



Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, March 28, 2023 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

- 3.a Minutes of the Municipal Historic Resources Advisory Committee of November 21, 2022

4. ADOPTION OF MINUTES

- 4.a Minutes of the Council Meeting of March 14, 2023

5. PUBLIC HEARINGS

- 5.a Bylaw 1141, 2023 - Land Use Bylaw Amendment- Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 - *Public Hearing*
- 5.b Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - *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 Elkford ATV Club - Inter Community Ethically Responsible ORV Tourism - Tom Kramer
- 6.b Dave Baines, NWP Coal - Update on the Regulatory Process for the NWP Crown Mountain Coking Coal Project

7. REQUESTS FOR DECISION

- 7.a Bylaw 1116, 2022 - Land Use Bylaw Amendment re. Minimum Floor Area for Single-family Dwelling in R-1 and GCR-1 - *First Reading*
- 7.b Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw - First Reading
- 7.c Bylaw 1141, 2023 - Land Use Bylaw Amendment - Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial

Recreation NUCR-1 - *Second and Third Readings*

- 7.d Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - *Second & Third Reading*
- 7.e Bylaw 1147, 2023 - 2023 Property Tax Rates Bylaw - *First Reading*
- 7.f 1148, 2023 - Amendment to the Procedure Bylaw - *First Reading*
- 7.g Sparwood Coal Miner Days Parade Invitation on June 10, 2023

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 - Committee Member Recommendations - *FOIP Act Section 17*
- 11.b Economic Interests of the Public Body - Land Purchase Application - *FOIP Act Section 25*
- 11.c Personal Privacy - Encroachment Agreement - *FOIP Act Section 17*
- 11.d Personal Privacy - Encroachment Agreement - *FOIP Act Section 17*

12. ADJOURNMENT



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 3.a

Subject: Minutes of the Municipal Historic Resources Advisory Committee of November 21, 2022

Recommendation: That Council accept the Minutes of the Municipal Historic Resources Advisory Committee of November 21, 2022 as information.

Executive Summary:

Minutes of Internal Boards and Committees are provided to Council at the subsequent meeting for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Municipal Historic Resources Advisory Committee provides their minutes to keep Council apprised of committee activities and heritage projects undertaken by the committee.

Analysis of Alternatives:

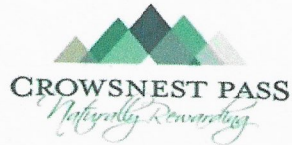
n/a

Financial Impacts:

n/a

Attachments:

[November 21 2022 Minutes - Signed.pdf](#)



MINUTES - MUNICIPAL HISTORIC RESOURCES ADVISORY COMMITTEE
November 21, 2022, at 2:00 pm
Council Chambers, Coleman Municipal Office

PRESENT:

Chairman	Fred Bradley
Board Member	Howard Vandenhoeft
Board Member	Don Budgen
Board Member	Gaston Aubin
Board Members (2)	Vacant
Development Officer	Katherine Mertz
Municipal Representative	Johan van der Bank

ABSENT:

Brad Edmondson
Glen Girhiny
Vicki Kubik (apology)

1. CALL TO ORDER

Chairman Fred Bradley called the meeting to order at 2:00 pm

2. ADOPTION OF AGENDA

MOTION by Gaston Aubin to adopt the agenda, with the addition of the following items:

- a. December 09, 2022, Municipal Christmas Party Invitation.
- b. 2023 Meeting Schedule

CARRIED

3. ADOPTION OF MINUTES

MOTION by Don Budgen to adopt the minutes of October 24, 2022, as presented.

CARRIED

4. CONSENT AGENDA

- 4.1 Letter to Municipality of Crowsnest Pass Council re. Pilot Project.
- 4.2 Letter to Municipality of Crowsnest Pass Council re. Budget Request for 2023.

MOTION by Howard Vandenhoeft to receive for information the copies of the above letters sent to the Municipality of Crowsnest Pass Council on November 01, 2022. A copy of the email to Municipal Administration is attached to the minutes.

CARRIED



MINUTES - MUNICIPAL HISTORIC RESOURCES ADVISORY COMMITTEE
November 21, 2022, at 2:00 pm
Council Chambers, Coleman Municipal Office

5. REQUEST FOR DECISIONS

5.1 Development Permits

- (a) DP2022-187 – Interior renovations to accommodate a yoga studio at 2462 - 213 Street, Bellevue Main Street.

MOTION by Howard Vandenhoeft that the Advisory Committee has no concerns.

CARRIED

6. ROUND TABLE DISCUSSION

- 6.1 Heritage Designation Plaque - Brad Edmondson was not in attendance. Fred Bradley advised that he will contact Brad to request that the plaque template is finalised and presented to the Advisory Committee members by email by the end of December 2022.
- 6.2 December 09, 2022, Municipal Christmas Party Invitation - Fred Bradley extended an invitation received from the Municipality to all Advisory Committee members.
- 6.3 2023 Meeting Schedule - Upon request from the Municipality, Johan van der Bank forwarded the 2023 Advisory Committee meeting schedule to the Municipal Administration for publication on the Municipality's website. A copy of the email is attached to the minutes.

7. NEXT MEETING DATE

- Monday, March 20, 2023, at 2:00 PM in Council Chambers, Municipal Office.

8. ADJOURNMENT

MOTION by Don Budgen to adjourn the meeting at 2:30 pm

CARRIED

Approved by:


Fred Bradley, Chair

March 20/2023
Date

Johan Van Der Bank

From: Johan Van Der Bank
Sent: Tuesday, November 1, 2022 10:40 AM
To: Bonnie Kawasaki
Cc: Fred Bradley; Donald Budden; Howard Handerhoef; 'Brad Edmundson'; Gaston Aubin; Vicki Kubik; Glen Girhiny; [REDACTED]
Subject: Letters to Council from the MHRAC
Attachments: Budget Request to MCNP Oct 31 2022.pdf; MHRAC letter to MCNP - Pilot Project.pdf

Bonnie, please find attached two letters from the MHRAC to Council, relating to the 2023 budget.

Best regards

Johan



Johan van der Bank M.TRP, RPP, MCIP
MANAGER OF DEVELOPMENT AND TRADES

Municipality of Crowsnest Pass
P.O. Box 600 | Crowsnest Pass, Alberta | T0K 0E0
C (403) 563-6715 **P** (403) 562-8833 **F** (403) 563-5581
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Crowsnest Pass Municipal Historic Resources Advisory Committee

October 31, 2022

Mayor and Council,
Municipality of Crowsnest Pass,
Box 600,
Crowsnest Pass, AB T0K 0E0

**Re: Municipal Historic Resources Advisory Committee –
Recommendation to Approach Provincial Government to fund Pilot Project**

Dear Mayor and Council:

On behalf of the Crowsnest Pass Municipal Historic Resources Advisory Committee I respectfully submit for Municipal Council's consideration the following recommendation that was passed at the Advisory Committee's meeting on Monday, October 24, 2022

- 1) **MOTION** by Vicki Kubik that the Advisory Committee recommends that Council request the Alberta Government for \$1,000,000 of funding to support a pilot project to prepare an Area Redevelopment Plan and associated studies, municipal policies, and municipal incentive programs to plan for, guide, accommodate and foster the Main Street business revitalization, the preservation of historic resources, and the expected tourism and associated economic growth in one or more areas of the Crowsnest Pass.

CARRIED

For background to the request below is an excerpt from the draft minutes of the Advisory Committee which led to this recommendation.

- 5.3 Heritage Incentives Sub-committee – a discussion followed about the next steps. This discussion circled back to the Demystifying Historic Building Designation Workshop, and also touched on the 2023 Municipal Budget. It was recognized

that in order to encourage historic building owners to designate their properties, it may be beneficial to show them the bigger picture or the vision. This discussion flowed into the idea that Mainstreet Revitalization or beautification also includes municipal infrastructure, such as sidewalks, street trees and landscaping, street furniture, etc. The discussion recognized that, with the recent loss of the coal mining potential as a result of federal and provincial policies, Council's strategic plan is focusing on tourism as the future growth driver, and that it is not only prudent but necessary to prepare for this growth in a timely manner so that the challenges faced by other similar communities can be addressed. An Area Redevelopment Plan (ARP) is a statutory instrument (a bylaw) in the Municipal Government Act that is a comprehensive planning tool intended to address such matters. An ARP for a specific area, e.g. Downtown Blairmore, would address future growth potential, historic preservation, design guidelines and incentives to encourage landowners to preserve and upgrade their historic properties, the required municipal infrastructure upgrades, redevelopment levies and/or off-site levies to support the proposed redevelopment, policies to support the beautification and revitalization of downtown through economic growth opportunities, supported by affordable housing options, etc. It would give landowners the bigger picture vision of where Council is heading with the plan area, and as such may be an ideal tool to address the question of how to move forward with the proposed Heritage Incentives. Such a plan is prepared with significant public consultation by experts in land use, architecture, economic development, business revitalization, and infrastructure. It could be an expensive document to prepare.

Thank you for consideration of our recommendation to approach the provincial government to request funds to assist our community and its businesses revitalize our historic business and commercial areas to face current and future economic challenges.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Fred Bradley".

Fred Bradley, Chairman
Crowsnest Pass Municipal Historic Resources Advisory Committee



Crowsnest Pass Municipal Historic Resources Advisory Committee

October 31, 2022

Mayor and Council,
Municipality of Crowsnest Pass,
Box 600, Crowsnest Pass, AB T0K 0E0

Re: Municipal Historic Resources Advisory Committee – Budget Request -2023

Dear Mayor and Council;

On behalf of the Crowsnest Pass Municipal Historic Resources Advisory Committee I respectfully submit for Municipal Council's consideration the Committee's recommendations to allocate funding in the Municipal Budget for 2023 to update the Crowsnest Pass Historic District Design Guidelines and for Workshops on Historic Building Designation and other community engagement activities and to provide funding for the Board's operations during that period.

Please find below our funding request proposal document.

This year's request recommends funding of \$25,000 to hire a consultant to update the Crowsnest Pass Historic District Design Guidelines and to provide \$5,000 for Workshops and other community engagement activities.

The Municipal Historic Resources Board is available to municipal staff or council to clarify or provide further information regarding our recommendation.

Yours sincerely,

Fred Bradley, Chairman
Crowsnest Pass Municipal Historic Resources Advisory Committee

The Crowsnest Pass Municipal Historic Resources Advisory Committee requests consideration for including the following items in the Municipal Operating Budget for 2023 to assist the Municipal Historic Resources Advisory Committee with conducting its activities and responsibilities in 2023

1. Update – Design Guidelines – Crowsnest Pass Historic District

- | | |
|---|-------------|
| a. Municipal Contribution for hiring a consultant to update the Design Guidelines | \$25,000.00 |
|---|-------------|

A matching contribution grant for \$25,000 would be applied for from the Heritage Preservation Partnership Programme of Alberta Culture. The total project cost would be \$50,000 and would only proceed if the Provincial grant application is successful.

The existing guidelines which are advisory for buildings in the Historic Commercial Overlay Districts were developed in the early 1990's. Updated guidelines would be of benefit for both building owners and the municipality. Such a review and update would reflect current circumstances and issues and provide clarity as to their application and interpretation.

- | | |
|---|------------|
| 2. Workshops on Benefits of Municipal Historic Resource Designation and incentives to assist commercial building owners with façade and building improvements. Costs for advertising, hall rental, and honorarium for presenters. The workshops would be with owners of buildings which have been included in the Phase 1, 2, and 3, Heritage Inventories and other commercial building owners to discuss the benefits of designation and other incentives available to the commercial building owner to upgrade business facades and building improvements | \$5,000.00 |
|---|------------|

Total Budget Request	\$30,000.00
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Johan Van Der Bank

From: Johan Van Der Bank
Sent: Friday, November 18, 2022 10:41 AM
To: Kim Uhersky
Cc: Kim Kozak; Katherine Mertz; Sasha Lassey; Bonnie Kawasaki
Subject: 2023 Board and Committee Meeting Schedules and Events

Importance: High

MPC meets on the fourth Wednesday of the month at 2pm. The December meeting is typically moved to the third week. Special meetings outside of this schedule may be scheduled from time to time (once a year frequency).

MHRAC meets on the fourth Monday of the month at 2pm. In those months where the fourth Monday is not in the same week as the fourth Wednesday, the MHRAC meets on the Monday in the same week as MPC.



Johan van der Bank M.TRP, RPP, MCIP
MANAGER OF DEVELOPMENT AND TRADES

Municipality of Crowsnest Pass
P.O. Box 600 | Crowsnest Pass, Alberta | T0K 0E0
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E johan.vanderbank@crownsnestpass.com

From: Bonnie Kawasaki <bonnie.kawasaki@crownsnestpass.com>
Sent: Friday, November 18, 2022 10:28 AM
To: Bonnie Kawasaki <bonnie.kawasaki@crownsnestpass.com>
Cc: Kim Uhersky <Kim.Uhersky@crownsnestpass.com>
Subject: 2023 Board and Committee Meeting Schedules and Events
Importance: High

Good Morning Committee Chairpersons and Municipal Liaisons!

Our Municipal website has recently undergone some upgrades and improvements which we invite you to explore. Our events calendar is now featured more prominently on the front page and lists all upcoming Council and Board and Committee meetings with a link to view the calendar by month.

In preparation for next year, we are working on creating all regularly scheduled meetings in the calendar. If your board or committee has a regular meeting schedule for next year, please contact Kim Uhersky at kim.uhersky@crownsnestpass.com and confirm your meeting dates, times, and location to be added to the calendar. (For example: 3rd Monday of every month at 7:00 pm in Council Chambers). You are also invited to submit to Kim any pre-planned events for addition to the calendar including date, time, and locations, and you can also submit events as they are scheduled during the course of the year.

For any of the boards or committees that don't have a regular meeting schedule, they can now be submitted in two ways:

1. You can email your meeting or event details directly to Kim at kim.uhersky@crowsnestpass.com (again be sure to include all of the meeting details)

OR

2. You can submit the meeting or event details yourself by clicking on the "View Calendar" button and click on the **Submit Event** > link.

Thank you for your kind attention, we look forward to receiving your updates.

Respectfully,



Bonnie Kawasaki

Executive Assistant

Office of the Chief Administrative Officer

Office of Mayor and Council

Municipality of Crowsnest Pass

P.O. Box 600 | Crowsnest Pass, Alberta | T0K 0E0

P 403 563-2204 **F** 403 563-5474

E bonnie.kawasaki@crowsnestpass.com



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 4.a

Subject: Minutes of the Council Meeting of March 14, 2023

Recommendation: That Council adopt the Minutes of the Council Meeting of March 14, 2023 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:

[2023 03 14 Council Meeting Minutes.docx](#)

Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, March 14, 2023

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, March 14, 2023.

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
Johan van der Bank, Manager of Development and Trades
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 1:00 pm.

ADOPTION OF AGENDA

Additions:

In Camera

- a) Personal Privacy - Ag Fieldman Position – Section 17 - Councillor Glavin

01-2023-03-14: Councillor Filipuzzi moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2023-03-14: Councillor Glavin moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Crowsnest Pass Senior Housing Board of January 23, 2023

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of January 23, 2023 as information.

3.b

Alberta SW Board Minutes of February 1, 2023 and March Bulletin

THAT Council accept the Alberta SW Board Minutes of February 1, 2023 and March Bulletin as information.

3.c

Minutes of the ORRSC Board of Directors Meeting of December 1, 2022

THAT Council accept the Minutes of the ORRSC Board of Directors Meeting of December 1, 2022 as information.

Carried

ADOPTION OF MINUTES

Minutes of the Council Meeting of March 7, 2023

03-2023-03-14: Councillor Girhiny moved to adopt the Minutes of the Council Meeting of March 7, 2023 as presented.

Carried

PUBLIC HEARINGS

None

DELEGATIONS

Proposal for a Community Outdoor Rink - Stacy Kozak

Stacy Kozak was in attendance to present information to Council regarding a proposal for Council to consider installing a community outdoor rink.

04-2023-03-14: Councillor Sygutek moved that Administration and the Parks and Recreation Advisory Committee work through the process with Stacy Kozak to explore the viability of installing an outdoor rink.

Carried

REQUESTS FOR DECISION

Bylaw 1132, 2022 - Land Use Bylaw Amendment: rezone a portion of Lot 1MR Block 3 Plan 8311587 from Recreation & Open Space RO-1 to Grouped Country Residential GCR-1, and a portion of NW 21-7-3-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1- First Reading

05-2023-03-14: Councillor Ward moved first reading of Bylaw 1132, 2022 - Land Use Bylaw Amendment: rezone a portion of Lot 1MR Block 3 Plan 8311587 from Recreation & Open Space RO-1 to Grouped Country Residential GCR-1, and a portion of NW 21-7-3-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1.

Carried

Bylaw 1144, 2023 - Land Use Bylaw Amendment: rezone Lot 9, Block 22, Plan 6808CU (8521 20 Avenue, Coleman) from Retail Commercial C-1 to Drive-In Commercial C-2 - First Reading

06-2023-03-14: Councillor Kubik moved first reading of Bylaw 1144, 2023 - Land Use Bylaw Amendment: rezone Lot 9, Block 22, Plan 6808CU (8521 20 Avenue, Coleman) from Retail Commercial C-1 to Drive-In Commercial C-2.

Carried

Revise Policy 2000-04 - Disposal of Municipal Lands and Reserves

07-2023-03-14: Councillor Ward moved that Council approves the revised Policy 2000-05 Disposal of Municipal Lands and Reserves with the addition of a clause that no improvements are to be made to the leased land unless mutually agreed to by the lease agreement parties.

Carried

Policy Repeals

08-2023-03-14: Councillor Glavin moved that Council repeals the following policies:

- Policy DV-003 - MPC Orientation (December 7 2004); and
- Policy 2007-01 - CNL-001 - Location of Highway Signs; and
- Policy 2007-01 - CNL-001.01 - Location of Third-Party Business Signs
- Policy DV-007 - Policy to Deal with Leased Lands

Carried

Service Areas Update

09-2023-03-14: Councillor Sygutek moved that Council accept the Service Areas Update for information.

Carried

Procedure Bylaw

10-2023-03-14: Councillor Ward moved that Administration amend the Procedure Bylaw to not allow electronic participation in meetings.

Carried

COUNCIL MEMBER REPORTS

None

PUBLIC INPUT PERIOD

None

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

IN CAMERA

11-2023-03-14: Councillor Sygutek 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 at 2:31 pm:

- a) Personal Privacy - Ag Fieldman Position – Section 17 - Councillor Glavin

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 2:33 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

12-2023-03-14: Councillor Sygutek moved that Council come out of In Camera at 3:36 pm.

Carried

13-2023-03-14: Councillor Filipuzzi moved that a letter is sent to the Agriculture Services Board in response to their letter.

Carried

ADJOURNMENT

14-2023-03-14: Councillor Filipuzzi moved to adjourn the meeting at 3:37 pm.

Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 5.a

Subject: Bylaw 1141, 2023 - Land Use Bylaw Amendment- Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 - Public Hearing

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

Executive Summary:

Council gave First Reading of Bylaw 1141, 2023 on February 14, 2023.

The proposed Bylaw 1141,2023 involves the re-designation of 2.86 acres of land known as a portion of SW 9-8-5-W5M, from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 for the purpose of allowing the applicant to apply for a discretionary use development permit for a small campground.

Bylaw 1100, 2021 and Bylaw 1104, 2021, both requesting the same redesignation for the same land, were defeated on November 30, 2021 at first reading, and on March 01, 2022 at second reading, respectively. The landowner has been in consultation with the development office regarding the appropriate process for re-application.

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

Discussion:

The applicant has provided reasons for the proposed redesignation (attached).

The NUCR-1 district requires a minimum lot size of 3 acres. While the municipal records show the

parcel size as 2.86 acres, the land title certificate identifies the parcel as containing 3.25 acre (1.31 ha).

Section 5, Schedule 4 of the Land Use Bylaw provides that the Development Authority may approve development on a lot that does not conform to the minimum parcel dimensions and area.

The range of land uses available in the Non-Urban Area NUA-1 Land Use district is restrictive and, as a "holding district" or "future development district", the intent is to maintain parcels of larger sizes to provide maximum flexibility for use and development if or when the land is used for urban development. This particular parcel, for unknown historical reasons, exists as a smaller parcel. Redistricting the parcel to NUCR-1 would be consistent with other campgrounds in the community.

The ground is low lying with a stream running through the property. Test holes identified the ground to be rich with topsoil to a deeper depth than typical for the area. As a result, construction of a single family dwelling may require extensive ground work for a solid foundation. The landowner therefore considers a campground to be a better current use of the land.

The property is surrounded by Crown land with the closest residential district "Grouped Country Residential GCR-1" 1.22km to the east (see attached land use sketch). The intended development of the subject parcel is for a small campground of 8-10 sites outside of the urban areas of the community. The campground would provide the necessary private water and private sewage disposal system as required through the Alberta Safety Codes.

The old Alberta Visitor Centre is in close proximity to this parcel and is currently operated by Livingstone Range School Division for place based learning and outdoor education including the Faces Program which involves student camping.

The recent Land Use Bylaw Omnibus 2 received third reading February 07, 2023 under Bylaw 1134, 2022. Schedule 4 Section 35 'Campground and Recreational Vehicles Park Standards' were an addition to the Land Use Bylaw providing guidelines for campground development. If the redesignation was approved, the Development Authority would consider these standards in its review of a development permit application.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1141, 2023 - CNP LUB 868-2013 prtn of SW 9-8-5-W5M \(February 2023\) notice.docx](#)

[FORMATTED Bylaw 1141, 2023 - CNP LUB 868-2013 prtn of SW 9-8-5-W5M \(February 2023\) - J.docx](#)
[Bylaw 1141, 2023-Schedule A Sketch.pdf](#)

[Applicant's Reasons for Redesignation.PDF](#)

[Surrounding Land Use.pdf](#)

Map 1.pdf

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

PROPOSED BYLAW NO. 1141, 2023

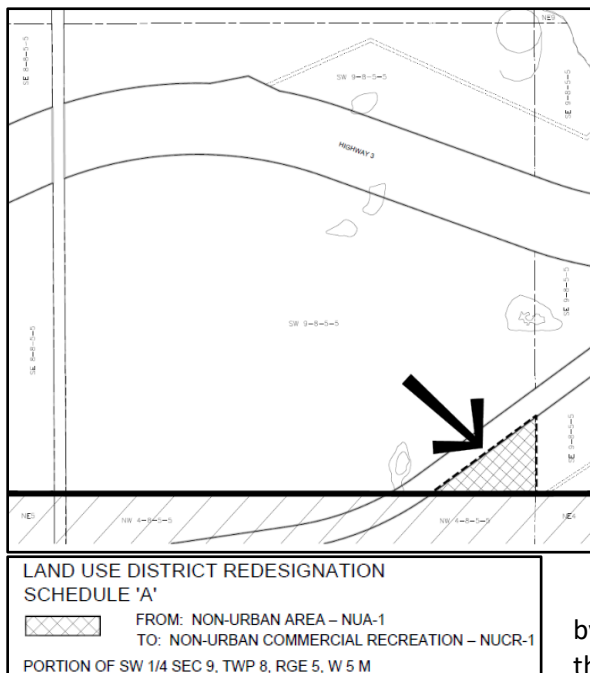
7:00pm, March 28, 2023

Municipality of Crowsnest Pass Council Chambers

8502 – 19 Avenue, Coleman

PURSUANT to sections 216.4, 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. 1141, 2023, being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.

The purpose of Bylaw No. 1141, 2023 is to redesignate the lands legally described as a portion of the SW¼ 9-8-5-W5M, containing ±1.16 ha (2.86 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Non-Urban Commercial Recreation – NUCR-1." The subject land is located in the Crowsnest area (no civic address), south of Highway 3.



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 Commercial Recreation – NUCR-1" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1141, 2023 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on March 28, 2023. 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 12:00pm on March 21, 2023.

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 15th day of February 2023.

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1141, 2023

LAND USE BYLAW AMENDMENT – Redesignate a portion of SW¼ 9-8-5-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 a portion of the SW¼ 9-8-5-W5M, containing ±1.16 ha (2.86 acres) from “Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”, as shown on Schedule ‘A’ attached hereto and forming part of the bylaw.

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 Commercial Recreation – NUCR-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 redesignate the lands legally described as a portion SW¼ 9-8-5-W5M, containing ±1.16 ha (2.86 acres) from “Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”, as shown on Schedule ‘A’ attached hereto and forming part of the 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.

