

AGENDA
COUNCIL MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
October 12, 2021
1:00 pm
**** via GoToMeeting**

- A. ADOPTION OF AGENDA
- B. DELEGATIONS
- C. MINUTES/NOTES
1. Council Committee Meeting Minutes
 - September 28, 2021
 2. Council Meeting Minutes
 - September 28, 2021
- D. BUSINESS ARISING FROM THE MINUTES
- E. UNFINISHED BUSINESS
1. Bylaw 1330-21 Municipal Development Plan
 - Presented for Second Reading (with itemized amendments from Public Hearing)
 - Third Reading
- F. COMMITTEE REPORTS / DIVISIONAL CONCERNS
1. Councillor Quentin Stevick – Division 1
 2. Councillor Rick Lemire – Division 2
 3. Councillor Bev Everts– Division 3
 4. Reeve Brian Hammond - Division 4
 5. Councillor Terry Yagos – Division 5
- G. ADMINISTRATION REPORTS
1. Operations
 - a) Operations Report
 - Report from Administration and Public Works dated October 6, 2021
 - Call Log
 2. Finance
 - a) Recycle Agreement – Town of Pincher Creek Reimbursement
 - Report from Director of Finance, dated October 6, 2021
 - b) Q3 Financial Summary
 - Report from Director of Finance, dated October 7, 2021
 3. Planning and Development
 - a) AES Report for October
 - Report from AES
 - b) Road Closure Resolutions N ½ 26-7-2 W5M
 - Report from Director of Development and Community Services dated October 5, 2021
 4. Municipal
 - a) Chief Administrative Officer Report
 - Report from CAO, dated October 7, 2021
 - b) Pincher Creek Regional Emergency Management Agency Operating Budget
 - Report from Administration dated October 6, 2021

H. CORRESPONDENCE

1. For Action

- a) Request from Pincher Creek Legion
 - Letter dated September 29, 2021
- b) Repair to Fence by Contractors
 - Letter and bill from Tetley Creek Ranch

2. For Information

- a) Town of Pincher Creek Lagoon Release
 - Letter from Town of Pincher Creek dated September 15, 2021
- b) Protective Services – Ambulance Service
 - Letter from the County of Vermilion River dated October 4, 2021
- c) Foremain Break
 - Letter from Town of Pincher Creek dated October 6, 2021

I. NEW BUSINESS

J. CLOSED MEETING SESSION

K. ADJOURNMENT

MINUTES
COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
Tuesday, September 28, 2021 9:00 am
Via GoToMeeting

Present: Reeve Brian Hammond, Deputy Reeve Rick Lemire, Councillors Terry Yagos, Bev Everts and Quentin Stevick.

Staff: CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, Public Works Superintendent Eric Blanchard, Director of Finance Meghan Dobie, Finance and Asset Management Specialist Brendan Schlossberger and Executive Assistant Jessica McClelland.

Reeve Brian Hammond called the meeting to order, the time being 9:00am.

1. Approval of Agenda

Councillor Quentin Stevick

Moved that the agenda for September 28, 2021 be amended to include a discussion on the Beaver Mines Letter,

AND THAT the agenda be approved as amended.

Carried

2. 2022 Operational Budget

Director of Finance Meghan Dobie presented the draft 2022 Operational Budget to Council for question and review. A finalized version will be presented at the October 14, 2021 Council meeting for approval.

3. Closed Session

Councillor Rick Lemire

Moved that Council move in to closed session to discuss the following, the time being 11:14 am:

- a) Personnel – FOIP Section 17
- b) Beaver Mines Letter – FOIP Section 17

Councillor Terry Yagos

Moved that Council open the Council meeting to the public, the time being 11:47 am.

4. Adjournment

Councillor Bev Everts

Moved that the Committee Meeting adjourn, the time being 11:48 am.

Carried

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
REGULAR COUNCIL MEETING
SEPTEMBER 28, 2021

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, September 28, 2021, at 1:00 pm, via GoToMeeting.

PRESENT Reeve Brian Hammond, Deputy Reeve Rick Lemire, Councillors Terry Yagos, Quentin Stevick and Bev Everts.

STAFF CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, Director of Finance Meghan Dobie, and Executive Assistant Jessica McClelland.

Reeve Brian Hammond called the meeting to order the time being 1:00 pm.

A. PUBLIC HEARING 1332-21 (Road Closure)

1. Call Public Hearing to Order

Reeve Hammond called the Public Hearing to order, the time being 1:00 pm.

2. Advertising Requirement

This Public Hearing has been advertised in accordance with Section 606 of the Municipal Government Act. This Public Hearing was advertised in the Shootin the Breeze on September 15, 2021 and September 22, 2021, as well as the MD website and MD Social Media pages.

3. Purpose of the Hearing

The purpose of Bylaw No. 1332-21 is to close to a portion of undeveloped road plan for lease purposes, being:

ALL THOSE PORTIONS OF ROAD PLAN 3899BZ WITHIN THE E.1/2 SEC. 25-9-1 W5M CONTAINING 2.48 HECTARES (6.13 ACRES) MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

4. Overview of Bylaw 1332-21

Director of Development and Community Services Roland Milligan gave an overview of Bylaw 1332-21.

5. Presentations:

VERBAL:

Reeve Hammond asked if anyone in the audience wished to make a statement, none wanted to speak.

WRITTEN:

Reeve Hammond asked if any additional written submission had been received, only the two provided to Council were received.

6. Closing Comments

Reeve Hammond asked if Council has any further questions, there were no further questions.

7. Adjournment from Public Hearing

Councillor Quentin Stevick closed the Public Hearing the time being 1:07 pm.

Minutes
 Regular Council Meeting
 Municipal District of Pincher Creek No. 9
 September 28, 2021

B. PUBLIC HEARING 1330-21 (Municipal Development Plan)

1. Call Public Hearing to Order

Reeve Hammond called the Public Hearing to order, the time being 1:07 pm.

2. Advertising requirement

This Public Hearing has been advertised in accordance with Section 606 of the Municipal Government Act. This Public Hearing was advertised in the Shootin the Breeze on September 15, 2021 and September 22, 2021, as well as the MD website and MD Social Media pages.

3. Purpose of the hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1330-21. The purpose of bylaw 1330-21 is to replace Municipal Development Bylaw No. 1062-02. A number of changes have been proposed to the Municipal Development Plan which may have an effect on individuals. Interested parties are encouraged to review the new bylaw. Major changes include:

1. Agriculture and confined feeding operation policies have been broadened and clarified.
2. Transportation, Infrastructure and Community Assets policies have been broadened and clarified.
3. Policies for wind energy conversion systems were reviewed and updated.
4. The requirements for area structure plans have been modified and requirements for campground proposals added.
5. Policy regarding the Environment and Natural Capital have been updated and augmented to reflect the current provincial policy and guidelines.
6. Subdivisions policies for hamlets and other land districts have been added.

Overview of Bylaw 1330-21

Planner Gavin Scott gave an overview of Bylaw 1330-21 and explained the proposed changes to the Municipal Development Plan.

4. Presentations:

VERBAL:

Reeve Hammond asked if anyone in the audience wishes to make a statement.

Randy Baker spoke to his concerns on resource extraction, mainly gravel pits and his issue with the lack of rules in the bylaw surrounding reclamation, dust, traffic and hours of operation.

WRITTEN:

Reeve Hammond asked if any further submissions were received other than the 34 submissions that were received and are part of the Council package. No further submissions were received.

5. Closing Comments

Reeve Hammond asked if Council has any further questions, no further questions were asked.

6. Adjournment from Public Hearing

Councillor Rick Lemire closed the Public Hearing the time being 1:22 pm.

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C. ADOPTION OF AGENDA

Councillor Bev Everts 21/360

Moved that the Council Agenda for September 28, 2021 be amended to include:

- Correspondence Action – Halloween In The Village
- Closed Session – FCSS Request – FOIP Section 17

And that the agenda be approved as amended.

Carried

B. DELEGATIONS

Delegations were scheduled to start at 2:00 pm, Council continued on the agenda until delegations arrive.

C. MINUTES

1. Committee Meeting Minutes

Councillor Quentin Stevick 21/361

Moved that the Minutes of the Committee Meeting on September 14, 2021 be approved as presented.

Carried

2. Council Meeting Minutes

Councillor Terry Yagos 21/362

Moved that the Minutes of the Council Meeting on September 14, 2021 be approved as presented.

Carried

D. BUSINESS ARISING FROM THE MINUTES

E. UNFINISHED BUSINESS

F. COMMITTEE REPORTS / DIVISIONAL CONCERNS

1. Councillor Quentin Stevick – Division 1
 - a) Chinook Arch Newsletter
2. Councillor Rick Lemire – Division 2
 - a) Emergency Advisory Committee
 - b) Pincher Creek Foundation
3. Councillor Bev Everts– Division 3
 - a) FCSS
4. Reeve Brian Hammond - Division 4
 - a) Crowsnest/Pincher Creek Landfill
 - b) Pincher Creek Foundation
5. Councillor Terry Yagos – Division 5
 - a) Pincher Creek Emergency Commission

Councillor Quentin Stevick 21/363

Moved to accept the Committee Reports and information.

Carried

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Public Works Superintendent Eric Blanchard attended the meeting at this time to discuss the call logs.

B. DELEGATIONS

MLA Roger Reid

Roger Reid attended the meeting at this time to meet with Council, virtually, and thank them for their service as 4 Councillors have not sought re-election for next term. He requested if there was anything he can do to assist the Municipality with any concerns in the area. Council spoke of the need for the Province to look into assessment review, RCMP back pay, as well as the need for broadband initiative to provide quality internet to rural residents. The Member was also asked to look in on Covid procedures and assistance for assisted care homes such as the Foundation run home here in Pincher Creek that is outside of AHS mandate.

Council thanked MLA Reid for attending the meeting and wished him well in his continued service to the residents.

MLA Roger Reid left the meeting at this time, the time being 2:38 pm.

Municipal Energy Manager Program

Municipal Energy Project Lead, David Desabrais, attended the meeting at this time to update Council on the Municipal Energy Program. The program is aimed to reduce GHG emission, increase energy efficacy and save the municipalities money. David reviewed MD energy costs over the past few years, and plans to save energy moving forward.

Council thanked Mr. Desabrais for attending and for his work on this project.

David Desabrais left the meeting at this time, the time being 3:10 pm.

G. ADMINISTRATION REPORTS

1. Operations

a) Operations Call Log

Councillor Quentin Stevick 21/364

Moved that Council receive the Operations report, which includes the call log, for the period September 15, 2021 to September 28, 2021 is received as information.

Carried

Eric Blanchard left the meeting, the time being 3:28 pm.

2. Finance

a) Draft Asset Management Policy

Councillor Terry Yagos 21/365

Moved that draft policy A-ADMIN-004 Asset Management Policy be approved as presented.

Carried

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3. Development and Community Services

a) Agricultural Environmental Services Monthly Report

Councillor Quentin Stevick 21/366

Moved that the Environmental Services Monthly Report for September and August 2021 be received as information.

Carried

b) Conceptual Master Plan for Golf/Curling Club Relocation

Councillor Quentin Stevick 21/367

Moved that Council receive the conceptual master plan for golf/curling club relocation report be received as information.

Carried

c) Road Closure Bylaw 1329-21 Mundell, Adjacent to NE 26-4-30 W4M

Councillor Terry Yagos 21/368

Moved that Council give second reading to Bylaw 1329-21, being the Bylaw to close a portion of Statutory Road Allowance lying adjacent to NE 26-4-30 W4M.

Carried

Councillor Bev Everts 21/369

Moved that Council give third reading to Bylaw 1329-21.

Carried

4. Municipal

a) Chief Administrative Officer Report

Councillor Bev Everts 21/370

Moved that Council receive for information, the Chief Administrative Officer's report for the period of September 15, 2021 to September 28, 2021.

Carried

b) Appointment of Director of Emergency Management

Councillor Terry Yagos 21/371

Moved upon the recommendation of the Emergency Advisory Committee, that Council appoint Brett Wuth as the designated officer Regional Director of Emergency Management under the Emergency Management Bylaw.

Carried

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 Regular Council Meeting
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H. CORRESPONDENCE

1. For Action

a) Request for Sponsorship – Awards of Excellence

Councillor Rick Lemire 21/372

Moved that Council sponsor the Pincher Creek and District Chamber of Commerce Awards of Excellence as a 2021 Sponsor for \$450+GST, with the amount coming from the grants to groups (2-75-0-770-2765).

Carried

b) Letter of Complaint – Removal of Trees in Beaver Mines

Council directed that administration draft a letter to the concerned Beaver Mines resident explaining the plans for reforestation following the construction of the water/waste water lines in the hamlet. And that although the removal of the trees was a shock to the residents, the construction was necessary to see the project continue.

c) Halloween in the Village

Councillor Bev Everts 21/373

Moved that the Council support the community event with Kootenai Brown Pioneer Halloween in the Village, and that staff arrange decorating and purchase of candy.

Carried

2. For Information

a) Royal Canadian Mounted Police (RCMP) Retroactive Pay Letters

Councillor Rick Lemire 21/374

Moved that Council send a letter in regards to the RCMP retroactive pay that is being proposed by the Alberta Government, mainly the concerns that the smaller municipalities are already struggling to cover the cost of policing in the province and adding this charge would cause further burden to taxpayers.

Carried

b) Bill C-21 – Changes to the Criminal Code and the Firearms Act

Councillor Quentin Stevick 21/375

Moved that the letter regarding Bill C-21 – Changes to the Criminal Code and the Firearms Act be received as information.

Carried

c) Code of Conduct

Councillor Bev Everts 21/376

Moved that a letter be sent to Honourable Ric McIver regarding the importance of continuing to keep the Council Code of Conduct Bylaw requirement as a legislated requirement,

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AND THAT Council feels it is imperative that the option of imposing sanction on Council members continues as necessary.

Carried

I. NEW BUSINESS

J. CLOSED SESSION

Councillor Quentin Stevick 21/377

Moved that Council move in to closed session to discuss the following, the time being 4:23 pm:

- a) Joint Funding 2022 – FOIP Section 17
- b) Request to Purchase Land – FOIP Section 19
- c) FCSS 2022 Contribution – FOIP Section 17

Carried

Councillor Quentin Stevick 21/378

Moved that Council open the Council meeting to the public, the time being 5:00 pm.

Carried

a) Joint Funding 2022

Councillor Rick Lemire 21/379

Moved that Council approve the 2022 Joint Funding on a per capita basis, at \$28.76 per capita, for a total contribution of \$85,266; and further

Moved that Council agrees to fund the following organization for 2022:

1	Grant Writer Position	\$53,500
2	Adaptable Outdoors	\$2,500
4	Allied Arts	\$15,000
5	Beaver Mines Community Association	\$1,000
6	Chamber, Pincher Creek	\$3,500
7	Community Food Centre, Pincher Creek	\$5,000
8	Community Hall, Pincher Creek	\$15,000
9	Cowley Lions	\$3,000
10	Family Centre, Pincher Creek	\$5,000
11	Group Group Youth	\$2,500
12	HandiBus, Pincher Creek	\$15,000
13	High School Rodeo	\$500
14	Historical Society, Pincher Creek	\$20,000
16	Lundbreck Citizens Council	\$1,500
17	Lundbreck Gardeners Club	\$1,000
18	Oldman River Antique Equipment Society	\$20,000
19	Pincher Planters	\$7,500
20	Royal Canadian Legion, Pincher Creek	\$15,000
22	Twin Butte Community Society	\$2,500
23	Windsor Heritage Drop In Centre	\$1,000

Councillor Rick Lemire 21/380

Moved that Council approve the additional funding for the Grant Writer in 2022, on a per capita basis, at \$3.25 per capita, for a total contribution of \$9,648.

Carried

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b) Request to Purchase Land

Councillor Quentin Stevick 21/381

Moved that as there is no benefit to the Municipality, Council deny the applicants request to purchase Municipal land.

Carried

c) Family and Community Support Services (FCSS) 2022 Contribution

Councillor Bev Everts 21/382

Moved that Council accept as information the 2022 FCSS list of grant applications and administration budget in the amount of \$286,664.50.

Carried

K. ADJOURNMENT

Councillor Terry Yagos 21/383

Moved that Council adjourn the meeting, the time being 5:01 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

Attachment
- “Schedule A”

Attachment

- “Schedule B” revisions shown in red.

1. Revise Objective 4 under 9. Natural Resources to read as follows:

4. To cooperate with other agencies involved in the management of natural resources, for the preservation of habitat and protection of water quality **and quantity**.

2. Revise Policy 9.4 under 9. Natural Resources to read as follows:

9.4 Where appropriate, buffering, **berming**, and screening between the natural resource extraction and adjacent land uses shall be required as a condition for development approval.

3. Revise Policy 9.5 under 9. Natural Resources to read as follows:

9.5 All natural resource extraction operations shall adhere to applicable provincial standards, provincial conditions of approval, and a reclamation certificate from Alberta Environment shall be required. **All natural resource extraction operations shall also adhere to all requirements of the municipality.**

4. Revise Policy 9.6 under 9. Natural Resources to read as follows:

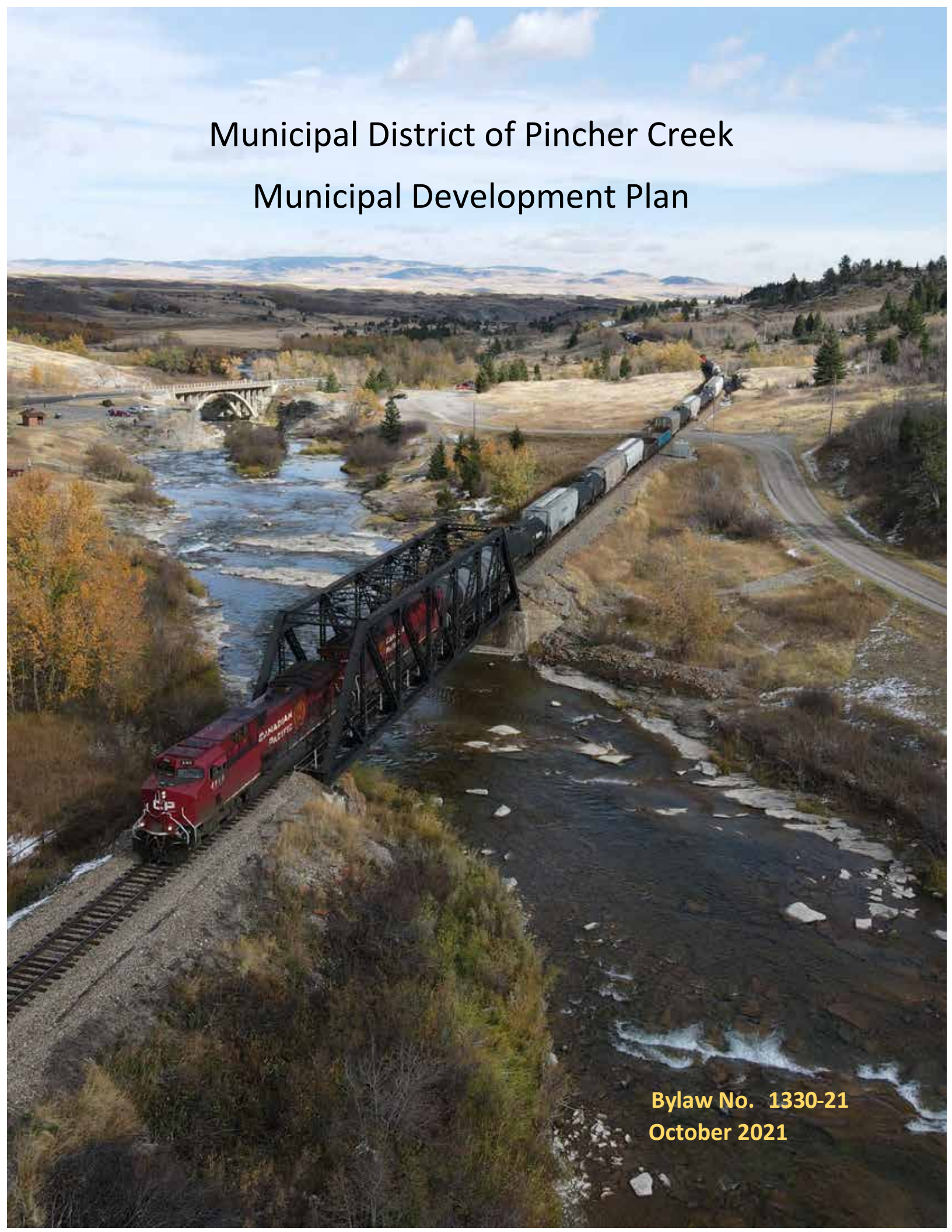
9.6 Consultation **and compliance** with provincial and federal governments shall be required to ensure the protection of the MD’s historic, environmental, natural, archaeological, and cultural resources, from the impacts of proposed resource extraction.

5. Revise Policy 17.3 under 17. Environment and its Natural Capital to read as follows:

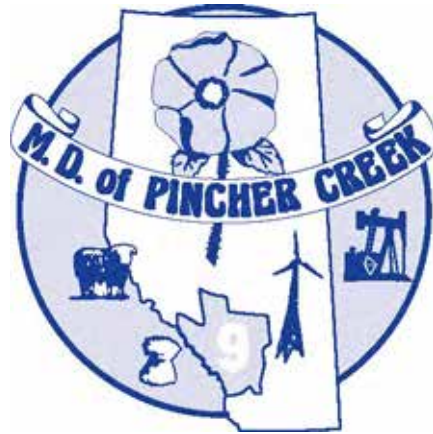
17.3 The municipality recognizes the following environmentally significant area documents:

- (a) *Environmentally Significant Areas in the Oldman River Region: Municipal District of Pincher Creek* (Cottonwood Consultants: for Alberta Forestry, Lands and Wildlife and the Oldman River Regional Planning Commission) 1987.
- (b) *Environmentally Significant Areas in Alberta: 2014 Update FINAL REPORT* (Report prepared for the Government of Alberta by Fiera Biological Consulting Ltd.) 2014.
- (c) Any subsequent ESA document adopted by the MD or the Alberta government.
- (d) **Any documented data set accessible through the Government of Alberta.**

Municipal District of Pincher Creek Municipal Development Plan



**Bylaw No. 1330-21
October 2021**



Cover photography courtesy of ORRSC



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Prepared for the MD of Pincher Creek No.9

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VISION AND MISSION STATEMENTS

“The Vision of the Council of the MD of Pincher Creek is a community that manages growth and supports our western heritage while preserving our natural environment.”

“Our Mission is to preserve and enhance our Western Canadian lifestyles and the natural capital of the MD of Pincher Creek through sound decision-making and good governance for the community.”

INTRODUCTION

The Municipal District of Pincher Creek No. 9 (MD) is a rural municipality and we celebrate our rural way of life. A large part of what our residents value about living within the MD is an appreciation for being rural and our western heritage. As a MD, we face pressures for growth and development and as such, need to balance these pressures against our rural character. We are defined by our land, our history and our abundant natural capital.

The statements above set the municipality’s vision and mission in pursuit of sound land use policy. Each policy that follows in this document should be a reflection of these statements as a balance is struck between competing land uses.

A. COMMUNITY PROFILE

Located in the southwest corner of Alberta (Map 1), the MD has a current population of 2,965 (2016 Census) which is distributed across 3,482 km². The municipality contains the quintessential Alberta landscape from prairie grass to mountain pass. Its assets are too numerous to list, but have sustained the area from the time of the first peoples through the time of the pioneers whose names still resonate within the community.

As a means of defining agriculture in the municipality, the *2016 Census of Agriculture* statistics for the MD generally finds that farms in the MD are owner operated, the majority are operated by persons 55 years old or older, technology has been generally implemented across the MD, and most require income outside the agricultural industry.

B. PLAN INTERPRETATION

This is a “living” document intended to provide the most current information available at the time of adoption. Given that understanding, the contents of this plan are reviewed and updated periodically. This document is made up of specific vision and mission statements, objectives, a series of policies related to the objectives, and the basic requirements set out by the Government of Alberta.

For developers, this document is to be read in conjunction with Government of Alberta documents, the Land use bylaw, other adopted statutory plans, Municipal District Engineering standards, and supplementary policy as developed by the MD.



For citizens, this document is meant to be a dialog on a vast array of topics providing the basis for open and transparent discussion and ensuring that citizens understand the direction of subdivision and development.

This document is not intended to limit ideas, but to put forward preferences in the pursuit of a great municipality.

Maps have been provided as part of this Municipal Development Plan to show the location of proposed land uses, confined feeding operation exclusions, and future transportation and utility corridors. For some planning areas, the boundaries will be refined through subsequent stages of planning including Area Structure Plans, Local Area Structure Plans, Area Redevelopment Plans, concept plans, land use redesignation and subdivisions. Minor changes to alignments or locations of map features may be undertaken as part of subsequent planning processes without amendment to this Plan.

If a development is proposed within the plan area of a higher-order statutory plan including the *South Saskatchewan Regional Plan* or an Intermunicipal Development Plan, the development must consider and conform to the policies of the higher-order statutory plan. If there is a conflict with a policy or regulation within a higher-order plan and the policies of this Municipal Development Plan, the higher order plan shall prevail.

All provincial and federal policies and regulations in effect shall apply and shall prevail over the policies contained within this Municipal Development Plan.

Development of this Document

This document was developed with the MD Council as the steering committee for the development of new policy. The basis of new policy was done through a series of Topic Reports which, for the most part, introduced new subject matter to Council that was not addressed in the existing MDP. These Topic Reports used two Values based documents as guides on what the region had to say about certain land use matters. These value documents are the *Community Values Assessment for the MD of Pincher Creek No.9*, Praxis Group, 2011 and the *Values and Voices: Stewardship Priorities for the Southern Alberta Foothills*, 2011.

With the value documents as a basis, new material was reviewed and discussed with Council who provided their thoughts on where the topic might fit into this new MDP. As part of those discussions, the policies utilized by other municipalities were reviewed for their approach to a topic.

C. PURPOSE

A municipal development plan is a compilation of vision, objectives and policies developed by a municipality and used as a tool by decision makers, residents and developers when evaluating and initiating land use proposals impacting the future growth of the municipality.

D. LEGISLATIVE REQUIREMENTS

A Municipal Development Plan (MDP) is a planning document enabled by statute or provincial legislation. In this case, the governing statute is the *Municipal Government Act Revised Statutes of Alberta 2000*, and more specifically Section 632, which outlines what must and may be included within a MDP. Accordingly, this plan must address:

- the future land use within the municipality;
- the manner and/or the proposals for future development within the municipality;

- the coordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities;
- the provision of the required transportation systems, either generally or specifically, within the municipality and in relation to adjacent municipalities;
- the provision of municipal services and facilities either generally or specifically;
- policies compatible with the *Subdivision and Development Regulation* to provide guidance on the type and location of land uses adjacent to sour gas facilities;
- policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities; and
- policies respecting the protection of agricultural operations.

In addition, the plan may address:

- proposals for the financing and programming of municipal infrastructure;
- the coordination of municipal programs relating to the physical, social, and economic development of the municipality;
- environmental matters within the municipality;
- the financial resources of the municipality;
- the economic development of the municipality;
- the municipality's development constraints, including the results of any development studies and impact;
- analysis, goals, objectives, targets, planning policies and corporate strategies; and
- any other matter relating to the physical, social or economic development of the municipality.

The *Municipal Government Act (MGA)*, Section 618.3 also mandates that municipal development plans must be consistent with the *Alberta Land Stewardship Act* in respect of the *South Saskatchewan Regional Plan (2014)* which was developed by the province in consultation with municipalities and other stakeholders in order for both levels of government to utilize consistent approaches and pursue a high level of cooperation and coordination with their areas of land use jurisdiction.

Further to compliance with the *South Saskatchewan Regional Plan (SSRP)*, the MDP must be in accordance with the MGA Section 638 be consistent with other statutory plans adopted by the MD including the Intermunicipal Development Plans with adjoining municipalities. It is not a requirement of the legislation for the MDP to be consistent with the Land use bylaw (LUB). Where the LUB and the MDP are inconsistent the Land use bylaw will prevail.

As illustrated in Figure 1, a municipal development plan sits below the provincial legislation and above most of the municipal requirements of the hierarchy of statutory planning documents and processes.

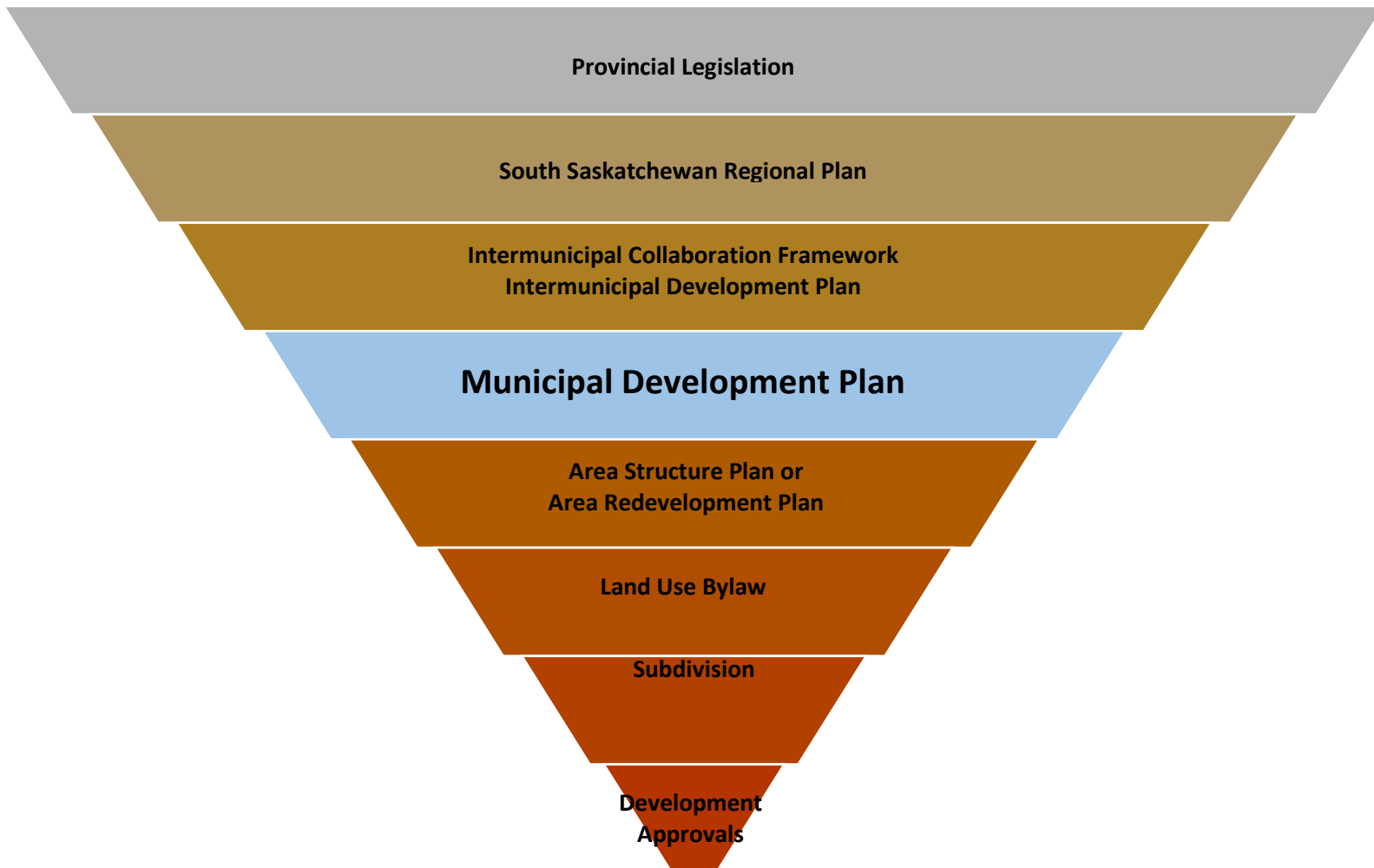


Figure 1: Planning Document Hierarchy

E. IMPLEMENTATION AND PROCEDURAL ISSUES

Context

The MDP is a statutory plan identified in the hierarchy of plans in the *MGA*. It has been prepared for the MD in accordance with the provisions of the *MGA*, the *SSRP* and the *Subdivision and Development Regulation*. The *MGA* requires all local plans and bylaws to be consistent with the provincial legislation and must be adopted by bylaw.

