whom the council agrees to hear.
- (5) After considering the representations made to it about a proposed bylaw or resolution at the public hearing and after considering any other matter it considers appropriate, the council may
- (a) pass the bylaw or resolution,
 - (b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
 - (c) defeat the bylaw or resolution.
- (6) The minutes of the council meeting during which the public hearing is held must record the public hearing to the extent directed by the council.

RSA 2000 cM-26 s230;2015 c8 s31

Petitions for Vote of the Electors - Advertised Bylaws and Resolutions

Petition for vote on advertised bylaws and resolutions

231(1) Except for a bylaw under section 22, a resolution under Part 15.1 or a bylaw or resolution under Part 17, after a proposed bylaw or resolution that is required to be advertised under this or another enactment has been advertised, the electors may submit a petition for a vote of the electors to determine whether the proposed bylaw or resolution should be passed.

- (2) A separate petition must be filed with respect to each advertised bylaw or resolution even if a council advertises 2 or more bylaws or resolutions in a single advertisement.
- (3) A petition under this section for a vote of the electors on a proposed bylaw required to be advertised by Part 8 is not sufficient unless it is filed with the chief administrative officer within 15 days

- (e) respecting the content or form of anything required to be done by a municipality under this Act.

1994 cM-26.1 s604

Altering dates and time periods

605(1) When this Act, the regulations or a bylaw specifies a certain number of days or a day on or by which

- (a) something is to be done, or
- (b) certain proceedings are to be taken,

and the day that the thing is to be done or proceedings are to be taken is a holiday, the thing or proceedings must be done or taken on or by the next day that is not a holiday.

(2) When this Act or the regulations specify a certain number of days or a day on or by which

- (a) something is to be done, or
- (b) proceedings are to be taken,

the Minister may by order specify another number of days or another day for doing it or taking proceedings.

(3) An order under subsection (2) may be made at any time before or after the day that the thing is to be done or proceedings are to be taken and the time for doing any other thing that is determined in relation to that day is subject to a like delay.

(4) Anything done or proceedings taken within the number of days or by the day specified in an order under subsection (2) is as valid as if it had been done or taken within the number of days or by the day specified in this Act or the regulations.

1994 cM-26.1 s605

Requirements for advertising

606(1) The requirements of this section apply when this or another enactment requires a bylaw, resolution, meeting, public hearing or something else to be advertised by a municipality, unless this or another enactment specifies otherwise.

(2) Notice of the bylaw, resolution, meeting, public hearing or other thing must be

- (a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held,

- (b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or
 - (c) given by a method provided for in a bylaw under section 606.1.
- (3) A notice of a proposed bylaw must be advertised under subsection (2) before second reading.
- (4) A notice of a proposed resolution must be advertised under subsection (2) before it is voted on by council.
- (5) A notice of a meeting, public hearing or other thing must be advertised under subsection (2) at least 5 days before the meeting, public hearing or thing occurs.
- (6) A notice must contain
- (a) a statement of the general purpose of the proposed bylaw, resolution, meeting, public hearing or other thing,
 - (b) the address where a copy of the proposed bylaw, resolution or other thing, and any document relating to it or to the meeting or public hearing may be inspected,
 - (c) in the case of a bylaw or resolution, an outline of the procedure to be followed by anyone wishing to file a petition in respect of it, and
 - (d) in the case of a meeting or public hearing, the date, time and place where it will be held.
- (7) A certificate of a designated officer certifying that something has been advertised in accordance with this section is proof, in the absence of evidence to the contrary, of the matters set out in the certificate.
- (8) The certificate is admissible in evidence without proof of the appointment or signature of the person who signed the certificate.

RSA 2000 cM-26 s606;2015 c8 s56;2017 c13 s3

Advertisement bylaw

- 606.1(1)** A council may by bylaw provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606.
- (2) Before making a bylaw under subsection (1), council must be satisfied that the method the bylaw would provide for is likely to

bring proposed bylaws, resolutions, meetings, public hearings and other things advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held.

(3) Council must conduct a public hearing before making a bylaw under subsection (1).

(4) A notice of a bylaw proposed to be made under subsection (1) must be advertised in a manner described in section 606(2)(a) or (b) or by a method provided for in a bylaw made under this section.

(5) A notice of a bylaw proposed to be made under subsection (1) must contain

- (a) a statement of the general purpose of the proposed bylaw,
- (b) the address or website where a copy of the proposed bylaw may be examined, and
- (c) an outline of the procedure to be followed by anyone wishing to file a petition in respect of the proposed bylaw.

(6) A bylaw passed under this section must be made available for public inspection.

2015 c8 s57;2017 c13 s3

Service of documents

607 The service of a document on a municipality is sufficient if

- (a) the document is served personally on the chief administrative officer or a person working for the municipality in the office of the chief administrative officer,
- (b) the document is sent by certified or registered mail to the chief administrative officer at the municipality's office and the document is delivered to the municipality's office, or
- (c) the document is sent to the municipality by electronic means in accordance with a bylaw made by the municipality.

RSA 2000 cM-26 s607;2015 c8 s58

Sending documents

608(1) Where this Act or a regulation or bylaw made under this Act requires a document to be sent to a person, the document may be sent by electronic means if

- (a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail

(2) The Municipal Government Board is not required to give notice to or hear from any person other than the municipality making the appeal, the municipality against whom the appeal is launched and the owner of the land that is the subject of the appeal.

1995 c24 s95;1999 c11 s45

Division 12 Bylaws, Regulations

Planning bylaws

692(1) Before giving second reading to

- (a) a proposed bylaw to adopt an intermunicipal development plan,
- (b) a proposed bylaw to adopt a municipal development plan,
- (c) a proposed bylaw to adopt an area structure plan,
- (d) a proposed bylaw to adopt an area redevelopment plan,
- (e) a proposed land use bylaw, or
- (f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

(2) Despite subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.

(3) Despite subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,

- (a) councils may hold a joint public hearing to which section 184 does not apply, and
- (b) municipalities may act jointly to satisfy the advertising requirements of section 606.

(4) In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

- (a) include in the notice described in section 606(2)

- (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land,
- (b) give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown on the assessment roll of the municipality, and
- (c) give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (5)** If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
- (6)** Despite subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance.
- (6.1)** Subsection (1)(f) does not apply in respect of a proposed bylaw amending a statutory plan or land use bylaw to specify the purposes of a community services reserve.
- (7)** In this section,
- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream, and
 - (ii) any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;
 - (b) “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.
- (8)** If an ALSA regional plan requires a council to pass a bylaw referred to in this section, the council must

- (a) consider whether, in view of the requirement in the ALSA regional plan, consultation is necessary, desirable or beneficial, and
- (b) decide whether or not to proceed with consultation.

