

AGENDA
COUNCIL MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
September 11, 2018
1:00 pm

A. ADOPTION OF AGENDA

B. DELEGATIONS

1. West Path Delivery Project – Burton Creek CS Camp
 - Presentation from TransCanada
2. School Buses
 - Email from First Student, dated September 4, 2018

C. MINUTES

1. Council Committee Meeting Minutes
 - July 10, 2018
2. Council Committee Meeting Minutes
 - August 28, 2018
3. Council Meeting Minutes
 - August 28, 2018
4. Special Council Meeting Minutes
 - September 4, 2018

D. BUSINESS ARISING FROM THE MINUTES

E. UNFINISHED BUSINESS

1. Sponsorship of the 23rd Annual Awards of Excellence
 - Recommendation to Council from Interim CAO, dated September 5, 2018
2. Fire Services Bylaw
 - Recommendation to Council from Director of Finance, dated August 31, 2018
3. Artwork for the Administration Building
 - Recommendation to Council from Interim CAO, dated September 5, 2018
4. Amendment to the Animal Control Bylaw (Hamlet Chickens)
 - Administration Guidance Request from Director of Development and Community Services, dated September 6, 2018

F. CHIEF ADMINISTRATIVE OFFICER'S (CAO) REPORTS

1. Operations

- a) Operations Report
 - Report from Director of Operations, dated September 6, 2018

2. Planning and Development

- a) Bylaw No. 1289-18 – Land Use Bylaw
 - Recommendation to Council from Director of Development and Community Services, dated September 6, 2018
- b) Ron Sekella Micro Farms Concept Plan
 - Recommendation to Council from Director of Development and Community Services, dated September 5, 2018

3. Finance

- a) Uncollected Accounts Receivable
 - Recommendation to Council from Director of Finance, dated August 31, 2018
- b) Beaver Mines Park and Gazebo Lease Operator Agreement
 - Recommendation to Council from Director of Finance, dated August 31, 2018
- c) Statement of Cash Position
 - Statement of the month ending August, 2018

4. Municipal

- a) Chinook Arch Library Board 2019-2022 Budget and Member Levy
 - Recommendation to Council from Interim CAO, dated September 5, 2018
- b) Interim Chief Administrative Officer Report
 - Report from Interim Chief Administrative Officer, dated September 6, 2018

G. CORRESPONDENCE

1. For Information

- a) Informational Correspondence
 - Recommendation to Council from Interim CAO, dated September 6, 2018, covering:
 - Letter from Municipal Affairs, dated August 14, 2018
 - Letter from Municipal Affairs, dated July 25, 2018
 - Letter from Environment and Parks, dated August 22, 2018, with supporting document
 - Letter from Environment and Parks, dated August 22, 2018, with supporting document
 - Letter from Town of Pincher Creek, dated August 24, 2018
 - Joint Council Meeting Notes, dated August 16, 2018
 - Letter from Livingstone Range School Division, dated August 29, 2018
 - Email from Alberta SouthWest, dated September 6, 2018
 - Letter from Community Foundation, dated August 24, 2018
 - Letter from Prairie Conservation Forum, received August 28, 2018

H. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Reeve Quentin Stevick – Division 1
Agricultural Service Board

- Minutes, dated July 19, 2018

Councillor Rick Lemire – Division 2

Councillor Bev Everts– Division 3
Beaver Mines Community Association

- Minutes, dated August 28, 2018

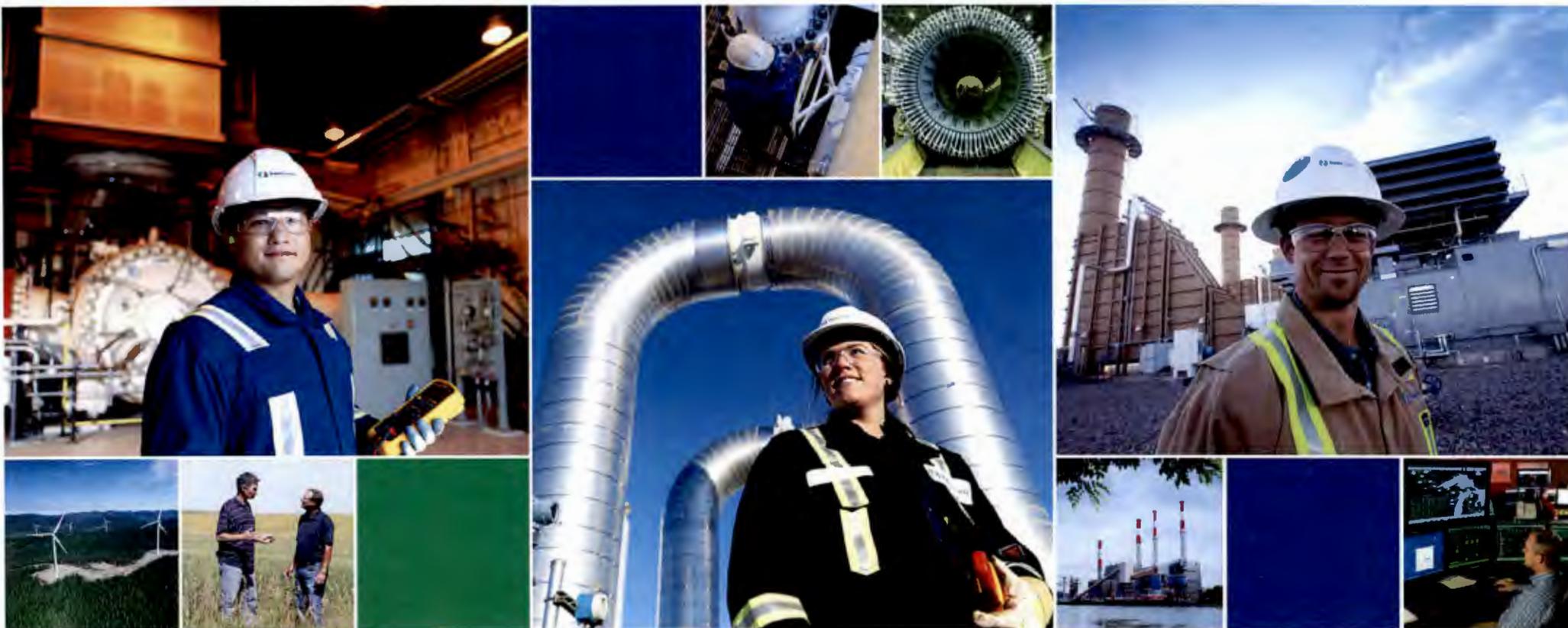
Councillor Brian Hammond - Division 4

Councillor Terry Yagos – Division 5

I. CLOSED MEETING

J. NEW BUSINESS

K. ADJOURNMENT



West Path Delivery Project Burton Creek CS Camp

September 2018

Agenda



- **West Path Delivery Project scope**
- **Burton Creek CS Proposed Camp**
 - Site overview and scope
 - Traffic management
 - Safety policies
 - Reclamation
 - Local benefits
 - Camp Photos Review
- **Questions**

Burton Creek CS Proposed Camp



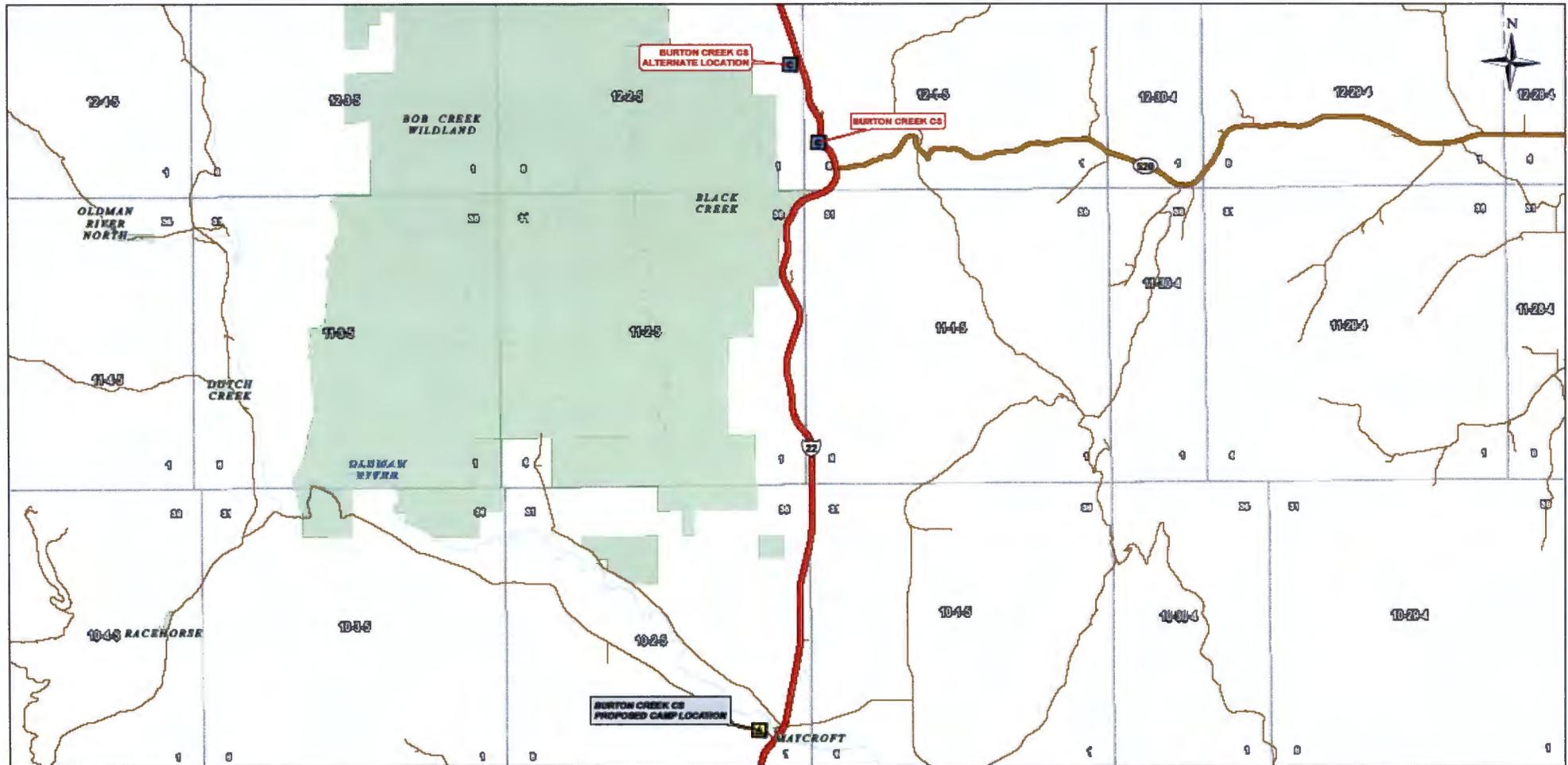
- **Proposed camp location:** NE 02-10-02 W5M
- **Proposed scope:**
 - **Size:** Up to 13.34 acres on privately-owned and previously disturbed land
 - **Projected occupancy:** 30 to 120 (at peak construction)
 - **Timeline:** Commence construction: Q2 2019
Camp occupancy: Q2 2019 – Q2 2020
Demobilization/Remediation: Q3 2020

Camp features



- Sleeping accommodations
- Kitchen dining facilities
- Fitness and recreation facilities
- Laundry facilities
- First aid treatment facilities
- Perimeter fencing and security
- Parking
- Water and wastewater storage
- Wildlife-proof garbage and recycling storage

Camp Location



- Legend**
- B Compressor Station
 - A Camp Location
 - Primary Highway
 - Secondary Highway
 - Minor Roads
 - Pathways
 - Parks / Protected Areas
 - City Towns



NOTIFICATION MAP

REV 0

REVISION	DESCRIPTION
0	Issued for use, July 18, 2018

Scale Reference	Jul 18, 2018
Document Control 670-2018-MP-08-0038_03	Sheet 1 of 1

\\NET07_MF\project\1794-000-17\MAPPING\ACCESS MAPS\MIDWEST-010-MP-08-0038_03_BurtonCreekNotificationMap.apr

Camp Location



Burton Creek Camp Site Overview Map in N.E. 1/4 Sec.2 Twp.10 Rge.2 W.5M.



Safety



- Gated access with security monitoring (in the evening) to provide safety, security, and adherence to Code of Conduct.
- A licensed security guard will patrol the area from 6 a.m. – 6 p.m.
- This camp has a ZERO TOLERANCE POLICY with respect to drugs and alcohol.
- Residents found to be under the influence of alcohol or behavior-altering drugs will not be permitted in camp and will be removed with all camp privileges canceled.
- Firearms, pets, and recreational vehicles are not permitted.
- The camp will be equipped with fire alarm safety.

Traffic Management



- Workers will be bused from Calgary (or other designated locations) to site at the beginning of their work shifts.
- Daily bussing to site from camp and back will be provided.
- Reduced speeds will be implemented (Hwy 22 – Maycroft).
- Signage will be erected in coordination with Alberta Transportation and the MD.

Reclamation



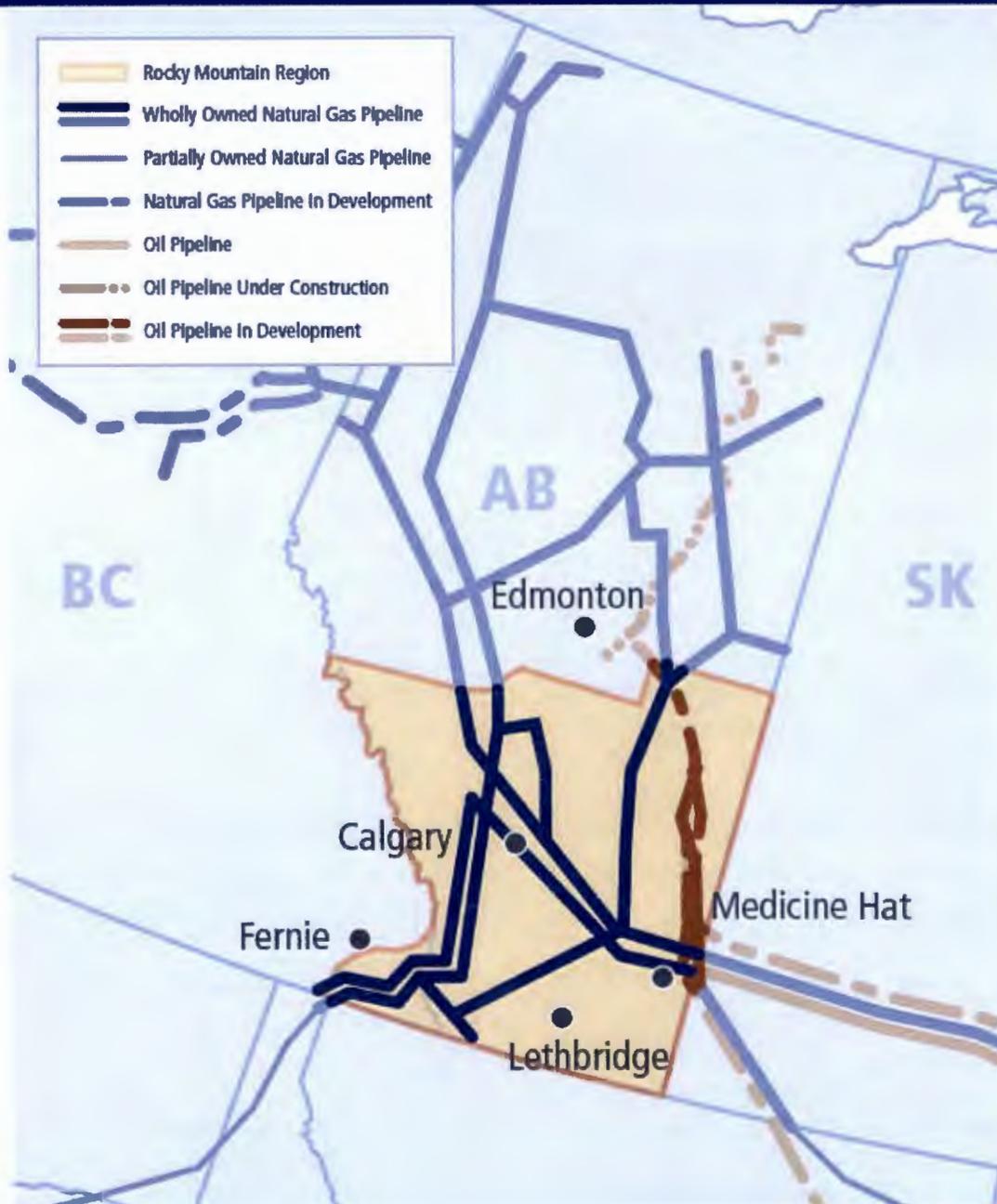
- Once Project construction is complete, NGTL will commence the process of demobilizing the camp as early as Q2 2020.
- Reclamation of the lands will include:
 - Camp facilities will be removed.
 - Any grade material will be replaced and the area returned to prior contours.
 - Topsoil will be replaced.
 - Site will be revegetated with an appropriate seed mix as approved by the landowner.

Local opportunities



- NGTL is committed to working with the M.D. of Pincher Creek to ensure mutually beneficial outcomes. As part of this commitment, we welcome applications from local vendors for contracting and employment opportunities.
- Anticipated employment opportunities include:
 - Camp operations
 - Catering
 - Housekeeping
 - Maintenance and service jobs
- The temporary construction activities will also generate increased demand for local goods and services.

TransCanada – MD of Pincher Creek



- In 2017, TransCanada contributed ~ \$916,000 in property tax dollars in the MD of Pincher Creek.
- It is estimated that camp would pay approximately \$30,000 in property taxes in 2020 to the MD of Pincher Creek.

Contact Us



West Path Delivery Project

1.844.551.0054

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Project Manger

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Kaili Kasper

Community Relations

Kaili_Kasper@TransCanada.com

Tara Cryderman

From: Roberts, Sharon E. <
Sent: Tuesday, September 4, 2018 10:03 AM
To: Tara Cryderman
Subject: Re: Sept 11 presentation talking points
Attachments: Talking Points MD presentation Sept 11 2108.pdf

Hi Tara,
Attached are the talking points for my presentation to council on Sept 11th.
Phil McGale the LRSD transportation coordinator will also be with me.
Hopefully this is all you'll need.
If not let me know.
Thanks.

Sharon Roberts
Location Manager
First Student



September 11, 2018 Presentation to MD of Pincher Creek Council

Talking Points:

Importance of education and safety for all MD children

First Student & LRSD looking at ways to minimize number of snow days and school closures

What can be done to have fewer school bus route cancellations due to poor road conditions

One option being considered by LRSD is to delay school start in AM, to allow for better road and visibility conditions

MD of Pincher Creek does give school bus routes priority in snow plowing, and First Student has a good working rapport with public works department

Issue of the MD graders not being out in the morning until after the school buses have run

Our request of the MD includes: looking at neighbouring MD snow plow policies, looking at potential of having graders plowing earlier in AM, possibly as early as 6 AM.

First Student will also be talking to Councilor Lemiere in his capacity with AB transportation and Volker Stevin to prioritize our secondary highways in addition to main highways.

Have met with Chris Ney and the Vertical Church if buses don't run in the afternoon, to billet students until parents can pick them up

First Student & LRSD want to ensure our students don't miss school, and are kept safe while riding the bus, we hope the MD will consider how their grader operators can have our bus routes passable earlier in the day to allow for fewer route cancellations, fewer snow days and school closures.

MINUTES
COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
July 10, 2018

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

Staff: Chief Administrative Officer Sheldon Steinke, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Assistant Public Works Superintendent Jared Pitcher and Executive Assistant Tara Cryderman

Reeve Quentin Stevick called the meeting to order, the time being 9:00 am.

1. Approval of Agenda

Councillor Rick Lemire

Moved that the Agenda for the July 10, 2018 Council Committee Meeting be approved as presented.

Carried

2. Closed Meeting Session

Councillor Terry Yagos

Moved that Council close the meeting to the public for discussions regarding the following, the time being 9:01 am:

a. Public Works Call Logs – FOIP Section 16.

Carried

Councillor Terry Yagos

Moved that Council open the meeting to the public, the time being 9:30 am.

Carried

3. Highway 3 Sentinel to Pincher Station Update

Assistant Public Works Superintendent Jared Pitcher provided an update on the Highway 3 Sentinel to Pincher Station project.

4. Code of Conduct

Discussion occurred regarding the Code of Conduct.

It was determined that a legal opinion would be provided once the draft bylaw is complete, prior to first ready of the Code of Conduct bylaw.

Having this bylaw apply to members at large and non-elected individuals was discussed.

The definition of “investigator” was discussed. Having an outside investigator, perhaps a neighbouring Reeve, was discussed. Perhaps the wording “as needed” should be added. Nothing was changed.

Communication on Behalf of the Municipality was discussed. Council’s collective decision was discussed.

Delete sections 9.4 and 9.5

Conflict of Interest was discussed. It was suggested to include 10.4.

It was determined that 11.1 be included only.

It was determined that 12.2 be used.

Orientation and other training attendance was discussed. Use both “person” and “member”. 13.3 will be used, editing “is encouraged to attend orientation training”.

Delete 13.1 and 13.2. Put 13.5 and 13.6 in.

Put 13.7 in. Take out 13.8 and 13.9. Leave 13.10 in. Leave 13.11 as is, but include “or other member of Council”. Leave 13.12 in.

14 was discussed. Leave both “person” and “Member” in.

15 was discussed. Leave as is.

16 leave as is.

Signing a code of conduct was discussed.

5. Coffee with Council Notes

The notes were discussed.

Discussion on the following issues occurred:

Citizen Technical Advisory Committee – this was discussed further. Inclusion of citizens was discussed. Will this just be affected landowners or anyone that is interested?

Email list to citizens – a list has been created, with approximately 27 names added to date, as they are sent into the MD. The intent is to let the citizens know when there is a new update on the website for review.

WiFi in the Community – this will be discussed again.

6. Round Table Discussion

There was nothing discussed during the round table discussion.

7. Adjournment

Councillor Terry Yagos

Moved that the Council Committee meeting adjourn, the time being 11:50 am.

Carried

DRAFT

MINUTES
COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
August 28, 2018

- Present: Reeve Quentin Stevick, Councillors Brian Hammond, Bev Everts, Rick Lemire and Terry Yagos
- Staff: Chief Administrative Officer Sheldon Steinke, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Assistant Public Works Superintendent Jared Pitcher and Executive Assistant Tara Cryderman
- Other: Tom Leavitt, with MPE Engineering Ltd

Reeve Quentin Stevick called the meeting to order, the time being 9:00 am.

1. Approval of Agenda

Councillor Terry Yagos

Moved that the Council Committee Meeting Agenda, for August 28, 2018, be amended, the amendment as follows:

- Rearrange the agenda so that the Closed Meeting Session becomes Agenda Item Number 3 and the Meeting Date discussion becomes Agenda Item Number 4;

And that the agenda be approved as amended.

Carried

2. Beaver Mines Water and Wastewater Project (9:00 am)

Tom Leavitt, with MPE Engineering Ltd, attended the meeting to update Council on the Beaver Mines Water and Wastewater Project.

The Capital Project List and Summary document was explained.

The Raw Water Intake project summary was explained.

The Beaver Mines Regional Water Supply project summary was explained.

The Castle Area Regional Water Supply project summary was explained.

3. Closed Meeting Session

Councillor Terry Yagos

Moved that Council close the Council Committee Meeting to the public for discussions regarding the following, the time being 9:42 am:

- Public Works Call Log – FOIP Section 16
- Beaver Mines Water Wastewater Project Land Acquisition – FOIP Section 16
- Kenow Fire – FOIP Section 21(10:30 am)

Councillor Bev Everts

Moved that Council open the Committee Meeting to the public, the time being 12:00 pm.

Carried

4. Chief Administrative Officer Process Meeting Date

It was determined that the initial dates, to meet with the consultant secured for the procurement of the CAO, be set for September 4, 2018 at 9:00 am, with a second date being set for September 12, 2018 at 1:00 pm.

5. Round Table Discussion

Division 2:

- Residence locations on new landowner maps? These will not be on the new map, due to FOIP.

Division 4:

- Nothing to report

Division 5:

- Sage Creek Debrief went really well

Division 3:

- Kenow Fire dialogue and final report

Division 1:

- Nothing to report

6. Adjournment

Councillor Rick Lemire

Moved that the Council Committee Meeting adjourn, the time being 12:06 pm.

Carried

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
COUNCIL MEETING
AUGUST 28, 2018

9020

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, August 28, 2018, in the Council Chambers of the Municipal District Administration Building, Pincher Creek, Alberta.

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

STAFF Interim Chief Administrative Officer Sheldon Steinke, Director of Operations Leo Reedyk, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, and Executive Assistant Tara Cryderman

Reeve Quentin Stevick called the Council Meeting to order, the time being 1:00 pm.

A. ADOPTION OF AGENDA

Councillor Terry Yagos 18/432

Moved that the Council Agenda for August 28, 2018, be amended, the amendments as follows:

Addition to Operations – F1f – Agricultural Appeal Committee;
 Addition to Operations – F1g – Castle River Crossing Approval - Letter to Minister of Environment;
 Addition to Operations – F1h – Funding for a Further GeoTech Study;

And that the agenda be approved, as presented.

Carried

B. DELEGATIONS

1. Request for Service on Road Easement NE 18-10-2 W5M

Rob Nichols appeared as a delegation to speak to his letter, dated August 21, 2018, in which Mr. Nichols is requesting that the MD maintain the road leading into his parcel of land.

The construction of the road to MD standards was mentioned. Mr. Nichols indicated that his does not need, or want, the road to be updated to a higher standards. There is no need for the road to be in higher standards.

Mr. Nichols is requesting that the road in question, be graded and gravelled one last time, and then the parties involved agree that the MD will be released from the obligations of the road, and caveats will be removed from the affected titles.

Easements were discussed.

2. Awards of Excellence Sponsorship Request

Sam Schofield and Ola Crook, with the Pincher Creek and District Chamber of Commerce, appeared as a delegation to request that the MD of Pincher Creek No. 9 be a Diamond Sponsor for the 23rd Annual Awards of Excellence.

The cost of the Diamond Sponsorship is \$1,500.

Minutes
 Regular Council Meeting
 Municipal District of Pincher Creek No. 9
 August 28, 2018

C. MINUTES

1. Special Council Meeting Minutes

Councillor Bev Everts 18/433

Moved that the Special Council Meeting Minutes of July 9, 2018 be approved as presented.

Carried

2. Council Meeting Minutes

Councillor Rick Lemire 18/434

Moved that the Council Meeting Minutes of July 10, 2018, be approved as presented.

Carried

3. Special Council Meeting Minutes

Councillor Bev Everts 18/435

Moved that the Special Council Meeting Minutes of August 7, 2018, be amended, the amendment being:

Rewording of Resolution 18/430 to read “Geotechnical Studies required for a future wastewater site”;

And that the minutes be approved as amended.

Carried

D. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes to discuss.

E. UNFINISHED BUSINESS

1. Request for Service on Road Easement – NE 18-10-2 W5M

Councillor Terry Yagos 18/436

Moved that the request for the road, provided via easement, to the NE 10-8-2 W5M, be added to the MD’s road inventory, to be classified and maintained in accordance with the current road policies, be denied;

And that the affected landowners provide to the MD of Pincher Creek proof of a registered Easement;

And that the road in question be graded and gravelled, at a onetime occurrence only, with costs covered by the MD of Pincher Creek No. 9 and not to exceed an amount of \$5,000;

And further that once the road has been graded and gravelled, and that proof of registered easements have been submitted, the MD remove the Caveats from the affected titles, as the MD no longer requires public access on the said road.

Carried

F. CHIEF ADMINISTRATIVE OFFICER'S (CAO) REPORTS

1. Operations

a) Municipal District of Pincher Creek No. 9 Flag

Councillor Bev Everts 18/437

Moved that Council direct Administration to investigate further possibilities for the flag.

Carried

b) Bylaw No. 1290-18; Regional Airport Advisory Committee – Terms of Reference

Councillor Brian Hammond 18/438

Moved that Council give Bylaw No. 1290-18, including Appendix A, being the bylaw to establish the Regional Airport Advisory Committee, be given first reading.

Carried

c) Snow Removal Invoice for Winter 2017/2018

Councillor Bev Everts 18/439

Moved that the request from Lester Hochstein, dated August 18, 2018, for payment for snowplowing, be denied.

Carried

d) Beaver Mines Community Association – Water Wastewater Project – Community Advisory Group – Terms of Reference

Councillor Rick Lemire 18/440

Moved that Council direct Administration to make the necessary edits to the Terms of Reference, as discussed;

And that the revisions be returned to the Beaver Mines Water and Wastewater Project Community Advisory Group, with their comments prior to being returned to Council for further consideration for approval.

Carried

e) Operations Report

Councillor Brian Hammond 18/441

Moved that the Operations report from the Director of Operations, for the period dated July 5, 2018 to August 23, 2018, as well as the Call Logs, be received as information.

Carried

f) Agricultural Appeal Committee

Councillor Rick Lemire 18/442

Moved that Councillors Rick Lemire, Brian Hammond and Terry Yagos be appointed to the Agricultural Appeal Committee.

Carried

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g) Letter to Minister of Environment

Councillor Bev Everts 18/443

Moved that Council forward a letter to the Minister of Environment and the Minister of Public Lands, expediting the process previously submitted by MPE Engineering Ltd in September 2017, on behalf of the MD of Pincher Creek, with regards to the Castle River Crossing.

Carried

h) Beaver Mines Water and Wastewater Project

Councillor Terry Yagos declared a potential conflict of interest, and left the meeting, the time being 2:45 pm.

Councillor Rick Lemire 18/444

Moved that Administration, through MPE Engineering Ltd., proceed with the Geotechnical Studies required for a wastewater site, for the Wastewater portion of the Beaver Mines Water and Wastewater project, at a cost of \$20,000, with the funding coming from Wastewater Infrastructure (Account No. 6-12-0-759-6740).

Carried

Councillor Yagos returned to the meeting, the time being 2:47 pm.

2. Planning and Development

a) Letters from Beaver Mines Community Association

Councillor Bev Everts 18/445

Moved that the letters from the Beaver Mines Community Association, dated August 17, 2018 and August 18, 2018, respectively, be forwarded to the MD's Planner for future land use planning consideration for the Hamlet of Beaver Mines.

Carried

b) 2018-07-19 Letter from Hazelton and Simmons

Councillor Brian Hammond 18/446

Moved that Council direct Administration to review Bylaw No. 918A, with revisions being brought back to Council for further consideration.

Carried

3. Finance

a) Fire Billing

Councillor Terry Yagos 18/447

Moved that all invoices, submitted by Pincher Creek Emergency Services Commission, be absorbed by the MD of Pincher Creek No. 9.

Defeated

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Councillor Rick Lemire 18/448

Moved that all invoices, submitted by Pincher Creek Emergency Services Commission, be forwarded to the landowners, where the fires occurred.

Carried

Councillor Terry Yagos 18/449

Moved that Bylaw 1234-13 be amended to invoice all landowners where fires occur.

Carried

b) Statement of Cash Position

Councillor Bev Everts 18/450

Moved that the Statement of Cash Position, for the month ending July 2018, be received as information.

Carried

4. Municipal

a) New Beaver Mines Fire Hall

Councillor Rick Lemire 18/451

Moved that Council requests that Pincher Creek Emergency Services Commission commence with the subdivision application process.

Carried

b) Waiver of Tax Penalty Request – Enel Green Power

Councillor Bev Everts 18/452

Moved that the request, from Enel Green Power, to waive the Tax Penalty, in the amount of \$17,638.32, be denied.

Carried

c) Waiver of Tax Penalty Request – Claude Laplant

Councillor Brian Hammond 18/453

Moved that the request, from Claude Laplant, to waive the Tax Penalty, in the amount of \$18.50, be denied.

Carried

d) Request to Join Highway #3 Twinning Group

Councillor Rick Lemire 18/454

Moved that Council become a member of Highway #3 Twinning Group, at a membership fee of \$0.25 per capita, for a total membership fee of \$741.25, with funding coming from Council Memberships and Subscriptions (Account No. 2-11-0-238-2238).

Carried

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e) Code of Conduct Bylaw No. 1281-17

Councillor Terry Yagos 18/455

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be amended, the amendments as follows:

Section 15.2 be deleted;
 Section 15.3 be revised by deleting “when the Member ceases to hold office”;

And that Bylaw No. 1281-17 be given first reading, as amended.

Carried

Councillor Rick Lemire 18/456

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be given second reading.

Carried

Councillor Bev Everts 18/457

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be presented for third reading.

Carried Unanimously

Councillor Brian Hammond 18/458

Moved that Bylaw No. 1281-17, being the Code of Conduct Bylaw, be given third and final reading.

Carried

f) Naming of the Municipal Office

Councillor Brian Hammond 18/459

Moved that Council receive the Municipal District of Pincher Creek Municipal Accountability Review Report, dated May 8, 2018, as information;

And that Council declare the Municipal District of Pincher Creek No. 9 Administration Office and Council Chambers to be located at 1037 Herron Avenue, Pincher Creek, AB T0K 1W0.

Carried

g) Pincher Creek Food Bank Update

Councillor Terry Yagos 18/460

Moved that Council invite representatives from Pincher Creek Food Bank to attend a future Council meeting as a delegation, to provide more accurate financial data, and to present a current operational update of the Food Bank.

Defeated

Councillor Brian Hammond 18/461

Moved that the Town of Pincher Creek be requested to include the Pincher Creek Food Bank on the October 18, 2018, Joint Budget Meeting Agenda, to allow an opportunity for the Food Bank to present and be considered for funding from both municipalities.

Carried

h) Ratification of Mutual Aid Fire Control Agreement and Mutual Aid Fire Control Plan-2018

Councillor Bev Everts 18/462

Moved that Council ratify the Mutual Aid Fire Control Agreement, and the Mutual Aid Fire Control Plan – 2018.

Carried

i) Artwork for the Administration Building

Councillor Brian Hammond 18/463

Moved that Council direct Administration to send a letter to Pincher Creek Allied Arts Council, requesting assistance with placing artwork within the Administration Building.

Carried

Councillor Bev Everts 18/464

Moved that Council direct Administration to investigate the costs of an Annora Brown print.

Carried

j) Inspiration Awards

Councillor Bev Everts 18/465

Moved that the information regarding the Inspiration Awards be received as information.

Carried

k) Interim Chief Administrative Officer Report

Councillor Terry Yagos 18/466

Moved that Council receive for information, the Interim Chief Administrative Officer’s report for the period of July 11, 2018 to August 27, 2018, as well as the Administration Call Log.

Carried

G. CORRESPONDENCE

1. For Information

a) Informational Correspondence

Councillor Brian Hammond 18/467

Moved that Council receive the following documents as information:

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- Letter from Indigenous Relations, dated July 31, 2018
- Letter from Town of Pincher Creek, dated July 9, 2018
- Letter from STARS, dated July 5, 2018
- Letter from Alberta Recreation and Parks Association, dated June 22, 2018
- Letter from Yagos Family, received August 2, 2018
- Letter from Kootenai Brown Pioneer Village, received August 9, 2018

Carried

H. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Reeve Quentin Stevick – Division 1
 Cardston Parade

Councillor Rick Lemire – Division 2
 Nothing to report at this time

Councillor Bev Everts– Division 3
 Agricultural Service Board

- Minutes of June 7, 2018

 Heritage Acres
 Transboundary Tour
 Pincher Creek Pancake Breakfast and Parade
 Beaver Mines Community Association

- Minutes of April 21, 2018
- Minutes of July 14, 2018

Councillor Brian Hammond - Division 4
 Nothing to report at this time

Councillor Terry Yagos – Division 5
 Crowsnest / Pincher Creek Landfill Association

- Minutes of June 20, 2018
- Minutes of July 18, 2018
- Incinerator
- Recycling trailers

 Lundbreck Cornfest Breakfast and Parade
 Lundbreck Citizens Council

Councillor Terry Yagos 18/468

Moved that the committee reports be received as information.

Carried

I. CLOSED MEETING

Councillor Brian Hammond 18/469

Moved that Council close the meeting to the public for discussions regarding the following, the time being 5:33 pm:

1. Intermunicipal Collaboration Framework / Intermunicipal Development Plan– FOIP Section 21
2. Day Care – FOIP Section 21
3. Regional Emergency Management Organization – FOIP Section 21
4. Joint Meetings – FOIP Section 21
5. Personnel – FOIP Section 19

Carried

Minutes
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Councillor Brian Hammond 18/470

Moved that Council open the meeting to the public, the time being 7:17 pm.

Carried

J. NEW BUSINESS

1. Intermunicipal Collaboration Framework / Intermunicipal Development Plan

Councillor Terry Yagos 18/471

Moved that Council direct Administration to commence the process for the implementation of the Intermunicipal Collaboration Framework, including securing the assistance of a facilitator, and the creation of a committee.

Carried

2. Day Care

Councillor Brian Hammond 18/472

Moved that La Vonne Rideout be invited to meet with Council, during a Council Committee meeting, to provide further information regarding the need of child care in the area.

Carried

3. Regional Emergency Management Organization

Councillor Rick Lemire 18/473

Moved that Council direct Administration to proceed with the initiative regarding Regional Emergency Management, as discussed during the Closed Meeting Session.

Carried

4. Joint Meetings with the Town of Pincher Creek

Councillor Bev Everts 18/474

Moved that Council for the MD of Pincher Creek agrees that Joint Council Meetings, with the Town of Pincher Creek, be scheduled for the third Thursday in March, August and November;

And that, should additional meetings be required, to resolve issues of emergent nature, a Special Meeting of each municipality be scheduled at that time.

Carried

Minutes
Regular Council Meeting
Municipal District of Pincher Creek No. 9
August 28, 2018

5. Staff Vacancies

Councillor Terry Yagos 18/475

Moved that Council authorize the CAO to enter into an agreement with Fast4ward Learning to provide professional services to recruit and hire for the vacant positions of Director of Finance and Operation.

Reeve Quentin Stevick requested a recorded vote.

Councillor Terry Yagos – In Favour
Councillor Bev Everts – In Favour
Councillor Brian Hammond – In Favour
Councillor Rick Lemire – In Favour
Reeve Quentin Stevick – Opposed
Motion Carried

Councillor Bev Everts 18/476

Moved that Council authorize the CAO to enter into a Letter of Understanding with Harold Johnsrude, for budget preparation.

Carried

K. ADJOURNMENT

Councillor Terry Yagos 18/477

Moved that Council adjourn the meeting, the time being 7:23 pm.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

MINUTES
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
SPECIAL COUNCIL MEETING
SEPTEMBER 04, 2018

9030

The Special Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, September 4, 2018, at 9:00 am, in the Administration Building, of the Municipal District of Pincher Creek No. 9, in the Town of Pincher Creek, Alberta.

Notice of the meeting was given by person to each Councillor and a signed Waiver of Notice Form is attached to and forms part of these minutes.

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

STAFF Interim Chief Administrative Officer Sheldon Steinke

Reeve Quentin Stevick called the Special Council Meeting to order, the time being 9:00 am.

A. ADOPTION OF AGENDA

Councillor Brian Hammond 18/478

Moved that the Special Council Meeting Agenda, for September 4, 2018, be approved as presented.

Carried

B. CLOSED MEETING

Councillor Brian Hammond 18/479

Moved that Council close the meeting to the public for discussions regarding the following, the time being 9:01 am:

1. Chief Administrative Officer Recruitment – FOIP Section 19

Carried

Councillor Terry Yagos 18/480

Moved that Council open the meeting to the public, the time being 11:58 am.

Carried

C. ADJOURNMENT

Councillor Bev Everts 18/481

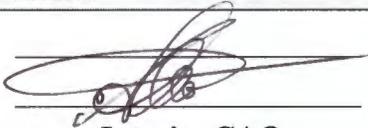
Moved that Council adjourn the meeting, the time being 11:59 am.

Carried

REEVE

CHIEF ADMINISTRATIVE OFFICER

Recommendation to Council

TITLE: Sponsorship of the 23 rd Annual Awards of Excellence			
PREPARED BY: Sheldon Steinke		DATE: September 5, 2018	
DEPARTMENT:			
		ATTACHMENTS:	
Department Supervisor	Date	<ol style="list-style-type: none"> 1. Email from Pincher Creek Chamber of Commerce, dated August 5, with accompanying letter 2. List of Sponsorship Opportunities 3. 2018 Grants to Groups Account Status 	
APPROVALS:			
			09 Sept 18
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That the MD of Pincher Creek be a Gold Sponsor by donating \$750.00 to the Chamber of Commerce, with the funding coming from Grants to Groups and Organizations (Account No. 2-74-0-770-2765).

BACKGROUND:

At the August 28, 2018 Council Meeting, representatives from the Pincher Creek Chamber of Commerce appeared as a delegation to request that the MD of Pincher Creek sponsor the 23rd Annual Awards of Excellence, scheduled for October 19, 2018.

The MD has been a gold sponsor for many years; a history of sponsorship is as follows:

2012 - \$250
 2013 - \$250
 2014 - \$250
 2015 – a request was not provided
 2016 - \$500
 2017 - \$500

A list of sponsorship opportunities is attached. The gold sponsorship seems to be the most appropriate for the MD.

FINANCIAL IMPLICATIONS:

The status of the Grants to Groups and Organizations is attached.

If Council feels the sponsorship of the event is warranted, perhaps annual sponsorship should be discussed during yearly budget deliberations, and a line item be added, specifically for events such as this.

This would alleviate the pressure to the Grants to Groups and Organizations account.

PINCHER CREEK & DISTRICT CHAMBER of COMMERCE

August 7th, 2018

Reeve and Council for the Municipal District of Pincher Creek,

The Pincher Creek and District Chamber of Commerce is proud to host the 23rd Annual Awards of Excellence on Friday October 19th at the Pincher Creek Community Hall. The Awards celebrate excellence in our community along with Alberta Small Business Week.

We would like to invite you to become a diamond sponsor for the event.

DIAMOND SPONSOR - \$1,500

Includes:

a display table at the entrance of the banquet room

8 tickets to the banquet on October 20th

presentation of an award

a double page ad in the program (8"x10")

a special mention in the script

frequent social media mentions leading up to the event

The Chamber of Commerce mission is to be a platform for business collaboration and growth within our community. We strive to be a catalyst through which business and professional people work together to build a vibrant community with a strong economy.

We appreciate the MD of Pincher Creek's support of local business and celebrating their successes during Alberta Small Business Week.

Kind Regards,

Awards of Excellence Committee

Pincher Creek & District Chamber of Commerce

PINCHER CREEK
& DISTRICT
CHAMBER of COMMERCE

Pincher Creek & District Chamber of Commerce
Box 2287 Pincher Creek, AB T0K 1W0
info@pincherchamber.ca www.pincherchamber.ca
403 627 5199

Tara Cryderman

From: Pincher Chamber <info@pincherchamber.ca>
Sent: Sunday, August 5, 2018 10:16 PM
To: Tara Cryderman
Subject: Awards Sponsorship Letter
Attachments: MD Pincher Creek _ Awards Letter.pdf

Good day,

On behalf of the Pincher Creek and District Chamber, I would like to request attendance at your next possible council meeting to present an invitation for sponsorship at the 23rd Awards of Excellence.

Please find a formal letter request attached.

Kind regards,

Ola Crook
Chamber Administrator



Pincher Creek, Ab

phone: +1 (403) 627 5199
site: www.PincherChamber.ca
email: info@PincherChamber.ca





23RD ANNUAL AWARDS OF EXCELLENCE

OCTOBER 19, 2018

The Pincher Creek & District Chamber of Commerce is proud to host the 23rd Annual Awards of Excellence on Friday October 19th, 2018 at the Pincher Creek Community Hall, celebrating Alberta Small Business Week!

