

MINUTES
PUBLIC HEARING
Municipal District of Pincher Creek No. 9
Bylaw No. 1313-19
Tuesday, November 26, 2019
MD Council Chambers

In order to receive public input on proposed Bylaw No. 1313-19, a Public Hearing, conducted by the Council of the Municipal District of Pincher Creek No. 9, was held on Tuesday, November 26, 2019, in the Council Chambers of the Administration Building.

In attendance:

Council: Reeve Brian Hammond, Councillors Quentin Stevick, Bev Everts and Terry Yagos

Staff: CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, and Executive Assistant Jessica McClelland

1. Call Public Hearing to Order

The Public Hearing was called to order, the time being 6:31 pm.

RECESS

Councillor Bev Everts

Moved that Council declare recess of the Public Hearing the time being 6:32 pm, with the Public Hearing to be reconvened December 12, 2019 at 6:00 pm.

RECONVENE

Councillor Terry Yagos

Moved that Council declare the Public Hearing reconvened, on December 12, 2019 the time being 5:59 pm with the following Council/Staff members in attendance:

Council: Reeve Brian Hammond, Councillors Quentin Stevick, Bev Everts and Terry Yagos

Staff: CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, and Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Planners: ORRSC Senior Planner Gavin Scott, Assistant Planners Hailey Winder and Max Kelly

Carried

2. Advertising Requirement

The Public Hearing has been advertised in accordance with Section 607 of the Municipal Government Act. The Public Hearing was advertised in the Pincher Creek Echo and Shootin the Breeze on December 4 and December 11, 2019, as well as the MD website and MD Social Media pages.

3. Purpose of Public Hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1313-19. The purpose of Bylaw No. 1313-19 is to adopt the Castle Mountain Resort Area Structure Plan which will govern the future subdivision and development of the lands within the plan boundary.

4. Overview of Bylaw No. 1313-19

ORRSC Senior Planner Gavin Scott ORRSC provided an overview of Bylaw No. 1313-19.

Questions: none

5. Correspondence and Presentations

Dan McKim DU Ranch

- Thanked Council and appreciates what everyone has done initially and going forward for the CMR ASP

Darryl Murphy

- Thanked Council for all of the work they have done and support they have given CMR, it has taken years and negotiations and working back and forth to get where we are today.
- CMR important part of extended community
- Social and economic impact on Southern Alberta
- Request that future subdivisions would not involve cash payment from the Community Reserve. Use land rather than a full cash value settlement

Tim Luc

- Fourth year of owning property at CMR
- CMR is unique
- ASP is important for the future growth of CMR

James Tweedie

- As the document stands section 6 refers to possibility of EIA
- MD cannot deal with public lands
- Purpose of the Municipal Development Plan is to sustain the natural resources of Alberta
- Land and resources must be reviewed by the Province before we can seriously look at the aspirations that the company has within MD

Dave Clement

- 20 year member of CMR
- Sustainability is important, every year hundreds of children learning to ski – life long activity. Important to keep children active. Youth may be exposed to a new activity that becomes a lifelong passion.

James Tweedie

- Requested on Nov 8 and Nov 19 that Council postpone the scheduled Public Hearing
- The Government of Alberta issued a screening report on November 6th. The CMR will be directed to prepare an Environmental Impact Assessment (EIA), prior to approval of any expansion of CMR activities.

Gavin Scott, ORRSC Senior Planner – secure site identify how garbage, run off, cleanliness, developed on site stays on site. Dealt with the development side that's as far as we can take it. EIA would be done through the Provincial Government. Environment Impact of new development along with already existing development will be taken into consideration in the EAI.

Gordon Petersen

- Alberta Environment and Parks has stated the CMR will be directed to prepare an Environment Impact Assessment (EIA), due to potential environmental impact on wildlife, species at risk, adjacent protected areas, larger water requirements to support snow.
- The EIA report should be the first step in the process as the results could significantly impact what can be done in the area.
- It is premature for the MD of Pincher Creek to conduct a Public Hearing on Bylaw 1313-19 CMR Area Structure Plan.

Alberta Wilderness Association

- Requested on Nov. 21 that Council postpone the scheduled Public Hearing on CMR development plans until the EIA Report mandated by the Government of Alberta has been completed by CMR and reviewed by Alberta Environment and Parks (AEP).
- Nov 4 the government wrote “CMR will be directed to prepare an EIA report” due to significant potential environment impacts.
- The EIA is vitally important to the direction of the CMR ASP.
- Request that all hearings related to CMR development be postponed until CMR produces the EIA and AEP has reviewed and announced its findings.