(9) If a council decides under subsection (8) that consultation is neither necessary nor desirable or would not be beneficial, subsections (1) to (7) do not apply to the council in respect of the bylaw concerned.

RSA 2000 cM-26 s692;2008 c37 s9;2009 cA-26.8 s83

Airport vicinity regulations

693(1) The Lieutenant Governor in Council may make regulations

- (a) establishing international airport vicinity protection areas surrounding the Calgary International Airport and the Edmonton International Airport;
- (b) controlling, regulating or prohibiting any use and development of land within an international airport vicinity protection area.

(2) Unless the contrary is expressed in regulations made under subsection (1), those regulations

- (a) operate despite any statutory plan, land use bylaw or other regulations under this Part, and
- (b) are binding on any subdivision authority, development authority and subdivision and development appeal board and the Municipal Government Board.

(3) If a municipality is affected by a regulation under subsection (1), the municipality must amend the statutory plan relating to that area and its land use bylaw to conform with the regulation.

(4) Section 692 does not apply to an amendment pursuant to subsection (3).

1995 c24 s95

Development in floodways

693.1(1) The Lieutenant Governor in Council may make regulations

- (a) controlling, regulating or prohibiting any use or development of land that is located in a floodway within a municipal authority, including, without limitation, regulations specifying the types of developments that are authorized in a floodway;

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Proclamation Policy 123-21	
PRESENTED BY: Lisa Goss, Administrative Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

For Council to review and approve the updated Proclamation Policy 123-21

RECOMMENDATION:

That Council for the Town of Pincher Creek approve Proclamation Policy 123-21 as presented.

BACKGROUND/HISTORY:

Administration has reviewed the Proclamation Policy and made suggestions for change updating to current terminology and avenues for advertisement.

ALTERNATIVES:

That Council for the Town of Pincher Creek direct administration to further amend Proclamation Policy 123-21.

That Council for the Town of Pincher Creek receive the information regarding Proclamation Policy 123-21 as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Proclamation Policy 123-21 was reviewed and approved by the Policy Committee on October 30, 2020

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

Advertising proclamations on Town of Pincher Creek social media accounts provides efficient communication of proclamations.

ATTACHMENTS:

- 123-21 Proclamations - 2668
- APPENDIX A Proclamations - 2668

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek approve Proclamation Policy 123-21 as presented.

Signatures:
Department Head:

Lisa Goss

CAO:

Laurie Wilgosh



TOWN OF PINCHER CREEK

Approved by: Council	Date: July 22, 1996	Policy Number: 123-96210
Reference: Resolution #96-431	Revision Date/by: February 23, 2009 – Resolution #09-39	
Title:	PROCLAMATIONS	

Policy Statement

The Council provide direction to administration for advertising proclamations within the Town of Pincher Creek.

1. Definitions

- 1.1 ORGANIZATION means any group requesting proclamations from the Town of Pincher Creek Council.
- 1.2 PROCLAMATIONS means those proclamations which have been approved by Council from time to time and is attached as Appendix A.

2. Responsibility

- 2.1 ~~Municipal Secretary~~ Chief Administrative Officer:

- 2.1.1 Receive all requests for proclamations

- 2.1.2 Approve in writing to the organization requesting the proclamation, provided the organization is listed on Appendix A.

- 2.2.3 Ensure the proclamation is advertised on Town of Pincher Creek social media accounts ~~in the Town of Pincher Creek column of one of the local newspapers.~~

- 2.2.4 Take any additional proclamations not listed in Appendix A to Council for approval and add those names to Appendix A.

3. End of Policy

POLICY NO. 123-96210

APPENDIX 'A'

<u>Organization</u>	<u>Proclamation</u>
Alberta Senior Advisory Council	Senior Citizen's Week
Recreation Therapy Department	Volunteer Week
Elks Club and Royal Purple	Hearing and Speech Month Public Information Day
Canadian Public Health Association	Canada Health Day
Fed. of Canadian Municipalities	U.N. International Day for the Elimination of Racial Discrimination International Development Week National Aboriginal Day
Canadian Wildlife Federation	National Wildlife Week
Kidney Foundation of Canada	Kidney Month
Canadian Red Cross Society	Red Cross Campaign Month
Canadian Public Health Association	Worlds AIDS Day
Canadian Diabetes Association	Diabetes Month
Royal Canadian Legion Br 43	Legion Week
Secretary of State	Veterans' Week
Chinook Health Region	Dental Health Month
Safe Kids Pincher Creek	National Safe Kids Week
Muscular Dystrophy Association of Canada	Muscular Dystrophy Awareness Month
House of Commons	Drink Smart Canada (support in principle for program)
TOPS	All T.O.P.S. Walk Day

Napi Friendship Association	Napi Friendship Association
	Cross-Cultural Days
F.C.M.-White Ribbon Campaign	White Ribbon Week
The Writers' Development Trust	Canada Book Day
Canadian Public Health Association	National Immunization Week
Alberta Association for Adult Literacy	Family and Literacy Day
Alberta Lung Association	Asthma & Allergy Awareness Month
Canadian Public Health Association	National Immunization Week
Alberta Minister of Justice	Crime Prevention Week
National Kids Day/The Smile Trust	National Kids Day
Alberta Council on Aging	Grandparents Day
Alberta Building Officials Association	Building Safety Week
Cerebral Palsy Association of Alberta	Cerebral Palsy Awareness Month
National Victims of Crime	Victims of Crime Awareness Week
Licensed Practical Nurses of Alberta	National Nursing Week
Pincher Creek Watershed Group	Invasive Species Awareness Week
Correctional Services Canada	Restorative Justice Week
Recycling Council of Alberta	Waste Reduction Week
Lions	Sight Awareness Week
Alberta Centre for Injury Control & Research	Seniors' Falls Prevention Month
Foundation for Sarcoidosis Research	Sarcoidosis Awareness Month
Canadian Breast Cancer Foundation	Breast Cancer Awareness Month