DIAMOND SPONSOR - \$1500 (only 4 available)

Includes:

- a display table at the entrance of the banquet room
- presents 2 awards
- preferred seating
- receives 8 tickets to the banquet
- receives a double page ad in the program (8"x10")
- a special mention in the script
- frequent social media mentions leading up to the event

GOLD SPONSOR - \$750 (only 10 available)

Includes:

- 8 tickets to the banquet
- a full page ad in the program (8"x5")
- social media mentions prior to the event

SILVER SPONSOR - \$500 (only 6 available)

Includes:

- 4 tickets to the banquet
- a half page ad in the program (4"x5")

BRONZE SPONSOR - \$250 (only 3 available)

Includes:

- 2 tickets to the banquet
- a business card ad in the program

2018 Grants to Groups
September 5, 2018

Total Budget 10,000.00

Council Allocations

DU Ranch Gravel 18/097 350.00

Town Fireworks 18/098 5,000.00

Archery Club 18/267 100.00

Habitat for Humanity 18/263 329.40

Town Wear the Gear 18/347 250.00

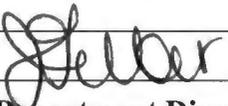
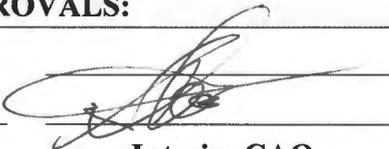
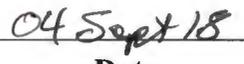
Car & Moto Show 18/351 100.00

RhPAP 18/397 1,500.00

7,629.40

Total Remaining for 2018 2,370.60

Recommendation to Council

TITLE: Fire Services Bylaw			
PREPARED BY: Janene Felker		DATE: August 31, 2018	
DEPARTMENT: Finance			
			ATTACHMENTS:
Department Supervisor		Date	<ol style="list-style-type: none"> 1. Bylaw 1234-13 2. Bylaw 1201-10
APPROVALS:			
 <hr/> Department Director	 <hr/> Date	 <hr/> Interim CAO	 <hr/> Date

RECOMMENDATION:

The Council rescind Bylaw 1234-13.

BACKGROUND:

At the August 28th meeting, Council instructed Administration in resolution 18/449 to bring a new bylaw back indicating that all fire bills received from Pincher Creek Emergency Services will be invoiced back to the appropriate landowner.

After further investigation, Bylaw 1234-13 is amending Bylaw 1201-10. In 1201-10, the paragraphs that are being replaced are paragraph 3.0.B and 3.0.E (highlighted in the attachment). These paragraphs state that costs associated with a fire will be charged to the landowner. Therefore, Council only needs to rescind Bylaw 1234-13 and then Bylaw 1201-10 will remain in effect in full.

FINANCIAL IMPLICATIONS:

With the passing of this Bylaw, the budget will be updated so that the fire services revenue now equals the fire services expense, which in 2018 was \$40,000.

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

BYLAW NO. 1234-13

A Bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Fire Services Bylaw No. 1201-10, which imposes fees and charges for services and activities provided by the Pincher Creek Emergency Services of the Municipal District of Pincher Creek No. 9.

WHEREAS the *Municipal Government Act*, being Chapter M-26 Revised Statutes of Alberta 2000, and as amended from time to time, provides that a Council of a municipality may pass bylaws for services provided by or on behalf of the municipality,

AND WHEREAS the *Municipal Government Act* R.S.A. 2000 Chapter M-26, and as amended from time to time, provides that a municipality may, pursuant to a bylaw, collect the costs and expenses incurred by the municipality for fire suppression services;

AND WHEREAS the *Forest and Prairie Protection Act* R.S.A. 2000, c. F-19, and as amended from time to time, provides that the Municipal District of Pincher Creek No. 9 is responsible for fighting and controlling all fires within the boundaries of the MD, other than areas contained in a forest protection area;

AND WHEREAS the Council for the Municipal District of Pincher Creek has entered into an Emergency Services Agreement with the Town of Pincher Creek;

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9, duly assembled ENACTS AS FOLLOWS:

- 1.0 This Bylaw shall be cited as "Fire Services Amendment Bylaw No. 1234-13".
- 2.0 Delete Section 3.0.b. and 3.0.e. in their entirety and replace with the following:
 - 3.0.b. Council may recover from an Owner or person responsible for an Incident, all costs incurred by Pincher Creek Emergency Services in responding to the Incident, including all costs for consumables or other materials used by Pincher Creek Emergency Services during or in relation to the Incident.
- 3.0 This bylaw shall come into force and effect upon passing thereof.

READ a first time this 26th day of February, 2013

READ a second time this 26th day of February, 2013

READ a third time and finally passed this 12th day of March, 2013



REEVE



CHIEF ADMINISTRATIVE OFFICER

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

BYLAW NO. 1201-10

A Bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to impose fees and charges for services and activities provided by the Pincher Creek Emergency Services of the Municipal District of Pincher Creek No. 9.

WHEREAS the *Municipal Government Act*, being Chapter M-26 Revised Statutes of Alberta 2000, and as amended from time to time, provides that a Council of a municipality may pass bylaws for services provided by or on behalf of the municipality,

AND WHEREAS the *Municipal Government Act* R.S.A. 2000 Chapter M-26, and as amended from time to time, provides that a municipality may, pursuant to a bylaw, collect the costs and expenses incurred by the municipality for fire suppression services:

AND WHEREAS the *Forest and Prairie Protection Act* R.S.A. 2000, c. F-19, and as amended from time to time, provides that the Municipal District of Pincher Creek No. 9 is responsible for fighting and controlling all fires within the boundaries of the MD, other than areas contained in a forest protection area;

AND WHEREAS the Council for the Municipal District of Pincher Creek has entered into an Emergency Services Agreement with the Town of Pincher Creek:

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9, duly assembled ENACTS AS FOLLOWS:

1.0 This Bylaw may be cited as "Fire Services Bylaw No. 1201-10".

2.0 **Definitions**

In this bylaw:

"Council" means the Municipal District of Pincher Creek No. 9 Council.

"Equipment" means any tools, contrivances, devices and materials used by the Pincher Creek Emergency Services, to combat an incident or other emergency.

"Fire" means the burning of any flammable or combustible material or any combustible material in a state of combustion.

"Fire Protection Charges" means those fees and charges, as established by Council from time to time, for Fire Protection Services as set out in Schedule "A" attached to this bylaw.

"Incident" means a fire or a situation where a fire or an explosion is imminent or any other situation where there is a fire, a danger or a possible danger to life or property.

"MD" means the Municipal District of Pincher Creek No. 9 and the area within its boundaries.

"Pincher Creek Emergency Services" (PCES) means the Pincher Creek Emergency Services established by the Emergency Services Agreement between the Town of Pincher Creek and the Municipal District of Pincher Creek No. 9 for the purpose of providing fire and emergency services in the MD and the Town of Pincher Creek.

"Property" means any real or personal property, including land, equipment, products, vehicles and structures.

"Town" means the Town of Pincher Creek"

3.0 **Fire Protection Charges**

- a. The PCES may advise the appropriate municipality to charge Fire Protection Charges in accordance with Schedule "A", as amended from time to time by Council.
- b. Where the PCES has taken any action whatsoever for the purpose of extinguishing a fire or responding to an incident within or outside of the MD, the MD shall, in respect of the costs incurred by the MD in taking such action, including the cost of securing a building, structure or thing, or securing privately owned equipment necessary to bring the fire or incident under control, and charge those costs to:
 - (1) The person causing or contributing to the fire; or
 - (2) The owner or occupant of the property which is the subject for the requirement of fire protection services.All individuals charged are jointly and severally responsible for payment of the fire protection charges to the MD.
- c. The PCES shall forward all information to the MD necessary to bill the appropriate person or persons.
- d. A fire protection charge shall be paid within thirty (30) days of being levied.
- e. The owner of a parcel to which fire protection is provided is liable for fire protection charges incurred.
- f. Collection of unpaid fire protection charges may be undertaken by civil action in a court of competent jurisdiction, and any civil action does not invalidate any lien which the MD is entitled to place on the property in respect of which the indebtedness is incurred.
- g. Where the fire protection charges are not paid upon demand by the MD, fire protection charges relating to the extinguishing of fire on the land and interest charges accrued may be added to the tax roll of the land.
- h. All owners of the real property to whose tax roll the fees for service or charges or any or all of them were added pursuant to Section 3.0 h. shall be liable jointly and severally for paying such fee and charges, and such fee and charges shall be collected in a like manner as municipal taxes.

4.0 **General**

- a. Should any section or part of this bylaw be found to be improperly enacted, or outside the MD's jurisdiction, for any reason, then such section or part will be regarded as being severed and the remaining sections will remain effective and enforceable.
- b. This bylaw will function in conjunction with the Quality Management Plan, Standard Operating Procedures, and the MD's Occupational Health and Safety program.

Bylaw 1201-10
Fire Services Bylaw

5.0 This bylaw shall come into force and effect upon passing thereof.

READ a first time this 14 day of September, 2010

READ a second time this 14 day of September, 2010

READ a third time and finally passed this 14 day of September, 2010

REEVE

CHIEF ADMINISTRATIVE OFFICER

Schedule "A"

to

Bylaw No. 1201-10

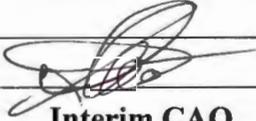
Charge-out Fees

For each unit used on an incident (engine, tender, rescue unit)
plus manpower

\$400.00 per hour

Recommendation to Council

E3

TITLE: Artwork for the Administration Building			
PREPARED BY: Sheldon Steinke		DATE: September 5, 2018	
DEPARTMENT:			
		ATTACHMENTS: None	
Department Supervisor	Date		
APPROVALS:			
_____	_____	 _____	_____ <i>05 Sept 2018</i>
Department Director	Date	Interim CAO	Date

RECOMMENDATION:
 That the purchase of artwork for the Administration Building be postponed, pending the response from the Allied Arts Council of Pincher Creek.

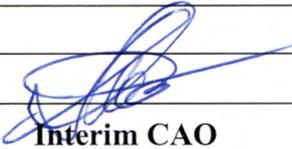
BACKGROUND:
 At the August 28, 2018 Council Meeting, direction was given to investigate the cost of an Annora Brown print. Upon investigation, the cost of an 8 x 10 Annora Brown print was quoted at \$50.

Also, during the same meeting, a resolution was passed directing Administration to approach the Allied Arts Council of Pincher Creek to see if a partnership could be established, where the Allied Arts Council placed artwork throughout the Administration Building on a rotating basis.. This initiative would be of no cost to the MD, but would showcase many local artists throughout the year. With so many locally talented artists in the area, choosing which artwork to purchase would be a daunting task, and criteria would be required.

A letter has been sent to the Allied Arts Council of Pincher Creek and we are awaiting a response.

FINANCIAL IMPLICATIONS:
 There is no implications at this time.

Administration Guidance Request

TITLE: Amendment to the Animal Control Bylaw (Hamlet Chickens)			
PREPARED BY: Roland Milligan		DATE: 2018-09-06	
DEPARTMENT:			
Department Supervisor		ATTACHMENTS: 1. Bylaw No. 1272-17 2. Bylaw No. 1198-10 (Animal Control)	
Date		APPROVALS:	
			
Department Director		Interim CAO	
			
Date		Date	

REQUEST:
How does Council wish to proceed with Amending Bylaw No. 1272-17, being an amendment to Bylaw No. 1198-10, being the Animal Control Bylaw?

<u>BACKGROUND:</u>
<p>There is interest from Hamlet residents in raising chickens on their residential parcels within Hamlet boundaries.</p> <p>Bylaw No. 1272-17 (the Bylaw), as an amendment to Bylaw No. 1198-10, the Animal Control Bylaw was drafted and presented to Council at the March 28, 2017 Council meeting. A subsequent Public Meeting was held on May 23, 2017, with that information returned to Council at the July 11, 2017 Council meeting.</p> <p>At the July 11, 2017 meeting, Council directed Administration to investigate the possibility of devising a permitting process for the keeping of chickens, including notification to adjacent landowners.</p> <p>After looking into a permitting system, the requirements become cumbersome for a municipality that will likely see minimal permits.</p> <p>The proposed bylaw provides guidelines for the use. The MD's Animal Control Officer is available to act on any complaints that would arise.</p>

<u>FINANCIAL IMPLICATIONS:</u>
None that can be determined at this time.

**MUNICIPAL DISTRICT OF PINCHER CREEK
BYLAW NO. 1272-17**

A bylaw of the Municipal District of Pincher Creek No. 9, in the Province of Alberta for the purpose of amending Bylaw No. 1198-10, being the Animal Control Bylaw.

WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them;

AND WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to impose fines and penalties for infractions of the bylaws;

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, duly assembled does hereby enact the following:

1. This Bylaw may be cited as “THE ANIMAL CONTROL BYLAW AMENDMENT BYLAW NO. 1272-17”.
2. Amendments per Schedule A attached.
3. This bylaw comes into force and effect upon third and final passing thereof.

READ a first time this _____ day of _____, 2018.

READ a second time this _____ day of _____, 2018.

READ a third time and finally passed this _____ day of _____, 2018.

Reeve

Chief Administrative Officer

Schedule A

1. Add to Section 3. Definitions, of the Animal Control Bylaw, new definitions as follows:

"**Chicken**" means a domesticated fowl that is kept for egg or meat production or as a pet, but does not include a turkey, goose, duck, artificially reared grouse, partridge, quail, pheasant or ptarmigan;

"**Coop**" means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens, that is no larger than 10 m² (108 ft²) in floor area, and no more than 2.4m (8 ft) in height;

"**Hen**" means a domesticated female chicken;

"**Outdoor Enclosure**" means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;

"**Rooster**" means a domesticated male chicken;

"**Urban Chicken**" means a Hen that is at least 16 weeks of age;

2. Add to Section 6. Restrictions Respecting Land Use to include the following:

6. f. Chickens

- (1) Within the boundaries of a Hamlet as defined within this bylaw:
 - (a) A person may keep up to a maximum of four (4) urban chickens upon a parcel of land
 - (b) no person shall:
 - keep a Rooster
 - keep a Hen, other than an Urban Chicken
- (2) Within a Grouped Country Residential District as defined within the Land Use Bylaw, Chickens may only be kept upon or in any land, house, shelter, room or place, building structure, or other premises in accordance with the following limits:

Residential Parcel Size	Allowable Number of Chickens Per Parcel
1.22 ha – 1.61 ha (3.0 – 3.99 ac)	30
1.62 ha – 2.02 ha (4.0 – 4.99 ac)	45
2.03 ha – 2.42 ha (5.0 – 5.99 ac)	60
2.43 ha – 4.04 ha (6.0 – 9.99 ac)	75
4.05 ha (10 ac)	90

- (3) Any person who contravenes Sections 1 or 2 is guilty of an offence.
- (4) Responsibilities of the Urban Chicken Owner
 - (a) Urban Chicken owners must comply with the *Alberta Animal Health Act* and any other applicable standards adopted by the Province of Alberta.
 - (b) Urban Chicken owners on whose property hens are kept have a duty to take reasonable measures to ensure that:
 - The Coop and Hens kept in the Coop do not pose a safety/risk to persons on adjacent public or private property;
 - The potential for damage to building and/or property located on adjacent public or private property as a result of the keeping of Urban Chickens is minimized;

- Are required to follow procedures outlined by the Canadian Food Inspection Agency to reduce potential disease outbreak.
- (c) Urban Chicken owners must apply annually for a MD Licence as per the process outlined in the Urban Chicken Licence Application.
- (5) A person who keeps one or more Urban Chickens within a Hamlet or Chickens within a Grouped Country Residential District must:
- (a) provide each Chicken with at least 0.37 m² (4 ft²) of coop floor area, and at least 0.92 m² (10 ft²) of roofed outdoor enclosure; with all structures meeting the setback requirements of the land use district in which the parcel is located and as established within the Land Use Bylaw.
 - (b) provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;
 - (c) provide and maintain, in each coop, at least one perch, for each Chicken, that is at least 15 cm (0.5 ft) long, and one nest box;
 - (d) keep each Chicken in the enclosed area at all times;
 - (e) provide each Chicken with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the Chicken in good health;
 - (f) maintain each Chicken enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
 - (g) construct and maintain each Chicken enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
 - (h) keep a food container and water container in each coop;
 - (i) keep each coop secured from sunset to sunrise;
 - (j) remove leftover feed, trash, and manure in a timely manner;
 - (k) store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
 - (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with Municipal District bylaws;
 - (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
 - (n) keep Chickens for personal use only.
- (6) Any person who keeps Urban Chickens within a Hamlet or Chickens within a Grouped Country Residential District in contravention of Section 4 is guilty of an offence.

3. Renumber Current Section 6. f. to 6. g.

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

BYLAW NO. 1198-10

Being a Bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, respecting the regulation and control of animals in the Municipal District of Pincher Creek No. 9

WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them;

AND WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to impose fines and penalties for infractions of the bylaws;

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9 enacts as follows:

1. This Bylaw may be cited as "Animal Control Bylaw No. 1198-10".
2. This bylaw is for the purpose of controlling animals within the MD of Pincher Creek No. 9, with specific regulations related to Hamlets within the Municipal District of Pincher Creek No. 9.
3. Definitions

In this bylaw unless the content otherwise requires:

- a. "Animal" means a species excluding humans and wildlife, being kept in a domestic situation for the purposes of animal husbandry.
- b. "Animal Care Service, Major" means developments used for the care, treatment, boarding, breeding, or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding or breeding kennels, facilities for impounding or quarantining animals and related research or storage facilities.
- c. "Animal Care Service, Minor" means developments for the onsite treatment or grooming of small animals such as household pets, where onsite accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming stores, pet clinics and veterinary offices.
- d. "Animal Control Officer" means a Bylaw Enforcement Officer, or Peace Officer having jurisdiction with the MD, or any other person, firm or corporation appointed by Council to carry out the provisions of the bylaw.
- e. "Bylaw Enforcement Officer" means a person appointed by Council pursuant to provisions of the *Municipal Government Act*, R.S.A. 2000, and amendments made thereto.
- f. "Cat" means an altered or unaltered, mature female or male or immature offspring of any domesticated feline species.
- g. "Dangerous Dog or Animal" means any dog or animal:
 - (1) that has chased, injured or bitten any other animal or human;
 - (2) that has damaged or destroyed any public or private property;

- (3) that has threatened or created the reasonable apprehension of a threat to a human or other animal;
 - (4) that in the opinion of a Justice, presents a threat of serious harm to other animals or humans;
 - (5) that has been previously declared as dangerous by way of the *Dangerous Dogs Act* (R.S.A. 2000 Chapter D-3 as amended).
- h. "Day" means a continuous period of twenty-four (24) hours.
- i. "Dog" means an altered or unaltered, mature female or male or immature offspring of any domesticated canine species.
- j. "Feral" means a free-ranging animal, dog, or cat that, having escaped from domestication, is wild and has no identifiable owner.
- k. "Former Owner" means the person, who at the time of impoundment was the owner of an animal which has subsequently been sold or euthanized.
- l. "Hamlet" means the Hamlets of Beaver Mines, Lowland Heights, Lundbreck, Pincher Station and Twin Butte.
- m. "Justice" has the meaning as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34, as amended.
- n. "Kennel" means:
- (1) a commercial or sport/hobby operation that boards, breeds, and rears or trains dogs, cats and their offspring;
 - (2) any premises that serves as an animal shelter used primarily for the impoundment of dogs, cats and their offspring, and includes any premises owned or leased by any philanthropic organization serving those purposes, such as the S.P.C.A.;
 - (3) any premises that has a valid Development Permit for the purposes listed in this section, issued pursuant to the Land Use Bylaw.
 - (4) a premise that has a valid Development Permit, issued pursuant to the Land Use Bylaw, for the sole purpose of caring for or treating animals under the supervision of a licenced veterinarian is not a kennel.
- o. "Nuisance" means the keeping of any dogs, cats or other animal that are injurious to the health of an individual, or obnoxious to property or the community at large by reason of:
- (1) the accumulation of animal waste and material contaminated by waste;
 - (2) the disposal of animal waste and material contaminated by waste;
 - (3) the trespass upon property;
 - (4) the threat to public health and/or safety.
- p. "Owner" means any natural person or body corporate:
- (1) who has legal title to the animal;

- (2) who possesses or has custody of the animal, either temporarily or permanently;
 - (3) who harbours the animal or allows or encourages the animal to remain about that person's residence or premises;
 - (4) who is any competent person occupying a residence or premises where an animal is kept, harboured or allowed to remain.
- q. "Premises" means the area of land and any building contained in a legal land description or identified by geo-referenced coordinates (such as latitude and longitude), and is where animals are bred, kept, raised, displayed, assembled or disposed of.
- r. "Running at Large" means an animal that is:
- (1) not under the control of an identifiable owner and is actually upon property other than property in respect of which the owner has a right of occupation, or upon any highway, road, alleyway, or other public place, including playgrounds, school grounds, cemeteries, and sports fields; or
 - (2) apparently under the control of an owner or other person responsible and that causes damage to persons, property or other animals.
- s. "S.P.C.A." means the Society for the Prevention of Cruelty to Animals and includes any premises owned, leased or otherwise held by that organization.

4. Responsibility of Owners

- a. The owner of a dog or cat shall take all reasonable precautions to ensure that the animal:
- (1) Cannot be found running at large either:
 - (a) by securing the animal so that it is unable to leave the owners' premises;
 - (b) by directly controlling the animal whenever the animal is on property other than property in respect of which the owner has a right of occupation, or upon any highway, road, alleyway, or other public place, including playgrounds, school grounds, cemeteries, and sports fields;
 - (c) by placing the animal under the competent supervision of a person who could keep the animal from running at large in the same manner as listed in subsections (a) and (b) above.
 - (2) does not upset any garbage containers or spread domestic garbage;
 - (3) if an animal defecates on any public or private property other than the property of its Owner, the Owner shall remove such feces immediately.
- b. Whenever an animal is found to be running at large, the owner of that animal shall immediately make all reasonable efforts to:
- (1) bring the animal under direct control and secure it on the owners' premises;
 - (2) clean-up garbage, feces or fix any damage otherwise caused by the animal running at large.

- c. Whether a dog and cat or other animal is or was under control in the circumstances is a question of fact to be determined by a Court.

5. Prohibitions, Restrictions and Authorizations

- a. The following animal species are prohibited in all Land Use District within the Municipal District of Pincher Creek No. 9:

- (1) Wild Boar (*Sus scrofa*)
- (2) Norway Rat (*Rattus spp*)
- (3) Venomous Snakes

- b. The following animal species are prohibited in Hamlets:

- (1) Bees (*Apis mellifera*)

6. Restrictions Respecting Land Use

- a. No person shall have in their possession, custody or control, an animal of any species listed in Appendix "A" on lands or premises within a Hamlet, unless that person or animal:

- (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major or Animal Care Service, Minor; or
- (2) is participating in a cultural or community-sanctioned event; or
- (3) is 'in transit' and will be held within the Hamlet for a period not exceeding 6 hours.

- b. No person shall have in their possession, custody or control, any more animals of the species than are authorized in Appendix "A" on lands or premises within the Grouped Country Residential District, unless that person:

- (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major or Animal Care Service, Minor; or
- (2) is participating in a cultural or community-sanctioned event; or
- (3) is 'in transit' with the animals and that they will be held within the Grouped Country Residential District for a period not exceeding 48 hours in 3 months.

- c. Owners may have in their possession, custody or control, any animals of any species listed in Appendix "A" or any animal species listed under provincial legislation in any numbers or density up to the limits imposed by the Agricultural Operation Practices Act (R.S.A. 2000, C. A-7) and its regulations and amendments, on lands or premises in every Land Use District except those referred to in S. 6.a. or S.6.b.

- d. No person shall have in their possession, custody or control, any more than three (3) dogs on lands or premises within a Hamlet, within the Grouped Country Residential District, or within the Castle Mountain Resort, unless that person:

- (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major authorizing the custody of four (4) or more dogs within the Land Use District; or

- (2) is participating in a cultural or community-sanctioned event, and the excess dogs remain in their custody and control throughout the event; or
 - (3) keeps any number of dogs in excess of three (3) for a period that shall not exceed a cumulative total of 90 days in 12 months.
- e. No person shall have in their possession, custody or control, any more than four (4) dogs on lands or premises in every Land Use District except those referred to in S. 6.d. unless that person:
- (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major authorizing the custody of five (5) or more dogs; or
 - (2) keeps any number of dogs in excess of four (4) for a period that shall not exceed a cumulative total of 90 days in 12 months.
- f. The number of each type of animal allowed on a lot or a titled land parcel within a land use district referred to in Section 6.a, or 6.b, is restricted as described in Appendix "A". The number of animals allowed may increase by the amount in column 2, "Number per specified unit of land", for each specified minimum unit area of land within a lot or parcel only to the maximum number stated in column 3 of Appendix "A".

7. Animal Care Services

Persons wishing to provide an Animal Care Service, Major; or an Animal Care Service, Minor, must comply with the provisions as set out in the MD of Pincher Creek No. 9 Land Use Bylaw.

8. Maintenance of Premises

The owner of any premises referred to in S.6. where animals are bred, kept, raised, displayed, assembled or disposed of shall ensure that:

- a. the site is maintained in a clean state;
- b. waste and materials contaminated by waste are disposed of safely and in a timely manner;
- c. waste and materials contaminated by waste are not allowed to accumulate;
- d. waste and materials contaminated by waste are retained on the premises while awaiting disposal.

9. Reportable Disease

An owner of an animal which is suffering from those diseases which require action to control or eradicate because they are a threat to animal or human health, food safety or the economy as directed by Alberta Agriculture and Rural Development:

- a. must comply with the reporting and administration requirements of the *Animal Health Act*, S.A. 2007, c.A-40.2;
- b. may request the assistance of an Animal Control Officer in the Municipal District of Pincher Creek No. 9;
- c. shall not permit the animal to be in any public place;
- d. shall keep the animal in isolation or as directed by a licenced veterinarian;

- e. shall observe proper sanitary practices and exercise precautions to prevent the transfer of the disease to other animals on the premises, or any other premises.

10. Adjudication

- a. Any person who contravenes any part or parts of this bylaw is guilty of an offense. Persons wishing to refute any claims or charges with respect to this bylaw may make application to appeal before the Agricultural Appeal Board, provided the application is received within thirty (30) days of the violation notice being issued.

The Appeal Board will respond within ten (10) days of receipt of the application:

- (1) denying the application with the applicant being advised they have the right to appeal for the Courts;
- (2) granting the applicant an appeal hearing and setting a date for the matter to be heard.

Where a hearing has taken place, the Agricultural Appeal Board will provide a written response to the applicant within fifteen (15) days of the Board's decision being made.

- b. Persons not wishing to make a submission to the Agricultural Appeal Board may make application to the Courts for their matter to be heard.
- c. Any person found guilty and convicted of an offense by the Court Justice in relation to this bylaw, a Court Justice, in addition to imposing a penalty as provided herein, may, if such animal shall have done damage to persons or property, order the owner of such animal to pay any or all damages as the complainant may have sustained and may declare the animal dangerous in respect of the *Dangerous Dogs Act* R.S.A. 2000 c. D-3 or dangerous in respect of this bylaw, and prescribe any measures that may be deemed necessary or that may be required to eliminate the risk of another offence, or may order the owner of the animal to deliver such animal forthwith to an Animal Control Officer to be destroyed.

11. Animal Control Operation – Authority

- a. Subject to the entry notice provisions of the *Municipal Government Act* R.S.A. 2000 c. M-26, an Animal Control Officer is a designated Officer of the Municipal District of Pincher Creek No. 9, bearing proper identification, and may enter a premises to conduct an inspection in order to determine whether or not this bylaw or an order pursuant to this bylaw is being complied with.
- b. Any dog or cat owner, when requested to do so by an Animal Control Officer, shall submit to the Officer a statutory declaration or other acceptable documentation establishing the age and sex of all dog and cats owned or controlled by the owner, for the purposes of establishing if a kennel operation exists.
- c. Only an Animal Control Officer or Peace Officer shall capture and impound an animal, dog or cat in any Land Use Districts referred to in S.6.a., 6.b., or 6.d.:
 - (1) that is found running at large, or with respect to this bylaw for which a complaint has been made about the animal running at large;
 - (2) that has bitten, attacked or injured a person or caused the death of

another animal;

- (3) for which an outcome is pending on an application to a justice to declare the animal to be dangerous or to destroy the animal.

12. Obstruction

No person including the owner of an animal which is being or has been pursued or captured by an Animal Control Officer shall:

- a. Interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured an animal which is subject to being impounded pursuant to the provisions of this bylaw.
- b. Unlock or unlatch or open the vehicle used in controlling or transporting a captured animal so as to allow or attempt to allow any animal to escape therefrom.
- c. Give false information to an Animal Control Officer when requested to give information during the course of an investigation.

13. Negligence

No person shall:

- a. Untie, loosen or otherwise release an animal which has been tied or otherwise restrained;
- b. Negligently or wilfully open a gate, door or other opening in a fence or enclosure in which an animal has been secured or confined and thereby allow an animal to run at large.

14. Torment

No person shall tease, torment, annoy, abuse or injure an animal, and any person who does so is guilty of an offence.

15. Licencing – Hamlets

The owner of an animal shall ensure every dog over six (6) months of age, owned by a resident in a Hamlet, shall be licenced. A tag will be issued and must be worn by the dog, on a collar. Fees associated with licencing as per Schedule “B”, attached to and forming part of this bylaw.

16. Notice of Enforcement

- a. If the Animal Control Officer knows or can ascertain the name of the owner of any impounded animal he shall serve the owner with a copy of “Schedule A” either personally or by leaving it, or mailing it to the last known address of the owner by registered mail; and
- b. An owner of an animal to whom a notice is mailed pursuant to the provisions of Subsection 16. a. is deemed to have received a Notice within seven (7) days of the time it is registered as mail.

17. Violation Tag

A person designated by the Council of the MD of Pincher Creek No. 9, to carry out the provisions as set out in this bylaw, shall have the authority to issue a Violation Tag for infractions of this bylaw. The form of Violation Tag shall be as per Appendix “B”, attached to and forming part of this bylaw, or an approved provincial/federal violation ticket.

18. Reclaiming

The owner of any impounded animal may reclaim the animal by paying the Animal Control Officer or other person in authority, the fees as set out in "Schedule B" of this bylaw.

19. Sale or Destruction

- a. The Animal Control Officer shall not sell or destroy an impounded animal:
 - (1) until such time as the dog or cat has been impounded for a period of seventy-two (72) business hours after the owner has received notice or is deemed by Section 16. (b) to have received notice that the dog or cat is impounded;
 - (2) where the owner of the animal has made arrangements with the person in charge for the further retention of the animal.
- b. The Animal Control Officer may retain an animal for a longer period if the circumstances warrant the expense.
- c. Any dog or cat whose owner cannot be located or identified may be turned over to the S.P.C.A. after a period of seventy-two (72) hours.
- d. If a replacement owner can be located for any impounded animal, after the notification period to the identified owner has expired, and a further period of seventy-two (72) hours has lapsed, the animal may be sold to the replacement owner on payment of fees as per "Schedule B" of this bylaw.
- e. When an Animal Control Officer determines that a dog or cat is to be euthanized, the owner if known, shall pay the fees associated for such action.

20. Penalties – Voluntary Payment Tickets

- a. Where an Animal Control Officer or Peace Officer believes that a person has contravened any provision of this bylaw, the Officer may cause a violation ticket to be served upon such person pursuant to the *Provincial Offences Procedure Act* R.S.A. 2000, C P-34.
- b. Service of a violation ticket, or violation, shall be sufficient if it is:
 - (1) personally served;
 - (2) served by mail; or
 - (3) left with a competent person residing with the person alleged to have violated a provision of this bylaw.
- c. Served by mail shall be deemed to have been received seven (7) days from the date of mailing.
- d. The violation shall be in such a form as determined by the Council and shall state the contravention and the amount of the penalty as provided in Schedule "C".
- e. Upon production of a violation issued pursuant to 16., within seven (7) days from the issuance thereof, together with the designated payment, the person to whom the violation was issued shall not be liable to prosecution for the contravention in respect of which the violation was issued.

- f. Notwithstanding the provisions of this Section, a person to whom the violation was issued may exercise their right to defend any charge of committing a contravention of any of the provisions of this bylaw before a Court Justice.

21. Summary Conviction

- a. Any person who contravenes any provision of this bylaw is guilty of an offense and is liable on Summary Conviction to a fine of not more than Two Thousand Five Hundred (\$2,500.00).
- b. The levying and payment of any fine or for imprisonment for any period provided in this bylaw shall not relieve a person from the necessity of paying any fees, charges or penalty costs that he is liable for under the provisions of this bylaw.

22. Severability

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

- 23. Bylaws 4, 31, 52, 114, 344, 1053-01 are hereby repealed.
- 24. Licencing requirements shall come into force and take effect as of January 1, 2012.
- 25. The remainder of this bylaw shall come into force and take effect from the adoption thereof.

READ a first time this 24th day of August, 2010

READ a second time this 11th day of October, 2011

READ a third time and finally passed this 25th day of October 2011



REEVE



CHIEF ADMINISTRATIVE OFFICER

Attachments



SCHEDULE "A"
to
BYLAW NO. 1198-10

As of the _____ day of _____, _____, you are hereby notified
that an animal known to have been under your control at your lands _____

(Name and Location of Last Known Owner)

is being held pursuant to the provisions of Bylaw 1198-10 of the Municipal District of
Pincher Creek No. 9 and that unless the said animal is claimed and all impoundment
charges are paid on or before _____, the said animal will be
disposed of pursuant to the said bylaw.

You may be held liable for all boarding, impoundment and or violation incurred by having
this animal impounded.

Bylaw Enforcement Officer
Municipal District of Pincher Creek No. 9



SCHEDULE "B"
to
BYLAW NO. 1198-10

FEES AND CHARGES

1	Reclamation Fee	\$20.00/day impounded
2	Medication Fee (as established by veterinary service)	
3	Dog Licencing Fee -- One-time (paid at administration office or other business as specified by Council)	
	Neutered/Spayed Dog	\$15.00
	Non Neutered/Non Spayed Dog	\$30.00
	Replaccment Licence	\$10.00
	Service Dog	No Charge



SCHEDULE "C"
to
BYLAW NO. 1198-10

PENALTIES

Offence	Penalty
Prohibited Animal	Court Costs
Too Many Dogs	\$100.00
Too Many Animals	\$100.00 per extra animal
Animal Damages Property or Animals	\$100.00 plus damages
Fail to Maintain Premises	Warning/\$100.00 and costs for clean-up
Fail to Provide Documentation	\$100.00
Obstruct or Interfere with Officer	Summary Conviction
Untie, Loosen or Free Restrained Animal	\$500.00
Tease or Annoy a Confined Animal	\$100.00
Animal Running at Large	\$100.00 plus fees The penalty for an animal caught running at large on more than one occasion, during a two-year time period, will continue to double from the previous penalty amount (i.e. First Offence - \$100 plus fees, Second Offence - \$200 plus fees, Third Offence - \$400 plus fees).
Fail to Clean-up Garbage or Feces	\$100.00 plus costs for clean-up



APPENDIX "A"
to
BYLAW NO. 1198-10

Type of Animal	Number of Animals Allowed Per Unit of Land	Maximum Number of Animals Allowed Per Parcel
Horse	1 per 0.4 hectares (1 acre)	5
Cattle	1 per 0.4 hectares (1 acre)	5
Swine	1 per 0.4 hectares (1 acre)	5
Donkey or Mule	1 per 0.4 hectares (1 acre)	5
Sheep or Goat	1 per 0.2 hectares (0.5 acre)	10
Llamas or Alpacas	1 per 0.2 hectares (0.5 acre)	10
Rabbits	1 per 0.1 hectares (0.25 acre)	20

All fractional amounts shall be rounded down to the next lowest whole number. Example:
The number of horses allowed on a 2.47 acre (1 hectare) lot is 2.
The totals are not accumulative. A lot cannot have 5 horses and 5 mules.

APPENDIX "B"
to
Bylaw No. 1198-10

MUNICIPAL DISTRICT
of
PINCHER CREEK NO. 9

PO Box 279
Pincher Creek, Alberta T0K 1W0

**THIS VIOLATION TAG ISSUED FOR BREACH OF ANIMAL
CONTROL BYLAW NO. 1198-10, AND AMENDMENTS MADE
THERETO**

Name: _____

Address: _____

City: _____ Province: _____

Phone: _____ Postal Code: _____

Offence: _____

Location where animal picked up: _____

Additional Remarks: _____

SPECIFIED PENALTY: _____

Upon presentation of this Offence Ticket within fourteen (14) days from the date of service of the Offence Ticket, together with voluntary penalty indicated, such payment may be accepted in lieu of prosecution.

FAILURE TO DO SO WILL RESULT IN PROSECUTION.

Payment can be made by paying to the Municipal District of Pincher Creek No. 9 during regular office hours. Penalty may be remitted by cash, money order, visa, or cheque. Further information required regarding this violation may be obtained at the District Office.

ISSUER: _____ NO. XXXX

DATE: _____

CANARY: Officer File PINK: Municipal Office WHITE: Violator

Director of Operations Report September 6, 2018

Operations Activity Includes:

- August 24, Sage Creek Fire Debriefing;
- August 28, Council meetings;
- August 30, Staff Summer BBQ;
- August 31, Council Road Tour;
- September 5, Public Works Safety meeting;
- September 6, Agricultural Service Board meeting;

Agricultural and Environmental Services Activity Includes:

- August 27, Agricultural and Environmental Services Departmental meeting;
- August 28, Environmental Farm Plan Webinar;
- August 24-September 6, Fall Weed Spraying;
- September 6, Agricultural Service Board meeting.

Public Works Activity Includes:

- Cold mix completed for the year;
- Currently mowing in Division 4 and 3;
- Crushing gravel in Hengerer Pit;
- Sign repair and replacement;
- Yard cleanup for fence replacement;
- Prep for snow fence installs
- Business as usual.

Upcoming:

- September 10, Beaver Mines Community Advisory Committee meeting;
- September 11, Council meetings;
- September 12, Joint Worksite Health and Safety Committee meeting;
- September 13, Staff meetings;
- September 18-20 Safety Coordinator Interviews;
- September 20-21, Departmental Budget meetings.

Project Update:

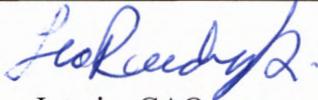
- Capital Projects
 - Beaver Mines Water Supply, Pipeline – Pipe installation is complete except the Castle River Crossing. Mechanical Contractor has completed the water intake and is working on the reservoir and booster stations;
 - Beaver Mines Water Distribution and Waste Water Collection, detailed design and land negotiation ongoing;
 - Beaver Mines Wastewater Treatment, site geotechnical investigation scheduled;
 - Castle Servicing, detailed design ongoing, environmental surveys ongoing preparing for tender.
 - Bridge File 671, Contractor is working on the project.

Call Logs – attached.

Recommendation:

That the Operations report for the period August 23, 2018 to September 6, 2018 and the call log be received as information.

Prepared by: Leo Reedyk



Date: September 6, 2018

Reviewed by: Sheldon Steinke, Interim CAO

Date: *September 6 18*

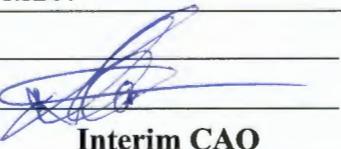
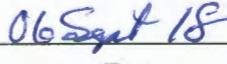
Submitted to: Council



Date: September 11, 2018

WORK ORDER	DIVISION	LOCATION	Approach Number	CONCERN/REQUEST	PUBLIC WORKS	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
979	Division 3	NE18 T5 R2 W5		Buckhorn Road trees need to be cut on blind corners		Jared Pitcher	Contractor lined up	October 18, 2017	
1544	Division 4	SE15 T7 R29 W4		Post at cattleguard needs welding		Bob Millar	Work to be done	April 12, 2018	
1558				Re getting an approach built		Jared Pitcher	waiting on agreement with Development Officer	April 18, 2018	
1617	Division 1			Trees on the west side of Kerr road need cut back		Stu Weber	add to 2019 brushing plan	May 30, 2018	
1631	Division 2	Tony Drive to/AlvinRoberts		Reports a Texas gate ahead sign down SH775		Joh J	To be done	June 12, 2018	
1643	Division 4	SW22 T7 R1 W5		Would like a culvert put in to solve water problem		Bob Millar	Fall 2018	June 26, 2018	
1647	Division 2	SW2 T7 R29 W4	7002 RR29-3	Would like a sign put in 'No through Road'		Jared pitcher	getting locate	June 27, 2018	
1659	Division 1			RR30-3 & TWP4-4A Blue sign is out of ground		Jared Pitcher	getting locate	July 9, 2018	
1662	Division 1	NE10 T4 R29 W4	4232 RR29-2	Old snow fence is falling down Will help repair it if we supply materials etc.		Stu Weber	Fall 2018	July 11, 2018	
1668	Division 3	SW2 T6 R1 W5		Snow fence repair		Stu Weber	fall 2018	July 18, 2018	
1670	Division 4	NW24 T8 R1 W5	1032 TWP8-4	Snake Trail/Tanner Road Thinks approach should have a culvert put in		Jared Pitcher	To have a look	July 20, 2018	
1673	Division 4	NE28 T8 R29 W4	8432 RR 29-3	RQ Grass Mowing on driveway		Levi Anderson	completed	July 27, 2018	August 30, 2018
1674	Division 1			RR29-5 & TWP4-0 RQ grass to be mowed and gravel		Tony Naumczyk	On the list	July 27, 2018	
1677	Division 5	NW26 T7 R2 W5		North of TWP7-4A Dust control draining into spring??		Stu Weber	In contact	August 1, 2018	
1678	Division 3	NW18 T5 R2 W5		Want a new access road for future building		Jared Pitcher	In contact	August 1, 2018	
1681	Division 3	NW34 T6 R1 W5	1227 TWP7-0	Deep holes in ditches from Pipeline		Jared Pitcher	completed	August 8, 2018	August 23, 2018
1684	Division 2	SE34 T5 R30 W4 NE3 T6 R30 W4	5504 RR30-2	Wants grass cut on two driveways		Tony Naumczyk	On the list	July 24, 2018	
1685	Division 3	NW 28-06-02 W5		Grading needed Lynk Creek/Carbondale Road		Henry Dykstra	completed	August 14, 2018 & August 20, 2018	August 28, 2018
1688	Division 3	SW 14-05-01 W5	5204 RR 1-0A	Requesting driveway grading. Only on portion West from cabin to property line.		Tim Oczkowski	On the list	August 14, 2018	
1689	Division 3	NE 24 -04-04 W5		looking to have gravel for resort - was told MD has gravel for them at Castle pit. Castle Pit may not have enough so would have to come from Tapav Pit.		Stu Weber	completed	August 14, 2018	August 23, 2018
1690	Division 5	NW 11-7-2 W5	2120 Twp Rd 7-2	needs temporary approach built so rig can come in to drill for water		Jared Pitcher	In contact	August 15, 2018	
1693	Division 3	in 7-2 W5M	RR 2-1 North of Twp 7-2	Wants rock by culverts		Stu Weber	In contact	August 16, 2018	
1694	Division 3	NE 23-6-2 W5M		road really washboarded - needs grading. KUDOS on the Blue Bridge Hill dust control, best he has ever seen!		Tim Oczkowski	completed	August 20, 2018	August 23, 2018
1695	Division 3	SW 21-5-2 W5M	2330 Twp Rd 5-3	RQ Grass Cutting		Levi Anderson	On the list	August 20, 2018	

Recommendation to Council

TITLE: BYLAW No. 1289-18 (Land Use Bylaw Update)			
PREPARED BY: Roland Milligan		DATE: 2018-09-06	
DEPARTMENT: Development and Community Services			
		ATTACHMENTS:	
Department Supervisor	Date	1. Bylaw No. 1289-18 2. Marked Up Version of Bylaw No. 1140-08	
APPROVALS:			
			
Department Director	Date	Interim CAO	Date

RECOMMENDATION: Recommendation to be bolded.

That Council give first reading to Bylaw No. 1289-18, being the Land Use Bylaw, and set a date for the required Public Hearing.

BACKGROUND:

Through the years bylaws can become outdated and require updates to keep current with the changing desires and wishes of Council, the public, and even provincial and/or federal regulations.

The current Land Use Bylaw, Bylaw No. 1140-08 was originally adopted in and came into force in March of 2008.

Since that time there have been thirty three (33) amending bylaws to the LUB. Most of these have been land use redesignations.

The MD has just conducted a review of the previous Land Use Bylaw (Bylaw No. 1140-08) in response to a number of changes at the Municipal, Provincial and Federal levels of Government.

The proposed bylaw provides for a general cleanup of the provisions within the current LUB and bring it into compliance with MGA, the South Saskatchewan Regional Plan, and the federal rules governing Telecommunication Towers.

All these changes are to be incorporated into a new consolidated LUB, Bylaw No. 1289-18.

FINANCIAL IMPLICATIONS:

None.

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1289-18**

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to adopt Bylaw No. 1289-18, being the Land Use Bylaw.