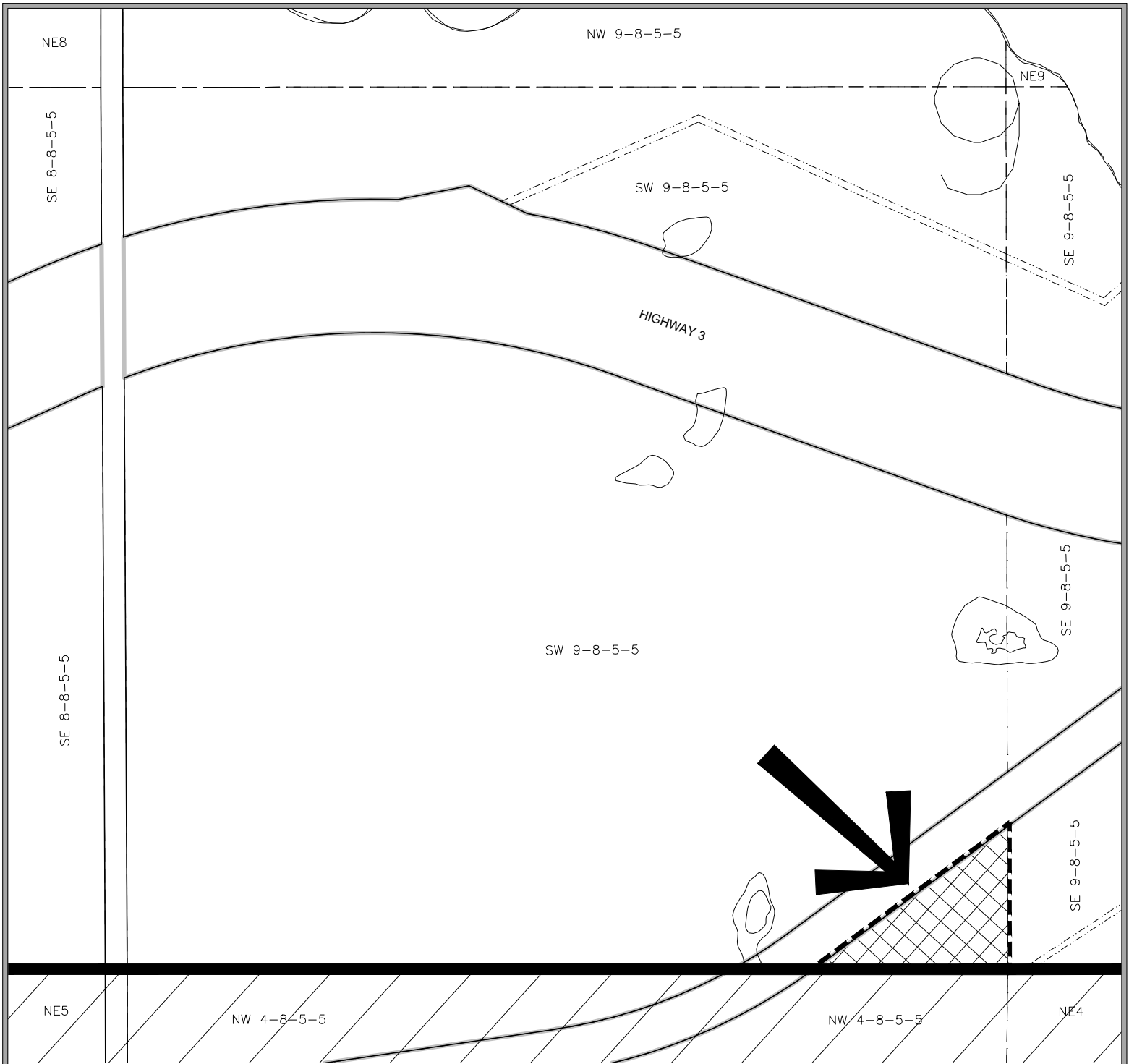
READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: NON-URBAN AREA – NUA-1

TO: NON-URBAN COMMERCIAL RECREATION – NUCR-1

PORTION OF SW 1/4 SEC 9, TWP 8, RGE 5, W 5 M

MUNICIPALITY: CROWSNEST PASS

DATE: JANUARY 30, 2023

Bylaw #: 1141, 2023

Date: _____



January 30, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Portion SW 9-8-5-W5M - Bylaw 1141, 2023.dwg



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"

Schedule “A”

Application:

Redesignate PT SW 9-8-5-W5th of Roadway Plan 4226BM (“the Parcel”) from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1

Reasons:

The Applicant’s objective is consistent with the purpose of Part 17 “Planning Development” of the *Municipal Government Act*, RSA 2000, Chapter M-26 , that is to have the Municipality’s Land Use Bylaw amended to facilitate an application to use the Parcel as a campground to be primarily used and enjoyed by a limited number of family members and personal friends. It is not the Applicant’s intention to profit from the use of the campground. The Applicant is aware that the development of a campground will increase the assessed value of the Parcel and increase the property tax bill.

The range of land uses available in the Non-Urban Area NUA-1 Land Use district is restrictive and, as a “holding district” or “future development district”, the intent is to maintain parcels of larger sizes to provide maximum flexibility for use and development if or when the land is used for urban development. The Parcel, for unknown historical reasons, exists as a smaller parcel.

Redistricting the Parcel to NUCR-1 would be consistent with other campgrounds in the community.

The ground is low lying with a stream running through the property. Test holes identified the ground to be rich with topsoil to a deeper depth. As a result, construction of a single-family dwelling may require extensive groundwork for a solid foundation. The Applicant therefore considers a campground to be a better current use of the Parcel.

Redesignating the Parcel as requested in this application is consistent with Part 17 of the MGA and in particular, s. 617 of the *Municipal Government Act* which reads as follows:

The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

- (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
- (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

There is no obvious alternate, better use for the Parcel; there is no building site.

The use of the Parcel for a Campground is in no way incompatible with any surrounding use.

The use of the Parcel as a Campground will be low-impact and will pose little risk of the municipality having to deal with enforcement issues.

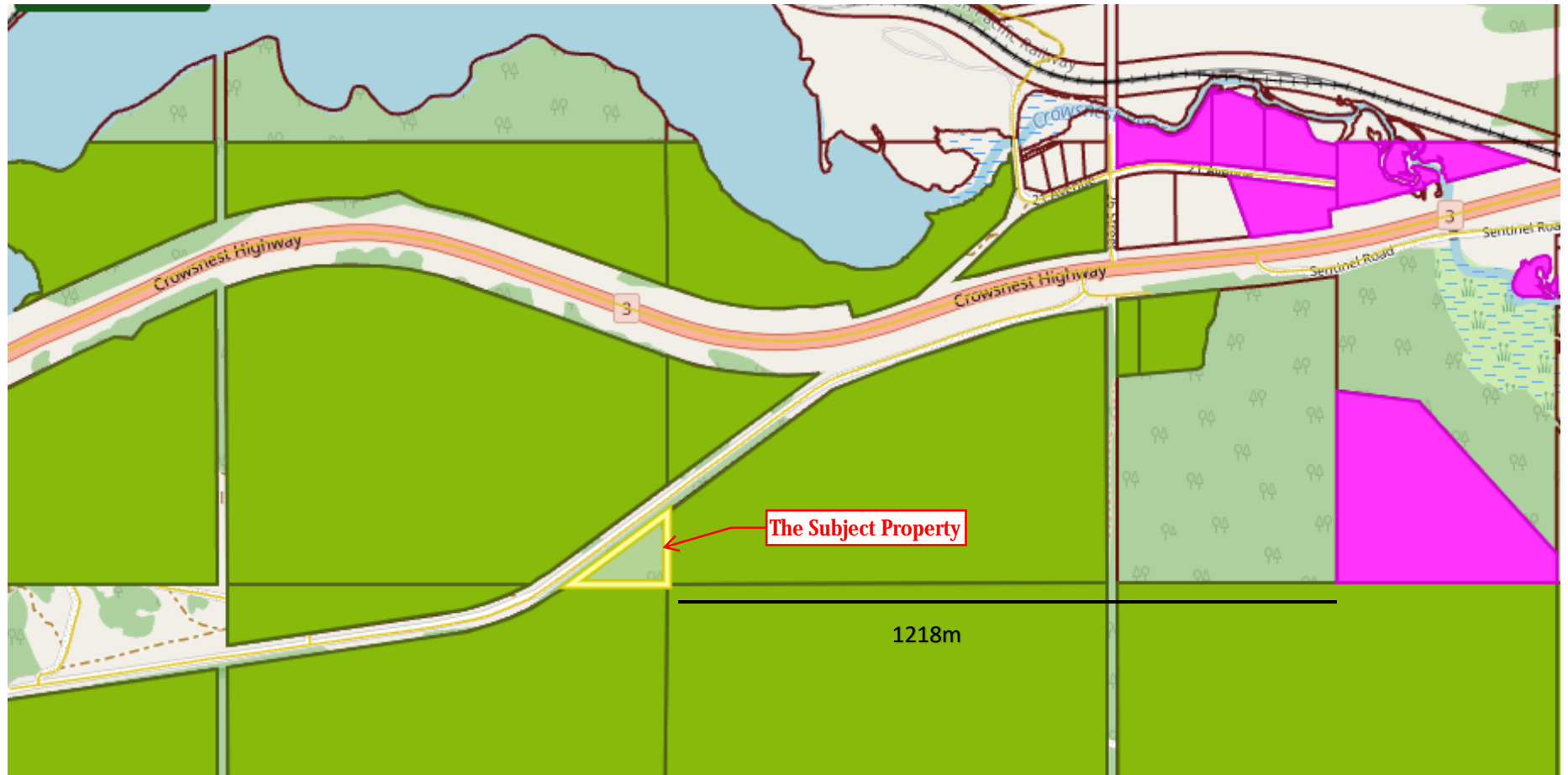
This area is identified in the Crowsnest Corridor IRP as a multi-use zone (zone 5). Serviced camping is a compatible activity based on the Municipality's Integrated Resource Plan.

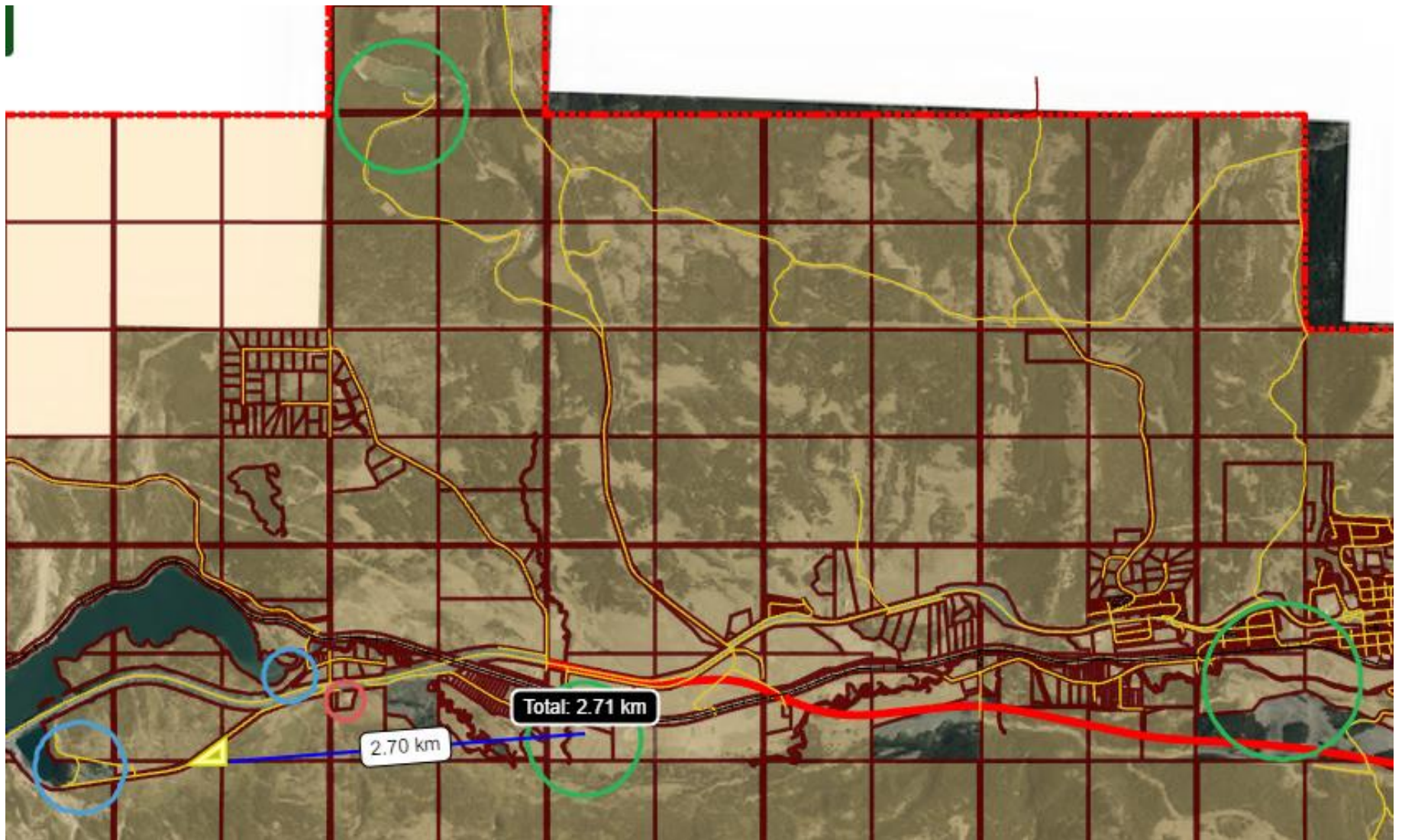
There will be an outhouse with a holding tank to avoid affecting any waterways. Food and garbage will be stored in bear-proof facilities.

To reduce the risk of wildfires, the area has been "FireSmarted" and there will only be one communal firepit. Fire suppression equipment will be on hand.

Complying with s. 617 requires Council to consider the merits of this particular application. There are no valid planning reasons for denying the application.

The Applicant understands that if the LUB allows a campground as a discretionary use, there may be conditions and requirements beyond what is set out above before a Development Permit is issued.







Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 5.b

Subject: Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - Public Hearing

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

Executive Summary:

Council gave first reading of Bylaw 1146, 2023 on February 28, 2023.

The proposed bylaw involves the redesignation of Lot 29 (portion of Roll Number 2015600) and Lots 30-32 (Roll Number 2015700), Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1, for the purpose of bringing the existing properties into compliance.

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:

The zoning irregularity was discovered through a compliance certificate request for Lots 30-32. Subsequently, the incorrect zoning of Lot 29 (a portion of Roll Number 2015600) was also discovered. The proposed bylaw involves the redesignation of Lot 29 (portion of Roll Number 2015600) and Lots 30-32 (Roll Number 2015700), Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1, for the purpose of bringing the existing developed properties into compliance.

The existing single family dwellings were built in 1996 (Roll Number 2015600) and 2006 (Roll Number 2015700) respectively. The properties were issued development permits for a "Single Family Dwelling" in error. At the time of issuing the development permits, the properties were in the Multi-family Residential R-3 Land Use district and "Single Family Dwelling" was prohibited in that district. "Single Family Dwelling" is also not listed as a use in the R-3 district in the current Land Use Bylaw. In order to bring the existing developments into compliance, a land use amendment is required to re-designate

the lands to Residential R-1, where "Single Family Dwelling "is listed as a use.

The landowner of Roll Number 2015700 requested the compliance certificate and was made aware that it cannot be issued until the zoning irregularity has been resolved. The landowner of Roll Number 2015600 (Lot 29) was informed of the zoning irregularity for a portion of their property, and that the Municipality will correct it through the proposed bylaw amendment.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[Bylaw 1146, 2023 - FORMATTED public notice.docx](#)

[Bylaw 1146, 2023 - FORMATTED.docx](#)

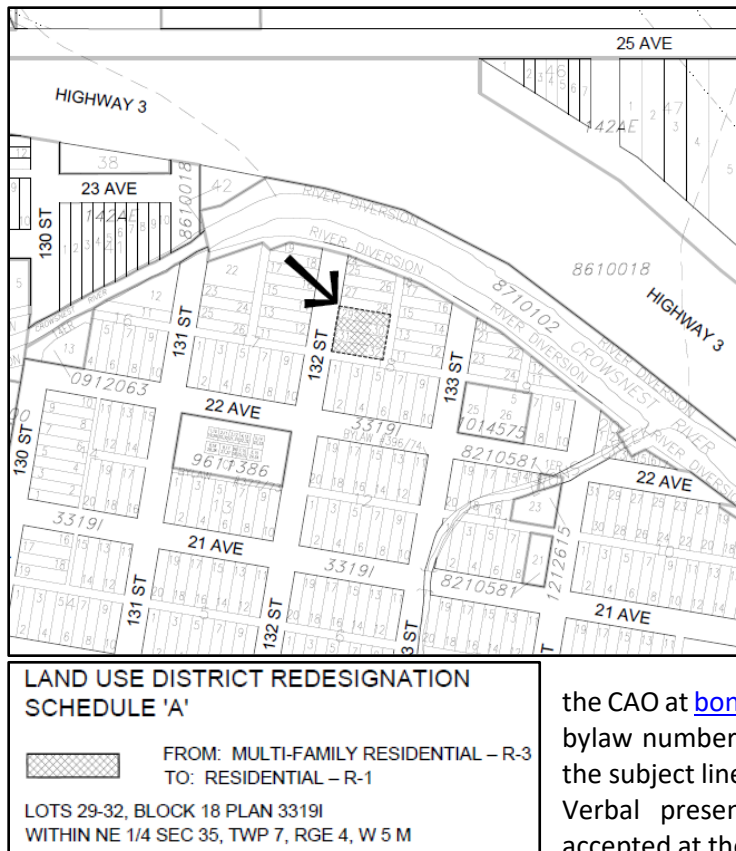
[Bylaw 1146, 2023 Schedule A.pdf](#)

NOTICE OF PUBLIC HEARING
MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1146, 2023

7:00pm, March 28, 2023
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 216.4, 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. 1146, 2023, being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.

The purpose of Bylaw No. 1146, 2023 is to redesignate the lands legally described as a portion of Lots 29-32, Block 18, Plan 3319I, within NE¼ 35-7-4-W5M, containing ±0.107 ha (0.263 acres), as shown on Schedule 'A', from "Multi-Family Residential – R-3" to "Residential – R-1". The subject lands are locally known as 2225 and 2237 132nd Street and are located in Blairmore.



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 "Residential – R-1" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1146, 2023 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on March 28, 2023. 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 12:00pm on March 21, 2023. 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 1st day of March, 2023.

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1146, 2023

LAND USE BYLAW AMENDMENT – Redesignate Lots 29-32, Block 18, Plan 3319I

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 Lots 29-32, Block 18, Plan 3319I, within NE¼ 35-7-4-W5M, containing ±0.107 ha (0.263 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw, from "Multi-Family Residential – R-3" to "Residential – R-1."

AND WHEREAS the purpose of the proposed amendment is to correct a districting irregularity and provide for the opportunity to use and develop the lands in accordance with the provisions of the "Residential – R-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 redesignate the lands legally described as Lots 29-32, Block 18, Plan 3319I, within NE¼ 35-7-4-W5M, containing ±0.107 ha (0.263 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw, from "Multi-Family Residential – R-3" to "Residential – R-1."
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.

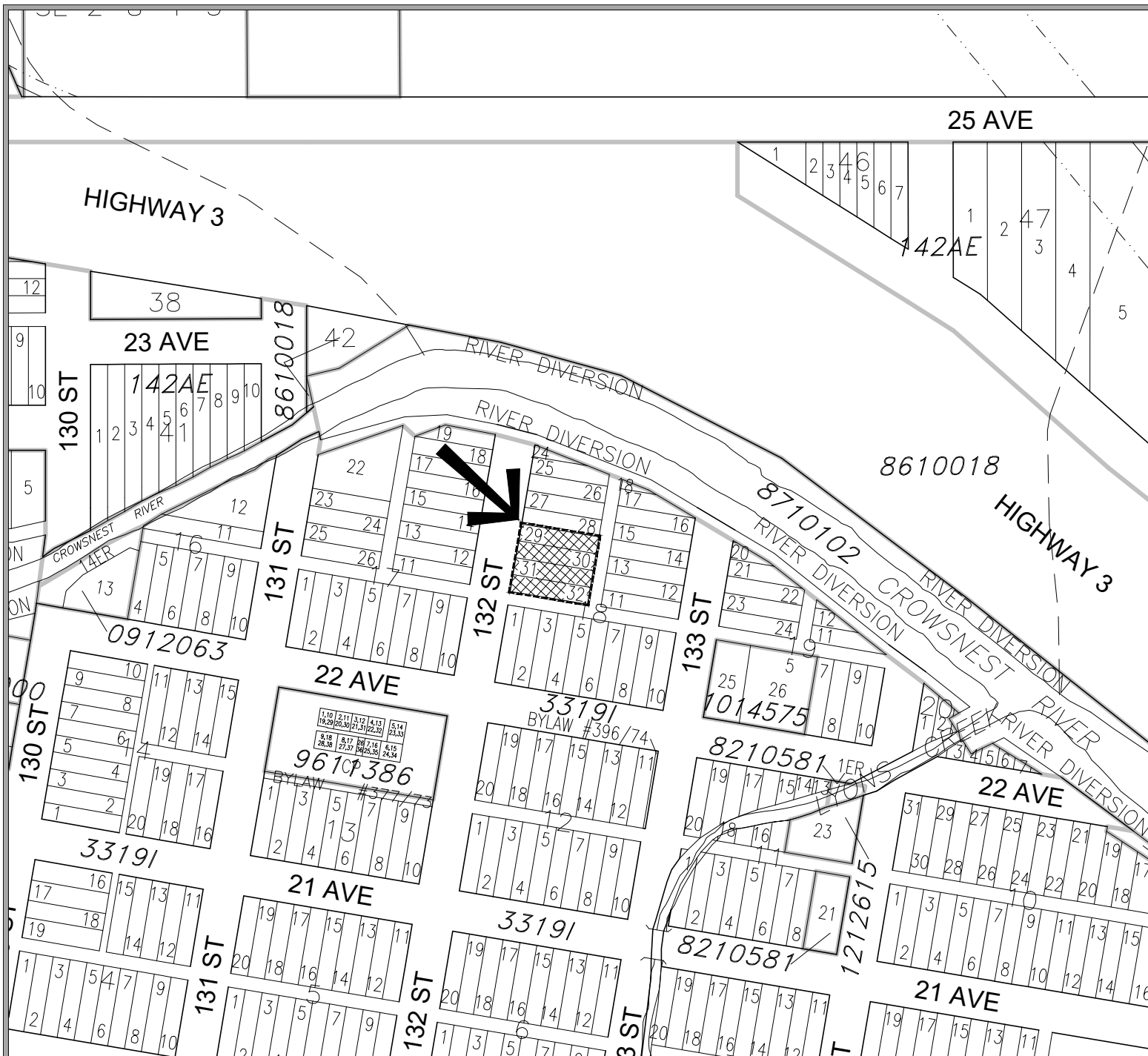
READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: MULTI-FAMILY RESIDENTIAL – R-3
TO: RESIDENTIAL – R-1

LOTS 29-32, BLOCK 18 PLAN 33191
WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS (BLAIRMORE)
DATE: FEBRUARY 22, 2023

Bylaw #: 1146, 2023
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: March 28, 2023

Agenda #: 6.a

Subject: Elkford ATV Club - Inter Community Ethically Responsible ORV Tourism - Tom Kramer

Recommendation: That Council accept the presentation from the Elkford ATV Club on Inter Community Ethically Responsible ORV Tourism and agree to providing a letter of support in principle for the tourism project.