Government of Canada	National Seniors Day
Heart & Stroke Foundation	National Health & Fitness Day
Canadian National Institute for the Blind (CNIB)	Vision Health Month
Canadian Institute of Public Health Inspectors	Environmental Public Health Week
National Union of Public and General Employees	Community Social Service Workers Appreciation Day
American Public Works Association Alberta Chapter	National Public Works Week
Alberta Community Crime Prevention Association	Fraud Prevention Month (March)
Apparelyzed	Spinal Cord Injury Awareness Month (May)
First Student/Cardinal	School Bus Awareness & Safety Month (April)
McMan Youth, Family and Community Services Association	Fetal Alcohol Spectrum Disorder Awareness Month (September)
The Society of Safe and Caring Schools	Orange Shirt Day (September 30)
Canadian Association of Oilwell Drilling Contractors	Oil and Gas Awareness Day (February 13)
Communities in Bloom	Communities in Bloom Week (First Week of May)
Alberta Community and Social Services	Family Violence Prevention Month (November)
Lifesaving Society	National Drowning Prevention Week (July)

Proclamations

Date	Organization	Proclamation
January-20	Alberta Association for Adult Literacy	Family Literacy Day
January 31 - Feb 6 *	Federation of Canadian Municipalities	International Development Week
February-20	Canadian Association of Oilwell Drilling Contractors	Oil and Gas Awareness Day
February-20	Pink Shirt Day	Pink Shirt Day
February	Chinook Health Region	Dental Health Month
Mar-20	Federation of Canadian Municipalities	U.N. International Day for the Elimination of Racial Discrimination
March	Kidney Foundation of Canada	Kidney Month
March	Canadian Red Cross Society	Red Cross Campaign Month
March	Alberta Community Crime Prevention Association	Fraud Prevention Month
March	Cerebral Palsy Association of Alberta	Cerebral Palsy Awareness Month
April 6 - 10 *	Canadian Wildlife Federation	National Wildlife Week
April-20	Canadian Public Health Association	World Health Day
April 18 - 25 *	Pitch-in Canada	Pitch in Week
April 18 - 24 *	Volunteer Alberta	Volunteer Week
April 18 - 24 *	National Victims of Crime	Victims of Crime Awareness Week
April-20	The Writers' Development Trust	Canada Book Day
April-20		Day of Mourning
April 26 - May 3 *	Canadian Public Health Association	National Immunization Week
April	First Student/Cardinal	School Bus Awareness & Safety Month
April	Foundation for Sarcoidosis Research	Sarcoidosis Awareness Month
May 3 - 9 *	Communities in Bloom	Communities in Bloom Week
May 10 - 16 *	Licensed Practical Nurses of Alberta	National Nursing Week
May 9 - 15 *	Alberta Minister of Justice	Crime Prevention Week
May 15 - 22 *	Pincher Creek Watershed Group	Invasive Species Awareness Week
May 16 - 22 *	American Public Works Association Alberta Chapter	National Public Works Week
May	Elks Club and Royal Purple	Hearing and Speech Month
May	Alberta Lung Association	Asthma & Allergy Awareness Month
May	Canadian National Institution for the Blind (CNIB)	Vision Health Month
May	Apparelyzed	Spinal Cord Injury Awareness Month
May 31 - June 6 *	Alberta Senior Advisory Council	Senior Citizen's Week
June	Alberta Recreation and Parks Association (ARPA)	Recreation & Parks Month
June 1 - 6	Safe Kids Pincher Creek	National Safe Kids Week
June-20	Heart & Stroke Foundation	National Health & Fitness Day
June-20	National Kids Day/The Smile Trust	National Kids Day
June-20	Federation of Canadian Municipalities	National Indigenous Peoples Day
July 23 - 24 *	TOPS	All T.O.P.S. Walk Day
July 18 - 25 *	Lifesaving Society	National Drowning Prevention Week
September-20	Alberta Council on Aging	Grandparents Day
September 20 - 25 *	Canadian Institute of Public Health Inspectors	Environmental Public Health Week
September-20	The Society of Safe and Caring Schools	Orange Shirt Day
September	Muscular Dystrophy Association of Canada	Muscular Dystrophy Awareness Month
September	McMan Youth, Family and Community Services Association	Fetal Alcohol Spectrum Disorder Awareness Month
October-20	Government of Canada	National Seniors Day
October 18 - 24 *	Recycling Council of Alberta	Waste Reduction Week
October	Lions	Vision Awareness Month
October	Canadian Breast Cancer Foundation	Breast Cancer Awareness Month
November-20	National Union of Public and General Employees	Community Social Service Workers Appreciation Day
Nov 5 - 11	Secretary of State	Veterans' Week
November 21 - 28 *	Correctional Services Canada	Restorative Justice Week
November-20	F.C.M. Whit Ribbon Campaign	White Ribbon Day
November	Canadian Diabetes Association	Diabetes Month
November	Alberta Centre for Injury Control & Research	Seniors' Falls Prevention Month
November	Alberta Community and Social Services	Family Violence Prevention Month
December-20	Canadian Public Health Association	World AIDS Day
Unknown	Alberta Building Officials Association	Building Safety Week
Unknown	Napi Friendship Association	Napi Friendship Association Cross Cultural Days
Unknown	House of Commons	Drink Smart Canada
Unknown	Royal Canadian Legion Br 43	Legion Week

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: Chinook Arch Regional Library System Agreement	
PRESENTED BY: Lisa Goss, Administrative Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

For Council to consider an amendment to the Chinook Arch Library Board Agreement

RECOMMENDATION:

That Council for the Town of Pincher Creek support the proposed amendments to the Chinook Arch Regional Library System Agreement as presented.

BACKGROUND/HISTORY:

Administration received correspondence from the Chinook Arch Regional Library system on June 14, 2021 regarding proposed changes to the Chinook Arch Regional Library System Agreement.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding the Chinook Arch Regional Library System Agreement as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time.

FINANCIAL IMPLICATIONS:

None at this time.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

"There is nothing in the updated System Agreement that Fundamentally alters the membership arrangement between the Chinook Arch Library Board and its members."

ATTACHMENTS:

Memo to Councils - Chinook Arch System Agreement - 2669

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek support the proposed amendments to the Chinook Arch Regional Library System Agreement as presented.

Signatures:

Department Head:

Lisa Goss

CAO:

Laurie Wilgosh





Memo

April 16, 2021

To: Mayors and Reeves of Member Municipalities of the Chinook Arch Regional Library System

From: DeVar Dahl, Chair of the Chinook Arch Library Board

Re: Council Motion Required – Amended System Agreement

The Chinook Arch Regional Library System is a member-driven library service organization that was incorporated in 1992 under the *Alberta Libraries Act*. At that time, member municipalities signed a System Agreement that has remained in effect ever since.

One of the clauses in the System Agreement stipulates that Chinook Arch member fees are to be based on the most recent population figures published by Alberta Municipal Affairs. However, in late 2020, the Government of Alberta announced that Municipal Affairs would no longer be publishing population data; instead, Finance/Treasury Board would be publishing annual population estimates.

