TOWN OF PINCHER CREEK COUNCIL MEETING AGENDA
Monday, June 26, 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 MLA John Barlow

5. **Adoption of Minutes**
   - 5.1 Minutes of the Committee of the Whole held on June 7, 2023 (pg 2)
   - 5.2 Minutes of the Regular Meeting of Council held on June 12, 2023 (pg 8)

6. **Business Arising from the Minutes**
   - 6.1 Disposition of Delegation – Snow Removal (Hochstein & Mitchell) (pg 15)
   - 6.2 Tennis Courts Windscreen Fencing (pg 18)
   - 6.3 Disposition of Delegation - Stacey McRae - Allied Arts (pg 20)
   - 6.4 Oldman Rose Society Fencing Options (pg 28)
   - 6.5 Letter of Confirmed Funding (pg 34)

7. **Bylaws**
   - 7.1 Clean Energy Improvement Program Bylaw 1634-22 – Second Reading (pg 37)

8. **New Business**
   - 8.1 Funding acceptance from Enel Green Power for the Lebel Mansion Solar Installation (pg 45)
   - 8.2 Food Bank Donations Fund (pg 49)
   - 8.3 Evolugen Proposed Solar Project - Objection Letter (pg 54)
   - 8.4 Communities in Bloom Judging Agenda and Council Participation (pg 172)
   - 8.5 Library Board Appointment (pg 182)

9. **Council Reports**
   - 9.1 Upcoming Committee Meetings and Events

10. **Administration**
    - 10.1 Council Information Distribution List (pg 185)

11. **Closed Session Discussion**
    - 11.1 Mutual Release Agreement – Roll #8600600 - FOIP 16
    - 11.2 Community Medical Care Discussion (No RFD) - FOIP s. 24
    - 11.3 Administration Transition - FOIP s. 24

12. **Notice of Motion**

13. **Adjournment**

The next Regular Council Meeting is scheduled for July 24, 2023 AT 6:00 p.m.

Town of Pincher Creek
COMMITTEE OF THE WHOLE MINUTES
June 7, 2023 – 9:00 AM
962 St. John Avenue
In Person & Virtually

ATTENDANCE:

Mayor:	D. Anderberg
Councillors:	M. Barber, S. Nodge, B. Wright, G. Cleland, D. Green, and W. Oliver
Staff:	A. Lucas, Chief Administrative Officer; W. Catonio, Director of Finance and Human Resources; K. Green, Executive Assistant; A. Hlady, FCSS Coordinator; A. Levair, Director of Operations; L. Rideout, Director of Community Services; A. Grose, Recreation Manager; and L. Goss, Legislative Services Manager

1. CALL TO ORDER

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

2. AGENDA APPROVAL

WRIGHT:
That the Committee of the Whole for the Town of Pincher Creek agrees to add 9.3 Personnel Update, 8.6 Huddleston Coffee with Council, 8.7 Community Facility Enhancement Program Grant Application, 8.8 Highschool Reunion Update, and 8.9 Alberta Municipalities Award Nominations to the June 7, 2023 Committee of the Whole Agenda.

CARRIED COTW 2023-084

GREEN:
That the Committee of the Whole for the Town of Pincher Creek accepts the June 7, 2023 Committee of the Whole Agenda as amended.

CARRIED COTW 2023-085

3. DELEGATIONS

_____Initial

4. COMMITTEE REPORTS

CLELAND:

That the Committee of the Whole for the Town of Pincher Creek accept the Committee Reports as presented

CARRIED COTW 2023-086

5. Administration

5.1 SE Commercial Area Upgrades Update

CLELAND:

That the Committee of the Whole for the Town of Pincher Creek accept the SE Commercial Area Upgrades update as information.

CARRIED COTW 2023-087

5.2 Rural Renewal Stream Community Designation Update

BARBER:

That the Committee of the Whole for the Town of Pincher Creek direct administration to bring the rural renewal program back to the July Committee of the Whole for further discussion

CARRIED COTW 2023-088

6. Business Arising from the Minutes

6.1 Discuss Territorial Acknowledgements

GREEN:

That the Committee of the Whole for the Town of Pincher Creek direct administration to draft a territorial acknowledgement for review at a future Committee of the Whole for further discussion and assign a Councillor or two to provide input.

CARRIED COTW 2023-089

7. Policy

7.1 Policy Training

8. New Business

8.1 Joint Funding Forms

GREEN:

That the Committee of the Whole for the Town of Pincher Creek accept the changes proposed to the Joint Funding forms by the Joint Funding Sub Committee pending corrections of the formatting.

CARRIED COTW 2023-090

OLIVER:

That the Committee of the Whole for the Town of Pincher Creek request another Joint Funding Committee meeting for setting up the parameters of who needs to give a presentation for funding above $5000.

CARRIED COTW 2023-091

_____Initial

Mayor Anderberg called a recess at 10:32 am
M. Everts left meeting at 10:32 am
Mayor Anderberg called the meeting back to order at 10:46 am

8.2 National Indigenous Peoples

OLIVER:
That the Committee of the Whole for the Town of Pincher Creek support National Indigenous Peoples Day and approve the Mayor to represent the Town of Pincher Creek.

CARRIED COTW 2023-092

8.3 Community Recreation Centre - Facility Condition

GREEN:
That the Committee of the Whole for the Town of Pincher Creek accept the Facility Condition Assessment of the Community Recreation Centre as information.

CARRIED COTW 2023-093

8.4 Old RCMP Building Demolition Discussion

CLELAND:
That the Committee of the Whole for the Town of Pincher Creek rescind resolution 23-056 to proceed with the demolition of the Old RCMP Building located at 659 Main Street, in order that prospective developers may view the property.

CARRIED COTW 2023-094

NODGE:
That the Committee of the Whole for the Town of Pincher Creek direct Administration to continue researching costs and drafting procurement documents for the Old RCMP Demolition project and bring the project back to Council prior to any procurement for demolition services, if it is determined these services are needed in the future.

CARRIED COTW 2023-095

NODGE:
That the Committee of the Whole for the Town of Pincher Creek advertise for request for proposals for redevelopment at 659 Main Street (Lot 102, Plan 552LK) 655 Main Street (Lot 13, Plan 522LK) 656 Charlotte Street (Lot 14, Plan 552LK) for housing and mixed use.

CARRIED COTW 2023-096

A. *Hlady left meeting at 10:32 am*

_____Initial

8.5 Town Snow Management Discussion

OLIVER:

That the Committee of the Whole for the Town of Pincher Creek defer the Town Snow Management Discussion to the July Committee of the Whole.

CARRIED COTW 2023-097

8.6 Huddleston Coffee with Council

OLIVER:

That the Committee of the Whole for the Town of Pincher Creek agree to defer the Huddleston Coffee with Council to the July Committee of the Whole.

CARRIED COTW 2023-098

8.7 Community Facility Enhancement Program Grant Application

OLIVER:

That the Committee of the Whole for the Town of Pincher Creek direct administration to bring back the Community Facility Enhancement Program Grant Application criteria required to the June 12, 2023 Council meeting.

CARRIED COTW 2023-099

8.8 Highschool Reunion Update

BARBER:

That the Committee of the Whole for the Town of Pincher Creek accept the Highschool Reunion Update as information.

CARRIED COTW 2023-100

8.9 Alberta Municipalities Award Nominations

NODGE:

That the Committee of the Whole for the Town of Pincher Creek agree to nominate Councillor Elliott for the Alberta Municipalities award.

CARRIED COTW 2023-101

NODGE:

That the Committee of the Whole for the Town of Pincher Creek agree to nominate the Town of Pincher Creek for the Environmental Stewardship Award for Day on the Creek.

CARRIED COTW 2023-102

L. Rideout. A. Grose and L. Goss left meeting at 12:38pm

9. Closed Session

GREEN:

That the Committee of the Whole for the Town of Pincher Creek agree to move into a closed session of Council on Wednesday, June 7, 2023 at 12:38 pm in accordance with section 16 and 24 of the Freedom of Information and Protection of Privacy Act with the Chief Administrative Officer; Director of Finance & Human Resources; and Executive Assistant and in attendance.

CARRIED COTW 2023-103

OLIVER:
That the Committee of the Whole for the Town of Pincher Creek to move out of a closed session of Council on Wednesday, June 7, 2023 at 1:03 pm.

CARRIED COTW 2023-104

Mayor Anderberg excused himself due to conflict of interest at 12:38pm

9.1 Resident Letter of Concern– FOIP S. 16

BARBER:
That the Committee of the Whole for the Town of Pincher Creek direct administration to respond to the resident letter of concern and advise that matters that the Town considers closed will not be responded to.

CARRIED COTW 2023-105

Mayor Anderberg returned to the meeting at 12:42pm
M. Everts joined meeting at 12:56pm

9.2 Property Appraisal Update– FOIP S. 16

NODGE:
That the Committee of the Whole for the Town of Pincher Creek receive the Property Appraisal Update provided as information.

CARRIED COTW 2023-106

K. Green, A. Lucas, M. Everts & A. Levair left meeting at 1:03pm

CLELAND:
That the Committee of the Whole for the Town of Pincher Creek to move into closed session of Council on Wednesday, June 7, 2023 at 1:04pm

CARRIED COTW 2023-107

OLIVER:
That the Committee of the Whole for the Town of Pincher Creek to move out of a closed session of Council on Wednesday, June 7, 2023 at 1:17 pm.

CARRIED COTW 2023-108

9.3 Personnel Update – FOIP S. 16

GREEN:
That the Committee of the Whole for the Town of Pincher Creek accept the Personnel Update as information.

CARRIED COTW 2023-109

10. Adjournment

CLELAND:

That this session of Committee of the Whole be adjourned at 1:18 pm.

CARRIED COTW 2023-110

APPROVED BY RESOLUTION OF
COUNCIL FOR THE TOWN OF PINCHER CREEK
THIS 26th DAY OF JUNE 2023

_____
Mayor, D. Anderberg

_____
CAO, A. Lucas

REGULAR MEETING OF COUNCIL
Held on Monday June 12, 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; W. Catonio, Director of Finance and Human Resources; T. Walker, Energy Lead; A. Levair, Director of Operations; and L. Rideout, Director of Community Services

1. CALL TO ORDER

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

3. AGENDA APPROVAL

NODGE:

That Council for the Town of Pincher Creek agrees to add items 6.6 And Villages Decision and 8.6 Round Table on Public Open House to the June 12, 2023 Regular Council meeting agenda.

CARRIED 23-251

CLELAND:

That Council for the Town of Pincher Creek approves the June 12, 2023 Regular Council meeting agenda as amended.

CARRIED 23-252

4. DELEGATIONS

4.1 Wendy Ryan - Organic Compost Bin at Town Shop

A. *Hlady joined the meeting at 6:22pm*

5. ADOPTION OF MINUTES

5.1 Minutes of the Special Council Meeting held on May 15, 2023

OLIVER:

That Council for the Town of Pincher Creek approves the minutes of the Special Council Meeting held on May 15, 2023 as amended.

CARRIED 23-253

5.2 Minutes of the Regular Meeting of Council held on May 23, 2023

WRIGHT:

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held on May 23, 2023 as presented.

CARRIED 23-254

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation - Allied Arts Council

OLIVER:
That Council for the Town of Pincher Creek agree to defer the Disposition of Delegation for the Allied Arts Council to the June 26, 2023 Council Meeting.

CARRIED 23-255

6.2 Disposition of Delegation – Community Gardens

OLIVER:
That Council for the Town of Pincher Creek agree to look at permanent irrigation solutions for the Carriage Garden for the 2024 season and bring it back to the 2024 budget negotiations.

CARRIED 23-256

NODGE:
That Council for the Town of Pincher Creek direct administration to schedule a meeting between Council, Administration, Allied Arts Council, and the Oldman Rose Society once we have the fencing costs.

CARRIED 23-257

6.3 Football Canada – Letter of Concern

WRIGHT:
That Council for the Town of Pincher Creek direct administration to send a letter to Football Canada stating the concerns.

CARRIED 23-258

6.4 Alberta Municipalities Awards

WRIGHT:
That Council for the Town of Pincher Creek agree to nominate Day on the Creek for the Municipal Environmental Award

CARRIED 23-259

WRIGHT:
That Council for the Town of Pincher Creek agree to nominate Councillor Elliott for the Award of Excellence.

CARRIED 23-260

6.5 Community Facility Enhancement Program Grant Application – Curling Club

BARBER:
That Council for the Town of Pincher Creek agree to provide the following information to the Community Facility Enhancement Program regarding the construction of a new curling rink in Pincher Creek: 1) that the Town will allow a new Pincher Creek Curling Rink to be constructed at the Pincher Creek CRC building Lot E Block E Plan 3562GP Pincher Creek, being land owned by the Town of Pincher Creek.

CARRIED 23-261

BARBER:
That Council for the Town of Pincher Creek will provide the Pincher Creek Curling Club with access to the described lands for the purpose of carrying out this project.

CARRIED 23-262

Councillor Nodge requested a recorded vote:

For:	**Against:**
Barber	Nodge
Cleland	
Anderberg	
Oliver	
Green	
Wright	

BARBER:
That Council for the Town of Pincher Creek is committed to contribute the matching amount of $1.25 Million financial support as required for this project.

CARRIED 23-263

BARBER:
That Council for the Town of Pincher Creek will enter into a 5-year lease agreement with the Pincher Creek Curling Club.

CARRIED 23-264

NODGE:
That Council for the Town of Pincher Creek direct administration to draft a Memorandum of Understanding between the Town and the Curling Club identifying roles and responsibilities and bring it back to Council.

CARRIED 23-265

6.6 And Villages Decision

NODGE:
That Council for the Town of Pincher Creek declines the invitation to participate in the And Villages regional housing support.

CARRIED 23-266

A. *Hlady left the meeting at 7:26pm*

7. BYLAWS

8. NEW BUSINESS

8.1 RCMP Quarterly Reporting

CLELAND:
That Council for the Town of Pincher accepts the RCMP Quarterly Reporting as information.

CARRIED 23-267

Initials _____

8.2 Net-Zero Community Accelerator Program

GREEN:

That Council for the Town of Pincher Creek approve $4,000 from the Municipal Income Stabilization Reserve G/L 00-0000-4705 to proceed with the Net-Zero Communities Accelerator program with QUEST Canada.

CARRIED 23-268

T. Walker left the meeting at 7:36pm

8.3 2023 Coaldale Summer Fest Parade

GREEN:

That Council for the Town of Pincher Creek accept the Coaldale Summer Fest invite and send Councillors Barber & Cleland to attend the annual Candy Parade on Saturday, August 12, 2023.

CARRIED 23-269

8.4 Wildcat Days Parade 2023

BARBER:

That Council for the Town of Pincher Creek accept the Wildcat Days Parade 2023 invite and send Councillors Barber & Cleland to attend on July 1, 2023

CARRIED 23-270

8.5 SCADA Radio Replacements Project Budget Request

WRIGHT:

That Council for the Town of Pincher Creek approve an increase to the budget for the SCADA Radio Replacement project from $40,000 to $50,000, with additional funding from Utility Reserve G/L 4100004760.

CARRIED 23-271

8.6 Round Table on Open House

WRIGHT:

That Council for the Town of Pincher Creek accept the Open House Update as information.

CARRIED 23-272

9. COUNCIL REPORTS

9.1 Upcoming Committee Meetings and Events

OLIVER:

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

CARRIED 23-273

10. ADMINISTRATION

10.1 Council Information Distribution List

CLELAND:

That Council for the Town of Pincher Creek accepts the June 12, 2023 Council Information Distribution List as information.

CARRIED 23-274

Mayor Anderberg called a recess at 8:02 pm
L. Rideout left meeting at 8:08 pm

Mayor Anderberg called the meeting back to order at 8:10 pm

11. CLOSED MEETING DISCUSSION

CLELAND:
That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday June 12, 2023 at 8:10 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Operations and Director of Finance and Human Resources in attendance.

CARRIED 23-275

OLIVER:
That Council for the Town of Pincher Creek agree to move out of closed session of Council on Monday June 12, 2023 at 9:08 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act.

CARRIED 23-276

11.1 Curling Club Lease Agreement- FOIP s. 16

CLELAND:
That Council for the Town of Pincher Creek direct administration to present the 2023 draft lease agreement between the Town of Pincher Creek and the Pincher Creek Curling Club to the Pincher Creek Curling Club for consideration.

CARRIED 23-277

11.2 Projects Update– FOIP s. 24

CLELAND:
That Council for the Town of Pincher Creek accept the project update as information.

CARRIED 23-278

A. Levair left meeting at 8:41 pm

11.3 Tax Arrears Payment Agreement Roll #00254000.0000 – FOIP S. 16

WRIGHT:
That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek authorize and approve entering into a thirty-six {36) month Tax Arrears Payment Agreement for Roll #00254000.0000 for the years 2022 and prior.

CARRIED 23-279

11.4 Council Time Sheets - FOIP s. 24

OLIVER:
That Council for the Town of Pincher Creek accepts the Council Time Sheets as information.

CARRIED 23-280

 Initials _____

11.5 Administration Transition - FOIP s. 24

CLELAND:
That Council for the Town of Pincher Creek accepts the Administration Transition update as information.

CARRIED 23-281

K. Green and A. Lucas left meeting at 8:56 pm

WRIGHT:
That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday June 12, 2023 at 8:57 pm in accordance with section 16 & with the Director of Finance and Human Resources in attendance.

CARRIED 23-282

WRIGHT:
That Council for the Town of Pincher Creek agree to move out of closed session of Council on Monday June 12, 2023 at 9:05 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act.

CARRIED 23-283

11.6 Personnel Update- FOIP s. 24

WRIGHT:
That Council for the Town of Pincher Creek accepts the Personnel Update as information.

CARRIED 23-284

12. NOTICE OF MOTION

13. ADJOURNMENT

CLELAND:
That this meeting of Council on June 12, 2023 be hereby adjourned at 9:06 pm.

CARRIED 23-276

_____
MAYOR, D. Anderberg

_____
CAO, A. Lucas

APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 26th DAY OF JUNE 2023 S E A L

NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY JUNE 26, 2023 AT 6:00 P.M.

AGENDA ITEM NO: 6.1

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Disposition of Delegation - Snow Removal (Hochstein & Mitchell)	
PRESENTED BY: Alexa Levair, Director of Operations	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To dispose of the May 23, 2023 delegation by Rob Mitchell, Maureen Mitchell, and Marie-Helene Hochstein regarding snow removal on Livingston Way.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the snow removal presentation as information, and inform the delegation that their comments will be considered in the future drafting of snow management policies.

BACKGROUND/HISTORY:

Rob Mitchell, Maureen Mitchell, and Marie-Helene Hochstein attended the May 23, 2023 Regular Meeting of Council as a delegation to discuss snow removal. Their main concerns were 1) the snow fencing in the field west of their properties, 2) the snow pile at the end of Briar Road.

As Council is well aware, the Town of Pincher Creek can be extremely windy and the result is significant drifting snow. The area of Livingston Way is significantly impacted during drifting events. The Town does own some snow fencing in the privately field west of Livingston Way, however, it does not extend to the north to protect 1145 Briar Road. Administration had previously met with the residents to explain that the Town's authority to place snow fencing on private property comes from the Public Highways Development Act and may only be placed to protect Town infrastructure. The alleyway west of Livingston Way is considered Town infrastructure and therefore provides the Town authority to protect it. As there is no Town infrastructure located at 1145 Briar Road, the Act does not apply and does not provide authority for the Town to enter onto private property to protect other privately owned property. We have informed the residents that they have the ability to contact the private land owner to request their ability to erect their own snow fencing. The Town has also offered that when we are in contact with them for our own snow fencing we can potentially facilitate a discussion between the two private parties, up to and including a potential agreement for the Town to manage the erection of the snow fence and bill the residents back for the service.

In recent years, to maintain a satisfactory service levels in the Livingston Way/Briar Road area, a contractor had been hired to provide regular snow management. Finding locations to stockpile snow is difficult with very limited options. In recent years the Town has had a satisfactory relationship with the private property owner west of Briar Road to allow for the accumulated snowpile to be placed on the yet to be developed roadway. This privately owned land has recently sold to a new owner and the Town is in the process of making contact with them in hopes to establish a similar relationship.

While administration is sympathetic to challenges that snowpiles cause, they are extremely expensive and time consuming to haul away. For plowing in the Livingston Way/Briar Road area, there is no suitable alternative at this time, which would result in the Town's only option to be hauling the snow away from the area and increasing the budget for this increased service level.

Administration recommends and encourages that this concern be considered and discussed as part of the revisions anticipated in the Town's snow management policies to look at snow management in a holistic manner with discussions surrounding service level expectations and budgetary constraints.

The next snow management discussion is scheduled for the July 5, 2023 Committee of the Whole after being deferred during the May and June Committee of the Whole meetings.

ALTERNATIVES:
That Council for the Town of Pincher Creek request additional information from administration.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
None at this time.

FINANCIAL IMPLICATIONS:
None at this time. Financial implications of all snow management decisions will be discussed as part of the policy revisions/discussions in relation to service levels and expectations.

PUBLIC RELATIONS IMPLICATIONS:
Snow management is one of the top concerns of residents. Because of its importance, administration recommends looking at all snow management policies holistically and not in isolation.

ATTACHMENTS:
None at this time.

CONCLUSION/SUMMARY:
Administration supports accepting the snow removal delegation as information and continuing the conversation surrounding all snow management within the Town of

Pincher Creek to draft a policy acceptable to residents, council, and administration considering budget, service levels, and risk management.

Signatures:
Department Head:

CAO:

AGENDA ITEM NO: 6.2

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Tennis Court Windscreen Fencing	
PRESENTED BY: Adam, Recreation Manager	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To provide direction on whether or not to proceed with installing wind screen fencing at the Tennis Courts.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to add tennis court wind screen fencing to the 2024 budget deliberations.

BACKGROUND/HISTORY:

In the 2023 budget deliberations, administration proposed to have the fencing replaced at the Tennis Courts including the addition of wind screen fencing. This line item was not approved in the proposed budget, and as such no further action was taken by administration.

Recently a letter was forwarded to Council from the local Pickleball group to consider adding wind screen at the Tennis Courts.

At the March 27th, 2023 regular meeting of Council it was moved 'That Council for the Town of Pincher Creek direct administration to look into the Windscreen at the Tennis Courts for pickleball and bring back to Council.'

At the May 3rd, 2023 Committee of the Whole meeting administration presented Council with various options for wind screen fencing. It was then moved 'That Committee of the Whole for the Town of Pincher Creek direct administration to talk with the community group and bring back a plan to Council.' CARRIED COTW 2023-059.

Administration met with a representative (Jo Baker) from the local Pickleball group who indicated they are actively fundraising for donations to be put towards a windscreen at the Tennis/Pickleball Courts. She indicated they would be able to raise up to $2,000 towards this project. The group has also expressed interest to volunteer their time to assist in repairs to the existing fencing in order to maximize the life of the windscreen.

The Pickleball representative thought waiting until early 2024 would be a good time to install the windscreen as the 2023 outdoor season will almost be over by the time a

windscreen could be installed. It was also confirmed their preference would be to have both the West and South fence lines have windscreen installed for a total of 230 feet.

ALTERNATIVES:
Direct administration to proceed with this project in 2023 and have $8,000 funded towards this project to be funded from the Sportsfield reserve.

Not to proceed with this project at this time.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
The following was taken from the Regional Recreation Master Plan:
Upgrade existing outdoor facilities - (tied for #3)

To support greater participation in recreation, parks, and culture activities, well loved outdoor facilities should be improved through enhanced irrigation at sportsfields, wind fencing at the tennis courts, and equipment upgrades at the skatepark.

FINANCIAL IMPLICATIONS:
The local Pickleball group has agreed in principle to contribute up to $2,000 towards the installation of a windscreen.

A quote to have 230 feet of windscreen installed was provided at a total cost of $8,000.00.

The Sports Field Reserve account estimated balance at the end of 2023 is $153,666.33.

PUBLIC RELATIONS IMPLICATIONS:
The local Pickleball group has been growing steadily in numbers over the last few years, and the sport is becoming increasingly popular in both the community and all of Southern Alberta. There is strong support for windscreen at the Tennis Courts. Vandalism of the wind screen may be a concern at this location.

ATTACHMENTS:
None at this time.

CONCLUSION/SUMMARY:
Administration supports adding a wind screen to the 2024 budget deliberations.

Signatures:
Department Head: Adam Grose

CAO: Angie Lucas

AGENDA ITEM NO: 6.3

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Disposition of Delegation - Stacey McRae - Allied Arts	
PRESENTED BY: Adam, Recreation Manager	**DATE OF MEETING:** 6/12/2023

PURPOSE:
To dispose of the delegation by Stacey McRae from the Allied Arts Council.

RECOMMENDATION:
That Council for the Town of Pincher Creek accept the presentation from the Allied Arts Council as information at this time with thanks.

BACKGROUND/HISTORY:
At the April 11th, 2023 regular meeting of Council Kay Weir, representing the Oldman Rose Society, attended the meeting as a delegation to provide Council with a history of the society in the community, the programs supported by the society and a request for fencing around the rose garden to keep the deer out located on the Lebel Mansion property at 696 Kettles Street.

At the April 24th, 2023 regular meeting of Council it was moved '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.

Stacey McRae - Allied Arts Executive Director met with Administration to discuss her concerns with potentially fencing the Rose Garden, and how this would have a negative affect on their planned outdoor programming at the Lebel Mansion.

Stacey attended the May 8th, 2023 regular meeting of Council as a delegation to bring her concerns to Council surrounding potentially fencing off the Rose Garden and how this would impact their outdoor programming. She also requested that the Allied Arts programming be considered prior to any fencing being installed.

Administration is still researching fencing options at this time and will bring this information along with cost to the June 26th, 2023 regular meeting of Council.

ALTERNATIVES:
Direct administration to schedule a meeting between Council, Administration, Allied Arts Council and the Oldman Rose Society to discuss options.

Direct administration not to bring any fencing options back to council for consideration.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
None

FINANCIAL IMPLICATIONS:
Administration is still researching fencing options at this time and will bring this information along with cost to the June 26th, 2023 regular meeting of Council.

PUBLIC RELATIONS IMPLICATIONS:
The Allied Arts Council has been proactively expanding programming for their events to include an outdoor concert series, and also have a few large outdoor events including Fred Penner planned for the 2023 Season. These events are of great benefit to the community, surrounding area and in attracting tourists.

The Roof Repair is also scheduled for 2023, and will not affect these events, however, construction will be taking place this summer on the roof as well.

ATTACHMENTS:
AAC Letter to Town Council, Fence, May 1, 2023 - 3179

CONCLUSION/SUMMARY:
Administration supports accepting the presentation as information with thanks.

Signatures:
Department Head: Adam Grose

CAO: Angie Lucas

cultivate creativity
@TheLebel
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.

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

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.

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

AGENDA ITEM NO: 6.4

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Oldman Rose Society Fencing Options	
PRESENTED BY: Adam, Recreation Manager	**DATE OF MEETING:** 6/26/2023

PURPOSE:

For Council to consider the proposed fencing options for the Oldman Rose Society garden and provide administration direction on how to proceed.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to add Rose Society fencing to the 2024 budget deliberations.

BACKGROUND/HISTORY:

At the April 11th, 2023 regular meeting of Council, Kay Weir from the Oldman Rose Society came as a delegation to Council to discuss their request for fencing around the rose garden located at 696 Kettles Street (the green space East of the Lebel Mansion).

At the April 24th, 2023 regular meeting of Council it was moved '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.

Administration reached out to some fencing contractors to get pricing and options for fencing for the rose garden. Several options are being presented for consideration:

Fencing can either be considered for the location immediately surrounding the rose garden which is 50 feet x 50 feet square (200 feet of fencing total), or an octagonal fence approximately the same size. Another fencing option would be to fence off the entire perimeter of the Lebel Mansion Grounds approximately 850 feet.

Several fencing options can be considered including galvanized chain link, black chain link, or an ornamental decorative fence.

The recommended fence height to keep deer out of a location is recommended to be 8 feet in height, however, the Town's current land-use By-Law requirements only allow for a maximum fence height of 6 feet.

The ornamental fencing option would likely be the most aesthetically pleasing option for this location.

ALTERNATIVES:

- Direct administration to proceed with installing a 6 foot fence around the Rose Garden as soon as possible (contractor's are currently booking into late August for 2023), to be funded from the Parks reserve.

- Not to proceed with any fencing options at this time.

- Direct administration to set-up a meeting between Council, administration, Allied Arts and the Oldman Rose Society to attempt to come up with a solution which works for all parties involved.

- Ask the Oldman Rose Society to contribute funding or granting options to assist in funding a fencing option.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

None

FINANCIAL IMPLICATIONS:

Galvanized Chain Link is $58/foot for installation plus the addition of gates at $1000.00/gate. 200 feet plus one gate would be $12,600. 850 feet plus 3 gates would be $52,300.

Black Chain Link is $62/foot for installation plus the addition of gates at $1000.00/gate. 200 feet plus one gate would be $13,500. 850 feet plus 3 gates would be $55,700.

Ornamental Fencing is $111/foot for installation plus the addition of gates at $2000.00/gate. 200 feet plus one gate would be $24,000. 850 feet plus 3 gates would be $100,350.

The Parks Reserve Balance at the end of 2023 is estimated at $107,849.16.

PUBLIC RELATIONS IMPLICATIONS:

The Rose Society has presented to Council as a a delegation to discuss their issues with deer damage to their garden, and how the volunteers are being discouraged from working to plant additional plants at this site.

The Allied Arts Council has presented to Council as a delegation to advise Council that a fence around the Rose Garden would have a negative effect on their programming.

Both groups contribute positively to the community.

ATTACHMENTS:

Municipal Fence Height Restrictions - 3198
Ornamental Fencing Picture - 3198

CONCLUSION/SUMMARY:

Administration supports adding the rose society fencing to the 2024 budget deliberations.

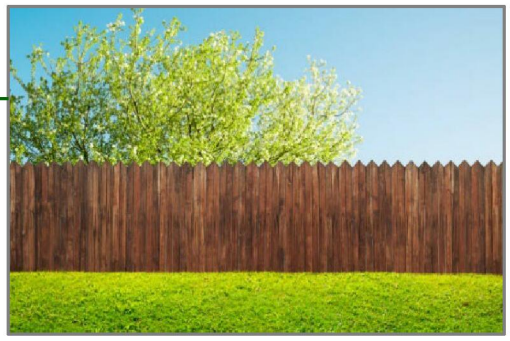
Signatures:

Department Head: Adam Grose

CAO: Angie Lucas

Municipal Fence Height Restrictions

– why are there regulations?



Purpose:

Fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

The following are the general issues and reasons why municipal regulations are put in place:

- Common standards - Regulations provide common standards for fences that are applicable for all, so there is consistency and that there are not different rules for different people. It is also more visually appealing.
- Barrier - A fence acts as a barrier and partially or wholly encloses, divides, or screens a property which may be both beneficial or bad depending on the circumstances and the property, location, adjacent uses, etc.
- Aesthetics – most municipalities do not allow solid fences or fence heights that exceed 3 ft. in a front yard and 6 ft. in a side or rear yard in residential areas for visual and aesthetic purposes, as it makes the lot look "industrial" in character (i.e., unattractive appearance) and does not promote the sense of "community", as it isolates the property.
- Screens - A fence enables privacy. However, a high solid fence may screen activities in the yard that do not comply with other aspects of a municipality's bylaws, such as unsightly premises – as it may effectively screen unauthorized storage, hazardous goods, weeds, illegal activities, etc. that may not be allowed.
- Utility/easement concerns – a fence (especially solid or of a height greater than 3 ft.) in a front yard may interfere with utility services and access for repair/maintenance as it is quite common for services to be located in the front yard of a property.
    - There may be utility line easements located over the front yard that must be protected and may require unhindered accessibility.
    - Often there are shallow utility boxes located in the front (e.g., electrical, phone, cable) - the fence cannot enclose these utility structures and must allow free access to it from the street (and it may be necessary to keep clear on all sides by a minimum of 18").
- Safety – primary concern is that a fence, especially constructed on front property line, creates safety issues.
    - It may block the sight lines of oncoming traffic, especially in the area of an intersection. Even more importantly, it acts as a visual barrier to pedestrians that may be walking on a sidewalk. Small children riding bicycles or even walking adjacent to a residence with a high front yard fence are particularly not visible to vehicles backing out of driveways or garages.
    - A front fence, or yard that is entirely encompassed by fencing, may limit or hinder the ability of firefighters or other emergency rescue personnel from having adequate access to a property (to fight a fire for example).

Note: The fence height is measured from the average ground grade to the highest point of the fence. This includes all decorative trim.

*Information provided by **O**ldman **R**iver **R**egional **S**ervices **C**ommission*

Municipal Fence Height Restrictions cont.

- Road Right-of-Way concerns – similar to the situation with utility easements, a large portion of a property's front area being used, landscaped, or containing part of a front driveway or sidewalk, is actually part of the municipal right-of-way for the public roadway and not the private title holder's yard property. A high front fence may interfere with municipal street maintenance and repair operations, or may pose to be a liability to the municipality in the situation of damage ensuing to the fence or an accident with structures encroaching into municipal property if they were permitted to be located there.

Illustration of actual registered road plan and right-of-way in relation to development on residential lots and where the property line is situated.

AGENDA ITEM NO: 6.5

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Letter of Confirmed Funding	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To apply for funding through the Federation of Canadian Municipalities (FCM) for the Clean Energy Improvement Program (CEIP), a commitment letter is required for the 20% municipal share.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to provide 20% of each residential application under the Clean Energy Improvement Program up to a maximum of $53,046.75 per year for four years.

That Council for the Town of Pincher Creek agree to fund the $53,046.75 each year from the Municipal Income Stabilization Reserve account #0000004705 and further, that the Municipal Income Stabilization Reserve will be replenished as the loan is paid back through a tax agreement.

That Council for the Town of Pincher Creek authorize the Mayor to sign and send the letter of commitment.

BACKGROUND/HISTORY:

The Town and MD are applying to receive a loan for 80% of the total program costs, along with a grant valued at 50% of the loan to cover startup fees, loanee defaults, marketing, auditing requirements and administration costs over the first 4 years of the program.

As per the Municipal Government Act Section 252(2) Debt Limit "...a borrowing made by a municipality to pay for costs associated with clean energy improvements as defined in Part 10, Division 6.1 does not count against the debt limit or debt service limit of the municipality."

The remaining 20% will need to be funded internally or through a bank. The annual maximum will be approximately $53,000 for each municipality and will be paid back through a tax agreement with property owners. Due to the minimal amount and the fact that it is guaranteed to be paid back to the municipality, this funding could come from reserves on an annual basis.

ALTERNATIVES:
That Council for the Town of Pincher Creek accept the letter as information.

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

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
Council supports the Clean Energy Improvement Program which will allow home owners to make energy efficiency improvements to their property which they may not have been able to afford if required to pay for the improvements immediately.

FINANCIAL IMPLICATIONS:
The Municipal Income Stabilization Reserve has an estimated balance at the end of 2023 of $612,359.18.

PUBLIC RELATIONS IMPLICATIONS:
Going forward with this program will show our residents that we are committed to supporting them reduce greenhouse gas emissions and save on energy costs. It will also give us an opportunity to continue to be a leader in the sustainability space and set an example for other municipalities to follow.

Partnering with the MD will show our continued commitment to creating a strong relationship and working together to improve the Pincher Creek area.

ATTACHMENTS:
letter of confirmed funding CEIP - 3202

CONCLUSION/SUMMARY:
Administration supports funding the 20% municipal commitment through the Municipal Income Stabilization Reserve with a guaranteed pay back through a tax agreement.

Signatures:
Department Head: Wendy Catonio

CAO: Angie Lucas

June 27, 2023

Green Municipal Fund
Federation of Canadian Municipalities
24 Clarence Street
Ottawa, Ontario
K1N 5P3

To whom it may concern,

Re: Confirmation of financial contribution for GMF application: Clean Energy Improvement Program, Town and Municipal District of Pincher Creek

The Town and Municipal District of Pincher Creek are willing to contribute loans up to $424,374 for residential projects over the 4 year period of the program at the discretion of the administrative team, and within project guidelines in support of the Clean Energy Improvement Program upon acceptance of the Green Municipal Fund grant.

Yours Truly,

Town of Pincher Creek

Municipal District of Pincher Creek No. 9

AGENDA ITEM NO: 7.1

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Clean Energy Improvement Program Bylaw 1634-22	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	**DATE OF MEETING:** 6/26/2023

PURPOSE:

This bylaw was originally passed August 22, 2022. Section 390.3 (5) of the MGA indicates that a public hearing must be held before 2nd and 3rd reading can be passed. That was not completed originally, therefore to have a properly legislated bylaw for this program it needs to be rescinded and re-issued following the proper processes.

RECOMMENDATION:

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

That Council for the Town of Pincher Creek agree to give third and final reading to the Clean Energy Improvement Program Bylaw 1634-23 and that a copy of which be attached hereto and form part of the minutes.

BACKGROUND/HISTORY:

First reading of Bylaw 1634-22 was passed at the April 24th Council meeting and a public hearing was held on May 23, 2023. No written submissions were received nor were there persons wishing to be heard at the public hearing.

ALTERNATIVES:

That Council for the Town of Pincher Creek receive the information regarding Clean Energy Improvement Program Bylaw 1634-23 as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

NA

FINANCIAL IMPLICATIONS:

The Town and MD are applying to receive a loan for 80% of the total program costs, along with a grant valued at 50% of the loan to cover startup fees, loanee defaults, marketing, auditing requirements and administration costs over the first 4 years of the program.

As per the Municipal Government Act Section 252(2) Debt Limit "...a borrowing made by a municipality to pay for costs associated with clean energy improvements as defined in

Part 10, Division 6.1 does not count against the debt limit or debt service limit of the municipality."
The remaining 20% will need to be funded internally or through a bank. The annual maximum will be approximately $53,000 for each municipality and will be paid back through a tax agreement with property owners. Due to the minimal amount and the fact that it is guaranteed to be paid back to the municipality, this funding could come from reserves on an annual basis.

PUBLIC RELATIONS IMPLICATIONS:
Going forward with this program will show our residents that we are committed to supporting them reduce greenhouse gas emissions and save on energy costs. It will also give us an opportunity to continue to be a leader in the sustainability space and set an example for other municipalities to follow.

Partnering with the MD will show our continued commitment to creating a strong relationship and working together to improve the Pincher Creek area.

ATTACHMENTS:
1634-23 - Clean Energy Improvement Program Bylaw - 3201

CONCLUSION/SUMMARY:
Administration supports that Council for the Town of Pincher Creek agree and give Second and Third readings to the Clean Energy Improvement Program Bylaw 1634-23.

Signatures:
Department Head: Angie Lucas

CAO: Angie Lucas

BY-LAW #1634-23
of the
TOWN OF PINCHER CREEK

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A CLEAN ENERGY IMPROVEMENT PROGRAM.