Executive Summary:

A request was received from the Elkford ATV Club to present to Council on Ethically Responsible ORV Tourism.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Elkford ATV Club has been working on an initiative to bring Ethically Responsible ORV Tourism through a multi-use trail network stretching from the Crowsnest Pass into BC through to Canal Flats. The trail system will transcend Provincial Boundaries and bring economic benefits to the entire region.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[C to C Presentation 1.pdf](#)

[Letter of Support - Elkford Snowmobile Association.pdf](#)

Letter of Support -Elkford Council.pdf
Letter of Support -EVADRS.pdf
Letter of Support-Elkford Chamber.pdf
Letter of Support-Sparwood Chamber.pdf
Letter of Support-Radium Chamber.pdf
Letter of Support -Canal Flats.pdf
Letter of Support-RCMP.pdf
Letter of Support-MLA Shypitka.docx
Letter of Support-MLA Roger Reid.pdf

Coleman to Canal Flats

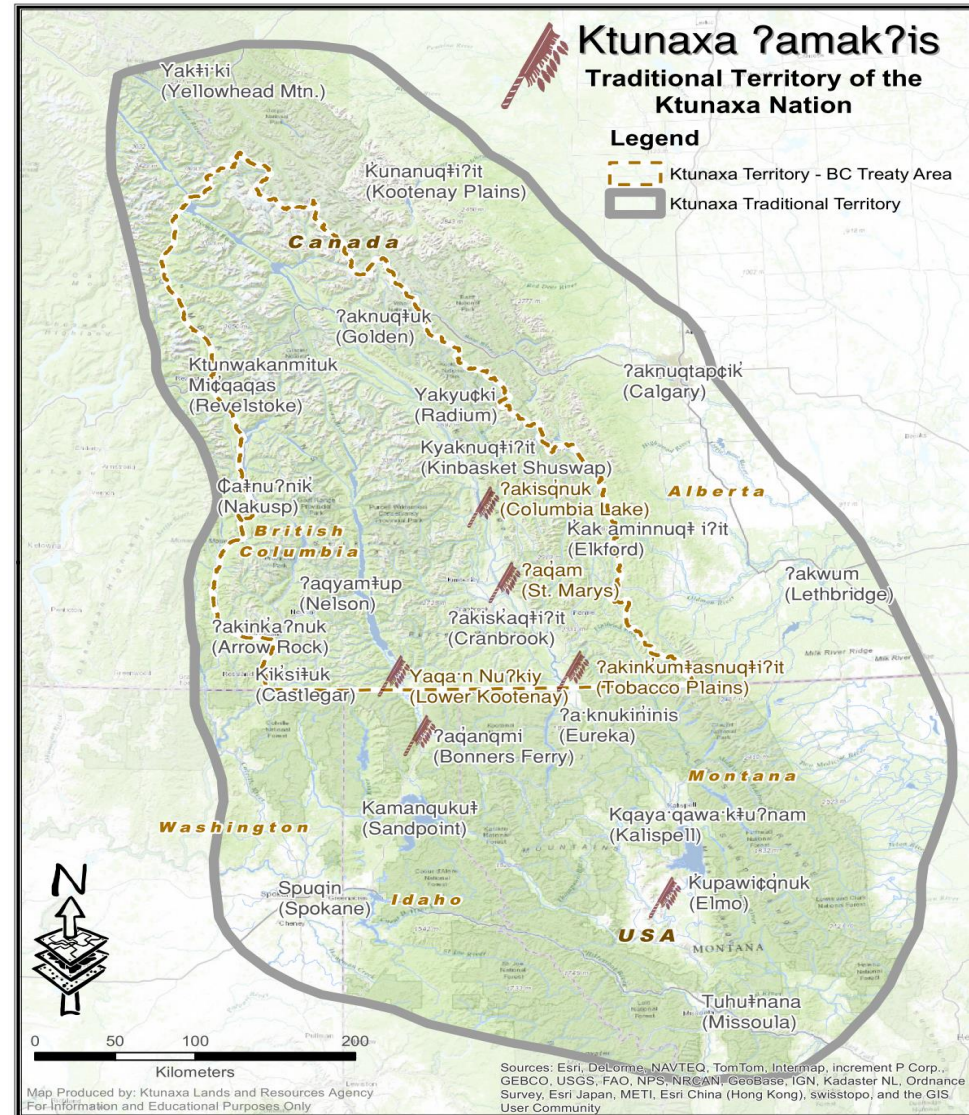
Inter Community Ethically Responsible ORV Tourism



Proposal

- An interconnected trail system linking Municipalities with access to amenities on designated routes within the Communities.
- Access would be granted by the RCMP via an Operation Permit under Motor Vehicle Regulations Division 24
- Trails are mostly Forest Service Roads already in existence
- All trails would be Multiuse, inclusive for all types of Recreation

Recognition-Trails on Ktunaxa Traditional Lands



Vision-Recognition-Collaboration

- *kysuk kyikyut*-(welcome-greeting to visitors when entering Ktunaxa Traditional Territory)
- Kiosks would be constructed at Communities, Staging areas, and key strategic points along the trails using traditional Ktunaxa names
- Maps at kiosks would be created for designated trails showing traditional landmarks
- Displays at Kiosks would expose visitors to the Ktunaxa history, culture, language, and conservation values, creating awareness and understanding
- Linking Coleman emphasizes traditional lands transcend Provincial Boundaries

Indigenous Engagement

Ki'su'k kyukyit Tom,

I have been recently hired as the Ktunaxa Language Coordinator with the Ktunaxa Nation Council and am glad to have you reach out to us, as this is an important request. I have talked with my team and they have let me know that the Ktunaxa Nation Council was involved with a similar project called the Trans Canada Trails. We will take a look at the process and see what will be needed on our end to collaborate with your group, any further discussion will be done with the specialized team that works within the tourism department and follow up with a meeting with you via zoom or here at the Ktunaxa Nation Building. I look forward to meeting with you soon ☺

Hu sukitq̓ukni

Taxa,

Barbara Fisher,

Ktunaxa Language Coordinator

Email: barbara.fisher@ktunaxa.org

Work: 258-489-2464

Funding

- Elkford ATV Club has limited Resources
- Collaboration would open the door to grants to build trails and infrastructure (Kiosks, Staging areas, Maps, Signage)
- Example-Columbia Basin Trust Fund
- Yamaha Canada
- ATV B.C.
- Provincial ORV Trail Fund

Operation Permit



Operation Permit
(No fee)

No: 58259

Issued under provision of the Motor Vehicle Act Regulations, Division 24

Permission is hereby granted to Michael John Hazard COULTER
#1410270 BCDL

of 3884 Island Hwy Sth, Campbell River B.C.

in the Province of British Columbia to drive or operate in accordance with
Motor Vehicle Act, Commercial Transport Act, and regulations thereunder, the
following described vehicle, namely:

Make Grizzly Model 700

VIN No JY4AM09W27C000296

Vehicle operation restricted to the following limitations and conditions

To travel a short distance on shoulder of Dyer Rd
and to cross Highway 19 and Seymour Rd to ~~Seymour Valley~~ Resort

Issued July 5, 2016 Cpl Andy Phillips
Year Signature of Issuing Official

Expiry Date July 31, 2018 Detachment Commander
Year Official Position

[Signature]
Signature of Permittee

This permit to be carried when vehicle is operated on highways.
Owner

ATV15/MV1815 (092002)

Benefits

- Economic Diversification
- Ethically Responsible Tourism-(including those with mobility issues)
- Potential Investment Opportunities
- Side attractions/routes
- Indigenous recognition and awareness

B.C GDP-2019 in Billions of Dollars

• Tourism	\$8.7
• Mining	\$5.1
• Oil & Gas	\$4.9
• Agriculture & Fishing	\$3.3
• Forestry & Logging	\$1.6

Success Stories

- **The Hatfield McCoy Trail** in West Virginia –2000km --2006 impact \$13 million. 2014 impact \$22 million, has connecting trails to services in many “ATV Friendly Towns”
- **The Paiute Trail in Utah:** This trail system involves 16 communities and over 800km of trails. Riders can access fuel, food, accommodation, in all the communities along the loops. In 2012 they had 113,713 riders spent approx. \$14 million
- **The Haliburton trail** network: Ontario, approx. 1700km
- **In Quebec**, motorized trails are reported to have provide an estimated 915 million per year to the economy.
- **North Island 1000** (Vancouver Island)

Support

- Elkford Chamber of Commerce-Letter
- Sparwood Chamber of Commerce-Letter
- Radium Chamber of Commerce-Letter
- Canal Flats Chamber of Commerce (forthcoming)
- Tom Shypitka-Kootenay East MLA-Letter
- ATV BC
- Elkford Snowmobile Club-Letter
- Elk valley RCMP-Letter
- District of Elkford-Letter
- Village of Canal Flats
- Roger Reid-Livingston/McLeod MLA UCP Alberta

Kiosks



Key Components

- Recognition of Ktunaxa Traditional Lands
- Access
- Conservation
- Public Safety

Summary

- Unique ethically responsible adventure Tourism in Western Canada
- 1 other route- North Island 1000
- Processes and Legislation are already in place
- Consistent with Provincial Mandate and Guidelines
- Consistent with Principals of Reconciliation

Next Steps

- Elkford ATV Club in the process of continual Indigenous engagement
- Seeking support from Municipalities in the East Kootenays
- Seeking support from the Regional Districts
- Seeking support from the Government of B.C.
- Seeking support from the Government of Alberta

January 5, 2022

SENT VIA EMAIL

Tom Kramer, Vice President
Elkford ATV Club
PO Box 699
Elkford, BC
VOB 1H0

email: atv@elkfordtrails.com, jjkramer@telusplanet.net

RE: Support for Proposed Multi-Use Trail Network

Dear Tom,

As President of the Elkford Snowmobile Association I'm pleased to provide you with this letter of support for the initiative proposed by the Elkford ATV club for several communities in the East Kootenays (and Crowsnest Pass) being linked by a multi-use trail network (hiking, cycling, biking ATV, UTV, Equestrian, snowmobile) in which the users can access services (hotels, fuel, groceries, restaurants, car washes) with permits to ride their ATV/UTV/snowmobile or board their horses in the towns on designated routes.

Our club members were pleased to hear your thoughts on this idea, including how this type of network has been set up in other areas of the province. We agree that Elkford would benefit from this type of economic diversification and support efforts to improve tourism.

Certainly, there are many hurdles to be met to move this initiative forward and the Elkford Snowmobile Association is fully behind this initial stage of discussions, evaluation, and collaboration.

Stay safe out there,



Dave Baines
President
Elkford Snowmobile Association





Wild at heart.

District of Elkford

P.O. Box 340 Elkford, B.C. V0B 1H0

P. 250.865.4000 • F. 250.865.4001 • info@elkford.ca • www.elkford.ca

December 13, 2022

To Whom it May Concern:

Re: Support in Principle for the Elkford ATV Club's Proposed ORV Initiative

Please accept this letter of support in principle for the Elkford ATV Club for its proposed Coleman to Canal Flats Inter-community Ethically Responsible ORV Tourism Initiative.

The District of Elkford supports this initiative as it aligns with the District's efforts to enhance and improve recreational opportunities, economic development, and tourism in our community, and we are which will further enhance the social, recreational, tourism and economic connections that are vital to the success of each community.

We are pleased at the efforts and work of the ATV Club to date and commend their work with key stakeholders, including municipalities, First Nations and the RCMP. We look forward to seeing the Club continue taking steps toward this project, and welcome further communications with the Club as a key stakeholder of the initiative.

Sincerely,

Steve Fairbairn
Mayor





Fernie, December 14th, 2022

Elk Valley Adventure and Dirt Riders Society

13 Parkland DR, Fernie BC V0B 1M5

Tom Kramer, President,

Elkford ATV Club

Please accept this letter of support from the Elk Valley Adventure and Dirt Riders Society (EVADRS.ca) to the Elkford ATV Club for their Coleman to Canal Flats Trail Network Project.

Such a project that capitalizes on existing FSR roads to attract recreationists will have a positive social and economic impact on the communities it will serve. Moreover, the educational portion of the project (signage, kiosks, etc.) is a great opportunity for visitors to learn about the Ktunaxa Nation, local history, attractions, and trail etiquette: It is our experience that information and education breed respect, compliance, and reduces the need for enforcement. This is the way to successful, ethically responsible ORV Tourism.

Who we are...

EVADRS is a BC non-profit society that was registered in 2019. We currently have a partnership agreement with Recreation Sites and Trails BC (RSTBC) for the custodianship of the Dorr/Grasmere Motorized Trail Network, in Koocanusa. EVADRS also has an Adventure section that promotes FSR motorcycling in the East Kootenay bringing low impact backcountry tourism to local communities. EVADRS is a member of Tourism Fernie, the BC Offroad Motorcycle Association and a pending member of the Outdoor Recreation Council of BC.

Best Regards,

Stephan Roy, President

Elk Valley Adventure and Dirt Riders Society

www.EVADRS.ca





November 18 2021,

Re: Elkford ATV Club

To whom it may concern,

On behalf of the Elkford Chamber of Commerce Board of Directors, I am writing to express our support for the Elkford ATV Club's proposed project that will help to increase the social and economic trends in the rural communities of Elkford, Sparwood, Crowsnest Pass and other rural municipalities that this project will be in direct correlation with to build ORV tourism and awareness to our communities. The Elkford ATV Club recognizes aligning with provincial strategies and legislation to bring ORV tourism within these rural communities that will help to build the economic diversification around tourism to our area. Should the Elkford ATV Club become successful with working with other ORV and NORVM organizations within all municipalities to work together on this project, we will see many community benefits such as a trickle-down effect for growth in hospitality, shopping other recreation and bars/restaurants for each of these key communities.

With the Elkford ATV Club working towards supporting the Province of BC's ORV Management Framework, they will be able to improve the connection between communities through the use of ORV's which is in line with improving road and highway crossings in stages safely and effectively. Offering renowned network of trails that are safe for users at all levels and opening the possibilities of tours, play and stay packages and more that will boost the economic development and infrastructure for each community and help keep the connections of our area strong.

We believe that the Elkford ATV Club's project will support ORV riders, businesses, economic development for tourism and is consistent with the Province of BC's ORV Management Framework, mission and interest, and hope that you will find it in your interest to support this request. If I can provide additional information to encourage consideration of our request, please feel free to contact me at elkfordchamber@gmail.com or by phoning 250.425.5725.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawna Bryant", is written over a light blue horizontal line.

Shawna Bryant
Board of Director
Elkford Chamber of Commerce
elkfordchamber@gmail.com
250.425.5725
www.elkfordchamber.ca



Sparwood & District
Chamber of Commerce
Business and Visitor Information Centre



November 18, 2021

RE: Elkford ATV Club

To whom it may concern,

On behalf of The Sparwood Chamber of Commerce Board of Directors, I am please to write this to express our support for the Elkford ATV Club's proposed project that will benefit all communities. We believe this project will create some remarkable changes in Elkford, Sparwood, Crowsnest Pass and surrounding communities. This proposed project will help increase tourism, and economic development as it gives each community the chance for tours, and play and stay packages and with that, it comes with more economic development for surrounding businesses.

We were pleased to hear about the Elkford ATV Club proposed project, as we believe this will create a strong connection between each community and help boost tourism within each community. As the Elkford ATV club has been very active in the community of Elkford by maintaining, establishing, and making trails safe and accessible for everyone, there is no question that the trails will be kept at the upmost maintained and safe all year long for every visitor to enjoy.

If I can provide anymore additional information, please feel free to contact me at manager@sparwoodchamber.bc.ca or 250-425-2423

Sincerely,

Beverly MacNaughton
Sparwood Chamber of Commerce
manager@sparwoodchamber.bc.ca
www.sparwoodchamber.bc.ca

tourism radium

November 20, 2021

Re: Support for Elkford ATV Club's proposed ORV trails

On behalf of Tourism Radium, I would like to express our support for the Elkford ATV Club's vision of connecting a multi-use trail system throughout the East Kootenays.

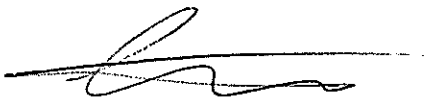
The Columbia Valley has many opportunities for outdoor recreation. Many of these recreation activities are not connected however and require users to drive between trails or day-use sites. This makes it difficult for users to connect to the various communities using only trail systems, especially with ORV. By utilizing existing trail networks, Forest Service Roads, and creating new connections, this can help to link many other communities with the Columbia Valley, and beyond.

We believe that an increase in multi-use trail infrastructure would help us to welcome even more visitors than ever before, which directly affects our organisations mandate of promoting responsible growth in the tourism sector. By officially connecting trail systems throughout the East Kootenays, it brings an opportunity for more ORV users to enjoy this beautiful area responsibly and like never before. This increase in visitation will also have added benefits for many other businesses in our region including retail, food & beverage, and lodging.

For the above reasons, Tourism Radium is pleased to support the Elkford ATV Club and their vision of connecting communities in the southeast portion of BC via multi-use trail systems, including for ORV.

Please feel free to contact me should you require any further information.

Sincerely,



Matthew Laitinen
Visitor Services Coordinator
Tourism Radium

Tourism Radium & Radium Hot Springs Chamber of Commerce
7556 Main St. East / PO Box 225
Radium Hot Springs BC V0A 1M0
(250) 347-9331
RadiumHotSprings.com



Box 159, 8866 Grainger Rd., Canal Flats, B.C. V0B 1B0
Phone: 250-349-5462 Fax: 250-349-5460
village@canalflats.ca

January 31, 2023

Elkford ATV Club

Via email: Tom Kramer <jjkramer@telusplanet.net>

To whom it may concern,

Council for the Village of Canal Flats is fully supportive of ORV Tourism and properly managed ATV destination tourism. Infrastructure and responsible trail networks that respect cultural and environmental values are key to back country access.

Therefore, at the Regular Council Meeting of December 12, 2022, Council for the Village of Canal Flats adopted the following resolution:

2022-9925 Moved by Councillor Kobza seconded by Councillor Reed

THAT Staff be directed to prepare a letter of support for the Elkford ATV Club's proposed ORV multi-use trail system.

CARRIED.

If you have any questions or concerns, please contact our office.

Yours truly,

A handwritten signature in blue ink, appearing to be "Richard Wayken", with a long horizontal stroke extending to the right.

Richard Wayken
CAO, Village of Canal Flats

DATE: September 22nd 2022

CLASSIFICATION : Non-sensitive

Tom Kramer, Vice President
Elkford ATV Club
Elkford BC
VOB 1H0



S/Sgt. Svend Nielsen
Detachment Commander
Elk Valley RCMP Detachment
6078 Douglas Fir Road
Box 1450
Sparwood BC V0B 2G0

RE: Support Letter for Multi-Use Trail Network

Mr. Kramer,

As Detachment Commander for the Elk Valley Regional RCMP Detachment, I am pleased to provide this letter of support for the initiative proposed by the Elkford ATV Club for several communities in the East Kootenays and Crowsnest Pass to create a trail network to support local tourism. The trail would be linked by a multi-use trail network (for hiking, cycling, biking, ATV, UTV, Equestrian and snowmobiles) in which the users can access services (hotels, fuel, groceries, restaurants and car washes) by permit granted by the local RCMP agency to ride their motorized or horses in the communities on the designated routes.

The Elk Valley RCMP would be supportive of completing passes/permits for entry into the various communities within our zone if the local governments support the project. We agree that the Elk Valley would benefit from this type of economic and tourism diversification.

Any other questions can be referred to the undersigned for RCMP support of this project.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Svend Nielsen'.

S/Sgt. Svend Nielsen
Detachment Commander
Elk Valley Regional RCMP Detachment
(250) 425-6233



Tom Shypitka, MLA
Kootenay East

Dear To Whom it May Concern,

I am writing to express support for the Elkford ATV Club's proposed project. Which will help to increase the social and economic trends in the rural communities of Elkford, Sparwood, Crowsnest Pass and other rural municipalities. This project will be in direct correlation with to build ORV tourism and awareness to our communities. The Elkford ATV Club recognizes aligning with provincial strategies and legislation to bring ORV tourism within these rural communities that will help to build the economic diversification around tourism to our area. Should the Elkford ATV Club become successful with working with other ORV and NORVM organizations within all municipalities to work together on this project, we will see many community benefits such as a trickle-down effect for growth in hospitality, shopping other recreation and bars/restaurants for each of these key communities'

With the Elkford ATV Club working towards supporting the Province of BC's ORV Management Framework, they will be able to improve the connection between communities through the use of ORV's which is in line with improving road and highway crossings in stages safely and effectively' Offering renowned network of trails that are safe for users at all levels and opening the possibilities of tours, play and stay packages and more that will boost the economic development and infrastructure for each community and help keep the connections of our area strong.

I believe that the Elkford ATV Club's project will support ORV riders, businesses, economic development for tourism and is consistent with the Province of BCs ORV Management Framework, mission and interest, and hope that you will find it in your interest to support this request.

Sincerely,

Tom Shypitka, MLA
Kootenay East



LEGISLATIVE ASSEMBLY
ALBERTA

Roger Reid, MLA
Livingstone-Macleod

February 6, 2023

To Whom It May Concern,

RE: Letter of Support in Principle for a Project linking Coleman, Alberta to Canal Flats

As MLA for Livingstone Macleod, I am happy to write this letter of support for the Elkford ATV Club.

This project has the potential for investment and economic diversification supporting ethically responsible adventure Tourism in Western Canada. The Elkford ATV Club is continually working on engaging the Ktunaxa Nation Council creating further awareness consistent with the principals of Recognition. The Elkford ATV Club vision to include ethically responsible tourism while providing individuals with mobility issues to access areas that are not readily available to many.

Thank you for reading my letter and for taking serious consideration for this application.

Kind Regards,

Roger Reid, MLA
Livingstone-Macleod

Constituency Office: 618 Centre Street SE, High River AB T1V 1E9
Telephone: (825) 212-2000

Satellite Office: P.O. Box 3353, Bay 12 Ranchland Mall, 1300 Hewetson Ave., Pincher Creek, AB T0K 1W0
Telephone: (403) 904-8110

Livingstone.macleod@assembly.ab.ca



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 6.b

Subject: Dave Baines, NWP Coal - Update on the Regulatory Process for the NWP Crown Mountain Coking Coal Project

Recommendation: That Council accept the Update on the Regulatory Process for the NWP Crown Mountain Coking Coal Project as information.

Executive Summary:

A delegation request form was received from Dave Baines of NWP Coal to provide an Update on the Regulatory Process for the NWP Crown Mountain Coking Coal Project.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

Dave Baines of NWP Coal has provided updates on the Crown Mountain Coking Coal project as new information has come available with the project status.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[20230328 Crown Mountain - Project Update - CNP SM.pdf](#)



A New Era Of Steelmaking Coal!

Crown Mountain Coking Coal Project Winter 2023 Update

March 28, 2023
Crowsnest Pass

Agenda



NWP Coal
Canada Ltd

01

Project Overview

04

Indigenous Update

02

Project Development Plan

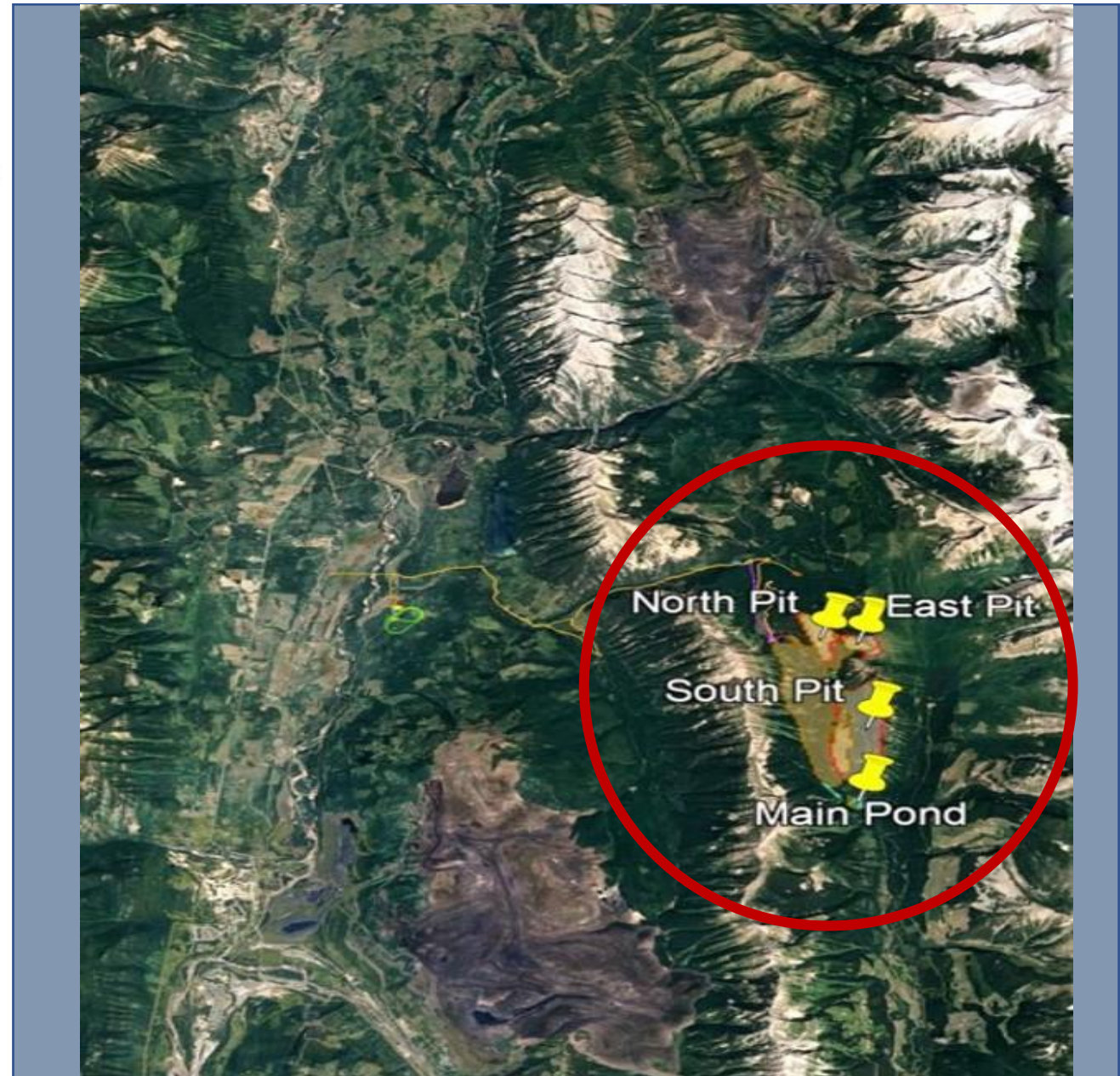
03

Regulatory Update

Project Overview

Project Overview

- Crown Mountain Coking Coal Project
- Located near Sparwood between Elkview and Line Creek
- ~30 mMtcc deposit of high quality coking coal in the West Alexander Creek watershed
- 15 yrs of operations
- 2 mMtcc/yr