The *MGA* establishes a detailed public participation component which provides opportunities for input, referrals to adjacent municipalities and a mandatory public hearing prior to second reading of the bylaw. By the time this bylaw has received its third and final reading it will have been refined and rewritten based on the comments of ratepayers, municipal administration and elected officials.

With the final revisions made, the Plan will become the long-range planning document for the MD under which the Land use bylaw will provide further guidance to implement the day-to-day decisions regarding subdivision and development matters. Because the Plan envisions changes within the MD, it should be reviewed and amended regularly to maintain accuracy and relevance.

MDP amendments may be initiated by any party in accordance with the procedures established in the *Municipal Government Act*. Amendments may require public consultation and shall require approval from the MD Council via three readings plus a public hearing. Amendments to the MDP may require supplementary supporting information, providing details on the reason and nature of the change. The party initiating the change to the MDP shall be required to provide supporting documentation for the amendment.

POLICIES

1. The MDP shall be adopted and amended if required pursuant to Sections 230, 606 and 692 of the *MGA*.
2. Prior to adoption of the Plan, it shall be sent to adjacent urban and rural municipalities for their comments and concurrence.
3. The Land use bylaw shall be amended to comply with any policies that may be in contravention to this Plan.
4. Any amendments or changes to this Plan shall be forwarded to the MD planning advisor for review and comment.

Planning Policies Section 1
Waiver of MDP Policies



MUNICIPAL DEVELOPMENT PLANNING POLICIES

1. WAIVER OF MUNICIPAL DEVELOPMENT PLAN POLICIES

It is important to have consistent decisions made over time, however, because policies do not anticipate each circumstance, decision-making authorities need the ability to allow for periodic waivers.

- 1.1 In respect to policies in this plan, an approval authority may approve an application even though the proposed development, subdivision or redesignation does not comply with the municipal development plan if, in its opinion, the proposals would:
 - (a) be in accordance with the community spirit and image of the area of the proposal including landscape, traditional land uses or other community values;
 - (b) not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

- 1.2 When considering a waiver of the policies of this plan, the authority should consider:
 - (a) in the opinion of the Authority, the variance is minor;
 - (b) the comments of the appropriate persons and agencies have been considered;
 - (c) the waiver complies with other statutory plans and bylaws.

Planning Policies Section 2 Forestry Reserve & Other Public Lands



2. FORESTRY RESERVE AND OTHER PUBLIC LANDS

- 2.1 The municipality recognizes that it has jurisdiction over public or provincial Crown lands, under Section 640 of the *MGA*, and that its jurisdiction is limited or precluded in a variety of circumstances. Given this situation, while recognizing its responsibilities, the municipality shall exercise its jurisdiction to the extent that it deems necessary by establishing policies and implementing them through the land use bylaw and other appropriate means.

Provincial Planning

- 2.2 The MD acknowledges and supports the government's efforts in furthering the following:
- (a) Public Land Use Zones;
 - (b) Castle River Sub-Regional Integrated Resource Plan;
 - (c) Livingstone-Porcupine Hills Land Footprint Management Plan;
 - (d) Livingstone-Porcupine Hills Sub-Regional Integrated Resource Plan.

Planning Policies Section 3 Future Land Use in the Municipality



3. FUTURE LAND USE IN THE MUNICIPALITY

- 3.1 Major land use changes shall be accommodated, as far as possible, through redesignation in the land use bylaw and in accordance with the policies of this plan. Land use change that is not authorized by this plan shall require an amendment to this plan before the land use change can proceed.
- 3.2 For specific areas, other statutory plans such as area structure plans or intermunicipal development plans may refine the policies established herein. This plan recognizes the following statutory plans and the successors to these documents:
- (a) Burmis Lundbreck Corridor Area Structure Plan (including local ASP or concept plans contained within the plan boundary);
 - (b) Oldman River Reservoir Area Structure Plan (including local ASP or concept plans contained within the plan boundary);
 - (c) Castle Mountain Resort Area Structure Plan;
 - (d) MD Pincher Creek & Cardston County Intermunicipal Development Plan;
 - (e) MD Pincher Creek & Crowsnest Pass Intermunicipal Development Plan;
 - (f) MD Pincher Creek & MD of Ranchland Intermunicipal Development Plan;
 - (g) MD Pincher Creek & MD of Willow Creek Intermunicipal Development Plan;
 - (h) Municipal District of Pincher Creek and Town of Pincher Creek Intermunicipal Development Plan; and
 - (i) Municipal District of Pincher Creek and Village of Cowley Intermunicipal Development Plan.

See Guide Map - Map 2 for all plan boundaries.

- 3.3 The MD may adopt a direct control district to accommodate or regulate a land use which is not presently contemplated in the Land use bylaw and where policy specifically requires redesignation to Direct Control.
- 3.4 Council shall establish provisions within the Land Use Bylaw for the rescinding of an amending bylaw that redesignated lands for a purpose that was not fulfilled. The intent of the rescinding bylaw shall be to revert the land back to its former district designation.
- 3.5 As part of its Strategic Plan, the MD Council shall commission periodic community value assessments (similar to the *Community Values Assessment for the M.D. of Pincher Creek*; The Praxis Group, 2012) as a means of engaging the public and informing MD policy development. A newly completed community values assessment may be utilized to reflect on the land use policies contained within this document and the plans listed in 3.2.



Planning Policies Section 4
Intermunicipal Coordination

4. INTERMUNICIPAL COORDINATION

- 4.1 The municipality shall maintain an ongoing dialogue through Intermunicipal Collaboration Frameworks (ICF) with adjacent municipalities to ensure that land use, growth and the provision of infrastructure are as coordinated as possible.
- 4.2 Before giving final consideration to an amendment to this plan or any other planning document, Council shall solicit and consider the comments of the adjoining municipalities, in accordance with the adopted intermunicipal development plans.
- 4.3 Unless otherwise stated herein, the policies of this plan apply to the entire municipality but if lands are subject to an intermunicipal development plan (IDP), then the policies of the applicable intermunicipal development plan supercede the policies of this plan in the case of a conflict. See Guide Map - Map 2 for IDP plan boundaries.



Planning Policies Section 5 Area Structure Plans

5. AREA STRUCTURE PLANS

5.1 Area structure plans may be required prior to approval of a development application, subdivision application or land use bylaw amendment.

5.2 An area structure plan shall contain the following information:

- (a) site plans and drawings – although professional plan preparation is preferable, the diagrams may be accepted if they are clear and accurate. In Urban Fringe areas a “shadow plan” may be requested when larger parcels are proposed;
- (b) soils analysis – soil stability and its ability to accept a septic system are most important, although applicants may be requested to provide other data. These studies are to be prepared by an engineer;
- (c) identification of other hazards such as flood or mass wasting prone lands or environmentally significant areas, including but not limited to wildlife corridors, historic and other resources;
- (d) sewer system – which will be determined using the soils data provided in accordance with the *Alberta Private Sewage Systems: Standard of Practice*. Pump out systems are preferred adjacent to water bodies;
- (e) domestic water – these systems will be to the satisfaction of the approval authority and in compliance with the *Water Act*;
- (f) roadways and access points – including the standards for construction and approvals from Alberta Transportation where applicable;
- (g) other utilities and services – including comments from the appropriate supplier;
- (h) contour and surface drainage control – which is required to protect water bodies and adjacent parcels;
- (i) development concept – including lot density and land tenure such as bareland condominiums;
- (j) applicant’s interest – i.e. authorized agent, subject of an agreement or relative;
- (k) subdivision considerations – that may be found in the land use bylaw such as lot sizes;
- (l) municipal and/or environmental reserve – which will be in accordance with this plan and may include use of environmental easements;
- (m) staging of development – and may include phasing of services and lotting;
- (n) development specifications – including special standards such as setbacks and minimum dwelling size;
- (o) landscaping and appearance – particularly if it includes municipal reserve land;
- (p) architectural controls – information regarding special standards for details such as fences or landscaping are needed as well as the expectation for municipal district involvement;
- (q) public input – developers are encouraged to contact neighbours and others to discuss the proposal;
- (r) population density – as required under the *Municipal Government Act*;
- (s) impact on adjacent properties;



- (t) additional information may be required for area structure plans prepared on water bodies as requested by the appropriate agency or provincial department;
 - (u) historic resource clearance and/or study for the province;
 - (v) any other information Council may consider necessary;
- 5.3 The draft area structure plan shall be circulated to the various agencies that would have input at the subdivision application stage and as outlined in the *Subdivision and Development Regulation*. A broader circulation of the information may be undertaken at any time in the process.
- 5.4 Additional information may be requested by Council at any time during the approval process.





Planning Policies Section 6 Transportation

6. TRANSPORTATION

Context

The MD has a well-established transportation network comprised of both primary and secondary highways, the municipal road network, railway transport, and the Pincher Creek and Cowley aerodromes. The level of investment required to support regional activity needs to be understood, so capital and operating costs for transportation related projects are accounted for in the annual budget.

As such, the integration of various transportation networks in the MD is essential to ensuring the cost- effective, efficient, and safe movement of people and goods within and through the region. Sound land use policy in relation to the transportation network within the MD is necessary in order to support existing land uses as well as to serve as a platform for future economic development.

Objective

1. To maintain, and where appropriate, enhance the integrity and safety of the transportation system under the municipality's jurisdiction and to cooperate with the province and other agencies in maintaining and enhancing the integrity and safety of the overall transportation system, recognizing that highways, roads, rail lines, and airports form the overall system.

Policies

A. Highways and Roadways

Clarifying Responsibilities

- 6.1 The MD shall support the ongoing development of transportation networks in the municipality by clearly defining responsible parties involved in roadway construction and maintenance:
 - (a) Alberta Transportation is responsible for primary and secondary highways;
 - (b) The MD is responsible for the condition and management of local road systems including service roads, where built to MD engineering standards;
 - (c) Jurisdiction over roads for maintenance within an intermunicipal plan area shall be determined by way of agreement;
 - (d) Developers are responsible for constructing any new roads or road widening and any related improvements or infrastructure required for new developments or subdivisions;
 - (e) Upon approval of a new road, and subject to any applicable warranty period, the road becomes the responsibility of the MD, unless other arrangements have been agreed to with the developer; and
 - (f) Private roads and driveways shall be the responsibility of the landowner.
- 6.2 All road construction shall be to the current MD Development and Engineering Standards or as per development agreement stipulations.



- 6.3 Map 4 provides the hierarchy of road classification. Certain uses as defined within this document will be encouraged to locate adjacent to or within a short distance of provincial highways and MD arterial and collector roads.

Impacts

- 6.4 The MD shall direct developments that may detrimentally affect the quality of roads and bridges (high traffic volumes or heavy trucks) to roadways that have been designed to accommodate such development. A Road Use Agreement may be required.
- 6.5 Developers shall inquire, acknowledge and comply with designated provincial and municipal road bans. Road bans may impact potential for development and be cause for denial of proposals and effect current approvals. Road bans are listed on the municipal multi-media platforms.
- 6.6 The MD may develop a policy that addresses agricultural, commercial, and industrial impacts on roads and bridges beyond standard wear and tear.
- 6.7 MD Council may consider developing a comprehensive transportation study in order to identify the impacts of growth areas, industrial development, tourism, and Confined Feeding Operations on road quality.
- 6.8 The MD or Alberta Transportation may require a Transportation Impact Analysis (TIA) at any time during planning processes to ensure existing intersections are able to be developed with safe turning movements and traffic flow. The cost of a TIA is the sole responsibility of the developer or landowner.

Highways

- 6.9 MD Council will consider future development along primary and secondary highways that:
- (a) approvals, as required, from Alberta Transportation are obtained;
 - (b) the number of entry and exit points to primary and/or secondary highways is minimized;
 - (c) the number of entry and exit points to the MD's arterial and collector roads is minimized; and
 - (d) facilitate access onto an internal roadway system or a service road prior to accessing the primary and/or secondary highway, where possible.
- 6.10 Highway 3 twinning may affect the intermunicipal plans with Crowsnest Pass and Village of Cowley and the Area Structure Plans for the Burmis Lundbreck Corridor and Oldman River Reservoir. Those plans and the Alberta Transportation 3 Twinning Functional Planning Study shall be consulted for any proposed subdivision, redesignation, or development that may affect the realignment.
- 6.11 The Highway 3/6 Interchange directly effects the Intermunicipal Development Plan with the Town of Pincher Creek. That plan and the Alberta Transportation 3/6 Interchange Functional Planning Study shall be consulted for any proposed subdivision, redesignation, or development that may affect the realignment.
- 6.12 MD Council may implement special policies, planning documents, or subdivision criteria to apply to the highway corridors as development and/or subdivision pressures arise.



- 6.13 If a service road is required parallel to a provincial highway, as stipulated by Alberta Transportation, it shall be dedicated or protected by a registered caveat at the time of subdivision as determined and requested by Alberta Transportation.

Public Roadways

- 6.14 The MD will require every lot created through a subdivision application to have direct access to a public roadway.
- 6.15 Access proposed via easement shall be avoided. Where allowed, the MD shall be party to the easement agreement for access purposes and the agreement registered on title.
- 6.16 Decisions regarding developers seeking monetary assistance for road construction or upgrading shall be at the discretion of Council in accordance with public works policy.

Private Roadways

- 6.17 The MD may, as a condition of subdivision or development, require that a private road be developed for all season access to ensure emergency services access and egress.

B. Airports

- 6.18 Federal regulations, including TP312 (Aerodrome Standards and Recommended Practices) and TP1247 (Aviation: Land Use in the Vicinity of Aerodromes) will guide development on the airport, navigation, lighting and security at the airport and protect the obstruction restrictions. MD will require that all land use approvals within the 4000m aerodrome of the Pincher Creek Airport and Cowley Airport take into account the safe and efficient operation of the airports. (See the Wind Energy section of this document for related policy).
- 6.19 The MD may consider commercial or industrial uses adjacent to the Pincher Creek Airport.
- 6.20 All subdivision or development applications within the Airport Vicinity Protection district shall be circulated to Nav Canada and Transport Canada for comment, prior to rendering a decision.
- 6.21 Airport Vicinity Protection shall be established in the land use bylaw as a district for the Pincher Creek Airport and the land use bylaw shall ensure that:
- (a) the airport's take off/approach surfaces, transitional surfaces and electronic facilities shall be protected; and
 - (b) except as provided in 6.22 below, no residential development shall be constructed within a specified distance of the airport runway in accordance with provincial and federal guidelines.
- 6.22 A maximum of one dwelling unit per quarter section or parcel shall be allowed on lands adjoining the airport property within the Airport Vicinity Protection district.

C. Railways

- 6.23 The MD may provide for specific setbacks from rail line rights-of-way in the Land use bylaw. Where setbacks are not provided, the municipality may utilize *The Federation of Canadian Municipalities and The Railway Association of Canada: Guidelines for New Development in Proximity to Railway Operations* in making decisions.



Planning Policies Section 7
Infrastructure and Community Assets

7. INFRASTRUCTURE and COMMUNITY ASSETS

Context

All municipalities have infrastructure and community assets which are provided to the citizens. The MD values its infrastructure and assets as a way of enhancing the quality of life for residents and visitors to the MD and will pursue opportunities to enhance its systems through private and public investment.

Objectives

1. To establish land use patterns commensurate with the level of infrastructure and services that can be provided reasonably and economically having regard to the municipality's long-term financial health and viability.
2. To protect, maintain and enhance community assets such as parks, recreation amenities and community halls.

Policies

- 7.1 The municipality shall continue to explore the delivery of services, including arrangements for service delivery, to ensure that the services it provides, or is involved in providing, are delivered in an effective, efficient and timely manner.
- 7.2 The municipality recognizes that it has a direct interest in the services provided by other agencies or organizations without assuming responsibility, directly or indirectly, for the provision of such services.
- 7.3 The municipality shall encourage and support measures to ensure that land development and servicing is coordinated recognizing that development should be provided with suitable levels of service depending on its requirements and location, but in a rural location the provision of services should be consistent with a rural lifestyle, sustainability and self-reliance.
- 7.4 As part of an application for an Area Structure Plan, outline plan, subdivision, or development, the MD may require a fiscal impact assessment that considers the life cycle cost to the MD for maintaining the utility infrastructure required to service the development.
- 7.5 The MD may require copies of any permits, licenses, or reports issued by provincial authorities with respect to water, wastewater or stormwater to be submitted prior to, or as a condition of, an approval.
- 7.6 The MD may prepare an infrastructure master plan to plan and coordinate efficient management and operation of utility infrastructure to ensure long-term affordability for the MD, businesses, and residents.
- 7.7 The MD will protect, maintain and enhance community assets such as parks, recreation amenities and community halls, as determined by Council.



- 7.8 The MD shall encourage Alberta Culture to continue protecting and preserving sites and artifacts with significant historical or archaeological value.
- 7.9 The MD encourages property owners with historic sites or buildings to preserve the heritage of the municipality.
- 7.10 The MD shall own and manage sand and gravel assets commensurate with its current and future needs.



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Planning Policies Section 8

Urban Fringe

8. URBAN FRINGE

Context

The interface land outside a built urban area requires unique planning consideration from the point of view of the continuity of existing rural development until such time the land is needed for urban expansion. This interface area is often referred to as the 'urban fringe'. The MD of Pincher Creek has utilized this special planning tool since 1980 when it completed its first plan with the Town of Pincher Creek and introduced a specialized land use district to control development jointly. Since that first plan, the MD has implemented two other urban fringe districts around the Village of Cowley and the Hamlet of Lundbreck.

Objective

1. To minimize conflicts in the urban fringe by implementing cooperative and mutually satisfactory land use policies.

Policies

- 8.1 Whenever possible, rural lands within the urban fringe that surround urban communities shall be protected and conserved for extensive agriculture until these lands are needed for logical, orderly and economic urban expansion.
- 8.2 The land use bylaw shall contain an Urban Fringe district and this district shall apply at the very minimum to the following lands:
 - (a) lands identified in the Municipal District of Pincher Creek No. 9 and Village of Cowley Intermunicipal Development Plan;
 - (b) lands within 0.8 km ($\frac{1}{2}$ mile) of the hamlet boundaries of Lundbreck (excepting those lands affected by the Burmis Lundbreck Corridor Area Structure Plan) and Pincher Station ; and
 - (c) lands identified in the Municipal District of Pincher Creek No. 9 and Town of Pincher Creek Intermunicipal Development Plan.
- 8.3 The Urban Fringe district in the land use bylaw shall:
 - (a) disallow grouped country residential development unless agreed to in an intermunicipal development plan; and
 - (b) be designed so that it effectively discourages or precludes any development which would:
 - (i) compromise the logical and orderly expansion of urban or hamlet boundaries; or
 - (ii) lead to land use conflicts with the adjoining urban municipality or hamlet.



Planning Policies Section 9

Natural Resources

9. NATURAL RESOURCES

Context

The MD has significant natural resources, some of which are regulated by the Provincial government. Those resources that fall within the purview of the MD include, but are not limited to, sand, gravel, and quarry stone. The MD recognizes the importance of the natural resources industry and will work with resource companies and provincial legislative bodies to allow for the planned and managed extraction of natural resources.

Objectives

1. To allow for the managed extraction of natural resources.
2. To minimize conflicts between natural resource extraction and other existing or future land uses.
3. To ensure post resource extraction leaves the land in a developable and usable state.
4. To cooperate with other agencies involved in the management of natural resources, for the preservation of habitat and protection of water quality.
5. To support the development and delivery of renewable energy for powering and heating MD homes and businesses.
6. To provide opportunity for industrial scale renewable energy projects that are compatible with existing land use and that do not negatively affect agricultural operations or the environment.

Policies

- 9.1 Lands proposed for natural resource extractive use shall be designated as Direct Control prior to making application for a development permit or subdivision. If approved, the direct control district bylaw may sub-delegate the approval to the Municipal Planning Commission for processing the permit.
- 9.2 An open house shall be undertaken by proponents for any new resource extraction or the expansion of an existing operation prior to re-designation and/or development permit applications being processed.
- 9.3 In consultation with the MD's Public Works department, the resource extraction industry shall be directed to specific haul routes to minimize impact on municipal roads. Where appropriate, the designated haul route shall be the shortest route to the provincial highway network. At the discretion of Public Works, a Road Use Agreement may be required. At the discretion of Planning and Development, a development agreement may be required for road improvements.
- 9.4 Where appropriate, buffering and screening between the natural resource extraction and adjacent land uses shall be required as a condition for development approval.



- 9.5 All natural resource extraction operations shall adhere to applicable provincial standards, provincial conditions of approval, and a reclamation certificate from Alberta Environment shall be required.
- 9.6 Consultation with provincial and federal governments shall be required to ensure the protection of the MD's historic, environmental, natural, archaeological, and cultural resources, from the impacts of proposed resource extraction.
- 9.7 Forestry operations approved by the Province are not regulated in this Plan. However, the MD of Pincher Creek encourages forest operations to be undertaken in accordance with a sustainable timber harvesting plan and encourages the use of integrated land management practices.
- 9.8 The municipality shall enforce, in consultation with the Alberta Energy Regulator (AER), the provisions respecting sour gas facilities and gas and oil wells in the *Subdivision and Development Regulation*.
- 9.9 The municipality shall continue to take into account AER guidelines respecting pipelines and other matters not addressed in Policy 9.8 above, whenever land use decisions are being made, and the municipality may incorporate any guidelines it deems appropriate into an area structure plan, intermunicipal development plan or the land use bylaw.

A. Wind and Solar Energy Development

- 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.
- 9.11 The municipality shall not accept application for a wind farm or solar development until the designation to Wind Farm Industrial - WFI has been approved.
- 9.12 The MD Council shall not approve a redesignation to Wind Farm Industrial -WFI until such time as a Wind Energy Conversion System (WECS) review has been completed to the satisfaction of Council and in accordance with Section 9.13. This review shall be completed within 2 years of the adoption of this bylaw.
- 9.13 The municipality recognizes that changes will occur as wind technology and the community evolve. In addition to the review under Section 9.12, Council may commission additional reviews over time, that examine the impact of Category 3 wind energy development (as defined by the LUB). Each review shall include the following:
- (a) a timely completion within a period not exceeding four months once commenced;
 - (b) an analysis of wind energy policies including, but not limited to:
 - (i) an evaluation of the density and the generation capacity of existing and approved WECS,
 - (ii) an evaluation of the existing transmission capacity servicing the area,
 - (iii) permits approved and currently valid permits for WECS,
 - (iv) visual impact on landscape,
 - (v) public opinion on WECS development,
 - (vi) an analysis of policy at the local, regional, and provincial levels,

- (vii) public consultation and a subsequent meeting process;
 - (c) a summary of findings that may:
 - (i) place limitations on the density of future development,
 - (ii) determine where in the municipal district WECS will be encouraged,
 - (iii) determine any other issues deemed necessary by Council.
- 9.14 The municipality encourages the repowering of existing or depreciated wind and solar energy developments.
- 9.15 The municipality encourages the project owner and landowner to decommission obsolete or abandoned wind or solar energy developments in a reasonable time frame.
- 9.16 That the land use bylaw implements a 4000m setback from both the Cowley and Pincher Creek Airports for wind development.
- 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 to 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.
- 9.18 As the MD seeks to maintain dark skies at night, WECS proponents shall utilize technology for auto dimming its lights or utilize an on-demand warning light system.



Planning Policies Section 10
Agriculture



10. AGRICULTURE

Context

A basic tenet of land use planning in Alberta is the protection of agriculture. Yet agricultural land is under constant pressure from other uses imposing themselves on the landscape. This is not a new story; agricultural losses have been documented in the province since the 1950s. In reaction, the Canadian Land Inventory (CLI) for classification of soils, a multi-disciplinary land inventory of rural Canada, was conceptualized in the early 1960s. The use of CLI remains an important tool in evaluating agricultural land.

With the reintroduction of Regional Planning in Alberta under the *Alberta Land Stewardship Act (2009)* and the *South Saskatchewan Regional Plan (2014)*, Agriculture preservation rose to the forefront once again, but with the twist of balancing other uses through policy statements like

“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.”

Through the previous decades, the MD has been doing this through policy by limiting where group country residential and commercial/industrial uses are located as well as encouraging wind energy conversion systems to co-locate with agricultural land. A strong cattle industry based on vast landscapes for grazing has maintained a balance between agricultural business and the environment which provides the grass and water vital to ranching livelihoods.

Objective

1. To conserve and protect agricultural land, including foothills grazing lands, for extensive agriculture by:
 - (a) minimizing conflicts with non-agricultural uses;
 - (b) discouraging the fragmentation of agricultural and grazing land into small non-agricultural parcels;
 - (c) ensuring that agricultural lots or parcels remain as large as possible;
 - (d) promoting education initiatives and partnerships that support the agricultural sector and contribute to increased operator knowledge and opportunities; and
 - (e) endeavouring to maintain traditional ranching activities.

Policies

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



- 10.2 The MD shall support the preservation of agricultural land and shall promote diversification of the agricultural sector by supporting all types of agricultural operations including intensive horticulture.
- 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.
- 10.4 Better utilizing land and promoting more compact development are two methods that can limit land conversion. The MD shall ensure that the application of these methods is utilized in the decision making process.
- 10.5 The MD is crossed by large networks of pipelines, railways, electrical transmission lines, provincial highways, private roads and MD roads, all of which add to fragmentation of agricultural lands. The MD shall encourage location of new roads and transmission lines in a manner that does not unnecessarily fragment or restrict the use of agricultural land.
- 10.6 The MD considers “first parcel out” subdivision, which separates the farmstead from the quarter-section, vital to the long-term viability of agricultural operations and the rural population base. See the subdivision policies in this document.
- 10.7 The ability to subdivide cut-off parcels due to physical barriers that make a parcel illogical or impractical to keep together will continue to merit consideration by the Subdivision Authority. See the subdivision policies in this document.
- 10.8 Continue to raise public awareness of the benefits and challenges of living in a rural area especially where it comes to the importance of agriculture for economics and environmental stewardship. The MD will maintain and distribute the ‘Code of the West’ as a means of conveying this message.
- 10.9 Facilitate the decimation of information, education resources, and advice in furthering agri-business and land management throughout the municipality.
- 10.10 The MD encourages small scale production of renewable energy in support of farm operations.
- 10.11 The MD encourages the conservation of farm land through private agreement as a means of protecting agriculture.
- 10.12 The MD encourages the development of agricultural farm plans by individual farm operations.
- 10.13 The importance of grazing land in the MD is a vital component to the agricultural industry. In regard to grassland areas, the MD shall to the extent possible during decision making processes avoid disturbance, limit industrial intrusion and require restoration of areas impacted by development. These lands shall be identified by using the Alberta Grassland Vegetation Inventory (GVI).





Planning Policies Section 11 Confined Feeding Operations (CFOs)



11. CONFINED FEEDING OPERATIONS (CFOs)

Context

The MD is a headwaters municipality within the foothills of the eastern slopes of the Rocky Mountains. This landscape has many competing opportunities for development. In terms of appropriate location for confined feeding operation locations, a balance must be obtained for protection of the environment, residential development and other parts of the economy. Major waterways and their valleys, residential and urban growth areas, and tourism/transportation corridors are all to be separated from the CFO development as a means for the protection of these community assets.

The following municipal development plan policies are adopted for the purpose of:

- providing the Natural Resources Conservation Board (NRCB) requirements that the Council of the M.D. of Pincher Creek wish to have considered when applications for CFOs are evaluated for approval; and
- providing guidelines for the municipality when providing comments to the NRCB regarding applications for CFOs.

Objective

1. To acknowledge the role the NRCB has through *Agricultural Operations Practices Act (AOPA)* in CFO approvals while providing developers and the NRCB with specific parameters for proposals within the municipality.

Policies

- 11.1 Confined feeding operations shall not be approved in the areas shown on Map 3, Confined Feeding Operations - Exclusion Areas, including but not limited to:
 - (a) the Oldman River Reservoir Area Structure Plan area,
 - (b) any Urban Fringe district,
 - (c) Burmis Lundbreck Corridor Area Structure Plan area,
 - (d) adjacent to the Pincher Creek and Cowley Airports,
 - (e) adjacent to major water bodies including the Waterton River and reservoir, the Oldman River and reservoir, the Castle River, Pincher Creek, and Crowsnest River (as depicted on Map 3).

The rationale for these prohibited areas are as follows. The Area Structure Plans and urban fringe areas are planned populated residential areas and the MD finds that the noxious and odorous nature of confined feeding operations is an incompatible use within these areas. To provide an effective buffer, residential areas have either been included in the exclusion area and may also have been provided prevailing wind protection from odour and fire hazard. In the case of Intermunicipal Plans, the exclusion areas have been negotiated and



- agreed upon by the municipalities. The MD also finds that as a headwaters community the municipality has a duty to keep source water clean for its residents and downstream populations. Further, the MD finds that the nature of feedlots as an attraction to flocking birds is incompatible with aerodrome safety.
- 11.2 The following development setbacks are to be applied:
- | | |
|--|------------------|
| Front yard setback (frontage on public roadway): | 30 m (98.4 ft.) |
| Side yard setback: | 7.5 m (25 ft.) |
| Rear yard setback: | 7.5 m (25 ft.) |
| Provincial highways 3, 6 and 22: | 400m (1312 ft.) |
| - all other provincial highways | 80 m (262.5 ft.) |
- 11.3 The approval authority or Council shall consider the results of a minimum distance separation calculation using the *Agricultural Operations Practices Act Standards and Administration Regulation* when considering:
- the redesignation of a parcel to Grouped Country Residential or other district that may allow uses sensitive to CFOs;
 - any development; or
 - any subdivision application allowed for in this plan.
- 11.4 The NRCB shall avoid locations considered as 'Environmentally Significant Areas' as defined within this document.
- 11.5 Confined feeding operation policies contained within intermunicipal development plans are unique to those plans and the municipality shall consult the policies contained therein where appropriate.
- 11.6 Where policies within other plans or the land use bylaw conflict, this document's policies shall prevail for the purposes of NRCB approvals under AOPA.
- 11.7 Where confined feeding operations have ceased operations or been abandoned, the municipality will encourage the landowner to voluntarily have the permit withdrawn or where appropriate through other planning mechanisms seek to condition the removal of the permit.
- 11.8 The MD encourages development of Confined Feeding Operations that have short travel distances to provincial highways or municipal roads designated as arterials or collectors (Map 4). The MD may object to a proposed location where the travel distance or impact to roads and bridges is deemed inappropriate.
- 11.9 The MD reserves the right to request the NRCB to condition CFO approvals for stormwater management, road improvements, and consolidation of titles.





Planning Policies Section 12
Hamlets



12. HAMLETS

Context

Hamlets are those semi urban development areas resembling a village or small town. Outside of the designated area structure plans, much of the new development in the MD is encouraged in the form of our hamlet communities planned from the perspective of unique locational aspects of each hamlet.

Objectives

1. To facilitate the orderly and economic expansion of our hamlet communities by limiting the fragmentation and premature development of fringe lands.
2. To encourage infill development within the hamlets for all land uses, where appropriate.

General Policies

- 12.1 The land use bylaw shall name and delineate the boundary for the following as “designated hamlets” for the purpose of managing urban growth and development: Lowland Heights, Beaver Mines, Lundbreck, Pincher Station, and Twin Butte.
- 12.2 The municipality shall encourage residential, commercial, and industrial development to locate in suitably designated areas in hamlets recognizing that:
 - (a) this may serve to strengthen the service centre role of hamlets, reduce the impact of non-agricultural uses on the agricultural community and reduce the consumption of agricultural land for non-agricultural uses; and
 - (b) this can assist with accommodating growth in a logical, cost effective, sustainable manner and where servicing may be efficiently planned and expanded to accommodate future growth.
- 12.3 Hamlets shall continue to be the primary focus of public, residential, commercial, and industrial development. Exceptions to this general policy are detailed in Sections 13, 14, 15.
- 12.4 When considering applications for either new residential development or redesignations for residential uses, the location of existing or approved WECS, CFOs, sour gas wells/lines or natural resource extraction sites should be considered.
- 12.5 Council may consider differentiating land use and development standards to specific Hamlets within the hamlet districts.
- 12.6 All methods of connecting residents with local agricultural producers including but not limited to farmers markets are encouraged within hamlets.
- 12.7 The keeping of animals within hamlet boundaries is regulated by the Animal Control bylaw (and any amendments thereto) and the land use bylaw. Residents shall consult these documents prior to possession of any animal.
- 12.8 Area structure plans may be required prior to approval of a development, subdivision application or land use bylaw amendment within a hamlet. Area structure plan criteria are provided within this document in the Section 5.