WHEREAS, the purpose of a municipality is to foster the well-being of the environment and provide services, facilities, and more that, in the opinion of council are necessary or desirable for all, or as part of the municipality;

WHEREAS, the Clean Energy Improvement Program is a financing program that uses municipal financing to facilitate the implementation of clean energy improvements to residential and non-residential, and non-designated industrial properties through the use of a local assessment mechanism to provide security for repayment of the financing;

WHEREAS, Alberta Municipal Services Corporation (operating as Alberta Municipalities) has been designated by the Minister as the Program Administrator responsible for the Clean Energy Improvement Program to support municipalities in Alberta that finance clean energy improvements;

WHEREAS, the Council of Pincher Creek wishes to enable a Clean Energy Improvement Tax Bylaw to establish a Clean Energy Improvement Program pursuant to section 390.3 of the Municipal government Act, R.S.A 200, c. M-26 ('the Act');

WHEREAS, the Council of the Town of Pincher Creek wishes to enable financing for clean energy improvements for eligible properties in their municipality.

NOW THEREORE, the Council of the Town of Pincher Creek; duly assembled enacts as follows:

1. SECTION 1: TITLE

1.1 This Bylaw be cited as the "Clean Energy Improvement Tax Bylaw" of the Town of Pincher Creek.

2. SECTION 2: DEFINITIONS

In this bylaw, unless the context otherwise requires, the word, term, or expressions:

2.1 ACT - means the Municipal Government Act, R.S.A. 2000, c. M-26 as amended, and any amendment or substitutions thereof;
2.2 BYLAW - means this Clean Energy Improvement Tax Bylaw;
2.3 CHIEF ADMINISTRATIVE OFFICER (CAO) - means the person appointed to the position of the chief administrative officer for the Town of Pincher Creek, within the meaning of the Municipal Government Act.

Initials: _____

2.4 CLEAN ENERGY IMPROVEMENT AGREEMENT or AGREEMENT - means the agreement executed between the Municipality and the Owner of an Eligible Property whereby the Owner agrees to pay an amount required to cover the costs of financing each Eligible Clean Energy Improvement approved by the Program Administrator, as drafted in accordance with section 390.4 of the Act;

2.5 CLEAN ENERGY IMPROVEMENT TAX - means a tax levied against an Eligible Property pursuant to an Agreement;.

2.6 ELIGIBLE PROPERTY - means a property located within the Municipality that is designated as residential, non-residential or not-designated industrial property but does not include designated industrial property or government-owned properties;

2.7 DESIGNATED MANUFACTURED HOME - means a manufactured home, mobile home, modular home or travel trailer;

2.8 MUNICIPALITY - means the Town of Pincher Creek;

2.9 OWNER - means, collectively, the registered owners of a property;

2.10 PROGRAM - means the Clean Energy Improvement Program as described in the Act and Regulation and defined henceforth.

2.11 PROGRAM ADMINISTRATOR - means the Alberta Municipal Services Corporation (operating as Alberta Municipalities) or provincially designated Program Administrator as defined in the Clean Energy Improvements Regulation.

2.12 REGULATION - means the Clean Energy Improvements Regulation, A.R. 212/2018 and amendments thereto.

3. SECTION 3: GENERAL RULES

3.1. A property Owner of an Eligible Property within the Municipality can apply to the Program Administrator to seek financing for a clean energy improvement to their property.

3.2. Participation in the Program is limited to eligible properties, defined as a property located within the Municipality that is designated as residential, non-residential, or not-designated industrial property, but does not include designated industrial property, government owned properties, and designated manufactured homes.

3.3. An applicant of a non-profit property that is tax-exempt would be responsible to pay any and all principal and interest of the Clean Energy Improvement Program costs as per the Clean Energy Improvement Agreement.

3.4. The Chief Administrative Officer, or designate of the Town of Pincher Creek is hereby authorized to Impose a Clean Energy Improvement Tax, in respect of each clean energy improvement made to a property, where a municipality has entered into a Clean Energy Improvement Agreement with the property Owner(s) of that property.

3.5. The Clean Energy Improvement Tax will be voluntarily levied against a property when there is a Clean Energy Improvement Agreement to raise revenue to pay the amount required to recover

Initials: _____

the costs of those clean energy improvements, including principal and interest, to do so between the Municipality and the property Owner.

3.6. The property Owner(s) must meet the criteria listed below to be eligible to participate in the Clean Energy Improvement Program:

i) They must be current on their taxation payment for the property, for a period of five years, prior to the date of the application to the Program;
ii) They must have never been in collections for a property in the Town of Pincher Creek;
iii) They may, for first time property Owners that have purchased the property within the last 5 years, be subject to an enhanced financial eligibility review;
iv) They must, for property Owners that are new to the Municipality and do not have a financial history with the Municipality, submit a record of property tax verification from another municipality, for any property previously owned in a different Municipality;
v) They must provide mortgage information, if the mortgage amount exceeds the assessed value of the home. In such case the Municipality reserves the right to deny the applicant;
vi) They must be in good standing with the Municipality. The Municipality reserves the right to deny the applicant if the applicant is not in good standing with any Department of the Municipality. The Municipality reserves the right to define what "good standing" entails, and can include but is not limited to any development compliance issues, or any other accounts receivable outstanding or unresolved issues.;
vii) They must not be in bankruptcy (or insolvency), the property must not be in foreclosure, and the property Owner(s) will be required to provide a sworn statement confirming this;
viii) They must be current on their mortgage payment, current on any other debts secured by the property and have not been late on any such payments. They may be required to submit a letter from their financial institution confirming this;
ix) They must not be in more than three (3) Clean Energy Improvement Agreements
x) They must meet any additionally eligibility criteria as identified by the Municipality or the Program Administrator.

3.7. For a clean energy improvement to be eligible, it must be an installation that is permanently affixed to the eligible property which:

i) Will result in increased energy efficiency or use of renewable energy on that property;
ii) Involves:
    a) Interior and Exterior Lighting and Lighting Controls;
    b) HVAC (I.e., high efficiency furnace);
    c) Water Heating
    d) Building envelope improvements (i.e., insulation)
    e) Renewable energy upgrades (i.e., photovoltaic solar system);
    f) Or such other clean energy improvements as are approved and agreed to in writing by the Municipality within the Agreement, and those improvements provided on the list of eligible upgrades available through the Program Administrator's website https://www.myceip.ca/residential/;
iii) Is not less than three thousand ($3,000) dollars in capital cost of the project value;
iv) Capital costs do not exceed $50,000 for residential
v) Total project costs will not exceed $500,000 for non-residential or non-designated industrial property.

Initials: _____

3.8. Whereby the amount of the tax authorized by a bylaw under section 353 (property tax) of the Municipal Government Act most recently, and imposed on the property is greater than or equal to the annual payment calculated in accordance with the following Formula:

$$\frac{A + B + C}{D}$$

Where

A is the capital cost of undertaking the clean energy improvement;

B is the total cost of professional services needed for the clean energy improvement;

C is the total cost of all incidental costs;

D is the lesser of the probable lifetime, calculated in years, of the improvement or the maximum financing term established by the Municipality.

3.9. The Clean Energy Improvement Agreement will be as set out under section 390.4 of the Municipal Government Act, and as amended.

3.10. The period over which the cost of each eligible clean energy improvement will be spread will be to a maximum, over the probable lifetime of the improvement, and where the annual repayment amount does not exceed the annual taxation amount for the property in question. For multiple upgrades each improvement will be calculated individually, and the repayment term set at the discretion of the Municipality.

3.11. A property Owner may submit one application per year.

3.12. The property Owner(s) can apply for the program by submitting an application to the Program Administrator for the Clean Energy Improvement Program, including any required supporting documentation, and following all program requirements as outlined by the Program Administrator and the Municipality;

3.13. A property Owner must pay the required application fee, pursuant to section 8 of the Regulation.

3.14. That for the purpose of the Clean Energy Improvement Program, the sum of project amounts as they are approved may be borrowed by the Municipality.

3.15. The annual maximum amount to be borrowed by the Municipality towards the Clean Energy Improvement Program is $300,000 for residential and $500,000 for non-residential, and not-designated industrial properties.

3.16. The annual borrowed amount by the Municipality will have a maximum rate of interest of ten percent (10%), and a maximum term of twenty-five (25) years.

3.17. The borrowed amount by the property Owner will have a maximum rate of interest calculated at the time of the agreement, and repayment term based on the lifespan of the improvement(s).

Initials: _____

3.18. The principal and interest owing under the borrowing will be paid using the proceeds from Clean Energy Improvement Tax and payments made by the approved project recipients through to the Municipality on the annual improvement levy.

3.19. A Clean Energy Improvement Tax will be imposed on the property that is subject to a Clean Energy Improvement Agreement at any time following the signing of the Clean Energy Improvement Agreement.

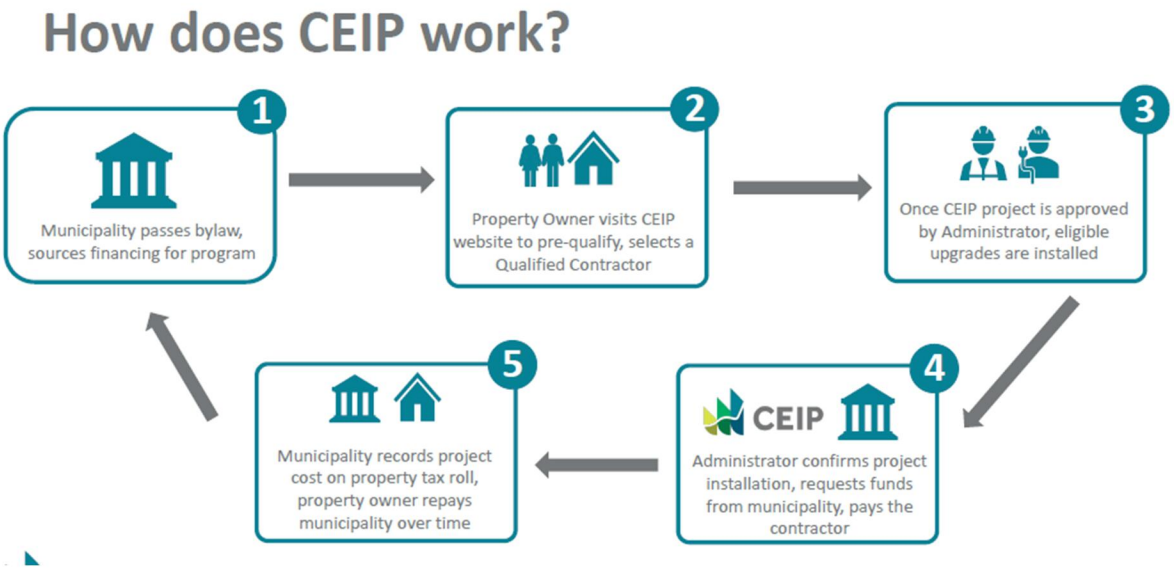
3.20. In the event that a property owner wishes to repay the Clean Energy Improvement Program financing early, the amount owing will be calculated at the time of the request, based on the principal and interest remaining and the terms of the financing being used for the project(s).

3.21. Any project(s) that has been approved under the Clean Energy Improvement Program must be completed within the time limit as set out under the Agreement.

3.22. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of this bylaw and shall not invalidate the whole bylaw.

3.23. Upon third and final reading, Clean Energy Improvement Program Bylaw 1634-22 is hereby repealed.

3.24. This bylaw comes into force upon third reading and is signed by the Mayor and Chief Administrative Officer or Designate.



Initials: _____

Read a first time by Council on _____, 2023.

_____
Mayor

_____
Chief Administrative Officer

Public Hearing held on _____, 2023.

_____
Mayor

_____
Chief Administrative Officer

Read a second time by Council on _____, 2023.

_____
Mayor

_____
Chief Administrative Office

Read a third time by Council on _____, 2023.

_____
Mayor

_____
Chief Administrative Officer

AGENDA ITEM NO: 8.1

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Lebel Mansion Solar Array Installation and Grant Acceptance	
PRESENTED BY: Alexa Levair, Director of Operations	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To seek Council's direction for a solar installation at the Lebel Mansion and potentially accept funding from Enel Green Power in support of the project.

RECOMMENDATION:

That Council for the Town of Pincher Creek respectfully declines the grant funding from Enel Green Power and not proceed with the Solar Array Installation at the Lebel Mansion.

BACKGROUND/HISTORY:

As part of the 2023 budget deliberations, a solar exhibit was proposed at the Lebel Mansion. The exhibit was intended to not only provide solar power generation for a portion of the Lebel Mansion, but also to use it as an opportunity for educational display for the public regarding renewable energy.

The original proposal was for a total project cost of $35,000 with approximately $15,000 to be funded through grants and $20,000 to be municipally funded.

During budget deliberations, the project was cut from the 2023 Operating Budget.

In December 2022, Council formally accepted a $10,000 grant from the Lethbridge Community Foundation to support the development of a renewable energy installation and educational display at the Lebel Mansion (resolution #22-510).

Enel Green Power has generously offered the Town of Pincher Creek a grant in the amount of $7,000 USD (approximately $9,525 CAD) towards the solar installation at the Lebel Mansion.

There has been no budgetary funds allocated to this project by the Town of Pincher Creek, leaving the project currently 56% funded at approximately $19,525 by grants.

While acknowledging that Council formally accepted the Lethbridge Community Foundation in December 2022, administration does not have any formal approval, resolution, or direction from Council authorizing this project.

Administration is seeking Council's direction whether to approve/move forward with the solar array project at the Lebel Mansion, and secondly to formally accept the funding offered by Enel Green Power.

PROJECT SCOPE

The proposed full scope ($35,000) of the Lebel Solar Array installation includes:
- installation of solar panels on the roof of the pottery studio
- engineering assessment and structural upgrades to accommodate the solar panels
- 6.84 kW solar panels anticipated to generate approximately 10,000 kWh per year
- If the project budget is reduced, the solar panels will be reduced in size and estimated cost savings will also be reduced
- internal building educational display

PROJECT JUSTIFICATION

Pincher Creek has a very diverse and strong energy history. The area is currently a leader in the energy transition and is showing increasing energy ingenuity when it comes to industry and sustainability. While the community has shown leadership in this area, there is little advertisement or showcasing in public spaces.
The Lebel Mansion provides a venue that is open to the public and receives visitors for a variety of events throughout the year where a narrative can start to be developed about the rich energy history and progressive approach to technology.

There has been a rise in interest from the community about renewable energy, specifically how to go about installing it privately.

Developing a publicly available and visible installation would provide small power savings on site, but also an opportunity for education on the subject, and a platform for displaying the intricacies of the technology.

PROJECT BENEFITS AND CONSEQUENCES

While the solar installation is anticipated to reduce electrical costs at the Lebel Mansion by $700/year, this means that the project will not recoup the installation costs over the lifespan of the installation.

Regardless of financial component, the introduction of solar energy to partially power the Lebel Mansion will ultimately reduce the greenhouse gas emissions from the facility.

It is difficult to quantify the benefit of an educational display, as this is a social benefit rather than a financial one. However, there is a potential social impact of the installation of solar panels being placed on a designated historical building, potentially detracting from the historical nature of the facility.

The electrical system associated with the solar panels has a life expectancy of 15 years, meaning that replacement/maintenance costs would slightly increase the repairs & maintenance budget of the building.

ABOUT THE GRANT PROVIDER
Enel Green Power operates the Castle Rock Ridge wind farm in the M.D. of Pincher Creek and has expressed commitment to supporting community initiatives and education. They have committed $7,000 USD of funding towards this project.

OVERALL RECOMMENDATION
Administration understands the potential benefits of the solar installation, however, when weighing all pros and cons do not feel this project should proceed. The full scope of the project has a negative financial return on investment, and in order to implement the full scope of the project would require the depletion of all remaining funds in the Culture Reserve. Proceeding with a reduced scope would result in an even further reduction in energy cost savings, which were already minimal at only $700/year.

ALTERNATIVES:
1. That Council for the Town of Pincher Creek provide formal approval to accept $7,000 USD (approximately $9,525 CAD) of funding from Enel Green Power to support the installation of a solar array and renewable energy educational display at the Lebel Mansion, and authorize the signing of the Enel Green Power grant agreement; and

That Council for the Town of Pincher Creek direct administration to proceed with the installation of a solar array and renewable energy educational display at the Lebel Mansion for a total of $35,000 with $19,000 being funded by grants, and the remaining $16,000 to be funded from the Culture Reserve 7400004760 - $14,000 and the remaining $2,000 from the General Contingency Reserve 0000004710.

2. That Council for the Town of Pincher Creek direct administration to proceed with the installation of a solar array and renewable energy educational display at the Lebel Mansion for a reduced scope and total budget of $19,000 to be solely grant funded.

3. That Council for the Town of Pincher Creek accepts the Lebel Mansion Solar Array presentation as information.

4. That Council for the Town of Pincher Creek request additional information regarding the impact on heritage/historical designation of the Lebel Mansion regarding the installation solar panels.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
Lethbridge Community Foundation has already donated $10,000 towards this project. Not moving forward with the project would require the Town to return/decline this funding. This funding also has a strict time limit which must be spent before January 2024.

FINANCIAL IMPLICATIONS:

The installation of a solar array projected to reduce energy costs at the Lebel Mansion by $700/year ($58/month).

The project requires approximately $16,000 more in funding to meet the budget, proposed to be funded through the Culture Reserve 7400004760 - $14,000 and the remaining $2,000 from the General Contingency Reserve 0000004710.

The estimated balance before these transactions for 2023 for the Culture Reserve is $14,835.88 and for the General Contingency Reserve is $247,489.52. Proceeding with the project would deplete the Culture Reserve.

PUBLIC RELATIONS IMPLICATIONS:
The renewable energy installation would be visible to the public and the accompanying educational exhibit would provide an opportunity to visitors to learn about the energy transition and history of energy ingenuity within Southern Alberta. It would also provide information for residents about renewable energy and how to undertake an install themselves.

There may be public dissatisfaction for installing solar panels on a historical building.

ATTACHMENTS:
None at this time.

CONCLUSION/SUMMARY:
Ultimately administration feels that with limited reserve funds available, the project is not recommended to move forward.

Signatures:
Department Head:

CAO:

AGENDA ITEM NO: 8.2

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Food Bank Donation Funds	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To release Food Bank Donation Funds to the Pincher Creek and District Community Food Centre

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to forward the balance in the Food Bank Trust Account of $182,487.67 to the Pincher Creek and District Community Food Centre.

BACKGROUND/HISTORY:

Chris and Gemma Ney met with Joint Council on January 30, 2020 to announce that they would be closing the food bank. Town Council directed administration to research alternate Government agencies for future assistance for the community.

In April 2020, Town Council agreed to enter into a monthly lease agreement with the Vertical Church for the operations of the Pincher Creek Community Food Bank during the Covid-19 pandemic situation.

May 11, 2020 Town Council agreed to allow the use of the Town's charitable receipt process until such time as the new Food Bank Society is fully registered.

On March 17, 2023, Anne Grover informed the Town that the organization had received their charitable status. Attached is document from Canada Revenue Agency (CRA) confirming the charitable status.

A letter dated May 23, 2023 from Janet Elder of the Pincher Creek and District Community Food Centre was received requesting the Town transfer the amount of $180,345.93 which was being held in trust.

The bank balance as of June 9, 2023 including interest is $182,487.67 which is comprised of Remaining Grant $1,678.45; Donations $172,512.87; and Interest $8,296.35.

ALTERNATIVES:
That Council for the Town of Pincher Creek request further information from administration at a future council meeting.

That Council for the Town of Pincher Creek accept as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
Due to the sudden closure of Food Bank services in the Town of Pincher Creek during the pandemic, Town Council wanted to ensure residents would have access to this service. Therefore, a trust account was established as a short term measure until a new Organization was able to resume these services and provide charitable donation receipts to their donors.

FINANCIAL IMPLICATIONS:
None at this time as these funds were being held in Trust.

PUBLIC RELATIONS IMPLICATIONS:
The Food Centre is a much needed service in the Town of Pincher Creek as well as the surrounding district.

ATTACHMENTS:
CRA Pincher Creek and District Community Food Centre - 3166
Pincher Creek & District Community Food Centre Letter - 3166

CONCLUSION/SUMMARY:
Administration supports forwarding the trust funds to the Pincher Creek and District Community Food Centre.

Signatures:
Department Head: Wendy Catonio

CAO: Angie Lucas

Canada Revenue Agency | Agence du revenu du Canada

Ottawa ON, K1A 0L5

Date Mar 10, 2023
Account Number 72448 2138 RR0001
Reference Number CH211581752145

ATTN: ANNE GOVER
PINCHER CREEK AND DISTRICT
COMMUNITY FOOD CENTRE
PO BOX 1329
PINCHER CREEK AB T0K 1W0

Subject: Notification of registration as a charity for Pincher Creek and District Community Food Centre

Anne Gover,

We are pleased to inform you that Pincher Creek and District Community Food Centre meets the requirements for tax-exempt status as a registered charity under the Income Tax Act.

Along with the privileges of registered status come some obligations. This letter includes important information about how a registered charity is required to operate and what it is obligated to do. **Please take the time to review this information and keep this letter for future reference.**

You should also give a copy of this letter and any enclosed materials to the person responsible for filling out Pincher Creek and District Community Food Centre's annual Form T3010, Registered Charity Information Return.

If you have questions, please call our Client Service Section at **1-800-267-2384**.

Yours sincerely,

William Ralston
Charities Analyst
for Sharmila Khare,
Director General
Charities Directorate

Attachments

Canada

Registration information for Pincher Creek and District Community Food Centre

- **Official name**: Pincher Creek and District Community Food Centre

- **Business number**: 724482138RR0001

- **Effective date of registration**: March 7, 2023

- **Designation**: Charitable Organization

- **Fiscal period end**: April 30

- **Due date for first Form T3010, Registered Charity Information Return**: October 31, 2023, for the fiscal period ending April 30, 2023

- **Reason for registration:**

We granted the charity charitable registration based on the information it gave in its application and on the purposes in its governing document of March 7, 2023, issued under the Alberta Societies Act. The charity should have a governance structure in place that makes sure it meets all the requirements of maintaining charitable status. This includes regularly reviewing the purposes in its governing document.

Janet Elder

Vice-Chairperson

Pincher Creek and District Community Food Centre

403-632-6716

May 23, 2023

Mrs. Wendy Catonio

Town of Pincher Creek

Pincher Creek, AB

Dear Mrs. Catonio and Town Council,

I am writing to officially notify you that the Pincher Creek and District Community Food Centre (PCDCFC) has successfully become a Registered Charitable Organization. This status was achieved on March 7, 2023. This means that we will be able to directly receive donations and issue Charitable Tax Receipts.

We would like to request that the funds being held by the Town of Pincher Creek on our behalf, in the amount of $180,345.93, now be transferred to us. Thank you for all of your support acting as our Charitable Society in recent years. Please contact myself or Anne Gover with any questions or concerns.

Sincerely,

Janet Elder and

PCDCFC Board of Directors

AGENDA ITEM NO: 8.3

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Evolugen Proposed Solar Project - Objection Letter	
PRESENTED BY: Lisa Goss, Legislative Service Manager	**DATE OF MEETING:** 6/26/2023

PURPOSE:

For Council to consider an objection letter to a proposed solar project located within the Urban Fringe land use zone of the Municipal District of Pincher Creek.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree and approve the objection letter to Evolugen regarding a proposed Solar Power Plant Proposal in the Urban Fringe land use zone in the Municipal District of Pincher Creek.

BACKGROUND/HISTORY:

On May 16, 2023, at the request of the Municipal District of Pincher Creek, the Intermunicipal Development Plan Committee met regarding a Sunrise Solar Project proposed by Evolugen within the Urban Fringe land use district in the Municipal District (agenda and minutes attached). The committee recommended that direction be given to the Oldman River Regional Services Commission to formulate a joint (Town/MD) letter of opposition regarding the project for Council(s) consideration.

At the time of writing there has been no formal application made to the Municipal District of Pincher Creek by Evolugen.

ALTERNATIVES:

That Council for the Town of Pincher Creek receives the information regarding the Evolugen Proposed Solar Project - Objection Letter as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The IMDP committee members instructed the ORRSC planning advisors to draft on both municipalities behalf a pre-emptive response to Evolugen, that would also be sent to the Alberta Utilities Commission (AUC), to advise that both municipalities object to the proposal on the proposed subject lands. The intent is to give notice that if this application were to be made to the AUC that both the Town of Pincher Creek and the Municipal District of Pincher Creek would object and seek AUC acknowledgement of the land planning issues stated. The IMDP committee members felt that a joint letter submitted together from both municipalities under the signatures of the Reeve and Mayor would illustrate the collaboration and serious concerns of the two municipalities.

FINANCIAL IMPLICATIONS:
None at this time.

PUBLIC RELATIONS IMPLICATIONS:
None at this time.

ATTACHMENTS:
2023-05-16 IMDP Notes - 3193
MD of Pincher Creek and Town of Pincher Creek - Objections to Evolugen - 3193

CONCLUSION/SUMMARY:
Administration supports that Council for the Town of Pincher Creek agree and approve the objection letter to Evolugen regarding a proposed Solar Power Plant Proposal in the Urban Fringe land use zone in the Municipal District of Pincher Creek.

Signatures:
Department Head: Lisa Goss

CAO: Angie Lucas

NOTES
Municipal District of Pincher Creek No. 9
and
Town of Pincher Creek
Intermunicipal Development Plan Committee Meeting
Council Chambers – MD Administration Office
Tuesday, May 16, 2023
1:00 pm

Attendance:

Gary Cleland	Councillor, Town of Pincher Creek
Mark Barber	Councillor, Town of Pincher Creek
Rick Lemire	Reeve, MD of Pincher Creek
Tony Bruder	Councillor, MD of Pincher Creek
Roland Milligan	Chief Administrative Officer, MD of Pincher Creek
Laura McKinnon	Development Officer, MD of Pincher Creek
Gavin Scott	Senior Planner, ORRSC
Steve Harty	Senior Planner, ORRSC
Lisa Goss	Legislative Services Manager

Reeve Rick Lemire called the meeting to order, the time being 1:00 pm.

1. Adoption of Agenda

Councillor Gary Cleland

Moved that the May 16, 2023 IMDP Agenda, be approved as presented.

Carried

2. Evolugen – Sunrise Solar Project

Gavin Scott, Senior Planner for the MD of Pincher Creek in tandem with Steve Harty, Senior Planner for The Town of Pincher Creek gave overview of the Intermunicipal Development Plan and correlation to the proposed Sunrise Solar Project.

Steve Harty gave overview of the draft Area Structure Plan for North West Town of Pincher Creek. Being that it is a conflicting use in that area for the solar and residential. Setbacks would be required to comply.

There was general discussion held at this time.

Councillor Gary Cleland

Recommended that direct be given to ORRSC to formulate a letter of opposition in joint with the Town of Pincher Creek and the MD of Pincher Creek, to take back to Council for approval.
Carried

3. Adjournment

Councillor Tony Bruder

Moved that the meeting be adjourned, the time being 1:38 pm.

Carried

Municipal District of Pincher Creek No. 9
PO Box 279
1037 Herron Ave
Pincher Creek, AB
T0K 1W0

Town of Pincher Creek
PO Box 159
962 St. John Ave
Pincher Creek, AB
T0K 1W0

Evolugen
41 Victoria Street
Gatineau, Quebec
J8X 2A1

RE: Sunrise Solar Project, Evolugen by Brookfield Renewables
Solar Power Plant Proposal (75MWac/~98MWdc) in the Municipal District of Pincher Creek

Dear Sir or Madam:

As the project proponent, Evolugen, having made inquiry regarding a proposed solar power plant located within the Urban Fringe land use zone of the Municipal District of Pincher Creek (see Appendix A), your questions and open house discussion with the public generated the need for an Intermunicipal Development Plan (IMDP) committee meeting between the Municipal District of Pincher Creek and Town of Pincher Creek to discuss and determine the affected municipalities' next steps for the proposal. This meeting was held May 16, 2023, at the Municipal District of Pincher Creek offices. Council Representatives of both the Town and Municipal District were in attendance with support staff from both municipalities also in attendance.

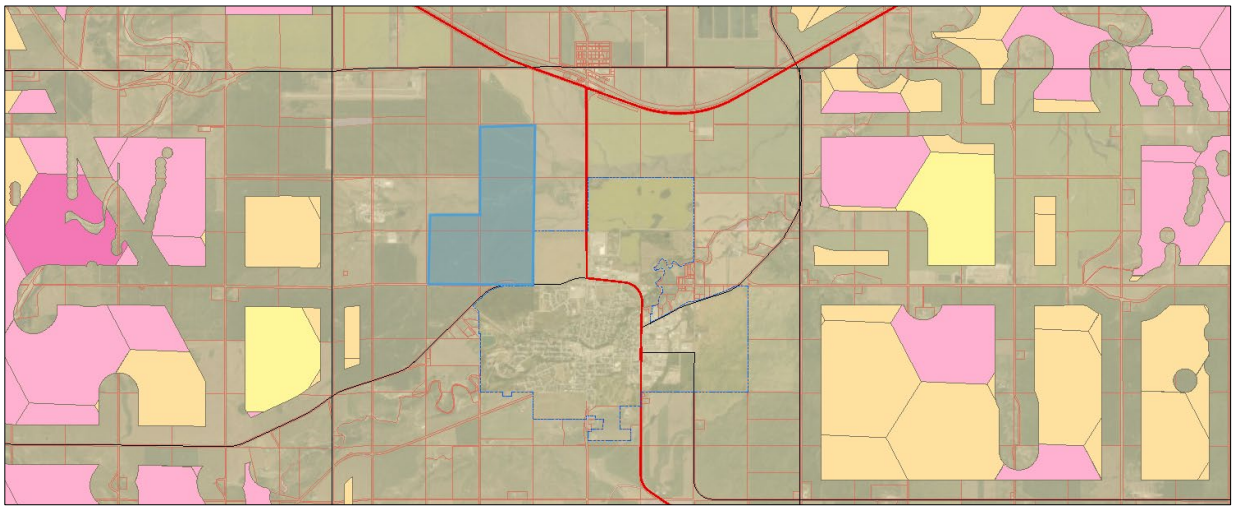
The result of the meeting was that both municipalities agreed to object to the location of the proposal in the Urban Fringe given the existing planning documents that are in place and the content therein. The documents of importance here are the **Intermunicipal Development Plan** (Town of Pincher Creek Bylaw 2010-11 and Municipal District of Pincher Creek Bylaw 1200-10), the **Town of Pincher Creek Municipal Development Plan** Bylaw 1518-13, **Municipal District of Pincher Creek Municipal Development Plan** Bylaw 1330-21, **Municipal District of Pincher Creek Land Use Bylaw** 1289-18 (LUB), and a completed draft **Town of Pincher Creek Area Structure Plan** for the SE 27-6-30 W4M.

The creation of the IMDP for land use came with many hours of challenging and arduous negotiation between the two municipalities. As will be demonstrated through policy excerpt, the current document's basic premise is to protect agricultural land prior to the transition to urban style development. The document is, as all planning documents are, to be interpreted as inclusive. Meaning that if the use is not contemplated then it is prohibited. In the case of wind and solar power plants the use is not included in the document.

A prior attempt was made to develop a wind farm within the Urban Fringe and that process ended in a local appeal where the proposal was denied for a lack of landowner signature on the development application (the same landowner involved in this proposal). Within the appeal finding of facts, it is noteworthy that the landowner opposed the development citing its detriment to the Urban Fringe. See attached Subdivision and Development Appeal Board decision Finding of Fact #14 (Appendix B). It is not clear how the landowner can see any less detriment to either the potential for urban growth or the agricultural future of the land for this new proposal.

Within Part VIII Section 59.9 of the Municipal of Pincher Creek Land Use Bylaw, the proposal shall consider using the least productive lands when selecting sites. A simple check of the Canadian Land Inventory (CLI) shows the proposed lands are described as Class 2 soils. Unlike other regions of Alberta where good soils are more abundant, the Municipal District has only 0.1% of its land designated as Class 2 soils. In support of the local agricultural economy, a conversion of any soil to a non-agricultural development designated this highly cannot be accepted. The proponent during its open house with the public claimed the potential for co-benefits of grazing livestock within the panels to maintain the agricultural use as well as the commitment to ensuring the longevity of soil quality and native grass species. The reality is that the value of current field crops is not equivalent to intermittent grazing post solar farm construction. It has also been seen that when the solar farms are built considerable wind erosion during construction damages the land beyond any acceptable land management practices. This wind erosion will introduce unwanted silt into the adjacent waterways and drainage channels in the area.

As support for the desired outcome of the South Saskatchewan Regional Plan, the protection of agricultural land is provided in Section 8.21 and the Municipal District of Pincher Creek Municipal Development Plan (Municipal District MDP), Section 10. The Municipal District and Town support the proponent in choosing a site with fewer land use conflicts. In Section 9 of the Municipal District MDP plan, the Municipal District also provides a least conflict analysis for solar siting decision. The policy refers to the final report for the Municipal Land Use Suitability Tool (MLUST) (Appendix E). The mapping product based on municipal preferences shows this area is not a preferred area for solar development because of the conflicting land uses. The diagram below shows the proposed development in blue and the suitable solar development land in pinks and yellows.



In the content of the Town of Pincher Creek Municipal Development Plan (MDP), Map 1 (Appendix C) indicates the location of the future residential growth within the Town. A draft Area Structure Plan (ASP) prepared for adjacent land within the Town also illustrates the future adjacent residential growth area. The applicant has indicated in the document entitled Sunrise Solar Project: Intro and Update for IMDP May 2023 a setback from existing housing at a distance of 300m. The proponent would be expected to have the same setback from all future housing as shown in the Town MDP and draft ASP (Appendix C and D). Residential housing would be east and immediately adjacent to the shared ¼-section line. Residential dwellings can be sited a mere 7.6 m (25 feet) from the property line to the commercial solar project. Additionally, the adjacent lands immediately to the south (south of Highway 507) within the Town limits are also planned for future residential growth. As the intended life span of the solar project is 30-35 years, this would significantly impact the growth plans for the Town of Pincher Creek.

The Urban Fringe - UF district on the subject lands should not be redesignated to the Municipal District's Wind Farm Industrial – WFI designation (i.e., Municipal District land use district used to legally allow such developments) to accommodate the solar project, as the Urban Fringe land designation is applied as a special land use zone around the town and is supported through an intermunicipal agreement (the IMDP) of the two municipalities.

It must be acknowledged that the stated intent of the Municipal District's Urban Fringe - UF land use district is to continue extensive agricultural use of lands surrounding urban municipalities until the lands are needed for urban expansion; to discourage the development and the fragmentation of land which may compromise the logical, orderly and economic expansion of urban boundaries; to discourage uses and development which would conflict with those in the adjoining urban community; and to provide coordinated and mutually satisfactory management of land uses in consultation with the adjoining urban municipality.

Please be advised that we the undersigned object to the proposal on the proposed subject lands. We hereby give notice that if this application were to be made that both the Town of Pincher Creek and the Municipal District of Pincher Creek would seek Alberta Utilities Commission acknowledgement of the land planning issues previously stated.

_____	_____
Municipal District of Pincher Creek - Reeve	***Town of Pincher Creek - Mayor***
Rick Lemire	*Don Anderberg*

Cc: Alberta Utilities Commission

References

The relevant and specific policies of all planning documents are as follows:

South Saskatchewan Regional Plan:

> *"8.21 Employ appropriate planning tools to direct non-agricultural subdivision and development to areas where such development will not constrain agricultural activities, or to areas of lower-quality agricultural lands."*

Intermunicipal Development Plan (Town of Pincher Creek Bylaw 2010-11 and Municipal District of Pincher Creek Bylaw 1200-10):

GOALS

It is the intent of the councils of the Town and Municipal District of Pincher Creek that the objectives and policies of this plan be governed by the goals stated below:

- *To facilitate orderly and efficient development in the designated Urban Fringe district while identifying each municipality's opportunities and concerns.*
- *To identify the land uses each municipality envisages for the IMDP plan boundary.*
- *When practical, to harmonize both municipalities' development and subdivision standards and requirements.*
- *To identify possible joint ventures, such as the provision of municipal services.*
- *To provide for a continuous and transparent planning process that facilitates ongoing consultation and cooperation among the two municipalities and affected ratepayers.*
- *To provide methods to implement and amend the various policies of the plan which are mutually agreed to by both municipalities.*

OBJECTIVES

The following objectives shall be used as a framework for the policies of this plan and its implementation:

- *To identify the growth strategies of the Town of Pincher Creek and ensure that these growth strategies are compatible with the development and land use policies of the Municipal District of Pincher Creek.*
- *To discourage the fragmentation of agricultural land and to prevent the premature conversion of agricultural lands in the IMDP plan boundary or area adjacent to it to non-agricultural uses.*
- *To recognize the continued viability of both communities by providing development in the urban fringe that:*
  - *(a) fosters a healthy environment, and*
  - *(b) seeks to minimize conflict when expansion becomes necessary.*
- *To direct country residential and other non-agricultural development to locations which are least disruptive to the agricultural community and to orderly urban expansion.*
- *To assist appropriate approval authorities to exercise control over confined feeding operations and industrial or other development which may have a potentially adverse impact on existing and / or future land use.*

- *To discourage development on flood-prone areas, potentially unstable slopes, undermined areas and other hazard lands and to ensure that public health and safety issues are given adequate consideration when land use and related decisions are being made.*
- *To maintain and promote a safe and efficient roadway network.*
- *To ensure development is serviced to standards appropriate to the location and type of development.*

1.4 Extensive agriculture will be the primary land use of the lands designated on the Land Use Guide Map, until these lands are redesignated in a land use bylaw in accordance with this plan. Land uses will be allowed in accordance with the Urban Fringe District contained in the Municipal District of Pincher Creek Land Use Bylaw.

4.1 The Municipal District will encourage commercial and industrial development proposed in the urban fringe district to areas designated for such uses in their Land Use Bylaw, or the Town's Municipal Development Plan.

Municipal District of Pincher Creek Municipal Development Plan 1330-21:

9.10 The municipality may support the integration of wind and solar energy conversion systems with other land uses in the municipal district where the area has been deemed suitable by the zoning and development processes.

9.17 When municipal governments consider industrial scale solar or wind energy development, it immediately becomes clear that not everywhere is suitable for those activities, and not everywhere is unsuitable. For some areas it is a clear-cut 'yes' or 'no', but most areas sit somewhere on a continuum between those two extremes. To understand this fact better the MD went through an analysis process called the Municipal Land Use Suitability Tool (MLUST). This process asked council to value various land use concerns across the MD.

As it stands, the results are not meant to hinder development proposals, but are too be used by developers, who may be new to the area, to understand perceptions of conflicting land use within the municipality and to understand local values. Proponents for industrial scale wind and solar development shall consult the Municipal Land Use Suitability Tool (MLUST) for Municipal District of Pincher Creek, Tracy Lee, Ken Sanderson, Guy Greenaway, and Holly Kinas, April 2020 as part of their preparation for a development application to the MD. The MD shall amend the land use bylaw to include details for this submittal requirement and provide a mapping product that can be utilized for analysis.

10.1 Extensive agriculture shall remain the predominant and prevailing land use in the municipality.

10.3 The MD shall protect prime agricultural lands from development that would eliminate the viability of these lands from crop production. These lands shall be identified by using the Canadian Land Inventory. The MD shall ensure that provisions in the land use bylaw protect agricultural land from non-agricultural development.