This change has prompted the need for the Chinook Arch Library Board to revise its System Agreement with its members. Since the Agreement is being amended, the Board has also taken this opportunity to update other aspects of the Agreement, including removing references to repealed legislation, and updating terminology to reflect current usage. There is nothing in the updated System Agreement that fundamentally alters the membership arrangement between the Chinook Arch Library Board and its members.

In order for the amended Agreement to take effect, two thirds of members representing two thirds of the overall service population must approve the change with a motion of council. It is requested that all members kindly notify Chinook Arch at arch@chinookarch.ca after the motion is passed or defeated. If approved, the amended Agreement will take effect January 1, 2022.

Chinook Arch CEO Robin Hepher would be pleased to attend a council meeting to answer questions about the amended System Agreement. To arrange a presentation, please phone 403-380-1500 or email arch@chinookarch.ca.

(encl.)

THE CHINOOK ARCH REGIONAL LIBRARY SYSTEM
AGREEMENT
Revised April 2021

WHEREAS the Libraries Act of Alberta, hereinafter referred to as the "Act" provides that:

- A. a municipality, improvement district, special area or school authority, upon entering into and becoming a party to an agreement as provided for by the Libraries Regulation, hereinafter referred to as the "Regulation" with one (1) or more municipalities, improvement districts, special areas, or school authorities, and upon complying with the Regulation may request the Minister to establish a library system, and
- B. the Minister may establish a library system board and may prescribe the boundaries of the library system, and
- C. a library system board so established by the Minister is a corporation under the *Libraries Act*.

AND WHEREAS the jurisdictions listed in Schedule "A" attached hereto (hereinafter referred to collectively as the "Parties" and individually as the "Party"):

- A. recognize that the most effective way to provide a high quality of library service is through cooperation and,
- B. desire to enter into an agreement to establish a library system pursuant to the Act and Regulation.
- C. are prepared to jointly finance and operate a library system and,
- D. agree that all library materials which are available through their municipal libraries should be accessible to all residents of the library system;

AND WHEREAS the Parties to this Agreement have each carried out all the requirements pursuant to the Regulation to enter into this Agreement;

AND WHEREAS pursuant to the Act the Parties intend to request that a library system be established known as "**The Chinook Arch Library Board**", hereinafter referred to as the "Board";

AND WHEREAS section 26 of the Regulation sets out various terms and conditions that must be provided for in this Agreement;

NOW THEREFORE this Agreement witnesseth that in consideration of the mutual covenants and agreements contained herein, the Parties hereto covenant and agree with each other as follows:

CLAUSE 2. - DEFINITIONS

2.1 In this Agreement, including the recitals:

- (a) "board",
- (b) "community board",
- (c) "community library",
- (d) "council",
- (e) "library system",
- (f) "library system board",
- (g) "Minister",
- (h) "municipal board",
- (i) "municipal library",
- (j) "municipality",
- (k) "public library",
- (l) "Public Library Rate", and
- (m) "school authority"

have the same meaning as defined in section 1 of the Libraries Act, statutes of Alberta, 2000, chapter L-11, as appended to this agreement.

2.2 In this agreement, including the recitals:

- (a) "Act"
- (b) "Deputy Minister"
- (c) "library resources", and

have the same meaning as defined in Section 1 of the Libraries Regulation, being Alberta Regulation 141/1998, as amended up to and including Alberta Regulation 134/2018, as appended to this agreement.

CLAUSE 3. - OPERATION

3.1 The Parties to this Agreement shall enable the Board to maintain and operate the library system in accordance with the Act and Regulations as may be amended from time to time.

3.2 The Parties to this Agreement shall enable the Board to provide a library service to all their residents through the Board established by this Agreement in the manner and upon the terms set out in this Agreement.

3.3 The Parties to this Agreement shall make all library materials belonging to the Board and municipal boards accessible to the residents of the Parties.

CLAUSE 4. - EFFECTIVE DATE

4.1 The starting date for this Agreement shall be the First day of April, 1992.

CLAUSE 5. - APPOINTMENTS TO THE CHINOOK ARCH LIBRARY BOARD

[Act s.16(a) - (d)]

5.1 Where a municipality is a Party to this Agreement, it shall appoint one member to the Board.

5.2 Where an improvement district is a party to this Agreement, the Minister of Municipal Affairs shall appoint one member to the Board.

5.3 Any additional members shall be appointed in accordance with the Regulation. [Reg. s.33(1)]

CLAUSE 6. - TERM OF APPOINTMENT

6.1 The term of any appointment to the Board shall be in accordance with section 32 of the Regulation.

CLAUSE 7. - POWERS AND DUTIES OF THE CHINOOK ARCH LIBRARY BOARD

7.1 Subject to the provisions of the Act and the Regulation and subject to the provisions of this Agreement, the Board shall manage and control the library system by organizing, promoting and maintaining comprehensive and efficient library services.

7.2 The Board shall engage a person as Director who shall be a graduate of an accredited post graduate library program, or hold equivalent qualifications and whose responsibility shall be the administration of the library system.

7.3 The Board may engage such additional employees as are required for the operation of the library system in accordance with the Regulation.

7.4 The Board shall cooperate with other libraries, library systems, resource libraries and with the Government of Alberta in the development, maintenance and operation of a province-wide network for sharing of library resources.

CLAUSE 8. - EXECUTIVE COMMITTEE

8.1 The Board shall make provision for the establishment of an Executive Committee of not more than 10 persons when the number of members to the Board is more than 20. The Board may empower the Executive with the authority to act on its behalf between Board meetings.

8.2 Appointment to the Executive Committee shall be made in accordance with the Executive Officers policy.

8.3 The Executive Committee is responsible for recruiting and fixing the compensation and all other terms of employment of the Director.

CLAUSE 9. - LIBRARY SYSTEM BUDGET

9.1 The Board shall prepare a four-year levy schedule and submit it to all Parties to this Agreement on or before September 1 of the fiscal year before the levy schedule is to take effect.

9.2 The levy schedule and estimate of money required referred to in clause 9.1 above, shall be effective upon receipt by the Board of written notification of approval from two-thirds of the Parties to this Agreement representing two-thirds of the persons living within the boundaries of the library system; and thereupon, each Party to this Agreement shall pay to the Board an amount which is the product of the per capita requisition set out in Schedule "B" and the population of the Parties to the Agreement. Payments shall be made on or before the dates set out therein.

9.3 The population of a municipality that is a Party to this Agreement shall be deemed to be the most recent official estimate of the population for the municipality published by the Government of Alberta for the fiscal year prior to the fiscal year in which the levy is made.

