



Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, October 4, 2022 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

- 3.a Minutes of the Agriculture Services Board of May 18, 2022
- 3.b Minutes of the Crowsnest Pass Community Library Board of June 21, 2022
- 3.c Minutes of the Crowsnest Pass Community Pool Society of August 31, 2022
- 3.d Honourable Whitney Issik, Minister of Alberta Environment & Parks - Letter of Response to Chinook Public Recreation Area Concerns of September 28, 2022

4. ADOPTION OF MINUTES

- 4.a Minutes of the Council Meeting of September 27, 2022

5. PUBLIC HEARINGS

- 5.a Bylaw 1124, 2022 - Road Closure Bylaw (a portion of 207th Street - Bellevue) - *Public Hearing*
- 5.b Bylaw 1127 - Land Use Bylaw Amendment - Re-designate Lot 1 Block 1 Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1 - *Public Hearing*
- 5.c Bylaw 1128 - LUB Amendment to Re-designate Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M containing ±29.74 ha (73.5 acres), from "Residential – R-1" and "Multi-Family Residential – R-3" to "Non-Urban Area – NUA-1"; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from "Residential – R-1" to "Non-Urban Commercial Recreation – NUCR-1"; as shown on Schedule 'A' - *Public Hearing*

6. DELEGATIONS

Delegations have 15 minutes to present their information to Council excluding questions. Any extension to the time limit will need to be approved by Council.

- 6.a Glenda Farnden, STARS - Annual STARS Update

7. REQUESTS FOR DECISION

- 7.a Bylaw 1127, 2022 - Land Use Bylaw Amendment - Re-designate Lot 1, Block 1, Plan

0313303 from Non-Urban Area NUA-1 to Industrial I-1 - *Second & Third Reading*

7.b Bylaw 1128 - LUB Amendment to Re-designate Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’ - *Second and Third Readings*

7.c Fire Station 4-Hillcrest

7.d 2023 Annual Franchise Fee

7.e Rural Municipalities of Alberta (RMA) Fall Convention Attendees

8. COUNCIL MEMBER REPORTS

9. PUBLIC INPUT PERIOD

Each member of the public has up to 5 minutes to address Council. Council will only ask for clarification if needed, they will not engage in a back and forth dialogue.

10. COUNCILOR INQUIRIES AND NOTICE OF MOTION

11. IN CAMERA

11.a Personal Privacy - Council Youth Representative - *FOIP Act Section 17*

12. ADJOURNMENT



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 3.a

Subject: Minutes of the Agriculture Services Board of May 18, 2022

Recommendation: That Council accept the Minutes of the Agriculture Services Board of May 18, 2022 as information.

Executive Summary:

Minutes of Boards, Committees and Societies are provided to Council for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Agriculture Services Board provides their minutes to keep Council apprised of their activities.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022 05 18 Approved ASB Minutes.pdf](#)

Crowsnest Pass **Agriculture & Environmental Services**



AGRICULTURE SERVICE BOARD MEETING

May 18, 2022, 5:00 pm

Municipal Office – Council Chambers

8502 19 Avenue, Coleman Alberta

ATTENDANCE:

Kathy Wiebe	Chair
Dale Paton	Vice-Chair
Melisa Atkinson	Board Member
Frank DeGroot	Board Member
Megan Evans	Board Member
Doreen Glavin	Councillor
Dave Filipuzzi	Councillor
Jesse Fox	Manager of Protective Services
Sasha Lassey	Recording Secretary

ABSENT:

Vicki Kubik	Councillor
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WELCOME & INTRODUCTIONS

The board welcomed new Ag Services Environmental Technicians for the 2022 season, Grace O’Leary and Charles Silverstone.

CALL TO ORDER

Chair, Kathy Wiebe called the meeting to order at 5:05 pm.

ADOPTION OF AGENDA

Addition: Correspondence Saddle Hills County

ASB-01-2022-05-18 Motion made by Dale Paton to adopt the agenda as amended. Carried.

ADOPTION OF MINUTES

Adoption of Agriculture Services Board Minutes from March 16, 2022.

ASB-02-2022-05-18 Motion made by Melisa Atkinson to adopt the minutes of March 16, 2022, as presented. Carried.

DELEGATIONS

OLD BUSINESS

Review of Action List

Wild Boar Discussion

- No new or additional information

CPR Weed Control Compliance

- Manager of Protective Services, Jesse Fox has been in contact with several other communities who are also experiencing issues with CPR compliance; the situation is ongoing and is now awaiting additional response from regional representatives
- Discussion that it may be worthwhile to question if CPR would like to extend the program that is currently being followed in British Columbia
- The board also discussed potentially bringing something forward as a resolution to the Provincial Conference

Elevation of Carum Carvi to a Noxious Weed

- Manager of Protective Services, Jesse Fox, shared with the board that a draft of the bylaw has been presented to legal counsel for review and creation

Vendor Registration License

- We currently hold a pesticide service number and to acquire a vendor license, we will require a qualified Ag Services Fieldman; once an Ag Services Fieldman has been hired, the department will undertake obtaining the vendor license to be able to provide herbicide to residents

2022 South Region ASB Conference

- Date tentatively booked at the Crowsnest Pass Golf Course on October 27, 2022
- The board will reach out to some of the communities that have recently hosted to inquire about tips to be a successful host community
- Will meet with the new Ag Services Fieldman to further discuss additional planning details to prepare for the conference

ASB-03-2022-05-18 Motion made by Councillor Doreen Glavin that the action list updated be accepted as information. Carried.

NEW BUSINESS

Ag Fieldman Position

- Manager of Protective Services, Jesse Fox, reviewed with the board members details of the term position for the Ag Services Fieldman as well as why the position has not been posted as a permanent, full-time posting
- The board discussed some concern regarding the Ag Services program and the direct relationship between acquiring continued grant funding and having an employed Ag Services Fieldman in place. Protective Services Manager, Jesse Fox, noted that funding will continue provided that the municipality is committed to fulfilling the requirements of the program.

ASB-04-2022-05-18 Motion made by Megan Evans to accept discussion on the Ag Fieldman Position as information. Carried.

Budget Update & Report on Measurables Defined in Schedule "A"

- General discussions on the grant funding cycle and the role that the board has in ensuring that the measurables are satisfied as a part of the process; Protective Services Manager shared that there have never been any concerns to date of not complying with the expectations, however, there may be a possibility to bring year-end results back to the board to review
- ASB Strategic Plan – The board discussed potential timelines and propensity for developing an Ag Services Strategic Plan for future planning and guidance; given the time of year, it was determined that the board will wait for the new Ag Services Fieldman to advise and contribute with a goal to revisit the strategic plan in the fall

Meeting Frequency

- Will hold informal planning meetings for the upcoming conference planning and bring details back to the board
- Discussed the possibility of increasing the meeting frequency to once per month instead of quarterly; decided to wait for new Ag Services Fieldman to further discuss frequency in the future

CORRESPONDENCE

Saddle Hills County

- The board reviewed correspondence from Saddle Hills County dated May 4, 2022, regarding the current workforce shortage and mental health crisis within veterinarians in Alberta; looking for

support from Ag Service Boards to support change and relaxation of some of the prerequisites on academic entrance requirements

- New provincial funding has just been announced with \$8.4 million funding over the next three years to help increase enrollment and available seats for new veterinarians into the University of Calgary; funding will ensure that shortage can be addressed

Councillor Filipuzzi exited the meeting at 6:54 pm

ASB-05-2022-05-18 Motion made by Melisa Atkinson to accept the correspondence from Saddle Hills County as information. Carried.

TOPICS FOR DISCUSSION

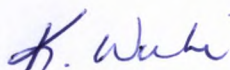
Service Area Update – Jesse Fox

- Protective Services Manager, Jesse Fox presented the service area update
- New seasonal staff have been hired and will remain on staff until the end of August; appointments for soils, conservation, and agricultural pest control from council were confirmed at a meeting of council on May 17, 2017
- Working with Pass Powderkeg to serve some of the needs on-site
- Gopher eradication is ongoing in some of the more popular areas and trails in the community
- Finalized vegetation spray management contract and awarded to Lonsbury Applications as a three-year contract

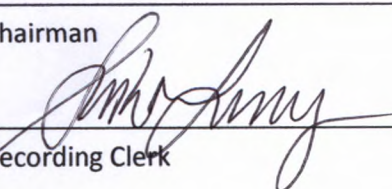
ASB-06-2022-05-18 Motion made by Melisa Atkinson to accept the Agricultural Service Area Update as presented. Carried.

ADJOURNMENT

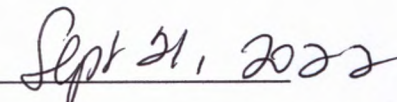
ASB-07-2022-05-18 Motion made by Frank DeGroot to adjourn the meeting at 7:17 pm. Carried.

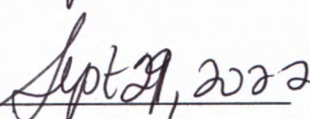


 Chairman



 Recording Clerk

Date: 

Date: 



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 3.b

Subject: Minutes of the Crowsnest Pass Community Library Board of June 21, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Library Board of June 21, 2022 as information.

Executive Summary:

Minutes of Boards, Committees and Societies are provided to Council for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Crowsnest Pass Community Library Board provides their minutes to keep Council apprised of library activities.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[Library minutes Tuesday, June 21, 2022 with attachments.pdf](#)

Crowsnest Community Library Meeting room

Minutes

Attendance: Diane deLauw (Library Manager), Erin Matthews (Chair), Margaret Thomas (Vice Chair), Nicole Stafford (Secretary), Doreen Glavin (Municipal Council Rep), and Gale Comin (Treasurer).

Regrets: Lisa Sygutek (Municipal Council Rep) and John Hucik

1. Call to Order- Erin called the meeting to order at 1:34pm

2. Adoption of Agenda - June 21, 2022

Erin made a motion to adopt the agenda as amended. Gale seconded. Motion carried.

3. Adoption of Minutes - May 24, 2022

Gale made a motion to adopt the minutes. Doreen seconded. Motion carried.

4. Librarians Report (attached)

Action Item: Diane will follow up with the Municipality regarding sidewalk repairs.

5. Financial Report - 2022 to date (attached)

Gale made a motion to adopt the Librarians Report and the Financial report. Erin seconded. Motion carried.

6. In Camera

Erin moved to go into camera at 2:02pm.

Erin moved to come out of camera at 2:12pm.

7. Meeting Adjournment

Nicole made a motion to adjourn the meeting at 2:18 pm.

Next Regular Meeting: September 13, 2022 at 1:30pm

Approved _____ Date _____

Librarians Report June 21, 2022

Programming

- Landfill grant of \$500 towards our Summer Story Walks was received.
- Storywalks are all planned, with the first one starting this week
 - We are using a book by local author Billie-Jo Legroulx
 - There will be 6 storywalks in total, running every other week.
- Summer Reading Program kick-off is planned for June 24th.
 - We will run our SRP program for 6 weeks this summer.
- My York Creek Lodge visits should soon restart now that the residents have moved.

Provincial Funding

- All documents secured and signed.
- Provincial funding application submitted.

Chinook Arch

- Online membership renewals start today.
- Robin Hephner – Chinook Arch CAO presented to our Council on June 14th.
 - He only notified me that morning, but fortunately I was able to attend with him.

Staffing

- Summer positions have been filled and new hires will begin this Friday.
- We hired a full-time position that will be covered by Canada Summer Jobs if approved.
- We also hired a part-time position that will help with the Summer Reading Program and Story Walks. Approximately 10 hours per week.
- All 3 permanent staff have holidays booked over the summer.

Building/Yard Maintenance

- The cost to repair / re-do the concrete steps, patio and portion of sidewalk is \$17,000.
 - It will be taken forward to Council as a 2023 Budget Initiative.
 - To address public safety, Maintenance Staff will do an interim repair asap.
- Basement carpet replacement will be considered in the 2023 Municipal budget.
- Leak was discovered in the outside line leading to sprinkler system.
 - Morency was called in to repair.
- Barb has taken on improving the flower gardens. She has been accepting perennial donations from community members.

Friends of the Library

- Arranged for Local Authors to use their space at the Market.
- Casino volunteers are ready for next weekend.
- Will be at the market June 30th with large Scrabble and Connect 4 games.
- Silent auction for quilt ending July 2nd.

Public Libraries Services Branch

- Changing some statistics being collected for 2022.

11



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 3.c

Subject: Minutes of the Crowsnest Pass Community Pool Society of August 31, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Pool Society of August 31, 2022 as information.

Executive Summary:

Minutes of Boards, Committees and Societies are provided to Council for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Crowsnest Pass Community Pool Society provides their minutes to keep Council apprised of activities with the pool.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022 August 31 Pass Community Swimming Pool Board Meeting.pdf](#)

AGENDA for Pass Community Swimming Pool Board Meeting

Wednesday, August 31, 2022

@11:00 AM Council Chambers

1. Approval of Agenda
2. Minutes of August 17, 2022 Meeting
3. Old Business/Business Arising from the minutes
 - A. Renovations - pressure washer, showers
 - B. Trophy Case -
 - C. Hot Tub, tables, shed, cement pad
 - D. Reimbursements - refunds/courses
 - E. Respirator fit testing follow up
 - F. Storage garage, octopus/lobster
5. New Business
 - A. Variance Report
 - B. Manager's report
 - C. Year-end plans
6. Next Meeting
7. Adjournment

Pass Community Swimming Pool Board Meeting
August 31, 2022 (6 PM)
Council Chambers

IN ATTENDANCE: Judy Sciarra, Lesley Margetak, Sherri Gleave(absent), Pauline Beech, Dave Filipuzzi, Doreen Glavin, Ethan Ballak

Called to order: 6:00 pm

1. **Agenda:** Chair presented the Agenda. Change 3 to Correspondence and Old Business becomes 4. New Business add D. Weed Control E. Possible adult guard 2023.

Judy MOVED that the agenda be accepted with additions and changes.

2. **Minutes of August 17, 2022 Regular Meeting**

Judy MOVED that the minutes of August 17, 2022, be adopted as read.

3. **Correspondence**

- Letter received from Pass resident stating what a great summer she had at the pool and how she appreciates all the lifeguards did this season.

4. **Old Business/ Business arising from the minutes**

A. Renovations

- **Pressure Washer** – waiting on confirmation for pressure washer.
- **Showers** – handicap showers continue to be an issue. Carey is looking into a stationary head to alleviate its continuous breakage.

B. Trophy Case

- **Trophy Case** – has been installed; the glass doors were not, as one needs to be replaced, it was broken during storage. Is replacement on us or the Municipality?

C. Hot Tub, tables, shed, cement pad

- **Hot tub** – unfortunately the hot tub was closed more than open this summer.
- **Tables** – Chair found some on Amazon, but will keep looking for some on sale in the fall.
- **Shed** – Following the clean up of the shed the guards thought a second one may not be necessary. After further discussion the Board felt a second shed is necessary with the addition of a pressure washer.

- **Cement Pad** – will be completed in September.

D. Reimbursements - refunds/courses

- **Refunds** – A request, prior to refund deadline, for the refund of an adult season swim pass due to a family emergency has been submitted to AP; will be mailed out when ready.
- **Course Reimbursement** – some staff have been reimbursed for their courses; others still have reimbursement forms to submit.

E. Respirator Fit Testing follow-up

- There is no cost for fit testing just the cost of purchasing respirators needed at pool.
- Anyone over 18 should be fitted every 2 years.
- Needs to be part of the policies for pool with the OH&S codes.

F. Storage garage, octopus

- Storage garage – Dave and Doreen will look into what's happening with garage.
- Mini Lobster – several leaks were found some were repaired still has a slow leak. The pool does not have the proper equipment to blow it up. Ethan felt it might be beyond repair.

5. New Business

- A. Variance report** – not requested for this meeting as the end of August would not be recorded.

B. Manager's Report – Attached

C. Year-end plans

- Last day is set for September 3rd.
- Year end party will be pizza and a drink, games and prizes. Pizzas will be ordered from IGA.

D. Weed Control

- Should Douglas Applications be contacted for a second treatment of the grass?
- Chair will contact Keiran and discuss what benefits it would bring.

E. 2023 Possible Adult Guard

- An adult guard is interested in working at the pool on his days off from Teck. He has all the necessary courses and will only need to update them. Judy will talk to him and bring the information forward at the next meeting.

6. Next Regular Meeting: Wednesday, September 14, 2022 Time: 6 pm

7. Judy MOVED to adjourn at 7:19 pm

From: Sheryl Highet [REDACTED]
Date: August 31, 2022 at 5:02:27 PM MDT
To: Lesley Margetak [REDACTED]
Cc: [REDACTED]
Subject: Pass Pool 2022 Thank You

Lesley,

This email is to say a big thank you and congratulations to the Pass Pool Board members and staff of the pool for a wonderful swim season this year. This year like previous years has presented many new challenges to which you have worked and adjusted to find a way to open the pool and remain open until September. Here are a few thoughts.

This year the pool provided much more than a community family place for participants. It allowed teenagers or young adults who worked at the pool to break out of the Covid restrictions and meet a new job opportunity with training. Something to which some young people could not do for three years. The confidence to which this opportunity provided these teens and young adults helps everyone as they then tell their friends that it is easy to get out and live life once again.

This year the pool provided participants, families and season pass holders to swim in some of the most gorgeous sunny weather in history without the typical August forest fire smoke. Realizing the weather and smoke is out of one's control, think how disappointed we all would have been if we had to walk by a dry pool at 31C and sunny weather during the month of August. Thank you for opening the pool.