Patrick Rogers

- CMR lease purchased in 2005. In the November 2005 CMR Tender Package stated no new buildings/lots south or west of the boundaries of Lot 111. The draft CMR ASP of June 2019 identifies a yellow shaded area defined as “future accommodations” south and west of Lot 111.
- Strong objection to development south or west of Lot 111 and request this area be removed from the next draft and the final CMR ASP.

Castle Mountain Community Association (Glenn Armstrong)

- Provided a slide presentation.
- Long-term sustainability is a concern, with ASP approval, critical sustainable development and predictability/certainty of land use for the community should be obtainable.
- CMR has been in business for 52 years. It is an Alberta business with growth potential and is a local economic engine during tough economic conditions province wide. Significant employer in the area.
- CMR provides significant benefits to the community
- Castle Mountain Community Association supports the CMR ASP.

Kevin Finn

- Gratitude, expressed thanks to Council and Advisors that have made this plan available.
- CMCA fully supports the Area Structure Plan and is against the EIA, the EIA is an attempt to place the ASP in regulatory limbo.

Dean Parkinson (Manager of Castle Mountain Resort)

- Policy 6.5.2 would require CMR to make a very large payment as soon as a subdivision is approved. Due to no guarantee that lots will sell and difficulty coming up with a large sum of money, request that Policy 6.5.2 be revised to delay paying the MD until the lots are sold.
- CMR is a 54 year old community owned, family friendly resort, surrounded by the Castle Provincial Park and Castle Wildland Provincial Park.
- CMR fully supports the CMR ASP. The plan encourages sustainable development of the resort.
- CMR is one of largest employers in the MD (peak 173 employees, 23 year round positions).
- CMR & CMCA property tax represents 12% of the MD’s property tax budget of \$3.6M
- CMR provides many benefits to the community.
- CMR ASP is integral to future sustainability.
- An improved ASP will benefit CMR and all stakeholders
- Environmental Stewardship very important to CMR

Further submissions are attached to, and forming part of these minutes:

- James Tweedie
- Gordon Petersen
- Grace Wark, Alberta Wilderness Association

- Patrick Rogers, Castle Mountain Resort
- Kevin Finn and Glenn Armstrong, Castle Mountain Community Association
- Dean Parkinson, Castle Mountain Resort
- Heather Dent, AB Environment and Parks

6. Closing Comments / Further Questions

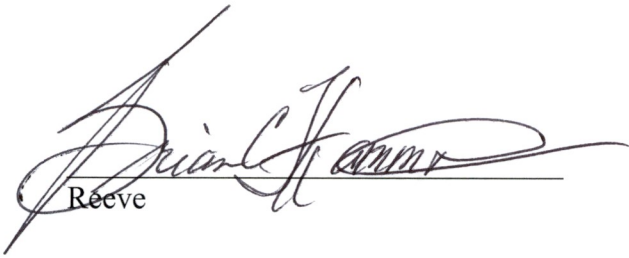
None

7. Adjournment

Councillor Terry Yagos

Moved that the meeting be adjourned, the time being 7:02 pm.

Carried


Reeve


Chief Administrative Officer

Submission No. 1

Please find attached (and copied below...old computer here) a second letter to Council requesting that your Public Hearing scheduled for Nov 26th be postponed until such time as CMR Inc has completed the EIA required by AEP Director of Assessment. Thanks you for your attention to this matter. James Tweedie

To: Council, M.D. of Pincher Creek
From: James Tweedie
Box 115, Lundbreck, T0K 1H0

Nov 19th 2019

re: Scheduled "Public Hearing" on Castle Mountain Resort's Area Structure Plan

Further to my request to Council made on Nov 8th that Council postpone the scheduled Public Hearing and in response to Council's decision to go ahead with this Public Hearing at this time, I would like to put my concerns about this on the record.

