



REGULAR MEETING OF COUNCIL
Held on Monday March 8, 2021
Virtually, commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

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

Staff: L. Wilgosh, Chief Administrative Officer; W. Catonio, Director of Finance and Human Resources; L. Rideout, Director of Community Services; D. Green, Family and Community Support Services Coordinator; A. Grose, Recreation Manager, M. Everts, Marketing & Economic Development Officer and L. Goss, Administrative Manager

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

2.1 Land Use Bylaw Amendment 1547-AK

Present: Mayor Anderberg
Councillor Barber
Councillor Jackson
Councillor Elliott
Councillor McGillivray
Councillor Korbett

Absent with Regrets: Councillor Barber

Staff: L. Wilgosh, Chief Administrative Officer
W. Catonio, Director of Finance and Human Resources
L. Rideout, Director of Community Services
A. Grose, Recreation Manager
M. Everts, Marketing & Economic Development Officer
D. Green, Family and Community Support Services
L. Goss, Administrative Manager

1. CALL TO ORDER

The Mayor called the Public Hearing for Bylaw No. 1547-AK to order at 6:00 p.m.

2. ADOPTION OF AGENDA

ELLIOTT:

That Council for the Town of Pincher Creek approves the March 8, 2021 Public Hearing for Bylaw No. 1547-AK agenda as presented.

CARRIED PH21-1

3. PURPOSE OF PUBLIC HEARING

The purpose of the public hearing is to present Bylaw No. 1547-AK, to reduce costs, speed up the approval process to achieve some red tape reduction.

4. CONFIRMATION OF NOTICE

The Chief Administrative Officer advised that the Notice of Public Hearing was advertised in the February 17 and 24, 2021 editions of the weekly newspaper the Pincher Creek Echo and Shootin' the Breeze.

5. REPORT FROM OLDMAN RIVER REGIONAL SERVICES COMMISSION SENIOR PLANNER

Referral comments were received from the Oldman River Regional Services Commission read by the Chief Administrative Officer.

6. REPORT FROM THE TOWN'S MANAGEMENT STAFF

Referral comments were received from Operational Services read by the Chief Administrative Officer.

No referral comments were received from Fire/Emergency Services.

No referral comments were received from Bylaw Enforcement.

7. WRITTEN SUBMISSIONS

No written submission have been received as of 12:00 Noon, March 3, 2021.

8. PERSONS WISHING TO BE HEARD

There has been no persons indicating their wish to be heard as of 12:00 noon March 3, 2021.

The Mayor asked if there were any persons wishing to be heard. (First Time)

The Mayor asked if there were any persons wishing to be heard. (Second Time)

The Mayor asked if there were any persons wishing to be heard. (Third and Final Time)

9. CLOSURE OF PUBLIC HEARING

KORBETT:

That this Public Hearing on March 8, 2021 be hereby adjourned at 6:04 p.m.

CARRIED PH21-2

3. AGENDA APPROVAL

JACKSON:

That Council for the Town of Pincher Creek approves the March 8, 2021 agenda as amended, the amendment being the addition of item 8.5 Policing Priorities.

CARRIED 21-080

4. DELEGATIONS

4.1 Library – Janice Day, Sandra Baker and Mike Barkwith

Library representatives Janice Day, Sandra Baker and Mike Barkwith attended the meeting to provide information to Council regarding the Library Board Bylaw Amendment, scheduled for Council consideration at the March 8, 2021 regular meeting of Council.

4.2 Coal Mining Development Proposals – Cody Johnson

Cody Johnson attended the meeting to provide a presentation to Council regarding the coal mining development proposals in the area.

4.3 Kootenai Brown Pioneer Village – Request for Support – Colleen Casey-Cyr

Kootenai Brown Pioneer Village representative Colleen Casey-Cyr attended the meeting to provide information to Council regarding a Communities Initiative – Electrical Upgrades and Pergola Roof Construction Proposal, scheduled for Council consideration at the March 8, 2021 regular meeting of Council. In addition a request for letter of support for the construction of an addition on Pioneer Place in an application to the Lethbridge Community Foundation.

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to add item 8.6 Kootenai Brown Pioneer Village – Letter of Support – Community Foundation – Pioneer Place Addition.

CARRIED 21-081

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on February 22, 2021

JACKSON:

That Council for the Town of Pincher Creek approve the minutes of the Regular Meeting of Council held on February 22, 2021 as presented.

CARRIED 21-082

5.2 Minutes of the Committee of the Whole Meeting held on March 3, 2021

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the minutes of the Committee of the Whole Meeting held on March 3, 2021 as amended.

