



TOWN OF PINCHER CREEK COUNCIL MEETING AGENDA

Monday, May 8, 2023 at 6:00 p.m.

Council Chambers, Town Hall

Zoom Link

1. **Call to Order**
2. **Scheduled Public Hearing**
3. **Agenda Approval**
4. **Scheduled Delegations**
 - 4.1 Allied Arts Council - Stacey McRae
 - 4.2 Community Gardens – Ianthe Goodfellow
 - 4.3 Kevin Van Tighem - NDP Candidate for Livingstone-Macleod
5. **Adoption of Minutes**
 - 5.1 Minutes of the Regular Meeting of Council held on April 24, 2023
 - 5.2 Minutes of the Special Meeting of Council held on May 1, 2023
6. **Business Arising from the Minutes**
 - 6.1 Reuse Fair
 - 6.2 Petition to prevent the passage of Bylaw 1636-23 (Municipal Borrowing Bylaw)
7. **Bylaws**
 - 7.1 Municipal Borrowing Bylaw 1636-23
 - 7.2 Northeast Pincher Creek Park 2 Area Structure Plan Bylaw 1635-23 (3rd Reading)
8. **New Business**
 - 8.1 Letter of Support Request - Cowley Lions
 - 8.2 Deputy Regional Director of Emergency Management Appointment
9. **Council Reports**
 - 9.1 Upcoming Committee Meetings and Events
10. **Administration**
 - 10.1 Council Information Distribution List
 - 10.2 Operations 1st Quarter Report
11. **Closed Session Discussion**
 - 11.1 Personnel FOIP s. 16 & 24
 - 11.2 Administration Transition - FOIP s. 24
12. **Notice of Motion**
13. **Adjournment**

The next Regular Council Meeting is scheduled for May 23, 2023 AT 6:00 p.m.

May 1, 2023



ALLIED ARTS COUNCIL OF PINCHER CREEK

Dear Mayor Anderberg and Town Councillors,

As we see the Allied Arts Council of Pincher Creek being referenced in council minutes and newspaper articles, we felt it time to include our voice in the conversation at council regarding fencing around and within the Lebel Mansion grounds. We wanted to outline the impacts it will have on our charitable, non-profit organization. Below is a list of factors we consider important in this conversation.

We ask that council considers our perspective as the care taking partner of the historic home and grounds for the last 38 years.

Access

How will people access the building if fenced? The AAC recognizes that as a historic building there are many barriers to accessibility. While the elevator is a great first step, we still require power operated doors for our outdoor entrances and a wheelchair accessible washroom in the building. A fence with a gate adds another layer of inaccessibility. We currently are home to many tenants who provide physiotherapy and osteopathy services, with clients who require less barriers, not more.

The AAC receives biannual deliveries of supplies for our programming which arrive via pallets and are 2000 pounds. This is already a difficult load into the building due to our often full parking area, and staff often unload from Schofield Street. A fence would be a further obstruction.

There are no sidewalks around the west, north and south side of the buildings. The walkway through the green space is used in place of sidewalks.

Capitol Projects, working alongside the Town, construction

With many capital projects, (windows, roof, planting of trees) on the horizon for the building the AAC expects a reduction in traffic and visitors this summer, much as we saw when the balcony was being redone. Further inaccessibility will have an impact on the AAC's ability to generate revenue. In 2022, the AAC generated 62% of it's own income, lessening our reliance on operational funding.

Snow Removal

Who will manage snow removal, and shovelling? Currently the AAC takes care of the majority of the walking paths by hand, and will continue to do so even though it

has been removed from our lease, to mitigate any potential injuries to visitors and our many tenants. We recognize that the town has a large workload in regards to snow removal, which can cause delays in these areas being taken care of.

Where does the snow go if the area is surrounded by fences? Currently the AAC and Town pile snow on the lawns surrounding the sidewalks. If there is a fence in the way, where do we pile the snow? We ask that you consider how fences cause snow drifts and snow drifts cause inaccessibility and subsequent ice pools.

Tourism

As the Southern Rockies are being highlighted within the province as the next great tourist spot with Tourism Alberta focusing highly on this area, we find the Lebel Mansion being consistently leveraged as a tourist destination in Pincher Creek. (See current Southern Canadian Rockies event)

Much of the visitor traffic the AAC and Lebel Mansion sees is from individuals driving past, and stopping to engage with the building due to its welcoming green spaces and easy to access entryway. With full, round the building fencing the building will appear inaccessible and potentially even a private, not public space.



**SOUTH CANADIAN
ROCKIES**

TOURISM INFORMATION NIGHT

Tuesday
May 16
6 - 8 PM

HOSTED BY:
South Canadian Rockies
TOURISM ASSOCIATION

Promote Learn Network Partner

Outdoor Concerts

The AAC consistently references the Recreational Masterplan when planning future activities. One of the ways we hope to help retain young people in the area is our addition of outdoor concert programming. We note an increase in arts and culture programming was consistently referenced throughout the recreational masterplan and are trying to work towards those goals.

Concerts were a large part of our strategic plan. Adjusting through Covid we recognized that outdoor events were key, and would be able to move forward safely. This allows us to bring together larger, more diverse groups of people in our community. Our indoor music space can host only 25-35 people at maximum.

AAC programming is booked 8-12 months in advance, and contracts are entered into with the outdoor space in mind. The AAC has booked less events this year as we try to balance our mandate with the capital projects we were aware of. Installing a fence at this time impedes our ability to run scheduled programming.

After a letter was received from the Oldman Rose Society by the AAC on the day of our first concert of 2022. We scheduled a meeting with the Oldman Rose Society and the AAC Board as soon as we could. **In this meeting we discussed and shared the many reasons why fencing off the property would impact our planned activities.**

In 2020 the AAC moved forward and invested \$5000 in an amphitheatre plan and proposal to submit to a Federal grant with many community letters of support, including that of Town Council. When we did not receive this grant, and recognizing that the Oldman Rose Society was concerned with the project, as well as feedback from representatives of the Town, we readjusted our plans to work with what was already available to us, the beautifully redone balcony.

The AAC currently uses the outdoor space, with respect and care of the rose garden for outdoor events during the summer months. We water the grass as needed during the hot summer, ensuring not to touch the roses. We dig up thistles, weed and care for the space. Fencing restricts watering abilities and divides the space.

Last year the AAC invested \$11,000 to start a five concert series, including paying artists and buying equipment required. This year, in artist fees alone we have committed to \$9500. This doesn't include all the extra investments of advertising, preparing the space, and additional equipment required. We do recoup some of these costs in tickets sales.

These events, including 2 time Juno Award winning Canadian musician and television personality Fred Penner, have been supported by the Pincher Creek and District Municipal Library, Heritage Inn, Co op, Crowsnest Connect, Crowsnest and Pincher Creek Waste and Recycling Center, Long and McQuade, Allied Distributors, Ok

May 1, 2023

Tire, Kelly McRae Silver, The Panoram Foundation, Alberta Foundation For the Arts and Joint Council funding.



Fred will be hosted on the Atco stage which was graciously donated for the day, parked in the front parking lot so he his closer to the audience, more conducive to a kids concert.



Last years concerts saw between 400- 500 people join us for five nights of live music, using the Lebel grounds as they are, with individuals sitting on the lawn and throughout the rose garden. Fencing around the garden space itself, blocks a chunk of the lawn, cuts sightline, removes the ability to sit in the garden, and all around it to the south east.

By restricting areas of the lawn from use we are unable to sell as many tickets, and the experience becomes less attractive to both artists and ticket holders leaving the AAC less capable of recovering costs and then forced to run events at a loss.

Liability and Responsibility

The AAC regularly cleans up the Lebel Mansion grounds and rose garden. Detritus gets caught very easily in the roses and it will in a fence as well. A dirty space will reflect on the AAC as everyone assumes we are responsible for the entirety, which in our past lease agreements, we were.

The AAC has held and paid heavily increasing liability insurance for this area for many years. Construction in and around the building is always a liability to the AAC as well as the town. This year, our insurance was \$5700.00 for the year. Inevitably, when a deer does access the fenced in space, who is responsible for removing them? This adds risk to staff if we have to be removing them from a fenced in site.

May 1, 2023

To conclude, we would rather the space remain open to the public, accessible and not closing off any pathways.

If we can talk about another option that isn't going to impact our ability to run programs outside, we would appreciate the collaborative conversation. The cages the Pincher Planters use outside of the seniors centre are really nice and something like that would be unobtrusive.

If a fence either around the garden or around the yard is to be implemented we please ask that our concerts are taken into consideration for this year and a fence is installed in the the fall so that our over \$10,000 of committed funds for the summer does not go to waste and our sponsorship relationships can remain in place.

If a fence is put in around the round garden space, we will not be hosting balcony concerts again after 2023 and the AAC will need to have a drastic readjustment of its current strategic and business plan.

Thank you for your time and consideration,

Stacey McRae
Executive Director
Allied Arts Council of Pincher Creek

Pincher Creek
Community Gardeners
Ianthe Goodfellow
Wendy Ryan

Restoration of The Water Sources To Three Community Gardens

A presentation to The Council of the Town of Pincher Creek on
Monday, May 8th, 2023.

Community Gardeners have always taken care of these three gardens,
some of them for decades. All had original water sources supplied from
the Town.





History of the Community Recreation Center Garden

*Location by the CRC
Entrance on Hyde
Street*



The Community Recreation Center - CRC -was established in 1985 . The entrance was enhanced with a grass berm, Sign, flowerbed and a rose hedge all backed by a fence and facing Hyde Street. A water source was supplied by the Town for 36 of the CRC Gardens 38 years .





> Two years ago the Carriage Garden water box was shut off because of a break at the Main junction. This junction is located further west along the chainlink fence, shown on page 6



>The Main junction was fixed in 2022 but at the same time the pipe was removed that supplied water to the Carriage Garden water box.

> Since 2021 community gardeners have laid hoses across the road from a nearby home to spot water new plants and annuals.

> In 2022 the Golf Course supplied a water tank several times. This again required volunteers to move several hoses. The pressure was low and the volume not enough to do a satisfactory job. However if it wasn't for these tanks of water many plants would have perished.

In 2023 the gardeners are ready to weed and plant and water. For a successful growing season, water needs to be restored to the CRC garden.





History of The Carriage Garden and its water Source

Location West of CRC entrance by curve on Hyde Street and Poplar Avenue



The Carriage Garden was created over 14 years ago. A tall line of spruce trees (planted when Ken Dickie was Mayor) gives the large garden protection from west winds. A rough hewn fence runs behind these trees. It was donated and is maintained by our community volunteers.

>The Carriage Garden water box and hookup were installed near the garden by the town on the north side of the Golf Course fence over 14 years ago. A Main water junction (further west, down the service road by the chain link fence) supplied water to the Carriage Garden water box.

> The Carriage Garden water box did not function in 2021/2022 due to problems with Main water junction further to the west.

> In 2022 the Main junction was dug up and worked on, the white pipe that routed water to the Carriage Garden water box was cut off

and removed. We thought after all this work that water would be restored to the Carriage Garden.

> In 2022 volunteers resorted to stretching hoses from a nearby home to spot water annuals and new plants . The Golf Course water tank was set up several times near the carriage garden. The water from the tank was gravity fed and slow to fill up a perforated hose and even then it would not cover much of an area. It was a valiant effort by the Golf Course manager and staff.



> It's 2023 and the Carriage Garden needs to have its water source restored.

History of The Shirley Barclay Garden and its water source

Location on the boulevard east of the CRC entrance on Hyde Street



This boulevard garden is over 12 years old and was created to beautify the east side of the CRC entrance. It was eventually named The Shirley Barclay Garden .

> The town installed a water tap for this garden behind the short CRC wood fence on the east side of the entrance road to the Golf Course.

> The garden tap was disconnected during the Crestview New Build



and the Original Crestview Lodge provided a hose hook up to the Shirley Barclay garden for one growing season. This water source was discontinued when construction started on the New Build. The Garden is shown above on the left side of the CRC entrance.

> During the rest of the Crestview Lodge Build the gardeners resorted to hoses connected to the Community Recreation Center water hookup inside the Golf Course.



> The Crestview Lodge land by the CRC parking lot was later modified and the east CRC fence was removed. The Shirley Barclay Garden lost its west end, the water tap remained even though it was not connected.

> A new fence was then built running north-south on Crestview Lodge land parallel to the CRC parking lot. The fence contractor made a cement well around the original Shirley Barclay Garden



water tap to protect it as it was close to the road on the CRC entrance.

The following spring the tap was not connected. The CRC water hookup on the Golf Course continued to be used until it was shut off two years ago.

>Now it was necessary to use the farthest water source located at the Carriage Garden even though several hoses were needed.

>In 2021& 2022 the Main junction off of the Golf Course service road that supplied water to the Carriage Garden was not working and the Shirley Barclay Garden had no access to the water it had in the past.

> In 2021 and 2022 spot watering was done on the annuals and other plants with water from a near home. The Golf Course provided a water tank and this was used a few times . This shrubs and flowers did not receive the water they needed and are now struggling to survive.

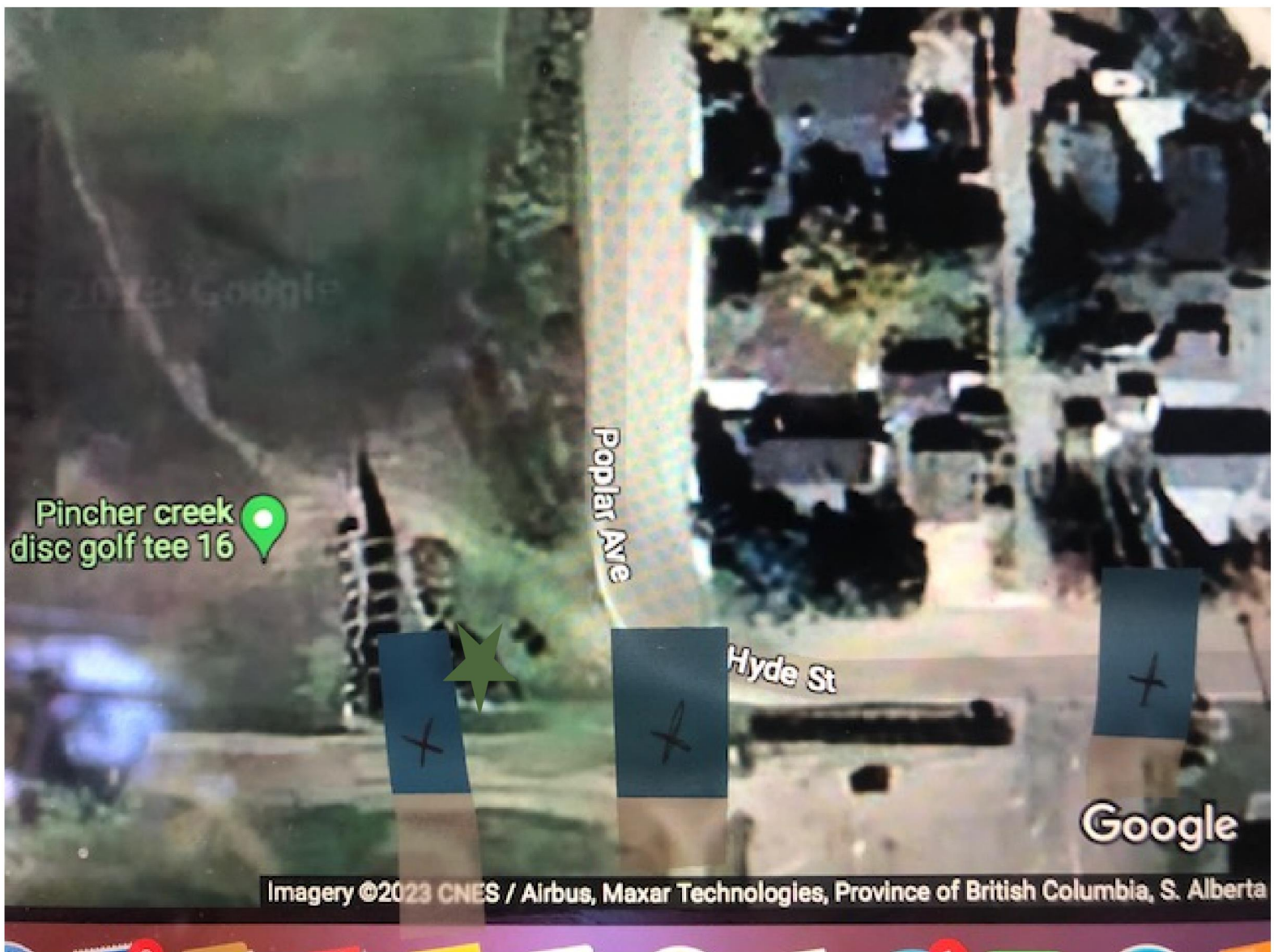
> It's now 2023 , and The Shirley Barclay Garden needs its water source to be restored.

Historical Water Source Locations

The Carriage Garden (left x)

The Community Recreation Center Garden (middle x)

The Shirley Barclay Garden (right x)



The Community Recreation Center Garden, The Carriage Garden and The Shirley Barclay Garden need help to restore water to them. They have contributed to the beauty of this area for years and through many growing seasons.

**Thankyou for listening to our presentation,
Community Gardeners,
Ianthe Goodfellow & Wendy Ryan.**

From: Stephanie Keyowski <slaflamm@gmail.com>

Sent: Monday, May 01, 2023 12:56 PM

To: Reception <reception@pinchercreek.ca>

Subject: Council - Request for Delegation

Dear Town of Pincher Creek,

Kevin Van Tighem, NDP Candidate for Livingstone-Macleod, and a strong team of canvassers have met and talked with over 3500 constituents so far in the Crowsnest Pass, Pincher Creek, Fort Macleod, Granum, Claresholm, Nanton and High River.

In preparation for the election in May, Kevin Van Tighem and his team are meeting with as many folks as possible from different sectors so he can understand and advocate for their needs. He is listening and learning and, where possible, bringing rural issues forward at a provincial level as election platforms are solidified.

Alberta's NDP is committed to returning stability and sustainability to Municipal levels of government, and working in a true spirit of collaboration. For those and other reasons, Kevin Van Tighem would welcome an opportunity to hear specifically what issues and possible solutions you, as our elected representatives, see for our area.

As Kevin's campaign manager, I am seeking an opportunity for Kevin to attend and speak with Council at the **May 8** meeting if possible. He is not looking for public endorsement, press or social media coverage but is interested primarily in introductions and building a relationship.

Simply put, Livingstone-Macleod has a candidate with a high public profile who has considerable credibility with government, and who is already demonstrating his commitment to serving our communities. There is a strong possibility that the Alberta NDP will form the next government. It would likely be of value for municipal leaders in our riding to have a working relationship with our member of that team.

Again, thank you for your time and consideration. I would happily assist with any meeting arrangements.

Sincere regards,
Stephanie Keyowski
(587)777-7641



REGULAR MEETING OF COUNCIL
Held on Tuesday April 24, 2023
In Person & Virtually,
Commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

Councillors: M. Barber, D. Green, W. Oliver,
G. Cleland, S. Nodge, and B. Wright

Staff: A. Lucas, Chief Administrative Officer; K. Green, Executive Assistant; A. Levair, Director of Operations; L. Goss, Legislative Services Manager, A. Hlady, FCSS; T. Walker, Energy Lead and W. Catonio, Director of Finance and Human Resources

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

WRIGHT:

That Council for the Town of Pincher Creek agrees to add item 8.6 Deer Mitigation Program, 8.7 Volunteer Appreciation Event Follow Up and 11.4 Whispering Winds to the April 24, 2023 Regular Council meeting agenda.

CARRIED 23-154

GREEN:

That Council for the Town of Pincher Creek approves the April 24, 2023 Regular Council meeting agenda as amended.

CARRIED 23-155

4. DELEGATIONS

4.1 KPMG - 2022 Audited Financial Statement

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on April 11, 2023

BARBER:

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held on April 11, 2023 as presented.

CARRIED 23-156

6. BUSINESS ARISING FROM THE MINUTES

6.1 2023 Operating and Capital Budget Adjustments

BARBER:

That Council for the Town of Pincher Creek approve the attached 2023 Operating Budget Adjustments and that a copy of which be attached hereto and form part of the minutes.

CARRIED 23-157

M. Everts joined meeting at 6:39pm

6.2 2022 Year End Adjustments

OLIVER:

That Council for the Town of Pincher Creek approve the funding changes for the following 2022 Capital Projects: Waterline Replacement to be funded from Municipal Sustainability Initiative Grant rather than reserves for \$30,566.98; Replacement of HVAC/Furnace Main Lift Station to be funded from reserves rather than Municipal Sustainability Initiative Grant for \$22,443.00; Sodium Hypochlorite Generation System to be funded from Alberta Municipal Water/Wastewater Grant rather than reserves for \$14,767.06 and Grants of \$64,100 to Pincher Creek Community Early Learning Centre to be funded through reserve account 414004760 PCCELC Reserve.

CARRIED 23-158

6.3 Disposition of Delegation – Rec Advisory Committee

WRIGHT:

That Council for the Town of Pincher Creek accept the presentation from the Rec Advisory Committee as information with thanks for their contributions to the community.

CARRIED 23-159

6.4 Disposition of Delegation – Oldman Rose Society

BARBER:

That Council for the Town of Pincher Direct administration to research fencing options and pricing for this site and bring back to a future council meeting.

CARRIED 23-160

7. BYLAWS

7.1 2023 Property Tax Bylaw #1620-23

GREEN:

That Council for the Town of Pincher Creek agree to give the 2023 Property Tax Bylaw No. 1620-23, first reading.

CARRIED 23-161

OLIVER:

That Council for the Town of Pincher Creek agree to give the 2023 Property Tax Bylaw No. 1620-23, second reading.

CARRIED 23-162

NODGE:

That Council for the Town of Pincher Creek unanimously agree to present the 2023 Property Tax Bylaw No. 1620-23, for third reading.

CARRIED 23-163

BARBER:

That Council for the Town of Pincher Creek agree to give the 2023 Property Tax Bylaw No. 1620-23, third and final reading and that a copy of which be attached hereto and form part of the minutes.

CARRIED 23-164

7.2 Clean Energy Improvement Program Bylaw 1634-23

OLIVER:

That Council for the Town of Pincher Creek agree and give first reading to Clean Energy Improvement Program Bylaw 1634-23, rescinding Clean Energy Improvement Program Bylaw 1634-22.

CARRIED 23-165

WRIGHT:

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Clean Energy Improvement Program Bylaw 1634-23 on May 23, 2023 before consideration of second and/or third reading.

CARRIED 23-166

7.3 Land Use Bylaw Amendment 1547-AP

BARBER:

That Council for the Town of Pincher Creek agree and give first reading to Land Use Bylaw Amendment 1547-AP amending Land Use Bylaw 1547 to include "Medical and Dental Office" as a discretionary use in the Highway/Drive-in Commercial - C2 land use district.

CARRIED 23-167

WRIGHT:

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Bylaw 1547-AP amending the Land Use Bylaw on May 23, 2023 before consideration of second and/or third reading.

CARRIED 23-168

7.4 Northeast Pincher Creek Part 2 Area Structure Plan 1635-23

GREEN:

That Council for the Town of Pincher Creek agree and give second reading to Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23 as amended.

CARRIED 23-169

L. Goss left meeting at 7:20pm

8. NEW BUSINESS

8.1 2022 Audited Financial Statements

GREEN:

That Council for the Town of Pincher Creek approve the 2022 Audited Consolidated Financial Statements and Auditor's Report and a copy of these Financial Statements be attached hereto and form part of the minutes; and that the Financial Information Return for the year ended December 31, 2022 be forwarded to Alberta Municipal Affairs; and that the Corporate Tax Return for the year ending December 31, 2022 be forwarded to Canada Revenue Agency; and that the Financial Statements be made available to the public through advertisement.

CARRIED 23-170

8.2 WTP Sodium Hypochlorite Disinfection Project Amendment

OLIVER:

That Council for the Town of Pincher Creek direct administration to apply for an amendment to the Alberta Municipal Water Wastewater Partnership Grant to change project scope from on-site generation of sodium hypochlorite to liquid sodium hypochlorite dosing for disinfection upgrades at the water treatment plant, with results and any anticipated budget changes to be presented at a future council meeting.

CARRIED 23-171

A. *Levair left meeting at 7:32pm*

8.3 Community Housing Committee – Terms of Reference

OLIVER:

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek adopt the following two resolutions:
Resolution 1) The Community Housing Committee recommends to Council to adopt the amended Terms of Reference to include in membership category one (1) representative from the Village of Cowley; and, Resolution 2) The Community Housing Committee recommends to Council to direct administration to send invitation to Village of Cowley.

CARRIED 23-172

A. *Hlady left meeting at 7:36pm*

8.4 Falun Dafa Day Greeting Letter/Flag Raising

GREEN:

That Council for the Town of Pincher Creek receive the request to recognize the 31st anniversary of Falun Dafa in Canada in May and direct administration to send a letter of support to the Falun Dafa Association of Calgary.

CARRIED 23-173

8.5 Support for NRCAN grant to fund regional energy management in 2024

OLIVER:

That Council for the Town of Pincher Creek Administration send a letter of support for the NRCAN Grant before April 28th, 2023.

CARRIED 23-174

T. *Walker left the meeting at 7:39 pm*

8.6 Deer Mitigation Program

BARBER:

That Council for the Town of Pincher Creek direct administration to investigate the reintroduction of the deer hazing program and bring it back to council.