Municipal District of Pincher LUB 1289-18 Part VIII Section 59:

59.9 In the "Agriculture – A", "Wind Farm Industrial – WFI" and "Urban Fringe – UF" land use districts, applicants shall consider the following when selecting sites:

(a) use of the lowest productive land, dry corners, and poor agricultural land with Canada Land Inventory (CLI) soil classification of 4 through 7, is preferred;

Municipal District of Pincher LUB 1289-18 Urban Fringe - UF district

The intent of the Urban Fringe - UF district is to:

(a) continue extensive agricultural use of lands surrounding urban municipalities and designated hamlets until the lands are needed for urban expansion; and

(b) discourage the development and the fragmentation of land which may compromise the logical, orderly and economic expansion of urban boundaries; and

(c) discourage uses and development which would conflict with those in the adjoining urban community; and

(d) provide coordinated and mutually satisfactory management of land uses in consultation with the adjoining urban municipality;

(e) implement the Intermunicipal Development Plan surrounding the Town of Pincher Creek.

Under the Urban Fringe - UF district section 2, Uses, a commercial Solar Power Plant (defined and categorized in land use bylaw as a 'Solar energy system, commercial/industrial') is not prescribed as a permitted or discretionary use in the district and is therefore prohibited.

Subdivision and Development Appeal Board Decision No. 2006-96 finding of Fact #14:

14. A letter dated February 26, 2009 (SDAB exhibit item J1.11), was sent to the Municipal District of Pincher Creek from the landowner of the SE¼ 35-6-30-W4M, stating that "as the registered owners we the Hutterian Brethren of Pincher Creek as a Colony, the registered owners of S ½ of Sec. 35 *Twp 6 Range 30 W4th Meridian, and the N ½ of Sec. 26 Twp 6 Range 30 W4th Meridian oppose the application on the grounds that it will prohibit development of the N½ of Section 26 TWP 6 Range 30 W4th Meridian which is currently in the urban fringe area and is part of an annexation application of the town; and there will be excessive noise from the windmills which will affect the use of our lands."*

Town of Pincher Creek MDP Bylaw No. 1518-13

Section 2.0 Residential Growth - Overall, residential development will continue to be directed to areas west of Highway 6 so as not to conflict with commercial and industrial uses to the east of the highway. A mix of conventional residential and higher density residential development will generally be directed to areas in the northwest portion of the community as sewer and water services can be more easily accommodated in this portion of the community.

Policy 4.1 Future urban growth and development in the Town should be directed to the areas identified in the Future Land Use and Growth Directions Map (Map 1) as

future growth areas if they are determined to be suitable for development and can be serviced with municipal infrastructure.

Town of Pincher Creek – Hasegawa Area Structure Plan (ASP) SE 27-6-30-W4 (draft)

Section 3.1 Development Objectives

The overall goal of the subdivision is to establish a framework for merging a desirable residential area, attractive commercial enterprise lots and community-minded development. The residential area is a mix of affordable multi-family housing, condominium units and single residential lots coupled with green space that also serves to store and improve storm runoff.

APPENDIXES

A – Municipal District of Pincher Creek Land Use Bylaw 1289-18 Map 9 Urban Fringe

B - Subdivision and Development Appeal Board decision 2006-96-2009

C – Town of Pincher Creek MDP Map 1 excerpt

D – Town of Pincher Creek Area Structure Plan SE 27-6-30 W4 Concept Land Use Map

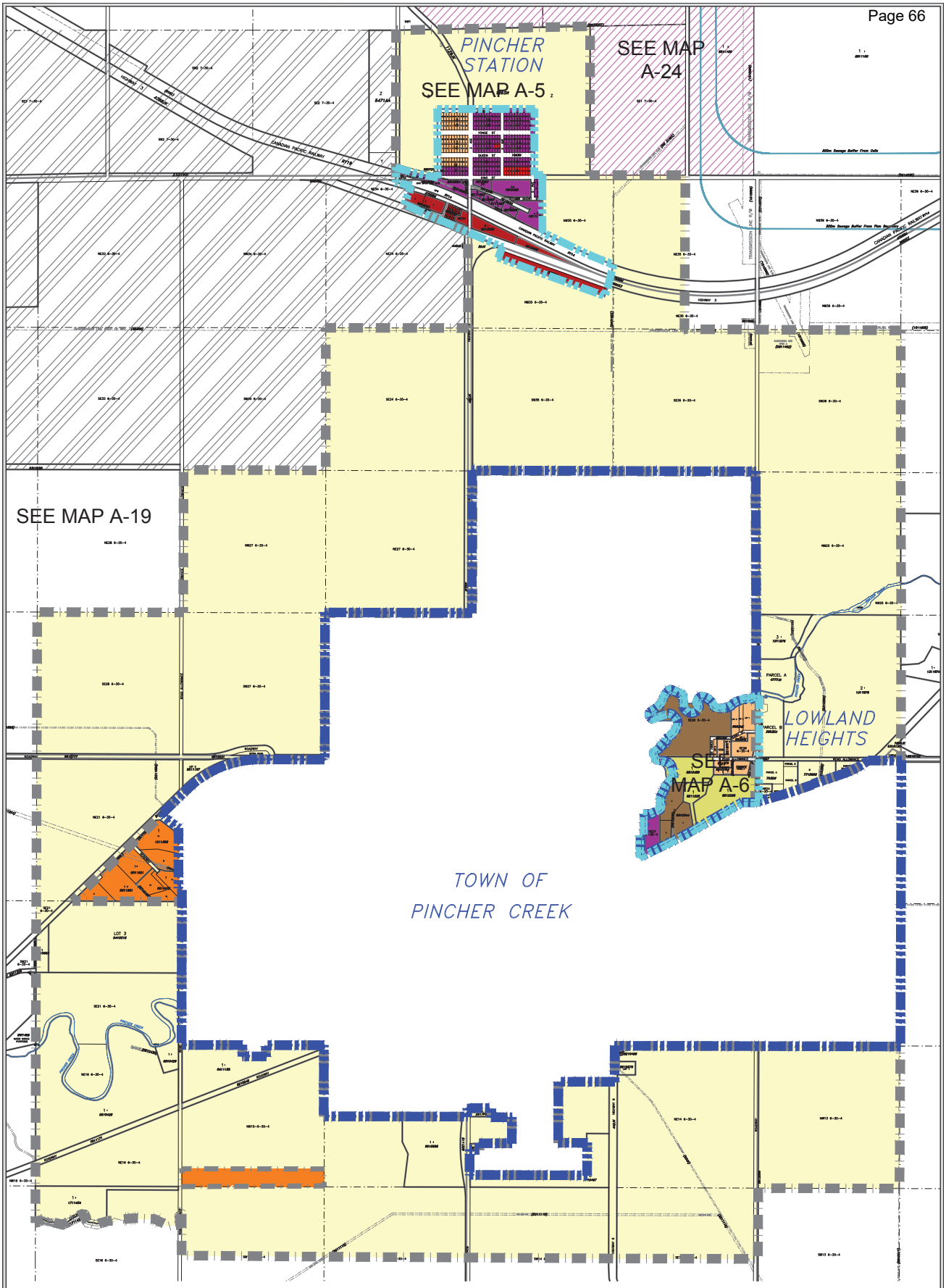
E - Municipal Land Use Suitability Tool (MLUST)

APPENDIX A

Municipal District of Pincher Creek

Land Use Bylaw 1289-18

Map 9 Urban Fringe



M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18, November 13, 2018

MAP A-9

TOWN OF PINCHER CREEK - URBAN FRINGE

Agriculture	'A'
Grouped Country Residential	'GCR'
Urban Fringe	'UF'
Airport Vicinity Protection	'AVP'
Urban Fringe Boundary And Intermunicipal Development Plan Boundary	
Hamlet Boundary	
Town Of Pincher Creek Boundary	

OLDMAN RIVER REGIONAL SERVICES COMMISSION

December 04, 2018 C:\Users\mkristic\appdata\local\temp\AcPublish_5960\MD of Pincher Creek LUB 1289-18 - November 13 2018.dwg

APPENDIX B

Subdivision and Development Appeal Board Decision

2006-96-2009

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING 2006-96-2009

Development Application: 2006-96

BEFORE: THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (Board)

Members:

Jim Lynch-Staunton **Wade Mitchell** **Dallis McGlynn**

In the matter of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended (MGA);

and in the matter of the Municipal District of Pincher Creek No. 9 Land Use Bylaw No. 1140-08 and amendments thereto (LUB No. 1140-08) and the Municipal District of Pincher Creek No. 9 Municipal Development Plan No. 1062-02 (MDP No. 1062-02);

and in the matter of an appeal by: Four Corners Wind Farm Project
ABKO Holdings Ltd. &
70 Holdings International Ltd.
c/o Gowling Lafleur Henderson LLP
Calgary, AB

by which the applicant has deemed the permit refused by the development authority in accordance with Section 684 of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, whereby **a revised application to install six (6) wind energy conversion systems on the Southeast Quarter Section of 35, Township 6, Range 30, West of the 4th Meridian** in the Municipal District of Pincher Creek, was found to be **incomplete** by the Municipal Planning Commission at the Municipal Planning Commission Meeting on March 3, 2009.

THE INFORMATION PART OF THE HEARING WAS DOCUMENTED

UPON PROVIDING THE appellant with a copy of the exhibits referred to on a List in Appendix A attached hereto and there being no objections to the said exhibits.

UPON WRITTEN NOTICE of the Hearing of the appeal being given in accordance with section 686 of the MGA.

UPON HEARING at the said Hearing, held in the Town of Pincher Creek on **March 30, 2009**, the evidence adduced from and submissions made by the person(s) shown in Appendix B attached hereto.

UPON HEARING the oral presentations of said representatives and having regard to LUB No. 1140-08 and MDP No. 1062-02 and amendments thereto; and under the authority vested in the Subdivision and Development Appeal Board pursuant to the MGA, this Board finds that the application under appeal is **INCOMPLETE and therefore does not have the jurisdiction to render a decision on the appeal.**

PURSUANT TO section 680(3) of the MGA, written reasons for this decision have been furnished in this decision.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

_____ _____

Date **Board Chairman**

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING 2006-96-2009

Development Application: 2006-96

UPON HAVING HEARD what was alleged by the appellant, and **upon having heard** what was alleged by the Development Authority and **upon hearing** others listed in Appendix B of this decision and **upon having read** exhibits noted in Appendix A of this decision, the Subdivision and Development Appeal Board finds the facts to be as follows:

1. On July 11, 2006 the Development Authority of the Municipal District of Pincher Creek No. 9 received an application from ABKO Holding Ltd. and 70 Holding International Ltd. to install 6, 1.8 MW Vesta V80 on lands legally described as SE¼ 35-6-30-W4M, SW¼ 35-6-30-W4M, NE¼ 26-6-30-W4M, and NW¼ 26-6-30-W4M. On September 6, 2007 the MPC refused the application.
2. On September 28, 2007 the applicant appealed the refused application to the Subdivision and Development Appeal Board on the grounds that the appellants requested the Board to require the MPC to table the application pending the submission of additional application information, rather than refuse it.
3. The Board denied the appeal on the basis that the Board did not have the jurisdiction to hear the appeal given the grounds of appeal set out in the Notice of Appeal filed by the Appellants.
4. On September 19, 2008 Court of Queen's Bench issued an order (Action No. 0801-01256) which indicated

   *"The decision of the Respondent the Municipal Planning Commission of the Municipal District of Pincher Creek No. 9 made on or about September 6, 2007 by which it refused to "table", or adjourn, consideration of Development Permit Application No. 2006-96 (the "**Development Permit Application**") and denied the Development Permit Application is herby quashed and set aside, and the said Municipal Planning commission is directed to consider and hear the Development Permit Application when it is complete"*
5. On January 16, 2009, a revised application was submitted to the Municipal District of Pincher Creek No. 9 application by ABKO Holding Ltd. and 70 Holding International Ltd. to install 6, wind energy conversion systems on land legally described as SE¼ 35-6-30-W4M and an accessory building.
6. On March 3, 2009 the Municipal Planning Commission reviewed the application and determined the application to be incomplete.
7. On March 6, 2009 the Secretary of the Board received a notice of appeal ABKO Holding Ltd. and 70 Holding International Ltd. regarding "*the refusal by the Municipal Planning Commission to hear Application 2006-96 pursuant to section 684, 685(2) and 686(1) of the Municipal Government Act and Section 26 of the Land Use Bylaw 1140-08.*"
8. Prior to presentations of the merits of the application itself, the initial task for the Board was to determine its jurisdiction in regards to the filing of the appeal. The Board Chairman stated at the start of the hearing that based on the submissions, the Board was of the opinion that preliminary issues existed regarding the completeness of the application, and asked for presentations and information pertaining to this matter on the application.
9. Mr. Ron Hansford, legal counsel for the appellant stated that the application, as submitted, was complete in all respects. He referred the Board to the May 2007 letter from the landowner as evidence of the landowner's signature.
10. Mr. Roland Milligan, Development Officer, stated that section 15.1 (a) of LUB No. 1140-08 requires the landowner's signature on the application. Mr. Milligan indicated that the original application dated July11, 2006 had a letter attached signed by the applicant but the Municipal District had since received two letters, dated September 5, 2007 and February 26, 2009, in which the landowner voiced opposition to the development. He stated that in accordance with Section 15.1 (a) there was no consent by the landowner for the revised application.
11. Ms. Joanne Klauer, legal counsel for the Municipal District of Pincher Creek No. 9, stated that section 53.11 of the Land Use Bylaw required that reports and approvals from the agencies listed were a mandatory precondition of the application and a response from Alberta Environment was not submitted as part of the application.
12. Mr. Hansford was of the opinion that the bylaw doesn't ask for the approvals and reports, but that the application information had been submitted to Alberta Environment which they are currently

reviewing, and acknowledged that he couldn't say whether or not the MD had received any response from Alberta Environment in this regard. Mr. Hansford reiterated that he was of the view that the application, as submitted, was complete in all respects.

13. A letter dated September 5, 2007 (SDAB exhibit item H17.1), was sent to the Municipal District of Pincher Creek from the landowner of the SE¼ 35-6-30-W4M, stating they "*object to the application for the installation of the wind farm. At the time that we were requested to sign the lease we were not aware and were not advised that WECS were not allowed in the North ½ of Sec 26 and North ½ of Sec 35-6-30-W4th. These lands are in Town Urban Fringe lands and the Hamlet of Pincher Station Urban Fringe lands. Due to the fact of the Transmission line in the South ½ of Sec. 35 and due to proposed realignment of Highway No. 3 it would be impractical to place wind towers in the South ½ of Sec. 35. We oppose the application for the reasons stated.*"
14. A letter dated February 26, 2009 (SDAB exhibit item J1.11), was sent to the Municipal District of Pincher Creek from the landowner of the SE¼ 35-6-30-W4M, stating that "*as the registered owners we the Hutterian Brethren of Pincher Creek as a Colony, the registered owners of S ½ of Sec.* 35 *Twp 6 Range 30 W4th Meridian, and the N ½ of Sec. 26 Twp 6 Range 30 W4th Meridian oppose the application on the grounds that it will prohibit development of the N½ of Section 26 TWP 6 Range 30 W4th Meridian which is currently in the urban fringe area and is part of an annexation application of the town; and there will be excessive noise from the windmills which will affect the use of our lands.*"
15. Mr. Craig Simmons, agent representing the landowner of the SE¼ 35-6-30-W4M, stated that the letters of opposition from the landowner act as a withdrawal of support of the application.
16. LUB No. 1140-08 section 53.11 states, "Prior to making a decision on a development application for a WECS, the developer shall provide the appropriate reports and/or approvals from the following: Alberta Energy and Utilities Board, Transport Canada, Navigation Canada, Alberta Community Development, Alberta Environment."

HAVING REGARD TO THE FINDINGS OF FACT; and having regard for statutory plans, Land Use Policies and Land Use Bylaw No. 1140-08 and the Subdivision and Development Regulation, the Subdivision and Development Appeal Board makes the following decision:

The Subdivision and Development Appeal Board finds that Development Permit Application No. 2006-96 is incomplete for the following reasons:

1. Section 15.1 (a) of Land Use Bylaw No. 1140-08 requires a landowner signature on an application for a development permit. The Board finds that this signature is required to indicate consent for the development. While the landowner did provide consent by way of the May 2007 letter, that consent has been withdrawn by the subsequent letters. The Board finds that the evidence does not provide the level of certainty for the Board to conclude that the owner had signed the application or provided other acceptable evidence of landowner support, as the landowner consent is in question on this matter.
2. Section 53.11 of Land Use Bylaw No. 1140-08 states that reports and/or approvals are required <u>from</u> Alberta Environment (*underline added for emphasis*). This report and/or approval are absent.

For these reasons the Board finds this development permit application is incomplete and should be considered and heard by the Municipal Planning Commission of the Municipal District of Pincher Creek No. 9 upon its completion. The Board concludes it does not have jurisdiction to hear this appeal as s. 684 of the *Municipal Government Act* allows an applicant to deem an application refused if the development authority does not make a decision within 40 days of receipt of the application. The Board interprets this to mean 40 days from receipt of a complete application.

INFORMATIVE:

On April 2, 2009 the solicitor for the Board received a letter from Gowlings, solicitors for the applicant, requesting the board reconvene to receive further information. On April 3, 2009, the Board Solicitor was contacted by Gowlings (confirmed by letter April 6, 2009), withdrawing the request of April 2, 2009. In reaching its decision, the Board has not considered nor taken into account the content of the April 2, 2009 letter from Gowlings.

APPENDIX A

Exhibits presented at Hearing:

A. Notice of Hearing
B. Area Map
C. List of Persons Notified
D. Letter of Appeal received by fax March 6, 2009 & by mail March 9, 2009
E. March 3, 2009 Municipal Planning Commission Meeting Minutes
F. Digital recording of the March 3, 2009 Municipal Planning Commission Meeting
G. Court of Queen's Bench Order No. 0801-01256
H. Revised Development Permit Application dated January 15, 2009
I. Notification of revised application
J. Responses to notification of revised application
K. Applicant's response to the circulation responses by persons notified
L. Correspondence from the Development Officer to the applicant dated February 19, 2009
M. Response from the Applicant's Council to the Development Officer dated February 23, 2009
N. Email from Applicant with attached NavCanada letter dated March 3, 2009
O. Development Officer Municipal Planning Commission Meeting Report
P. Letter from the Applicant's Council to the Development Officer dated March 6, 2009
Q. Letter from Development Officer to Applicant Dated March 16, 2009
R. Submission for the Hearing from the Appellants received March 26, 2009

APPENDIX B

Persons who gave evidence or made submissions at the Hearing:

CAPACITY	NAME
Appellant/Applicant(s):	Mr. H. Ron Hansford – Legal Counsel Mr. Paul Edwards – Legal Counsel Mr. Allan Kettles – Appellant
MD of Pincher Creek Representative(s):	Mr. Roland Milligan – Development Officer Ms. Joanne Klauer – Legal Counsel Mr. Gavin Scott – Planning Advisor (ORRSC)
Affected Person(s):	Mr. Doug Evans – Legal Counsel for the Town of Pincher Creek Mr. Craig Simmons – agent for the landowner

APPENDIX C

Town of Pincher Creek

Municipal Development Plan

Map 1

TOWN OF PINCHER CREEK
MDP 2013

GENERAL GROWTH DIRECTION AND FUTURE LAND USES

MAP 1

BYLAW NO. 1518-13
OCTOBER 15, 2013

- Pincher Creek Boundary
- Highway
- Highway 3 Bypass - Proposed
- General Growth Direction
- Potential Separation*

Future Land Use

- Commercial
- Commercial & Industrial
- Country Residential
- Golf Course Expansion
- Industrial
- Recreation Area
- Residential

* Pending Approval of Highway 3 Bypass

TOWN OF PINCHER CREEK ALBERTA

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.25 0.5 1
Kilometers

N

APPENDIX D

Town of Pincher Creek

Area Structure Plan

(SE 27-6-30-W4) Concept

Land Use Map

SE-27-6-30
TOWN OF PINCHER CREEK

CONCEPTUAL SITE PLAN
SCALE:1:4000

TOTAL AREA: 148.4 ACRES (60.1 ha)

RESIDENTIAL AREA: 50.5 ACRES (20.4 ha)

- R1 RESIDENTIAL: 40.2 ACRES (16.3 ha)
  231 SINGLE FAMILY
  27 DUPLEXES
- R4 RESIDENTIAL: 10.3 ACRES (4.2 ha)
  20 FOURPLEXES
  CONDOMINIUM COMPLEX
- COMMERCIAL C2/C4: 58.1 ACRES (23.8 ha)
- PARKS/OPEN SPACE: 10.5 ACRES (4.2 ha)
- URBAN RESERVE: 2.1 ACRES (0.86 ha)

ROADS/RIGHT-OF-WAYS: 27.2 ACRES (11 ha)

0 100 200

NOTES

Contractor to check and verify all dimensions befo construction, any errors and ommisions shall be reported to the engineer immediately

Drawing shall not be used for construction until approved

Do not scale the drawing

All construction shall be in accordance with the latest codes, may it be construction, mechanical, etc

#	REVISION	DATE

Hasegawa Engineering
Consulting Professional Engineer
1220 - 31 Street North
Lethbridge, Alberta T1H 5J8
Ph: 403-328-2656
Fax: 403-328-2726
email: hasgm@telusplanet.net

PINCHME CORP

PINCHER CREEK SUBDIVISION

PROPOSED LANDUSE

HE	07241
DC	
HE	1:4000
HE	2
MAY 2, 2008	

APPENDIX E

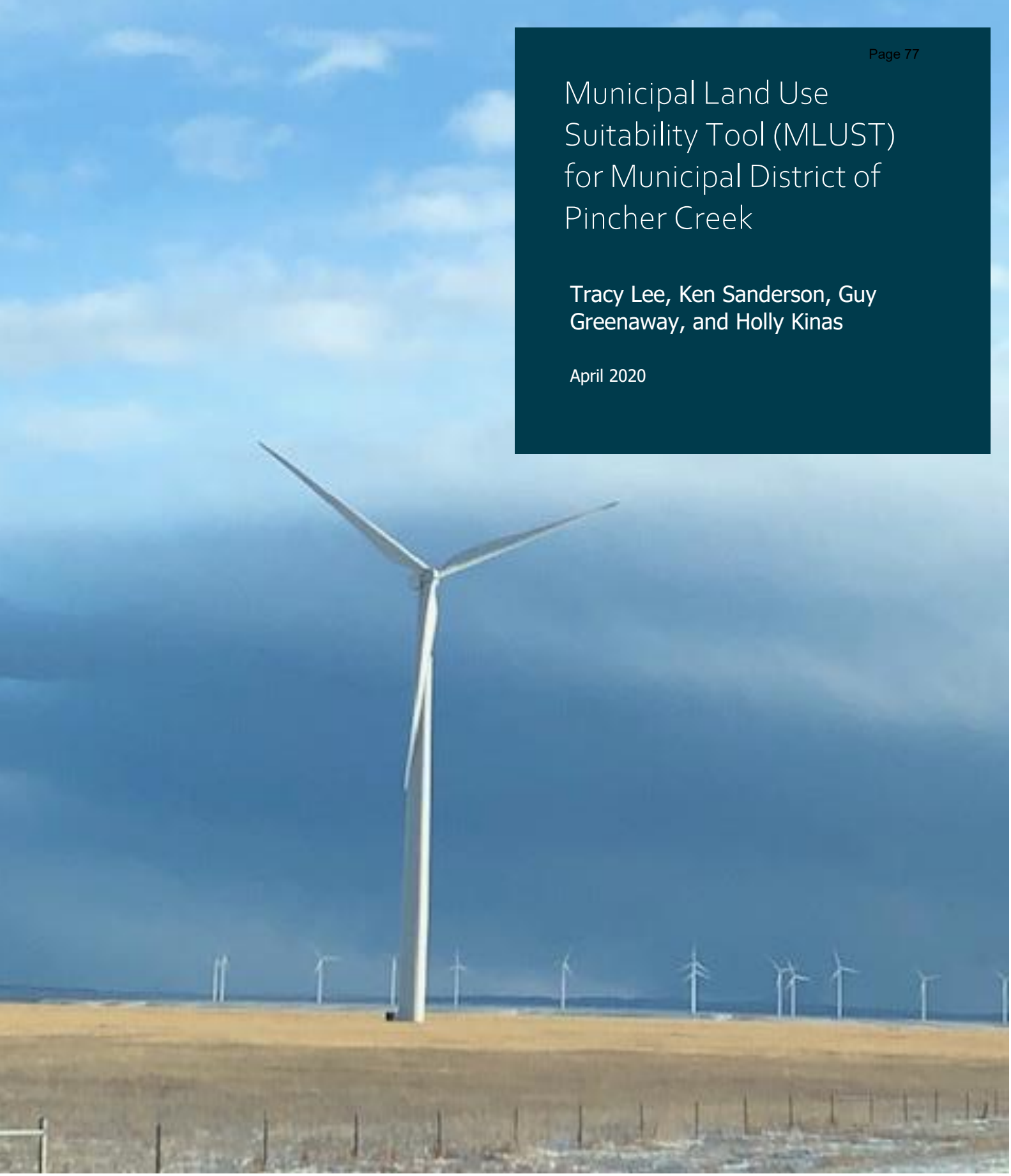
Municipal District of Pincher Creek

Municipal Land Use Suitability Tool

Municipal Land Use Suitability Tool (MLUST) for Municipal District of Pincher Creek

Tracy Lee, Ken Sanderson, Guy Greenaway, and Holly Kinas

April 2020



Miistakis Institute

Oldman River Regional Services Commission

M.D. of Pincher Creek

This report was made possible through a grant from Energy Efficiency Alberta

Municipal Land Use Suitability Tool (MLUST) for Municipal District of Pincher Creek

Tracy Lee, Ken Sanderson, Guy Greenaway, and Holly Kinas

April 2020

Miistakis Institute
Rm U271, Mount Royal University
4825 Mount Royal Gate SW
Calgary, Alberta T3E 6K6

Phone: (403) 440-8444
Email: institute@rockies.ca
Web: www.rockies.ca

Oldman River Regional Services Commission
3105 – 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-free phone: 1-844-279-8760
Email: admin@orrsc.com
Web: www.orrsc.com/

Acknowledgments

The Municipal Land Use Suitability Tool was developed for Municipality of Pincher Creek with funds from Alberta Energy Efficiency.

For the Oldman River Regional Services Commission (ORRSC) we would like to acknowledge staff that contributed:
Gavin Scott
Diane Horvath
Max Kelly
Erin Graham
Jamie Thomas
Hailey Winder

Thank you to the Municipal District of Pincher Creek and the following representatives:
Brian Hammond, Reeve
Rick Lemire, Deputy Reeve
Bev Everts, Councillor
Quentin Stevick, Councillor
Terry Yagos, Councillor
Troy MacCulloch, CAO
Roland Milligan, Director of Development and Community Services
Lindsey Davidson, Environmental Services Technician
Martin Puch, Agricultural Service Board Member

Contents

Executive Summary

When municipal governments consider industrial scale solar or wind energy development, it immediately becomes clear that not everywhere is suitable for those activities, and not everywhere is unsuitable. For some areas it is a clear-cut 'yes' or 'no', but most areas sit somewhere on a continuum between those two extremes.

The Miistakis Institute and the Oldman River Regional Services Commission (ORRSC) developed the Municipal Land Use Suitability Tool (MLUST) to assist the Municipal District of Pincher Creek in identifying where renewable energy development is most suitable in consideration of high valued agricultural, ecological and cultural lands.

The MLUST process took six months to complete, engaged municipal stakeholders, made use of existing spatial datasets, and produced a series of map products to inform planning at the municipal scale.

MLUST engaged the municipal council and staff to identify features they valued on the landscape. Each feature was scored by stakeholders to determine each features conflict with wind and solar energy development. The most suitable areas for renewable energy development coincided with low probable conflict rating of other land uses. Renewable energy development suitability areas were also informed by removing No-Go Areas based on provincial, municipal and organizational regulations and Non-Development Areas based on existing settlement and Infrastructure.

The MLUST process identified 7.7% of the Municipal District of Pincher Creek, or 66,719 acres (270 km^2) as most suitable areas for wind energy development. MLUST identified 5.6% of the Municipal District of Pincher Creek, or 48,680 acres (197 km^2) as most suitable areas for solar energy development.

Here, we summarize the MLUST process that resulted in the identification of wind and solar energy development suitability areas in the Municipal District of Pincher Creek.

Where can renewable energy be developed?

To determine where wind and solar energy developments are suitable we considered resource availability, No-Go Areas as per regulations and Non-Development Areas due to existing settlement and infrastructure. The resources (wind speed and solar radiation) were deemed sufficient throughout the municipality in all calculations, although there are likely areas where wind speed and solar radiation are not optimal.

Removal of No-Go Areas and Settlement and Infrastructure from the land base resulted in 34% (wind) and 28% (solar) of the landscape identified as suitable for renewable

energy development. As a next step we considered the land base suitable for wind and solar energy development in consideration of other land uses.

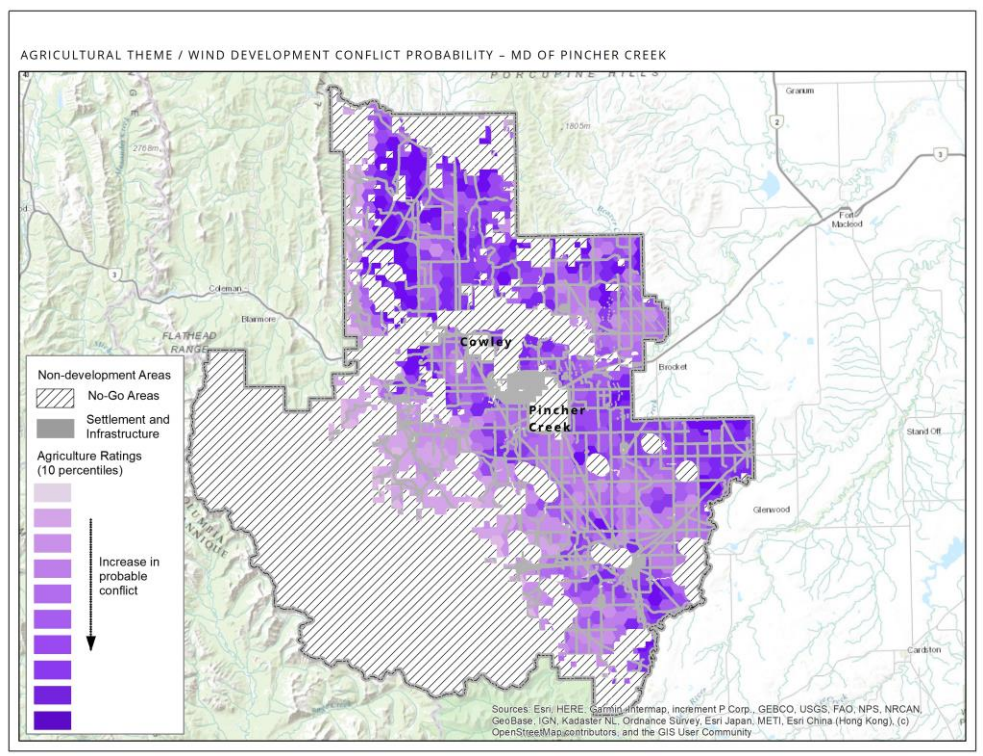
What other land uses did we value?

WE VALUED AGRICULTURE

Municipal stakeholders identified the highest valued lands from an agricultural perspective. They identified three agricultural features (listed in table below) and provided a Conflict Probability Rating based on values from 0 to 100; where higher values equate to a high agriculture value. Once agricultural features were assigned a Conflict Probability Rating, all 3 features were converted into a grid roughly the size of a section, then overlaid and the maximum value was assigned to produce an Agricultural Conflict Probability Rating Map for both wind and solar.

Agricultural Feature	Conflict Probability Rating (Wind)	Conflict Probability Rating (Solar)
1. Grazing Lands		
Native prairie	83	85
Tame pasture	60	70
2. Land Suitability Rating System (alfalfa, canola, spring grains and brome)		
LSRS Class 1: slight limitations to growth	68	78
LSRS Class 2: moderate limitations to growth	58	68
LSRS Class 3: severe limitations to growth	44	45
LSRS Class 4: very severe limitations to growth	38	33
3. Agricultural support		
Agri-business *	73	68
Agri-community *	68	65

*represent data gaps, features not represented on the map



Agricultural Conflict Probability Rating Map for wind energy development (as the purple colour darkens there is an increasing conflict with agricultural values). Maps to represent the Agricultural Conflict Probability Rating for solar can be found in full report.

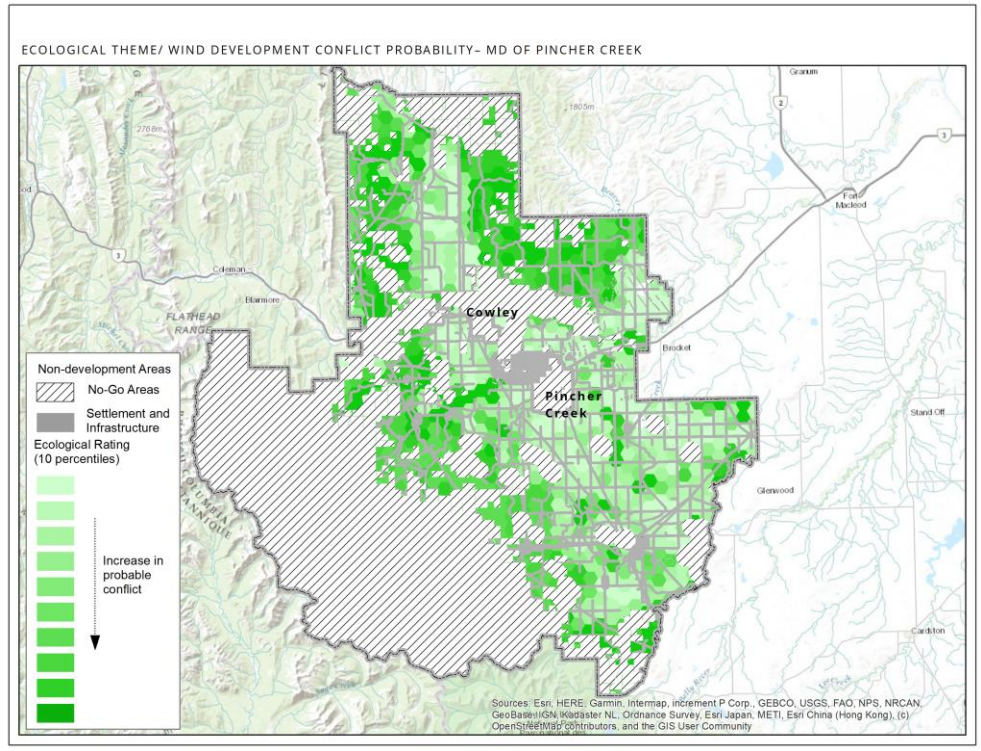
WE VALUED ECOSYSTEMS

Municipal stakeholders identified the highest valued lands from an ecological perspective. They identified five ecological features (listed in table below) and provided a Conflict Probability Rating based on values from 0 to 100; where higher values equate to a high ecological value. Once ecological features were assigned a Conflict Probability Rating, all 5 features were converted into a grid roughly the size of a section, then overlaid and the maximum value was assigned to produce an Ecological Conflict Probability Rating Map for both wind and solar.

Ecological Theme Features	Conflict Probability Rating (Wind)	Conflict Probability Rating (Solar)
1. Protected Areas		
Conservation easement	81	80
Private land owned for conservation	81	75
2. Wildlife Habitat		
Grizzly bear zones	68	83
Key wildlife and biodiversity zone	78	73

Ecological Theme Features	Conflict Probability Rating (Wind)	Conflict Probability Rating (Solar)
Native prairie	83	85
Riparian	85	85
Escarpment and coulees	75	80
3. Waterways		
Rivers	100	100
Streams and creeks	100	100
4. Waterbodies		
Un-named lake	75	78
Ground water aquifer re-charge*	75	78
5. Wetlands		
Group 1: area of wetland in section very high	100	100
Group 2: area of wetland within section high	75	75
Group 3: area of wetland in section medium	50	50
Group 4: area of wetland in section low	25	25
Group 5: area of wetland in section very low	0	0

*represent data gaps, features not represented on the map

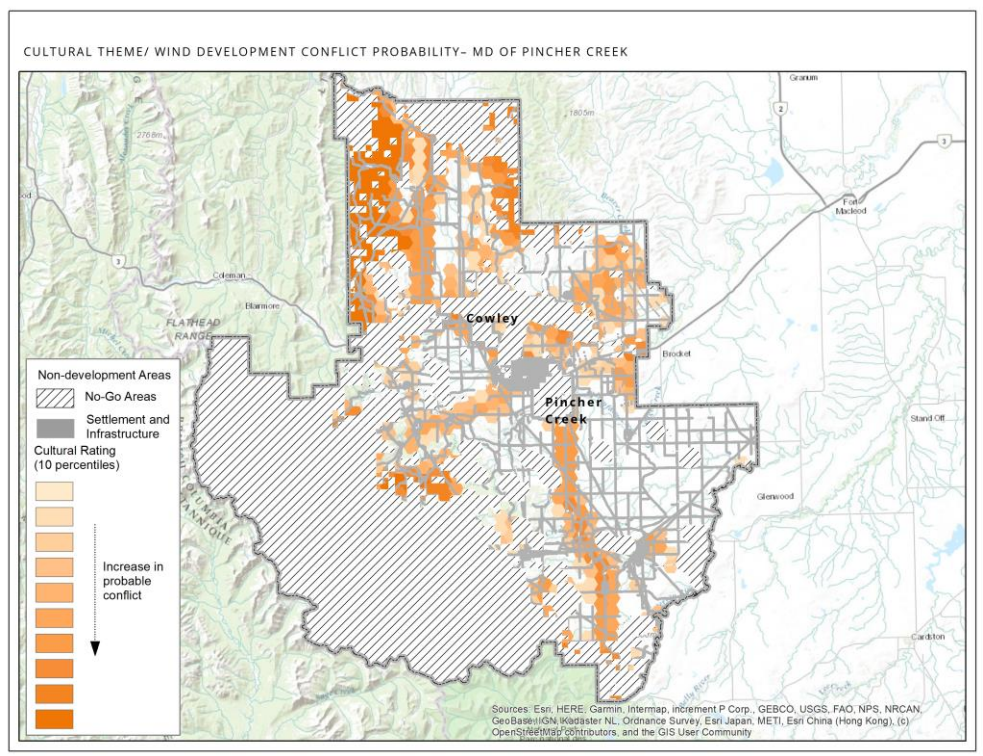


Ecological Conflict Probability Rating Map for wind energy development (as the green colour darkens there is an increasing conflict with ecological values). Maps to represent the Ecological Conflict Probability Rating for solar can be found in full report.