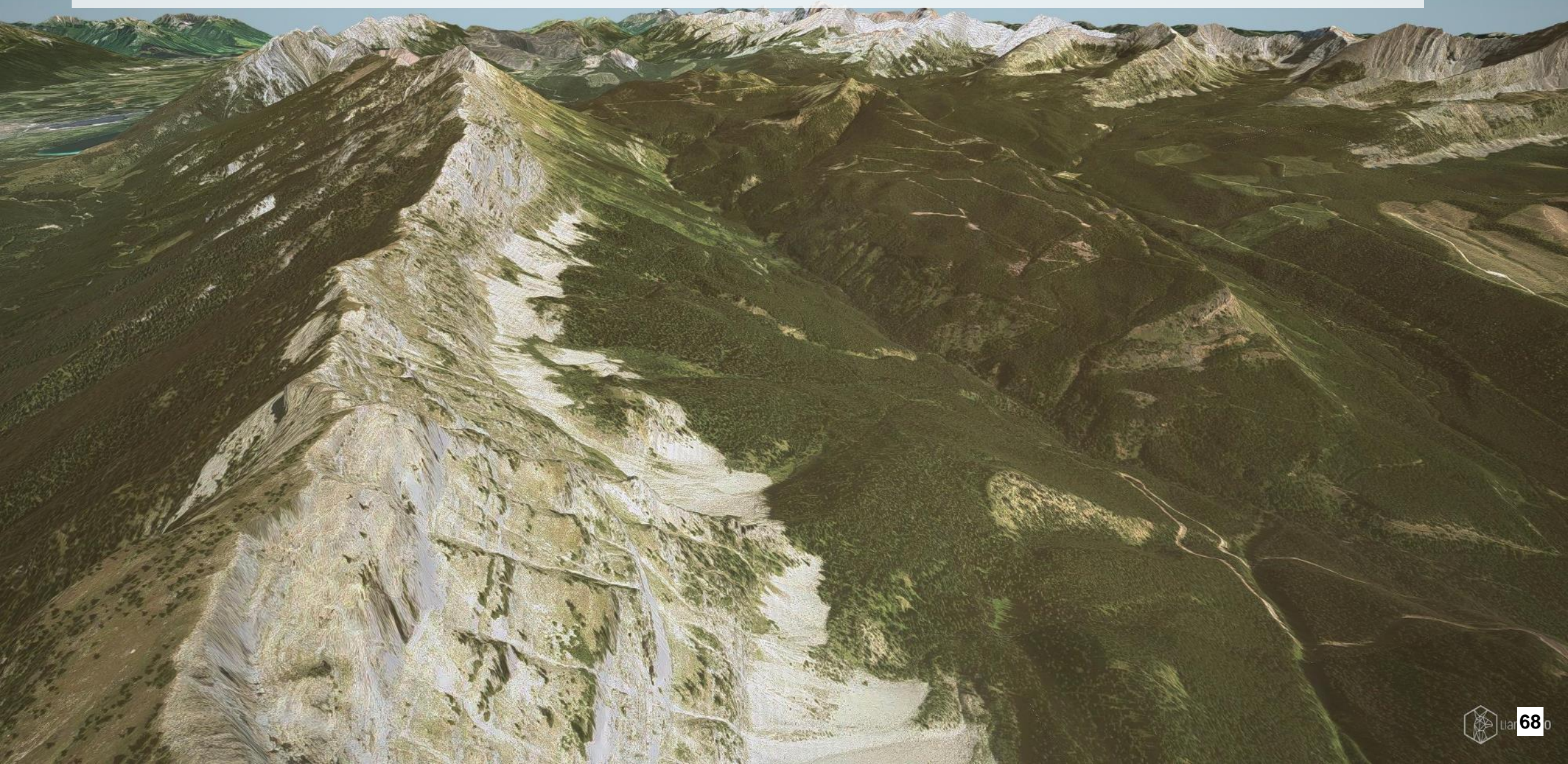


Project Development Plan

Before Disturbance – Looking South



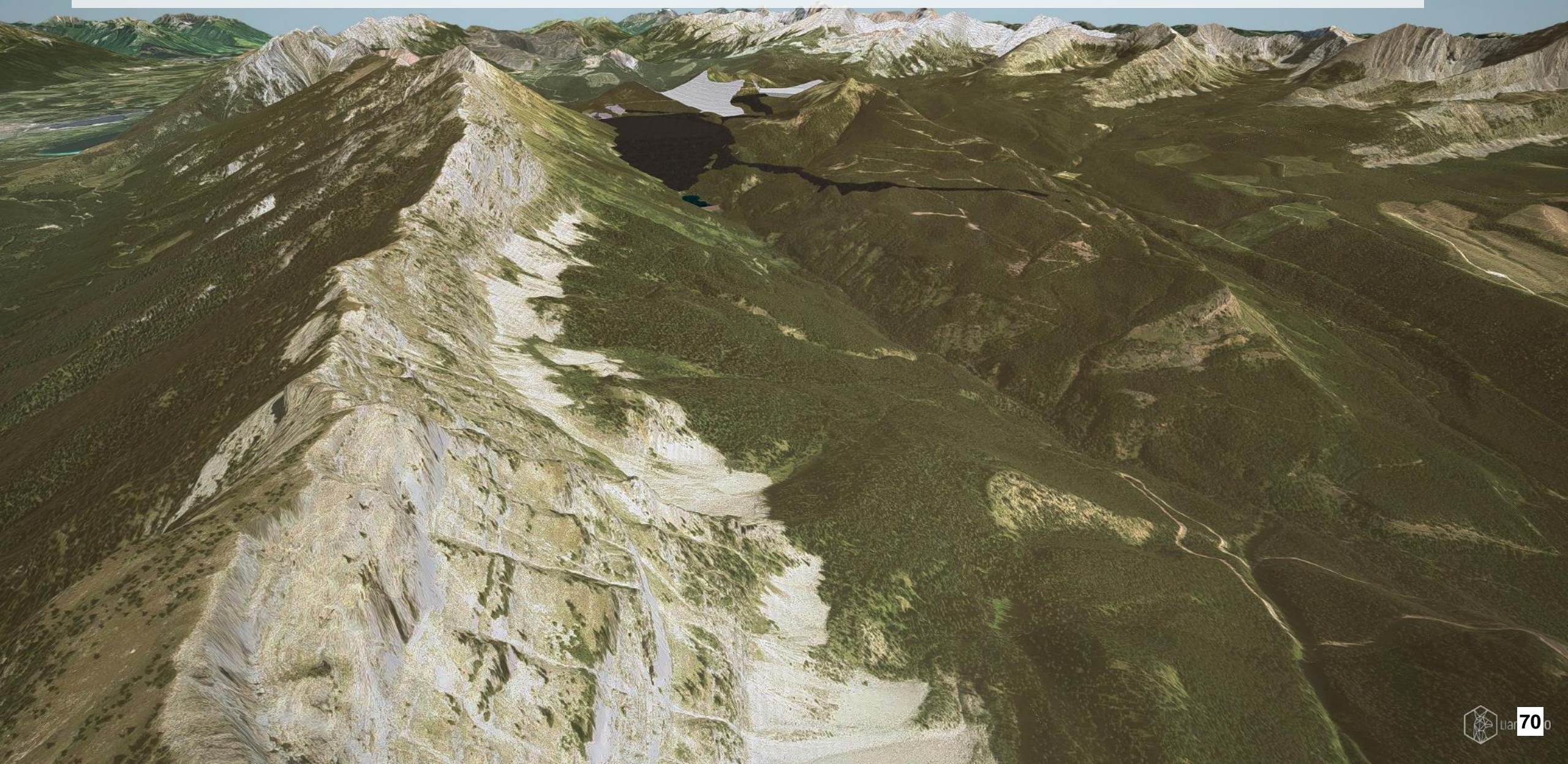
Before Disturbance – Looking North



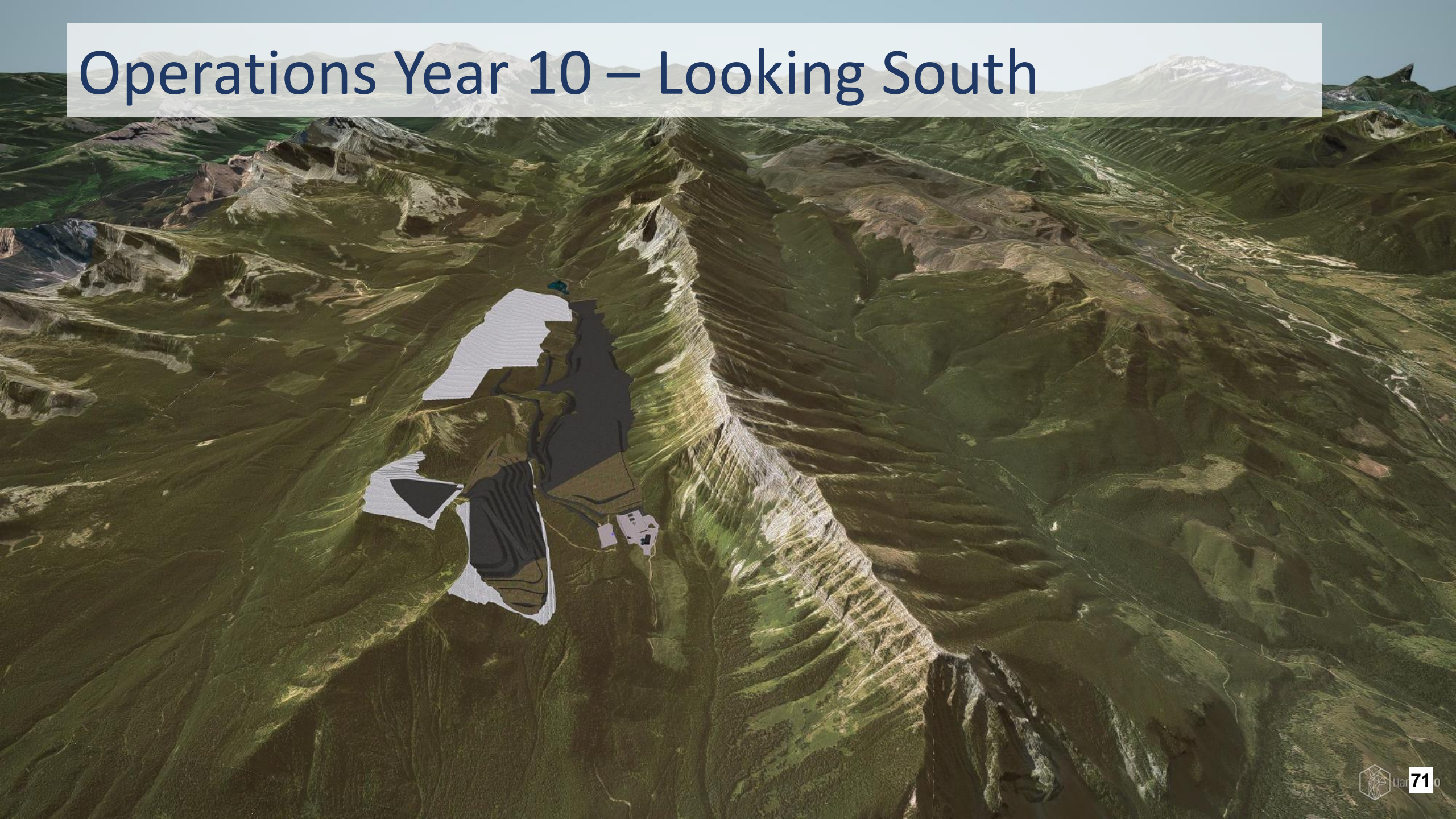
Operations Year 4 – Looking South



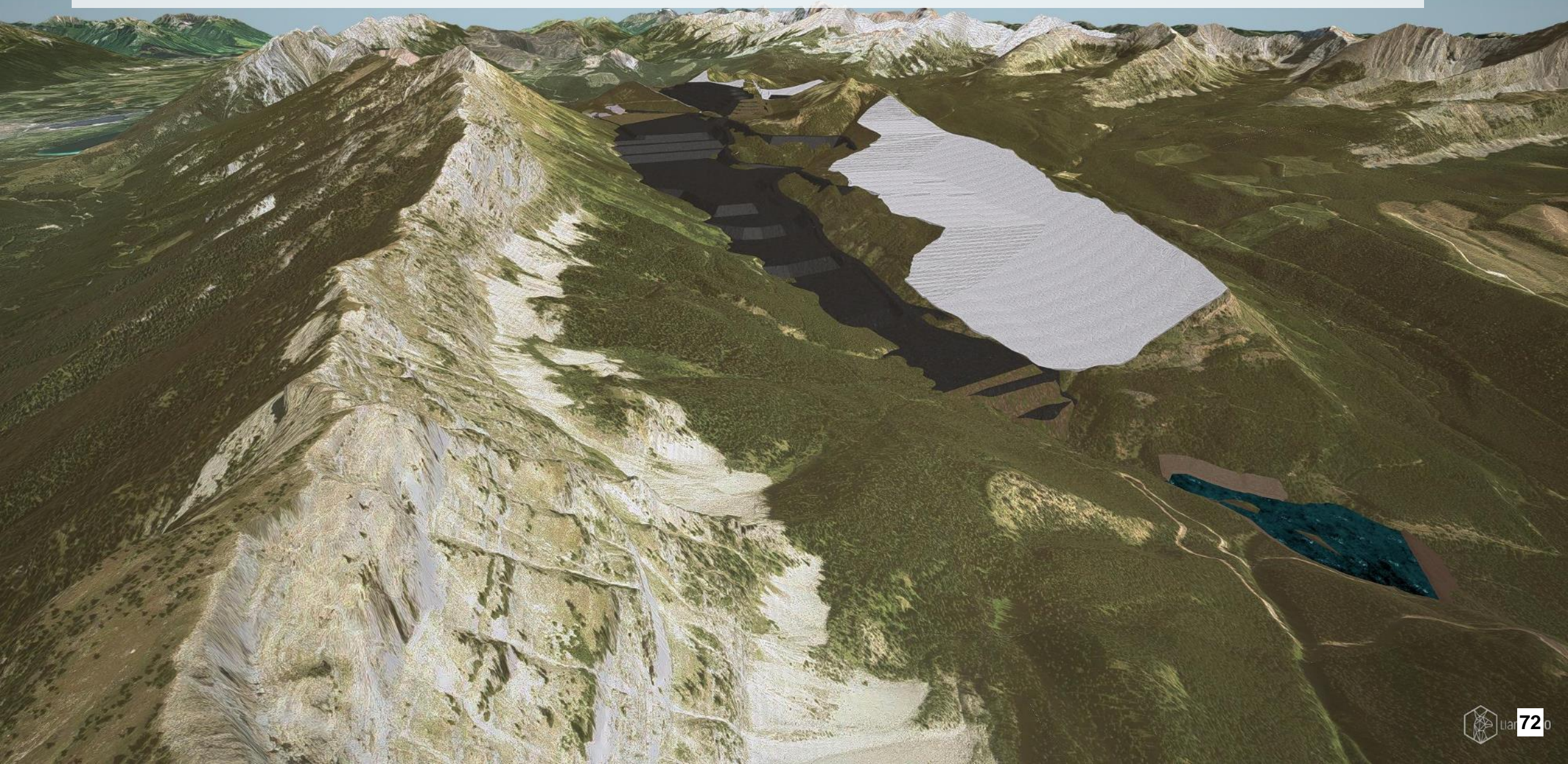
Operations Year 4 – Looking North



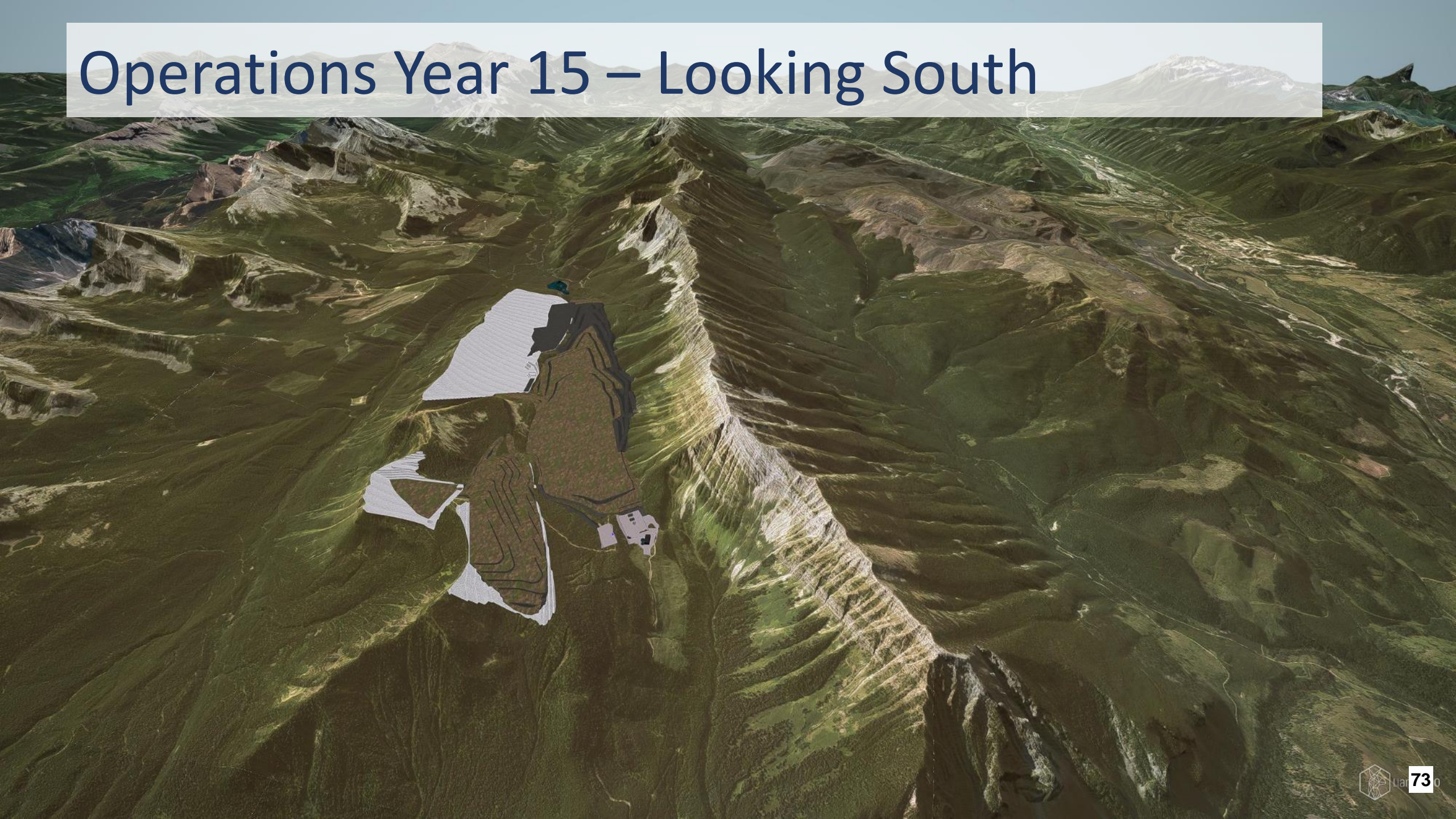
Operations Year 10 – Looking South



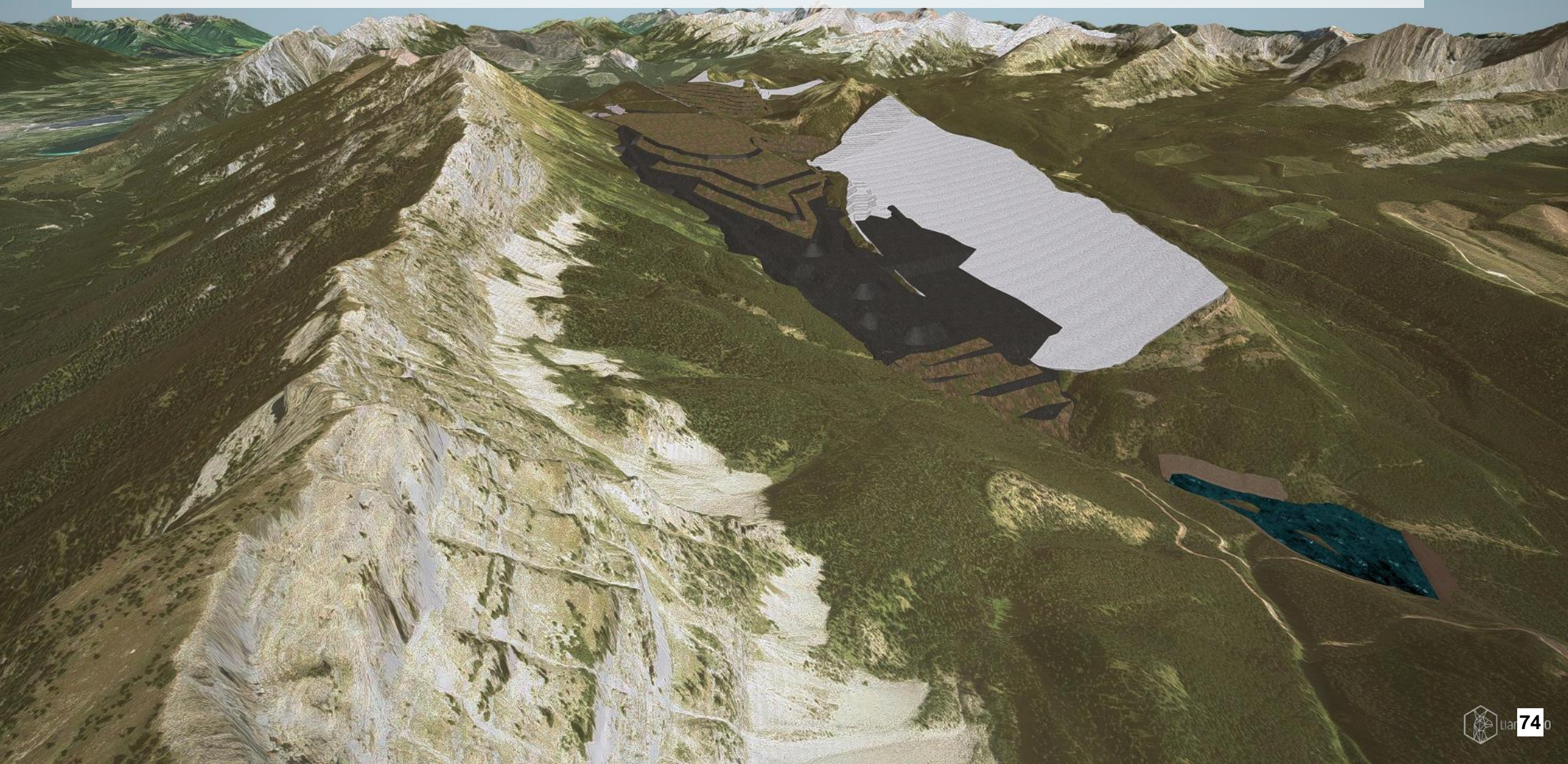
Operations Year 10 – Looking North



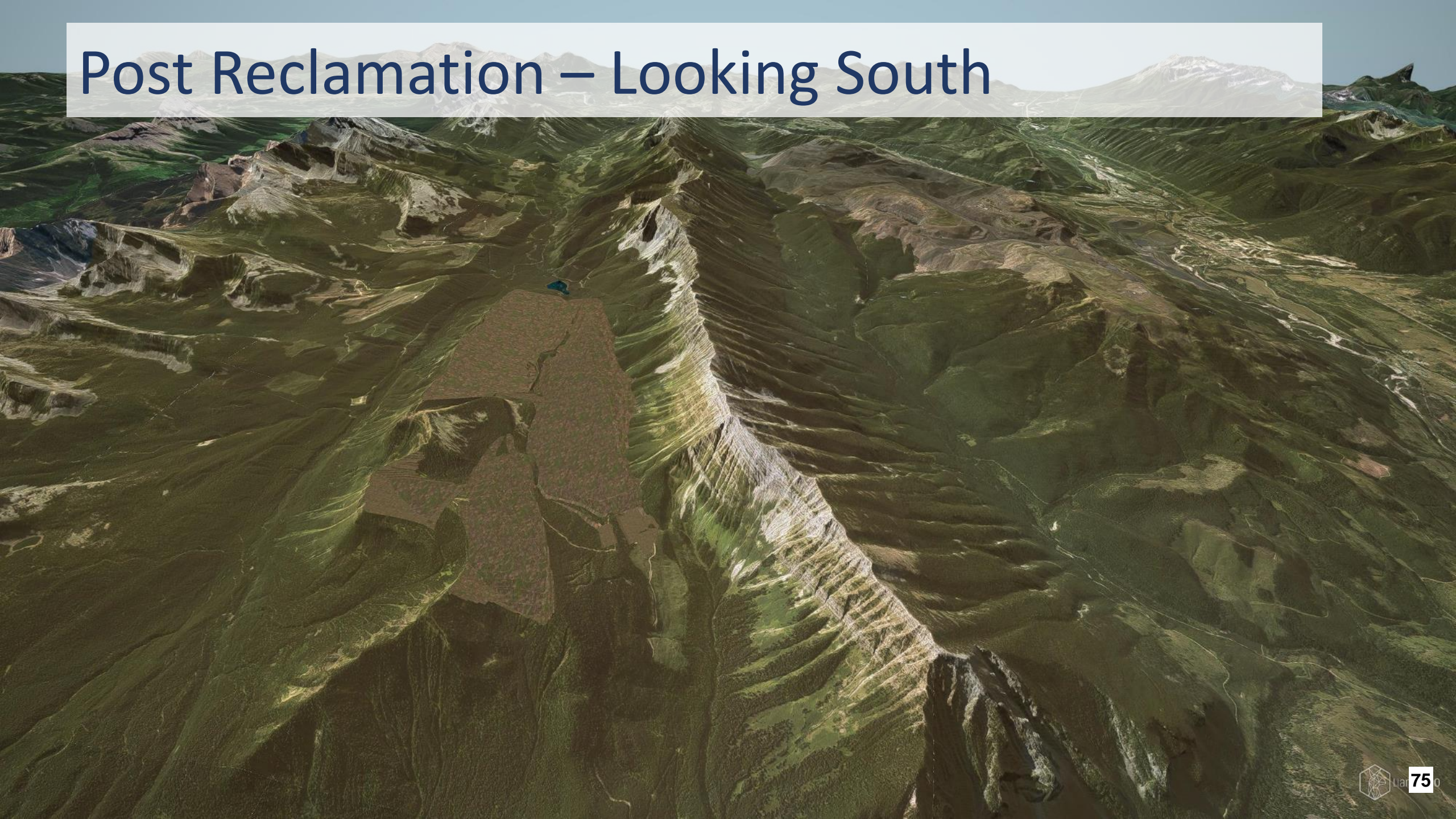
Operations Year 15 – Looking South



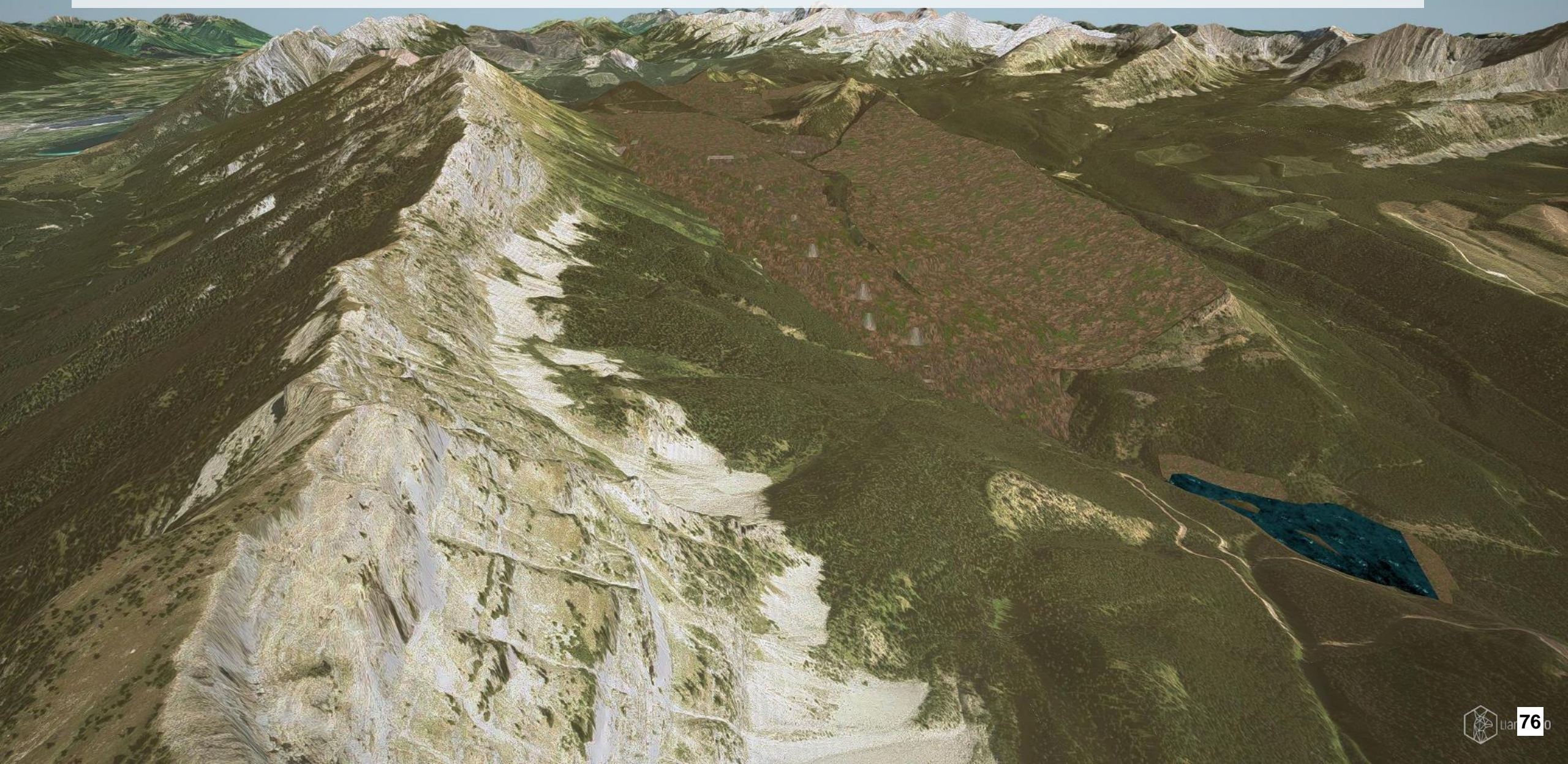
Operations Year 15 – Looking North



Post Reclamation – Looking South

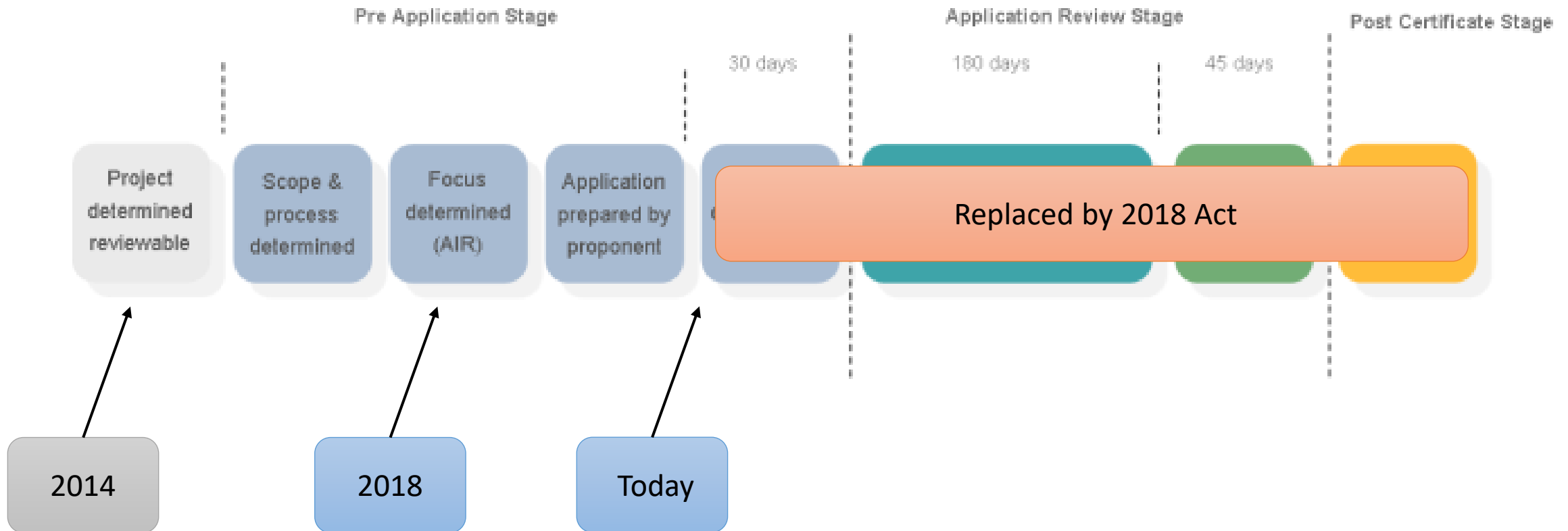


Post Reclamation – Looking North

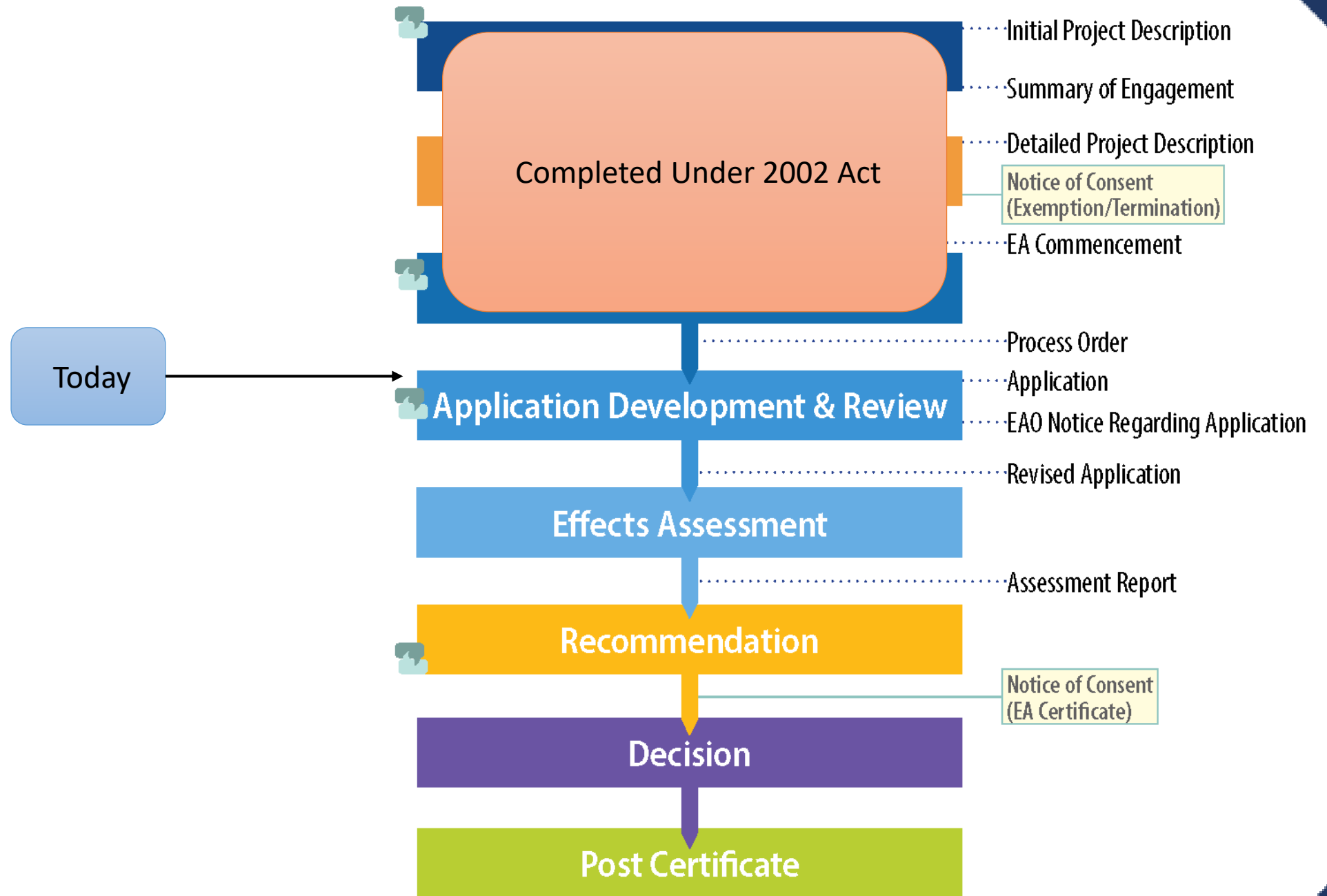


Regulatory Update

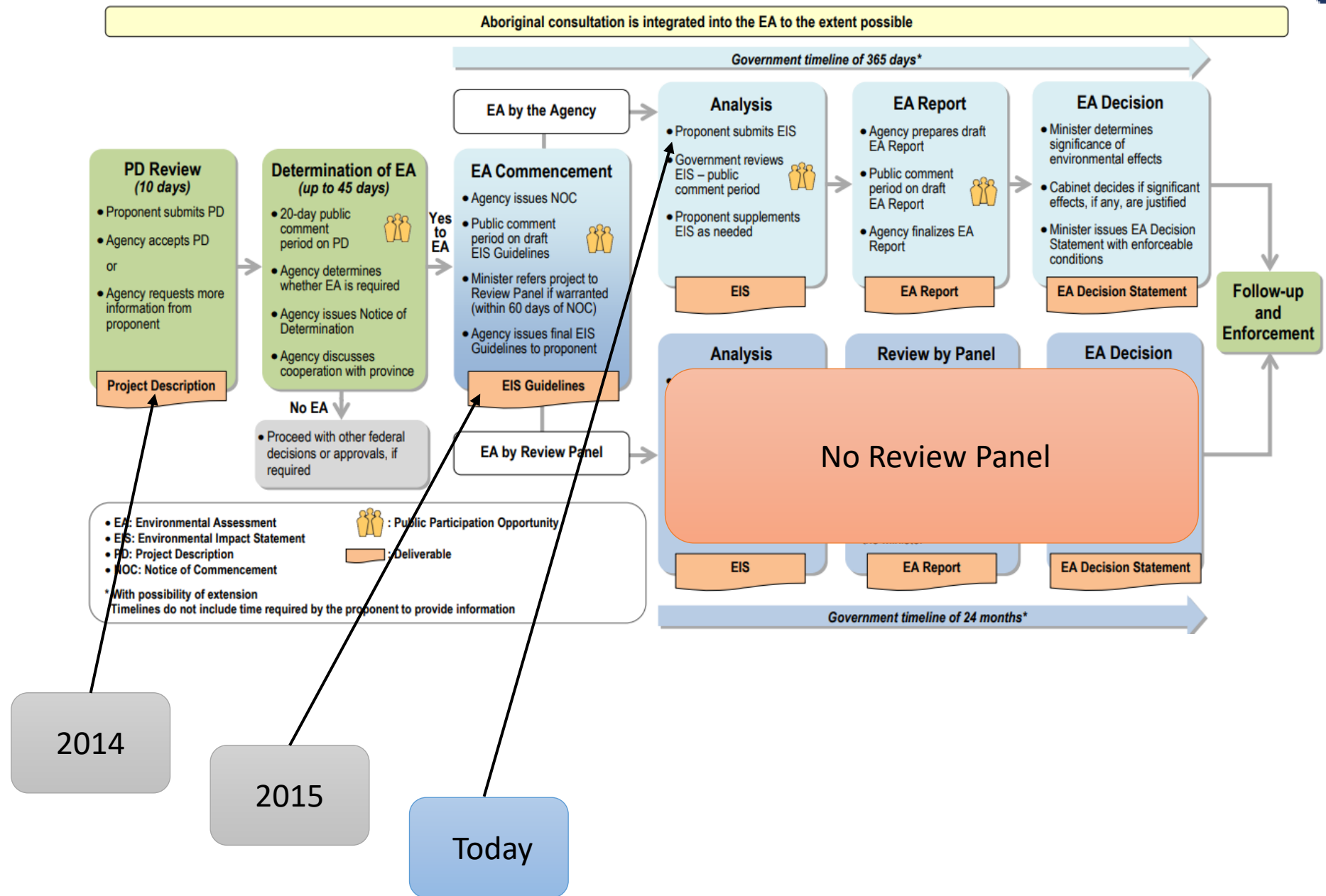
BC Environmental Assessment Process (2002)



BC Environmental Assessment Process (2018)



Federal Environmental Assessment Process (2012)

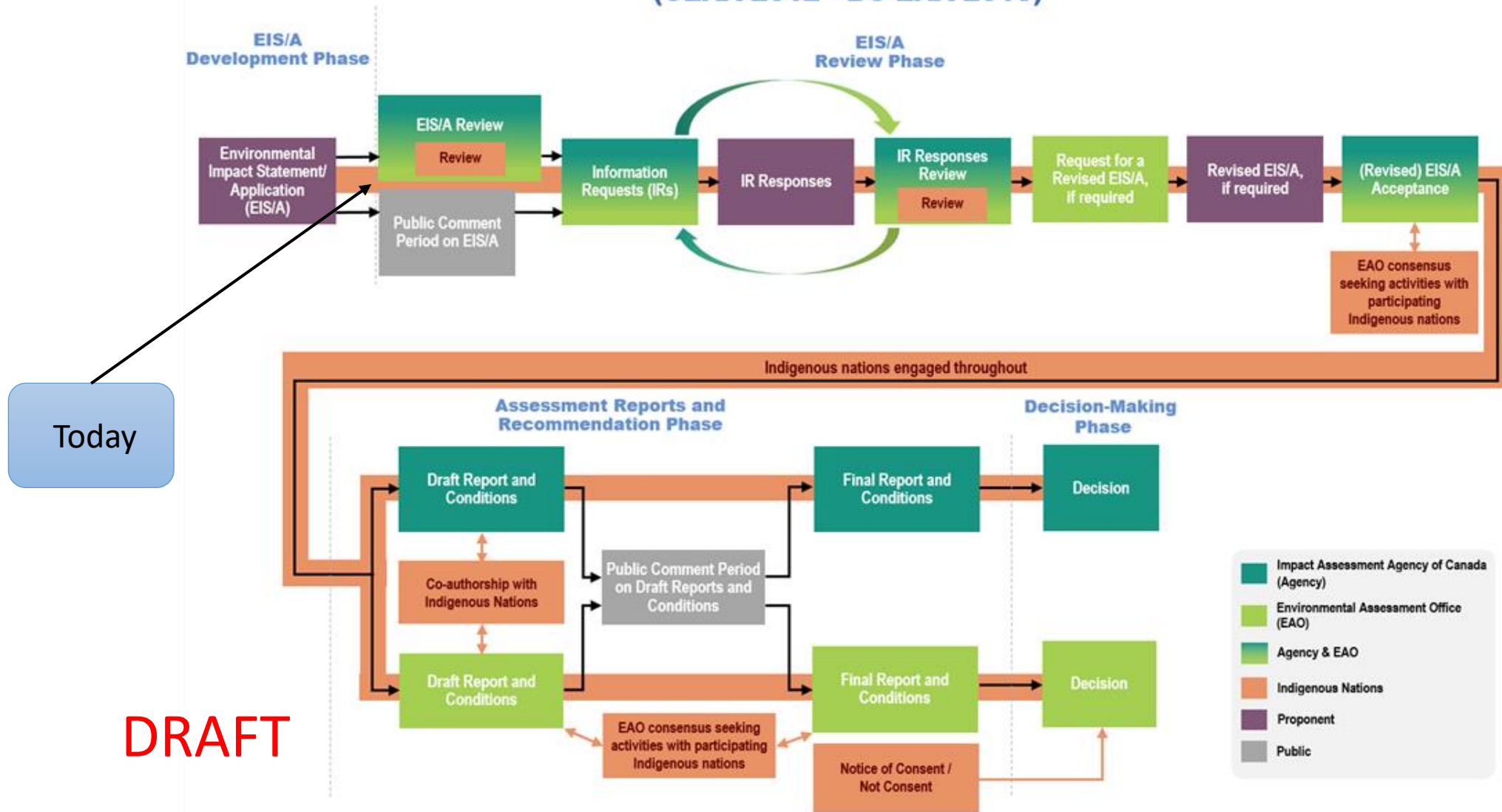


Crown Mountain Coking Coal Project

Coordinated Environmental Assessment Process Overview (CEAA 2012 - BC EAA 2018)

DRAFT

DRAFT



DRAFT

DRAFT

Indigenous Engagement Update

Engagement Summary

Nation	Meetings	Site Visit(s)
Yaq̓it ᑭa·knuq̓i'it (Tobacco Plains Indian Band or YQT)	Regular	
Ktunaxa Nation Council Society	Paused by KNCS in 2021	Yes
Shuswap Band	Ongoing scheduled meetings	
Métis Nation British Columbia	Several	Yes
Elk Valley Métis Nation	Ongoing scheduled meetings	Yes
Kainai (Blood Tribe)	Several	Yes
Piikani	Ongoing scheduled meetings	Yes
Siksika	Several	
Stoney Nakoda Nations	Several	Yes
Tsuut'ina	Several	Yes
Métis Nation of Alberta Region 3	Ongoing scheduled meetings	

NWP and YQT

- Crown Mountain Project is within qukin ʔamakʔis and NWP wants to honor YQT's governance
- NWP will treat YQT as a regulator
- Agreement signed January 16, 2023
- More to come...



o o o o

Questions



+1 (855) 922 3851



info@nwpcoal.com



www.nwpcoal.com



 **NWP Coal
Canada Ltd**



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.a

Subject: Bylaw 1116, 2022 - Land Use Bylaw Amendment re. Minimum Floor Area for Single-family Dwelling in R-1 and GCR-1 - First Reading

Recommendation: That Council gives first reading of Bylaw 1116, 2022.

Executive Summary:

This item follows from Council Motion 13-2020-06-09 - R-1 Minimum Building Size. The bylaw proposes a reasonable minimum Single-family Dwelling size comparable to the typical size in different areas of the Crowsnest Pass, and in other Southern Alberta communities (see attached comparison), in order to recognize provincial trends in urban residential parcel sizes and construction practices, and the importance of continuing to ensure that affordable or attainable housing options can be readily provided and accessed in the Crowsnest Pass.

Relevant Council Direction, Policy or Bylaws:

Motion 13-2020-06-09 - R-1 Minimum Building Size: "Councillor Filipuzzi moved to direct Administration to research a proposed amendment to establish a Minimum Floor Area in the R-1 Land Use District in the Land Use Bylaw".

Discussion:

The minimum building size in the GCR-1 district was added by Administration to supplement the Council Motion.

It was assumed that the intent of the Council Motion was directed at Single-family Dwellings only. It was not clear if the intent of the Council Motion was directed at the building footprint of the main floor including an attached garage, the building footprint of the main floor excluding an attached garage, or the total Gross Floor Area of the building including the basement, an attached garage, and the second storey (and additional storeys in some cases). Knowing what was intended could make a significant difference in how the Council Motion should be approached. Because not all Single-family Dwelling developments include an attached garage, although many do, in order to establish a consistently fair standard, an attached garage was excluded. It was also noted that the definition of

"Floor Area" in the land use bylaw excludes the basement and an attached garage, and therefore that the meaning of "floor area" in the various minimum floor area standards established in the current land use bylaw is intended to mean "building footprint of the main floor".

It should also be considered that current trends in residential development appear to keep on moving towards smaller urban parcels and, as a result, typically more compact building envelopes / footprints extending over two or even three-storeys. The typical "bungalow style" single family dwelling of previous eras has become rather uncommon, even for more expensive developments.

Please note that the current land use bylaw does establish a standard for building size in the R-1 district by stating that the minimum floor area shall be "As required by the Development Authority". This standard appears somewhat arbitrary and open to potentially unfair implementation. It is assumed that this flaw was the reason why Council adopted the Motion to investigate minimum building size.

It should also be recognized that due to the long history of development in the Crowsnest Pass the various parts of the community are not homogenous when it comes to single family dwelling sizes, or even housing styles generally. It is not uncommon to find a more recent single family dwelling adjacent to or across the street from a small mining cabin on one side and a single-wide modular home on the other side (or "manufactured home" or "mobile home" as they were called in the past). This existing mix of housing styles in the established parts of the community should be expected to continue for a long time as neighbourhood renewal through infill development and demolition / new construction typically takes place incrementally.