CARRIED 23-175

8.7 Volunteer Event Follow Up

BARBER:

That Council for the Town of Pincher Creek recognize Marie and her team for the outstanding Volunteer appreciation event.

CARRIED 23-176

W. Catonio left the meeting at 7:48 pm

9. COUNCIL REPORTS

9.1 Upcoming Committee Meetings and Events

BARBER:

That Council for the Town of Pincher Creek accepts upcoming meetings and events as information.

CARRIED 23-177

10. ADMINISTRATION

10.1 Council Information Distribution List

BARBER:

That Council for the Town of Pincher Creek accepts the April 11, 2023 Council Information Distribution List as information.

CARRIED 23-178

10.2 Municipal Census Regulation

WRIGHT:

That Council for the Town of Pincher Creek direct administration to research the census numbers and its implications for the town and what the process will be.

CARRIED 23-179

Mayor Anderberg called a recess at 8:05 pm

M. Everts left the meeting at 8:05 pm

Mayor Anderberg called the meeting back to order at 8:15 pm

11. CLOSED MEETING DISCUSSION

CLELAND:

That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday April 24, 2023 at 8:15 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer in attendance.

CARRIED 23-180

G. Cleland left meeting at 9:02 pm

WRIGHT:

That Council for the Town of Pincher Creek agree to move out of closed session of Council on Monday April 24, 2023 at 9:12 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act.

CARRIED 23-181

11.1 Housing Opportunities Update – FOIP s. 16

OLIVER:

That Council for the Town of Pincher Creek accept the housing opportunities update as information

CARRIED 23-182

11.2 Pincher Creek Emergency Services Commission 2023 - FOIP s. 16

OLIVER:

That Council for the Town of Pincher accept the Pincher Creek Emergency Services Commission 2023 report as information

CARRIED 23-183

11.3 Administration Transition - FOIP s. 24

NODGE:

That Council for the Town of Pincher call a special meeting to conduct an interim probationary review of the CAO.

CARRIED 23-184

11.4 Whispering Winds

GREEN:

That Council for the Town of Pincher direct administration to send an invitation to Whispering Winds to be a delegation at a date convenient for them.

CARRIED 23-185

12. NOTICE OF MOTION

13. ADJOURNMENT

OLIVER:

That this meeting of Council on April 24, 2023 be hereby adjourned at 9:15 pm.

CARRIED 23-186

MAYOR, D. Anderberg

CAO, A. Lucas

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 8th DAY OF MAY 2023**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY MAY 8, 2023 AT 6:00 P.M.**

DRAFT



SPECIAL COUNCIL MEETING
Held on May 1, 2023
Commencing at 6:00 p.m.

IN ATTENDANCE:

- Mayor: D. Anderberg
- Councillors: M. Barber, D. Green, W. Oliver, B. Wright, G. Cleland, and S. Nodge
- Absent with Regrets: W. Oliver
- Staff: W. Catonio, Director of Finance and Human Resources

1. CALL TO ORDER

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

2. AGENDA APPROVAL
GREEN:

The Council for the Town of Pincher Creek accepts the May 1, 2023 agenda as presented.

CARRIED

3. NEW BUSINESS

4. CLOSED MEETING DISCUSSION
WRIGHT:

That Council for the Town of Pincher Creek agree to move into closed session of Council on May 1, 2023 at 6:01 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act, with the Director of Finance and Human Resources in attendance.

CARRIED

CLELAND:

That Council for the Town of Pincher Creek agree to move out of closed session of Council on May 1, 2023 at 7:32 pm in accordance with section 24 of the Freedom of Information and Protection of Privacy Act, with the Director of Finance and Human Resources in attendance.

CARRIED

4.1 Personnel Discussion – FOIP s. 24

NODGE:

That Council for the Town of Pincher Creek agree to approve Wendy Catonio, Director of Finance and Human Resources as the CAO Designate for the matter as discussed in the closed session.

CARRIED

WRIGHT:

That Council for the Town of Pincher Creek give authority to the Mayor, Don Anderberg, to seek legal advice on behalf of Council in the matter as discussed in the Closed Session.

CARRIED

5. ADJOURNMENT

CLELAND:

That this meeting of Council on May 1, 2023 be hereby adjourned at 7:42 pm.

CARRIED

MAYOR, D. Anderberg

CAO, A. Lucas

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 8th DAY OF MAY 2023**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY May 8, 2023 AT 6:00 P.M.**



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: 2023 Re-Use Fair	
PRESENTED BY: Marie Everts, Economic Development	DATE OF MEETING: 5/8/2023

PURPOSE:

to review the event details and approve a budget if the direction is to move forward.

RECOMMENDATION:

That Council for the Town of Pincher Creek recommend that administration proceed with a reuse fair in the spring of 2023 and that up to \$10 000 be allocated from the Recycling Trust Refund Reserve 43-00-00-4762 for the event in partnership with the MD of Pincher Creek & the Pincher Creek/Crowsnest Landfill. And further that a grant application is submitted to Alberta Recycling under the Municipal Recycling Roundup Grant Program for event funding and advertising funding.

BACKGROUND/HISTORY:

The Town of Pincher Creek in financial partnership with the MD of Pincher Creek hosted an annual reuse/recycle fair for many years. In the past the event has been organized by the Town of Pincher Creek with financial contribution from both the Town and MD of Pincher Creek.

In 2020, due to Covid-19 and a suspension of the round-up grant the event in Pincher Creek was put on hold. Over the last year, multiple request for this event have been received from community members and a request from the community has been brought forward to the Communities in Bloom committee to bring back the reuse fair for our community.

At the March 1, 2023 Committee of the Whole meeting a motion was passed to bring forward a request for decision surrounding a reuse fair in the spring of 2023.

Town of Pincher Creek team members have met with the team at the MD of Pincher Creek to discuss a partnership for this event. The conversations with the MD were positive and supportive. MD Council will be reviewing a request for decision in May.

The Landfill Manager at the Pincher Creek Crowsnest Pass/Landfill has agreed to support this event and supply bins.

Hazardous waste materials must be collected by certified handlers so an additional contractor will be required for that portion of the event.

ALTERNATIVES:

That Council for the Town of Pincher Creek recommend that Administration proceed with a request to the MD of Pincher Creek to partner to host a 2023 Reuse fair and that further information as discussed be brought back to Council.

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

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The reuse fair started in 2011. In 2020 due to covid the event was placed on hold. Request from the Communities in Bloom committee and community members have been made to bring the event back.

FINANCIAL IMPLICATIONS:

The reuse fair is not included in the current budget. The anticipated expenses for the event is \$14,380. Some small grants can be applied for to cover certain portions of the event. A request to the MD for a 50/50 split of expenses will be submitted.

PUBLIC RELATIONS IMPLICATIONS:

A request from the community was brought forward to a committee for action to be considered.

ATTACHMENTS:

2016 review and 5 year comparison_reuse Fair - 3079
Draft_Reuse Fair Plan_27Apr23 - 3079
ReUse Fair - 3079

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek direct administration proceed with a reuse fair in the spring of 2023 and that up to \$10 000 be allocated from the Recycling Trust Refund Reserve 43-00-00-4762 for the event in partnership with the MD of Pincher Creek & the Pincher Creek/Crowsnest Landfill. And further that a grant application is submitted to Alberta Recycling under the Municipal Recycling Roundup Grant Program for event funding and advertising funding.

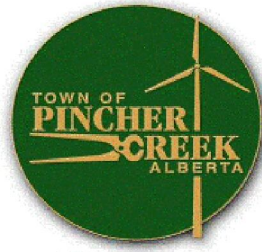
Signatures:

Department Head:

Marie Everts

CAO:

Angie Lucas



Town of Pincher Creek 2016 Reuse Fair Review and 5 Year Operations Comparison

General Overview

In June we held the 5th annual Reuse Fair and Roundup. The Roundup event successfully removes electronic, paint and hazardous household products from our landfill and diverts them to facilities that can properly dispose of such products. The Reuse Fair provides a location for citizens to trade used items. The items remaining at the end of the event are loaded into a dumpster and hauled to the local landfill. We are proud to say that this year we only sent one bin to the landfill. This event has also tended to include a collection of eye glasses and hearing aids, paper shredder, plant exchange and pancake breakfast or bar-b-que lunch as well as having had the opportunity for several recycling initiatives to set up and interact with the community face to face. The reuse event has become a community standard and has done an excellent job of promoting the Town of Pincher Creek's ongoing commitment to reduce, reuse and of course RECYCLE!

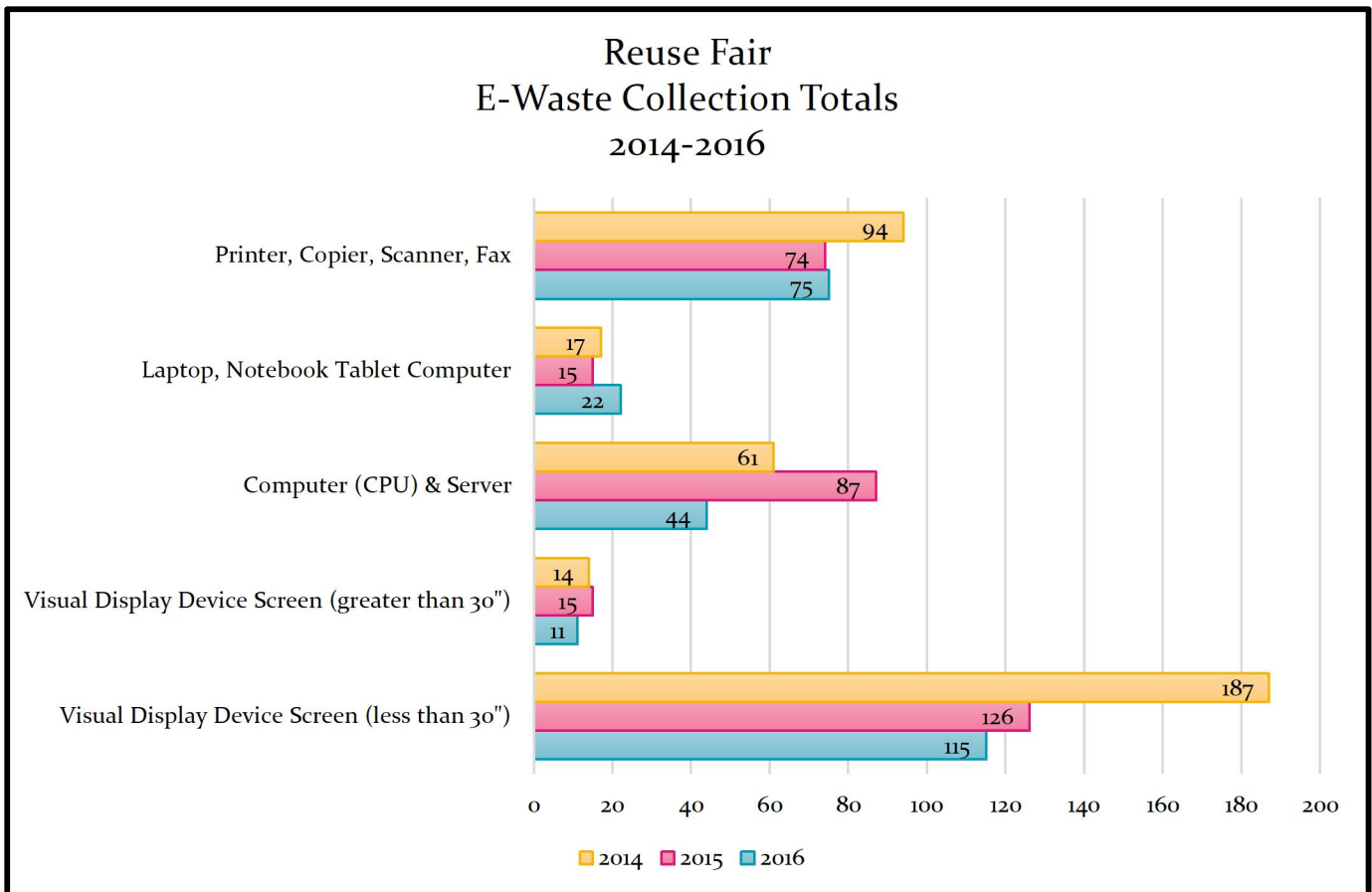
Prior to the year 2011 the reuse fair was primarily coordinated by the Recreation Department for the Town of Pincher Creek in conjunction with a number of community user groups and with support of the Operations Department. The primary focus of the event prior to 2011 had been the community exchange portions, notably the household good and plant exchanges that remain today. In 2011 however, the decision was made in partnership with the MD of Pincher Creek to make application to the Alberta Recycling Management Authority to have the event included in the Municipal Electronics, Paint and Household Hazardous Goods Roundup grant which subsequently transferred the grant portion of the of the event to the Operations department.

In addition to the following charts, the annual Pincher Creek reuse fair and roundup has also collected batteries, both dry cell and lead acid, light bulbs, propane tanks as well as various unknown chemical waste products.



Electronic Waste Collection

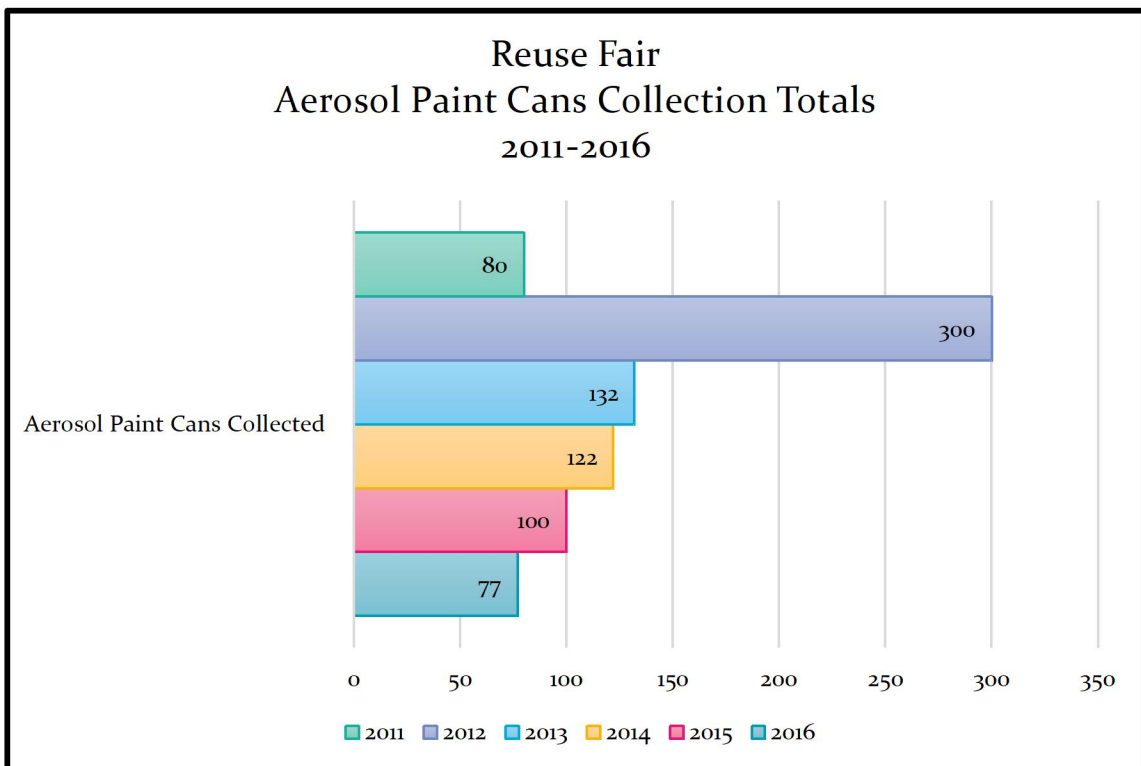
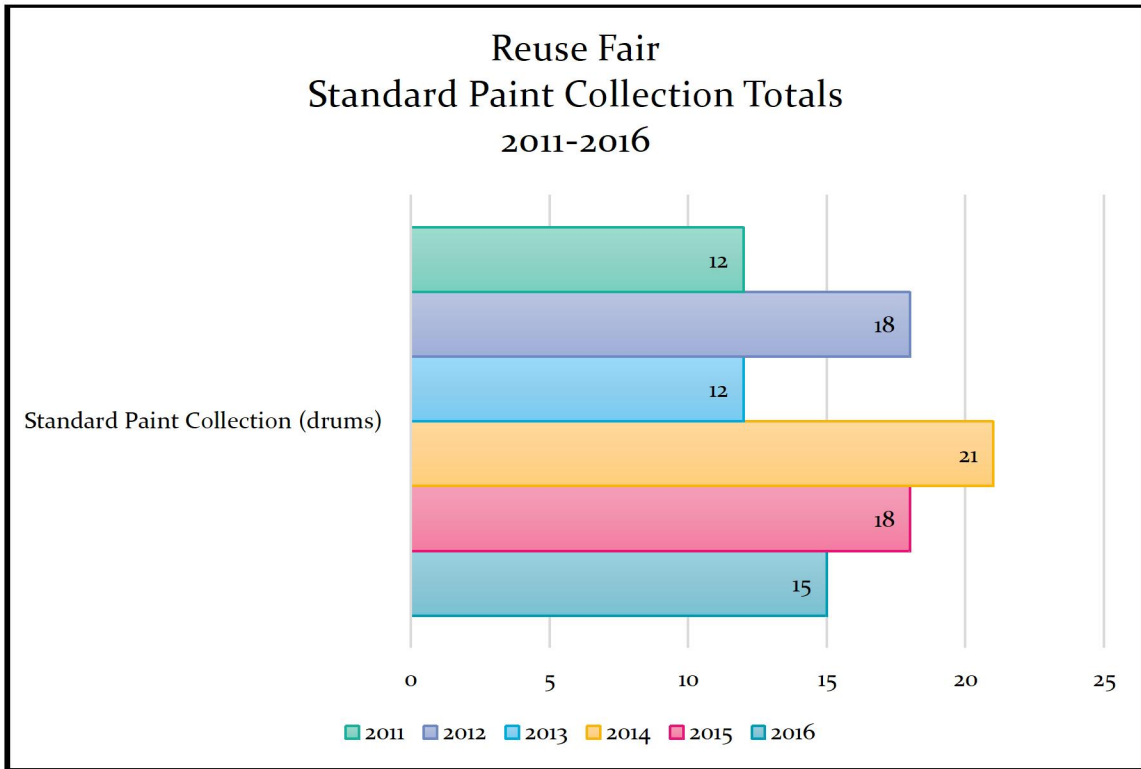
Prior to 2014 the E-waste collection portion of the roundup was conducted by the Pincher Creek Rotary club who volunteered their time to participate in the event and collect any electronic waste that was being returned. The electronic material was then collected by the landfill and transported to a central processing location in Red Deer, Alberta after which the money generated by the recyclable materials were returned in their entirety to the Rotary club directly from the processor for their efforts. After 2013, due to the low return values and the difficulties that the Rotary club had finding volunteers who would actually be on site all day to collect the e-waste, they decided that they no longer wished to participate. As DBS Environmental was already being contracted to collect paint and household hazardous wastes the decision was made to include e-waste into their collection and we have been able to track e-waste collection values from 2014 on. The financial implications of this decision are an additional \$700 for the crew on site to also sort, transport and process the e-waste as well.



From 2014 – 2016 Pincher Creek Roundup has prevented a total of 957 various pieces of electronic waste from going to the landfill!

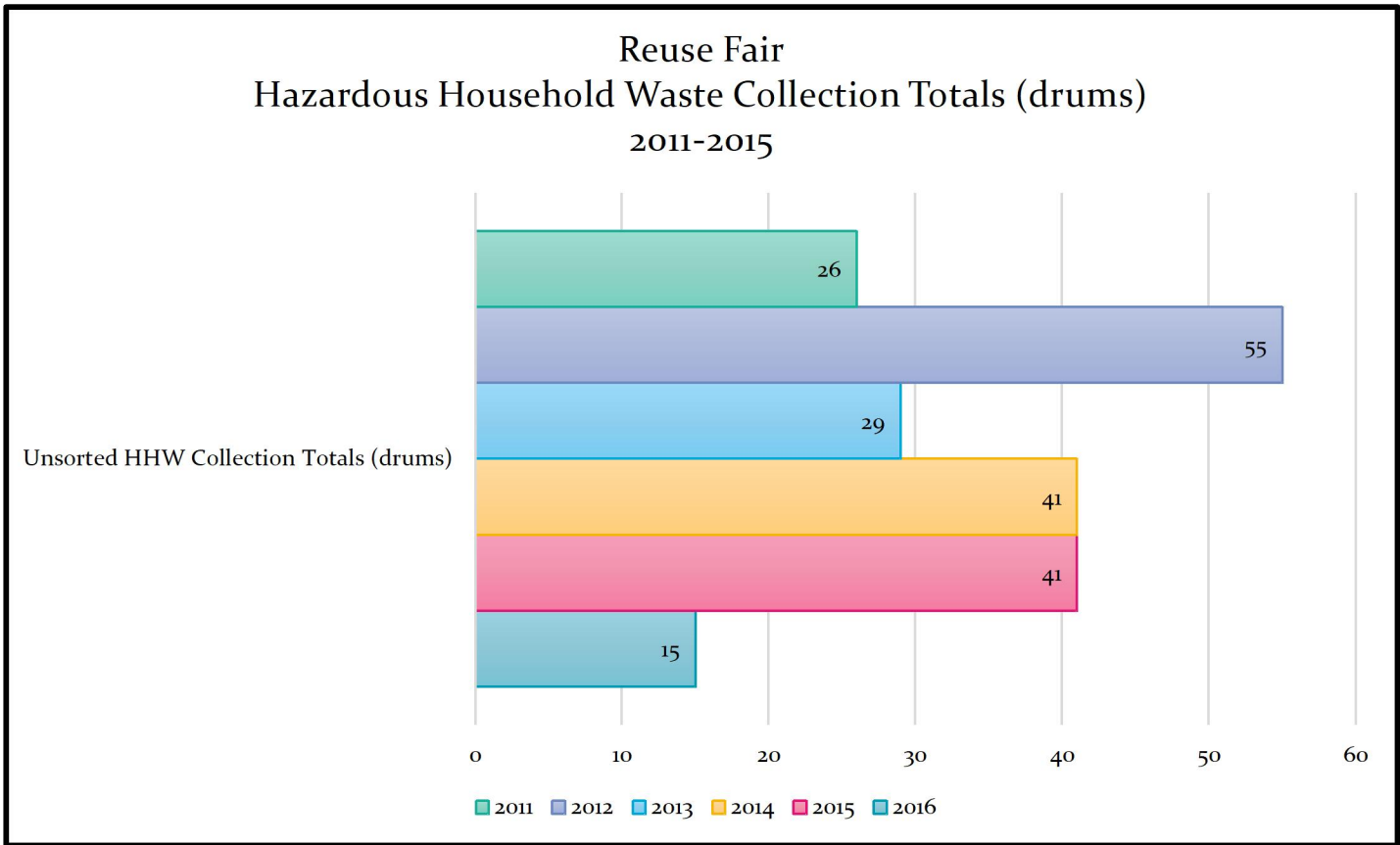
Paint Collection

Since 2011, the paint portion of the roundup has been collected through DBS Environmental and is separated between the number of combined bins of standard paint that is collected and the number of aerosol paint cans collected. In total the Pincher Creek Roundup has prevented 96 drums or approximately 19,200 liters and 811 aerosol cans of paint from being delivered to the landfill!



Household Hazardous Waste Collection

While not included in the E-waste and Paint Roundup grant, the Town of Pincher Creek has always included the collection of Hazardous Household Waste as part of its efforts to keeping these materials out of the landfill. Due to a change in the 2016 collection format, values were not sorted for the 2016 roundup event.



Between the years of 2011 and 2015, the annual roundup alone has prevented 207 drums or approximately 42,435 liters of hazardous household materials from being sent to the landfill.



Reuse & Recycle Fair

Why: Requested by the community to bring back the Reuse Fair

Partners: Town of Pincher Creek, M.D. of Pincher Creek, Landfill

Location: MD Parking Lot & NEW Recycling Centre

Date: June 3, 2023 (tentative)

Time: 9 am – 2 pm

Recycling Needed that Eco station cannot provide at this time:

- Toxic waste
- Shredder

MD to Provide:

- Location for the event (Parking Lot)
- 4 x team members for the day of (7:30 a.m. to approx. 3 p.m.)
- Loader and operator to clean up extra waste at the end of the event

Town to Provide:

- Organization and preparation of the event
- 2 x team members for the day of (7:30 a.m. to approx. 3 p.m.)

Landfill to Provide:

- Access to eco station (aware that it will be BUSY!)
- 2 x extra large bins

Other Group Potential Participants: (to be invited if approved)

- Lions Club – Eye Glass, Cellphone, Hearing Aid, Can Tab
- BBQ?
- Pincher Planters
- Family Center – Clothing, book & toy swap (At Ranchland Mall- already booked!)