WE VALUED CULTURE

Municipal stakeholders identified the highest valued lands from a cultural perspective. They identified eleven scenic features and two historic resource classes (listed in table below) and provided a Conflict Probability Rating based on values from 0 to 100; where higher values equate to a high cultural value. Once cultural features were assigned a Conflict Probability Rating, all 13 features were converted into a grid roughly the size of a section, then overlaid and the maximum value was assigned to produce a Cultural Conflict Probability Rating Map for both wind and solar.

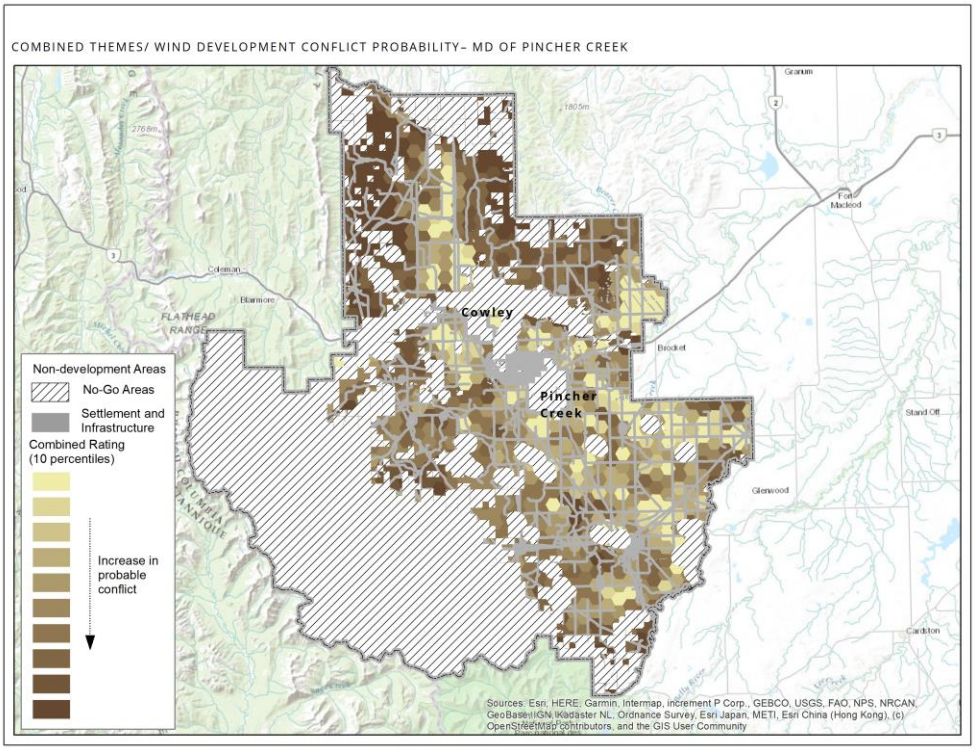
Cultural Feature	Conflict Probability Rating (Wind)	Feature Buffer (m) (Wind)	Conflict Probability Rating (Solar)	Feature Buffer (m) (Solar)
Scenic Resources				
Cowboy Trail	53	1000	60	1000
Waterton Lakes National Park	69	1500	60	1000
Hawks Nest	47	1000	50	1000
Porcupine Hills	66	1000	63	1000
DU Cabin	66	1000	60	1000
Beaver Mines Coal Mining Rail	34	500	40	500
Oldman Dam Stone House	44	500	40	500
West Castle Valley	53	1000	60	1000
Livingston Range	78	1500	63	1000
Heritage Acres	41	500	48	500
Historical Resource Value				
HRV class 3: contains a significant historic resource that will likely require avoidance	83	n/a	75	n/a
HRV class 4: contains a historic resource that may require avoidance	70	n/a	55	n/a



Cultural Conflict Probability Rating Map for wind energy development (as the orange colour darkens there is an increasing conflict with cultural value). Maps to represent the Cultural Conflict Probability Rating for solar can be found in full report.

Combining values……

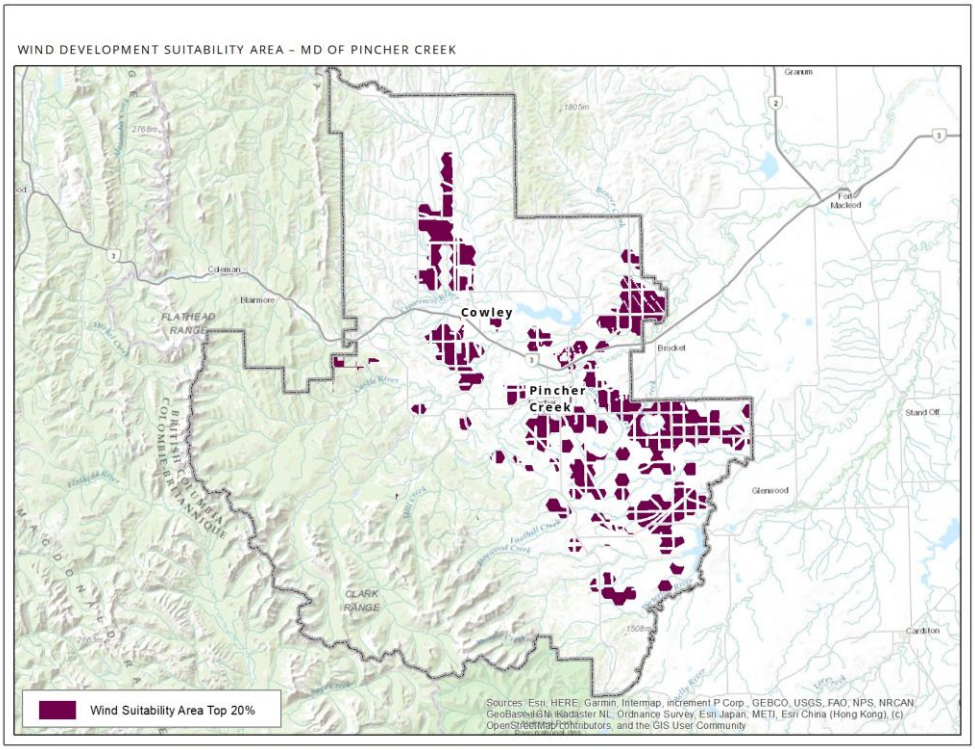
A combined map was developed by overlaying and summing the agricultural, ecological, and cultural Conflict Probability Rating maps. This approach highlighted areas of mutual high Conflict Probability Ratings and identifies on the landscape where renewable energy development may be less suitable.



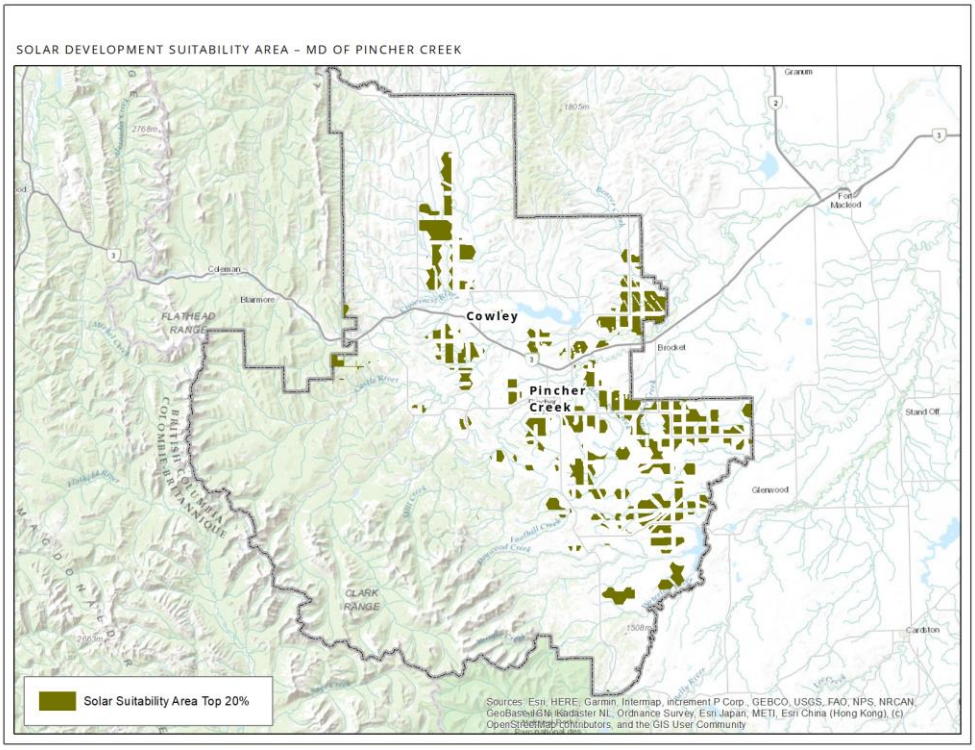
Composite Conflict Probability Rating Map for wind energy development (as the brown colour darkens there is an increasing conflict with other land uses). Map to represent the Combined Conflict Probability Rating for solar can be found in full report.

Most suitable areas for wind and solar energy development

Lastly, to identify the most suitable areas for wind and solar energy development, we used the inverse of the Combined Conflict Probability Rating Maps. On the maps below we highlight the lands that were identified as the most suitable (top 20%) for wind energy development (dark purple) and the lands most suitable (top 20%) for solar energy development (dark yellow). Municipal representatives with assistance from ORRSC can adjust the suitability level to encompass more or less land.



MLUST identified 7.7% of the M.D. of Pincher Creek, or 66,719 acres (270 km^2) as most suitable areas for wind energy development (displayed as dark purple).



MLUST identified 5.6% of the M.D. of Pincher Creek, or 48,680 acres (197 km^2) as most suitable areas for solar energy development (displayed as dark yellow).

Introduction

When municipal governments consider industrial scale solar or wind energy development, it immediately becomes clear that not everywhere is suitable for those activities, and not everywhere is unsuitable. For some areas it is a clear-cut 'yes' or 'no', but most areas sit somewhere on a continuum between those two extremes.

The Miistakis Institute and the Oldman River Regional Services Commission (ORRSC) developed the Municipal Land Use Suitability Tool (MLUST) to assist the Municipal District of Pincher Creek in identifying where renewable energy development is most suitable in consideration of high valued agricultural, ecological and cultural lands.

Background of Process

In 2018, the Miistakis Institute partnered with the County of Newell and Wheatland County, to develop a Least Conflict Lands (LCL) Decision Support Tool to inform sighting for renewable energy development. The LCL process and decision support tool was modeled after the Least Conflict Lands for Solar PV development in the San Joaquin Valley of California developed by Conservation Biology Institute, UC Berkeley School of Law, and Terrell Watt Planning Consultants[1]. The process was rapid (6 months) and resulted in a municipal scale, non-regulatory planning tool that could be used by municipalities facing renewable energy development interest.

In the County of Newell and Wheatland County this process aimed to identify areas for utility scale wind and solar energy developments while avoiding important agricultural, ecological, and cultural/scenic resources at a municipal scale. The process engaged 37 stakeholders including representatives from municipal staff and council, provincial government, irrigation districts and NGO's. The process resulted in a series of spatial models that identified conflict probability for the three land use themes: agricultural, ecological, and cultural/scenic resources[2]. In addition, industry identified suitability areas for wind and solar energy development. The resulting spatial models[3] identify areas of lowest ecological, agricultural and cultural/scenic Conflict Probability Rating, showing where in the municipality wind/solar energy development would be best suited (most compatible) with existing land use values.

[1] https://consbio.org/products/projects/san-joaquin-valley-planning
[2] (https://www.rockies.ca/project_info/MIR_LCL_Report_FINAL.pdf).
[3] https://databasin.org/galleries/56f3b57fa8e74f61b884e5f8c9943102

Upon completion of the LCL process, Miistakis partnered with ORRSC to identify improvements to the process and expansion of the tool to other rural municipalities in Alberta. ORRSC (municipal planning specialists) is well positioned to deliver MLUST as planners in southern Alberta. Improvements included expansion of the tool to consider other development types, clarity on function of feature within each theme, addition of a new settlement and infrastructure theme, adjustment of the engagement process to reduce time and focus on municipal council and staff and rebranding of the LCL decision support process and tool to MLUST.

Project Constraints

Decision Support

It is important to remember that the Municipal Land Use Suitability Tool (MLUST) is a decision-*support* tool, not a decision-*making* tool. The tool shows decision makers the relative suitability of various parts of the municipality for utility scale wind and/or solar energy development, but it is not appropriate for parcel level decisions.

The local government's final decision has two other critical mechanisms.

First, municipal councilors must incorporate numerous other factors (economic development priorities, landowner attitudes, costs to the municipality, etc.) when they make their decision. The MLUST tool aids this by identifying which areas might be more or less appropriate for this type of development.

Second, MLUST is a planning tool, but actual decisions about a specific wind or solar installation have many other considerations. Not the least of these is the specific development and building permits that would be needed, based on site-specific analyses, assessments, and approvals. The MLUST tool should never be construed as providing this site-specific direction.

Scale of Use

The 'scale' of the MLUST's applicability illustrates this well. The outputs of the MLUST process can be used to support development of statutory plans at two scales:

- the Municipal Development Plan (giving high-level indications of priorities, municipality-wide maps), or
- the Area Structure Plan (supporting board intentions for the type and general location of different types of development).

Spatial modeling

MLUST results in map products that represent low conflict areas for agriculture, ecological and cultural themes based on scoring of many different landscape features.

The process is dependent on the availability and accuracy of spatial data used to represent each feature. Sometimes features cannot be easily represented spatially and are therefore not included in the modeling.

Process Overview

The lead organizations, Miistakis Institute and ORRSC provided, managed and facilitated the MLUST process for the Municipal District of Pincher Creek. This included providing support and guidance to the Municipal District of Pincher Creek as they move through the steps of the process. Miistakis ran the GIS modelling.

Municipal stakeholders included all council representatives, and municipal staff members including CAO, Manager of planning, Environment and Agriculture Reps.; they participated in the engagement portions of the process, including two webinars, one survey per development type and a workshop.

A seven step process is used to create the Municipal Land Use Suitability Tool (Figure 1). There are many terms used during the MLUST process, to help you navigate the language and process, terms are defined below:

Conflict Probability Rating – A derived score indicating an estimated likelihood that the proposed development (wind or solar) will come into conflict with an identified land use value.

Quantification – The process of converting the qualitative scores (very low, low, medium, high, very high) to quantitative scores (0-100), such that they can be incorporated into the modelling.

Land Use Theme – The three high-level categories of land use incorporated into the MLUST process and modelling: Agricultural, Ecological, and Cultural/Scenic. Each theme is broken down further into 'Features.'

Feature – A subset of any of the three overarching land use Themes, used to break each Theme down into manageable, measurable land use values, and created to allow users to score different facets of a land use Theme.

No-Go Area – An area with a prohibition or restriction for wind and/or solar energy development due to an existing policy or regulatory constraint.

Scoring – The participant exercise of indicating if a given Feature was of value (very low, low, medium, high, very high) relative to the development type, indicating an inverse likelihood of compatibility.

Suitability Map – The ultimate product of the MLUST process, and the inverse of the Conflict Probability maps, showing where in the municipality wind/solar energy development would be best suited (most compatible) with existing land use values.

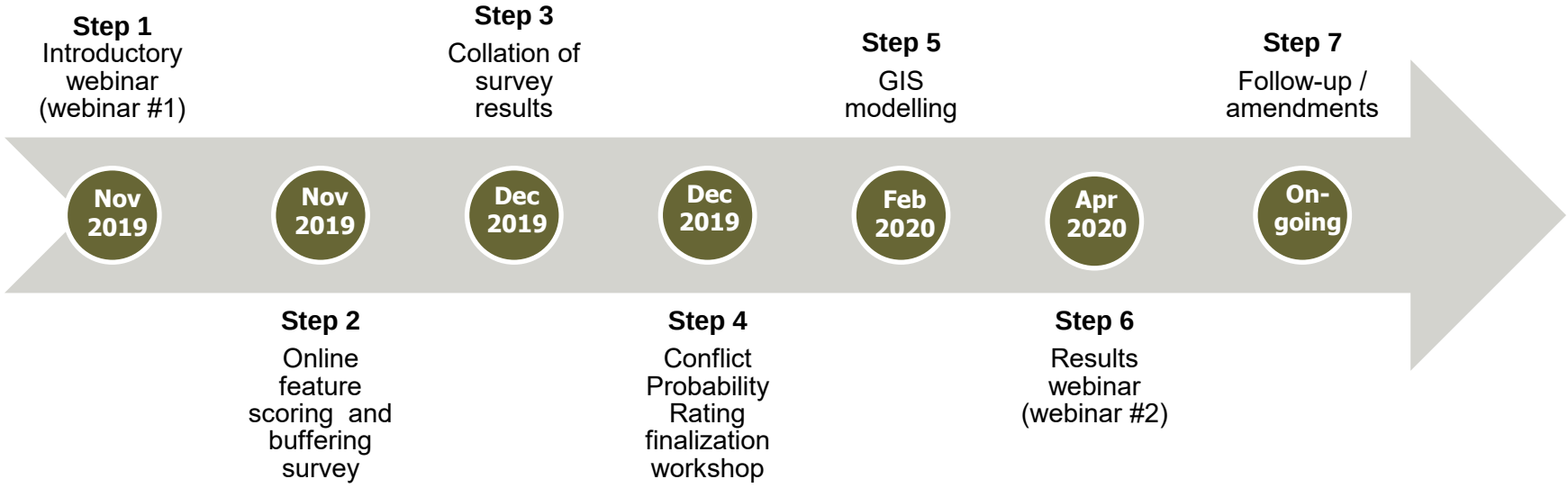


Figure 1: Process Timeline

The following outlines activities within each step:

Step 1: Introductory webinar (webinar #1) (START of process)
- Overview of the tool
- Walk-thru of the steps
- Theme/feature introduction

Step 2: Online feature scoring and buffering exercise
- Individual exercise completed by municipal participants 'Survey-style' exercise completed online
- Feature scoring and buffering of appropriate features for each land use theme

Step 3: Collation of survey results
- Completed by lead organization
- Integrated applicable development regulations and setbacks
- Quantified scores to create a Conflict Probability Rating for features
- Looked for areas of agreement / disagreement in survey results
- Designed in-person workshop based on survey results

Step 4: Conflict Probability Rating finalization workshop
- In-person workshop with municipal participants, held at the Municipal District of Pincher Creek Municipal Office on December 12, 2019
- Worked through all areas of variation to come to consensus

Step 5: GIS (Geographic Information System) modeling
- Lead organization undertook modelling exercise to convert Conflict Probability Rating into maps
- One map for each theme showing Combined Conflict Probability Rating, and one overall Suitability Map, which is the inverse of the Combined Conflict Probability Rating Maps, showing where in the Municipal District of Pincher Creek wind and solar energy development would be best suited (most compatible) with existing land use values.

Step 6: Results webinar (webinar #2)
- Lead organization presented the results of the modelling
- Modelling results were provided back at the scale of an MDP and the scale of an ASP
- Modelling results were provided with several thresholds ("deciles")

Step 7: Follow up / amendments
- A copy of all underlying materials was kept by the Municipal District of Pincher Creek, ORRSC, and the lead organization

- When changes are needed in the future (new data, changes in assumptions, new types of development), ORRSC will be able to support the changes

Modeling Overview

MLUST results in a series of map products, including Conflict Probability Rating maps for agricultural, ecological and cultural theme areas. Together these maps are combined to create Combined Conflict Probability Rating Map. To create the Suitability Maps for wind and solar energy development, No-Go areas and the Settlement and Infrastructure theme were combined and extracted from the Combined Conflict Probability Rating Map. Creating the maps required several steps to be performed in sequential order; the process is outlined in Figure 2.

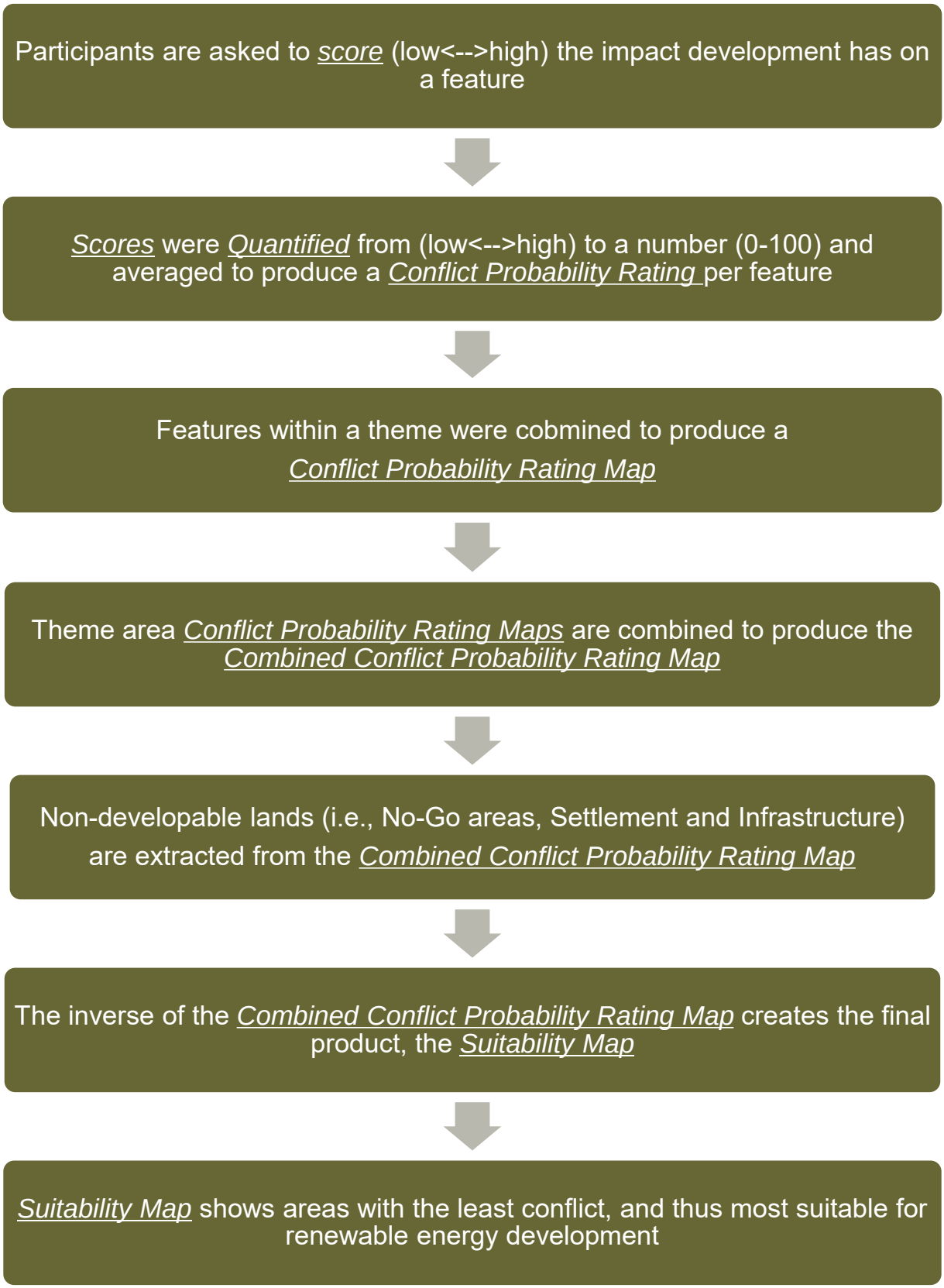


Figure 2: Conflict Probability Rating Process

Selection of Land Use Themes and Features

Themes were selected by the lead organization to represent all the land uses that may occur within the Municipal District of Pincher Creek, which may come into conflict with renewable energy development. During the first webinar participants were provided with a list of land use themes (Agricultural, Ecological, Cultural and Settlement and Infrastructure), and specific features within those theme areas. At the workshop, participants were provided with additional information for each theme and feature (Appendix A), including:

- Examples/further explanation for each feature,
- A list of available spatial layers relevant to that feature
- Renewable energy regulatory notes (if applicable)

As a first step at the workshop, all theme areas and features were confirmed with Municipal District of Pincher Creek participants with the exception of amendments made to the features included in the cultural theme area. A follow-up survey allowed for scoring and buffering of these amended features.

Feature Scoring and Buffering

Participants scored land use features within each theme through an online survey using *Survey Monkey* (https://www.surveymonkey.com/). Please see Appendix B: Solar Survey Exercise, for an example of the survey questions used. Similar questions were developed for the wind survey exercise.

Features were scored for their compatibility to wind or solar energy development, whereby very high scores represent very high conflict with wind and solar development.

No-Go areas based on provincial regulation, municipal policy, industrial or private restrictions were not scored but were included in the modeling.

In order to produce a model and results, several types of information were collected from the survey. For the cultural theme area, participants were asked to list features of cultural importance. These were then discussed at the workshop and scored in a follow-up survey.

In the settlement and Infrastructure theme participants were asked if a buffer should be applied to the footprint of the feature, and to select the size of the buffer (e.g., 50m, 100m, 1km). Buffers were selected by averaging the distances provided by participants, and then selecting the closest hundredth or thousandths place.

QUANTIFICATION OF THE SCORE

Each participant provided a qualitative score for features to indicate if a given feature was of value (very low, low, medium, high, very high) relative to the development type,

indicating an inverse likelihood of compatibility. If there was strong agreement of scores between participants (threshold of 60%), the score was quantified to a number as shown in Table 1, where 100 represent very high and the highest score

Table 1: Land use feature score and numerical quantification

Land Use Feature Score	Numerical Quantification
very high	100
high	75
medium	50
low	25
very low	0
do not include	0

If there was a less agreement between participants on scores (less than 60% threshold) scores were averaged across all participants equally to create a Conflict Probability Rating for that feature relative to wind and solar energy development. Conflict Probability Ratings at the high end would indicate a higher probability of wind / solar energy development coming into conflict with that land use, while scores at the lower end would indicate a low probability of conflict.

Bubble charts were used as a visual aid. For example Figure 3, shows a bubble chart for native prairie in the Agricultural theme, where 56% of the people scored this feature very high, 22% high and 22% medium. In the bubble charts, the **placement** of each circle (aligned with the scores from *Very Low* to *Very High*) and the **size** of the circle represents how many people chose each answer (bigger circles = more people). The **red line** represents the Conflict Probability Rating (average score) that was used for this feature in the GIS modelling in the native prairie example the average score was 83.

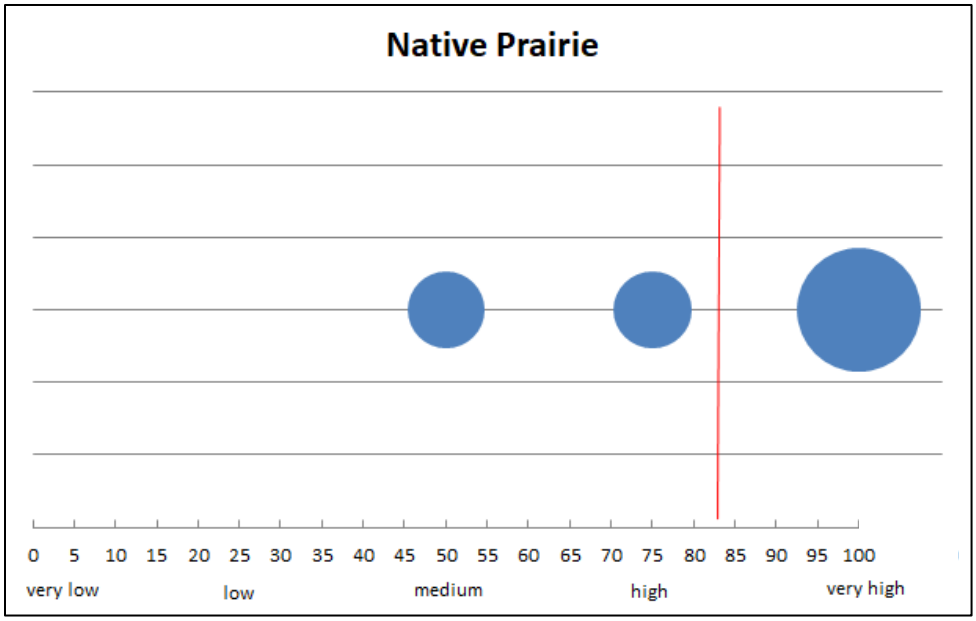


Figure 3: Native Prairie grazing value for Wind (Agricultural theme). Red line represents the Conflict Probability Rating of 83 (average score).

When discussing the features that had a low level of agreement (less than 60%) participants were asked:

- Do you have a different understanding since the survey? (of the issue or the context)
- Do you feel strongly about your answer?
- Is there something that others are not aware of?
- Do you want to change your answer

Following discussion on features with lower agreement in scores workshop participants were able to change their responses.

Modelling Process

To understand where land is suitable for wind and solar energy development, areas regulated as No-Go Areas by provincial, municipal and organizational policies and, Settlement and Infrastructure features' footprints and associated buffers were mapped. These areas are removed from the land base as they are not suitable for renewable energy development.

For the agricultural, ecological and cultural theme each feature was *scored* by participant (low <--> high potential for conflict), *quantified* (converted to '0 <--> 100'), and then *averaged* (across all participants) to create a Conflict Probability Rating for that feature relative to wind and solar energy development. A high Conflict Probability Rating indicates a higher probability of wind and solar energy development coming into

conflict with that land use, while ratings at the lower end indicate a low probability of conflict.

To map this, the Municipal District of Pincher Creek was first partitioned into equal-sized hexagons (equivalent to approximately 1 section each). Each feature was applied to the hexagon grid based on area occurring in the hexagon and its assigned wind/solar Conflict Probability Rating. To represent the entire theme for a given hexagon, the maximum value of that theme's underlying features was selected (taking the maximum value prevented double counting of features within the theme). Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

The Agricultural, Ecological, and Cultural Conflict Probability Rating Maps were combined to create a Combined Conflict Probability Rating Map. We extracted the Non-development Areas (based on No-Go Areas and Settlement and Infrastructure) from the combined Conflict Probability Ratings Map to produce wind and solar Suitability Maps. The wind and solar Suitability Maps, identify where in the Municipal District of Pincher Creek wind/solar energy development would be best suited (most compatible) with existing land use values.

Results

Here we present results of the process to identify Suitability Maps for solar and wind energy development in the Municipal District of Pincher Creek.

Where Can Renewable Energy Development Go?

To understand where there is Suitability for wind and solar energy development in the Municipal District of Pincher Creek we first assessed the resource availability as well as regulations that prohibit renewable energy development, documented as No-Go Areas. We also removed the Settlement and Infrastructure theme features as these are also Non-development Areas due to existing development.

When assessing the wind and solar resource availability for solar, it was acknowledged that solar radiation is higher in the eastern portion of Municipal District of Pincher Creek but no limits were placed on potential suitability for solar energy development. For wind, we mapped wind speeds less than 3m/sec as areas that may be less optimal for wind (Figure 4), although these areas were not removed from the potential renewable energy development areas or suitability areas in the final map products. The freely available wind speed data was developed at a national scale and may not accurately reflect conditions on the ground. The wind industry may find areas within these less

optimal wind speed areas where wind speeds can support wind energy development. In addition technological changes in wind turbines may further reduce the wind speed thresholds that are appropriate for wind energy development.

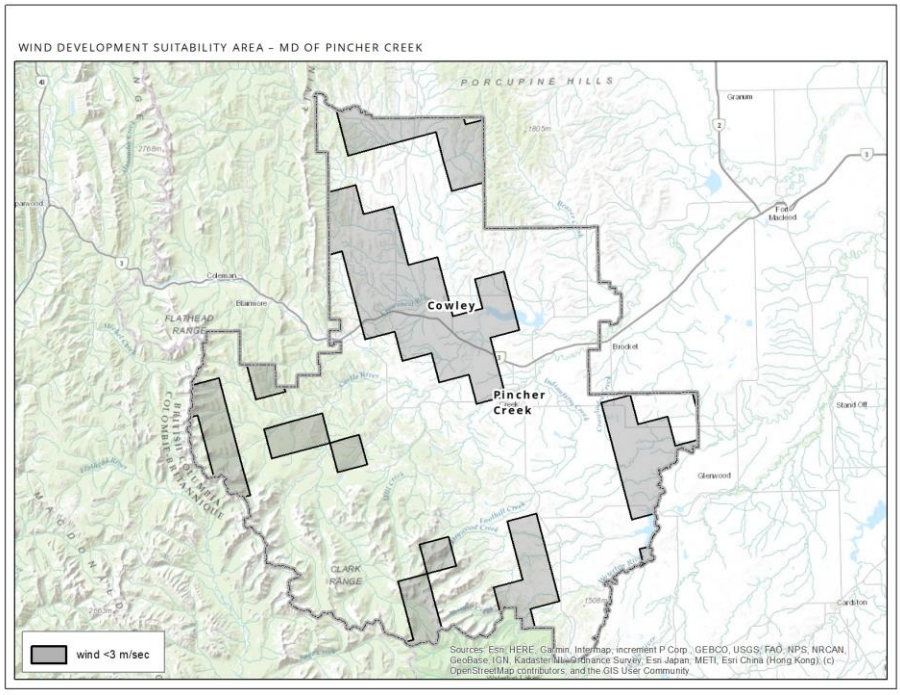


Figure 4: Areas of wind speed less than 3m/sec

Wind and Solar No-Go Areas

For wind and solar energy development the following No-Go Areas are presented in Table 2, based on regulations/policy (provincial, municipal and organizational policies). To map these areas, we merged spatial files representing each feature to develop a No-Go Area map for wind (Figure 5) and solar (Figure 6).

Table 2: No-Go Areas in Pincher Creek

No-go Feature	**Regulation**
Provincial Protected Areas	AEP Wind/Solar Directives
Municipal Parks and Open Space	Municipal Development Plan
Crown land	AEP Wind/Solar Directives
SALTS/NCC conservation lands	Organization Policy No Wind/Solar
Trumpeter Swans water and 800m buffer	AEP Wind/Solar Directives
Mountain Goat and Sheep Zones	AEP Wind/Solar Directives
Named Lakes and 1000m buffer	AEP Wind/Solar Directives

No-go Feature	Regulation
Historic Resource Value 1-2	Alberta Tourism and Culture
Burmis Lundbreck Corridor ASP	Municipal Statutory Plan for wind
Oldman Reservoir ASP (some parcels)	Municipal Statutory Plan for wind
Pincher Creek town with one QS boundary	Intermunicipal Development Plan (IDP) and land Use bylaw
Cowley town with one QS boundary	Intermunicipal Development Plan (IDP) and land Use bylaw

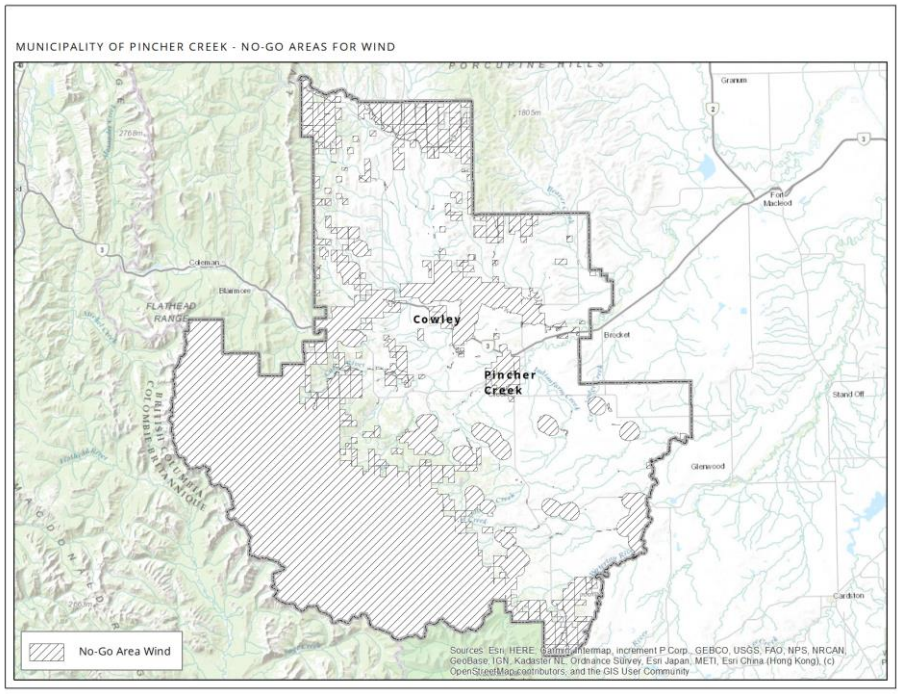


Figure 5: No-Go Areas in the Municipal District of Pincher Creek for wind energy development based on regulations/policy (provincial, municipal and organizational policies)

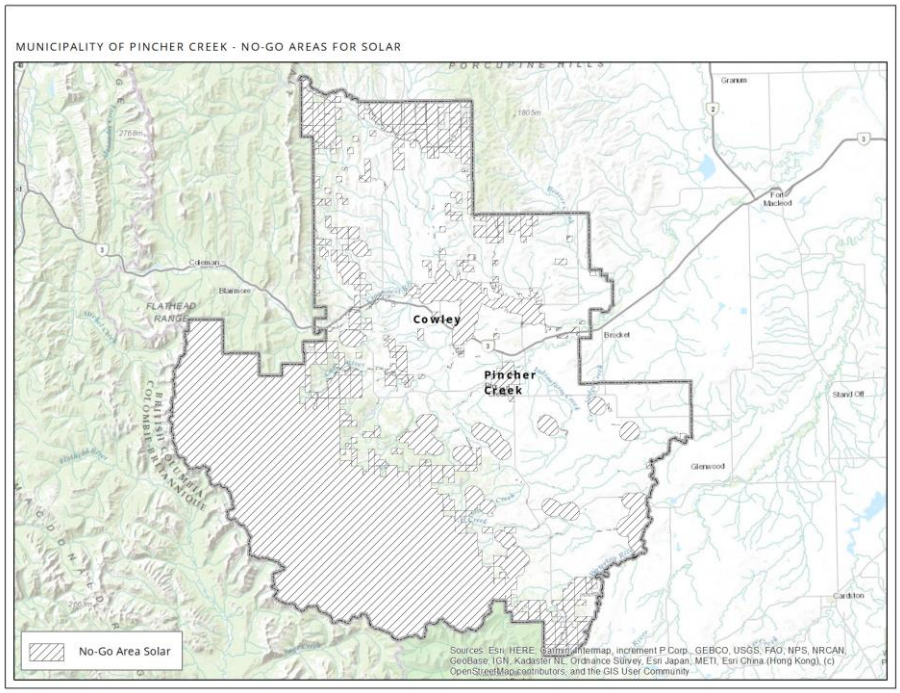


Figure 6: No-Go Areas in the Municipal District of Pincher Creek for solar energy development based on regulations/policy (provincial, municipal and organizational policies)

Settlement and Infrastructure Non-Development Areas

The Settlement and Infrastructure Theme represents Non-development Areas within the Municipal District of Pincher Creek. Each feature was given a buffer based on either a generated average from participant surveys (Table 3, survey results in Appendix C and D) or by-laws. For example for transmission lines, windmills, gravel roads, paved roads and railway lines we applied a buffer representing the tallest tower height in Municipal District of Pincher Creek (162.5m) plus 10% (179 m) for wind.

To map these features, we merged spatial files representing each feature with their appropriate buffer to develop a Settlement and Infrastructure Theme Non-development Areas map for both wind (Figure 7) and solar (Figure 8).