WHEREAS Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 has conducted a significant review of the previous Land Use Bylaw in response to a number of changes at the Municipal, Provincial and Federal levels of Government; and

WHEREAS The purpose is to conduct a general cleanup of the provisions within the land use bylaw and bring it into compliance with *Municipal Government Act*, the *South Saskatchewan Regional Plan*, and the federal rules governing Telecommunication Towers.

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 Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as “Land Use Bylaw No. 1289-18”.
2. Land Use Bylaw No. 1289-18 as per “Schedule A” attached.
3. Bylaw No. 1140-08 being the former land use bylaw and any amendments thereto are hereby repealed.
4. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this _____ day of _____, 2018.

A PUBLIC HEARING was held this _____ day of _____, 2018.

READ a second time this _____ day of _____, 2018.

READ a third time and finally PASSED this _____ day of _____, 2018.

Reeve
Quentin Stevick

Chief Administrative Officer
Sheldon Steinke

Attachment
- “Schedule A”

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
LAND USE BYLAW NO. 1140-081289-18

PART I – GENERAL

SECTION 1 TITLE

- 1.1 This bylaw may be referred to or cited as “The Municipal District of Pincher Creek No. 9 Land Use Bylaw”.

SECTION 2 SCOPE

- 2.1 No development shall hereafter be carried out within the boundaries of the municipality except in conformity with the provisions of this bylaw.

SECTION 3 PURPOSE

- 3.1 The purpose of this bylaw is to, amongst other things:
- (a) divide the municipality into districts;
 - (b) prescribe and regulate the use(s) for each district;
 - (c) establish a method for making decisions on applications for development permits and issuing development permits for a development;
 - (d) provide the manner in which notice of the issuance of a development permit is to be given; and
 - (e) implement the Municipal District of Pincher Creek Municipal Development Plan and other statutory plans of the municipality, as may be developed.

SECTION 4 METRIC AND IMPERIAL MEASUREMENTS

- 4.1 Whenever dimensions are present or calculations required, the metric dimensional values or results shall be used. The imperial equivalents provided in parentheses after each reference to metric units of measurements are approximate and intended for information only.

SECTION 5 RELATIONSHIP TO PROVINCIAL PLANNING LEGISLATION

- 5.1 ~~In response to the Municipal Government Act, section 639.1, “...a municipality must consider the protection of agricultural operations.”~~ This Bylaw is enacted under Part 17 of the Municipal Government Act. This bylaw is to be read in conjunction with Alberta Land Stewardship Act and the South Saskatchewan Regional Plan. Where appropriate, references should be made to these provincial documents with respect to defined terms, administrative matters, and in informing land-use decisions.

SECTION 6 DEFINITIONS

In this bylaw, words importing the singular number of the masculine gender may include the plural number of the masculine gender, the singular number or plural number of the feminine gender, or may also refer to corporate bodies, as the context requires.

The following words shall have the following meaning:

6.1 Abattoir

The use of land or buildings as a facility for the slaughter of animals and the processing of meat products.

6.2 Accessory Building

A detached non-residential building that in the opinion of the Development Authority is separate and subordinate from commonly or normally associated with a principal use, other than an “Accessory structure”, “Farm buildings and structures” and other buildings or structures which are separately defined herein.

6.3 Accessory Structure

A fence, gate, domestic propane storage tank, satellite dish ~~or a television, radio tower,~~ telecommunications tower, wind screen, hot tub, air conditioner or other similar type development.

6.4 Accessory Use

A use of land or a building that is subordinate and incidental to the principal use of the same parcel.

6.5 Act

The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

6.6 Agricultural / Industrial Machinery Sales, Rental and Service

Development for the sale, service or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations and in freight hauling operations. Cleaning, repairing and sale of parts and accessories are part of this use. “Vehicle sales and rental” and “Equipment sales, rental and service” are separate uses.

6.7 Agricultural Operation(s)

An agricultural activity (either intensive or extensive) conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land;
- (b) the raising of livestock, but excluding ‘Confined Feeding Operations’ as defined by the Agricultural Operations and Practices Act (AOPA);
- (c) the production of agricultural field crops;

- (d) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- (e) the production of milk and eggs;
- (f) the production of honey;
- (g) the operation of agricultural machinery and equipment including irrigation pumps and the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides including application by ground and aerial spraying for agricultural purposes;
- (h) the production of aquaculture or aquaponics.

See also Extensive Agriculture and Intensive Horticulture Operation.

6.8 Airport

The land licensed as an airport.

6.9 Airport Related Use

- (a) A use or development on an airport that is essential and necessary to the operation of an airport; and/or
- (b) a use or development located within the geographic area of an airport, to which the operation of the airport is critical (e.g. flight school).

6.10 Airstrip

An unlicensed airport.

6.11 Amusement Facility

Development for amusement pastimes, and may incorporate eating and drinking facilities as an accessory use. This use includes amusement arcades, billiard parlours, bingo halls, bowling alleys and dance, fitness or martial arts facilities.

6.12 Animal Care Service, Major

In accordance with the Animal Control Bylaw, Development used for the care, treatment, boarding, breeding, or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding or breeding kennels, facilities for impounding or quarantining animals and related research or storage facilities.

6.13 Animal Care Service, Minor

In accordance with the Animal Control Bylaw, Development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

6.14 Apartment

A building or portion thereof which contains three or more owned, rental or lease dwelling units, where the primary access to each unit is provided through a common or shared entryway. “Multi-Unit Dwelling”, [and](#) “Rowhouse [or townhouse](#)” ~~and “Stacked rowhouse”~~ are separate uses.

6.15 Application

Application for a development permit.

6.16 Aquaculture

An agricultural operation, also known as aquafarming or cultured fish, where the use of land or building produces aquatic organisms such as fish, crustaceans, molluscs and aquatic plants. Aquaculture involves cultivating freshwater and saltwater populations under controlled conditions. This use must comply with all regulation and permitting of Alberta Agriculture.

6.17 Aquaponics

An agricultural operation where the use of land or building combines conventional aquaculture with hydroponics (cultivating plants in water) in a symbiotic environment for food production. This use must comply with all regulation and permitting of Alberta Agriculture.

6.18 Area Structure Plan

A statutory plan described in the Act and adopted by bylaw for the subsequent subdivision and development of an area of land.

6.19 Auctioning Establishment

Development for the auctioning and related temporary storage of household effects and goods and equipment except livestock. “Livestock auctioning establishment” is a separate use.

6.20 Auto Body or Paint Shop

Development for the repair and/or painting of motor vehicle bodies and frames. This use may include appraisal services for damaged vehicles and vehicle reconditioning as accessory uses, but does not include “Automotive repair and service”, “Salvage or waste disposal facility”, “Service station”, “Truck stop”, and “Vehicle sales and rental uses”.

6.21 Automotive Sales and Service

An enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

6.22 Basement

The space within a building, which is below the first storey and which has a minimum clearance of 1.8 m (5.9 ft.) between the surface of its floor and the floor assembly above it.

6.23 Bed and Breakfast Facility

A private owner-occupied dwelling offering overnight accommodation to eight (8) or less registered guests and providing only a breakfast meal. The facility may include a maximum of one (1) supplementary building for accommodation, “Country inn” and “Hotel / Motel” are separate uses. (See Sections [43.13 - 43.16](#))

6.24 Big Game Farm

Any land enclosed by buildings, shelters, corrals, fences, or other limiting structures which confine, rear, or feed (or are proposed to confine, rear or feed) big game or exotic animals and is regulated by a government agency.

6.25 Building

In accordance with the Act, includes any structure constructed or placed on, in, over or under land but does not include a highway or road or bridge that forms part of a highway or road.

6.26 Bulk Fuel Station

Development for storing and distributing petroleum products in bulk quantities. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities. “Service station” and “Truck stop” are separate uses.

[6.27 Cannabis Production Facility](#)

[A development where cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping. This use does not include Retail Cannabis sales.](#)

[6.2728 Campground](#)

An area of commercial campsites which are used, or are intended to be used, by holiday trailers, motor homes, tents, campers, or similar recreational vehicles for a period of up to 30 days.

[6.2829 Caretaker Suite](#)

See Secondary Suites.

[6.2930 Cemetery](#)

Development of land primarily as landscaped open space for the placement of gravesites. Chapels, crematoria, and related facilities may be incorporated as accessory uses.

[6.3031 Child Care Service](#)

Development providing provincially approved care or education, without overnight accommodation, for seven (7) or more children at one time. Examples include day care centres, nursery schools, kindergartens and play schools but “Group home” is a separate use.

[6.3132 Club or Fraternal Organization](#) or Association

Development for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business or fraternal organizations. This use

may include eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses but “Campground” is a separate use.

6.3233 Commercial / Private Recreation

The recreational use of land or a building on privately owned or leased property where the public is admitted or where admission is limited to members of a club, organization, or association.

6.3334 Conceptual Design or Conceptual Plan

A design or plan that relates a subdivision or a development to future subdivision and development of adjacent areas.

6.3435 Construction/Field/Work Camp

Temporary development consisting of buildings, works, plants or machinery that are needed to construct a development where the camp contains one or more dwellings or sleeping units for the accommodation of the residents of the camp.

6.3536 Construction Supply and Contractors

The use of land or buildings for the operation of a building trade or service, or a materials supplier to the construction industry, other than professional design services such as engineering, architectural or drafting offices. This use may include, as an accessory use, administrative offices, storage areas and areas for the servicing of equipment owned by the contracting or construction supply company in question. This use includes suppliers of lumber, plumbing, electrical fixtures, and floor coverings, general contractors, carpenters, plumbers, and tinsmiths.

6.3637 Council

The Council of the Municipal District of Pincher Creek No. 9.

6.3738 Country Inn

An owner-occupied establishment that offers both accommodation of generally 24 or less guests and/or food service to the public in excess of a breakfast and subject to the Food and Housing Regulations. Some retail related to the country inn and a minor meeting room function may be allowed as accessory uses. "Bed and Breakfast" and "Hotel / Motel" are separate uses.

6.3839 Country Residential

A residence and associated developments related to an un-subdivided quarter section or first parcel out of a quarter section.

6.3940 Coverage

The portion of a lot or parcel that is occupied by buildings or associated structures.

6.4041 Cumulative Effect

Cumulative effects are the resulting combined impacts of past, present and reasonably foreseeable future actions on the landscape. They are the total effect, both direct and indirect impacts, to any resource, ecosystem or human community no matter who has taken the action.

6.4142 Deck

An unenclosed (no roof/walls) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a deck is greater than 0.6 m (2 ft.) from the finished grade to the underside of the supporting structure. Any structure lower than 0.6 m (2 ft.) is considered a patio. See Section 4415.1(n).

6.4243 Demolition of Structures

Demolition or removal of an existing building or development excluding demolition/removal of:

- (a) development which does not require a development permit; or
- (b) demolition/removal of an “Accessory building”, or “Accessory structure”.

6.4344 Developed Residence

A dwelling unit that is supported on a permanent foundation and:

- (a) fully serviced with a potable water supply and a functional sewage disposal system; and
- (b) which is readily habitable because it is in weatherproof condition with a functional plumbing, heating and electrical system.

6.4445 Development

In accordance with the Act:

- (a) an excavation or stockpile and the creation of either of them; or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land any of them; or
- (c) a change of use of land or a building, or an act done in relation to land or a building that results in or is likely to result in change in the use of the land or building; or
- (d) a change in the intensity of use of land or a building, or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

6.4546 Development Authority

The Development Officer, Municipal Planning Commission, or Subdivision and Development Appeal Board.

6.4647 Development Officer

The one or more persons appointed to the office of Development Officer.

6.4748 Development Permit

A document issued pursuant to this Bylaw by the M.D. of Pincher Creek No. 9 authorizing a development that has been approved by the Designated Officer, Development Authority, or Subdivision and Development Appeal Board.

6.4849 Discretionary Use

Subject to and in accordance with the Act:

- (a) the one or more uses of land or buildings that are stated as a discretionary use in a district; and
- (b) a development that may be issued a development permit at the discretion of the Development Authority with or without conditions as provided for in the Land Use Bylaw.

6.4950 District

A land use district established in Part VIII.

6.5051 Drive-In Restaurant

A restaurant that offers car attendant service or drive-through pick-up service.

6.5152 Dwelling Unit

A complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping and cooking facilities and separated or shared toilet facilities and which unit is intended as a permanent or semi-permanent residence. "Duplex", "Multi-Unit dwelling", and "Hotel / Motel" are separate uses.

6.5253 Dwelling Unit as a Secondary Use

A dwelling unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use.

6.5354 Duplex

A residential building containing only two dwelling units, where one dwelling unit is located above the other in whole or in part and where each dwelling unit is typically provided with its own separate and individual access. "Semi-detached dwelling" is a separate use.

6.5455 Entertainment Establishment

Development that provides dramatic, musical, dancing or cabaret entertainment and includes supplementary food service and/or facilities for alcoholic beverage consumption. This use includes theatres, cinemas, auditoriums, beverage rooms, cocktail lounges, cabarets, night-clubs, and theatre restaurants. "Amusement facility", "Hotel / Motel" and "Restaurant" are separate uses.

6.5556 Equipment Sales, Rental and Service

Development for the retail sale, wholesale distribution, rental and/or service of hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment. "Agricultural / Industrial machinery sales, rental and service", "Automotive repair and service" and "Vehicle sales and rental" are separate uses.

6.5657 Existing Commercial / Private Recreation

A commercial / private recreation use receiving formal approval prior to the passage of this bylaw.

6.5758 Existing Lot or Parcel

A lot or parcel that existed on a separate Certificate of Title at the time this bylaw was adopted or; a parcel or a lot which was or can be created pursuant to the Act without subdivision approval.

6.5859 Extensive Agriculture

The production of crops or livestock or both by expansive cultivation or open grazing. "Intensive horticultural facility" is a separate use.

6.5960 Farm Buildings and Structures

In accordance with the Alberta Building Code, the development of buildings or development structures commonly or normally contained in a farmstead that is associated with a farming operation or an "Extensive agriculture" use where the buildings are of low human occupancy for the housing of livestock or the storage or maintenance of equipment, materials, or produce. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include "Intensive horticultural facility", or any "Dwelling unit" or "Sleeping unit" including conventional "Single-detached residences" and "Manufactured homes".

6.6061 Farm Supplies and Service

Development for the sale, storage, and distribution of grain (Including grain elevators), livestock feed, fertilizer and chemicals used in agriculture. "Farm supplies and service" does not include the following separate uses: "Agricultural / Industrial machinery sales rental and service", "Animal care services, major and minor", "Bulk fuel station", "Equipment sales rental and service", "Freight and storage use" and "Livestock auctioning establishment".

6.6162 Farmer's Market

A use of land or buildings where fresh farm or garden produce is sold retail or wholesale and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts provided that the sale of fresh food products remains the primary function. "Auctioning establishment" and "Retail store" are separate uses.

6.6263 Fleet and Transportation Service

Development involving a fleet of vehicles for:

- (a) the delivery of food by mobile catering service; or
- (b) the transportation of people, mail, negotiable currency and documents; or
- (c) the delivery of packages and small articles by courier service.

This use includes the rental and lease of vans and trucks to the public and other businesses, facilities for the routine storage and servicing of vehicles owned and operated by the fleet service business as well as the incidental sale of vehicles as an

accessory use. Examples include bus and coach line transport services, taxicab or limousine stations and dispatching offices, messenger and courier services, and truck and van rental offices.

6.6364 Front Yard (Secondary)

A side yard on a corner is determined to be the yard immediately adjoining a public roadway, and where the front yard is the shorter lot line of the lots in the block.

6.6465 Garden Suite

A supplementary dwelling unit that is located on the same lot or parcel as a principal dwelling unit, where one dwelling is used to house on temporary basis individuals that are receiving care from or providing care to residents of the principal dwelling. (See Section [4549](#))

6.6566 Geotechnical Report

Geotechnical Assessment means a comprehensive site analysis and report prepared by a qualified insured professional of The Association of Professional Engineers, ~~Geologists, and Geophysicists~~ [and Geoscientists](#) of Alberta (APEGGA).

All geotechnical reports should contain certain basic essential information, including:

- (a) summary of all subsurface exploration data, including subsurface soil profile, exploration logs, laboratory or in situ test results, and ground water information;
- (b) interpretation and analysis of the subsurface data;
- (c) specific engineering recommendations for design;
- (d) discussion of conditions for solution of anticipated problems; and
- (e) recommended geotechnical special provisions.

6.6667 Golf Course

The golf playing area and accessory buildings and uses related to the playing of the game of golf including a pro shop, a club house containing eating and drinking facilities, a driving range and one dwelling or sleeping unit used by the operator or manager.

6.6768 Grade

The final elevation of the finished surface of the ground adjacent to the exterior walls of a building or structure.

6.6869 Gross Floor Area

The combined area of the floor surface of a building to the outside of its exterior walls or to the glass line or centreline of a common party wall. Mezzanines, covered decks and covered terraces, access areas, and basements are included in the calculation of gross floor area.

6.6970 Group Home

Development using a dwelling unit for a provincially approved residential social care facility providing rehabilitative and supportive care for four or more persons. A "Group Home" may incorporate accommodation for a resident staff as part of the use. "Public and institutional use" is a separate use.

6.7071 Grouped Country Residential

Existing or proposed residential uses on two or more adjoining parcels each of less than 70 acres in size.

6.72 Hardship

A hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property due to the exceptional shape of a lot, topographic conditions, or other physical conditions is rendered unusable without the granting of a variance.

6.7173 Hazardous Lands

These are lands that present development challenges in their natural state because of the danger of damage that may occur from an event. An event includes but is not limited to: flood, landslide, or avalanche. (See Section 3435)

6.7274 Hazardous or Offensive Industry

Development used for manufacturing, fabricating, processing, assembly, storage, production or packaging of goods, materials, or products where:

- (a) the use may be detrimental to public health, safety or welfare beyond the boundaries of the site or parcel upon which it is situated; or
- (b) the use may be incompatible with residential or other development because of toxic gases, smells, wastes, noise, dust or smoke emission which are not confined to the site or parcel upon which the use is situated. This use includes:
 - (i) abattoirs, slaughterhouses and rendering plants; or
 - (ii) processed forage manufacturing plants; or
 - (iii) anhydrous ammonia storage facilities; or
 - (iv) explosives storage or manufacturing facilities; or
 - (v) fertilizer manufacturing plants; or
 - (vi) gas processing plants; or
 - (vii) petrochemical industries or refineries; or
 - (viii) metal industries, which are involved in the concentration, refining, smelting, or re-smelting of ores or metals; or
 - (ix) administrative offices, warehousing, storage and wholesale distribution facilities associated with the above shall be treated as part of this use. "Waste disposal facility" and "Wastewater treatment plants" are separate uses.

6.7375 Height of Building

The distance measured from the average grade of the lot along the length of the building and to the highest part of the structure as shown in Figure 1.

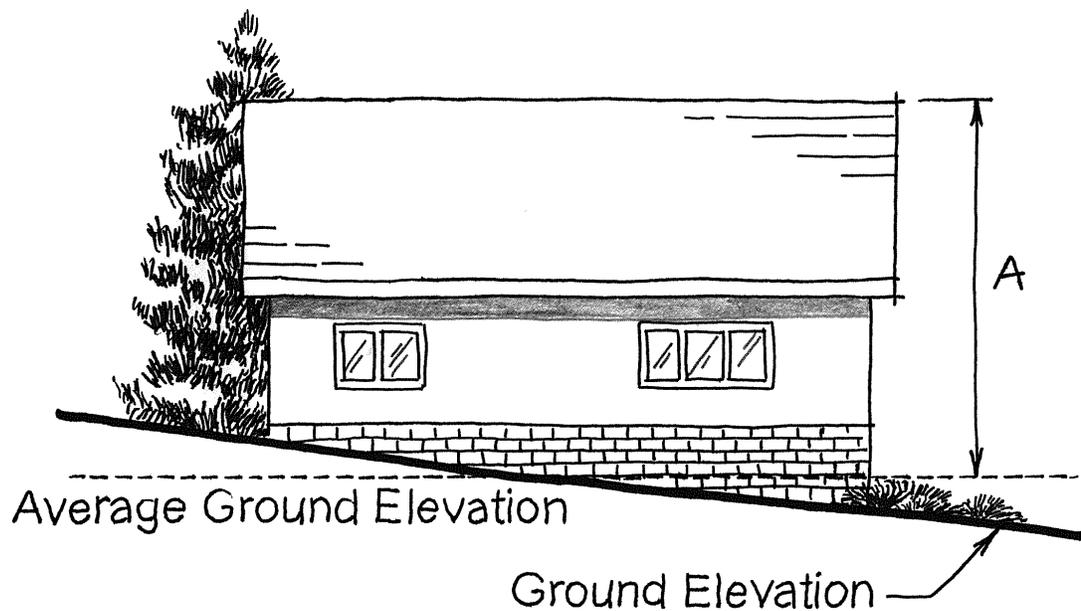


Figure 1

6.7476 Highway Commercial

Those developments, typically along a major roadway or highway, that provide goods and services to the travelling public. Common Highway Commercial uses include service stations, truck stops, motels, motor hotels, drive-in and fast food restaurants.

6.7577 Home Occupation

Is the secondary use of a residence or ancillary building to a residence, for an occupation, trade, profession, craft or small scale retail business which does not change the character of the area and does not show significant evidence of such secondary use.

6.7678 Hostel

A facility operated to provide temporary (not exceeding 30 days) accommodation to transients for remuneration within dormitory-style visitor accommodation with communal kitchen and sanitary facilities and may include recreational facilities or services but not additional services such as room service.

6.7779 Hotel / Motel

A development that primarily provides temporary sleeping accommodation for the transient public in rooms or suites. Typically this use contains an office with a public register and has one or more attendants on duty at all times. Eating and drinking facilities shall be considered part of a hotel, but entertainment, convention, sports, recreation, personal service, office and retail facilities associated with this use shall be accessory uses. "Bed and breakfast" and "Country inn" are separate uses.

6.7880 Intensive Horticultural Operation

Uses of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponics or market gardens, tree, mushroom, and sod farms. "Extensive agriculture" and "Topsoil stripping" are separate uses.

6.7981 Industrial / Manufacturing

Development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices, warehousing and wholesale distribution uses which are accessory to the above provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the site upon which it is situated. "Hazardous or offensive industries" and "Specialty manufacturing / Cottage industry" are separate uses.

6.8082 Landfill Activity

~~In accordance with the Alberta Code of Practice for Landfills, this activity involves the development of commercial disposal of any waste material by any means including burying, incineration, burning, recycling or other storage method. Landfill activity includes all forms of land farming but does not include fill for reclamation or approved development purposes.~~

6.8183 Landscaping

Landscaping means the modification and enhancement of a site or development through the use of the following elements:

- (a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- (c) excludes all areas utilized for excavation, driveways and parking.

6.8284 Legal Access

- (a) That a parcel or lot adjoins a road as defined in the Act; or
- (b) that access from a public roadway to a parcel or lot is via an easement which is registered for the purpose of granting access to a parcel or lot.

6.8385 Livestock Auctioning Establishment

Development where livestock may be confined in an enclosed area for short periods of time and where such livestock are auctioned and transferred to other locations.

6.8486 Loading Space

A portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

6.8587 Lot

In accordance with the Act:

- (a) a quarter section; or
- (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office; or
- (c) a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or
- (d) part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in a Certificate of Title by reference to a plan of subdivision.

6.8688 Manufactured Home, Doublewide

A building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts with each of the two parts being moved from one point to another individually and put together on a parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association. A doublewide manufactured home does not include a single-detached residence, modular home, singlewide manufactured home, holiday trailer or recreational vehicle.

6.8789 Manufactured Home Park

A lot or parcel that is intended for or contains two or more manufactured homes, where each manufactured home site is not subdivided into a separately titled lot.

6.8890 Manufactured Home Sales and Service

Development for the sale, rental, or storage of new and used manufactured homes and includes supplementary maintenance services and the sale of parts and accessories.

6.8991 Manufactured Home, Singlewide

A building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another as a singlewide which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association and Alberta Building Code. A singlewide manufactured home does not include a single detached residence, modular home, doublewide manufactured home, holiday trailer or recreational vehicle.

6.92 Mass Wasting

Mass wasting, also known as slope movement or mass movement, is the geomorphic process by which soil, sand, regolith, and rock move downslope typically as a mass, largely under the force of gravity, but frequently affected by water and water content.

6.9093 Medical Facility

Development providing medical and health care on an inpatient and/or outpatient basis. Examples of this use include hospitals, nursing homes, sanatoriums, medical and dental offices, clinics, occupational health and safety offices, counseling services, chiropractic and naturopathic services. "Public and institutional use" and "Office" are separate uses.

6.9194 Meteorological (MET) Towers

A tower structure furnished with scientific equipment for the specific purpose of measuring components of the atmosphere. MET towers are not considered part of the public utility.

6.9295 Mini Storage

The use of land with compartmentalized buildings for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items. "Outdoor Storage", "Agricultural / Industrial machinery sales rental and service", "Construction supply and contractors", "Equipment sales, rental and service", "Natural Resource Extractive", "Hazardous or offensive industries" and "Vehicle sales and rental" are separate uses.

6.9396 Mixed Use Residential

A vertically integrated residential development that is part of a commercial office building within a commercial land use designated district. Typical uses include ground floor commercial, second floor commercial/office or residential dwelling units, and/or third floor (or to the maximum height allowed in the district) residential dwelling units.

6.9497 Modular Home

One or more finished sections of a complete residential dwelling built off-site and transported to the site for installation on a permanent foundation, all in accordance with the Alberta Building Code. For the purposes of this definition, finished means fully enclosed on the exterior and interior but need not include interior painting, taping, and installation of cabinets, floor coverings, fixtures, heating system, and exterior finishes. This use is not a "Moved-in Residential Building", or "Manufactured Home".

6.9598 Moved-In Accessory Building

A detached non-residential building that in the opinion of the Development Authority is separate and subordinate from commonly or normally associated with a principal use and is considered a "conventional, pre-constructed, previously occupied building which is physically removed from one site, transported and re-established on another site. This use does not include "Farm buildings and structures" or an "Accessory building" which are separate uses.

6.9699 Moved-In Residential Building

A “Single-detached residence” that has been constructed or located on one site, occupied, then relocated to another site.

6.97100 Multi-Multi-Unit Dwelling

A building or portion thereof that contains three or more dwelling units where each unit is provided with its own separate primary access to the outside. Housing such as, triplexes, fourplexes, fiveplexes, sixplexes or more typically have two or three abutting walls, which provide fire separation from adjacent dwelling units and typically orient some of the dwelling units away from the property frontage. This use includes all plexes of 3 or more units. “Rowhouse or townhouse” and “Stacked Rowhouse”, “Semi-detached dwelling”, “Duplex” and “Apartments” are separate uses.

6.98101 Municipal Planning Commission (MPC)

According to the *Municipal Government Act*, the Municipal Planning Commission must be established by bylaw.

6.99102 Natural Resource Extractive Use

That use of land or buildings, which is governed by the location of a natural resource for commercial purposes, involving the extraction of a non-renewable natural resource and may include the processing or storage of the extracted resource on the same parcel. This use includes all stockpiles or excavations greater than 100 m³. Examples of natural resource extractive uses are:

- (a) sand and gravel operations,
- (b) coal mining,
- (c) magnetite mining,
- (d) such other uses as established by the Development Authority to be similar to the above or to the intent of this definition.

6.400103 Non-Conforming Building

In accordance with the Act, a building:

- (a) that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or land on which the building is situated becomes effective or amended; and
- (b) that on the date the Land Use Bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

6.401104 Non-Conforming Use

In accordance with the Act, a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting land or buildings becomes effective or amended; and
- (b) that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.

6.402105 Non-Serviced

In respect to a lot or parcel, means that neither a municipal water system nor a municipal sewage system services it.

6.403106 Outdoor Recreation Use

An activity which is not dependent upon the construction or erection of any associated development(s) and which has no impact, or minimal impact, on the land or area within which the activity occurs. Typical uses include, but are not limited to, hiking, fishing, horseback riding, mountain climbing, etc. War games, paint ball, and “Commercial / Private recreation uses” are separate uses.

6.404107 Outdoor Storage

The use of land with or without attendant buildings for the outdoor storage of equipment, materials or vehicles, or processed or unprocessed resources or materials, except those goods or materials which are hazardous. For the purposes of this bylaw, “Outdoor storage” uses are limited to those uses that require minimal on-site improvements, service and public amenities or facilities. “Agricultural / Industrial machinery sales rental and service”, “Construction supply and contractors”, “Equipment sales, rental and service”, “Natural Resource Extractive”, “Hazardous or offensive industries” and “Vehicle sales and rental” are separate uses.

6.405108 Owner

The person or persons shown as the owner(s) of land on the assessment role of the municipality prepared under the Act.

6.406109 Parcel of Land or Parcel

In accordance with the Act, the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office.

6.407110 Park Model Recreation Vehicle

A transportable unit designed to be transported on its own wheels. The unit is intended to be moved to other sites infrequently, however, is approved for towing on public roadways and subject to highway safety standards. These units are occupied on a short-term or seasonal basis and are generally wider and longer than recreational vehicles. See Seasonal.

6.408111 Parking Facility

A development where the principal use is for vehicular parking either outdoors or in a building.

6.409112 Partially Serviced Lot

A lot that is provided water or sewer serviced by either:

- (a) a municipal water line or a municipal sewer line; or
- (b) an incorporated organization or co-operative, recognized by the municipality, that is operating a provincially approved water or sewer system.

6.440113 Permitted Use

Subject to and in accordance with the Act:

- (a) the one or more uses of land or buildings that are stated in Part ~~VIII~~-IX and in a district as permitted uses; and
- (b) a development that must be issued a development permit (unless it is exempted from requiring a permit) by the “Development Authority” with or without conditions as provided for in the Land Use Bylaw, if the application for the development permit for that development conforms to the Land Use Bylaw.

6.441114 Personal Service

Development providing services for personal care and appearance, services for cleaning, servicing, altering and maintenance of personal effects and accessories. This use includes barbershops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, Laundromats, and funeral homes.

6.442115 Physical Vehicular Access

That a parcel or lot adjoins a road, as defined in the Act, or other “legal access” to the extent that normal vehicular traffic is both reasonably safe and possible.

6.443116 Principal Building

- (a) A building which is the main building (including all decks) on a lot; or
- (b) a building which, by reason of its use, is the primary purpose for which the lot is used.

6.444117 Principal Use

The main purpose for which a lot, parcel or building is used or is intended to be used.

6.445118 Professional, Financial, Office and Business Support Service

A development primarily for the purpose of providing professional, management, administrative, financial or consulting services. Typical uses include banks, duplicating or blueprinting services, cleaning or maintenance services, engineering, architectural, drafting, project design or management services, lawyers, accountants, engineers, planners, doctors and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering and similar office support services; banks, credit unions, loan offices and similar financial uses; and printing establishments, film processing establishments, janitorial firms and business or household repair shops.

6.446119 Public Access

Land that is privately owned but that is used by the public to enter or exit a parcel, lot or subdivision.

6.447120 Public and Institutional Uses

A development which is available to the public for the purpose of assembly, instruction, culture or community activities, including but not limited to a school or educational facility whether public or private, churches or places of worship, libraries and museums, as well as developments associated with police, fire or ambulance services and other municipal uses.

6.448121 Public Park or Recreation

A public park, playground, recreation area, indoor or outdoor rink, gymnasium, sports field, historic or archaeological site or any similar facility or use of land or buildings, excluding “campgrounds” provided that the park, playground recreation area or similar facility is owned and/or administered by any level of government or not-for-profit organization. “Campground” and “Golf course” are separate uses.

6.419122 Public Roadway

Land:

- (a) established as a statutory roadway; or
- (b) shown as a road on a plan of survey that has been filed or registered in a Land Titles Office;

that may or may not have been constructed to the municipality's standards and which may or may not be maintained for public transport.

6.420123 Public Utility

A system of works used to provide one or more of the following for public consumption, benefit, convenience or use: water or steam; sewage disposal; public transportation operated by or on behalf of the municipality; irrigation; drainage; fuel; waste collection binsmanagement, electric power distribution, heat; telecommunications and includes any otherthe thing that is provided for public consumption, benefit, convenience or use.

~~This use includes administrative offices, exterior storage, vehicle, and equipment repair, "Wastewater treatment plant", "Salvage and waste disposal facility" and "Landfill activity".~~
This use does not include commercial or private wind, solar, or other energy plants.

6.124 Real Property Report (RPR)

A legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries prepared by a registered Alberta Land Surveyor.

6.424125 Recreation Facility

Development for athletic, recreation and community meeting activities and may include eating, drinking, amusement and retail facilities as accessory uses. "Amusement facilities" is a separate use.

6.422126 Recreational Vehicle / Holiday Trailer

A transportable unit designed to be transported on its own wheels or by other means (including units permanently mounted or otherwise on trucks), designed or constructed or reconstructed or added to by means of accessories in such a manner as will permit its use for sleeping or living purposes for one or more persons on a short-term basis. These units are subject to highway safety standards rather than housing standards.

6.423127 Recreational Vehicle / Holiday Trailer Park

Any tract or parcel of land on which three or more holiday trailers are parked and/or stored or permitted to be parked and/or stored, without regard to whether a fee or charge is paid or made and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such holiday trailer park or campground. These uses may allow for seasonal occupancy rather than permanent occupancy. See Seasonal.

6.424128 Recycling Facility

Development for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the parcel or lot upon which it is situated. This use may involve supplementary

production of by-products or materials and includes bottle, can, and paper recycling depots. "Salvage and waste disposal facility" is a separate use.

6.425129 Restaurant

Development where food and beverages are prepared and served and may includes supplementary alcoholic beverage service and supplementary on- or off-premises catering services. This use includes restaurants, cafes, lunch and tea-rooms, ice cream parlors, banquet facilities and take-out restaurants. "Drive-in restaurant", "Food and beverage services within a ski lodge" and "Entertainment establishment" are separate uses.

6.426130 Retail Store

Development for the retail sale of any one or all of the following: groceries, beverages, household goods, furniture and appliances, confectioneries, pharmaceuticals and personal care units, automotive parts and accessories, office equipment, stationery and similar goods. Minor service-oriented facilities such as postal services and film processing depots shall be allowed as accessory uses. This use includes supermarkets, jewelry stores, clothing stores, convenience stores, hardware stores and second-hand stores. "Automotive repair and service", "Household repair services", "Personal service", and "Vehicle sales and rental use" are separate uses.

6.427131 Rowhouse or Townhouse

A residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separate from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade. "Apartment", and "Multi-Unit dwelling", and "~~Stacked rowhouse~~" are separate uses.

6.428132 Salvage and Waste Facility

A development providing for the commercial purchasing, receiving, salvaging, selling or transporting of spent materials or substances that may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel upon which it is situated. This use includes auto wreckers, salvage and scrap yards as well as the following uses referred to in the Subdivision and Development Regulation: a dry waste site, a hazardous waste management facility and a waste sorting station. "Recycling facility" is a separate use.

6.429133 Seasonal

As defined by the Municipal Planning Commission and not to exceed 6 months.

6.430134 Secondary Farm Residence

An additional residence, other than a primary farm residence, that is occupied by a person who is engaged for at least six months each year personally in an agricultural pursuit on the same parcel as the secondary farm residence. "Secondary farm residence" includes a conventional "Single-detached residence", a "Doublewide or Singlewide manufactured home" "Modular home" or a "Moved-in residential building" unless otherwise provided in a land use district.

6.434135 Secondary Suites

An additional dwelling unit located in a single-detached residence, which is separate or subordinate to the primary residence. The unit must have a separate entrance from the principal dwelling, either from a common indoor landing or directly from the exterior of the house. "Garden suite", "Surveillance suite", "Secondary farm residence" and "Secondary residence" are separate uses.

6.432136 Semi-Detached Dwelling

A residential building containing only two dwelling units located side by side with separate access to each dwelling unit. Each dwelling unit in a “Semi-detached dwelling” is joined to the other unit by at least one common wall that extends from the foundation to at least the top of the first storey of both dwelling units.

6.433137 Senior Citizen Housing

A development which complies with the Alberta Housing Act and which is used as a residence designed for elderly persons not requiring constant or intensive medical care, and usually consists of multiple dwelling units.

6.434138 Service Station

Development used for the retail sale of gasoline and other motor vehicle fuels, the retail sale of lubricants and motor vehicle accessories and the servicing and mechanical repair of motor vehicles. This use may include a convenience store as part of the use, but associated vehicle towing services, a car wash and limited vehicles sales shall be accessory uses. This use includes gas stations with service bays, but “Truck stop” is a separate use and is distinguished from the former by such matters as larger site area, broader market, and propensity for greater impact on adjoining uses. “Auto body and/or paint shop”, “Restaurant”, and “Vehicle sales and rental use” are also separate uses.

6.435139 Serviced

In respect to a parcel or a lot means that it is or will be serviced by a municipal water system and by a municipal sewage system.

6.436140 Setback

The shortest horizontal distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on such lot.

6.437141 Shipping Container

Any container that was used for transport of goods by means of rail, truck or by sea and are generally referred to as a C-Container, sea cargo container, sea can or cargo container. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container is an accessory building. See Section 5458.

6.438142 Shooting Range

A designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.

6.439143 Sign

An outdoor visual device and its structure and component parts, intended to identify, advertise or call attention to any matter, object, event or person. See Section 5455.

6.140144 Single-Detached Residence

A building containing only one dwelling unit, with or without an attached garage, which is not attached to another dwelling or building. This use includes “stick-built” residences and modular homes but this use excludes “Doublewide or Singlewide manufactured homes”. “Group homes” and “Child care services” are separate uses regardless of whether they are contained in a conventional “Single-detached residence”.

6.141145 Ski Facility

All development associated with the operation of a ski hill including but not limited to the provision of food and beverage services, administration, ski/snowboard school, ski patrol structure, washroom facilities, ski-ticket sales, lockers, and maintenance shop. This use does not include dwelling units or sleeping units.

6.142146 Sleeping Unit

A habitable room, or suites of habitable rooms not directly accessible to cooking facilities, which are used or intended to be used as sleeping quarters.

6.143147 Solar energy system, commercial/industrial

A system using solar technology to collect energy from the sun and convert it to energy that is intended for off-site consumption, distribution to the marketplace, or a solar energy system that does not meet the definition of solar energy systems, household.

6.144148 Solar energy system, household

A photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is primarily intended for sole use and consumption on-site by the landowner, resident or occupant.

6.145149 Specialty Manufacturing / Cottage Industry

Development used for small-scale, on-site production of goods in a building not exceeding a gross floor area of 510 m² (5,490 ft²), including areas devoted to retail sales, display and storage. This use includes bakeries and specialty food production facilities, pottery and sculpture studios, taxidermists, greenhouses and specialty furniture makers.

~~6.146 Stacked Rowhouse~~

~~A residential building containing at least three dwelling units where:~~

- ~~(a) two or more dwelling units at or near grade are joined in whole or in part at the side in a rowhouse configuration; or~~
- ~~(b) one or more dwelling units are stacked above the dwelling units at or near grade; and~~
- ~~(c) each dwelling unit in a stacked rowhouse is provided with separate and individual access, but such access is not necessarily located at grade. “Apartment”, “Duplex”, “Rowhouse” and “Semi-detached dwelling” are separate uses.~~

6.150 Stockpile or excavation

The holding or storage on land of material or products.

6.147151 Storey

The space within a building which is between the surface of any floor and the floor surface or ceiling immediately above it and is usually 2.4 m (7.9 ft.) in height.

6.448152 Storey, Half

The storey, as shown in Figure 42, immediately under a pitched roof, where the wall heights on at least two opposite walls are less than 1.4 m (4.6 ft.) above its floor.

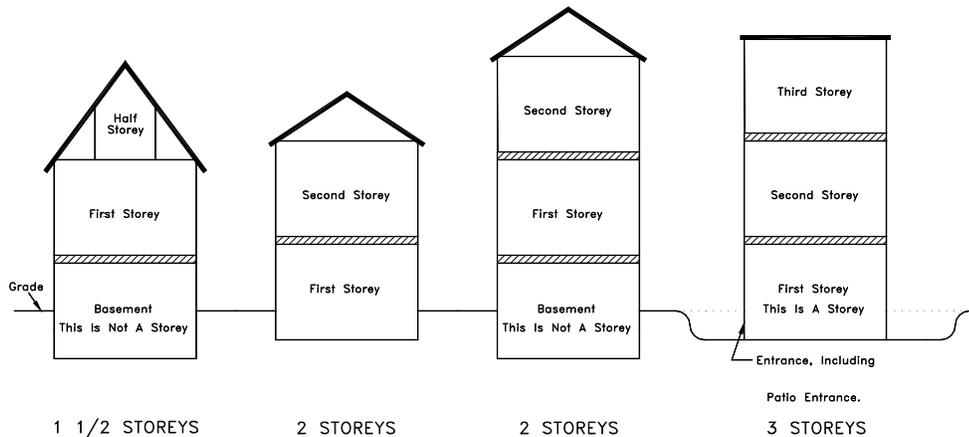


Figure 42

6.449153 Subdivision

The division of a parcel of land into one or more smaller parcels by a plan of subdivision or other instrument [according to the MGA, Part 17, Division 7](#).

6.154 Subdivision and Development Regulation

[The regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the MGA.](#)

6.155 Subdivision Authority

[The body established by bylaw to act as the subdivision authority in accordance with section 623 of the MGA.](#)

6.156 Subsidence

[The gradual caving in or sinking of an area of land. See also mass wasting.](#)

6.450157 Surveillance Suite

A dwelling unit or sleeping unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development provided for in the land use district.

6.451158 Temporary

Any time limit set by the Development Authority or as set out in this bylaw.

6.452159 Topsoil Stripping

Involves the stripping of topsoil and the sale or trade of such topsoil for commercial purposes.

6.153160 Truck Stop

A service station that caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. This use includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, limited vehicle sales or rentals and similar uses provided that these are accessory uses and incidental to the operation of the truck stop. "Autobody or paint shop", "Automotive repair and service", "Bulk fuel station", "Retail store", "Service station" and "Vehicle sales and rental" are separate uses.

6.161 Variance

Variance means a relaxation of a measurable standard of this bylaw.

[6.154162](#) Vehicle Sales and Rental

Development for the sale of automobiles, vans, motorcycles, snowmobiles, tents and holiday trailers, boats and other recreation vehicles and trucks with a tare weight not exceeding 5,000 kg (11,000 lbs.). These uses include supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel. This use may also include “Autobody and/or paint shop” or “Automotive repair and service” where these are accessory uses to the principal use. “Agricultural / Industrial machinery sales, rental and service”, “Salvage or waste disposal facility”, “Service station” and “Truck stop” are separate uses.

[6.155163](#) Viewscape

A viewscape is the area visible from a point, a line, an arc, or specific locality. Viewscapes are areas of historic scenic value that are deemed by council to be in the broader public interest worthy of preservation.

[6.156164](#) Wash House

A facility in conjunction with a recreation vehicle park that provides a common building providing toilets, showers, laundry, kitchen-like facilities and meeting area.

[6.157165](#) Wastewater Treatment Plant

As referred to in the Subdivision and Development Regulation has the same meaning as in the Environmental Protection and Enhancement Act and includes a wastewater treatment stabilization plant.

[6.158166](#) Wholesale or Storage Warehousing

Development for the storage and/or transport of goods and/or the wholesale distribution of goods except livestock. “Mini storage”, “Construction supply and contractors”, “Outdoor storage”, “Farm supplies and service”, and “Fleet and transportation service” are separate uses.

[6.159167](#) Wind Energy Conversion System (WECS)

A wind energy conversion system is a structure designed to convert wind energy into mechanical or electrical energy. See Section [53-57](#) for more detailed definitions.

[6.160168](#) Yard

That portion of a lot or parcel not occupied or enclosed by buildings, which can be occupied as shown in Figure [23](#).

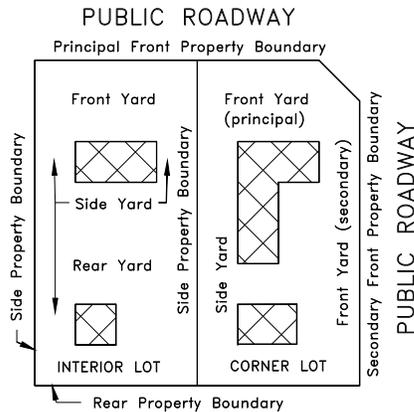


Figure 23

SECTION 7 ESTABLISHMENT OF FORMS

7.1 For the purpose of administering the provisions of this Land Use Bylaw, the Council shall, by resolution or bylaw, authorize the preparation and use of such forms and notices as it may deem necessary.