This year the pool allowed for young children to learn how to swim or to improve their swimming skills. Many children have not had access to a pool or lessons for 3 years either by Covid restrictions or parent choice during a pandemic. Knowing how to swim is a life skill not a luxury. Thank you for opening the pool and providing lessons.

A vivid memory I have is seeing a young boy who proudly states that he is eleven years old, who will remain nameless, proudly sitting at the entrance of the pool most days at 12:45pm waiting for the pool to open for public swim. Seriously, what a great summer he had at the pool.

This year new and more lane swimmers have joined in for noon lane swim than other years. Yes, one can argue that other lane swim times were adjusted, yet the swimmers I refer to are new to the pool. Thank you for opening the pool for new and existing lane swimmers.

Personally, I would like to say thank you to you all. I swim regularly as a lane swimmer. The 11:00-1:00pm lane swim pool season was fabulous. The staff were kind and helpful. The change rooms looked great. Together, you have accomplished a lot in providing access to the pool for the community.

The Pass Pool is the Gem of the Crowsnest Pass.

Thank you
Sheryl Highet
[REDACTED]
[REDACTED]



CROWSNEST PASS
Naturally Rewarding

Pass Community Pool

Managers Report for August 31st

Manager: Ethan Ballak

Assistant Manager: Alexandra Harrington

General

Staffing

Trennis and Jack have been great additions to the guard staff.

We have been encouraging cashiers to take NL over the winter.

Many staff are unavailable this week with school starting but can make the last day (September 3rd).

Programs

Hours have been reduced this week due to limited staff, Saturday should be a normal day with a cap of 200.

Last day admission is \$3 for everyone with food and drink being served. Program will run 1-5.

Swim lessons are done for the season.

Maintenance

Something is wrong with the hot tub, either the filters aren't working or is not being circulated properly and will have to remain closed.

Purchases

No more purchases should be made for the year except maybe a pressure washer.

Swim Club Bill

Swim club had 97 hours total this year. At \$50 an hour it totaled to \$4,850.

Only 4 hours were lost to thunder this year.

Revenue

Including the swim club bill revenue is about \$60,600 with over half coming from daily admissions (\$30,400).



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 3.d

Subject: Honourable Whitney Issik, Minister of Alberta Environment & Parks - Letter of Response to Chinook Public Recreation Area Concerns of September 28, 2022

Recommendation: That Council accept the correspondence from Honourable Whitney Issik, Minister of Alberta Environment & Parks - Letter of Response to Chinook PRA Concerns of September 28, 2022 as information.

Executive Summary:

Correspondence received for Mayor and Council is provided at the subsequent meeting of Council for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 - Procedure Bylaw

Discussion:

A letter of response was received on September 28th from Minister Issik of Alberta Environment and Parks regarding our letter of August 19th regarding Council's concerns with the Chinook Provincial Recreation Area closure.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[117282 - Mayor Blair Painter.pdf](#)



117282

ALBERTA

ENVIRONMENT AND PARKS

SEP 28 2022

Office of the Minister
MLA, Calgary-Glenmore Constituency Office

His Worship Blair Painter, Mayor
Municipality of Crowsnest Pass
PO Box 600
Crowsnest Pass AB T0K 0E0
blair.painter@crowsnestpass.com

Dear Mayor Painter:

Thank you for your letter regarding the timing of the closure of the Chinook Provincial Recreation Area (PRA) campground and road. I, too, am pleased the upgrades are moving forward, and I welcome the opportunity to provide the following information about Environment and Parks' communication with the Municipality of Crowsnest Pass.

I understand that department officials made direct contact with your municipality about this project. On June 23, 2022, department staff contacted Chief Administrative Officer Patrick Thomas, by telephone, to provide details regarding the project scope, schedule and closure. On September 1, 2022, staff followed up with acting Chief Administrative Officer Kristin Ivey to discuss the status of the project. At that time, I understand that Environment and Parks committed to providing formal written communication to the municipality to provide notification about future capital projects in nearby provincial parks and PRAs.

The department also remains committed to keeping closure signage posted at the site, as well as public information available online. Environment and Parks notifies the public of planned construction via advisories on www.albertaparks.ca. All reservations for Chinook Lake PRA are made online at reserve.albertaparks.ca, and reservations were not available for booking during the closure period. That website also included a notification that the campground would be closing after the August long weekend.

Environment and Parks selected the August construction period to optimize frost-free conditions in the Crowsnest Pass area, and to ensure the project is completed on time and on budget. We expect the Chinook PRA and access road to reopen for the 2023 recreation season.

I recognize that the communication about this timing was not optimal for your municipality, and I hope the commitment to send future notifications in writing will help ensure everyone is on the same page going forward. I trust that our staff will remain in close contact and work together to resolve potential future issues in a collaborative way.

Thank you again for taking the time to write.

Sincerely,

Whitney Issik
Minister

323 Legislature Building, 10800 - 97 Avenue NW, Edmonton, Alberta T5K 2B6 Canada Telephone 780-427-2391
311A, 2525 Woodview Drive SW, Calgary, Alberta T2W 4N4, Telephone 403-216-5421



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 4.a

Subject: Minutes of the Council Meeting of September 27, 2022

Recommendation: That Council adopt the Minutes of the Council Meeting of September 27, 2022 as presented.

Executive Summary:

Minutes of the previous Council meeting are provided to Council for review and adoption.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

n/a

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022 09 27 Council Meeting Minutes.docx](#)

Municipality of Crowsnest Pass
Council Meeting Minutes
Tuesday, September 27, 2022

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, September 27, 2022.

Council Present:

Mayor Blair Painter, Councillors: Vicki Kubik, Dave Filipuzzi, Doreen Glavin, Glen Girhiny, Lisa Sygutek and Dean Ward.

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Ivey, Deputy Chief Administrative Officer
Brian McCulloch, Director of Finance
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 7:00 pm.

ADOPTION OF AGENDA

Additions:

Councillor Member Reports

- a) Tourism – Councillor Sygutek

Councillor Inquiries and Notice of Motion

- c) Elected Officials Education Program Strategic Planning Course – Councillor Girhiny

01-2022-09-27: Councillor Filipuzzi moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2022-09-27: Councillor Sygutek moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Crowsnest Pass Senior Housing Board of June 29, 2022

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of June 29, 2022 as information.

3.b

Minutes of the Municipal Planning Commission of July 27, 2022

THAT Council accept the Municipal Planning Commission of July 27, 2022 as information.

3.c

Minutes of the Crowsnest Pass Community Pool Society of August 17, 2022

THAT Council accept the Minutes of the Crowsnest Pass Community Pool Society of August 17, 2022 as information.

3.d

Val Allen - ORV Letter of Concern of July 25, 2022

THAT Council accept the Val Allen - ORV Letter of Concern of July 25, 2022 as information.

3.e

Town of Tofield - Victim Services Redesign Letter of Concern of August 23, 2022

THAT Council accept the Town of Tofield - Victim Services Redesign Letter of Concern of August 23, 2022 as information.

3.f

Minister Shandro's Response to the Town of Tofield - Victim Services Redesign Letter of Concern of August 26, 2022

THAT Council accept Minister Shandro's Response to the Town of Tofield - Victim Services Redesign Letter of Concern of August 26, 2022 as information.

3.g

Coleman Drop-In Centre Association - Budget Consideration Letter of August 26, 2022

THAT Council moves to include the requests for the Coleman Drop-In Centre Association in the 2023 budget deliberations.

3.h

Chinook Arch Regional Library System - Request for Motion Supporting the 2023-2026 Municipal Levy Schedule

THAT Council moves that the Municipality of Crowsnest Pass approves the Chinook Arch Library Board 2023-2026 Municipal Levy Schedule.

3.i

Asset Management Training

THAT Council approve Brian McCulloch, Director of Finance to attend the Asset Management Workshop Series being offered by Alberta Municipalities.

Carried

ADOPTION OF MINUTES

03-2022-09-27: Councillor Girhiny moved to adopt the Minutes of the Council Meeting of August 23, 2022 as presented.

Carried

PUBLIC HEARINGS

None

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1129, 2022 - Land Use Bylaw Amendment - Re-designate Area 'A' and Area 'B', Plan 221 0634, and a portion of Block OT, Plan 1489JK, within SE¼ 3-8-4-W5M and containing ±0.92 ha (2.27 acres), from "No Land Use" to Comprehensive Mixed Use CM-1 District - First Reading

04-2022-09-27: Councillor Glavin moved first reading of Bylaw 1129, 2022 - Land Use Bylaw Amendment - Re-designate Area 'A' and Area 'B', Plan 221 0634, and a portion of Block OT, Plan 1489JK, within SE¼ 3-8-4-W5M and containing ±0.92 ha (2.27 acres), from "No Land Use" to Comprehensive Mixed-Use CM-1 District.

Carried

Bylaw 1131, 2022 - Municipal Reserve closure and removal of Municipal Reserve designation on that portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____, containing 0.048 hectares (0.12 acres) more or less - First Reading

05-2022-09-27: Councillor Filipuzzi moved first reading of Bylaw 1131, 2022 - Municipal Reserve closure and removal of Municipal Reserve designation on that portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____, containing 0.048 hectares (0.12 acres) more or less.

Carried

Policy Review - 1303-04 Council Remuneration Policy

06-2022-09-27: Mayor Painter moved to adopt Policy 1303-04 with the amendment of a half day meeting rate for 3 hours and less, set at \$150, and the full day meeting rate to be set at \$275; the monthly stipend for Councillors to be set at \$965 per month and the monthly stipend for the Mayor to be set at \$1350 per month.

Carried

Service Areas Update

07-2022-09-27: Councillor Filipuzzi moved to accept the Service Areas Update for information.

Carried

Pass Powderkeg School Pricing

08-2022-09-27: Councillor Ward moved that Council approves the school pricing as presented and to include this into Schedule H of the Fees, Rates and Charges during the next revision.

Carried

Ranchlands Mutual Aid Agreement

09-2022-09-27: Councillor Ward moved that Council approves the Ranchlands Mutual Aid Agreement.

Carried

COUNCIL MEMBER REPORTS

Council reports since the August 23, 2022 meeting of Council:

- Councillor Sygutek - Tourism
 - Councillor Sygutek advised that after consulting with Municipal Affairs, she would proceed with their recommendation for the following statement:
 - She made a comment at a Council meeting, and the reason she made the comment was because she believes that our community needs to create an environment that is tourist friendly. As a Councillor and representative of our citizens, she could have used more appropriate language to communicate the message.
- Councillor Filipuzzi
 - Attended the Alberta Municipalities convention
 - Had good conversations with other municipalities and a few provincial ministers
 - Interesting comments from the candidates running for the leadership of the UPC

- Premier Kenney gave a good speech
- Councillor Ward
 - Attended the Alberta Municipalities convention
 - Noted that the leader of the opposition mentioned that they would not spend the surplus, but would invest it, comes down to terminology
 - Indicated that the government leader spoke about the price of oil that day and that the surplus has disappeared and was now a deficit if that price was to hold
 - Jason Copping, Minister of Health was well spoken
 - Talked about a lot of issues in health care and is not inclined to throw money at the problem
 - Thanked the Municipality, Council, Administration and staff for the flowers sent to his wife, it was much appreciated.
- Councillor Glavin
 - Hosting the Ag Fieldman conference October 25th at the Crowsnest Golf Course
 - Expecting 75 to 100 agricultural fieldmen from the different zones

PUBLIC INPUT PERIOD

- Daina Lazzarotto – President of Chamber of Commerce
 - Wanted to provide some information from the business community in regard to Councillor Sygutek's recent comments regarding not being open on weekends and longer hours:
 - Staff shortages
 - Affordable housing
 - Lack of accommodations to operate tourist tours
 - Lack of customers
 - Not busy enough to be open
 - Need a day off
 - Lack of affordable commercial properties in suitable condition to operate a business
 - Provided an example in which affordable housing has been an issue for hiring employees at the golf course which prevented prospective employees from moving here and resulted in the kitchen being closed Mondays and Tuesdays
 - Looks forward to working with Council and the rest of the Chamber to strengthen the business community
- George Tuck
 - Inquired about staked out property at the bottom of the road allowance below his residence

- Indicated that his water and sewer both extend through that area, and that he was given permission by the Municipality to install the services there at his cost many years ago.
 - Councilor Ward advised that this will go to public hearing next week at the October 4th meeting and that Council could not hear additional information previous to that
- Cory Tourond
 - Disturbed by the article because the community is struggling to find its way. The community has to rely on the business community because of the lack of industry.
 - Mayor Painter intervened and advised that the commentary was not appropriate and concluded the public input on this topic.
- Don Harvey
 - Inquired about the intersection at 24th Avenue and 208th Street in Bellevue
 - Asked if the town could look at something to improve the traffic for obvious safety issues where the roads converge
 - Mayor Painter advised that Administration would look into this.

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

Bear Issues – Councillor Ward

10-2022-09-27: Councillor Filipuzzi moved that Administration bring back the Fees, Rates and Charges Bylaw to consider raising fines for repeat offenders who violate the garbage bylaw; with the following friendly amendment from Councillor Ward: to bring back information that could affect the Community Standards Bylaw on the following changes:

- information on how other communities are addressing bear concerns through their bylaws
- obtain information from the landfill regarding bear bins and specialized trucks to handle them
- consideration of purchasing bear bins to sell to our residents at a reduced rate
- obtain recommendations from BearSmart
- urban chickens as an animal attractant

And that Administration write a letter to Environment and Parks regarding concerns in their change in policies and reduced funding provided to manage problem bears.

Carried

Hillcrest Lagoons – Mayor Painter

Mayor Painter asked for clarification on when the report will come back before Council with recommendations to resolve the odor problem at the Hillcrest Lagoons.

Elected Officials Education Program Strategic Planning Course – Councillor Girhiny

11-2022-09-27: Councillor Sygutek moved that Councillors Ward, Sygutek, Girhiny, Kubik and Filipuzzi be registered for the Elected Officials Educational Program Strategic Planning Course.

Carried

IN CAMERA

12-2022-09-27 : Councillor Girhiny moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short break at 8:59 pm:

- a) Economic Interests of the Public Body - Land Purchase Application - FOIP Act Section 25
- b) Privileged Information - Dairy Road Letter - FOIP Act Section 27
- c) Privileged Information - Crowsnest Pass Pool - FOIP Act Section 27
- d) Economic Interests of the Public Body - MDM Lands - FOIP Act Section 25

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 9:18 pm. Patrick Thomas, Chief Administrative Officer, also in attendance to provide advice to Council.

13-2022-09-27: Councillor Girhiny moved that Council come out of In Camera at 10:30 pm.

Carried

14-2022-09-27: Councillor Ward moved that Council accept the offer from SHIFT REI Admin Ltd to purchase Area A, Plan 2210634 containing 0.84 acres, subject to the following conditions:

1. That the subject lands be consolidated with the title for Block H, Plan 731227 (CofT # 221161604) by Plan of Survey at the expense of the applicant
2. That all legal fees associated with this transaction are the responsibility of the applicant, including the legal fees of the Municipality if any.
3. That council grant the applicant 90 days to review site planning, highway access and zoning options.
4. That this transaction be completed by March 1, 2023
5. That construction of the site will commence within 2 years of the sales date or the Municipality may repurchase the parcel at 50% of the purchase price.

and;

That Council considers the offer from SHIFT REI Admin Ltd to purchase Area B, Plan 2210634 containing 1.41 acres, subject to the following conditions:

1. That all legal fees associated with this transaction are the responsibility of the applicant, including the legal fees of the Municipality if any.

2. That Council grant the applicant 90 days to review site planning, highway access and zoning options.
3. That this transaction be completed by March 1, 2023
4. That construction of the site will commence within 2 years of the sales date or the Municipality may repurchase the parcel at 50% of the purchase price.

Carried

15-2022-09-27: Councillor Sygutek moved that the Municipality will file a suit for defamation in regard to the Dairy Road Letter.

Carried

16-2022-09-27: Councillor Kubik moved that the Municipality gives notice to the Crowsnest Pass Community Pool Society to terminate the operating agreement.

Carried

ADJOURNMENT

17-2022-09-27 : Councillor Filipuzzi moved to adjourn the meeting at 10:34 pm.

Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 5.a

Subject: Bylaw 1124, 2022 - Road Closure Bylaw (a portion of 207th Street - Bellevue) - Public Hearing

Recommendation: That Council holds a public hearing and considers input received.

Executive Summary:

Council gave First Reading of Bylaw 1124, 2022 on August 16, 2022.

Bylaw 1124, 2022 proposes the closure of a 410 m² portion of 207 Street in Bellevue to create a new developable residential parcel. This will also facilitate access to the adjacent Municipally-owned property that is proposed for sale and development (by the same applicant).

Relevant Council Direction, Policy or Bylaws:

Section 22 of the Municipal Government Act

Discussion:

This portion of 207 Street will not be developed as a road because of the topography. The applicant has applied to purchase the adjacent lot to the east, and while the applicant was conducting his due diligence review of the site to the east, it was discovered that access to the building site would be very steep, and that closing the portion of road to create a new developable lot, would at the same time facilitate access to both properties.