From the outset of CMR's planning process for a new Area Structure Plan (ASP) for their privately held lands in the Westcastle Valley within the jurisdiction of the MD of Pincher Creek, the MD has been an active participant (in the persons of Gavin Scott and Roland Milligan) in the overall Advisory Group for CMR's current Master Development Plan. As participants they have been fully aware over the past 4 years (at least) that CMR's ambitions for the Resort are predicated on CMR's ability to expand their operations both spatially and seasonally to exploit ecological resources associated with the the wilderness and wildland values currently protected through the designation of the Castle Provincial and Wildland Parks.

The MD has therefore been fully aware that CMR's ambitious development scenario at the Resort would be contingent on such development being compatible with the provisions of Alberta Environment and Parks for the surrounding public lands. They have been aware from the outset, through their colleagues on the Advisory Group from AEP, Rob Simieritsch and Peter Swain, that the Government of Alberta might require CMR to carry out an Environmental Impact Assessment Report, before any of the expansion of their activities contemplated by CMR would be approved.

As I noted in my letter to Council on Nov 8th, the Government of Alberta issued its "Screening Report for Castle Mountain Resort Inc's Master Development Plan" on Nov 6th. In that Report the Director considered a number of concerns raised by staff from AEP as well as others that have been well-known to the MD since this planning exercise started. It should therefore be of no surprise to the MD that the Director's conclusion reads: ***"Given the information above, the CMR will be directed to prepare an EIA report. This is due to the potential significant adverse effects: on wildlife and species at risk, to adjacent protected areas such as the Castle Wildland Provincial Park, and from larger water needs to support snowmaking and domestic use and treatment of water."*** (pp.11,12)

November 20, 2019 (Part 1)

Mr. MacCulloch,

Given that Alberta Environment and Parks has made the decision to require Castle Mountain Resort to prepare an Environmental Impact Assessment for their project, it is premature for the MD of Pincher Creek to conduct a Public Hearing on *Bylaw 1313-19 CMR Area Structure Plan*. Clearly, the EIA may put restraints or limits on, or require changes to, any of the developments contemplated in CMR's ASP.

To avoid wasted time and effort, and to avoid the need to change or adjust plans to conform with the requirements resulting from the EIA, it would be in the best interests of the public, the MD, and CMR itself to wait until after the EIA has been completed to deal with the ASP. **It is hard to see how meaningful comment could be made on the ASP until after the EIA has been completed.**

I request that you postpone the Public Hearing on *Bylaw 1313-19 CMR Area Structure Plan* until after the EIA has been completed and reviewed.

Sincerely,

Gordon Petersen
P.O. Box 2668
Pincher Creek, AB
T0K 1W0

November 20, 2019 (Part 2)

I understand that the ASP is dealing with the private lands within the base area. I also understand that there are issues with the current ASP.

You'll know from the *Screening Report for Castle Mountain Resort Inc.'s Proposed Master Development Plan*, that Alberta Environment and Parks has said:

the CMR will be directed to prepare an EIA report. This is due to the potential significant adverse effects:

- on wildlife and species at risk,***
- to adjacent protected areas such as the Castle Wildland Provincial Park, and***
- from larger water needs to support snowmaking and domestic use and treatment of water.***

Clearly, adverse environmental findings on any of these issues could restrict the type or amount of development allowed within in the base area. As an example, as EIA could restrict further base development because of the effects of that development on wildlife and species at risk (e.g. Westslope Cutthroat Trout), or because of water issues.



Alberta Wilderness Association
"Defending Wild Alberta through Awareness and Action"

November 21, 2019

Council MD of Pincher Creek: communications@mdpincercreek.ab.ca

Troy MacCulloch, Chief Administrative Officer, MD Pincher Creek: cao@mdpincercreek.ab.ca

Councillor Quentin Stevick: councilDiv1@mdpincercreek.ab.ca

Councillor Bev Everts: councilDiv3@mdpincercreek.ab.ca

Councillor Terry Yagos: councilDiv5@mdpincercreek.ab.ca

Reeve Brian Hammond: councilDiv4@mdpincercreek.ab.ca

Deputy Reeve Rick Lemire: councilDiv2@mdpincercreek.ab.ca

RE: Public Hearing on Bylaw 1313-19 CMR Area Structure Plan

Dear Council Members,

Alberta Wilderness Association (AWA) is writing to respectfully request that the MD of Pincher Creek postpone any Public Hearing on Castle Mountain Resort's (CMR's) development plans for their private lands until the EIA Report mandated by the Government of Alberta has been completed by CMR and reviewed by Alberta Environment and Parks (AEP).