Town owned supplies to be provided:

- Perimeter fencing- pylons and delineators (40)
- Barricades
- Stop sign & stand
- No Parking signs – 6+
- 4 x 95L garbage bins
- Traffic cones
- 20 tables
- Safety vests
- Gloves
- 2 trucks to carry supplies
- Event tents as needed

ReUse Fair or Trash to Treasure
Suggested date: June 3, 2023

Why: Requested by the community to bring back the ReUse Fair

Partnership potential: Town of Pincher Creek, M.D. of Pincher Creek, Landfill

Location: TBA

Suggested Time: 9 am – 2 pm

Municipal Roundup Grant Program – Grant

- \$1000 of matching funds for expenses
- \$800.00 for Advertising

Recycling Needed that Eco station cannot provide at this time;

- Household Hazardous Waste
- Paint Collections
- Shredder

Resources required:

Landfill Waste Bins

Perimeter Set up (delineators)

Monitor, help unload, load, assist recyclers- approx. 6 team members

Clean up

- approx. 6 team members
- Heavy loader and operator

Bylaw

Other Group Potential Participants:

- Lions Club – Eye Glass, Cellphone, Hearing Aid, Can Tab
- BBQ – Windyslopes
- Pincher Planters (possible if held early enough in June)
- Family Center – Clothing, book & toy swap
- Pincher Creek Co-op (location?/ composting bins)

Supplies

- Perimeter fencing- pylons and delineators (40)
- Barricades
- Stop sign & stand
- No Parking signs – 6+
- 4 x 95L garbage bins
- Traffic cones
- 20 tables
- Safety vests
- Gloves
- 2 trucks to carry supplies
- Cardboard bin

Advertising:

Digital Signs, Posters, newspaper, Radio, Social Media & potentially garbage truck signs



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Petition to Prevent the Passage of Bylaw 1636-23 (Municipal Borrowing Bylaw)	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 5/8/2023

PURPOSE:

To present Council with a sufficient petition received to prevent the passage of Municipal Borrowing Bylaw 1636-23.

RECOMMENDATION:

That Council for the Town of Pincher Creek receive the information regarding a sufficient petition received to prevent the passage of Municipal Borrowing Bylaw 1636-23.

BACKGROUND/HISTORY:

A petition was received by the Chief Administrative Officer on March 30, 2023 to prevent the passage of Bylaw 1636-23. The petition was received within the specified time period as outlined in the Municipal Government Act. The number of petitioners required in order to declare the petition sufficient is at least 10% of the municipalities population. In accordance with the 2021 Statistics Canada Census the population of the Town of Pincher Creek is 3,622 requiring a minimum of 362 petitioners in order to declare a petition sufficient.

Administration contacted Municipal Affairs on April 6, 2023 with initial questions regarding determining sufficiency of the petition and followed up with additional questions on April 25, 2023.

The petition contained a total of 394 signatures, 12 of which were determined to be ineligible due to the fact that petitioner provided a street address that is not within the jurisdiction of the Town of Pincher Creek, did not provide contact information or were unable to be contacted or provided a commercial or industrial street address that does not comply with section 47 of the Local Authorities Election Act regarding eligibility to vote. Leaving a total of 382 valid signatures, 20 more than the required 362.

ALTERNATIVES:

None at this time

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Sections 116-118 of the Town of Pincher Creek Council Procedural Bylaw 1596-21 reads as follows;

116. When a group or a person wishes to present a petition to Council on any matter within its jurisdiction, the petition must;

- a) be typewritten or legibly written,
- b) clearly articulate the issue,
- c) be signed,
- d) indicate if a representative wishes to address the Council on the subject matter of the petition.

117. Before considering a petition, the Council may refer it to the appropriate committee for a report.

118. If the petition concerns a matter which the Council deems urgent, Council may consider it at the next regular Council meeting and may take immediate action thereon.

FINANCIAL IMPLICATIONS:

Administrative resources required to determine sufficiency of the petition.

The cost of the 2021 Bi-Election was approximately \$14,000.

PUBLIC RELATIONS IMPLICATIONS:

Section 233(7) of the Municipal Government Act states that "If the bylaw is advertised and a sufficient petition is received under section 231, the council must either (a) decide not to proceed with the proposed bylaw, or (b) decide to proceed with the proposed bylaw and submit the bylaw to a vote of the electors within 90 days after the chief administrative officer declares the petition to be sufficient."

ATTACHMENTS:

2023.03.30 Submission Representing A Petition Circulated in the Town of Pincher Creek

- 3148

ma-petition-to-council-2019 - 3148

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek receive the information regarding a sufficient petition received to prevent the passage of Municipal Borrowing Bylaw 1636-23.

Signatures:

Department Head:

Lisa Goss

CAO:

Angie Lucas

Elizabeth Dolman
783 Mountain Street,
Pincher Creek AB T0K 1W0

March 30, 2023

Chief Administrative Officer,
Town of Pincher Creek
Box 159 Pincher Creek AB T0K 1W0

This submission represents a petition circulated in the town of Pincher Creek as described below:

Petition to prevent the passage of Bylaw 1636-23 as described below

Municipal Borrowing Bylaw No 1636-23

"That Council for That council for the Town of Pincher Creek give first reading to Municipal Borrowing Bylaw No 1636-23 with regards to incurring indebtedness by the issuance of a loan or authorized debt instrument in an amount up to \$4,000,000"
Carried

Municipal Borrowing Bylaw No 1636-23

"That Council for "That Council for the Town of Pincher Creek direct administration to advertise Bylaw 1636-23 for two weeks; the week of March 8, 2023 and March 15, 2023. The 15 day petition period would start March 16, 2023 and end March 30, 2023" *Carried*

"We, the undersigned, are concerned citizens who urge our Council not to proceed with the proposed \$4,000,000.00 Borrowing By-law until more urgent community priorities are addressed as clearly outlined in publicly funded Community Needs Assessments and until all documents and information related to the proposed Community Recreation and Events Centre (Curling Rink) are shared with and reviewed with the public in an open referendum."

I acknowledge receipt of the petition as described above at 2.15 PM on March 30, 2023

A. Lucas

Chief Administrative Officer of the Town of Pincher Creek

Respectfully,



Elizabeth Dolman

Petition to council

Information for Albertans, elected
officials and municipal officers

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Municipal Affairs

September 2019

Petition to council: Information for Albertans, elected officials and municipal officers

The contents of this publication are intended to provide general information. Readers should not rely on the contents herein to the exclusion of independent legal advice.

Table of Contents

Introduction	5
Definitions	6
Bylaws Modifying Petition Requirements	7
Protection of Personal Information	8
What is a Petition	8
Who May Petition	8
What can be Petitioned	8
Limitation on Petitions	8
Limitations on Time	9
Number of Petitioners Required	9
General Requirements	10
Role of a Petition Witness	10
Determining Sufficiency	12
Response to a Sufficient Petition	13
Public Vote Bylaws	13
Delay of a Vote of the Electors	14
Clean Energy Improvements	14
Petitions for Local Improvements	14
Additional Information	14
Appendices	15
Appendix A – References to Petitions	16
Appendix B – Witness Check List	17
Appendix C – Representative of Petitioners Check List.....	18
Appendix D – Petition by Electors.....	19
Appendix E – Witness Affidavit	18
Appendix F – Statement of Representative of Petitioners	19

Introduction

The intent of this document is to identify those areas of the *Municipal Government Act* (MGA) relating to petitions to council, and to supplement and explain the petitioning requirements. **This is not a legal document.** Only a brief summary of the petitioning requirements is provided here, therefore **do not** base your decisions on this summary alone, but instead use in conjunction with the appropriate legislation, including the municipality's petition bylaw.

Appendix A is a listing of the applicable references to petitions with in the MGA. Copies of the MGA and the *Local Authorities Election Act* (LAEA) can be obtained from the Queen's Printer bookstore.

Queen's Printer Bookstore
Suite 700, Park Plaza Building
10611 – 98 Avenue NW
Edmonton AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668
Email: qp@gov.ab.ca
Website: www.qp.alberta.ca

It is also very important that you **contact your municipal office** to obtain a copy of any municipal bylaw to ensure you are meeting the requirements that apply to a petition to the council of your municipality.

This document is only a guide to the legislation. Consult your solicitor for advice on specific situations

Definitions

Bylaw	means a bylaw modifying petition requirements as described in section 26.1 of the MGA.
CAO	means the Chief Administrative Officer of the municipality as defined in section 1 of the MGA.
CEO	means the Chief Elected Official of the municipality as defined in section 1 of the MGA.
Council	means the elected council of a municipality as defined in section 1 of the MGA.
Elector	means a person who is eligible to vote in an election as defined in section 1 of the MGA and sections 1 and 12 of the LAEA.
LAEA	refers to the <i>Local Authorities Election Act</i> , Chapter L-21 of the Statutes of Alberta 2000, and amendments thereto.
MGA	refers to the <i>Municipal Government Act</i> , Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto.
Petition	is a formal request to Council signed by a required number of electors.
Petitioner	is an elector as defined in section 1 of the MGA and sections 1 and 12 of the LAEA who signs a petition.
RSA	Revised Statutes of Alberta.
Summer Village residence	means a parcel of land having at least one building the whole or any part of which was designed or intended for, or is used as, a residence by one person or as a shared residence by 2 or more persons, whether on a permanent, seasonal or occasional basis. For purposes of the definition of “summer village residence”, “building” includes a manufactured home, mobile home, modular home or travel trailer, but does not include a tent.
“The Act or “Act”	refers to the MGA.

Witness

means an adult person who claims that he or she was personally present and saw the signatory sign his or her name on the petition.

Bylaws Modifying Petition Requirements

Section 226.1(1) allows the council of a municipality to pass a bylaw changing certain requirements stated under sections 219 to 226 and section 233(2) of the MGA. A council can now:

- (a) reduce the number of signatures required in section 223(2) of the MGA for petitions to the council;
- (b) allow petitioners to remove their names from petitions to the council by filing a statutory declaration with the CAO within 14 days of the petition being filed.
- (c) provide for petitions to council to be signed electronically and for modification of the requirements in sections 224(2) and (3) and 225(3) of the MGA to the extent the council considers necessary or appropriate for that purpose;
- (d) provide for petitions to be filed with the CAO electronically; and
- (e) extend the time provided in section 233(2) of the MGA for filing petitions with the CAO.

This bylaw cannot be petitioned and must not take effect until 90 days after it is passed.

Protection of Personal Information

Personal information contained in a petition must not be disclosed to anyone except the CAO and the CAO's delegates, and must not be used for any purpose other than validating the petition.

The minimal disclosure that occurs during the collection of signatures is not considered to be a breach of privacy.

Every page of a petition must contain an identical statement outlining the above information.

What is a Petition

A petition, within the context of this document and the MGA, is a formal request to those in authority for an action to be taken.

Who May Petition

Only the electors of a municipality are eligible to be petitioners. See section 222 of the MGA. Please refer to sections 12 and 47(1) of the LAEA to determine eligibility.

The only exception to the above is where the owners of property can petition in regard to local improvements. See sections 392, 393, and 408 of the MGA.

What can be Petitioned

Limitation on Petitions

Section 231(1) prohibits petitions for a vote on proposed planning, development, and road closure bylaws and resolutions even though they are advertised.

Section 232(2) of the MGA prohibits petitions for new bylaws or against existing bylaws or resolutions under Part 8 (Financial Administration), Part 9 (Assessment of Property), Part 10 (Taxation), Part 17 (Planning and Development) and Part 17.2 (Intermunicipal Collaboration). As well, sections 408 and 409 of the MGA prohibit petitions against necessary local sewer improvements and private connections to water and sewer improvements.

Limitations on Time

Petitions for a vote on other bylaws or resolutions that must be advertised, must be submitted to the municipal CAO within a specified time period. A petition to council for a vote of the electors on a proposed bylaw under Part 8 (Financial Administration) is not deemed to be sufficient unless it is filed with the CAO within 15 days of the last date on which the proposed bylaw or resolution is advertised. See section 231(3) of the MGA.

A petition to council for a vote of the electors on a proposed bylaw or resolution that is required to be advertised by another part of the MGA, or another enactment, is not deemed to be sufficient unless it is filed within 60 days of the last date on which it was advertised. See section 231(4) of the MGA.

Number of Petitioners Required

A petition is sufficient if it meets the requirements of sections 22 to 226, or where those requirements are modified by a municipal bylaw under section 226.1 of the MGA.

The minimum number of petitioners required varies in relation to the purpose and nature of the petition, as outlined in the table below.

MGA Section	Purpose of Petition	Population Requirement
Section 232	New bylaw Amend or repeal an existing bylaw or resolution subject to some limitations Public meeting Public vote on an advertised bylaw or resolution (s. 231)	Electors numbering at least 10% of the municipality's population or in the case of a summer village, **electors equal to at least 20% of the number of summer village residences.
Section 392	Local Improvements	Two thirds of the owners who would be liable to pay the local improvement tax and the owners who sign represent at least one half of the value of the assessments for the land on which the tax will be imposed.

Summer village residence is defined at the beginning of this document. The total number of summer village residences can be found on the Municipal Affairs website, on the statistical information page for each summer village.

Elector eligibility is defined in Sections 12, 47 and 48 of the LAEA.

General Requirements

The general requirements for a petition are contained in section 224 of the MGA. Each page of the petition must contain an identical statement of the purpose of the petition. The wording of a petition is very important. It is recommended that legal or professional support be obtained to draft a petition. Witness affidavits must be included with the petition when filed with the CAO. Each page must also contain an identical statement on the protection of personal information.

The petition must include, for each petitioner:

- (a) the printed surname and printed given names or initials of the petitioner,
- (b) the signature of the petitioner,
- (c) the street address of the petitioner (a “Rural Route” or “Post Office Box” address is not sufficient), or the legal description of the land on which the petitioner lives,
 - (c.1) the petitioner’s telephone number or e-mail address, if any, and
- (d) the date on which the petitioner signs the petition.

The signature of an adult witness must be included next to each petitioner’s signature. Each witness must also take an affidavit that, to the best of the witness’s knowledge, the signatures witnessed are those of the persons entitled to sign the petition. A witness should be aware of any requirements modified by a municipal bylaw under section 226.1 of the MGA.

A sample petition format is attached as Appendix D.

Role of a Petition Witness

As a witness to the petitioner’s signature, it is your responsibility to determine that each person signing the petition is eligible to do so.

This requires you to determine, at a minimum, that the petitioner is an eligible voter as described in sections 12, 47 and 48 of the LAEA.

The basic requirements are:

Section 47(1) A person is eligible to vote in an election held pursuant to this Act if the person

- (a) is at least 18 years old,
- (b) is a Canadian Citizen, and
- (c) resides in Alberta and the person's place of residence is located in the area on election day.

Section 12(1)(b) of the LAEA outlines the voter requirements for a resident of a summer village as:

- (a) the person is eligible to vote under section 47 of the LAEA,
- (b) the person is 18, a Canadian citizens and is named on a certificate of title as the person who owns property with the summer village, or
- (c) the person is 18, a Canadian citizen and is the spouse or adult interdependent partner or a person referred to in subclause (ii).

As a witness, you must be present and see the person sign the petition document.

A checklist for the petition witness is attached as Appendix B.

A sample witness affidavit is attached as Appendix E.

Upon completion of the petitioning process, and prior to submission, signed affidavits from each witness, and a signed statement of the Representative of the Petitioners, must be attached to the petition.

A sample statement is attached as Appendix F.

The statement must indicate:

- (a) that the person named in the statement is the representative of the petitioners, and
- (b) that the council may direct any inquiries about the petition to the representative.

Be aware of the time constraints mentioned earlier that a petition must be submitted no later than 15 days after the date of the last advertisement for financial borrowing bylaws and resolutions and no later than 60 days after the date of the last advertisement for other bylaws and resolutions. Also note that petitioners cannot sign the petition more than 60 days before the petition is filed.

A final checklist for the representative of the petitioners is attached as Appendix C.

Determining Sufficiency

A petition to council is filed with the CAO of the municipality, who is responsible for determining the sufficiency of the petition in accordance with section 225 of the MGA.

Names cannot be added or removed from a petition once it has been filed with the CAO unless council has passed a bylaw under section 226.1 allowing it. See section 225(2) of the MGA.

The CAO must not count any names that do not comply with the requirements for a petition. These include:

- (a) a signature that is not witnessed,
- (b) a signature on a page that does not have the same purpose statement that is on all other pages,
- (c) a petitioner whose printed name is not included or is incorrect,
- (d) a petitioner whose street address or legal description of land is not included or is incorrect,
- (e) if the date of signing is not included,
- (f) when a petition is restricted to certain persons,
 - (i) who is not one of those persons, or
 - (ii) whose qualifications as one of those persons is not, or is incorrectly, described or set out, or
- (g) who signed the petition more than 60 days before the date on which the petition is filed with the CAO, unless a bylaw under section 226.1(1)(e) of the MGA provides otherwise.

See section 225 of the MGA for complete listing.

Section 226.2(3) also requires that each page of the petition contain an identical protection of personal information statement.

Within 45 days of the date when the petition has been filed, the CAO must make a declaration as to whether or not the petition is sufficient. See sections 226 and 226.1 of the MGA.

Response to a Sufficient Petition

The action requested in a petition directed to the local council requires a response. The response time or action varies with the nature and subject matter.

Two specific examples are:

- a) Council receives a petition under section 231 of the MGA for a vote on an advertised proposed bylaw.

Action: Council must decide not to proceed with the bylaw or must submit the bylaw to a vote of the electors within 90 days after the CAO declares the petition sufficient. If Council submits the bylaw to a vote of the electors, and the vote does not approve the bylaw, all previous readings of the bylaw are rescinded and council cannot give the bylaw any more readings. Council must proceed to pass the bylaw if it is approved by a vote of the electors.

- b) Council receives a petition under section 232 of the MGA for a new bylaw, an amendment or repeal of a bylaw or resolution on a matter that is within the jurisdiction of council. A petition under section 232 of the MGA is not sufficient unless it filed with the CAO within 60 days after the day on which that bylaw or resolution was passed or, where a bylaw under section 226.1(1)(a) extends that period, within the extended period.

Action: Council must, within 30 days of the CAO declaring the petition to be sufficient, give first reading to the bylaw. Council then has the option of passing the bylaw within 30 days of the date of the first reading, or putting the bylaw to a vote of the electors within 90 days of the date of first reading. Council is bound by the results of a vote of the electors.

Public Vote Bylaws

Council is bound by the results of the vote of the electors under sections 233 and 234 of the MGA. Section 234 of the MGA also outlines the time periods that must be adhered to when petitioning on bylaws that were previously subjected to a public vote.

Section 239 of the MGA states that a council may refuse to receive petitions on the same or similar subject for a period of one year following a vote of the electors.

Delay of a Vote of the Electors

Section 238 of the MGA states that if a valid petition requiring a vote of the electors is received within 12 months before a general election, council may delay the vote to coincide with the general election.

Clean Energy Improvements

Ratepayers can petition for a municipality to pass a clean energy improvement tax bylaw, or amend or repeal an existing bylaw under section 390.8 of the MGA. Petitions for these improvements must meet the criteria set out in section 224 of the MGA to be sufficient, unless the municipality has passed a bylaw modifying the requirements under section 226.(1). See sections 390.1 through 390.9 for further information.

Petitions for Local Improvements

Ratepayers can petition for local improvements under section 393 of the MGA. Petitions for local improvements must meet the criteria set out in section 392 of the MGA to be sufficient. In addition to meeting the general rules for petitions, a local improvement petition must:

- (a) be signed by two thirds of the owners who would be liable to pay the local improvement; and
- (b) represent at least half of the assessed value of the parcels against which the local improvement is to be applied.

Council can, under section 408 of the MGA, impose a local improvement for a sewer if council considers it to be in the public interest and the construction is recommended by a health officer. There is no right to petition against the local improvement in this instance.

Section 409 of the MGA also allows council to assess the cost of constructing private connections for local improvements against the properties involved without the right of petition.

Additional Information

If you have further questions after reading the applicable sections of the MGA and the LAEA, and reviewing this handout, please contact the Municipal Capacity and Sustainability Branch of Alberta Municipal Affairs at 780-427-2225, toll-free in Alberta by dialing 310-0000 first.

Appendices

Appendix A – References to Petitions

Identification of the pertinent sections of the *Municipal Government Act* in regard to petitions.

219	rules and scope of petitions
221	sufficiency requirements for a petition
222	who can petition
223	the normal number of petitioners required
224	requirements for petition statement, signatures and documents
225	counting petitioners to determine sufficiency
226	reporting on the sufficiency of a petition
226.1	bylaws modifying petition requirements
226.2	protection of personal information in petitions
229	petition council to hold a public meeting
231	petition for a vote on an advertised bylaw or resolution
232	petition for a new bylaw, or to amend or repeal a bylaw or resolution
233	council's duty on receiving a valid petition
234	petitions respecting "public vote bylaws"
235	council requirement to comply with a vote on a question
238	criteria to delay a vote of electors to a general election
239	time limitations on petitions dealing with the same or a similar subject
240	minimum times for changes to public vote bylaws
390.8	Petitions regarding clean energy improvement taxes
392	petition rules modified for petitions for local improvements
393	owners can petition for local improvements
408	prohibition against petitioning against a local improvement or sewers in special circumstances
409	prohibition against petitioning against the cost of connections to a local improvement
606	inclusion of an outline of the petitioning procedures in the advertising requirements for a bylaw or resolution

Appendix B – Witness Check List

Prior to Collecting Signatures

- Read the relevant sections of the *Municipal Government Act* and the *Local Authorities Election Act*.
- Ensure you have read and understand the Witness Affidavit prior to collecting any signatures. (Appendix E)

During the Collection of Signatures

- Ensure each petitioner signature that you witness is an eligible elector of the municipality by asking if they are:
 - A Canadian citizen, over 18 years of age, and a resident of the municipality, **and in the case of a summer village, an owner of the property.**
- Ensure you personally see the petitioner complete the petition document.

After Collecting Signatures

- Ensure you complete the Witness Affidavit (Appendix E), and that it is properly signed by a Commissioner for Oaths.

Appendix C – Representative of Petitioners Check List

- Read the relevant sections of the *Municipal Government Act* and the *Local Authorities Election Act*. Ensure you are aware of any municipal bylaw regarding petition requirements.
- Be aware of the number of signatures required for the type of petition you are presenting.
- Ensure the Witnesses are aware of their responsibility.

When a petition is received by the CAO, it **must** include:

- Each page of the petition must contain an identical statement of the purpose of the petition (Appendix D).
- Each page of the petition must contain an identical statement of the protection of personal information on petitions (Appendix D).
- A completed Witness Affidavit for each witness (Appendix E), properly signed by a Commissioner for Oaths.
- A signed and dated Statement of Representative Petitioners (Appendix F).

The personal information contained in this petition will not be disclosed to anyone except the chief administrative officer and the chief administrative officer's delegates, and will not be used for any purpose other than validating the petition.

Appendix D – Petition by Electors

Page _____

(pursuant to the *Municipal Government Act* and amendments thereto)

To: The Council of the (type of municipality) of (name of municipality), in the Province of Alberta.

The undersigned persons, being electors of the (type of municipality) of (name of municipality), in the Province of Alberta, hereby petition the council of (name of municipality) for/to:

Accurately state purpose and objectives of Petition in this space.

EACH PETITIONER, by signing this petition, certifies that he (or she) is an elector of the (type of municipality) of (name of municipality).

Signature of Petitioner	Printed Name	Street Address or Legal Land Description	Phone Number	Email Address	I am an elector of this municipality	Date	Signature of Adult Witness
					<input type="checkbox"/> Yes <input type="checkbox"/> No		
					<input type="checkbox"/> Yes <input type="checkbox"/> No		
					<input type="checkbox"/> Yes <input type="checkbox"/> No		
					<input type="checkbox"/> Yes <input type="checkbox"/> No		
					<input type="checkbox"/> Yes <input type="checkbox"/> No		

NOTES:

1. This form is a suggested form only and is prepared by Alberta Municipal Affairs for the information and convenience of interested individuals. It has no legislative effect. For certainty, **legal advice should be sought when a petition is being considered.**
 2. Each page of the petition shall contain accurate and identical statements of the purpose and objectives and on personal information privacy.
 3. In the absence of a street address, specify the legal description of the property on which the petitioner resides.
 4. **Each petitioner shall indicate that they are an eligible elector of the municipality by checking this field.** A Canadian citizen, over 18 years of age, and a resident of the municipality. (See Sections 12, 47 and 48 of the *Local Authorities Election Act* for further information.)
- b) Each person witnessing a signature on the petition is required to sign an Affidavit that to the best of their belief, the persons whose signatures they witnessed are electors of the municipality.
See Appendix E

Appendix E – Witness Affidavit

AFFIDAVIT

I, (name), pursuant to the *Municipal Government Act* and amendments thereto, of the (type of municipality) of (name of municipality), in the Province of Alberta, MAKE OATH AND SAY:

1. THAT I was personally present and did witness those signatures on the attached petition where I have signed my name as an adult person.
2. THAT to the best of my knowledge the persons whose signatures I have witnessed on this petition are electors of the (name of municipality).
 - a. An eligible elector, at a minimum, is a Canadian citizen, over 18 years of age, and a resident of the municipality. (See Sections 12, 47 and 48 of the *Local Authorities Election Act* for further information.)
 - b. I personally observed each person complete the petition document.

SWORN (or affirmed) before me at _____)
_____)
in the Province of Alberta, _____)
_____)
this _____ day of _____) _____
(Signature of person who
witnessed signatures on the
petition)
20_____. _____)
_____)
_____)

A Commissioner for Oaths/Notary Public
in and for the Province of Alberta

*(PRINT OR STAMP NAME HERE)

MY APPOINTMENT EXPIRES _____

*(Must be legibly printed or stamped).

The personal information contained in this petition will not be disclosed to anyone except the chief administrative officer and the chief administrative officer's delegates, and will not be used for any purpose other than validating the petition.