See attached sketch titled "Utilities in ROW". It has been identified through the referral process that a gas line and possibly a private water and sewer line that serves an adjacent property run north-south through the proposed road closure. The right-of-way agreement with ATCO Gas would prohibit without prior consent, any permanent structure within the right-of way. The applicant is aware of these restrictions and the proposed development will be reviewed for feasibility prior to forwarding the road closure to the Minister of Transportation. If it is determined that the easements would make development of the lot infeasible, the bylaw will be brought back to Council for consideration to defeat it.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1124 2022 public hearing notice.docx](#)

[FORMATTED Bylaw 1124, 2022 Road Closure 5th Street.docx](#)

[1 - 1124 Schedule_A Resized.pdf](#)

[Utilities in RoW.pdf](#)

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

PROPOSED BYLAW NO. 1124, 2022

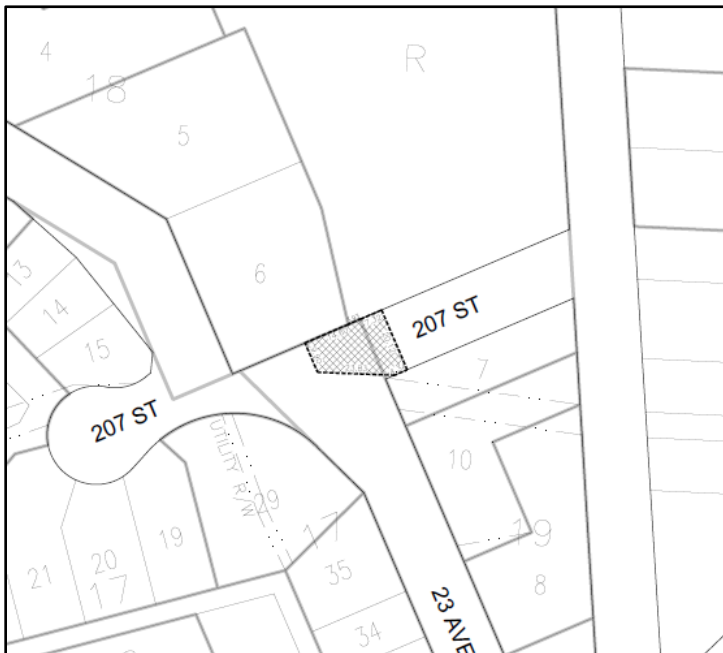
7:00PM, October 4, 2022

Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, notice is hereby given that the Council of the Municipality of Crowsnest Pass will consider a bylaw to close a portion of the roadway depicted in the sketch below and legally described as:

First: Plan 6432 F.E. That portion of Fifth Street contained within Area "A", Plan _____, containing 0.014 ha (0.035 acres) more or less, excepting thereout all mines and minerals

Second: Plan 6828 E.O. That portion of Ash Avenue contained within Area "A", Plan _____, containing 0.027 ha (0.067 acres) more or less, excepting thereout all mines and minerals



PROPOSED ROAD CLOSURE SCHEDULE 'A'

See tentative plan of road closure by Brown Okamura & Associates Ltd. file no. 22-15611

- First: Plan 6432 F.E. That portion of Fifth Street contained within Area "A",
Plan _____ containing 0.014 ha (0.035 acres) more or less
- Second: Plan 6828 E.O. That portion of Ash Avenue contained within Area "A",
Plan _____ containing 0.027 ha (0.067 acres) more or less

Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com no later than 4:30PM on September 27, 2022. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

THE PURPOSE of this bylaw is to close to public travel, create title to and dispose of portions of a public roadway in accordance with section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

THEREFORE, TAKE NOTICE THAT public hearings to consider the proposed Bylaw No. 1124, 2022 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00PM on October 4, 2022. Each person shall be allotted 5 minutes to present their position

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email:

For questions regarding the proposed Bylaw Amendment please contact the Development Officer by calling 403-562-8833 or emailing development@crowsnestpass.com.

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 14th day of September, 2022.

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1124, 2022
ROAD CLOSURE BYLAW

BEING a Bylaw of the Municipality of Crowsnest Pass for the purpose of closing to Public Travel and creating title to and disposing of portions of a Public Highway in accordance with Section 22 of the Municipal Government Act, chapter M-26, revised Statutes of Alberta 2000, as amended.

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

WHEREAS application has been made to Council to have the roadway closed, and

WHEREAS the Council of the MUNICIPALITY OF CROWSNEST PASS deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and

WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw

NOW THEREFORE BE IT RESOLVED that the Council of the MUNICIPALITY OF CROWSNEST PASS in the Province of Alberta does hereby close to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation.

First: Plan 6432 F.E. That portion of Fifth Street contained within Area "A", Plan _____, containing 0.014 ha (0.035 acres) more or less, excepting thereout all mines and minerals

Second: Plan 6828 E.O. That portion of Ash Avenue contained within Area "A", Plan _____, containing 0.027 ha (0.067 acres) more or less, excepting thereout all mines and minerals

As illustrated in Schedule 'A', attached to, and forming part of this bylaw.

READ a **first** time in council this _____ day of _____ 2022.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer

PUBLIC HEARING scheduled for the 4th day of October 2022 and advertised in the Crowsnest Pass Herald on the 21st and 28th day of September 2022.

APPROVED this ____ day of _____, 20__

Minister of Transportation

READ a **second** time in council this ____ day of ____ 2022.

READ a **third and final** time in council this ____ day of ____ 2022.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer

Schedule "A"

PLAN NO. _____
ENTERED AND REGISTERED
ON _____
INSTRUMENT NO : _____

A.D. REGISTRAR

1





Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 5.b

Subject: Bylaw 1127 - Land Use Bylaw Amendment - Re-designate Lot 1 Block 1 Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1 - Public Hearing

Recommendation: That Council holds a public hearing and consider input received.

Executive Summary:

Council gave First Reading of Bylaw 1127, 2022 on August 16, 2022.

The proposed bylaw involves the re-designation of Lot 1 Block 1 Plan 0313303 containing ±4.53 ha (11.19) acres from Non-Urban Area NUA-1 to Industrial I-1 for the purpose of marketing the property for manufacturing type development.

Relevant Council Direction, Policy or Bylaws:

Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Land Use Bylaw No. 868-2013

Municipal Development Plan Bylaw No. 1059, 2020 (3.2.2)

Discussion:

The proposed bylaw involves the re-designation of Lot 1 Block 1 Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1.

The property is on the east side of Sentinel Industrial Park. The Municipal Development Plan identifies these areas for low intensity uses such as storage and warehousing due to the lack of municipal water and wastewater services in the area.

The property operated R&R Lumber and more recently Artic Spas. The property has been vacant and the application to re-designate the property is for the purpose of marketing the property for manufacturing / storage development, which is not a use listed in the current NUA-1 land use district.

The surrounding properties are within the industrial land use districts other than to the North is NUA-

1 and to the South is a developed campground in the NUCR-1 Non-Urban Commercial Recreation district. Development of this property as industrial may require conditions involving screening and noise / air quality limitations and standards at the time of reviewing a development permit application.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1127, 2022 - CNP LUB 868, 2013 Lot 1 Block 1 Plan 031 3303 rezoning \(Sept 2022\) notice.docx](#)

[FORMATTED Bylaw 1127, 2022 - CNP LUB 868, 2013 Lot 1, Block 1, Plan 031 3303 rezoning \(June 2022\).docx](#)

[Schedule A Crowsnest Pass - Lot 1, Block 1, Plan 0313303-LUD Redesignation.pdf](#)

NOTICE OF PUBLIC HEARING

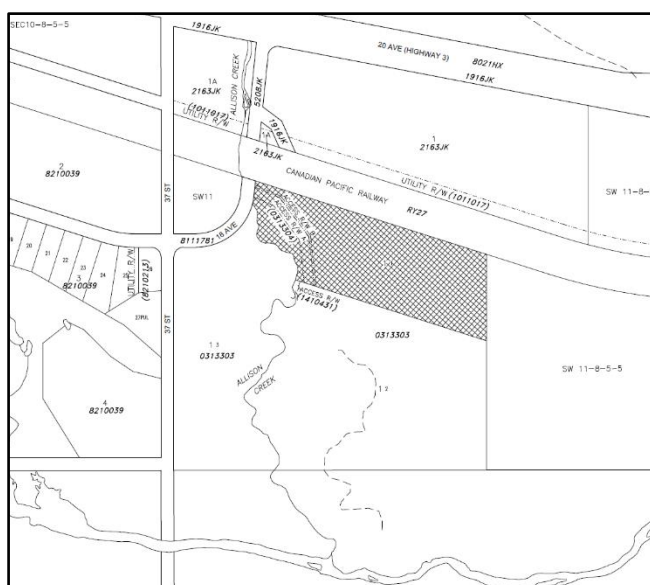
MUNICIPALITY OF CROWSNEST PASS IN THE PROVINCE OF ALBERTA PROPOSED BYLAW NO. 1127, 2022

7:00PM, October 4, 2022

Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 230, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1127, 2022 being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.

The purpose of Bylaw No. 1127, 2022 is to redistrict the lands legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Industrial – I-1". The subject lands are located in the Sentinel area and are municipally described as 3706 18th Avenue. The purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Industrial – I-1" land use district.



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

FROM: NON-URBAN AREA NUA-1
TO: INDUSTRIAL I-1

LOT 1, BLOCK 1, PLAN 0313303
WITHIN SW 1/4 SEC 11, TWP 8, RGE 5, W 5 M
MUNICIPALITY: CROWSNEST PASS

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1127 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00PM on October 4, 2022. Each person shall be allotted 5 minutes to present their position

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at

bonnie.kawasaki@crowsnestpass.com

with the bylaw number and public hearing date clearly marked in the

subject line no later than 4:30PM on September 27, 2022. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

For questions regarding the proposed Bylaw Amendment please contact the Development Officer by calling 403-562-8833 or emailing development@crowsnestpass.com.

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 14th day of September, 2022.

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1127, 2022

LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 1, Plan 031 3303

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868-2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redistrict the lands legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Industrial – I-1".

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Industrial I-1" land use district.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redistrict the lands from "Non-Urban Area – NUA-1" to "Industrial – I-1". legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw.
2. Bylaw No. 868-2013, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

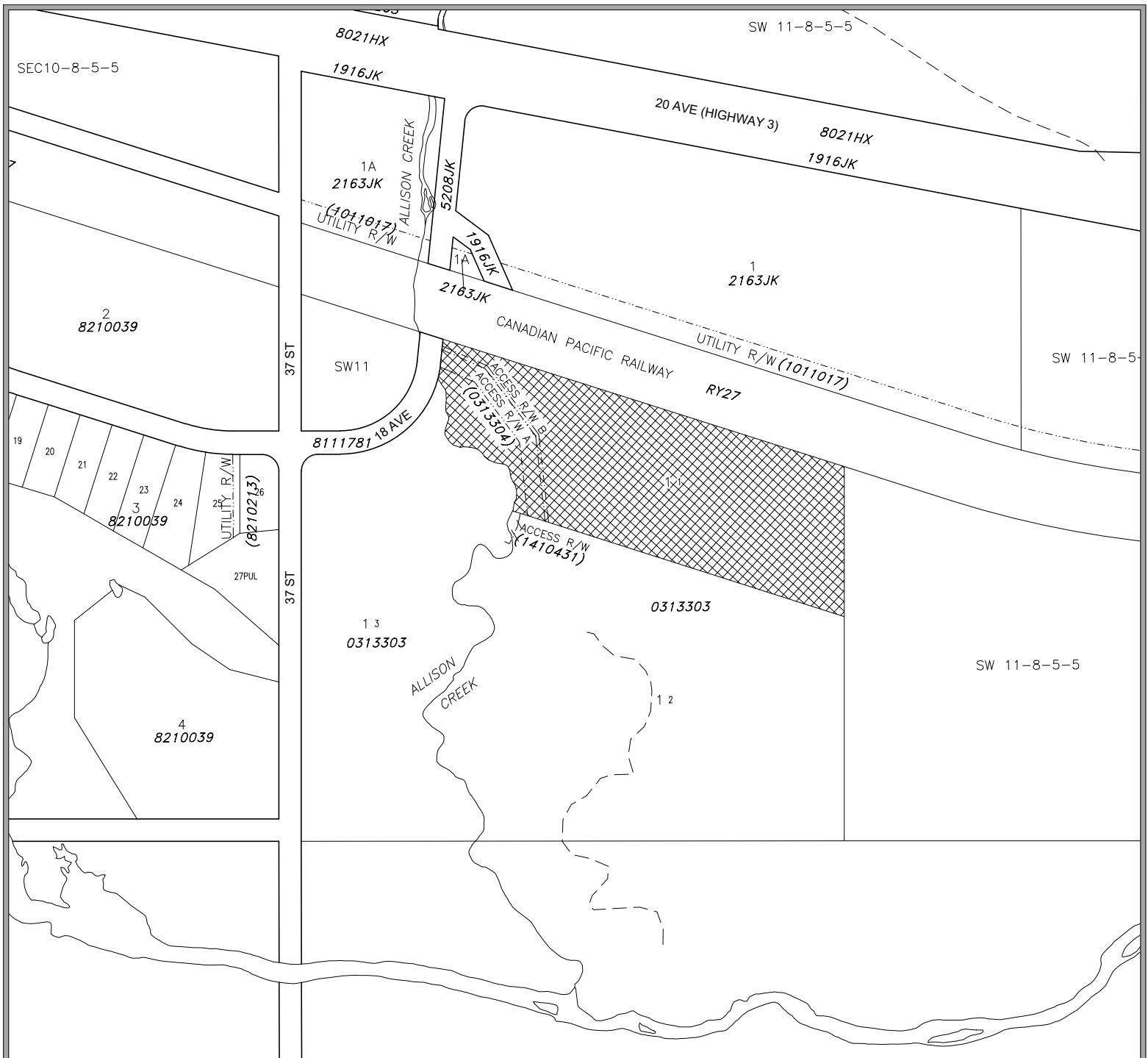
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: NON-URBAN AREA NUA-1
TO: INDUSTRIAL I-1

LOT 1, BLOCK 1, PLAN 0313303
WITHIN SW 1/4 SEC 11, TWP 8, RGE 5, W 5 M
MUNICIPALITY: CROWSNEST PASS
DATE: JUNE 24, 2022

Bylaw #: 1127, 2022
Date: _____



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 5.c

Subject: Bylaw 1128 - LUB Amendment to Re-designate Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’ - Public Hearing

Recommendation: That Council hold a public hearing and considers input received.

Executive Summary:

This bylaw was initiated by the Municipality for compliance reasons - please see the Discussion.

Council gave First Reading of Bylaw 1128, 2022 on August 16, 2022.

The proposed bylaw involves the re-designation of:

1. Lot 1 Block 40 Plan 9813593 from Residential R-1 and Multi-Family Residential R-3 to Non-Urban Area NUA-1 as the initial stage required to bring the existing uses into compliance.

and

2. A portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from Residential R-1 to Non-Urban Commercial Recreation NUCR-1

Relevant Council Direction, Policy or Bylaws:

Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Land Use Bylaw No. 868-2013

Discussion:

This bylaw was initiated by the Municipality, with proper notice to the landowners, as part of a process to facilitate the landowner's ability to bring the property into compliance with the land use bylaw. This compliance process has been on-going with collaboration between the Municipality and the landowner since December 2021. The issues are as follows:

1. A small portion of the recent Green Mountain Campground expansion is located on a parcel that is in the Residential R-1 District. The R-1 District does not provide for campground development. This sliver of land contains the road that winds within the campground and is not suitable for Residential Development. The Re-designation to Non Urban Commercial NUCR-1 would allow the remaining (approximately) 4 sites to operate. This portion of land will be used primarily as roadway and part of the landscaping plan to provide screening of the campground from the adjacent residential properties. The proposed re-designation to the NUCR-1 District will resolve this issue. The Municipality will continue to collaborate with the landowner to address other issues in the campground, including landscaping and Safety Codes compliance relative to decks, sheds and wood stoves.
2. On the parcel adjacent to the Green Mountain Campground there is a contractor's business (south of the river) that has operated without the benefit of a development permit for many years. This business also operates a gravel pit east of and adjacent to York Creek Road. There is also the recent on-going screening and removal of an old coal stockpile (north of the river) that has been undertaken without the benefit of a development permit. The proposed re-designation to the NUA-1 District will enable the landowner to apply for discretionary use development permits to bring these operations into compliance with the land use bylaw. If approved, the Development Authority will be able to impose conditions on such development permits. This will also give adjacent landowners and other affected parties to opportunity to appeal the development permits, either individually or as a group.

In the NUA-1 District all significant land uses are discretionary, which means that affected parties can appeal any development permit that is issued for those uses.

The NUA-1 District does not provide for campground development.

The existing residential designation of the subject lands does not affect the assessment of the lands for property taxation purposes - assessment is based on the use of the land, not on its zoning district.

The existing residential designation of the subject lands does not provide any inherent or additional value to the possible future use of the lands for residential development, except for either one dwelling unit (single-family or duplex) in the R-1 portion, or one multi-family dwelling on the R-3 portion, but not both without a subdivision application. If the property was subdivided along the river, one dwelling unit (single-family or duplex) could be built north of the river and one multi-family dwelling could be built south of the river. A subdivision application would be conditional upon the dedication of Environmental Reserve to the Municipality at a minimum of 6m wide along both banks of the river.

Any future development beyond what is described above, would first require an area structure plan supported by significant engineering studies (serviceability, the need to upgrade and possibly oversize services, soil conditions, etc.), then rezoning applications and a subdivision application that will be supported by the area structure plan, and eventually a development agreement with the required security deposits. As can be seen from this description, the existing zoning of the lands as residential

does not provide an inherent value other than for one dwelling unit.