SECTION 8 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

8.1 Notwithstanding that a development permit may not be required by this bylaw, nothing in this bylaw relieves a person or corporation of their duty or obligation to comply with the provisions and requirements of this bylaw, or to obtain any other permit, license or other authorization required by the Government of Canada, the Province of Alberta, or any regulation pursuant to provincial or federal legislation, nor any bylaw of the Municipal District of Pincher Creek.

8.2 Compliance with the provisions and requirements of this bylaw does not exempt any person or corporation from complying with any easement, covenant, agreement or contract affecting the development.

SECTION 9 SECTIONS FOUND TO BE INVALID

9.1 If one or more provisions of this Land Use Bylaw are, for any reason, declared to be invalid, all remaining provisions are to remain in full force and in effect.

PART II – ~~DEVELOPMENT AUTHORITY~~ APPROVING AUTHORITIES

SECTION 10 DEVELOPMENT OFFICER

- 10.1 The office of the Development Officer is ~~hereby~~ established through the Development Authority and Municipal Planning Commission Bylaw and shall be filled by a person or persons appointed by Council.
- 10.2 The Development Officer shall perform such duties that are specified in this bylaw and the Development Authority Bylaw.
- 10.3 The Development Officer shall keep and maintain for the inspection of the public during business hours a copy of this bylaw and all amendments thereto, and keep a register of all applications for development, the decisions and the reasons therefore.
- 10.4 The Development Officer is declared to be a Development Authority for the purposes of the Act.

SECTION 11 MUNICIPAL PLANNING COMMISSION

- 11.1 The Municipal Planning Commission is ~~hereby~~ established through The Municipal District of Pincher Creek No. 9 Development Authority and Municipal Planning Commission Bylaw and shall consist of persons to be appointed by the Council, ~~pursuant to the Act and Bylaw 1034-01.~~
- 11.2 The Municipal Planning Commission shall perform such duties as are required to carry out the procedures specified in this bylaw.
- 11.3 The Municipal Planning Commission is declared to be a Development Authority for the purposes of the Act.

SECTION 12 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 12.1 The Subdivision and Development Appeal Board is ~~hereby~~ established through the Subdivision and Development Appeal Board Bylaw and shall consist of persons to be appointed by Council.
- 12.2 The Subdivision and Development Appeal Board shall perform such duties as specified by this bylaw, the Act, and the Subdivision and Development Appeal Board Bylaw.

SECTION 13 SUBDIVISION AUTHORITY

- 13.1 The Subdivision Authority is authorized to make decisions on applications for subdivisions pursuant to the Subdivision Authority Bylaw, and may exercise only such powers and duties as are specified:
 - (a) in the municipality's Subdivision Authority Bylaw;
 - (b) in this bylaw
 - (c) the Municipal Development Plan; or
 - (d) by resolution of Council.

13.2 The Subdivision Authority may delegate, through any of the methods described in subsection 13.1 above, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

(a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application.

(b)the Subdivision Authority delegate is authorized to carrying out the application process with subdivision applicants as described in Part IV of this bylaw, including the task of sending all required notifications.

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PART III – DEVELOPMENT PERMITS

Except as provided in Section 4415, no person shall commence a development unless they have been issued a development permit in respect of the development.

SECTION 4314 PERMIT FEES

4314.1 All fees and charges under and pursuant to this bylaw, and any amendments thereto, with respect to development permits shall be as established by Council.

SECTION 4415 DEVELOPMENT NOT REQUIRING A PERMIT

4415.1 ~~Subject to the Airport Vicinity Protection district, a~~ development permit is not required for ~~the following, but must otherwise comply with all other provisions of this bylaw:~~

- (a) ~~except in a Grouped Country Residential district, farm buildings and structures other than those for intensive horticultural operations, provided that these are located at least:~~
 - (i) ~~300 m (984 ft.) from the right-of-way of a provincial highway or as approved by Alberta Transportation;~~
 - (ii) ~~530 m (16498.4 ft.) from the any developed or undeveloped road right-of-way of any roadway maintained by the municipality;~~
 - (iii) ~~400 m (1312 ft.) from the boundary of any Crown Land as detailed in the Oldman River Reservoir Area Structure Plan;~~
 - (iv) ~~50 m (164 ft.) from a naturally occurring water body or outside the 1:100 flood levels, whichever distance is greater.~~
- ~~(a) highways, roads, pipelines or other development exempted under the Act, or any other development, which in the opinion of the Development Officer or Municipal Planning Commission is associated with the construction, repair or upgrade of said development;~~
- (b) extensive agriculture or grazing of land;
- (c) the cutting or harvest of trees on private lands;
- (d) the erection or maintenance of agricultural fences associated with the extensive cultivation or grazing of land or an “Extensive agriculture” use except in the Airport Vicinity Protection district;
- (e) the erection or construction of temporary buildings without dwelling or sleeping units, works, plants, materials, or machinery that are needed, in the opinion of the Development Authority, to erect or construct a development;
- (f) exempted signs identified under Section 5455;
- ~~(f) the maintenance or repair of public works, services and utilities carried out by, or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or administered;~~
- (g) the maintenance or repair of any building including interior and exterior renovations provided that:

- (i) such works do not include structural alterations or additions which affect changes in the exterior size, dimensions or design of the building; and
- (ii) such works on the exterior of a building comply with the Architectural Control provisions, if any, of the district in which the building is located;
- (h) garden sheds, tool sheds and similar accessory buildings provided that:
 - (i) the accessory buildings do not exceed 10.5 m² (113 ft²) in area;
 - (ii) only one such building is located on a residential lot, within the boundaries of a designated hamlet, without requiring a development permit;
 - (iii) only two such buildings may be located on a residential lot, within an area designated for country residential use, without requiring a development permit;
 - (iv) any matter pertaining to the development of such a building including its height, exterior finish and location, complies with the provisions of this bylaw and the schedules thereto;
- (i) outdoor recreation uses as defined;
- (j) public utility buildings, other than within designated hamlets;
- (k) landscaping and paving of parking areas provided that surface runoff does not affect adjacent parcels or lots;
- ~~(l) those developments receiving federal approval or being exempt pursuant to section 618 of the Act;~~
- (g!) unless otherwise required in a district, and subject to Section 3337, the construction, erection, maintenance or alteration of an accessory structure.
- ~~(m)~~ planted trees and landscaping provided they are located outside the sight triangle in Section 34-38 or when any part of the mature tree above grade is 6 m (19.7 ft.) or more from the edge of a developed road allowance;
- (n) decks which are not covered in by a roof and/or screened by two walls, and which meet the setback and other requirements of the land use district;
- (o) a single stockpile or single excavation of volumes less than 100 m³;
- (p) a water well;
- (q) greenhouses less than 14.16 m² (500 ft²);
- (r) solar energy system, household to an installation capacity maximum of 150 kW_{DC};
- (s) unless otherwise restricted in a district, the erection or construction of gates, fences, walls or other means of enclosure, which satisfy the requirements of Section 3337 and Section 3438.
- (d!) the erection of towers, flag poles and other poles not exceeding 4.5 m (14.8 ft.) in height provided that the structure is not located in a front yard or on a building or structure in a residential land use district (for designated hamlets only);
- (u) shipping containers within the Agriculture – A, Airport Vicinity Protection – AVP, and Wind Farm Industrial - WFI districts which satisfy the requirements of Section 58.

4415.2 In addition to Section 4415.1, unless otherwise stated in a land use district, the following development does not require a development permit:

- ~~(a) farm buildings and structures including dugouts except in a Grouped Country Residential district other than those for intensive horticultural operations or facilities, provided that these are located at least:~~
- ~~(i) 300 m (984 ft.) from the right of way of a provincial highway;~~
 - ~~(ii) 50 m (164 ft.) from the right of way of any roadway maintained by the municipality;~~
 - ~~(iii) 400 m (1312 ft.) from the boundary of any Crown Land as detailed in the Oldman River Reservoir Area Structure Plan;~~
 - ~~(iv) 50 m (164 ft.) from a naturally occurring water body or outside the 1:100 flood levels, whichever distance is greater.~~
- (a) highways, roads, pipelines or other development exempted under the Act, or any other development, which in the opinion of the Development Officer or Municipal Planning Commission is associated with the construction, repair or upgrade of said development;
- (b) the completion of a building that is lawfully under construction at the date of the first publication of the official notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the official notice;
- (c) the use of any such building as referred to in [4415.2\(b\)](#) above for the purpose for which construction was commenced;
- ~~(d) the erection of towers, flag poles and other poles not exceeding 4.5 m (14.8 ft.) in height provided that the structure is not located in a front yard or on a building or structure in a residential land use district (for designated hamlets only);~~
- (d) telecommunication antenna systems that are regulated by [Innovation, Science and Economic Development \(ISED\) Canada](#) subject to [Section 5660 \(Telecommunication Siting Protocols\)](#);
- (fe) the maintenance or repair of public works, services and utilities carried out by, or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or administered;
- (ff) those developments receiving federal approval or being exempt pursuant to [section 618 of the Act](#);
- ~~(e) subject to the provisions of [Section 43, Minor Home Occupations as defined](#);~~

~~(f) those signs identified under Section 51;~~

~~(g) unless otherwise required in a district, and subject to Section 33, the construction, erection, maintenance or alteration of an accessory structure.~~

1415.3 Sections 1415.1 and 1415.2 do not authorize any development including, but not limited to the placement or erection of signs on municipal property, on a public roadway.

~~14.4 Within designated hamlets, unless otherwise restricted in a district, the erection or construction of gates, fences, walls or other means of enclosure, which satisfy the requirements of Section 33 and Section 34.~~

1415.54 If there is any question whether or not a development requires a development permit, the matter shall be referred to the Municipal Planning Commission, whose decision shall be final.

1415.65 Sections 1415.1 and 1415.2 do not authorize any development within the Airport Vicinity Protection (AVP) district which requires the approval of Transport Canada and NAV Canada.

SECTION 1516 APPLICATION FOR DEVELOPMENT PERMIT

156.1 Prior to the submittal of any development permit application, all applicants are encouraged to set up a pre-application meeting with the development officer to review the permit requirements and discuss matters pertaining to the development application review and decision making processes.

~~1516.2 Except where an application for a development permit is made within a Direct Control district, an~~ An application for a development permit shall be made to the Development Officer in writing on the application provided by the Municipal District of Pincher Creek, and shall:

- (a) be signed by the registered owner(s) or his or her agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration;
- (b) state the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer;
- (c) be accompanied by an area structure plan if one is required pursuant to the provisions of the Municipal Development Plan; and
- (d) at the discretion of the Development Officer, include parcel plans in duplicate at a scale satisfactory to the Development Officer, showing any or all of the following:
 - (i) north point;
 - (ii) legal description of parcel;
 - (iii) location of principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - (iv) outlines of the roof overhangs on all buildings;
 - (v) front, side and rear yards;

- (vi) the provision of off-street loading and vehicle parking;
- (vii) access and egress points to and from the parcel;
- (viii) the exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
- (ix) a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
- (x) storm drainage plan;
- (xi) the location of existing and proposed municipal and private local improvements as well as an estimation of the cost of the installation thereof;
- (xii) the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable, on a vacant parcel in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such building as part of the proposal;
- (xiii) estimated cost of the project, excluding land prices; and
- (xiv) any other pertinent information or tests required by the Development Officer respecting the parcel or adjacent lands.

[16.3](#) In the case of a development permit application made pursuant to a Direct Control district, all requirements and procedures pertinent to the development permit application will be at the direction and to the satisfaction of Council.

[4516.4](#) In determining the development permit application requirements and procedures pursuant to Section [4516.24](#), the Council Development Authority may consider and be guided by the provisions outlined in Section [4516.1-2](#) and may require the applicant to submit any or all of the following for the purpose of relating any proposal to the satisfaction of the Municipal District of Pincher Creek:

- (a) location of all proposed buildings;
- (b) elevation and architectural treatment of all buildings and associated structures;
- (c) proposed servicing scheme and its relationship to the Municipal District of Pincher Creek's existing and/or proposed servicing plans;
- (d) anticipated scheduling and sequence of development;
- (e) mechanisms by which conformance to the plan will be ensured such as normally achieved through a combination of caveats, easements, service agreements and financial guarantees;
- (f) all yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, number of parking stalls; and
- (g) Council having regard to the nature of the proposed development and the surrounding use(s), which may be affected, deems such additional requirements as necessary;
- (h) a conceptual plan.

- ~~15. A completed application for development consists of a completed application in the form as required by Council, the required fee, and that information that the appropriate Development Authority, or Council, requires to make an informed decision.~~

SECTION 17 DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

- 17.1 A development officer shall, within 20 days after the receipt of an application in accordance with Section 16 for a development permit, determine whether the application is complete.
- 17.2 An application is complete if, in the opinion of the development officer, the application contains the documents and other information necessary to review the application.
- 17.3 The time period referred to in subsection 17.1 may be extended by an agreement in writing between the applicant and the development officer.
- 17.4 If the development officer does not make a determination referred to in subsection 17.1 within the time required under subsection 17.1 or 17.3, the application is deemed to be complete.
- 17.5 If a development officer determines that the application is complete, the development officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- 17.6 If the development officer determines that the application is incomplete, the development officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 16. A submittal deadline for the outstanding documents and information shall be set out in the notice. A later date may be agreed on between the applicant and the development officer in writing to extend the deadline.
- 17.7 When the development officer determines that the information and documents required to be submitted under subsection 17.6 are complete, the development officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- 17.8 If the required documents and information under subsection 17.6 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection 17.6, the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- 17.9 Despite issuance of a Notice of Completeness under subsection 17.5 or 17.7, the development authority in the course of reviewing the application may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

SECTION ~~46~~18 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

PERMITTED USE APPLICATIONS

- ~~46~~18.1 Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this bylaw and may:
- (a) require a Real Property Report, signed by an Alberta Land Surveyor for the purpose of evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application;
 - (b) prior to making a decision, refer any application for a permitted use to any municipal department or external agency for comment;
 - (c) require, as a condition of issuing a development permit, that the applicant enter into an agreement with the Municipal District of Pincher Creek to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-parcel levy or redevelopment levy imposed by bylaw. To ensure compliance with the conditions in the agreement, the Municipal District of Pincher Creek may be protected by caveat registered in favour of the Municipal District of Pincher Creek;
 - (d) require **financial guarantees**, in the form of an off-site levy, a redevelopment levy or in any other form and in an amount acceptable to the Municipal District of Pincher Creek, from the applicant to secure performance of any of the conditions of a development permit;
 - (e) refuse to issue a development permit for a proposed building on any parcel, where it would otherwise be permitted by the bylaw, in the case where satisfactory arrangements have not been made by a developer for the supply of water, electric power, sewage and street access, or any of them, including payment of the costs of installing or constructing any such utility by the developer;
 - (f) issue a temporary development permit where, in the opinion of the Development Officer, the proposed use is of a temporary nature;
 - (g) update the file if the development has changed yet still conforms with the provisions of this bylaw.
- ~~46~~18.2 Notwithstanding Section ~~46~~18.1, in the case of new construction, the Development Officer may require, as a condition of approval, that a Real Property Report, signed by an Alberta Land Surveyor, be submitted by the owner/developer prior to the construction of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit and this bylaw.
- ~~46~~18.3 Upon receipt of a completed application for a development permit for a permitted use, the Development Officer may refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses that, in the opinion of the Development Officer, should be decided by the Municipal Planning Commission.

[4618.4](#) Where development permit applications for permitted uses are referred to the Municipal Planning Commission pursuant to Section [4618.3](#), the Municipal Planning Commission shall be subject to the same provisions that apply and are available to the Development Officer as prescribed in Section [4618.1](#).

DISCRETIONARY USE APPLICATIONS

[4618.5](#) Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer shall review the application, issue a written notice to affected land owners as prescribed by Municipal Policy, and refer the application with the Development Officer's recommendations to the Municipal Planning Commission for decision.

[4618.6](#) The Municipal Planning Commission may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment or hold a public meeting to present the application to affected persons.

[4618.7](#) The Municipal Planning Commission shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.

[4618.8](#) The Municipal Planning Commission may require, as a condition of issuing a development permit, that:

- (a) the applicant provide financial guarantees, in a form and an amount acceptable to the Municipal District of Pincher Creek, to secure performance of any of the conditions of a development permit;
- (b) the applicant enter into an agreement with the Municipal District of Pincher Creek to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and off-parcel levy or redevelopment levy imposed by bylaw. To ensure compliance with the conditions in the agreement, the Municipal District of Pincher Creek may be protected by caveat registered in favour of the Municipal District of Pincher Creek; and/or
- (c) the applicant provide a Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application.

[4618.9](#) Notwithstanding Section [4618.8](#), in the case of new construction, the Municipal Planning Commission may require, as a condition of approval that a Real Property Report, signed by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of the development permit application, be submitted by the owner/ developer prior to construction of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit and this bylaw.

[4618.10](#) In accordance with Section [2426](#), the Municipal Planning Commission may issue a temporary development permit where the Municipal Planning Commission is of the opinion that the discretionary use is, or should be, of a temporary nature.

~~4618~~.11 At the request of the applicant, where a use is applied for which is not specifically considered in any land use district, but is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the following process shall apply:

- (a) the matter shall be referred by the Development Officer to the Municipal Planning Commission;
- (b) the Municipal Planning Commission shall determine and make a ruling on the proposed use as to its similarity to a permitted or discretionary use in the district;
- (c) if the use is deemed similar, the proposed use shall be reviewed by the Municipal Planning Commission as a discretionary use for that land use district;
- (d) given the above, if the application is approved by the Municipal Planning Commission a development permit shall be issued in accordance with Section ~~4921~~.

~~4618~~.12 The Municipal Planning Commission may refuse, or approve with conditions, any development if, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character or appearance of the general development in the area.

DIRECT CONTROL DISTRICT APPLICATIONS

~~18.13~~ Upon receipt of a completed application for a development permit in a Direct Control District, the Development Officer shall:

- ~~(a)~~ refer the application to Council for a decision, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer; and
- ~~(b)~~ notify adjacent landowners and other persons likely to be affected in accordance with Section 19.

~~18.14~~ After considering any response to notifications issued under Section 19, Council or the delegated decision making authority may:

- ~~(a)~~ approve a development permit with or without conditions; or
- ~~(b)~~ refuse to approve the development permit, stating reasons.

~~16.13~~ Upon receipt of a completed application for a development permit pursuant to a Direct Control district, the Council may, prior to making a decision, refer the application to the Development Officer, Municipal Planning Commission or any municipal department or external agency for comment.

~~16.14~~ At some point, as determined by Council, prior to deciding upon the development permit application before it, the Council will provide public notice, through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control district is to be made and the Council will afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

~~4618~~.15 Public notice referred to in Section ~~4618~~.14 may contain a statement to the effect that:

- (a) if no objection to the development is received within the time prescribed in the notice, then Council will proceed without further notice; and

- (b) if objection to the development is received, then a public hearing will be held on a date and at a time and place specified in the notice;
- (c) the Council shall approve, with or without conditions, or shall refuse the application, giving reasons for the refusal.

18.16 In accordance with section 641(4)(a) of the Act, there is no appeal to the Subdivision and Development Appeal Board for a decision on an application for a development permit in a Direct Control District.

VARIANCE PROVISIONS

~~4618.~~4617 Notwithstanding Sections ~~4618.~~1 through ~~4618.~~4 the Development Officer may, in deciding upon an application for a permitted use, allow a ~~minor~~-variance:

- (a) up to 10 percent, on setback distances pertaining to yards or public roadways provided such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels;
- (b) up to 20 percent on parking provisions;
- (c) up to 10 percent, on the height of a building provided such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels.

~~4618.~~4718 Notwithstanding Sections ~~4618.~~1 through ~~4618.~~12 the Municipal Planning Commission may approve or conditionally approve a permitted use referred to the Municipal Planning Commission pursuant to Sections ~~4618.~~1 through ~~4618.~~4 or, a discretionary use that does not comply with this bylaw if, in the opinion of the Municipal Planning Commission, the use complies with the following tests:

- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels; and
- (b) the proposed development conforms to the use intended for that land or building as described in the district within this bylaw.

~~4618.~~4819 The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to Section 643(5)(c) of the Act.

LIMITATIONS ON VARIANCE PROVISIONS

~~4618.~~4920 In approving an application for a development permit under Section ~~4618.~~4 the Development Officer or Municipal Planning Commission shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- (a) a variance shall be considered only in cases of ~~unnecessary~~-hardship (as defined) or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district;
- (b) where a variance is considered that will reduce the setback from any road as defined in the Act, the Development Authority shall consider all future road

construction needs of the municipality as well as the transportation requirements of the parcel(s) or lot(s) affected.

ADDITIONAL PROVISIONS

~~4618.2021~~ The Development Officer, Municipal Planning Commission, or Council (in the case of a development permit pursuant to a Direct Control district) may impose such conditions on the approval of an application that are considered necessary by the Development Officer, Municipal Planning Commission or Council to:

- (a) uphold the intent and objectives of the Municipal District of Pincher Creek Municipal Development Plan, Oldman River Reservoir Area Structure Plan, Burmis Lundbreck Corridor Area Structure Plan or other statutory plan or land use regulation as adopted or amended from time to time; ~~and~~
- (b) ensure the orderly and economic development of land within the Municipal District of Pincher Creek; ~~or~~
- (c) further the vision, outcomes or strategic directions of the *South Saskatchewan Regional Plan*.

[4618.2122](#) Where an application for a use, which is neither a permitted, nor a discretionary use is received by the Development Officer, the Development Officer shall refuse the application stating reasons for the decision or, at the request of the applicant, refer the application to the Municipal Planning Commission for consideration under Section [4618.11](#) or Sections [4618.16-17](#) through [4618.1920](#).

[4618.2223](#) Any use referred to the Municipal Planning Commission pursuant to Section [4618.2122](#) above shall be considered a discretionary use.

SECTION [4719](#) NOTICE OF PROPOSED DEVELOPMENT

[4719.1](#) Prior to an application being considered for a discretionary use pursuant to Sections [4618.11](#) and [4618.16-17](#) through [4618.2223](#), the Development Officer may require, or the Municipal Planning Commission may direct the Development Officer to require, one or more of the following:

- (a) that a notice be posted in a conspicuous place on the parcel upon which the proposed development is situated not less than ten (10) days prior to the date of consideration of such an application;
- (b) that a similar notice be published once in a newspaper circulating in the municipal area;
- (c) that in a hamlet, a similar notice to be sent by mail to all assessed property owners [within 30 m \(98.4 ft.\) or a distance as determined by the Development Authority](#) of the parcel and to those assessed property owners who, in the opinion of the Development Officer, Municipal Planning Commission, may be affected, not less than seven (7) days prior to the date of consideration of the application; and/or
- (d) that in a rural area, a similar notice to be sent to all assessed property owners of quarter sections adjacent to the development and to those assessed property owners who, in the opinion of the Development Officer, Municipal Planning Commission, may be affected, not less than seven (7) days prior to the date of consideration of the application.

[4719.2](#) The notices issued pursuant to Section [4719.1](#) shall state:

- (a) the proposed use of the building or parcel;
- (b) that an application respecting the proposed use will be considered by the Development Officer, Municipal Planning Commission;
- (c) that any person who objects to the proposed use of the parcel may deliver to the Development Officer a written statement of their objections indicating:
 - (i) their full name and address for service of any notice to be given to them in respect of the objection; and
 - (ii) the reasons for their objections to the proposed use;
 - (iii) the date by which objections must be received by the Development Officer; and
 - (iv) the date, time and place the Development Officer or Municipal Planning Commission will consider the application.

4719.3 When considering applications under Section 4719.1 for which notices have been served, the Development Officer or Municipal Planning Commission may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

SECTION 4820 NOTICE OF DECISION

4820.1 All decisions on applications for a development permit shall be given in writing to the applicant. The Development Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the written decision is given. For the purposes of this section, the date on which the written decision was given means:

- (a) the date the Development Authority signs the notice of decision or development permit, or
- (b) the date the decision is posted in the newspaper, whichever occurs later.

4820.2 If an application is refused or conditionally approved by the Development Officer, Municipal Planning Commission or Council, the notice of decision shall contain the conditions imposed as part of the approval or the reasons for the refusal.

4820.3 When a decision on a development permit is made pursuant to a Direct Control district, Council may direct the Development Officer to issue a notice of decision in accordance with Section 4820.1.

4820.4 When a decision on a development permit is made, the Development Officer may undertake or be directed to undertake by the Municipal Planning Commission or Council as the case may be, any or all of the following:

- (a) publish a notice pertaining to permitted uses in a newspaper circulating in the municipal area or on the municipal website; and ~~or~~
- (b) ~~send a notice of decision letter~~ development permit pertaining to discretionary uses, uses deemed similar to, and uses requesting variances other notice as considered appropriate by Council.

SECTION 4921 EFFECTIVE DATE OF PERMIT

4921.1 The decision on a development permit application shall come into effect:

- (a) if it is made by the Development Officer or Municipal Planning Commission, ~~on~~ after the ~~fifteenth (15th)~~ twenty-first (21st) day after the date of the issue of the Notice of Decision by the Development Officer or Municipal Planning Commission on the application for development; ~~or~~
- (b) if Council issues it with respect to a development in a Direct Control district, upon the date of its issue; or
- (c) if an appeal is made, on the date that the appeal is finally determined.

SECTION 2022 DEVELOPMENT PERMIT VALIDITY

2022.1 A development permit which authorizes a development does not expire:

- (a) unless the permit is suspended, cancelled or issued for a temporary period of time; or
- (b) unless the development has not been completed in 2 (two) years from the date of the issue of the permit;
- (c) unless the period of validity is stated as a condition of a development permit;
- (d) unless the approval was for WECS in which case Section ~~53~~57 shall be referred.

2022.2 An extension of a development permit may be granted in accordance with the following:

- (a) Where a discretionary use development permit has expired in accordance with Section 2022.1, the Development Officer may extend the validity of the permit by six months from the date of its expiry. Following an extension granted by the Development Officer, all subsequent requests for extension must be forwarded to the Municipal Planning Commission for a decision; or:
- (b) Where a permitted use development permit has expired in accordance with Section 22.1, the Development Officer may extend the validity of the permit by six months from the date of its expiry. Following an extension granted by the Development Officer, all subsequent requests for extension are at the discretion of the Development Officer.

2022.3 A development permit is valid only for the location for which it has been issued.

22.4 A valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy, or occupancy. This provision does not apply to a home occupation permit, which is non-transferable.

SECTION 2423 FAILURE TO MAKE A DECISION – DEEMED REFUSED

2423.1 In accordance with the Act, if an application for a development permit is, at the option of the applicant, deemed to be refused if the decision of the Development Authority is not made within 40 days of receipt of the completed application unless the applicant has entered into an agreement with the Development Authority to extend the 40-day period.

SECTION 2224 REAPPLICATION FOR A DEVELOPMENT PERMIT

2224.1 Subject to Section 2423, if an application is refused by the Development Officer or Municipal Planning Commission or on appeal by the Subdivision and Development Appeal Board, another application on the same parcel and for the same or similar use, may not be accepted by the Development Officer before the expiration of six (6) months from the date of refusal.

2224.2 If an application was refused solely because it did not comply with this bylaw or was refused as an incomplete application under Section 17, another application on the same lot or parcel and for the same use may be accepted by the Development Officer before the expiry of the time period referred to in Section 2224.1 provided that the subsequent application complies with this bylaw.

2224.3 If an application was approved as a permitted use and the applicant proposes to change the development to a discretionary use, a new development permit application must be submitted for consideration of the Municipal Planning Commission. The Municipal Planning Commission shall on approval instruct the Development Officer to revoke the original permit according to Section 23-25 of this bylaw.

2224.4 If an application was approved as a discretionary use and the applicant proposes to change the development, a new development permit application must be submitted for consideration of the Municipal Planning Commission. The Municipal Planning Commission shall on approval instruct the Development Officer to revoke the original permit according to Section 23-25 of this bylaw.

SECTION 2325 NEW INFORMATION AND SUSPENSION OF A DEVELOPMENT PERMIT

2325.1 If, after a development permit has been issued the Development Authority becomes aware that:

- (a) the permit was issued in error; or
- (b) the application contained a serious misrepresentation; or
- (c) facts about the application or the development that were not disclosed and which should have been disclosed at the time the application was considered have subsequently become known;

the Development Authority that issued the permit may temporarily suspend the development permit or revoke the permit by notice in writing to the holder of it.

SECTION 2426 TEMPORARY DEVELOPMENT PERMIT~~S~~ ~~FOR A DISCRETIONARY USE~~

2426.1 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary development permit for that development if:

- (a) the proposed development is of a temporary nature; or
- (b) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.

2426.2 ~~Where a proposed development is for a permitted use, the Development Authority may issue a temporary development permit for that development if:~~

- ~~(a) the proposed development is defined as temporary under Part I Section 6 or Part VIII; (garden suite timelines)~~

2426.23 A temporary development permit issued pursuant to Section 2426.1 or 2426.2 above:

- (a) may be issued for a maximum period of one (1) year or such lesser period of time as stated in the permit ~~unless specified under Part VIII for a period exceeding one (1) year;~~
- (b) may be renewed only once for a period not exceeding six (6) months from the date of its expiry if the proposed development is of a temporary nature;
- (c) may be revoked by the Development Authority at any time if in the opinion of the Development Authority the development:
 - (i) unduly interferes with amenities of the neighbourhood; or

- (ii) materially interferes with or affects the use, enjoyment or value of neighbouring parcels.

SECTION ~~2527~~ DEVELOPER'S RESPONSIBILITY

~~2527.1~~ The developer or applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.

~~2527.2~~ The developer or applicant shall prevent excess soil or debris from being spilled, blown, washed, or otherwise placed on public roadways, streets, lanes and sidewalks, and shall not place soil or any other materials on adjacent parcels without permission in writing from adjacent property owners.

~~2527.3~~ Sections ~~2527.1~~ and ~~2527.2~~ may be enforced pursuant to PART VI of this bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section ~~46-18~~ and the Act.

~~25.4~~ ~~The Development Officer may require that a Real Property Report be prepared by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of a development permit application.~~

~~25.5~~ ~~A development permit is not transferable without the prior written consent of:~~

- ~~(a) the Development Officer or Municipal Planning Commission, if the permit was issued by either one, as the case may be; or~~
- ~~(b) Council, if the permit was issued by Council with respect to development in a Direct Control district; or~~
- ~~(c) the Subdivision and Development Appeal Board, if the permit was issued by the Subdivision and Development Appeal Board.~~

PART IV – SUBDIVISION APPLICATIONS

SECTION 28 SUBDIVISION APPLICATIONS

- 28.1 An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:
- (a) an official application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form; and
 - (b) the applicable fees paid; and
 - (c) an up-to-date and current copy of the Certificate of Title to the subject land; and
 - (d) a surveyor's sketch or tentative subdivision plan with dimensions, structures, location of private sewage disposal system, professionally prepared; and
 - (e) provincial abandoned gas well information; and
 - (f) for vacant parcels, a soils analysis which indicates the ability of the proposed parcel to be privately serviced; and
 - (g) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and
 - (h) The consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the Municipal Government Act (MGA) must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.
- 28.2 In accordance with the *Municipal Government Act*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:
- (a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter.
 - (b) for an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority.
 - (c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.

28.3 Notwithstanding subsection 28.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the MGA to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

28.4 A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

SECTION 29 INCOMPLETE SUBDIVISION APPLICATIONS

29.1 The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 28 and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

29.2 If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in subsection 28.2.

29.3 The notification provided for in subsection 28.2(b) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the MGA.

PART ~~IV~~V – APPEAL AND AMENDMENT

SECTION ~~2630~~ APPEALS AND PROCEDURES

- ~~2630.1~~ In accordance with the Act, any person receiving a decision on a development permit or any other person affected by any order, decision or development permit made or issued by an approval authority, may appeal to the Subdivision and Development Appeal Board.
- ~~2630.2~~ A fee as set by Council shall accompany each ~~notice letter~~ of appeal.
- ~~2630.3~~ Any decisions made by Council with respect to a Direct Control district are not subject to appeal to the Subdivision and Development Appeal Board.
- ~~2630.4~~ In accordance with the Municipal Government Act, any land owner who applied for subdivision and was refused an approval or had conditions attached to the approval, may appeal the decision to the Subdivision and Development Appeal Board, or the Municipal Government Board (where the Subdivision and Development Regulation requires it). Adjacent or affected land owners have no right to appeal under the MGA. If the Subdivision and Development Appeal Board upholds an appeal brought before it, pursuant to this Section of the bylaw the Subdivision and Development Appeal Board may determine that the appeal fee, or a portion of the appeal fee, levied in accordance with Section 26.2 be returned to the appellant.
- ~~2630.5~~ A decision made under this part of the bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to section 688 of the Municipal Government Act.

SECTION ~~2731~~ APPLICATION TO AMEND BYLAW

- ~~2731.1~~ Subject to the Act, any Section or Part of this bylaw may be amended in accordance with Section ~~27-31~~ of this bylaw.
- ~~2731.2~~ Any person applying to have this bylaw amended shall apply in writing to the Development Officer, using the application form provided by the Municipal District of Pincher Creek, and request that the Development Officer submit the application to the Council, which request shall be responded to within ninety (90) days.
- ~~2731.3~~ As part of the application referred to in Section ~~2731.2~~, the applicant must provide the following information, if Council deems it applicable:
- (a) reasons in support of the application;
 - (b) the use to be made of the land that is the subject of the application;
 - (c) the program of land servicing; and
 - (d) information as required in the Municipal Development Plan.
- ~~2731.4~~ A person making an application to amend this bylaw for a purpose other than the clarification of an existing provision of this bylaw may be required to:
- (a) pay the Municipal District of Pincher Creek an application fee as set by Council;
 - (b) undertake in writing on a form provided by the Municipal District of Pincher Creek to be liable for, and pay on demand, all expenses made necessary by the processing

of the proposed amendment which the Municipal District of Pincher Creek may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and

- (c) provide, in writing, authorization and the right of entry for the Development Officer or Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

2731.5 Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
- (b) prepare a report for the Council on the proposed amendment;
- (c) submit a copy of the report and all material relevant thereto to the Council; and
- (d) submit a recommendation to Council regarding persons to be notified in addition to those required under the Act.

2731.6 If it appears that the proposed amendment is one which is applicable to and for the benefit of the Municipal District of Pincher Creek at large, or most of the persons affected in one area, or to the entire district, then the Council may direct that the application fee be returned to the applicant and that the Municipal District of Pincher Creek pay the expense which the applicant has agreed to pay pursuant to the provisions of Section 2731.4.

2731.7 The Municipal Planning Commission may, at any time on its own motion, present for the consideration of Council any proposed amendment to this bylaw, and the proposed amendment shall be accompanied by a report and recommendation of the Municipal Planning Commission and the report and recommendation of the Development Officer.

2731.8 Council may, at any time, initiate an amendment to this bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Officer for his/her report and recommendations.

2731.9 ~~Notwithstanding anything in this Section or this Part, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs. Where an application for an amendment to this Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least 12 months after the date of refusal.~~

31.10 ~~Where an application has been significantly changed, Council may accept an application prior to the end of the 12-month period specified in subsection 31.9.~~

2731.4011 Proposed amendments to this bylaw are subject to those requirements and procedures set out in the Act regarding enactment of bylaws, section 692 specifically.

2731.4412 Prior to third reading of a proposed amendment, Council may require the applicant to apply for a development permit and negotiate a development agreement for the proposal, which initiated said proposed amendment.

2731.4213 An application to amend the Land Use Bylaw to allow for a proposed use may be considered even if the proposed use is prohibited in the current land use district.

~~27.13 If a Land Use Bylaw amendment has been defeated by Council, another application for the same or similar amendment may not be considered for one year from the date of the decision to defeat the amendment.~~

PART VI – ENFORCEMENT

SECTION [2832](#) STOP ORDERS AND OFFENCES

[2832.1](#) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:

- (a) Part 17, or the regulations under Part 17 of the Municipal Government Act; or
- (b) a development permit or subdivision approval; or
- (c) the land use bylaw;

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice;
- (ii) demolish, remove or replace the development;
- (iii) carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the Land Use Bylaw or regulations under Part 17 [of the Act](#), a development permit or a subdivision approval.

[2832.2](#) Where an order is issued under Section [2832.1](#), the order shall state the following and any other information considered necessary by the Development Officer:

- (a) an explanation of the contravention, and a statement indicating under which provisions of this bylaw or the Act the order is being carried out;
- (b) the alternative and processes which the person responsible for the contravention may pursue in order to correct the contravention;
- (c) a time frame in which the contravention must be corrected prior to the Municipal District of Pincher Creek No. 9 pursuing action; and
- (d) advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board in accordance with section 685 of the Act.

[2832.3](#) Where a person fails or refuses to comply with an order directed to him under Section [2832.1](#) or an order of the Subdivision or Development Appeal Board under section 687 of the Act within the time specified, the municipality may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

[2832.4](#) Where the Council or a person appointed by it carries out an order, the Council may cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

[2832.5](#) This bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.

[2832.6](#) A person who:

- (a) contravenes any provision of Part 17 or the regulations under Part 17 of the Act;
- (b) contravenes this bylaw;
- (c) contravenes an order under Section [28-32](#) of this bylaw and/or section 645 of the Act;
- (d) contravenes a development permit or subdivision approval or a condition attached thereto; and/or
- (e) obstructs or hinders any person in the exercise or performance of this powers or duties under this Act, the regulations under the Act or this bylaw;

is guilty of an offence and is liable to a fine as prescribed in the Act.

[2832.7](#) If a person is found guilty of an offence under this bylaw, (section 557 of the Act) the court may, in addition to any other penalty imposed, order the person to comply with:

- (a) the Act and the regulations of the Act,
- (b) this bylaw,
- (c) an order under Section [28-32](#) of this bylaw and/or section 645 of the Act, and/or
- (d) a development permit or subdivision approval or any conditions attached to a development permit or subdivision approval.

[2832.8](#) Any written notice, or order, or decision that is required under any provision of this bylaw to be provided to any person shall be deemed to have been so provided if it is:

- (a) delivered personally to the person or their agent it is directed to, or
- (b) mailed by registered mail to the last known address of the person it is directed to, or
- (c) left with an agent or employee at the last known address of the person to whom it is directed.

PART VII – GENERAL PARCEL PROVISIONS

SECTION ~~2933~~ APPLICATION

~~2933~~.1 The provisions of this Part apply to all districts unless otherwise stated.

SECTION ~~3034~~ ACCESS TO PUBLIC ROADWAYS

~~3034~~.1 Where both legal and physical vehicular access are not provided to a parcel or a lot, or where legal and physical vehicular access are not congruent, access shall be provided in one of the following manners (in order of preference):

- (a) a public roadway should be developed as per municipal policy;
- (b) direct access to a public roadway should be provided via subdivision or registered road plan;
- (c) indirect access to a public roadway via a legal easement, which will be considered only as a last option.

~~3034~~.2 In accordance with the MD of Pincher Creek Development and Engineering Standards, Vehicular ~~vehicular~~ exits and entrances to a parcel or lot require the approval of the ~~Development Authority~~ municipality, but all vehicular exits and entrances to a parcel or lot:

- (a) in a hamlet must be located at least 6 m (19.7 ft.) from the intersection of any two public roadways, excluding lanes; ~~and~~
- (b) be to the satisfaction of the municipality in all other cases; ~~and~~
- (c) No access for vehicles will be permitted from a municipal roadway where, in the opinion of the ~~Development Officer or Municipal Planning Commission~~ municipality, there would be an excessive number of access points onto a roadway.

SECTION ~~3435~~ DEVELOPMENT ON HAZARDOUS LANDS

SLOPES

~~3435~~.1 For the purposes of this Section, “top of the bank” is as determined by the Development Officer in consultation with Alberta Environment or a qualified professional of The Association of Professional Engineers and Geoscientists, Geologists, and Geophysicists of Alberta (APEGGA).

~~3435~~.2 Notwithstanding the yard requirements prescribed in the land use districts, no permanent building shall be permitted within 6 m (19.7 ft.) of the top of the bank of any water body and no development shall be permitted within 6 m (19.7 ft.) of the top or bottom of an escarpment or slope where the grade is 15 percent or greater.

~~3435~~.3 The Development Officer, if permitted use, or Municipal Planning Commission, if discretionary use, may require a greater setback than is prescribed in Section ~~3435~~.2 above.

~~3435~~.4 Notwithstanding that a proposed development conforms in all aspects with this bylaw, including Sections ~~3435~~.2 and ~~3435~~.3, where the application is for development on lands that are, or may be, subject to subsidence or mass wasting, the Development Officer or Municipal Planning

Commission shall not issue a development permit unless the applicant can demonstrate, by means of an engineering report, bearing the seal and signature of a professional engineer of The Association of Professional Engineers and Geoscientists, Geologists, and Geophysicists of Alberta (APEGGA), that preventative engineering and construction measures can be instituted to make the parcel suitable for the proposed development.

~~3435.5~~ Further to Section ~~3435.2~~, the Development Officer or Municipal Planning Commission may, at their discretion, require that a professional engineer of The Association of Professional Engineers and Geoscientists, Geologists, and Geophysicists of Alberta (APEGGA) design the development site and buildings.

~~3435.6~~ Subject to Section ~~3435.2~~ and ~~3435.3~~, the Development Officer or Municipal Planning Commission may, at their discretion, reduce the setback requirements established pursuant to Sections ~~3435.2~~ or ~~3435.3~~, if the applicant provides satisfactory proof of bank stability.

~~3435.7~~ Notwithstanding any other provisions of this bylaw, a permitted use for a site that is located adjacent to an area deemed to be a “steep slope” or within the 1:100 flood risk area shall be ~~deemed to be a discretionary use~~ forwarded to the MPC for consideration.

FLOOD PLAIN

~~3435.8~~ New development within the flood risk area shall be strongly discouraged, however should the Municipal Planning Commission consider it appropriate, a development may be allowed subject to the following requirements:

- (a) development shall be restricted to non-residential buildings or structures that can be adequately protected to minimize potential flood damage;
- (b) the first floor and mechanical and electrical installations within any structures or buildings shall be a minimum of 0.5 m (1.6 ft.) above the 1:100 year flood elevation level.

~~3435.9~~ Buildings shall have no “finished” floor space developed below the 1:100 year flood elevation.

~~3435.10~~ The applicant must provide information on the grade elevations of the proposed building site, the building, as well as the building openings and mechanical or electrical equipment all referenced in geodetic elevations.

~~3435.11~~ Before a development permit is issued, the Development Officer may require that the applicant provide a certificate containing the seal and signature of a Professional Engineer of The Association of Professional Engineers and Geoscientists, Geologists, and Geophysicists of Alberta (APEGGA) or registered Architect of The Alberta Association of Architects indicating that the requirements listed above have been met and that the building or structure is adequately protected against flood damage to the 1:100 year flood elevation.

~~3435.12~~ The Development Officer, or Municipal Planning Commission, may consult with Alberta Environment or other appropriate organization or individual to assist in determining high-water marks, flood risk area, banks and the level of a lake, dam, river or other waterway taking into account 1:100 water levels, wind set-up and wave run-up.

- [3435.13](#) If an existing parcel is contained within a 1:100 year flood plain, in whole or in part, so that the parcel has no developable area, any residential building or principal building on that parcel must satisfy the provisions of Section [3435.11](#).
- [3435.14](#) Where flood plain/slope information is not available but the Development Authority believes that lands may be subject to flooding, the Authority may require that development requiring a development permit be set back such distance as the Authority considers reasonable and appropriate to minimize the risk of flooding.
- [3435.15](#) Development requiring a development permit may be set back at least 20 m (65.6 ft.) from a naturally occurring watercourse unless an engineering study, as required by Section [3435.11](#), is provided.

AVALANCHE

- [3435.16](#) Before a development permit is issued, the Development Officer may require that the applicant provide a certificate containing the seal and signature of a Professional Engineer of The Association of Professional Engineers and Geoscientists, Geologists, and Geophysicists of Alberta (APEGGA) or registered Architect of The Alberta Association of Architects indicating that the building or structure is adequately protected against avalanche.

SECTION [3236](#) ACCESSORY BUILDINGS

- [3236.1](#) Accessory buildings must be:
- (a) separate and subordinate to the principal building or use; and
 - (b) associated with an existing principal building or use on the same parcel or lot.
- [3236.2](#) Unless specified in a district, an accessory building must not exceed 7.5 m (24.6 ft.) in height.