Appendix F – Statement of Representative of Petitioners

Statement of Representative of Petitioners

(pursuant to the *Municipal Government Act* and amendments thereto)

I, (name), of (current address including postal code) in the (type of municipality) of (name of municipality), in the Province of Alberta, state that I represent the petitioners and am the person to whom the municipal council may direct any inquiries with regard to the petition. I may be contacted by phone at _____ or email at _____.

DATED at the _____ of _____, in the Province of Alberta, this _____ day of _____, 20_____.

Witness

Signature of Representative

(Printed Name)

Note: Use this as the last page of a Petition.



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Municipal Borrowing Bylaw 1636-23	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 5/8/2023

PURPOSE:

For Council to consider and provide direction to administration regarding Municipal Borrowing Bylaw 1636-23.

RECOMMENDATION:

That Council for the Town of Pincher Creek _____

BACKGROUND/HISTORY:

Municipal Borrowing Bylaw 1636-23 with regards to incurring indebtedness by the issuance of a loan or authorized debt instrument in an amount up to \$4,000,000, received first reading at the regular meeting of Council on February 27, 2023. At the same meeting direction was given to administration to advertise the bylaw and petition period ending on March 30, 2023.

Section 188 of the Municipal Government Act states "The previous readings of a proposed bylaw are rescinded if the proposed bylaw (a) does not receive third reading within 2 years after first reading, or (b) is defeated on second or third reading.

ALTERNATIVES:

None at this time.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None at this time

FINANCIAL IMPLICATIONS:

If Council decides to proceed with a vote of the electors on the borrowing bylaw, the cost of this will be between \$14,000 and \$19,000 and is not included in the budget.

PUBLIC RELATIONS IMPLICATIONS:

Section 233(7) of the Municipal Government Act states that "If the bylaw is advertised and a sufficient petition is received under section 231, the council must either (a) decide not to proceed with the proposed bylaw, or (b) decide to proceed with the proposed bylaw and submit the bylaw to a vote of the electors within 90 days after the chief administrative officer declares the petition to be sufficient."

ATTACHMENTS:

1636-23 - Municipal Borrowing Bylaw - Curling Rink Facility - 3150

CONCLUSION/SUMMARY:

Administration will proceed as directed by Council.

Signatures:

Department Head:

Lisa Goss

CAO:

Angie Lucas



**BYLAW NO. 1636-23
MUNICIPAL BORROWING BYLAW
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

This bylaw authorizes the Council of the Town of Pincher Creek to incur indebtedness by the issuance of a loan or other authorized debt instrument in the amount up to \$4,000,000.00 for the purpose of constructing a Curling Rink Facility at 942 Hyde Street in the Town of Pincher Creek, in the Province of Alberta, being legally described as:

**PLAN 3880BD
BLOCK 1 &
PLAN 3562GP
BLOCK E
EXCEPTING THEREOUT ALL MINES AND MINERALS**

WHEREAS:

1. The Council of the Town of Pincher Creek agrees to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the financing, undertaking and completion of the construction of a Curling Rink Facility.
2. Plans and specifications have been prepared and the total cost of the project is estimated to be \$4,000,000.00 and the Municipality estimates the following grants and contributions will be applied to the project:

Local Government Transfer	\$	0
Capital Reserves		0
Provincial Grants		0
Loan or other debt instrument		<u>4,000,000.00</u>
Total Cost	\$	<u>4,000,000.00</u>

3. In order to complete the project, it will be necessary for the Town of Pincher Creek to borrow the sum up to \$4,000,000.00, for a period not to exceed 30 years, from an authorized Canadian financial institution, by the issuance of a loan or other debt instrument and on the terms and conditions referred to in this bylaw. The estimated lifetime of the project financed under this bylaw is equal to, or in excess of 30 years.



4. The principal amount of the outstanding debt of the Town of Pincher Creek at December 31, 2022 is \$3,497,117 and no part of the principal or interest is in arrears.
5. All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF PINCHER CREEK,
DULY ASSEMBLED, ENACTS AS FOLLOWS:**

6. That for the purpose of constructing the building to house the Curling Rink Facility for the sum up to FOUR MILLION DOLLARS (\$4,000,000) be borrowed from an authorized Canadian Financial Institution by way of loan or other debt instrument on the credit and security of the Town on Pincher Creek at large, of which amount the full sum up to \$4,000,000.00 is to be paid by the Town of Pincher Creek at large.
7. The proper officers of the Town of Pincher Creek are hereby authorized to issue loans or other debt instruments on behalf of the Town of Pincher Creek for the amount and purpose as authorized by this bylaw, namely the construction of the Curling Rink Facility.
8. The Town of Pincher Creek shall repay the indebtedness according to the repayment structure in effect, namely monthly payments of combined principal and interest instalments not to exceed THIRTY (30) years calculated at a rate not to exceed EIGHT (8) percent.
9. The Town of Pincher Creek shall levy and raise taxes in each year sufficient to pay the indebtedness.
10. The indebtedness shall be contracted on the credit and security of the Town of Pincher Creek.
11. The net amount borrowed under the bylaw shall be applied only to the project specified by the bylaw.
12. This bylaw comes into force on the date it is passed.



READ A FIRST TIME THIS 27th DAY OF FEBRUARY, 2023.

Mayor, Don Anderberg

CAO, Angie Lucas

READ A SECOND TIME THIS _____ DAY OF _____, 2023.

Mayor, Don Anderberg

CAO, Angie Lucas

READ A THIRD TIME THIS _____ DAY OF _____, 2023.

Mayor, Don Anderberg

CAO, Angie Lucas



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Northeast Pincher Creek Part 2 Area Structure Plan 1635-23 - Third Reading	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 5/8/2023

PURPOSE:

For Council to consider third and final reading of Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree and give third and final reading to Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23 and that a copy of which be attached hereto forming part of the minutes.

BACKGROUND/HISTORY:

The North East Area Structure Plan has been on the books for several years however experienced delays in implementation due to covid.

At the July 6, 2022 Committee of the Whole meeting the NE ASP was deferred to a Special Committee of the Whole meeting on July 11, 2022 of which was subsequently cancelled. The item was brought forward at the September 7, 2022 Committee of the Whole meeting where it was deferred to the next Council meeting on September 12, 2022 where direction was given to circulate the Plan for referral and prepare a bylaw for adoption.

In addition, as directed, the wetland assessment has commenced for the areas identified in the draft NE ASP as potential wetlands.

First reading of the Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23 was passed at the regular meeting of Council on January 23, 2023. In addition, Council agreed to hold a Public Hearing on February 27, 2023 before consideration of second and/or third reading. The bylaw received second reading at the regular meeting of Council on April 24, 2023

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23 as presented.

That Council for the Town of Pincher Creek direct administration to amend Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23 prior to consideration of second reading.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

A full review and update of the Municipal Development Plan is required in order to facilitate a larger strategic planning discussion regarding aligning with the communities vision for the future.

FINANCIAL IMPLICATIONS:

Implementation of the Plan once adopted will require future budget considerations.

PUBLIC RELATIONS IMPLICATIONS:

The Public Hearing saw several members of the public in attendance with only one person wishing to be heard. The individual followed up with an email to administration dated March 7 with a response sent back on March 17.

ATTACHMENTS:

Agenda Public Hearing Bylaw No 1635-23 - 3147

Figure 7.1 amended - 3147

NE ASP amendments - March 2023 - Schedule C - 3147

Pincher Creek NE ASP Bylaw 1427 Amendment Part 2 - adopting amended bylaw - 3147
rep_ne pincher creek part 2 asp_final_AMENDMENTS - 3147

CONCLUSION/SUMMARY:

Administration supports that Council for the Town of Pincher Creek agree and give third and final reading to Northeast Pincher Creek Part 2 Area Structure Plan Bylaw 1635-23.

Signatures:

Department Head:

Lisa Goss

CAO:

Angie Lucas

AGENDA
PUBLIC HEARING FOR BYLAW NO. 1635-23

Item No. 2.1

Town of Pincher Creek, TOWN HALL
6:00 P.M. MONDAY, February 27, 2023

1. **Call to Order - Public Hearing for Bylaw No. 1635-23** (The Mayor).
2. **Adoption of the Agenda** – (Mayor).
3. **Purpose of Public Hearing** -- (Mayor).
The purpose of the public hearing is to present Bylaw 1635-23 to adopt the Northeast Pincher Creek Part 2 Area Structure Plan, being a bylaw to amend the 1989 Northeast Pincher Creek Area Structure Plan Bylaw 1427 for portions of the SW 26-6-30-W4M including:
 - **LOT 1, BLOCK 8, PLAN 0613747**
 - **LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 7, PLAN 0613747**
 - **LOT 15, BLOCK 5, PLAN 0613747**
 - **LOT 1, BLOCK 6, PLAN 0512720**
 - **LOTS 24 & 25, BLOCK 4, PLAN 0611417**
 - **LOTS 12, 16 & 17, BLOCK 4, PLAN 0512718**
 - **LOT 2, BLOCK 5, PLAN 0512718****A portion of the SE 26-6-30-W4M including:**
 - **BLOCK 1, PLAN 2060JK****The purpose of the Northeast Pincher Creek Part 2 Area Structure Plan (ASP) is to provide for the future land use, subdivision layout and design, road networks, servicing guide and engineering support information applicable to the land to allow for orderly and efficient development of the said lands as described in the ASP document.**
4. **Confirmation of Notice** -- (Asked for by The Mayor and replied by the CAO).
The Notice of Public Hearing was advertised first on February 8, and re-advertised in the February 15 and 22, 2023 editions of the local weekly newspaper the Pincher Creek Echo.
5. **Report from Oldman River Regional Services Commission Senior Planner (Development Services Report)** -- (Asked for by The Mayor). (Summary provided by ORRSC)
6. **Report from the Town's Management Staff (Development Services Report)** -- (Asked for by The Mayor). (Summary provided by the Legislative Services Manager)
7. **Written Submissions** -- (Asked for by The Mayor – Reply by the CAO)
There have been no written submissions received as of 12:00 Noon, February 22, 2023.
8. **Persons Wishing to be Heard** -- (Asked for by The Mayor - Reply by the CAO)
There have been no persons indicating their wish to be heard as of 12:00 Noon, February 22, 2023.

9. (The Mayor to ask ---- are there any persons wishing to be heard) (**First** time)
In the event that there are person(s) wishing to be heard, The Mayor will request the following resolution of Council: That Council for the Town of Pincher Creek approves the presentation of the following at the Public Hearing for Bylaw No. 1635-23:
- John Doe of 123 Main Street etc. (State Your Name and Address)

(The Mayor to ask ---- are there any persons wishing to be heard) (**Second** time)
(The Mayor to ask ---- are there any persons wishing to be heard) (**Third** and final time)

10. **Closure of Public Hearing --** (The Mayor thanks the public for their participation).
The Mayor – **Call for motion declaring the Public Hearing adjourned.**

Bylaw No. 1635-23 will be presented to Council for consideration of Second and Third reading at the regular Council meeting on March 13, 2023.



TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA

BYLAW NO. 1635-23

BEING a bylaw of the Town of Pincher Creek in the Province of Alberta, to adopt Bylaw No. 1635, Northeast Pincher Creek Part 2 Area Structure Plan, being a bylaw to amend the 1989 Northeast Pincher Creek Area Structure Plan Bylaw No. 1427 applicable for the lands generally described as:

Portions of the SW 26-6-30-W4M including:

- LOT 1, BLOCK 8, PLAN 0613747
- LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 7, PLAN 0613747
- LOT 15, BLOCK 5, PLAN 0613747
- LOT 1, BLOCK 6, PLAN 0512720
- LOTS 24 & 25, BLOCK 4, PLAN 0611417
- LOTS 12, 16 & 17, BLOCK 4, PLAN 0512718
- LOT 2, BLOCK 5, PLAN 0512718

Portion of the SE 26-6-30-W4M including:

- BLOCK 1, PLAN 2060JK

AND WHEREAS the Plan Area encompasses an area of 47.6 Ha (117.7 acres) and includes lands within Bylaw No. 1427 and additional adjacent lands, with the said lands as illustrated on the map in Schedule "A" attached hereto.

AND WHEREAS THE PURPOSE of Northeast Pincher Creek Part 2 Area Structure Plan (ASP) is to provide for the future land use, subdivision layout and design, road networks, servicing guide and engineering support information applicable to the land to allow for orderly and efficient development of the said lands as described in the ASP document, attached as Schedule "B" hereto.

AND WHEREAS the municipality 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. That the Northeast Pincher Creek Part 2 Area Structure Plan attached hereto as Schedule "B" be adopted by Bylaw No. 1635 for the subject lands as described.
2. That the 1989 Northeast Pincher Creek Area Structure Plan Bylaw No. 1427 be amended to include the updates and amendments as described in Bylaw No. 1635
3. Final formatting and consolidation shall take place following the passage of the bylaw.
4. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 23rd day of January, 2023.

Mayor – Don Anderberg

Chief Administrative Officer – Laurie Wilgosh

READ a **second** time this 27th day of February, 2023.

Mayor – Don Anderberg

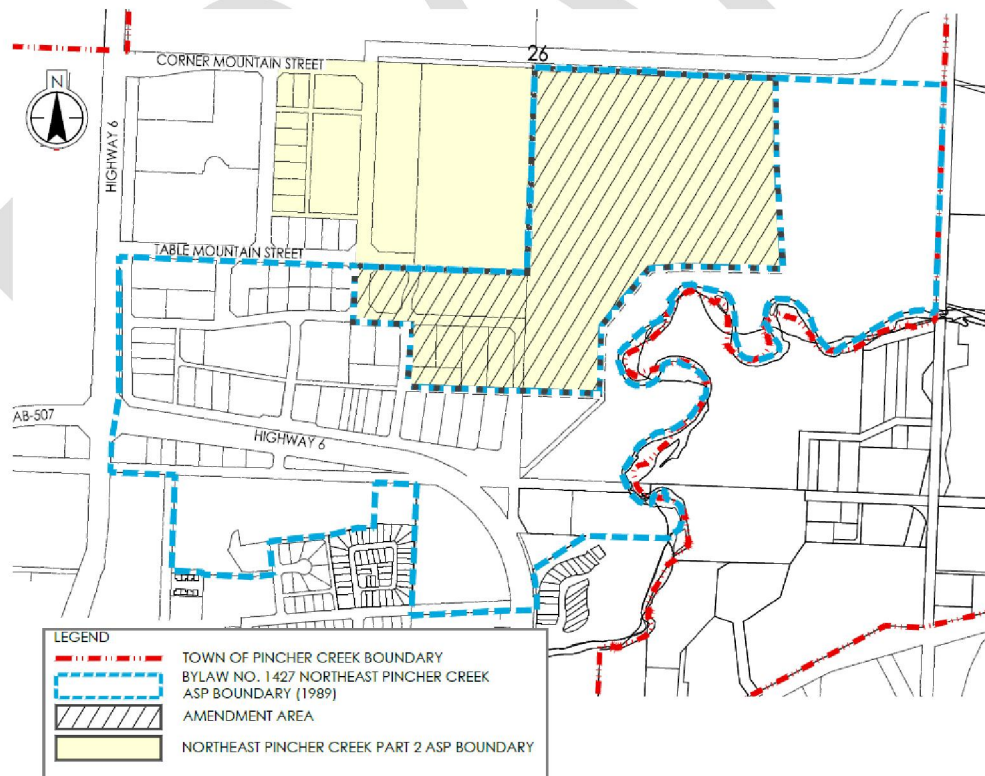
Chief Administrative Officer – Angie Lucas

READ a **third** time and finally PASSED this 27th day of February, 2023.

Mayor – Don Anderberg

Chief Administrative Officer – Angie Lucas

Schedule “A”



Schedule “B” - Northeast Pincher Creek Part 2 Area Structure Plan (ASP document)

Memo

To: Lisa Goss – Legislative Services Manager Town of Pincher Creek

From: Steve Harty – ORRSC Senior Planner

Date: 2023-02-22

Re: Comments on adoption of draft NE ASP Part 2 – ptn of SW & SE 26-6-30-W4M

The ASP Part 2 has been developed as a refinement to the previous Bylaw 1427 Northeast Pincher Creek ASP (1989, Bylaw No. 1427). This update was to provide more detail on infrastructure constraints and potential servicing options, a storm water drainage analysis, and address the land constraints present for the area. The ASP provides a comprehensive analysis of land conditions and an environmental assessment. The plan outlines the proposed land use and how this may be serviced and developed. The plan area consists of approximately 54% parks and open space, 19% industrial/commercial use, 16% storm water facility and 10% roads. After a review of the initial draft ASP last spring, the plan was revised to add a few more details to describe what the 'Detail Design Stage' involves (i.e., requirements for lot developers and the Town) for clarity and consistency.

On conducting a review of the revised draft ASP on the above subject matter, I respectfully submit the following comments, generally limited to the ASP planning and policy considerations (i.e., approach for Council and administration), for consideration. As I entered the process at the completed draft stage I was not involved in early discussions or plan concept ideas. As such, I was not privy to the early discussions by the Town and Council on what the ultimate vision and goals on the proposal were and if they are met. The Consultants did provide their synopsis on this and felt it has been met.

Council will need to determine if the final submitted draft ASP aligns with what Council envisions for the area. As a new municipal election occurred in the fall 2021, and then a subsequent byelection in 2022, this aspect will need to be thoroughly reviewed with the current Council.

The ASP is seen to generally align with the goals of the Towns' MDP Bylaw No. 1518-13, especially as it relates to commercial & industrial land use, parks & recreation, future town growth and stormwater management. However, Council will have to determine if it meets the Town's needs in providing the right balance of enough industrial/commercial land and providing the right amount of recreational, especially in consideration of the Town's Parks and Open Space Master Plan and the Recreation Master Plan, or if too much is intended for recreational use. Does the plan offer the right balance? (As a note, the 1989 ASP had a similar land use ratio, with a large portion of recreational land.) Allowing for more business/industrial use will see better return for the municipality, but it is recognized there are servicing and capacity issues along with costs associated with that also. The Town should strive to have the maximize amount of land that can efficiently be serviced in the plan area available to sell for businesses (cost/benefit). The areas not readily serviced are more suited to park and recreation space, along with the areas needed for storm water management and the future Highway 3 bypass.

Some specific planning related comments/suggestions for consideration:

- The ASP identifies potential wetlands and there will need to be wetland compensation considerations if verified as such, as it is the land developer (i.e., Town in this case) who performs this upfront. The proposed “Parcel Consolidation B” on McEachern Street is affected by this. *Water Act* approval will be required to impact or remove the ephemeral waterbodies, wetlands, and drainages. To address this, the Town has engaged aquatic specialists to undertake a wetland assessment who have already commenced the process.
- Section 4.3 of the ASP states a Historical Resource Assessment should be completed prior to subdivision and development, as there is a small area of potential 5a (archeological) land in the southeast corner of the plan area near the creek. I would suggest if the ASP is adopted, the Town should then submit the document to the province for review (HR Application through OPaC) right away. The outcome of the review will provide information about historic resource concerns in the planning area and may offer guidance for developing strategies to address these concerns. An assessment may need only be undertaken if required by the administrator of Historical Resources (and under their direction or conditions) which may save the Town time and financial resources.
- The ASP proposes flexibility so that the designation (zoning) of land will be left to the lot developer to apply to put in place at time of development on a case-by-case basis. This will add a minimum of two and likely 3-4 months to the land development process. If Council desires some land more ready for business, this implementation component may need to be more efficient. Once the ASP is adopted, it is suggested that the land use be pre-designated as proposed in the ASP or designated to the most likely use such as I2, and then deal with ‘one-off’s’ (for C2 or I3) on a case-by-case basis.
- On a similar note - the ASP states that “General Industrial and Warehousing (I1)” will not be permitted, largely due to infrastructure & servicing constraints. The Town should therefore redesignate the existing designated I1 land with another recommended designation after the ASP is adopted so the LUB is not in conflict with the ASP, and which may also help expedite future development processes.
- Section 8.1 Transportation – The consultants added a statement, as requested by the Town, that the south end of Alison Street, south of McEachern, will be closed or altered as the future highway bypass will connect south in this area (refer to Figures 6.1 and 7.1). From the referral process, Alberta Transportation did recommend that additional information be added, including that Lot 25 will be impacted by the future bypass and that the illustrated ball diamonds on the diagram be removed. This may be done through some minor text amendments to the plan.
- Section 11 Phasing – As mentioned in the initial review, Phases 1 and 2 are referred to with policy but there is nothing provided on Phase 3. Also, the plan does not indicate ‘triggers’ for when Phases 2 or 3 may be commenced, or if there are any, if it needs to be sequential or if it is strictly based on municipal budget allocations. The Town may want to create a process to manage this as it should be clarified so there is a clear plan moving forward and administration may provide proper guidance to potential purchasers/developers on potential land availability and its servicing needs.
- Section 11.3 Subdivision – The ASP suggests parcel consolidation of existing Town properties should be done, except for those parcels serviced along Chief Mountain Avenue. I would recommend that as the parcels are already subdivided and owned by the municipality, this gives the Town the most flexibility to sell one lot or two or more adjacent lots if a business needs more space (they can then

be combined onto one title then). There is no initial need to go through the time and expense to consolidate and then possibly later resubdivide if that step has already been done. Servicing and timing are really the prime issues to address. The one exception is proposed 'Parcel Consolidation B' which makes sense to eliminate the odd island parcel and the road and allow the proposed new road on the east side (Alison Street extension). If proposed 'Parcel Consolidation H' occurs, it requires a formal bylaw road (lane) closure process. This is not identified in the ASP or stated in Figure 10.1. This would be a simple text amendment that could be added, or flagged as a future implementation step.

I would suggest an option for the Town to consider is to look at a 'phased servicing design' approach (i.e., one service tie stub-in is provided to 'main' parcel or block (such as G, B or H areas), then additional services installed if block is further subdivided out. If the ASP is not for general industrial uses, lighter industrial or business type uses often want smaller not larger parcels. This may need some further consideration, but as the Town owns all the land titles it ultimately has the control. A 'sales and sequenced servicing plan' for phased/additional subdivision could be used.

These are a few planning considerations for the Town and Council to think about in considering the presented ASP. I had previously provided the Town with an implementation list of steps (tasks) to consider in moving forward with this process. With a few matters clarified, the final ASP should help guide future development and better meet the Town's needs in having a plan to go forward. A few of the items outlined could be added as a few minor text additions to the ASP, while some of the other aspects may be managed as part of an implementation strategy.

The main matter for Council, will be to determine if the presented ASP captures what Council envisions for the area. Council should decide if it has the appropriate mix of land use to both benefit the community and to see an economic return on its' investment in the plan, infrastructure, and lands. Council needs to review the ASP and if satisfied it meets the Towns' vision, then proceed with the formal adoption. Any changes or additions it would like to see in the plan that are discussed at the public hearing, may be included and then adopted as amended. If there is a substantial change, then the ASP revisions may need to be advertised and recirculated and a further public hearing held.

It is at Council's discretion and prerogative to adopt the ASP bylaw.



Town of Pincher Creek

February 27, 2023

Development Services Report

Northeast Pincher Creek Part 2 Area Structure Plan – Bylaw No. 1635-23

Referral comments from Management Staff are as follows:

Operational Services

Operations has no additional comments regarding the NE Area Structure Plan Part 2.

Fire/Emergency Services

No comments received at the time of writing.

Bylaw Enforcement

No comments.

Administration

Administration supports the proposed Northeast Pincher Creek Part 2 Area Structure Plan Bylaw No. 1635-23 as it will provide for a framework for future development. It is also a continuation of the 1989 Northeast Area Structure Plan Bylaw 1427. As per the Intermunicipal Development Plan between the Town of Pincher Creek and the Municipal District of Pincher Creek the IMDP Committee met on January 31, 2023 to review the Plan. The committee supported the NE Part 2 ASP and moving forward with the Public Hearing with minor amendments as required.

Referral comments from external agencies are as follows:

Holy Spirit RC School Division

No comments received at the time of writing.

Livingstone Range School Division

No comments received at the time of writing.

AltaLink

No comments received at the time of writing.

FortisAlberta

No comments received at the time of writing.

TELUS

See Attached

APEX Utilities Inc.

See Attached

AB Health Services – South Zone

See Attached

AB Environment & Protected Areas

No comments received at the time of writing.

AB Transportation

See Attached

Legislative

From: circulations <circulations@telus.com>
Sent: Tuesday, January 24, 2023 3:38 PM
To: Legislative
Subject: RE: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

Good afternoon,

TELUS Communications Inc. has no objection to the above circulation.

Thank you,

Real Estate Specialist | TELUS Rights of Way

Network Engineering & Operations (NEO) | TELUS | Rights of Way
2930 Centre Avenue NE, Calgary, AB T2A 4Y2
circulations@telus.com



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From: Legislative <legislative@pinchercreek.ca>
Sent: January 20, 2023 03:13 PM
To: Legislative <legislative@pinchercreek.ca>; sampsonk@holyspirit.ab.ca; perryj@lrsd.ab.ca; 3rdpartyrequests@altalink.ca; landserv@fortisalberta.com; circulations <circulations@telus.com>; SHE.SouthZoneEPH@ahs.ca; jason.cayford@gov.ab.ca; transdevelopmentlethbridge@gov.ab.ca; 'leah.olsen@gov.ab.ca' <leah.olsen@gov.ab.ca>; southlandadmin@atcogas.com; CAO@mdpincercreek.ab.ca; 'AdminDevAsst@mdpincercreek.ab.ca' <AdminDevAsst@mdpincercreek.ab.ca>
Cc: Cao <cao@pinchercreek.ca>; Angie Lucas <interncao@pinchercreek.ca>; steveharty <steveharty@orrsc.com>
Subject: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

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To whom it may concern:

The Town of Pincher Creek has engaged a consultant to prepare an area structure plan (ASP) update and amendment for lands within a portion of SW & SE 26-6-30-W4M, situated in the northeast area of the town. The ASP Part 2 has been developed as a refinement to the previously adopted Bylaw 1427 Northeast Pincher Creek ASP (1989, Bylaw No. 1427). The Plan Area encompasses 47.6 ha (117.7 acres) and is bounded to the south by Table Mountain Street and McEachern Street and to the west by Chief Mountain Avenue, undeveloped land north of the Plan boundary, and an existing wetland and current Town boundary to the east.