On November 7, 2018 AWA wrote to AEP requesting that an EIA be required before considering CMR's proposal for expansion (AWA's letter is attached). On November 4, 2019, the government wrote "CMR will be directed to prepare an EIA report. This is due to the potential significant adverse effects: on wildlife and species at risk, to adjacent protected areas such as the Castle Wildland Provincial Park, and from larger water needs to support snowmaking and domestic use and treatment of water." (Government of Alberta - Screening Report for Castle Mountain Resort Inc's Master Development Plan pp.11,12).

AWA has a long-standing history of engagement and caring concern for this region. Indeed this is the area AWA's founding members were most concerned about when they formed the association. They knew this area was of great significance to wildlife and wilderness and needed protection. Designation of the parks was an excellent and progressive move towards protecting and allowing restoration of the area. The recently mandated requirement that CMR prepare an EIA is another important part of the renewal process. Vitaly important direction will be part of the EIA review and while it may seem efficient to the Council to proceed with revising and renewing an outdated Area Structure Plan (ASP), it is absolutely counter to the intent and the benefit you will have in your decision making when the EIA is completed.

AWA believes adverse environmental findings on any of the issues identified by the government would restrict the type or amount of development allowed *within in the base area*. The effects of development on wildlife and species at risk or because of water issues would negate any expansion and further development by CMR. In an era of budgetary restraint, investing time and money holding a hearing on development plans when it is reasonable to expect at least some findings within an EIA would provide restrictions, it makes sense to wait until CMR produces the EIA and AEP has reviewed and announced its findings.

We respectfully request you postpone all hearings related to development by CMR whether on their private land or on public lands until an EIA is produced and recommendations from AEP are announced.

Yours truly,

ALBERTA WILDERNESS ASSOCIATION

Grace Wark,
Conservation Specialist

cc: Roland Milligan, Director Development and Community Services: rmilligan@mdpincercreek.ab.ca

Margot Trembath, Environmental Assessment Coordinator, Environment and Parks: margot.trembath@gov.ab.ca

Brad Tucker, Senior Planner, Parks South Region, Environment and Parks: brad.tucker@gov.ab.ca

Patrick Rogers
347 Varsity Close NW
Calgary, AB
T3B 2Y9

November 18th, 2019

Troy MacCulloch
Chief Administrative Officer
MD of Pincher Creek No. 9
Pincher Creek, AB
TOK 1W0

Re: BYLAW No. 1313-9: Concern over CMR Area Structure Plan: Land Use Section 5.13: Map 4, "Future Accommodations" adjacent to existing Lot 111

Troy,

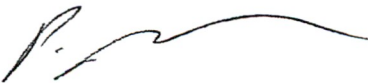
I currently lease Lot 111 at Castle Mountain Resort, in the south end of the current existing residential area. I purchased the lease in 2005. In the November 2005 CMR Tender Package, it was described that there would never be any new buildings/lots south or west of the boundaries of Lot 111. I observe that in the draft CMR ASP of June 2019, there is a yellow shaded area defined as "future accommodations" south and west of Lot 111.

I have an extreme issue with this potential future development adjacent to my lot, as the lot tender package of 2005 describes that no development south or west of Lot 111 would occur, due to a 30 m buffer, "which will never be built on", from the Gravenstafel Brook. It was under this understanding that I purchased the lease for Lot 111.

I have included a copy of the original November 2005 CMR Tender Package, describing the buffer (see page 2, under "Description of Lots"), as well as maps 3 & 4, showing Lot 111 next to the proposed yellow shaded area marked for future accommodations. Please review the documentation provided and feel free to call me at 403-671-1914 to discuss the matter further. I would like the yellow shaded areas described as future accommodations, adjacent to Lot 111, to be removed from the next draft and the final CMR Area Structure Plan.

Thank you for your understanding and consideration on this matter. I look forward to your response.

Sincerely,



Patrick Rogers

Cell: 403-671-1914

CMR has set a reserve price for each of the lots available, which is non-negotiable. These reserve prices are the minimum price that CMR will accept for each lot. The reserve price for each of the fourplex lots [90 & 91] is \$255,000.00. The reserve price for lot # 45 is \$175,000.00. The reserve price for lot # 111 is \$200,000.00. Terms for payment of each lot should be indicated in the appropriate section of the tender form. CMR will give consideration to the final offering price and the terms of payment when determining the successful tender bids. For example, a cash offer of \$255,000.00 will be more attractive to CMR than an offer of \$255,000.00 with a payment schedule.