Several landowners submitted comments on the proposed bylaw - those comments are attached for Council's consideration.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1128, 2022 - CNP LUB 868, 2013 Lot 1, Block 40, Plan 981 3593 rezoning \(July 2022\) notice \(update.docx](#)

[FORMATTED Bylaw 1128, 2022 - CNP LUB 868, 2013 Lot 1, Block 40, Plan 981 3593 rezoning July 2022 \(updated July 26.docx](#)

[Crowsnest Pass - Bylaw 1128, 2022 - Lot 1, Block 40, Plan 9813593-LUD Redesignation.pdf](#)

[2022 09 06 - Lori Prentice.pdf](#)

[2022 09 06 - Wilbert Skaley.pdf](#)

[2022 09 06 - Annie Orton.docx](#)

[2022 09 06 - Shelly Groves.pdf](#)

[2022 09 06 - Valerie Nolan.pdf](#)

[2022 09 06 - Brad Edmondson.pdf](#)

[2022 09 07 - Donna-Ruth Beyer.docx](#)

[2022 09 07 - Susan Douglas-Murray.pdf](#)

[2022 09 12 - Mark Kirwin.pdf](#)

[2022 09 12 - Sarah Dash Arbuckle.docx](#)

NOTICE OF PUBLIC HEARING

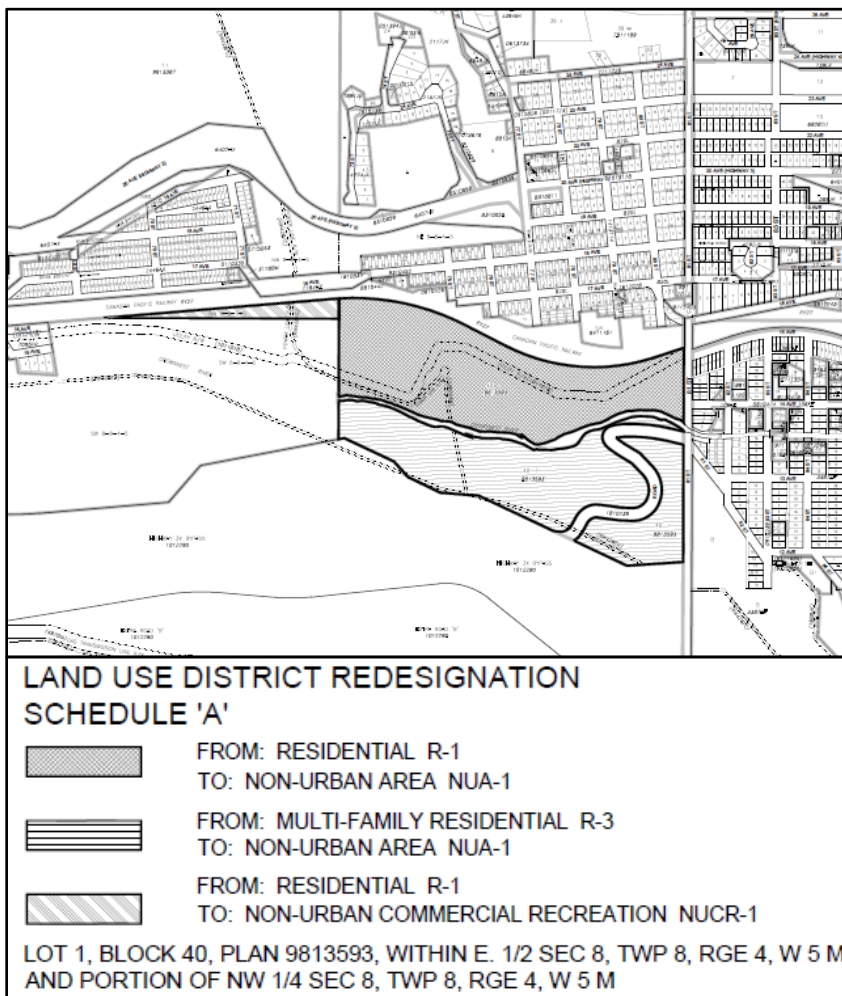
MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

PROPOSED BYLAW NO. 1128, 2022

7:00PM, October 4, 2022
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 230, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1128, 2022 being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.



The purpose of Bylaw No. 1128 is to redesignate the lands legally described as Lot 1, Block 40, Plan 9813593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.3 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’. The subject lands are located in the Coleman area. The purpose of the proposed amendment is to provide for the opportunity to use and

develop the lands in accordance with the provisions of the “Non-Urban Area – NUA-1” and “Non-Urban Commercial Recreation – NUCR-1” land use districts.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1128, 2022 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00PM on October 4, 2022. Each person shall be allotted 5 minutes to present their position

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 4:30PM on September 27, 2022. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

For questions regarding the proposed Bylaw Amendment please contact the Development Officer by calling 403-562-8833 or emailing development@crowsnestpass.com.

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 14th day of September, 2022.

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1128, 2022

LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 40, Plan 981 3593 and a portion of NW¼ 8-8-4-W5M

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868, 2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redesignate the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’.

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the “Non-Urban Area – NUA-1” and “Non-Urban Commercial Recreation – NUCR-1” land use districts.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redesignate the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.
2. Bylaw No. 868, 2013, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

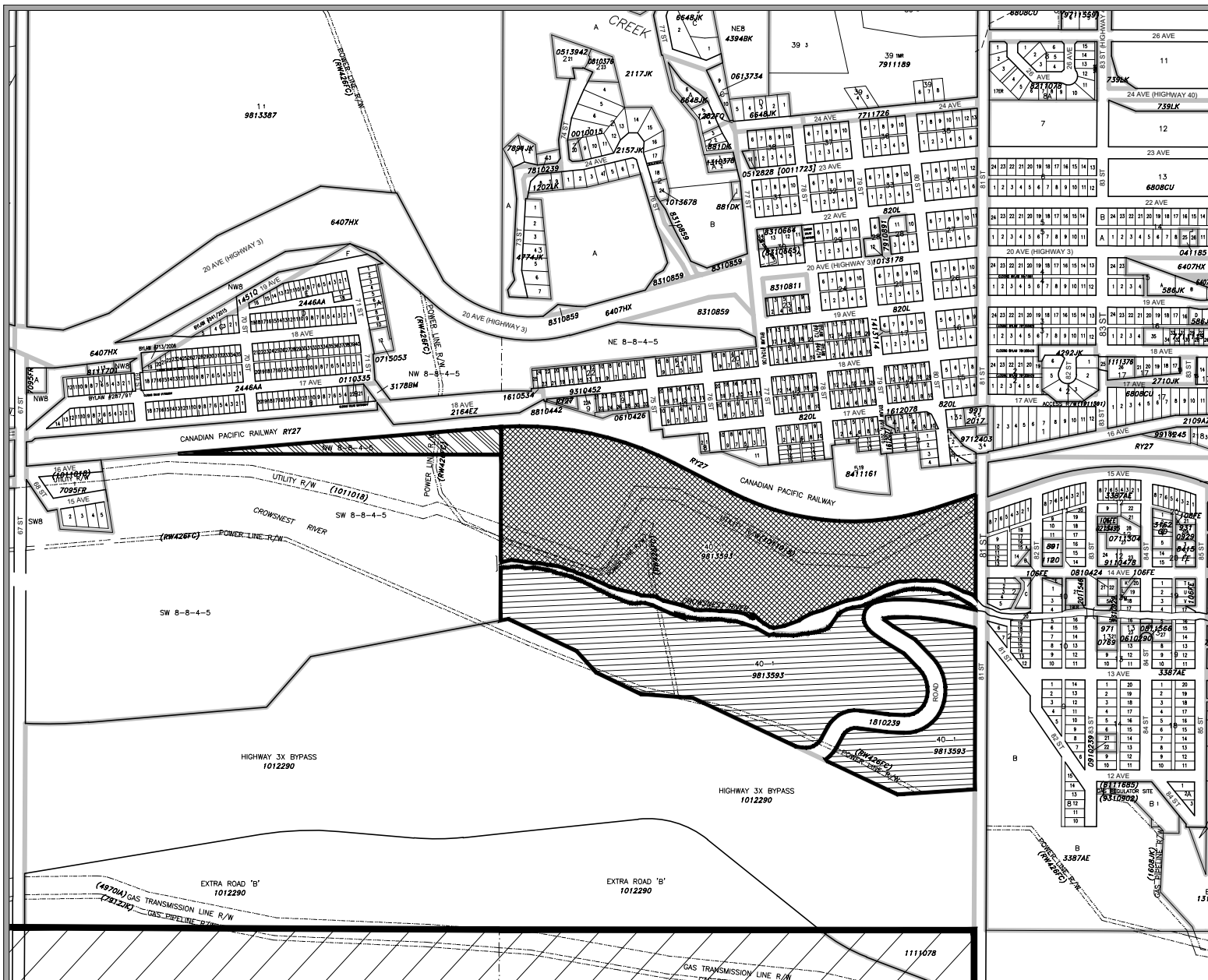
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

Blair Painter
Mayor

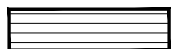
Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: RESIDENTIAL R-1
TO: NON-URBAN AREA NUA-1



FROM: MULTI-FAMILY RESIDENTIAL R-3
TO: NON-URBAN AREA NUA-1



FROM: RESIDENTIAL R-1
TO: NON-URBAN COMMERCIAL RECREATION NUCR-1

LOT 1, BLOCK 40, PLAN 9813593, WITHIN E. 1/2 SEC 8, TWP 8, RGE 4, W 5 M
AND PORTION OF NW 1/4 SEC 8, TWP 8, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS
DATE: JULY 26, 2022

Bylaw #: 1128, 2022
Date: _____



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

Bonnie Kawasaki

From: Lori Prentice [REDACTED]
Sent: September 6, 2022 9:11 AM
To: Bonnie Kawasaki
Subject: Bylaw #1128,2022

Good morning:

As a long time resident of the Crowsnest Pass, Coleman specifically, I would like to express my opinion regarding the redesignation of the old Coleman Collieries yard site in lower Coleman. I feel what has already happened on that site is an eyesore and seemingly breaks many bylaws and possibly permits so future development warrants close consideration.

Rezoning this land from NON-URBAN AREA NUA-1 is a good idea in order to prevent possible commercial use. My hope would be that it is rezoned to NON URBAN COMMERCIAL RECREATION - NUCR-2 which would curtail use to recreation, or forms of non commercial use.

Enforcing permit and bylaw adherence would be beneficial as well.

Lori Prentice
[REDACTED]

Wilbert Skaley

Coleman AB

To: Bonnie Kawasaki

RE: Bylaw # 1128,2022, Council date Sept, 13, 2022, Land use district redesignation to NUA-1

As I will not be able to attend the council meeting regarding the above mentioned topic, I would like to have my following presentation read at the meeting.

Regarding the redesignation of the affected lands, I strongly urge council to reconsider changes to the land usage for the following reasons.

1. Once the land usage has been changed it is unlikely to be reversed in the future so it will greatly affect the face of the community indefinitely, therefore this should not be done without proper community consultation and involvement.
2. The resignation of NAU-1 gives council discretion to approve virtually any use with little notice or community input.
3. The lands in question sit directly upwind and upstream from many homes who are already affected by dust and noise of gravel operations right beside residences. This is not the place for this type of industrial activity. Much of this land sits on top of toxins harmful to human health and any disturbance will, and is, releasing toxic dust into the air and water, endangering the community.
4. The land in question is highly visible to any motorist on highway 3 and gives a first and lasting impression to any potential investors and future residents of the community. The area is currently an eyesore and detriment to all residents of the Pass. The proposed redesignation will likely make the visual impact of the community worse.

Because of the potential of this proposal to change the face of this community indefinitely and the real environmental and health concerns, I strongly urge council to either scrap the proposed changes entirely or defer the decision until the community can be properly consulted. I also strongly urge council to come up with a more palatable plan and land use designation for this area which would be more in keeping with the long range vision for the Crowsnest Pass. To push these critical changes through without the due diligence of community involvement would be seen as negligence on the part of Council.

Wilbert Skaley

Re: Bylaw, 2022 Meeting Date: September 13, 2022

This letter is to let Municipal Council know that I am not in favor of the proposed changed to the land use as stated in the bylaw.

In my opinion you are changing land use in an area, that is surrounded by residential areas on three sides. You are proposing a non-urban land use re-zoning in a predominately urban-residential area. A change that can and will change the residential areas that are currently in Coleman, a part of the Municipality of Crowsnest Pass.

There is currently an RV park in this area, which started out small and now looks more like a slum than a recreational area in this community. It does not beautify nor improve the area at all. Because of the increase in traffic, and due to the size of this enterprise, it is not safe to walk in some areas of West Coleman. Speeding vehicles are the norm. The views of these full time residents in West Coleman have gone from green grass and hills – to something unattractive. For people travelling on Highway 3 through our community – this RV Park is terribly unsightly. And now land use changes can make the mess bigger.

To change the zoning to allow for proposed expansion of the RV park as well as other commercial enterprises will destroy the peaceful residential area which for the most part exists in east Coleman as well.

In order to access this property - you have to drive through residential neighborhoods. Allowing the change in zoning means that some of the permitted uses like resource removal or logging - which can be applied for - the equipment and trucks needed to make these enterprises viable have to drive by peoples homes.

The Municipality had spent millions of dollars to beautify downtown Coleman – and now our Council is proposing changes that will make the residential areas of lower Coleman unlivable. Right now the noise and dust from this area at times makes it impossible to enjoy our yard.

Or is that the Strategic direction of this Council. To make parts of our Municipality problematic to reside in for full time residents so there is more room for seasonal residents. Many in this part of the community believe is that is what is happening. Especially now with the proposed land use changes.

It is already a danger in case of an emergency as there is only one way in and out of most areas of lower Coleman. The possibility of some of the permitted uses for business in a Non-urban area makes this a concern as well.

Thank you
Annie Orton

Bonnie Kawasaki

From: Shelly Groves [REDACTED]
Sent: September 6, 2022 11:39 AM
To: Bonnie Kawasaki
Subject: Bylaw no. 1128,2022. Sept 13th meeting

Dear Crowsnest Pass Council Members,

I am writing about the proposed land zoning changes as proposed in bylaw #1128, 2022 as well the ongoing industrial activity in the Green Mountain RV site. While I understand that the municipality wishes to have more control and a higher tax revenue from these parcels of land, I am concerned that a Non-Urban Area still allows for the possibility of industrial activity, i.e. logging and resource processing. I feel this area is too close to residential areas of Coleman for anything like this to safely take place. I urge the council members to consider a Non-Urban Commercial Recreation (NUCR-2) zoning instead, in order to preserve the green space remaining and try to protect the coke ovens from demolition.

Furthermore, I have witnessed clouds of rock and coal dust blowing into town from the ongoing machinery working in the campground, as well as quite a bit of unsecured garbage, which usually makes its way into the creek. I understand the slack coal is being removed from the site. It would be nice if they could spray this material (both the coal dust and the rock dust from the gravel pit) so the wind doesn't take it into people's homes. Perhaps some of the material could be used to create a berm between the train tracks and the campsites, providing a noise barrier for the campers and some more privacy for them as well. Since the RVs have very little tree cover just yet, any activity in the campground (such as biking or walking dogs) creates a great distraction for the neighbourhood dogs, who bark constantly when there's any activity across the street. With a bit of material that's being moved anyway, topsoil and grass seed, I think this solution would benefit all people involved.

At any rate, I understand that the RV campground owners, the individual leasing the gravel pit area from them, and the residents of Coleman all have different perspectives and goals. I hope fair solutions can be found that take into account the interests of all concerned parties.

Thank you very much for your time and consideration.

Sincerely,
Shelly Groves

Bonnie Kawasaki

From: no-reply@webguidecms.ca on behalf of Valerie Nolan (via www.crowsnestpass.com)
<no-reply@webguidecms.ca>
Sent: September 6, 2022 12:56 PM
To: Bonnie Kawasaki
Subject: Website Submission: Contact Us - crowsnestpass.com

Name: Valerie Nolan

Email: [REDACTED]

Phone: [REDACTED]

Comments: Green Hill RV to NUCR-2 ; I am concerned about the development and land use designation of the lands that may be subject to expansion on behalf of Green Hills RV Park. I understand the Mayor and Council are considering NUA-1. This could result in the lands being used for less desirable applications near residential neighborhoods. I would as a minimum much prefer the NUCR-2 designation.

I understand and support the muni's need for tax base, but at the same time I have concern about the development that will not fit with the desires of the community.

Bonnie Kawasaki

From: Brad Edmondson <crow.works@shaw.ca>
Sent: September 6, 2022 1:01 PM
To: Bonnie Kawasaki
Subject: Bylaw # 1128, 2022, Sept 13 2022

Good afternoon, Bonnie.

Regarding the proposed land use re-designation:

I am submitting this email as my formal protest to re-designate the proposed lots from Residential to Non-Urban Area NUA-1.

It would not be in the public interest of the surrounding areas of Bushtown, West Coleman and Downtown Coleman to designate these lots for purposes other than residential, possibly commercial, and parkland. The existing activities have created air and sound pollution, and further development of temporary housing (ie: RV parks) is not in line with building a strong community culture in Coleman.

On those grounds I do not support re-designation of the lots except for the mentioned purposes of residential, commercial or parkland.