SECTION [3337](#) ACCESSORY STRUCTURES

FENCES AND GATES

- [3337.1](#) Fences and gates within residential districts in designated hamlets and in the Grouped Country Residential district shall, unless otherwise required by the Development Authority:
- (a) not exceed 1 m (3.3 ft.) in height in the principal front yard on a corner or interior lot;
 - (b) not exceed 2 m (6.6 ft.) in height in a secondary front yard on a corner lot;
 - (c) not exceed 2 m (6.6 ft.) in height in a side or rear yard.
- [3337.2](#) Fences and gates within commercial and industrial districts ~~within designated hamlets~~ shall not exceed 2 m (6.6 ft.).
- [3337.3](#) The location of fences in all districts shall comply with the provisions of Section [3438](#).
- [3337.4](#) The design, character and appearance of all fences within designated hamlets and country residential subdivisions must be to the satisfaction of the Development Authority.

~~3337.5~~ 5 In instances where public parking lots and open spaces are adjacent to railway property, a 1.83 m (6.0 ft.) high chain link fence shall be constructed and maintained along the common property line of the railway and the development at the ~~developers~~ developer's expense. The developer is also to include a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in satisfactory condition at their expense.

SATELLITE DISHES, COMMUNICATIONS TOWERS AND DOMESTIC PROPANE STORAGE TANKS

~~3337.6~~ 6 Sections ~~3337.6~~ through ~~3337.8~~ inclusive do not apply to public or commercial broadcasting facilities which are under the jurisdiction of Industry Canada/Innovation, Science and Economic Development (ISED) Canada (see Section 60).

~~3337.7~~ 7 In a designated hamlet or within an area designated for country residential use, domestic propane storage tanks, satellite dishes (greater than 1 m), and radio, television or other communications towers for personal use must be located in a rear yard, but the Municipal Planning Commission may approve a location in a front yard where the Commission is satisfied that a rear or side yard location is impractical or impossible.

~~3337.8~~ 8 The Development Authority may require that a domestic propane storage tank or a satellite dish be screened to its satisfaction.

SECTION ~~3438~~ SIGHT TRIANGLE

~~3438.1~~ 1 In the case of corner parcels in all land use districts within designated hamlets, regardless of whether or not a corner cut has been taken:

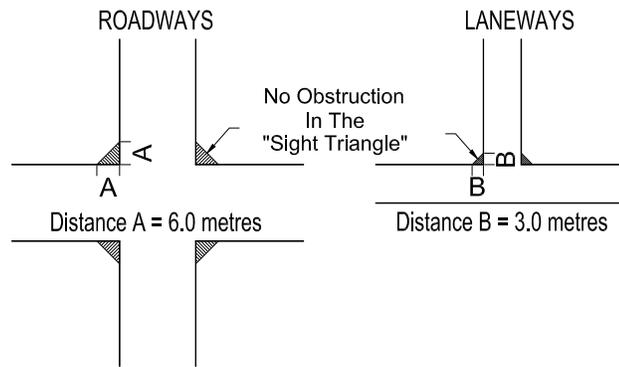
- (a) there shall be no obstruction of the 6.0m (19.7 ft.) sight triangle by fencing or other screening, including landscaping as illustrated by dimension A in Figure 34;
- (b) in the case of laneways, ~~the sight triangle shall be formed by a straight line drawn between the two points of the exterior boundaries of the subject parcel there shall be no obstruction of the 3.0 m (9.8 ft.) from the point where the laneway and the roadway intersect~~ sight triangle as illustrated by dimension B in Figure 4.

~~3438.2~~ 2 In the case of rural roads, the sight triangle shall be 91.4 m (300 ft.) from the point where the roadways intersect as illustrated by dimension C in Figure 4.

~~38.3~~ In the case of internal roads within a Grouped Country Residential district, the sight triangle shall be 15.0 m (49.2 ft.) from the point where the roadways intersect as illustrated by dimension D in Figure 4.

~~3438.34~~ 34 The construction of fences within the sight triangle within districts other than Hamlet districts may be allowed provided the fence does not restrict sight lines along public roads, and no material shall be stored so as to restrict sight lines.

PUBLIC ROADWAYS IN DESIGNATED HAMLETS



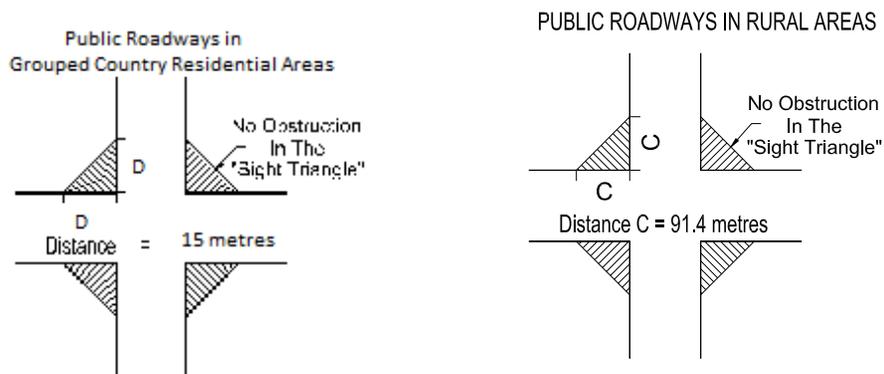


Figure 34

SECTION 3539 SETBACKS ON CORNER LOTS

3539.1 In the case of a corner lot in a hamlet or grouped country district, one frontage will be determined to be the front yard and the other will be the Front Yard (Secondary) and have a frontage of one-half the applicable distance for the front yard or as described in the district.

SECTION 3640 DESIGNATED HAMLETS

3640.1 Designated hamlets shall be those areas locally known as “Twin Butte”, “Lowland Heights”, “Beaver Mines”, “Pincher Station”, and “Lundbreck”, these areas which are detailed in the appropriate maps contained in Appendix A.

SECTION 3741 DESIGN CHARACTER AND APPEARANCE OF BUILDINGS

3741.1 Regardless of whether the proposed use of a building is permitted or discretionary in the district in which the building is proposed to be located, the design, character and appearance of buildings must:

- (a) be of acceptable quality to the satisfaction of the Development Authority taking into account the location of the proposed building;
- (b) be consistent with the intent of the district in which the building is located to the satisfaction of the Development Authority; and
- (c) take into account and be consistent with other buildings existing in the vicinity to the satisfaction of the Development Authority.

SECTION 3842 DWELLING UNITS ON A PARCEL

3842.1 Except as provided for in Sections **3842.2** through **3842.5** below, not more than one dwelling unit may be located on a parcel.

3842.2 More than one dwelling unit may be allowed on a parcel if:

- (a) the dwelling unit is a manufactured home and is located in a manufactured home park;

- (b) the dwelling unit is contained in a building which is designed for or divided into two or more dwelling units;
- (c) the parcel is located in a district which expressly allows uses that contain more than one dwelling unit on a parcel;
- (d) pursuant to the Municipal Development Plan, if the second unit was established prior to this bylaw, it may be deemed 'grandfathered' at the discretion of the Municipal Planning Commission should the parcel be subdivided (see the Municipal Development Plan Section L.5.);
- (e) the construction or location of the second dwelling unit is on a parcel that has an area greater than 32.4 ha (80 acres).

~~3842.3~~ 3842.3 One or more additional dwelling units may be located on a parcel provided that:

- (a) all such dwelling units are secondary farm residences on a parcel that has an area greater than 32.4 ha (80 acres) and this use is a permitted or discretionary use in the applicable district; and
- (b) all such dwelling units comply with this bylaw.

~~38.4~~ ~~For the purpose of this Section, if a parcel contained more than one dwelling unit on the date that this bylaw was adopted, all the dwellings on that parcel are deemed to conform.~~

~~3842.54~~ 3842.54 If a Certificate of Title describes a parcel containing two or more quarter sections or portions thereof, each one of the quarter sections will be considered a parcel for the purposes of the provisions under this Section.

SECTION ~~3943~~ LANDS AFFECTED BY THE OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN

~~3943.1~~ 3943.1 All development permits which are issued on lands that are subject to the Oldman River Reservoir Area Structure Plan must be subject to the following informative or, the informative authorized by Alberta Environment to replace the following:

The applicant is hereby advised that:

- *no development, buildings or structures are allowed on any public lands without the express written permission of the agency or department administering the lands;*
- *no development, buildings or structures are allowed below the Crown Land boundary of the Oldman River Reservoir unless the applicant has entered into a Use of Works Agreement with Alberta Environment;*
- *no person shall pump, divert or use water from the Oldman River Reservoir without the express written approval of Alberta Environment.*

SECTION ~~4044~~ SETBACKS FROM SOUR GAS FACILITIES

~~4044.1~~ 4044.1 A residence, rural public facility or country residential ~~subdivision-development~~ shall be set back such distance from a sour gas facility as the Municipal Planning Commission considers reasonable and appropriate, having regard to:

- (a) ~~current regulations and the any~~ current regulations and the any comments of the Alberta Energy ~~and Utilities Board~~ Regulator and the owner of the sour gas facility; and

(b) the minimum separation distances contained in the districts of this bylaw.

~~4044.2~~ The Development Officer or the Municipal Planning Commission shall solicit and consider the comments of the Alberta Energy ~~and Utilities Board~~ Regulator and the owner of the sour gas facility if a development application:

- (a) proposes to locate a residence or a rural public facility within 100 m (328 ft.) of a level 1 sour gas facility, unless the facility is a pipeline;
- (b) proposes to locate a residence within 100 m (328 ft.) of a level 2 sour gas facility;
- (c) proposes to locate a rural public facility within 500 m (1640 ft.) of a level 2 sour gas facility;
- (d) proposes to locate a residence within 100 m (328 ft.) of a level 3 or 4 sour gas facility;
- (e) would result in unrestricted country development, namely, more than eight dwellings per quarter section within 500 m (1640 ft.) of a level 3 or a level 4 sour gas facility; or
- (f) proposes to locate a rural public facility within 1.5 km (0.9 miles) of a level 3 or a level 4 sour gas facility.

SECTION 4145 MAJOR POWERLINES AND PIPELINES

~~4145.1~~ The distance, which any development requiring a development permit shall be set back from a major powerline or pipeline, shall be 100 m (328 ft.), unless the pipeline is a sour gas facility, in which case Section ~~4044.2~~ above applies.

SECTION 4246 LANDSCAPING

~~4246.1~~ Prior to ~~final consideration of a development application~~ deeming a development application complete, the ~~Municipal Planning Commission or the Development Officer~~ Development authority may require the applicant to submit a landscaping plan to the satisfaction of the ~~Municipal Planning Commission or the Development Officer~~ development authority.

~~4246.2~~ As a condition of issuing a development permit, the Development Officer or the Municipal Planning Commission may require:

- (a) that a lot or parcel or any portion thereof shall be landscaped and/or screened to the satisfaction of the Development Officer or the Municipal Planning Commission;
- (b) that any landscaping shall be completed within a period of time as specified in a development permit; and
- (c) that the applicant provide financial security or guarantee in accordance with Section ~~16-18~~ to ensure that the matters referred to in ~~4246.2(a)~~ and ~~4246.2(b)~~ above are carried out.

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PART VIII – SPECIAL LAND USE PROVISIONS

SECTION [4347](#) HOME OCCUPATIONS

GENERAL PROVISIONS – ALL DISTRICTS

- [4347.1](#) A home occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling or building in which it is located.
- [4347.2](#) A home occupation should not be permitted if, in the opinion of the Development Officer or Municipal Planning Commission, it would be more appropriately located in a commercial or industrial land use district.
- [4347.3](#) A home occupation shall not, in the opinion of the Development Officer or Municipal Planning Commission, be a source of inconvenience, materially interfere with or affect the use, enjoyment or value of any neighbouring parcel by way of excessive noise, smoke, steam, odour, dust, vibration or refuse matter which would not be commonly found in the neighbourhood.
- [4347.4](#) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference in radio or television reception.
- [4347.5](#) Persons employed as part of the home occupation shall be limited to the residents of the dwelling unit plus up to two (2) other employees unless otherwise determined by the Municipal Planning Commission.
- [4347.6](#) A home occupation shall not generate an unacceptable level of pedestrian traffic or parking shortage in excess of that which is characteristic of the land use district in which it is located.
- [4347.7](#) Materials shall be stored so as not to be visible from a roadway or adjacent property.

ADDITIONAL PROVISIONS DESIGNATED HAMLETS AND COUNTRY RESIDENTIAL

- [4347.8](#) No advertisement or sign visible from the exterior of the dwelling shall be permitted as part of the home occupation other than that provided for under [4347.9](#).
- [4347.9](#) Within a designated hamlet, it is permissible to have one non-illuminated fascia sign or nameplate to identify the home occupation not greater than an area of 0.5 m² (5.4 ft²) placed within or flat against the dwelling unit or any accessory building.
- [4347.10](#) Within a country residential district, it is permissible to have one non-illuminated fascia sign or nameplate to identify the home occupation not greater than an area of 1 m² (10.8 ft²) placed within or flat against the dwelling unit, accessory building, or as a freestanding sign.
- [4347.11](#) A home occupation within hamlets and country residential areas shall not involve the exterior manufacturing or repair of goods.

| [4347.12](#) A home occupation permit does not exempt compliance with health regulations or any other municipal or provincial regulations.

BED AND BREAKFAST OPERATIONS

- 4347.13 A bed and breakfast operation shall only provide meals to overnight guests.
- 4347.14 In addition to the off-street parking requirements for the dwelling/accessory building units itself, as stipulated in [Section 5256](#), one (1) off-street parking space per rented guest room shall be required for a bed and breakfast operation.
- 4347.15 A bed and breakfast operation may include a maximum of one (1) supplementary building, other than an accessory building, such supplementary building being:
- (a) an existing farm building or similar building that is proposed to be converted into temporary sleeping quarters and used in conjunction with an existing residence for a bed and breakfast; or
 - (b) an authorized supplementary residence.
- 4347.16 Applications for bed and breakfast operations shall be referred to Alberta Health Services for comment.

SECTION 4448 COMMERCIAL / PRIVATE RECREATION USES

DEFINITIONS

For the purpose of this Section, the following definitions apply:

- 4448.1 Bathroom Facility: an accessory building that includes any or all of the following:
- (a) bath facilities,
 - (b) shower facilities,
 - (c) washroom facilities,
 - (d) toilet facilities.
- 4448.2 Laundry Facility: an accessory building that provides for the washing and/or drying of clothes or other laundry.
- 4448.3 Camp Kitchen: an accessory, un-insulated building intended to provide temporary shelter solely for the purpose of preparing or eating food.

COUNTRY INN

- 4448.4 A country inn shall be operated as a secondary use to the principal development and shall not change the principal character of the area in which it is located.
- 4448.5 Only one country inn shall be allowed on a given parcel or lot.
- 4448.6 In reviewing an application for a country inn, the Municipal Planning Commission shall, among other factors, consider:
- (a) the size of the parcel;
 - (b) the impact of the proposed use on the existing water and sewer systems;

- (c) side yard setbacks in relation to adjacent land uses;
- (d) potential traffic generation, and parking requirements;
- (e) buffering or other techniques design to limit any interference with other uses or the peaceful enjoyment of neighbouring parcel and consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use.

4448.7 Applications which propose to establish or enlarge a country inn which provides, or intends to provide, services to recreational vehicles shall be evaluated with respect to Alberta Economic Development and Tourism's Minimum Standards for Approved Campgrounds and Trailer Parks or its replacement document.

4448.8 Eating and cooking shelters and sleeping units may be allowed as supplementary developments to country inns.

4448.9 Laundry facilities, retail store, public assembly uses and other similar accessory uses shall remain accessory to the country inn. Should these uses become disproportionate, the Municipal Planning Commission may consider the use to be a hotel / motel.

4448.10 Unless otherwise approved by the Municipal Planning Commission, country inns should not be occupied for more than 30 consecutive days by the same recreational unit.

CAMPGROUNDS / RECREATIONAL VEHICLE PARKS

4448.11 Applications which propose to establish or enlarge a campground or recreational vehicle park shall be evaluated with respect to Alberta Economic Development and Tourism's Minimum Standards for Approved Campgrounds and Trailer Parks or its replacement document.

4448.12 In making a decision on an application which proposes to establish or enlarge a campground or recreational vehicle park, the Development Authority will take into account the results of the evaluation referred to in Section 4448.11 above.

4448.13 Campground sites shall not be occupied for more than 30 consecutive days by the same recreational unit or person.

4448.14 Recreational vehicle parks may allow for seasonal stays and park model recreation vehicles.

4448.15 A "campground" or recreational vehicle park may include as supplementary uses any or all of the following:

- (a) bathroom facility,
- (b) laundry facility,
- (c) camp kitchen(s).

DWELLING OR SLEEPING UNITS AS AN ACCESSORY USE

4448.16 When considering an application for "Dwelling or sleeping units as an accessory use" the Municipal Planning Commission shall, among other factors, consider:

- (a) the size of the parcel;
- (b) the impact of the proposed use on the existing water and sewer systems;
- (c) side yard setbacks in relation to adjacent uses; and
- (d) potential traffic generation, and parking requirements.

SECTION [4549](#) GARDEN SUITES [\(cross reference to 20.2\)](#)

[4549.1](#) Garden suites shall:

- (a) not exceed one (1) storey in height;
- (b) require a development permit which shall expire in 5 years and is renewable once at the discretion of the Development Officer based on the original criteria of the approval and renewable thereafter at the discretion of the Municipal Planning Commission.

[4549.2](#) Garden suite shall be used to house individuals providing care to or receiving care from the resident(s) of the principal building.

[4549.3](#) Garden suites are subject to [Alberta](#) Safety Codes.

[4549.4](#) The structure being proposed shall be shown to be readily moveable upon expiry of the approval period.

SECTION [4650](#) SURVEILLANCE SUITES

[4650.1](#) A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel. Moreover, in the opinion of the Development Officer or Municipal Planning Commission, as the case may be, the placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/land uses of adjacent properties.

[4650.2](#) Where a surveillance suite is attached to the building on a site by a roof, an open or enclosed structure, floor or a foundation, it is to be considered a part of the principal building.

[4650.3](#) The minimum and maximum floor area of any detached surveillance suite shall be 50 m² (538 ft²) and 102 m² (1098 ft²) respectively.

[4650.4](#) Where a surveillance suite is a manufactured home unit, the following shall apply:

- (a) the unit shall have a [Canadian Standards Association](#) [CSA](#) certification or equivalent, proof of which shall accompany the development permit application;
- (b) the unit shall be secured and skirted to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be.

SECTION [4751](#) AMMONIA STORAGE FACILITIES

[4751.1](#) The Municipal Planning Commission shall consider the “Guidelines for the Location of Stationary Bulk Ammonia Facilities” prepared by Alberta Environment before the Municipal Planning Commission makes a decision on a development application concerning a bulk ammonia storage facility.

SECTION [4852](#) HAZARDOUS INDUSTRIES

REFERRALS

[4852.1](#) The Municipal Planning Commission shall solicit and consider the comments of Alberta Environment and Alberta Health Services before making a decision on a development application concerning a hazardous industry.

[4852.2](#) The Municipal Planning Commission shall solicit and consider the comments of an urban municipality before making a decision on a development application which proposes to establish or enlarge a hazardous industry:

- (a) less than 3.2 km (2 miles) from the boundaries of any jurisdiction; and
- (b) consider any relevant policies in the Intermunicipal Development Plan.

[4852.3](#) Prior to a decision being made on a hazardous industry, the Municipal Planning Commission shall hold a public meeting in order to solicit the views of the public in regard to the application.

GENERAL LOCATIONS

[4852.4](#) The Municipal Planning Commission may require that a hazardous industry shall be located in a designated industrial area, in accordance with the Municipal Development Plan.

SECTION [4953](#) NATURAL RESOURCE EXTRACTIVE USES

INFORMATION REQUIREMENTS

[4953.1](#) An applicant, subject to [4953.2](#) below, may be required to submit a reclamation plan to the Municipal Planning Commission’s satisfaction before the Municipal Planning Commission approves a development application for a sand or gravel pit, whether or not a reclamation plan is required by other provincial agencies, departments or authorities. Such reclamation plans shall be referred to Alberta Environment for comment before a development permit is issued.

[4953.2](#) Where a development application proposes to locate a sand or gravel pit within:

- (a) the boundaries of a residential Area Structure Plan;
- (b) the Urban Fringe (UF); or
- (c) the boundaries of a designated hamlet;

the Municipal Planning Commission shall require the applicant to submit a reclamation plan to the Municipal Planning Commission's satisfaction before the Municipal Planning Commission approves the application, whether or not other provincial agencies or departments require a reclamation plan. Such reclamation plans shall be referred to Alberta Environment for comment before a development permit is issued.

REFERRALS

- [4953.3](#) The Municipal Planning Commission shall solicit and consider the comments of:
- (a) Alberta Environment; and
 - (b) any landowners within 300 m (984 ft.) of the lot proposed for a natural resource extractive use;
- before approving a development application for a natural resource extractive use.

LOCATION RESTRICTIONS

- [4953.4](#) Subject to [4953.5](#) below, a natural resource extractive use shall not be developed at a location which, in the opinion of the Municipal Planning Commission would lead to land use conflicts with adjoining or nearby uses.
- [4953.5](#) The Municipal Planning Commission may require that a natural resource extractive use and any storage or disposal of a natural resource or any finished or semi-finished materials or waste, shall be located not less than 100 m (328 ft.) from the bed and shore of a permanent or intermittent waterbody or watercourse.
- [4953.6](#) Sections [4953.1](#) and [4953.2](#) above do not apply where a land use district has established and contains use restrictions and development requirements pertaining to natural resource extractive uses.
- [4953.7](#) Within the Burmis Lundbreck Corridor Area Structure Plan boundary, a redesignation application which proposes to locate a sand or gravel pit:
- (a) at a location which, in the opinion of the Council is highly visible to the travelling public from Provincial Highways 3, 3A, 22 or 507;
 - (b) on a lot lying within 0.8 km (½ mile) of an existing approved sand or gravel pit;
- shall not be approved unless the applicant establishes, to the satisfaction of the Council, that it is reasonable and appropriate to reduce the 0.8 km separation distance.

SECTION [5054](#) MANUFACTURED HOMES AND RELOCATED BUILDINGS

MANUFACTURED HOME DESIGN AND APPEARANCE

- [5054.1](#) The quality of the exterior treatment and design of all manufactured homes shall be to the satisfaction of the Development Authority.
- [5054.2](#) The design, character and appearance of a manufactured home must:
- (a) be compatible with any other building existing in the vicinity unless the building is setting a new standard of design, character and appearance for the land use district or a particular locality;

- (b) be consistent with the purpose of the land use district in which the building is located; and
- (c) comply with all applicable provisions of a statutory plan.

5054.3 Where listed in a land use district, Manufactured homes placed in the Hamlet Single-Detached Residential, Agriculture and Grouped Country Residential designations shall:

- (a) have Canadian Standards Association CSA and Alberta Building Standards Label Numbers;
- (b) have a minimum gross floor area of 60 m² (646 ft²), unless otherwise permitted in a land use district;
- (c) be finished from the floor level to the ground within 90 days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling to the satisfaction of the development authority;
- (d) be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the Alberta Safety Code.

5054.4 As a condition of approval for a development permit the Development Authority may require financial guarantees in accordance with Section 4618.

MANUFACTURED HOME ADDITIONAL REQUIREMENTS

5054.5 In addition to the information that may be required pursuant to this or any other section of the bylaw, the Development Officer, or Municipal Planning Commission may require:

- (a) that colour photographs showing the front, side and rear of the manufactured home be submitted with the development permit application;
- (b) that a letter confirming the manufactured home's design, construction or foundation meets or exceeds the requirements of this section be submitted within 60 days of the installation of the manufactured home.

MOVED-IN BUILDINGS

5054.6 No person shall:

- (a) place on a parcel a residential building or accessory building that has previously been erected or placed on a different parcel or lot; or
- (b) alter the location on a parcel of a residential building or accessory building that has already been constructed on that parcel or lot;

unless the Municipal Planning Commission approves the placement or alteration.

5054.7 The quality of the exterior treatment and design of all relocated buildings shall be to the satisfaction of the Development Authority.

5054.8 The Development Authority may issue a development permit for the proposed building, with or without conditions, as it deems necessary to ensure that the building is constructed to a satisfactory standard and may require that financial guarantees be posted to insure the satisfactory completion of any conditions stipulated.

5054.9 In addition to any other information that may be required by this or any other section of this bylaw, the Development Authority may require the submission of colour photos showing the front, rear and side views of the building proposed to be relocated.

SECTION 5455 SIGN PROVISIONS

DEFINITIONS

The following definitions apply to this part:

5455.1 Billboard

A sign greater than 3 m² (32.3 ft²) that may or may not contain advertising copy related to the development within the parcel upon which the billboard sign is located. This does not include an identification sign under Section 5455.5.

5455.2 Canopy Sign

A sign placed on a permanent projection from the exterior wall of a building where the projection or canopy has been primarily designed to provide shelter to pedestrians or vehicles.

5455.3 Fascia Sign

- (a) Any sign where the copy face is parallel to and projects not more than 0.3 m (1 ft.) horizontally from the exterior wall of the building to which the sign is attached; and
- (b) a sign where the copy face projects not more than 50 percent above the exterior wall to which the sign is attached.

5455.4 Freestanding Sign

A sign 3 m² (32.3 ft²) or less, which stands independently of a building and may or may not contain advertising copy. This sign must be located on the lot where the service or business is located.

5455.5 Identification Sign

A sign where the copy contains only the following information:

- (a) the name and/or address of a building, use or person; and/or
- (b) the activity carried out by that person, or at that location.

This sign must be located on the lot where the service or business is located.

5455.6 Portable Sign

A sign supported on a vehicle, structure or trailer so that it can be easily and readily moved.

5455.7 Projecting Sign

- (a) Any sign except a canopy sign which extends more than 0.3 m (1 ft.) horizontally from the wall of the building to which it is attached; and
- (b) a sign where the copy face projects not more than 50 percent above the exterior wall to which the sign is attached.

5455.8 Roof Sign

- (a) A sign that is placed on, above or is incorporated as part of the roof of a building; or
- (b) a sign where more than 50 percent of the copy face projects above the roof of a building.

5455.9 Temporary Sign

A sign other than a portable sign which is not permanently attached to a supporting structure or building ~~and is in place for less than two weeks.~~

SIGNS FOR WHICH NO PERMIT IS REQUIRED

5455.10 No permit is required for the following signs:

- (a) one unilluminated sign per parcel if the sign is 0.5 m² (5.4 ft²) or less in area and is located within the boundaries of a designated hamlet;
- (b) one unilluminated sign per parcel if the sign is 1 m² (10.8 ft²) or less in area and is located outside the boundaries of a designated hamlet;
- (c) signs 3 m² (32.3 ft²) or less, painted or erected on extensive agricultural parcels, farm buildings and structures promoting or identifying agricultural pursuits;
- (d) on-site signs advertising the sale, rental or lease of land or buildings provided that such signs do not exceed 0.6 m² (6.5 ft²) in a residential district within a hamlet, or 3 m² (32.3 ft²) in all other districts;
- (e) on-site signs for the guidance, warning or restraint of people or signs indicating on-site traffic circulation and parking restrictions;
- (f) temporary signs (other than portable signs) on lots or parcels in all rural districts and commercial and industrial districts advertising a special promotion on the premises provided that the sign is removed within seven days of the end of the special promotion;
- (g) window signs;
- (h) signs or billboards erected by a public authority, public agency or public department and railway operating signs;
- (i) election signs;
- (j) on-site signs identifying an approved construction project and/or the parties involved in that project;
- (k) signs pertaining to home occupations, which are addressed in Section [4347](#).

GENERAL RESTRICTIONS

The intent of this section is to limit the proliferation of signs within the Municipal District of Pincher Creek and to encourage those signs that are permissible to be aesthetically pleasing, well maintained, safely erected and non-distracting.

5455.11 No sign shall be placed or project within a public roadway, or be attached to any object in a public roadway except as may be allowed by Alberta Transportation or the Municipal District of Pincher Creek.

- ~~5455~~.12 On privately held land adjacent to secondary and primary provincial highways, the applicant shall be required to obtain a Municipal Sign Permit and receive approval from contact Alberta ~~Infrastructure and~~ Transportation ensuring the signage is in compliance with the Alberta Highway Control Regulations.
- ~~5455~~.13 A sign shall not be allowed or located if, in the opinion of the Municipal Planning Commission, it obstructs the vision of vehicular traffic or confuses or interferes with the interpretation of a traffic control sign, signal or device, or if it utilizes or employs revolving lights or beacons or emits amplified sounds or music.
- ~~5455~~.14 The Municipal Planning Commission may require that any sign be an identification sign only.
- ~~5455~~.15 All signs shall only advertise the principal use of the premises or the principal products offered for sale on the premises.
- ~~5455~~.16 Unless otherwise specified in the specific land use district or by Alberta Transportation, the footing or projection of each sign shall not be less than 3 m (9.8 ft.) from the property line.
- ~~5455~~.17 Variances may be considered by the approval authority in exceptional circumstances if warranted by the merits of the case.
- ~~5455~~.18 All signs shall be maintained in a safe and tidy manner to the satisfaction of the Development Officer.

SPECIFIC SIGN REQUIREMENTS

- ~~5455~~.19 Billboards shall be PROHIBITED within the Municipal District of Pincher Creek, unless the billboard is placed by a public authority as defined in Section ~~5455~~.10(h) above.

SPECIFIC SIGN REQUIREMENTS

- ~~5455~~.20 Lawn, fascia, roof and freestanding signs ~~only~~ shall only be permitted subject to the following limitations:
- (a) not more than two signs shall be permitted on the premises;
 - (b) no fascia sign shall be in excess of 11.1 m² (120 ft²) in area, but the two permitted signs may be combined if total fascia area does not exceed 11.1 m² (120 ft²);
 - (c) no sign shall be illuminated unless the source of light is steady and suitably shielded;
 - (d) no freestanding sign shall be in excess of 3 m² (32.3 ft²);
 - (e) the maximum height of any freestanding sign shall be 6 m (19.7 ft.);
 - (f) the bottom of any freestanding sign shall be less than 1.8 m (5.9 ft.) from ground level.
- ~~5455~~.21 Off-premise, Directional and Informational signs may be permitted if warranted by the merits of each case.

| [5455.22](#) Fascia signs for cluster, comprehensive mall-like developments may be permitted if warranted by the merits of the case.

5155.23 Portable signs

- (a) A development permit for a portable sign will be valid for a period of no longer than 60 days;
- (b) after the lapse of the permit, the sign shall be removed;
- (c) no sign shall be located in such a way as to create traffic hazards.

SECTION 5256 OFF-STREET PARKING AND LOADING REQUIREMENTS

APPLICATIONS

5256.1 Each use or building shall provide and maintain the minimum number of parking spaces shown in Table 5256.3 unless otherwise required by the Municipal Planning Commission.

5256.2 Where a use is not identified in Table 5256.3 or where there is uncertainty, in the opinion of the Development Officer or Municipal Planning Commission, as to the minimum parking spaces required for that use, the minimum number of parking spaces shall be as ~~required-determined~~ by the Municipal Planning Commission.

LOCATION OF PARKING SPACES

5256.3 A parking space required by this section shall be located:

- (a) on the same lot as the use or building for which it is required;
- (b) on a lot abutting the lot containing the use for which parking is required provided that:
 - (i) both lots are a single parcel and contained in the same Certificate of Title, and
 - (ii) both lots are described in a plan of subdivision that was registered prior to July 1, 1950.

5256.4 Where required parking will be provided on a lot abutting a lot for which parking is required and that abutting lot is either:

- (a) described in a separate Certificate of Title; or
- (b) contained in a plan of subdivision that was registered after July 1, 1950;

then the Municipal Planning Commission, as a condition of issuing a development permit, shall require that both lots are consolidated into one lot by plan of subdivision or descriptive plan, as appropriate.

5256.5 In a commercial or industrial district, where required parking will be provided on a lot that does not abut the lot for which parking is required, the Municipal Planning Commission, as a condition of development approval, may require that a restrictive covenant shall be registered against the lot to ensure that the lot is not disposed of, and that the required parking is maintained for the use of development for which it is required.

GENERAL REQUIREMENTS

5256.7 Parking areas or lots shall be constructed in a manner which will permit adequate drainage, snow removal and maintenance to the satisfaction of the Municipal Planning Commission.

[5256.8](#) The Municipal Planning Commission may require that a parking area be paved, hard-surfaced or otherwise surfaced to its satisfaction.

[5256.9](#) The Municipal Planning Commission may limit vehicular access to a corner lot from:

- (a) the secondary front property boundary;
- (b) a lane, where one is provided; or
- (c) a cul-de-sac or minor roadway.

[5256.10](#) The Municipal Planning Commission may require that the parking spaces for any use, other than a dwelling unit with four or fewer dwelling units, be provided in a parking lot, which has limited access to the street.

[5256.11](#) A stacked parking arrangement as described in Section [5256.12](#) shall be permitted for all dwellings containing only one or two dwelling units, but a stacked parking arrangement shall be strictly prohibited for all other development or uses, where a stacked arrangement is proposed in order to meet the minimum parking space requirements of this section.

[5256.12](#) A stacked parking arrangement as referred to in Section [5256.11](#) above means a parking arrangement where two or more vehicles are parked in tandem, without a parallel and abutting aisle, laneway or maneuvering space, so that one or more vehicles must be moved before the remaining vehicle or vehicles can enter or exit from their parking space.

[5256.13](#) All parking spaces shall be in accordance with the minimum dimensions as stated in Table [5256.1](#) and as shown in Figure [45](#), subject to Section [5256.14](#) and Section [5256.17](#).

[5256.14](#) Where a parking space parallels a wall or door, or where a parking space abuts a column or similar obstruction, the minimum width of the parking space shall be increased by 0.3 m (1 ft.).

Table [5256.1](#)

Type of Parking Space	Width		Length		Overhead Clearance	
	m	ft.	m	ft.	m	ft.
Standard size:						
Parallel parking spaces, or spaces with direct access onto a lane	2.8	9.2	7.3	24.0	2.0	6.6
All other spaces	2.8	9.2	6.0	19.7	2.0	6.6
Recreation vehicle or handicapped parking:						
Parallel parking spaces or spaces with direct access onto a lane	3.8	12.5	7.3	24.0	3.0	9.8
All other spaces	3.8	12.5	6.0	19.7	3.0	9.8

HANDICAPPED AND RECREATION VEHICLE PARKING

[5256.15](#) The Municipal Planning Commission may require oversized parking spaces for ~~handicapped or~~ recreational vehicle parking where the Municipal Planning Commission considers it reasonable and appropriate to do so, subject to the minimum dimensions specified in Section [5256.13](#) above.

BARRIER FREE PARKING

[5256.16](#) ~~Handicapped parking~~ Parking spaces for persons with physical disabilities shall be:

- (a) located closest to the entrance of the building for which they are intended; ~~and~~
- (b) identified by a sign; ~~and~~
- (c) identified by pavement markings, if the parking surface is paved, to the satisfaction of the Municipal Planning Commission or the Development Officer; ~~and~~
- (d) in accordance with Alberta Building Code for the number of spaces and dimensional requirements for those spaces.

OVERSIZED VEHICLE PARKING AND MANEUVERING AISLES

[5256.17](#) Notwithstanding the minimum parking space and maneuvering aisle dimensions specified in Section [5256.13](#) above and Section [5256.18](#) below, where a use or a development such as a truck stop, a bulk fuel station or any other use will accommodate oversized vehicles such as semi-trailers, large recreation vehicles, buses and similar vehicles, the Municipal Planning Commission may require larger parking space and maneuvering aisle dimensions that are specified in this Section.

MANEUVERING AISLES AND DRIVEWAY WIDTHS

[5256.18](#) All maneuvering aisles shall be in accordance with the minimum dimensions as stated in Table [5256.2](#) and as shown in Figure [45](#), subject to Section [5256.17](#).

Table [5256.2](#)

Parking Space Angle	Aisle Width	
	m	ft.
90°	7.0	23.0
60°	5.5	18.0
45° or less	4.0	13.1

LOADING SPACE REQUIREMENTS

[5256.19](#) One loading space shall be provided for each loading door in a commercial or industrial land use district.

[5256.20](#) The minimum dimensions for a loading space shall be as follows:

- (a) width – 3 m (9.8 ft.)
- (b) length – 9 m (29.5 ft.)
- (c) overhead clearance – 4 m (13.1 ft.)

[5256.21](#) The Municipal Planning Commission may require loading spaces with larger dimensions than those specified in Section [5256.20](#) above where vehicles using a loading space may project into a public roadway, or where the Municipal Planning Commission considers it reasonable and appropriate to do so having regard to the size of the vehicles which will likely utilize the loading space.

PARKING LAYOUT ALTERNATIVES-METRES

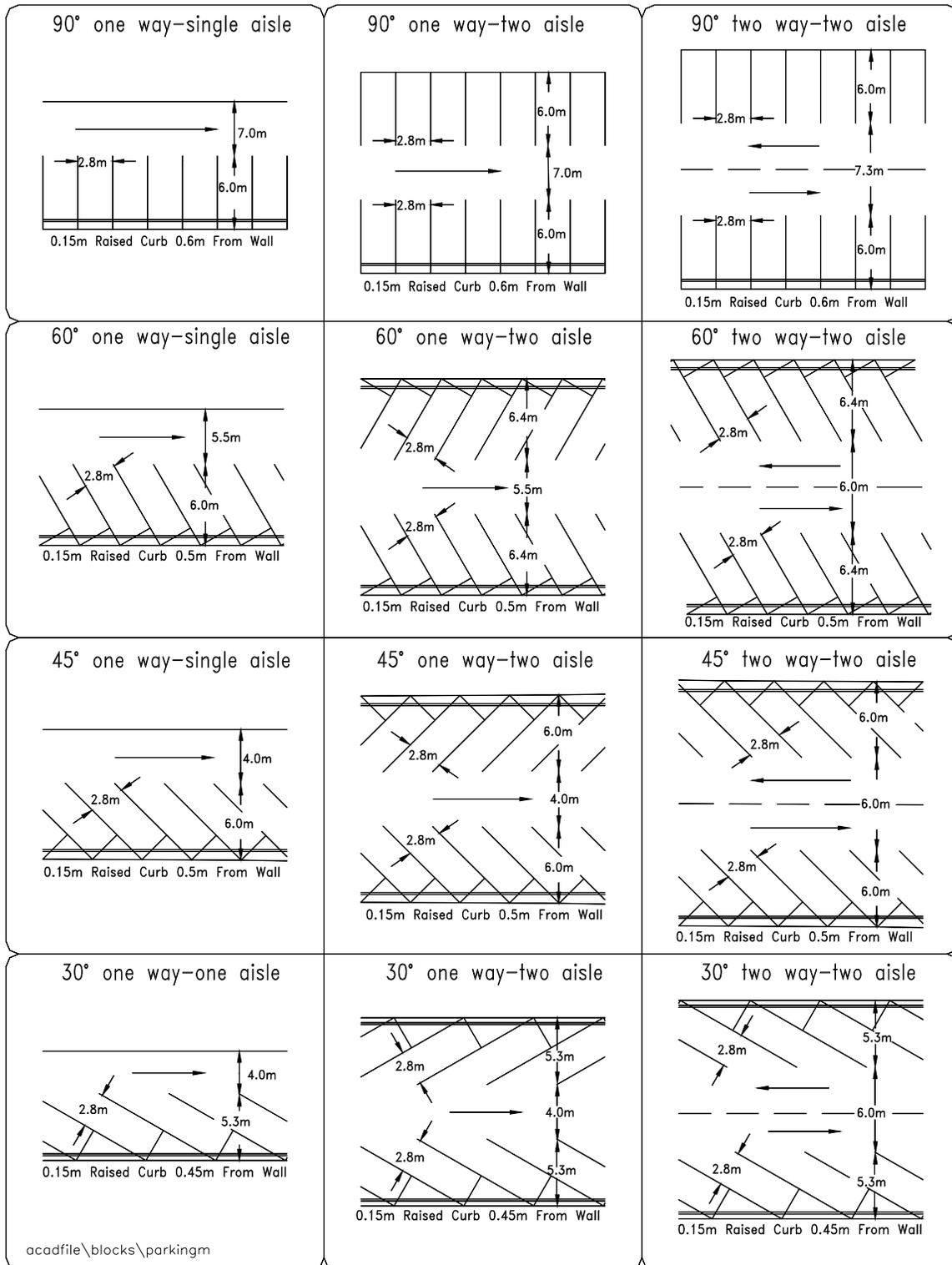


Figure 45

Table 5256.3

Use	Minimum Number of Parking Spaces Required	GFA = Gross Floor Area
Agri-Business		
Agricultural / Industrial machinery sales, rental and service	1 space / <u>GFA</u>	65 m ² (700 ft ²)
Agricultural-related industry	As required by the MPC	As required by the MPC
Animal care service, minor and major	1 space / <u>GFA</u>	50 m ² (538 ft ²)
Auctioning establishment	1 space / <u>GFA</u>	65 m ² (700 ft ²)
Farmer's market	As required by the MPC	As required by the MPC
Farm supplies and service	1 space / <u>GFA</u>	65 m ² (700 ft ²)
Automotive and Related		
Autobody and/or paint shop	1 space / <u>GFA</u>	53 m ² (571 ft ²)
Automotive repair and service	1 space / <u>GFA</u>	45 m ² (484 ft ²)
Service station	1 space / <u>GFA</u>	40 m ² (431 ft ²)
Vehicle sales and rental	1 space / <u>GFA</u>	45 m ² (484 ft ²)
Commercial / Retail		
Bowling alley, billiard or exercise parlour	1 space / <u>GFA</u>	20 m ² (215 ft ²)
Bingo hall	1 space / <u>GFA per of</u> patron seating or standing space	5 m ² (53.8 ft ²)
Dining, entertainment and beverage	1 space / <u>GFA</u> of patron dining, beverage seating or standing space plus 1 space per employee	5 m ² (53.8 ft ²)
Drive-in restaurant	15 spaces or 1 space / <u>GFA per of</u> dining and beverage space whichever is greater plus 1 space per employee	10 m ² (108 ft ²)
Financial institution	1 space / <u>GFA</u>	40 m ² (431 ft ²)
Household repair service	1 space / <u>GFA</u>	50 m ² (538 ft ²)
Manufactured home sales and service	1 space / <u>GFA</u>	45 m ² (484 ft ²)
Personal service	1 space / <u>GFA</u>	20 m ² (215 ft ²)
Publishing, broadcasting or recording establishments	1 space / <u>GFA</u>	45 m ² (484 ft ²)
Racquetball and tennis courts	3 spaces per court	

Table 5256.3 (continued)

Use	Minimum Number of Parking Spaces Required	GFA = Gross Floor Area
Restaurant	1 space/ <u>GFA of dining, patio and beverage space</u> plus 1 space per employee or dining and beverage space	5 m ² (53.8 ft ²)
Retail store	1 space/ <u>GFA</u>	30 m ² (323 ft ²)
Retail warehouse	1 space/ <u>GFA</u>	30 m ² (323 ft ²)
Hotel / Motel		
Bed and breakfast establishment	2 spaces per dwelling unit plus 1 space for every additional rental bedroom	
Hotel	1 space per guest room or suite	
Hotel meeting and assembly	1 space/ <u>GFA</u> of patron dining, beverage seating or standing space plus 1 parking space per employee	5 m ² (53.8 ft ²)
Motel	1 space per guest room or suite	
Industrial		
Bulk fuel station – excluding area of storage facilities and tanks	1 space/ <u>GFA</u>	65 m ² (700 ft ²)
Construction supply and contractors	1 space/ <u>GFA</u>	65 m ² (700 ft ²)
Equipment sales, rental and service	1 space/ <u>GFA</u>	50 m ² (538 ft ²)
Freight and storage	1 space/ <u>GFA</u>	65 m ² (700 ft ²)
Manufacturing	1 space/ <u>GFA</u>	55 m ² (592 ft ²)
Natural resource extractive	As required by the MPC	As required by the MPC
Hazardous industry	1 space/ <u>GFA</u>	55 m ² (592 ft ²)
Recycling facility	1 space/ <u>GFA</u>	65 m ² (700 ft ²)
Salvage or waste disposal facility	As required by the MPC	As required by the MPC
Warehousing/wholesale	1 space/ <u>GFA</u>	65 m ² (700 ft ²)
Medical		
Auxiliary hospital	1 space per 3 beds	
Hospital	1 space per bed	
Nursing home and sanatorium	1 space per 5 beds	

Table 5256.3 (continued)

Use	Minimum Number of Parking Spaces Required	GFA = Gross Floor Area
Public, Institutional and Recreational		
Campground	As required by the MPC	As required by the MPC
Child care service	2 spaces per dwelling unit plus 1 space per employee	
College and technical school	1 space per 10 seats	
Commercial school	1 space/ GFA	18 m ² (194 ft ²)
Community use	1 space per patron dining, beverage, seating or standing space plus 1 parking space per employee	
Curling rink	6 spaces per ice sheet	
Elementary and high school	1 space per classroom	
Public utility	As required by the MPC	As required by the MPC
Sport facility	1 space per 5 seating spaces	
Golf Course	4 spaces per golf hole	As required by the MPC
Residential		
Secondary suite	1 space per bedroom	
Dwelling or residence containing only one dwelling unit (e.g. conventional single-detached residence, manufactured home, etc.)	2 spaces per unit	
Group home	1 space per dwelling unit plus 1 space for every two supervisors	
Multiple dwelling units with fewer than two bedrooms (including apartments)	1.25 spaces per unit	
Multiple dwelling units having two or more bedrooms(including apartments)	1.5 spaces per unit	
Semi-detached or duplex	2 spaces per dwelling unit	
Senior citizen housing	1 space per 2.5 dwelling units or sleeping units	

SECTION [5357](#) WIND ENERGY CONVERSION SYSTEMS (WECS)

DEFINITIONS

The following definitions apply to this part:

[5357.1](#) Blade

An element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

[5357.2](#) Blade Clearance

In reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

[5357.3](#) Commencement of Construction

For the purposes of this section, commencement of a development shall be defined as the moment any excavation has begun.