Table 3: Settlement and Infrastructure features, and designated buffers (m) (* represent data gaps, these features are not represented on the maps)

Settlement and Infrastructure	Feature Buffer (Wind)	Feature Buffer (Solar)
1. Rural residential		
Group Country residential	500	1000
Hamlets	500	1000
2. Rural Commercial (Non-Agricultural)		
Commercial establishment and subdivision	200	500
3. Rural industrial (non-agricultural)		

Settlement and Infrastructure	Feature Buffer (Wind)	Feature Buffer (Solar)
Solar Farm*	300	300
Wind farm (wind mills)	179	179
Transmission	179	No buffer
Oil and gas processing plant	300	300
Mineral extraction*	300	100
Processing plant*	300	300
Landfill	no buffer	300
4. Transportation		
Divided highway	300	300
Paved road	179	300
Gravel road	179	300
Airport	2000	1000
Airfields	365	1000
Railway	179	300
5. Water management		
Reservoir	no buffer	300
Treatment Plant	no buffer	no buffer

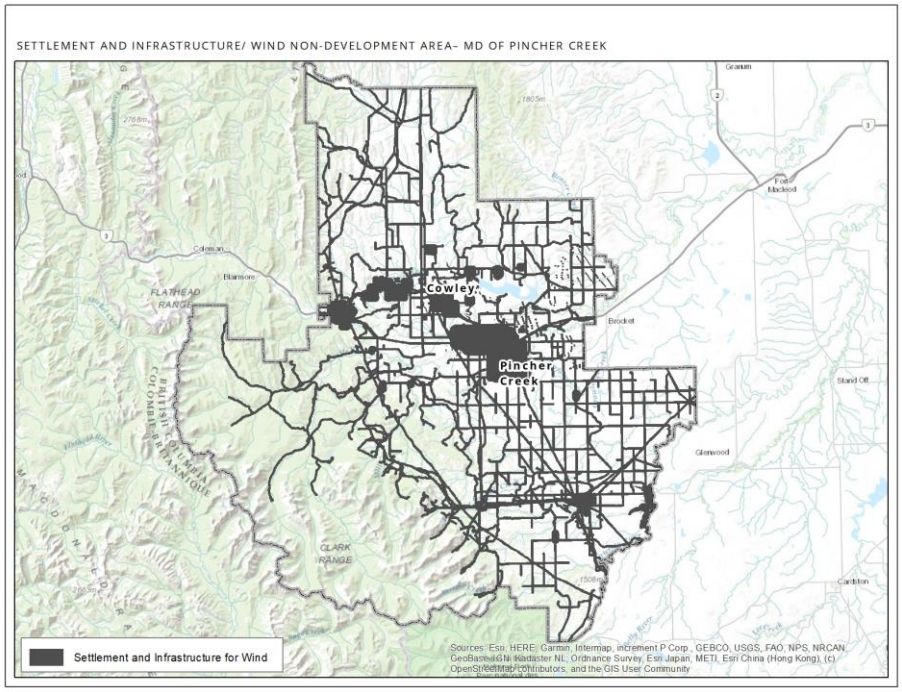


Figure 7: Settlement and Infrastructure Non-development Areas (Wind Development)

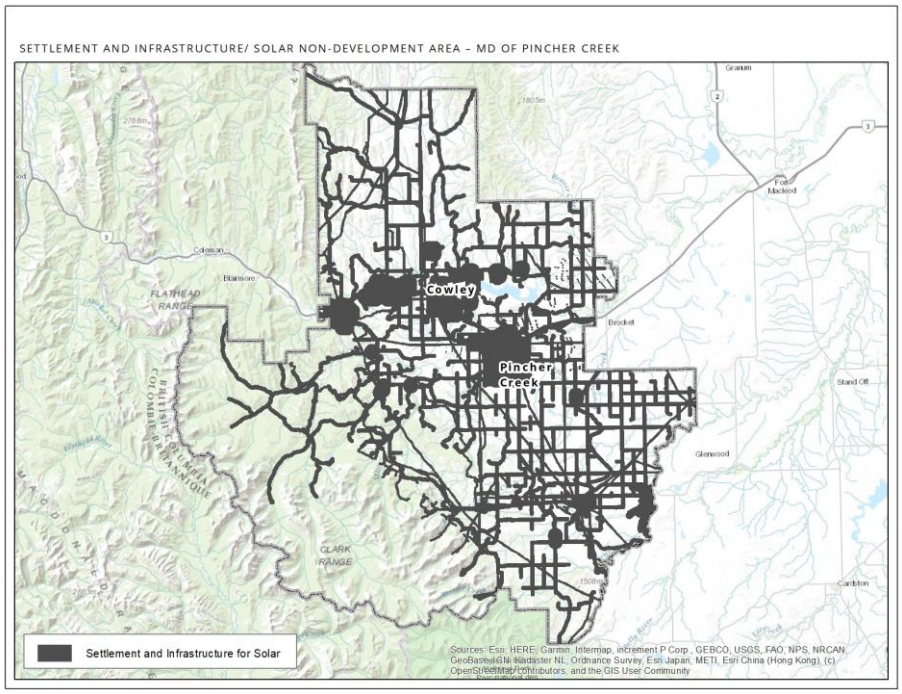


Figure 8: Settlement and Infrastructure Non-development Areas (Solar Energy Development)

Potential Areas for Renewable Energy Development

Using the No-Go Areas and Non-development Areas from Settlement and Infrastructure we determined that **34% (wind)** and **28% (solar)** of the landscape has the potential to support renewable energy development, as seen in Figure 9 and Figure 10 respectively. Although this creates a first step in understanding where renewable energy development is suitable it does not consider renewable energy development in relation to other land uses, such as agricultural, ecological and cultural values.

Based on this assessment within the Municipal District of Pincher Creek, 66%, or 571,308 acres (2312 km^2), are not suitable wind energy development and 72%, or 623,446 acres (2523 km^2), are not suitable for solar energy development.

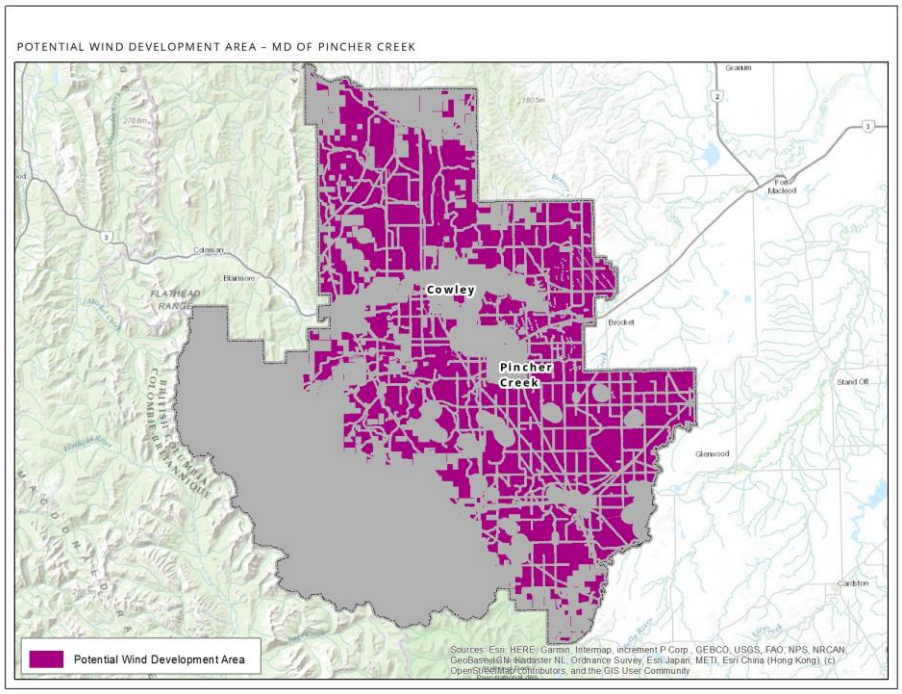


Figure 9: Potential land base for wind energy development

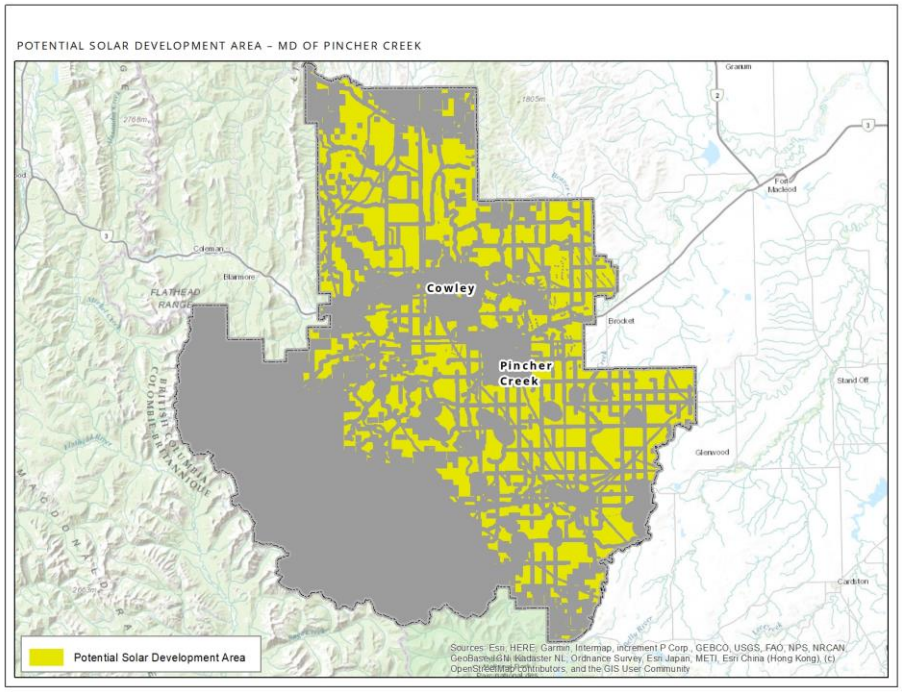


Figure 10: Potential land base for solar energy development

What Other Land Uses Did We Value?

Agricultural Theme

The features within the Agricultural Theme are listed in Table 4, with their Conflict Probability Rating relative to wind and solar energy development (survey results in Appendix C and D respectively)[4]. Features included in the modeling – Grazing Lands and Agricultural Land Suitability Rating System – are represented spatially in Appendix E.

Figure 11 and Figure 12 highlight the Agricultural Theme Conflict Probability Map for wind and solar energy development respectively with No-Go Areas removed.

Table 4: Agricultural Theme Features and Conflict Probability Ratings (*represent data gaps, features not represented on the map)

Agricultural Theme Features	Conflict Probability Rating (Wind)	Conflict Probability Rating (Solar)
1. Grazing Lands		
Native prairie	83	85
Tame pasture	60	70
2. Land Suitability Rating System (alfalfa, canola, spring grains and brome)		
LSRS Class 1: slight limitations to growth	68	78
LSRS Class 2: moderate limitations to growth	58	68
LSRS Class 3: severe limitations to growth	44	45
LSRS Class 4: very severe limitations to growth	38	33
3. Agricultural support		
Agri-business *	73	68
Agri-community *	68	65

[4] Agri-buisness and Agri-community represent a data gap for data and were not included in modeling.

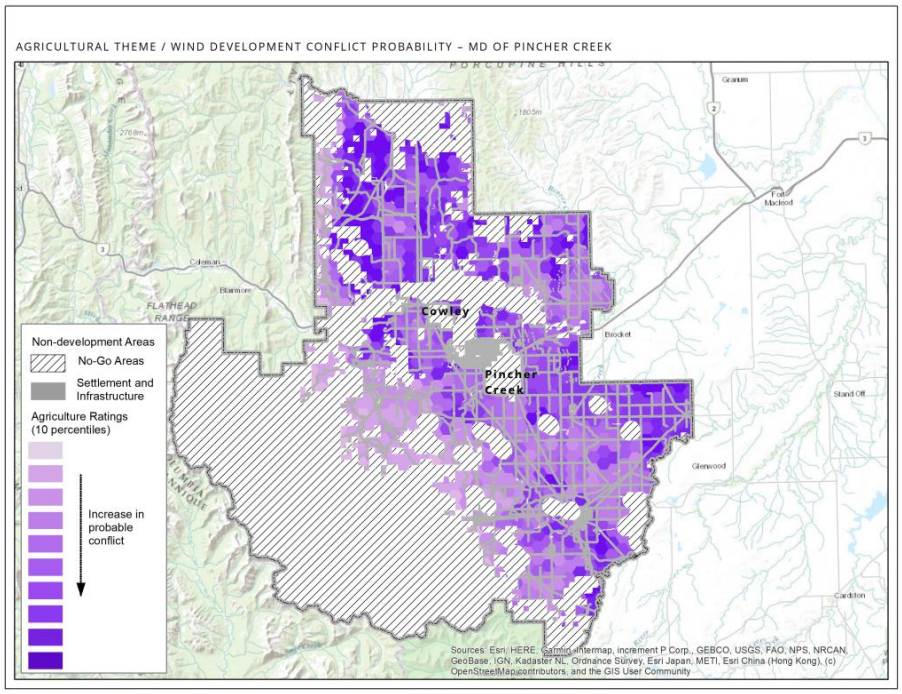


Figure 11: Agricultural Theme Conflict Probability (Wind Energy Development) with No-Go Areas displayed in white with black harsh marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

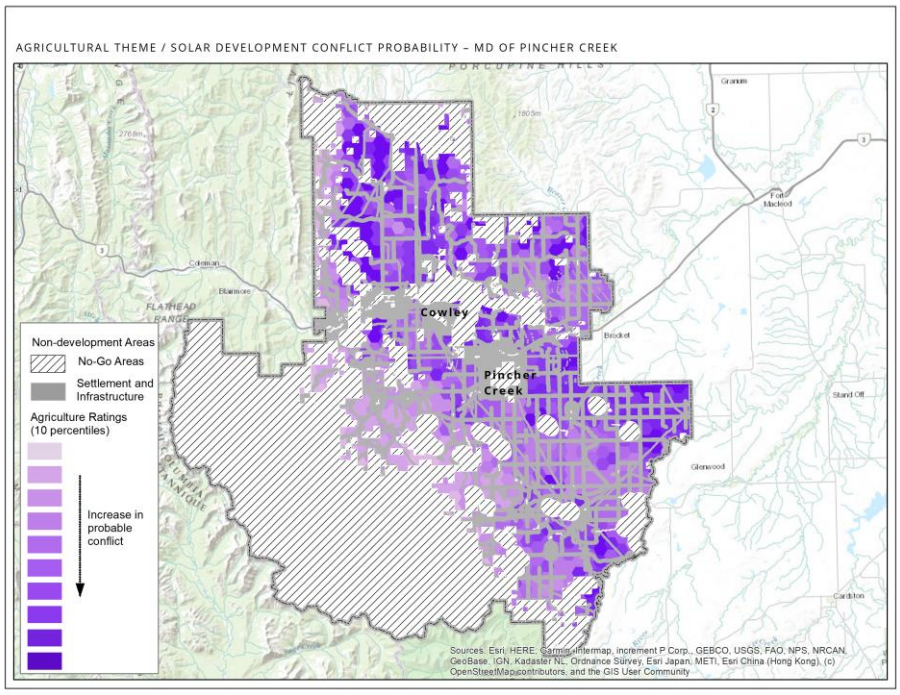


Figure 12: Agricultural Theme Conflict Probability (Solar Energy Development) with No-Go Areas displayed in white with black hash marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

Ecological Theme

The features within the Ecological Theme are listed in Table 5, with their Conflict Probability Rating relative to wind and solar energy development[5]. Many Ecological Theme features represent No-Go Areas and were not included in the Ecological Theme modeling. Wildlife movement areas were removed from modeling as this function is represented within the key wildlife and biodiversity zones. Features included in the modeling – wildlife habitat (key wildlife and biodiversity zones and grizzly bear core habitat, native prairie, riparian, waterways (rivers, streams and creeks), waterbodies (unnamed lakes and wetlands (Figure 13)) (see Appendix E for visual representation).

A Wetland Subcommittee Group (consisting of a subset of Pincher Creek MLUST participants and the project team) reviewed the wetland data available and agreed on an approach for incorporating wetlands into the Ecological Theme. Figure 13 displays wetlands based on the number of hectares of wetland occurring per section separated using quantiles into five equal categories; here the dark blue sections represent top 20% of data (the highest area of wetland relative to other sections). The number of hectares in the dark blue ranges from 15-100 hectares per section. All classes of wetland (A-D) were included in the calculation. Each of the five categories was given a Conflict Probability Rating of 100(represented as dark blue), 75 (top 40% represented as blue, 50 (resented as light blue) 25 (represented as green) and 0 (represented as yellow) (Figure 13).

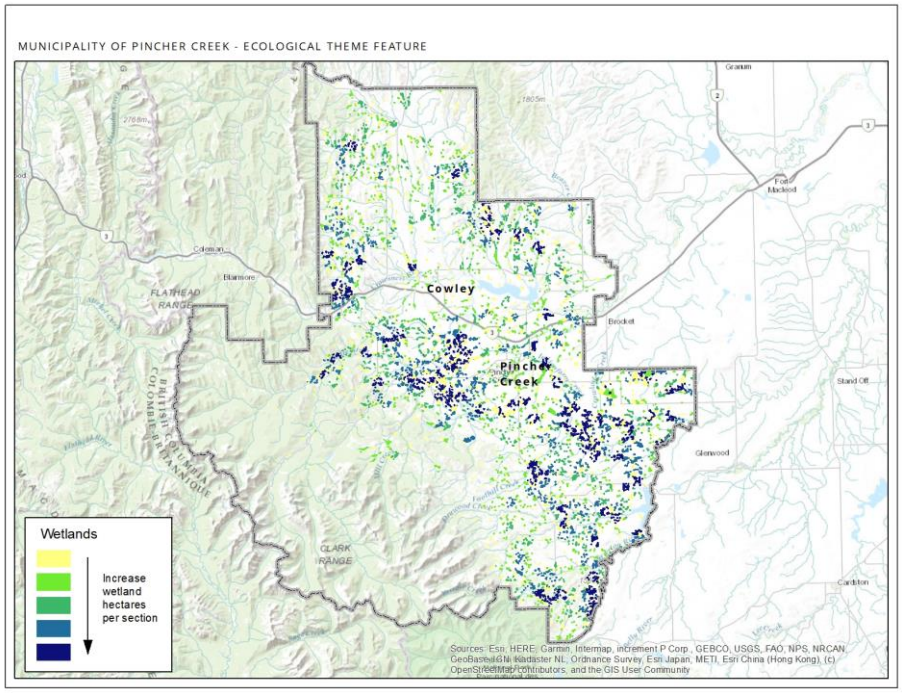


Figure 13: Waterbodies (wetlands) displayed as number of hectares per section, darker blue represents the highest number of hectares of wetland per section

[5] Ground water aquifer recharge, and coulees and escarpments represent a data gap for this theme and were not included in modeling.

Figure 14 and Figure 15 highlight the Ecological Conflict Probability Map in consideration of wind and solar.

Table 5: Ecological Theme Features and Conflict Probability Ratings, (*represent data gaps, features not represented on the map)

Ecological Theme Features	Conflict Probability Rating (Wind)	Conflict Probability Rating (Solar)
1. Protected Areas		
Conservation easement	81	80
Private land owned for conservation	81	75
2. Wildlife Habitat		
Grizzly bear zones	68	83
Key wildlife and biodiversity zone	78	73
Native prairie	83	85
Riparian	85	85
Escarpment and coulees	75	80
3. Waterways		
Rivers	100	100
Streams and creeks	100	100
4. Waterbodies		
Un-named lake	75	78
Ground water aquifer re-charge*	75	78
5. Wetlands		
Group 1: area of wetland in section very high	100	100
Group 2: area of wetland within section high	75	75
Group 3: area of wetland in section medium	50	50
Group 4: area of wetland in section low	25	25
Group 5: area of wetland in section very low	0	0

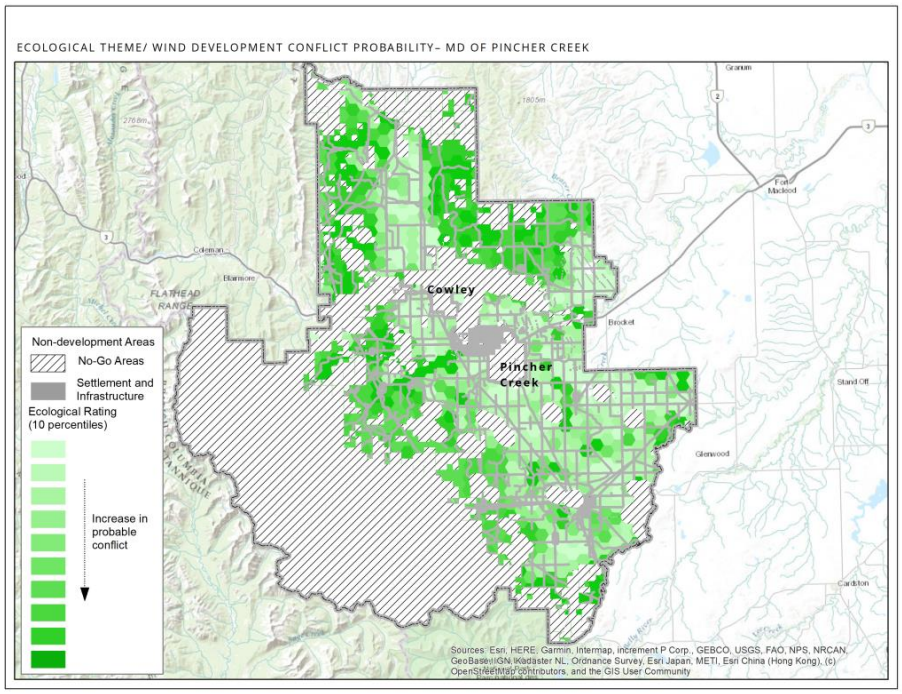


Figure 14: Ecological Theme Conflict Probability (Wind Energy Development) with No-Go Areas displayed in white with black hash marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

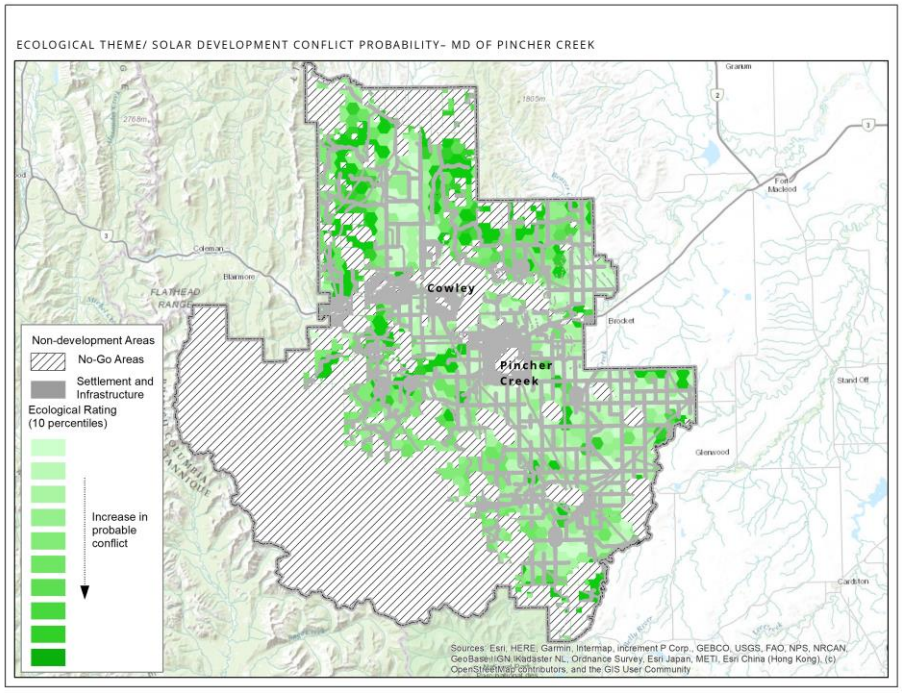


Figure 15: Ecological Theme Conflict Probability (Solar Energy Development) with No-Go Areas displayed in white with black hash marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

Cultural Theme

Cultural Theme features and their Conflict Probability Ratings and buffers are listed in Table 6, relative to wind and solar energy development (see appendix C and D for survey results). Historic Resource Value (HRV) Class 1 and 2 are included in the No-Go Areas and were not included in the Cultural Theme modeling. Features included those identified by participants via on-line survey and at the workshop, and HRV class 3 and 4 (see Appendix E for visual representation). Historic Resource Value Class 5 was removed from the analysis as these represent areas of possibility but where field assessment is necessary. A Cultural Sub-committee (consisting of a subset of Pincher Creek MLUST participants and the project team) reviewed the spatial representation of cultural features and requested re-considerations of the Livingston and Porcupine Range which had been identified using Government of Alberta boundaries. To more accurately capture where the mountain ranges meet prairie an elevation cut-off of 1500m was used (see Appendix E for a visual representation).

Figure 16 and Figure 17 highlight the Cultural Conflict Probability Rating in consideration of wind and solar respectively.

Table 6: Cultural Theme Features, Conflict Probability Ratings and Buffers (m)

Cultural Feature	Conflict Probability Rating (Wind)	Feature Buffer (Wind)	Conflict Probability Rating (Solar)	Feature Buffer (Solar)
1. Scenic Resources				
Cowboy Trail	53	1000	60	1000
Waterton Lakes National Park	69	1500	60	1000
Hawks Nest	47	1000	50	1000
Porcupine Hills	66	1000	63	1000
DU Cabin	66	1000	60	1000
Beaver Mines Coal Mining Rail	34	500	40	500
Oldman Dam Stone House	44	500	40	500
West Castle Valley	53	1000	60	1000
Livingston Range	78	1500	63	1000
Heritage Acres	41	500	48	500
2. Historical Resource Value				
HRV class 3: contains a significant historic resource that will likely require avoidance	83	n/a	75	n/a
HRV class 4: contains a historic resource that may require avoidance	70	n/a	55	n/a

Cultural Feature	Conflict Probability Rating (Wind)	Feature Buffer (Wind)	Conflict Probability Rating (Solar)	Feature Buffer (Solar)
HRV class 5: believed to contain a historic resource*	58	n/a	48	n/a

*HRV class 5 was not included in the modelling

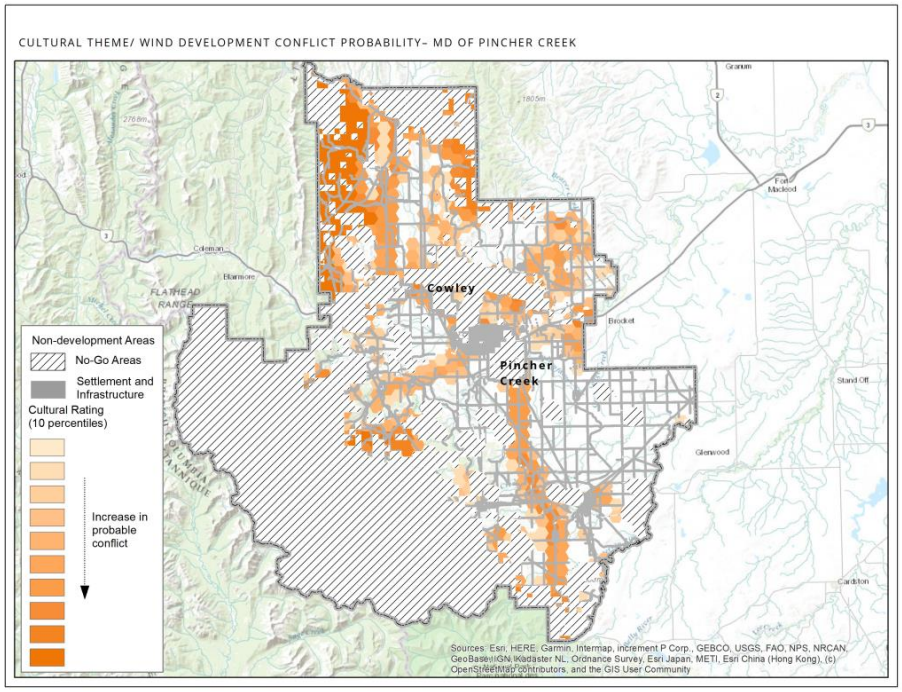


Figure 16: Cultural Theme Conflict Probability (Wind Energy Development) with No-Go Areas displayed in white with black hash marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

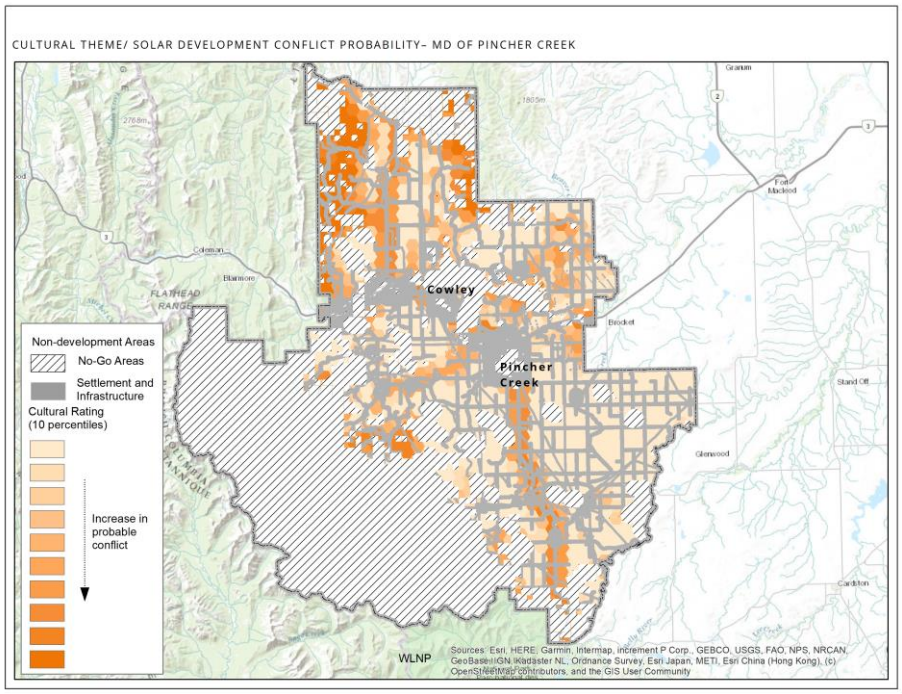


Figure 17: Cultural Theme Conflict Probability (Solar Energy Development) with No-Go Areas displayed in white with black hash marks. Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

Most Suitable Areas for Wind and Solar Energy Development

We summed the Agricultural, Ecological and Cultural Conflict Probability Rating Maps for both wind and solar to produce a Combined Conflict Probability Rating Map (Figure 18 and Figure 19). Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating the highest 10%.

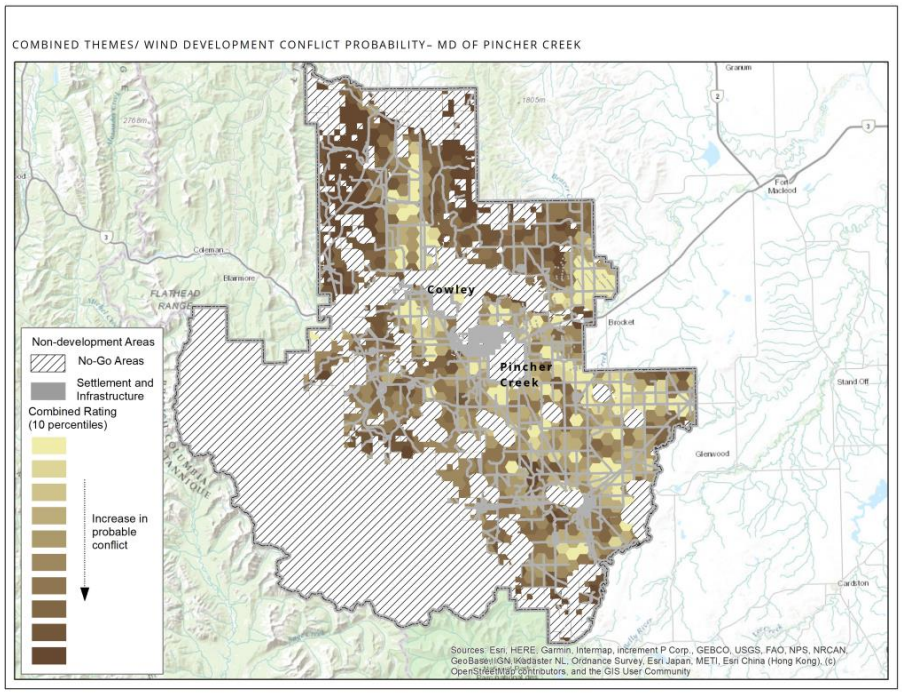


Figure 18: Combined Themes Conflict Probability (Wind Energy Development). Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

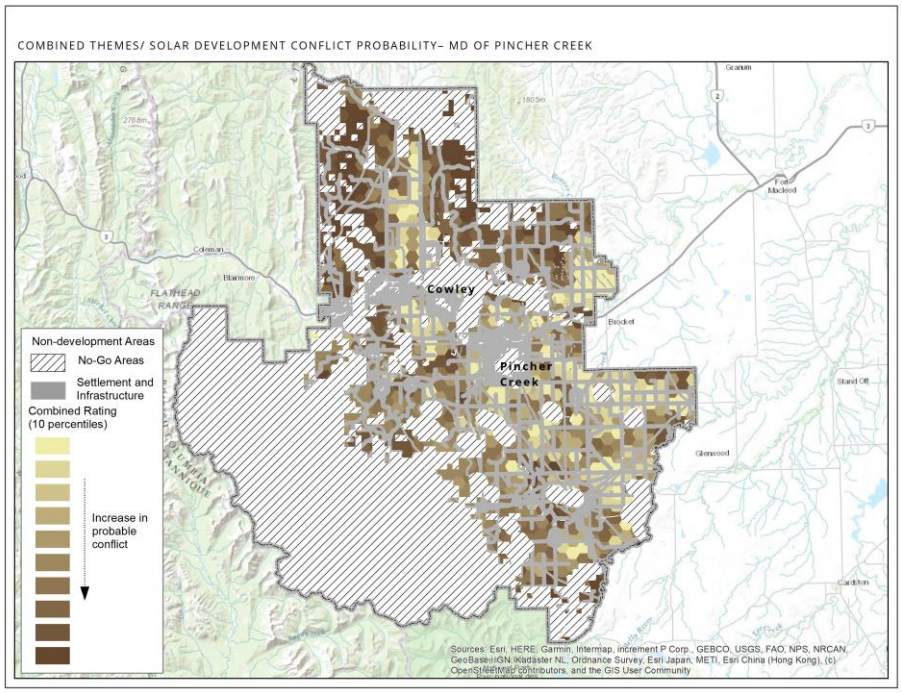


Figure 19: Combined Themes Conflict Probability (Solar Energy Development). Conflict Probability Rating values were converted into a range of 10 possible colours on a gradient, with the palest colour indicating a rating in the lowest 10%, and the darkest colour indicating a rating in the highest 10%.

To determine the Wind and Solar Energy Development Suitability Areas we used the inverse of the Combined Conflict Probability Rating Map to identify Wind and Solar Energy Development Suitability Areas (Figure 20 and Figure 24). Suitability Rating values were converted into a range of 5 possible colours on a gradient, with the palest colour indicating a rating in the lowest 20%, and the darkest colour indicates the highest 20%.

Areas representing less than 3 m/sec wind speed (National Wind Atlas[6]) are displayed in Figure 21 along with existing wind mills. Areas of low wind speed were not extracted from modeling because the wind data is from National scale and there are likely pockets within these areas where wind speed is appropriate.

Wind Energy Development Suitability Area (top 20%) is displayed in Figure 22 and represents 66,719 acres (270 km^2) or 7.7% of the Municipal District of Pincher Creek. Wind Energy Development Suitability Area (top 40%) is displayed in Figure 23 and represents 125,282 acres (507 km^2) or 14.4% of the Municipal District of Pincher Creek.

Solar Energy Development Suitability Area (top 20%) is displayed in Figure 25 and represents 48,680 acres (197 km^2) or 5.6% of the Municipal District of Pincher Creek. Solar Energy Development Suitability Area (top 40%) is displayed in Figure 26 and represents 93,406 acres (378 km^2) or 10.8% of the Municipal District of Pincher Creek.