A. Lowland Heights Policies

- 12.9 The policies of this plan respecting hamlets apply to the extent that they do not conflict with the Municipal District of Pincher Creek No. 9 and Town of Pincher Creek Intermunicipal Development Plan which addresses the Hamlet of Lowland Heights.

B. Beaver Mines Policies

- 12.10 As priorities and circumstances warrant, the municipality as a follow-up to this plan shall consider undertaking a planning study for Beaver Mines in consultation with the residents to address hamlet expansion, servicing, the location of underground mine workings, surface drainage and other community planning issues.
- 12.11 The municipality shall continue to support and encourage high quality development in Beaver Mines.
- 12.12 In cooperation with Alberta Transportation, the municipality shall ensure that access onto Provincial Highways 774 and 507 is managed with a view to maintaining traffic and pedestrian safety.

C. Lundbreck Policies

- 12.13 As priorities and circumstances warrant, the municipality as a follow-up to this plan shall consider undertaking a hamlet study for Lundbreck in consultation with the residents to address: provision of a small industrial area for the hamlet, commercial needs, hamlet expansion, the extent of undermining both within and adjacent to the hamlet and other community planning issues. Given the supply of residential lands within its boundaries, the expansion of this hamlet for residential purposes is not anticipated in the foreseeable future.
- 12.14 In partnership with Canadian Pacific Railway, the MD should monitor railway crossings within the Hamlet to ensure vehicular and pedestrian traffic flow is not impeded and safety concerns are addressed.

D. Pincher Station Policies

- 12.15 The municipality shall continue to accommodate industrial, warehousing and outdoor storage uses in the industrial area, as well as residential and commercial development in suitably designated areas recognizing that opportunities for development requiring water and sewer services are limited because:
- (a) Pincher Station lacks these services;
 - (b) groundwater is limited; and
 - (c) heavy clay soils complicate the proper functioning of private sewage disposal systems.
- 12.16 Pincher Station's servicing constraints shall be considered whenever a land use decision is being considered.
- 12.17 If demand warrants, the municipality shall consider expanding Pincher Station for residential and light industrial development taking into account servicing constraints and the supply of vacant lands within the hamlet. It is anticipated that residential growth will be in a westward direction while industrial growth will be eastward.

- 12.18 The municipality shall endeavour to reduce land use conflicts within Pincher Station over time.
- 12.19 In partnership with Canadian Pacific Railway, the MD should monitor railway crossings within the Hamlet to ensure vehicular and pedestrian traffic flow is not impeded and safety concerns are addressed.

E. Twin Butte Policies

- 12.20 The municipality shall continue to support development and expansion of Twin Butte to provide an alternative location for potential development near Waterton Lakes National Park.



Planning Policies Section 13 Residential Development

13. RESIDENTIAL DEVELOPMENT

Context

The demand for rural residential development can lead to conflicts with existing agricultural land uses, impact the environment and create additional costs for taxpayers. A comprehensive land use plan provides locational criteria for residential subdivisions and developments in order to mitigate potential impact on agricultural uses and the environment.

Objectives

1. To protect and maintain the quality of existing residential development.
2. To regulate and direct the development of new residential developments.

Policies

FireSmart Policy

- 13.1 To reduce the ignition zone around homes and prevent the fuel that can cause wildfires to spread, development shall comply with the FireSmart regulations. New residential development shall adhere to the FireSmart building materials and standards for new construction. Recognizing the increased prevalence of extreme weather events and fires globally, the MD should review and update these requirements regularly to ensure development adjacent to wild lands are developed to the safest standard.

Dwellings Per Parcel policy

- 13.2 Except as provided in policies 13.3, 13.4 and 13.5 below, the land use bylaw shall ensure that only one dwelling unit is located on a parcel.
- 13.3 Subject to the land use bylaw, more than one dwelling unit may be allowed on a parcel if:
 - (a) the dwelling unit is a manufactured home in a designated manufactured home park and both the manufactured home and the manufactured home park are in accordance with the land use bylaw;
 - (b) the dwelling unit is contained in a building which is designed for or divided into two or more dwelling units and the dwelling unit is in accordance with the land use bylaw;
 - (c) the parcel is contained in a district in the land use bylaw that allows more than one dwelling unit on a lot or a parcel; or
 - (d) residential units in conjunction with bed and breakfast, country inn or hotel/motel.
- 13.4 A garden suite (as defined) shall be included in the land use bylaw to accommodate the additional dwelling unit on a lot or parcel provided that the lot or parcel is designated for such use.
- 13.5 In the Rural Area, the land use bylaw shall:
 - (a) allow, as a discretionary use, the location of a second dwelling on a parcel, if the parcel is an unsubdivided quarter section and the parcel cannot be subdivided without the approval of the municipality; and



- (b) allow, as a discretionary use, the location of any number of dwellings on a parcel provided that the parcel is part of a farming operation and such dwellings will be occupied by farm helpers, and the parcel cannot be subdivided without the approval of the municipality; and
- (c) the proposed second dwelling unit is located within the same yard site limiting the potential for fragmentation of agricultural land;

unless the parcel is located in the Airport Vicinity Protection Area or an area which is subject to an intermunicipal development plan or an area structure plan in which case the provisions of the Airport Vicinity Protection Area, the intermunicipal development plan or the area structure plan shall govern.

Minimum Residential Parcel Size

- 13.6 Each lot or parcel in an area proposed for grouped country residential development in the Rural Area shall contain a minimum of 1.2 hectares (3 acres) and this shall be reflected in the land use bylaw unless an area structure plan or an intermunicipal development plan establishes a different minimum in which case that different minimum shall apply.
- 13.7 The municipality in the land use bylaw shall establish minimum lot or parcel sizes in hamlets and the Rural Area, but the municipality shall be reasonably flexible in allowing development on existing lots or parcels which do not comply with the minimums established in the bylaw, unless otherwise provided in an area structure plan or an intermunicipal development plan.

Country Residences

- 13.8 Grouped country residential development shall be directed to specific locations, as shown on the Municipal Development Plan Guide Map (Map 2), namely:
 - (a) the Burmis Lundbreck Corridor (in accordance with the area structure plan for this area);
 - (b) the lands southwest of the Town of Pincher Creek (in accordance with the Municipal District of Pincher Creek No. 9 and Town of Pincher Creek Intermunicipal Development Plan); and
 - (c) the Oldman River Reservoir (in accordance with the area structure plan for this area).
- 13.9 Conventional single-detached residences shall be a permitted use and manufactured homes will be either a permitted use or a discretionary use in the land use bylaw's Agriculture district and other selected districts in the Rural Area (as defined) in order to streamline the development of residences on existing lots or parcels, but:
 - (a) proposed grouped country residential development (as defined) shall not be allowed in the Rural Area unless the lands have been designated in the land use bylaw for that use; and
 - (b) a district in the land use bylaw shall not be construed as allowing grouped country residential development merely because conventional single-detached residences or manufactured homes are either a permitted or a discretionary use in that district.
- 13.10 The following districts shall be used to designate lands that are intended to be used for grouped country residential development in the land use bylaw:
 - (a) the Grouped Country Residential district; or

- (b) if circumstances warrant, any other district designed to accommodate residential development.

Grouped Country Residential Designation Criteria

13.11 Lands shall not be subdivided for grouped country residential development unless subdivision is authorized by this plan, an area structure plan or an intermunicipal development plan that affects the area and is designated for grouped country residential use in the land use bylaw. [Appendix 1, Figure 1]

13.12 Land shall not be designated for grouped country residential development:

- (a) within 0.8 km (½ mile) of the municipal boundaries of the Village of Cowley;
- (b) within 0.8 km (½ mile) of the boundaries of a designated hamlet;
- (c) within the Airport Vicinity Protection Area or within such distance of this protection area as the municipality considers reasonable and appropriate;
- (d) if, in the opinion of the municipality, the effect of the designation would:
 - (i) have a detrimental impact on the viability of agriculture in the area or, on the continued agricultural use of adjoining lands; or
 - (ii) unnecessarily consume agricultural or grazing lands;
- (e) unless the area can be easily serviced with services provided by the municipality or developer;
- (f) unless an MDS siting assessment is carried out in accordance with the *Agricultural Operations Practices Amendment Act and its Regulations* and the results of this assessment are considered by Council before final consideration of a designation of land for grouped country residential development; and
- (g) unless basic information is provided by the person requesting the designation.

Such basic information shall include:

- (i) plans or maps that shall be required by the municipality in respect of a subdivision application;
- (ii) an evaluation of land use within 0.8 km (½ mile) of the lands proposed for designation and the anticipated impact that the designation will have on such land use;
- (iii) how access will be provided and the condition of roadways that will provide access within 1.6 km (1 mile) of the lands proposed for designation; and
- (iv) how the area proposed for designation will be serviced.

13.13 Area structure plans shall be required prior to approval of a subdivision application or land use bylaw amendment when the proposal is intended to redesignate a parcel to grouped country residential use. Area structure plan criteria are provided within this document in the Section 5.

13.14 When considering area structure plans, conceptual design schemes, subdivision/development applications or redesignations for grouped country residential, the location of existing or approved WECS, CFOs or natural resource extraction sites should be considered.



Planning Policies Section 14 Industrial Developments

14. INDUSTRIAL DEVELOPMENT

Context

Historically within the MD of Pincher Creek, there have been few industrial development sites. Limiting the location and scope of these sites has been done so as a means to reduce land use conflict for nearby landowners. In the pursuit of a diversified municipal economy, industrial uses can be considered in select locations.

Objectives

1. To discourage single lot industrial development along provincial highways and major roadways.
2. To complement and strengthen the service centre function of the area's urban centres and designated hamlets and to conserve and protect agricultural land by:
 - (a) encouraging industrial development to locate in designated locations in urban areas, hamlets, and other appropriately designated locations;
 - (b) discouraging industrial development in the urban fringe which surrounds urban municipalities and designated hamlets;
 - (c) discouraging the indiscriminate dispersal of industrial development in the Rural Area; and
 - (d) encouraging clustered industrial development.

Policies

- 14.1 Subject to policy 14.2 below, the municipality shall encourage most types of industrial development to locate in a suitably designated area in a hamlet, an adjoining urban area, or within a designated rural industrial area recognizing that:
 - (a) lands are designated in the land use bylaw and reasonably available for industrial development in the Hamlet of Pincher Station, and the Town of Pincher Creek;
 - (b) development of lands already designated for industrial development serves to lessen the potential for land use conflicts elsewhere;
 - (c) concentrating development facilitates the provision of services; and
 - (d) the proposed project is serviced by required existing or approved infrastructure at the time of application.
- 14.2 Despite policy 14.1 above, the municipality shall not preclude consideration of industrial development in the Rural Area. The land use bylaw shall ensure that agriculture-related industries, outdoor storage/warehousing, hazardous industries, WECS, specialty manufacturing/cottage industries and home occupations are discretionary uses in the Rural Area to the extent this is reasonable and appropriate.
- 14.3 In the Rural Area, lands intended for rural industrial development shall be designated for that use in the land use bylaw. But the municipality does not anticipate designating additional areas in the foreseeable future, unless demand warrants.



- 14.4 Area structure plans may be required prior to approval of a subdivision application or land use bylaw amendment when the proposal is intended to develop an industrial land use. Area structure plan criteria are provided within this document in the Section 5.
- 14.5 Buffers and/or transitional land uses shall be required to minimize conflicts between industrial and residential developments.





Planning Policies Section 15 Commercial Developments

15. COMMERCIAL DEVELOPMENT

Context

Commercial development is important to the MD's economic outlook and can be found in various settings across the municipality. Hamlets contain the bulk of these opportunities, but Rural Areas also provide some outlet for commercial ventures.

Objectives

1. To discourage strip commercial development along provincial highways and major roadways.
2. To complement and strengthen the service centre function of the area's urban centres and designated hamlets and to conserve and protect agricultural land by:
 - (a) encouraging commercial development to locate in designated locations in urban areas, hamlets, and other appropriately designated locations;
 - (b) discouraging commercial development in the urban fringe which surrounds both urban municipalities and designated hamlets; and
 - (c) discouraging the indiscriminate dispersal of commercial development in the Rural Area.
3. To provide for an allowance in the land use bylaw for home occupation and cottage industry to locate within farmsteads and country residences in the Rural Area.
4. To provide guidance for tourism and recreation development within the Rural Area.

Policies

- 15.1 The municipality shall continue to encourage commercial and highway commercial development to locate in suitably designated locations in hamlets and urban locations.
- 15.2 Commercial development, including highway commercial development shall only be accommodated in the Rural Area through the land use bylaw by land use districts intended specifically for these uses, but commercial uses such as bed and breakfasts and home occupations shall continue to be allowed as discretionary uses in appropriate land use districts in the Rural Area.
- 15.3 The land use bylaw shall be written with a view to maintaining a distinction between commercial and residential development.
- 15.4 Highway commercial development may be considered in a location other than a hamlet if the proposed site:
 - (a) is adjacent to a provincial highway, and provides safe access to the provincial highway according to Alberta Transportation standards,
 - (b) meets the intent of orderly development in an urban fringe
 - (c) is for a clustered development and shall avoid a strip of commercial uses,



- (d) is not adversely affecting the agricultural productivity of adjacent lands nor is on good quality agricultural land as determined by the approval authority,
 - (e) is designated for the use in the land use bylaw.
- 15.5 Prior to a redesignation for commercial being considered by Council or a development or subdivision application being considered by the approval authority, an area structure plan may be required. Area structure plan criteria are provided within this document in the Section 5.

Recreation and Tourism

- 15.6 Prior to redesignation or expansion of existing developments, an area structure plan or concept plan may be required depending on the size of the development or its potential impacts. This plan should include but is not limited to the following:
- (a) site plans and drawings – although professional plan preparation is preferable, the diagrams may be accepted if they are clear and accurate;
 - (b) compliance with all provincial policies or requirements including but is not limited to Stepping Back from the Water, Alberta building code, the *Recreation Area Regulation*, Bear Smart, FireSmart, and the *Public Lands Act*;
 - (c) identification of other hazards such as flood or mass wasting prone lands or environmentally sensitive areas, including historic and other resources;
 - (d) sewer system – which will be determined using the soils data provided in accordance with the *Alberta Private Sewage Systems: Standard of Practise*. Pump out systems are preferred adjacent to water bodies;
 - (e) domestic water – these systems will be to the satisfaction of the approval authority and in compliance with the *Water Act*;
 - (f) roadways and access points – including the standards for construction;
 - (g) provision for other utilities and services – including comments from the appropriate supplier;
 - (h) stormwater surface drainage control – which is required to protect water bodies and adjacent parcels;
 - (i) development concept – including lot density, permanent vs non-permanent buildings, analysis of impact on adjacent property or structures, and land tenure;
 - (k) landscaping and appearance; and
 - (l) any other information that Council or the development authority may consider necessary.
- 15.7 Tourist and commercial/private recreation type development shall be designated in the land use bylaw by a land use district that is intended for such development.
- 15.8 Proposals for large scale developments shall be evaluated on a site specific basis and will normally only be considered feasible on lands located adjacent to existing major transportation routes. A Transportation Impact Analysis may be required.



- 15.9 Tourism and recreation development can have significant negative social impact on adjacent landowners. Developers may be required to demonstrate that any negative impact can be mitigated to the satisfaction of Council or approval authorities.
- 15.10 The MD supports regional and intermunicipal partnerships and cost-sharing arrangements that provide recreational opportunities for MD residents.
- 15.11 To manage the use of Crown lands for tourism and recreation opportunities, the MD encourages open dialog with the province regarding use of MD infrastructure, intended capacity of parks, use and protection of waterbodies and natural areas, and expansion of Crown leases for recreation.



Planning Policies Section 16

Reserve Land & Lands for Roads and Utilities



16. RESERVE LAND and LAND for ROADS AND UTILITIES

Context

In accordance with and subject to the *MGA*, the owner of a parcel of land subject of a proposed subdivision must provide without compensation land for roads, public utilities, land for environmental reserve, land for municipal or school reserve (or money in lieu of land) as required by the Subdivision Authority. The municipality may also require a conservation reserve with compensation to the landowner.

Reserves are the basis for preservation of land in the case of conservation reserves and environmental reserves and the starting point for the creation of a parks and open space system in the municipality.

Objective

1. To develop a regional open space system that preserves environmental features such as wetlands, rivers, creeks, habitat areas and tree stands that are an important part of maintaining environmental function and to support partnerships that enhance the development of recreation systems related to regional open spaces, tourism and recreational facilities in both the urban and rural contexts.

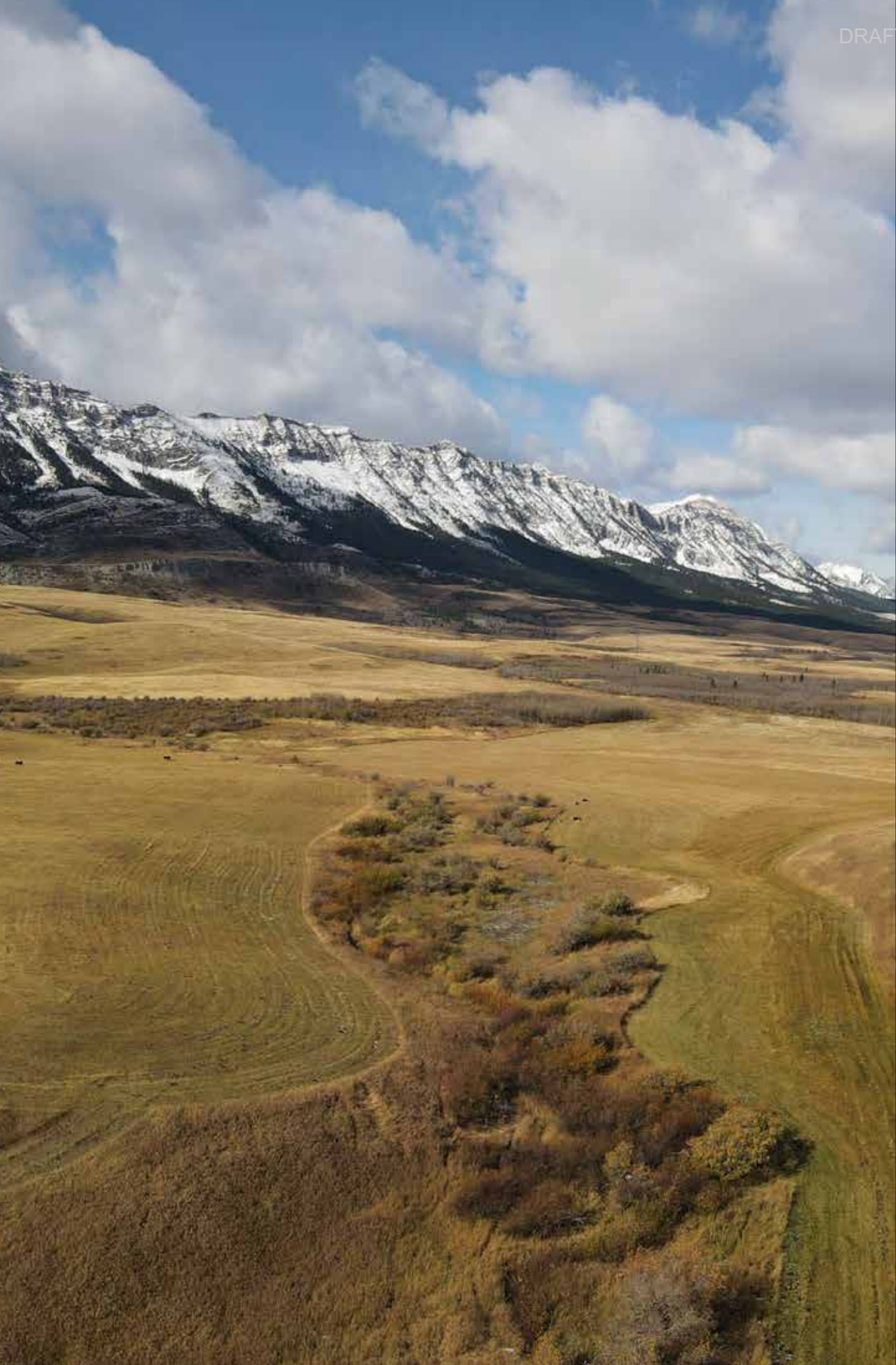
Policies

- 16.1 Acquisition of land for recreation and open space corridors may occur through the dedication of a Municipal Reserve, Environmental Reserve, Conservation Reserve, voluntary reserve dedication, land purchase, or other means.
- 16.2 Acquisition of land for roads and public utilities may occur through the subdivision process, the development process or other means. Where appropriate, multiuse corridors should be considered in the assembly of land.
- 16.3 Municipal reserve will be provided in accordance with Sections 663, 666, and 667 of the *Municipal Government Act* where the MD will require the dedication of up to 10% of the parcel, less the land required for environmental reserve and the land subject to environmental easement, for municipal reserve.
- 16.4 Municipal reserve is to be dedicated as:
 - Land being part of the parcel to be subdivided;
 - Money in place of land (cash-in-lieu);
 - A combination of land and money; or
 - Deferred reserve caveat.
- 16.5 Where money has been provided in place of land to satisfy the municipal reserve provisions of the *MGA*, the MD shall deposit the monies into its reserve account and are to be utilized in accordance with the *MGA* s.671.
- 16.6 The MD may develop working relationships with hamlet community associations, volunteers and societies for the furtherance of parks, leisure services, and the preservation of open spaces.



- 16.7 The MD should protect existing public access to dedicated reserves via developed and/or undeveloped road right of way access, unless demonstrated that there is a clear community-wide benefit to removing access.
- 16.8 The MD should consider developing a management policy for all reserve dedications.
- 16.9 The MD will continue to consult with the school board to identify future school requirements and will enter into and maintain a joint use and planning agreement with the board.
- 16.10 The MD should not accept as part of a required municipal reserve dedication:
 - (a) legally encumbered rights-of-way or other limitations which would reduce or limit usability of the site;
 - (b) stormwater management facilities that can be accommodated within a public utility lot;
 - (c) lands within oil and gas well setback areas;
 - (d) local walkways that can be accommodated within a right of way or utility lot; or
 - (e) contaminated lands, unless mitigated to the satisfaction of the MD.
- 16.11 Natural areas that do not qualify as Environmental Reserve may be required as Conservation Reserve in accordance with the *Municipal Government Act*.
- 16.12 Where the boundaries for Environmental Reserve need to be delineated, the MD may require the landowner/developer to provide a biophysical assessment.





Planning Policies Section 17 Environment and its Natural Capital



17. ENVIRONMENT and its NATURAL CAPITAL

Context

The Vision and Mission statements of this document speak directly to the importance the natural assets of the MD of Pincher Creek. Much of the liveability, sustainability, and values of the citizenry is linked to the natural capital of the area. A healthy ecosystem with all that entails in supporting the natural world also supports the longevity of agricultural livelihoods. The language of this section may introduce new terms such as habitat patch, but the outcome should be clear that it is protecting our prairie grassland and waterways for generations to come.

Objectives

1. To protect and conserve the natural scenic attributes of foothills grazing lands and its natural capital.
2. To foster land use patterns that minimize environmental impact and facilitate the development of a healthy, safe and viable municipality and to promote sustainable development and land use patterns.
3. To recognize hazard lands and either avoid development of these lands or, where necessary, utilize mitigative measures to minimize the risk to health and safety and to reduce the risk of property damage.
4. To maintain the water quality in the headwaters and watersheds, recognizing that they are a consumptive resource that affect downstream municipalities, landowners and other consumers.
5. As far as possible, to cooperate with the province in managing non-renewable resources and water resources recognizing that the province has assumed a leadership role in managing these resources.

Policies

Generally

- 17.1 The MD encourages dark sky initiatives through the implementation of responsible outdoor lighting by landowners and businesses. Dark skies promotes ecological integrity, aesthetics and human health.
- 17.2 The MD requires that development should build with the contours of the land and avoid stripping and grading, where possible. And further, the MD requires that construction best practices to reduce wind and water erosion of soils shall be required.

Environmentally Significant Areas and Hazard Lands

- 17.3 The municipality recognizes the following environmentally significant areas documents:
 - (a) *Environmentally Significant Areas in the Oldman River Region: Municipal District of Pincher Creek* (Cottonwood Consultants: for Alberta Forestry, Lands and Wildlife and the Oldman River Regional Planning Commission) 1987.
 - (b) *Environmentally Significant Areas in Alberta: 2014 Update FINAL REPORT* (Report prepared for the Government of Alberta by Fiera Biological Consulting Ltd.) 2014.



- (c) Any subsequent ESA document adopted by the MD or the Alberta government.
- 17.4 The MD through its land use bylaw shall continue to address hazard lands with a view to reducing risks to health, safety and property damage. The MD may prohibit subdivision and/or development in potential environmental hazard lands, including flood prone areas and land prone to mass wasting, erosion or subsidence.
- 17.5 The MD shall not permit the subdivision or development of parcels located within the 1:100-year floodplain. In areas where there may be uncertainty as to where the floodplain lies, the applicant may be requested to provide a professional assessment of the floodplain at their expense.
- 17.6 The MD in cooperation with Alberta Environment shall through the land use bylaw discourage development and subdivision in a flood fringe where the proposed development or use entails risks to health, safety or property damage.
- 17.7 The MD shall prohibit subdivision and/or development in areas where brownfields (such as former gas stations) and other man-made hazard lands exist (such as coal mining), until the relevant approval authority is satisfied the development can proceed safely.
- 17.8 Prior to making a decision, the relevant approval authority may:
- require a professionally prepared geotechnical analysis;
 - circulate development application to the relevant government department for comment;
 - depending on the nature of the hazard, request an Environmental Impact Assessment (EIA) at the applicant's expense.
- 17.9 The MD encourages the retention of trees and vegetation within and adjacent to Environmentally Significant Areas. Trees prevent soil loss, intercept and slow down stormwater, improve air quality, provide habitat, are aesthetically appealing, and provide property owners with greater privacy.

Ecology

- 17.10 The MD shall encourage the use of best management practices for controlling noxious weeds, prohibited noxious weeds or invasive plants.
- 17.11 The protection of wildlife corridors and habitat patches is important to the MD, and the MD will consider provincial guidelines for planning purposes in this regard. The MD may require the preparation of an impact assessment for the protection of suspected wildlife corridors or habitat patches that may be significantly impacted by a proposed plan, subdivision or development.
- 17.12 Development of an area structure plan or concept plan as well as applications for subdivision and development shall consider and incorporate natural areas such as wildlife corridors and habitat patches, trees strands, wetlands and water courses into their design.
- 17.13 The restoration of sensitive ecosystems, natural areas, and wildlife corridors that have been previously disturbed is encouraged.

Water

- 17.14 The MD shall enforce setbacks to water bodies in their decision making processes. The setbacks may be guided by the provincial guidelines, Stepping Back from the Water: A Beneficial Management Practices Guide of New Development near Water Bodies in the



Alberta's Settled Region, the Alberta Wetland Policy or other recognized method of establishing setbacks.

- 17.15 With regard to the wetland policy, the MD recognizes the goal of the Alberta Wetland Policy is to conserve, restore, protect and manage Alberta's wetlands to sustain the benefits they provide to the environment, society and economy. To achieve this goal the MD recognizes the policy will focus on four outcomes:
- wetlands of the highest value are protected for the long-term benefit of Albertans;
 - wetlands and their benefits are conserved and restored in areas where losses have been high;
 - wetlands are managed by avoiding, minimizing and if necessary, replacing lost wetland value; and
 - wetland management considers regional context.
- 17.16 The MD acknowledges the work done by the Oldman Watershed Council (OWC) within the municipality and its grassroots approach to working with residents and decision-makers in pursuing its goals. To that end the MD will reference OWC documents when considering subdivision and development proposals.
- 17.17 Stormwater treatment and storage facilities should avoid the use of natural wetlands and locate away from existing floodways and riparian areas.
- 17.18 The MD will protect ground water and ensure use does not exceed carrying capacity of the land by:
- (a) Supporting long term ground water research and monitoring programs;
 - (b) Mitigating the potential adverse impacts of development on groundwater recharge areas;
 - (c) Adhering to provincial ground water testing requirements, as part of the development approval process; and
 - (d) Encouraging and facilitating the capping of abandoned water wells to protect against ground water leakage and cross contamination.



Planning Policies Section 18 Subdivision Policies



18. SUBDIVISION POLICIES

Context

The following objectives and policies provide guidance to the Subdivision Authority Subdivision and Development Appeal Board and government appeal bodies when rendering decisions.

Objectives

1. To provide a policy framework for the subdivision of lands which will guide subdivision decisions of the municipality and provide a basis for subdivision provisions in the land use bylaw.

Policies

Application of Subdivision Policies

- 18.1 The policies of this Part serve two functions:
 - (a) they indicate the municipality's overall policies in respect to subdivision; and
 - (b) they provide a framework for the "subdivision design standards" that will be incorporated into the land use bylaw in accordance with the *MGA*.
- 18.2 The policies of this Part apply to the municipality (as defined) unless the lands are subject to an area structure plan or an intermunicipal development plan, in which case the policies of the applicable area structure plan or intermunicipal development plan apply to those lands.
- 18.3 The municipality shall not approve a subdivision application that does not comply with the policies of this plan unless the lands which are the subject of an application are subject to an area structure plan or an intermunicipal development plan and either of these plans, where applicable, allows the subdivision.
- 18.4 Where a habitable residence needs to be determined, a safety codes inspection may be required as part of the application and the results utilized in determining the completeness of the application in accordance with PART IV of the land use bylaw.

General Requirements for All Subdivisions

- 18.5 All subdivision applications shall be processed in accordance with PART IV of the land use bylaw.
- 18.6 A subdivision application shall not be approved unless:
 - (a) the services provided by the municipality can and will be coordinated with the creation of any new lots without undue public expenditure;
 - (b) each lot or parcel resulting from the subdivision, including any residual or parent parcel, has:
 - (i) access to a public roadway as prescribed by the *Subdivision and Development Regulation*, and
 - (ii) reasonable vehicular access to a public roadway at a location prescribed by the municipality;



- (c) each lot meets the minimum lot size provided in the land use bylaw; and
 - (d) each lot or parcel resulting from the subdivision contains a suitable development area (as defined).
- 18.7 Subdivision applications shall be reviewed taking into consideration Alberta Environment's applicable guidelines that are established under the Water for Life Strategy, Stepping Back from the Water, Wetlands Policy, *Public Lands Act*, *Water Act* and any other or subsequent Act or Guide. The results of this review shall be considered by the municipality's Subdivision Authority prior to making a final decision on a subdivision application, but if a subdivision application proposes to subdivide a single residential lot in the Rural Area in accordance with the policies of this plan, the municipality will not be inflexible in the application of the guidelines provided that the requirements of the *Subdivision and Development Regulation* are not compromised.
- 18.8 All subdivision decisions shall address School or Municipal Reserve as provided in Section 15 of this Plan.
- 18.9 Where applicable, all subdivision decisions shall address Environmental and Conservation Reserve as provided in Section 15 of this Plan.

Variance of Measurable Standards

- 18.10 Adherence to minimum lot size and measurable standards may be varied by the Subdivision Authority or the Subdivision and Development Appeal Board if:
- (a) the applicant has proven to the Subdivision Authority or Subdivision and Development Appeal Board the existence of a special or extenuating circumstance;
 - (b) the effect of the variance would not, in the Subdivision Authority's opinion, conflict with the agricultural or adjacent land uses in the area; and
 - (c) reasons for the variance are clearly stated in the decision made by the Subdivision Authority or the Subdivision and Development Appeal Board.
- 18.11 During the subdivision approval process, any variance granted for a required setback is for subdivision purposes only and does not apply to development. Development variances must be sought through the Development Authority under the land use bylaw.