CARRIED 21-083

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation – Riversdale Resources – Keith Bott

ELLIOTT:

That Council for the Town of Pincher Creek receive the presentation provided by Riversdale Resources representatives Keith Bott, Jackie Woodman, Gary Houston and Alistair Gibbons at the February 22, 2020 regular meeting of Council as information.

CARRIED 21-084

6.2 Disposition of Delegation – Allied Arts Council – Healthy Communities Initiative – Stacy McRae & Val Wynder

JACKSON:

That Council for the Town of Pincher Creek receive the presentation provided by Allied Arts Council representatives Stacy McRae and Val Wynder at the February 22, 2020 regular meeting of Council as information.

CARRIED 21-085

7. BYLAWS

7.1 Land Use Bylaw Amendment 1547-AK

McGILLIVRAY:

That Council for the Town of Pincher Creek agree to give Bylaw No. 1547-AK, amending the Land Use Bylaw No. 1547, second reading.

CARRIED 21-086

KORBETT:

That Council for the Town of Pincher Creek agree to give Bylaw No. 1547-AK third and final reading and that a copy be attached hereto and form part of the minutes.

CARRIED 21-087

8. NEW BUSINESS

8.1 Library Board Bylaw Amendment

ELLIOTT:

That Council for the Town of Pincher Creek accept and agree to the proposed changes to the Library Board Bylaw Schedule C as presented.

CARRIED 21-088

8.2 Kootenai Brown Pioneer Village – Request for Support

McGILLIVRAY:

That Council for the Town of Pincher Creek agree and approve the draft letter of support for Kootenai Brown Pioneer Village in their Communities Initiatives grant application to fund electrical upgrades and a pergola roof construction.

CARRIED 21-089

M. Everts left the meeting at 6:52 pm

8.3 Economic Developers Alberta Annual Conference

JACKSON:

That Council for the Town of Pincher Creek authorize the attendance of Councillor Korbett at the virtual Economic Developers Alberta 2021 Leaders' Summit and Conference May 19 - 20, 2021.

CARRIED 21-090

8.4 Municipal Climate Change Action Centre Energy Manager Proposal – SASCI Request for Support

KORBETT:

That Council for the Town of Pincher Creek defer the Municipal Climate Change Action Centre Energy Manager Proposal – SASCI Request for Support to the March 22, 2021 regular meeting of Council for further information and consideration.

CARRIED 21-091

Councillor Barber joined the meeting at 7:18 pm.

8.5 Policing Priorities

JACKSON:

That Council for the Town of Pincher Creek agree that the Policing Priorities for the community for 2021 continue to be Community presence, engagement and education, and Crime prevention including Drug and Traffic Enforcement.

CARRIED 21-092

8.6 Kootenai Brown Pioneer Village – Letter of Support – Community Foundation – Pioneer Place Addition

ELLIOTT:

That Council for the Town of Pincher Creek direct administration to prepare and send a letter of support for the Kootenai Brown Pioneer Village in their Lethbridge Community Foundation application for a Pioneer Place Addition.

CARRIED 21-093

9. REPORTS

9.1 Upcoming Committee Meetings and Events

Municipal Development and Subdivision Authority

10. ADMINISTRATION

10.1 Council Information Distribution List

McGILLIVRAY:

That Council for the Town of Pincher Creek direct administration to invite MLA Roger Reid to address Council regarding budget changes related to disaster funding.

CARRIED 21-094

BARBER:

That Council for the Town of Pincher Creek accept the March 8, 2021 Council Information Distribution List as information.

CARRIED 21-095

10.2 Legislative Services 4th Quarter Report

ELLIOTT:

That Council for the Town of Pincher Creek accept the Legislative Services 4th Quarter Report as information.

CARRIED 21-096

10.3 Chief Administrative Officer 4th Quarter Report

JACKSON:

That Council for the Town of Pincher Creek accept the Chief Administrative Officer 4th Quarter Report as information.

CARRIED 21-097

Mayor Anderberg called a recess at 7:51 pm

D. Green left the meeting at 7:51 pm

Mayor Anderberg called the meeting back to order at 7:59 pm

11. CLOSED MEETING DISCUSSION

JACKSON:

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, March 8, 2021 at 7:59 pm in accordance with section 16, 21 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Director of Finance and Human Resources, Recreation Manager and Administrative Manager in attendance.

CARRIED 21-098

BARBER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, March 8, 2021 at 9:48 pm.

CARRIED 21-099

11.1 Canadian Broadcasting Corporation Lease Renewal – FOIP s. 16 & 24

KORBETT:

That Council for the Town of Pincher Creek authorize and approve the five (5) year Addendum Agreement to the Canadian Broadcasting Corporation lease agreement dated September 27, 2016 continuing with the same terms and conditions.