[5357.4](#) Horizontal Axis Rotor

A wind energy conversion system where the rotor is mounted on an axis horizontal to the earth's surface.

[5357.5](#) Rotor's Arc

The largest circumferential path travelled by a WECS' blade.

[5357.6](#) Shadow or flicker

The repetitive moving shadows or reflection cast by the rotor blades as they cut through the sun or sunlight.

[5357.7](#) Total Height

The height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

[5357.8](#) Towers

The structure which supports the rotor above grade.

[5357.9](#) Vertical Axis Rotor

A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

[5357.10](#) Wind farm or Project

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

5357.11 Wind Energy Conversion System (WECS)

A wind energy conversion system is a structure designed to convert wind energy into mechanical or electrical energy. For the purposes of this bylaw, WECS are categorized as follows:

Category 1 WECS: WECS in this category may be a permitted or a discretionary use dependant on the applicable land use district, and where allowed by an Area Structure Plan. The WECS total height shall be 15 m (49.2 ft.) or less. Only one WECS shall be approved per titled parcel. (see [5357.12-5357.14](#))

Category 2 WECS: WECS in this category shall be a discretionary use in all applicable land use districts and where allowed by an Area Structure Plan. The WECS total height shall be greater than 15 m (49.2 ft.) and less than 35 m (114.8 ft.). Only one WECS shall be approved per titled parcel. (see [5357.12-5357.14](#))

Category 3 WECS: WECS in this category shall be designated to the Wind Farm Industrial land use district. A Category 3 WECS is defined by either:

- a single WECS with a total height of 35 m (114.8 ft.) or greater,
- or where the applicant proposes a wind farm with more than one WECS of any height per titled parcel.

APPLICATION REQUIREMENTS FOR CATEGORY 1 and 2 WECS

5357.12 Applications for Category 1 and 2 WECS shall be accompanied by:

- (a) the manufacturer's information on power generation and the tower;
- (b) appropriate letter of approval from Transport Canada and NAV Canada for WECS Category 2;
- (c) shadow and flicker, and noise data which shall be considered for approval according to section [4618.17](#) of this bylaw;
- (d) an analysis for noise to any property line;
- (e) scaled drawings of foundation and tower showing compliance with [Canadian Standards Association](#) ~~CSA~~ standards and be certified by a professional engineer;
- (f) an accurate site plan showing and labeling the information including the exact location of the turbine (tower and rotor arc) including setbacks and building locations;
- (g) unless otherwise required by the MPC, a category 1 and 2 WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the MPC;
- (h) no advertising shall appear on the tower or blades;
- (i) other information that may be required by the Development Authority.

5357.13 The MPC may require a public meeting prior to consideration of the permit.

SETBACKS FOR CATEGORY 1 and 2 WECS

5357.14 The tower base of the Category 1 and 2 WECS shall be located no less than two times the total height of the WECS from the property line.

APPLICATIONS FOR CATEGORY 3 WECS

- [5357.15](#) A WECS application shall be submitted for each titled parcel.
- [5357.16](#) The MPC may approve a WECS application on a case-by-case basis subject to **Part III** – Development Permits Section [4618](#).
- [5357.17](#) Prior to a decision being made, the MPC shall hold a public meeting in order to solicit the views of the public in regard to the application for a Category 3 WECS development.
- [5357.18](#) The applicant shall forward to the M.D. of Pincher Creek copies of all regulatory and utility permits, approvals, and conditions prior to commencement of construction.
- [5357.19](#) A Category 3 WECS development permit shall have a maximum five (5) year development time line as outlined in subsections (a), (b) and (c) below.
- (a) Commencement of construction shall occur within two (2) years of the issuance of the development permit. A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year commencement of construction period;
 - (b) Construction shall be completed within two (2) years of commencement of construction. The one (1) year time extension described in (c) may be granted by MPC provided it was not previously granted under subsection (a). A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year construction period;
 - (c) A time extension considered by MPC in (a) and (b) may be approved for a single one (1) year term and the applicant must provide reasons why the extension is necessary;
 - (d) The MPC may consider suspending the five (5) year timeline described above in cases where a development hardship is proven to the satisfaction of MPC. The MPC shall specify the duration of any timeline suspension as part of the approval.
 - (e) The development permit shall expire if the suspension period in (d) is not granted ~~and or~~ any period described in (a), (b) (c) or (d) lapses.
- [5357.20](#) In balancing existing land uses and the development of Category 3 WECS, the MPC may require developers to minimize impacts:
- within 1.6 km (1.0 miles) of a Provincially controlled highway;
 - within 3.2 km (2.0 miles) of the boundary of a Provincially or Federally designated parks;
 - along ridge lines;
 - within 2 km (1.2 miles) of a developed Group Country Residential land use designation or Hamlet, Town or Village boundary.

APPLICATION REQUIREMENTS FOR CATEGORY 3 WECS

- [5357.21](#) All development applications for a Category 3 WECS shall be accompanied by:
- (a) an accurate site plan showing and labeling the information including the exact location of each existing and proposed wind turbine (tower and rotor arc) including setbacks as defined in Section [5357.24-28](#) (also to be provided in chart form), all

associated substations, collection and transmission system on or abutting the subject lot or parcel, and contours of the land and access roads for the complete wind farm;

- (b) an accurate plan showing the titled parcels and location of WECS within each application;
- (c) a digital database listing exact location and base elevation of each wind turbine in a format acceptable to the M.D. (NAD 83 Geographic Coordinates, decimal degrees only);
- (d) a visual representation depicting the wind farm from:
 - no further than 5 km (3.1-miles) away;
 - each accessible residence within 2 km (1.2 miles) of the wind farm boundaries;
 - any significant sites as determined by MPC.

Visual representation shall include:

- scale elevations,
 - photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour and the landscape, and
 - photographs and/or digital information modeled on ideal visual conditions;
- (e) the turbine specifications indicating:
 - the WECS maximum rated output in kilowatts;
 - safety features and sound characteristics;
 - type of tower;
 - dimensions of tower and rotor
 - (f) the following analyses:
 - 1. the potential for noise at the following:
 - the site of the tower,
 - the boundary of the development,
 - at any habitable or occupied residence within 2 km (1.2 miles) of any turbine;
 - 2. the potential for shadow or flicker at the following:
 - the boundary of the development,
 - at any habitable or occupied residence within 2 km (1.2 miles) of any turbine;
 - (g) a report regarding any public information meetings or other process conducted by the developer;
 - (h) any impacts to the local road system including required approaches from public roads having regard to Municipal District of Pincher Creek standard;
 - (i) post-construction reclamation plan;
 - (j) decommissioning plans.

5357.22 Prior to making a decision on a development application for a WECS, the developer shall provide copies of appropriate reports, comments and requests for approvals from the following:

- Transport Canada
- NAV Canada
- Alberta Culture and ~~Community Spirit~~ Tourism
- Alberta Environment and Parks
- Alberta Transportation
- ~~Alberta Sustainable Resource Development~~
- ~~Alberta Tourism, Parks, and Recreation~~
- Alberta Electric System Operator (AESO)
- M.D. of Pincher Creek No. 9 Utility Permit
- STARS

REFERRALS FOR CATEGORY 3 WECS

5357.23 Prior to making a decision on a development application for a WECS, the MPC shall refer and consider the input from the following:

- an adjacent jurisdiction if its boundaries are located within 2 km (1.2 miles) of the proposed wind farm project boundary;
- municipal district landowners within a 2 km (1.2 miles) of the wind farm project boundary; and
- other relevant regulatory authorities and agencies.

SETBACKS for CATEGORY 3 WECS

5357.24 The minimum setbacks related to undeveloped or developed municipal roadways measured from the tower base shall be the total height (as defined in this section) plus ten (10) percent.

5357.25 The minimum setback related to an Alberta Highway right-of-way shall be determined by Alberta Transportation.

5357.26 At no time shall the cumulative modeled sound level of a WECS at the wind farm boundary exceed 45dBA unless:

- (a) an easement, as approved by the Municipal Planning Commission, is agreed to by the affected land owner and registered on the affected title, or
- (b) the affected landowner is the crown or an agent of the crown, excluding statutory roads or road plans, and will be asked for comment under a different clause in this bylaw.

5357.27 Where adjacent properties (inside the wind farm boundary) are located without a road allowance separation, the setback from the property line shall be 7.5m (24.6 ft.) from outside of the rotor arc.

5357.28 Where adjacent properties (outside the wind farm boundary) are located without a road allowance separation, the setback to the property line measured from the tower base shall be no less than the total height (as defined in this section) plus ten (10) percent unless a caveat is registered on title, in which case a [waiver-variance](#) may be granted.

5357.29 Where, in the opinion of the MPC, the setbacks referred to in Section 5357.24 through 5357.28 are not sufficient to reduce the impact of a WECS, the Development Authority may increase the required setback.

MINIMUM BLADE CLEARANCE FOR CATEGORY 3 WECS

5357.30 The minimum vertical blade clearance from grade shall be 7.5 m (24.6 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.

TOWER ACCESS AND SAFETY FOR CATEGORY 3 WECS

5357.31 To ensure public safety, the approval authority may require that:

- (a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
- (b) no ladder or permanent tower access device shall be located less than 3.7 m (12.1 ft.) from grade;
- (c) a locked device shall be installed on the tower to preclude access to the top of the tower;
- (d) all of the above be provided or such additional safety mechanisms or procedures be provided as the MPC considers reasonable and appropriate;
- (e) the use of tubular towers, with locked door access, will preclude the above requirements.

DISTRIBUTION LINES FOR CATEGORY 3 WECS

5357.32 All collector lines (less than 69 Kv), within the wind farm boundary will be underground except where the MPC approves overhead installations.

COLOUR AND FINISH FOR CATEGORY 3 WECS

5357.33 Unless otherwise required by the MPC, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the MPC.

5357.34 No advertising shall appear on the towers or blades. On other parts of the WECS, the only lettering will be the manufacturer's and/or owner's identification.

REPOWERING FOR CATEGORY 3 WECS

5357.35 Should a developer propose alteration, retooling or repowering of an existing wind farm where the equipment has changed from the original approval, the developer shall apply for a new development permit.

[5357.36](#) Should a developer propose infill development (adding new wind turbines) within an existing wind farm, the developer shall apply for a new development permit.

[5357.37](#) A repowering project as described in [5357.35](#) or [5357.36](#) shall require a redesignation to the Wind Farm Industrial ~~district~~ (WFI) district.

DECOMMISSIONING FOR CATEGORY 3 WECS

[5357.38](#) Should a WECS discontinue producing power for two years, the WECS operator shall provide a status report to MPC. A review of the status report may result in a request for the WECS to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the *Municipal Government Act*.

SECTION [5458](#) SHIPPING CONTAINERS

REGULATIONS

[5458.1](#) Shipping containers shall only be allowed in land use districts where listed as a Discretionary Use within Part ~~VIII~~-IX Districts. Shipping containers are prohibited in all other districts.

[5458.2](#) There shall be a legal ~~primary-principal~~ use on the property where it is proposed to be located.

[5458.3](#) Only three (3) shipping containers shall be allowed per lot or parcel.

[5458.4](#) The square footage of the cargo container when added to the square footage of principal and accessory buildings on the property does not exceed the maximum site coverage as defined by the district.

[5458.5](#) Shipping containers shall be stacked no more than two (2) containers high.

[5458.6](#) As a condition of the Application for Development Permit, the Municipal Planning Commission may require any shipping container to be screened from view or landscaped to make the site aesthetically pleasing.

[5458.7](#) All shipping containers must be painted to match the color(s) of the principal building or to the satisfaction of the Development Authority.

[5458.8](#) All shipping containers must be located in the rear or side yards only, with a side yard setback of 3.0 m (10 feet) and a rear yard setback of 6.1 m (20 feet).

[5458.9](#) The Municipal Planning Commission may issue a temporary permit for the placement of any shipping container, where listed as a discretionary use in a land use district, with all or some of the above noted requirements being applied to these temporary shipping containers. Approvals for temporary permits shall be valid for one year from the date of Application.

SECTION 5559 SOLAR ENERGY SYSTEMS

SOLAR ENERGY SYSTEM, HOUSEHOLD

- 5559.1 Development permit applications for solar energy system, household, shall be accompanied by the following additional information:
- (a) documentation demonstrating the system is designed to produce energy primarily for sole use and consumption on-site by the landowner, resident or occupant;
 - (b) manufacturer's specifications for system design and rated output;
 - (c) orientation of the solar panels;
 - (d) for panels mounted to the roof of a building or accessory structure or affixed to the wall of a building or accessory structure, a description of how the panels are to be mounted or affixed, maximum projection from roof or wall, and structural capacity of the building/wall to support the proposed development;
 - (e) for free-standing solar panels, a description of the proposed ground mount design and maximum height from existing grade;
 - (f) all systems for mounting and securing solar panels shall meet to all Alberta Safety Codes requirements.
- 5559.2 Solar panels must be located such that they do not create undue glare on neighbouring parcels or public roadways.
- 5559.3 Solar panels mounted to the roof of a building or accessory structure must not extend beyond the outermost edge of the roof.
- 5559.4 The maximum projection of solar panels affixed to the wall or mounted to the roof of a building or accessory structure shall be 1.5 ft. (0.45 m).
- 5559.5 Setback requirements are as prescribed in the applicable land use district. In land use districts where accessory building setbacks are defined, those setbacks shall prevail and be applied.
- 5559.6 The maximum height of a free-standing solar panel shall not exceed 13.8 ft. (4.2 m).
- 5559.7 Solar panel installations may be affixed to a building wall (principal and/or accessory), mounted to the roof of a building (principal and/or accessory) or mounted to the ground as a free-standing structure. The maximum number of solar panel installations per parcel and location may be regulated based on the existing use of the parcel and/or adjacent parcels.

SOLAR ENERGY SYSTEM, COMMERCIAL/INDUSTRIAL

- 5559.8 Development permit applications for solar energy system, commercial/industrial shall be accompanied by the following additional information:
- (a) the location of overhead utilities on or abutting the subject parcel and identification of any sensitive, environmental or topographical features which may be present on the parcel;

- (b) an accurate site plan depicting the titled parcels and location of the solar energy system; the site plan must also depict the required setbacks from property lines and the proximity to structures or uses on the site and adjacent parcels of land;
- (c) detailed information about the system type, number of structures, height of structures, and the energy process and rated output;
- (d) any information regarding general public safety and security measures;
- (e) a site suitability analysis including but not limited to, topography; soils characteristics and classification; storm water collection; accessibility to a road; availability of water supply, sewage disposal system and solid waste disposal if applicable; compatibility with surrounding land uses; potential impacts to agricultural land, operations and pursuits; potential visual impacts, and consistency with the policies of the Municipal Development Plan;
- (f) preliminary grading/drainage plan;
- (g) any impacts to the local road system including required approaches from public roads having regard to Municipal District of Pincher Creek No. 9 standard;
- (h) post-construction reclamation plan and decommissioning plan detailing how the developed lands will be returned to as natural a state as possible, including removal of subsoil structures;
- (i) if required by the Development Authority, an Environmental Assessment Review prepared by a qualified professional or other studies and reports to demonstrate site suitability and impact mitigation;
- (j) an application shall be submitted for each titled parcel;
- (k) prior to a decision being made, the applicant shall hold a public meeting in order to solicit the views of the public in regard to the application and report the information received to the Development Authority;
- (l) the applicant shall forward to the Municipal District of Pincher Creek No. 9 copies of all regulatory and utility permits, approvals, and conditions prior to commencement of construction.

5559.9 In the “Agriculture – A”, “Wind Farm Industrial – WFI” and “Urban Fringe – UF” land use districts, applicants shall consider the following when selecting sites:

- (a) use of the lowest productive land, dry corners, and poor agricultural land with Canada Land Inventory (CLI) soil classification of 4 through 7, is preferred;
- (b) to the extent possible, use of irrigated land, native prairie grassland and high quality agricultural soils with a CLI classification of Class 1 through 3, is not preferred.

SECTION 60 TELECOMMUNICATION SITING PROTOCOL

60.1. PURPOSE

This section serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems (antenna systems) in the MD of Pincher Creek. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the MD of Pincher Creek’s preferred development and design standards.

60.2. APPLICABILITY

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the Radiocommunication Act. Innovation, Science and Economic Development (ISED) Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Innovation, Science and Economic Development (ISED) Canada.

The local protocol established in this Section applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system within the MD of Pincher Creek which is not excluded from the consultation requirements established by ~~Industry Canada~~Innovation, Science and Economic Development (ISED) Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the MD of Pincher Creek to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in Section 60.5.

(a) Antenna Systems Siting Protocol Exclusion List:

~~Industry Canada~~Innovation, Science and Economic Development (ISED) Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Innovation, Science and Economic Development (ISED) Canada's publication, Radiocommunication and Broadcast Antenna Systems CPC-2-0-03 lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the MD of Pincher Creek Land Use Bylaw and include:

- (i) maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- (ii) addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- (iii) maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- (iv) installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and
- (v) new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the MD of Pincher Creek or Innovation, Science and Economic Development (ISED) Canada -for guidance.

60.3. MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE

- (a) The MD of Pincher Creek Development Authority shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the MD of Pincher Creek which are not excluded under Section 60.2.
- (b) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in Section 60.5, applicable policies of the MD of Pincher Creek Municipal Development Plan, and consideration of comments received during the public consultation process (section 60.7) and any other matter deemed relevant by the Development Authority:
 - (i) when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision;
 - (ii) when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (c) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the Land Use Bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the Land Use Bylaw.

60.4. MUNICIPAL REVIEW PROCESSING PERIOD

- (a) Except as provided in subsection 60.4(b), the Development Authority will issue a decision of either concurrence or non-concurrence within 40 days of receiving a complete application package.
- (b) The 40-day processing time period may be extended by the proponent or the MD of Pincher Creek, through mutual consent.

60.5. DEVELOPMENT AND DESIGN STANDARDS

The MD of Pincher Creek requests that the following antenna systems development and design standards be adhered to:

(a) Co-utilization

Co-utilization of existing antenna systems is the preferred option within the MD of Pincher Creek and is encouraged whenever feasible. The MD of Pincher Creek recognizes that while this is the preferred option, co-utilization of existing antenna systems is not always possible.

(b) Public Roadway Setbacks

Rural:

- i. In order to facilitate future widening/service road dedication and reduce potential snow drifting/sight restrictions, an antenna system (excluding any guy wires or similar support mechanisms) should be placed no closer than 30.0

metres (98.4 ft.) from the property line abutting a rural road. A lesser setback may be considered at the discretion of the Development Authority on a site-specific basis.

Hamlet:

ii. An antenna system (including any guy wires or similar support mechanisms) proposed within a hamlet should be placed no closer than 7.62 metres (25 ft.) from the property line abutting the public road. A lesser setback may be considered at the discretion of the Development on a site-specific basis.

(c) Locational Criteria

i. Antenna systems should maintain an adequate setback from hazard lands, as required in [Part VI, Section 3435](#).

ii. Proponents should consult the MD of Pincher Creek Municipal Development Plan, to determine whether the proposed location of the antenna system is within an environmentally significant area. If the proposed site of the antenna systems is located within an identified environmentally significant area, the proponent should submit documentation to the Development Authority demonstrating site suitability.

iii. The Pincher Creek Airport (CZPC) is vital to fighting forest fires in the region and integral to future economic development. Further, the Cowley aerodrome (CYYM) is integral to recreational glider aircraft. It is the preference of the MD of Pincher Creek that no telecommunication antenna systems be developed within 4000m of either runway to help minimize aeronautical hazard.

(d) [Lighting and Signage and Appearance](#)

i. [Antenna structures shall be lit with Transport Canada approved lighting;](#)

ii. Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

iii. The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

60.6. APPLICATION SUBMITTAL REQUIREMENTS

(a) Proponents are encouraged to contact the MD of Pincher Creek in advance of making their submission to obtain information about this Protocol and identify any preliminary issues or concerns.

(b) The following application package shall be submitted to the MD of Pincher Creek for consideration of a proposed antenna system:

i. a completed Telecommunication Antenna Siting Protocol application, including site plan;

- ii. the prescribed fee;
 - iii. a description of the type and height of the proposed antenna system and any guy wires or other similar support mechanisms (e.g. support cables, lines, wires, bracing);
 - iv. the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
 - v. documentation regarding potential co-utilization of existing towers within 800 metres (0.5 miles) of the subject proposal; and
 - vi. any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.
- (c) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures. For such proposals, the following shall be submitted in addition to the requirements of 60.6(b):
- i. a completed development permit application;
 - ii. the prescribed fee.

60.7. NOTIFICATION AND PUBLIC CONSULTATION PROCESS

- (a) Upon receipt of an application package, the Development Authority shall review the application for completeness and, if deemed complete, will:
- i. schedule a date for a public development hearing meeting to be held by the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;
 - ii. notify the proponent and/or representative of the antenna system of the development hearing date;
 - iii. post a notice of the development hearing in a newspaper in accordance with Section 3219(1)(b) of the Land Use Bylaw; and
 - iv. notify by mail persons likely to be affected by the proposal of the development hearing date, including:
 - a. landowners within 1.61 km (1 mile) of the proposed antenna system;
 - b. any review agencies deemed affected, as determined by the Development Authority;
 - c. any other persons deemed affected, as determined by the Development Authority;
 - d. The notifications must be sent 19 days prior to the public meeting date.
- (b) The proponent or a representative should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.

SECTION 61 CANNABIS PRODUCTION FACILITY

- 61.1 The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with Cannabis production as issued by Health Canada.
- 61.2 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 61.3 The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building.
- 61.4 The development shall not operate in conjunction with another approved use.
- 61.5 The development shall not include an outdoor area for storage of goods, materials or supplies.
- 61.6 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 61.7 The required distance a development may be from a residential or a public institutional district, will be at the discretion of the Municipal Planning Commission and be measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.
- 61.8 The Development Authority may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:
- (a) the incineration of waste products and airborne emissions, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (c) the method and location of collection and disposal of liquid and waste material.
- 61.9 The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Manufacturing use found in Section 56.

PART VIII – DISTRICTS

AGRICULTURE – A

1. INTENT

The intent of the Agriculture (A) district is to ensure that agricultural land will facilitate agricultural pursuits while allowing some flexibility to accommodate limited non-agricultural uses in accordance with the Municipal Development Plan.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [15.1\(d\)\(l\)](#) and Section [37](#))
~~Accessory use~~
Extensive agriculture (see Section [15.1\(b\)](#))
Farm buildings and structures (see Section [4415.1\(a\)](#))
Home occupation (see Section [4347](#))
Manufactured home, singlewide and doublewide (see Section [54](#))
Modular home
Public utility
Single-detached residence
Solar energy system, household (see Section [4415.1\(r\)](#))
Wind Energy Conversion System - Category 1 (see Section [57](#))

2.2 Discretionary Uses

Airstrip
Animal care service, major and minor
Aquaculture
Aquaponics
Auctioning establishment
Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
Big game farm
Cemetery
Club or fraternal organization
Construction/Field/Work Camp (see Section [15.1\(e\)](#): 24)
Country inn (see Sections [4448.4](#) - [4448.10](#))
Existing commercial / Private recreation
Farmer's market
Garden suite (see Section [4549](#))
Group home
~~Intensive horticultural operation~~
MET Tower
Moved-in residential building (see Section [5054.6](#) - [5054.9](#))
Moved-in accessory buildings (see Section [5054.6](#) - [5054.9](#))
Outdoor storage
Public and institutional uses
Public park or recreation
Secondary farm residence

Shipping containers [\(see Section 5458\)](#)
Shooting range
Sign [\(see Section 5455\)](#)
Specialty manufacturing / Cottage industry
Solar energy system, household (greater than 150 kW [see Section 55](#))
[Stockpile \(see Section 15\)](#)
Topsoil stripping
Wind Energy Conversion System - Category 2 [\(see Section 5357\)](#)

2.3 Prohibited Uses

Grouped country residential
Landfill activity

2.4 Outdoor Storage Use

A development application which proposes to locate an outdoor storage use within the boundary of the Burmis Lundbreck Corridor Area Structure Plan:

- (a) at a location which, in the opinion of the MPC, is highly visible to the travelling public from Provincial Highways 3, 3A, 22 or 507; or
- (b) at a location which is highly visible to an adjoining or nearby residence, a public park or recreation use, a commercial / private recreation use or a public and institutional use;

shall not be approved.

3. **MINIMUM LOT SIZE**

All residences: 1.2 ha (3 acres) to a maximum of 4.05 ha (10.00 acres)
Other uses: 1.2 ha (3 acres)

4. **MINIMUM SETBACK REQUIREMENTS**

Setbacks from public roadways: ~~50-30~~ m (~~164-98.4~~ ft.)
All other property lines: 7.5 m (24.6 ft.)
Provincial highways: Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways
(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618.4920~~.

See Section [53-57](#) for setbacks pertaining to WECS.

5. **ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES**

See Sections [3435](#), [40-44](#) and [4445](#).

6. **OFF-STREET PARKING AND LOADING REQUIREMENTS**

See Section [5256](#), Off-Street Parking and Loading Requirements.

7. **WIND ENERGY CONVERSION SYSTEMS (WECS) DENSITY**

See section [5357](#), Wind Energy Conversion Systems (WECS). Only one wind turbine allowed per titled parcel within this district.

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AIRPORT VICINITY PROTECTION – AVP

1. INTENT

The intent of the Airport Vicinity Protection (AVP) district is to:

- (a) protect the ~~of~~ lands near the airport and ensure all development within this district occurs in a manner consistent with federal legislation relating to airports and air traffic;
- (b) allow only extensive agriculture developments or appropriate commercial, industrial, or residential development or uses directly related to, or supporting the operations of the airport;
- (c) allow for the operations of appropriate federal, provincial, or municipal departments or agencies.

2. USES

2.1 Permitted Uses

Airport related buildings and uses

Extensive agriculture ([see Section 15.1\(b\)](#))

Solar energy system, household ([see Section 4415.1\(r\)](#))

[Stockpile \(see Section 15\)](#)

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ under 10.5 m² (113 ft²) ([see Section 3236](#))

Accessory structures ([see Section 15.1\(d\)\(l\) and Section 3337](#))

[Accessory use](#)

~~Agricultural fences~~

Farm buildings and structures ([see Section 15.1\(a\)](#))

Home occupation ([see section 4347](#))

Manufactured home, doublewide and singlewide ([see Section 5054](#))

[Moved-in accessory building \(see Section 54.6 - 54.9\)](#)

[Moved-in residential building \(see Section 504.6 - 504.9\)](#)

Outdoor storage

Public utility

Shipping containers ([see Section 58](#))

Sign ([see Section 5455](#))

Single-detached residence

Solar energy system, household (greater than 150 kW [see Section 59](#))

2.3 Prohibited Uses

~~Garden suite~~

Wind Energy Conversion System - WECS

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

3.1 Setback Requirements

As required by the Development Authority in consultation with Transport Canada and NAV Canada.

3.2 Height Restrictions

As required by the Development Authority in consultation with Transport Canada and NAV Canada.

3.3 Noise Exposure

The impact of noise on a proposed use may be considered with the assistance of Transport Canada and NAV Canada.

3.4 Architectural Controls

All proposed buildings shall be subject to Canada Mortgage and Housing Corporation guidelines, where appropriate.

3.5 Limitation on Development

A maximum of one (1) dwelling unit per lot or parcel will be allowed on lands adjoining the airport property within the Airport Vicinity Protection district.

4. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements

CASTLE CARBONDALE RESOURCES – CCR

1. INTENT

The intent of the Castle Carbondale Resources (CCR) district is to identify lands within the Provincial Forest Reserve, which are under the jurisdiction of ~~the Lands and Forest Service of~~ Alberta Environment.

2. USES

2.1 Permitted Uses

All uses and development on Crown land which is carried on by the Crown or its agents.

2.2 Discretionary Uses

All uses and development on lands leased from the Crown are discretionary unless such uses are permitted uses, or unless such uses do not require a development permit in accordance with this bylaw.

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

The Development Authority shall not issue a development permit for a discretionary use or a development requiring such a permit unless the use or development has been authorized or otherwise approved by the ~~Lands and Forest Service of~~ Alberta Environment. All development must be serviced to the satisfaction of the Development ~~Officer~~Authority.

4. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections ~~3135~~, ~~40-44~~ and ~~4445~~.

5. MINIMUM SETBACK REQUIREMENTS

Front yard setback

(frontage on public roadway): ~~50-30~~ m (~~164-98.4~~ ft.) (if applicable)

Side yard setback: 7.5 m (24.6 ft.)

Rear yard setback: 7.5 m (24.6 ft.)

Provincial highways: Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted

Railways

(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618-4920~~.

6. MAXIMUM BUILDING HEIGHT

2.5 storeys

7. REFUSE SCREENING AND STORAGE

Refuse and garbage must be kept in a suitably sized container, which must be bear-resistant.

CASTLE MOUNTAIN RESORT MEDIUM DENSITY RESIDENTIAL – CMMDR

1. INTENT

The intent of the Castle Mountain Resort Medium Density Residential (CMMDR) district is to facilitate development of resort visitor residential accommodations and other compatible uses.

2. USES

2.1 Permitted Uses

~~Accessory structures~~ (see [Section 37](#) and [Section 15.1\(l\)](#))

Bed and breakfast facility ([See Section 47.13 - 47.16](#))

Country inn (see [Section 4448.4 - 4448.10](#))

Duplexes

Public parks

Single-detached residence

Secondary suites

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

~~Accessory buildings and uses~~ (See [Section 3236](#))

~~Accessory use~~

Multi-unit dwelling

Modular home

Parking facility

~~Recreational Vehicle / Holiday Trailer Park~~ ~~Recreational vehicle park~~

~~Rowhouse or townhouse~~

Solar energy system, household (greater than 150 kW [see Section 59](#))

~~Stacked rowhouse~~

3. COMPREHENSIVE SITING PLAN REQUIREMENTS

3.1 A comprehensive siting plan shall be provided by a proponent of a leasehold subdivision and/or development of land in this district to assist development or subdivision authorities in the approval of orderly and aesthetic resort development.

3.2 A comprehensive siting plan shall show:

(a) the proposed site location relative to adjoining properties/sites for both reference purposes and to assist in the evaluation of the spatial relationships between buildings;

(b) the intended parcel dimensions and development footprint of all proposed buildings;

(c) the type of dwelling and number of residential units;

(d) all setback dimensions from parcel boundaries including: buildings, decks, patios, landings, eave overhangs, fireplaces, stairs and retaining walls;

(e) all landscaping including that which will be: removed, retained, and replaced;

(f) all parking areas;

(g) all refuse storage areas;

- (h) all snow storage areas;
 - (i) such other information as deemed necessary by the development or subdivision authority.
- 3.3 The comprehensive siting plan shall be evaluated and approved by the development or subdivision authority on the basis of the Development Standards outlined in this district.
- 3.4 The development or subdivision authority may adopt additional guidelines as a further basis on which to evaluate the comprehensive siting plan. Both the Development Standards and any additional guidelines applied to the comprehensive siting plan shall be employed in the consideration of all subsequent development permit applications.
- 3.5 All development shall conform to an approved comprehensive siting plan.

4. DEVELOPMENT STANDARDS

4.1 Resort Theme

The resort theme should be evident in the design elements of each building on each site.

4.2 Appearance

The exterior cladding and appearance of buildings should result in architectural integrity and visual harmony.

4.3 Weather Induced Requirements

Weather induced requirements to be addressed within this district include:

- delineation and protection of pedestrian corridors
- snow removal
- ice build-up
- sheltering building masses
- shelter of outdoor amenity areas from extreme winds
- solar access into public areas

4.4 Residential Development

The provision of privacy in residential areas and the avoidance of potential conflict between adjacent land uses shall be resolved through site design considerations such as building placement, window locations, visual screening and the adequate buffering and separation of potentially incompatible areas. No fencing shall be allowed.

4.5 Decks

Decks that are greater than 0.6 m (2 ft.) above the finished grade shall require the same setbacks as the new buildings.

4.6 Projections

Into yard setbacks shall be as follows:

Eave overhangs of principal buildings:	0.6 m (2 ft.)
Eave overhangs of accessory buildings:	0.3 m (1 ft.)
Fireplaces and uncovered landings:	0.6 m (2 ft.)
Uncovered patios and decks with a maximum height above grade of 0.6 m (2 ft.):	Unlimited
Retaining walls and landscaping:	Unlimited

5. **MINIMUM LOT SIZE**

Multi-family lots:	900 m ² (9687.5 ft ²)
Single-detached residence:	400 m ² (4305.6 ft ²)

6. **MAXIMUM BUILDING HEIGHT**

Multi-dwelling units:	14 m (45.9 ft.)
All other uses except accessory buildings:	10 m (32.8 ft.)
Accessory buildings:	1 storey

7. **MINIMUM SETBACKS**

Setbacks for all uses shall be established for each parcel on the comprehensive siting plan, and shall address the minimum separation between buildings/structures on the same parcel as well as those on adjacent parcels. For those comprehensive siting plans already approved the following setbacks apply:

Front yard setback:	2.5 m (8.2 ft.)
Rear yard setback:	2.5 m (8.2 ft.)
Side yard setback:	2.5 m (8.2 ft.)

8. **MINIMUM SEPARATION**

Measured from foundations between building: 5 m (16.4 ft.)

9. **ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES**

See Sections [3135](#), [40-44](#) and [4445](#).

10. **OFF-STREET PARKING AND LOADING REQUIREMENTS**

See Section [5256](#), Off-Street Parking and Loading Requirements.
There shall be no parking on the roadways.

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CASTLE MOUNTAIN RESORT PUBLIC UTILITY – CMPU

1. INTENT

The intent of the Castle Mountain Resort Public Utility (CMPU) district is to facilitate the appropriate siting of infrastructure support facilities and other complementary uses in a manner that will minimize the visual impact of such facilities.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Parking facility
Public parks
Outdoor storage
Public utility
Ski resort facility
Solar energy system, household (see Section [4415.1\(r\)](#))
Wastewater treatment plant

2.2 Discretionary Uses

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MAXIMUM BUILDING HEIGHT

All uses: 10 m (32.8 ft.)

4. MINIMUM SETBACKS

Between structures: 5 m (16.4 ft.)

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.
There shall be no parking on the roadways.

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CASTLE MOUNTAIN RESORT RESIDENTIAL 1 – CMR-1

1. INTENT

The intent of the Castle Mountain Resort Residential 1 (CMR-1) district is to facilitate redevelopment of the original residential area of the resort in recognition of development that occurred prior to the introduction of a development plan and of those buildings that were constructed after introduction of a development plan but prior to changes in M.D. land use bylaw standards.

2. USES

2.1 Permitted Uses

Accessory structures (see [Section 37](#) and [Section 15.1\(l\)](#))

Bed and breakfast facility ([See Section 47-13-16](#))

Modular home

Single-detached residence

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

~~Accessory buildings and uses~~ (see [Section 3236](#))

Accessory use

Duplexes

Multi-unit dwelling

Parking facility

Secondary suites

Semi-detached dwelling

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. DEVELOPMENT STANDARDS

In order to avoid future encroachments resulting from inadequate stakeout procedures, applicants will be required to provide a Real Property Report (survey) prior to development proceeding beyond the foundation stage. No fencing shall be allowed.

4. MAXIMUM BUILDING HEIGHT

All uses except accessory buildings: 10 m (32.8 ft.)

Accessory buildings: 4.5 m (14.8 ft.)

5. MINIMUM SETBACKS

5.1 Existing dwelling units: All separations shall be as indicated on the Plan For Leasehold Purposes (PLP) BOA surveys diagram #99-5385 TC attached as [Figure 56](#).

5.2 New dwelling units: Principal front yard: 1.5 m (4.9 ft.)
Rear yard: 5.0 m (16.4 ft.)

- 5.3 In the case of new construction a minimum separation of 5 m (16.4 ft.) between residences measured from the foundation.
- 5.4 Decks that are greater than 0.6 m (2 ft.) above the finished grade shall require the same setbacks as indicated on the Plan for Leasehold Purposes (PLP) or the new dwelling unit, whichever the case may be.

6. PROJECTIONS INTO MINIMUM YARD SETBACKS

Unless otherwise provided in a comprehensive siting plan or the accepted rules of **waivers** **variances** as outlined (see Section [4618.4920](#)), the following projections into minimum yard setbacks may be allowed:

Eave overhangs of principal buildings:	0.6 m (2 ft.)
Eave overhangs of accessory buildings:	0.3 m (1 ft.)
Fireplaces and uncovered landings:	0.6 m (2 ft.)
Uncovered patios and decks, the surface of which is a maximum of 0.6 m (2 ft.) above grade:	Unlimited
Retaining walls and landscaping:	Unlimited

7. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements. There shall be no parking on the roadways.

CASTLE MOUNTAIN RESORT RESIDENTIAL 2 – CMR-2

1. INTENT

The intent of the Castle Mountain Resort Residential 2 (CMR-2) district is to facilitate development of the existing, newer residential area of the resort for single-detached residence dwellings and other compatible uses.

2. USES

2.1 Permitted Uses

[Accessory structures](#) (see [Section 37](#) and [Section 15.1\(l\)](#))

Bed and breakfast facility ([see Section 47.13-16](#))

Modular home

Public park and recreation

Secondary suite

Single-detached residence

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see [Section 3236](#))

[Accessory use](#)

Duplexes

Multi-unit dwelling

Parking facility

Semi-detached dwelling

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. DEVELOPMENT STANDARDS

In order to avoid future encroachments resulting from inadequate stakeout procedures, applicants will be required to provide a Real Property Report (survey) prior to development proceeding beyond the foundation stage. No fencing shall be allowed.

4. MAXIMUM BUILDING HEIGHT

All uses except accessory buildings: 10 m (32.8 ft.)

Accessory buildings: Storage facilities are required to be part of the house

5. MINIMUM SETBACKS

5.1 New housing units: Principal front yard: 2.5 m (8.2 ft.)

Secondary front yard: 2.5 m (8.2 ft.)

Side yard: 2.5 m (8.2 ft.)

Rear yard: 2.5 m (8.2 ft.)

5.2 Minimum separation of 5 m (16.4 ft.) between residences measured from foundation.

5.3 Decks that are greater than 0.6 m (2 ft.) above the finished grade shall require the same setbacks as the new dwelling unit.

6. PROJECTIONS INTO MINIMUM YARD SETBACKS

Unless otherwise provided in a comprehensive siting plan or the accepted rules of **waivers** **variances** as outlined (see Section [4618.4920](#)), the following projections into minimum yard setbacks may be allowed:

Eave overhangs of principal buildings:	0.6 m (2 ft.)
Eave overhangs of accessory buildings:	0.3 m (1 ft.)
Fireplaces and uncovered landings:	0.6 m (2 ft.)
Uncovered patios and decks, the surface of which is a maximum of 0.6 m (2 ft.) above grade:	Unlimited
Retaining walls and landscaping:	Unlimited

7. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements. There shall be no parking on the roadways.

CASTLE MOUNTAIN RESORT SEASONAL RESIDENTIAL – CMSR

1. INTENT

The intent of the Castle Mountain Resort Seasonal Residential (CMSR) district is to facilitate a planned approach to the relocation and site development of a new recreational vehicle park and complementary uses.

2. USES

2.1 Permitted Uses

Accessory structures (see [Section 37](#) and [Section 15.1\(l\)](#))

Public parks or recreation

Public utility

Recreation facility

Recreational Vehicle / Holiday Trailer Park ~~Recreational vehicle park²~~

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

Wash house

2.2 Discretionary Uses

Accessory buildings that may consist of ski lockers, storage sheds of less than 10 m² (107.6 ft²) or similar temporary buildings

Parking facility

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. COMPREHENSIVE SITING PLAN REQUIREMENTS

3.1 A comprehensive siting plan shall be provided by a proponent for a leasehold subdivision and/or development of land in this district to assist development or subdivision authorities in the approval of orderly and aesthetic resort development.

3.2 A comprehensive siting plan shall show:

(a) the proposed site location relative to adjoining properties/sites for both reference purposes and to assist in the evaluation of the spatial relationships between buildings;

(b) the intended dimensions and developable area of all proposed recreational vehicle sites;

(c) the intended parcel dimensions and development footprint of any/all proposed complementary buildings;

(d) all setback dimensions from parcel boundaries including: buildings, decks, patios, landings, eave overhangs, fireplaces, stairs and retaining walls for any/all proposed complementary buildings;

(e) all landscaping including that which will be: removed, retained, and replaced;

(f) all refuse storage areas;

(g) all snow storage areas;

²Living accommodation will be temporary and occur from November to April.

- (h) such other information as deemed necessary by the development or subdivision authority.
- 3.3 The comprehensive siting plan shall be evaluated and approved by the development or subdivision authority on the basis of the Development Standards outlined in this district.
- 3.4 The development or subdivision authority may adopt additional guidelines as a further basis on which to evaluate the comprehensive siting plan. Both the Development Standards and any additional guidelines applied to the comprehensive siting plan shall be employed in the consideration of all subsequent development permit applications.
- 3.5 All development shall conform to an approved comprehensive siting plan.

4. DEVELOPMENT STANDARDS

4.1 Resort Theme

The comprehensive siting plan should embody the resort theme in such design and land use elements as site configuration and the efficient design of open areas for public uses.

4.2 Appearance

The exterior cladding and appearance of all recreational vehicles and all accessory buildings shall be compatible with the architectural integrity and visual harmony of the resort. No fencing shall be allowed.

4.3 Weather Induced Requirements

Weather induced requirements to be addressed within this district include:

- delineation and protection of pedestrian corridors
- snow removal
- ice build-up
- sheltering building masses
- shelter of outdoor amenity areas from extreme winds
- solar access into public areas

4.4 Decks

Decks greater than 0.6 m (2 ft.) above the finished grade shall require the same setbacks as the new buildings.

4.5 Projections

Into yard setbacks shall be as follows:

Eave overhangs of principal buildings:	0.6 m (2 ft.)
Eave overhangs of accessory buildings:	0.3 m (1 ft.)
Fireplaces and uncovered landings:	0.6 m (2 ft.)
Uncovered patios and decks with a maximum height above grade of 0.6 m (2 ft.):	Unlimited
Retaining walls and landscaping:	Unlimited

5. MINIMUM LOT SIZE

Seasonal Residential Lots: 100 m² (1076.4 ft²)

6. MAXIMUM BUILDING HEIGHT

All uses: 10 m (32.8 ft.)

7. MINIMUM SETBACKS

Setbacks for all uses shall be established for each parcel on the comprehensive siting plan, and shall address the minimum separation between buildings/structures on the same parcel as well as those on adjacent parcels. For those comprehensive siting plans already approved the following setbacks apply:

Front yard setback: 2.5 m (8.2 ft.)