The ASP provides a comprehensive analysis of land conditions, environmental assessment and outlines the proposed land use and how this may be serviced and developed. This plan will guide future development to conform to the proposed

uses in respect of the road network and block layout. It is proposed this area will be a mix of business/light industrial and recreational land uses.

We would appreciate your agency reviewing the proposed plan and forward on to us any concerns or interests you have that may affect the plan. You may view a PDF copy of the draft ASP Part 2 here <http://www.pinchercreek.ca/docs/files/DRAFT%20North%20East%20Pincher%20Creek%20Area%20Structure%20Plan%20282%29.pdf>

If you could forward to us any comments you may have **by February 22, 2023**, would be most appreciated.

If you have any questions or need clarification, please contact us at your convenience.

Kind Regards,

Lisa Goss
Legislative Services Manager
Town of Pincher Creek

Legislative

From: Third Party Requests <thirdpartyrequests@apexutilities.ca>
Sent: Wednesday, February 15, 2023 10:46 AM
To: Legislative
Subject: RE: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

To Whom it May Concern:

Apex Utilities Inc. has no objection to the proposed ASP amendment described below.

Please notify **Alberta One Call at 1-800-242-3447** to arrange for “field locating” should excavations be required within the described area.

We wish to advise that any relocation of existing facilities will be at the expense of the developer and payment of contributions required for new gas facilities will be the responsibility of the developer.

Thank you,

Ashley Bridgwater, BSc

Admin. Assistant, Engineering Services
she | her | hers

Apex Utilities Inc.

(formerly AltaGas Utilities Inc.)

T: 780.986.5215 ext. 2246 | C: 780.203.0579 | F: 780.986.5220

As of June 2022, my work hours will be Monday to Friday, 7 a.m. to 3 p.m.

From: Legislative <legislative@pinchercreek.ca>
Sent: Tuesday, February 14, 2023 2:58 PM
To: Third Party Requests <thirdpartyrequests@apexutilities.ca>
Cc: Legislative <legislative@pinchercreek.ca>
Subject: FW: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

Good Afternoon,

Please see the referral request below. It is understood that your agency may not be able to accommodate submitting comments by the deadline suggested below. If an extension on the deadline is required please advise.

Kind Regards,

Lisa Goss
Legislative Services Manager
Town of Pincher Creek

From: Legislative <legislative@pinchercreek.ca>
Sent: Friday, January 20, 2023 3:13 PM
To: Legislative <legislative@pinchercreek.ca>; sampsonk@holyspirit.ab.ca; perryj@lrsd.ab.ca;

3rdpartyrequests@altalink.ca; landserv@fortisalberta.com; circulations@telus.com; SHE.SouthZoneEPH@ahs.ca; jason.cayford@gov.ab.ca; transdevelopmentlethbridge@gov.ab.ca; 'leah.olsen@gov.ab.ca' <leah.olsen@gov.ab.ca>; southlandadmin@atcogas.com; CAO@mdpincercreek.ab.ca; 'AdminDevAsst@mdpincercreek.ab.ca' <AdminDevAsst@mdpincercreek.ab.ca>

Cc: Cao <cao@pincercreek.ca>; Angie Lucas <interncao@pincercreek.ca>; steveharty <steveharty@orrs.com>

Subject: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

To whom it may concern:

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We would appreciate your agency reviewing the proposed plan and forward on to us any concerns or interests you have that may affect the plan. You may view a PDF copy of the draft ASP Part 2 here <http://www.pincercreek.ca/docs/files/DRAFT%20North%20East%20Pincher%20Creek%20Area%20Structure%20Plan%20282%29.pdf>

If you could forward to us any comments you may have **by February 22, 2023**, would be most appreciated.

If you have any questions or need clarification, please contact us at your convenience.

Kind Regards,

Lisa Goss
Legislative Services Manager
Town of Pincher Creek

Legislative

From: Michael Swystun <Michael.Swystun@albertahealthservices.ca>
Sent: Wednesday, February 22, 2023 9:49 AM
To: Legislative
Subject: RE: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

Hey Lisa,

AHS appreciates the opportunity to review and comment on this proposed Area Structure Plan.

AHS supports Pincher Creeks vision of more access to outdoor recreation and sports facilities. Our southern Alberta population as a whole has high rates of obesity, diabetes and depression/anxiety. Research has shown that having more access to parks and outdoor recreation areas can help reduce the rates of these chronic diseases.

If you require any further information, please feel free to contact me.

Mike

Mike Swystun, B.Sc., B.EH., CPHI(C)
Executive Officer/ Public Health Inspector II
Healthy Environments Specialist
Pincher Creek, Alberta
Mobile: 587-220-2791

24 HOUR ON call: 1-844-388-6691



From: Legislative <legislative@pinchercreek.ca>
Sent: Friday, January 20, 2023 3:13 PM
To: Legislative <legislative@pinchercreek.ca>; sampsonk@holyspirit.ab.ca; perryj@lrsd.ab.ca; 3rdpartyrequests@altalink.ca; landserv@fortisalberta.com; circulations@telus.com; SHE.SouthZoneEPH <SHE.SouthZoneEPH@albertahealthservices.ca>; jason.cayford@gov.ab.ca; transdevelopmentlethbridge@gov.ab.ca; 'leah.olsen@gov.ab.ca' <leah.olsen@gov.ab.ca>; southlandadmin@atcogas.com; CAO@mdpincercreek.ab.ca; 'AdminDevAsst@mdpincercreek.ab.ca' <AdminDevAsst@mdpincercreek.ab.ca>
Cc: Cao <cao@pinchercreek.ca>; Angie Lucas <interncao@pinchercreek.ca>; steveharty <steveharty@orrsc.com>
Subject: Town of Pincher Creek Northeast Area Structure Plan Update/Amendment

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We would appreciate your agency reviewing the proposed plan and forward on to us any concerns or interests you have that may affect the plan. You may view a PDF copy of the draft ASP Part 2 here <http://www.pinchercreek.ca/docs/files/DRAFT%20North%20East%20Pincher%20Creek%20Area%20Structure%20Plan%282%29.pdf>

If you could forward to us any comments you may have **by February 22, 2023**, would be most appreciated.

If you have any questions or need clarification, please contact us at your convenience.

Kind Regards,

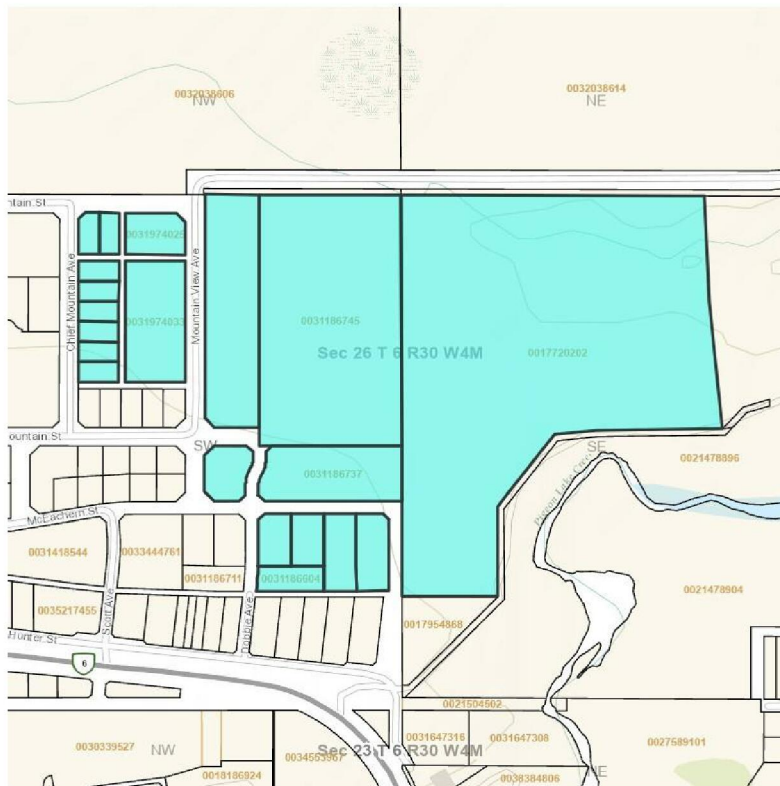
Lisa Goss
Legislative Services Manager
Town of Pincher Creek

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Transportation and Economic Corridors Notice of Referral

Decision Statutory plan in proximity of a provincial highway

Municipality File Number:	Town of Pincher Creek Northeast Area Structure Plan Update/Amendment	Highway(s):	3X, 6, 507, 785, 6X
Legal Land Location:	QS-SE SEC-26 TWP-006 RGE-30 MER-4	Municipality:	Pincher Creek, M.D. of Pincher Creek No. 9
Decision By:	Leah Olsen	Issuing Office:	Southern Region / Lethbridge
Issued Date:	2023-02-01 11:58:52	AT Reference #:	RPATH0007864
Description of Development:	Town of Pincher Creek Northeast Area Structure Plan Update/Amendment in the S 26-6-30-W4M in proximity to Highway 6		



This will acknowledge receipt of your circulation regarding the above noted proposal. Transportation and Economic Corridors's primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed development(s).

Transportation and Economic Corridors offers the following comments and observations with respect to the proposed development(s):

- Figure 7.1: Potential ball diamond area; leave as grassed area
 - Figure 8.1: Access to Lot 25, per Figure 2.3, should be from McEachem Street only
 - Figure 10.1: SE corner of Lot 25 (G) should be excluded from Phase 2 and designated park space
-
- Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable
 - Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.

Please contact Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information



Issued by **Leah Olsen**, on **2023-02-01 11:58:52** on behalf of the Minister of Transportation pursuant to *Ministerial Order 52/20 – Department of Transportation Delegation of Authority*



FIGURE 7.1 | NE PINCHER CREEK ASP
Parks and Open Space

- TOWN OF PINCHER CREEK BOUNDARY
- NE PINCHER CREEK PART 2 ASP BOUNDARY (47.65Ha/117.74ac)
- BYLAW NO. 1427 NE PINCHER CREEK ASP BOUNDARY (1989)
- PROPOSED PROPERTY LINES
- EXISTING PATHWAY SYSTEM
- FUTURE PATHWAY SYSTEM
- FUTURE ROADWAY

PREPARED FOR: Town of Pincher Creek

U:\116549010\drawings\figures\116549010_Figure 7.1_Parks And Open Space.dwg
2021/09/01 2:11 PM By: Bourgen, Sheil



116549010
September 1, 2021

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SCHEDULE “C”

Bylaw No. 1635-23 - NE ASP Part 2 – ptn of SW & SE 26-6-30-W4M

(Amendment to the 1989 Northeast Pincher Creek Area Structure Plan Bylaw No. 1427.)

Amendments to be included after First Reading of Bylaw No. 1635-23, January 23, 2023.

(Amendments resulting from information heard at Public Hearing on February 27, 2023.)

Figure 7.1 has been amended to remove the text “Potential Ball Diamond Area from the area identified for the proposed future Highway 3 bypass right-of-way.

Add the following amendments of text, policy, and statements:

8.0 Transportation

Subsection 8.1 Transportation Network (*add policies*)

4. The area identified as the future Highway 3 bypass (to Highway 6) shall not be developed with permanent structures, buildings, or recreational infrastructure, that will necessitate them having to be removed when the bypass right-of-way is purchased by AT for highway road construction.
5. The existing Lot 25, Block 4, Plan 0611417, will be impacted by the future Highway 3 bypass and cannot be developed in the SE portion required for the highway right-of-way. Access to the remnant lot area shall only be provided to the north from McEachern St.
6. If the lane in the plan labelled Area “H” (East-half of Block 7, Plan 0613747) is deemed unnecessary and a consolidation of all the existing titles to land in Area “H” occurs in order to form one amalgamated block, then a formal road (lane) closure process will be required to be undertaken by the Town (see area “H” on **Figure 10.1**).

10.0 Plan Implementation (*add policies*)

6. The Town will submit a Historical Resource (HR) application to the province for the adopted ASP to obtain clearance or determine if a Historical Resource Assessment needs to be completed prior to subdivision or development.
7. The Town will redesignate all current “General Industrial & Warehousing (I1) land to (I2). Individual lot purchasers and developers shall be responsible for the application and costs associated with changing the designation to C2 or I3 land use district if so desired to accommodate their proposal and intended use.
8. If the commissioned wetland analysis confirms the presence of wetlands in the development area of the ASP, the Town’s preference will be to compensate through a land removal and relocation process to relocate the wetlands to the north stormwater facility area a constructed wetland replacement. All provincial Water Act applications and approvals required to facilitate this process shall be undertaken by the municipality prior to the sale or development of any impacted lands.

9. Prior to the sale of land in Area “H” where the ESA identified a waste material stockpile of various materials (see Appendix A, Environmental Site Assessment Site Plans, **Figure 4.0**) the Town shall remove the debris and remediate the soil conditions to an acceptable standard based on the intended future industrial/commercial use. If the land is proposed for short-term accommodation (e.g., hotel/motel) or a business involving food preparation, the municipality may decide to conduct a further environmental assessment of the soil to ensure no hydrocarbons or other toxic materials are present in consideration of provincial guidelines.

11.0 Development Phasing (*add policies*)

Subsection 11.2 Phase 2 Development

2. The proposed Phase 3 fronting Mountain Ave (see area “H” on **Figure 10.1**), should not proceed until Phase 2 is 2/3 complete or the planned budget and detailed servicing plans for the ASP are revised with Council’s approval, to commence to an earlier time frame.

Section 11.3 Subdivision

4. If the portion of road (Dobbie Ave - see area “A” on **Figure 10.1**) between Area “B” parcels of the plan is deemed unnecessary as the ASP proposes and a consolidation of the existing adjacent titles of land in Area “B” occurs in order to form one amalgamated block, then a formal road closure bylaw process will be required to be undertaken by the Town (see **Figure 10.1**).



TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA

BYLAW NO. 1635-23

BEING a bylaw of the Town of Pincher Creek in the Province of Alberta, to adopt Bylaw No. 1635-23 Northeast Pincher Creek Part 2 Area Structure Plan, being a bylaw to amend the 1989 Northeast Pincher Creek Area Structure Plan Bylaw No. 1427 applicable for the lands generally described as:

Portions of the SW 26-6-30-W4M including:

- LOT 1, BLOCK 8, PLAN 0613747
- LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15, BLOCK 7, PLAN 0613747
- LOT 15, BLOCK 5, PLAN 0613747
- LOT 1, BLOCK 6, PLAN 0512720
- LOTS 24 & 25, BLOCK 4, PLAN 0611417
- LOTS 12, 16 & 17, BLOCK 4, PLAN 0512718
- LOT 2, BLOCK 5, PLAN 0512718

Portion of the SE 26-6-30-W4M including:

- BLOCK 1, PLAN 2060JK

AND WHEREAS the Plan Area encompasses an area of 47.6 Ha (117.7 acres) and includes lands within Bylaw No. 1427 and additional adjacent lands, with the said lands as illustrated on the map in Schedule "A" attached hereto.

AND WHEREAS THE PURPOSE of Northeast Pincher Creek Part 2 Area Structure Plan (ASP) is to provide for the future land use, subdivision layout and design, road networks, servicing guide and engineering support information applicable to the land to allow for orderly and efficient development of the said lands as described in the ASP document, attached as Schedule "B" hereto.

AND WHEREAS the municipality 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. That the Northeast Pincher Creek Part 2 Area Structure Plan attached hereto as Schedule "B" be adopted by Bylaw No. 1635-23 for the subject lands as described.
2. That the 1989 Northeast Pincher Creek Area Structure Plan Bylaw No. 1427 be amended to include the updates and amendments as described in Bylaw No. 1635-23.
3. Final formatting and consolidation shall take place following the passage of the bylaw.
4. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this ____ day of _____, 2023.

Mayor – Don Anderberg

Chief Administrative Officer – Laurie Wilgosh

READ a **second** time, as amended per Schedule “C”, this ____ day of _____, 2023.

Mayor – Don Anderberg

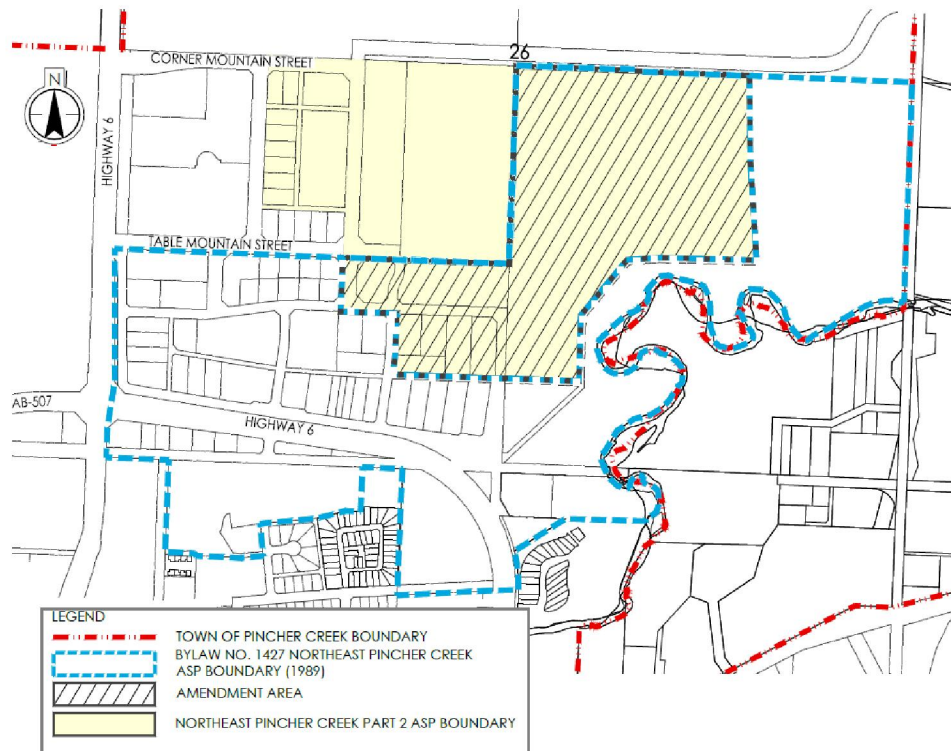
Chief Administrative Officer – Angie Lucas

READ a **third** time, as amended per Schedule “C”, and PASSED this ____ day of _____, 2023.

Mayor – Don Anderberg

Chief Administrative Officer – Angie Lucas

Schedule “A”



Schedule “B” - Northeast Pincher Creek Part 2 Area Structure Plan (ASP document)



Northeast Pincher Creek Part 2
Area Structure Plan

July 2022

Prepared for:

Town of Pincher Creek

Prepared by:

Stantec Consulting Ltd.

Table of Contents

1.0	INTRODUCTION	1.1
1.1	PLAN INTERPRETATION.....	1.1
1.1.1	Relationship to the Northeast Pincher Creek ASP (Bylaw No. 1427).....	1.1
1.1.2	Map Interpretation.....	1.1
1.1.3	Policy Interpretation.....	1.2
1.1.4	Appendix Interpretation.....	1.2
2.0	EXISTING CONDITIONS	2.1
2.1	SITE LOCATION.....	2.1
2.2	EXISTING LAND USE.....	2.2
2.3	OPPORTUNITIES AND CONSTRAINTS.....	2.2
2.3.1	Existing Water Distribution System.....	2.2
2.3.2	Existing Sanitary Sewer System.....	2.2
2.3.3	Existing Site Drainage.....	2.2
2.3.4	Fortis Overhead Power.....	2.3
2.3.5	Altagas & Altagas Pipelines.....	2.3
2.3.6	Telecommunications.....	2.3
2.3.7	MD of Pincher Creek.....	2.3
2.3.8	Local Road Network.....	2.3
2.3.9	Highway 3 Bypass.....	2.3
2.3.10	Confined Feeding Operations (CFOs).....	2.4
2.3.11	Former Stockpile.....	2.4
2.3.12	Former Sewage Lagoon.....	2.4
2.3.13	Floodway and Floodway Fringe.....	2.4
2.3.14	Biophysical Assessment.....	2.4
3.0	PLANNING AND POLICY CONTEXT	3.1
3.1	SOUTH SASKATCHEWAN REGIONAL PLAN.....	3.1
3.2	TOWN OF PINCHER CREEK MD OF PINCHER CREEK NO. 9 IDP.....	3.1
3.3	TOWN OF PINCHER CREEK MDP.....	3.2
3.4	TOWN OF PINCHER CREEK STRATEGIC PLAN.....	3.2
4.0	SUPPORTING DOCUMENTATION	4.3
4.1	ENVIRONMENTAL SITE ASSESSMENT.....	4.3
4.2	BIOPHYSICAL REVIEW.....	4.3
4.3	ADDITIONAL STUDIES.....	4.3
5.0	PUBLIC ENGAGEMENT	5.4
5.1	OPEN HOUSE.....	5.4
6.0	LAND USE CONCEPT AND STATISTICS	6.1
7.0	LAND USE	7.2
7.1	INDUSTRIAL (I).....	7.3
7.1.1	General Industrial and Warehousing (I1).....	7.3

NORTHEAST PINCHER CREEK PART 2

7.1.2	Light Industrial (I2)	7.3
7.1.3	Business Park (I3)	7.4
7.2	HIGHWAY / DRIVE-IN COMMERCIAL (C2)	7.4
7.3	PARKS AND OPEN SPACE (POS)	7.5
8.0	TRANSPORTATION	8.6
8.1	TRANSPORTATION NETWORK	8.6
8.1.1	Transportation Opportunities	8.7
8.1.2	Roadway Cross-Sections	8.7
9.0	SERVICING	9.8
9.1	SANITARY SEWER	9.8
9.2	WATER DISTRIBUTION	9.10
9.3	STORMWATER MANAGEMENT	9.11
9.3.1	Watershed Context	9.13
9.3.2	Existing Conditions – Stormwater	9.13
9.3.3	Proposed Infrastructure	9.13
9.3.4	Minor Storm System	9.15
9.3.5	Major Storm System	9.15
9.3.6	Constructed Wetland Utilization	9.15
9.4	ELECTRICAL, NATURAL GAS, AND TELECOMMUNICAITONS	9.17
10.0	PLAN IMPLEMENTATION	10.1
11.0	DEVELOPMENT PHASING	11.3
11.1	PHASE 1 DEVELOPMENT	11.3
11.2	PHASE 2 DEVELOPMENT	11.3
11.3	SUBDIVISION	11.4
12.0	AFTERWARD	12.1

APPENDICES

APPENDIX A – TITLES

APPENDIX B – ENVIRONMENTAL SITE ASSESSMENT

APPENDIX C – BIOPHYSICAL REVIEW

APPENDIX D – OPEN HOUSE

APPENDIX E – ALBERTA TRANSPORTATION CORRESPONDENCE

NORTHEAST PINCHER CREEK PART 2 ASP

Introduction

1.0 INTRODUCTION

The purpose of the Northeast Pincher Creek Part 2 Area Structure Plan (ASP) (herein referred to as the 'Plan'), is to establish the framework for a refined industrial park concept, coupled with community recreation opportunities within the lands described as located in portions of the SW & SE ¼ Section 26 - Township 6 – Range 30 W4M (herein referred to as the 'Plan Area'), illustrated in **Figure 1.1 Location Plan**. Areas of the Plan are also included in the previously completed *Northeast Pincher Creek Area Structure Plan (1989, Bylaw No. 1427)*. This Plan, as presented, supersedes previous direction provided within the Northeast Pincher Creek ASP (Bylaw No. 1427) and provides guidance for future design and development in the industrial, highway commercial and recreational sector. This Plan, however, does not provide additional information for development of lands south of Highway 6.

Development policies, objectives, guidelines, and standards (in keeping with the municipality's current strategic vision and development direction) of the community will be identified in this Plan as the basis for future subdivision, detailed design, and construction-related decisions within the Plan Area. The intent of this Plan is to help facilitate efficient and financially responsible growth in the northeast sector of Pincher Creek.

Recreational and open space uses will be provided for in the community, in alignment with previous direction and goals established by the Northeast Pincher Creek ASP (Bylaw No. 1427), updated through this Plan. A key goal of the Plan is to provide development flexibility during rapidly changing market conditions. To this end, the Plan defines large block parcels, roads, and critical infrastructure corridors. Final Land Use and subdivision of smaller parcels will occur as required, based on demand.

1.1 PLAN INTERPRETATION

1.1.1 Relationship to the Northeast Pincher Creek ASP (Bylaw No. 1427)

The Plan is meant to be read independently of the existing Northeast Pincher Creek ASP (Bylaw No. 1427). Should any conflicts arise, the policies of this document (affecting all areas identified within the Plan Area, illustrated on **Figure 1.1 Location Plan**) supersede those noted within the Northeast Pincher Creek ASP (Bylaw No. 1427).