There are different approaches to establishing a minimum floor area / building footprint standard. The simplest approach would be to establish a specific floor area / building footprint number, e.g. 1,050 ft². However, 1,050 ft² building footprint (excluding upper floors and an attached garage) may appear to be a large building on a typically sized urban R-1 residential parcel, while that same building may comparatively appear to be a relatively small building if it was located on a rural acreage in the GCR-1 district. Even in the R-1 district urban parcels vary significantly in size, depending on when the parcel was subdivided. In the older parts of the community that were subdivided many decades ago, parcel sizes can be relatively large compared to lot sizes in other urban parts of the community that were subdivided in more recent eras, when the typical parcel size started to reduce over time. This trend in smaller urban parcel sizes appear to continue today. For this reason it was determined to use a percentage of the parcel size to establish the minimum floor area / building footprint standard, in combination with an absolute minimum number.

The bylaw proposes the following minimum building footprint for Single Family Dwelling:

In the R-1 District

- 74.32 m² (800 ft²), 18% of the parcel area, whichever is larger.

In the GCR-1 District:

- Parcel size 1.2 ha (± 3.0 ac) and smaller – minimum floor area of 168 m² (1,800 ft²)
- Parcel size larger than 1.2 ha up to 2.0 ha (± 5.0 ac) – 1.40% of the parcel area up to a minimum floor area of 280 m² (± 3,000 ft²)
- Parcel size larger than 2.0 ha (± 5.0 ac) – minimum floor area of 280 m² (± 3,000 ft²)

Analysis of Alternatives:

Establishing a minimum floor area or building footprint standard for single family development should be considered in the context of current supply challenges of affordable / attainable housing that are experienced nationwide, because if the minimum standard is set too high, it will affect housing affordability / attainability (all other variables excluded, a larger house is typically more expensive than a smaller house).

It should also be considered against the relevant policies in the Municipal Development Plan (which was adopted in January 2021, after the date of the Council Motion which was adopted on June 9, 2020). The Municipal Development Plan encourages increased density [which implies smaller parcel sizes, resulting in smaller building footprint (but not always smaller floor area), with a more compact and taller housing style], based on the consideration that a mountain valley community such as the Crowsnest Pass has a confined space within which to grow sustainably into the future. Higher density, smaller parcels, smaller building footprint and taller houses should be the expected future trend, as a result of the MDP policies.

The above considerations essentially bring into question the rationale for, or the purpose of, establishing a minimum building size for single family development. If the minimum building footprint has to be set low enough to accommodate modern residential development practices and trends, and the MDP policies of higher density, then perhaps the purpose of such a standard is defeated? Could the current established standard of "As required by the Development Authority" suffice, considering that the average building size will be determined by market factors from one part of the community to the next, and the one or two outliers that may come into the mix would not necessarily be out of character with the older parts of the community where housing styles and sizes vary significantly, and the Development Authority could approve those and adjacent landowners could appeal the approval?

Administration would suggest that Council give first reading to the proposed bylaw to enable community participation in this decision.

Financial Impacts:

N/A

Attachments:

[Bylaw 1116, 2022.pdf](#)

[Bylaw 1116, 2022 Schedule A.pdf](#)

[Review of Other Municipalities.pdf](#)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1116, 2022
LAND USE BYLAW AMENDMENT

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, in accordance with section 692 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS the Council of the Municipality of Crowsnest Pass determines it prudent to establish a minimum principal building footprint for a Single Family Dwelling in the Residential R-1 District and in the Grouped Country Residential – GCR-1 District, it wishes to amend the Land Use Bylaw by introducing appropriate standards as shown in Schedule ‘A’ attached hereto and forming part of this bylaw.

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. Insert the standards for minimum principal building footprint for a Single Family Dwelling in the Residential R-1 District and in the Grouped Country Residential – GCR-1 District into the Land Use Bylaw as identified in Schedule ‘A’ attached hereto and forming part of this bylaw.
2. Bylaw No. 868, 2013 is hereby amended.
3. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer

RESIDENTIAL – R-1

PURPOSE: *To provide for a high-quality residential environment with the development of primarily single-family dwellings on standard sized lots or duplex and semi-detached dwellings or modular homes and other compatible uses.*

1. PERMITTED USES

Alternative/renewable energy, individual –
restricted to roof mounted solar panels only
Day home
Accessory Building or Use up to 72.83 m² (784 ft²)
in area
Home occupations - Class 1
Sign - type 15 (Home Occupation)
Single-family dwelling

DISCRETIONARY USES

Alternative/renewable energy, individual – except roof
mounted solar panels
Canvas Covered Structure
Day care facility
Duplex
Accessory Building or Use over 72.83 m² (784 ft²) in
area
Home occupations - Class 2
Modular home
Moved-in building
Moved-in dwelling
Private institutional uses
Public institutional uses
Secondary suite
Semi-detached Dwelling
Sign - types 22 (Subdivision Entrance) and 23
(Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
Duplex and semi-detached dwelling (per building – i.e. for two units)	15.25	50	30.5	100	465.0	5,000
All other uses	As required by the Subdivision Authority					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	6.1 to property line or 6.5 to back of existing or future public walkway or 7.5 to back of public curb	20 to property line or 21.33 to back of existing or future public walkway or 7.5 to back of public curb	1.5	5	7.6	25

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	requires approval to be located in front yard
Side Yard	–	1.2 m (4 ft.)
Rear Yard	–	1.2 m (4 ft.)