CARRIED 21-100

11.2 Airport Services/Fee Proposal – FOIP s. 16 & 24

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the proposed concept of the Governance model of a Not-for-profit Municipal Corporation with the three municipal members being Municipality of Crowsnest Pass, Municipal District of Pincher Creek, and the Town of Pincher Creek for the Airport Services ongoing and expanded operation.

FURTHER

That Council for the Town of Pincher Creek agree to share the proposed fee of \$25,000 among the three municipal partners for Airport Services to be funded from general ledger account 1100001920.

CARRIED 21-101



11.3 Holy Spirit School Division – Joint Election Services Agreement – FOIP s. 16 & 24

ELLIOTT:

That Council for the Town of Pincher Creek authorize and approve the Joint Election Services Agreement between the Town of Pincher Creek and the Holy Spirit Catholic School Division for the general election to be held October 18, 2021.

CARRIED 21-102

11.4 Pincher Creek Emergency Services Commission Mediation Proposal – FOIP s. 21

McGILLIVRAY:

That Council for the Town of Pincher Creek approve the mediation proposal from Barbara McNeil and Associates for the Pincher Creek Emergency Services funding formula as per the Membership Agreement, and to further agree to share the cost of services as presented on a 50/50 basis.

FURTHER

That Council for the Town of Pincher Creek appoint Councillor Korbett and Mayor Anderberg to participate in the Pincher Creek Emergency Services Commission funding formula mediation process.

CARRIED 21-103

11.5 Recycling Proposal – FOIP s. 21

KORBETT:

That Council for the Town of Pincher Creek direct administration to continue to collaborate with the M.D. of Pincher Creek for recycling services at this time.

Councillor Jackson requested a recorded vote:

In Favour
Anderberg
McGillivray
Elliott
Korbett
Barber

Opposed
Jackson

CARRIED 21-104

11.6 Pincher Creek Emergency Services Commission Requisition – FOIP s. 21

KORBETT:

That Council for the Town of Pincher Creek receives the information regarding the Pincher Creek Emergency Services Commission Requisition as presented.

CARRIED 21-105

12. NOTICE OF MOTION

13. ADJOURNMENT

BARBER:

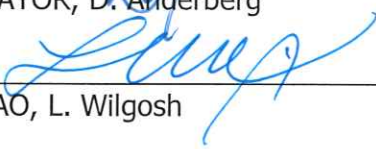
That this meeting of Council on March 8, 2021 be hereby adjourned at 10:00 pm.

CARRIED 21-106

*Regular Council Meeting
March 8, 2021*



MAYOR, D. Anderberg



CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 22nd DAY OF MARCH 2021 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY MARCH 22, 2021
AT 6:00 P.M.**





BYLAW NO. 1547-AK
of the
TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF AMENDING
LAND USE BYLAW NO. 1547

WHEREAS the Alberta Government has made the red tape reduction a top priority and made available to municipalities the Municipal Stimulus Program funding;

WHEREAS to be eligible municipalities are required to achieve some red tape reduction to reduce costs and speed up approval processes of regulation that do not add safety or health protection;

AND WHEREAS the Council for the Town of Pincher Creek deems it desirable to amend Land Use Bylaw No. 1547 to reduce costs, speed up the approval process to achieve some red tape reduction;

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 amendments:

1. **WAIVERS OF BYLAW PROVISIONS**

32. (1) At its discretion, the Municipal Development and Subdivision Authority may approve and, subject to Section 32.(2), the Designated Officer is also authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Municipal Development and Subdivision Authority or the Designated Officer:

- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties; AND
- (b) the proposed development conforms with the use prescribed for the land or building in Schedule 2.

2. 32. (2) The Designated Officer may only exercise a discretion under Section 32. (1) in respect of the following matters:

- (a) granting one minor waiver not exceeding 15 percent of one of the measurable standards established in this bylaw for a permitted use;
- (b) approval of minor deviations from approved site plans and/or drawings;
- (c) imposing reasonable planning-related conditions on permitted uses in order to ensure a proposed use will comply with provisions of the bylaw, any applicable municipal bylaw, the municipal development plan or any other statutory plan.

3. **Schedule 3**

**DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT
GENERAL**

1. (g) Storage garden or tool sheds and similar Accessory Residential Buildings provided that:

- (i) these do not exceed **13.9 m² (150 sq. ft.)** in area;

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

READ A FIRST TIME THIS 8th DAY OF February, 2021, A.D.



MAYOR, Don Anderberg



CAO, Laurie Wilgosh

READ A SECOND TIME THIS 8th DAY OF March, 2021, A.D.



MAYOR, Don Anderberg



CAO, Laurie Wilgosh

READ A THIRD TIME THIS 8th DAY OF March, 2021, A.D.



MAYOR, Don Anderberg



CAO, Laurie Wilgosh