1.1.2 Map Interpretation

Unless otherwise specified in this Plan, the boundaries or locations of any symbols or areas shown on a map are approximate only, not absolute, and will be interpreted as such. They are not intended to define exact locations except where they coincide with clearly recognizable physical features or fixed boundaries such as property lines or road or utility rights-of-way. The precise location of these boundaries, for the purpose of evaluating development proposals, will be determined by the Approving Authority at the time of application. No measurements or distances of areas should be taken from the maps included in this Plan.

NORTHEAST PINCHER CREEK PART 2 ASP

Introduction

1.1.3 Policy Interpretation

The policies of the Plan apply to those lands described as the Plan Area (portions of the SW & SE ¼ Section 26 -Township 6 – Range 30 W4M), illustrated in **Figure 1.1 Location Plan**. Policies in this Plan are meant to guide future subdivision, detailed design, and construction stages.

Policies that use the words “shall,” “will,” or “must,” apply to all situations, without exception, usually in relation to a statement of action, legislative direction, or situations where a desired result is required.

The word “should,” is explicitly used to further clarify the directional nature of a policy section. Policies that use “should” are to be applied in all situations, unless it can be clearly demonstrated to the satisfaction of the Town that the policy is not reasonable, practical, or feasible in a given situation. Proposed alternatives will comply with applicable policies and guidelines to the satisfaction of the Town.

Policies that use the word “may” are used to define a permissible outcome, subject to developer interest and/or municipality preference to a specific situation. These policies are intended to clarify what potential outcomes could occur, rather than prescribe a specific outcome for the Plan.

Statutory vs. Non-Statutory Plans

Statutory plans are developed by a municipality for the purposes of identifying future plans for development within municipal boundaries and the immediately surrounding area. Statutory plans must be consistent with one another and with any regional plans adopted for the area under the Alberta Land Stewardship Act (ALSA). A statutory plan must obtain three readings of the associated Bylaw and conduct a public hearing before it is adopted by Council. Once adopted, there is a lawful obligation on the part of both the municipality and the residents to adhere to the plan. The following documents and plans below are examples of statutory plans in Alberta:

- Municipal Development Plan (MDP)
- Intermunicipal Development Plans (IDPs)
- **Area Structure Plans (ASPs)**
- Area Redevelopment Plans (ARPs)

A non-statutory plan is one passed by Council resolution, which can be done in the form of a Bylaw. They are often developed to help encourage a certain direction for development or growth in a particular area but do not require three readings of the Bylaw and public hearing to enact. Examples of non-statutory plans and documents include:

- Outline Plans/Conceptual Schemes/Concept Plans
- Intermunicipal Collaboration Frameworks (ICFs)
- Transportation Master Plans (TMPs), Parks and Recreation Master Plans, among other guiding plans

This Plan (the Northeast Pincher Creek Part 2 ASP) is a statutory plan.

1.1.4 Appendix Interpretation

The appendices do not form part of the statutory portion of the ASP. The intent of the appendices is to provide additional information and, in some cases, assist with illustrating policies of the ASP.

NORTHEAST PINCHER CREEK PART 2 ASP

Existing Conditions

2.0 EXISTING CONDITIONS

2.1 SITE LOCATION

The Plan Area is located within the Town of Pincher Creek, encompassing an area of 47.6 Ha (117.7 acres). The development area is bounded to the south by Table Mountain Street and McEachern Street and to the west by Chief Mountain Avenue, undeveloped land north of the Plan boundary, and an existing wetland and current Town boundary to the east. Refer to **Figure 1.1 Location Plan**.

As of time of Plan preparation, the Town of Pincher Creek is the registered landowner of all lands within the Plan Area, legally described as:

- Plan 2060JK, Block 1, Title Number 131M128
- Plan 061 1417, Block 4, Lot 24, Title Number 061 162 006
- Plan 051 2720, Block 6, Lot 1, Title Number 181 074 833
- Plan 051 2718, Block 4, Lot 12, Title Number 051 278 951 +5
- Plan 051 2718, Block 4, Lot 16, Title Number 051 278 951 +9
- Plan 051 2718, Block 4, Lot 17, Title Number 051 278 951 +10
- Plan 051 2718, Block 5, Lot 2, Title Number 051 278 951 +18
- Plan 061 1417, Block 4, Lot 25, Title Number 061 162 006 +1
- Plan 061 3747, Block 5, Lot 15, Title Number 061 427 678 +12
- Plan 061 3747, Block 7, Lot 6, Title Number 061 427 678 +18
- Plan 061 3747, Block 7, Lot 7, Title Number 061 427 678 +19
- Plan 061 3747, Block 7, Lot 8, Title Number 061 427 678 +20
- Plan 061 3747, Block 7, Lot 9, Title Number 061 427 678 +21
- Plan 061 3747, Block 7, Lot 10, Title Number 061 427 678 +22
- Plan 061 3747, Block 7, Lot 11, Title Number 061 427 678 +23
- Plan 061 3747, Block 7, Lot 12, Title Number 061 427 678 +24
- Plan 061 3747, Block 7, Lot 13, Title Number 061 427 678 +25
- Plan 061 3747, Block 7, Lot 14, Title Number 061 427 678 +26
- Plan 061 3747, Block 7, Lot 15, Title Number 061 427 678 +27
- Plan 061 3747, Block 8, Lot 1, Title Number 061 427 678 +28

Refer to **Figure 2.2 Land Ownership**.

NORTHEAST PINCHER CREEK PART 2 ASP

Existing Conditions

2.2 EXISTING LAND USE

Existing Land Use districts within the Plan Area include:

- Transitional / Urban Reserve (TUR),
- General Industrial and Warehousing (I1), and
- Light Industrial (I2).

Historically, the Plan Area has been used as cultivated farmland. Lands on the eastern half of the Plan Area have been utilized as municipal sewage lagoons and a stockpile containing discarded soil material, asphalt, concrete, PVC scrap wood, and metals, among other materials. All previously disturbed areas have been reclaimed and are identified in the attached *FINAL – Phase 1 Environmental Site Assessment (2020, Stantec Consulting Ltd.)* report (refer to **Appendix B – Environmental Site Assessment**).

2.3 OPPORTUNITIES AND CONSTRAINTS

The Plan Area is partially developed and subdivided with various types of support infrastructure, outlined in this section, and illustrated in **Figure 2.3 Opportunities and Constraints**.

2.3.1 Existing Water Distribution System

The Town of Pincher Creek's existing water distribution system surrounds or is adjacent to the Plan Area. Extensions to the water system can be made from Corner Mountain Street to the north, as well as Table Mountain Street and McEachern Street to the south.

2.3.2 Existing Sanitary Sewer System

There is an existing sewage Lift Station #2 on the north side of the Corner Mountain Street and Chief Mountain Avenue intersection that currently services the existing lots on Chief Mountain Avenue. Information provided from the Town's Public Works Department indicates that this lift station is only sized for industrial lots fronting Chief Mountain Street. The existing gravity main along Table Mountain Street has limited servicing reach to the north due to site topography but can be utilized by adjacent parcels. This trunkline drains to the main Town Lift Station #1 located on the eastern margins of the plan.

2.3.3 Existing Site Drainage

Existing drainage onsite flows to the northeast constructed Wetlands as identified in the *Master Drainage Plan for North East Pincher Creek (April 2006, Martin Geomatic Consultants Ltd.)*. Onsite systems are a combination of pipes, culverts, and open drainage ditches providing drainage continuity through the Plan Area. For further information on existing site drainage conditions, refer to **Section 9.3 Stormwater Management**.

NORTHEAST PINCHER CREEK PART 2 ASP

Existing Conditions

2.3.4 Fortis Overhead Power

There is both a single-phase overhead power that runs around the entirety of the Plan Area, as well as the main three-phase distribution overhead power line that runs north-south through the middle of the Plan Area. The three-phase line is one of the main feeds into Pincher Creek directly from the substation on Range Road 301 and could not sustain a full outage at the time of development. There is a possibility that overhead lines can be relocated or buried and covered by underground right of ways at the time of detailed roadway design and subdivision.

2.3.5 Altagas & Altagas Pipelines

The existing Altagas and Altagas Pipelines have sufficient capacity for servicing this site at the time of Plan preparation; however, should intensification occur, or development plans change in the future, the available capacity will need to be evaluated at time of development. There is an existing service line that runs north-south through the center of the Plan Area. Altagas has confirmed that this line can be capped and tied into the Town gas distribution system at the time of subdivision and is not a constraint to development. There is a high-pressure line that runs across the north side of the Plan Area, tying into the regulating station that is adjacent to Highway 6 and Corner Mountain Street.

2.3.6 Telecommunications

Telus has existing infrastructure surrounding the Plan Area with a mix of underground infrastructure and aerial cable. Major facility upgrades for servicing the Plan Area are not anticipated to be required as of time of Plan preparation.

2.3.7 MD of Pincher Creek

Drainage impacts need to be considered during future designs and construction for the existing residential area of Lowland Heights, which is within the MD of Pincher Creek.

2.3.8 Local Road Network

The current local road network is laid out in a modified north-south, east-west grid pattern, adjusting for the alignment of Highway 6 further south of the Plan Area. Opportunities exist to improve the functionality of the internal roadway network along the eastern portion of the Plan Area through extension of Table Mountain Street to Allison Street and removing the curvilinear portion of Dobbie Avenue north of McEachern Street (refer to **Figure 2.3**).

2.3.9 Highway 3 Bypass

Alberta Transportation's preliminary design of the **Highway 3 Bypass** is identified in **Figure 2.1** and **Figure 2.3** and shows the Highway re-alignment in relation to the ASP Boundary. The design and construction time of this bypass is unknown as of time of Plan preparation. The current alignment identifies a future encroachment into two existing parcels along Allison Street (Plan 0611417 Block 4 Lot 25 and Plan 0113201 Block 4 Lot 9). Future acquisition and subdivision will be required to accommodate this alignment. **Please refer to Appendix E – Alberta Transportation Correspondence.**

NORTHEAST PINCHER CREEK PART 2 ASP

Existing Conditions

2.3.10 Confined Feeding Operations (CFOs)

The required Minimum Distance Separation (MDS) from confined feeding operations (CFOs) to development is based on guidelines that are laid out by the Natural Resource Conservation Board. MDS setbacks are based on the Category of Livestock (i.e. Beef, Dairy, Swine), the type of livestock (cows/finishers, feeders, feeder calf), and the number of animals on site. Data for the setback was based on information from the *Intermunicipal Development Plan for the Town of Pincher Creek and the MD of Pincher Creek (2010)*. This setback does not impact the Plan Area.

2.3.11 Former Stockpile

The southeast corner of the Plan Area contains a former stockpile that has been capped. Based on guidelines from Alberta Environment and Parks (AEP) the minimum setback of 300m for residential, hospitals and food establishments must be maintained unless the municipality applies for a reduced setback waiver. Based on the location of the stockpile, the setback will not impact developable land occupied by industrial/commercial land uses.

2.3.12 Former Sewage Lagoon

The location of four former sewage lagoons in use from approximately 1975-1985 are located east of the ¼ section line running north-south through the middle of the Plan Area. This land has since been reclaimed. Refer to **Appendix B – Environmental Site Assessment** for more information.

2.3.13 Floodway and Floodway Fringe

The Pincher Creek (watercourse) lies to the south and east of the Plan Area. The floodway and floodway fringe do not enter the Plan Area. Floodway and floodway fringe data was provided by the Oldman River Regional Services Commission.

2.3.14 Biophysical Assessment

A desktop evaluation of the biophysical environment focusing on wetlands is provided in **Appendix C – Biophysical Assessment**.

NORTHEAST PINCHER CREEK PART 2 ASP

Planning and Policy Context

3.0 PLANNING AND POLICY CONTEXT

The Plan has been prepared in accordance with Section 633 of the MGA which requires that an ASP contain the following:

- Sequence of development proposed for the area,
- The land uses proposed for an area, either generally or with respect to specific parts of the area,
- The general location of major transportation routes and public utilities, and
- May contain other matters as the Town of Pincher Creek Council considers necessary, including Town of Pincher Creek Council's Strategic Objectives and Vision and matters related to reserves, among others.

Planning and policy context items are identified below along with key elements of Plan compliance with higher order plans, where applicable.

3.1 SOUTH SASKATCHEWAN REGIONAL PLAN

The South Saskatchewan Regional Plan (SSRP) came into effect in September 2014. It sets out a directive for managing the land and natural resources of the lands within the South Saskatchewan River Basin, the Milk River Basin and the Alberta portion of the Cypress Hills. The SSRP sets the stage for growth in the South Saskatchewan Region, identifying strategic directions over a 10-year period (2014-2024). The SSRP establishes a long-term vision for the region, aligns policies at the regional levels to balance Alberta's economic, environmental, and social goals, describes strategies, actions, and approaches to achieve desired outcomes and objectives, and provides guidance to local decision-makers regarding land use management in the region.

3.2 TOWN OF PINCHER CREEK MD OF PINCHER CREEK NO. 9 IDP

The *Town of Pincher Creek MD of Pincher Creek IDP (2010)* was adopted in September 2010 under Bylaw No. 2010-11 (Town) and Bylaw No. 1200-10 (MD). The IDP serves to guide further regional development direction between neighboring communities and provide a framework for ongoing regional investments and intermunicipal collaboration. The Plan is in keeping with the vision and direction of the IDP in many respects, including, but not limited to:

- Establishing land use patterns compatible with development and land use policies of the MD of Pincher Creek,
- Establishes a framework for development that is part of an orderly urban expansion, minimizing disruption to the agricultural community,
- Further advancement of a safe and efficient roadway network; and
- Outlines parameters for servicing lands in an appropriate location and in accordance with appropriate municipal standards.

NORTHEAST PINCHER CREEK PART 2 ASP

Planning and Policy Context

3.3 TOWN OF PINCHER CREEK MDP

The Town of Pincher Creek MDP was adopted in October 2013 under bylaw No. 1518-13. The MDP serves to guide future growth and development within Pincher Creek towards a desired future, envisioning what the community will look like over a 5 to 20+ year horizon. The MDP establishes a framework to coordinate policies, programs, and investments of the Town, as well as serve as a foundation on which actions and decisions of Council, Town Administration, and other decision-making bodies are based. The MDP describes “what” and “how” other plans, documents, and ASPs (such as the Northeast Pincher Creek Part 2 ASP) are made, providing high-level objectives and goals for each type of plan.

The Plan is meant to be read in conjunction with the MDP, integrating and reflecting its overarching policies through land use decisions, based on the desired outcomes and principal objectives of the MDP. These outcomes are reflected in the land use and associated policies contained within this Plan.

3.4 TOWN OF PINCHER CREEK STRATEGIC PLAN

The Town of Pincher Creek’s 2018 Strategic Plan establishes the municipal priorities through to 2022 and provides Council high-level direction. Note, the 2018 Strategic Plan Mission:

Working in the best interest of the community through thoughtful, responsive and accountable public service.

The Plan specifically addresses a number of Town Strategic Plan objectives, including, but not limited to:

- Further contributing to the ongoing efforts of the Northeast Development Plan,
- Attracting new businesses through new industrial development land opportunities,
- Further defining the land area to provide new sports fields, and
- Supporting additional employment lands to serve future population increase.

The Plan will attract new business to the community by providing the framework for the development and implementation of new industry which in turn will provide jobs and potentially new residents to the community.

The Plan will also attract new events to the community through the establishment of a large open space area that could include numerous facilities like sports fields and a new recreational center in keeping with the *Town of Pincher Creeks Recreation Master Plan’s* Guiding Principles.

The Plan outlines key development considerations and options for ultimate utility installations through the Plan Area for stormwater management that will outline efficient growth approaches for industrial lands and future development west of Highway 6.

4.0 SUPPORTING DOCUMENTATION

The following is a summary of key items from the supplementary reports appended to the Plan.

4.1 ENVIRONMENTAL SITE ASSESSMENT

Stantec has prepared a consolidated Phase I Environmental Site Assessment (ESA) to support the Plan. The *FINAL – Phase 1 Environmental Site Assessment (2020, Stantec Consulting Ltd.)* report is included in **Appendix B – Environmental Site Assessment** for reference. Key items requiring consideration at the time of subdivision and construction include the following:

- *Former Sewage Lagoon Areas*-soil, groundwater and soil vapour reviews are recommended prior to development in these areas. The placement of buildings and structures in these areas is not recommended without further environmental and geotechnical investigations.
- *Low Lying Areas* - Should low lying areas be re-developed as identified within the Plan Area, care should be taken to remove all organic materials prior to reclamation.
- *Waste Material Stockpile* – An informal waste material stockpile area has been identified east of Chief Mountain Avenue. Further evaluation of this material including methods of safe disposal are recommended prior to development.

The level of detail required for future evaluations and recommendations will be subject to the final intended land use and occupancy of the site area.

4.2 BIOPHYSICAL REVIEW

Stantec has prepared a desktop environmental review of biophysical elements for the Plan. This review is included in **Appendix C – Biophysical Review** for reference. Key items requiring consideration at the time of subdivision and construction include, but are not limited to the following:

- *Waterbody and Vegetation Surveys* (seasonally constrained June through September).
- *Wildlife Habitat Reconnaissance* (seasonally constrained May through September).
- *Water Act Approvals* including field surveys of ephemeral waterbodies, wetlands, and drainages in advance of construction and prior to any removal or replacement.

Field evaluations and reporting of waterbodies will likely include compensation to the Province of Alberta.

4.3 ADDITIONAL STUDIES

Additional studies that should be completed prior to subdivision and development include an Historical Resource Assessment (HRA) and Geotechnical assessment. From a historical resource perspective, it is anticipated as unlikely that historical elements remain onsite given agricultural and former land uses identified in **Section 2.0 Existing Conditions**. Site specific geotechnical work is recommended at the time of development and subdivision to confirm all project requirements; the existing conditions inventory provides guidance on these future efforts within the plan boundary.

5.0 PUBLIC ENGAGEMENT

5.1 OPEN HOUSE

A virtual open house showcasing land use, infrastructure and community connectivity was hosted on April 8, 2021, from 7:00 PM to 8:00 PM. Following the open house, presentation material was made available to the community through the Town website as well as a recording of virtual event. The slide deck as presented is attached as **Appendix D – Open House** along with formal comments received during online forum.

The following summary of community comments gathered and noted about the plan content from the virtual event is included for reference.

1. Concern expressed about future recreational facilities and amenities that might conflict with existing facilities in the downtown core. The town should not create competition to downtown core and negatively impact it.
2. Pleased to see trail linkages and integration of open space to the wetland areas and opportunity for open space development. Permitted uses seem appropriate given what is already happening in the area.
3. Concern expressed if enough land was being dedicated to industrial uses.
4. Concern expressed about community connectivity and access across Highway 6; this needs to be considered for future design and evaluated to create safe transportation corridors for all users.
5. Pleased to see flexibility in the final size dedication of Open Space and Industrial Land as market conditions will change over time
6. Pleased with detail of municipal infrastructure in the plan and how it will attract and prepare our community for future investment.

6.0 LAND USE CONCEPT AND STATISTICS

The Plan is comprised of the following proposed general land use classifications, outlined in **Table 1 Land Use Statistics** below (refer to **Figure 6.1 Land Use Concept**):

Table 1 Land Use Statistics

Land Use Category	Area		% of Plan Area
	ha	ac	
Industrial/Commercial (I2, I3, C2)	9.01 ha	22.26 ac	19.0%
Parks and Open Space (POS)	25.83 ha	63.83 ac	54.2%
Roads	4.99 ha	12.33 ac	10.4%
Stormwater Facility	7.82 ha	19.32 ac	16.4%
Total Plan Area	47.65 ha	117.74 ac	100.0%

The proposed land use concept is intended to provide direction to future subdivision and investment; it is not intended to prescribe the final divisions of land parcels, roads and utility right of ways. Depending on changing market conditions and need, the Town of Pincher Creek may consider the adjustment of land distributions within the Plan Area at its discretion. This plan provides flexibility using either I2, I3 or C2 to adapt to future land uses and maximize opportunities for employment land development that integrates with the current built for and future recreational plans. Given the business and recreational uses within the Plan Area, residential or I1 zonings are not considered appropriate.

Final land use districts will be confirmed prior to subdivision and detailed design. A portion of lands are currently zoned I1 and I2.

7.0 LAND USE

This section outlines policies for areas identified in **Figure 6.1 Land Use Concept**. The proposed land use districts shown in the Land Use Concept are conceptual and subject to refinement prior to subdivision and detailed design. The proposed land use districts represent the intended outcomes and options for future development types and may not reflect final outcomes following future subdivision and detailed design exercises.

Policies

The following policies apply to the entirety of the Plan Area.

1. Display of vehicles, machinery or equipment may be permitted under I2 or I3 districts if such display does not interfere with the front or side yards.
2. Primary entrances to buildings should be visible from the street and accentuated through building articulation, and both hard and soft landscaping.
3. Public amenity spaces for employees should be visible and adjacent to the street to encourage activity on the street. These spaces should provide shelter and seating.
4. Light Industrial (I2) and Business Park (I3) areas shall conform to quality architectural, landscaping and site development guidelines including landscaping, screening, parking and access, garbage containment, outside storage, signage, lighting, and appearance guidelines.

For details on permitted and discretionary uses along with other site development conditions, refer to the Town of Pincher Creek Land Use Bylaw No. 1547.

NORTHEAST PINCHER CREEK PART 2 ASP

Land Use

7.1 INDUSTRIAL (I)

The intent of Industrial parcels is to provide opportunity for appropriate land uses that support non-residential development. Industrial zoning under the I1, I2 and I3 districts as identified in the Town of Pincher Creek Land Use Bylaw No. 1547. The intent of these districts is as follows:

7.1.1 General Industrial and Warehousing (I1)

The intent of the **General Industrial and Warehousing (I1)** 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.

Policies

1. I1 land use districts shall not be permitted in the Plan Area.

7.1.2 Light Industrial (I2)

The intent of **Light Industrial (I2)** is to allow light industrial and other comparable development in those areas of the Town that are considered to be most suitable while prohibiting noxious uses.

Policies

1. Light Industrial should be located in those areas illustrated in **Figure 6.1 Land Use Concept**.
2. Light Industrial should include uses such as equipment or vehicle sales and servicing, light manufacturing, contractor, utility, and public service uses. Subordinate office uses may be present as long as they do not interfere with the primary use.
3. Outdoor storage shall be permitted within the Light Industrial area; however, applicants must demonstrate effective screening to minimize the visual impact at the development permit stage.

NORTHEAST PINCHER CREEK PART 2 ASP

Land Use

7.1.3 Business Park (I3)

The intent of **Business Park (I3)** land use district is to accommodate a variety of compatible commercial, light industrial, recreational, public, and institutional uses in the business park, promoting a harmonious business environment.

Policies

1. Business Park should be located in those areas illustrated in the Land Use Concept.
2. Business Park should include a range of restaurants, contractors, drive-in and offices. Secondary uses which enable the primary intent of business and integrate with adjacent land uses which promote a harmonious business environment can be supported.
3. Outdoor storage shall be permitted within the areas of **Figure 6.1 Land Use Concept** identified as I3; however, applicants must demonstrate effective screening to minimize the visual impact at the development permit stage.

7.2 HIGHWAY / DRIVE-IN COMMERCIAL (C2)

The intent of **Highway / Drive-in Commercial (C2)** is to manage the development of commercial uses which require high visibility and ready access to designated highways for the benefit of motoring public and provide convenient highway proximate locations for commercial uses.

Policies

1. Highway / Drive-In Commercial should be located in those areas illustrated in **Figure 6.1 Land Use Concept**.
2. Highway / Drive-In Commercial should include a range of commercial uses that serve automotive access.
3. Landscaping of developments within C2 districts shall be provided on all street frontages.
4. Drive-throughs, if proposed at development permit stage, shall be integrated into the building design and shall not be a component of the building frontage (i.e., drive-throughs shall not be located in the front of buildings).
5. Loading and waste and recycling facilities should be designed to avoid negative visual impact to the adjacent road and POS districts.

7.3 PARKS AND OPEN SPACE (POS)

The proposed ***Parks and Open Space (POS)*** district is currently located on Transitional Urban Reserve (TUR). Due to existing site conditions in certain areas of this land and location in proximity to prominent local roadways, public open space development is proposed as a way to provide valuable public open space in a highly accessible area, near major commercial and industrial opportunities. In addition, the open space as identified allows for future highway bypass development with minimal impact to municipal infrastructure removals and interruptions to future programming opportunities for the open space area.

The intent of the POS district is to identify public parks and recreation areas and facilitate their development; identify lands designated as Environmental Reserve (ER) or Municipal Reserve (MR) under the MGA and provide a means whereby buffer strips and public open space may be readily identified.

Policies

1. The POS areas should be located as illustrated in **Figure 6.1 Land Use Concept**.
2. POS districts within the Plan Area should not be less than 4.00 ha (9.88 ac) or exceed 25.83 ha (63.83 ac) in order to provide adequate open space programming, as well as maintain lands for future commercial/industrial development opportunities.
3. POS may include commercial uses and/or private recreational buildings which serve a community recreational purpose.
4. The general layout of pathways and facility siting should follow the recommendations outlined in **Figure 7.1 Parks and Open Space**.
5. Main entrances to buildings should be visible from the street and accentuated through building articulation, and both hard and soft landscaping.
6. Opportunities for viewing and seating along the boundary of Pincher Creek should be considered during detailed design.