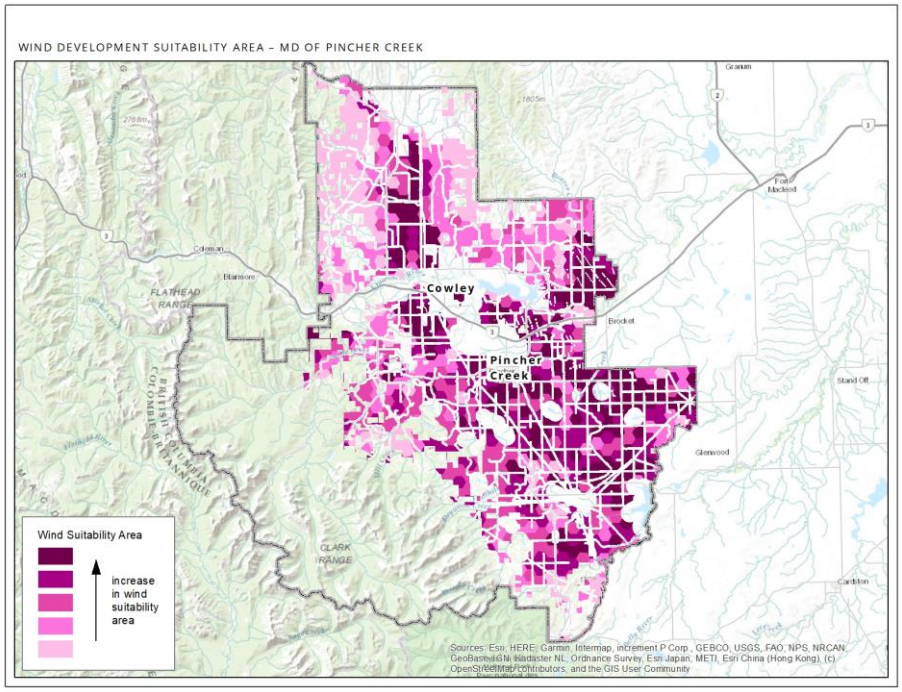


Figure 20: Wind Energy Development Suitability Area

[6] http://www.windatlas.ca/index-en.php

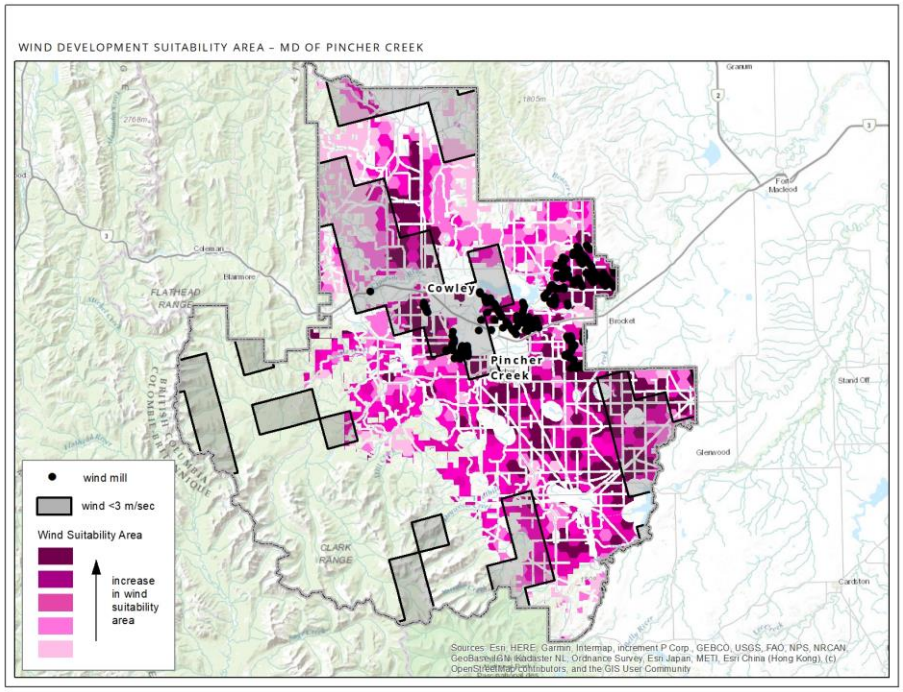


Figure 21: Wind Energy Development suitability Area with wind areas <3 m/sec

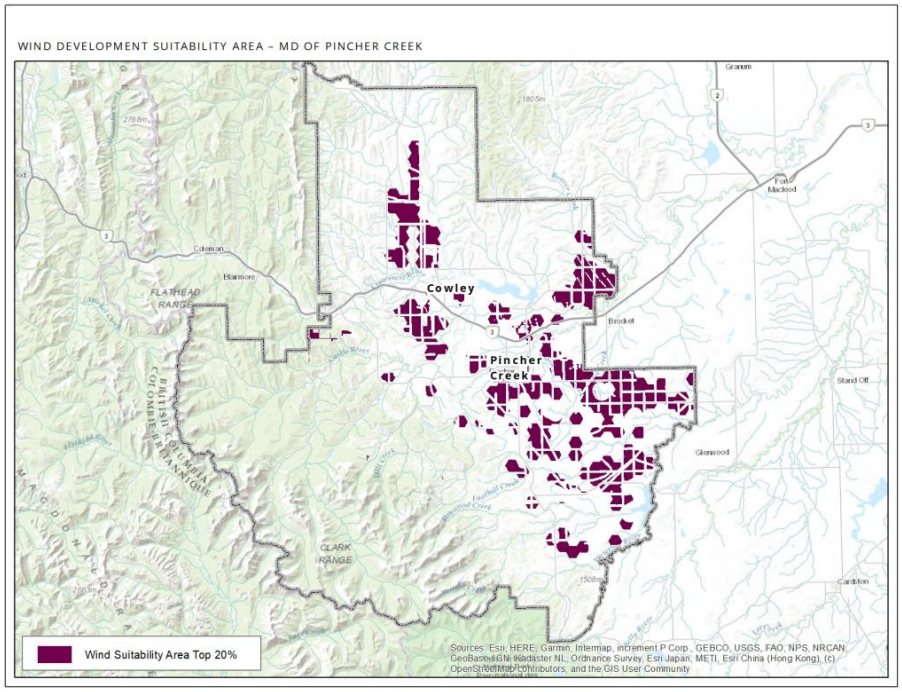


Figure 22: Wind Energy Development Suitability Area (top 20%)

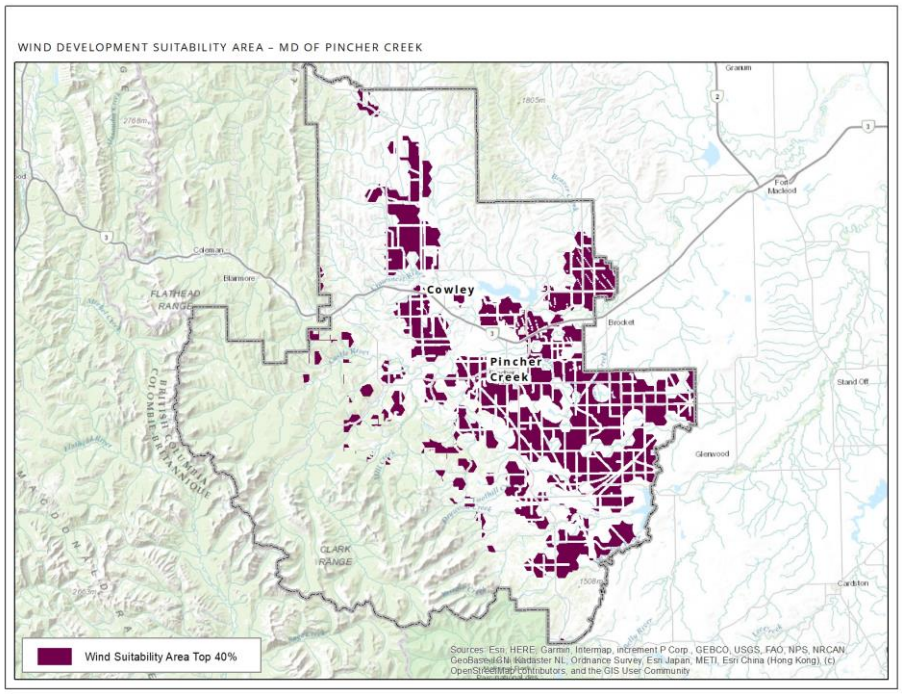


Figure 23: Wind Energy Development Suitability Area (top 40%)

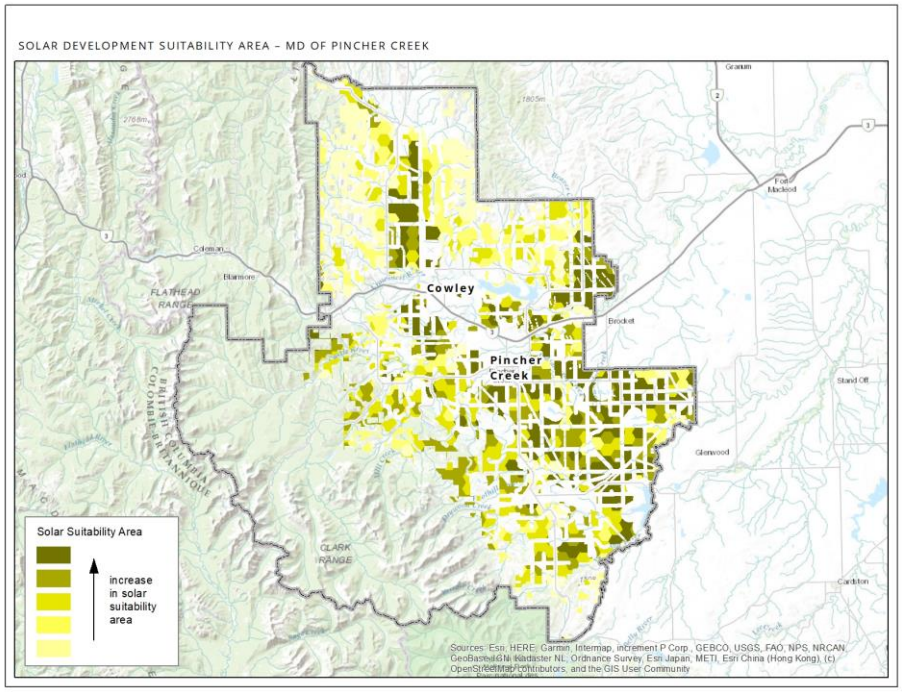


Figure 24: Solar Energy Development Suitability Area

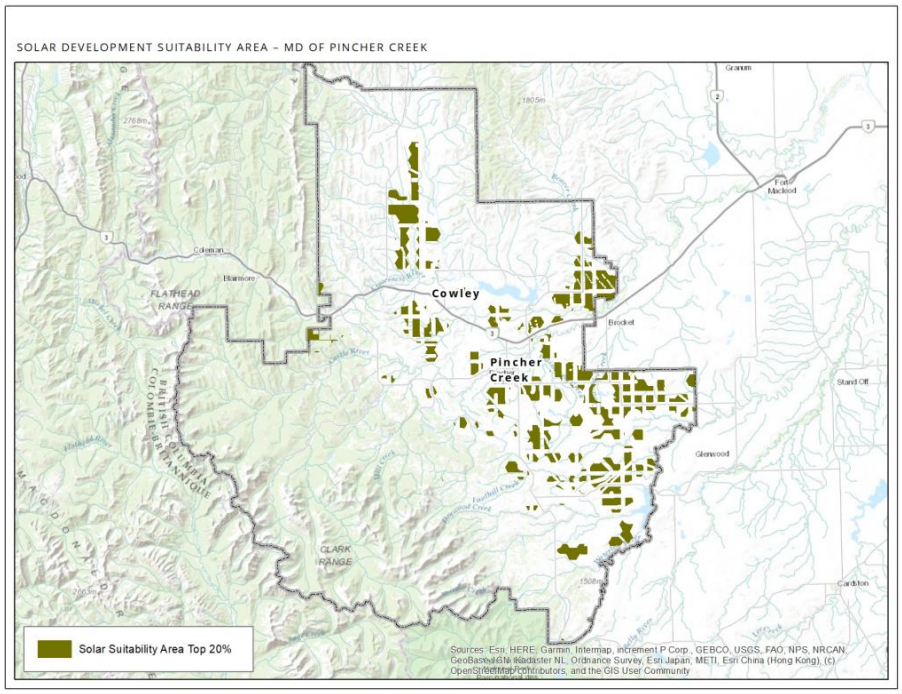


Figure 25: Solar Energy Development Suitability Area (top 20%)

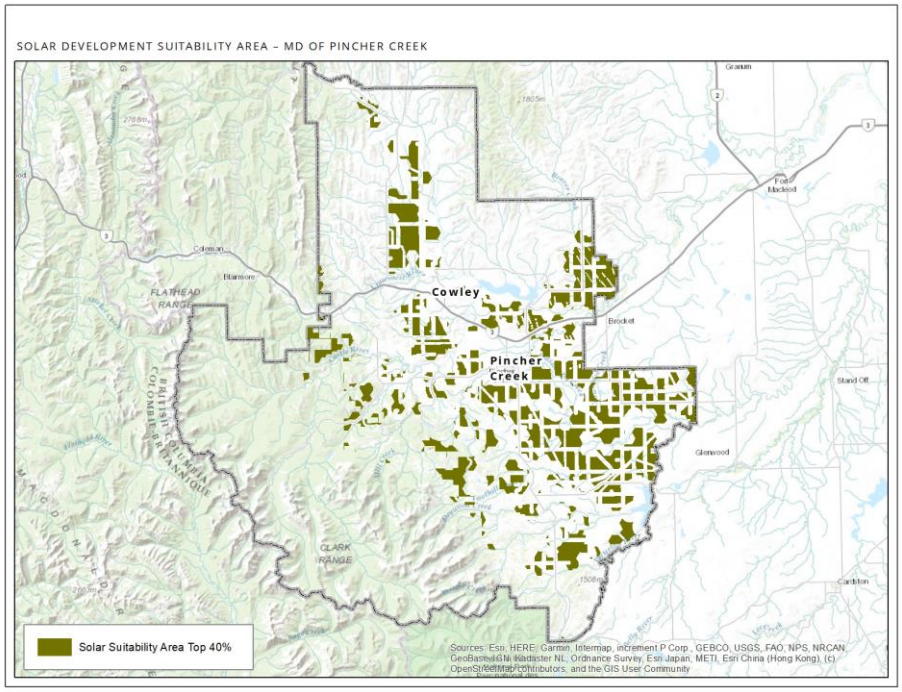


Figure 26: Solar Energy Development Suitability Area (top 40%)

Appendix A: Land Use Themes, Groups and Features

Legend:

Theme: Development, Agriculture, Settlement and Infrastructure, Cultural, and Ecological
Group: Broad groupings of the features (what goes into the model)
Feature: Elements of each group (what gets scored individually, then rolled up)
Example / explanation: Examples or explanations that can go into the user guide
Layers: The GIS layers that might be used to derive this

Settlement and Infrastructure

Group	Feature	Examples / Explanation	Layer	Renewable Energy Regulation notes
Urbanized areas	• Residential / commercial / industrial areas within cities and towns	Homes within residential subdivisions within towns, cities; Commercial or industrial areas or subdivisions within towns or cities.	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning, Government of Alberta Municipal Boundaries	**No-go - Prohibition of wind energy development in the Burmis Lundbreck Corridor ASP.** **Some prohibition in Oldman Reservoir ASP.** Urban fringe zoning precludes development of wind (approximately quarter section around PC and Cowley)
Rural residential				

	• Grouped Country residential	Rural residential subdivisions with properties). MDP only have GCR in ASPs and urban fringe of PC.	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning, Government of Alberta Municipal Boundaries	
	• Hamlet	Small unincorporated communities administered by rural or specialized municipalities	Government of Alberta Municipal Boundaries	Urban fringe around Pincher Station and Lundbreck
Rural commercial (non-agriculture)	• Commercial establishments and subdivisions	Commercial subdivision outside of settlements (e.g., highway commercial district); Commercial establishment outside of settlements (e.g., gas stations, garden centres, motels, work camps)	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (rural highway commercial)	
Rural industrial (non-agricultural)				
	• Solar farms	Utility-scale solar photovoltaic installations over a an area of land	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning, Heads up digitize	
	• Wind farms	Utility-scale cluster of wind turbines over an area of land	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (Wind	setbacks 7.5 m from property line, but if on road (height of tower plus 10%)

			farm industrial zone)	
	• Transmission	Rights-of-way for power lines and pipe lines	Government of Alberta Base Features, Industry Data if available	Apply Right of way/setbacks
	• Oil and gas processing plants	Petrochemical plants, refineries, gas plants. Sour gas facilities south of PC	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (multi-lot heavy rural industrial)	
	• Mineral extraction	Mines, gravel pits and sand stone mines	Province Mapped – sand stone approvals ASP has some gravel pits mapped, Digitizing gravel pits	
	• Power plants	Coal-fired power stations, dams, and associated buildings and facilities. Sour gas plants, and Old man	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning, Government of Alberta Base Features	
	• Landfills	Areas for the commercial disposal of any waste material by any means	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (landfill industrial)	
Transportation				
	• Divided highways		Government of Alberta Base Features	Alberta Transportation right of ways
	• Paved roads	Built and not built	Government of Alberta Base Features	Apply municipal by-law Height of wind tower plus 10%

	• Gravel roads	Built and not built	Government of Alberta Base Features	Apply Municipal by-law Height of wind tower plus 10%
	• Airports	Airstrips, runways, hangars, control towers, maintenance, exclusion zones.	Government of Alberta Base Features, Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (airport protection zone)	PC Airport vicinity protection zone – wind prohibited, Cowley airstrip – current no vicinity protection zone Currently in discussion proposed 4000m setback.
		Airfields (Cowley, private airfields)		
	• Railways	Railways, associated rail buildings, rail yards, stations, sidings, rights-of-way	Government of Alberta Base Features, Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning	Apply Right of way/setbacks Tower height plus 10%.
Water management				
	• Reservoirs	Areas of naturally-flowing water, dammed to provide water for human use. Waterton and Oldman	Government of Alberta Base Features	
	• Treatment plants	Industrial facilities for cleaning water for human consumption.	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning	

Agricultural Theme

Group	Feature	Examples / Explanation	Layers	Renewable Energy Regulation notes
Grazing land				
	• Native prairie	Unbroken natural prairie used for grazing livestock	Alberta Ground Vegetation Inventory (GVI), Alberta Biodiversity Monitoring Institute (ABMI) Human Footprint	Avoid public land (AEP)
	• Tame pasture	Managed pasture used for grazing livestock	Alberta Ground Vegetation Inventory (GVI)	
Cropland (unirrigated)				
	• Class 2	slight limitations to growth	Agriculture Regions of Alberta Soil Inventory Database (AGRASID)	
	• Class 3	moderate limitations to growth		
	• Class 4	severe limitations to growth		
	• Class 5	very severe limitations to growth		
Agriculture support				
	• Agri-business	Auction marts, feedlots / CFOs, seed cleaning plants, Processing plants, commercial greenhouses, aquaculture, hydroponic	Agriculture Regions of Alberta Soil Inventory Database (AGRASID)	

		operations		
	• Agricultural community	Ag society buildings, race tracks, and residences associated with (and located on) a farm or ranch.	Agriculture Regions of Alberta Soil Inventory Database (AGRASID)	

Ecological Theme

Group	Feature	Examples / Explanation	Layer	Renewable Energy Regulation notes
Protected areas (public)				
	• Municipal conservation lands	Municipal areas where development is restricted in favour of ecological conservation (e.g., environmental reserves, conservation reserves, natural area parks)	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning (R, MR designations). Environmental Reserves easements are not mapped	**No-go**
	• Provincial and national protected areas (recreation-focus)	Areas intended to provide some measure of environmental protection, where facility development is allowed (e.g., provincial and national protected areas recreational, heritage rangelands,	Government of Alberta Protected Areas, Alberta Conservation Area Lands	**No-go (AEP)**

		natural areas, public land use zones)		
	• Provincial protected areas (conservation-focus)	Provincial public lands intended to provide environmental protection, where facility development is restricted (e.g., ecological reserves, wilderness areas, wildland parks)	Government of Alberta Protected Areas	**No-go (AEP)**
	• Crown Land		Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning	**No-go (AEP)**
Protected areas (private)				
	• Conservation easement lands (ecological)	Private lands with title-attached restrictions in favour of conservation	Easement holder datasets.	SALTS and NCC no wind and solar policy
	• Private conservation lands owned	Private lands owned by land trusts and conservancies	Land trust and conservancy datasets.	SALTS and NCC no wind or solar policy
Wildlife habitat				
	• Species management areas or designations	E.g., complication of critical habitat for endangered species, ranges for Species of Concern (non-species at Risk), Key Wildlife and	Trumpeter Swans	SAR: AEP 101.1.2 trumpeter swans (**800m setback**)
			Mountain Goat and Sheep Zones	SAR: AEP 101.1.2

		Biodiversity Zones, Ramsar sites), Important Bird Areas.	Grizzly bear zone	AEP 101.1.3 Avoid unless threshold for linear density is exceeded then no-go
			Key wildlife and biodiversity zone	Avoid
	• Important wildlife habitat and vegetation areas	E.g., Compilation of riparian areas, native grasslands, wildlife movement zones, and important aquatic habitats	Native prairie (Grassland vegetation index and ABMI human footprint layer)	AUC Rule 007 Native Grassland is ranked a high sensitivity layer by AEP, and the Wildlife *Directive for Solar Energy Projects* and *Wildlife Directive for Alberta Wind Energy Projects* outline that native grasslands should be avoided
			Wildlife movement areas	Represented by key wildlife and biodiversity zones
			Riparian	
			Escarpment and coulees	Not included –data gap
Waterways (moving, lotic)		Includes all orders of streams, headwaters streams		
	• Rivers		Government of Alberta Base Features, Government of Canada CanVec	Avoid large permanent water courses – represented with 100m buffer
	• Streams and creeks		Government of Alberta Base Features, Government of Canada	Avoid small permanent water courses - represented with 45 m

			CanVec	buffer
	• Drainage ways	ephemeral waterways	Government of Alberta Base Features, Government of Alberta Digital Elevation Model	Not included –data gap
Waterbodies (standing, lentic)				
	• Lakes	Technically a class of wetland, includes all named lakes	Government of Alberta Base Features, Government of Canada CanVec	AUC Rule 007 AEP wind and solar directives have setback **no-go area of 1000m** on named lakes
	• Un-named lakes			
	• Classed wetlands	Includes all wetlands that under the Water Act would have to be replaced if lost	Alberta Merged Wetland Inventory, Alberta Biodiversity Monitoring Institute Wetland Inventory (for green zone)	AUC Rule 007 Water Act, Wetland Policy, SSRP, and Wildlife Directive for Solar Energy Projects and Wildlife Directive for Alberta Wind Energy Projects: no-**go with100m buffer** around wetlands classes as bog, fen, marsh, shallow open water and swamp.
	• Groundwater aquifer recharge areas	Infiltration zones, beaver ponds		Not included – data gap

Cultural Theme

Group	Feature	Examples / Explanation	Layer	Renewable Energy Regulation notes
Religious / cultural				
	• Religious facilities	Churches, church campuses, cemeteries, convents, mosques, temples	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning	Just include footprint
			St. Henry Church	
	• Sacred sites	Areas with demonstrated spiritual or religious significance	Alberta Historic Resources, Heads up digitize (in HRV?)	Not included -assumed covered in the HRV
	• First Nations Reserves		Government of Alberta Municipal Boundaries	Not included in analysis
Recreation				
	• Recreation facilities	Picnic areas, day use areas, boating access to reservoirs, golf courses, provincial recreation areas, ski hills, arenas, curling rinks, swimming pools, multi-rec buildings, amusement parks, campgrounds outside of urbanized areas	Municipal District of Pincher Creek Parcel Mapping or Landuse/Zoning	Just include footprint
	• Recreational rivers, lakes, reservoirs, and	Used for fishing, boating, swimming	Government of Alberta Base Features	Just include footprint

	streams			
Scenic				
	• Viewscapes	Composite landscapes of locally-valuable beauty visible from specific viewpoints	Cowboy Trail	
	• Scenic natural areas	Areas locally known for their natural beauty (e.g., forests, rivers, streams, lakes, riparian areas, open fields).	Waterton Lakes National Park	
			Hawks Nest	
			Porcupine Hills	
			DU Cabin	DU cabin bylaw
			Beaver Mines Coal Mining Rail	
			Oldman Dam Stone House	
			West Castle Valley	
			Livingston Range	
			Heritage Acres	
Historic resources				
	• Recognized historic resources	Heritage landscapes, Archeological sites, identified and classed by the provincial or municipal government	Government of Alberta Historic Resources (HRV 1-2)	AB Culture and Tourism: **HRV 1 and 2: no-go All other HRV classes are avoid.**
			HRV 3	
			HRV 4	
			HRV 5	

Wind and Solar Energy Development

Group	Feature	Examples / Explanation	Layer	Renewable Energy Regulation notes
Renewable Energy				
	• Wind	Suitability area for wind based on speed (Wind resource < 3m/sec is sub-optimal.	Government of Alberta Municipal Boundaries, Derived no-go areas	
	• Solar	Suitability area for solar based on solar radiation value	Government of Alberta Annual Solar Radiation 1971-2000, Government of Alberta Municipal Boundaries, Derived no-go areas	

Appendix B: Solar Survey Exercise

Municipal Development Suitability Tool for Solar Development

Hello... thank you for helping score and determine the features we should include in the MD of Pincher Creek's *Municipal Landuse Suitability Tool for Solar Energy Development.*

The features are gathered under four themes:

1. Agriculture;
2. Ecological;
3. Cultural; and
4. Settlements and Infrastructure.

You will be asked to provide a score to represent how you value each feature in relation to the theme area and in consideration of solar development.

The feature scores will be integrated into a model to help identify the high-value landscapes for each theme, and the most appropriate places for renewable energy development.

1

Municipal Development Suitability Tool for Solar Development

Agriculture Theme

The agriculture features you will be asked to score include:

- Grazing lands/pasture on native prairie and tame pasture;
- Lands of high value to support crops;
- lands of high value to support irrigated crops; and
- Agricultural community infrastructure.

The scores will help us identify high value agriculture lands in MD of Pincher Creek that are impacted by solar development.

1. Please score **grazing lands** in terms of their value to the agriculture theme:

	very high	high	medium	low	very low	do not include
Grazing land on native prairie	○	○	○	○	○	○
Grazing land on tame pasture	○	○	○	○	○	○

Comments:

2

2. Please score Land Suitability Rating Classes (LSRC) in terms of their value to the agriculture theme *(LSRC will be used to identify high value for growing crops).*

	very high	high	medium	low	very low	do not include
Land Suitability with slight limitations to growth	○	○	○	○	○	○
Land Suitability with moderate limitations to growth	○	○	○	○	○	○
Land Suitability with severe limitations to growth	○	○	○	○	○	○
Land Suitability with very severe limitations to growth	○	○	○	○	○	○

Other (please specify)

3. Please score Agri-business (auction marts, feedlots, seed cleaning plants, etc.) and Agricultural Community (ag society buildings, race tracks, etc.) in terms of their value to the agriculture theme.

	very high	high	medium	low	very low	do not include
Agri-business	○	○	○	○	○	○
Agricultural Community	○	○	○	○	○	○

Other (please specify)

3

4. Are there any features missing from the Agriculture Theme?

- ○ Yes
- ○ No

If yes, please list any missing features:

4

Municipal Development Suitability Tool for Solar Development

Ecological Theme

The ecological features you will be asked to score include:

- Municipal conservation lands
- Private conservation lands
- Species management designations
- Important wildlife habitat or vegetation areas
- Coulees and escarpments
- Groundwater aquifer recharge areas

The scores will help us identify high value ecological lands in the MD of Pincher Creek that are impacted by solar development.

The following features are listed as "no-go" based on regulations, they will be included in modelling but you will not be ask to score them:

- Crown Land
- Protected Areas
- Wetlands (with 100 m buffer)
- Large permanent rivers (with 100 m buffer)
- Smaller permanent watercourses (with 45 m buffer)
- Intermittent watercourses and springs (with 45 m buffer)
- Species at risk restricted areas (e.g., trumpeter swan and 800 m buffer)

5. Please score **conservation lands** in terms of their value to the ecological theme:

	very high	high	medium	low	very low	do not include
municipal conservation lands	○	○	○	○	○	○
private conservation lands	○	○	○	○	○	○

Comments:

5

6. Please score the following **species management areas or designations** in terms of their value to the ecological theme:

	very high	high	medium	low	very low	do not include
Key Wildlife and Biodiversity Zones	○	○	○	○	○	○
Grizzly Bear Zones	○	○	○	○	○	○

Comments:

7. Please score the following important **wildlife habitat or vegetation areas** in terms of their value to the ecological theme:

	very high	high	medium	low	very low	do not include
native grasslands	○	○	○	○	○	○
wildlife movement areas	○	○	○	○	○	○
riparian areas	○	○	○	○	○	○
escarpments and coulees	○	○	○	○	○	○

Comments:

8. Please score the following **waterways and water-bodies** in terms of their value to ecological theme:

	very high	high	medium	low	very low	do not include
lakes (unnamed)	○	○	○	○	○	○
groundwater aquifer recharge areas	○	○	○	○	○	○

Comments:

6

9. Are there any features missing from the Ecological Theme?

- ○ Yes
- ○ No

If yes, please list any missing features:

7

Municipal Development Suitability Tool for Solar Development

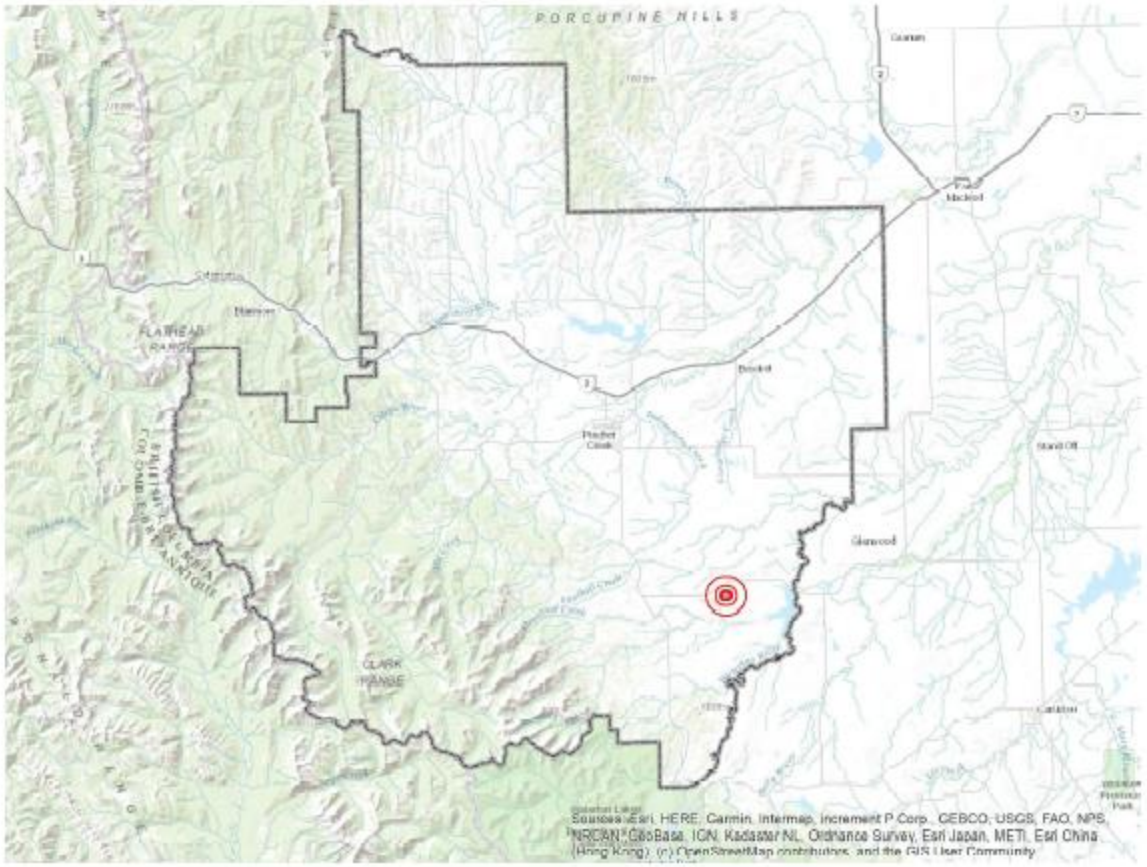
Cultural Theme

10. The following features were identified as important cultural features by MD Pincher Creek Municipal Land Use Suitability Tool participants. Please score each feature in terms of value to cultural theme and impacts from solar development.

	very high	high	medium	low	very low	do not include
Cowboy Tail	○	○	○	○	○	○
Livingston Range	○	○	○	○	○	○
Waterton Lakes National Park	○	○	○	○	○	○
Hawks Nest	○	○	○	○	○	○
Porcupine Hills	○	○	○	○	○	○
West Castle Valley	○	○	○	○	○	○
St. Henry's Church	○	○	○	○	○	○
Beaver Mines (coal mining rail)	○	○	○	○	○	○
Oldman Dam Stone House	○	○	○	○	○	○
Heritage Acres	○	○	○	○	○	○
DU Ranchland Cabins	○	○	○	○	○	○

8

Visual Aid: St. Henry's church and buffers within MD Pincher Creek



9

Visual Aid: St. Henry's church with buffers of different sizes

10

11. The following features were identified as important cultural features. Please select a buffer to apply when considering solar development (the scores provided above will be applied to selected buffer).

	0 m	300 m	500 m	1000 m	2000 m
Cowboy Tail	○	○	○	○	○
Livingston Range	○	○	○	○	○
Waterton Lakes National Park	○	○	○	○	○
Hawks Nest	○	○	○	○	○
Porcupine Hills	○	○	○	○	○
West Castle Valley	○	○	○	○	○
St. Henry's Church	○	○	○	○	○
Beaver Mines (coal mining rail)	○	○	○	○	○
Oldman Dam Stone House	○	○	○	○	○
Heritage Acres	○	○	○	○	○
DU Ranchland Cabins	○	○	○	○	○

Other:

11

12. Historic Resource Values (HRV) layer is provided by GOA to help developers, industry representatives, and regulators determine if a proposed development might affect historic resources. There are five classes, HRV class 1 and 2 are regulated as no-go and you are not asked to score them. Please score HRV class 3 to 5 based on their level of importance to the Cultural theme.

	very high	high	medium	low	very low	do not include
HRV class 3: contains a significant historic resource that will likely require avoidance	○	○	○	○	○	○
HRV class 2: contains a historic resource that may require avoidance	○	○	○	○	○	○
HRV class 5: high potential to contain a historic resource	○	○	○	○	○	○

Comments

12

Municipal Development Suitability Tool for Solar Development

Settlement and Infrastructure Theme

The following features are included in the survey even though they have specific rights-of-ways/setbacks that will be included in the modeling.

- divided highway
- paved road
- gravel road
- railway
- airport
- transmission line

Here we provide you with an opportunity to identify buffers that may be incorporated if larger than established setbacks (if a linear feature please gauge the distance from the features center-line) when considering solar development.

In addition many of the features listed below have municipal by-laws (please refer back to the attachment) which will be considered in the modeling.

13. please provide a buffer for the following urbanized areas, rural residential and rural commercial non-agriculture features (0 m = no buffer).

	0 m	100 m	300 m	500 m	1000 m	2000 m
Urbanized areas (residential/commercial areas in cities/towns)	○	○	○	○	○	○
Grouped County Residential	○	○	○	○	○	○
Hamlets	○	○	○	○	○	○
Commercial Establishments and Subdivisions	○	○	○	○	○	○

Comments

13

14. Please provide a buffer for the following rural industrial features non-agriculture (0 m = no buffer).

	0 m	100 m	300 m	500 m	1000 m	2000 m
Solar farms	○	○	○	○	○	○
Wind farms	○	○	○	○	○	○
Transmission	○	○	○	○	○	○
Oil and Gas Processing	○	○	○	○	○	○
Mineral Extraction	○	○	○	○	○	○
Power plants	○	○	○	○	○	○
Landfills	○	○	○	○	○	○

Comments

15. Please provide a buffer for the following transportation features (0 m = no buffer).

	0 m	100 m	300 m	500 m	1000 m	2000 m
divided highways	○	○	○	○	○	○
paved roads	○	○	○	○	○	○
gravel roads	○	○	○	○	○	○
airports	○	○	○	○	○	○
airfields	○	○	○	○	○	○
railways	○	○	○	○	○	○

Comments

14

16. Please provide a buffer for the following water management features (0 m = no buffer).

	0 m	100 m	300 m	500 m	1000 m	2000 m
Reservoirs	○	○	○	○	○	○
Treatment Plants	○	○	○	○	○	○

Comments

15

Appendix C: Wind Survey Results Summary

Here we present collated results of each survey question participants were asked to *score* from very low to very high for the three themes areas: agriculture, ecological and cultural.

In each table, the percent represents the participants who selected that *score*. *Scores* were *Quantified* from (low<-->high) to a number (0-100) and averaged to produce a *Conflict Probability Rating* per feature, which can be seen in the second table.

Bubble charts were used as a visual aid for the process. In the bubble charts, the **placement** of each circle (aligned with the scores from *Very Low* to *Very High*) and the **size** of the circle represents how many people chose each answer (bigger circles = more people).

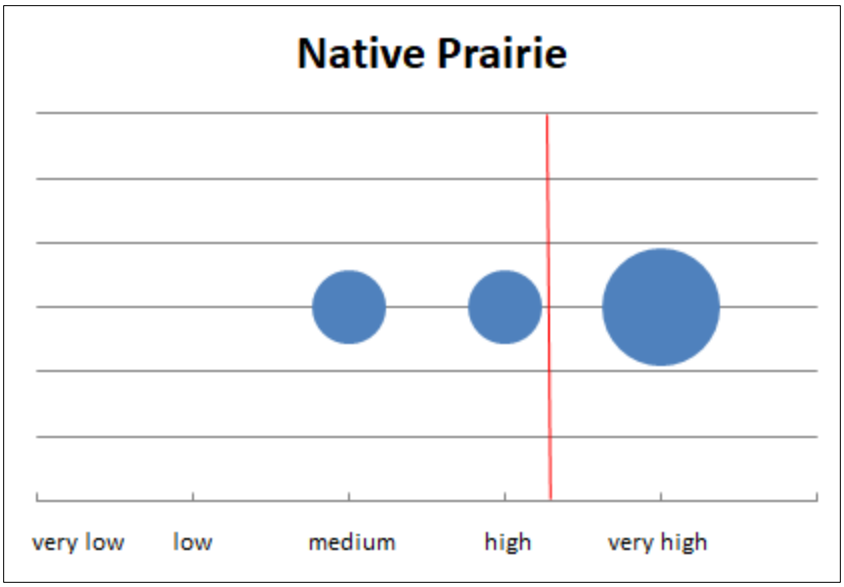
The **red line** represents the *Conflict Probability Rating* (average score) that was used in the GIS modelling.