Description of Lots

As mentioned before, there are two fourplex lots and two single family lots available. The fourplex lots are designated for four townhouse style condo units. The single family lots can only have one household unit built on each. All lots will have electrical, water and sewer services provided to the property line. A propane distribution system will provide gas to each lot in the near future and it will be a requirement that all properties are connected to this system. It will be the owner's responsibility to connect these services to their buildings.

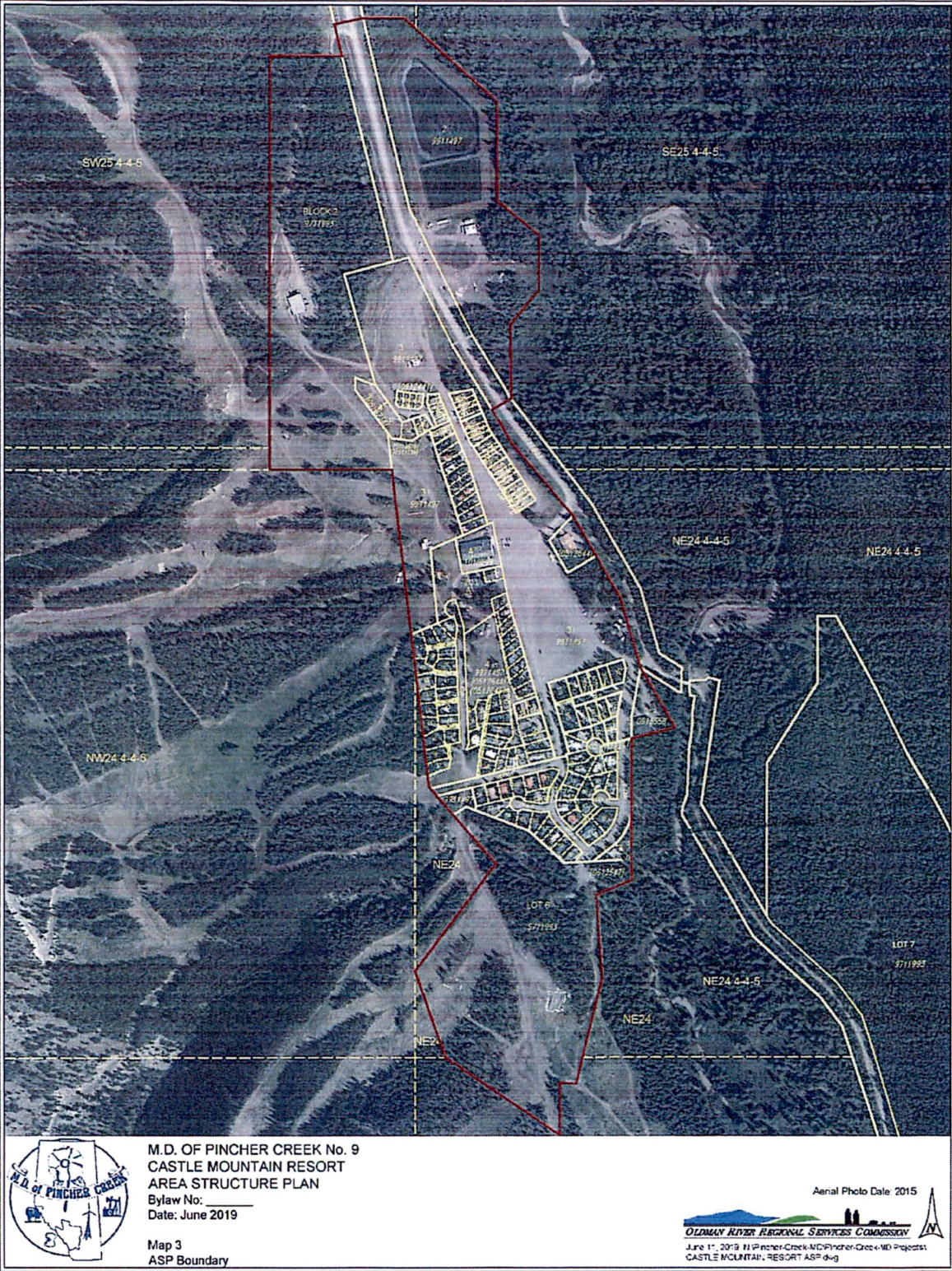
The map gives an overview of the resort base area. The fourplex lots are lots # 90 & # 91, which are along the north-eastern edge of the main parking lot. They are 36m X 32m with 36m being the front edge of the property. These lots are directly accessed from the main parking lot and will have relatively unobstructed views to the east and west. A short walk across the parking lot will have people on the Blue chair without breaking a sweat. Walk-out basements are a possibility for all units on these lots.