5. MAXIMUM LOT COVERAGE

Principal building, except duplex and semi-detached dwelling	–	35%
Duplex and Semi-detached Dwelling	–	45%
Accessory buildings, except on a duplex or semi-detached dwelling lot	–	15%
Accessory building on a duplex or semi-detached dwelling lot	–	5%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement	–	13.0 m (42.7 ft)
Accessory buildings	–	4.5 m (14.8 ft.)

7. MINIMUM PRINCIPAL BUILDING FOOTPRINT~~FLOOR AREA~~

~~As required by the Development Authority~~

Single-Family Dwelling = 18% of the parcel area, or 74.32 m² (800 ft²), whichever is larger
[excluding attached garage]

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. OFF-STREET PARKING AND LOADING – See Schedule 6.

10. RELOCATION OF BUILDINGS – See Schedule 7.

11. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

12. MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

13. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

14. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18.

15. DEFINITIONS – See Schedule 19.

GROUPED COUNTRY RESIDENTIAL – GCR-1

PURPOSE: To provide for a high-quality of clustered residential development in designated areas where conflicts with adjacent urban or non-urban uses are not expected, or can be mitigated.

1. PERMITTED USES

Alternative/renewable energy, individual –
restricted to roof mounted solar panels
only
Day home
Accessory Building or Use up to 95.2 m²
(1024 ft²) in area
Home occupations - Class 1
Sign - type 15 (Home Occupation)
Single-family dwelling
Short-Term Rental / Bed & Breakfast

DISCRETIONARY USES

Alternative/renewable energy, individual – except
roof mounted solar panels
Accessory Building or Use over 95.2 m² (1024 ft²)
in area
Canvas Covered Structure
Home occupations - Class 2
Modular home
Moved-in building
Moved-in dwelling
Secondary suite
Sign - types 22 (Subdivision Entrance) and 23
(Subdivision Marketing)
Tourist Home
Wind energy conversion systems (WECS) -
Category 1

2. LOT SIZE

Unserviced (private water wells and PSDS)	–	minimum 1.2 hectares (3 acres) or existing titles
	–	maximum 2.02 hectares (5.0 acres) or existing titles
Serviced (municipal water and wastewater)	–	minimum 0.405 hectares (1.0 acre)
	–	maximum 1.2 hectares (3 acres)

3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Principal use	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1	20	3.05	10

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement	–	13.0 m (42.7 ft.)
Accessory buildings	–	6.7 m (22 ft.)

5. MINIMUM PRINCIPAL BUILDING FOOTPRINT

Single-Family Dwelling [excluding attached garage]

- Parcel size 1.2 ha (\pm 3.0 ac) and smaller – minimum floor area of 168 m² (1,800 ft²)
- Parcel size larger than 1.2 ha up to 2.0 ha (\pm 5.0 ac) – 1.40% of the parcel area up to a minimum floor area of 280 m² (\pm 3,000 ft²)
- Parcel size larger than 2.0 ha (\pm 5.0 ac) – minimum floor area of 280 m² (\pm 3,000 ft²)

65. ADDITIONAL INFORMATION

Every area structure plan or subdivision application for grouped country residential development shall be accompanied by details of how fire suppression and fire protection and garbage containment, utilizing BearSmart principles, will be provided.

76. STANDARDS OF DEVELOPMENT – See Schedule 4.

87. OFF-STREET PARKING AND LOADING – See Schedule 6.

98. RELOCATION OF BUILDINGS – See Schedule 7.

109. HOME OCCUPATIONS – See Schedule 8.

1140. MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

1244. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.

1342. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

1443. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18.

1544. DEFINITIONS – See Schedule 19.

COMPARISON OF MINIMUM BUILDING SIZE REQUIREMENTS FOR SINGLE-FAMILY DWELLINGS IN ALBERTA COMMUNITIES

Municipality	Minimum Floor Area for Single Family Detached Dwelling (excluding an attached garage)
Town of Coaldale	<ul style="list-style-type: none"> • R 1 District – 74.32 m² • Small Lot District – 69.68 m²
Town of Strathmore	<ul style="list-style-type: none"> • R1 District – 102 m² • Narrow Lot District – 84 m² • Small Lot District – 70 m²
MD of Bighorn	<ul style="list-style-type: none"> • Agriculture Conservation District – 55 m² • Small Holding District – 55 m² • Country Residential District – 92 m² • Single Family District – 92 m²
Town of Canmore	<ul style="list-style-type: none"> • Single Family District – no minimum
City of Red Deer	<ul style="list-style-type: none"> • Single Family District – Frontage x 6.0 m but not less than 72 m² • Small Lot District – Frontage x 6.0 m but not less than 63 m² • Estate District – 162.5 m²
Village Alberta Beach	<ul style="list-style-type: none"> • Single Family District <ul style="list-style-type: none"> - 400 m² lots or smaller – 74.3 m² - Larger than 400 m² lot – 93 m²
Town of Onoway	<ul style="list-style-type: none"> • Single Family District – 93 m² • Narrow Lot District – 93 m² • Small Lot District – 75 m²
Athabasca County	<ul style="list-style-type: none"> • Agricultural District – no minimum • Rural Use District – within ½ mile of a lake – 55.5 m² • Rural Use District – all other – 74 m² • Country Residential District – 82.5 m² • Single Family District – 82.5 m²
City of Wetaskiwin	<ul style="list-style-type: none"> • Single Family District – 93 m² • Small Lot District – 83 m² • Narrow Lot District – 83 m² • Country Residential District – one storey 138 m² • Country Residential District – two storey 167 m²
City of Cold Lake	<ul style="list-style-type: none"> • Estate District – 108 m² • Single Family District – 84 m² • Small Lot District – 72 m²
Town of Devon	<ul style="list-style-type: none"> • Single Family District – 90 m²

Village of Breton	• R1 District – 79 m ²
Summer Village of Sunset Point	• R1 District – 93.9 m ²
Town of Grimshaw	• R 1 District – 83.6 m ²
Town of Killam	• Single Family District – 100 m ²



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.b

Subject: Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw - First Reading

Recommendation: That Council approve first reading of Fees, Rates and Charges - Bylaw 1140, 2023.

Executive Summary:

The Fees, Rates and Charges Bylaw is the Municipal document that identifies all general fees, rates and charges for the Municipality. The bylaw is reviewed annually and presented to Council. It gives Administration the legal authority to levy charges on individuals or businesses affected by the different sections of the bylaw. Fees, Rates and Charges Bylaw 1140, 2023 is being presented to Council for first reading.

Relevant Council Direction, Policy or Bylaws:

The Fees, Rates and Charges bylaw is to be reviewed annually.

Discussion:

The Municipality, on an annual basis passes the Fees, Rate and Charges Bylaw, giving Administration the authority to levy fees on individuals and businesses affected by the different sections of the Bylaw. The schedules and information are aligned to coincide with the department the fees, rates and charges relate to. All rates, fees and charges go into effect upon passing of Bylaw 1140, 2023 with the exception of utility rates which are effective July 1, 2023.

The 2022 fees, rates and charges bylaw 1108, 2022 was distributed to senior management to review and identify changes they wished to make. The attached proposed bylaw is the original bylaw with additions, changes and deletions to the original bylaw for purposes of identifying what has been changed. Most departments have made changes. Rates for the Pool have been included under Community Services schedule G. The 2023 rates have been maintained at the 2022 rates.

Once Bylaw 1140, 2023 receives first reading, Administration will incorporate the changes and bring back a clean bylaw to the April 18, 2023 Council meeting for second and third reading.

Analysis of Alternatives:

- Council can pass first reading.
- Council can make changes to the bylaw and Administration will bring back the changes at second reading.

Financial Impacts:

Subject to the changes being proposed additional revenue could be recognized.

Attachments:



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.c

Subject: Bylaw 1141, 2023 - Land Use Bylaw Amendment - Redesignate Pt SW9-8-5-W5M South of Roadway Plan 4226B from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 - Second and Third Readings

Recommendation: That Council gives second and third readings of Bylaw 1141, 2023.

Executive Summary:

On February 14, 2023 council gave first reading to Bylaw 1141, 2023.

The proposed Bylaw 1141, 2023 involves the re-designation of 2.86 acres of land known as a portion of SW 9-8-5-W5M, from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1 for the purpose of allowing the applicant to apply for a discretionary use development permit for a small campground.

Bylaw 1100, 2021 and Bylaw 1104, 2021, both requesting the same redesignation for the same land, were defeated on November 30, 2021 at first reading, and on March 01, 2022 at second reading, respectively. The landowner has been in consultation with the development office regarding the appropriate process for re-application.

The applicant has provided reasons for the proposed redesignation (attached).

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

Discussion:

The NUCR-1 district requires a minimum lot size of 3 acres. While the municipal records show the

parcel size as 2.86 acres, the land title certificate identifies the parcel as containing 3.25 acre (1.31 ha).

Section 5, Schedule 4 of the Land Use Bylaw provides that the Development Authority may approve development on a lot that does not conform to the minimum parcel dimensions and area.

The range of land uses available in the Non-Urban Area NUA-1 Land Use district is restrictive and, as a "holding district" or "future development district", the intent is to maintain parcels of larger sizes to provide maximum flexibility for use and development if or when the land is used for urban development. This particular parcel, for unknown historical reasons, exists as a smaller parcel. Redistricting the parcel to NUCR-1 would be consistent with other campgrounds in the community.

The ground is low lying with a stream running through the property. Test holes identified the ground to be rich with topsoil to a deeper depth than typical for the area. As a result, construction of a single family dwelling may require extensive ground work for a solid foundation. The landowner therefore considers a campground to be a better current use of the land.

The property is surrounded by Crown land with the closest residential district "Grouped Country Residential GCR-1" 1.22km to the east (see attached land use sketch). The intended development of the subject parcel is for a small campground of 8-10 sites outside of the urban areas of the community. The campground would provide the necessary private water and private sewage disposal system as required through the Alberta Safety Codes.

The old Alberta Visitor Centre is in close proximity to this parcel and is currently operated by Livingstone Range School Division for place based learning and outdoor education including the Faces Program which involves student camping.

The recent Land Use Bylaw Omnibus 2 received third reading February 07, 2023 under Bylaw 1134, 2022. Schedule 4 Section 35 'Campground and Recreational Vehicles Park Standards' were an addition to the Land Use Bylaw providing guidelines for campground development. If the redesignation was approved, the Development Authority would consider these standards in its review of a development permit application.

Analysis of Alternatives:

1. Following the Public Hearing, Council may consider Second and Third Readings of Bylaw 1141, 2023, 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 1141, 2023 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1141,2023 for Second and Third reading.

3. Council may defeat Bylaw 1141 2023, as proposed.

Financial Impacts:

The parcel is currently assessed at \$205,010. Development of a campground on this parcel would increase the future assessed value of the property. Without the development of a campground, the potential for other development to increase the assessed value on this parcel is limited.

Attachments:

[FORMATTED Bylaw 1141, 2023 -.docx](#)

[Bylaw 1141, 2023-Schedule A Sketch.pdf](#)

[Applicant's Reasons for Redesignation.PDF](#)

[Surrounding Land Use.pdf](#)

[Map 1.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1141, 2023

LAND USE BYLAW AMENDMENT – Redesignate a portion of SW¼ 9-8-5-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 a portion of the SW¼ 9-8-5-W5M, containing ±1.16 ha (2.86 acres) from “Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”, as shown on Schedule ‘A’ attached hereto and forming part of the bylaw.

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 Commercial Recreation – NUCR-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 redesignate the lands legally described as a portion SW¼ 9-8-5-W5M, containing ±1.16 ha (2.86 acres) from “Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”, as shown on Schedule ‘A’ attached hereto and forming part of the 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.

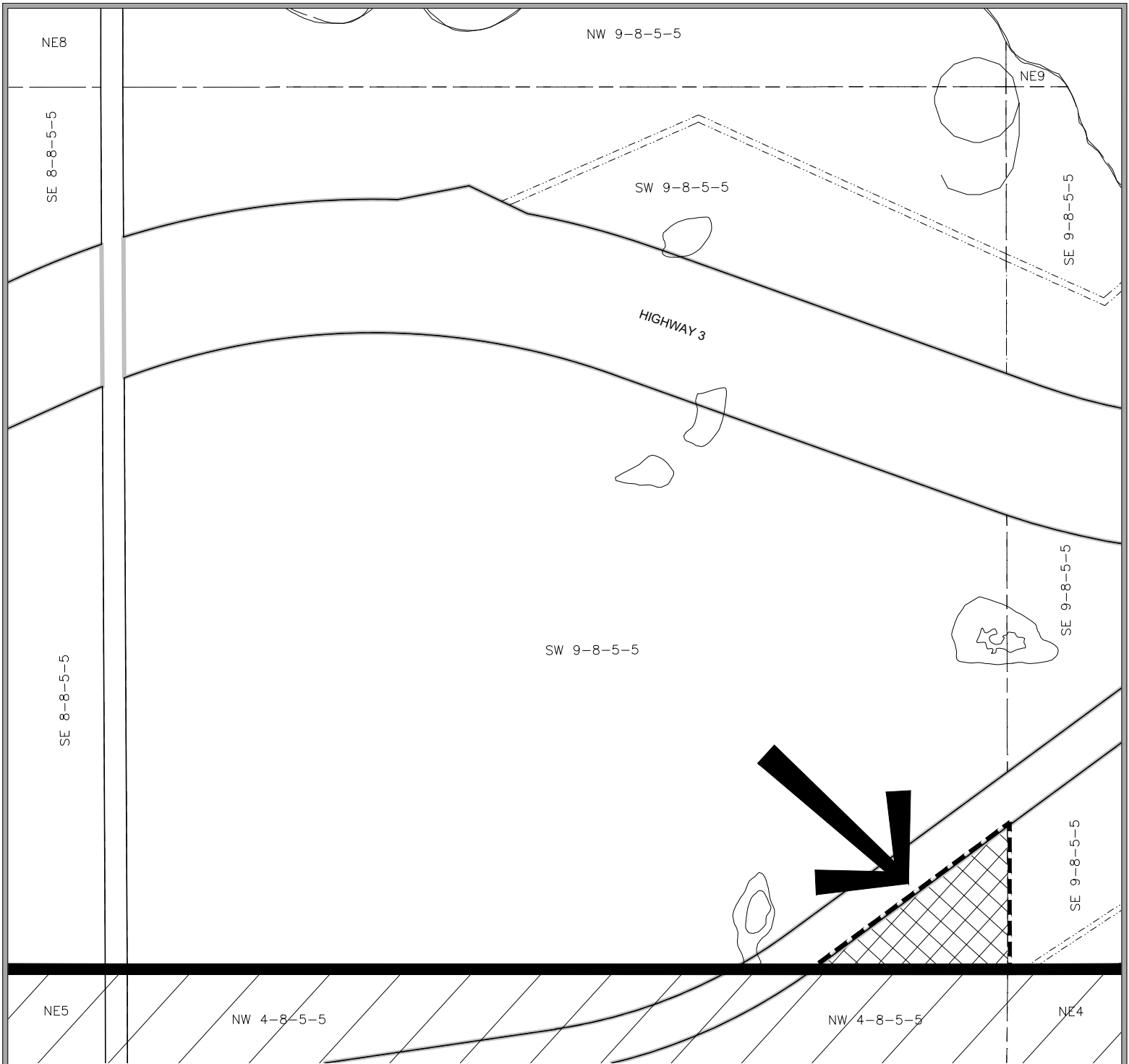
READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: NON-URBAN AREA – NUA-1

TO: NON-URBAN COMMERCIAL RECREATION – NUCR-1

PORTION OF SW 1/4 SEC 9, TWP 8, RGE 5, W 5 M

MUNICIPALITY: CROWSNEST PASS

DATE: JANUARY 30, 2023

Bylaw #: 1141, 2023

Date: _____



January 30, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Portion SW 9-8-5-W5M - Bylaw 1141, 2023.dwg

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"

Schedule “A”

Application:

Redesignate PT SW 9-8-5-W5th of Roadway Plan 4226BM (“the Parcel”) from Non-Urban Area NUA-1 to Non-Urban Commercial Recreation NUCR-1

Reasons:

The Applicant’s objective is consistent with the purpose of Part 17 “Planning Development” of the *Municipal Government Act*, RSA 2000, Chapter M-26 , that is to have the Municipality’s Land Use Bylaw amended to facilitate an application to use the Parcel as a campground to be primarily used and enjoyed by a limited number of family members and personal friends. It is not the Applicant’s intention to profit from the use of the campground. The Applicant is aware that the development of a campground will increase the assessed value of the Parcel and increase the property tax bill.

The range of land uses available in the Non-Urban Area NUA-1 Land Use district is restrictive and, as a “holding district” or “future development district”, the intent is to maintain parcels of larger sizes to provide maximum flexibility for use and development if or when the land is used for urban development. The Parcel, for unknown historical reasons, exists as a smaller parcel.

Redistricting the Parcel to NUCR-1 would be consistent with other campgrounds in the community.

The ground is low lying with a stream running through the property. Test holes identified the ground to be rich with topsoil to a deeper depth. As a result, construction of a single-family dwelling may require extensive groundwork for a solid foundation. The Applicant therefore considers a campground to be a better current use of the Parcel.

Redesignating the Parcel as requested in this application is consistent with Part 17 of the MGA and in particular, s. 617 of the *Municipal Government Act* which reads as follows:

The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted

- (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
- (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

There is no obvious alternate, better use for the Parcel; there is no building site.

The use of the Parcel for a Campground is in no way incompatible with any surrounding use.

The use of the Parcel as a Campground will be low-impact and will pose little risk of the municipality having to deal with enforcement issues.

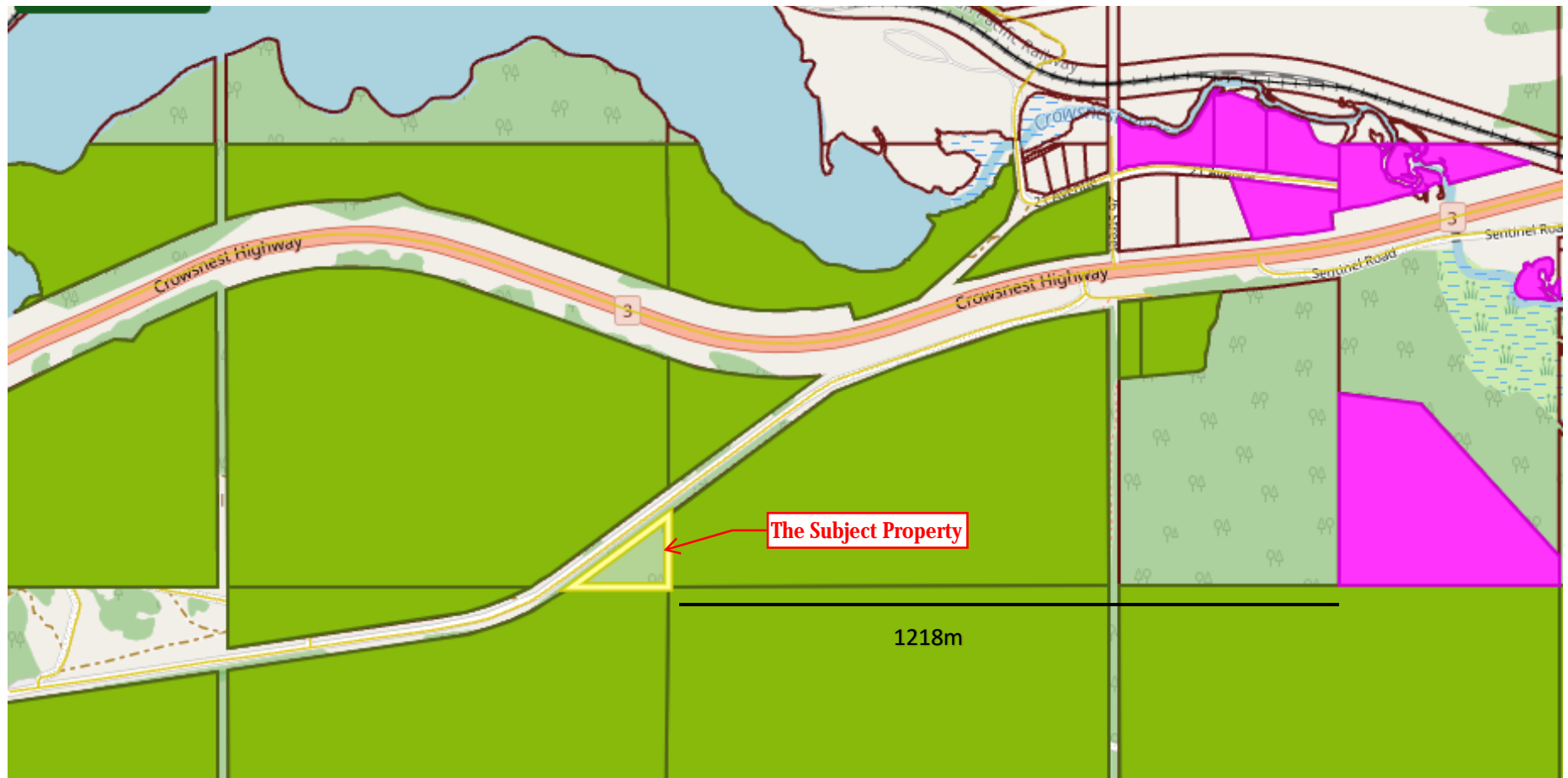
This area is identified in the Crowsnest Corridor IRP as a multi-use zone (zone 5). Serviced camping is a compatible activity based on the Municipality's Integrated Resource Plan.

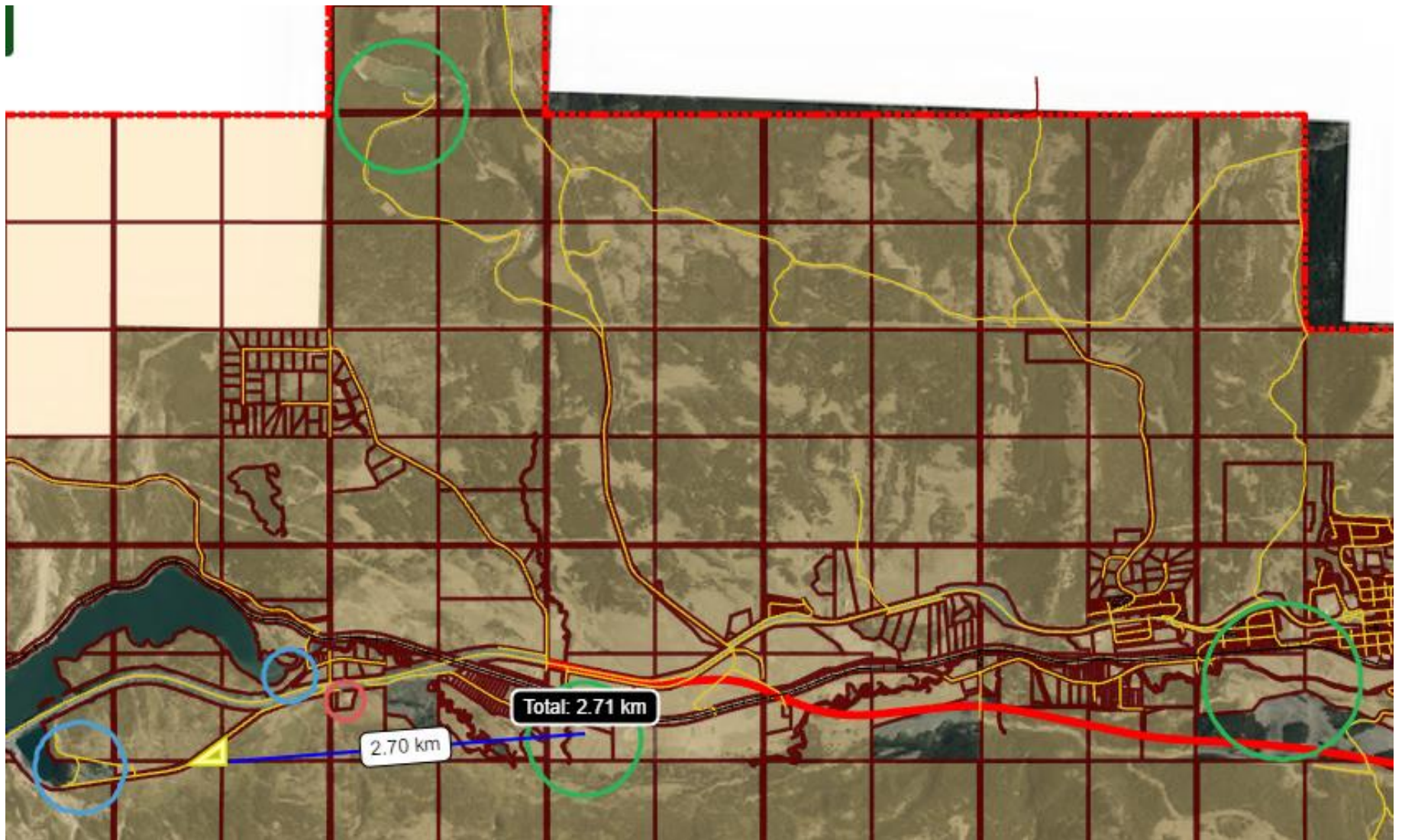
There will be an outhouse with a holding tank to avoid affecting any waterways. Food and garbage will be stored in bear-proof facilities.

To reduce the risk of wildfires, the area has been "FireSmarted" and there will only be one communal firepit. Fire suppression equipment will be on hand.

Complying with s. 617 requires Council to consider the merits of this particular application. There are no valid planning reasons for denying the application.

The Applicant understands that if the LUB allows a campground as a discretionary use, there may be conditions and requirements beyond what is set out above before a Development Permit is issued.







Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.d

Subject: Bylaw 1146, 2023 - Land Use Bylaw Amendment - redesignate Lot 29 and Lots 30-32, Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1 - Second & Third Reading

Recommendation: That Council gives second and third reading of Bylaw 1146, 2023.

Executive Summary:

On February 28, 2023 council gave first reading of Bylaw 1146, 2023.