Variances of Minimum Residual Agricultural Parcel Size

- 18.12 Recognizing that an unsubdivided quarter section (as defined) may contain:
- (a) 64.75 ha (160 acres) more or less where there are no registered exceptions to the Certificate of Title; or
 - (b) less than 64.75 ha (160 acres) where there are:
 - (i) registered exceptions to the Certificate of Title including road widenings;
 - (ii) portions removed from the title for other public or semi-public uses;
 - (iii) quarter sections along the meridian correction line;

the municipality shall exercise some flexibility in applying the residual parcel size provisions of this Part. But where an unsubdivided quarter section contains 32.38 ha (80 acres) or less, the residual parcel size shall be enforced recognizing that this will preclude the subdivision of an existing residence from an unsubdivided quarter section containing less than 28.33 ha (70 acres).



Subdivision of Agricultural Land for Extensive Agricultural Use

- 18.13 A subdivision application for extensive agriculture (as defined) shall not be approved unless:
- (a) the parcel which is the subject of the application is a fragmented parcel and the subdivision complies with policies 18.19 and 18.20; or
 - (b) in order to facilitate the reconfiguration of an existing quarter section, the proposed lot and any residual or parent lot resulting from the subdivision contains a minimum of 64.75 ha (160 acres). [Appendix 1, Figure 2, Policy 18.13]
- 18.14 A subdivision application for extensive agriculture which proposes to subdivide a quarter section into two 32.38 ha (80 acre) parcels or any other configuration shall not be allowed. [Appendix 1, Figure 3, Policy 18.14]

Allowable Country Residential Subdivisions

- 18.15 A subdivision application in the Rural Area for country residential use may be approved provided that:
- (a) a single lot containing a habitable residence is proposed to be subdivided from an unsubdivided or a subdivided quarter section in accordance with policies 18.16, 18.18 and 18.19;
 - (b) a fragmented parcel is being subdivided in accordance with policies 18.19 through 18.21;
 - (c) the lands have been designated for grouped country residential development in the land use bylaw in accordance with the provisions of this plan; and
 - (d) the application complies with other applicable policies of this plan.

Subdivision of a Single Residential Lot from an Unsubdivided Quarter Section

- 18.16 In the Rural Area, a subdivision application which proposes to subdivide an existing habitable residence (or a farmstead containing a residence) from an unsubdivided quarter section shall not be approved unless the proposed residential lot is as small as possible between 3 acres and 10 acres in size, but large enough to contain related buildings, structures and improvements. [Appendix 1, Figure 4, Policy 18.16]
- 18.17 Only one subdivision shall be approved on an unsubdivided quarter section.

Subdivision of a Single Residential Lot from a Subdivided Quarter Section

- 18.18 Adjacent lands may be consolidated to achieve a larger residual parcel.
- 18.19 In the Rural Area, a subdivision application which proposes to subdivide an existing habitable residence (or a farmstead containing a habitable residence) from a lot containing at least 32.38 ha (80 acres) shall not be approved unless:
- (a) the lot was created previously as the result of the subdivision of a fragmented parcel in accordance with this plan, and the lot has not been further subdivided to exclude a residential lot or parcel; or
 - (b) that the quarter section contains a jurisdictional boundary of a Town, Village or Hamlet; and
 - (c) the proposed residential lot is as small as possible between 3 acres and 10 acres in size, but large enough to contain related buildings, structures and improvements. [Appendix 1, Figure 5, Policy 18.19]



Subdivision of Fragmented Parcels

18.20 In the Rural Area, the subdivision of a fragmented parcel (as defined) shall not be approved for residential or any other use:

- (a) unless the fragmented parcel is fragmented by reason of one or more developed public roadways or a railway right-of-way with rails only; and
- (b) unless each lot resulting from the subdivision is described with reference to the boundaries of the public roadways or railway and the boundaries of the existing parcel. [Appendix 1, Figure 6, Policy 18.20]

18.21 In the case where another policy of this plan would allow for a subdivision to occur and the parcel also has a potential fragmented parcel as described in policy 18.20, the fragmented parcel shall be considered first, then the other policy would apply. [Appendix 1, Figure 7, Policy 18.21]

Property Realignment

18.22 The enlargement, reduction or realignment of an existing separate parcel may be approved provided that:

- (a) the additional lands required are to accommodate existing or related improvements; or
- (b) the proposal is to rectify or rationalize existing titles, occupancy, cultivation or settlement patterns; and
- (c) no additional parcels are created over and above those presently in existence; and
- (d) the proposed new lot and the proposed residual lot shall continue to have direct legal and physical access to a public roadway, adequate development setbacks, and a suitable building site; and
- (e) the size, location and configuration of the proposed lot shall not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities. [Appendix 1, Figure 10, Policy 18.22]

Rural Industrial and Commercial Subdivisions

18.23 A subdivision application which proposes to subdivide one or more lots proposed for industrial use may be approved in the Rural Area, but such an application shall not be approved unless the land which is the subject of the subdivision application is designated for multi-lot industrial development in the land use bylaw.

18.24 Subdivision provisions in the land use bylaw for the Rural Area shall ensure that:

- (a) the subdivision of vacant single lots for rural highway commercial or industrial-development shall be avoided as far as possible; and
- (b) the subdivision of a single lot containing existing rural highway commercial or industrial development shall be accommodated in accordance with the provisions established in the land use bylaw provided that any proposed lot is as small as practical. [Appendix 1, Figure 8, Policy 18.24]



Subdivision of Confined Feeding Operations

- 18.25 In the Rural Area, a subdivision application which proposes to subdivide a lot for an existing confined feeding operation from an unsubdivided quarter section may be approved provided that:
- (a) the Subdivision Authority is satisfied that satisfactory arrangements have been made for manure disposal;
 - (b) the lot is as small as possible between 3 acres and 10 acres, large enough to encompass the improvements. [Appendix 1, Figure 9, Policy 18.25]

Subdivision of Agricultural Land for Public and Institutional Uses

- 18.26 In the Rural Area, a subdivision application which proposes to subdivide a lot for an existing public and institutional use including cemeteries, public utilities, and public parks shall be governed in accordance with the provisions established in the land use bylaw provided that any proposed lot is as small as practical.

Subdivision of Parks and Rural Recreation Districts

- 18.27 A subdivision application which proposes to subdivide one or more lots proposed for parks or rural recreational use may be approved in the Rural Area, but such an application shall not be approved unless the land which is the subject of the subdivision application is designated for that development in the land use bylaw.
- 18.28 For subdivisions for designated Parks and Open Space, the applicable land use district minimum lot sizes and standards of development shall apply, which are dependent on the type of use proposed and the availability of servicing. Where no minimum lot size is provided in the land use bylaw, the lot size shall be determined by the Subdivision Authority.
- 18.29 For subdivisions for various residential or other uses within designated Rural Recreation districts, the applicable land use district minimum lot sizes and standards of development shall apply, which are dependent on the type of use proposed and the availability of servicing. Where no minimum lot size is provided in the land use bylaw, the lot size shall be determined by the Subdivision Authority.

Hamlet Residential and Other Hamlet Uses

- 18.30 For subdivisions for various residential or other uses within designated hamlets, the applicable hamlet land use district minimum lot sizes and standards of development shall apply, which are dependent on the type of use proposed and the availability of servicing. Where no minimum lot size is provided in the land use bylaw, the lot size shall be determined by the Subdivision Authority.
- 18.31 Through lots or double frontage lots (Figure 18.1), shall be avoided except where essential to separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. In such cases, access will be allowed only on the lower classification street.
- 18.32 Flag lots (Figure 18.1) are prohibited in the Hamlet residential districts. Flag lots or parcels may be permitted in other districts where lots exceed 0.2 ha (0.5 acre) under the following conditions:
- (a) the flag lot directly accesses a local or residential street;
 - (b) the aggregate width of the pole, or poles for two (2) adjacent flag lots, is a minimum of 12.1 m (40 ft) in width with minimum access width 6.1 m (20 ft).



- 18.33 All rectangular lots and, so far as practical all other lots, shall have side lot lines at right angles to straight street lines or radial side lot lines to curved street lines. Unusual or odd shaped lots having boundary lines that intersect at extreme angles shall be avoided.
- 18.34 The lot line common to the street right-of-way line shall be the front line. All lots shall face the front line and a similar lot across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side line of an adjacent lot.
- 18.35 No lot or parcel shall be created which does not provide for a buildable area as defined by the applicable land use district, except pursuant to an area structure plan.

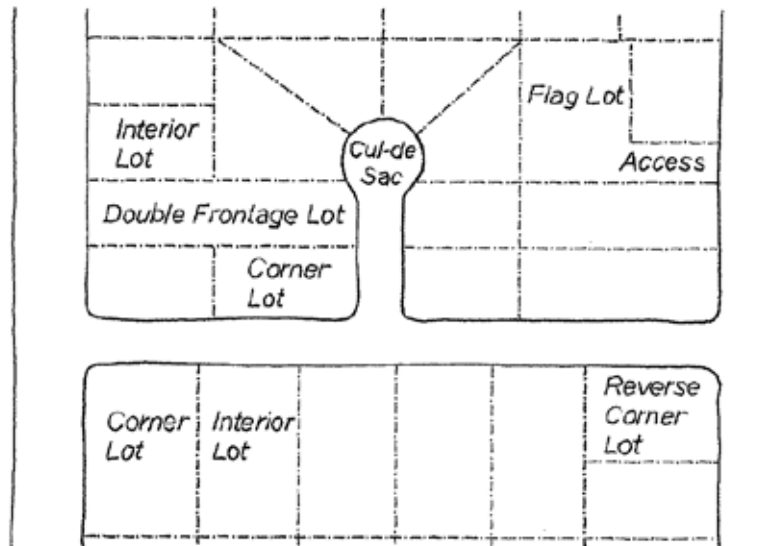


Figure 18.1

- 18.36 The length and width of blocks shall be sufficient to accommodate two (2) tiers of lots with minimum standards specified by the applicable land use district and this chapter, except where a single row of lots back up to an arterial street. When reviewing proposed lot and block arrangements, the Subdivision Authority shall consider the following factors:
 - (a) Adequate Building Sites Required: Provisions of adequate building sites suitable to the special needs of the type of land use (residential, commercial or other) proposed for development shall be provided, taking into consideration topographical and drainage features;
 - (b) Minimum Lot Sizes Established: Minimum land use district and lot requirements defining lot sizes and dimensions shall be accommodated without creating unusable lot remnants;
 - (c) Safe Access Required: Block layout shall enable development to meet all Municipal District's engineering requirements for convenient access, circulation, control and safety of street traffic.



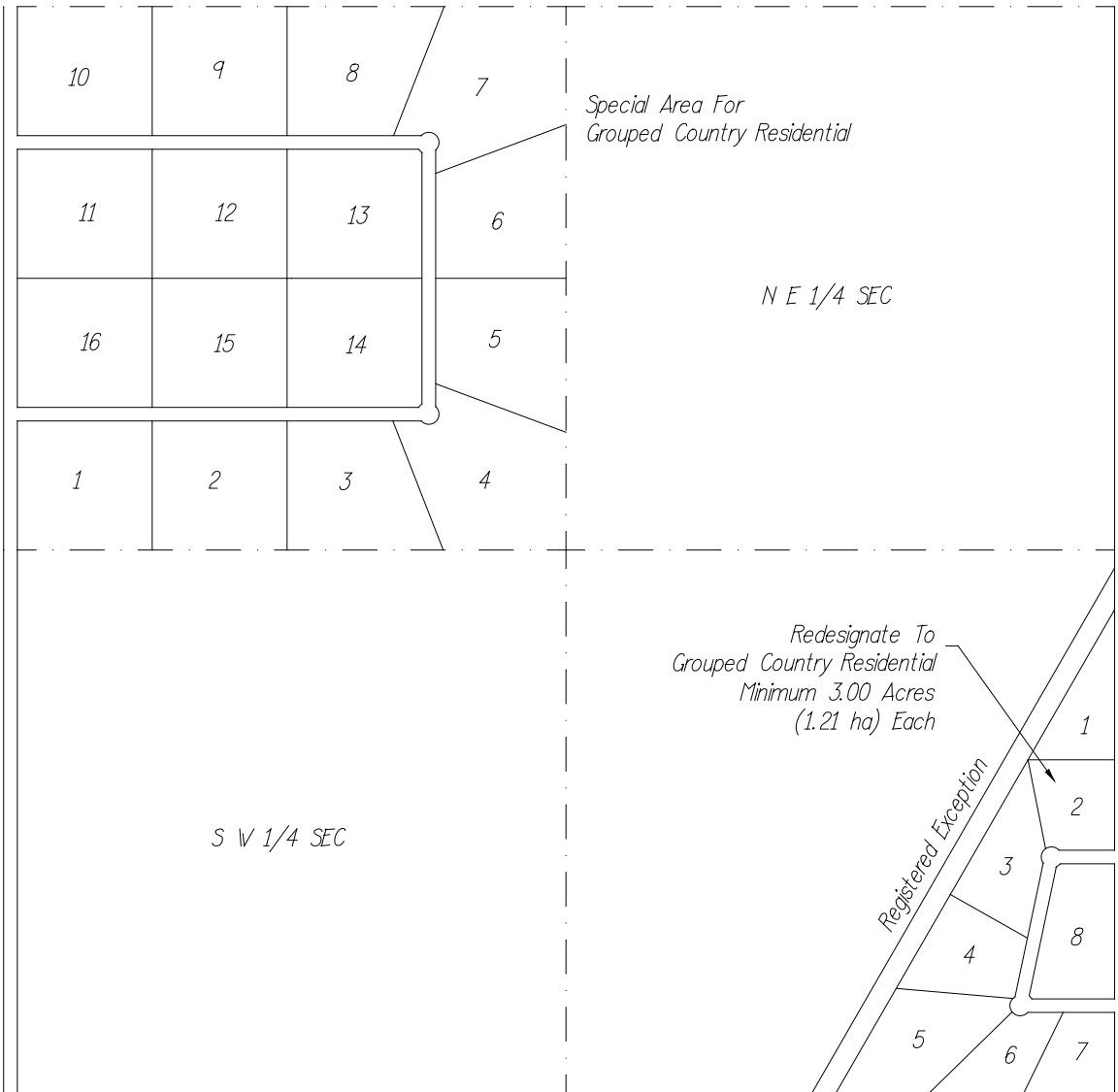


Appendix 1 Figures of Subdivision Examples



Appendix 1 Figures of Subdivision Examples

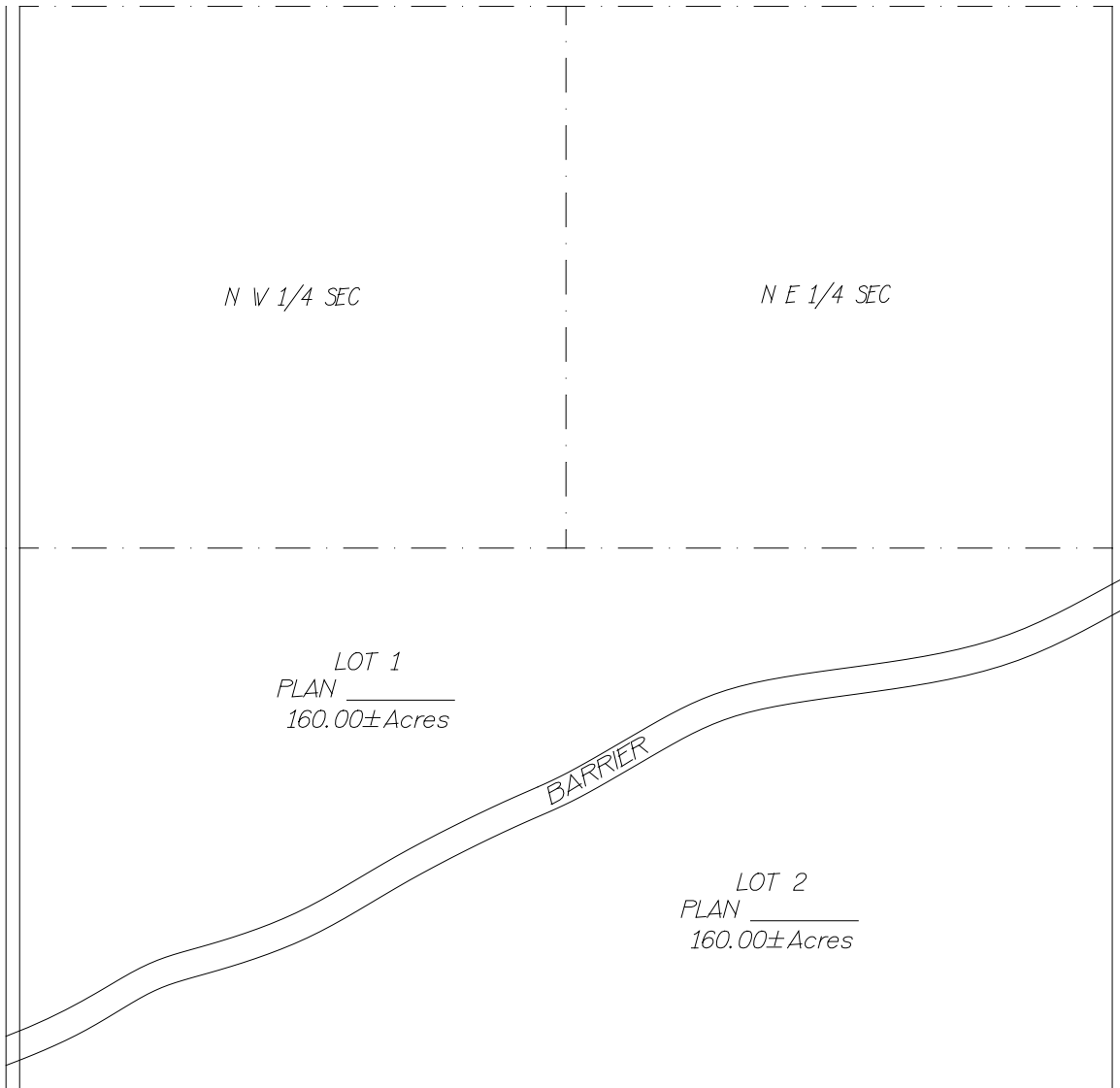
Figure 1, Policy 13.11





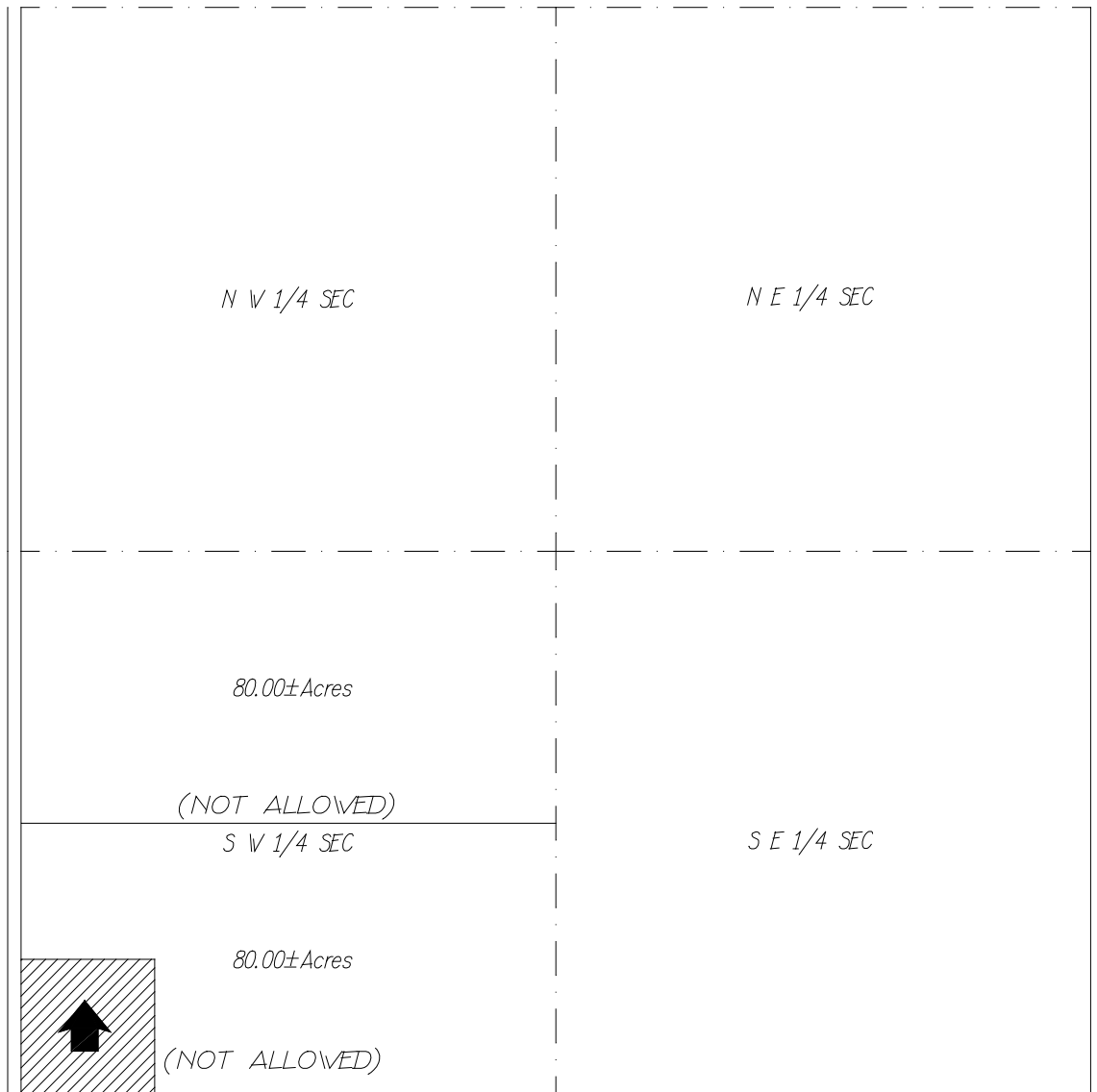
Appendix 1 Figures of Subdivision Examples