The two single family lots are # 45 & # 111 and are on the western edge and the southeast corner of the base area. Lot # 45 is in phase 1 and measures 24m X 18m approx. This lot is true ski in ski out with walk in winter access only. A legal survey of lot #111 will be done in October of 2005 and measures 35m deep by 50m +/- wide [approx]. This lot will be very attractive to nature lovers as it backs onto Gravenstafel Brook. There is a 30m buffer between the lot line and river, which will never be built on so the green space along the back edges of this lot will remain as it is now. This lot is ski-in and has a small uphill walk to ski-out. Access to it is from the main ring-road in Phase 2.

The lots that are available through this tender process will be required to follow the guidelines laid out in either the Phase 4 Comprehensive Siting Plan [lots 90-91] or the Phase 5 Comprehensive Siting Plan [lot 111] which are included in this package. All lots as well as lot # 45 are required to follow the architectural guidelines, which are also included in this package will give clear ideas of the type of construction possible on these lots.

All lots at CMR are Leasehold Title lots and include a 40 year lease. The leases are with CMR inc., owners are required to be shareholders in the corporation, which provides security in the extension of these leases. The lots that are currently for tender will require the final title holder to buy two voting shares in CMR Inc. in the current common share offering. This means that the purchaser of the single family lots will be required to buy shares as part of their purchase and that there will be shares put in trust for the final condo unit owners to purchase when they take possession of their unit.

Castle Mountain Resort Area Structure Plan – DRAFT



Submission No. 5

November 26, 2019

Letter of ASP support from the Castle Mountain Community Association

Councilor's Quinten Stevick, Bev Everets, Brian Hammond, Terry Yagos, Rick Lemire

CMCA Castle Mountain Community Association

CMR Castle Mountain Resort

LSA Livingstone Ski Academy

The CMCA is a proud organization and is appreciative to have been able to provide our input perspective to the CMR ASP. CMCA thanks the MD staff, consultants and councilors for their commitment to achieving a balanced ASP that will provide benefits for all. During this lengthy process, the opportunity to provide input may be attributed to increased communication between the organizations. With ASP approval, critical sustainable development and predictability/certainty of land use for the community should be obtainable. Long-term sustainability has been the major concern of our community since its inception.

The current the downturn in the Alberta energy sector, indicate more than ever the necessity of having viable businesses within the MD Pincher Creek. With Alberta insolvencies skyrocketing by more than seventy percent since the 2015 levels (Calgary Herald Nov 19, 2019 and the Conference Board of Canada in its November 2019 reporting), Calgary and Edmonton will post the weakest economic performance among 13 major Canadian cities for 2019. CMR is an Alberta business with growth potential and is a local economic engine.

CMR is now in its 52nd season and provides greater recreational opportunities for Albertans following a significant investment in snow sustainability, with its first season featuring man-made snow on key ski runs. We believe this investment will result in a longer and more durable ski season and appeal to a broader cross section of the snow sports community. Additionally CMR currently provides substantial employment for the region, and contributes to the tax base for the MD. CMR offers world class expert downhill skiing and snowboarding and attracts skiers from Pincher Creek, Lethbridge, Alberta, Canada and around the world. The resort offers a Disabled Skier/Boarder program, Ski Racing and Freestyle programs. One of the great advantages of the continued successful resort operation is the educational opportunities for the youth of the municipal district and region. The resort is also the home hill of the LSA program, a unique partnership between CMR, CMCA and Livingstone School in Lundbreck. LSA is developing a global reputation by attracting students from Europe and the US, in addition to students from Pincher Creek, Crowsnest Pass and region. Restoration of the student population of the Livingstone school ensures it remains accessible to local students and enhances Lundbreck.