9.4 The municipality which is a Party to this Agreement shall pay the annual per capita library system levy directly to the Board as stated in "Schedule B, clause 1" which forms part of this agreement.

9.5 In a municipality which is a Party to this Agreement and which has a municipal board, the municipal board shall pay from its revenue the annual per capita levy directly to the Board as stated in "Schedule B, clause 2".

9.6 The Board shall apply to the Government of Alberta for all library operating grants for which it is eligible.

9.7 Municipal boards may retain any revenues generated at the local level, and may expend such funds as they see fit to provide library services to their communities.

CLAUSE 10. - LIBRARY SYSTEM SERVICES TO PUBLIC LIBRARIES

10.1 The Board shall equip, establish and maintain a library system for the residents of the Parties to this Agreement and the services provided may include:

- (a) technical services, including central ordering, central cataloguing and processing, and assistance with adding existing collections to the shared catalogue;
- (b) materials and collections, including book allotment, reciprocal borrowing, regional lending service, inter-library loans, digital/online resources, and rotating collections;
- (c) delivery and communications, including scheduled delivery service, area librarians meetings, toll free line to headquarters, marketing support, and newsletters;
- (d) resource sharing, including continued and expanded information services provided by the Lethbridge Public Library, and a shared catalogue with customer-facing interface;
- (e) programs and services, including summer reading programs, and discount ordering of supplies; and
- (f) training and consultation, including professional consultation, and continuing education; and
- (g) information technology support, including network management, threat protection, help desk support, email, website hosting, and purchasing services.

CLAUSE 11. - LIBRARY SYSTEM SERVICES TO SCHOOL LIBRARIES, GROUPS, INDIVIDUALS, OR AGENCIES

11.1 The Board may enter into one or more separate contracts with any other person or group including a school authority, military base, or First Nation to provide library services as specified in the contract.

CLAUSE 12. - ROLES AND RESPONSIBILITIES OF MUNICIPAL LIBRARY BOARDS WITHIN THE SYSTEM

12.1 The powers and duties of municipal boards within the library system shall be as specified in the terms and conditions of this Agreement.

12.2 Each municipal board within the library system shall:

- (a) comply with the library legislation in the provision of library service to the residents of the municipality;

(b) pay from its revenue the annual per capita levy directly to the Board as stated in "Schedule B, clause 2".

(c) act as a liaison between the residents of the municipality and the Board, to advise the residents of the municipality of the policies of the Board and bring their needs to the attention of the Board;

(d) cooperate with the Board in implementing system-wide policies;

(e) in accordance with Clause 10.1 (b) and (d) of this Agreement, make available to all residents of the Parties all library materials normally lent under municipal board policy;

(f) forward a copy of its plan of service to the Board;

(g) forward a copy of its budget for the current year, a copy of its annual report and a audited statement of receipts and disbursements for the preceding year, to the Board on or before June 30;

(h) in general, perform such duties as are necessary to operate library services in the municipality.

12.3 The relationship between the Board and the City of Lethbridge Library Board (the municipal library designated as the resource centre) shall be set out in a separate agreement between those two parties as outlined in Appendix A attached to this agreement.

12.4 If a municipal library has been established in a municipality and is receiving library services from the Board, the authority of the municipal board is subject to any limitation of its authority under this Agreement.

CLAUSE 13.- OWNERSHIP OF PROPERTY

13.1 All real and personal property (including intellectual property rights) acquired by the Board shall be the property of the Board except library materials acquired by the Board (e.g. purchased with the municipal board allotment) on behalf of a municipal board which operates a library and the catalogue records relating to those materials, which shall be the property of the municipal board.

CLAUSE 14.- DIVISION OF ASSETS

14.1 If a Party to this Agreement withdraws from the Agreement pursuant to section 22 of the Act, that Party shall be deemed to have forfeited any right of ownership or to share in the assets of the Board.

CLAUSE 15. - COMPLETION OF THE LIBRARY SYSTEM

15.1 The Parties to this Agreement agree that any municipality listed in Schedule "A - 1" may become a party to this Agreement and a member of the Board by:

- (a) signing an agreement containing the terms and conditions of this Agreement as amended,
- (b) complying with the terms of this Agreement as amended, and
- (c) receiving the approval of the Minister.

CLAUSE 16. - LIBRARY SYSTEM REPORTS

16.1 The Board shall make an annual report on the operation of the library system to each of the Parties to this Agreement and to each municipal board or advisory committee and to the Minister on or before April 15 in the year following the year for which the annual report was prepared.

CLAUSE 17. - AMENDMENT

17.1 This Agreement may be amended according to a motion for amendment passed by the Board.

- (a) During the first three years of this agreement such amendment shall be effective upon receipt by the Board of written notification from all of the parties to this agreement that they have so authorized such amendment.
- (b) During the fourth and subsequent years of this agreement amendment shall be effective upon receipt by the Board of written notification from two-thirds of the Parties to this Agreement representing two-thirds of the persons living within member jurisdictions of the library system that they have so authorized such amendment.
- (c) The Parties to this Agreement shall conform with such amendment upon notification from the Board that this clause has been fulfilled.

CLAUSE 18. - EXTENSION

18.1 The provisions of this Agreement shall be binding upon the Parties to this Agreement and their successors and all eligible participants who may join in this Agreement with the original Parties.

CLAUSE 19. - ENTIRE AGREEMENT

19.1 This document, including all schedules appended, constitutes the entire agreement between the Parties with respect to the subject matter; all prior agreements, representations, statements, negotiations and undertakings are superseded hereby.

CLAUSE 20. - INSURANCE

20.1 The Board shall provide adequate insurance coverage for its operations.

SCHEDULE "A"
List Of Parties To The Chinook Arch Library Board
(Revised April 2021)

Village of Arrowwood
Village of Barons
Village of Barnwell
County of Cardston
Town of Cardston
Village of Carmangay
Village of Champion
Town of Claresholm
Town of Coaldale
Town of Coalhurst
Village of Coutts
Village of Cowley
Municipality of Crowsnest Pass
Town of Fort Macleod
Village of Glenwood
Village of Hillspring
City of Lethbridge
County of Lethbridge
Village of Lomond
Town of Magrath
Town of Milk River
Village of Milo
Town of Nanton
Town of Picture Butte
M.D. of Pincher Creek
Town of Pincher Creek
M.D. of Ranchland No. 66
Town of Raymond
Town of Stavely
Village of Stirling
Town of Taber
MD of Taber
Town of Vauxhall
Town of Vulcan
County of Vulcan
Village of Warner
Warner County
M.D. of Willow Creek
Kainai Board of Education

SCHEDULE "A-1"
LIST OF ELIGIBLE MUNICIPAL PARTICIPANTS
TO THE CHINOOK ARCH LIBRARY BOARD

City:	Lethbridge	Villages:	Arrowwood Barnwell Barons Carmangay Champion Coutts Cowley Glenwood Hillspring Lomond Milo Nobleford Stirling Warner
Counties:	Vulcan County County of Warner Lethbridge County Cardston County		
M.D.s:	Pincher Creek MD Taber MD Willow Creek MD #MD of Ranchland		
I.D.s:	#4 Waterton		
Towns:	Cardston Claresholm Coaldale Coalhurst Crowsnest Pass Fort Macleod Magrath Milk River Nanton Picture Butte Pincher Creek Raymond Stavelly Taber Vauxhall Vulcan		

School Authorities in the region may also join the Regional Library System.