8.0 TRANSPORTATION

8.1 TRANSPORTATION NETWORK

The proposed roadway network layout is a continuation of the existing roadways and integrates the new area into the existing development to facilitate an effective transition. Existing and future conditions were considered in the development of the network, including the future Highway 3 bypass on the east side of the Plan Area. Generally, the Plan Area is provided with existing access from all directions. No additional access requirements are anticipated and no additional connections to the existing highway network (Highway 6 and future Highway 3 bypass) are proposed. While construction of the highway bypass is anticipated to occur over the long-term (which could be as long as 15+ years), the future highway right-of-way is required to be protected in the short-term. For this reason, the roadway network has been designed with this future connection in mind.

Internal roadways within the Plan Area are not intended to intersect with the Highway 3 bypass right-of-way. This is to ensure that proposed circulation within the Plan Area will not be affected at time of highway bypass construction and limit interruptions to the Highway 3 bypass intersecting with Highway 6. Allison Street, south of McEachern Street, will require future modification (or closure) to account for the future Highway 3 bypass connection with Highway 6.

The conceptual roadway and pathway network are outlined in **Figure 8.1 Transportation Network**.

Policies

1. Roadways within the Plan Area should generally follow the roadway network outlined in **Figure 8.1 Transportation Network**.
2. Right-of-way shall be protected for the future Highway 3 bypass as part of all future subdivision, land use, and development permit applications.
3. Future pathway connections should generally align with those illustrated in **Figure 8.1 Transportation Network**.
4. The area identified as the future Highway 3 bypass (to Highway 6) shall not be developed with permanent structures, buildings, or recreational infrastructure, that will necessitate them having to be removed when the bypass right-of-way is purchased by AT for highway road construction.
5. The existing Lot 25, Block 4, Plan 0611417, will be impacted by the future Highway 3 bypass and cannot be developed in the SE portion required for the highway right-of-way. Access to the remnant lot area shall only be provided to the north from McEachern St.
6. If the lane in the plan labelled Area "H" (East-half of Block 7, Plan 0613747) is deemed unnecessary and a consolidation of all the existing titles to land in Area "H" occurs in order to form one amalgamated block, then a formal road (lane) closure process will be required to be undertaken by the Town (see area "H" on **Figure 10.1**).

NORTHEAST PINCHER CREEK PART 2 ASP

Transportation

8.1.1 Transportation Opportunities

There is a skew in the road where the existing Corner Mountain Street will be extended to intersect with the existing 90-degree curve to the east. There is potential for a roundabout at this location to improve sightlines and keep traffic flowing safely. Completion of design-work related to future intersection upgrades at Corner Mountain Street will require future land acquisitions. Interim intersection improvements should also be considered during staged development of the intersection.

Policies

1. Intersection treatments/upgrades (including a potential roundabout solution) for the existing Corner Mountain Street intersection shall be explored at subdivision or detailed design stage to address/compensate for the skewed intersection alignment.

8.1.2 Roadway Cross-Sections

All existing roadways within the Plan Area are developed to a rural classification with an approximate 10 m wide asphalt surface, typically represented by the cross-section shown in **Figure 8.2 Existing Rural Road**.

All roads in the Plan Area will be constructed to an urban cross-section with curb and gutter. This conversion (from the previously developed rural cross-sections) to an urban cross-section will allow the public to integrate into the Plan Area through a greater variety of transportation modes, making use of the sidewalks to access the recreational areas from nearby businesses and beyond. Asphalt width would be set to a minimum of 12 m, allowing truck traffic to pass with passenger vehicles parked on each side of the road. The proposed cross-section is identified in **Figure 8.3 Typical Urban Standard**.

Policies

1. Roadways within the Plan Area should be developed to an urban standard cross-section (see **Figure 8.3 Typical Urban Standard** cross-section).

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

9.0 SERVICING

The following section outlines the conceptual servicing systems along with flow and demand estimations. All information shall be reviewed and confirmed at detailed design.

9.1 SANITARY SEWER

As identified in Section 2.3, the plan area is partially serviced by a combination of gravity and pressurized systems. **Figure 9.1 Sanitary Sewer System** highlights existing and proposed sewage collection systems. Our evaluation of future sewage flows within the plan area has been derived utilizing *Alberta Government, Part 4 Wastewater System Guidelines for Design, Operating and Monitoring (March 2013)*.

- Dry Weather Flow 30 m³ / ha / day
- Wet Weather Flows 7.5 m³ / ha / day
- Infiltration 2.25 m³ / ha / day
- Peaking Factor 6.659 (Q Average^{-0.168})

Based on the above, the total estimated sewage from the Plan Area to receiving systems for conveyance and treatment is outlined in **Table 2 Conveyance and Treatment Capacity** below.

Table 2 Conveyance and Treatment Capacity

Land Use	Land Area	Cumulative Area	Peak Flow	Peak Volume
Commercial Industrial (Upstream)	19 (47 ac)	19 ha (47 ac)	17 L/s	1,492 m ³
Industrial/Recreation (Plan Area)	10 (25 ac)	29 ha (72 ac)	25 L/s	2,141 m ³

The *Town of Pincher Creek's Infrastructure Master Plan (IMP) Update* (October 2010, AECOM) indicates that capacity exists in the Table Mountain Street gravity sewer line for peak flows identified above. The Ø250 sewer is identified to have a capacity of 56 L/s, and the Ø300 sewer is identified to have a capacity of 68 L/s. Full buildout of lands upstream of, and including the Plan Area, can be accommodated in the existing Table Mountain Gravity Sewer through a combination of gravity sewer and lift station infrastructure improvements as identified.

However, should a future northeast sewer servicing trunk be extended from the east along the north boundary of the Plan Area, peak sewage flows to Table Mountain Street Sewer will be reduced. For further information on the staging of sewer, refer to **Section 9.0 Implementation and Subdivision**.

Policies

1. All sewage discharged to public systems shall meet the requirements of the Town of Pincher Creek Utility Bylaw and as such, developments may be required to complete on-site treatment of sewage prior to release.
2. Reuse of water on-site should be encouraged over wastewater release to municipal sewage systems where practical.

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

3. Residual capacities of sewer systems should be re-evaluated by the municipality at every development stage to ensure the efficient utilization of downstream infrastructure.
4. The completion of parcel development utilizing existing sewer infrastructure should be prioritized over parcels requiring offsite infrastructure improvements.

Servicing

9.2 WATER DISTRIBUTION

The Plan is currently serviced with potable water distribution systems that terminate at the margins of the Plan Area. These existing installations allow for the looping of water systems during phased implementation of development. The creation of dead-end water systems during industrial site development should be avoided to provide for system redundancy and adequate fire flows. As per the Town of Pincher Creek IMP, a minimum Ø250mm water mains should be installed throughout the Plan Area. However, Ø300mm water main should be extended along Corner Mountain Street as it will potentially connect to future development north of the Plan Area. It should be noted that existing and proposed water distribution systems do not meet the demands of high-water consumption industries like food processing.

Fire hydrant spacing within industrial lands is currently required at 100 m intervals, measured along the roadway centerline. However, this spacing could be adjusted to suit onsite parcel development requirements if confirmed during the installation of municipal systems.

Refer to **Figure 9.2 Water Distribution System** for conceptual water servicing network.

Policies

1. Dead end waterline systems should be avoided where practical to allow for adequate system redundancies and improve fire flows to development areas.
2. Minimum Ø250mm water mains should be installed throughout the Plan Area.

Servicing

9.3 STORMWATER MANAGEMENT

The stormwater management servicing concept for the Plan is proposed as a standard urban dual-drainage system comprised of a:

- Minor storm sewer system (Pipes and Catch basins), and
- Major storm system (Surface Drainage along Road R/W to Ponds).

This dual-drainage system allows the Town to move to an urbanized road cross-section with curbs, gutters, and sidewalks, and away from the rural cross-sections (ditches/swales) currently in use. The interface of these two systems will need to be carefully investigated at detailed design.

The critical infrastructure component for future regional development (inclusive of the Plan Area) is the creation of a trunk line from the existing storm water management facility in the northeast area of the Plan Area, installed along Corner Mountain Street to Highway 6. This line shall be sized to account for upstream flows as identified in the *Master Drainage Plan for North East Pincher Creek* (2006, Martin Geomatic Consultants Ltd.) Refer to **Figure 9.3.2 Stormwater Management-Watershed Context**.

Hydrologic models using **PCSWMM Version 7.3** have been developed for the Plan Area to provide preliminary sizing requirements of drainage systems based on existing ground conditions and grades. The models estimate pre- and post-development conditions stormwater runoff across the Plan Area and offsite areas that contribute stormwater runoff to the existing constructed wetland in the northeast corner of the Plan boundary.

Rainfall events are simulated using a theoretical design storm using the Chicago Distribution to evaluate stormwater management system behavior as identified in the *Master Drainage Plan for North East Pincher Creek* (2006, Martin Geomatic Consultants Ltd.). The 1:5 year, 24-hour Chicago design event was used to determine runoff rates from the Plan Area to calculate the flows discharged to the minor systems. The total rainfall resulting from the 1:5 year, 24-hour rainfall event is 43.4 mm. The 1:100 year, 24-hour Chicago design event was used to confirm requirements of the major drainage system, including storage facilities. Total rainfall resulting from the 1:100 year, 24-hour rainfall event is 106.9 mm. Graphs A and B present the rainfall hyetographs for 1:5-year and 1:100-year 24-hour design storms.

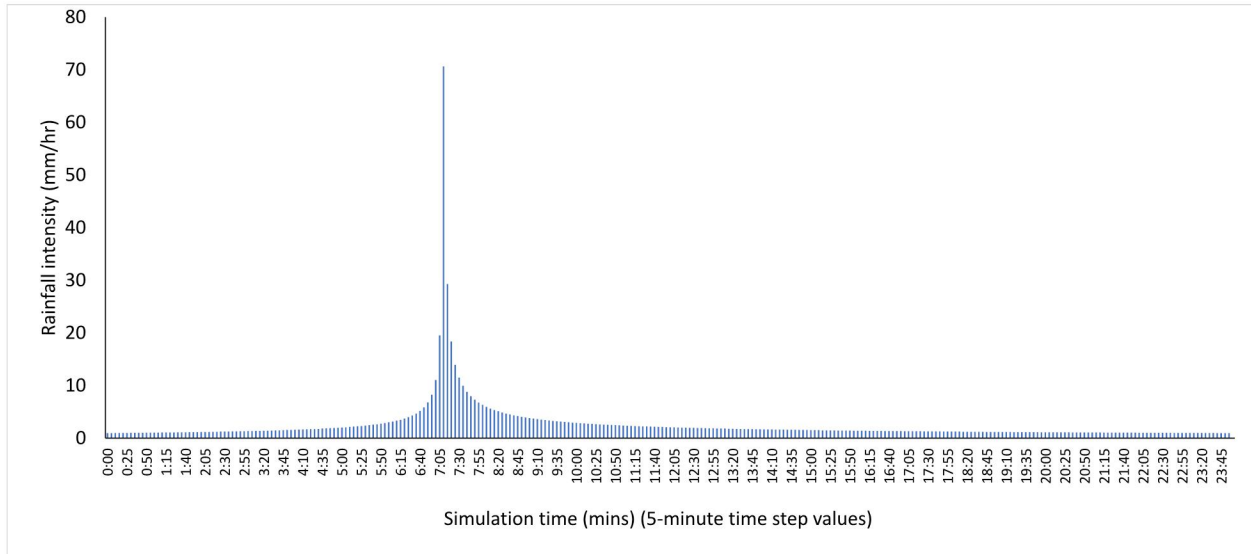
For the purpose of this evaluation, developed conditions for all lands except for lands north of the Plan Area are assumed.

Graph A: Design Storm Rainfall Hyetograph for a 1:5-Year 24-Hour Design Storm and **Graph B: Design Storm Rainfall Hyetograph for a 1:100-Year 24-Hour Design Storm** illustrate these 1:5 and 1:100-year scenarios.

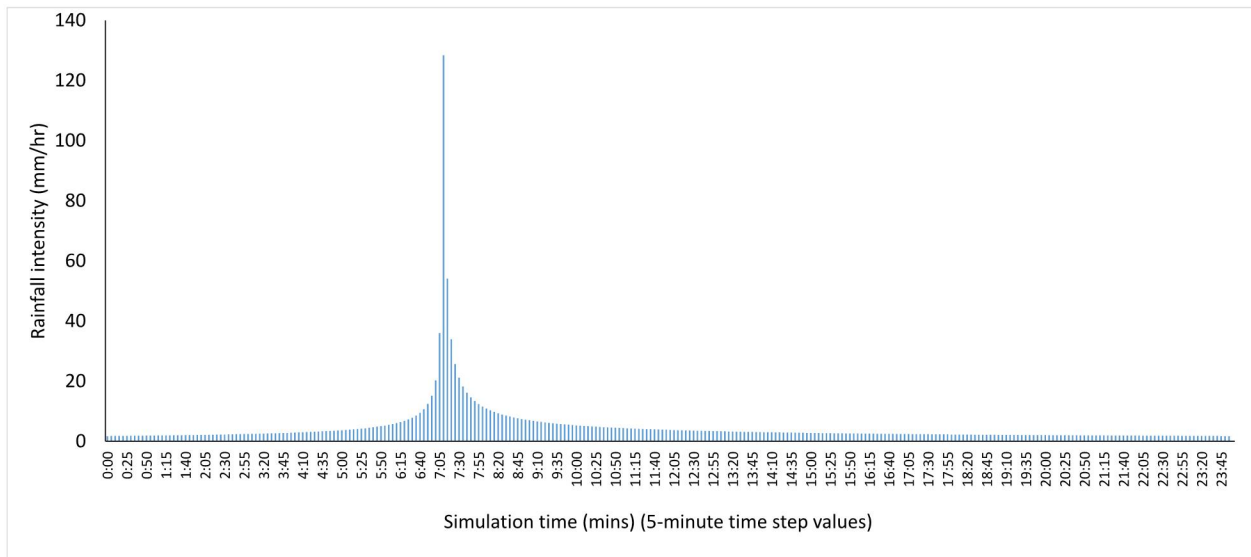
NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

Graph A: Design Storm Rainfall Hyetograph for a 1:5-Year 24-Hour Design Storm



Graph B: Design Storm Rainfall Hyetograph for a 1:100-Year 24-Hour Design Storm



Servicing

9.3.1 Watershed Context

Figure 9.3.2 Stormwater Management-Watershed Context illustrates the Plan boundary in relation to the overall watershed. Catchment boundaries were derived from the existing ground conditions Digital Elevation Model (DEM). Drainage area includes lands south of Highway 507 (S4_1, S4_2, S4_3), west of Highway 6 (S1, S2, S3_1, S3_2), north of the Plan Area (S5), the Plan Area, and the constructed wetland.

The Plan Area was divided into a series of sub-catchments based on topography. Soil within the Plan Area is expected to have the infiltration characteristics of clay, and infiltration is accounted for by utilizing the Green-Ampt infiltration method, using values provided in the *Master Drainage Plan for North East Pincher Creek* (April 2006, Martin Geomatic Consultants Ltd.). Soil and surface characteristics parameters are presented in **Table 3 Model Design Parameters – Soil and Surface Characteristics** below.

Table 3 Model Design Parameters – Soil and Surface Characteristics

Design Parameter	Value
Soil Suction Head	320.4 mm
Hydraulic Conductivity	0.254 mm/hr
Depression Storage - Impervious Surfaces	1.6 mm
Depression Storage - Pervious Surfaces	5.0 mm
Initial Soil Moisture Deficit (Fraction)	0.113
Manning's n value - Impervious Surfaces	0.015
Manning's n value - Pervious Surfaces	0.15

9.3.2 Existing Conditions – Stormwater

The existing condition includes development areas south of Highway 507 and east of Highway 6. Other areas are mainly undeveloped. All areas are ultimately discharged to the constructed wetland, which is a hybrid facility that includes a forebay, an upper basin, and a lower basin. This facility will control runoff from the upstream catchment and provide treatment for runoff. The runoff eventually drains to the outlet channel and into Pincher Creek. Pre-development condition characteristics are shown in **Table 4 Pre-Development Conditions Subcatchment Characteristics** below and illustrated in **Figure 9.3.2 Stormwater Management-Existing Site Conditions**.

Table 4 Pre-Development Conditions Subcatchment Characteristics

Subcatchment ID	Area		Flow Width	Slope %	Imperv. %
	ha	ac			
S1	17.3 ha	42.7 ac	417 m	2.1 %	5.6 %
S2	8.5 ha	21.0 ac	229 m	2.3 %	3.9 %
S3	180.9 ha	447.0 ac	926 m	3.1 %	0.9 %
S4	56.2 ha	138.9 ac	954 m	3.3 %	32.8 %
S5	100.0 ha	247.1 ac	1085 m	1.9 %	12.1 %
S6	65.4 ha	161.6 ac	472 m	2.3 %	35.0 %

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

9.3.3 Proposed Infrastructure

A conceptual servicing strategy is identified on **Figure 9.3.3 Stormwater Management-Proposed Infrastructure** that consists of a standard dual drainage system. Where possible, restrictions from catchment areas west of Highway 6 and south of Highway 507 were identified and modeled at 9.2 L/s/ha. The maximum discharge rate from these developed areas (S1, S2, S3_1, S4_1, S4_2, S4_3) to the Plan Area at the intersection of Highway 6 and Corner Mountain Street is 2.35 m³/s in a 1:100-year storm event. Furthermore, the maximum discharges to the outlet channel were estimated at 5.65 m³/s and 4.06 m³/s in the pre- and post-development conditions.

Post-development sub-catchment characteristics are shown **Table 5 Post-Development Conditions Subcatchment Characteristics** below.

Table 5 Post-Development Conditions Subcatchment Characteristics

Subcatchment ID	Area		Width (m)	Slope (%)	Imperv. (%)
	ha	ac			
110	6.2 ha	15.3 ac	200 m	2.4 %	70.0 %
120-1	3.2 ha	7.9 ac	500 m	2.6 %	70.0 %
120-2	8.1 ha	20.0 ac	500 m	2.5 %	70.0 %
120-3	2.1 ha	5.2 ac	340 m	2.7 %	70.0 %
200-1	2.0 ha	4.94 ac	360 m	3.1 %	70.0 %
200-2	5.0 ha	12.4 ac	576 m	1.5 %	70.0 %
210	2.4 ha	5.9 ac	90 m	3.0 %	70.0 %
215	1.0 ha	2.5 ac	300 m	3.3 %	70.0 %
220	7.5 ha	18.5 ac	240 m	3.2 %	70.0 %
230	4.7 ha	11.6 ac	230 m	3.0 %	70.0 %
300	1.0 ha	2.5 ac	40 m	2.9 %	70.0 %
310	4.4 ha	10.9 ac	200 m	1.4 %	70.0 %
320	2.8 ha	6.9 ac	160 m	1.8 %	70.0 %
330	4.1 ha	10.1 ac	150 m	2.6 %	70.0 %
S1	17.3 ha	42.7 ac	417 m	2.1 %	50.0 %
S2	8.5 ha	21.0 ac	229 m	2.3 %	50.0 %
S3_1	102.8 ha	254.0 ac	660 m	3.4 %	50.0 %
S3_2	78.1 ha	193.0 ac	500 m	2.6 %	0.2 %
S4_1	22.9 ha	56.6 ac	350 m	3.5 %	50.0 %
S4_2	13.8 ha	34.1 ac	290 m	3.5 %	50.0 %
S4_3	19.6 ha	48.4 ac	500 m	2.9 %	50.0 %
S5	80.0 ha	197.7 ac	1300 m	1.8 %	2.0 %
Wetland	27.9 ha	68.9 ac	400 m	1.9 %	38.0 %

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

9.3.4 Minor Storm System

Preliminary pipe sizing, in the table below, is provided based on existing topography and grades and subject to further refinement at detailed design and subdivision. Downstream pipe sizing has been modelled based upon a restricted release rate of 40L/s/Ha from future private parcels. In addition, existing restrictions as implemented by the Walmart Development west of our plan have been considered in the pipe sizing provided in **Table 6 Minor Stormwater System Sizing Information** below.

Table 6 Minor Stormwater System Sizing Information

Pipe ID	Size	Length	Slope %	Roughness	Contributing Area		Max. Flow
					ha	ac	
MIN110-wetland	1350 mm	712.8 m	1.4 %	0.011	239.3 ha	591.3 ac	4.68 m ³ /s
MIN120-110	900 mm	203.1 m	2.0 %	0.011	199.2 ha	492.2 ac	1.71 m ³ /s
MIN130-120_1	525 mm	49.5 m	1.0 %	0.011	128.6 ha	317.8 ac	0.47 m ³ /s
MIN130-120_2	675 mm	261.0 m	1.7 %	0.011	185.8 ha	459.1 ac	0.94 m ³ /s
MIN200-110	1050 mm	370.1 m	0.9 %	0.011	33.9 ha	83.8 ac	2.58 m ³ /s
MIN210-200	375 mm	182.7 m	2.5 %	0.011	2.4 ha	2.4 ac	0.18 m ³ /s
MIN215-J2	600 mm	16.3 m	3.1 %	0.011	57.2 ha	141.3 ac	0.92 m ³ /s
MIN220-200	900 mm	118.8 m	0.4 %	0.011	16.4 ha	16.4 ac	1.13 m ³ /s
MIN230-220	450 mm	277.8 m	2.9 %	0.011	4.7 ha	11.6 ac	0.39 m ³ /s
MIN300-200	900 mm	320.9 m	0.2 %	0.011	12.2 ha	30.1 ac	0.68 m ³ /s
MIN310-300	675 mm	107.2 m	0.5 %	0.011	11.3 ha	27.9 ac	0.61 m ³ /s
MIN320-310	525 mm	146.7 m	0.3 %	0.011	2.8 ha	6.9 ac	0.23 m ³ /s

9.3.5 Major Storm System

Roadway cross-sections will require further evaluation during detailed drainage designs to confirm accommodation of emergency overland flows from both public and private parcels. Roadway right-of-way widths are anticipated to be adequate for these purposes based on the potential for defining and routing sub-catchments that can spill into the wetland facility in multiple locations during detailed design.

Private parcels shall be serviced with a restricted release rate of 40 L/s/ha and will be required to detain stormwater onsite during the 1:100year rainfall event. It is estimated that private parcels will be required to store approximately 300m³/Ha subject to future site statistics and levels of impervious area. This equates to roughly 30mm of storage depth over 1Ha. Development permits for these future parcels shall require a stormwater management plan that confirms onsite storage and drainage effects on downstream minor and major systems.

9.3.6 Constructed Wetland Utilization

Based on the above restrictions, the existing wetland will be operating at 96% of ultimate capacity. This is based upon an ultimate active storage volume of 125,000 m³ and our modelled volume from all upstream catchments of 120,000 m³.

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

Policies

1. Private parcel developments shall be restricted to a release rate of 40 L/s/ha and will be required to detain stormwater onsite during the 1:100year rainfall event.
2. All stormwater run-off directed to public systems shall meet the requirements of the Town of Pincher Creek Utility Bylaw.
3. Industrial uses that could affect the quality of stormwater run-off shall be evaluated at the development permit stage and may require environmental review and treatment before discharge to public systems.
4. Stormwater conveyance systems in public roadways shall be dual drainage systems with a minor pipe system and major overland conveyance system. Ditch systems (Rural cross-section) should be avoided where it is practical to do so.
5. Drainage impacts shall be considered in conjunction with the MD of Pincher Creek during future site designs and construction for those parcels located within the affected catchment areas shared with the existing residential area of Lowland Heights, located within the MD of Pincher Creek.

NORTHEAST PINCHER CREEK PART 2 ASP

Servicing

9.4 ELECTRICAL, NATURAL GAS, AND TELECOMMUNICATIONS

Electrical, Natural Gas and Telecommunications systems are located at the boundaries of the plan area and their extension and servicing will be confirmed at the time of subdivision and detailed design. Current existing installations of Fortis and Altagas as identified in **Section 2.0 Existing Conditions** will need to be accommodated or relocated based on final development. During detailed design and permitting stages, load requirements will have to be provided to Altagas for infrastructure sizing.

Communications with all parties at the time of plan development indicate that sufficient capacities exist for land uses proposed.

Policies

1. Decisions to relocate or accommodate existing Fortis and Altagas infrastructure shall be addressed at subdivision and/or detailed design stage.

NORTHEAST PINCHER CREEK PART 2 ASP

Plan Implementation

10.0 PLAN IMPLEMENTATION

Future development requirements for the Plan Area are anticipated to consist of the following, but not limited to:

- Parcel specific geotechnical and environmental field investigations including wetland compensation strategies,
- Review of Town of Pincher Creek Municipal Master Servicing and Drainage Plans,
- Land use designations selecting the appropriate district(s) among those identified in **Section 7.0**,
- Subdivision, detailed design of infrastructure, and regulatory approvals,
- Development permits for individual/site-specific developments within the Plan Area, and
- Building permits.

The policies within the ASP will be monitored over time in relation to development and monitoring of the MDP and other applicable overarching statutory and non-statutory plans. Where determined necessary, these policies will be updated through the Plan Amendment process, either generally, or in response to a specific issue.

To ensure the ASP is a living document that reflects new policies adopted by Council over time, it should be reviewed and updated periodically from the time it is initially adopted until such time as the Development Authority determines The Plan Area is fully built out.