The proposed bylaw involves the re-designation of Lot 29 (portion of Roll Number 2015600) and Lots 30-32 (Roll Number 2015700), Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1, for the purpose of bringing the existing properties into compliance.

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:

The zoning irregularity was discovered through a compliance certificate request for Lots 30-32. Subsequently, the incorrect zoning of Lot 29 (a portion of Roll Number 2015600) was also discovered. The proposed bylaw involves the re-designation of Lot 29 (portion of Roll Number 2015600) and Lots 30-32 (Roll Number 2015700), Block 18, Plan 3319I, from Multi-Family Apartment Residential R-3 to Residential R-1, for the purpose of bringing the existing developed properties into compliance.

The existing single family dwellings were built in 1996 (Roll Number 2015600) and 2006 (Roll Number 2015700) respectively. The properties were issued development permits for a "Single Family Dwelling" in error. At the time of issuing the development permits, the properties were in the Multi-family Residential R-3 Land Use district and "Single Family Dwelling" was prohibited in that district. "Single Family Dwelling" is also not listed as a use in the R-3 district in the current Land Use Bylaw. In order to

bring the existing developments into compliance, a land use amendment is required to re-designate the lands to Residential R-1, where "Single Family Dwelling "is listed as a use.

The landowner of Roll Number 2015700 requested the compliance certificate and was made aware that it cannot be issued until the zoning irregularity has been resolved. The landowner of Roll Number 2015600 (Lot 29) was informed of the zoning irregularity for a portion of their property, and that the Municipality will correct it through the proposed bylaw amendment.

Analysis of Alternatives:

1. Following the Public Hearing, Council may give Second and Third Reading of Bylaw 1146, 2023, 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 1146, 2023 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1146,2023 for Second and Third reading.
3. Council may defeat Bylaw 1146, 2023, as proposed.

Financial Impacts:

N/A

Attachments:

[Bylaw 1146, 2023 - FORMATTED.docx](#)

[Bylaw 1146, 2023 Schedule A.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1146, 2023

LAND USE BYLAW AMENDMENT – Redesignate Lots 29-32, Block 18, Plan 3319I

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 Lots 29-32, Block 18, Plan 3319I, within NE¼ 35-7-4-W5M, containing ±0.107 ha (0.263 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw, from "Multi-Family Residential – R-3" to "Residential – R-1."

AND WHEREAS the purpose of the proposed amendment is to correct a districting irregularity and provide for the opportunity to use and develop the lands in accordance with the provisions of the "Residential – R-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 redesignate the lands legally described as Lots 29-32, Block 18, Plan 3319I, within NE¼ 35-7-4-W5M, containing ±0.107 ha (0.263 acres), as shown on Schedule 'A' attached hereto and forming part of this bylaw, from "Multi-Family Residential – R-3" to "Residential – R-1."
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.

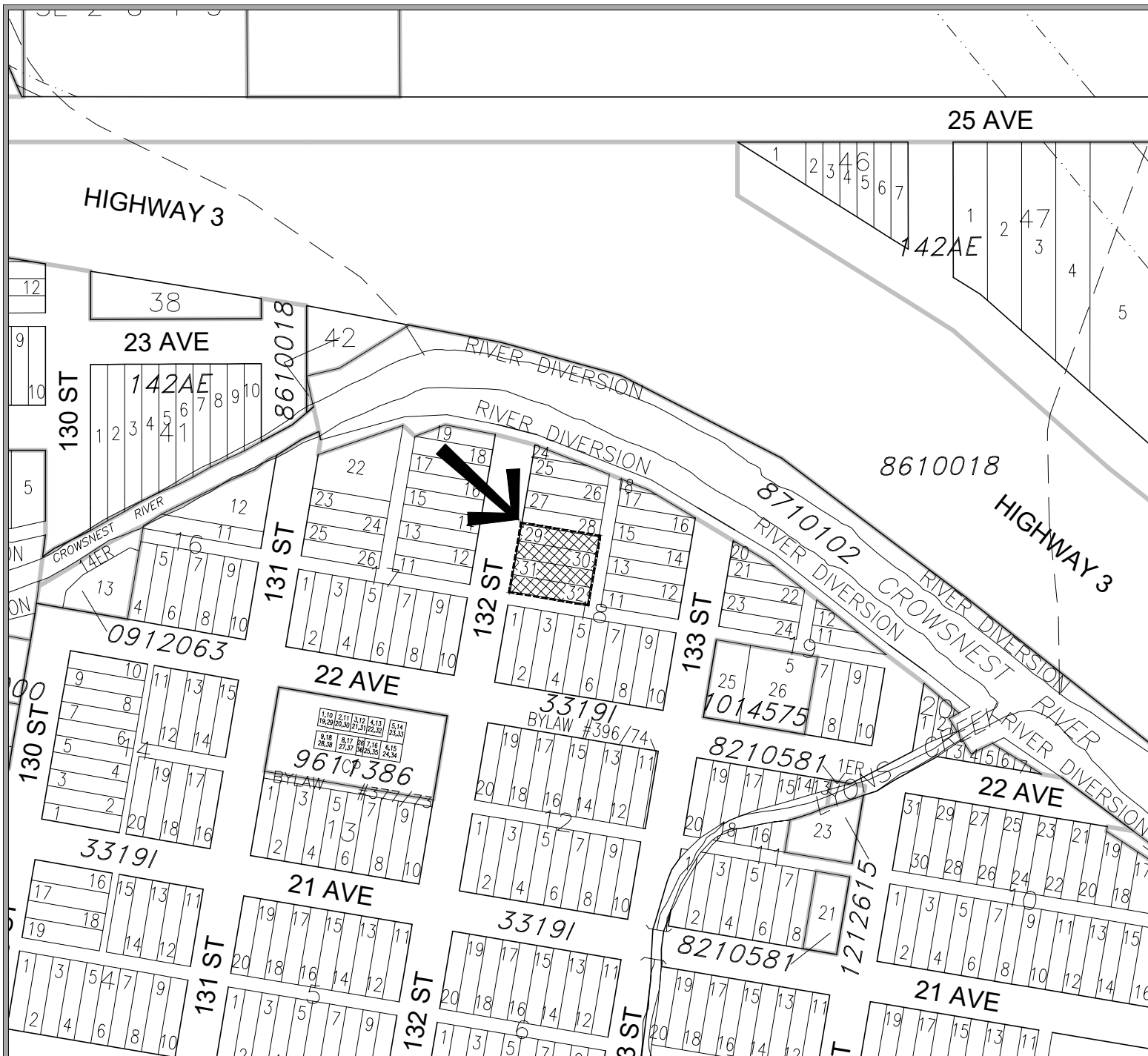
READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: MULTI-FAMILY RESIDENTIAL – R-3
TO: RESIDENTIAL – R-1

LOTS 29-32, BLOCK 18 PLAN 33191
WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS (BLAIRMORE)
DATE: FEBRUARY 22, 2023

Bylaw #: 1146, 2023
Date: _____



February 22, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Lot 30-32, Block 18, Plan 33191 - Bylaw 1146, 2023.dwg



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



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.e

Subject: Bylaw 1147, 2023 - 2023 Property Tax Rates Bylaw - First Reading

Recommendation: That Council approve first reading of the Property Tax Rates Bylaw 1147, 2023.

Executive Summary:

The annual property tax rate bylaw sets out the assessed values by class and calculates the tax rates required to raise budgeted tax revenue in accordance with property tax policies. The amount of tax revenue required to balance the 2023 budget was presented and approved by Council on December 1, 2022. Administration recommends municipal tax rates for the various residential and non-residential properties based upon the budgeted tax requirement, assessed property values and other directions provided by Council. The proposed bylaw, when passed, will authorize Administration to levy the 2023 Municipal Taxes, Alberta School Foundation Fund (ASFF), the Designated Industrial Property (DIP) Requisitions and Senior Housing Requisition. Council approved the 2023 Operating and 2023-2024 Capital Budget on December 1, 2022 with a Municipal Tax requirement of \$10,157,307 (a 2% mill rate increase).

Relevant Council Direction, Policy or Bylaws:

The Municipal Government Act (MGA) Section 353(1) states: "Each Council must pass a property tax bylaw annually".

On December 1, 2022 Council approved the 2023 Operating and Capital Budgets. The 2023 Municipal tax requirement to balance the budget is a total of \$10,157,307.

Discussion:

The 2023 Property Tax Rate Bylaw has been prepared with a 2.0% mill rate increase as approved by Council during Budget approval process on December 1, 2022. The annual bylaw sets out the assessed property values by class and calculates the tax rates required to raise budgeted tax revenue in accordance with property tax policies. The amount of tax revenue required to balance the 2023 budget was presented and approved by Council on December 1, 2022. In preparing the 2023 budget, Administration adjusted the tax requirement to reflect the Provincial Government only paying 50 percent of the grants-in-place-of-taxes, as well as the increased cost the Provincial Government is

downloading to the Municipality (enhanced policing costs), as well as utility costs increasing by \$875,432 over the 2022 approved Budget. The Municipality's Assessor (Benchmark Assessment Consultants) has provided the assessment values used to calculate the proposed taxes for 2023. The total taxable assessed base for 2023 is \$1,274,101,510 (2022 was \$1,143,018,770) for a net increase of \$131,082,740.

The increase can be attributed to new properties being added, re-evaluations due to sales, site visits identifying additions to properties, and changes in classifications including sale of municipal land that now becomes taxable. The increase in assessment is broken down between growth and inflation. The increase in assessment growth equates to \$38,512,380 (29.4%) and inflation (increase in existing properties) \$92,570,360 (70.6%). Increase in assessment from growth is 3.4% and from inflation is 8.1%. Residential Growth in assessment was \$29,124,460 and Inflation was \$81,923,740 compared to Non Resident growth in assessment of \$9,387,920 and inflation of \$10,646,620.

The assessment growth report from Benchmark is a one time report generated when the year is rolled forwarded. For assessment purposes growth includes new buildings added, additions to existing properties (eg. new deck, shed or garage added in the year) or reclassification between assessment classes. Inflation is the net change between last year assessment value and this years assessment value when no physical changes to the property has occurred.

The increased assessment of \$131,082,740 will result in additional taxes being generated of \$1,140,629. The \$1,140,629 in tax dollars generated from the increase in assessment value less \$102,956 for the Province only paying 50 percent of their taxes, results in a net increase in taxes of \$1,037,673.

The Alberta School Foundation Fund (ASFF) rate for 2023 is \$2,803,039. At the time of writing this report, the Designated Industrial Property (DIP) 2023 requisition rate has not been received from the Province, as a Ministerial Order is required, so the tax bylaw presented is based on the 2022 mill rate of 0.766 resulting in \$4,795. The Senior Housing request for 2023 has been included as part of the Municipal Tax amount for the amount of \$440,929 to be paid out as a grant. Additionally, a requisition to top up the operating reserve in the amount of \$150,000 was received from Senior Housing and has been shown as a requisition.

A 2% property tax increase combined with the the growth and inflation amount for 2023 would result in a combine tax revenue of \$11,277,377 compared to the 2023 Budget approval in December where \$10,152,512 was required to balance the budget. This is a net increase of \$1,124,865 that could be used for initiatives that were deferred to 2024 and/or putting additional funds aside in reserves for future expenses and unknowns in 2024 with varying product inflation.

A 1% change to the tax rate currently generates approximately \$110,500.

Analysis of Alternatives:

- Council can approve 1st reading of the 2023 property tax bylaw with a 2% tax increase and direct how addition tax dollars are to be spent.
- Council can set a different tax rate and direct how additional tax dollars are to be spent.
- Council can approve a 2% increase to minimum tax from \$560 to \$570.
- Council can approve no change to the minimum tax rate.

Financial Impacts:

Depends on the mill rate chosen

Attachments:



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.f

Subject: 1148, 2023 - Amendment to the Procedure Bylaw - First Reading

Recommendation: That Council gives first reading of Bylaw 1148, 2023 - Amendment to the Procedure Bylaw.

Executive Summary:

Council held discussion surrounding the use of electronic participation in meetings at the March 14th Council Meeting. After consideration and debate Council advised that they are not in support of allowing Electronic Participation. As a result and in light of the changes to the MGA, an amendment to the Procedure Bylaw must be carried out.

Relevant Council Direction, Policy or Bylaws:

- 10-2023-03-14: Councillor Ward moved that Administration amend the Procedure Bylaw to not allow electronic participation in meetings.
- MGA Section 199
- Procedure Bylaw

Discussion:

N/A

Analysis of Alternatives:

- Council may pass first reading.
- Council may defer first reading and request amendments and/or additional information prior to reconsidering first reading.
- Council can choose to carry out all three readings of Bylaw 1148, 2023 provided a motion to consider the third reading is made and carried unanimously previous to proceeding to the third reading.

Financial Impacts:

N/A

Attachments:

[1148 2023 Amending The Procedure Bylaw.docx](#)

[1041, 2020 - Procedure Bylaw - CONSOLIDATED to Bylaw 1133, 2022.pdf](#)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1148,2023
Amending the Procedure Bylaw

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta for the purpose of amending the Procedure Bylaw No. 1041, 2020

WHEREAS the Municipality of Crowsnest Pass adopted Bylaw No. 1041, 2020, being the Procedure Bylaw, to regulate the proceedings of council and council committees;

AND WHEREAS the Municipality of Crowsnest Pass deems it advisable to amend the Procedure Bylaw;

AND WHEREAS pursuant to section 191 of the *Municipal Government Act* a council is authorized to amend a bylaw;

NOW THEREFORE the Council of the Municipality of Crowsnest Pass in the Province of Alberta enacts as follows:

1. This Bylaw may be cited as “Bylaw No 1148, 2023 amending the Procedure Bylaw.”
2. That this Bylaw shall amend the Procedure Bylaw as follows:
 - 2.1 Deleting Section 12.1 through 12.5.
 - 2.2 By adding in a section within Section 12 as follows:

“12.1 No electronic participation shall be allowed in meetings.”
3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of the Bylaw is deemed valid.
4. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Date of Consolidation: January 4, 2023

Consolidation of Bylaw No. 1041, 2020

Municipality of Crowsnest Pass

Procedure Bylaw

Adoption January 21, 2020

As Amended By:

Bylaw No. 1049, 2020 adopted April 21, 2020

Bylaw No. 1133, 2022 adopted October 18, 2022

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1041, 2020
PROCEDURE BYLAW

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta to regulate the proceedings of council and council committees

WHEREAS section 145 of the *Municipal Government Act* provides that a council may pass bylaws in relation to the procedure and conduct of council and council committees;

NOW THEREFORE the Council of the Municipality of Crowsnest Pass in the Province of Alberta enacts as follows:

PART 1
INTERPRETATION AND APPLICATION

1. Short Title

1.1 This Bylaw may be cited as the “Procedure Bylaw”.

2. Definitions

2.1 In this Bylaw, any word or expression used in the Act has its statutory meaning unless otherwise specified in this section, and:

- (a) **“Act”** means the *Municipal Government Act*, RSA 2000, c M-26 and its regulations;
- (b) **“Administration”** means the Chief Administrative Officer and any other person who exercises a power, function or duty of the Municipality whether under delegation from the CAO or by any other authority or agreement;
- (c) **“Agenda Review Committee”** means the committee that reviews the draft agenda for the upcoming Council Meeting and is made up of the Mayor, Deputy Mayor and CAO.
Amended – Bylaw 1133, 2022, Adopted October 18, 2022.
- (d) **“Chair”** means the person who presides over a Council meeting or council committee meeting;
- (e) **“Chief Administrative Officer” or “CAO”** means the person appointed by Council as chief administrative officer within the meaning of the Act, or a person to whom the appointed CAO has delegated any CAO power, function or duty;
- (f) **“Council”** means the duly elected Council of the Municipality;
- (g) **“Delegation”** means any person other than Administration, who addresses Council at a Council meeting, but does not include a person who speaks at a Public Hearing;

This Consolidation is not an Official Bylaw. It is prepared by the Chief Administrator’s Office for assistance only.
Copies of the Official Bylaw(s) may be purchased from the Municipal Office.
This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

- (h) **“Deputy Mayor”** means a Councillor who is appointed under subsection 152(1) of the Act;
- (i) **“In Camera”** means a meeting or portion of a meeting that is closed to the public in accordance with section 197 of the Act;
- (j) **“Mayor”** means the chief elected official of the Municipality;
- (k) **“Motion”** means a formal proposition put forward by a Councillor in attendance at a meeting with the intention that it be put to a vote;
- (l) **“Municipality”** means the municipal corporation of the Municipality of Crowsnest Pass;
- (m) **“Notice of Motion”** means the informing of councillors, in writing, of the intent to put a new Motion forward at a subsequent Council meeting;
- (n) **“Notice of Public Hearing”** means a formal notice issued by the Chief Administrative Officer to announce the date, place, time and purpose of a Public Hearing;
- (o) **“Point of Order”** means the raising of a question by a Councillor to call attention to any deviation from a provision of this Bylaw or any other bylaw, statute or regulation, or to any procedural matter that according to this Bylaw must be raised by way of Point of Order;
- (p) **“Point of Privilege”** means a matter affecting the rights and privileges of Council collectively or of individual councillors;
- (q) **“Public Hearing”** means a meeting of Council, or a dedicated portion of a meeting, for the purpose of complying with section 230 of the Act; and
- (r) **“Resolution”** means a motion which has been voted on and carried by Council.

3. Rules of Interpretation

- 3.1 The headings in this Bylaw are for guidance purposes and convenience only.
- 3.2 Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 3.3 In this Bylaw, a citation of or reference to any enactment of the Province of Alberta or of Canada, or of any other bylaw of the Municipality, is a citation of or reference to that enactment or bylaw as amended, whether amended before or after the commencement of the enactment or bylaw in which the citation or reference occurs.

4. Application

- 4.1 This Bylaw shall govern the proceedings of Council.
- 4.2 This Bylaw shall govern the proceedings of council committees, subject to the following:

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- (a) a reference in this Bylaw to a “Councillor” is, in the context of a council committee meeting, deemed to include a member of the public who is appointed by Council as a member of that council committee;
 - (b) a rule or procedure established by this Bylaw that is specifically stated to apply to council committees, or to a specific council committee, shall prevail over a rule or procedure of more general application contained in this Bylaw; and
 - (c) a specific rule or procedure set out in a council committee’s governing bylaw shall, in the event of a conflict, prevail over a rule or procedure of more general application contained in this Bylaw.
- 4.3 When any matter relating to the proceedings of Council or council committees is not addressed in the Act or in this Bylaw, the provisions of the most recent version of Robert’s Rules of Order Newly Revised will govern the matter.
- 4.4 In the event of conflict between the provisions of this Bylaw and Robert’s Rules of Order Newly Revised, the provisions of this Bylaw shall prevail.

PART 2

COUNCIL AND COUNCIL COMMITTEE MEETINGS

5. Organizational Meeting of Council

- 5.1 An organizational meeting of Council must be held annually within two weeks after the third Monday in October at a date and time set by Council, except in the year of a general election when the Chief Administrative Officer shall determine the date and time for the organizational meeting.
- 5.2 At or before the first organizational meeting of a Council term, all councillors must take the official oath prescribed by the *Oaths of Office Act* before dealing with any Council business.
- 5.3 At the organizational meeting, Council must by Resolution:
- (a) establish a Deputy Mayor roster for the following year whereby each councillor shall serve a 2 month term as Deputy Mayor on a rotational basis;
 - (b) make appointments to council committees and other agencies and boards to which a liaison is appointed, subject to any bylaw that provides for an alternate date for the making of appointments to a specific body; and
 - (c) deal with any other business described in the notice of the meeting.
- 5.4 Seating in the Council chambers shall be re-assigned immediately prior to each organizational meeting, with seat selection to occur via random draw conducted by the Chief Administrative Officer.

6. Regular Meetings

- 6.1 Regular meetings of Council will be held in the Council chambers at the municipal office on the first and third Tuesday of each month commencing at 7:00 pm, and on the second Tuesday of each month commencing at 1:00pm, unless cancelled by Resolution of Council. ***Amended – Bylaw 1049, 2020, Adopted April 21, 2020.***
- 6.2 The schedule of regular meetings of Council will be posted on the municipal website and the date, time and location of special meetings of Council will be posted on the municipal website as soon as practicable after that information is available.
- 6.3 Council or the Chief Administrative Officer may reschedule a regular meeting of Council. ***Amended – Bylaw 1049, 2020, Adopted April 21, 2020.***
- 6.4 The Agenda Review Committee has the authority to cancel an upcoming Council meeting if there are no emergent items or a limited number of agenda items. ***Amended – Bylaw 1133, 2022, Adopted October 18, 2022.***
- 6.5 If there are changes to the date, time or place of a regular meeting, including cancellation, the Chief Administrative Officer must give at least 24 hours' notice of the change to all councillors and post the notice on the municipal website. ***Amended – Bylaw 1049, 2020, Adopted April 21, 2020.***

7. Special Meetings

- 7.1 The Chair may call a special meeting of Council at any time in accordance with section 194 of the Act. Where the Mayor receives a written request for a special meeting, stating its purpose, from a majority of the councillors, such meeting shall be scheduled within 7 days of receiving the request.
- 7.2 The date, time and location of a special meeting of Council will be posted on the municipal website as soon as practicable after that information is available.
- 7.3 If there are changes to the date, time or place of a special meeting, including cancellation, the Chief Administrative Officer must give at least 24 hours' notice of the change to all councillors and post the notice on the municipal website.

8. Council Committee Meetings

- 8.1 Council committee meetings will be held at the call of the Chair of each respective council committee at the date, time and place set out in the public notice of the council committee meeting.

9. Chair

- 9.1 The Mayor is the Chair of Council meetings. If the Mayor is absent the Deputy Mayor shall take the Chair. In the absence of the Mayor and the Deputy Mayor, the CAO shall begin the meeting by calling for a motion for the appointment of a Chair from among the councillors present.

- 9.2 The Chair of a council committee meeting is the person appointed as Chair in accordance with the provisions of the bylaw establishing the council committee. If the Chair is absent, and an acting Chair has not been appointed, then the meeting shall begin with a call for a motion for the appointment of a Chair from among the members present.

10. Quorum

- 10.1 As soon as there is a quorum after the time fixed for a meeting, the Chair shall call the meeting to order.
- 10.2 If there is no quorum within 15 minutes after the time set for the meeting, the names of the councillors present shall be recorded and no meeting will take place on that date.
- 10.3 If at any time during a meeting quorum is lost, the Chair shall call a recess and if quorum is not achieved again within 15 minutes, the meeting will be adjourned.
- 10.4 The agenda for an adjourned meeting will be dealt with at the beginning of the next regular meeting, unless a special meeting is called before the next regular meeting to deal with the business of the adjourned meeting.

11. Attendance

- 11.1 If a councillor is unable to attend all or part of a meeting, including arriving after the start of a meeting or leaving before the meeting is adjourned, the councillor:
- (a) must notify the Chief Administrative Officer and the Chair at least 24 hours in advance, or if exigent circumstances exist as soon as reasonably possible;
 - (b) must provide the general reason for the absence; and
 - (c) may request that the Chair announce the reason and expected duration of their absence during the meeting.

12. Electronic Participation at Meetings

- 12.1 A councillor may participate in a meeting via teleconferencing or other electronic means that has been tested for reliability and can be muted to block background noise, provided that:
- (a) the requirements of section 199 of the Act are met; and
 - (b) there is a quorum physically present at the meeting to ensure the meeting can continue if the connection fails.
- 12.2 The Chair may direct that the connection be terminated if the councillor cannot be clearly understood, or if a poor connection or background noise is deemed to be disruptive to the meeting.
- 12.3 If a technical problem prevents or interrupts a councillor's electronic participation in a meeting, the minutes shall reflect the time at which the councillor ceased to participate in the meeting

by reason of the technical problem. If such technical problem is later resolved and the councillor rejoins the meeting by electronic means without a vote on a Motion having taken place during the interruption in the councillor's participation, the minutes shall reflect the time at which the councillor rejoined the meeting.

- 12.4 If electronic communication is interrupted during a meeting and remains interrupted while a vote on a Motion is taken, the councillor affected is deemed to have left the meeting prior to the vote and shall not be permitted to rejoin the meeting, either electronically or in person.
- 12.5 Unless otherwise provided for by a Resolution, a Delegation or speaker at a Public Hearing may not participate in a meeting electronically.

13. Electronic Recordings and Devices

- 13.1 No member of the public may electronically record any portion of a Council or council committee meeting, unless a request is made prior to the commencement of the meeting and the Chair determines that electronic recording of the meeting by the public will be permitted.
- 13.2 All electronic devices must be in silent mode or turned off while a meeting is in progress.

PART 3 AGENDAS AND MINUTES

14. Agendas

- 14.1 The agenda for each Council meeting shall be prepared by the Chief Administrative Officer in consultation with the Mayor and Deputy Mayor.
- 14.2 Any councillor may submit an item for consideration of placement on a future Council meeting agenda. A councillor who submits an item for consideration that is not placed on a Council meeting agenda retains the right to present the item at the next council meeting and have it added to the agenda if a majority of council agrees or serve a Notice of Motion to compel debate and voting on the matter at a future meeting.
- 14.3 The agenda for all regular meetings of Council shall contain the following matters in the order in which they are listed below:
- (a) Call to Order
 - (b) Adoption of Agenda
 - (c) Consent Agenda
 - (d) Adoption of Minutes
 - (e) Public Hearings
 - (f) Delegations

- (g) Requests for Decision
- (h) Council Member Reports
- (i) Public Input Period
- (j) Councillor Inquiries and Notice of Motions
- (k) In Camera
- (l) Adjournment

- 14.4 Once a meeting agenda has been published on the municipal website, it may only be modified by a Resolution when adopting the agenda at the meeting to which it applies.
- 14.5 The Chief Administrative Officer shall cause the regular meeting agenda and all associated reports, bylaws or other supporting documents to be provided first to all councillors and then posted on the municipal website, subject to any exceptions to public disclosure under the *Freedom of Information and Protection of Privacy Act*, on the Friday immediately preceding the meeting to which the agenda relates. Supporting documentation that is received too late to be included with the agenda will be made available as soon as practicable thereafter.