Rear yard setback: 2.5 m (8.2 ft.)

Side yard setback: 2.5 m (8.2 ft.)

8. MINIMUM SEPARATION

Measured from foundations between building: 5 m (16.4 ft.)

9. MINIMUM SEPARATION DISTANCE BETWEEN RECREATIONAL VEHICLE UNITS

6.1 Recreational vehicle units: Front yard: 1 m (3.3 ft.)

Side yard: 1 m (3.3 ft.)

Rear yard: 1 m (3.3 ft.)

6.2 Measurements shall be from furthest extension of the recreational vehicle.

10. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

11. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.
There shall be no parking on the roadways.

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CASTLE MOUNTAIN RESORT SKI RESORT 1 – CMSR-1

1. INTENT

The intent of the Castle Mountain Resort Ski Resort 1 (CMSR-1) district is to manage the use and development of privately-owned lands and base development at Castle Mountain and ensure that proposed development does not create undue environmental impact on surrounding lands.

2. USES

2.1 Permitted Uses

Accessory structures (see [Section 37](#) and [Section 15.1\(l\)](#))

Public utility

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

Sign (see [Section 5455](#))

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. COMPREHENSIVE SITING PLAN REQUIREMENTS

3.1 Prior to development approval, the approval authority may request that a Comprehensive Siting Plan be prepared and adopted in accordance with the Castle Mountain Resort Area Structure Plan.

4. MINIMUM LOT SIZE

4.1 As required by the approval authority, or if adopted as outlined in a Comprehensive Siting Plan.

5. MINIMUM SETBACKS

5.1 As required by the approval authority, or if adopted as outlined in a Comprehensive Siting Plan.

6. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

7. OFF-STREET PARKING AND LOADING REQUIREMENTS

See [Section 5256](#), Off-Street Parking and Loading Requirements.
There shall be no parking on the roadways.

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CASTLE MOUNTAIN RESORT SKI RESORT CORE – CMSRC

1. INTENT

The intent of the Castle Mountain Resort Ski Resort Core (CMSRC) district is to establish the theme, character and ambiance of the Castle Mountain Resort. The community core will contain the widest variety of uses and will function as the service and amenity focal point within the resort.

2. USES

2.1 Permitted Uses

Accessory structures (see [Section 37](#) and [Section 15.1\(l\)](#))

Amusement facility

Bed and breakfast facility

Club and fraternal organization

Country inn (see [Section 4448.4](#) - [4448.10](#))

Child care service

Hostels

Hotel / Motel

Medical facility

Mixed-use residential

Multi-unit dwelling

Parking facility

Personal service

Professional, financial, office and business support service

Public and institutional uses

Restaurant

Retail store

Ski resort facility

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see [Section 3236](#))

Accessory use

Entertainment establishment

Outdoor storage

Recreational Vehicle / Holiday Trailer Park ~~Recreational vehicle park~~

Sign (see [Section 5455](#))

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. COMPREHENSIVE SITING PLAN REQUIREMENTS

3.1 A comprehensive siting plan shall be provided by a proponent of a leasehold subdivision and/or development of land in this district to assist development or subdivision authorities in the approval of orderly and aesthetic resort development.

3.2 A comprehensive siting plan shall show:

- (a) the proposed site location relative to adjoining properties/sites for both reference purposes and to assist in the evaluation of the spatial relationships between buildings;

- (b) the intended parcel dimensions and development footprint of all proposed buildings;
 - (c) the type of dwelling and number of residential units;
 - (d) all setback dimensions from parcel boundaries including: buildings, decks, patios, landings, eave overhangs, fireplaces, stairs and retaining walls;
 - (e) all existing landscaping including that which will be: removed, retained, and replaced;
 - (f) all parking and loading/unloading areas;
 - (g) all refuse storage areas;
 - (h) all snow storage areas;
 - (i) such other information as deemed necessary by the development or subdivision authority.
- 3.3 The comprehensive siting plan shall be evaluated and approved by the development or subdivision authority on the basis of the Development Standards outlined in this district.
- 3.4 The development or subdivision authority may adopt additional guidelines as a further basis on which to evaluate the comprehensive siting plan. Both the Development Standards and any additional guidelines applied to the comprehensive siting plan shall be employed in the consideration of all subsequent development permit applications.
- 3.5 All development shall conform to an approved comprehensive siting plan.

4. DEVELOPMENT STANDARDS

4.1 Resort Theme

The resort theme should be evident in the design elements of each building on each site.

4.2 Appearance

The exterior cladding and appearance of buildings should result in architectural integrity and visual harmony.

4.3 Weather Induced Requirements

Weather induced requirements to be addressed within the resort core include:

- delineation and protection of pedestrian corridors
- snow removal
- ice build-up
- sheltering building masses
- shelter of outdoor amenity areas from extreme winds
- solar access into public areas

4.4 Residential Development

The provision of privacy in residential areas and the avoidance of potential conflict between adjacent land uses shall be resolved through site design considerations such as building placement, window locations, visual screening and the adequate buffering and separation of potentially incompatible areas. No fencing shall be allowed.

4.5 Decks

Decks greater than 0.6 m (2 ft.) above the finished grade shall require the same setbacks as the new buildings.

4.6 Projections

Into yard setbacks shall be as follows:

Eave overhangs of principal buildings:	0.6 m (2 ft.)
Eave overhangs of accessory buildings:	0.3 m (1 ft.)
Fireplaces and uncovered landings:	0.6 m (2 ft.)
Uncovered patios and decks with a maximum height above grade of 0.6 m (2 ft.):	Unlimited
Retaining walls and landscaping:	Unlimited

5. MAXIMUM BUILDING HEIGHT

All uses except accessory buildings:	14 m (45.9 ft.)
Accessory buildings:	1 storey

6. MINIMUM SETBACKS

Setbacks for all uses shall be established for each parcel on the comprehensive siting plan, and shall address the minimum separation between buildings/structures on the same parcel as well as those on adjacent parcels. For those comprehensive siting plans already approved the following setbacks apply:

Front yard setback:	2.5 m (8.2 ft.)
Rear yard setback:	2.5 m (8.2 ft.)
Side yard setback:	2.5 m (8.2 ft.)

7. MINIMUM SEPARATION

Measured from foundations between building: 5 m (16.4 ft.)

8. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

9. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.
There shall be no parking on the roadways.

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~~CASTLE MOUNTAIN ENVIRONMENTAL RESERVE – CMER~~

~~1. INTENT~~

~~The intent of the Castle Mountain Environmental Reserve (CMER) district is to preserve an ecologically sensitive area and part of a wildlife movement corridor.~~

~~2. USES~~

~~2.1 Permitted Uses~~

~~None~~

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DIRECT CONTROL – DC

1. INTENT

The intent of the Direct Control (DC) district is to enable land use and development to occur in areas of special character or circumstance. Proposed developments are subject to the regulations below and such rules with respect to land generally or specifically as Council may make from time to time and as described within the policies of the Municipal Development Plan or any other statutory plan in effect. Pursuant to Part III of this bylaw, all proposals will be received, considered, and decided upon by Council.

2. USES

As prescribed by Council.

3. GENERAL DEVELOPMENT CONDITIONS

- 3.1 All development and parcel regulations, including but not limited to general parcel provisions, special land use provisions, parking and loading regulations and sign regulations shall be at the discretion of Council.
- 3.2 The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in this land use district or abutting land use districts.
- 3.3 In evaluating a proposed land use or development, Council shall have regard for, but not be limited to:
 - (a) the existing use of the land;
 - (b) the uses, regulations and development criteria specified in the land use district superseded by this land use district;
 - (c) the general and specific regulations as contained elsewhere in this bylaw;
 - (d) the land use regulations or adjoining land use districts.
- 3.4 Council shall insure the development complies with the [Provincial Land Use PoliciesSSRP](#), Part 17 of the Municipal Government Act and associated regulations, the M.D.'s Municipal Development Plan, and any statutory plan in effect.

4. DEVELOPMENT AGREEMENT

- 4.1 An applicant may be required to enter into a legal development agreement with the municipality to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the Direct Control district.
- 4.2 The development agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of the land in accordance with the approved development plan.

- 4.3 The development agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- 4.4 An agreement made pursuant to this Direct Control district may specify a time period in which the agreement shall remain in effect.
- 4.5 An agreement made pursuant to this Direct Control district may specify conditions under which the agreement shall remain in effect or identify the means by which the use and development shall be transferred to another district.
- ~~4.6 Within six (6) months of the creation of a Direct Control district, Council shall review the district and determine whether or not a different district or designation is appropriate for the area.~~

5. NOTICE

Upon receipt of an application for a use in the Direct Control district, the Development Officer shall cause notice to be given in accordance with sections [4719](#).1(b) and (d).

GROUPED COUNTRY RESIDENTIAL – GCR

1. INTENT

The intent of the Grouped Country Residential (GCR) district is to accommodate grouped or multi-lot country residential development in accordance with the Municipal Development Plan.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
Accessory structure (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Home occupation (see Section [4347](#))
Modular home
Single-detached residence
Solar energy system, household (see Section [4415.1\(r\)](#))
[Stockpile \(see Section 15\)](#)

2.2 Discretionary Uses

~~Agricultural structures~~ [Farm buildings and structures](#)
Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
Child care service
Garden suite (see Section [4549](#))
Manufactured home, singlewide and doublewide (see Section [5054](#))
[Moved-in accessory building \(see Section 54.6 - 54.9\)](#)
Moved-in residential building (see Section [5054.6](#) - [5054.9](#))
Public and institutional uses
Public park or recreation
Public utility
Secondary suite
Sign (see Section [5455](#))
Specialty manufacturing / Cottage industry
Solar energy system, household (greater than 150 kW [see Section 59](#))
Wind Energy Conversion System - Category 1 (see Section [5357](#))

3. MINIMUM LOT SIZE AND DIMENSIONS

- 3.1 The minimum lot size for all uses shall be 1.2 ha (3 acres) or as required by the MPC in accordance with an area structure plan.
- 3.2 The maximum parcel size shall be 4.05 ha (10 acres).
- 3.3 The length and width of any lot shall be:
- (a) sufficient to ensure compliance with all yard dimensions and setback requirements,
 - (b) to the satisfaction of the MPC.

4. MINIMUM SETBACK REQUIREMENTS

Front yard internal setback:	30 m (98.4 ft.) (setback from public access or internal municipal roads that service multi-lot plans of subdivision)
Side yard setback:	7.5 m (24.6 ft.)
Rear yard setback:	15 m (49.2 ft.)
Municipal roads:	50 m (164 ft.)
Provincial highways:	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section [53-57](#) for setbacks pertaining to WECS.

Note: Setbacks can be ~~waived~~-varied by the MPC if they meet the generally accepted rules of ~~waivers~~-variance as outlined in Section [4618.1920](#).

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4145.6](#).

6. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

HAMLET SINGLE-DETACHED RESIDENTIAL 1 – HR-1

1. INTENT

The intent of the Hamlet Single-Detached Residential (HR-1) district is to provide a district primarily for the development of conventional single-detached residences on comparatively large lots.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ less than 80 m² (861 ft²) (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
Home occupation (see Section [4347](#))
Modular home
Single-detached residence
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ greater than 80 m² (861 ft²) (see Section [3236](#))
~~Accessory use~~
Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
Child care service
Garden suite (see Section [4549](#))
Group home
~~Moved-in accessory building~~ (see Section [54.6](#) - [54.9](#))
~~Moved-in residential building~~ (see Section [5054.6](#) - [5054.9](#))
Public and institutional uses
Public park or recreation
Public utility
Secondary suite
Senior citizen housing
~~Sign~~ (see Section [545](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Wind Energy Conversion System - Category 1 (see Section [5357](#))

2.3 Prohibited Uses

Manufactured home park
Manufactured home, singlewide and doublewide

~~Note: In all cases Section 9.1 of this district applies.~~

3. MINIMUM LOT SIZE

An existing or proposed lot shall not be less than:

- (a) 464.5 m² (5,000 ft²) in area if it is serviced or proposed to be serviced with a municipal water and sewage disposal system;
- (b) 1858 m² (20,000 ft²) lot if it is non-serviced or partially serviced.

4. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

5. MINIMUM SETBACK REQUIREMENTS

Front yard setback (frontage on public roadway):	6 m (19.7 ft.)
Front yard setback (frontage from (Provincial highways):	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Side yard setback:	1.5 m (4.9 ft.)
Rear yard setback:	7.5 m (24.6 ft.)
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section [53-57](#) for setbacks pertaining to WECS.

Note: Setbacks can be ~~waived~~-varied by the MPC if they meet the generally accepted rules of ~~waivers~~-variances as outlined in Section ~~4618.4920~~.

6. MINIMUM SETBACK REQUIREMENTS – Accessory Buildings

Front yard setback (frontage on public roadway):	6 m (19.7 ft.)
Front yard setback (frontage from Provincial highways):	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Side yard setback:	1.5 m (4.9 ft.)
Rear yard setback:	1.5 m (4.9 ft.)

7. MINIMUM FLOOR AREA

Single-detached residence – 74.5 m² (802 ft²)

8. MAXIMUM BUILDING HEIGHT

Principal buildings:	8.5 m (27.9 ft.)
Accessory buildings and structures:	4.6 m (15.1 ft.)
Fences and gates:	Shall be constructed in accordance with Sections 33-37 and 3438

9. MAXIMUM LOT COVERAGE

Principal building:	35 percent
Accessory buildings:	10 percent
Principal and accessory buildings:	45 percent

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

11. LANDSCAPING AND SCREENING

See Section [4246](#). The Development Officer or their designate may determine an exceptional and excessive accumulation of storage on residential premises to be unsightly. Such premises shall be reviewed under the guidelines of Unsightly Premises Bylaw [1071-02](#) as amended.

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HAMLET RESIDENTIAL 2 – HR-2

1. INTENT

The intent of the Hamlet Residential 2 (HR-2) district is to provide a district where conventional single-detached residences are encouraged, and other types of residential development may be allowed on a selective basis.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ less than 80 m² (861 ft²) (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
Home occupation (see Section [4347](#))
Modular home
Single-detached residence
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ greater than 80 m² (861 ft²) (see Section [3236](#))
~~Accessory use~~
Apartment
Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
Child care service
Duplex
Garden suite (see Section [4549](#))
Group home
Manufactured home, singlewide and doublewide (see Section [5054](#))
~~Moved-in accessory building~~ (see Section [54.6](#) - [54.9](#))
Moved-in residential building (see Section [5054.6](#) - [5054.9](#))
Multi-unit dwelling
Public and institutional uses
Public park or recreation
Public utility
~~Rowhouse or townhouse~~
Secondary suite
Semi-detached dwelling
Senior citizen housing
~~Sign~~ (see Section [55](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
~~Stacked rowhouse~~
Wind Energy Conversion System - Category 1 (see Section [5357](#))

~~Note: In all cases Section 10.1 of this district applies.~~

3. MINIMUM LOT SIZE

3.1 Existing Serviced Lots

The following minimum lot sizes apply to lots that are serviced with municipal water and a municipal sewage system:

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Conventional single-detached residence	15	49.2	30	98.4	450	4844
Singlewide manufactured home	15	49.2	30	98.4	450	4844
Doublewide manufactured home	15	49.2	36	118.4	540	5813
Two-family dwelling	20	65.6	30	98.4	600	6459
Rowhouse <u>or townhouse</u>						
– interior unit	6	19.7	30	98.4	180	1938
– end unit	10	32.8	30	98.4	300	3229
Multi-Unit Dwelling	Width, length and area as required by the MPC					
All other dwellings including apartments and stacked rowhouses	Width, length and area as required by the MPC					

3.2 Proposed Serviced Lots

- (a) Proposed lots for single-detached residences in new subdivisions that will be serviced with a municipal water and sewage system shall be not less than 19 m (62.3 ft.) in width.
- (b) Except for proposed lots for single-detached residences, the lot width of all other proposed lots shall be in accordance with 3.1 above.
- (c) All proposed lots intended to be used for single-detached residences, doublewide manufactured homes, singlewide manufactured homes, duplexes, semi-detached dwellings, fourplexes and rowhouses or townhouses shall be not less than 36 m (118 ft.) in depth.
- (d) All proposed lots intended for sixplexes, apartments, ~~stacked rowhouses~~, manufactured home parks and other dwellings not referred to in 3.2(a), (b) or (c) above shall be to the satisfaction of the MPC with respect to length, width, area and shape.

3.3 Non-Serviced or Partially Serviced Lots

Lots intended to be used for conventional single-detached residences, doublewide manufactured homes and singlewide manufactured homes that will not be serviced with either a municipal water supply or a municipal sewage system shall be not less than 1858 m² (20,000 ft²) in area.

4. **MINIMUM LOT SIZE ~~WAIVER-VARIANCE~~ – Singlewide Manufactured Homes**

Unless otherwise required by the MPC, for the purpose of allowing development of a singlewide manufactured home on an existing lot or parcel, the MPC may reduce the minimum lot depth of 36 m (118 ft.) and the minimum lot width of 15 m (49.2 ft.) provided that:

- (a) a minimum lot width of 12 m (39.4 ft.) is maintained; and
- (b) the minimum setback requirements and yard dimensions contained in section 5 of this district are complied with.

5. MINIMUM SETBACK REQUIREMENTS – Principal Buildings

5.1 Interior Lots

Where an interior lot abuts a public roadway, all principal buildings and uses shall be setback in accordance with the following:

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Apartments	9.0	29.5	3.0	9.8	8.0	26.2
Conventional single-detached residences, child care services, doublewide manufactured homes, duplexes, group homes, moved-in residential buildings, semi-detached dwellings	6.0	19.7	1.5	4.9	7.5	24.6
Multi-Unit Dwelling, rowhouses <u>or</u> townhouses, senior citizens housing, stacked rowhouses	6.0	19.7	3.0	9.8	8.0	26.2
Singlewide manufactured homes	6.0	19.7	4.6 m (15.1 ft.) between homes and not less than 1.5 m (4.9 ft.) side yard		7.5	24.6

5.2 Corner Lots

Setbacks shall be the same as 5.1 above except that the setback from a secondary front property boundary may be reduced by one-half where the principal building faces the principal front property boundary in the opinion of the MPC or the Development Officer.

5.3 Prevailing Setbacks

Where development is subject to a 6 m (19.7 ft.) setback from the front property boundary, the MPC may require a greater or lesser setback where existing development on adjoining lots in a well-established area has, in the opinion of the MPC, established a predominant and prevailing setback that differs from the stated setback.

5.4 Setbacks along Highway 6 may be reduced within the Hamlet of Twin Butte subject to approval from Alberta Transportation.

5.5 See Section [53-57](#) for setbacks pertaining to WECS.

6. MINIMUM SETBACK REQUIREMENTS – Accessory Buildings

Front yard setback

(frontage on public roadway): 6 m (19.7 ft.)

Front yard setback

(frontage from Provincial highways): Minimum distance as set by Alberta Transportation and may be [increased](#)

_by MPC where warranted

Side yard setback: 1.5 m (4.9 ft.)

Rear yard setback: 1.5 m (4.9 ft.)

7. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

8. MINIMUM FLOOR AREA

Unless otherwise required by the MPC, the following minimum gross floor areas apply:

Use	Area	
	m ²	ft ²
Conventional single-detached dwellings	74.5	802
Duplex, each dwelling unit	65.0	700
Rowhouse or townhouse , each dwelling unit	65.0	700
Singlewide or doublewide manufactured homes	67.0	721
Semi-detached dwelling, each dwelling unit	65.0	700
Other uses	as required by the MPC	

9. MAXIMUM BUILDING HEIGHT

Apartments:	3 storeys
Other principal buildings:	8.5 m (27.9 ft.)
Accessory residential buildings and accessory buildings:	4.6 m (15.1 ft.)
Fences and gates:	Shall be constructed in accordance with Sections 33-37 and 3438

10. MAXIMUM LOT COVERAGE

Principal building:	35 percent
Accessory buildings:	10 percent
Principal and accessory buildings:	45 percent

11. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

12. LANDSCAPING AND SCREENING

See Section [4246](#). The Development Officer or their designate may determine an exceptional and excessive accumulation of storage on residential premises to be unsightly. Such premises shall be reviewed under the guidelines of Unsightly Premises Bylaw [1071-02](#) as amended.

HAMLET MANUFACTURED HOME PARK 3 – HR-3

1. INTENT

The intent of the Hamlet Manufactured Home Park 3 (HR-3) district is to facilitate either:

- (a) the development of serviced manufactured home parks in accordance with an approved detailed design plan, where each manufactured home site is not subdivided into a separately titled lot; or
- (b) the development of serviced manufactured home subdivisions where each manufactured home has its own separately titled lot.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
Accessory structures (see Section [37](#) and Section [15.1\(l\)](#))
 Home occupation (see Section [4347](#))
 Manufactured home, singlewide and doublewide (see Section [5054](#))
 Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory use
 Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
 Child care service
 Garden suite (see Section [4549](#))
 Public and institutional uses
 Public park or recreation
 Public utility
Sign (see Section [55](#))
 Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MINIMUM LOT SIZE

The following minimum lot or site sizes shall apply to each lot or site intended to be occupied by one manufactured home or any other principal building:

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Singlewide and doublewide manufactured homes	12.19	40.0	30.48	100	371.61	4000
Other uses	As required by the MPC					

4. MINIMUM LOT OR SITE SIZE **WAIVER/VARIANCE**

- 4.1 The minimum lot or site width for a singlewide manufactured home may be reduced at the discretion of the MPC to not less than 12 m (39.4 ft.) provided that:
 - (a) each corner lot in a manufactured home subdivision or park will remain at least 15 m (49.2 ft.) in width; and

- (b) at least one-half of the lots in a manufactured home park or subdivision shall be not less than 15 m (49.2 ft.) in width.

4.2 Where a corner lot abuts a public roadway, a residential street or a private roadway in a manufactured home park, the setbacks for a principal building shall be the same as in 5 below, except that the setback from a secondary front property boundary may be reduced by one-half where the principal building faces the principal front property in the opinion of the MPC or the Development Officer.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. MINIMUM SETBACK REQUIREMENTS – Principal Buildings

Front yard setback: 6 m (19.7 ft.)

Side yard setback: 2.0 m (6.5 ft.)

Side yard setback (singlewide
manufactured home on one side): 6 m (19.7 ft.)

Rear yard setback: 2.29 m (7.5 ft.)

Railways

(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived~~ varied by the MPC if they meet the generally accepted rules of ~~waivers~~ variances as outlined in Section ~~4618~~ 4920.

Note: Accessory buildings shall maintain the same setbacks as the principal building except that the setback from a rear property boundary shall be 1.5 m (4.9 ft.)

7. MINIMUM FLOOR AREA

Manufactured homes: 67 m² (721 ft²)

8. MAXIMUM BUILDING HEIGHT

Principal buildings: 4.6 m (15.1 ft.)

Accessory residential buildings
and accessory buildings: 4.6 m (15.1 ft.)

Fences and gates: Shall be constructed in accordance with Sections ~~33-37~~ and [3438](#)

9. MAXIMUM LOT COVERAGE

The percentage of a serviced lot that may be covered by principal and/or accessory buildings shall not exceed 50 percent.

10. LANDSCAPING AND SCREENING

See Section [4246](#). The Development Officer or their designate may determine an exceptional and excessive accumulation of storage on residential premises to be unsightly. Such premises shall be reviewed under the guidelines of Unsightly Premises Bylaw ~~1071-02~~ as amended.

11. PERIMETER FENCING

The perimeter of a manufactured home park or subdivision shall be fenced to the satisfaction of the Development Authority.

12. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

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HAMLET COMMERCIAL – HC

1. INTENT

The intent of the Hamlet Commercial (HC) district is to:

- (a) facilitate, in an orderly manner, the development or location of downtown commercial uses, including offices, financial institutions, personal service uses, restaurants and retail stores, as defined; and
- (b) allow, where appropriate, the development or location of other uses, including other commercial and highway commercial uses.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Automotive sales and service
Drive-in restaurant
Hotel / Motel
Personal service
Professional, financial, office and business support service
Public and institutional uses
Restaurant
Retail store
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Animal care service, minor
Apartment
Auctioning establishment
Child care service
Club or fraternal organization
Dwelling or sleeping unit as an accessory or secondary use to a permitted use
Entertainment establishment
Equipment sales, rental and service
Farmer's market
Fleet and transportation service
Hostel
Medical facility
Mini storage
Mixed use residential
[Moved-in accessory building \(see Section 54.6 - 54.9\)](#)
Parking facility
Public park or recreation
Public utility
Recycling facility
Service station
Sign (see Section [5455](#))
Specialty manufacturing / Cottage industry

Solar energy system, household (greater than 150 kW [see Section 59](#))
Surveillance suite (see Section [4650](#))

Wholesale or storage warehousing
 Wind Energy Conversion System - Category 1 (see Section [5357](#))

3. MINIMUM LOT SIZE

3.1 Existing Serviced Lots

The following minimum lot sizes apply to lots that are serviced or will be serviced with municipal water and a municipal sewage system:

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Automotive repair and service uses, financial institutions, offices, personal service uses, restaurants, retail stores	15	49.2	30.0	98.4	450	4,844
Drive-in restaurants and service stations	30	98.4	36.5	119.7	1400	15,070
All other uses	As required by the MPC					

3.2 Partially-Serviced or Non-Serviced Lots

The minimum lot size for lots that are serviced with either municipal water or a municipal sewage system, or neither shall be as required by the Development Authority.

4. MINIMUM SETBACK REQUIREMENTS

4.1 Setback Requirements

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Apartments	9	29.5	3	9.8	8	26.2
Service stations	15	49.2	As required by the MPC			
All other uses	0	0	0	0	0	0

See Section [53-57](#) for setbacks pertaining to WECS.

4.2 Public Roadway - Corner Lots

Where a corner lot abuts two public roadways, principal building setbacks from property boundaries shall be as follows:

- (a) service station setbacks shall be the same as 4.1 above except that the minimum setback from a front property boundary applies to both property boundaries;
- (b) apartment setbacks shall be the same as 4.1 above except that the setback from the secondary front property boundary may be reduced by one-half the requirement stated in 4.1 above where the principal building faces the principal front property boundary in the opinion of the MPC or the Development Officer;
- (c) where a lot in this district abuts a lot in a residential district, without an intervening public roadway or lane, the principal and accessory building on the commercial lot shall be setback from the yard abutting the residential lot equal to or greater than the setback required for the residential lot;

- (d) setbacks along Highway 774 may be reduced within the Hamlet of Beaver Mines subject to approval from Alberta Transportation;
- (e) setbacks along Highway 6 may be reduced within the Hamlet of Twin Butte subject to approval from Alberta Transportation.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. MAXIMUM BUILDING HEIGHT – Principal and Accessory Buildings

Apartments: 3 storeys
Other principal buildings: 8.5 m (27.9 ft.)

7. MAXIMUM LOT COVERAGE

Apartments: 45 percent
All other uses: 80 percent

8. LANDSCAPING AND SCREENING (see Section [4246](#))

Unless otherwise stated in this bylaw, the Development Authority may require that any side or rear yard areas that abut a residential district with or without an intervening lane shall be screened to a height of not less than 1.8 m (5.9 ft.) nor more than 2 m (6.6 ft.) by fences, privacy walls or landscaping.

9. REFUSE SCREENING AND STORAGE

- 9.1 Refuse and garbage shall be kept in suitably sized containers until such time as collection or disposal is possible.
- 9.2 Refuse and refuse containers shall be effectively screened and the Development Authority may require:
 - (a) that refuse container enclosures to screen refuse and refuse containers are provided for each principal use; and
 - (b) those refuse container enclosures are located and designed to the satisfaction of the Development Authority.

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

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HAMLET GENERAL INDUSTRIAL AND WAREHOUSING – HGIW

1. INTENT

The intent of the Hamlet General Industrial and Warehousing (HGIW) district is to facilitate a wide range of predominantly light industrial and warehousing uses, and to accommodate, where possible, other uses which may:

- (a) be considered hazardous since they involve operations, processes or substances which require safety or other precautions;
- (b) require special precautions and/or siting to minimize land use conflicts;
- (c) require exceptionally large parcels; or
- (d) require careful consideration because they require services beyond those which are readily available.

2. USES

2.1 Permitted Uses

[Accessory structures](#) (see [Section 37](#) and [Section 15.1\(l\)](#))

Agricultural / Industrial machinery sales, rental and service
Automotive sales and service
Construction supply and contractors
Equipment sales, rental and service
Farm supplies and service
Fleet and transportation service
Industrial / Manufacturing
Manufactured home sales and service
Solar energy system, household (see [Section 4415.1\(r\)](#))
Specialty manufacturing / Cottage industry
Wholesale and storage warehousing

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see [Section 3236](#))

[Accessory use](#)

Animal care service, major and minor

Auctioning establishment

Autobody and paint shops

Bulk fuel station

[Cannabis Production Facility](#) (see [Section 61](#))

Farmer's market

Intensive horticultural operation

Livestock auctioning establishment

Mini storage

[Moved-in accessory building](#) (see [Section 54.6 - 54.9](#))

Outdoor storage

Public and institutional uses

Public park or recreation

Public utility

Recycling facility

Salvage and waste facility

Shipping container
Sign (see Section [5455](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Truck stop
Wind Energy Conversion System - Category 1 (see Section [5357](#))

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

3.1 Industrial lots facing:

- (a) a provincial highway; or
- (b) a major arterial roadway maintained by the municipality; or
- (c) a non-industrial land use district;

either with or without an intervening roadway or lane shall be developed with building intensive uses to provide an attractive perimeter to the industrial area. Non-perimeter lots, or those lots facing other industrial development, shall be developed for land extensive uses, namely those uses involving extensive exterior storage with relatively small buildings.

3.2 The Development Authority shall ensure that industrial development or lots facing:

- (a) a provincial highway; or
- (b) a major arterial roadway maintained by the municipality; or
- (c) a non-industrial land use district;

are as attractive as possible and that such lots are developed with those uses that are least likely to have a detrimental impact on adjoining development. Conversely, non-perimeter industrial lots or those facing other industrial development shall be developed for those uses which are less attractive and more likely to have a detrimental impact on adjoining development.

3.3 A use which may have a hazardous impact on adjoining or nearby uses, or a use which may pose an appearance problem, shall not be approved unless the use is located and/or developed so that the hazardous or unsightly impact is minimized or eliminated to the satisfaction of the Development Authority. Without limiting the uses which may have a hazardous or unsightly impact on nearby or adjoining development, the following uses may have one or more of these impacts: animal care services - major, autobody and/or paint shops, bulk fuel station, construction supply and contracts, exterior storage uses, farm supplies and service, livestock auctioning establishment, natural resource extractive industries, hazardous industries, public utilities, and salvage or waste disposal facilities.

4. MINIMUM SETBACK REQUIREMENTS

Front yard setback (frontage on public roadway):	4.6 m (15.1 ft.)
Front yard setback (parking area or loading zone between building and front property line):	16.5 m (54.1 ft.)
Side yard setback:	3 m (9.8 ft.)
Rear yard setback:	3 m (9.8 ft.)

Railways

(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section [53-57](#) for setbacks pertaining to WECS.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

6. MINIMUM LOT SIZE

6.1 The following minimum lot size applies to all lots whether or not they are serviced, partially serviced or non-serviced:

- (a) minimum length – 30 m (98.4 ft.);
- (b) minimum width – 30 m (98.4 ft.);
- (c) minimum area – 1393.5 m² (15,000 ft²).

6.2 Where an existing lot or parcel does not provide the minimum lot area or dimensions prescribed in 6.1 above, the MPC, for the purpose of allowing development on that lot, may reduce the minimum area prescribed by not more than 464.5 m² (5,000 ft²).

6.3 Unless otherwise required by the MPC, the minimum lot size and dimensions for a public utility shall be the same as 6.1 above.

7. MAXIMUM BUILDING HEIGHT

Principal and accessory buildings: 15.2 m (49.9 ft.)

Fences and gates: Shall be constructed in accordance with Section [33-37](#) and [3438](#)

8. LANDSCAPING, SCREENING AND LOCATION OF STORAGE (see Section [4246](#))

8.1 Front Yard Landscaping

A landscaped strip not less than 3.6 m (11.8 ft.) shall be provided within the front yard area of an industrial lot, where that lot faces:

- (a) a non-industrial land use district; or
- (b) a provincial highway, a service roadway adjoining a provincial highway; or
- (c) a major public roadway maintained by the municipality.

8.2 Outdoor Storage and Display

The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed by the MPC, but goods, materials and equipment:

- (a) shall not be stored in a front yard; and
- (b) shall be screened from public view.

8.3 Side and Rear Yard Screening

Where the side and/or rear property boundaries of an industrial lot adjoins:

- (a) a residential or commercial lot; or
- (b) lands that will likely be developed for residential or commercial purposes in the opinion of the Development Authority;

then the side and/or rear yards of that industrial lot shall be screened to a minimum height of 1.8 m (5.9 ft.) by fences or landscaping.

9. REFUSE SCREENING AND STORAGE

9.1 Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.

9.2 Refuse and refuse containers shall be effectively screened and the Development Authority may require:

- (a) that refuse container enclosures to screen refuse and refuse containers are provided for each principal use; and
- (b) those refuse container enclosures are located and designed to the satisfaction of the Development Authority.

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

HAMLET HIGHWAY COMMERCIAL – HHC

1. INTENT

The intent of the Hamlet Highway Commercial (HHC) district is to:

- (a) facilitate and encourage the development of those highway or auto-oriented uses which provide essential services to the motoring public;
- (b) facilitate, where appropriate, the development of those highway-oriented uses which provide services to commercial traffic;
- (c) provide convenient, highway proximate locations for the above uses;
- (d) provide a location where other types of development, including non-highway commercial development, may be allowed on a selective basis, when other locations are not reasonably available; and
- (e) provide standards which endeavour to provide attractive and functional development and streetscape.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
~~Accessory use~~
Automotive sales and service
Drive-in restaurant
Hotel / Motel
Restaurant
Service station
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Agricultural / Industrial machinery sales, rental and service
Dwelling or sleeping unit as an accessory or secondary use to a permitted use
Entertainment establishment
Fleet and transportation service
Hostel
Industrial / Manufacturing
~~Moved-in accessory building~~ (see Section [54.6 - 54.9](#))
Personal service
Professional, financial, office and business support service
Public and institutional uses
Public utility
Retail store
Shipping containers (see Section [58](#))
Sign (see Section [5455](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Specialty manufacturing / Cottage industry
Truck stop
Wind Energy Conversion System - Category 1 (see Section [5357](#))

3. MINIMUM LOT SIZE – Serviced Lots

3.1 The following lot sizes apply to lots that are serviced or intended to be serviced with municipal water and a municipal sewage system:

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Agricultural, industrial equipment sales and service, drive-in restaurants, entertainment establishments, fleet services, hotels, motels	36.5	120	46.0	151	1679	18,073
Automotive repair and service use, restaurants, service stations	36.5	120	36.5	120	1332	14,338
Truck stops	120.0	394	46.0	151	5520	59,419
Public and institutional use, public utilities	as required by the MPC					

3.2 The MPC may increase the minimum lot sizes established above where a lot or a development is located adjacent to a provincial highway without a service roadway.

3.3 Un-serviced lots may require an increase in minimum lot size to accommodate septic treatment at the discretion of MPC and subject to Provincial regulations.

4. MINIMUM SETBACK REQUIREMENTS – Principal Buildings

4.1 Minimum Setback Requirements

Front yard setback (parking in front yard):	16.5 m (54.1 ft.)
Side yard setback (parking in front yard):	3 m (9.8 ft.)
Rear yard setback (parking in front yard):	3 m (9.8 ft.)
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section 53-57 for setbacks pertaining to WECS.

Note: Setbacks along Highway 774 may be reduced within the Hamlet of Beaver Mines subject to approval from Alberta Transportation.

Note: Setbacks along Highway 6 may be reduced within the Hamlet of Twin Butte subject to approval from Alberta Transportation.

4.2 Access to Rear Yard

An on-site lane way not less than 6 m (19.7 ft.) in width shall be provided to ensure access to the rear yard, where a lot is not serviced by a lane so that direct legal access to the rear yard of the lot is not possible.

4.3 Vehicle-Oriented Uses

The MPC or the Development Officer may require:

- (a) a 30 m (98.4 ft.) long queuing aisle for drive-in restaurants;
- (b) a 11.5 m (37.7 ft.) long queuing aisle for each pump lane, car wash lane or service bay associated with a service station or automotive repair and service use;
- (c) a 35 m (115 ft.) queuing aisle for each pump lane or service bay associated with a truck stop.

4.4 Corner Lots

Notwithstanding any requirement of this bylaw, the MPC and the Development Officer shall endeavour to ensure that a principal building on a corner lot is setback from both front property boundaries not less than 6 m (19.7 ft.).

4.5 Setbacks Adjacent to a Residential District

Where a lot in this district adjoins a lot in a residential district with or without an intervening lane, the principal building shall be located at least 4.5 m (14.8 ft.) from the lane way on the residential lot, whichever distance is greater.

4.6 Landscaped Strip

- (a) All lots within this district shall provide a landscaped strip not less than 3 m (9.8 ft.) in width, and this landscaped strip shall abut the front property boundary of an interior lot and both front property boundaries of a corner lot.
- (b) The 3 m (9.8 ft.) strip referred to above shall not be used to park, store or display any materials, vehicles, goods, or equipment, but:
 - (i) a sign may be located on the strip;
 - (ii) one or more access driveways may traverse the strip provided that the number and location of access driveways is to the satisfaction of the Development Authority.
- (c) Any side yard or rear yard areas that abut a residential district with or without an intervening lane shall be screened to a height of not less than 1.8 m (5.9 ft.) nor more than 2.0 m (6.6 ft.) by fences, privacy walls or landscaping to the satisfaction of the Development Authority.

5. **ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES**

See Sections [3435](#), [4044](#) and [4445](#).

6. **MAXIMUM BUILDING HEIGHT**

Principal buildings:	10.7 m (35.1 ft.)
Accessory buildings:	10.7 m (35.1 ft.)
Fences, privacy walls and gates:	1 m (3.3 ft.) in all front yards and 2 m (6.6 ft.) in all side and rear yards

7. REFUSE SCREENING AND STORAGE

- 7.1 Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.
- 7.2 Refuse and refuse containers shall be effectively screened and the MPC or the Development Officer may require that:
 - (a) refuse container enclosures to screen refuse containers are provided for each principal use; and
 - (b) refuse container enclosures are located and designed to the satisfaction of the MPC or the Development Officer.

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

HAMLET PUBLIC AND INSTITUTIONAL – HPI

1. INTENT

The intent of the Hamlet Public and Institutional (HPI) district is to facilitate the development of public and institutional uses at suitable locations ~~within the boundaries of designated hamlets.~~

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Public and institutional uses
Public utility
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Cemetery
Child care service
Clubs and fraternal organization
Group home
[Moved-in accessory building](#) (see Section [54.6 - 54.9](#))
Public park or recreation
Senior citizen housing
[Sign](#) (see Section [55](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MINIMUM LOT SIZE

An existing or a proposed lot shall be not less than:

- (a) 464.5 m² (5,000 ft²) in an area if it is serviced, or proposed to be serviced with a municipal water supply and municipal sewage disposal system; or
- (b) 1858 m² (20,000 ft²) in an area if it is non-serviced or partially serviced.

4. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

5. MINIMUM SETBACK REQUIREMENTS – Principal and Accessory Buildings

Front yard setback:	10 m (32.8 ft.)
Side yard setback:	2.5 m (8.2 ft.)
Rear yard setback:	2.5 m (8.2 ft.)
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived~~ [varied](#) by the MPC if they meet the generally accepted rules of ~~waivers~~ [variances](#) as outlined in Section [4618.4920](#).

6. MAXIMUM BUILDING HEIGHT

Accessory buildings and structures: 7.5 m (24.6 ft.)

7. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

HAMLET TRANSITIONAL / AGRICULTURAL – HTA

1. INTENT

The intent of the Hamlet Transitional/Agricultural (HTA) district is to:

- (a) provide an interim land use classification for lands adjoining the built-up area of a designated hamlet, which may be subdivided and developed for urban uses in the future, but are presently essentially agricultural or un-urbanized; and
- (b) discourage disorderly, incompatible or premature development and subdivision of lands within the hamlet's boundary until they are needed or suited for suitable, economical and orderly urban development.

2. USES

2.1 Permitted Uses

Accessory structures (see Section [3337](#) and Section [15.1\(l\)](#))

Extensive agriculture (see Section [15.1\(b\)](#))

Farm buildings and structures excluding those for intensive livestock facilities (see Section [15.1\(a\)](#))

Home occupation (see Section [4347](#))

Modular home

Single-detached residence

Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))

[Accessory use](#)

Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))

Cemetery

Child care service

Construction / Field / Work Camp (see Section [15.1\(e\)](#); [26](#))

[Country inn](#) (see Section [44.4](#) - [44.10](#))

Manufactured home, singlewide and doublewide (see Section [4953](#))

[Moved-in accessory building](#) (see Section [54.6](#) - [54.9](#))

Moved-in residential building (see Section [5054.6](#) - [5054.9](#))

Public park or recreation

Public and institutional uses

Public utility

Secondary suite

Shipping containers (see Section [548](#))

Sign (see Section [5455](#))

Solar energy system, household (greater than 150 kW see Section [59](#))

Wind Energy Conversion System - Category 1 (see Section [5357](#))

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

- 3.1 The MPC shall not approve a discretionary use in this district if, in the opinion of the MPC, that use is likely to become a non-conforming use on subsequent reclassification of the lands.

- 3.2 The Development Authority shall ensure, to its satisfaction, that all proposed development is located or developed so that it:
- (a) does not conflict with or jeopardize the implementation of an adopted detailed design plan, or an area structure plan, where either one or both of these affect the lands which are the subject of a development application;
 - (b) does not, in the case of a permitted or discretionary use, substantially conflict with the provisions of the land use district which will likely apply on subsequent reclassification of the lands.
- 3.3 Where a detailed design plan or an area structure plan has not been adopted for the lands that are the subject of a development application, the MPC may require that a detailed design plan or an area structure plan or both be prepared by the applicant and adopted by Council before the MPC approves the development application.

4. MINIMUM SETBACK REQUIREMENTS

Front yard setback (frontage on a public roadway):	50-30 m (164-98.4 ft.) (or at the discretion of the MPC taking into consideration future designation of property)
Side yard setback:	7.5 m (24.6 ft.)
Rear yard setback:	7.5 m (24.6 ft.)
Provincial highways:	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section [53-57](#) for setbacks pertaining to WECS.

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618.4920~~.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

6. MINIMUM LOT SIZE

All residences: 1858 m² (20,000 ft²)
Other uses: As required by the MPC

7. MAXIMUM BUILDING HEIGHT

The MPC may limit the height of a principal building, accessory building or accessory structure where the MPC considers it reasonable and appropriate to do so.

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

LANDFILL INDUSTRIAL – LI

1. INTENT

The intent of the Landfill Industrial (LI) district is to encourage environmental protection by directing the commercial disposal of wastes to approved regional waste sites.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
~~Accessory use~~
Landfill activity
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Bulk fuel station
Hazardous ~~or offensive~~ industry (see Section [4751](#) & [4852](#))
Industrial / Manufacturing
~~Outdoor storage~~
Public utility
~~Recycling facility~~
Salvage and waste facility
Shipping containers (see Section [57](#))
Sign (see Section [5455](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MINIMUM LOT SIZE

3.1 The minimum lot size and dimensions for public utilities shall be at the discretion of the MPC, but the minimum lot size and dimensions for all other uses shall be as follows:

- (a) minimum length: 60 m (197 ft.)
- (b) minimum width: 40 m (131 ft.)
- (c) minimum area: 2 ha (4.9 acres)

3.2 The MPC may reduce the minimum area specified in 3.1(c) above, to not less than 0.4 ha (1 acre) where the MPC is satisfied that the minimum setback requirements of this bylaw can be met.

4. MINIMUM SETBACK REQUIREMENTS

4.1 Roadway Setbacks

- (a) All principal and accessory buildings shall be setback not less than 50 m (164 ft.) from the right-of-way of Provincial Highway 505.
- (b) Subject to 4.1(a) above, all principal and accessory buildings shall be setback not less than 30 m (98.4 ft.) from:
 - (i) a public roadway, where that roadway forms or abuts the boundary of this district;

- (ii) the statutory roadway lying between Sections 23 and 24 in Township 4, Range 29, West of the 4th Meridian; and

- (c) Except for fences and signs, and except as provided in 4.1(a) and (b) above, all development including parking areas, and the storage or display of goods, equipment, materials or livestock shall be setback not less than 15 m (49.2 ft.) from the right-of-way of the roads identified in 4.1(a) and (b) above.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. MAXIMUM LOT COVERAGE

The maximum percentage of a lot that may be covered by principal and accessory buildings shall be as required by the Development Authority.