Figure 2, Policy 18.13



Appendix 1 Figures of Subdivision Examples

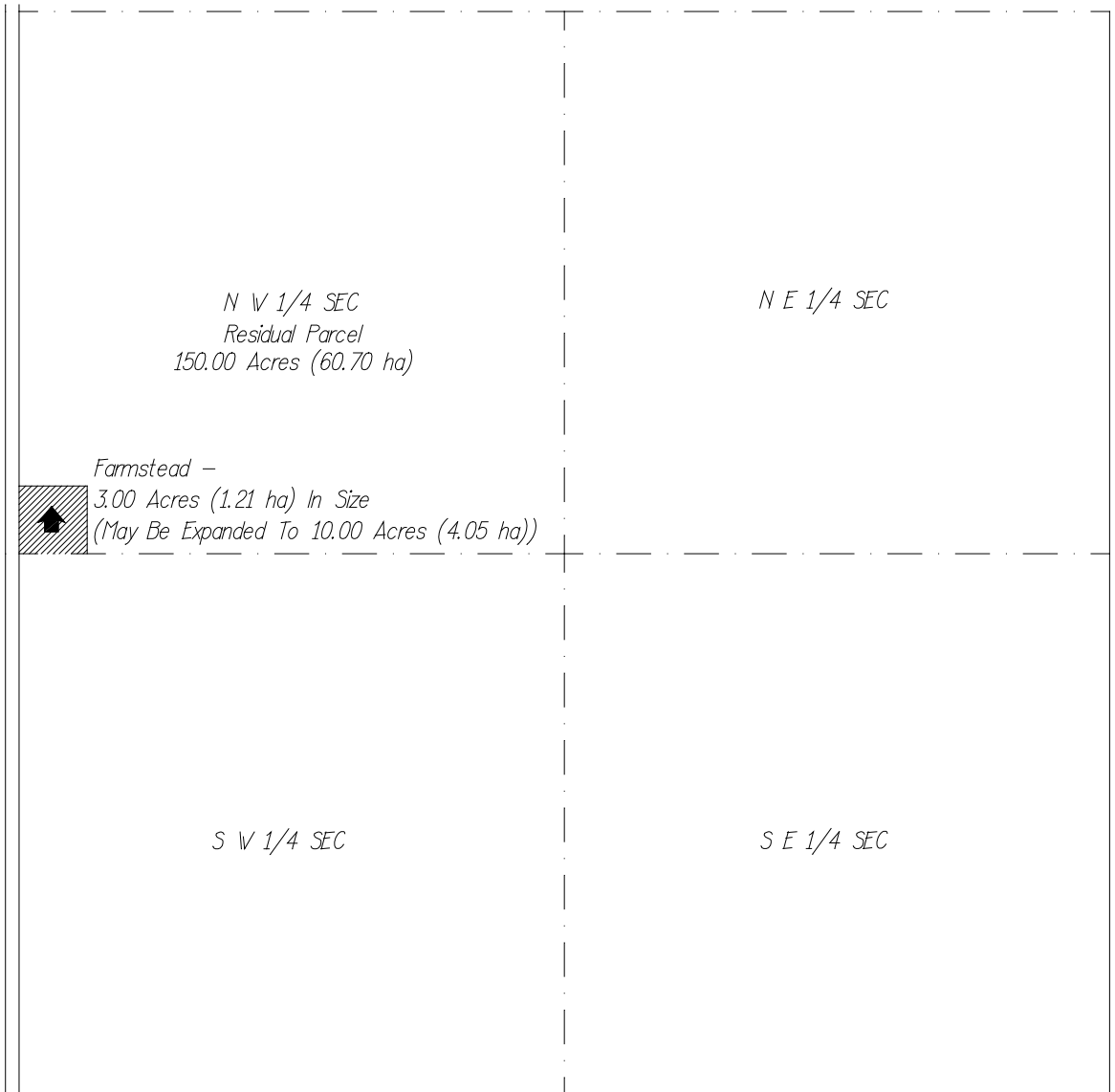
Figure 3, Policy 18.14





Appendix 1 Figures of Subdivision Examples

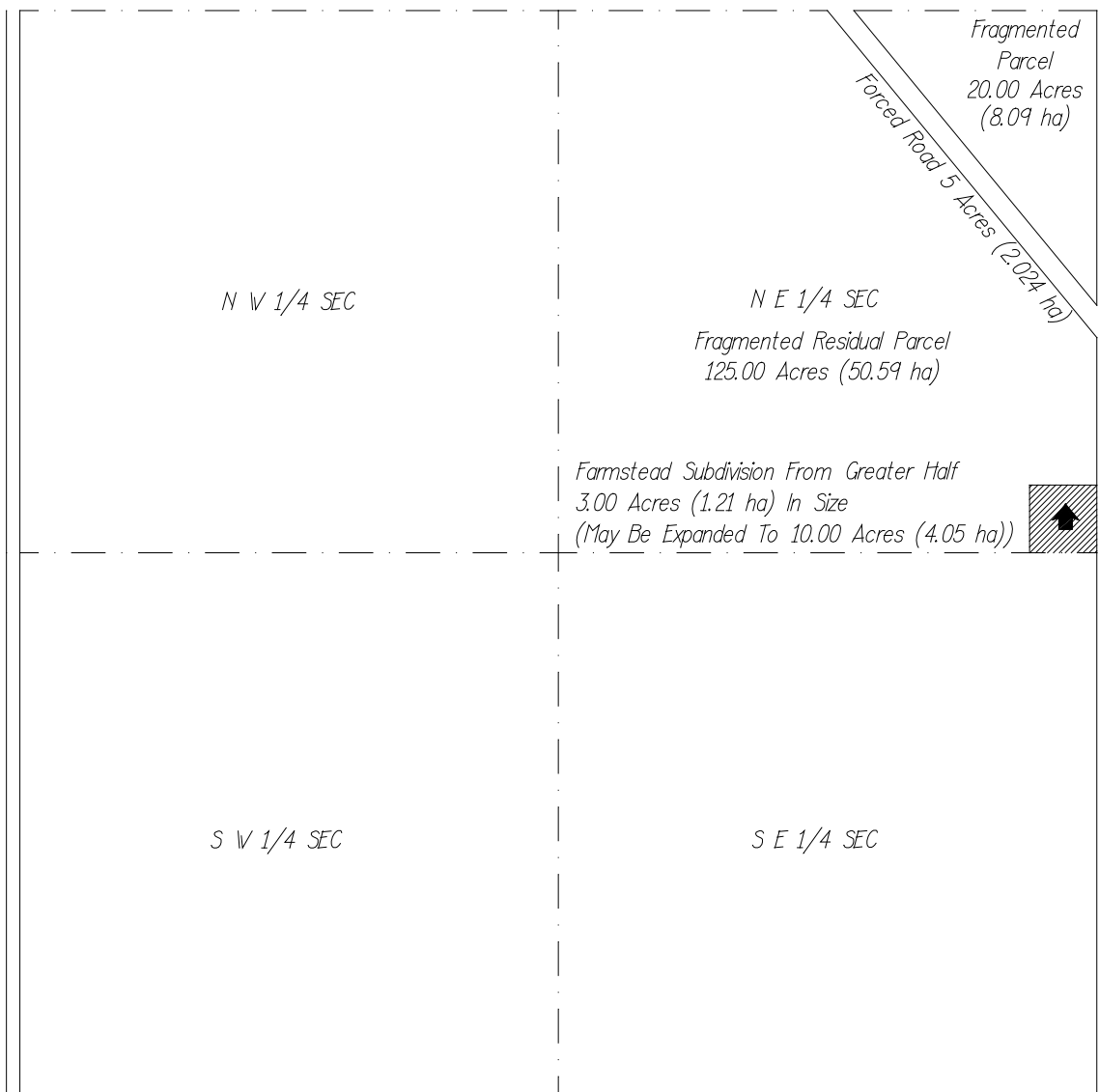
Figure 4, Policy 18.16





Appendix 1 Figures of Subdivision Examples

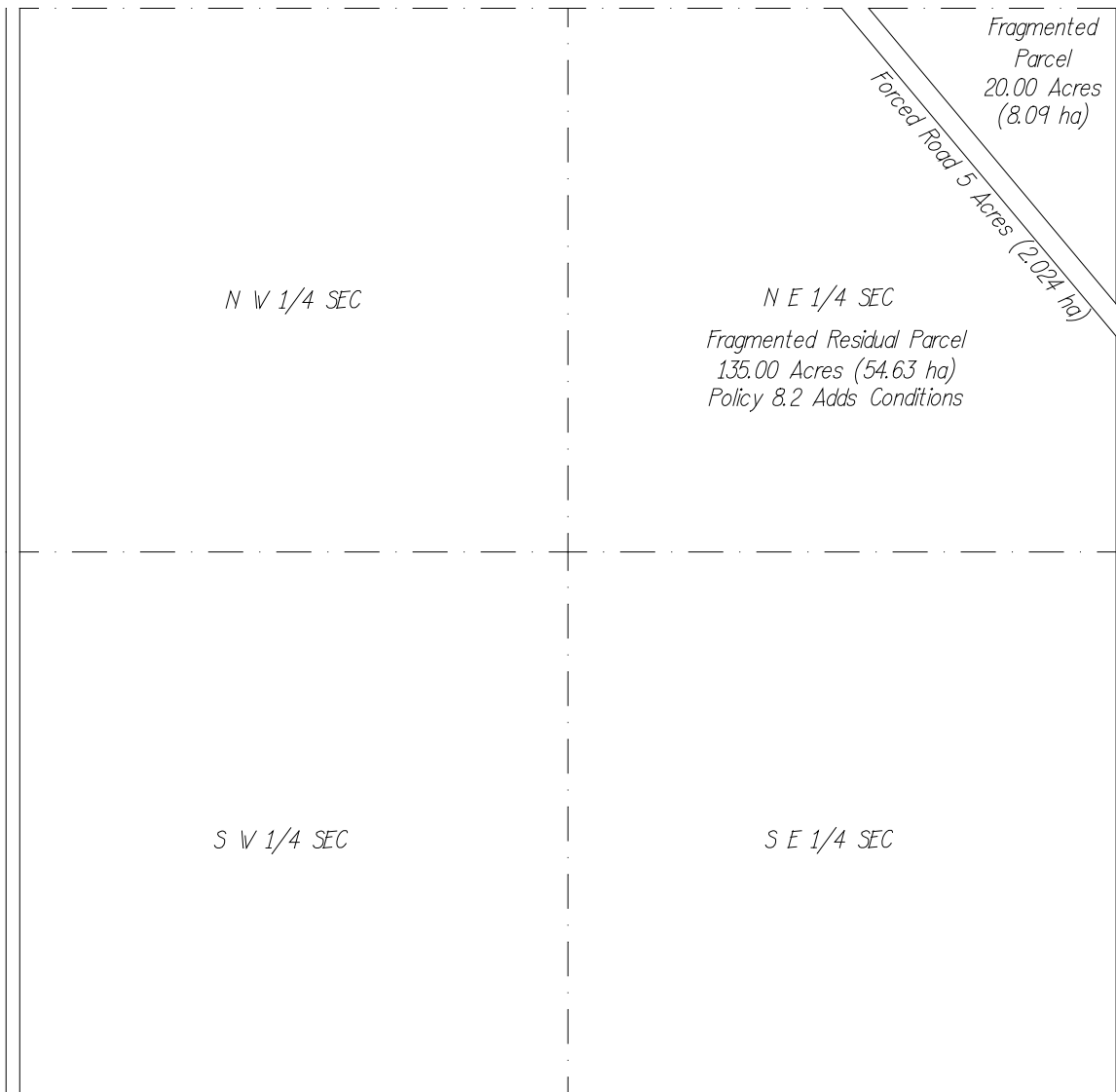
Figure 5, Policy 18.19





Appendix 1 Figures of Subdivision Examples

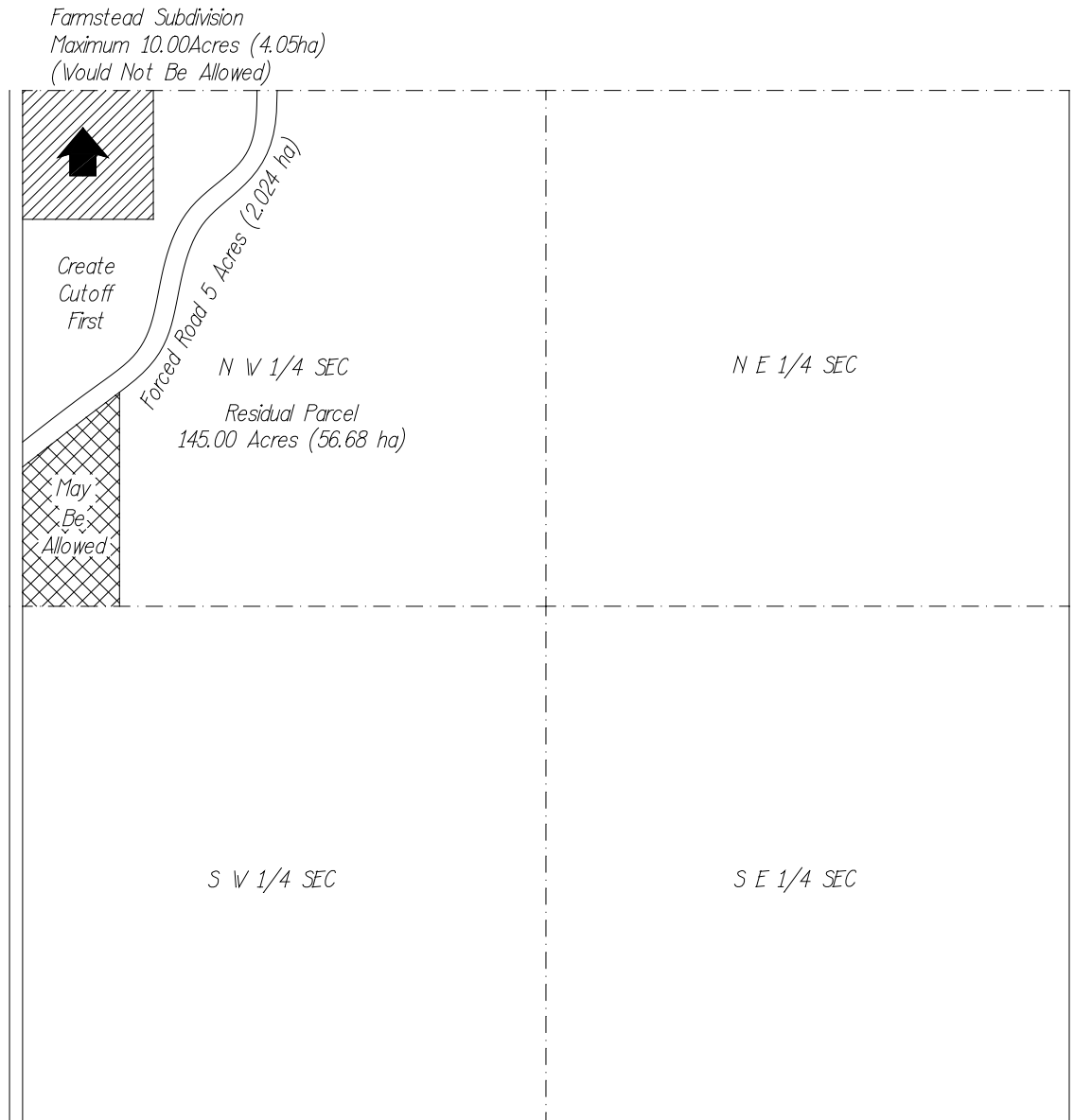
Figure 6, Policy 18.20





Appendix 1 Figures of Subdivision Examples

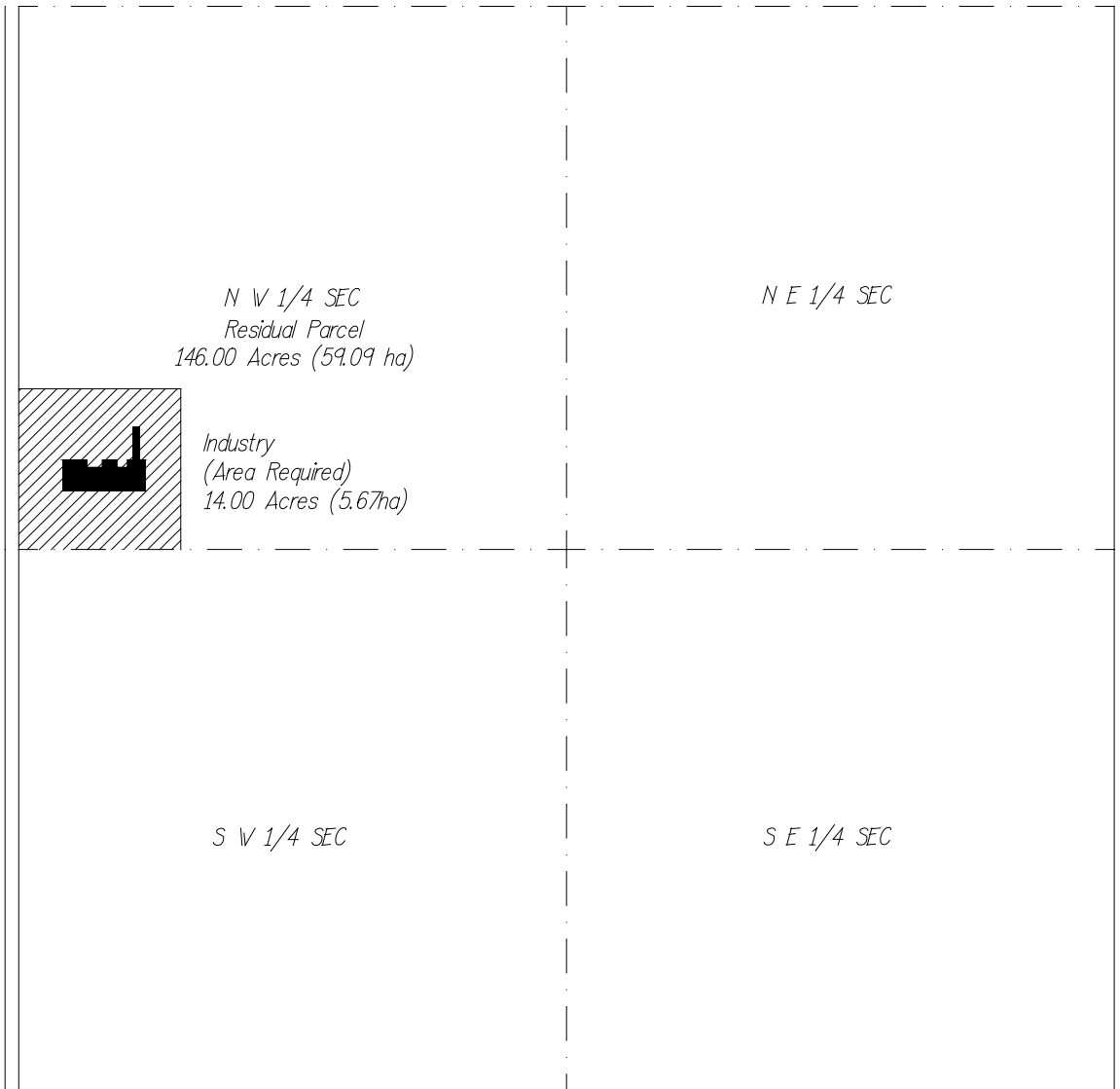
Figure 7, Policy 18.21





Appendix 1 Figures of Subdivision Examples

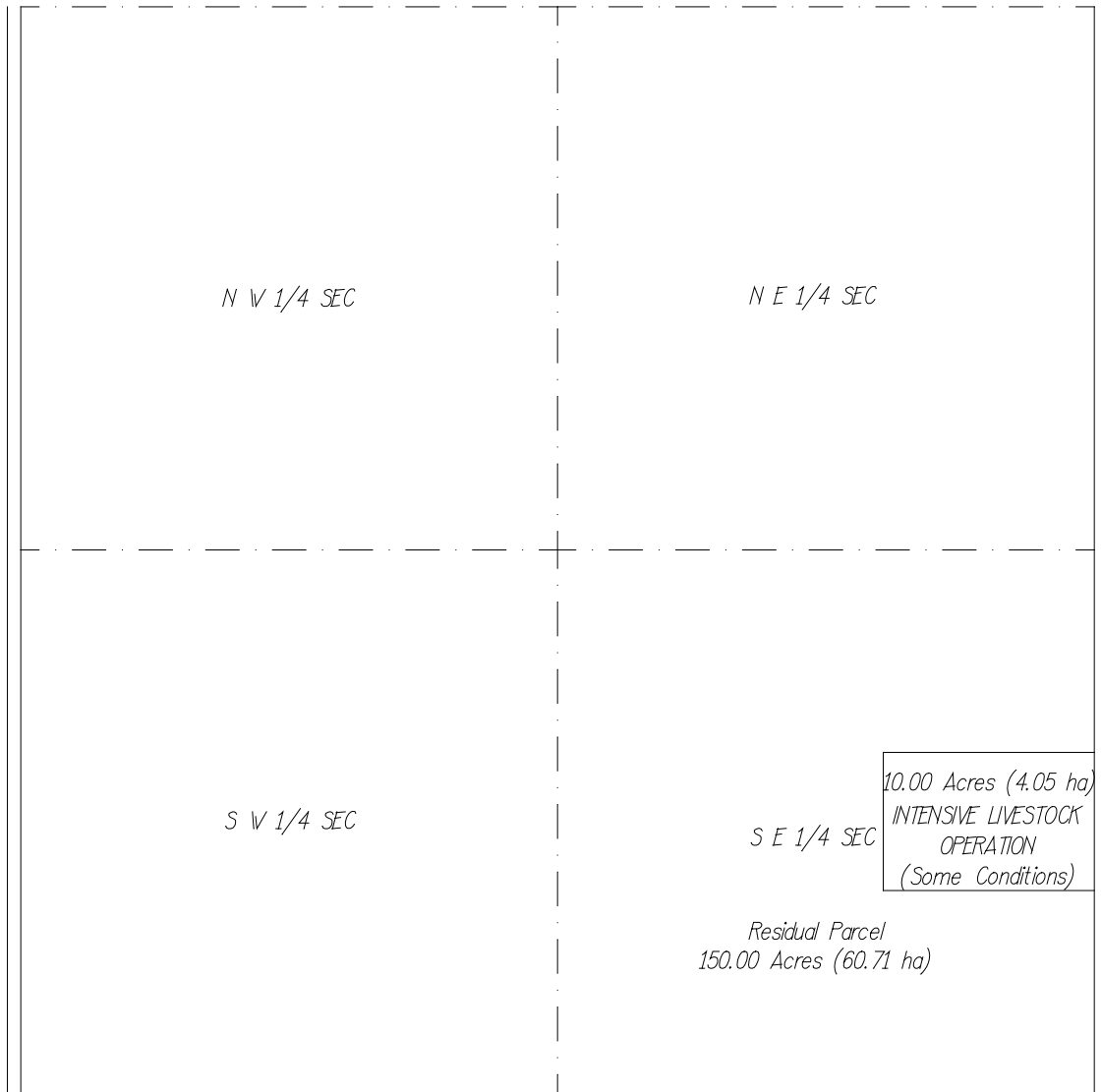
Figure 8, Policy 18.24





Appendix 1 Figures of Subdivision Examples

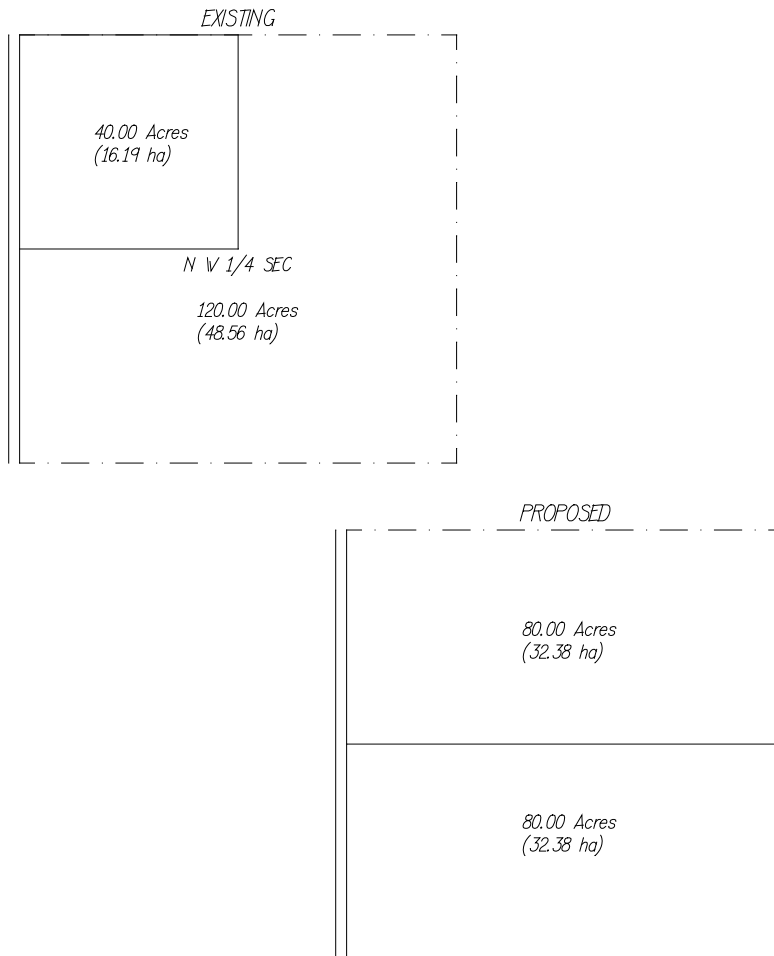
Figure 9, Policy 18.25





Appendix 1 Figures of Subdivision Examples

Figure 10, Policy 18.22







Appendix 2

Definitions



DEFINITIONS

Abutting, adjoining or adjacent land shall be defined per MGA 616(a).

Agricultural land means (from AOPA):

- (a) land the use of which for agriculture is either a permitted or discretionary use under the land use bylaw of the municipality in which the land is situated or is permitted pursuant to Section 643 of the MGA.
- (b) land that is subject to an approval, registration or authorization, or
- (c) land that is described in an ALSA regional plan, or in a conservation easement, conservation directive or transfer development credit scheme as those terms are defined in ALSA, that is protected, conserved or enhanced as agricultural land or land for agricultural purposes.

Agricultural operation means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes (from AOPA)

- (a) the cultivation of land,
- (b) the raising of livestock, including diversified livestock animals within the meaning of the *Livestock Industry Diversification Act* and poultry,
- (c) the raising of fur-bearing animals, pheasants or fish,
- (d) the production of agricultural field crops,
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (f) the production of eggs and milk,
- (g) the production of honey,
- (h) the operation of agricultural machinery and equipment, including irrigation pumps,
- (i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes,
- (j) the collection, transportation, storage, application, use, transfer and disposal of manure, composting materials and compost, and
- (k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

Agricultural Operations Practises Act (AOPA) provides the legislative foundation for agriculture and confined feeding operations in the province.

Alberta Land Stewardship Act (ALSA) provides the legislative foundation for land use planning in Alberta.

Amenities mean items and elements including, but not limited to, landscaped areas, patios, balconies, site furniture, swimming pools, beaches and other similar items that are intended for private or public use as specified by the Development Authority.

Area structure plan means a framework adopted by bylaw in accordance with the *Municipal Government Act* for the subdivision and development of an area of land which describes the sequence of development, land uses proposed, population density, location of major transportation routes and public utilities and other matters Council considers necessary.



Best management practice means an operating practice that enhances the sustainability of the resource to which the practice relates that is also practical and economically achievable.

Biodiversity refers to the assortment of life on earth—the variety of genetic material in all living things, the variety of species on earth and the different kinds of living communities and the environments in which they occur.

Buffer means an area of natural vegetation maintained around a feature to mitigate the effects of any activity applied to the area beyond the buffer.

Building means any structure constructed or placed on, in, over, or under land, but does not include a highway, road or bridge.

Bylaw means a local law; a law made by a municipality, company, club, etc. for the control of its own affairs.

Commercial means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises. Any on premise manufacturing, processing or refining of materials shall be incidental to the sales operation.

Commercial/private recreation means the recreational use of lands and buildings for financial gain where the public is admitted only on the payment of a fee or where admission is limited to members of a club, organization or association. Examples include amusement parks, campgrounds and recreational vehicle parks, golf courses and driving ranges, gun or archery ranges, guest ranches, riding stables and riding academies, waterslides and war games facilities.

Concept plan (Conceptual scheme) means a detailed site layout plan for a parcel of land which typically addresses the same requirements of an Area Structure Plan but which is not adopted by bylaw which:

- (a) shows the location of any existing or proposed buildings;
- (b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole; and
- (c) provides for access roads, water, sewer, power and other services to the satisfaction of the Subdivision Authority or Council.

Confined feeding operation means confined feeding operation as defined in the *Agricultural Operation Practices Act (AOPA)*.

Conservation means the responsible preservation, management and care of the land and of its natural and cultural resources.

Conservation reserve means conservation reserve as defined in the *Municipal Government Act*.

Cottage industry (Specialty manufacturing) is as defined in the land use bylaw.

Country residence means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied semi-permanently or permanently. This use may or may not include a farmstead.

Cultural resource means a site or structure that forms an integral part of an area's cultural heritage by typifying a particular stage of human activity in the area.

Cumulative effects means the combined effects of past, present and reasonably foreseeable land use activities, over time, on the environment.



Decision maker means a person who, under an enactment or regulatory instrument, has authority to grant a statutory consent, and includes a decision-making body.

Designate "redesignate", "redistrict", or "rezone" means changing the existing land use district on the official land use district map in the land use bylaw.

Ecological integrity refers to the quality of a natural, unmanaged or managed ecosystem, in which the natural ecological processes are sustained, with genetic, species and ecosystem diversity assured for the future.

Ecosystem refers to the interaction between organisms, including humans, and their environment. Ecosystem health/integrity refers to the adequate structure and functioning of an ecosystem, as described by scientific information and societal priorities.

Environmental reserve means environmental reserve as defined in the *Municipal Government Act*.

Environmental reserve easement means environmental reserve easement as defined in the *Municipal Government Act*.

Environmentally significant area (ESA) means a public park, designated historic or archaeological site, environmentally sensitive area, forest reserve or any similar facility, regardless of ownership and may be illustrated in the report, "Environmentally Significant Areas in the Oldman River Region – Municipal District of Pincher Creek" prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

Excavation means cutting or digging of the earth's surface which alters the original landscape by making a hole or hollow (pit).

Extensive agriculture means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 160 acres on dryland or 80 acres on irrigated land.

Farmstead means a developed area of land that includes a residence and functions or has functioned as a service area for an agricultural operation. A farmstead, in addition to the mandatory residence, normally includes farm buildings (for storage of farm equipment, feed, produce, etc.) corrals, other structures, dugouts and such other development or facilities that are necessary for the functioning of an agricultural operation. The area extent of a farmstead is normally defined by fences and/or shelterbelts.

FireSmart means the actions taken to minimize the unwanted effects of wildfire, while recognizing the important role it has in maintaining healthy landscapes.

Fragmentation means the process of reducing the size and connectivity of an area.

Fragmented parcel means a parcel or lot that contains one or more areas, which are separated from the remainder of the parcel or lot by a registered exception on the Certificate of Title for a registered public roadway or a railway. An encumbrance such as easement or a right-of-way that is not an exception from a title is not a registered exception.

Garden suite means a supplementary dwelling unit that is located on the same lot or parcel as a principal dwelling unit, where one dwelling is used to house, on a temporary basis, individuals that are receiving care from or providing care to residents of the principal dwelling.

Grouped country residential development means development that is located or intended to be located in a designated area for:

- (a) two or more abutting country residential lots; or



- (b) two or more residences on a lot or parcel commonly containing less than 28.33 ha (70 acres) where the residences are:
 - (i) not used or intended to be used for farm help, nor
 - (ii) authorized for use as a garden suite nor otherwise authorized by this plan or the land use bylaw.

Guideline means a basis for determining a course of action. An environmental guideline can be either procedural, directing a course of action; or numerical, providing a numerical value that is generally recommended to support and maintain a specified use; a numerical concentration or narrative statement recommended to support and maintain a designated use.

Habitable residence means a permanent building or part of a permanent building, intended to be used as a place of residence for humans, the condition of which allows for the inhabitants to live in reasonable comfort free of serious defects to health and safety and containing reasonable cooking, eating, living, sleeping and sanitary facilities.

Habitat patches means any discrete area with a definite shape used by a species for breeding or obtaining other resources.

Hamlet means an unincorporated urban community within a municipal district or specialized municipality with: five or more dwellings (the majority of parcels less than 1,850 square metres); a generally accepted name and boundary; and contains parcels of land that are used for non-residential purposes.

Hazardous land means lands that could be unsafe for development due to naturally occurring processes including flooding, erosion, avalanche, mass wasting and sink holes or that due to human activity is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

Headwaters means the source and upper tributaries of a stream or river.

Heritage refers to all of the qualities, features, characteristics and traditions associated with a particular culture that have been transmitted from the past as a tradition.

Highway commercial development means development, typically along a major roadway or highway, which provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, hotels and fast-food restaurants.

Intensive horticulture use means any relatively small parcels of land and/or buildings which are employed for the commercial production and sales (on or off site) of specialty crops grown by high yield and density techniques. Examples include, but are not necessarily limited to: greenhouses, nurseries, hydroponic or market gardens, mushroom or tree farms.

Intermunicipal Collaborative Framework (ICF), established under Part 17.2 of the *Municipal Government Act*, provides a forum for neighbouring municipalities to work more closely together to better manage growth, coordinate service delivery, and optimize resources for citizens.

Intermunicipal Development Plan (IDP) is a statutory document used to facilitate intermunicipal planning between two municipalities in accordance with s. 631 of the *Municipal Government Act*.

Land use decision means a decision pertaining to:

- (a) an amendment to a statutory plan or the land use bylaw;
- (b) an application for subdivision



(c) an application for development.

Multi-use corridors means a dedicated land area for co-location of linear infrastructure that supports economic linkages. May include highways, roads, electricity transmission lines, pipelines, water management, fibre-optic cables and recreation trails.

Municipal Government Act (MGA) means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, and subsequent amendments. The MGA provides the legislative framework to guide the operations of municipalities.

Municipal reserve means municipal reserve as defined in the *Municipal Government Act*.

Municipality means, for the purposes of this Municipal Development Plan, the Municipal District of Pincher Creek No. 9 and, where the context requires, this municipality's Council, Subdivision Authority or Development Authority, or whichever other municipality the term may be referring to in the context of the sentence in which it has been used.

Natural environment can generally be described as those elements of the physical environment that have not been altered by the construction of the built environment, or that, if they have been altered by the built environment, may only exist as a result of natural processes such as the hydrologic cycle, photosynthesis, and other processes fundamental to the development and sustaining of flora and fauna.

Natural resources means a material source of wealth such as gravel, sand, soil, oil, and gas, that occurs in a natural state and has economic value.

Orientation means the arranging or facing of a building or other structure with respect to the points of the compass.

Outline plan means a more specific planning framework for an area included within an Area Structure Plan or conceptual design scheme which conforms to the general principles and concepts established in those plans. This may include, but is not limited to, more detailed engineering studies or planning designs.

Parcel means the aggregate of the one or more areas of land described in a Certificate of Title, or described in a Certificate of Title by reference to a plan filed or registered in a land titles office.

Parcel, cut-off means a fragmented portion of a parcel of land or lot that is separated from the major part of a parcel or lot by:

- a. a railway with rails; or
- b. a built public roadway or highway.

Plan means the Municipal District of Pincher Creek No. 9 Municipal Development Plan, and any amendments hereto.

Pit means an excavation in the surface made for the purpose of removing, opening up, or proving sand, gravel, clay, marl, peat, or any other substance, and includes any associated infrastructure, but does not include a mine, quarry or borrow excavation.

Prime agricultural lands means lands categorized as Class 2 and 3 soils according to the classification systems used by the Government of Alberta, Land Suitability Rating System (LSRS). These lands are equivalent to Canada Land Inventory (CLI) Class 1, 2 and 3 soils. Prime Agricultural Lands are shown on Map 5.



Private sewage systems means the whole or any part of a system for the management, treatment and disposal of sewage on the site where the sewage is generated, but does not include anything excluded by the regulations pursuant to the *Safety Codes Act*.

Public land means land managed by the Government of Alberta for the benefit of all Albertans.

Public Land Use Zones (PLUZ) are areas of land designated under the *Public Lands Administration Regulation* designed to facilitate and manage a wide range of recreational activities that are compatible with mining, forestry, surface materials extraction and livestock grazing activities, while also affording protection to sensitive areas and maintaining key wildlife habitat.

Public/institutional means public or quasi-public uses, areas or facilities such as, but not necessarily limited to: churches, schools, community halls, cemeteries, weigh scales, government agricultural research stations, public utility facilities and structures, designated federal, provincial or municipal parks, recreation and camping areas or other uses determined by special Development Authority ruling to be similar in nature.

Quarry means any opening in, excavation in, or working of the surface or subsurface for the purpose of working, recovering, opening up or proving ammonite shell or any mineral other than coal, a coal bearing substance, oil sands, or an oil sands bearing substance, and includes any associated infrastructure.

Reclamation means the process of reconvertng disturbed land to its former or other productive uses.

Recreational facilities means development that includes golf courses, campgrounds, wellness centres, ice arenas, aquatics, plazas and squares, resort developments or similar, as defined in the land use bylaw, that enhances the overall function of the MD's recreation system.

Renewable or Alternative Energy means a development for the advancement, manufacture, wholesale, resale and repair of renewable energies including, but not limited to, Wind Energy Conversion Systems (WECS), geothermal, and solar collector systems.

Residence means a complete building or self-contained portion of a building, set or suite or rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping and cooking facilities and separated or shared toilet facilities and which unit is intended as a permanent or semi-permanent residence.

Residual parcel means that portion of land that remains after a lot is subdivided from it.

Resource means any naturally occurring or man-made thing on or concerning land.

Restoration refers to the process of restoring site conditions as they were before the land disturbance.

Riparian areas can generally be described as those lands adjacent to streams, rivers, lakes and wetlands where the vegetation and soils are strongly influenced by the presence of water.

Rural area means the lands outside the boundaries of a designated hamlet or an urban settlement.

Rural land means all land in the Municipal District of Pincher Creek excepting that which is contained within the designated boundaries of a hamlet.

Shall, Must, or Will means a directive term that indicate the actions outlined are mandatory and apply to all situations.

Should or May means a directive term that indicates a preferred outcome or course of action but one that is not mandatory.



Siting can generally be described as the process of identifying where development should occur on a given lot or in a given area, including such site elements as parking, access, buildings, loading and unloading areas, and so on.

South Saskatchewan Regional Plan (SSRP) means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*.

Statutory plan means a plan adopted by a municipality by bylaw in accordance with the *Municipal Government Act*.

Stewardship means the responsible use and protection of the natural environment through conservation and sustainable practices.

Subdivision means the division of a parcel of land by an instrument; as per the definition in the *Municipal Government Act*.

Substation means a connection point between high voltage transmission lines and low voltage power lines that reduces voltages to allow electricity to be safely distributed to the end user.

Suitable development area means that portion of a lot or parcel, (excluding areas that are subject to setbacks or regulatory separation distances) which has no serious constraints to development including, but not limited to, a high water table, active or abandoned oil or gas well, steep slopes, risk of flooding, erosion or slumping or other matters impeding development and cannot accommodate attendant essential facilities such as a water well and a private sewage disposal system.

Transmission line means a component of the electric highway that transports a variety of forms of energy (wind, coal and natural gas) to the end user.

Unsubdivided quarter section has the same meaning as the *Municipal Government Act, Subdivision and Development Regulation* definition and also means a single titled area containing 64.8 ha (160 acres) more or less, but excluding registered right-of-way plans for public roadways, road widenings, utilities, pipelines and previous subdivisions for government, quasi-public uses or school sites.

Use, compatible means a development capable of existing together with or nearby another development(s), without discord or disharmony.

Use, suitable means a development which, in the opinion of the approving authority, is appropriate and in accordance with established requirements.

Water Act provides for the allocation and use of Alberta's water resources and the protection of rivers, streams, lakes, wetlands and aquifers.

Watershed means all lands enclosed by a continuous hydrologic-surface drainage divide that drains to a larger body of water such as a river, lake or wetland. Watersheds can range in size from a few hectares to thousands of square kilometres.

Wetlands are low-lying areas of land covered by water long enough to support aquatic plants and wildlife for part of all of their life cycle.

Wildfire means any fire which is ignited, especially in rural areas, which spreads rapidly over woodlands, brush, or prairie grassland.

Wildlife corridor means a physical linkage, connecting two areas of habitat and differing from the habitat on either side. Corridors are used by organisms to move around without having to leave the preferred habitat.