Regards,

Brad Edmondson
Owner

CROW WORKS Engraving & Signs Ltd.

signs - engraving - promotional products since 2003

Something to Crow About ! www.CrowWorks.ca

Ph: 403.562.2920 Toll Free: 1.888.562.2920 Fax: 403.562.2923

7620 - 17 Ave. downtown Coleman, Crowsnest Pass, AB. PO 1921 Blairmore PO T0K-0E0

From: Dona-Ruth Beyer [REDACTED]
Date: September 7, 2022 at 2:29:34 PM MDT
To: Blair Painter <blair.painter@crowsnestpass.com>, Dave Filipuzzi <dave.filipuzzi@crowsnestpass.com>, Glen Girhiny <Glen.Girhiny@crowsnestpass.com>, Doreen Glavin <doreen.glavin@crowsnestpass.com>, Vicki Kubik <vicki.kubik@crowsnestpass.com>, Lisa Sygutek <Lisa.Sygutek@crowsnestpass.com>, Dean Ward <dean.ward@crowsnestpass.com>
Subject: Bylaw #1128, 2022

To Mayor Painter and Councillors,

My family have been a part of this community for almost 25 years and we have recently been made aware of bylaw 1128, 2022. We would like to voice our concerns:

Firstly, because we have been made aware of this on such short notice we would like to see the bylaw deferred to the next council meeting in October, so that neighbours and community members can be made aware of this issue.

Secondly, we are very concerned that this area does not become an industrial development in downtown Coleman and that if anything this designation should become more restrictive.

Thirdly, Personally, this area is visible daily to all of us who reside in West Coleman, as well as to visitors and travellers. It feels a lot like a “visual” violation instead of “noise” one. In my opinion, this is not the place for an RV Trailer park or any further industrial development. It reflects poorly on our community in regards to planning, development and further investment.

It is also very worrisome from a health and environmental perspective for all those who live directly upwind and upstream of this area. If anything as I stated, there needs to be more restrictions to keep people safe, and visual improvements to leave a positive impression.

Sincerely,

Dona-Ruth Beyer

Sept.4/2022

To Whom it May Concern,

We are completely opposed to any further development of any kind listed in the recent Land Use District Redesignation bylaw 1128 /2022. This land contains old tailing ponds (now covered by minimal dirt and coal) and PCB's. The provincial government located PCB's on the north and east side of the original buildings approximately 17 years ago. They suggested at that time no development or removal of earth and disruption should occur as it would put the community at risk of exposure.

We are opposed to any development in this "old mine" area. This area could easily be set aside as green space and continued to be used by the community for walking and biking and various events. The advancement of rock crushing and earth moving , clearly industrial activity should be immediately stopped. I believe the residents of Coleman, and the temporary residents living in the trailer park will agree.

Thank you , Susan Douglas-Murray and Alan Brice

[REDACTED]

A handwritten signature in black ink, appearing to read "Alan Brice". The signature is written in a cursive, flowing style with a large initial "A" and "B".



September 9, 2022

Municipality of Crowsnest Pass
Box 600
Crowsnest Pass, Alberta
T0K 0E0

ATTENTION: MAYOR BLAIR PAINTER

Dear Mayor Painter:

**RE: PROPOSED RE-DISTRICTING OF
DESCRIPTIVE PLAN 981 3593, BLOCK 40, LOT 1**

I am referring to your Municipality initiated proposed re-districting Application which goes to public hearing on the 13th of September, 2022.

This Application is of course unusual for the Municipality to bring a down-zoning application involving residential lands on such short notice. There have not been fulsome discussions with us, the land owner, over this major change in direction with respect to the Municipality's position on these lands.

I attach for your ease of reference, some material from the planning process which involved the land owner, Alberta Environment and the Municipality and took place in the lead up to the residential zoning of these lands in 2011. (Due to short notice of your application, all the details are not available today). In any event, as you can imagine, there have been many hundreds of thousands of dollars invested into preparing the lands and planning for the Municipality approved plan to eventually develop these lands as a residential neighborhood. This is the highest and best use for this property, in the best interests of the Municipality.

#100, 12420 – 104 Avenue
Edmonton, Alberta T5N 3Z9
Telephone: [REDACTED] Facsimile: [REDACTED]

Page 2

Should the lands be down-zoned to non-urban area (NUA), the property will be diminished in value by several million dollars which the Municipality will be responsible to compensate the land owner for.

We are also puzzled how the Municipality could think it is in the best interests of anyone to change these lands from a positive residential use, which would bring much needed population, activity and tax revenue to the Municipality, to an uncertain and likely unprofitable designation of a non-urban area.

The other puzzling aspect of the Municipality's motion to down-zone the lands is the fact that there is no reasonable planning rationale for this approach. As you know, down-zoning a private property without a reasonable planning rationale exposes the Municipality to millions of dollars in liability for what has been found to be expropriation without compensation.

It appears this ill considered re-zoning application is a kneejerk reaction to public complaints concerning the removal of coal stockpile from the property. Removal of the coal stockpile is well underway and is a temporary use to clear the way for residential development. While we understand that not everyone is happy with this activity, it is a necessary step to finish the preparation of the property for residential development.

There is, of course, a more reasonable solution to the problem of the existing operations on the land not conforming to the present land use. That solution is simply rezoning the three or four acres of this 71 acre parcel that are being used temporarily for commercial activities, to a suitable commercial land district and having the matter reviewed and rezoned to residential by agreement in approximately one to two years.

This appears to be a classic case of using a sledgehammer to deal with the problem that is best used with a scalpel. I invite you to reject this proposed rezoning and replace it with our suggestion of a targeted temporary rezoning. It is not unusual to rezone a portion of a parcel of land and it is certainly the most appropriate step to take under the current circumstances.

Yours truly,

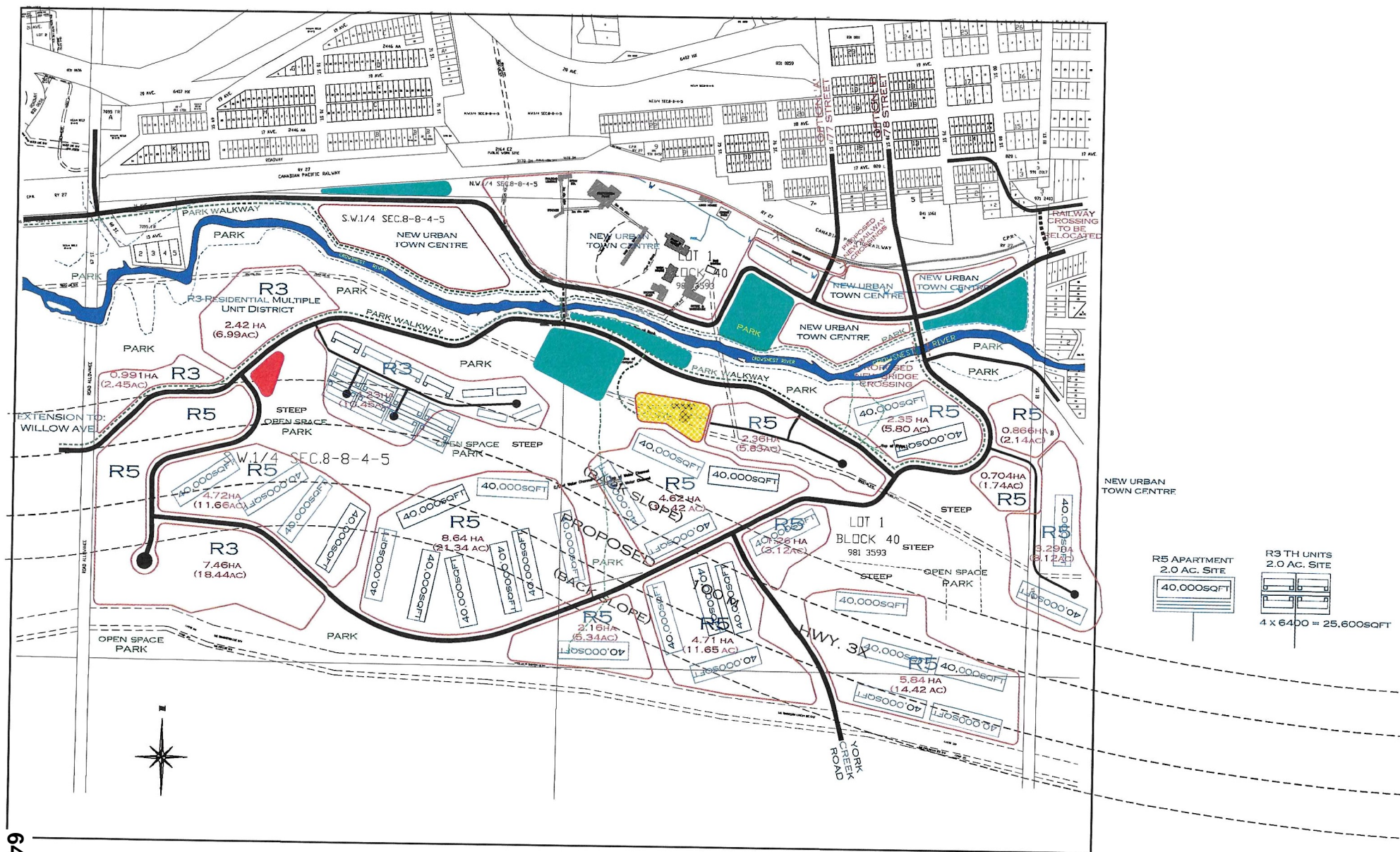
THE GREEN MOUNTAIN COMPANY INC.

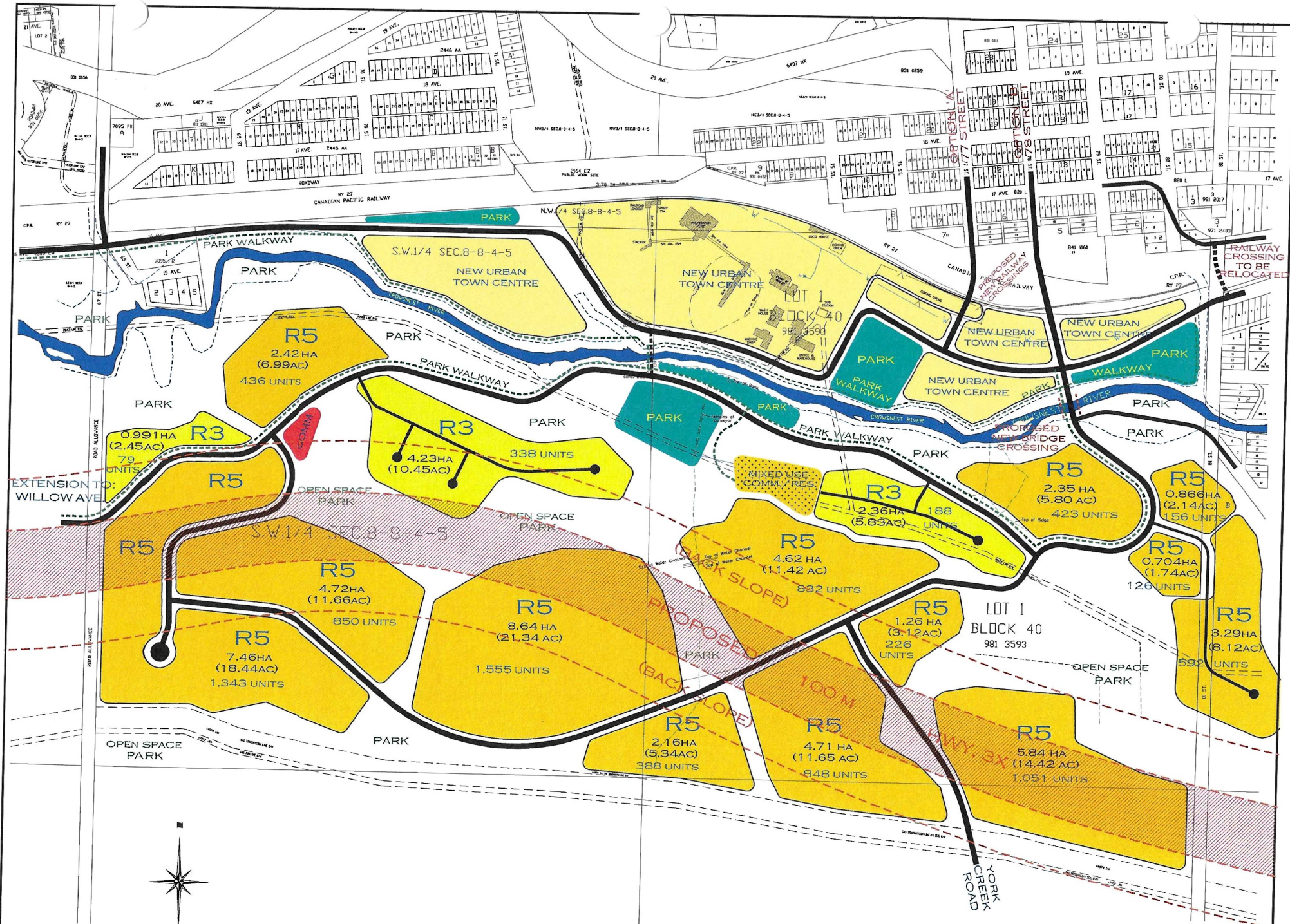
Per:

fw: Mark M. Kirwin



Jan. 31. 2008





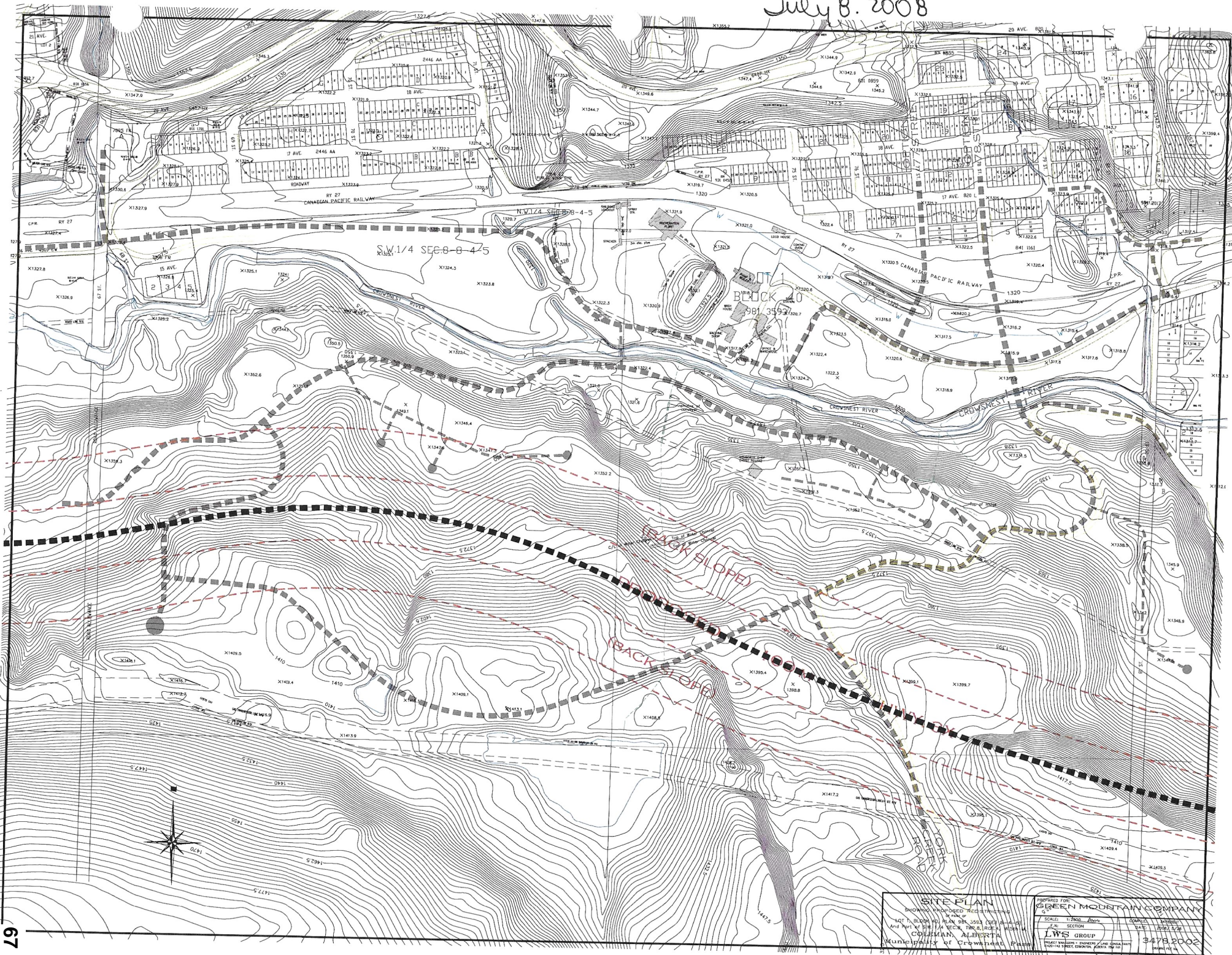
Jan. 21. 2008

CONCEPT PLAN				PREPARED FOR:			
SHOWING PROPOSED DEVELOPMENT				GREEN MOUNTAIN COMPANY			
LOT 1, BLOCK 40, PLAN 981 3593 (E. 1/2 SEC. 8-4-5)				SCALE: 1:2000			
And Parts of W. 1/2 Sec. 8, Twp. 8, Rge. 4, W. 5th M. COLEMAN, ALBERTA				DATE: 2008/12/18			
Municipality of Crownsnest Pass				PROJECT NUMBER: 3478.1001			
				DRAWING FILE NO.			