SCHEDULE "A-2"

**LIST OF MUNICIPAL BOARDS
SUPPORTING THE CHINOOK ARCH LIBRARY BOARD**

Village of Arrowwood Library Board
Town of Cardston Library Board
Village of Carmangay Library Board
Village of Champion Library Board
Town of Claresholm Library Board
Town of Coaldale Library Board
Village of Coutts Library Board
Crowsnest Pass Municipal Library Board
Town of Fort Macleod Library Board
Village of Glenwood Library Board
City of Lethbridge Library Board
Village of Lomond Library Board
Town of Magrath Library Board
Town of Milk River Library Board
Village of Milo Library Board
Town of Nanton Library Board
Town of Picture Butte Library Board
Pincher Creek & District Library Board
Town of Raymond Library Board
Town of Stavely Library Board
Village of Stirling Library Board
Town of Taber Library Board
MD of Taber Library Board
Town of Vauxhall Library Board
Town of Vulcan Library Board
Vulcan County Library Board
Village of Warner Library
MD of Willow Creek Library Board

TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: AUMA Summer 2021 Municipal Leaders' Caucus	
PRESENTED BY: Lisa Goss, Administrative Manager	DATE OF MEETING: 6/28/2021

PURPOSE:

For Council to consider in person and/or virtual attendance at the Summer 2021 Municipal Leaders' Caucus hosted by the Alberta Urban Municipalities Association.

RECOMMENDATION:

That Council for the Town of Pincher Creek authorize the attendance of Mayor Anderberg at the Summer 2021 Municipal Leaders' Caucus virtually or in person.

BACKGROUND/HISTORY:

Registration is now open for AUMA's Summer 2021 Municipal Leaders' Caucuses! This year, AUMA is visiting the following five communities:

- July 20 – Bow Island (Bow Island Multiplex)
- July 21 – High River (Heritage Inn Hotel & Convention Centre)
- July 27 – Sexsmith (Civic Centre)
- July 28 – Redwater (Pembina Place)
- July 29 – Wetaskiwin (Best Western Wayside Inn)
- o July 29th will also be offered virtually

Caucus will consist of a one-day program that will run from 10 a.m. to 2 p.m., and the schedule and agenda will be the same at all locations.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding the Summer 2021 Municipal Leaders' Caucus as presented.

That Council for the Town of Pincher Creek authorize the (virtual) or (in person) attendance of the following Councillors at the Summer 2021 Municipal Leaders' Caucus:

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The Mayor, some members of Council and the Chief Administrative Officer have attended this event in the past.

FINANCIAL IMPLICATIONS:

Registration for in-person attendance is \$100 for the day and includes light breakfast refreshments and lunch. Doors will open at 9:30 a.m.

The session on July 29 will be streamed on Zoom to allow for members to participate who are not able to attend in-person, at a cost of \$25.

PUBLIC RELATIONS IMPLICATIONS:

None at this time.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek authorize the attendance of Mayor Anderberg and or members of Council at the Summer 2021 Municipal Leaders' Caucus virtually or in person.

Signatures:

Department Head:

Lisa Goss

CAO:

Laurie Wilgosh



TOWN OF PINCHER CREEK

REQUEST FOR DECISION

Council

SUBJECT: CIBC Banker's Acceptance Swap	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	DATE OF MEETING: 6/28/2021

PURPOSE:

To review the prepayment of the CIBC Banker's Acceptance Swap for the Early Learning Centres.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to maintain the CIBC Banker's Acceptance Swap at 1.64% plus the Stamping Fee of 0.65% for a total of 2.29% for 30 years.

BACKGROUND/HISTORY:

The rate of 1.64% the Town received on a 30 year loan was at the lowest seen in years due to the pandemic. As of June 8, 2021, when administration met with CIBC to discuss paying some of this debt down a 30 year term was at 2.40%. With the stamping fee of 0.65% the rate would now be 3.05%.

Since the Banker's Acceptance (BA) Swap 30 day rate is at 0.41%, which is lower than the 1.64%, the Town would incur a penalty of approximately \$42,197 to pay down the debt at this time.

The Banker's Acceptance Swap rate is tied to the Bank of Canada rate which has dropped significantly during the pandemic. As the pandemic subsides, the Bank of Canada Rate should increase which will increase the 30 day BA rate making it more advantageous to pay down the debt in the future.

The funds provided by the MD can be used to pay the annual loan payments until such time as the BA rate is high enough to make it beneficial to the Town to pay down the debt.

ALTERNATIVES:

That Council for the Town of Pincher Creek agree to pay down the debt by \$600,000 and incur the penalty.

That Council received the banker's acceptance information as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The Town agreed to borrow the funds for the construction of the early learning centres and did so at a very favorable rate.

FINANCIAL IMPLICATIONS:

If Council wants to pay down the debt with the funds received from the MD, the Town will incur a penalty of approximately \$42,197.

PUBLIC RELATIONS IMPLICATIONS:

The Town advertised the borrowing bylaw as required by the MGA and there was no public opposition.

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration supports maintaining the CIBC Banker's Acceptance Swap.