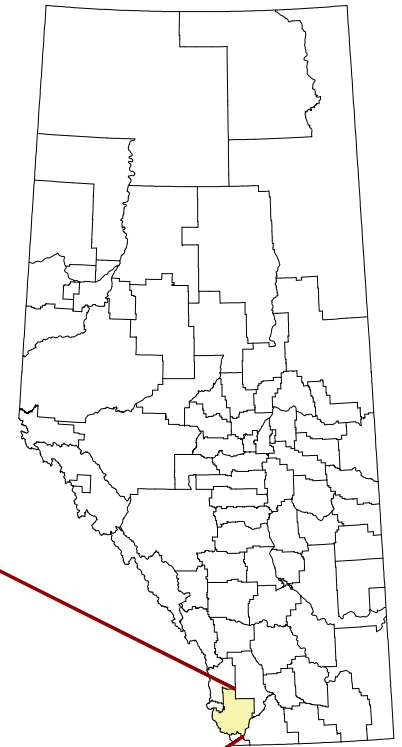
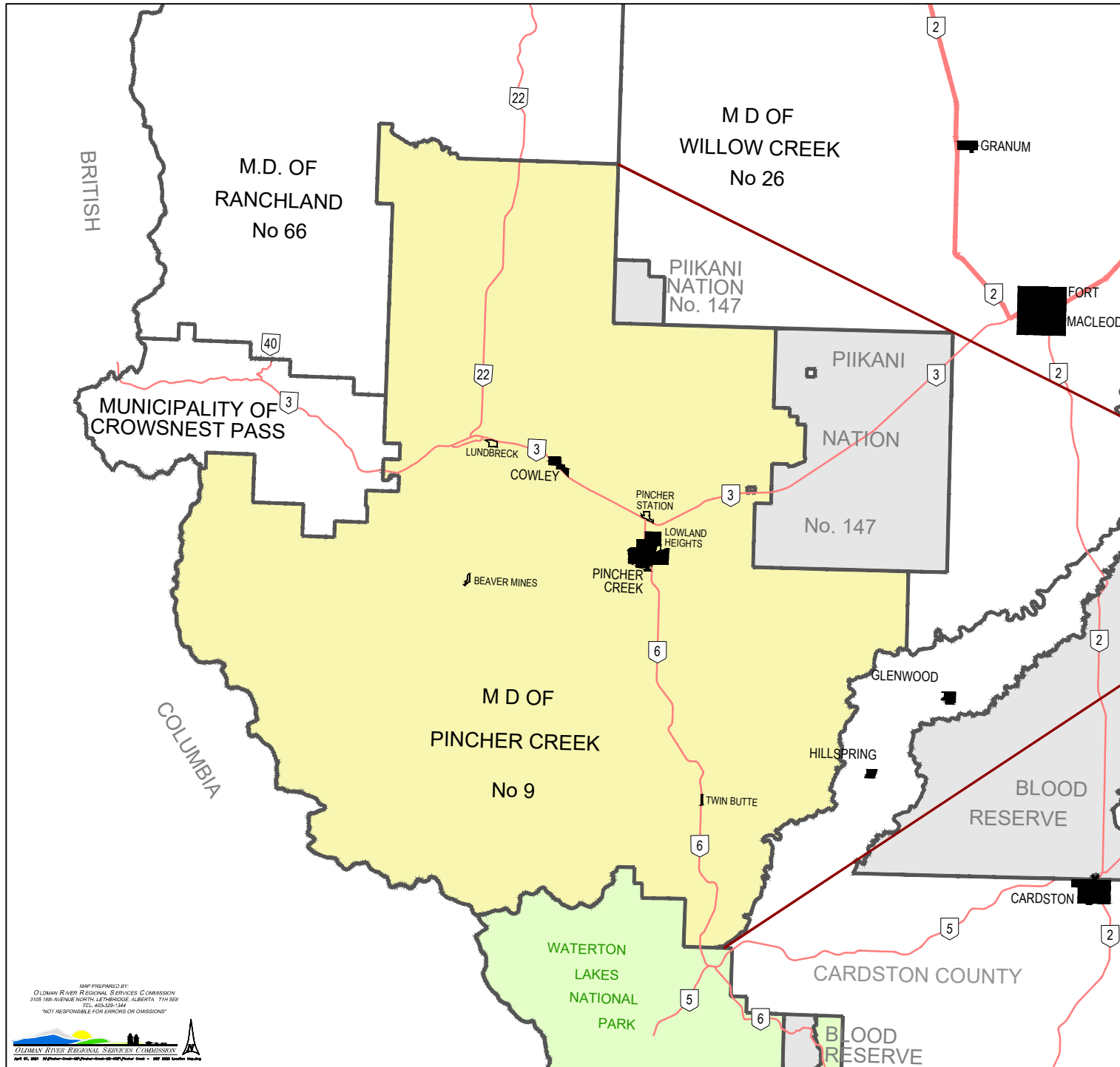
Wind Energy Conversion System (WECS) means a structure designed to convert wind energy into mechanical or electrical energy.

Wind Farm or project means a power plant consisting of a group of wind turbines and related facilities connected to the same substation or metering point used for the production of electric power. The wind farm boundary is defined by all titled parcels participating in the project.





Appendix 3 Maps



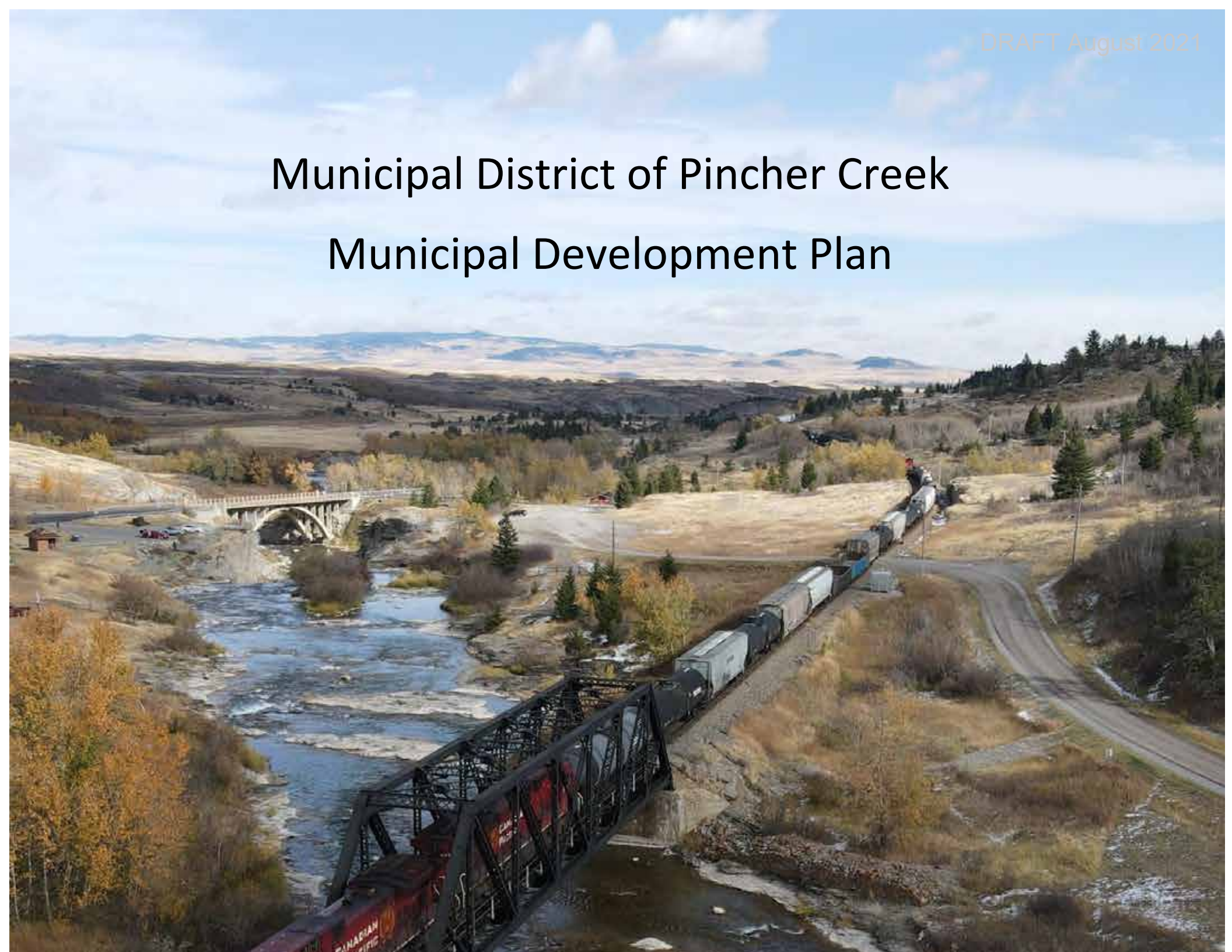
MUNICIPAL DISTRICT OF
PINCHER CREEK No. 9
MUNICIPAL DEVELOPMENT PLAN

REGIONAL LOCATION

MAP 1



Municipal District of Pincher Creek Municipal Development Plan



MUNICIPAL DISTRICT OF
PINCHER CREEK No. 9
MUNICIPAL DEVELOPMENT PLAN

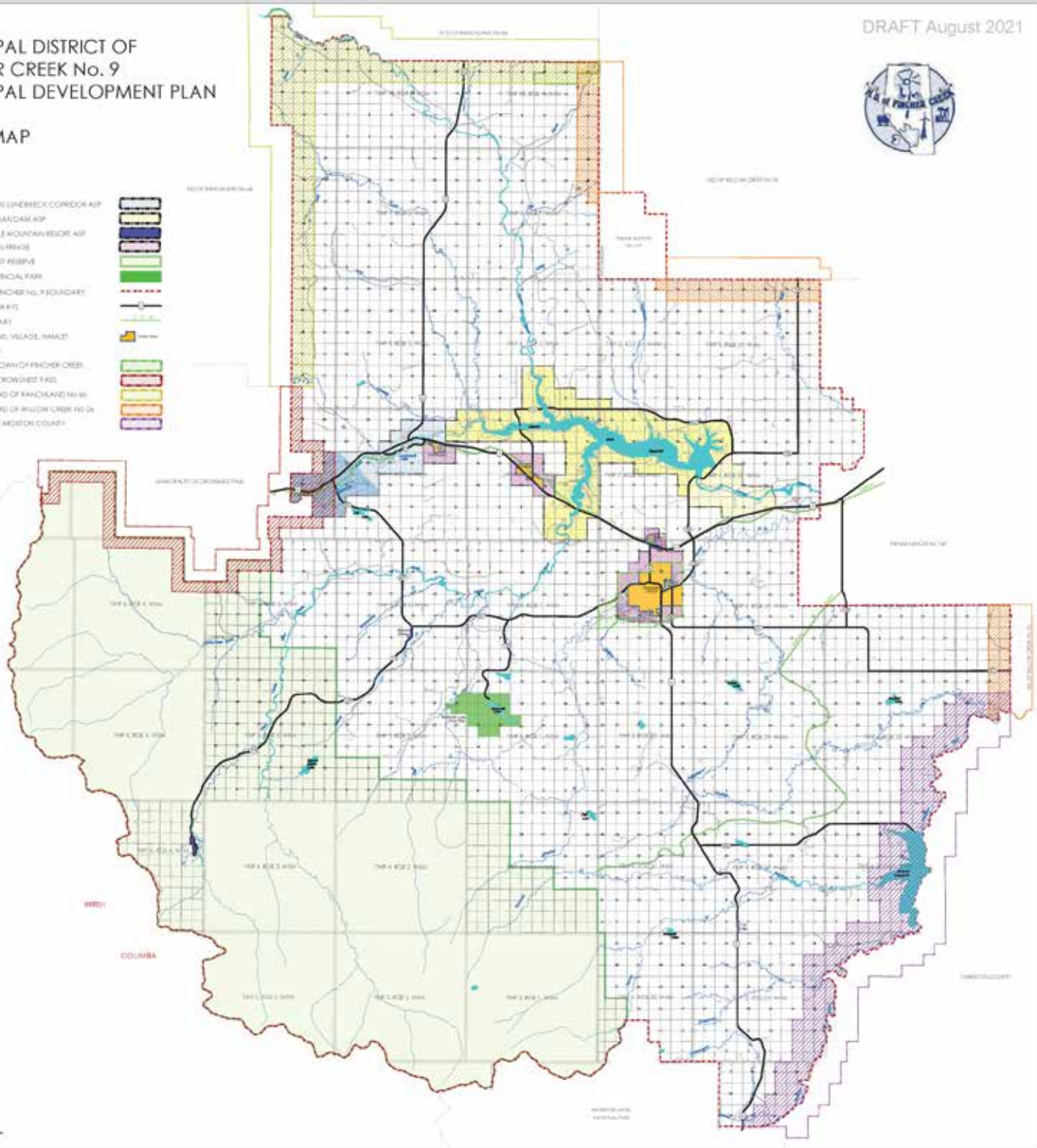
DRAFT August 2021



GUIDE MAP

MAP 2

- BIRMI LINDBECK CORRIDOR ASP
- OLDMAN DAM ASP
- CATTLE MOUNTAIN RESERVOIR ASP
- URBAN RESERVE
- FOREST RESERVE
- PROVINCIAL PARK
- MD PINCHER No. 9 BOUNDARY
- HIGHWAYS
- RAILWAY
- TOWN OF VESALE HAMLET
- RDP
- TOWN OF PINCHER CREEK
- CROWDST POND
- MD OF RANCHLAND 149-50
- MD OF PINCHER CREEK 140-24
- CANADIAN COUNTY

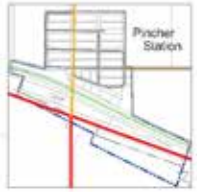


MUNICIPAL DISTRICT OF
PINCHER CREEK No. 9
MUNICIPAL DEVELOPMENT PLAN

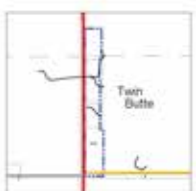
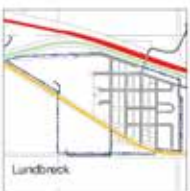
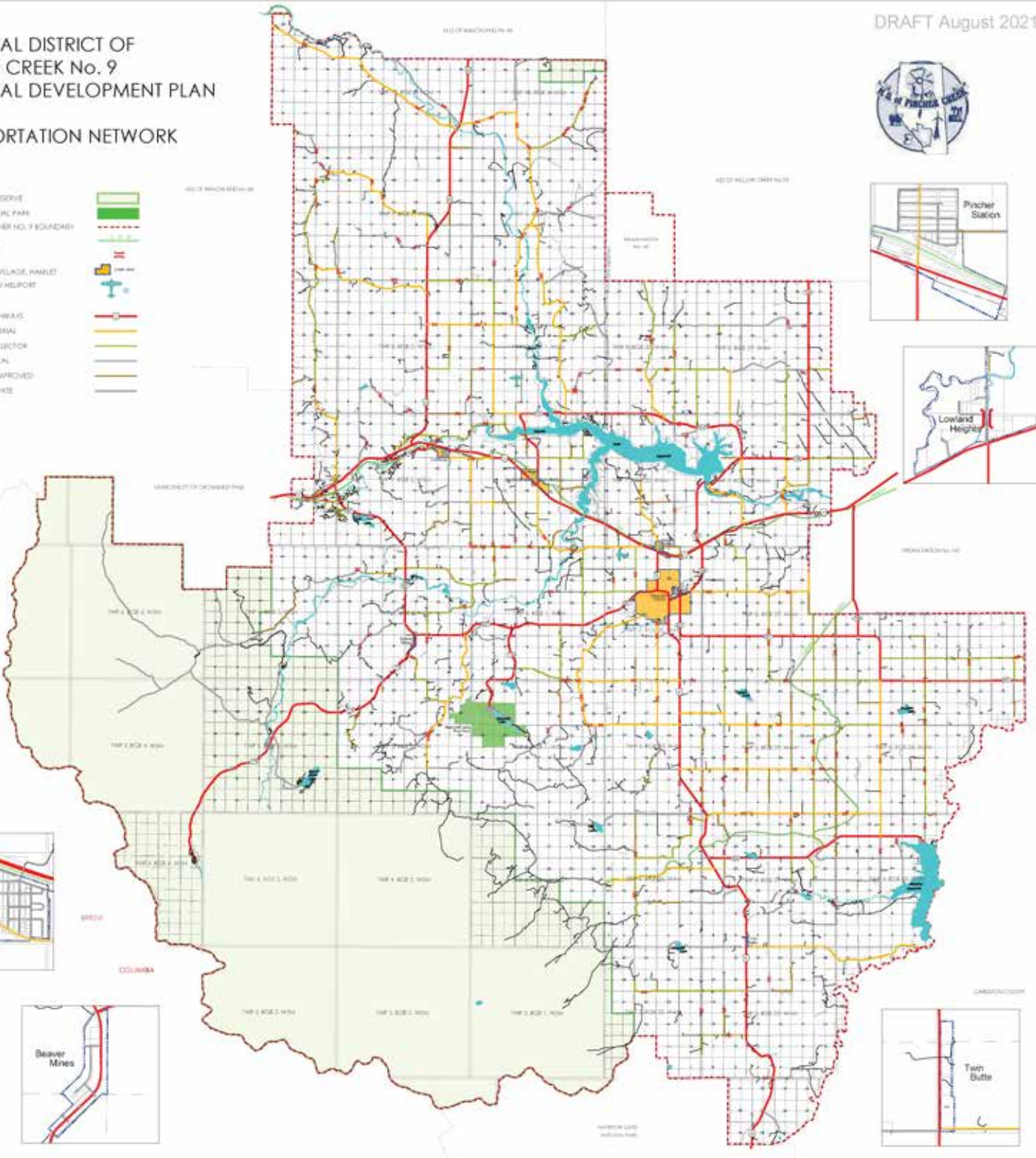
TRANSPORTATION NETWORK

MAP 4

DRAFT August 2021



- FOREST RESERVE
- PROVINCIAL PARK
- MD PINCHER NO. 9 BOUNDARY
- RAILWAY
- SEDS
- TOWNSHIP, VILLAGE, HAMLET
- AIRPORT / HELIPORT
- ROADS:
 - HIGHWAYS
 - ARTISIAL
 - COLLECTOR
 - LOCAL
 - (UNIMPROVED)
 - PRIVATE



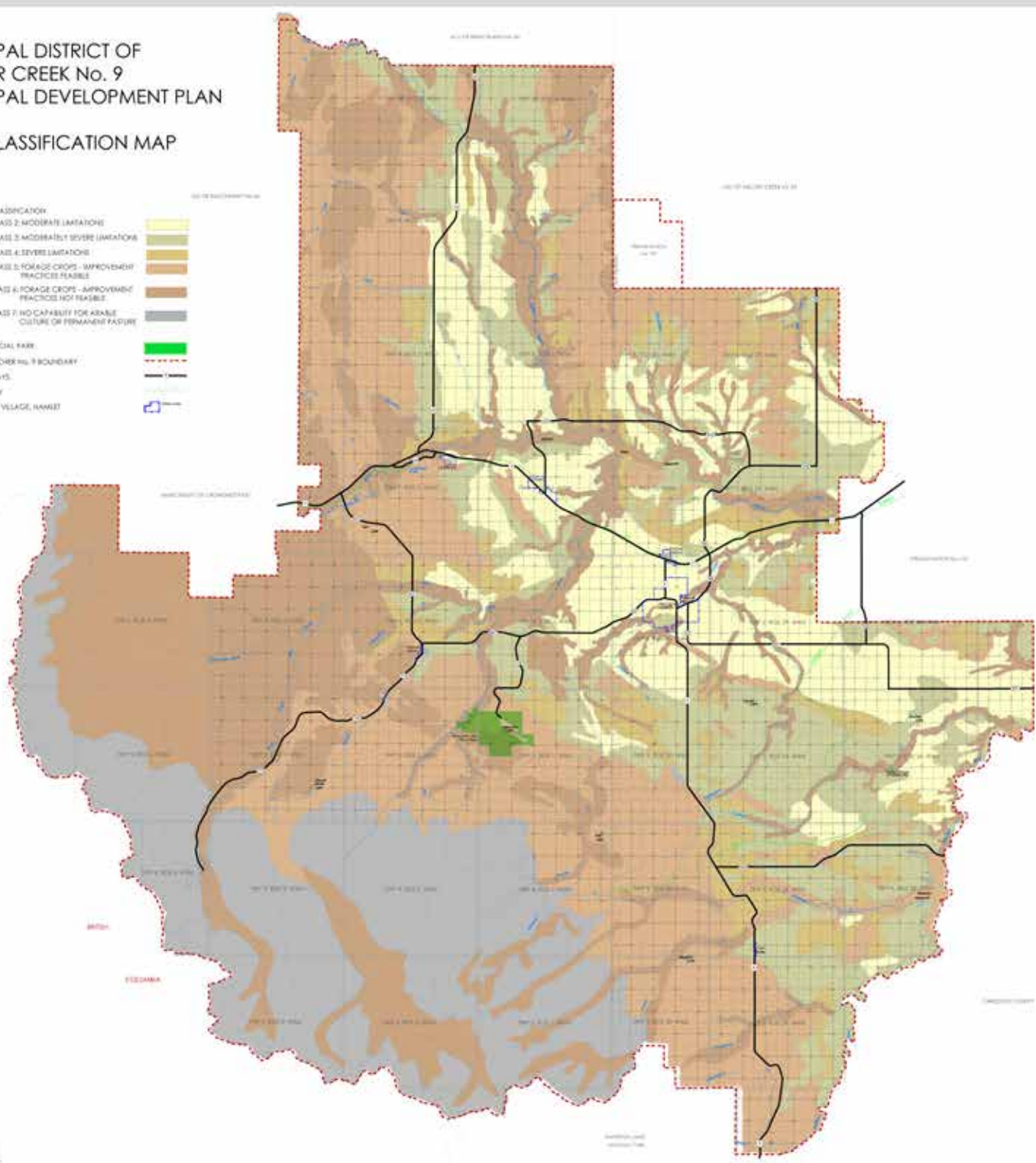
MUNICIPAL DISTRICT OF PINCHER CREEK No. 9 MUNICIPAL DEVELOPMENT PLAN

SOILS CLASSIFICATION MAP

MAP 5

- SOIL CLASSIFICATION**
- CLASS 2: MODERATE LIMITATIONS
 - CLASS 3: MODERATELY SEVERE LIMITATIONS
 - CLASS 4: SEVERE LIMITATIONS
 - CLASS 5: FORAGE CROPS - IMPROVEMENT PRACTICES FEASIBLE
 - CLASS 6: FORAGE CROPS - IMPROVEMENT PRACTICES NOT FEASIBLE
 - CLASS 7: NO CAPABILITY FOR ARABLE CULTURE OR PERMANENT PASTURE

- PROVINCIAL PARK**
- MD PINCHER No. 9 BOUNDARY**
- HIGHWAYS**
- RAILWAY**
- TOWNS, VILLAGE, HAMLET**





OPERATIONS REPORT

Current Public Works Activity

- Road Maintenance – Roads are being graded in all Divisions. Public Works has five (5) graders out on the roads doing maintenance.
- Public work focus is now on getting ready for winter, all roads are being graded, Moved from 1 to 2 mowing crews and snow fence installation is in progress.
- PW Mechanics have started inspection and dressing the equipment with snow equipment to be in line with our winter maintenance policy.
- Approved work on the Gladstone Creek Hill to begin September 13, 2021. Rock Picking was completed September 22. Gravel and MG-30 has been completed September 28, 2021.
- Road side Mowing is on-going and will be active till end of October if weather conditions permit. Currently in division 5 and 1 crew moving in division 1 Friday October 08, 2021. Division 2, 3 and 4 are fully completed.
- Bridge and guard rail mowing/Whipping has been Completed.
- Hauling Gravel to sand shed from 510 for the stand pipe and transfer station.
- First call has begun for the temporary snow fence installation. Division 2, 3 and 5 have been completed. Post Installation has begun September 16, 2021 and snow fence installation will start Monday September 27 2021
- Sand Shed property clean up to accommodate the new stand pipe site.
- Bridge Deck and Guard rail cleaning has started May 27, 2021 and will be ongoing for most of the season.
- Working on call log items daily.

Capital Projects Update - Bridges

- **Bridge File 75009 – Wild Cat Ranch**
 - Tender awarded to NL Smith and Sons at **\$257,977.50 (Budget \$580,000)**
 - 2nd East Butte Contracting Ltd
 - 3rd Don Boyce Contracting Ltd
 - Land negotiations are ongoing, agreement on the exchange of land has been reached, documents are being prepared.
 - Construction set for July – Sept 15

A preconstruction Meeting was held on August 9, roles responsibilities and plans were reviewed.

- Construction Started on August 16. The detour will be constructed prior to removal of the road.
 - o At a meeting on September 2, 2021 the Contractor achieved substantial completion. The only deficiency is seeding the disturbed areas which will be completed in October.
 - o The contractor has been notified to repair a segment of silt fence.

- **Bridge File 75377 – Local Road over Screwdriver Creek**

- Tender awarded Ossa Terra Ltd at **\$266,704.29 (Budget \$370,000.00)**
 - 2nd Don Boyce Contracting Ltd
 - 3rd East Butte Contracting Ltd
- Construction set for Aug 15 – Sept 01 (fish window) Access to private land adjacent to the bridge has been negotiated.
- A start-up meeting was held on August 9 to review roles and responsibilities, safety, eco and traffic plans.
- Following an inspection that identified a Barn Swallow nest inside the bridge culvert, the dates in the approved Code of Practice were changed by a month to allow any swallow chicks to fledge prior to work on the structure, assuming the creek remains dry and non-fish bearing.
- Approval to work in the stream has been received to conclude prior to October 31, 2021. Fledging of the nest will be confirmed prior to construction.
- The contractor has ordered the pipe and is scheduled to start construction October 4th.
- At a meeting October 5th the contractors Traffic Accommodation Strategy was reviewed. The contractor is looking to start this week and be complete by November 5.

- **Bridge File 74119 – Pony Truss Bridge**

- Tender awarded JA Building Systems at **\$163,107.50 (Budget \$170,500.00)**
 - 2nd Nitro Construction
 - 3rd Volker Stevin
- The bridge was closed July 23 and construction started on July 26th with a site safety meeting The installation of the decking is significantly completed. The contractor is waiting for backordered parts to complete the bridge.
- The contractor is projecting completion around August 23rd.
- The bridge has been returned to service with the bridge components completed. The contractor will return after the Lank bridge decking to install an upgraded guard rail on the approach to the bridge starting October 12 with about a weeks worth of work.

- **Bridge File 2224 – Lank Bridge**

- Tender awarded – JA Building Systems at **\$258,604.25 (Budget \$198,000.00)**
 - 2nd Nitro Construction
 - 3rd Volker Stevin

Additional funds req'd & approved by Council on Apr 13, 2021
Apr 13 Council approved additional funds for BF2224 to meet the low bid required for work to be completed.

- Construction was set for completion by September 31 for both projects until the contractor's supplier was unable to supply wood for the project. Once the contractor has a supplier lined up a new construction date will be determined. Wood has been secured for the project to continue as initially tendered
- The contractor mobilized to the site August 31, 2021, installed signage and have removed the decking to expose the sub-decking. Subdeck that requires replacement has been identified.

- The sub-deck and strip-deck have been replaced and the contractor is working on the wheel guards, lattice work and guardrail
 - final inspection on the project is tentatively scheduled for October 7.
- **Bridge File 75265 – Local Road over Heath Creek**
 - Tender awarded for engineering in 2021
Roseke Engineering at **\$52,162.00 (Budget \$53,000.00)**
 - Have requested updated proposed construction costs to be ready for September for 2022 budget discussions
 - the contractor has indicated that work is underway.
 - Construction set to commence in 2022
 - The preliminary design report draft is completed and will be used for the AT STIP – BIM Grant application.
 - Roseke Engineering has been instructed to complete the bridge design detail as well as provide engineering and construction estimates for an adjacent stream bank protection work.
 - The surveyor was unable to find a property pin to tie the project into. This is required to identify land to be purchased.
- **Bridge File 7743 – Local Road over Gladstone Creek**
 - Tender awarded for engineering in 2021
Roseke Engineering at **\$45,015.00 (Budget \$46,000.00)**
 - Have requested updated proposed construction costs to be ready for September for 2022 budget discussions
 - the contractor has indicated that work is underway.
 - Construction set to commence in 2022
 - The preliminary design report is awaiting results from the coring process prior to completion.
 - Coring has been scheduled following changes to Alberta Transportation changes to inspector ratings.
 - Coring is scheduled to happen in the next couple of weeks.
 - A tender package is due to be completed by the end of November, prior to AT STIP – BIM deadlines.
- **Bridge File 2488 – Fisher Bridge**
 - Engineering to be completed in 2021 due to change in rating since first inspected
 - Construction/replacement/removal options to be presented to Council for action in 2022
 - After April 27th meeting with Council additional options have been sought and we are currently sourcing material, engineering and build cost options for Council. Recycling a longer used bridge from Alberta Transportation has been ruled out. A forestry style bridge with 50 + years of life expectancy could be installed for an estimated \$600,000.
 - Proposals for a longer term, lower cost option are being received on Friday June 4, 2021.
 - ISL Engineering has been retained to do design engineering for the project. A project start-up meeting was held on June 18, 2021 and the Geo-Technical work has been completed.

- Preliminary design has progressed including contact with companies that fabricate this type of bridge structure.
- The geotechnical investigation and evaluation have been completed and design work has commenced.
- a significant segment of concrete fell from the north abutment into the river.
- The preliminary report is due to be completed for October 31 and the AT Grant application completed by November 12th.

Roads

- **Lundbreck – 1st, 2nd, & 3rd Street – Construction Summer 2021**
 - Design was completed and approved April 29, 2021
 - Tender for construction in 2021 has been awarded to Silver Ridge construction LTD at \$452,954.76 + ISL Engineering at \$23,750.00 for a total of \$476,704.76 (Budget \$605,000.00)
 - Silver Ridge Construction started work July 5, 2021. Completion Notification was received July 30th 2021. Inspection was completed August 10, 2021 and Punch list was created and submitted to the contractor for remediation..
 - Meeting held on site with Engineers and Contractor on August 25th following flooding at the east end of Second Street. Remediation work was outline to resolve the drainage and aesthetic issue.
 - Remediation work 95% completed. Culvert markers need to be installed on 1 culvert.
 - Final inspection to be held with ISL before sign off
 - Notification letter has been sent and hand delivered to affected resident by the contractor. Notification has also been posted on social media and MD Website.
- **Bruder Hill - Construction Summer 2021**
 - Wood Engineering provided Final design April 29, 2021.
 - Pre Tender meeting has been held on site Thursday May 27, 2021
 - Tender opening has been completed June 7, 2021. Lowest qualifying Tender is Dennis Dirtworks LTD at \$427,617.60
 - Council approved recommendation to increase budget to \$530,000 June 22, 2021
 - Award Letter has been sent to Dennis Dirtworks Ltd June 23, 2021
 - Mobilization to site and work started July 15, 2021
 - Earthwork was completed and inspected September 15, 2021. Erosion control and seeding in progress and should be completed October 08, 2021. MD internal force to install a cattle guard, 1 culvert, permanent signage and temporary fence to protect the seeding.
 - Substantial completion inspection was completed with the MD and Wood engineering on September 30, 2021.
 - Notification has been posted on social media and MD Website and local resident have been informed of the construction schedule.

- **Gladstone Road – Construction Summer 2021 (September 13– September 24, 2021)**
 - The proposed road construction on the road is to happen in the summer of 2021. Drainage improvement on east ditch. Road surface to be ripped, material will be windrow to the side, Rock picker to remove rock from windrow, lay material back, compact with grid and smooth drum, Re-gravel and apply MG 30 as a stabilizer.
 - Work scheduled to start September 13, 2021 and to be completed September 24, 2021.
 - Road Surface re-habilitation has been completed September 22, 2021. **Re-gravel and installation of MG30 Soil stabilizer has been completed September 28, 2021**
 - Notification has been posted on social media and MD Website

- **Cabin Hill Road - Engineering only for 2021**
 - Wood Engineering to design the Local Road - Design option have been reviewed.
 - I approved SC#2 to include post construction legal survey. Topographic survey was completed April 8-9 and Geotechnical drilling was completed April 15-16
 - Detailed design and C-estimate has been received June 23rd 2021.
 - **Preliminary design drawing have been reviewed and accepted September 27, 2021**

- **Hucik Hill Road – Construction Summer of 2021 (July 18th – July 26th, 2021)**
 - The work is located at Range Road 1-4 and would be to excavate, add a French drain, Ditch grading and stabilize the slope on the east side of the road. Though Country Excavation (Don Boyce) has been hired to assist with the work and equipment combine with the MD Equipment.
 - Work has been completed July 18, 2021 to July 26, 2021 by Don Boyce Contracting and the MD crew.
 - Notification has been posted on social media and MD Website

Large Capital and other Water Projects

- **Lundbreck Lagoon Aerated System**
 - Tender awarded – Riteline Electric at **\$38,229.81 (Budget \$195,000.00)**
2nd Nitro Construction
3rd Tregenna Investments
 - **Construction complete** – Commissioning was May 27th. - **Operational**

- **ECO Station**
 - IMDP Meeting on Friday Aug 27th . IMDP Committee passed a resolution stating they have no concerns with this development.
 - continued work with AEP for approval process and issuing of Development Permit
 - construction set to commence in second week of October. Needs to begin after the standpipe at our sand shed is completed
 - AEP information circulation process underway.
 - September 17, 2021, project information sent to Alberta Health Services for comment.

- September 22, 2021, letters requesting consent to vary the *Subdivision and Development Regulation's* 300m setback requirement from a Storage Site were sent via registered mail to all landowners within the 300m radius of the site. Many have been returned with positive endorsement of this project and agreement to the waiver.

- **Beaver Mines Water Distribution, Collection System.**

- Tender was awarded to BYZ on July 21, 2021.