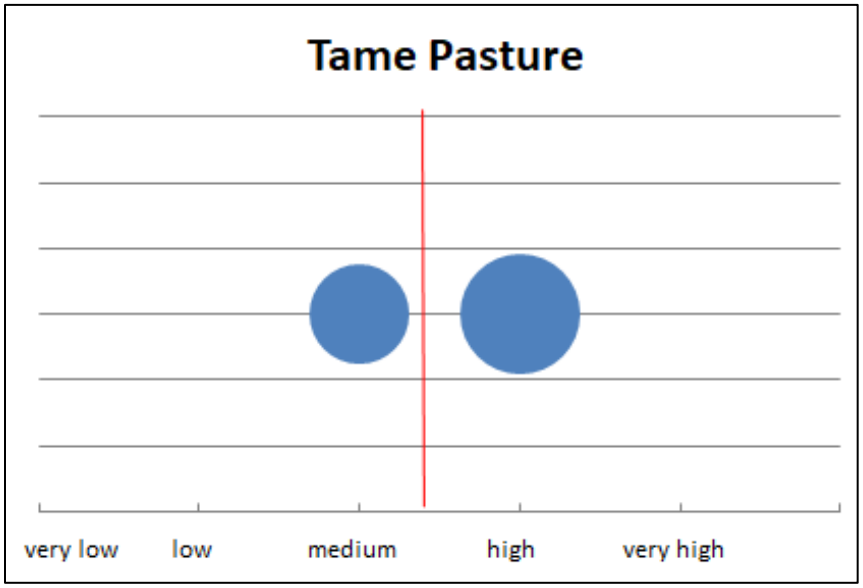
Agriculture Theme

1. *Grazing lands*

Grazing Land	very high	high	medium	low	very low
native prairie	56%	22%	22%	0%	0%
tame pasture	0%	60%	40%	0%	0%

Grazing Land	Conflict Probability Rating
Native Prairie	83
Tame Pasture	60

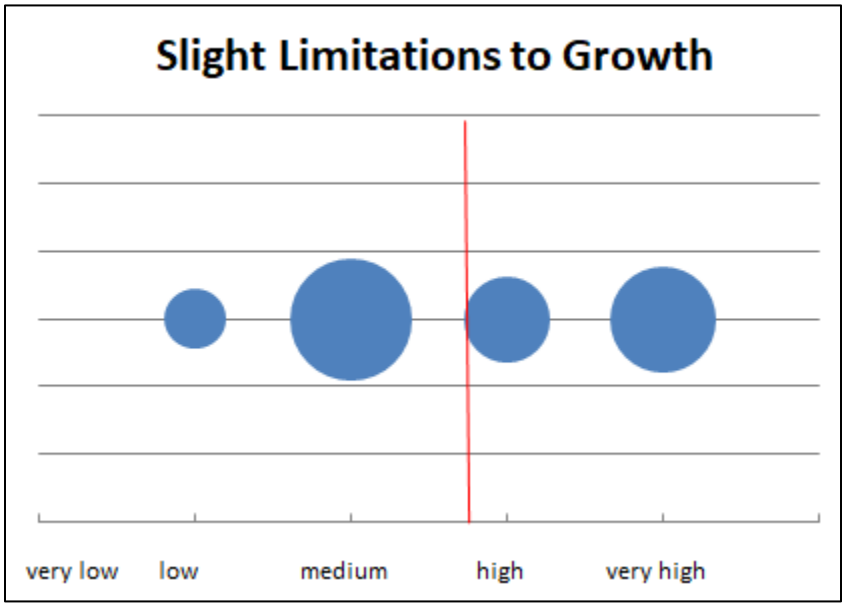


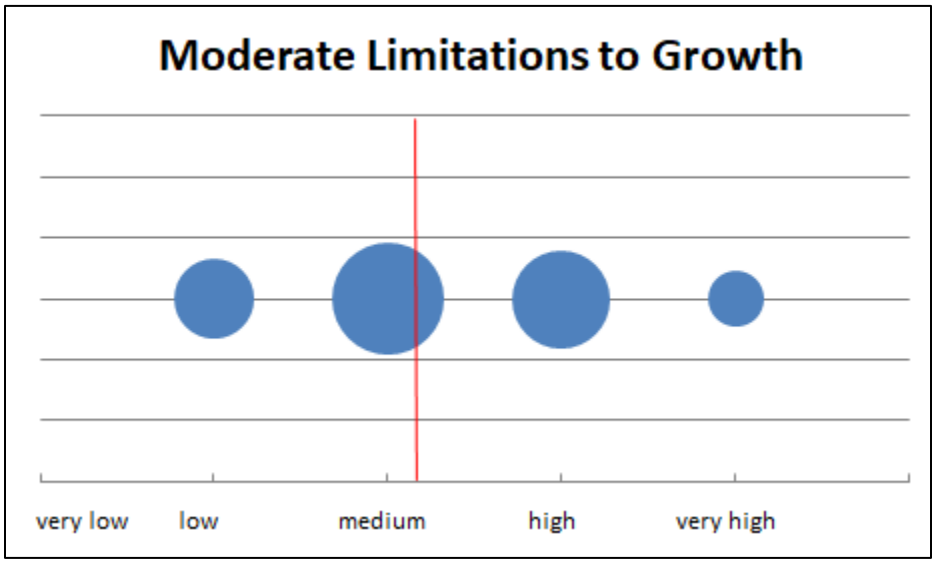


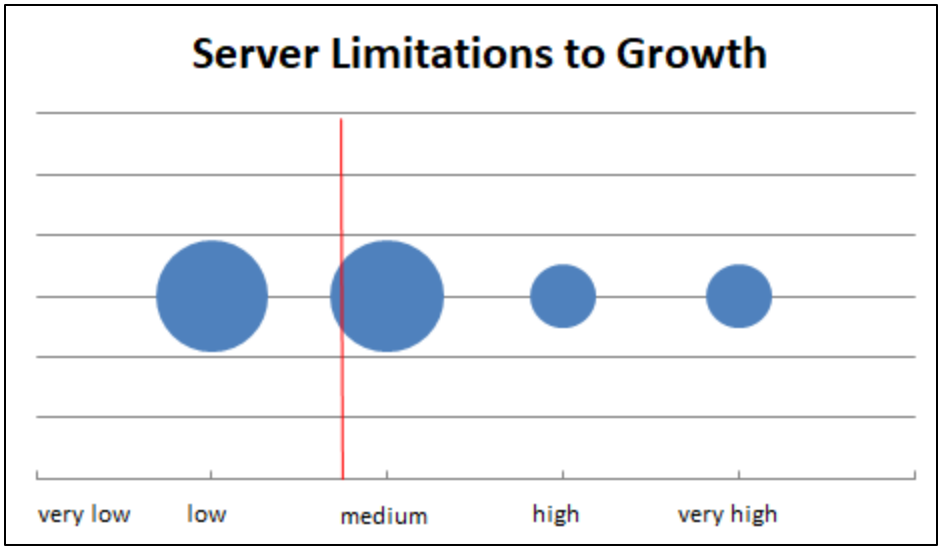
2. Land Suitability Rating Classes (LSRC)

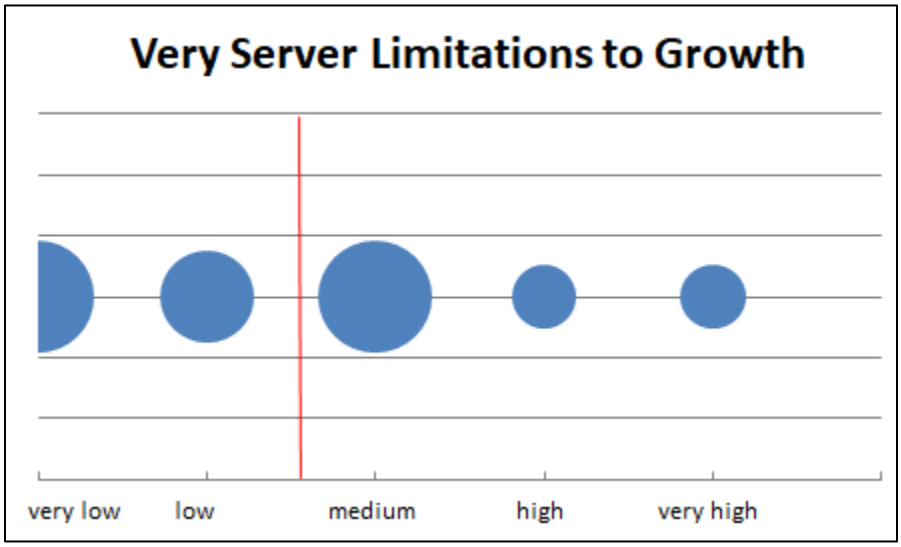
Land Suitability Rating Classes	very high	high	medium	low	very low
slight limitations to growth	30%	20%	40%	10%	0%
moderate limitations to growth	10%	30%	40%	20%	0%
severe limitations to growth	11%	11%	33%	33%	11%
very severe limitations to growth	10%	10%	30%	20%	30%

Land Suitability Rating Classes	Conflict Probability Rating
Land Suitability with slight limitations to growth	68
Land Suitability with moderate limitations to growth	58
Land Suitability with severe limitations to growth	44
Land Suitability with very severe limitations to growth	38





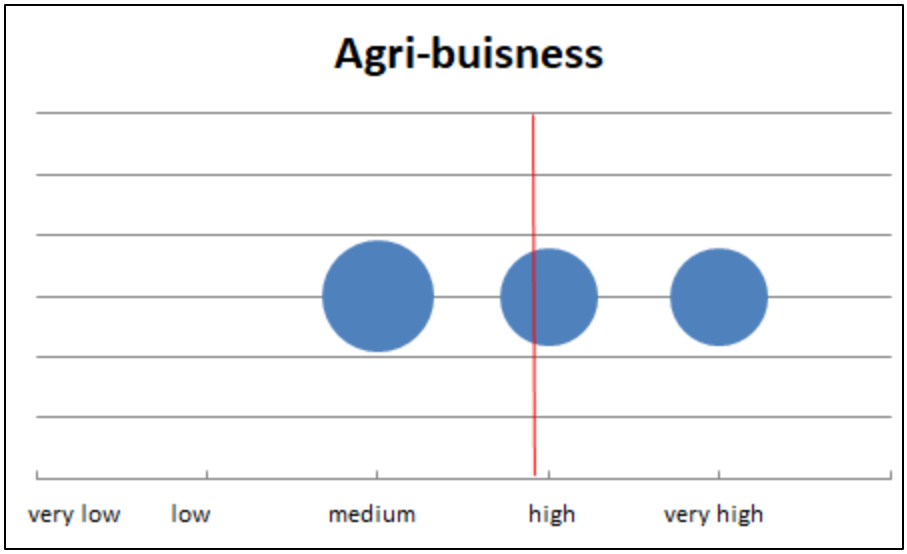


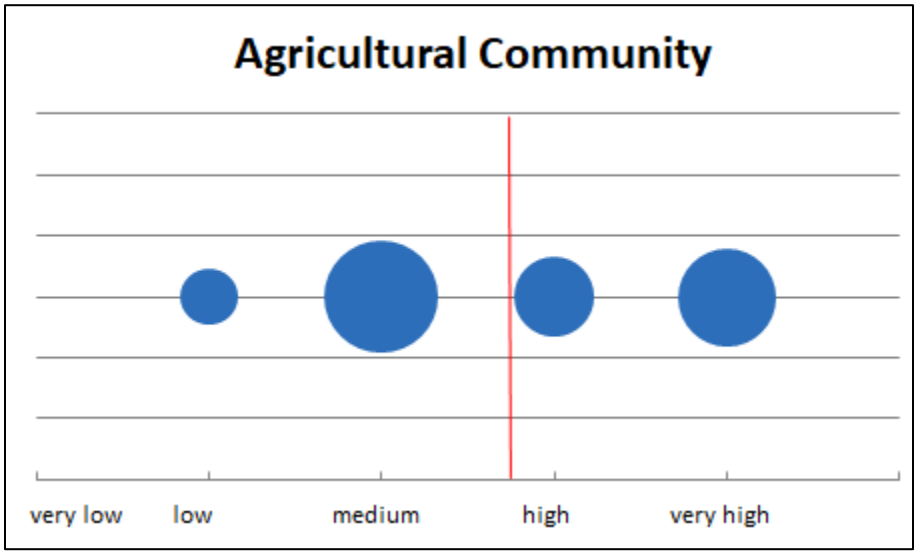


3. Agricultural Support

Agricultural Support	very high	high	medium	low	very low
Agri-business	30%	30%	40%	0%	0%
Agricultural Community	30%	20%	40%	10%	0%

Agricultural Support	Conflict Probability Rating
Agri-business	73
Agricultural Community	68


Agri-buisness
very low
low
medium
high
very high

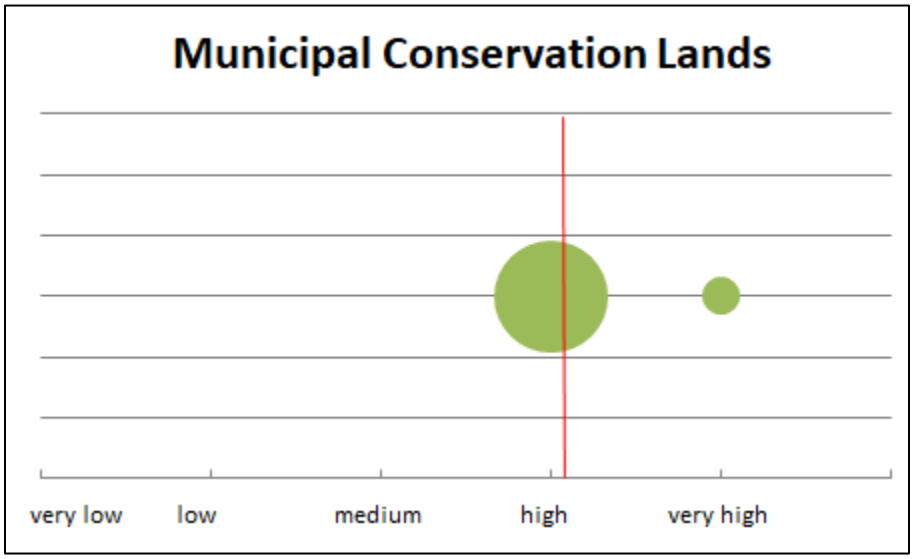

Agricultural Community
very low
low
medium
high
very high

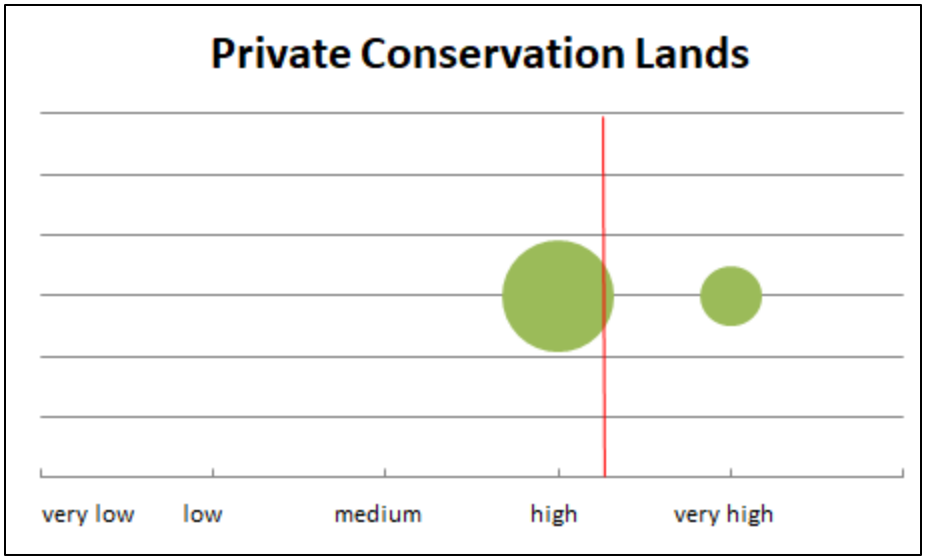
Ecological Theme

1. Protected and Conserved Areas

Protected Areas	very high	high	medium	low	very low	don't include
municipal conservation lands	10%	90%	0%	0%	0%	0%
private conservation lands	20%	70%	0%	0%	0%	10%

Protected Areas	Conflict Probability Rating
municipal conservation lands	78
private conservation lands	81

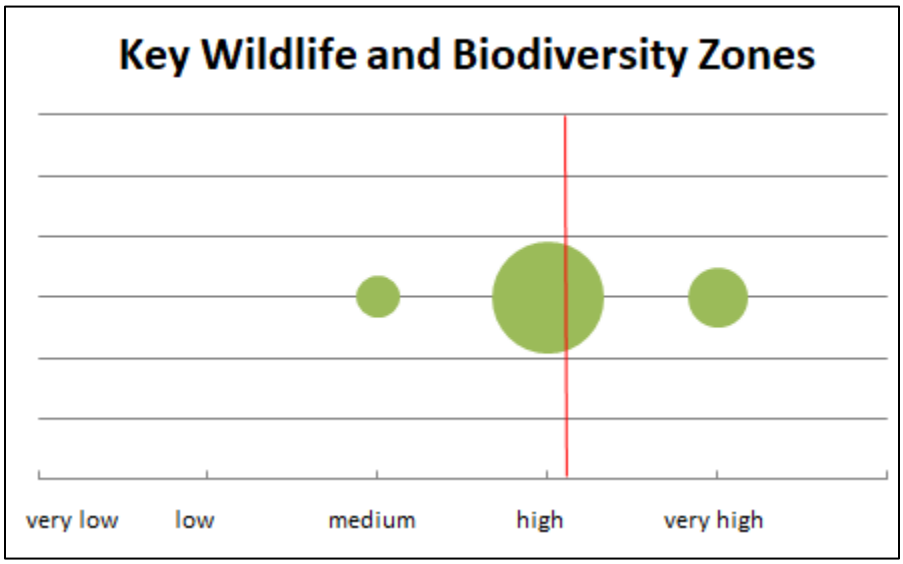


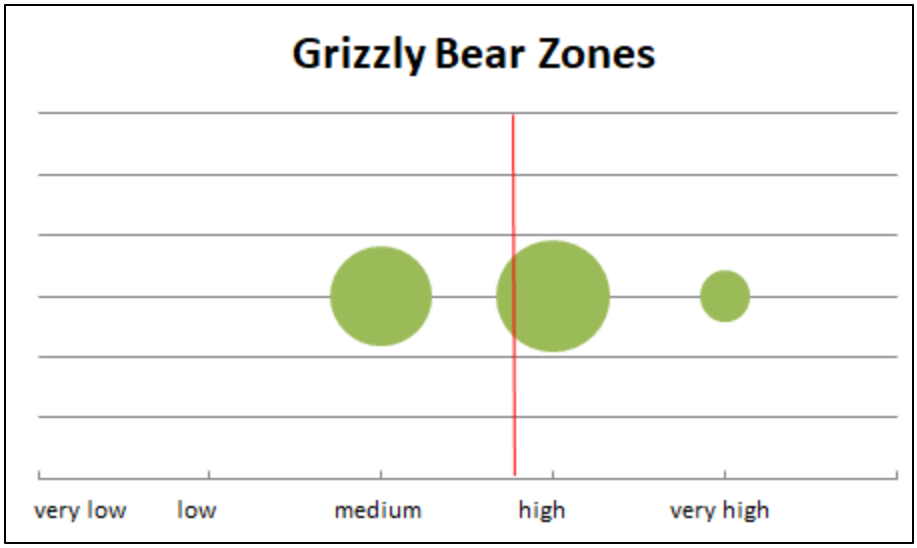


2. Wildlife Habitat – Species Management Area

Species Management Areas	very high	high	medium	low	very low
Key Wildlife and Biodiversity Zones	20%	70%	10%	0%	0%
Grizzly Bear Zones	10%	50%	40%	0%	0%

Species Management Areas	Conflict Probability Rating
Key Wildlife and Biodiversity Zones	78
Grizzly Bear Zones	68

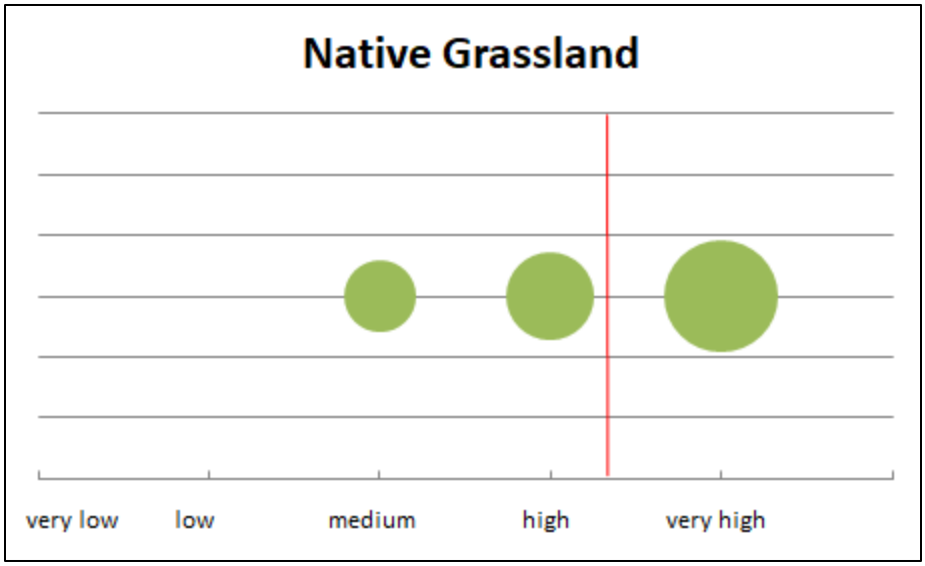


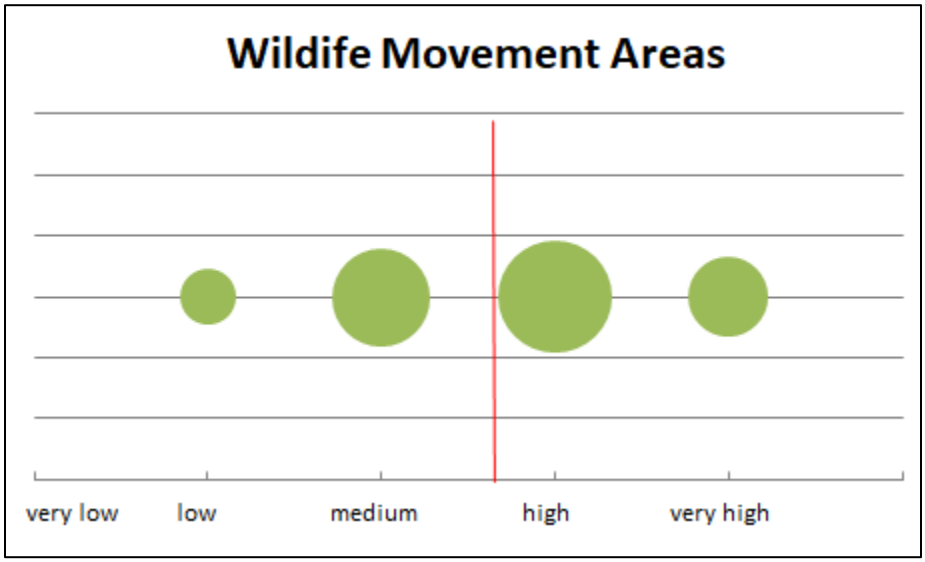


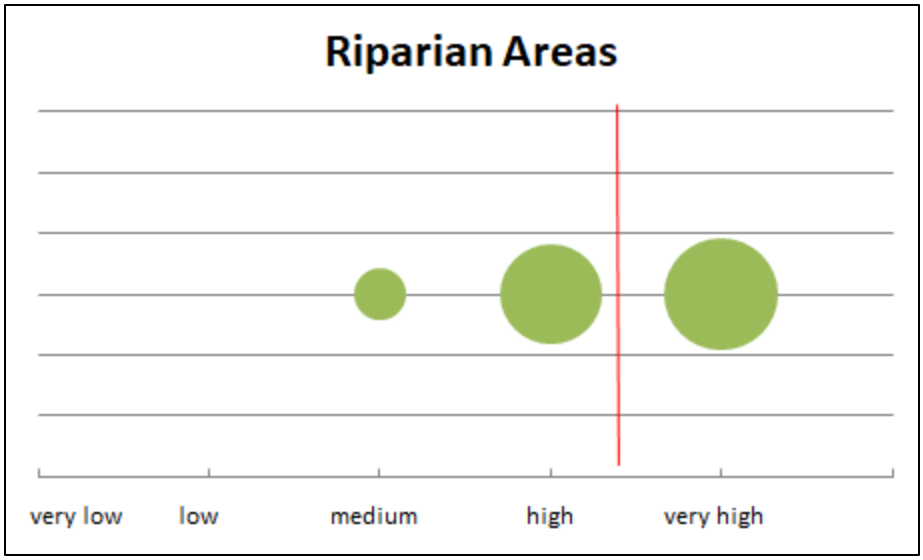
3. Wildlife Habitat – Wildlife Habitat or Vegetation Area

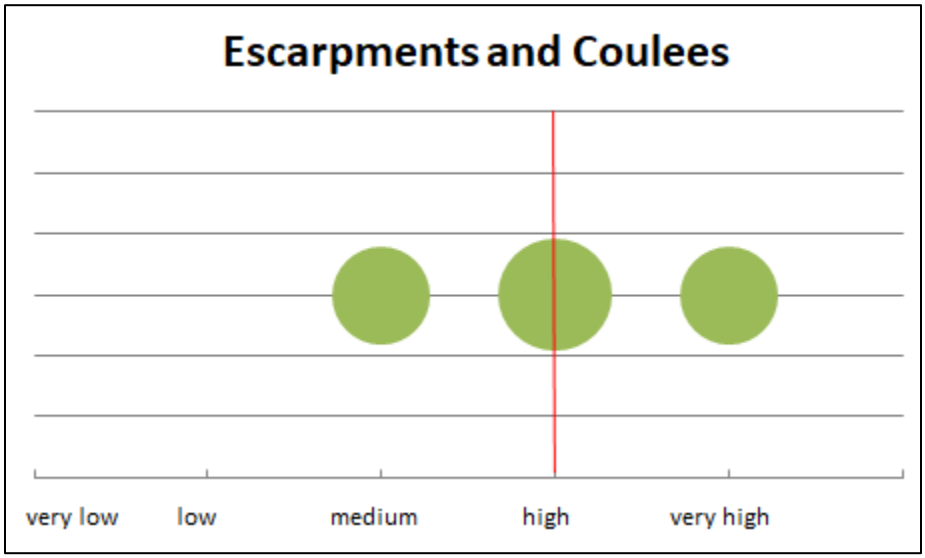
Wildlife Habitat or Vegetation Area	very high	high	medium	low	very low
native grasslands	50%	30%	20%	0%	0%
wildlife movement areas	20%	40%	30%	10%	0%
riparian areas	50%	40%	10%	0%	0%
escarpments and coulees	30%	40%	30%	0%	0%

Species Management Areas	Conflict Probability Rating
native grasslands	83
wildlife movement areas	68
riparian areas	85
escarpments and coulees	75


Native Grassland
very low
low
medium
high
very high


Wildife Movement Areas
very low
low
medium
high
very high



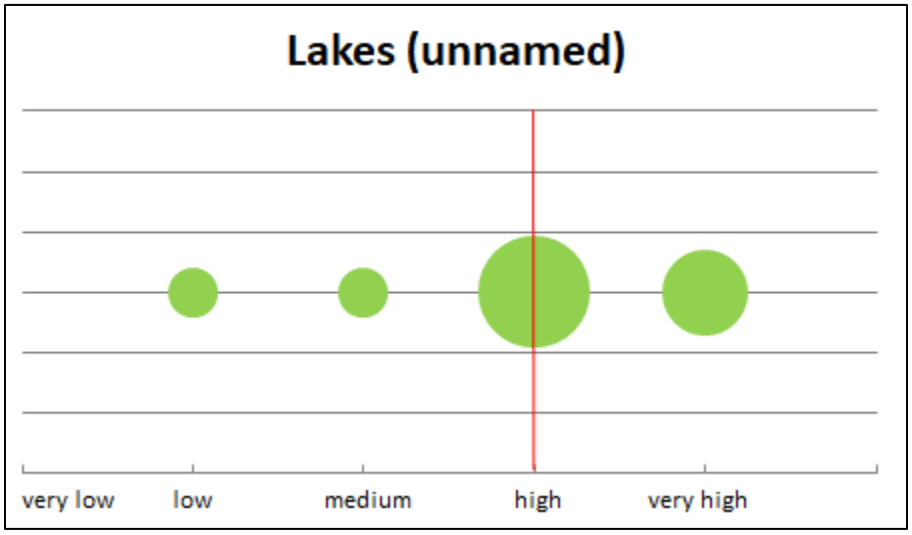


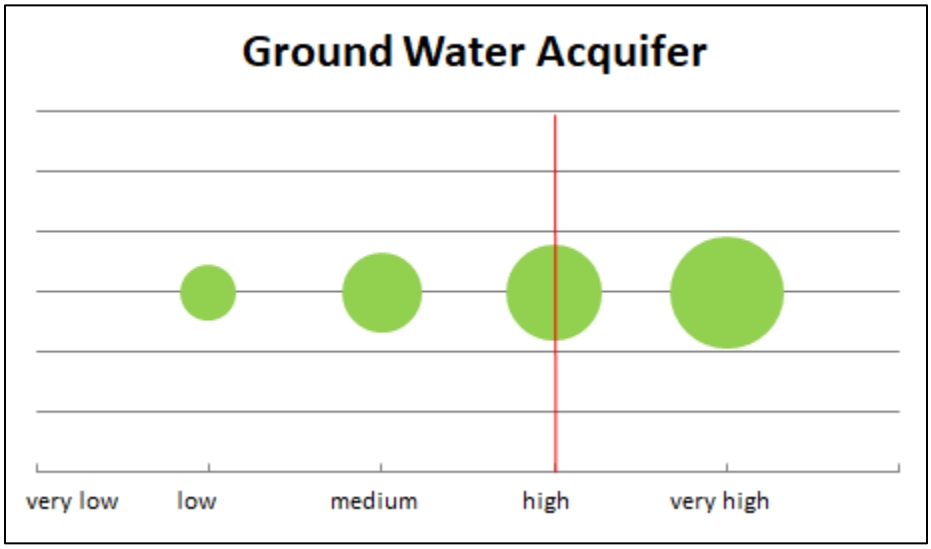
4. Waterways and Waterbodies

waterways and water-bodies	very high	high	medium	low	very low
lakes (unnamed)	30%	50%	10%	10%	0%
ground water aquifer recharge areas	40%	30%	20%	10%	0%

Waterways and water-bodies	Conflict Probability Rating
lakes (unnamed)	75

ground water aquifer recharge areas	75





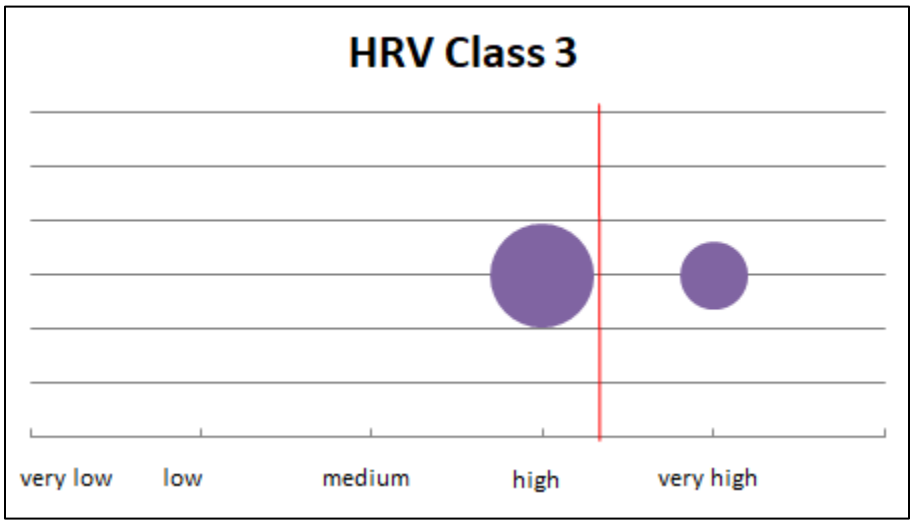
Cultural

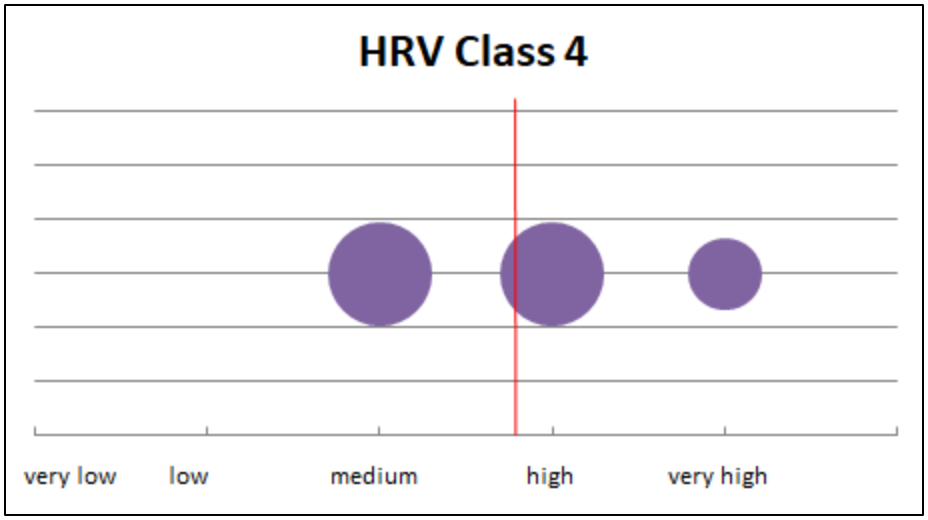
1. Historic Resource Value

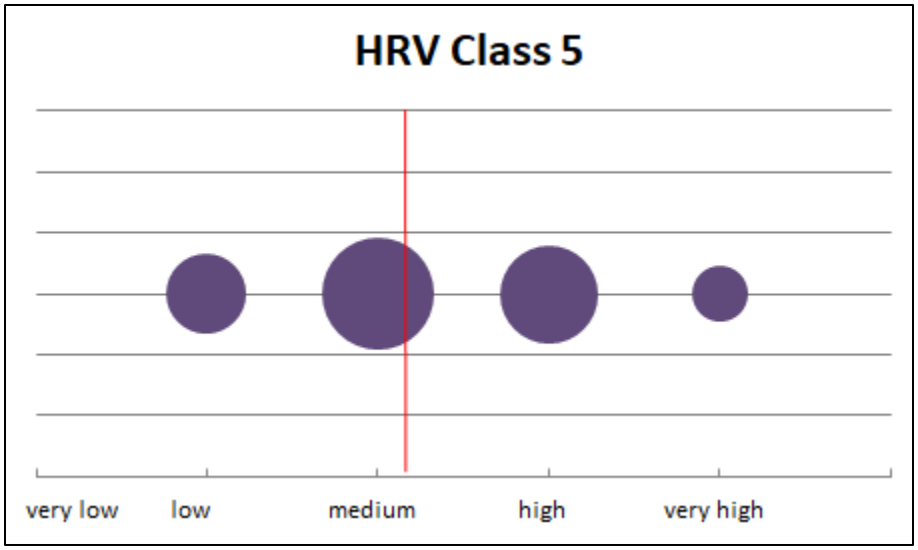
Historic Resource Values (HRV)	very high	high	medium	low	very low
HRV Class 3: contains a significant historic resource that will likely require avoidance	30%	70%	0%	0%	0%
HRV Class 4**: contains a historic resource that may require avoidance	20%	40%	40%	0%	0%
HRV Class 5: high potential to contain a historic resource	10%	30%	40%	20%	0%

*** NB: In the wind survey, this class was misidentified as Class 2*

Waterways and water-bodies	Conflict Probability Rating
HRV Class 3: contains a significant historic resource that will likely require avoidance	83
HRV Class 4**: contains a historic resource that may require avoidance	70
HRV Class 5: high potential to contain a historic resource	58







2. List of Cultural Sites

Cultural Sites	very high	high	medium	low	very low	do not include
Cowboy Tail	25%	38%	0%	0%	38%	0%
Livingston Range	38%	38%	25%	0%	0%	0%
Waterton Lakes National Park	25%	50%	13%	0%	0%	13%
Hawks Nest	25%	0%	38%	13%	13%	13%
Porcupine Hills	25%	38%	13%	25%	0%	0%
West Castle Valley	25%	25%	13%	13%	25%	0%
St. Henry's Church	25%	25%	13%	25%	13%	0%
Beaver Mines (coal mining rail)	13%	0%	38%	13%	13%	25%
Oldman Dam Stone House	13%	13%	38%	13%	13%	13%
Heritage Acres	13%	25%	13%	13%	25%	13%
DU Ranchland Cabins	38%	25%	13%	13%	13%	0%

Cultural Sites	Conflict Probability Rating
Cowboy Tail	53
Livingston Range	78
Waterton Lakes National Park	69
Hawks Nest	47
Porcupine Hills	66
West Castle Valley	53
St. Henry's Church	56
Beaver Mines (coal mining rail)	34
Oldman Dam Stone House	44
Heritage Acres	41
DU Ranchland Cabins	66

3. Buffers of Cultural Sites

Cultural Sites	0m	300m	500m	1000m	2000m
Cowboy Tail	38%	0%	13%	0%	38%
Livingston Range	0%	0%	13%	25%	38%
Waterton Lakes National Park	0%	0%	13%	25%	38%
Hawks Nest	13%	13%	38%	0%	25%
Porcupine Hills	13%	13%	25%	0%	38%
West Castle Valley	25%	13%	13%	13%	25%
St. Henry's Church	0%	13%	25%	25%	38%
Beaver Mines (coal mining rail)	50%	13%	25%	0%	13%
Oldman Dam Stone House	38%	13%	38%	0%	13%
Heritage Acres	50%	25%	13%	13%	0%
DU Ranchland Cabins	13%	13%	0%	13%	50%

Cultural Sites	buffer	refined buffer
Cowboy Tail	929	1000
Livingston Range	1417	1500
Waterton Lakes National Park	1417	1500
Hawks Nest	829	1000
Porcupine Hills	1043	1000
West Castle Valley	829	1000
St. Henry's Church	1163	1000
Beaver Mines (coal mining rail)	413	500
Oldman Dam Stone House	475	500
Heritage Acres	263	500
DU Ranchland Cabins	1329	1000

Appendix D: Solar Survey Results Summary

Here we present collated results of each survey question participants were asked to *score* from very low to very high for the three themes areas: agriculture, ecological and cultural.

In each table, the percent represents the participants who selected that *score*. *Scores* were *Quantified* from (low<-->high) to a number (0-100) and averaged to produce a *Conflict Probability Rating* per feature, which can be seen in the second table. The *Conflict Probability Rating* (average score) was used in the GIS modelling.