Signatures:

Department Head:

Wendy Catonio

CAO:

Laurie Wilgosh





**Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
June 28, 2021**

<u>Item No.</u>	<u>Date</u>	<u>Received From</u>	<u>Information</u>
1.	June 11, 2021	Village of Lougheed	Letter of Support RCMP
2.	June 11, 2021	ORRSC	2020 ORRSC Annual Report
3.	June 11, 2021	Town of Nanton	Letter of Support RCMP
4.	June 11, 2021	CPAWS Southern Alberta	Wild Wellness Wednesdays (July 7 & 14) at Pincher Creek Library
5.	June 14, 2021	Chinook Arch Regional Library System	Memo to Councils
6.	June 14, 2021	Alberta Health Services	AHS Together4Health Headlines - COVID Community Update
7.	June 15, 2021	City of Fort Saskatchewan	RCMP Letter of Support
8.	June 15, 2021	SASCI	Update from SASCI: Fund Development Specialist Position
9.	June 16, 2021	SASCI	Grant Specialist Report
10.	June 16, 2021	Institute of Public Administration of Canada	IPAC Message - Kamloops/Message de l'IAPC - Kamloops
11.	May 27, 2021	Roger Reid, MLA	Letter
12.	June 10, 2021	Tyler Shandro, Minister of Health	Letter
13.	June 18, 2021	Oldman Watershed Council	Oldman Watershed Council Newsletter June 18, 2021
14.	June 18, 2021	Institute of Public Administration of Canada	Webinar The Ill-Fitting Boot: Origin and Content of the Indian Act - Part III of the Rebuilding First Nations Governance Series
15.	June 18, 2021	Brandy Cox, Deputy Minister	COVID-19 Municipal Governance - June 18 Issue
16.	June 17, 2021	SASCI	NOTICE OF SASCI AGM on June 29, 2021 @ 12pm
17.	June 21, 2021	Cypress County	Letter to Minister Madu - Support for RCMP



**Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
June 28, 2021**

<u>Item No.</u>	<u>Date</u>	<u>Received From</u>	<u>Information</u>
18.	June 21, 2021	Town of Thorsby	Letter to Minister Madu - Support for RCMP
19.	June 22, 2021	Affordable Housing News	The Latest in Housing
20.	June 22, 2021	Syncline Castle	Newsletter
21.	June 21, 2021	Alberta Health Services	AHS Together4Health Headlines - COVID Community Update
22.	June 21, 2021	Town of Beaverlodge	RCMP Support
23.	June 22, 2021	Town of Viking	RCMP Support
24.	June 22, 2021	Village of Rockyford	Letter of Support for RCMP
25.	June 22, 2021	Village of Holden	Letter of support for the RCMP
26.	June 23, 2021	Lac La Biche County	RCMP Letter of Support
27.	June 23, 2021	STARS air ambulance	A special message to our donors from STARS president & CEO
28.	June 23, 2021	City of Brooks	Access to Mobile COVID-19 Mobile Vaccination Clinics
29.	June 23, 2021	Village of Standard	RCMP Letter of Support
30.	June 23, 2021	AlbertaSW	NEWS! Launch of uLethbridge Agri-Food Summer Series brings research and agriculture industry together
31.	June 23, 2021	Town of Turner Valley	Letter of Support for RCMP



TOWN OF PINCHER CREEK

Operating Summary - By Department

For the Three Months Ending Wednesday, March 31, 2021

	2020 Actual	2021 Actual	2020 Budget	2021 Budget	Variance	% Variance
Revenues						
Net municipal property taxes (Note 1)	\$4,679,575.76	(\$421,793.19)	\$4,678,842.93	\$4,715,243.99	\$5,100,636.12	(9.01%)
User fees and sales of goods	2,068,742.70	259,195.79	1,993,273.75	1,965,674.40	1,734,077.96	13.00%
Government transfers for operating	1,747,096.60	37,185.11	1,052,668.00	1,065,529.64	1,015,482.89	3.53%
Franchise and concession contracts	837,684.41	173,530.62	825,050.00	881,050.00	651,519.38	21.03%
Rentals	635,604.13	123,873.70	752,948.60	757,048.64	629,074.90	16.45%
Investment income	249,158.16	17,617.35	220,860.00	218,860.00	203,242.65	7.98%
Penalties & Costs	92,581.22	25,015.62	92,100.00	97,600.00	67,084.38	27.16%
Licences & Permits	106,862.50	67,312.31	93,600.00	112,600.00	26,287.69	71.91%
Other Revenues & Adjustments	113,036.80	50,126.84	191,289.17	111,689.21	141,162.33	26.20%
Total Revenue	10,530,342.28	332,064.15	9,900,632.45	9,925,295.88	9,568,568.30	
Expenses						
Legislative	275,043.61	69,692.32	311,963.87	341,046.65	242,271.55	22.34%
Administration	873,354.84	203,850.83	878,629.70	851,825.75	674,778.87	23.20%
Protective Services	1,190,922.74	319,897.82	1,183,224.99	1,385,691.09	863,327.17	27.04%
Roads, streets, walks & lighting	1,261,256.50	196,119.27	1,255,944.17	1,417,498.66	1,059,824.90	15.62%
Water supply & distribution	1,190,187.51	206,727.37	1,118,328.17	1,376,486.53	911,600.80	18.49%
Wastewater treatment & disposal	775,209.37	125,907.42	785,617.26	958,477.12	659,709.84	16.03%
Waste management	459,550.48	75,484.09	552,893.14	516,462.52	477,409.05	13.65%
Other environmental use & protection	44,896.23	7,949.45	74,692.68	67,802.71	66,743.23	10.64%
Public health & welfare services (Note 2)	309,053.09	176,315.12	344,389.39	349,937.61	168,074.27	51.20%
Planning & development	581,546.05	137,213.99	701,172.27	640,158.19	563,958.28	19.57%
Recreation & Culture	3,194,353.69	678,866.49	3,397,778.62	3,367,448.95	2,718,912.13	19.98%
Total Expenses	10,155,374.11	2,198,024.17	10,604,634.26	11,272,835.78	8,406,610.09	20.73%
Excess revenue over expenses	374,968.17	(1,865,960.02)	(704,001.81)	(1,347,539.90)	1,161,958.21	
Other						
Government transfers for capital	882,842.76		125,000.00	5,114,378.00	125,000.00	0.00%
Gain (loss) on disposal of tangible capital assets	(3,919.01)		500.00	500.00	500.00	0.00%
	878,923.75		125,500.00	5,114,878.00	125,500.00	0.00%
Excess of revenue over expenses	1,253,891.92	(1,865,960.02)	(578,501.81)	3,767,338.10	1,287,458.21	
Surplus Funds Allocated Below:						
Acquisition of tangible capital assets	4,120,390.09	225,872.11	5,033,940.00	7,925,000.00	4,808,067.89	4.49%
Other Funding Capital Projects				(70,000.00)		0.00%
Loan Funding Capital Projects	(1,900,924.60)		(1,837,500.00)		(1,837,500.00)	0.00%
Repayment of debenture principle	135,381.94	24,696.17	227,709.09	191,220.49	203,012.92	10.85%
Net transfers to/from reserves	773,071.97		(2,752,605.76)	(2,673,841.35)	(2,752,605.76)	0.00%
Less: Amortization	(1,675,853.50)		(1,250,706.00)	(1,605,448.00)	(1,250,706.00)	0.00%
Less: Loss on sale of TCA	(61,576.51)					0.00%
Less: Purchase of Excavator & Loader on Trade In	(158,300.00)					0.00%
	1,232,189.39	250,568.28	(579,162.67)	3,766,931.14	(829,730.95)	
Net surplus (deficit)	21,702.53	(2,116,528.30)	660.86	406.96	2,117,189.16	