CONCEPT PLAN		PREPARED FOR:	
SHOWING PROPOSED DEVELOPMENT		GREEN MOUNTAIN COMPANY	
LOT 1, BLOCK 40, PLAN 981 3593 (E. 1/2 SEC 8-8-4-5)		SCALE: 1:2000	DATE: 3/4/2007
And Parts of W. 1/2 Sec 8, Twp 8, Rge 4, W. 5th M.		COMPILED: 3/4/2007	DATE: 2006/12/18
COLEMAN, ALBERTA		LWS GROUP	
Municipality of Crowneast Pass		PROJECT MANAGER: J. BARNES - LWS GROUP CONSULTANTS	
		3478.10-01	

July 8, 2008



SITE PLAN
SHOWING PROPOSED RESTRUCTURING
LOT 7, BLOCK 10 PLAN 988, 3553 (207 & 210)
AND PART OF 1/4 SECTION 8, T16C, R10E, M20N, W10E
COUNTY OF ALBERTA
Municipality of Crowfoot

PROPOSED FOR:
GREEN MOUNTAIN COMPANY
SCALE: 1" = 200' (AS SHOWN)
DATE: 2008/5/20
LWS GROUP
3478.2002

From: Sarah-Dash Arbuckle [REDACTED]
Sent: September 11, 2022 6:08 PM
To: Bonnie Kawasaki <bonnie.kawasaki@crowstownpass.com>; Blair Painter <blair.painter@crowstownpass.com>; Dave Filipuzzi <dave.filipuzzi@crowstownpass.com>; Glen Girhiny <Glen.Girhiny@crowstownpass.com>; Doreen Glavin <doreen.glavin@crowstownpass.com>; Vicki Kubik <vicki.kubik@crowstownpass.com>; Lisa Sygutek <Lisa.Sygutek@crowstownpass.com>; Dean Ward <dean.ward@crowstownpass.com>
Subject: Bylaw #1128 & 2022

Dear Mayor Painter and councillors,

My family has been a part of this community for almost 25 years and I have only recently been made aware of bylaw #1128 & 2022.

I have 3 main concerns:

1. I have been made aware of these bylaws on such short notice I would like to see the bylaw deferred to the next council meeting in October, so that neighbors and other community members can be made aware as well.
2. If this area is designated an Industrial development then the bylaws are more lax and I believe this is moving in the wrong direction for our community. From an environmental & health perspective, this is worrisome for those downwind and downstream as the location has a toxic reputation.
3. This area is visible to residents of West Coleman as well to visitors and travellers and frankly it's an eyesore. We need more visual improvements and experiences to leave a positive impression of our community. To rush this process reflects poorly on our planning, development and further investment into the Crowstown Pass. Let's be more sustainable in our planning & branding as a community.

--

Sincerely,



Sarah-Dash Arbuckle ND

[REDACTED]



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 6.a

Subject: Glenda Farnden, STARS - Annual STARS Update

Recommendation: That Council accept the annual STARS update for information.

Executive Summary:

Glenda Farnden of STARS presents an annual update to Council with statistics for STARS over the past year.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

Glenda Farnden, Senior Municipal Relations Liaison for STARS normally attends Council each year to provide an update on STARS calls in our community and throughout the province, in addition to an update on their annual fundraising efforts. We are pleased to have Glenda present in person after a two-year absence due to Covid protocols.

Glenda will be presented with the Municipalities annual contribution at this time.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022 Oct 04 Municipality of Crowsnest Pass.pdf](#)



CRITICAL CARE, ANYWHERE.

WE ARE ALL *STARS*®

#1 PRIORITY

UNINTERRUPTED OPERATIONS

STARS maintains strict protocol

Slowed approach re-integration

Increase stress-related missions

COVID-related cases

- * Previously 1 –in- 5 missions
- * Decreased hospitalizations
- * Decreased intubations

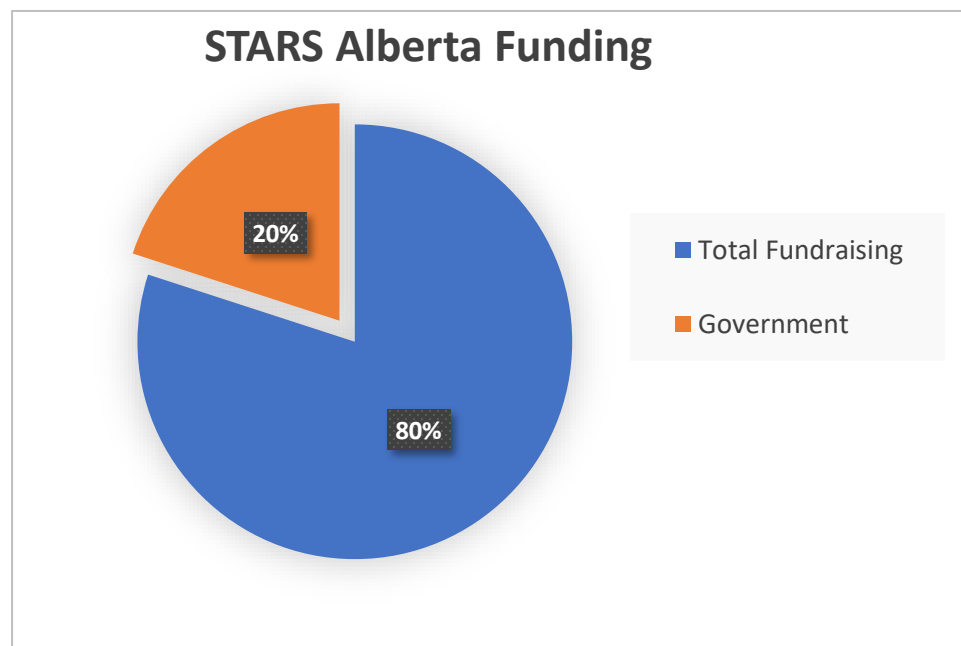
STARS Transport Physicians

- * Assist hospital personnel
- * Critical care guidance
- * Virtual consultation
- * Airway management
- * Ventilation/resuscitation



FUELED BY GENEROSITY

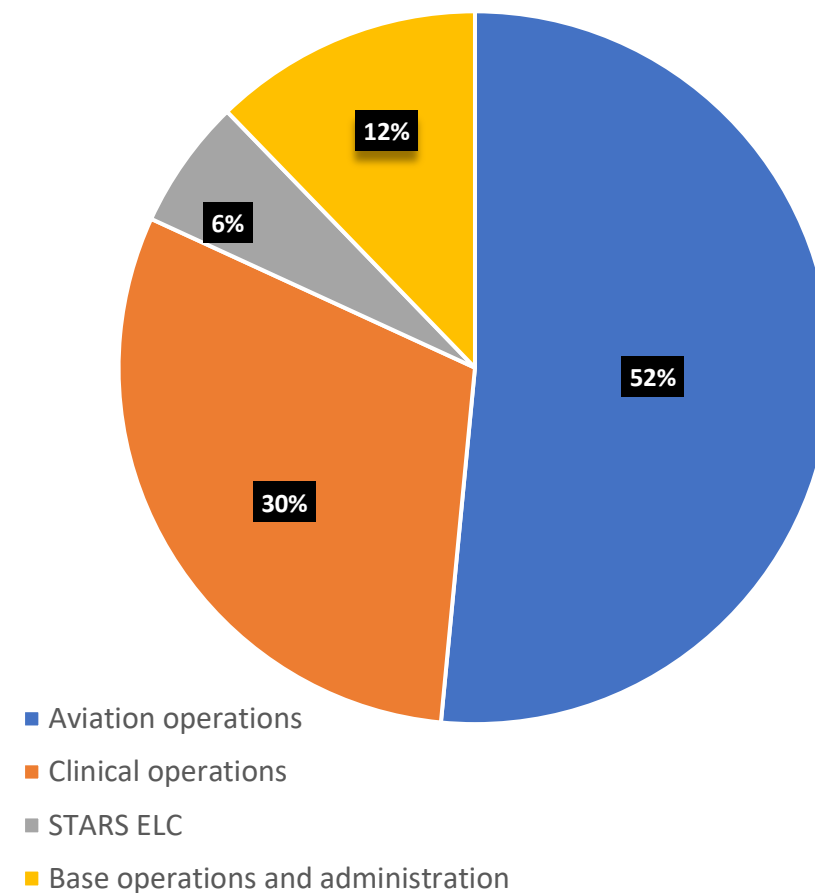
Achieving successes together



Funding in Thousands

AB Government Funding	\$	7,990
AB Operating expenditures	\$	39,950
AB Government funding as a Percentage of costs		20%
STARS Gross Fundraising	\$	17,310
AB Lottery (net)	\$	12,810
Calendar (net)	\$	417
Site Registration/Emergency contact centre	\$	2,702

STARS Alberta Expenditures (3 Bases)

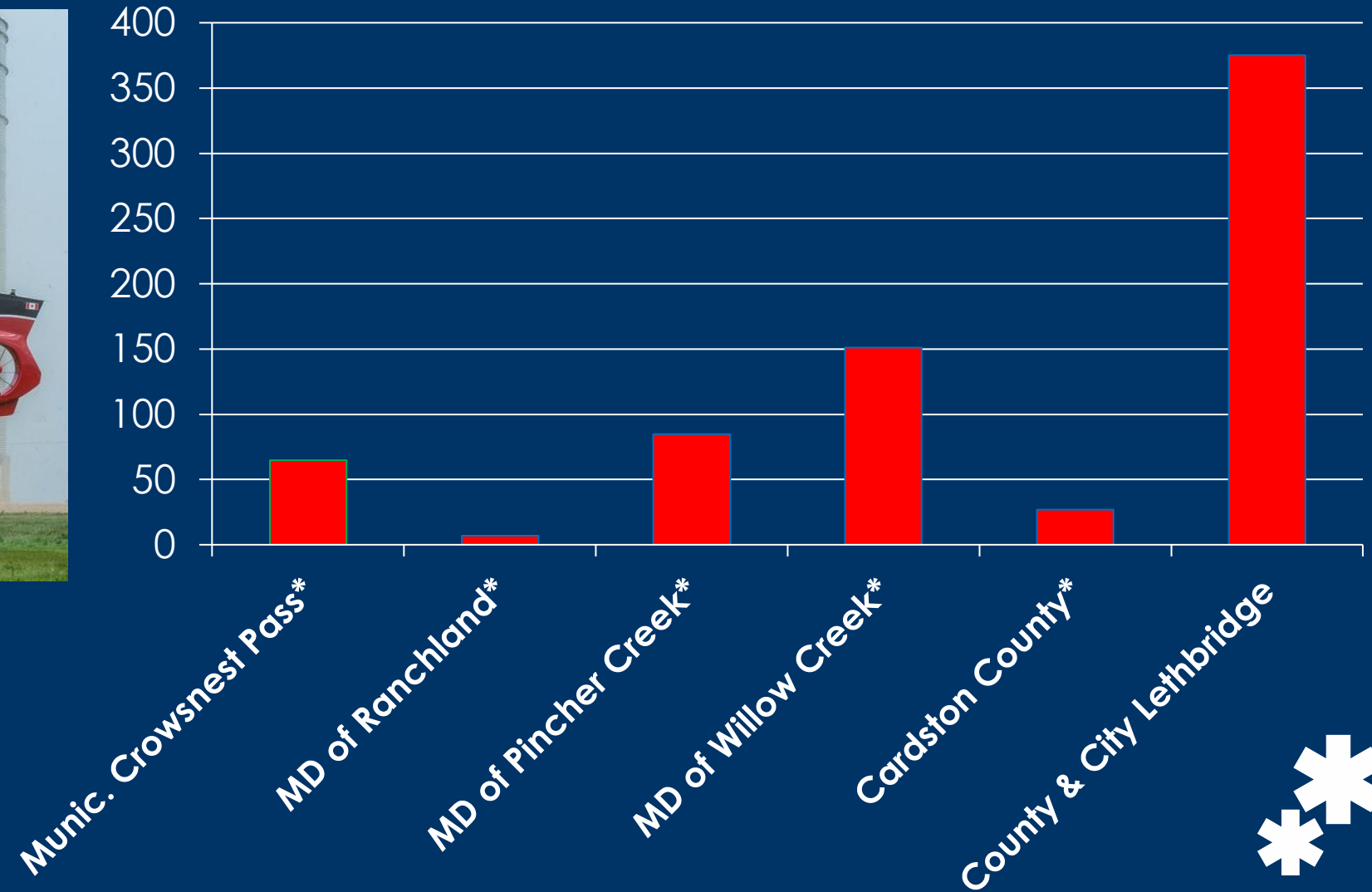


MUNICIPALITY of CROWSNEST PASS @ August 31, 2022	2017	2018	2019	2020	2021	2022	TOTAL
Blairmore Hospital (Critical inter-facility transfers)	9	11	6	8	13	12	59
Near Blairmore (scene calls)		1	1	1	1	1	5
Near Crowsnest Mountain (scene call)	1						1
TOTAL * Average 10 missions per year	10	12	7	9	14	13	65



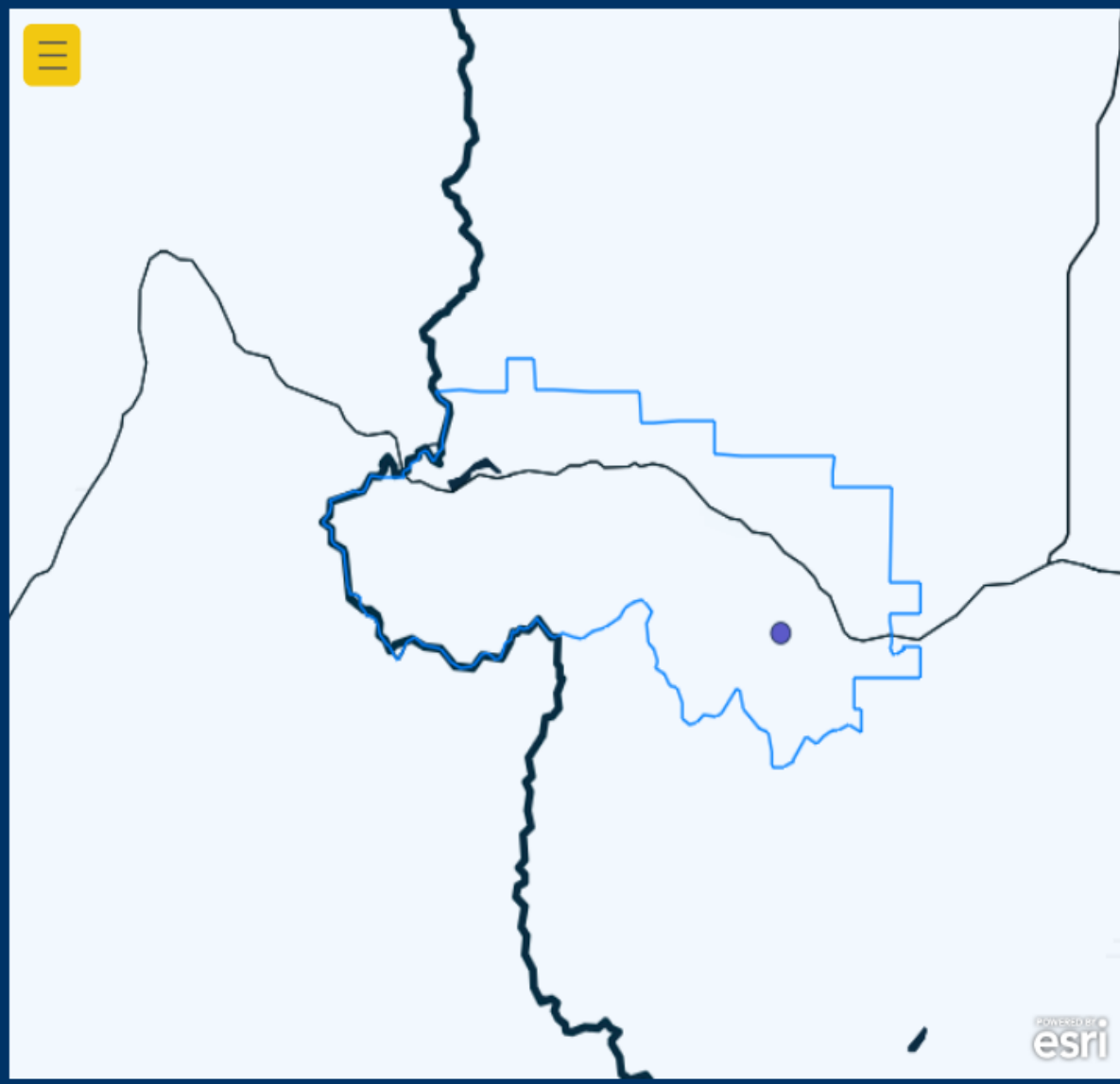
Neighbors Helping Neighbors = 710 Missions