Agriculture Theme

4. Grazing lands

Grazing Land	very high	high	medium	low	very low
native prairie	50%	40%	10%	0%	0%
tame pasture	20%	40%	40%	0%	0%

Grazing Land	Conflict Probability Rating
Native Prairie	85
Tame Pasture	70

5. Land Suitability Rating Classes (LSRC)

Land Suitability Rating Classes	very high	high	medium	low	very low
slight limitations to growth	50%	20%	20%	10%	0%
moderate limitations to growth	30%	40%	0%	30%	0%
severe limitations to growth	10%	10%	50%	10%	20%
very severe limitations to growth	10%	0%	20%	50%	10%

Land Suitability Rating Classes	Conflict Probability Rating
Land Suitability with slight limitations to growth	78
Land Suitability with moderate limitations to growth	68
Land Suitability with severe limitations to growth	45

Land Suitability with very severe limitations to growth	36

6. Agricultural Support

Agricultural Support	very high	high	medium	low	very low
Agri-business	40%	10%	30%	20%	0%
Agricultural Community	30%	20%	30%	20%	0%

Agricultural Support	Conflict Probability Rating
Agri-business	68
Agricultural Community	65

Ecological Theme

5. Protected and Conserved Areas

Protected Areas	very high	high	medium	low	very low	don't include
municipal conservation lands	20%	80%	0%	0%	0%	0%
private conservation lands	30%	50%	10%	10%	0%	0%

Protected Areas	Conflict Probability Rating
municipal conservation lands	80
private conservation lands	75

6. Wildlife Habitat – Species Management Area

Species Management Areas	very high	high	medium	low	very low
Key Wildlife and Biodiversity Zones	40%	50%	10%	0%	0%
Grizzly Bear Zones	20%	50%	30%	0%	0%

Species Management Areas	Conflict Probability Rating
Key Wildlife and Biodiversity Zones	83
Grizzly Bear Zones	73

7. Wildlife Habitat – Wildlife Habitat or Vegetation Area

Wildlife Habitat or Vegetation Area	very high	high	medium	low	very low
native grasslands	60%	20%	20%	0%	0%
wildlife movement areas	40%	50%	10%	0%	0%
riparian areas	40%	60%	0%	0%	0%
escarpments and coulees	40%	40%	20%	0%	0%

Species Management Areas	Conflict Probability Rating
native grasslands	85
wildlife movement areas	83
riparian areas	85
escarpments and coulees	80

8. Waterways and Waterbodies

waterways and water-bodies	very high	high	medium	low	very low
lakes (unnamed)	30%	50%	20%	10%	0%
ground water aquifer recharge areas	33%	56%	0%	11%	0%

Waterways and water-bodies	Conflict Probability Rating
lakes (unnamed)	78
ground water aquifer recharge areas	78

Cultural

4. Historic Resource Value

Historic Resource Values (HRV)	very high	high	medium	low	very low
HRV Class 3: contains a significant historic resource that will likely require avoidance	40%	40%	10%	0%	10%
HRV Class 4: contains a historic resource that may require avoidance	30%	20%	20%	20%	10%
HRV Class 5: high potential to contain a historic resource	30%	10%	20%	20%	20%

Waterways and water-bodies	Conflict Probability Rating
HRV Class 3: contains a significant historic resource that will likely require avoidance	75
HRV Class 4: contains a historic resource that may require avoidance	55
HRV Class 5: high potential to contain a historic resource	48

5. List of Cultural Sites

Cultural Sites	very high	high	medium	low	very low
Cowboy Tail	20%	50%	0%	10%	20%
Livingston Range	20%	50%	10%	0%	20%
Waterton Lakes National Park	40%	20%	10%	0%	30%
Hawks Nest	20%	20%	30%	0%	30%
Porcupine Hills	30%	40%	0%	10%	20%
West Castle Valley	40%	20%	10%	0%	30%
St. Henry's Church	20%	10%	40%	0%	30%
Beaver Mines (coal mining rail)	20%	10%	20%	10%	40%
Oldman Dam Stone House	20%	0%	30%	20%	30%
Heritage Acres	20%	10%	30%	20%	20%
DU Ranchland Cabins	20%	40%	20%	0%	20%

Cultural Sites	Conflict Probability Rating
Cowboy Tail	60
Livingston Range	63
Waterton Lakes National Park	60
Hawks Nest	50
Porcupine Hills	63
West Castle Valley	60
St. Henry's Church	48
Beaver Mines (coal mining rail)	40
Oldman Dam Stone House	40
Heritage Acres	48
DU Ranchland Cabins	60

6. Buffers of Cultural Sites

Cultural Sites	0m	300m	500m	1000m	2000m
Cowboy Tail	25%	13%	0%	0%	63%
Livingston Range	13%	13%	13%	0%	63%
Waterton Lakes National Park	13%	13%	25%	0%	50%
Hawks Nest	25%	25%	13%	25%	25%
Porcupine Hills	13%	25%	0%	0%	63%
West Castle Valley	38%	0%	13%	0%	50%
St. Henry's Church	13%	38%	13%	25%	13%
Beaver Mines (coal mining rail)	38%	38%	13%	0%	13%
Oldman Dam Stone House	25%	38%	25%	0%	13%
Heritage Acres	38%	25%	25%	0%	13%
DU Ranchland Cabins	25%	13%	0%	13%	50%

Cultural Sites	buffer	refined buffer
Cowboy Tail	1288	1000
Livingston Range	1350	1500
Waterton Lakes National Park	1163	1000
Hawks Nest	763	1000
Porcupine Hills	1325	1500
West Castle Valley	1063	1000
St. Henry's Church	675	500
Beaver Mines (coal mining rail)	425	500
Oldman Dam Stone House	488	500
Heritage Acres	450	500
DU Ranchland Cabins	1163	1000

Appendix E: Spatial representation of key features

Modelling

Agricultural Theme

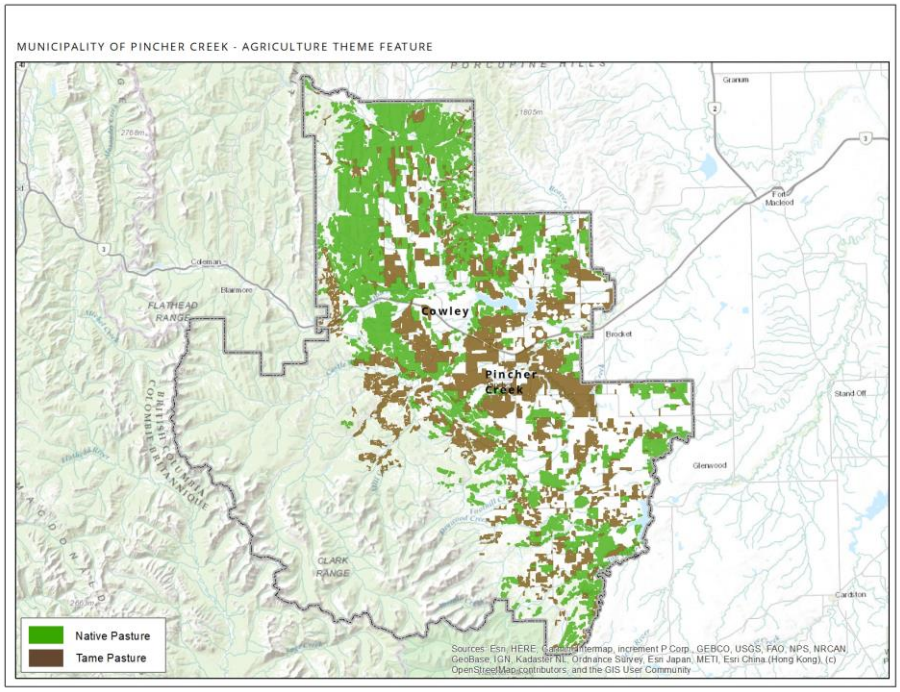


Figure 27: Grazing Lands

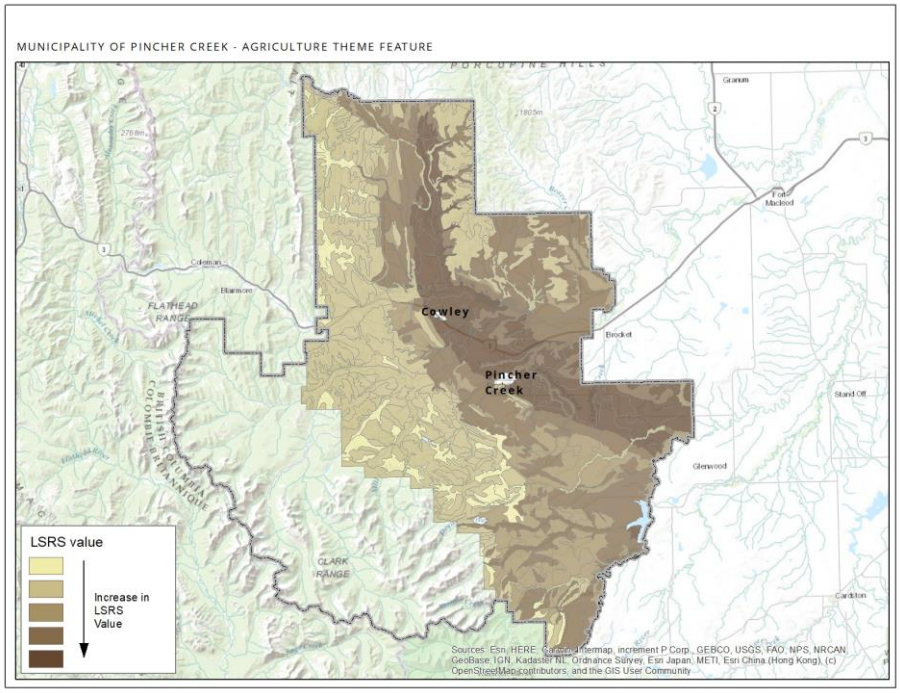


Figure 28: Agricultural Land Suitability Rating System (LSRS)

Ecological Theme

*The Native Prairie wildlife habitat feature is represented in the Agricultural theme, grazing lands (Figure 27).

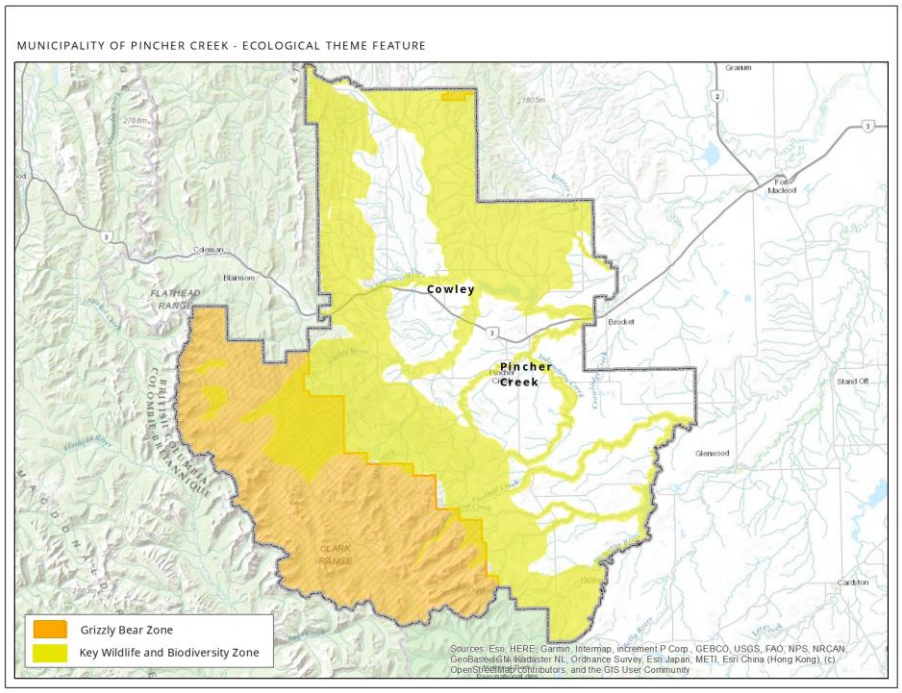


Figure 29: Wildlife Habitat Features (Grizzly bear zone and Key Wildlife and Biodiversity Zone)

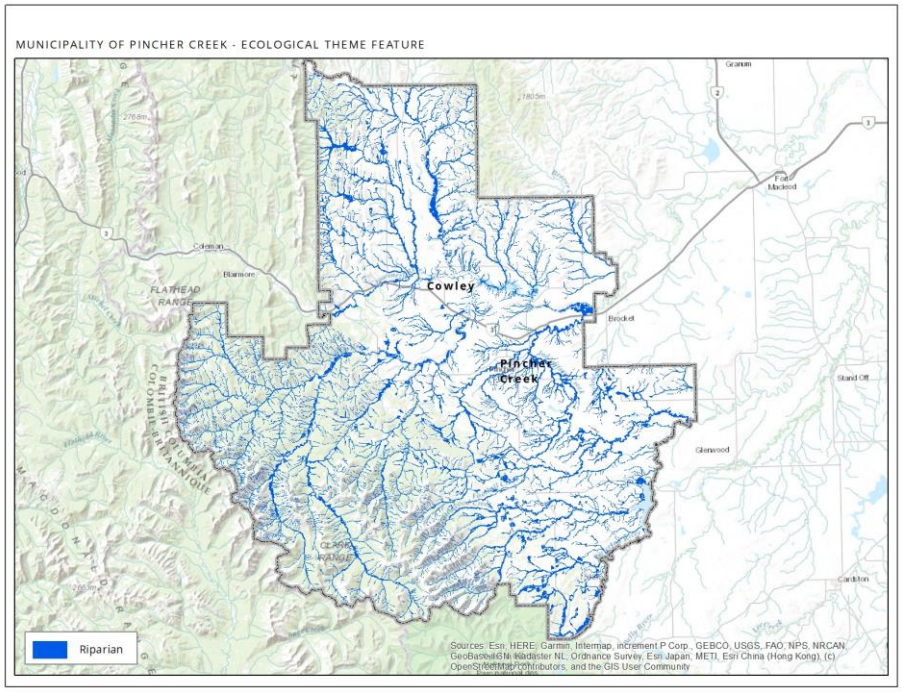


Figure 30: Wildlife Habitat Features (Riparian)

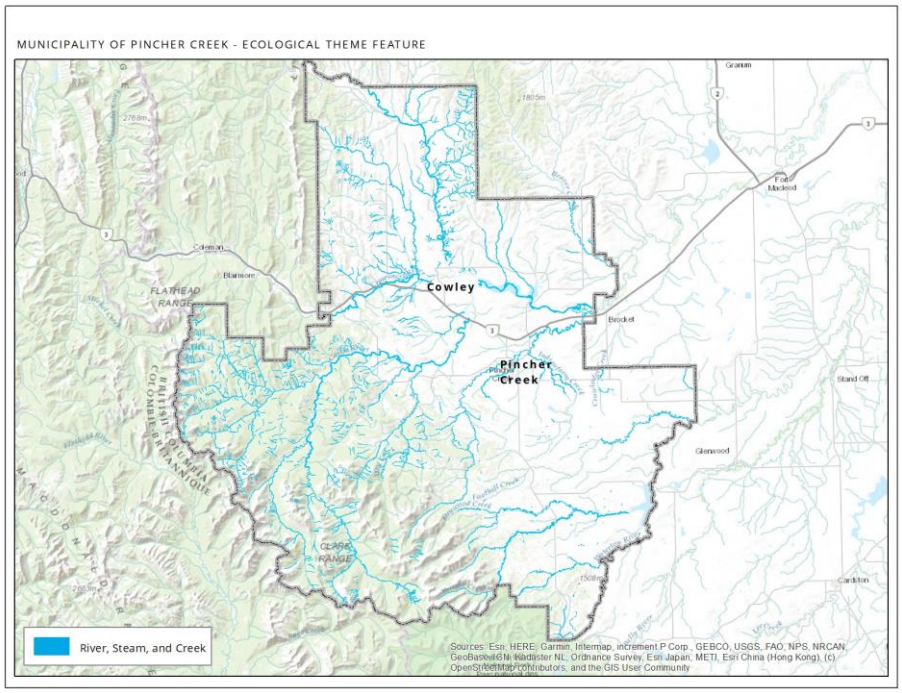


Figure 31: Waterways (River, Streams and Creeks)

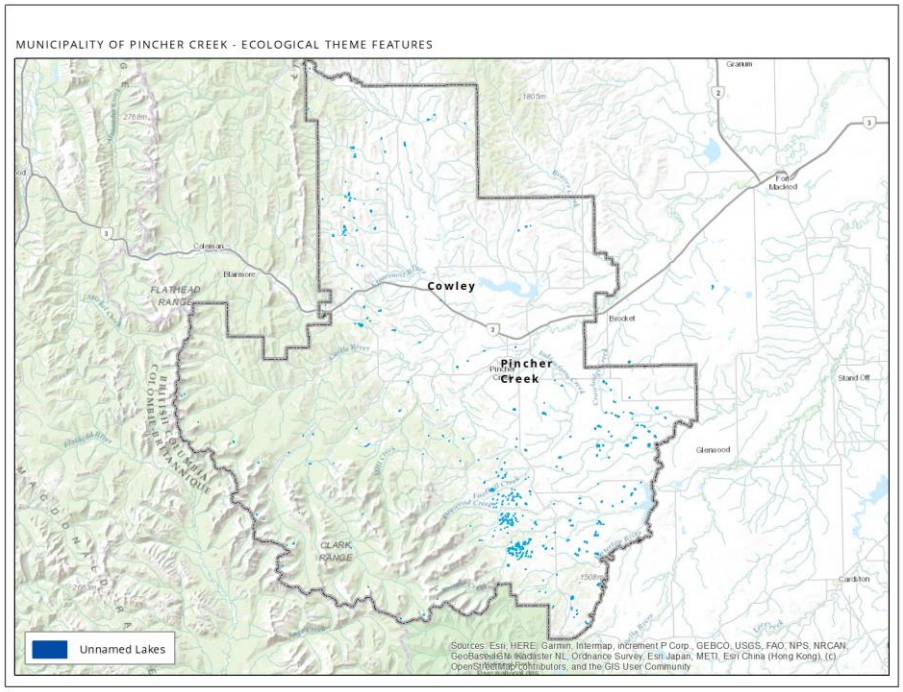


Figure 32: Waterbodies (Unnamed Lakes)

Cultural Theme

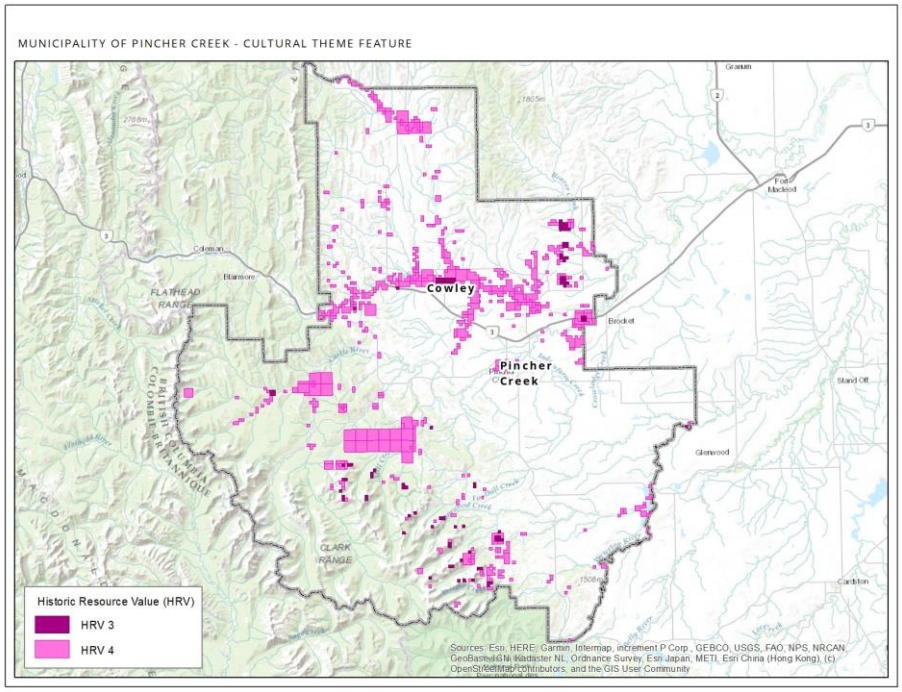


Figure 33: Historic Resource Value (HRV), class 1 and 2 are included in No-Go Areas and class 5 was removed from the modeling.

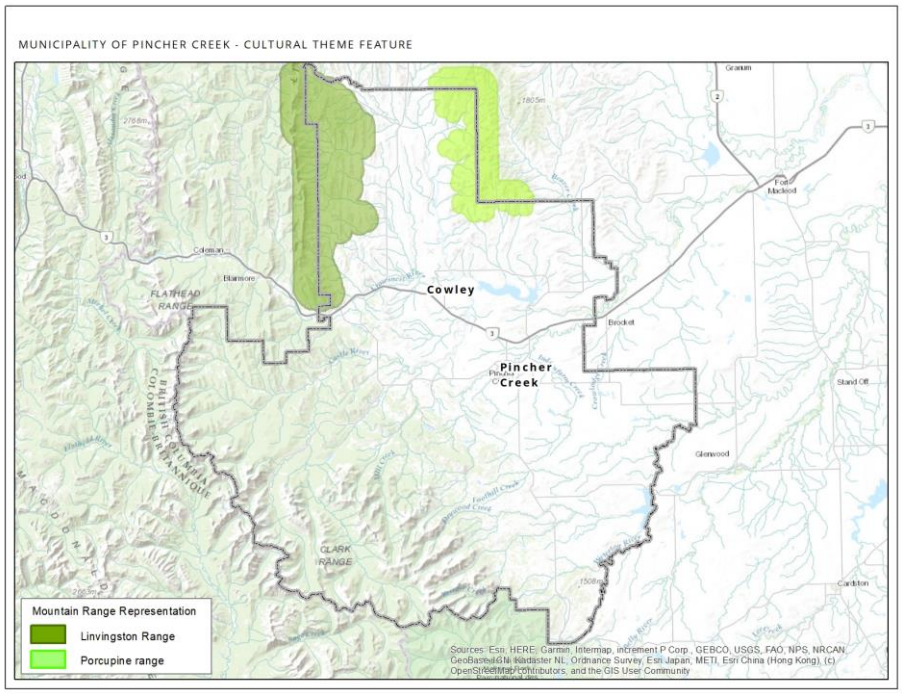


Figure 34: Livingston and Porcupine Mountain Ranges (used 1500m elevation cut-off)

AGENDA ITEM NO: 8.4

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Communities in Bloom Judging	
PRESENTED BY: LaVonne Rideout, Community Services	**DATE OF MEETING:** 6/26/2023

PURPOSE:

To update the council on the Communities in Bloom program and agenda and to request councils participation in the evaluation on judging day July 19, 2023.

RECOMMENDATION:

That Council for the Town of Pincher Creek review the information for the Communities in Bloom judging schedule and agenda and commit to participating in key aspects of the program and Council members are encouraged to participate in all aspects as their time commitments allow.

BACKGROUND/HISTORY:

“Growing Great Places Together” is the slogan of Communities in Bloom. It captures the essence of the program.

Communities in Bloom is a National program that the Town of Pincher Creek has participated in for over 20 years. It provides direction in best practices, community involvement, economic and social benefits and environmental stewardship.

The vision of the National CiB is to inspire communities to enhance the quality of life and our environment through people and plants in order to create community pride. It is a volunteer and partnership-driven organization that uses a multitiered competitive evaluation process to foster community strength, involvement and continuous improvement. This is accomplished by nurturing environmental sustainability, enhancements of green spaces, and heritage conservation, in cultural and natural environments encompassing municipal, residential, commercial, and institutional spaces.

The program includes hundreds of communities across the country and an international challenge involving communities from the United States, Asia and several European countries.

The program invites communities to enter at the Provincial or National level and they are provided with information on how to prepare for judging. Communities

are then visited for 1 to2 days in early summer by a volunteer jury of trained professionals who will evaluate the accomplishments of their entire community (municipal, private, corporate and institutional sectors, citizens) in six key criteria areas: Community Appearance, Environmental Action, Heritage Conservation, Tree Management, Landscape and Plant and Floral Displays. After judging, the community is provided with a full evaluation report with recommendations and a bloom rating and score. This document provides recommendations to encourage improvements before the next evaluation.

The participating Communities unanimously agree that growth in civic pride, a positive sense of community and tangible improvements are generated by their involvement. Communities in Bloom is a citizen led community economic development program with a return on investment that is measurable, predictable and accountable.

In order for a community to enter the National Competition they must first win provincially. Pincher Creek entered in Alberta Communities in Bloom in 1989 and won the provincial title for our population category in 2001 and 2007. Our population category is 3001 to 5000 people. Pincher Creek went on to win the National competition for our population category in 2009. That was kind of unexpected and it was great fun to come back to Pincher with our trophy and show it off around town. Our community has really bought into the idea of Communities in Bloom and is always interested in when the judges are coming and in how we do in the judging. In 2010 we won the National Award for Community Involvement. Our prize for winning that award was that we were visited by Mark Cullen, a spokesman for Home Hardware and also a nationally known gardener. Mark is a very big part of Communities in Bloom. He spoke to a capacity audience at Matthew Halton High School the evening that he was here. We took him on a tour of the Town and got many valuable pointers from him. Since winning the National Competition in 2009 and again in 2015, Pincher Creek was invited to participate at the International level – imagine that! We were visited by international judges in both 2016 and 2018 but not since. To explain further, a community is required to be evaluated by the judges at least every 3 years. When being evaluated, they can decide if they also wish to compete against the other communities or just receive the evaluation to help keep up their bloom rating. Also, communities can choose to take a bit of a break during the 3 years and be “non-evaluated.” – However they are expected to still participate in the program and keep up with their regular initiatives.

At the National Symposium each year, after the awards are given out, each community gets a very detailed Evaluation Form that is usually about 20 pages long. For example, in 2018, under Heritage Conservation there were 12 different areas that we received marks on. Heritage Conservation is an area that we usually do well on thanks to Kootenai Brown Pioneer Village and Heritage Acres Farm Museum. Another area that we do well on is Floral Displays! This, of

course, is thanks to the Pincher Planters. They deserve a huge thank you from all the citizens of our Town! And of course, the Oldman River Rose Society has done a beautiful job of the Rose Garden at Lebel Mansion and of their own gardens around the community! The Rose Society celebrated 15 years in 2022.
The most valuable part of the program is the knowledge that we have gained from being in the program. We have had many judges here over the years, all of whom are experts in their fields. Their recommendations and feedback have been invaluable.

As mentioned, the last time that Pincher Creek was evaluated by the Communities in Bloom judges was July of 2018. We were due to be evaluated in 2022 (one year's grace due to Covid). However the committee decided to put off that evaluation until 2023. We will be judged July 18 to 20th this year.

Another award that we have won a couple of times is Tidiness. One year when the judges were here we were asked if we had someone going ahead of the judging group picking up the litter. Our reply was no, we didn't but if we had thought of it we would have done that.

These awards are generally presented at the 3 day National Symposium in the Fall of the year. These symposiums are held in different cities across Canada. The Symposium contains many learning sessions and it is always beneficial to find out what other communities are doing.

During Covid, CIB had to go to Virtual Symposiums. And of course it was not possible to have judges visit communities. At the first virtual symposium In September of 2020, Pincher Creek won the awards for Floral Displays and Urban Forestry. As we won two awards that year we did not enter competitions in 2021.

Attached please find a draft itinerary as well as new initiatives since our last evaluation.

ALTERNATIVES:
Council can choose to pass on participating this year.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
Councils participation in the past has always been appreciated both by the council but also by the CIB committee and the judges.

FINANCIAL IMPLICATIONS:
Cost of council participating

PUBLIC RELATIONS IMPLICATIONS:
The residents and the committee work very hard to make our community beautiful. It is important to see the councils support.

ATTACHMENTS:
CIB Itinerary

COMMUNITIES IN BLOOM – RECENT INITIATIVES SINCE 2018 JUDGING

CONCLUSION/SUMMARY:
Administration encourages and supports as much participation as possible during the evaluation process.

Signatures:
Department Head: La Vonne

CAO: Angie Lucas

CIB Itinerary
July 19

8 am – 9:30 am	Meet and greet Council Chambers – In attendance mayor, council, TOPC managers, CIB committee, Farley Wruth
9:30 am – 12:00 pm	Tour • Lebel Mansion • Pioneer Cemetery • Centopah Park/murals • Crestview Lodge
12:00 pm – 1:00 pm	Crestview Lodge Gazebo – lunch
1:00 pm – 3:00 pm	Tour • Parks • Industrial • Public flower beds • Lois Everts
3:00 pm – 5:00 pm	Judges back to hotel – evaluation
5:00 pm – 7:30 pm	CIB Social- Kootenai Brown Museum • Council • Business in Bloom Awards • CIB Committee • Pincher Planters • Oldman Rose Society

COMMUNITIES IN BLOOM – NEW INITIATIVES SINCE 2018 JUDGING

COMMUNTIY APPEARANCE

- Country Vets Dog Park Clean-up
- Yard of the Week – new format 2022
- Mural repair (Cattle Drive); budget for Downtown Business mural??
- Ongoing: Business in Bloom, Shoreline Clean-up, Pitch In, Tidy Tuesdays etc.
- Dog dispenser posts/bags installed along trail
- Off leash dog areas open with signage and dog posts
- Repair & operation of Cenotaph fountain (2022?)
- New bike rack by Arena (2023)
- Downtown planter program initiated (2019??)
- Peace Officer position changed to Bylaw Officer – greater focus on Town bylaw enforcement (nuisance, noxious weeds etc.) - 2023
- Council approved budget for replacement of 400m of sidewalks in 2023

ENVIRONMENTAL ACTION

- New utility bylaw (re: water restrictions etc.) - 2023
- Proposal for solar farm- 2023
- New Pincher Creek ECO Centre (Town & MD – replacing Recycling Depot)- 2022
- Pincher Municipal Energy Project: Grant from Municipal Climate Change Action Centre and Town contribution of 10,000/year; Project Lead (Tristan Walker) appointed; Goals; Projects - modernization of MPF and Arena (cold water ice making & maintenance, wrapping of hot water pipes in pool mechanical room etc.); new thermostats at Golf Clubhouse ($59,000/year reductions & 288 tonnes green house gas reductions (more detailed info from Tristan Walker and Adam)
- Water/wastewater projects – twinning of sanitary force main to sewage lagoons; water treatment plant disinfectant upgrade from chlorine to sodium hypochlorite; replacement of 2 waterlines under the creek by Ag grounds to minimize future flooding impact.
- Drinking Water Safety Plan and Flood Safety Plan completed by Town
- EVC Charging station up & running (usage?)
- Discussions on deer management
- Outdoor Farmers Markets – new format
- Grade 6 Canyon School - Bluebird boxes constructed, installed & monitored (2022)
- High School Shop Classes – constructed 10 bird boxes for Vista Village courtyard area (2020)
- Food security – new food bank location with garden in back (think garden is still used?)
- Environmental Week promotions & activities

HERTITAGE CONSERVATION

- Kootenai Brown Museum (talk to Farley – may be more building improvements?)
- Rocky Mountain Replica Building – opened Sept. 14, 2019; David Halton guest speaker - has total of 28 buildings & 22,000+ artifacts
- A.E. Cox Survey Office – opened Aug 1, 2020
- Rural Historical Driving Tour s– Offered 2022 & 2023
- Museum closed Dec. 2020 and opened June 2021 (Covid). July 1 2021 Canada Day bumped back to August 2021
- Other New Museum projects: Alberta Day Celebration;(2022); Cruise & Shine – Fathers Day week-end; Shindig (I and II -Aug. 2022 & 2023) which children's activities, author historical book signings, country market, dance; Talking Tombstones evening event (Aug 2023); Halloween in the Village (2022 & 2023); Upcoming – Celebrating 150 years of Mounted Police (Sept. 2, 2023); Christmas in the Village (not sure when started this event?)
- Heritage Acres
- Victory Garden project – started in 2020 (Covid)– 1,100 pounds of potatoes & 180 pounds carrots
- Fall Fair – started in 2020
- Cyr House – Official opening 2021 along with Quilt show and floral displays
- Blacksmith Shop & Show – Official Opening 2021

- PC Places of Interest historical driving tour of heritage buildings/homes and sites in Pincher Creek (BJ working on – ready 2023)
- Update of Walking Tour Booklet?
- Pincher Creek High School Reunion for Grads up to 1973; June 30 – July 2, 2023
- Loss of King Edward Hotel to fire– Feb 2020
- Lebel Mansion – Rebuild of front steps & verandah (2021); installation of elevator for barrier free access to all levels (2021); Balcony Series music concerts commenced in 2022
- PC Coop – 100 years Anniversary Celebration in Aug 2022 and History Book being published (might be available by summer); permanent signage to be installed in Ranchland Mall
- PC Community hall – 50 years Anniversary Celebration June 2022
- Historical Signage Committee initiated – 2022. Looking to install permanent signs on pre-1950 buildings along Main Street; update of historic information posters for on other businesses and buildings along Main Street
- Black foot Confederacy Flag raised in front of Library, Blessing and Honour Walk down Main Street, June 2022 (1st time flag raising)
- Indigenous Cultural Event – Pincher Creek Health Centre 2021
- Truth & Reconciliation Day event – Prayers and Smudge, PC United Church 2021 and 2022

TREE MANAGEMENT

- Hiring of a Parks Coordinator with tree maintenance training

- New trees planted at campground, childcare centres and other??? (Brock – not sure of number and where planted)
- Tree removal -dangerous old cottonwoods/branches along creek
- Tree pruning/maintenance at various parks and over winter months (Brock to provide details)
- Health Centre Grounds Tree planting plan – Prepared by Windy Slopes Health Foundation – 2022 funding application made to Tree Canada but denied. Planning to proceed in 2023 with a reduced $20,000 project. (Diane)
- CIB Achievement Award for Tree Planting Project (Rhonda)

LANDSCAPE

- United Church courtyard improvements (paving stones, benches, planters) – 2020
- Landscaping plan around new childcare facilities – 2020
- Park benches & dog posts installed; trail map installed on trail signs
- Southern Alberta Summer Games – sport field improvements and games (2019) – 50th Anniversary
- Paved area at Castleview used year round activities; improved ice making
- Dog park completed – fencing (2019) tree planting (2020) & water supply (2023)
- Tumbleweed Avenue Path (behind Coop) – hard surface with trees planted connecting to existing walkways
- Rock & memorial plaque installed by flag poles at PC Health Centre – dedicated to health care workers during COVID – 2022
- Disc Golf course completed (2019??)
- Coordinator of Parks & Open Spaces hired – 2022
- Get Active Initiatives - Equipment lending; scavenger hunts, parks passport, activity kits, family weekly photo contest – gets people out to enjoy Town greens spaces
- Promotion of spring maintenance work being done on sportfields & parks (Shootin the Breeze)
- Golf course irrigation improvements (2020); other irrigation improvements (Brock to provide)
- Trail Map – developed and printed; available to public
- Way finding Program (Town Signage) Completed
- A second Columbarium to be added to cemetery in 2023 (not sure of status of this)
- New Parks & Recreation Master Plan accepted by Council 2022?

PLANT & FLORAL DISPLAYS

- Downtown Planter Program (how program offered & how expanded)
- Color of the year for flowers – list color each year from 2020 – 2023
- Victory Garden at Heritage Acres – volunteers plant, weed and provide potatoes and carrots to Food bank
- Snodgrass Funeral Home – Oak Barrel Flower Planter Contest (2022)

- Celebration for 25 years of Pincher Planters and 15 years for Rose Society (2022)
- Sweet Pea Challenge – end of July (Rose Society)
- Flower Festival at Lions Den – in conjunction with Fair & Rodeo (Rose Society) 2019 – 2023
- CIB Garden of the Week - new format 2022 to pay it forward
- CIB Garden Week
- Rotary Club donation of $1,000 to Pincher Planters in 2022
- Rose Society request to Council for assistance re: deer fencing at rose garden 2023

Other New Planning Documents:

- Parks & Recreation Master Plan (2021-2022) –#1 priority is trail system enhancements and expansions (is there a map?)
- Community Economic Development Strategy
- NE Area Structure Plan – 2021 (parks & open space area included in storm pond/wetland area)
- Water & Wastewater Bylaw (staged water restrictions, emergency watering allowance; proper disposal of business & industrial waste)
- Water Infrastructure Vulnerability Report (2020)

Ongoing Initiatives/Events:

- **Parade of Lights**
- Joint Council funding ($190,000 for groups/organizations) annually
- Christmas in the Village
- Cowboy Christmas – PC United Church
- Christmas Decorating Challenge
- Winter Lights Competition
- Pitch in Week – mid April
- Tidy Tuesday – starts mid-April
- Communities in Bloom Week - first week in May
- Day of the Creek
- Volunteer Appreciation Events
- Cowboy Show & Ranch Rodeo
- Buck Wild & Ranch Rodeo Bronc Riding
- Used Book Sale (2 X per year)
- Metis Week Ceremony
- Canada Day Ceremony & Celebrations & Fireworks
- Pincher Creek Parade & Rodeo
- Pincher Creek Lemonade Day
- Children's Festival
- Moonshadow Run
- Halloween in the Village
- Graveside Flags at Cemetery & Remembrance Day Ceremony
- Lebel Mansion – Gallery Shows
- Heritage Acres Annual Shows

- Hanging Basket Program in downtown

Follow-up from 2018 Judges Comments
(I do not have a copy of the judge's comments – maybe see what has been addressed)

Some ideas to Highlight in morning meeting with Judges (separate agenda for this)

- Historical Background of Pincher Creek, Museums in area (Kootenai Brown and Heritage Acres)
- History of CIB Involvement/Pincher Planters/Hanging Baskets/ Downtown Planters
- Council Goals/Objective/Long Term Planning
- Municipal Energy Project
- Changes to recycling, landfill?
- Economic Development – support for businesses & downtown
- Parks Maintenance plans/changes and Mast Plan Highlights

AGENDA ITEM NO: 8.5

Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Library Board Appointment	
PRESENTED BY: LaVonne Rideout, Community Services	**DATE OF MEETING:** 6/26/2023

PURPOSE:
To review the recommendation that Anja Van Der Heijden be appointed to serve for a three year term on the Library Board.

RECOMMENDATION:
That Council for the Town of Pincher Creek agree that Anja Van Der Heijden be appointed to the Library Board for a term of three years.

BACKGROUND/HISTORY:
The Library Board is currently recruiting for a board member.

That Anja Van Der Heijden meets the requirements currently being recruited for and her appointment is supported by the Library Manager.

According to the Intermunicipal Library Agreement an individual can serve from 1-3 terms up to a maximum of 9 years.

ALTERNATIVES:
That the Board continue the recruitment for a board member.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:
N/A

FINANCIAL IMPLICATIONS:
N/A

PUBLIC RELATIONS IMPLICATIONS:
N/A

ATTACHMENTS:
Library Board Appointment - 3199

CONCLUSION/SUMMARY:

Administration would like to thank Anja Van Der Heijden for her commitment to our community and specifically the library and is in support of her appointment to this position.

Signatures:
Department Head: La Vonne

CAO: Angie Lucas

TOWN OF PINCHER CREEK
Box 159, 962 St. John Avenue, Pincher Creek, AB T0K 1W0
403-627-3156 Fax: 403-627-4784 www.pinchercreek.ca
Email: reception@pinchercreek.ca

APPLICATION FOR CITIZEN APPOINTMENT TO BOARDS AND COMMITTEES

This application form provides background information on those who wish to serve on the various Town of Pincher Creek Boards and Committees.

NAME: Adriana (Anja) Van Der Heijden

ADDRESS (civic and box number): [redacted]

TELEPHONE NUMBER: (daytime) [redacted] (evening) [redacted]

EMAIL ADDRESS: [redacted]

BOARD OR COMMITTEE INTERESTED IN SERVING ON: Library

TERM: ○ 1 YEAR ○ 2 YEARS ◉ 3 YEARS

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD OR COMMITTEE?
I have had a lifelong interest in learning, education and libraries.
From first hand experience, I saw and still see how a library serves and enhances the wellbeing of a community and its members.
It always has been my intent to give back to the community where I live and in an area I am passionate about.

BACKGROUND INFORMATION: (Education, Work Volunteer Positions, Previous Board or Committee Experience): Industrial Chemical Lab Technician (Netherlands), Laboratory Instructor at U of R, SK.
I assited vision impaired with reading relevant texts for their studies,was a judge at the annual Science Fairs,
taught Workplace Hazardous Information Materials Information Systems and served on the Faculty Association.
Currently I am chair of the Friends of the Pincher Creek Library (FOL).

PERSONAL GOALS AND OBJECTIVES you would like to see reached on the Board or Committee for which you are submitting your name: I would like to see the library grow with the times,
while maintaining the integrity and the goal of serving the community and its members at large.
I would like to take part in the future expansion of the library, where there will be spaces for special programs,
for community members in all age groups.

The information requested is being collected for the purpose of appointing citizens to Boards & Committees for the Town of Pincher Creek under the Freedom of Information and Protection of Privacy Act and is protected by the Act. If you have any questions about this contact the FOIP Coordinator at 403-627-3156.

Town of Pincher Creek
COUNCIL DISTRIBUTION LIST
June 26, 2023

Item No.	Date	Received From	Information
1.	June 12, 2023	Citizen	Letter
2.	May 10, 2023	Safety Codes Council	2022 Annual Internal Review-fire - Response - Municipal District Of Pincher Creek No. 9 / Town Of Pincher Creek
3.	June 13, 2023	Crowsnest Pass	Letter of Support - For Watercraft Inspection Station
4.	June 19, 2023	Red Cross	Canadian Red Cross – Immediate Support for Not-For-Profit Organizations Program – 2023 Alberta
5.	June 20, 2023	Minister McIver	Letter from Minister McIver