Alberta Parks now surrounds CMR and Community and uses the resort as a commercial hub for visitors to the Park. CMR and CMCA are working to develop snowshoeing, cross-country skiing, summer and winter mountain biking, hiking, rock climbing and other outdoor pursuits to engage the interests of all Albertans.

CMR and community support local businesses in supply, service and construction on many levels. It also enables substantial tourism for the region.

Please consider this letter from the CMCA as one of support for the CMR ASP. The association hopes to have a continued productive relationship with both the MD of Pincher Creek and the town of Pincher Creek for the benefit of local Albertans and visitors alike.

Kevin Finn CMCA President

Glenn Armstrong CMCA Director/Communications

Representatives for CMCA

From: [Dean Parkinson](#)
To: [Roland Milligan](#)
Subject: Policy 6.5.2
Date: November 26, 2019 12:41:38 PM

Hi Roland,

I had a call a few minutes ago from one of our larger shareholders and I thought he brought up a great point. He asked if we'd picked up on the fact that Policy 6.5.2 would require us to make a very large payment as soon as we have an approved subdivision. As a business that is continually strapped for cash this would mean that we would have to upfront a very large sum of money with no guarantee that the lots will sell. We believe some lot leaseholders will keep on leasing.

Is there a way to change the language of 6.5.2 so that we can delay paying the MD until we're able to sell the lots? Leaving the language as it is creates a significant barrier that would effectively prevent us from subdividing.

I thought it might be better to bounce this off you now versus tonight.

Thanks,

Dean

Dean Parkinson

Director, Finance & Inside Operations

Castle Mountain Resort

Office: 403-627-5101 x 225

Cell: 403-510-0964

dean.parkinson@skicastle.ca

<http://www.skicastle.ca>

Presentation to MD Council

Castle Mountain Area Structure Plan

December 12, 2019

Good evening everyone. My name is Dean Parkinson and this is Jason Crawford [NTD: or reverse]. Together we manage Castle Mountain Resort. Castle is a 54 year old family friendly, community owned resort nestled in the Westcastle Valley and proud to call the MD of Pincher Creek our home. We are surrounded by the newly created Castle Provincial Park and the Castle Wildland Provincial Park.

We are very grateful to the council and the MD team for having created this area structure plan that balances the interests of the community, the MD, and the province. Castle fully supports this plan. The ASP's vision includes: guiding development in a sensitive environment while fulfilling recreation and tourism needs for Alberta. The plan encourages sustainable development of the resort by:

- 1) Minimizing effect of resort use and development on adjacent lands
- 2) Designing the resort for optimal use of infrastructure and capital improvements
- 3) Recognizing water as a valuable resource to be preserved, protected, and used wisely.
- 4) Following sequential approval processes required at the municipal, provincial and federal level to ensure appropriate development

Castle, Community, and the MD

We wanted to give everyone a picture of where Castle Mountain fits within the MD:

- Castle is one of the largest employers in the MD
- At our peak we employ 173 employees; 23 are year-round positions
- This equates to 80 full time equivalent positions
- Our annual payroll ranges between \$2.7M to \$2.8M
- Total Revenue \$4.9-\$6.2M; indirect revenue to local businesses well into the millions of dollars.
- Cumulative CMR & CMCA property taxes last year were \$443,000. This represents 12% of the MD's property tax budget of \$3.6M. For context, the MD's Parks and Recreation 2019 budget is \$483k; the taxes collected from the Castle community would cover 97% of the Parks & Recreation budget.
- Livingston Ski Academy. Castle supports the Livingston Ski Academy by providing the mountain and experienced coaching staff to further the skills of the LSA students.
- Castle provides world class winter outdoor recreation for the community.
- Environmental Stewardship – Castle has Recycling programs, Water conservation programs, is working on Whitebark Pine Certification, and is implementing our Environmental Management Plan which is included in the ASP.
- Customer Demographics: 33.7% are local; 14.7% are from Lethbridge; 11% are from Calgary; & 9% are from Okotoks. We see guests from all over the world, most notably the US, Great Brittan, Germany and Australia.

CMR Financial Sustainability

- Like all ski areas, Castle's financial viability hinges on the number of skiers visiting during a season. Last year CMR attracted just 74,000 skiers. In the past CMR has been able to attract up to 94,000 skiers.
- Research by the Canada West Ski Areas Association indicates that for a ski resort to be financially sustainable, it needs to consistently have over 100,000 skier visits.
- In 23 years of operations, we've had 12 years of financial losses and only 11 years of making money. Last season Castle lost \$468,000.