@ 2017 – August 31, 2022



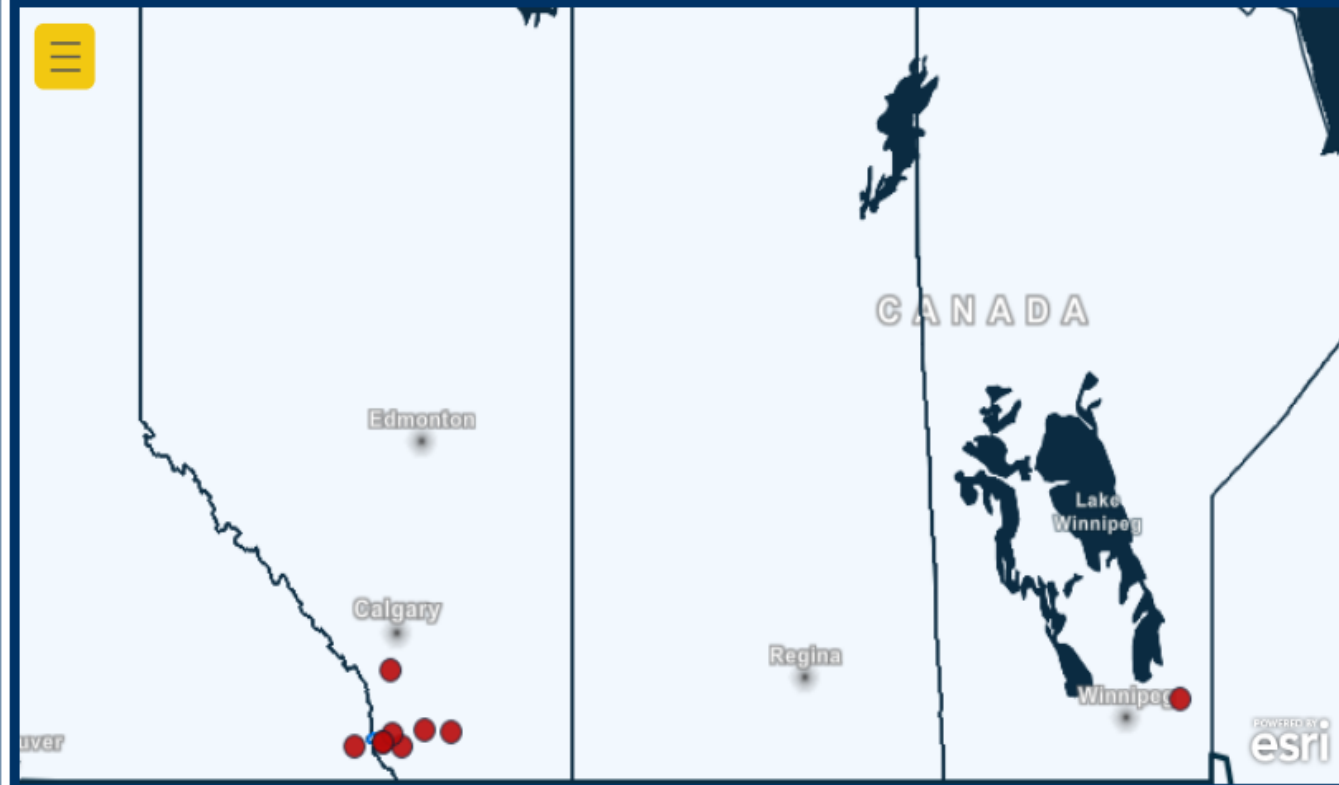
Within Municipality of Crowsnest Pass Boundaries - Patients Flown by STARS (2010-Present)

Municipality of Crowsnest Pass Residents Flown by STARS

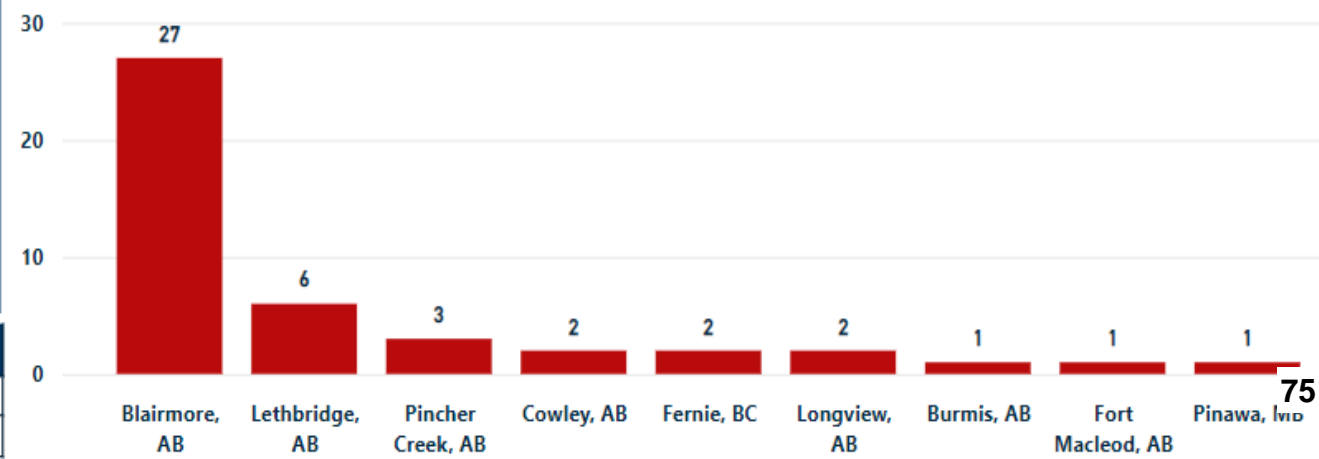


Resident Community	5 Yrs Ago	4 Yrs Ago	3 Yrs Ago	2 Yrs Ago	Last Year	5 Year Total	Total Since 2010
Blairmore	3	5	2	1	2	13	45
Total	3	5	2	1	2	13	45

Locations where Crowsnest Pass Residents Travelled and Needed STARS



Count by Pickup Location





- * Outperforms BK117
- * Speed, range, fuel efficiency
- * Powerful twin engines
- * Advanced avionics
- * Superior safety

A NEW FLEET - AIRBUS H145



- * 5-bladed system
- * Increased lift/load capacity
- * Less maintenance
- * Increased availability
- * Reduced cost

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Results: Expedited diagnosis and treatment plan.

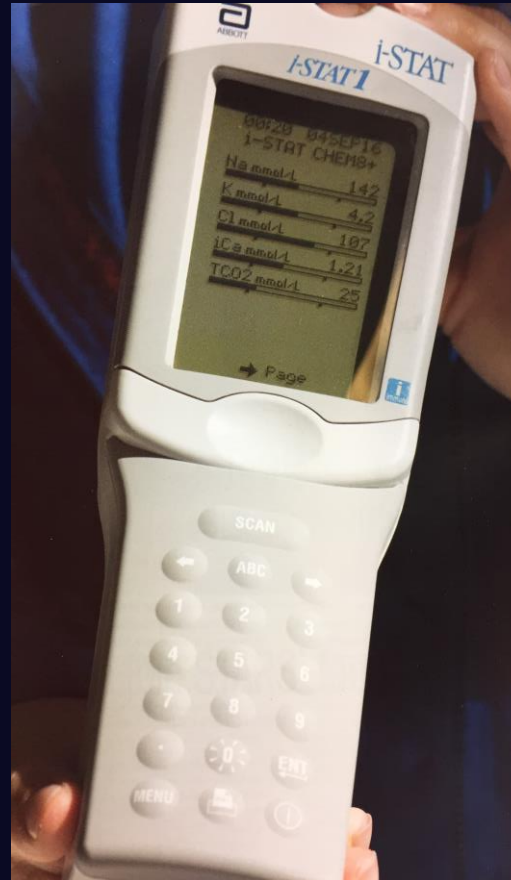
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Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 7.a

Subject: Bylaw 1127, 2022 - Land Use Bylaw Amendment - Re-designate Lot 1, Block 1, Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1 - Second & Third Reading

Recommendation: That Council gives second and third reading of Bylaw 1127, 2022.

Executive Summary:

The proposed bylaw involves the re-designation of Lot 1, Block 1, Plan 0313303 containing ± 4.53 ha (11.19) acres from Non-Urban Area NUA-1 to Industrial I-1 for the purpose of marketing the property for manufacturing type development.

Relevant Council Direction, Policy or Bylaws:

Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Land Use Bylaw No. 868-2013

Municipal Development Plan Bylaw No. 1059, 2020 (3.2.2)

Discussion:

On August 16, 2022, Council approved first reading of Bylaw 1127, 2022.

Bylaw 1127, 2022 proposes to re-designate Lot 1, Block 1, Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1.

The property is on the east side of Sentinel Industrial Park. The Municipal Development Plan identifies this area for low intensity uses such as storage and warehousing due to the lack of municipal water and wastewater services in the area.

The property operated R&R Lumber and more recently Artic Spas. The property has been vacant and the application to re-designate the property is for the purpose of marketing the property for manufacturing / storage development, which is not a use listed in the current NUA-1 land use district.

The surrounding properties are within the industrial land use districts other than to the north is NUA-1

and to the south is a developed campground in the NUCR-1 Non-Urban Commercial Recreation district. Development of the subject property as industrial may require conditions involving screening and noise / air quality limitations and standards at the time of reviewing a development permit application.

Analysis of Alternatives:

1. Council may give Second and Third Reading of Bylaw 1127, 2022, as proposed.
2. If additional information is required by Council and/or amendments to the Bylaws are proposed by Council prior to Second Reading, Council may postpone Second Reading of Bylaw 1127, 2022 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1127,2022 for Second and Third reading.
3. Council may defeat Bylaw 1127, 2022, as proposed.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1127, 2022 - CNP LUB 868, 2013 Lot 1, Block 1, Plan 031 3303 rezoning \(June 2022\).docx](#)

[Schedule A Crowsnest Pass - Lot 1, Block 1, Plan 0313303-LUD Redesignation.pdf](#)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1127, 2022
LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 1, Plan 031 3303

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868-2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redistrict the lands legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Industrial – I-1".

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Industrial I-1" land use district.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redistrict the lands from "Non-Urban Area – NUA-1" to "Industrial – I-1". legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw.
2. Bylaw No. 868-2013, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

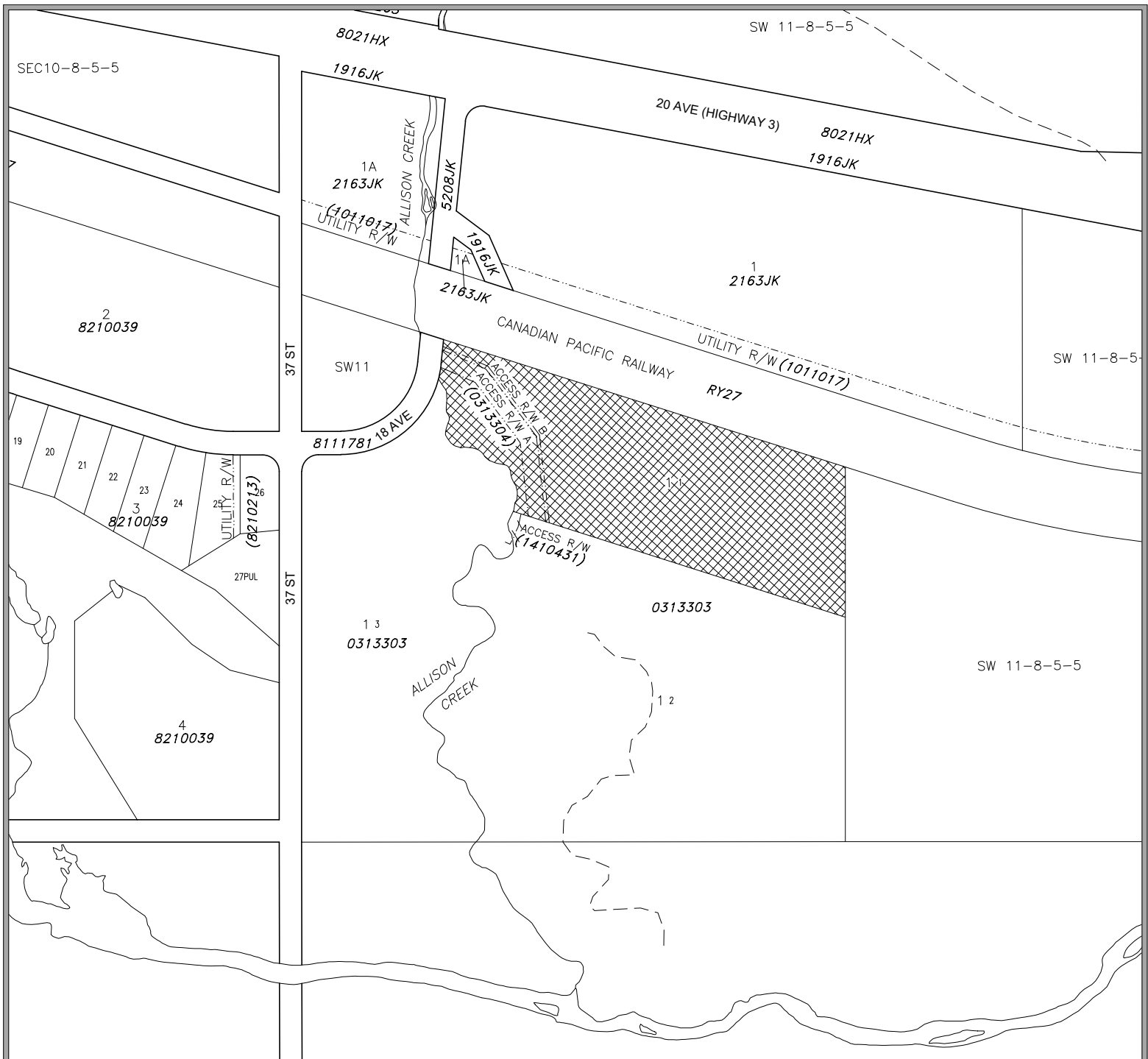
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: NON-URBAN AREA NUA-1
TO: INDUSTRIAL I-1

LOT 1, BLOCK 1, PLAN 0313303
WITHIN SW 1/4 SEC 11, TWP 8, RGE 5, W 5 M
MUNICIPALITY: CROWSNEST PASS
DATE: JUNE 24, 2022

Bylaw #: 1127, 2022
Date: _____



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 7.b

Subject: Bylaw 1128 - LUB Amendment to Re-designate Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’ - Second and Third Readings

Recommendation:

That Council gives second and third reading of Bylaw 1128, 2022.

Executive Summary:

This bylaw was initiated by the Municipality for compliance reasons - please see the Discussion.

Council gave First Reading of Bylaw 1128, 2022 on August 16, 2022.

The proposed bylaw involves the re-designation of:

1. Lot 1 Block 40 Plan 9813593 from Residential R-1 and Multi-Family Residential R-3 to Non-Urban Area NUA-1 as the initial stage required to bring the existing uses into compliance.

and

2. A portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from Residential R-1 to Non-Urban Commercial Recreation NUCR-1.

Relevant Council Direction, Policy or Bylaws:

Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Land Use Bylaw No. 868-2013

Discussion:

This bylaw was initiated by the Municipality, with proper notice to the landowners, as part of a process to facilitate the landowner's ability to bring the property into compliance with the land use bylaw. This compliance process has been on-going with collaboration between the Municipality and the landowner since December 2021. The issues are as follows:

1. A small portion of the recent Green Mountain Campground expansion is located on a parcel that is in the Residential R-1 District. The R-1 District does not provide for campground development. This sliver of land contains the road that winds within the campground and is not suitable for Residential Development. The Re-designation to Non Urban Commercial NUCR-1 would allow the remaining (approximately) 4 sites to operate. This portion of land will be used primarily as roadway and part of the landscaping plan to provide screening of the campground from the adjacent residential properties. The proposed re-designation to the NUCR-1 District will resolve this issue. The Municipality will continue to collaborate with the landowner to address other issues in the campground, including landscaping and Safety Codes compliance relative to decks, sheds and wood stoves.

2. On the parcel adjacent to the Green Mountain Campground there is a contractor's business (south of the river) that has operated without the benefit of a development permit for many years. This business also operates a gravel pit east of and adjacent to York Creek Road. There is also the recent on-going screening and removal of an old coal stockpile (north of the river) that has been undertaken without the benefit of a development permit. The proposed re-designation to the NUA-1 District will enable the landowner to apply for discretionary use development permits to bring these operations into compliance with the land use bylaw. If approved, the Development Authority will be able to impose conditions on such development permits. This will also give adjacent landowners and other affected parties to opportunity to appeal the development permits, either individually or as a group.

In the NUA-1 District all significant land uses are discretionary, which means that affected parties can appeal any development permit that is issued for those uses.

The NUA-1 District does not provide for campground development.

The existing residential designation of the subject lands does not affect the assessment of the lands for property taxation purposes - assessment is based on the use of the land, not on its zoning district.

The existing residential designation of the subject lands does not provide any inherent or additional value to the possible future use of the lands for residential development, except for either one dwelling unit (single-family or duplex) in the R-1 portion, or one multi-family dwelling on the R-3 portion, but not both without a subdivision application. If the property was subdivided along the river, one dwelling unit (single-family or duplex) could be built north of the river and one multi-family dwelling could be built south of the river. A subdivision application would be conditional upon the dedication of Environmental Reserve to the Municipality at a minimum of 6m wide along both banks of the river.

Any future development beyond what is described above, would first require an area structure plan supported by significant engineering studies (serviceability, the need to upgrade and possibly oversize

services, soil conditions, etc.), then rezoning applications and a subdivision application that will be supported by the area structure plan, and eventually a development agreement with the required security deposits. As can be seen from this description, the existing zoning of the lands as residential does not provide an inherent value other than for one dwelling unit.

Several landowners submitted comments on the proposed bylaw - those comments are attached for Council's consideration.

Analysis of Alternatives:

1. Council may give Second and Third Reading of Bylaw 1128, 2022, as proposed.
2. If additional information is required by Council and/or amendments to the Bylaws are proposed by Council prior to Second Reading, Council may postpone Second Reading of Bylaw 1128, 2022 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1128,2022 for Second and Third reading.
3. Council may defeat Bylaw 1128, 2022, as proposed.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1128, 2022 - CNP LUB 868, 2013 Lot 1, Block 40, Plan 981 3593 rezoning July 2022 \(updated July 26.docx](#)

[Crowsnest Pass - Bylaw 1128, 2022 - Lot 1, Block 40, Plan 9813593-LUD Redesignation.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1128, 2022

LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 40, Plan 981 3593 and a portion of NW¼ 8-8-4-W5M

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868, 2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redesignate the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’.