1. BYZ Enterprises Inc. \$5,468,977.50 (Budget \$6,251,600)

2. Porter Tanner Associates Inc.

3. McNally Contractors (2011) Ltd.

4. Jenex Contracting Ltd.

5. Whissell Contracting Ltd.

- Mobilization was week of Aug. 17th . Site prep and grubbing to commence week of Aug. 23 and construction week of Aug. 30

- directional drilling has begun.

- bi-weekly updates are being supplied by the contractor and posted by the MD

Next update is due Oct 8th. BYZ will be demob for a few weeks to close out some work in Medicine Hat and then return to our Hamlet in November.

- **Beaver Mines Waste Facility/System**

- Tender packages are ready for the Waste Facility/System.

- Waste System will not started be until 2022 at the earliest to allow for the AEP Approval Process to run its course.

- AB Appeals Board Hearing/Mediation is slated to begin Dec 15-17, 2021

- **Beaver Mines Forcemain & Lift Station**

- The tender packages are ready

- Construction start date is being reviewed and may possibly fall under the scope of the Appeal. This is being reviewed by all parties as well as the Appeals Board.

25 June, 2021 - Draft Approval returned to AEP with signed LOU (Letter of Understanding) which is the legal document that binds us to the conditions of the approval.

13 July, 2021 – Updated Project Forecast presented to Council. Project currently stands at 380k over previous due to protracted AEP Approval, design changes to further address SOC's, legal and commodity cost increases. (3.6% increase in the budget).

21 July, 2021 – Tender closed for Distribution and Collection portion of the project and was awarded to BYZ. As of this report they have already mobilized to site and will commence site prep and surface work – ground breaking will await a decision of the Appeals Board to ensure we are in compliance with the Appeal Process.

24 August, 2021 – Appellants withdraw their request for “a stay” in regards to our construction based upon the proposed build schedule. Where the Force Main and Waste Water Facility will be later in 2022 and 2023, it is felt that there is enough time for the Appeal to run its natural

course without impacting our proposed construction schedule. This approach by the Appellants was very much appreciated by the MD.

Our first pre-meeting with the Board will be Dec 8th, 2021

Our first Mediated Meeting with the Board and the Appellants is Dec 15th, 2021.

- **Lead Management Plan - Lundbreck**

- Samples were taken in late July and August and are away for testing. This program will continue for many years under this program and anyone wanting to volunteer may do so at any time, but samples will only be taken under certain conditions.

- **Dam Study**

- RFP for Dam Safety Review Closed at 1400, April 20, 2021
- The MD received seven (7) proposals prior to the deadline. We will be putting a three member Project Evaluation Board together to review the proposals. Panel has made their selection and are beginning the work.
- Tender awarded to SNC Lavalin inc. at **\$54,027 (Budget \$90,000)**
 - 2nd WSP Canada Inc.
 - 3rd Golder Associates Ltd
- Start-up Meeting with SNC was June 11^h.

Site visit and inspection of all 5 PRFA dams on Monday June 14.

Two engineers with SNC-Lavalin Inc., Dam Safety Operation and Infrastructure officer from AEP, MD's Agriculture Fieldman, Safety Coordinator and myself.

Will be bringing final report to Council when received in September/October for direction on the future of the dams and budget considerations for 2022.

September 13, 2021 – DRAFT Dam Safety Review report received from SNC Lavalin. Review of the report is underway.

- **Standpipes (Cowley, PC and new site in BM)**

- MPE hired to provide engineered drawings and cost estimates for presentation to Council on July 13th.
- Council approved both new sites to be completed in 2021.

- PC Standpipe is going to IMDP Meeting on Aug 27th and Roland is working with AEP on Approval process and Dev Permit. - IMDP Committee passed a resolution stating they have no concerns with this development.

Construction still slated for September/October with the unit arriving in October for installation and hook up. Commissioning in October/November. **Please note PC Standpipe is now going to be located at the MD's Sand Shed Site off Pronghorn.**

- land purchase with BM Standpipe has been completed and the Development Permit and subdivision are in progress.

- survey for both locations will be completed and flagged next week, Sept 27 so we can begin site prep at both locations. **Survey is completed for both sites.**

Top soil stripping will begin in BM this week with the road construction and culverts being installed next week. Drilling for water lines will follow for the site to be ready in late October, early November. The company building the buildings for us has run into some supply issues but is confident we will have them in November at the latest.

A few additional reports are required for the site in town to satisfy their development permit. These are being worked on by both MPE and our Development Officer.

Cowley interface upgrade to coincide with the installation of our two new units in October.

Recommendation:

That the Operations report for the period Sept 29, 2021 to Oct 12, 2021 is received as information.

Prepared by: Eric/Roland/Troy



Date: Oct. 07, 2021

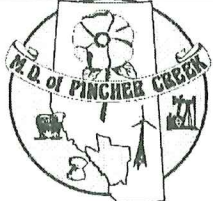

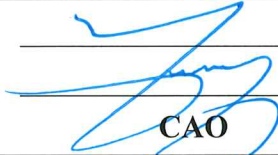
Submitted to: Council

Date: Oct. 14, 2021

	DIVISION	LOCATION	APPROACH NUMBER	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	FOLLOW UPDATE	COMPLETION DATE
3002	Division 1	NE26 T4 R30 W4	#3015 TWP4-5	No maintenance on snow fence for years, Bison in field Bison no longer there,RQ maintenance RR30-1	Tony N	Completed	March 15, 2021	Roger asked us to wait later this summer has the field stay wet. Talk to him September 20, 2021	October 6, 2021
3004	Division 4	WC Ranches	by Glider Strip	To put in another approach & possible culvert	Jonathan	-	March 31, 2021	will be completed when available, not a priority	-
3020	Division 1	St Henrys	-	Brush need cutting / Maintenance	Jonathan	-	June 3, 2021	talk to him, told him we would do it in the winter	-
3036	Division 1	NW15 T5 R30 W4	RR30-3	Culvert concerns	Jonathan	-	June 14, 2021	Culvert will need cleaning and rip rap, would be done later in the fall / Oct.	-
3048	Division 5	SE27 T7 R2 W5	#2219	Driveway grading and Driveway mowing	Crew	Completed	June 23, 2021	Driveway Completed will be added to mowing list	September 29, 2021
3068	Division 5	Maycroft Road	RR2-4 into their place	Has a "Dead End Sign" but would like a "No thru Road Sign" at the junction of the Maycroft Road	Eric	-	July 12, 2021	Fist call has been requested October 5, 2021, will be installed when cleared	-
3072	Division 5	SW27 T7 R2 W5	#2322 Hwy 3	Lundbreck Falls RQ to <u>cut grass</u> on driveway	Crew	-	July 13, 2021	will be added to mowing list	-
3086	Division 3	SW15 T5 R1 W5	#5202 RR1-3A	Steep Hill unproved road is starting to wash away and is a concern. Also grass cutting is requested	Crew	Completed	July 22, 2021	will be added to mowing list	September 27, 2021
3087	Division 2	RR29-4	North of Sproule feed lot	at 1st Texas Gate would like a "No Thru Road/Dead End "Sign GPS systems have incorrect info & people are getting lost	Jonathan	Completed	July 22, 2021	Will be added to the sign List	September 23, 2021
3095	Division 3	SW21 T5 R2 W5	#2330 TWP5-3	RQ GRASS MOWING same as previous years	Crew	Completed	July 27, 2021	Will be added to mowing list	September 29, 2021
3126	Division 3	-	-	Would like a sign No thru Road at RR1-2	Eric/Don	Completed	August 16, 2021	Will be added to the sign List	September 23, 2021
3138	Division 1	SW4 T4 R29 W4	#29326 TWP4-6	Re wanting to clean ditch for drainage to direct water from his property to drain into the culvert	Jonathan	-	August 30, 2021	Meet with him, might have to wait till spring 2022	-
3157	Division 3	NE10 T6 R30 W4	-	Fairy new install snow fence has board coming appart	Eric	Completed	September 7, 2021	To be repaired	October 7, 2021
3158	Division 2	NW16 T6 R28 W4	#6223 RR28-4	Would like her driveway mowed	Mowing crew	Completed	September 7, 2021	Glen & Topher advised and they have noted her request	October 7, 2021
3161	Division 5	SW25 T9 R3 W5	#9417 RR3-0A	Beavers building dams (Todd Creek)S of Willow Valley Hall causing water backup problems	Eric/John	-	September 9, 2021	We need to have a look, Left message September 21, 2021	-
3166	Division 3	NE20 T6 R1 W5	North of Castle River	Asking to have road allowance mowed between pump house and her property By Bruno Yagas	Eric	Completed	September 14, 2021	Road was graded, will be added to mowing list	October 4, 2021
3168	Division 1	SW15 T4 R30 W4	-	Re Mulching and Brushing	John	-	September 15, 2021	John spoke with him on September 20, 2021	-
3170	Division 5	NE10 T10 R2 W5	-	Maycroft Road deplorable for years/recent activity has been totally ineffective/Dust control requested but not applied/contractor took out the top wire of fence	Eric/John	Completed	September 20, 2021	Talk to her early September, dust control not required	September 27, 2021
3171	Division 5	SW27 T7R2 W4	#2322 Hwy 3	Would like her driveway graded after the grass mowing see W/O #3072	Dave	-	September 20, 2021	-	-
3175	Division 3	-	Mazur Road	Road from Hwy and past their place needs maintenance & Mowing	Tony T	Completed	September 21, 2021	Will be added to mowing list	October 4, 2021
3178	Division 2	-	-	Requested Grader to level his field after fence has been removed.	Eric/John	-	September 20, 2021	Jon to contact him and have a site visit. Jon to call him again when back from vacation to come up with a plan if work is required.	-
3179	-	-	-	Reported nails and boards on Hwy 3A	Don	Completed	September 23, 2021	Don went and checked nothing there someone must have cleaned it up	September 23, 2021
3180	Division 3	SE9 T6 R2 W5	Off the 507 1st driveway past Stellas	Wanting rocks moved by driveway	Tony T	Completed	September 24, 2021	Tony graded but I don't think could move the rocks	September 27, 2021

	DIVISION	LOCATION	APPROACH NUMBER	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	FOLLOW UPDATE	COMPLETION DATE
3181	Division 1	NW24 T3 R29 W4	#3330 RR29-1	Ask to have a look at driveway and if possible grade it renting to Shane Biede	Tony N	Completed	September 27, 2021	Tony said he would check it out for Brian	October 6, 2021
3182	Division 2	-	TWP5-4	Needs a grader	Kent	Completed	September 27, 2021	-	Septembefr 30, 2021
3183	Division 2	NW16 T5 R28 W4 SE24 T4 R29 W4*	-	Would like to either move fence or clean out ditch	Eric	Completed	September 29, 2021	Eric met with him	September 29, 2021
3184	Division 4	NE10 T8 R1 W5	#8120 RR1-2	Ask to have driveway done	Shawn	Completed	September 29, 2021	-	September 30, 2021
3185	Division 4	NW14 T9 R 1 W5	#1131 TWP9-3	Asking to have grader on Olin Creek Road	Shawn	Completed	September 29, 2021	-	September 30, 2021
3186	Division 4	HERITAGE ACRES	-	A huge thank you for the grader's assistance	Shawn	Completed	September 30, 2021	KUDOS	September 30, 2021
3187	Division 2	SW4 T6 R29 W4	#29332 TWP6-0	Asking to have Cyr Hill graded	Kent	Completed	October 4, 2021	-	October 4, 2021
3188	Division 5	NW11 T7 R2 W5	#2120 TWP7-2	Needs to put in an access (Approach) & Culvert ? To the East of barn approach	Eric	-	October 4, 2021	Left a message October 5, 2021	-
3189	Division 3	SE13 T6 R1 W5	#1007 TWP6-2A	Wanting approval to put in an approach NE corner, off Christie Mines Road (Property owned by Joel Smith)	Eric	Completed	October 4, 2021	met with him on site October 6. Location has been approved	October 6, 2021
3190	Division 2			Reported a yied sign on the T-intersection/speed corner on\crook rd. RR5-4A missing and needto be replaced	Don	Completed	October 4, 2021	-	October 6, 2021
		Indicates Completed							
		Indicates Defered to Spring							
		indicates On the To Do List							

Recommendation to Council

TITLE: Recycling Agreement – Town of Pincher Creek Reimbursement			
PREPARED BY: Meghan Dobie		DATE: October 5, 2021	
DEPARTMENT: Finance			
		ATTACHMENTS:	
Department Supervisor	Date	<ol style="list-style-type: none"> 1. Recycling Depot Funding Agreement (inactive) 2. Joint Recycling Committee Minutes – Feb 26, 2018 	
APPROVALS:			
	<u>Oct 6, 2021</u>		<u>06 Oct. 2021</u>
Department Director	Date	CAO	Date

RECOMMENDATION:
In the absence of a Recycling Depot Funding Agreement, that Council dissolve the recycling trust by reimbursing 55% (\$19,039.47) of the balance to the Town of Pincher Creek; and further

That Council move the MD’s 45% (\$15,577.74) into the MD’s Recycling Equipment Reserve (6-12-0-755-6740).

BACKGROUND:

- The Recycling Depot Funding Agreement is no longer valid, as the agreement with K.J Cameron Services Industries Ltd. ended as of June 30, 2021.
- The MD is the “Managing Municipality” therefore the funds (both Town and MD) are held in trust by the MD. As of September 30, 2021, the trust is valued at \$34,617.21
- In the absence of an agreement, the MD should not hold onto Town funds.
- In 2019, the Village of Cowley pulled out of the recycling agreement. MD Council moved (res 18/628) “that the Village of Cowley be reimbursed 4% of the balance of the Joint Recycling Reserve as of January 1, 2019, as per the Recycle Depot Funding Agreement”.
- It should be noted that the terms “Reserve” and “Trust” are incorrectly being used interchangeably. The correct term is “Trust”. The MD merely administers the terms and conditions embodied in the agreement and has no unilateral authority to change the conditions. The MD was acting as a trustee when it administered the recycling trust funds on behalf of the beneficiaries specified in the agreement. In other words, we were holding Town money, but it was not a contribution from the Town to the MD. The MD is holding cash on behalf of other Municipalities that is not available for MD use, this cash must be held in trust.

FINANCIAL IMPLICATIONS:
 \$34,617.21 (MD – \$15,577.74; Town – \$19,039.47)

RECYCLE DEPOT FUNDING AGREEMENT

THIS AGREEMENT MADE THIS 1st DAY OF JANUARY, 2017.

BETWEEN

THE TOWN OF PINCHER CREEK
(hereinafter called the "Town")

OF THE FIRST PART

&

THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
(hereinafter called the "M.D.")

OF THE SECOND PART

&

THE VILLAGE OF COWLEY
(hereinafter referred to as the "Village")

OF THE THIRD PART

WHEREAS the Parties have entered into an Agreement with K.J. Cameron Service Industries Ltd. known as the ***RECYCLE DEPOT OPERATIONS AGREEMENT***.

AND WHEREAS the Parties hereto provide for the apportionment of costs in accordance with that Agreement.

NOW THEREFORE his Agreement witnesseth that in consideration of the mutual covenants and promises, the Parties hereto agree as follows:

1. The Parties shall, in the performance of the ***RECYCLE DEPOT OPERATIONS AGREEMENT*** pay the costs apportioned as follows.
Based on Population statistics:

a) Town	51%
b) M.D.	45%
c) Village	4%
2. The apportionment of costs shall remain in effect until December 31, 2019.
3. The M.D. of Pincher Creek No.9 shall be responsible for payment to K.J. Cameron Services Industries Ltd. and shall bill the other Parties on a 3 month basis for their share of the cost.

CAPITAL RESERVES

1. Each municipality agrees that the establishment of a Recycling Capital Replacement Reserve is an appropriate means of funding future capital purchases. Funds would be drawn from this Reserve as required to replace presently owned or to purchase new capital equipment.
2. Funds received from the following sources shall be directed to a Recycling Capital Replacement Reserve by the Managing Municipality.
 - a) Funds received from other jurisdictions for recycling services provided by the Contractor.
 - b) 30% of all sums received by the Contractor (in excess of \$80.00 per tonne) from the sale of recycled materials
 - c) Other sources of recycling revenue as agreed to by the Municipalities and the Contractor.

ADMINISTRATION OF THE RECYCLING AGREEMENT

The Municipalities shall designate a *“Managing Municipality”* to assume responsibility for the administration of the terms of both the Recycle Depot Funding Agreement and the Recycle Depot Operations Agreement.

Such responsibilities will include but are not necessarily limited to the following:

1. Providing accounting services for receipts and expenditures associated with managing the terms of the Agreement between the Contractor and the Municipalities.
2. Allocating revenues forwarded by the Contractor.
3. Receipt and payment of invoices forwarded by the Contractor relating to service, maintenance and repair of equipment owned by the Municipalities.
4. Other responsibilities as designated from time to time by the Management Committee and/or the Municipalities.
5. The Managing Municipality shall provide insurance on all municipally owned equipment for fire and theft and invoice costs to each Municipality in accordance with the funding formula.

The M.D. of Pincher Creek No.9 will be the Managing Municipality for the term of this agreement.

MANAGEMENT COMMITTEE

Each of the Municipalities shall appoint one representative to a Management Committee.

The Committee shall:

- a) meet a minimum of one time per year
- b) approve any repairs to the equipment
- c) elect a Chairperson from the municipal representatives
- d) record and make available to municipal representatives, minutes of the meetings of the Committee

TERMINATION

The Agreement may be terminated by any Party without cause upon 365 days written notice, delivered by registered mail to the other Parties.

In witness whereof, the Parties have hereunto executed this Agreement, the day and year first above written.

TOWN OF PINCHER CREEK

Per



Mayor Dan Anderson

Per



CAO Laurie Wilgosh

**MUNICIPAL DISTRICT OF
PINCHER CREEK NO. 9**

Per



Reeve Brian Hammond


Per



CAO Wendy Kay


VILLAGE OF COWLEY

Per



Mayor Garry Hackler

Per



CAO Cindy Cornish

5. Withdrawal of the Village of Cowley

Councillor Mary Kittlaus spoke to the withdrawal of the Village of Cowley from the Recycle Depot Operations Agreement and the Recycle Depot Funding Agreement, effective as per the conditions set out in the respective agreements. Finances, staffing and the capability to recycle in-house were factors in the decision.

The next steps, as outlined in the report, dated February 20, 2018, were explained.

Facilities:

- There are no facilities to be removed within the Village of Cowley
- The MD does own a bin for MD residents. This will need to be further investigated.

Reserve:

- The monies of the reserve came from the profits of the operation and not investments.

Councillor Scott Korbett

Moved it be recommended that the Village of Cowley receive four percent (4%), as of January 1, 2019, of the Joint Recycling Reserve.

Carried

Equipment:

- Currently, the “book value” of the equipment is not available.
- Director of Operations Al Roth will attempt to obtain this value.
- Council for the Village of Cowley will be required to communicate how they would like their portion of ownership of the equipment distributed. This could be monetary value or a donation of equipment.

Termination of Contract:


- It was the consensus that the two remaining municipalities continue with the agreement.
- It was determined that this current agreement remain “as is” other than the deletion of the Village of Cowley.
- The funding format to be determined by population – 55% and 45%
- It was determined that, prior to a new agreement be secured (January 1, 2020), this service be tendered for submissions.

Councillor Scott Korbett

Moved it be recommended that a revised Agreement, be drafted and presented to the next Joint Recycling Committee Meeting.

Carried

Recommendation to Council

TITLE: Q3 Financial Summary	
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PREPARED BY: Meghan Dobie	DATE: October 7, 2021
----------------------------------	------------------------------

DEPARTMENT: Finance

Department Supervisor	Date	ATTACHMENTS: 1. Actual vs Budget – September 30, 2021 2. Reserves – September 30, 2021

APPROVALS:			
	OCT 7, 2021		07 Oct. 2021
Department Director	Date	CAO	Date

RECOMMENDATION:

That Council receive the Q3 Financial Summary as information.

BACKGROUND:

- Financial information is to be provided to Council quarterly, with the exception of Q1.
- Q4 is presented as part of the year-end process with the auditors.

FINANCIAL IMPLICATIONS:

N/A

Municipal District of Pincher Creek No 9.
Actual vs Budget
September 30, 2021

	2021 Actual	2021 Budget	Variance	% of Budget Remaining	Comments
Wages					
Council	(81,646)	(170,800)	89,154	52.2%	
Administration	(909,241)	(1,440,120)	530,879	36.9%	
AES	(210,679)	(299,300)	88,621	29.6%	
Public Works	(1,633,079)	(2,560,830)	927,751	36.2%	
Taxes and Requisitions	14,272,728	12,569,040	1,703,688	-13.6%	Timing - Tax Revenue is recorded in May; however the MD has not made requisition payments of \$1.4M to ASFF. Additionally, the MD is seeing high revenue as result of penalties on outstanding taxes (\$400k).
Investment Income	22,330	256,000	(233,670)	91.3%	Investment income for bonds is a year end entry
Council	(19,131)	(95,750)	76,619	80.0%	Favorable due to less travel, training, hotels, etc. as a result of COVID-19 and subscriptions not yet paid.
Administration	(678,917)	(1,096,660)	417,743	38.1%	Spending is on track at this point. An additional 10k was allocated here for cloud conversion and eSend.
Fire	(60,469)	(61,960)	1,491	2.4%	Immaterial - Contribution made to search and rescue and transfer to reserve. Fire nets to 0 as invoice is billed to rate payer
Emergency Management	(18,392)	(73,860)	55,468	75.1%	Favorable due to PCREMO being transferred to PCESC. PCREMO full budget is shown here. It is shared between the Town (49%) MD (49%) and Cowley (2%). Small invoice to Town and Cowley required. - Then should become a transfer to PCREMO.
Bylaw	(15,279)	(157,800)	142,521	90.3%	Favorable due to timing - we have not yet paid the Q2-Q4 province-wide police initiative (accrued at year end, cash paid in 2022).
Public Works	(3,742,914)	(4,758,390)	1,015,476	21.3%	See note (A) below
Lundbreck	(15,668)	(112,600)	96,932	86.1%	Due to the labour allocation from PW done at year end (budget 75k) and timing as result of minimal repair and utility costs thus far.
Airport	(29,126)	(66,900)	37,774	56.5%	Favorable due to minimal repair and utility costs thus far and the PW labour allocation not yet posted (40k), offset slightly by regional airport committee contributions not yet received and contracted services almost fully spent from line painting. This was a coding change and should offset it PW.
Wastewater	4,338	22,800	(18,462)	81.0%	Unfavorable due a change in sewer rates the new utility bylaw (\$40.40 vs \$12.00).
Waste Management	(228,016)	(332,680)	104,664	31.5%	Landfill charges are on track to be within budget. To date, 8 months of actuals recorded here.
Regional Water	(443,809)	(606,060)	162,251	26.8%	Favorable due to labour allocation from PW (115k), remaining debenture payments (50k), and Dam Study (60k) not yet booked, offset slightly by Q3-Q4 water billing not yet complete. An additional 20k was allocated here for generator installation and potable water storage tank inspection.
Cemetery - Town of Pincher Creek	-	(55,140)	55,140	100.0%	2021 contribution not yet made.
Planning	32,114	(106,400)	138,514	130.2%	Favorable mainly due to timing - have not yet been fully invoiced or incurred expenses for contracted services - ORSCC, IDPs and Superior Safety Codes.
Agricultural and Environmental Services	32,801	21,280	11,521	-54.1%	Received 30k more then budgeted for the ASB grant. The grant was amended to include an annual allocation of 15k for Resource Management Activities. In 2021 we received two years worth. Additionally we have not yet incurred substantial charges for pesticides, fuel, contracted services and various other costs. This is offset by reduced revenue as we have not yet invoiced for the various contracts we take on.
Recreation	(481,859)	(539,930)	58,071	10.8%	Favorable mainly due a favorable contribution to recreation, as well as timing due to the labour allocation and contracted services not yet incurred.
Community Services	(348,643)	(333,940)	(14,703)	-4.4%	Unfavorable mainly due to ICF community contribution higher then anticipated, offset slightly by favorable F.C.S.S. timing.
	-	-	-		
Deficiency of Revenue over Expenses Before Other	5,447,444	-	5,447,444		

Transfers to and from reserves are not recorded on the statement of operations under Generally Accepted Accounting Principles (GAAP) until the expense is incurred. For tracking purposes they are included in the above summary.
 Q1: Jan - Mar; Q2: Apr- Jun; Q3: Jul - Sep; Q4: Oct - Dec

Note A Public Works

Labour Allocation to other segments (entry done at YE)	(251,000)
Gravel Reclamation - Change in accounting process - partially repurposed	185,000
Budget is inclusive of a engine or large component replacement that has not yet been required.	128,657
Favorable Gravel Crushing - No longer required - Repurposed	527,500
Favorable Gravel Royalties - No longer required - Repurposed	268,660
Favorable Dust Control and Cold Mix invoices are still pending.	211,205
Favorable Fuel and Grease (on track to be within budget - 40% remaining)	158,609
P.W. - Inventory Change	(308,150)
Debenture payment/revenue (landfill) not yet recorded	68,730
Other	26,266

****Confirmed with PW that spending is forecasted to remain within budget.**

Reserve Summary

September 30, 2021

GL ACCOUNT STRING	Reserve (Restricted Surplus) Accounts	Opening Balance	Transfer To Reserves*	Transfer From Reserve	Ending Balance	Notes
6-12-0-740-6740	Airport	329,771	-	-	329,771	
6-12-0-742-6740	Bridge	2,309,872	400,000	(25,790)	2,684,081	(A)
6-12-0-751-6740	Building	200,000	-	-	200,000	
6-12-0-762-6740	Dam (Water Storage)	-	75,000	-	75,000	
6-12-0-752-6740	Equipment	2,682,182	850,000	(191,335)	3,340,847	(B)
6-12-0-746-6740	Emergency Management	53,091	7,910	-	61,001	
6-12-0-753-6740	Next Year Completions	101,552	-	(4,645)	96,907	(D)
6-12-0-761-6740	PCESC Equipment	50,000	50,000	-	100,000	
6-12-0-763-6740	Regional Airport Development	-	25,000	-	25,000	
6-12-0-757-6740	Road Infrastructure	2,526,101	660,000	(418,321)	2,767,780	(E)
6-12-0-755-6740	Recycle Equipment	89,388	-	-	89,388	
6-12-0-754-6740	Regional Community Initiatives	195,474	133,430	(100,000)	228,904	(F)
6-12-0-744-6740	Seniors Housing	200,000	-	-	200,000	
6-12-0-735-6735	Tax (Mill) Rate Stabilization	1,205,292	169,285	(171,452)	1,203,125	(G)
6-12-0-758-6740	Water and Wastewater Infrastructure	704,560	436,674	(240,000)	901,234	(H)
6-12-0-759-6740	Wastewater Infrastructure	378,534	4,197	(382,731)	-	Combined to Water and Wastewater Infra.
		11,025,817	2,811,496	(1,534,276)	12,303,038	

*Transfers to Reserves are all the 2021 budgeted Transfers unless stated otherwise below

(A) Bridge Reserve

Bridge File Name

Bridge File #7743 Local Road over Gladstone Creek
Bridge File #75265 Local Road Over Heath Creek
Fischer Bridge

Transfer In	Transfer Out	Budget
	947	46,000
	20,642	53,000
	4,201	
-	25,790	99,000

(B) Equipment Reserve

Purchases

AES Spray Truck (Res 21/198 + 15k)
Excavator (Res 21/199 + 8.5k)
Gooseneck Dump Trailer
Tri-Axle Pup
Scissor Neck Trailer
Disc Harrow
Wobbly Compactor
Air Compressor and Lines
Truck mounted intelligent sprayer
Two 3/4 Tonne Truck

Purchase Price	Budget
13,920	-
40,000	40,000
20,304	25,000
34,647	35,000
82,464	90,000
	25,000
	25,000
	25,000
	20,000
	100,000
191,335	385,000

(D) Next Year Completion Reserve

Admin Artwork
Admin Safety Vests
Planning Documents

Recreation - Ag Society Roof

AES MRF Setup
Chart of Accounts Project
Rounding

Opening Balance	Transfer To Reserves	Transfer From Reserve	Ending Balance
9,611			9,611
443			443
47,500			47,500
5,000			5,000
19,000		(4,000)	15,000
20,000		(645)	19,355
(2)			(2)
101,552	-	(4,645)	96,907

Carryforward - Art Committee
Carryforward -
Municipal Development Plan - To be complete 2021
Res: 17/435 Contribution to Ag Society for roof repairs,
2018 - MD Supports Grant Application for new roof. Keep
reserve if grant not given

(E) Road Infrastructure Reserve

Project Name

Lundbreck Road Improvements
Landfill Road
Hucik Hill
2021 Budget Transfer
Additional Transfer (Res 21/)

Transfer In	Transfers Out	Budget
	393,876	605,000
	24,445	20,000
350,000		50,000
310,000		
660,000	418,321	675,000

(F) Regional Community Initiatives Reserve

Contribution to PCCELC

Transfers Out
100,000

(G) Tax (Mill) Rate Stabilization Reserve

Houston Oil and Gas Write Off (Res 21/125)
GIPO Write Off (Res 21/277)
2020 Snake Trail Fire Write-Off (Res 21/267)
SanLing Write Off (Res 21/278)
Indian Farm Creek Stabilization

Transfers Out
73,640
7,740
64,270
802
25,000
171,452

(H) Wastewater and Water Infrastructure Reserve

Project Name

Lundbreck Lagoon
Water Plant Generator (Res 21/199 + 60k)
Beaver Mines Standpipe (Res 21/299 + 300k)
Water and Sewer Connections (Res 21/276 + 14k)
Wastewater Line Flushing (Res 21/236 + 18k)
Transfer to Combine Water and Waste Water Reserve
Budgeted Transfer
Base Rate Transfer

Transfer In	Transfers Out	Budget
	101,944	180,000
	63,984	
	41,073	
	14,720	
	18,280	
378,534		
58,140		
436,674	240,000	180,000

AES, October, 2021

- October 1 – 31, Roadside (weather permitting), all Divisions (Canada Thistle [CT] & Perennial Sow Thistle control)
- October 1 – 31, spot spraying crew, Blueweed (BW) regrowth, Hoary Cress, fall spraying on watercourses for Common Mullein and BW regrowth, Spotted Knapweed germination and regrowth, Canada Thistle patches around Reservoir
- October 1 – 31, rentals are constantly busy
- October 1 – 31, MRF mapping & records, billing
- October 1, Beaver Mines pipeline fall spraying, decommission/winterize another spray truck (only one seasonal crew left)
- October 4, Therriault dam release for dugout filling (4th open, close 8th), GIS (MRF), airport runway lights troubleshooting
- October 5, Crop Report, order Intellispray's and parts, grass seeding construction sites
- October 6, South Region ASB Meeting in Cardston, PW Safety Meeting
- October 7, ASB Meeting, Asset Management meeting, roadside spraying, airport runway lights repair
- October 8, AES Safety Meeting, fire extinguisher, shop & first aid kit inspections, flush Admin sprinkler system
- October 11, Thanksgiving STAT
- October 12, 13, formal and field hazard assessments review, safety binder review and compilation, mapping verification
- October 14, JHS meeting, grass seeding, billing and verification
- October 15, winterize old roadside, one spot sprayer
- October 18 – 22, dams releases for winter (weather related), incinerate weeds (first snowy day)
- October 25 – 29, reporting, mapping, billing
- October 25, SWIM meeting, shop and yard organization and cleaning for winter
- October 26, equipment and parts ordering for next year
- October 27, winterize and park all spot spray trucks for season
- October 28, ASB Package, exit interviews for remaining seasonal staff
- October 29, last day for seasonal staff (no summer or seasonal staff left at AES after this)

Sincerely,

Shane Poulsen,
Agricultural Fieldman

Recommendation to Council



TITLE: Road Closure Resolutions
N ½ 26-7-2 W5M

PREPARED BY: Roland Milligan

DATE: October 5, 2021

DEPARTMENT: Planning and Development

		ATTACHMENTS:
Department Supervisor	Date	<ol style="list-style-type: none"> 1. GIS Aerial Map 2. Area to Seberg 3. Area to Lencucha 4. Road Closure Resolution 1 5. Road Closure Resolution 2

APPROVALS:

Roland Milligan			
	<u>2021/10/05</u>		<u>05 Oct. 2021</u>
Department Director	Date	CAO	Date

RECOMMENDATION:

That Council pass the two enclosed Road Closure Resolutions to close and dispose of those portions of abandoned Road Plan No. 1006Q within the N ½ 26-7-2 W5M.