Roland Milligan

From: Roland Milligan
Sent: November 25, 2019 7:46 AM
To: 'Gavin Scott'
Subject: RE: Environmental Assessment - Castle Mountain Resort Inc. Future Development

Thanks Gavin,
As you have been saying since the beginning of all this.
Roland

From: Gavin Scott <gavinscott@orrsc.com>
Sent: November 23, 2019 9:52 AM
To: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>
Cc: Troy MacCulloch <CAO@mdpincercreek.ab.ca>
Subject: FW: Environmental Assessment - Castle Mountain Resort Inc. Future Development

FYI

From: Heather Dent [<mailto:Heather.Dent@gov.ab.ca>]
Sent: Friday, November 22, 2019 3:43 PM
To: Gavin Scott <gavinscott@orrsc.com>
Subject: RE: Environmental Assessment - Castle Mountain Resort Inc. Future Development

Hi Mr. Scott,

I offer the following information for your consideration.

As you are aware, Castle Mountain Resort Inc. (CMR) submitted a request for a determination of whether the full expansion of activities as outlined in the Castle Mountain Resort Master Development Plan would require an Environmental Impact Assessment (EIA) report. As a result of the Screening process, a decision was made that CMR will be directed to prepare an EIA report for the activities outlined in that Plan. The focus of an environmental assessment process through Alberta Environment and Parks would be on the expansion and diversification of CMRs winter and summer activities on the DLO and beyond.

The process and any resulting regulatory approvals would not cover existing development as previously approved (through Alberta Environment and Parks approvals i.e. the Environmental Protection and Enhancement Act) but an EIA must take into consideration cumulative effects and so the impact of new development in addition to all existing and approved developments must be examined in the report.

Municipalities processes (including Area Structure Plans) are entirely separate from Alberta Environment and Parks mandate and roles. It is appropriate for CMR to continue to working on the Area Structure Plan. It appears the MD is attempting to update the area structure plan and that the plan would be limited to approvals already issued by Alberta Environment and Parks.

The updating of the Area Structure Plan does not impact or negate the work that would be required by CMR to develop an environmental impact assessment. It also does not allow them to expand beyond their current approvals issued by Alberta Environment and Parks.

I hope you find this helpful. Please let me know if you have any additional questions or concerns.

Heather Dent

Provincial Approvals Section | Alberta Environment and Parks
5 Floor Petroleum Plaza - South Tower | 9915 - 108 Street | Edmonton | T5K 2G8
W: 780.427.9335 | C: 587.983.3048 | heather.dent@gov.ab.ca

From: Gavin Scott <gavinscott@orrsc.com>
Sent: November 21, 2019 10:37 AM
To: Heather Dent <Heather.Dent@gov.ab.ca>
Subject: Environmental Assessment - Castle Mountain Resort Inc. Future Development

Heather

The MD of Pincher Creek has been working toward an updated Area Structure Plan (ASP) for the existing private developable land at the Castle Mountain Ski resort. The previous plan was done in 2002 and has run its course as far as being effective in dealing with land use matters. The new plan seeks to put in measures that control development and its impact on the adjoining park land some of which is under DLO 781449. The new document does not expand the development approvals that were previously granted to allow 225 dwelling units at the site (which is supported by a water treatment plan designed for that growth cap).

A copy of the document can be made available to you.

The Alberta Wilderness Association's has requested that the MD of Pincher Creek postpone the Public Hearing on Castle Mountain Resort's Area Structure Plan. They are siting that the process for environmental assessment be concluded before the ASP proceeds citing that significant change could result from the final report.

It is my understanding that the private land has under the *Municipal Government Act* the right to develop per the planning instruments adopted by the MD of Pincher Creek. The MD has immediate need to keep these documents current for existing development applications so as to do its best in protecting the adjoining Park land from negative effects of development. The Alberta Government has not placed a moratorium on development and therefore it is the position of the MD that development will continue.

Is it your understanding that the CMR desire to expand and diversify its winter and summer activities on the DLO and beyond the borders of the DLO is the focus of the environmental assessment process and not the existing development as previously approved?

Any light you can shed on this matter is greatly appreciated.

Gavin Scott
Senior Planner
Oldman River Regional Services Commission

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