Note 1: Payments have been made for the School Requisitions and the taxes have not yet been levied

Note 2: This includes 100% of Joint Funding paid to the MD

Note 3: 2020 Actual amounts have been restated by reallocating PC EMS and the Police costs to expenses rather than reducing Municipal Taxes



TOWN OF PINCHER CREEK

Operating Statement - By Object

For the Three Months Ending Wednesday, March 31, 2021

	2020 Actual	2021 Actual	2020 Budget	2021 Budget	Variance	% Variance
Revenues						
Net municipal property taxes	\$4,679,575.76	(\$421,793.19)	\$4,678,842.93	\$4,715,243.99	\$5,100,636.12	(9.01%)
User fees and sales of goods	2,068,742.70	259,195.79	1,993,273.75	1,965,674.40	1,734,077.96	13.00%
Penalties and costs of taxes	92,581.22	25,015.62	92,100.00	97,600.00	67,084.38	27.16%
Licences and permits	106,862.50	67,312.31	93,600.00	112,600.00	26,287.69	71.91%
Franchise fees	837,684.41	173,530.62	825,050.00	881,050.00	651,519.38	21.03%
Return on Investments	174,158.16	17,617.35	220,860.00	218,860.00	203,242.65	7.98%
Rentals & Leases	635,604.13	123,873.70	752,948.60	757,048.64	629,074.90	16.45%
Government transfers for operating	1,822,096.60	37,185.11	1,052,668.00	1,065,529.64	1,015,482.89	3.53%
Other Revenues & Adjustments	113,036.80	50,126.84	191,289.17	111,689.21	141,162.33	26.20%
Total Revenue	10,530,342.28	332,064.15	9,900,632.45	9,925,295.88	9,568,568.30	
Expenses						
Salaries, wages & benefits	3,809,897.02	762,108.47	3,913,723.84	4,124,031.40	3,151,615.37	19.47%
Contracted and general services	690,838.56	311,101.28	740,122.64	962,926.01	429,021.36	42.03%
Professional Services	1,198,834.14	213,528.94	1,307,614.92	1,255,549.92	1,094,085.98	16.33%
R & M and rentals & leases	818,210.62	173,865.33	1,172,965.47	1,261,456.90	999,100.14	14.82%
Insurance	141,868.88	158,915.74	143,270.15	145,300.00	(15,645.59)	110.92%
Goods	420,692.38	68,916.39	467,826.94	440,235.03	398,910.55	14.73%
Utilities	677,922.69	178,134.90	729,429.05	790,480.01	551,294.15	24.42%
Land Held For Resale - Costs	6,036.79					0.00%
Amortization	1,675,853.50		1,250,706.00	1,605,448.00	1,250,706.00	0.00%
Transfer To Other Operating			(0.01)		(0.01)	0.00%
Transfers to Organizations	524,056.20	322,761.53	675,171.00	526,541.07	352,409.47	47.80%
Bank Charges	7,954.31	1,921.73	6,495.01	6,650.01	4,573.28	29.59%
Interest on long-term debt	129,499.40	6,769.86	151,038.20	135,567.43	144,268.34	4.48%
Other Expenditure & Adjustment	53,709.62		46,271.04	18,650.00	46,271.04	0.00%
Total Expenses	10,155,374.11	2,198,024.17	10,604,634.25	11,272,835.78	8,406,610.08	20.73%
Excess (Deficiency) revenue over expenses before other	374,968.17	(1,865,960.02)	(704,001.80)	(1,347,539.90)	1,161,958.22	
Other						
Government transfers for capital	882,842.76		125,000.00	5,114,378.00	125,000.00	0.00%
Net Gain (Loss) on sale of tangible capital assets	(3,919.01)		500.00	500.00	500.00	0.00%
	878,923.75		125,500.00	5,114,878.00	125,500.00	0.00%
Excess (Deficiency) revenue over expenses	1,253,891.92	(1,865,960.02)	(578,501.80)	3,767,338.10	1,287,458.22	
Surplus Funds Allocated Below						
Acquisition of tangible capital assets	4,120,390.09	225,872.11	5,033,940.00	7,925,000.00	4,808,067.89	4.49%
Other Funding Capital Projects				(70,000.00)		0.00%
Loan Funding Capital Projects	(1,900,924.60)		(1,837,500.00)		(1,837,500.00)	0.00%
Repayment of debenture principle	135,381.94	24,696.17	227,709.09	191,220.49	203,012.92	10.85%
Net transfers to/from reserves	773,071.97		(2,752,605.76)	(2,673,841.35)	(2,752,605.76)	0.00%
Amortization	(1,675,853.50)		(1,250,706.00)	(1,605,448.00)	(1,250,706.00)	0.00%
Purchase of Excavator & Loader on Trade In	(158,300.00)					0.00%
Loss on sale of tangible capital assets	(61,576.51)					0.00%
	1,232,189.39	250,568.28	(579,162.67)	3,766,931.14	(829,730.95)	
Balanced budget	21,702.53	(2,116,528.30)	660.87	406.96	2,117,189.17	



TOWN OF PINCHER CREEK
Operating Statement - By Object
For the Three Months Ending Wednesday, March 31, 2021

		2020 Actual	2021 Actual	2020 Budget	2021 Budget	Variance	% Variance
Note 1: 2019 Reconciliation							
Net Income (Loss) - PCCELC	(10,498.16)						
<u>Add: PCCECL 2018 Change</u>	<u>5,882.00</u>						
Revised PCCELC	(4,616.16)						
<u>Total Net (Loss)</u>	<u>(4,422.15)</u>						
Town Net Income	194.01						



TOWN OF PINCHER CREEK
Operating Statement - By Object
For the Three Months Ending Wednesday, March 31, 2021

	2020 Actual	2021 Actual	2020 Budget	2021 Budget	Variance	% Variance
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Note 1: 2018 - 28,981.86 surplus related to PCCELC;
152.89 surplus related to Town

Reconciliation:

Net Surplus:	29,134.77
Less: PCCELC Consolidation	23,527.86
Less: Amort PCCELC	5,454.00
(Amort added back above)	
Net Surplus Town	152.91