Policies

1. Where applicable, geotechnical investigations shall be required for parcels at the discretion of the Development Authority (to be determined by the Development Authority prior to subdivision or development permit approval, whichever applies).
2. Where applicable, further environmental investigations (i.e., Biophysical Impact Assessment) shall be required for select parcels at the discretion of the Development Authority (to be determined by the Development Authority prior to subdivision or development permit approval, whichever applies).
3. The Plan should be reviewed and updated every 10 years from the time of initial adoption, until such time as the Plan is recognized to achieve full buildout by the Development Authority.
4. The Town (land developers) shall be responsible for the provision of Roads and Main Utilities during or prior to subdivision stage (whichever applies) and does not include shallow utility servicing extensions to individual lots/parcels.
5. Design and construction of shallow utility servicing to individual lots (including connection(s) to the Main) shall be the responsibility of the land purchaser or builder/developer of the individual parcel at their expense.

NORTHEAST PINCHER CREEK PART 2 ASP

Plan Implementation

6. The Town will submit a Historical Resource (HR) application to the province for the adopted ASP to obtain clearance or determine if a Historical Resource Assessment needs to be completed prior to subdivision or development.
7. The Town will redesignate all current “General Industrial & Warehousing (I1) land to (I2). Individual lot purchasers and developers shall be responsible for the application and costs associated with changing the designation to C2 or I3 land use district if so desired to accommodate their proposal and intended use.
8. If the commissioned wetland analysis confirms the presence of wetlands in the development area of the ASP, the Town’s preference will be to compensate through a land removal and relocation process to relocate the wetlands to the north stormwater facility area a constructed wetland replacement. All provincial Water Act applications and approvals required to facilitate this process shall be undertaken by the municipality prior to the sale or development of any impacted lands.
9. Prior to the sale of land in Area “H” where the ESA identified a waste material stockpile of various materials (see Appendix A, Environmental Site Assessment Site Plans, **Figure 4.0**) the Town shall remove the debris and remediate the soil conditions to an acceptable standard based on the intended future industrial/commercial use. If the land is proposed for short-term accommodation (e.g., hotel/motel) or a business involving food preparation, the municipality may decide to conduct a further environmental assessment of the soil to ensure no hydrocarbons or other toxic materials are present in consideration of provincial guidelines.

NORTHEAST PINCHER CREEK PART 2 ASP

Development Phasing

11.0 DEVELOPMENT PHASING

Staging and subdivision (including consolidation, where deemed appropriate) will be completed to facilitate a sequencing of development that will be effective, efficient, and affordable. Refer to **Figure 10.1 Staging and Subdivision** for the anticipated staging and subdivision sequencing for the Plan Area.

Critical to the urbanization of transportation corridors (sidewalk, curb and gutter) within the Plan Area will be the installation of a storm trunk along the north boundary of the Plan Area to the existing regional stormwater management facility, incorporated from the pond to Chief Mountain Avenue as part of Phase 1.

11.1 PHASE 1 DEVELOPMENT

Areas identified in Phase 1 are to be serviced through an extension of existing sanitary sewage collection and water distribution systems. Stormwater system improvements identified above will be required. Ties to existing rural road cross-sections (swales/ditches) west of Phase 1 will require site specific evaluations at detailed design to ensure drainage continuity from lands upstream of the plan area. Altagas realignment and integration into new infrastructure will be required on the eastern margin of the Phase 1 development zone and protection/relocation of their high-pressure gas line will be required during the installation of future infrastructure on the projection of Corner Mountain Street.

Policies

1. Site-specific evaluations for municipal infrastructure extensions and improvements shall be conducted by the developer, in conjunction with the Town, for developments in Stage 1.

11.2 PHASE 2 DEVELOPMENT

Areas identified in Phase 2 can be conveniently serviced by nearby water distribution systems. With respect to sanitary servicing, two options are available:

- Interim gravity connection to existing Lift Station #2 (review of system capacity and potential for upgrades will be required at the time of detailed design), and
- Completion of a northeast sewer trunk line from Lift Station #1 as identified in the Town of Pincher Creek's Infrastructure Master Plan.

Stormwater system improvements identified above will be required. Creation of a realigned right-of-way for Corner Mountain Street is to be considered, including a potential roundabout intersection as identified in **Section 8.1.1 Transportation Opportunities**. Adjustments to the transportation system will require additional land acquisition from the north.

Policies

1. A review of sanitary servicing capacity and requirements for upgrades shall be conducted by the developer, in conjunction with Town Administration, during detailed design stage for all proposed developments located in Stage 2.

NORTHEAST PINCHER CREEK PART 2 ASP

Development Phasing

2. The proposed Phase 3 fronting Mountain Ave (see area “H” on **Figure 10.1**), should not proceed until Phase 2 is 2/3 complete or the planned budget and detailed servicing plans for the ASP are revised with Council’s approval, to commence to an earlier time frame.

11.3 SUBDIVISION

Consolidation of existing parcels owned by the Town within the Plan Area may be considered, excluding those parcels serviced along Chief Mountain Avenue. Consolidation of smaller lots to form larger parcels provides the municipality with flexibility as it reacts to changing market conditions and investment opportunities from third parties. Subdivision and servicing of smaller parcels should occur during the development permit stage as pre-servicing and subdivision efforts could result in complications with larger-scale development proposals, or installation of infrastructure that is not required in the future.

Opportunities for parcel consolidation identified in **Figure 10.1 Phasing & Subdivision** must also consider implications regarding road and lane closures. Proposals for consolidation which result in closure of that portion of Dobbie Avenue north of McEachern Street (identified as “A” on **Figure 10.1**), or that portion of the laneway west of Mountainview Avenue (see area “H” on **Figure 10.1**) shall require a bylaw road (lane) closure application to accompany the proposed subdivision.

Policies

1. The Town should explore parcel consolidations for those parcels identified as “Parcel Consolidation” on **Figure 10.1 Phasing & Subdivision** prior to subdivision or detailed design stage (whichever applies).
2. The Town should explore road closures and new right-of-way corridors, specifically label “A” as identified on **Figure 10.1 Phasing & Subdivision**, prior to subdivision or detailed design stage (whichever applies).
3. The Town should explore potential easement removals and new easement registrations as identified on **Figure 10.1 Phasing & Subdivision** prior to subdivision or detailed design stage (whichever applies).
4. If the portion of road (Dobbie Ave - see area “A” on **Figure 10.1**) between Area “B” parcels of the plan is deemed unnecessary as the ASP proposes and a consolidation of the existing adjacent titles of land in Area “B” occurs in order to form one amalgamated block, then a formal road closure bylaw process will be required to be undertaken by the Town (see **Figure 10.1**).

NORTHEAST PINCHER CREEK PART 2

Afterward

12.0 AFTERWARD

The Northeast Pincher Creek ASP Part 2 has been developed as a refinement to the previously completed Bylaw 1427 Northeast Pincher Creek ASP (1989, Bylaw No. 1427). The information identified within this Plan has been included based on review of the following municipal reference documents:

- *Master Drainage Plan for North East Pincher Creek* (April 2006, Martin Geomatic Consultants Ltd.)
- *The Town of Pincher Creek and MD of Pincher Creeks Intermunicipal Development Plan (IDP) Bylaw No. 2010-11 (Town) and Bylaw No. 1200-10 (MD)*
- Pincher Creek's Municipal Development Plan (MDP) was adopted in October 2013 under bylaw No. 1518-13.
- Pincher Creek Regional Recreation Master Plan 2021
- Pincher Creek Infrastructure Master Plan (October 2010)



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Letter of Support Request - Cowley Lions	
PRESENTED BY: Marie Everts, Economic Development	DATE OF MEETING: 5/8/2023

PURPOSE:

to decide if the request for a letter of support for the Cowley Lions will be provided.

RECOMMENDATION:

That Council for the Town of Pincher Creek provide a letter of support to the Cowley Lions for electrical upgrades at the Castle River Rodeo and Campground through the Community Facility Enhancement Program.

BACKGROUND/HISTORY:

Community Facility Enhancement Program (CFEP) funding provides financial assistance to acquire, build, purchase, repair, renovate, upgrade or expand sports, recreational, cultural or other related public-use community facilities.

CFEP outcomes are to:

- enhance the lifespan and support the creation of public-use community facilities
- stimulate economic activity across the province

The Cowley Lions operate and maintain the Castle River Rodeo and Campground located within the MD of Pincher Creek.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the request as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The Town of Pincher Creek have provided letters of support to many community groups in the past to assist with fundraising in the past.

FINANCIAL IMPLICATIONS:

None.

PUBLIC RELATIONS IMPLICATIONS:

The Cowley Lions is an active service group within our community.

ATTACHMENTS:

CONCLUSION/SUMMARY:

Administration supports that the Town of Pincher Creek provides a letter of support to the Cowley Lions for electrical upgrades at the Castle River Rodeo and Campground through the Community Facility Enhancement Program.

Signatures:

Department Head:

Marie Everts

CAO:

Angie Lucas



Town of Pincher Creek

962 St John Ave (Box 159) Pincher Creek, AB T0K 1W0

403 627 3156

reception@pinchercreek.ca www.PincherCreek.ca



May 8, 2023

Edna Nelson
Treasurer
Cowley Lions
Box 53
Cowley, AB T0K 0P0

Dear Edna,

Re: Community Facility Enhancement Program application

Council for the Town of Pincher is in support of your application for electrical upgrades at the Castle River Rodeo and Campground through the Community Facility Enhancement Program.

The Cowley Lions are an active community service group in our region. The Lions can be relied upon to support many community events providing manpower and, in many cases, small grants to aid a community event or fundraiser.

It is our understanding that this project will upgrade the power system at the sites within the campground and add new sites to allow the campground to expand and serve many more visitors. Our region continues to see an increase in visitors and having places for them to stay longer will positively impact on our economy.

We are happy to support your initiative and commend you on your foresight.

Mayor Don Anderberg





Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Deputy Regional Director of Emergency Management	
PRESENTED BY: Angie Lucas, Chief Administrative Officer	DATE OF MEETING: 5/8/2023

PURPOSE:

To appoint Brian Millis as Deputy Regional Director of Emergency Management.

RECOMMENDATION:

That Council for the Town of Pincher Creek appoint Brian Millis as Deputy Regional Director of Emergency Management.

BACKGROUND/HISTORY:

The Municipal District of Pincher Creek passed a resolution at their regular meeting of April 25, 2023 to appoint Brian Millis as the new Deputy Regional Director of Emergency Management. The Town of Pincher Creek and the Village of Cowley will also need to separately appoint Mr. Millis into this regional position.

ALTERNATIVES:

accept as information

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

NA

FINANCIAL IMPLICATIONS:

NA

PUBLIC RELATIONS IMPLICATIONS:

NA

ATTACHMENTS:

2023-04-26 REMO (002) - 3155

CONCLUSION/SUMMARY:

To appoint Brian Millis as Deputy Regional Director of Emergency Management.

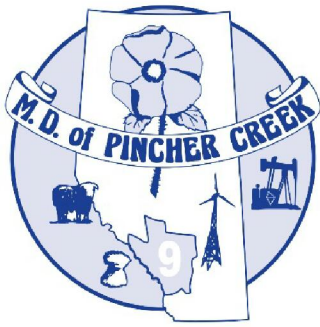
Signatures:

Department Head:

Angie Lucas

CAO:

Angie Lucas



1037 Herron Ave.
PO Box 279
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T0K 1W0
p. 403.627.3130
f. 403.627.5070

info@mdpincercreek.ab.ca
www.mdpincercreek.ab.ca

April 26, 2023

Brett Wuth
PCREMO-DEM@mdpincercreek.ab.ca

Dear Mr. Wuth:

Reference: Deputy DEM

Council, at their regular meeting of April 25, 2023, passed a resolution to appoint Brian Millis as Deputy Regional Director of Emergency Management. Once we have confirmation that the other Municipalities have also appointed him, we will ensure you have all necessary contact information.

If you have any questions or concerns please feel free to contact the administration office at (403) 627-3130.

Yours truly,

Rick Lemire
Reeve, MD of Pincher Creek No.9

cc: Town of Pincher Creek
Village of Cowley



**Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
May 8, 2023**

<u>Item No.</u>	<u>Date</u>	<u>Received From</u>	<u>Information</u>
1.	Apr 20, 2023	Alberta Health Services	CACD March
2.	Apr 25, 2023	Municipal Services	2023 Minister's Awards for Municipal and Public Library Excellence
3.	May 3, 2023	Legislative Services	Problem Wildlife Services Quarterly Report
4.	May 4, 2023	City of Medicine Hat	Media Release & Letter to Mayor and Councils
5.	May 4, 2023	Stantec	SE Commercial Area Drainage Improvements Preliminary Design Study
6.	May 4, 2023	Canada Provincial Nominee Program	Office of the Chief Immigration Judge
7.			
8.			
9.			
10.			
11.			

Operations Department



2023
First Quarter
Report

Staff News



Cory Carlson
Operations Manager

Operations Manager

A warm welcome to the new Operations Manager, Cory Carlson.

Cory accepted the position in March 2023 and will officially start with the Town in mid-April.

Cory comes to us from Westlock, Alberta with over 11 years of experience in Municipal Government. With strong experience in Health & Safety and equipment operation, his knowledge will certainly have a positive impact on the Town.

WELCOME!!



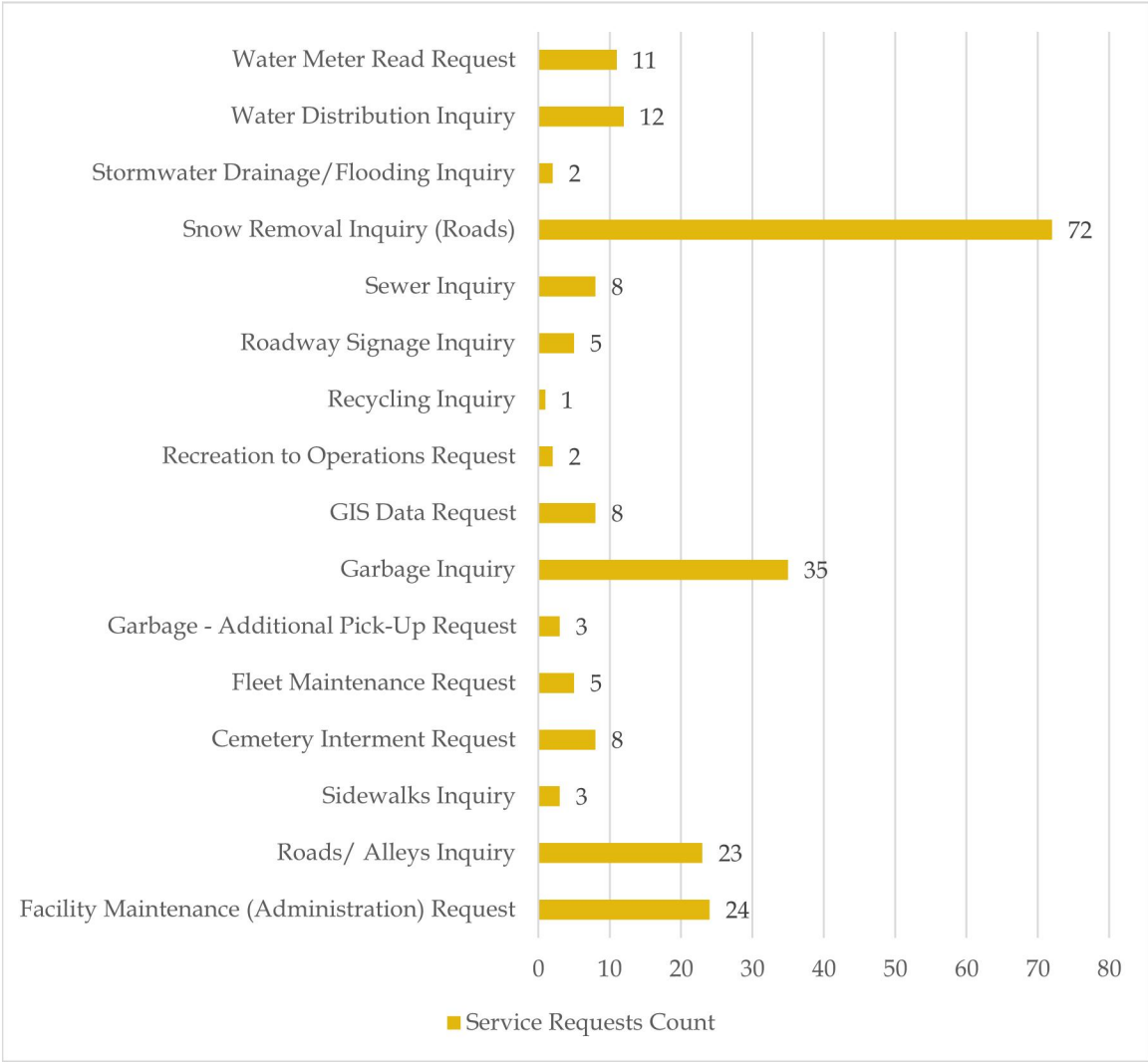
Department Statistics

Sewer Inspections	5
Water Main Breaks	2
Service Locates	27



Citywide Requests

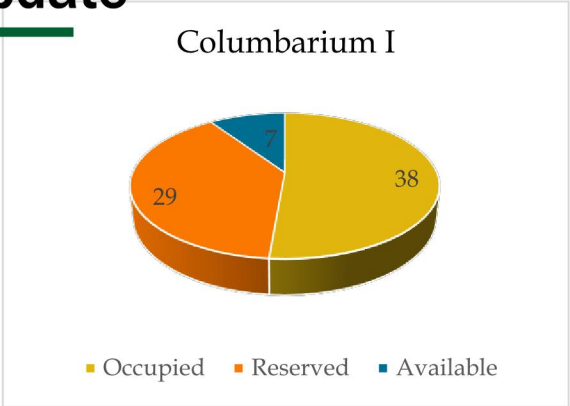
Quarterly Totals: 222



Cemetery Update

Fairview Cemetery

- Inurnments 2
- Full Burials 2
- Niche Front Installations 1



Major Projects

WTP Sodium Hypochlorite Generation System

- *Project Background/Need:* Gaseous chlorine is used to disinfect the Town's water supply but is a highly toxic substance. Operations is working to transition away from gaseous chlorine and utilize sodium hypochlorite as an alternative disinfectant.
- *Capital or Operating:* Capital
- *Status Update:* **On-Hold** – Published for public bids in Q1 2023, concerns with pricing (and alternatives) will be brought to Council
- *Future Reporting to Council:* RFD expected to be presented to Council in Q2 2023

WTP Plumbing Replacements

- *Project Background/Need:* Existing building plumbing deteriorated and required replacement. Not related to treatment process, only building plumbing (sewer) from sinks, bathrooms, etc.
- *Capital or Operating:* Capital
- *Status Update:* **Complete** – Construction awarded and completed in Q1 2023
- *Future Reporting to Council:* None Anticipated

Sentry Speed Signs

- *Project Background/Need:* Council and the Police Advisory Committee had requested additional digital speed signs be installed throughout the community.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Locations selected, met with concerned residents on Broadview to confirm location, to be installed in Q2 2023 when the ground thaws
- *Future Reporting to Council:* None Anticipated

Sander/Snowplow

- *Project Background/Need:* Snowplow required to meet demand of snow removal expectations and continue with routine fleet upgrades/replacements.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Council approved RFP award in Q1 2023, expected delivery in Q2 2024
- *Future Reporting to Council:* None Anticipated

Backhoe Replacement

- *Project Background/Need:* Existing backhoe is 16 years old. The Operations Department heavily relies on this piece of equipment and is looking to replace for increased reliability.
- *Capital or Operating:* Capital
- *Status Update:* **Not Started** – RFP expected in Q3 2023
- *Future Reporting to Council:* RFD for project award at future Council meeting, timeline unknown

Canyon Drive Water & Sewer Upgrades

- *Project Background/Need:* Standard replacements of aging underground infrastructure. Recommended as part of Infrastructure Master Plan.
- *Capital or Operating:* Capital

- *Status Update:* **On Hold** – Council approved at the April 11, 2023 regular meeting of Council to continue with the design but defer construction to 2024 to allow the Operations Department to replace pumps at the WTP first.
- *Future Reporting to Council:* Will present the construction budget at the 2024 Capital budget deliberations.

Poplar Avenue Storm Upgrades (Willow St to Main St)

- *Project Background/Need:* Upgrading of aging and undersized infrastructure to improve drainage. Recommended as part of Infrastructure Master Plan.
- *Capital or Operating:* Capital
- *Status Update:* **On Hold** – Design completed as part of previous project, waiting to publish for bidding until grant is confirmed, grant application submitted Q1 2023
- *Future Reporting to Council:* RFD for project award at future Council meeting, timeline unknown

Sanitary Sewer Lining

- *Project Background/Need:* Based on the results of Sanitary Sewer CCTV Inspections, Operations has identified sanitary sewers which are candidates for lining which ultimately is approximately 25% of the cost of full replacement. Recommended as part of Infrastructure Master Plan.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Locations selected as Frederick St/John Ave, lining expected in Q2-Q3 2023
- *Future Reporting to Council:* None Anticipated

SCADA Communication Radio Replacements

- *Project Background/Need:* SCADA radios are used for communication between water/wastewater facilities. The Town's current radios are now obsolete and have no replacement parts available.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Radios ordered and received; installation expected in Q2 2023
- *Future Reporting to Council:* None Anticipated

Sidewalk Replacements

- *Project Background/Need:* Routine sidewalk replacement prioritized by condition, traffic, risk, etc. Recommended as part of Infrastructure Master Plan.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Location selection in progress, public procurement expected in Q2 2023 with construction in Q3 2023
- *Future Reporting to Council:* None Anticipated

Skid Steer Trade-In Replacement

- *Project Background/Need:* Because municipalities receive a significant discount from dealers on new equipment, the re-sale value makes it very cost effective to upgrade/trade-in regularly. By upgrading annually, the Town benefits from this equipment always being under manufacturer warranty, reducing operating costs
- *Capital or Operating:* Capital
- *Status Update:* **Complete** – Purchased and received in Q1 2023
- *Future Reporting to Council:* None Anticipated

Mini-Excavator Trade-In Replacement

- *Project Background/Need:* Because municipalities receive a significant discount from dealers on new equipment, the re-sale value makes it very cost effective to upgrade/trade-in regularly. By upgrading annually, the Town benefits from this equipment always being under manufacturer warranty, reducing operating costs
- *Capital or Operating:* Capital
- *Status Update:* **Underway** - Purchased, delivery expected Q2-Q3 2023
- *Future Reporting to Council:* None Anticipated

Operations ATCO Trailer Replacement

- *Project Background/Need:* Significant spacing constraints for Operations staff. Upgraded existing 10'x40' ATCO Trailer to a 10'x60' ATCO Trailer.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Purchased and received in Q1 2023, renovations on-going with completion expected in Q2 2023
- *Future Reporting to Council:* None Anticipated

Cemetery 2nd Columbarium

- *Project Background/Need:* Existing cemetery columbarium is reaching its capacity. Second columbarium to be installed to meet demand.
- *Capital or Operating:* Capital
- *Status Update:* **Underway** – Purchased in Q1 2023, delivery expected in Q3 2023
- *Future Reporting to Council:* None Anticipated

WTP Dam Assessment

- *Project Background/Need:* In 2018 the Dam Safety Board changed the parameters of what was considered a 'dam'. The Town's Raw Water Pond, located at the Water Treatment Plant, now requires a Dam Assessment to report on downstream risk in case of a failure.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Inspection and report expected in Q2-Q3 2023
- *Future Reporting to Council:* None Anticipated

WTP Filter Media Study

- *Project Background/Need:* Filter Media in the WTP is original to the plant (constructed in 1991). A Filter Media Study was recommended as part of the Town's Infrastructure Master Plan.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Inspection complete, report expected Q2 2023
- *Future Reporting to Council:* None Anticipated

CRC Facility Condition Assessment

- *Project Background/Need:* Facility needs significant investment but recommended full assessment before proceeding with any major repairs.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Inspection complete, report expected Q2 2023
- *Future Reporting to Council:* RFD for information expected in Q2 2023

SE Commercial Area Storm Upgrades Preliminary Design

- *Project Background/Need:* Historical drainage problems in the SE Commercial Area. Council desired to complete preliminary design to upgrade the area to an urban, asphalt profile with stormwater infrastructure. Preliminary design to include proposed phasing and associated costs.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Consultant selection and award expected in Q2 2023, survey and design expected in Q2-Q3 2023, report expected Q3-Q4 2023
- *Future Reporting to Council:* Information to be used to inform 2024 budget deliberations, including the 2025-2029 5-year long-term budget

Sewer CCTV Phase 4

- *Project Background/Need:* Underground camera inspections of sanitary sewers. Project aims to inspect 8-10km of sewers each year.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Kick-off meeting completed in Q1 2023, inspections expected in Q2 2023, report expected Q3 2023
- *Future Reporting to Council:* None Anticipated

Pronghorn Avenue Geotechnical Assessment

- *Project Background/Need:* Preliminary assessment to determine upgrades needed to Pronghorn Avenue. This type of investigation will assist in grant applications for future upgrades, including Alberta Transportation STIP grants.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Inspection completes Q1 2023, report expected Q2 2023
- *Future Reporting to Council:* Information to be used to inform 2024 budget deliberations, including the 2025-2029 5-year long-term budget

Old RCMP Building Demolition

- *Project Background/Need:* Old RCMP Building is at end of life. Project is intended to prepare the site to be 'shovel ready' for future development opportunities.
- *Capital or Operating:* Operating
- *Status Update:* **Underway** – Consultant onboarded, RFP expected in Q2 2023, demolition expected Q3 2023
- *Future Reporting to Council:* RFD for project award expected Q2-Q3 2023