15. Consent Agenda

- 15.1 The consent agenda portion of a meeting shall be reserved for non-controversial or routine items that may be moved and voted on without debate as one item, regardless of the number of reports included, to adopt all of the recommendations contained in the respective reports.
- 15.2 A councillor may request for any item to be removed from the consent agenda and placed on to the agenda for debate. Such request must be made before voting occurs on the consent agenda.

16. Minutes of Meetings

- 16.1 The Chief Administrative Officer shall, in accordance with section 208 of the Act, prepare or cause to be prepared minutes of each Council meeting and council committee meeting that include:
- (a) the type of meeting that was held, whether regular, special, or organizational;
 - (b) the date, hour and place of the meeting;
 - (c) the names of the councillors present at and absent from the meeting;
 - (d) the name of the Chair;
 - (e) the names of each member of Administration present at the meeting, including each person's title;
 - (f) an item that corresponds with every item on the agenda for that meeting;

- (g) a Motion for each item on the agenda, as applicable;
- (h) the names of members of the public who speak to an item;
- (i) any abstentions made under the Act by any councillor and the reason for the abstention;
- (j) the time of departure and return to the meeting of any councillor for any reason;
- (k) the time the meeting is adjourned; and
- (l) the signatures of the Chair and the Chief Administrative Officer.

- 16.2 At every regular meeting, the minutes of the previous regular meeting and any special meeting held more than 48 hours prior to the current meeting shall be considered for adoption.

PART 4 PUBLIC PARTICIPATION

17. Meetings in Public

- 17.1 Subject to section 47, all Council and council committee meetings shall be open to the public and no person may be excluded except for improper conduct as determined by the Chair.
- 17.2 Only councillors, the CAO and persons authorized by the Chair are permitted to come within the enclosure formed by the councillor's chairs during a Council meeting.
- 17.3 Only councillors or other persons recognized by the Chair or by a majority vote of the councillors present shall be allowed to address Council during a meeting.

18. Meetings Closed to the Public

- 18.1 Council and council committees may, in accordance with section 197 of the Act, close all or part of a meeting to the public if a matter to be discussed falls within one of the exceptions to disclosure as set out in the *Freedom of Information and Protection of Privacy Act*.

19. Conduct of the Public at Meetings

- 19.1 During a meeting, members of the public must conduct themselves with proper decorum. The Chair may order any member of the public who disturbs the proceedings by words or actions or in any other manner to be expelled from the meeting.
- 19.2 The Chair may request the assistance of a peace officer if a person ordered expelled by the Chair does not leave the meeting voluntarily.

20. Delegations

- 20.1 A person may request to appear as a Delegation and make a presentation to Council, either on the person's own behalf or as a representative of a group or organization. The request must:
- (a) be made in writing;

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- (b) include the name and contact information of the individual, and if applicable the group or organization, requesting to appear as a Delegation;
 - (c) clearly identify the reason or purpose of the request and provide a brief explanation of the subject to be addressed in the presentation; and
 - (d) be received by the Chief Administrative Officer.
- 20.2 Delegation requests will be reviewed by the Chief Administrative Officer, the Mayor and Deputy Mayor in preparing the agenda and the CAO shall notify the person requesting to appear as a Delegation whether the request has been:
- (a) approved, and added to the meeting agenda;
 - (b) approved, but deferred to a subsequent meeting agenda;
 - (c) referred to Administration, if the matter is considered to be operational in nature; or
 - (d) refused, if the matter is not considered to fall within the jurisdiction of Council or is otherwise deemed improper, and the CAO shall so advise Council why the request was refused.
- 20.3 Council must not permit a Delegation to address a meeting of Council regarding a proposed bylaw in respect of which a Public Hearing has been or will be held, where the Public Hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- 20.4 The use of presentation slide decks, maps, videos and other similar materials is permitted in a Delegation presentation, provided that the materials are forwarded to the Chief Administrative Officer in advance of the meeting, and these materials become the property of the Municipality as part of the record of the proceedings.
- 20.5 Each presentation by a Delegation shall be limited to 15 minutes unless a longer period is agreed to by a vote of the councillors present at the meeting.
- 20.6 Upon being recognized by the Chair, a councillor may pose questions for clarification to a Delegation or the Chief Administrative Officer. Debate is not permitted at the Delegation stage.
- 20.7 Any question posed to Council by a Delegation may be referred to the Chief Administrative Officer and it is not required that Council provide a response at that time.

21. Public Input Period

- 21.1 Public Input Period provides an opportunity for members of the public to make submissions to Council regarding municipal issues and for Council to receive submissions from members of the public for information or, where appropriate, for a subsequent response by either Council or Administration, as applicable. Members of Council shall limit their remarks to questions of clarification only recognizing that Public Input Period is reserved for members of the public to make submissions to Council. Debate of any kind is prohibited and shall be strictly enforced.

21.2 A person who makes submissions to Council during the Public Input Period must:

- (a) state their name and address for the record;
- (b) confine their submissions to matters within the jurisdiction of Council;
- (c) maintain proper decorum throughout their submissions; and
- (d) speak for no more than 5 minutes.

21.3 No written materials may be submitted, and no presentation slide decks, maps, videos or other similar materials may be used, during the Public Input Period.

21.4 Council must not permit a member of the public to address a meeting of Council during the Public Input Period regarding a proposed bylaw in respect of which a Public Hearing has been or will be held, where the Public Hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

22. Communications from the Public

22.1 Written submissions from the public in response to an advertised Public Hearing must be received by the Chief Administrative Officer no later than 12:00 pm one week prior to the Public Hearing in order to be included in the Council agenda package and form part of the record of the Public Hearing. Written submissions must clearly identify the writer, including the writer's address, and must not be libelous, offensive or improper. Written submissions that are received after the deadline or that otherwise do not comply with this section will not be accepted.

22.2 Any written communication intended for Council that is not being submitted in response to an advertised Public Hearing shall be forwarded to the Chief Administrative Officer and must:

- (a) identify the writer and the writer's contact information; and
- (b) not be libelous, offensive or improper.

23. Responsibilities of the Chief Administrative Officer

23.1 If the standards set out in section 61 are met and the Chief Administrative Officer determines the communication is within the governance authority of Council, the Chief Administrative Officer shall deliver a copy of the correspondence to all councillors within a reasonable time by one or more of the following means:

- (a) personally;
- (b) by leaving a hard copy in the councillor's mail slot at the municipal office;
- (c) via email;
- (d) including a copy of the correspondence in the agenda package for an upcoming Council meeting, subject to the *Freedom of Information and Protection of Privacy Act*.

- 23.2 If the standards set out in section 61 are met and the Chief Administrative Officer determines the communication is not within the governance authority of Council, the Chief Administrative Officer shall:
- (a) refer the communication to Administration for a response to the writer and provide a copy of the original correspondence and the referral to the councillors; and
 - (b) take any other appropriate action on the communication.
- 23.3 If the standards set out in section 61 are not met, the Chief Administrative Officer may file the communication, without any action being taken, after advising Council of the CAO's determination and providing a brief explanation as to why the correspondence did not meet the standards.

24. Public Hearings

- 24.1 The procedure for conducting a Public Hearing is as follows:
- (a) the Chair will declare the Public Hearing open and advise of the process to be followed;
 - (b) Administration will be called upon to introduce the item and provide a brief overview;
 - (c) members of the public who wish to speak to the item may present;
 - (d) after each speaker has spoken, any councillor may ask the speaker questions;
 - (e) once all speakers have spoken any councillor may ask Administration questions; and
 - (f) once all questions have been addressed, the Chair will declare the Public Hearing closed or may adjourn the Public Hearing so that it may be resumed at a future date.
- 24.2 A Public Hearing must be closed prior to second reading of a bylaw.
- 24.3 All speakers are required to provide their name, address and a brief explanation of the nature of their interest in the matter, after which they will be allocated a maximum of 5 minutes to present their position.
- 24.4 At the discretion of the Chair, or a vote of the majority of the members of council present, the time limits for speaking may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views.
- 24.5 No written submissions from the public will be accepted at the Public Hearing, but a member of the public will be given the opportunity to make a verbal presentation by reading their written submission.
- 24.6 The use of presentation slide decks, maps, videos and other similar materials is permitted in a Public Hearing, provide that the materials are forwarded to the Chief Administrative Officer in advance of the Public Hearing, and these materials become the property of the Municipality as part of the record of the hearing.

PART 5 COUNCIL PROCEEDINGS

25. Role of the Chair

- 25.1 The Chair will preserve order and decorum and decide all questions relating to the orderly procedure of the meeting, subject to an immediate appeal by a councillor from any ruling.
- 25.2 If a ruling of the Chair is appealed, the Chair will give concise reasons for the ruling and the councillor will be provided an opportunity to give concise reasons for the appeal, and Council will, without debate, determine by a show of hands whether to uphold or overturn the ruling. The Chair shall comply with the decision of the Council.
- 25.3 If the Chair wishes to leave the chair for any reason, the Chair must call on the Deputy Mayor, or in the Deputy Mayor's absence, the Acting Mayor, to preside.

26. Councillor Conduct

- 26.1 During a meeting, a councillor must:
 - (a) only speak after being recognized by the Chair;
 - (b) address the Chair when speaking;
 - (c) refrain from using crude, vulgar, profane or offensive language, or disturbing the orderly business of the meeting in any way;
 - (d) respect and follow all applicable procedural rules;
 - (e) respect and obey all rulings of the Chair except in the case of an appeal of a Chair's decision that is upheld by Council;
 - (f) refrain from leaving their seat or making any noise while a vote is being taken or the result declared;
 - (g) refrain from re-entering the meeting while the vote is being taken, if absent from the meeting due to pecuniary interest;
 - (h) refrain from interrupting other speakers, except to raise a Point of Order or a Point of Privilege;
 - (i) reflect upon any vote, except for the purpose of moving that the vote be reconsidered; and
 - (j) refrain from using any electronic device, except to access the meeting's agenda package electronically.
- 26.2 Councillors must make every attempt to remain in the Council chambers at all times during a meeting. If a Councillor must leave the Council chambers for a short time for personal reasons,

the Councillor shall so indicate by a signal to the Chair which may be non-verbal, and upon acknowledgement by the Chair the councillor may leave the Council chambers while proceedings continue. In such case, the Chair shall avoid calling for a vote while the councillor is not present in the Council chambers and shall afford the councillor a reasonable time to return before any vote is taken.

- 26.3 If a councillor has temporarily left the meeting, other than for declaring a pecuniary interest, and a vote is about to be taken, the Chair shall recess the meeting for up to 10 minutes to allow the councillor to return to the meeting to participate in the vote. If the councillor has not returned after 10 minutes, the Chair shall call the meeting back to order and the vote shall proceed.

27. Points of Order

- 27.1 When a Point of Order is called, the councillor calling the Point of Order must identify the procedural deviation.
- 27.2 The Chair may call to order any councillor who is out of order.
- 27.3 When a councillor persists in a breach of order, after having been called to order by the Chair, the Chair may declare the breach and name the offending councillor.
- 27.4 Unless the councillor who has been named by the Chair immediately apologizes for the breach and withdraws any objectionable statements, the Chair shall direct that the notation of the declaration of the breach and naming of the councillor be noted in the minutes.

28. Motions

- 28.1 A Motion relating to a matter not within the jurisdiction of Council is not in order.
- 28.2 A recommendation in a report does not constitute a Motion until a councillor has formally moved it.
- 28.3 A Motion does not require a seconder.
- 28.4 Once a Motion has been moved and accepted by the Chair, it may only be withdrawn with the consent of the majority of councillors present at the meeting.
- 28.5 The mover of the Motion may speak and vote for or against the Motion and once all councillors present have had the opportunity to speak to the motion the mover is entitled to speak in closing on the motion immediately prior to the vote.
- 28.6 Unless otherwise specified in this Bylaw, a Motion is passed when a majority of councillors participating in the meeting and entitled to vote have voted in favour of the Motion. A Motion put to a vote and not passed is defeated and does not result in a Resolution.
- 28.7 A matter not amounting to a Motion that is put to a vote of the Council in the same manner as a Motion, such as an appeal of a ruling of the Chair on a Point of Order, becomes an act of the Council if a majority of councillors present indicate support for it.

- 28.8 The Chair may participate in debate and vote on matters before Council, without relinquishing the Chair.
- 28.9 All councillors must be provided with an opportunity to speak to a Motion before any councillor is permitted to speak to the Motion a second or subsequent time.
- 28.10 Any councillor may require a Motion under debate to be re-read at any time during the debate if the Motion is not electronically displayed in the Council chambers but must not interrupt a speaker to do so.
- 28.11 When a Motion is under debate, no other Motion shall be made except to:
- (a) table, which means to cease discussion on the current topic to address another matter that the Councillor considers to be of greater urgency. A Motion to table is not debatable. If a Motion to table is passed, the Motion under debate is no longer debatable and a Motion to “lift from the table” is required to resume consideration of the matter. If not lifted from the table during the same Meeting, a tabled Motion expires at the end of that Meeting;
 - (b) call for the question, which means to close debate and ask that a vote be taken on the Motion under debate. A Motion to call for the question is not debatable but is only in order if all councillors have had an opportunity to speak to the Motion under debate. If a Motion to call for the question is in order and passes, the Chair must put the Motion under debate to an immediate vote;
 - (c) refer, which means to redirect a matter under consideration to another party, such as Administration or a Council committee. A Motion to refer must include instructions to the referral body and is debatable;
 - (d) defer, which means to temporarily set aside a Motion under debate to a future Meeting. A Motion to defer must identify a timeline for the matter to be brought back to Council and is debatable;
 - (e) amend, which means to modify the wording of a motion. An amending motion is debatable;
 - (f) move In Camera; or
 - (g) reconvene in public.

29. Amending Motions

- 29.1 A councillor may only amend the councillor’s own Motion for the purpose of clarifying the Motion’s intent without affecting the substance of the Motion. The Chair may accept such a “friendly amendment” upon putting a request to that effect to the meeting and if no other councillor objects. A councillor may also propose such a “friendly amendment” to another councillor’s Motion, which may be accepted by the Chair if the other councillor agrees and no councillor objects.

- 29.2 A proposed amendment to a Motion under debate that changes the Motion under debate in any substantive way must take the form of a Motion to amend and is debatable. A Motion to amend must be relevant to the subject matter of the Motion under debate and must not propose a direct negative of the Motion under debate.
- 29.3 Only one amendment to the main Motion under debate may be before the meeting at any time, but a Motion to amend the proposed amendment may be before the meeting at the same time.
- 29.4 When a Motion to amend is on the floor, councillors may debate only the proposed amendment, not the main Motion under debate to which the amendment pertains.
- 29.5 An amendment to an amendment, if any, shall be voted upon before the Motion to amend. If no other amendment to the Motion to amend is proposed, the Motion to amend shall then be voted upon. Only after all Motions to amend have been put to a vote shall the main Motion under debate be put to a vote.

30. Splitting Motions

- 30.1 When a Motion under debate contains distinct propositions, at the request of any councillor on a Point of Order, the Chair shall call for separate votes on each proposition.

31. Voting Procedures

- 31.1 Votes on all Motions must be taken as follows:

(a) the Chair will ensure that the Motion to be voted upon is clear by either:

- i. confirming that the Motion is viewable by councillors, either in hard copy or electronically; or
- ii. by restating the Motion verbatim immediately prior to the vote.

(b) councillors must:

- i. vote by show of hands; or
- ii. vote verbally by stating “yes” or “no” to the Motion if participating via teleconference or other electronic means.

(c) The Chair will announce the result of the vote.

- 31.2 Once a vote has been called, no councillor will be given an opportunity to speak to the matter.

- 31.3 After the Chair declares the result of a vote, councillors may not change their votes.

32. Reconsideration

- 32.1 After a Motion has been voted upon, but before the meeting is adjourned, any councillor who voted with the prevailing side may move for reconsideration of a previous Motion.

- 32.2 Debate on a Motion for reconsideration of a previous Motion must be confined to reasons for or against reconsideration of the previous Motion.
- 32.3 If a motion to reconsider a previous Motion is passed, such reconsideration shall become the next order of business despite the agenda for the meeting.
- 32.4 A councillor who voted with the prevailing side on a Motion may serve notice of intention to bring a Motion for reconsideration at a subsequent Council meeting; however, a motion for reconsideration is out of order if the original Motion has already been acted upon irrevocably.

33. Councillor Inquiries

- 33.1 At the designated time during a Council meeting, a councillor may request information from the Chief Administrative Officer about the operation or administration of the Municipality:
 - (a) verbally, if the councillor does not require a written response; or
 - (b) in writing, if the councillor requires a written response.
- 33.2 If the Chief Administrative Officer is unable to answer the request for information at the meeting, the CAO will endeavour to provide a response at the next regular meeting unless additional time is required to compile the requested information.
- 33.3 If the information requested by a councillor is not readily available and additional financial or other resources will be required in order to respond to a councillor's request for information then a Resolution of Council is required to approve such allocation of resources.

34. Notice of Motion

- 34.1 During each regular meeting of Council, the Chair will ask all councillors present if they wish to provide notice of a Motion to be made at a subsequent meeting.
- 34.2 A Notice of Motion must:
 - (a) be given at a regular Council meeting held at least 7 calendar days prior to the Council meeting at which the councillor intends to make the Motion introducing the new matter;
 - (b) be given in writing to all councillors present and to the Chief Administrative Officer;
 - (c) include the complete, precise text of the Motion to be considered; and
 - (d) state the date of the Council meeting at which the Motion will be made.
- 34.3 The giving of a Notice of Motion is not debatable and the Motion, precisely as stated in the Notice of Motion, will then appear on the applicable Council agenda.
- 34.4 A Notice of Motion can be withdrawn at any time in writing to all councillors. A copy of the withdrawal shall also be given to the Chief Administrative Officer.

35. Adjournment

35.1 A Motion to adjourn the Meeting is always in order except:

- (a) when another councillor has the floor;
- (b) when a vote on a Motion has been called for but not yet taken; or
- (c) when a vote on a Motion is in progress or has been completed but the Chair has not yet declared the results of the vote.

35.2 A Motion to adjourn the Meeting shall be put without comment or debate.

36. Repeal

36.1 Bylaw No. 923, 2015 and all amendments thereto are repealed.

37. Coming into Force

37.1 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ a **first** time in council this 07 day of January 2020.

READ a **second** time in council this 21 day of January 2020.

READ a **third and final** time in council this 21 day of January 2020.

Original Signed

Blair Painter
Mayor

Original Signed

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: March 28, 2023

Agenda #: 7.g

Subject: Sparwood Coal Miner Days Parade Invitation on June 10, 2023

Recommendation: That Council participate in the Coal Miner Days Parade on June 10th with the new float and discuss who would be available to attend.

Executive Summary:

The new municipal float was received after the parade season in 2022. Sparwood Coal Miner Days would be an excellent opportunity to showcase our new float and do a trial run.

Relevant Council Direction, Policy or Bylaws:

n/a

Discussion:

With receiving the new float late in 2022, the Municipality has not had an opportunity to test out the new float in an optimal parade setting. As Councillors normally attend parades in neighboring communities to promote the Crowsnest Pass, Sparwood Coal Miner Days is one of the first events of the season that provides an excellent opportunity to debut our new float and carry out a trial run.

There are travel panels that need to be removed and installed after travel. Due to the additional work required with bringing the new float, Council Remuneration does provide compensation for attending at either the full or half day rate depending on time spent.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2023 03 14 - Invitation to Sparwood Coal Miner Days Parade.pdf](#)

March 14, 2023

On behalf of the Coal Miner Days committee, Mayor Wilks and Council would like to extend an invitation to the parade. Please see details below and the form attached.

Thank you,

Jaclyn Miller (she/her)

Executive Assistant, Corporate Services



Subject: Sparwood Coal Miner Days Parade Invite

It is that time of year! The Sparwood Coal Miner Days Society is priming up to make this years celebrations better then ever. We would like to formally invite your Organization/ Community to be a part of this years parade. Attached you will find our parade forms. You can also find out more info and find these forms digitally on our website at www.coalminerdays.com

Coal Miners Day Society's goal is to highlight all the great amenities our community has to offer. It is a celebration that brings everyone together through safe / fun memory making experiences! Sparwood has amazing volunteers, groups and businesses who come together to make the second week of June not only a jam-packed week of excitement and festivities but also raises funds and awareness for many other organizations in our area.

CMD proceeds have been raised to support: The Lilac Terrace expansion, new Sparwood Skate Park, Raise a Child UP, Sparwood EDC Committee, Sparwood Food Bank, Sparwood Fire Department, Search & Rescue, Lions Club, Knights of Columbus, Sporting groups in our community and many more worthy causes. Coal Miner Days are packed full of exciting events that are fun for the entire family.

Sparwood Coal Miner Days Festival week includes 1000s who participate and enjoy family fun which have included over the years: dancing, softball, a car show, soapbox derby, emergency education, demolition derby, carnival games, parade, escape rooms, petting zoo, balloon animals, skate jam, rugby match, soccer tourney, tug of war, parents, physical activity and so much more. They stay in our campground, book hotel rooms, dine in our restaurants and shop in our grocery store and mall. Not only is it a great time for locals to join in on the fun but it also provides a financial boost to our local economy that would not be otherwise possible. CMD is the biggest event of it's kind that happens throughout the Elk Valley.

Many thanks to all of the groups and businesses who support CMD and thank you to all of the Volunteers who dedicate countless/ thankless hours to support our community and this amazing week! Without YOU, CMD could not happen. Thank you.

Humbly,

Marcia Johnson

CMD Serving President

CMD Sponsor and CMD Volunteer since 2008.



Coal Miner Days

February 8, 2023

The Sparwood Coal Miner Days Society invite you to get involved and partner with us for Coal Miner Days 2023. We would invite you to participate in the Coal Miner Days Parade on June 10, 2023. Showcasing your business or organization through community spirit benefits everyone involved. There is no entry fee to participate in the parade. However, **all parade participants must register**. This year's theme is "Bringing Back the Fun!" The Parade will form between 9:30 am and 10:30 am at the Greenwood Mall parking lot and judging will begin at 10:00 am.

You **must register at the check-in table prior to 9:45** and be in your marked spot by 10:00 in order to be judged. If you are not in place before 10:00 you will be required to join at the end of the parade and you will not be considered for judging.

The Parade is scheduled to begin at 11 am sharp!

We are very excited to announce that the Parade winners will receive a great prize that they can distribute to your organization how you see fit. The list of prizes will be announced on our facebook page so please stay tuned for that big announcement. www.facebook.com/coalminerdays

The parade committee reserves the right to bar any entrant not conforming to the rules and regulations. Any entrant refusing to follow Police or Parade official's instructions or any entrant deemed a hazard to others, or any entrant whose entry is offensive to the public will be ejected. All floats must carry a dry chemical five-pound fire extinguisher. Please note, the District of Sparwood has a policy that prohibits the throwing of candy from any floats or vehicles. Anyone wishing to disperse candy must do so by walking along the route to discourage children from running into the roadway.

Safety Considerations:

1. Alcoholic beverages are strictly prohibited.
2. Parade Marshall reserves the right to reject any impaired individuals.
3. For safety reasons, **absolutely no candy or other objects to be thrown from any moving vehicle**.
4. The use of fire, gas or propane devices is not permitted.
5. All parade vehicle drivers must have a valid driver's license.
6. It is the responsibility of the float sponsor to provide adequate safety measures to secure the individuals riding on their float.
7. Adults must supervise children on parade floats.
8. Participants **must not** get on or off moving floats or vehicles.
9. Vehicles **must not stop** in the middle of the parade route, or in any way hinder the forward procession of the parade.
10. Participants are responsible for the observation of safety standards.
11. Horses are permitted but must have own liability insurance.

Please complete the enclosed parade entry form and return to the below address, Sparwood Chamber of Commerce, email to Sparwood@coalminerdays.com by **June 1st, 2023**. If you require any further information or have any questions, please contact our Coal Miner Days Parade Event Coordinator, Paullette Rosler at 250.910.7573.

Thank you for your ongoing or new interest in the celebration of our community. Join us and have some fun! It's time to show off your community spirit!!!

Sincerely,

Paullette Rosler
Parade Coordinator Coal Miner Days

Box 1041, Sparwood, BC V0B 2G0, Sparwood@coalminerdays.com www.coalminerdays.ca



“Bringing Back the FUN!”

Parade Entry Form

Parade Categories (Please mark an X)

Antique Vehicle	_____	Animal	_____
Child/Youth	_____	Musical Group	_____
Service/Church Group	_____	Bikes & Trikes	_____
Business	_____	Other (please specify)	_____
Community Float	_____		_____
Community Group	_____		

Entrant Information:

Organization/Business (Please print): _____

Contact Person: _____

Vehicle &/or Float length: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Parade Details:

Parade Time: 11:00 am
Parade Date: Saturday, June 10, 2023
Marshalling/Judging: Sparwood Chamber of Commerce/ Aspen Dr
Entry Deadline: **June 1st, 2023**

Please send, email or drop of your completed entry form to Sparwood Coal Miner Days Society before **June 1st, 2023** to ensure your registration to the parade. (Paperwork can be dropped off at the Sparwood Chamber.)

RESPONSIBILITY RELEASE AGREEMENT

I/We the undersigned, hereby agree and shall defend, indemnify and hold harmless the Sparwood Coal Miner Days Society, the District of Sparwood, the Sparwood Chamber of Commerce, their elective and appointive council, boards and representatives, from any liability for damage or claims for damage for property and/or personal injury, including death, which may arise from or be in any way connected with my participation in the Coal Miner Days Parade.

I/We have read the above, understand and agree to the concerns, terms, and conditions.

Name: _____ (please print)

Signature: _____ Date: _____

*****The Parade coordinator reserves the right to limit entries or reject inappropriate entries.