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the “Non-Urban Area – NUA-1” and “Non-Urban Commercial Recreation – NUCR-1” land use districts.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redesignate the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from “Residential – R-1” and “Multi-Family Residential – R-3” to “Non-Urban Area – NUA-1”; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from “Residential – R-1” to “Non-Urban Commercial Recreation – NUCR-1”; as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.
2. Bylaw No. 868, 2013, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

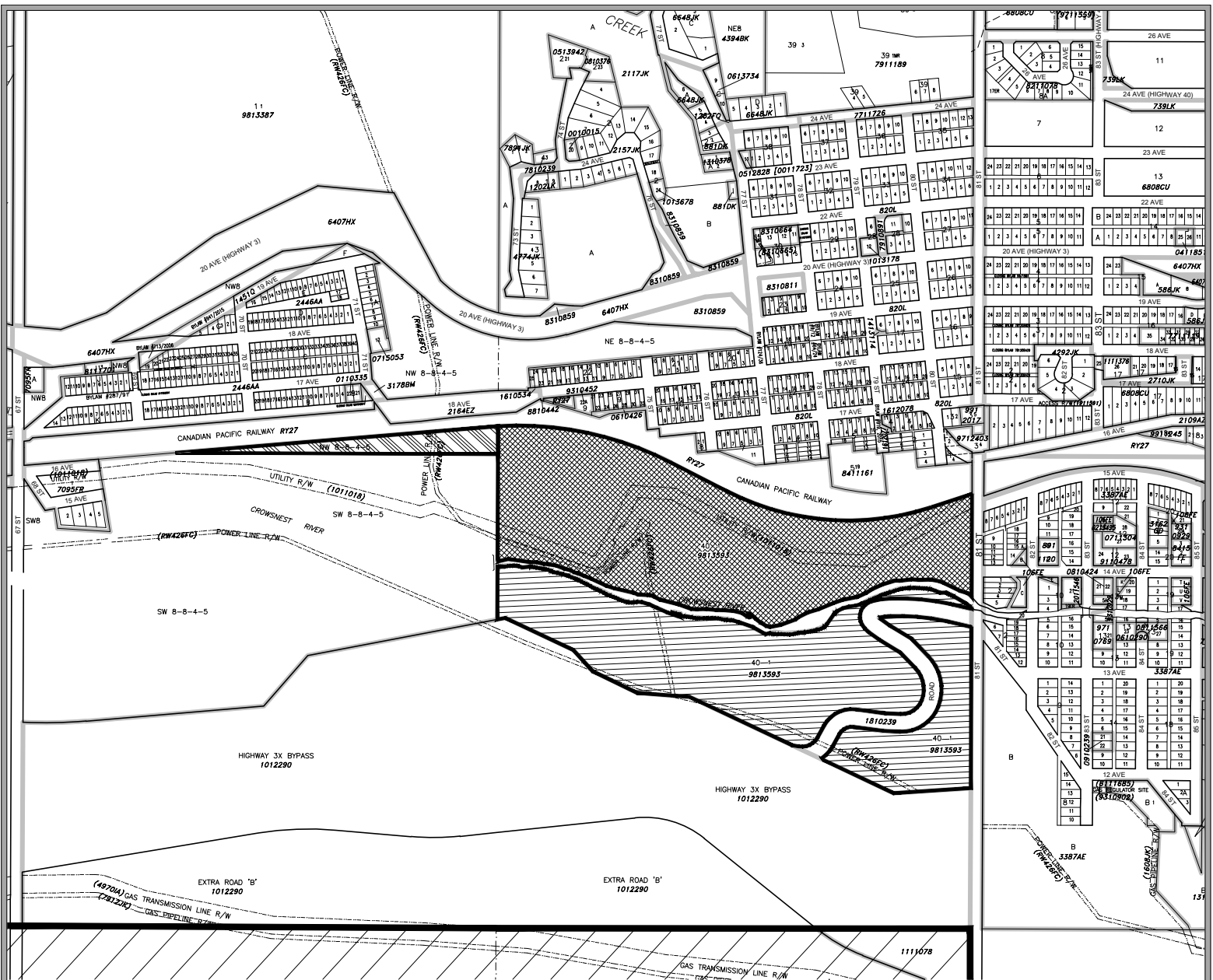
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

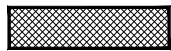
READ a **third and final** time in council this _____ day of _____ 2022.

Blair Painter
Mayor

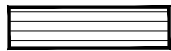
Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: RESIDENTIAL R-1
TO: NON-URBAN AREA NUA-1



FROM: MULTI-FAMILY RESIDENTIAL R-3
TO: NON-URBAN AREA NUA-1

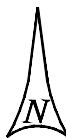


FROM: RESIDENTIAL R-1
TO: NON-URBAN COMMERCIAL RECREATION NUCR-1

LOT 1, BLOCK 40, PLAN 9813593, WITHIN E. 1/2 SEC 8, TWP 8, RGE 4, W 5 M
AND PORTION OF NW 1/4 SEC 8, TWP 8, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS
DATE: JULY 26, 2022

Bylaw #: 1128, 2022
Date:



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 7.c

Subject: Fire Station 4-Hillcrest

Recommendation:

That Council authorizes the closure of Fire Station 4 in Hillcrest and directs Administration to investigate options for the building and property.

Executive Summary:

Fire Station 4 has a rich history with community engagement, pride and fire protection. It does not go unrecognized that a fire station can be a significant source of emotion however it should not overpower operational and financial decisions.

Fire Station 4 does not meet current fire protection standards with the Fire Underwriters Survey (FUS) due to fire apparatus requirements and staffing levels. The facility is no longer cost effective nor is it able to provide modern levels of emergency response, therefore Administration is recommending its closure.

There would be no impact to emergency or fire protection for the Municipality (specifically for Hillcrest) with the closure.

Relevant Council Direction, Policy or Bylaws:

Council directed Administration to bring this back to Council during the next budget cycle.

Motion 09-2021-03-03

Discussion:

Fire Station 4 is one of many aging facilities in the Municipality that demands considerable upkeep in maintenance and associated operating costs. There are significant operational and financial limitations as described below;

Staffing

There are currently two members who respond from Station 4, with no fire officers. One works in mining and is available at a maximum of 50% of the time due to mining shift schedules. The other is in his late 70's and has a reduced operational function.

The Fire Underwriters Survey (insurance group) states that the absolute minimum staffing levels for a fire station to be considered *recognized* is 10 personnel, with 15 or greater being the minimum optimal requirement.

**Note-our geographical makeup in the Municipality makes individual fire station staffing levels difficult to achieve however our collective department meets appropriate staffing levels.*

Operations

Station 4 currently houses a 2001 Ford Type 6 brush/wildland truck, with a small pump and a small hose reel for wildfire firefighting. It has no structural firefighting capacity and is now past its end of life. Though aged, the vehicle is currently in good condition and is often used for wildfires, traffic control and shuttling personnel to emergency scenes.

Both Fire Station 4 and the Type 6 brush truck are not recognized by the Fire Underwriters Survey (FUS) due to staffing levels (see Staffing) and the apparatus not being a recognized first line pumper (must have >625 gpm/3000 litres/minute).

**Note-Fire Station 4 does not have the physical capacity to accommodate a front-line fire engine.*

Going Forward

Members of CNPFR, in the Hillcrest area, respond to Station 3-Bellevue. This is currently the process that exists now so there would be no change in current operations.

Analysis of Alternatives:

Deny recommendation and continue to operate as currently doing.

Financial Impacts:

- Retaining building and property to be used for another municipal function would not result in increased expenditures
- Sale of property would result in additional revenue

Attachments:



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 7.d

Subject: 2023 Annual Franchise Fee

Recommendation: That Council moves to maintain the current franchise fee rates for both ATCO Gas (25%) and Fortis Alberta (16%) for 2023.

Executive Summary:

The Municipality of Crowsnest Pass has two Franchise Agreements; one with ATCO Gas and the other with Fortis Alberta. The agreements provide the Municipality with the opportunity to review and change the franchise fee percentage rate annually in the fall. If Council maintains the current rate structure of 25% for ATCO Gas, the franchise fee revenue is projected to be \$605,899; and 16% for Fortis Alberta, the franchise fee revenue is projected to be \$764,466 for a total projected Franchise revenue of \$1,370,365.

Relevant Council Direction, Policy or Bylaws:

ATCO Gas and Pipeline Ltd Franchise Agreement was signed September 1, 2021 for a term of 10 years. Fortis Alberta Franchise Agreement was signed January 1, 2016 for a term of 10 years.

Discussion:

The Municipality receives franchise fees from both ATCO Gas and Fortis Alberta. As part of the franchise fee agreements, Council can review the franchise fee percentage each fall and increase, decrease or maintain the current franchise fee rate. The franchise fees are collected from residents based on a percentage of the delivery tariff. The current franchise fee for Atco is 25% (maximum allowed is 35%) while Fortis is currently at 16% (maximum allowed is 20%).

The franchise fee revenue is one source of income used to balance the annual operating budget. Any change (increase or decrease) would have an impact on the 2023 operating budget. Both companies are looking for direction from Council on whether the rate should remain the same as 2022 or be changed (increased or decreased).

ATCO Gas Franchise Fee

The historical franchise fee rates and revenue as well as the 2022 and 2023 forecasted revenue provided by Atco is included in the table below. ATCO is forecasting a delivery tariff of \$2,423,596 (2022 forecast \$2,327,782) which would result in a franchise fee of \$605,899 (2022 \$581,946) a projected increase in revenue of \$23,953. A one percent change to the rate is equal to \$24,236. The 2021 actual franchise revenue was \$475,875.

Year	Franchise Fee Percentage	Franchise Fee Revenue
2010	15%	206,932
2011	15%	211,864
2012	20%	247,511
2013	25%	355,484
2014	25%	400,569
2015	25%	408,032
2016	25%	446,886
2017	25%	482,579
2018	25%	432,864
2019	25%	462,979
2020	25%	449,391
2021	25%	475,875
2022 Forecast	25%	581,946
2023 Forecast	25%	605,899

Fortis Alberta Franchise Fee

The historical as well as the 2022 projected (based on the first 6 months of revenue received) and the 2023 forecasted revenue provided by Fortis is provided in the table below. Fortis is forecasting a delivery tariff of \$4,777,910 for 2023, an increase in franchise revenue of \$11,603 over the 2022 projected income. A one percent change to the rate is equal to \$47,779.

Year	Franchise Fee Percentage	Franchise Fee Revenue
2016	16%	437,280
2017	16%	590,067
2018	16%	602,964
2019	16%	641,864
2020	16%	654,517
2021	16%	695,112
2022 Projected	16%	752,863
2023 Forecast	16%	764,466

Both ATCO Gas and Fortis are projecting an increase in the delivery tariff for 2023 over 2022. Without changing the Franchise Fee percentage, the additional projected revenue generated will be \$35,556 (ATCO Gas \$23,953, and Fortis \$11,603).

The ATCO and Fortis Municipal Franchise rate tables have been attached for information.

Analysis of Alternatives:

ATCO Gas

- Maintain the Current Franchise fee rate of 25% will generate projected revenue of \$605,899 an estimated increase of \$23,953 higher than the 2022 projected revenue.
- Council could increase or decrease the rate from any of the options listed below:

Rate	Franchise Revenue	Change Versus 2022 Budget
Increase		
26%	630,135	48,189
27%	654,371	72,425
28%	678,607	96,661
29%	702,843	120,897
30%	727,079	145,133
Decrease		
24%	581,663	(283)
23%	557,427	(24,519)

Note: A decrease of 1% in the ATCO Gas Franchise fee rate will produce less revenue than the 2022 projected revenue.

Fortis

- Maintain the current franchise fee rate of 16% will generate projected revenue of \$764,466 an estimated increase of \$11,603 more than the 2022 projection.
- Council could increase or decrease the franchise fee rate from any of the options listed below:

Rate	Franchise Revenue	Change Versus 2022
Increase		
17%	812,245	59,382
18%	860,024	107,161
19%	907,803	154,940
20%	955,582	202,719
Decrease		
15%	716,687	(36,176)

Note: A decrease of 1% in the Fortis Franchise fee rate will produce less revenue than the 2022 projected revenue.

Financial Impacts:

The financial impact to the 2023 Budget will be dependent on the decision made by Council.

Attachments:

[Municipality of Crowsnest Pass - August 2022.pdf](#)

August 31, 2022

Municipality of Crowsnest Pass
PO Box 600
Crowsnest Pass, AB T0K 0E0

Attention: Patrick Thomas / Chief Administrative Officer

RE: ATCO Gas and Pipelines Ltd. Franchise Agreement

Pursuant to our franchise agreement, your municipality has the option to change the franchise fee percentage in 2023. A request to change the franchise fee must be received by ATCO Gas in writing prior to November 1, 2022. If you are considering changing the franchise fee in 2023, please contact us as soon as possible to begin the process.

As you are aware, ATCO Gas pays the Municipality of Crowsnest Pass a franchise fee. The franchise fee is collected from customers in the community based on a percentage of our Delivery Tariff. In the Municipality of Crowsnest Pass, this percentage is 25.00%.

In 2021, our Delivery Tariff revenue in the Municipality of Crowsnest Pass was \$1,903,131. Our forecast Delivery Tariff revenue for 2023 is \$2,423,596. Therefore, based on the current franchise fee percentage, your forecast 2023 franchise fee revenue would be \$605,899.

We trust you will find this information useful, and, if you have any questions or require anything further, please do not hesitate to contact me at Dan.Magnan@atco.com.

Yours truly,



Dan Magnan
Manager, Lethbridge Operations
ATCO Natural Gas Division



Municipality of Crowsnest Pass Request for Decision

Meeting Date: October 4, 2022

Agenda #: 7.e

Subject: Rural Municipalities of Alberta (RMA) Fall Convention Attendees

Recommendation: That Council appoint Mayor Painter, Patrick Thomas, Chief Administrative Officer, and two Councillors to attend the RMA Fall Convention in Edmonton to be held November 7-10, 2022.

Executive Summary:

Annually the Rural Municipalities of Alberta hosts a convention which provides an opportunity for the Mayor, Council Members and the Chief Administrative Officer to attend information sessions geared at Rural Municipal Officials, networking opportunities with other rural municipalities, and meetings with Provincial Ministers.

Two Councillors are appointed on a rotational basis to attend each convention to ensure that each Councillor is afforded the opportunity to attend conventions.

Relevant Council Direction, Policy or Bylaws:

N/A

Discussion:

Two members of Council are appointed to attend the RMA 2022 Fall Convention which will be held November 7-10, 2022 at the Edmonton Convention Centre. The draft agenda is attached for Council's information.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

1 - [DRAFT-PUBLIC-RMA-2022-Fall-Convention-Agenda-letterhead.pdf](#)

AGENDA

Agenda is subject to change

***Denotes voting required*

All events take place at Edmonton Convention Centre unless otherwise noted

Monday, November 7

8:30 am to 3:30 pm	EOEP Course: <i>Salon 2 & 3</i>
5:00 pm to 6:00 pm	Mayor and Reeve's Meeting <i>Salon 4</i>

Tuesday, November 8

7:00 am to 8:30 am	Breakfast <i>Foyer, Hall D</i>
8:15 am to 9:00 am	Opening Ceremonies <i>Hall D</i>
9:00 am to 10:00 am	Opening Keynote Speaker
10:00 am to 10:30 am	Government Plenary Address
10:30 am to 11:00 am	Coffee Break
11:00 am to 12:00 pm	Plenary Session
12:00 pm to 7:00 pm	RMA / Canoe Tradeshow Lunch and Coffee served within exhibit space <i>Hall ABC</i>
6:00 pm to 7:00 pm	RMA / Canoe Tradeshow Reception
6:00 pm to 10:00 pm	Hospitality Suites

Wednesday, November 9

7:00 am to 8:30 am	Breakfast
8:15 am to 9:00 am	RMA Annual General Meeting**
9:00 am to 10:45 am	Ministerial Forum 1.0
10:45 am to 11:00 am	Coffee Break
11:00 am to 11:15 am	Plenary Session
11:15 am to 11:30 am	Government Plenary Address
11:30 am to 12:00 pm	RMA President Election** (if no election, Plenary Session)
12:00 pm to 1:00 pm	Lunch

1:00 pm to 2:15 pm	Taking Care of Business: The Resolutions Session**
2:15 pm to 2:30 pm	Coffee Break
2:30 pm to 3:30 pm	Workshops <ul style="list-style-type: none"> ♦ 1 <i>Salon 4</i> ♦ 2 <i>Salon 8</i> ♦ 3 <i>Salon 12</i>
3:30 pm to 3:45 pm	Coffee Break
3:45 pm to 4:45 pm	Workshops <ul style="list-style-type: none"> ♦ 3 <i>Salon 4</i> ♦ 4 <i>Salon 8</i> ♦ 5 <i>Salon 12</i>
6:00 pm to 10:00 pm	Hospitality Suites

Thursday, November 10

7:00 am to 8:30 am	Breakfast
8:15 am to 8:45 am	Election for RMA District Directors** <ul style="list-style-type: none"> ♦ District 1 <i>Salon 4</i> ♦ District 4 <i>Salon 8</i>
8:45 am to 9:00 am	Welcome
9:00 am to 10:45 am	Ministerial Forum 2.0
10:45 am to 11:00 am	Coffee Break
11:00 am to 11:30 am	Government Plenary Address
11:30 am to 12:00 pm	Closing Keynote Speaker
11:30 am to 12:00 pm	Closing Ceremonies