BACKGROUND:

In 2016, the MD received a request from landowners Cindy and Peter Seberg to purchase a portion of abandoned Road Plan No. 1006Q (the Road) adjacent to their parcel (*Attachment No. 1*). Based on the location of the old road plan, the applicants were unable to develop their parcel due to the location of the old road plan and the setback issues that would be involved.

The applicants were requesting to close and purchase the portion of the road plan that is within the NW 26-7-2 W5M, forming the west boundary of their parcel. Road Plan 1006Q was registered in 1906. The road plan that replaced this was registered in 1968 as part of the Highway No. 3 alignment. The road plan should have been closed at that time, but this was most likely not done due the fact that it acts as a property boundary between two parcels.

This request was presented to Council at the November 8, 2016 Council meeting. At that meeting Council had no concerns regarding the closing of the portion of road, and did not pass a resolution, but did give administration direction to reach out to the landowner adjacent to the west side of the road to determine if they were wanting a portion of the road.

After making contact, the adjacent landowner indicated that they were interested in having half the area of the road incorporated into their title. Upon further review of the proposal by the MD's surveyor, it was

Recommendation to Council

noticed that the MD road, Twp. Rd. 7-5, was out of alignment with the road plan on the south side of Fishers Bridge over the Oldman River (*Attachment No 1, pg. 2*). As a result the MD will require some area from the adjacent landowner to realign the road plan.

Two sketch plans have been prepared by our surveyor that show how the parcels are being consolidated (*Attachment No. 2 and Attachment No. 3*).

The land acquisition agreements were prepared and entered into with the two landowners for splitting the unused road, and to allow the MD to realign the road to the bridge. Both landowners have entered into the agreements to allow this process to be finalized.

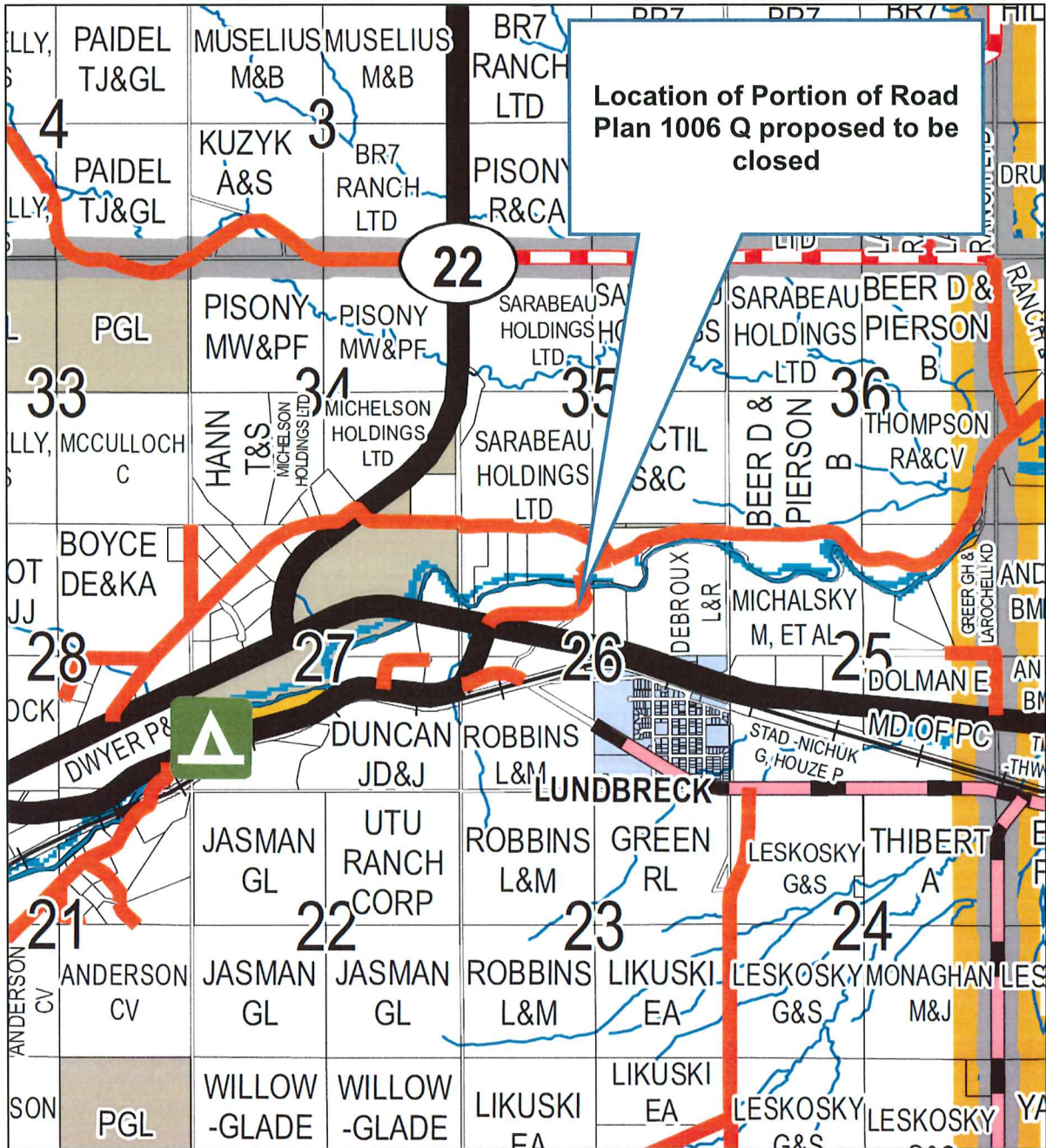
The two road closure resolutions are enclosed as *Attachments No. 4 and No. 5*.

FINANCIAL IMPLICATIONS:

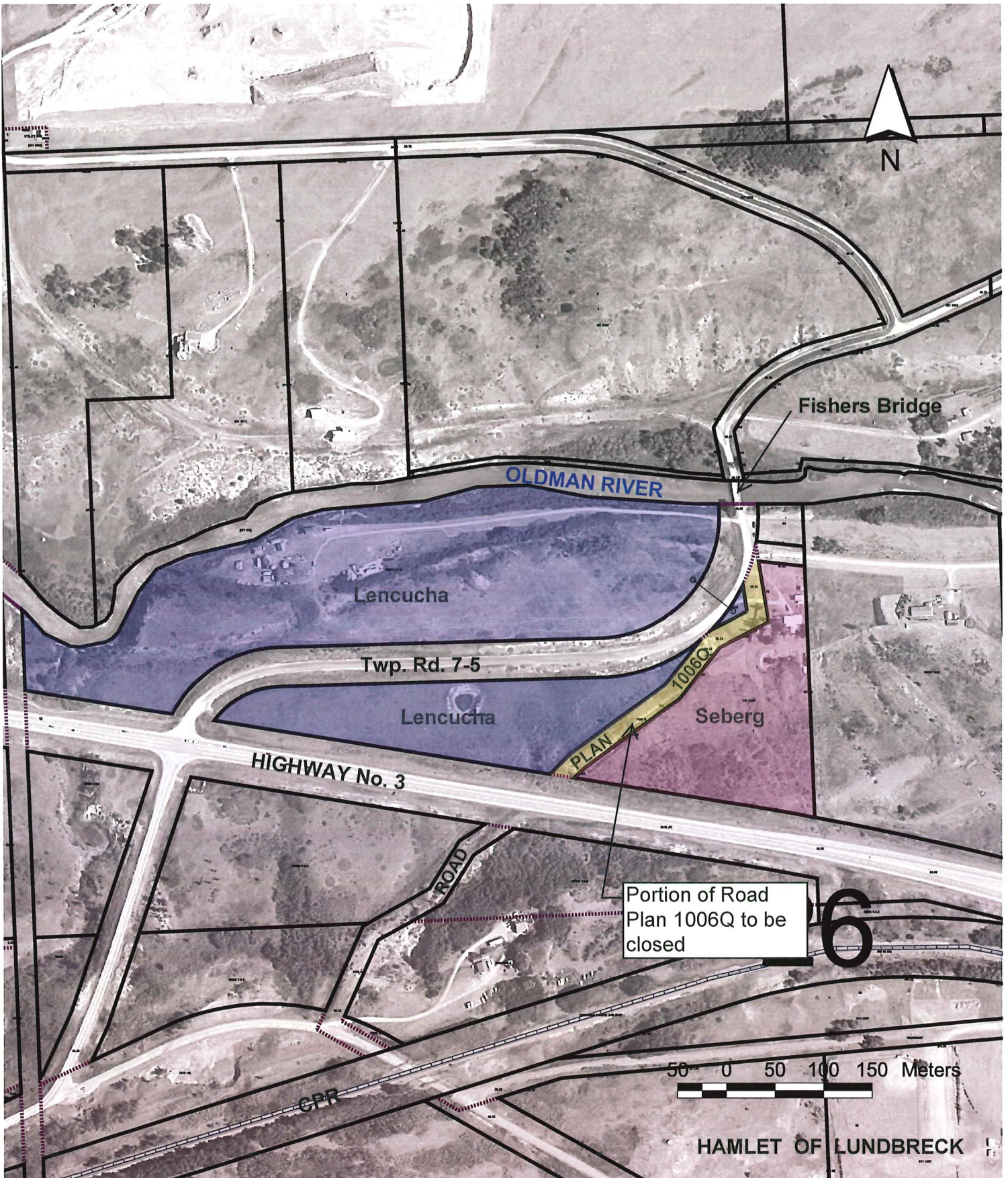
Cost of Surveying the new road plan.

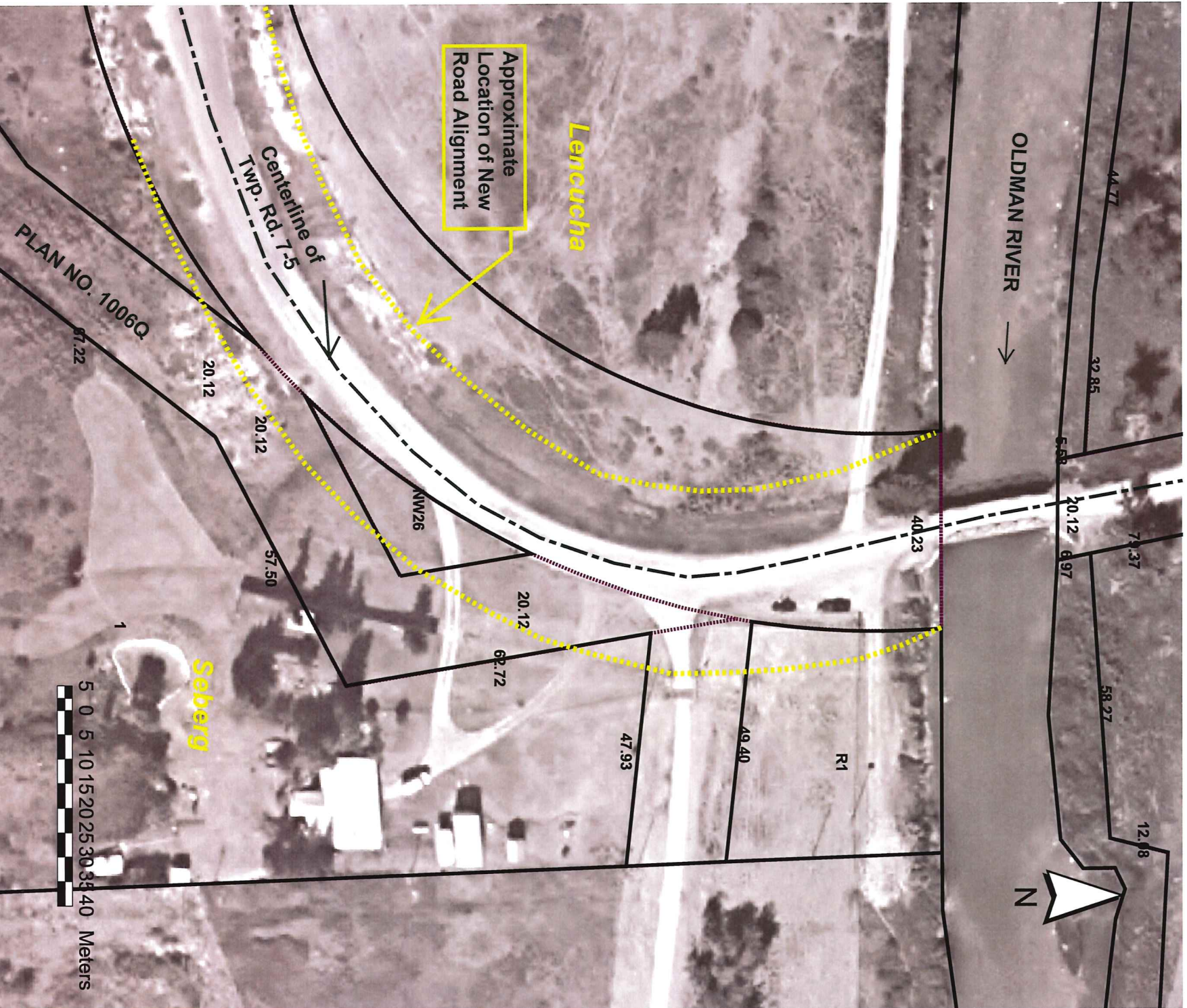
Recommendation to Council

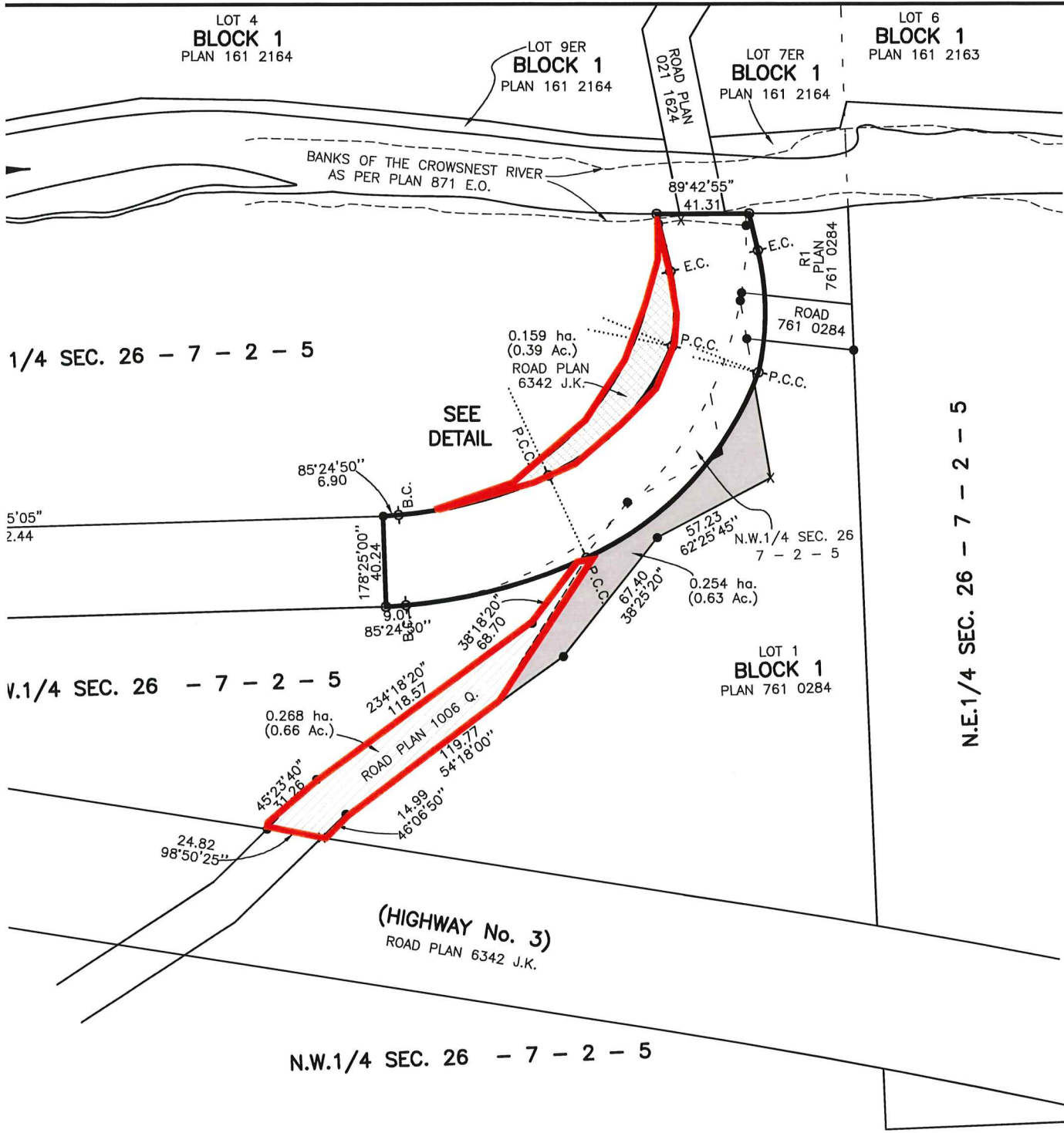
Map Showing Location



Attachment No. 1







Attachment No. 4

Municipal District of Pincher Creek No. 9

A Resolution of the **Municipal District of Pincher Creek No. 9** for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the Municipal District of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NW 26-7-2-5

THAT PORTION OF **ROAD PLAN 1006Q** FORMING PART OF LOT 2, BLOCK 1, PLAN

CONTAINING 0.254 HECTARES (0.63 ACRES) MORE OR LESS
AND

EXTRA ROAD ON PLAN _____
CONTAINING 0.0005 HECTARES (0.001 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

To be transferred to:
Peter William Seberg and Cindy Marlene Seberg
Both of: Box 344, Lundbreck, AB, T0K 1H0

Chief Elected Official

Seal

Chief Administrative Officer

Approved this ____ day of _____, 20__.

Minister of Transportation

Attachment No. 5

Municipal District of Pincher Creek No. 9

A Resolution of the **Municipal District of Pincher Creek No. 9** for the purpose of closing to public travel and cancelling a public highway in accordance with Section 24 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS, the lands hereafter described are no longer required for public travel,

NOW THEREFORE be it resolved that the Council of the Municipal District of Pincher Creek No. 9 does hereby close the following described road, subject to rights of access granted by other legislation.

NW 26-7-2-5

THAT PORTION OF **ROAD PLAN 1006Q** FORMING PART OF LOT 3, BLOCK 1, PLAN _____.

CONTAINING 0.268 HECTARES (0.66 ACRES) MORE OR LESS
AND

THAT PORTION OF **ROAD PLAN 6342JK** FORMING PART OF LOT 3, BLOCK 1, PLAN _____.

CONTAINING 0.159 HECTARES (0.39 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

To be transferred to:

Craig Wilfred Lencucha and Lesley Joan Lencucha
Both of: 105 Ojibwa Place West, Lethbridge, AB, T1K 5K5

Chief Elected Official

Seal

Chief Administrative Officer

Approved this ____ day of _____, 20__.

Minister of Transportation

CHIEF ADMINISTRATIVE OFFICER'S REPORT

Sept 29 – Oct 12, 2021

Discussion

Sept 29	Post Council and SMT (senior mgmt. team) Meeting Beaver Mines Site Inspection, Buckhorn resident issue and Corrals inspection Election check-in with RO (returning officer) and DRO Town of Pincher Creek Candidates Forum
Sept 30	Post Council Letters Truth and Reconciliation Observance
Oct 01	Mayor's and Reeve's meeting
Oct 04	SMT (senior mgmt. team) Meeting HR meeting
Oct 05	EAC (Emergency Advisory Comm) Meeting Planning Meeting – MDP Submission Review Subdivision and MPC Meeting
Oct 06	Standpipe Project Meeting Pre election and Post Election Meeting Forum for MD of Pincher Creek Candidates
Oct 07	Covid-19 Update for Municipalities Ag Service Board Meeting Final Bridge Inspection for Lank Bridge (BF2224)
Oct 08	Beaver Mines Site Visit and walk through with MPE Meeting Alberta Transportation Regional Director
Oct 11	Thanksgiving Holiday
Oct 12	Committee and Council Meetings

- Numerous other meetings throughout this period to address any issues or tasks from the Sept 28th meeting.


Upcoming Meetings

- Oct 13 – Joint Health & Safety
- Oct 14 – Advance Poll for Municipal Election 2021 – MD Office (all divisions)
- Oct 18 – Municipal Election 2021
- Oct 21 – Start of Onboarding of new Council Members
- Oct 26 – Organizational Meeting with new Council

RECOMMENDATION:

That Council receive for information, the Chief Administrative Officer's report for the period September 29, 2021 – October 12, 2021.

Prepared by:

Troy MacCulloch, CAO 

Date: Oct 07, 2021

Respectfully presented to:

Council

Date: Oct 12, 2021

Letters from last Council:

1. Letter to the Layton's, and cc to Beaver Mines Community Group in response to letter from September 19th.
2. Letter to Chamber regarding MD Sponsorship of the Awards of Excellence
3. Letter to EAC, Town, Cowley and Interim Chief Neumann appointing Brett Wuth as DEM
4. Letter to Premier Kenney regarding RCMP Retroactive Pay
5. Letter to Minister McIver regarding our desire to see a mandatory Code of Conduct remain within the MGA.

Advertising/social:

Candidates Forum – Oct 06

Truth & Reconciliation / Orange Shirt Day – Sept 30

Feed What you Need Tour – Oct 20th

Candidate Nomination Results

Livingstone Range School Division Candidates Results

Hunting on Private Property Awareness with Fish and Wildlife

Other Admin action items

Election Prep

On-boarding prep for new Councillors

Booked a house in KB for the Halloween Village

Booked mandatory training sessions for new Councillors

Recommendation to Council



**TITLE: Pincher Creek Regional Emergency Management Agency
Operating Budget**


PREPARED BY: JESSICA MCCLELLAND

DATE: October 6, 2021

DEPARTMENT: ADMINISTRATION

			ATTACHMENTS:
Department Supervisor		Date	2022 Pincher Creek Regional Emergency Management Agency Draft Operating Budget

APPROVALS:

			
Department Director	Date	CAO	Date

07 Oct. 2021

RECOMMENDATION:

Moved upon the recommendation of the Emergency Advisory Committee, that Council approve the 2022 Pincher Creek Regional Emergency Management Agency Operating Budget.

BACKGROUND:

Upon the recommendation of the Emergency Advisory Committee, Council shall approve by resolution an annual budget for the Pincher Creek Regional Emergency Management Agency.

FINANCIAL IMPLICATIONS:

None at this time.

2022 Budget Presentation

**2022
Pincher Creek Regional Emergency Management Agency
Operating Budget
Draft**

Notes

- A) Assumed Annual Inflation Rate 2.5%
- B) Clerical support (\$4K) is new to 2022. Previously these costs were underwritten by the Town & MD.
- C) Responses to large and medium incidents are outside of budget.
- D) No planned items for 2022 meet capitalization rules. Therefore a capital budget is not presented.

<u>Income</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Provincial training grant	\$5,000		\$5,000	\$5,000	\$5,000
MD of Pincher Creek (49%)	\$63,504	\$64,386	\$63,896	\$64,778	\$66,934
Town of Pincher Creek (49%)	\$63,504	\$64,386	\$63,896	\$64,778	\$66,934
Village of Cowley (2%)	\$2,592	\$2,628	\$2,608	\$2,644	\$2,732
Total Income	\$134,600	\$131,400	\$135,400	\$137,200	\$141,600

2022 Budget Presentation

<u>Expense</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Response Facilities, Equipment, Services and Supplies <i>including ECC equipment, Reception Centre equipment, cots and blankets, Notification System, Incident Phone System, virtual ECC, etc.</i>	\$9,700	\$10,200	\$10,400	\$10,500	\$10,700
Training & Recruitment <i>including hosted courses, outside courses, conferences, exercises, major exercise (even years), training material, Regional IMT, etc.</i>	\$19,000	\$19,400	\$15,300	\$19,900	\$15,900
Planning & Coordination <i>including publishing the Emergency Management Plan, reference material, Agency plenary meeting, etc.</i>	\$6,500	\$6,500	\$6,700	\$6,700	\$6,900
Public Education <i>including Emergency Preparedness Week (major on odd years), etc.</i>	\$1,000	\$1,100	\$6,400	\$1,100	\$6,700
RDEM Employment Expenses	\$88,600	\$80,300	\$82,300	\$84,300	\$86,400
Volunteer and Community Expert Engagement <i>Programme to engage local volunteers and community experts</i>	\$3,600	\$3,600	\$3,700	\$3,800	\$3,800
Clerical Support		\$4,000	\$4,100	\$4,300	\$4,400
Office <i>including bookkeeping, payroll, photocopier, office supplies, computer, software, cell phone, business cards, etc.</i>	\$3,600	\$3,700	\$3,800	\$3,900	\$4,000
Travel	\$1,500	\$1,500	\$1,600	\$1,600	\$1,600
Miscellaneous	\$1,100	\$1,100	\$1,100	\$1,100	\$1,200
Total	\$134,600	\$131,400	\$135,400	\$137,200	\$141,600



ROYAL CANADIAN LEGION PINCHER CREEK BRANCH #43

P.O. BOX 131, 691 MAIN STREET, PINCHER CREEK, ALBERTA T0K1W0

Tel: 403 627 4024

H1a

RECEIVED

SEP 29 2021

M.D of Pincher Creek

September 25, 2021

Municipal District of Pincher Creek #9
Box 279
Pincher Creek, Alberta
T0K 1W0

During the coming months, the Royal Canadian Legion Pincher Creek Branch #43 will be honoring and remembering our Veterans and their families, through our sale of Poppies and Wreaths and our REMBRANCE DAY SERVICES.

The Royal Canadian Legion Pincher Creek Branch #43 request permission for:

1. Pincher Creek Branch #43 Members and Pincher Creek Branch #43 Ladies Auxiliary Members to canvas businesses, individuals and organizations beginning October 1, 2020 for the sale of wreaths and donations to the Royal Canadian Legion Pincher Creek Branch #43 Poppy Fund.
2. To distribute poppy boxes, as soon as authorized by Dominion Command
3. Youth Groups to canvas the residential areas with poppies on the first Saturday in November
4. Declare the week of November 5 to 11 as "Veterans' Week"

Funds received from donations and the sales of poppies and wreaths are used exclusively to assist Veterans of the Canadian Forces and the RCMP and their families, who need assistance.

Thank you for considering our request and we await your response.

Yours sincerely

Dick Burnham, Poppy Chairman
Royal Canadian Legion Pincher Creek Branch #43

LEST WE FORGET

RECEIVED

SEP 15 2021

M.D. OF PINCHER CREEK

Box 268

G1b

Lundbreck

AB. Tok 1170.

Reeve & Councillors,
M.D. Pincher Creek #9

Pincher Creek, Tok 1170. September 7-2021.

Dear Reeve & Councillors,
Maycroft Road.

As many of you know the Maycroft Road is and has been in a deplorable state for years. Your recent activity to improve the road has been totally ineffectual and costly to the M.D.

I have personally spoken with the Reeve, my Councillor and many staff of the M.D.

Any "dust" control for the Residents, has to date not happened. I requested this as a temporary solution months ago and told last week that they were "out." I suggested they try and find some!!

I hope you will endeavour to resolve this issue with a permanent solution.

On another point I enclose my bill
for \$75.00. When the contractor was
parked in the ditch by my fence -
NE 10 10 2 WS he broke the top wire -
no one fixed it. I have, hence the bill.
my time is valuable too.

Sincerely,
Heather S. Smith

Heather Smith,

NE 10. 10. 02. WS.

Tetter Creek Ranch
Heather Smith
Box
Lundbreck AB

DATE

Sept 07-26

NAME

ADDRESS

MJ Dincher Creek #9

SOLD BY	COD	CHARGE	ON ACCOUNT	AMOUNT FWD.
1				
2		Repair fence		
3		damaged by		
4		MJ Contractors		
5				\$75.00
6				
7		0810-10-02-05		
8				
9				
10				
TAX REG. NO.				
07			TOTAL	75.00
SIGNATURE				



RECEIVED
SEP 15 2021
M.D. OF PINCHER CREEK

September 7, 2021

M.D. of Pincher Creek
Box 279
Pincher Creek, Ab
T0K 1W0

RE: Town of Pincher Creek Lagoon Release

This letter is to inform you that Alberta Environment has authorised the Town of Pincher Creek to discharge the treated effluent from our sewage storage lagoon into the Pincher Creek. This is a process that is conducted on an annual basis and is done in accordance with Provincial legislation and approvals.

The Town anticipates this process to begin on the morning of October 13th, 2021 and will be completed by no later than November 3, 2021

If you have any questions or concerns regarding this, please visit www.pinchercreek.ca and complete a citizen request under the *Waste Water Treatment* category and our Waste Water Coordinator will be in contact with you. Otherwise please contact the Town Office at 403-627-3156.

Regards,

Operations Department
Town of Pincher Creek



TOWN OF PINCHER CREEK
962 St. John Ave (Box 159) Pincher Creek, AB T0K 1W0
Phone 403 627 3156 Fax 403 627 4784
reception@pinchercreek.ca www.pinchercreek.ca



4912 50 Avenue, Box 69
Kitscoty, Alberta T0B 2P0
Ph: 780.846.2244
Fax: 780.846.2716
www.vermilion-river.com

H2b

October 4, 2021

Minister of Health
423 Legislature Building
10800-97 Ave
Edmonton, AB T5K 2B6

To Honourable Copping,

The County of Vermilion River Protective Services includes eight fire stations, of which seven perform medical first response. This capacity has been delegated to those stations, which are often in a rural setting, with expected delays for advanced medical care such as those performed by paramedics.

The County of Vermilion River Fire Service (CVR FS) has an annual call volume of approximately 700 – 800 calls, with over 30 per cent of these being medical first response. The remainder of the calls, like motor vehicle collisions, also contain an element of patient care, meaning County Firefighters are a critical link in the pre-hospital survival chain.

With improved statistical records, since February 2021, the numbers indicate that access to pre-hospital care, such as primary and advanced care paramedics, has been quite delayed in our region. Often, County Firefighters will be on-scene for 30 minutes or more, waiting for ambulance. This is a sharp increase from even two years ago, when County Firefighters showed up, provided patient care and usually were relieved within a 10 minute window. Call logs have also shown that ambulances that are dispatched are coming from outside the region, such as Elk Point, Wainwright and as far away as Cold Lake.



4912 50 Avenue, Box 69
Kitscoty, Alberta T0B 2P0
Ph: 780.846.2244
Fax: 780.846.2716
www.vermilion-river.com

With the need for urgent medical intervention expected to raise in the future, a better plan has to be implemented to ensure that our rural residents get the care they deserve and that our volunteer first responders are not placed in an extended position of care and exposed to situations they are not equipped to perform.

The need for more staffing, ample access to advanced medical care and a reduction in dispatch delay must be addressed. The first hour, as you know, is the most critical.

Best regards,

Lonnie Wolgien, Reeve
County of Vermilion River

Cc: Vermilion-Lloydminster-Wainwright MLA Garth Rowswell
All Rural Municipalities



Town of Pincher Creek

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

403 627 3156 reception@pinchercreek.ca www.PincherCreek.ca



H2c

Wednesday, October 6, 2021

Late in the afternoon on Tuesday October 5th the forcemain that runs from the Town of Pincher Creek to the Town lagoons was severed. The forcemain is the sewer pipe that moves wastewater under pressure from the Town system to the lagoons.

At approximately 4 a.m. the break was repaired and wastewater is now flowing through the system as normal.

No sewer effluent was deposited into the Pincher Creek.

Alberta Environment was immediately notified of the break, and will continue to monitor the situation and stay in communication with Town administration. The line was struck while a private contractor was installing a new parallel line. Up to nine vacuum trucks worked overnight at the break site, at various manholes and south of the creek in Lowland Heights to contain the leak and remove wastewater before the leak.

We want to thank those who worked through the night to quickly resolve this situation.

All precautions, safety measures and regulations were and will continue to be followed carefully. The safety of our community, extended community, neighbours downstream and the environment are of utmost importance.