7. BUILDING HEIGHT

7.1 Principal and Accessory Buildings

The maximum height of all principal and accessory buildings shall be as required by the Development Authority.

7.2 Fences

Fences and gates shall not be more than 2.3 m (7.5 ft.) in height nor less than 1.8 m (5.9 ft.) in height from grade unless otherwise required by the Development Authority.

8. LANDSCAPING, SCREENING AND LOCATION OF STORAGE

8.1 General

See Section [4246](#), Landscaping.

8.2 Landscaping Adjoining Major Roadways

A landscaped strip not less than 15 m (49.2 ft.) shall be provided adjacent to any of the roadways identified in 4.1 above.

8.3 Front Yard Landscaping

Where a lot or parcel abuts a public roadway other than a roadway referred to in 8.2 above, the Development Authority may require that a landscaped strip not less than 3.6 m (11.8 ft.) shall be provided adjacent to that public roadway.

8.4 Outdoor Storage and Display

The outdoor display of goods and materials or equipment solely for advertisement purposes may be allowed by the MPC, but unless otherwise required by the MPC, goods, materials and equipment:

- (a) shall not be stored in a front yard; and
- (b) shall be screened from public view.

9. REFUSE SCREENING AND STORAGE

9.1 Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.

9.2 Refuse and refuse containers shall be effectively screened.

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

11. ACCESS

See Section [3034](#), Access to Public Roadways.

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MULTI-LOT HEAVY RURAL INDUSTRIAL – MHRI

1. INTENT

The intent of the Multi-Lot Heavy Rural Industrial (MHRI) district is to facilitate industrial development which takes advantage of the site and the facilities available in this district.

2. USES

2.1 Permitted Uses

Accessory structure (see Section [3337](#) and Section [15.1\(l\)](#))
Extensive agriculture (see Section [15.1\(b\)](#)), excluding farm buildings and structures
Outdoor storage
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
[Accessory use](#)
Animal care major and minor
Bulk fuel station
[Cannabis Production Facility \(see Section 61\)](#)
Construction / Field / Work Camp (see Section [145.1\(e\)](#); [2426](#))
Farm supplies and service
Hazardous industry (see Section [4852](#))
Intensive horticultural operation
Industrial / Manufacturing
MET Tower
[Moved-in accessory building \(see Section 54.6 - 54.9\)](#)
Natural resource extractive use (see Section [4953](#))
Public utility
Salvage and waste facility
Shipping containers (see Section [58](#))
Sign (see Section [5455](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Topsoil stripping
Wind Energy Conversion System - Category 1 and 2 (see Section [5357](#))

2.3 Prohibited Uses

Dwelling units, including country residence, primary farm residence, and secondary farm residence

3. MINIMUM LOT SIZE

3.1 The minimum lot size and dimensions for public utilities shall be at the discretion of the MPC, but the minimum lot size and dimensions for all other uses shall be as follows:

- (a) minimum length: 60 m (197 ft.)
- (b) minimum width: 40 m (131 ft.)
- (c) minimum area: 2 ha (4.9 acres)

- 3.2 The MPC may reduce the minimum area specified in 3.1(c) above, to not less than 0.4 ha (1 acre) where the MPC is satisfied that the minimum setback requirements of this bylaw can be met.

4. MINIMUM SETBACK REQUIREMENTS

All other property lines: 7.5 m (24.6 ft.)

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [4044](#) and [4445](#).

6. MAXIMUM LOT COVERAGE

The maximum percentage of a lot that may be covered by principal and accessory buildings shall be as required by the Development Authority.

7. BUILDING HEIGHT

7.1 Principal and Accessory Buildings

The maximum height of all principal and accessory buildings shall be as required by the Development Authority.

7.2 Fences

Fences and gates shall not be more than 2.3 m (7.5 ft.) in height nor less than 1.8 m (5.9 ft.) in height from grade.

8. LANDSCAPING, SCREENING AND LOCATION OF STORAGE

8.1 General

See Section [4246](#), Landscaping.

8.2 Landscaping Adjoining Major Roadways

A landscaped strip not less than 15 m (49.2 ft.) shall be provided adjacent to any public roadways.

8.3 Front Yard Landscaping

Where a lot or parcel abuts a public roadway other than a roadway referred to in 8.2 above, the Development Authority may require that a landscaped strip not less than 3.6 m (11.8 ft.) shall be provided adjacent to that public roadway.

8.4 Outdoor Storage and Display

The outdoor display of goods and materials or equipment solely for advertisement purposes may be allowed by the MPC, but unless otherwise required by the MPC, goods, materials and equipment:

- (a) shall not be stored in a front yard; and
- (b) shall be screened from public view.

9. REFUSE SCREENING AND STORAGE

9.1 Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.

9.2 Refuse and refuse containers shall be effectively screened.

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

11. ACCESS

See Section [3034](#), Access to Public Roadways.

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PARKS AND OPEN SPACE – POS

1. INTENT

The intent of the Parks and Open Space (POS) district is to:

- (a) identify where practical, and facilitate the development of public parks and recreation areas; and
- (b) identify where practical, lands dedicated as environmental and municipal and/or school reserve under the Act, and lands dedicated as community reserve under the previous Act; and
- (c) provide a means whereby buffer strips and similar open spaces may be readily identified.

2. USES

2.1 Reserve Land

Notwithstanding the permitted and discretionary uses listed below, lands dedicated as environmental or municipal and/or school reserve pursuant to the Act, or community reserve pursuant to the previous Act, shall be used and administered in accordance with the Act.

2.2 Permitted Uses

Public park or recreation
Solar energy system, household (see Section [4415.1\(r\)](#))

2.3 Discretionary Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Golf course
[Moved-in accessory building](#) (see Section [54.6 - 54.9](#))
Public utility
~~Sign~~ (see Section [545](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MINIMUM LOT SIZE

Minimum lot size shall be as required by the MPC.

4. MINIMUM SETBACK REQUIREMENTS

Front yard setback: At the discretion of the Development Authority
Side yard setback: At the discretion of the Development Authority
Rear yard setback: At the discretion of the Development Authority

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. MAXIMUM BUILDING HEIGHT

Accessory buildings: 7.5 m (24.6 ft.)

7. REFUSE SCREENING AND STORAGE

- 7.1 Refuse and garbage shall be kept in suitably-sized containers until such time as collection or disposal is possible.
- 7.2 Refuse and refuse containers shall be effectively screened and the Development Authority may require:
 - (a) that refuse container enclosures to screen refuse and refuse containers are provided for each principal use; and
 - (b) those refuse container enclosures are located and designed to the satisfaction of the Development Authority.

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

RURAL HIGHWAY COMMERCIAL – RC

1. INTENT

The intent of the Rural Highway Commercial (RC) district is to provide areas where highway commercial uses may be accommodated in the rural areas in accordance with the Municipal Development Plan.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Drive-in restaurant
Hotel / Motel
Restaurant
Service station
Solar energy system, household (see Section [4415.1\(r\)](#))
Truck stop

2.2 Discretionary Uses

Animal care service major and minor
Campground (see Sections [4448.11](#) - [4448.15](#))
Dwelling unit or sleeping unit as an accessory or secondary use to a permitted use
or a discretionary use
Entertainment establishment
[Moved-in accessory building](#) (see Section [54.6](#) - [54.9](#))
Public utility
Retail store as a secondary use to a permitted or a discretionary use
Shipping containers (see Section [58](#))
Sign (see Section [5455](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Topsoil stripping

2.3 Prohibited Uses

Agricultural industrial machinery sales, rental and service
Vehicle sales and rental

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

Dwelling units or sleeping units may be approved as an accessory or secondary use to a permitted or discretionary use provided that:

- (a) the dwelling or sleeping units are wholly contained within the principal commercial building;
- (b) the dwelling or sleeping units, unless otherwise required by the MPC, are wholly contained in the second or upper storey or rear of the building; and
- (a) the main floor commercial frontage is utilized for commercial use.

4. MINIMUM LOT SIZE

Subject to the minimum setback requirements in Section 5 of this district, the following minimum lot sizes apply:

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Service stations	61	200	45	148	2745	29,548
Truck stops	135	443	50	164	6750	72,659
Other uses	as required by the Development Authority					

5. MINIMUM SETBACK REQUIREMENTS

Front yard setback:	30 m (98.4 ft.) (setback from public access or internal municipal roads that service multi-lot plans of subdivision)
Side yard setback:	15 m (49.2 ft.)
Rear yard setback:	15 m (49.2 ft.)
Provincial highways:	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways (application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived~~-varied by the MPC if they meet the generally accepted rules of ~~waivers~~-variances as outlined in Section [4618,4920](#).

6. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

7. LANDSCAPING, SCREENING AND LOCATION OF STORAGE

The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed by the MPC, but unless otherwise required by the MPC, foods, material and equipment:

- (a) shall not be stored in a front yard; and
- (b) shall be screened from public view, to the satisfaction of the MPC.

8. REFUSE SCREENING AND STORAGE

Unless otherwise required by the MPC or the Development Officer:

- (a) refuse or garbage shall be kept in a suitably-sized container or enclosure;
- (b) refuse and refuse containers shall be effectively screened; and
- (c) refuse and refuse containers shall be located in a rear yard.

9. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

RURAL RECREATION 1 – RR-1

1. INTENT

The intent of the Rural Recreation 1 (RR-1) district is to facilitate the development of commercial / private recreation uses at selective locations within the municipal district. Land contained within this district shall be developed in a sensitive fashion to limit or avoid compromising the municipality's natural attributes, natural aesthetics, and important scenic vistas.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
~~Accessory structures~~ (see Section [37](#) and Section [15.1\(l\)](#))
[Accessory use](#)
Campground (see Sections [4448.11](#) - [4448.15](#))
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Bed and breakfast facility (see Section [4347.13](#) - [4347.16](#))
Commercial / Private recreation
Country inn (see Section [4448.4](#) - [4448.10](#))
Dwelling or sleeping unit as an accessory use
Modular home as an accessory use
[Moved-in accessory building](#) (see Section [54.6](#) - [54.9](#))
Recreation facility as an accessory use
~~Recreational Vehicle / Holiday Trailer Park~~ ~~Recreation vehicle park~~
Restaurant as an accessory use
Retail store as an accessory use
Sign (see Section [5455](#))
Single-detached residence as an accessory use
Solar energy system, household (greater than 150 kW [see Section 59](#))

3. MINIMUM LOT SIZE

Minimum lot dimensions shall be to the satisfaction of the MPC.

4. MINIMUM SETBACK REQUIREMENTS – All Buildings

Setbacks from public roadways:	50-30 m (164-98.4 ft.)
All other property lines:	7.5 m (24.6 ft.)
Municipal roads:	50 m (164 ft.) (if applicable)
Provincial highways:	Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways	
(application: dwelling or sleeping units):	40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location
Multi-lot Heavy Rural Industrial District	
(application: dwelling or sleeping units):	300 m (984 ft.)

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618.4920~~.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [4445](#).

6. MAXIMUM BUILDING HEIGHT

8.5 m (27.9 ft.)

7. ARCHITECTURAL CONTROL

The Development Authority may require that the exterior of any building, development, or structure, including accessory buildings and structures shall be finished in unobtrusive natural earth-tone colours.

8. REFUSE SCREENING AND STORAGE

8.1 Refuse and garbage shall be kept in suitably-sized containers and it shall be effectively screened until such time as collection or disposal is possible.

8.2 As a condition of approval, the refuse containers may be required to be bear-proof.

9. SPECIAL PROVISIONS

The commercial private recreation use located on Parcel "A", SW¹/₄-36-7-1-W5M commonly known as the Canadian Wilderness Recreation (CWR) Boat Club Society may be allowed to undertake the year-round storage of recreational vehicles (RVs) and related vehicles (i.e. boats) on individual sites.

10. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

RURAL RECREATION 2 – RR-2

1. INTENT

The intent of the Rural Recreation 2 (RR-2) district is to facilitate the development of single-detached residence or similar fixed roofed structures providing for recreational or seasonal accommodation on leased lands.

2. USES

2.1 Permitted Uses

Accessory structures (see [Section 37](#) and [Section 15.1\(l\)](#))

Modular home

Single-detached residence

Solar energy system, household (see [Section 4415.1\(r\)](#))

2.2 Discretionary Uses

Accessory buildings ~~and uses~~ (see [Section 3236](#))

Accessory use

Campground (see [Sections 4448.11 - 4448.15](#))

Commercial / Private recreation

Home occupation (see [Section 4347](#))

Manufactured home, singlewide and doublewide (see [Section 5054](#))

Moved-in accessory building (see [Section 54.6 - 54.9](#))

Moved-in residential building (see [Section 54.6 - 54.9](#))

Public utility

Recreation facility

~~Recreational Vehicle / Holiday Trailer Park~~ ~~Recreation vehicle park~~

Retail store

Sign (see [Section 545](#))

Solar energy system, household (greater than 150 kW [see Section 59](#))

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – General

3.1 Residential development, including replacement dwellings or manufactured homes, shall not be allowed unless:

- (a) the Development Authority is satisfied that satisfactory arrangements have been made for sewage disposal and water supply; and
- (b) a near surface water table test and a percolation test are provided to the satisfaction of the Development Authority; and
- (c) a detailed site plan is submitted providing: lot size, number of lots, configuration of the lots, road system, the provision of water supply, treatment of sewer; and
- (d) any other information the Development Authority considers appropriate.

3.2 Minimum site size – as required by the Development Authority.

4. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – Lee Lake

4.1 Maximum Dwelling Units: 55 within this area

4.2 Setback Requirements

Setback from private roadway, other than a driveway:	16 m (52.5 ft.) from the centerline of the roadway
Setback from side site boundary:	2.4 m (7.9 ft.)
Setback from the property boundary:	As required by the Development Authority
Setback from public roadway:	50 m (164 ft.)

4.3 Maximum Building Height

Residences or dwellings:	8.5 m (27.9 ft.)
Accessory buildings:	4.6 m (15.1 ft.)
Other buildings:	As required by the Development Authority
Fences and gates:	Shall generally be discouraged

5. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – Castle View Ridge

5.1 Permitted Uses

All those permitted uses listed in 2.1 of this district
Basements

5.2 Discretionary Uses

Recreation Vehicle/Holiday Trailer on Lots 1-9, Block 4, Plan 0815791 inclusive (see Figure 67)

5.3 Prohibited Uses

Accessory buildings except attached garages are not allowed in the Castle View Ridge.

5.4 Maximum Dwelling Units

To a maximum of 77 units within this area.

5.5 Setback Requirements

Setback from front site boundary:	6.5 m (21.3 ft.)
Setback from side site boundary:	1.5 m (4.9 ft.)
Setback from rear site boundary:	6.5 m (21.3 ft.)

5.6 Maximum Building Height:

Maximum building height is 6.42 m (21.0 ft.) measured from the average grade of the lot.

5.7 Building Size and Coverage

Minimum building size:	60 m ² (642 ft ²)
Total maximum area for all buildings, driveways, decks and associated structures:	33% of total lot area

5.8 Fences and Gates

Front yard: fences in the front yard are prohibited
Rear yard: maximum 1.8 m (5.9 ft.) in height

6. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS – Beauvais Lake

6.1 Permitted Uses

All those listed in 2.1 of this district.

6.2 Discretionary Uses

Docks (require license of occupation from Alberta Environment and be approved by the Conservation Officer)

Fences (must be approved by the Conservation Officer)

Outdoor fire pits (must be approved by the Conservation Officer)

6.3 Prohibited Uses

Manufactured home and any similar moveable dwelling unit proposed as principal dwelling

6.4 Lot Coverage

Total maximum area for all buildings: 145 m² (1561 ft²)

Maximum cottage building area: 93 m² (1000 ft²)

Minimum cottage building area: 37 m² (400 ft²)

6.5 Setback Requirements

Setback from front lease boundary: 5 m (16.4 ft.) excluding uncovered decks which may be built to the lease boundary

Setbacks from rear lease boundary: 9 m (29.5 ft.) for all buildings except where an access easement abuts the rear boundary allowing all accessory structures to be built 3 m (9.8 ft.) from the rear lease boundary

Setbacks from side lease boundary: minimum 3 m (9.8 ft.) on one side and 2 m (6.6 ft.) on the opposite side

6.6 Maximum Building Height

Principal building: 6.1 m (20 ft.) lakeside - measured on north elevation (roadside) from existing grade to roof peak

4.9 m (16 ft.) upper half of lot - measured on north elevation (roadside) from existing grade to roof peak

7. REFUSE SCREENING AND STORAGE

Refuse and garbage shall be kept in suitably-sized containers and it shall be effectively screened until such time as collection or disposal is possible.

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URBAN FRINGE – UF

1. INTENT

The intent of the Urban Fringe (UF) district is to:

- (a) continue extensive agricultural use of lands surrounding urban municipalities and designated hamlets until the lands are needed for urban expansion; and
- (b) discourage the development and the fragmentation of land which may compromise the logical, orderly and economic expansion of urban boundaries; and
- (c) discourage uses and development which would conflict with those in the adjoining urban community; and
- (d) provide coordinated and mutually satisfactory management of land uses in consultation with the adjoining urban municipality;
- (e) implement the Intermunicipal Development Plan surrounding the Town of Pincher Creek.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section [3236](#))
[Accessory structures \(see Section 37 and Section 15.1\(l\)\)](#)
[Accessory use](#)
Extensive agriculture (see Section [15.1\(b\)](#))
[Farm building and structures \(see Section 15.1\(a\)\)](#)
Manufactured homes, singlewide and doublewide (see Section [5054](#))
Single-detached residence
Solar energy system, household (see Section [4415.1\(r\)](#))

2.2 Discretionary Uses

Animal care major and minor
Bed and breakfast facility (see Sections [4347.13](#) - [4347.16](#))
Cemetery
Existing commercial / Private recreation
Outdoor storage
Garden suite (see Section [4549](#))
Home occupation (see Section [4347](#))
Intensive horticultural operation
[Moved-in accessory building \(see Section 54.6 - 54.9\)](#)
[Moved-in residential building \(see Section 54.6 - 54.9\)](#)
Public and institutional uses
Public park or recreation
Public utility
Secondary suite
Shipping containers (see Section [58](#))
Sign (see Section [51](#))
Solar energy system, household (greater than 150 kW [see Section 59](#))
Topsoil stripping
Wastewater treatment plant
Wind Energy Conversion System - Category 1 (see Section [5357](#))

2.3 Prohibited Uses
Grouped country residential

3. MANDATORY REFERRAL – Adjoining Urban Municipality

Except where a development permit is not required or a permitted use, the Development Officer or the MPC shall:

- (a) refer all development applications in this district to the adjoining urban municipality;
- (b) in the case of an application made in the Town of Pincher Creek Urban Fringe, the application may also be forwarded to the Intermunicipal Development Plan Committee for comment.

4. MINIMUM SETBACK REQUIREMENTS

Front yard setback

(frontage on public roadway): ~~50-30~~ m (~~164-98.4~~ ft.)

Side yard setback: 7.5 m (24.6 ft.)

Rear yard setback: 7.5 m (24.6 ft.)

Provincial highways: Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted

Railways

(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

See Section [53-57](#) for setbacks pertaining to WECS.

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618.4920~~.

5. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3435](#), [40-44](#) and [4445](#).

6. MINIMUM LOT SIZE

All residences: 1.2 ha (3 acres)

Other uses: 1.2 ha (3 acres)

7. MAXIMUM BUILDING HEIGHT

The Development Authority may limit the height of a principal building, accessory building or accessory structure where the Development Authority considers it reasonable and appropriate.

8. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

WIND FARM INDUSTRIAL – WFI

1. INTENT

The intent of the Wind Farm Industrial (WFI) district is to ensure that agricultural land will facilitate agricultural pursuits while allowing flexibility to accommodate wind farm development in accordance with the Municipal Development Plan.

2. USES

2.1 Permitted Uses

Accessory buildings ~~and uses~~ (see Section ~~3236~~)
~~Accessory structures~~ (see Section 37 and Section 15.1(l))
~~Accessory use~~
Extensive agriculture (see Section 15.1(b))
~~Farm buildings and structures~~ (see Section 15.1(a))
Home occupation (see Section ~~4347~~)
Public utility
Single-detached residence
Solar energy system, household (see Section ~~4415~~.1(r))
Wind Energy Conversion System - Category 1 (see Section ~~5357~~)

2.2 Discretionary Uses

~~Intensive horticultural operation~~
~~Moved-in accessory building~~ (see Section 54.6 - 54.9)
~~Moved-in residential building~~ (see Section 54.6 - 54.9)
MET Tower
Natural resource extractive use (see Section ~~4953~~)
Outdoor storage
Secondary farm residence
Shipping containers (see Section ~~5458~~)
Sign (see Section ~~5455~~)
Solar energy system, commercial/industrial (see Section ~~5559~~)
Solar energy system, household (greater than 150 kW see Section 59)
Wind Energy Conversion System – Category 2 and 3 (see Section ~~5357~~)

3. MINIMUM SETBACK REQUIREMENTS

Setbacks from public roadways: ~~50-30~~ m (~~164-98.4~~ ft.)
All other property lines: 7.5 m (24.6 ft.)
Provincial highways: Minimum distance as set by Alberta Transportation and may be increased by MPC where warranted
Railways
(application: dwelling or sleeping units): 40 m (131 ft.) or less if mitigated by sound attenuation and not considered an unsafe location

Note: Setbacks can be ~~waived-varied~~ by the MPC if they meet the generally accepted rules of ~~waivers-variances~~ as outlined in Section ~~4618, 4920~~.

See Section ~~53-57~~ for setbacks pertaining to WECS.

4. ENVIRONMENTAL SETBACKS AND SEPARATION DISTANCES

See Sections [3135](#), [40-44](#) and [445](#).

5. OFF-STREET PARKING AND LOADING REQUIREMENTS

See Section [5256](#), Off-Street Parking and Loading Requirements.

6. WIND ENERGY CONVERSION SYSTEMS (WECS) DENSITY

See section [5357](#), Wind Energy Conversion Systems (WECS). Multiple wind turbines allowed per titled parcel within this district.

7. LANDSCAPING

See Section [4246](#).



Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403-627-3130 • Fax: 403-627-5070

DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. _____	
Date Application Received _____	PERMIT FEE <u>\$100.00</u>
Date Application Accepted _____	RECEIPT NO. _____
Tax Roll # _____	

IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9.

SECTION 1: GENERAL INFORMATION

Applicant: _____

Address: _____

Telephone: _____ **Email:** _____

Owner of Land (if different from above): _____

Address: _____ **Telephone:** _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

Legal Description: Lot(s) _____

Block _____

Plan _____

Quarter Section _____

Estimated Commencement Date: _____

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: _____ Division: _____

Permitted Use Discretionary Use

~~Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?~~

~~_____ Yes _____ No~~

~~Is the proposed development below a licenced dam?~~

~~_____ Yes _____ No~~

~~Is the proposed development site situated on a slope?~~

~~_____ Yes _____ No~~

~~_____ If yes, approximately how many degrees of slope? _____ degrees~~

~~Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?~~

~~_____ Yes _____ No _____ Don't know _____ Not required~~

~~Could the proposed development be impacted by a geographic feature or a waterbody?~~

~~_____ Yes _____ No _____ Don't think so~~

PRINCIPAL BUILDING	Proposed	Bylaw Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building			
(4) Front Yard Setback _____ Direction Facing:			
(5) Rear Yard Setback _____ Direction Facing:			
(6) Side Yard Setback: _____ Direction Facing:			
(7) Side Yard Setback: _____ Direction Facing:			
(8) Height of Building			
(9) Number of Off-Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

<u>ACCESSORY BUILDING</u>	<u>Proposed</u>	<u>Bylaw Requirements</u>	<u>Conforms</u>
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building			
(4) Front Yard Setback —— Direction Facing:			
(5) Rear Yard Setback —— Direction Facing:			
(6) Side Yard Setback: —— Direction Facing:			
(7) Side Yard Setback: —— Direction Facing:			
(8) Height of Building			
(9) Number of Off-Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

SECTION 4: DEMOLITION

Type of building being demolished: _____

Area of size: _____

Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: _____

Applicant

Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.

IMPORTANT NOTES:

1. ~~In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) ~~a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;~~
 - (b) ~~a scaled floor plan and elevations where construction is proposed;~~
 - (c) ~~at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;~~
 - (d) ~~if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.~~~~
2. ~~A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.~~
3. ~~Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.~~
4. ~~**THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**~~
5. ~~All development permits shall contain the following informative:

"ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER."~~
6. ~~In accordance with the Municipal Government Act, a decision on a completed application must be made within 40 days. After the 40 day period the applicant may deem the application refused and file an appeal within 14 days of the expiry of the decision date.~~
7. ~~Every approach to a residence is entitled to an approach number sign supplied by the municipality. If your location does not already have a sign, please contact the M.D. Administration Office to make arrangements as soon as your approach has been constructed.~~



DEVELOPMENT PERMIT APPLICATION FOR SIGNS
(form used for signs not approved with other development permit)

DEVELOPMENT PERMIT APPLICATION NO. _____
Date Application Received _____ PERMIT FEE _____
Date Application Accepted _____ RECEIPT NO. _____

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant: _____
Address: _____ Telephone: _____
Owner of Land (if different from above): _____
Address: _____ Telephone: _____
Interest of Applicant (if not the owner): _____

SECTION 2: SIGN INFORMATION

Check One: Permanent Temporary
Nature of Sign _____ Length _____ Height _____
Area in Square Footage _____ Type of Support _____
Electrical: Yes No
Flashing or Animated: Yes No
Lot _____ Block _____ Plan _____ Quarter Section _____
Applicant's Interest: Owner of Building
 Owner of Land Where Sign is Proposed (if applicable)

SECTION 3: TO BE COMPLETED BY APPLICANTS FOR PERMANENT SIGN ONLY

Building Owner: _____
Telephone Number: _____
Occupancy of Building: _____
Number of Existing Signs: _____

SECTION 4: TO BE COMPLETED BY APPLICANTS FOR TEMPORARY SIGN ONLY

The lot is: A Single Business Occupancy
 A Multiple Business Occupancy
 A Farm Operation

The sign is proposed to be displayed on the above site for _____ days.

Identification No. _____ Number of Existing Signs _____

Sign Owner's Name: _____

Address: _____ Telephone: _____

SECTION 5: AUTHORIZATION

I hereby understand that should the Land Use Bylaw or conditions of this permit be contravened my sign is liable to be impounded and that I shall be responsible for the payment of costs prior to the recovery of the sign from the municipality.

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: _____
_____ *Applicant*

_____ *Registered Owner*

Information on this application form will become part of a file which will be considered at a public meeting.



Municipal District of Pincher Creek
P.O. Box 279
Pincher Creek, AB T0K 1W0
Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION FOR WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. _____
Date Application Received _____ PERMIT FEE _____
Date Application Accepted _____ RECEIPT NO. _____

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant: _____
Address: _____ **Telephone:** _____
Owner of Land (if different from above): _____
Address: _____ **Telephone:** _____
Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: _____
Category of Proposed WECS: _____
If expansion of existing, the overall total: _____
Legal Description of Lands to be Used: Lot(s) _____ Block(s) _____ Plan _____
Quarter Section _____
Estimated Value of Construction: _____
Estimated Commencement Date: _____
Estimated Completion Date: _____

SECTION 3: INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: _____

~~Accurate Site Plan:~~ _____ Attached

~~Elevations or Scale:~~ _____ Attached

~~Photos or Representations of Proposed WECS:~~ _____ Attached

~~Manufacturers Specifications:~~ _____ Attached

~~Analysis of Visual Impact:~~ _____ Attached

~~Analysis of Noise:~~ _____ Attached

~~Report on any Public Consultation:~~ _____ Attached

~~Reclamation/Decommissioning Plan:~~ _____ Attached

~~Impact on Local Road System:~~ _____ Attached

~~Setback and Separation Distance Chart:~~ _____ Attached

~~Tower Access and Safety:~~ _____ Attached

~~Color and Finish:~~ _____ Attached

Results of Applicant Circulation to Other Government Levels:

~~Alberta Utilities Board~~ Energy Regulator _____ Attached

~~Transport Canada~~ _____ Attached

~~NAV Canada~~ _____ Attached

~~Alberta Tourism, Parks, Recreation and Culture~~ _____ Attached

~~Alberta Environment~~ and Parks _____ Attached

~~Alberta Infrastructure and Transportation~~ _____ Attached

~~Alberta Sustainable Resources~~ _____ Attached

SECTION 4: AUTHORIZATION

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: _____
_____ *Applicant*

_____ *Registered Owner*

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.



Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION FOR METEOROLOGICAL (MET) TOWER

DEVELOPMENT PERMIT APPLICATION NO. _____
Date Application Received _____ PERMIT FEE _____
Date Application Accepted _____ RECEIPT NO. _____

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant: _____
Address: _____ Telephone: _____
Owner of Land (if different from above): _____
Address: _____ Telephone: _____
Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new MET: _____
If expansion of existing, the overall total: _____
Legal Description of Lands to be Used: Lot(s) _____ Block(s) _____ Plan _____
Quarter Section _____
Estimated Value of Construction: _____
Estimated Commencement Date: _____
Estimated Completion Date: _____

SECTION 3: INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: _____

Accurate Site Plan: _____ Attached

Elevations or Scale: _____ Attached

Photos or Representations of Proposed MET: _____ Attached

Report on any Public Consultation: _____ Attached

Reclamation/Decommissioning Plan: _____ Attached

Impact on Local Road System: _____ Attached

Setback and Separation Distance Chart: _____ Attached

Tower Access and Safety: _____ Attached

Color and Finish: _____ Attached

Results of Applicant Circulation to Other Government Levels:

Alberta Utilities Board Energy Regulator _____ Attached

Transport Canada _____ Attached

NAV Canada _____ Attached

Alberta Tourism, Parks, Recreation and Culture _____ Attached

Alberta Environment and Parks _____ Attached

Alberta Infrastructure and Transportation _____ Attached

Alberta Sustainable Resources _____ Attached

SECTION 4: AUTHORIZATION

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: _____
_____ *Applicant*

_____ *Registered Owner*

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.



Municipal District of Pincher Creek
P.O. Box 279
Pincher Creek, AB T0K 1W0
Phone: 403-627-3130 • Fax: 403-627-5070

DEVELOPMENT PERMIT

DEVELOPMENT PERMIT NO. _____

This development permit is hereby issued to:

NAME: _____

ADDRESS: _____

In respect of works consisting of: _____

On land located at: _____

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. _____

and is subject to the conditions contained herein:

This permit becomes effective the _____ day of _____, _____ unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days.

SIGNED: _____

Development Officer

THIS IS NOT A BUILDING PERMIT

IMPORTANT: (see over)

IMPORTANT:

The development outlined above is subject to the following conditions:

- ~~(a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.~~
- ~~(b) This permit, issued in accordance with the notice of decision, is valid for a period of 2 years from the date of issue. If, at the expiry of this period, the development has not been completed, this permit shall expire.~~
- ~~(c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within 2 years from the date of issue of this development permit.~~
- ~~(d) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.~~
- ~~(e) Construction undertaken in accordance with this development may be regulated by the provincial building requirements. The applicant /owner /developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by Alberta Labour Municipal Affairs.~~
- ~~(f) Any development carried out prior to the effective issuance date of the appropriate development permit is done solely at the risk of the applicant and/or landowner.~~

NOTE:—Information provided in this application or generated by this application may be considered at a public meeting.



Municipal District of Pincher Creek
P.O. Box 279
Pincher Creek, AB T0K 1W0
Phone: 403-627-3130 • Fax: 403-627-5070

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

PERMIT FEE _____ RECEIPT NO. _____

I/We hereby make application to amend the Land Use Bylaw.

Applicant: _____

Address: _____ Telephone: _____

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Lot _____ Block _____ Registered Plan _____

_____ or Certificate of Title _____

Quarter _____ Township _____ Range _____ Meridian _____

AMENDMENT PROPOSED

From: _____

To: _____

REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT

I/We enclose \$ _____ being the application fee.

DATE: _____

Applicant

Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting.

IMPORTANT NOTES:

1. ~~Every application for an amendment to the Land Use Bylaw shall be completed in every part and signed.~~
2. ~~If the amendment involves a change of land use district, the applicant shall also supply:
 - (a) ~~a site plan at a scale to the satisfaction of the Development Officer showing the size and shape of the lands affected, the location and extent of existing developments, waterbodies and treed areas and the location and form of any new development intended, fully dimensioned and explicit to the satisfaction of the Development Officer;~~
 - (b) ~~at the discretion of the Development Officer, a Real Property Report as proof of location of existing development; and~~
 - (c) ~~a Certificate of Title indicating ownership and encumbrances.~~~~
3. ~~An application fee shall be required.~~
4. ~~If the amendment involves a revision to the wording of the Land Use Bylaw, including the addition to or the deletion from the permitted or discretionary uses listed for a district, the desired change shall be explicit and reasons given.~~
5. ~~Failure to complete the application form fully and supply the required information, plans, and fee may cause delays in processing the application.~~
6. ~~The Development Officer may refuse to accept an application for amendment to the Land Use Bylaw where the information required has not been supplied or where the quality of such information is inadequate to properly evaluate the application.~~
7. ~~Upon receipt of an application for amendment, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant that he may appear and speak to the application.~~
8. ~~A decision of the Council in regard to an application to amend the Land Use Bylaw is final but, if refused, the applicant may reapply at any time that the Council agrees to accept another application for the same or similar amendment.~~

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1140-08

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
IN THE PROVINCE OF ALBERTA TO ADOPT A LAND USE BYLAW.

WHEREAS Section 639 of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

WHEREAS The Municipal District of Pincher Creek No. 9 has conducted a significant review of the previous Land Use Bylaw; and

WHEREAS The number of changes will better reflect the land use requirements of the municipal district;

NOW THEREFORE Under the authority of the Municipal Government Act, sections 639 and 692, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled enacts the following:

1. Bylaw No. 1050-02 being the former land use bylaw and any amendments thereto are hereby repealed.
2. Land Use Bylaw No. 1140-08 shall come into effect upon third and final reading thereof.
3. Bylaw No. 1140-08 is hereby adopted.

READ a **first** time this 22nd day of _____
January, 2008.

REEVE — Rod Cyr

CHIEF ADMINISTRATIVE OFFICER — Loretta Thompson

READ a **second** time this 11th day of _____
March, 2008.

REEVE — Rod Cyr

CHIEF ADMINISTRATIVE OFFICER — Loretta Thompson

READ a **third** time and finally PASSED this _____
11th day of March, 2008.

REEVE — Rod Cyr

CHIEF ADMINISTRATIVE OFFICER — Loretta Thompson

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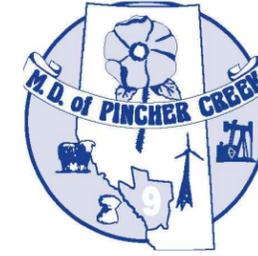
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- ~~Development Permit Application for Wind Energy Conversion Systems~~
- ~~Development Permit Application For Meteorological (MET) Tower~~
- ~~Development Permit~~
- ~~Application for Amendment to the Land Use Bylaw~~

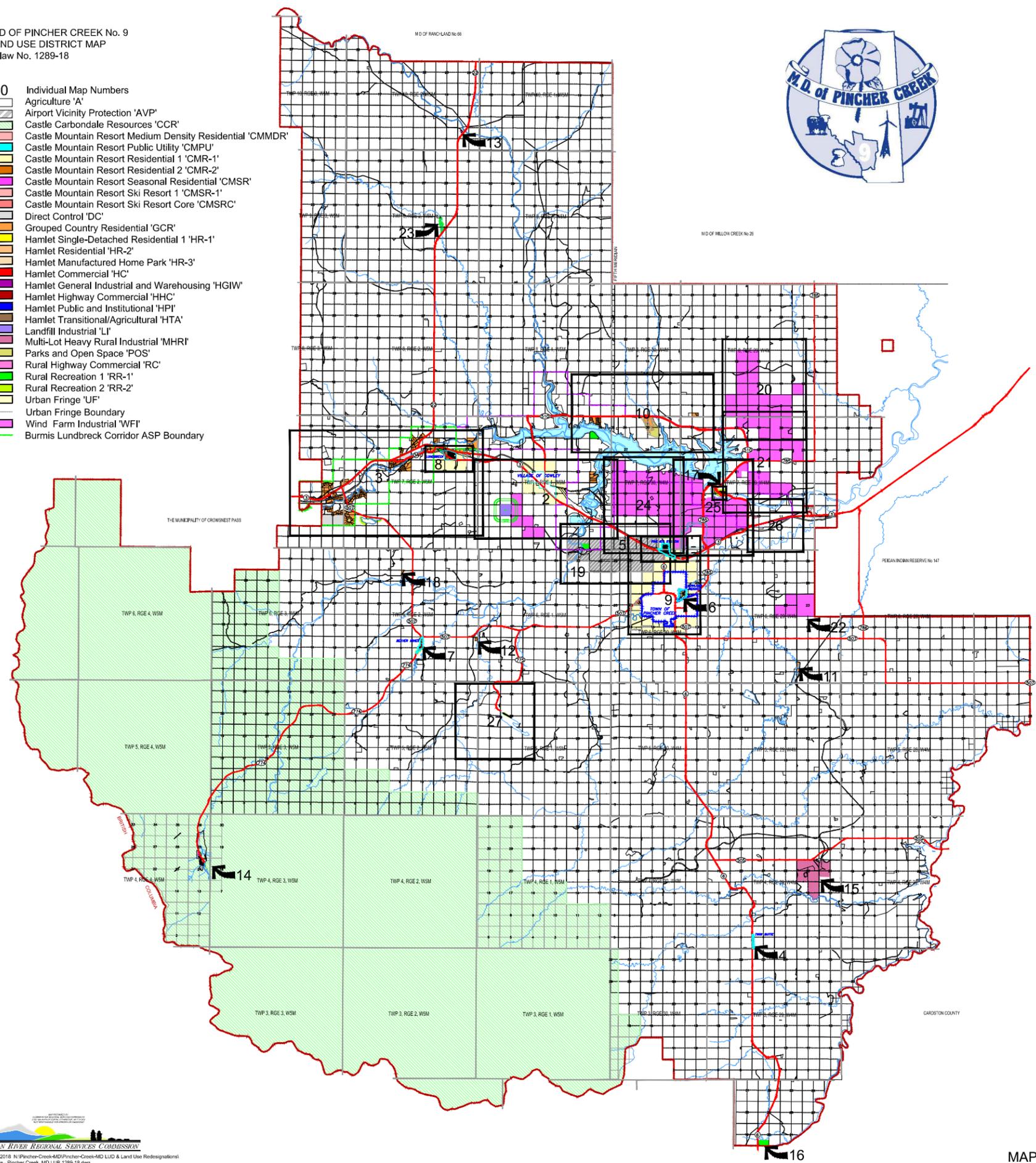
APPENDIX A
MAPS

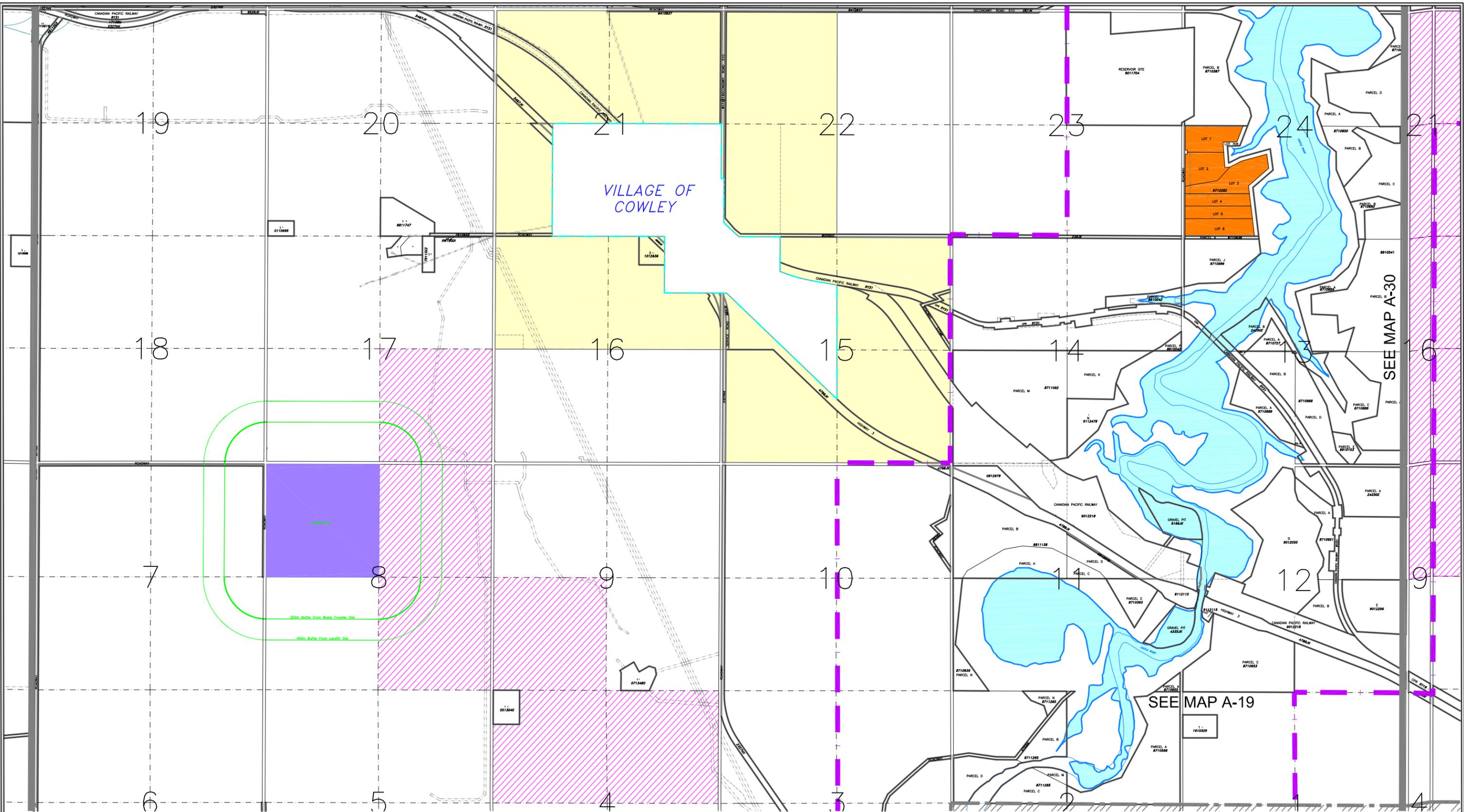
APPENDIX B
FORMS

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



- 10 Individual Map Numbers
- Agriculture 'A'
 - Airport Vicinity Protection 'AVP'
 - Castle Carbondale Resources 'CCR'
 - Castle Mountain Resort Medium Density Residential 'CMMDR'
 - Castle Mountain Resort Public Utility 'CMPU'
 - Castle Mountain Resort Residential 1 'CMR-1'
 - Castle Mountain Resort Residential 2 'CMR-2'
 - Castle Mountain Resort Seasonal Residential 'CMSR'
 - Castle Mountain Resort Ski Resort 1 'CMSR-1'
 - Castle Mountain Resort Ski Resort Core 'CMSRC'
 - Direct Control 'DC'
 - Grouped Country Residential 'GCR'
 - Hamlet Single-Detached Residential 1 'HR-1'
 - Hamlet Residential 'HR-2'
 - Hamlet Manufactured Home Park 'HR-3'
 - Hamlet Commercial 'HC'
 - Hamlet General Industrial and Warehousing 'HGIW'
 - Hamlet Highway Commercial 'HHC'
 - Hamlet Public and Institutional 'HPI'
 - Hamlet Transitional/Agricultural 'HTA'
 - Landfill Industrial 'LI'
 - Multi-Lot Heavy Rural Industrial 'MHRI'
 - Parks and Open Space 'POS'
 - Rural Highway Commercial 'RC'
 - Rural Recreation 1 'RR-1'
 - Rural Recreation 2 'RR-2'
 - Urban Fringe 'UF'
 - Urban Fringe Boundary
 - Wind Farm Industrial 'WFI'
 - Burmis Lundbreck Corridor ASP Boundary





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

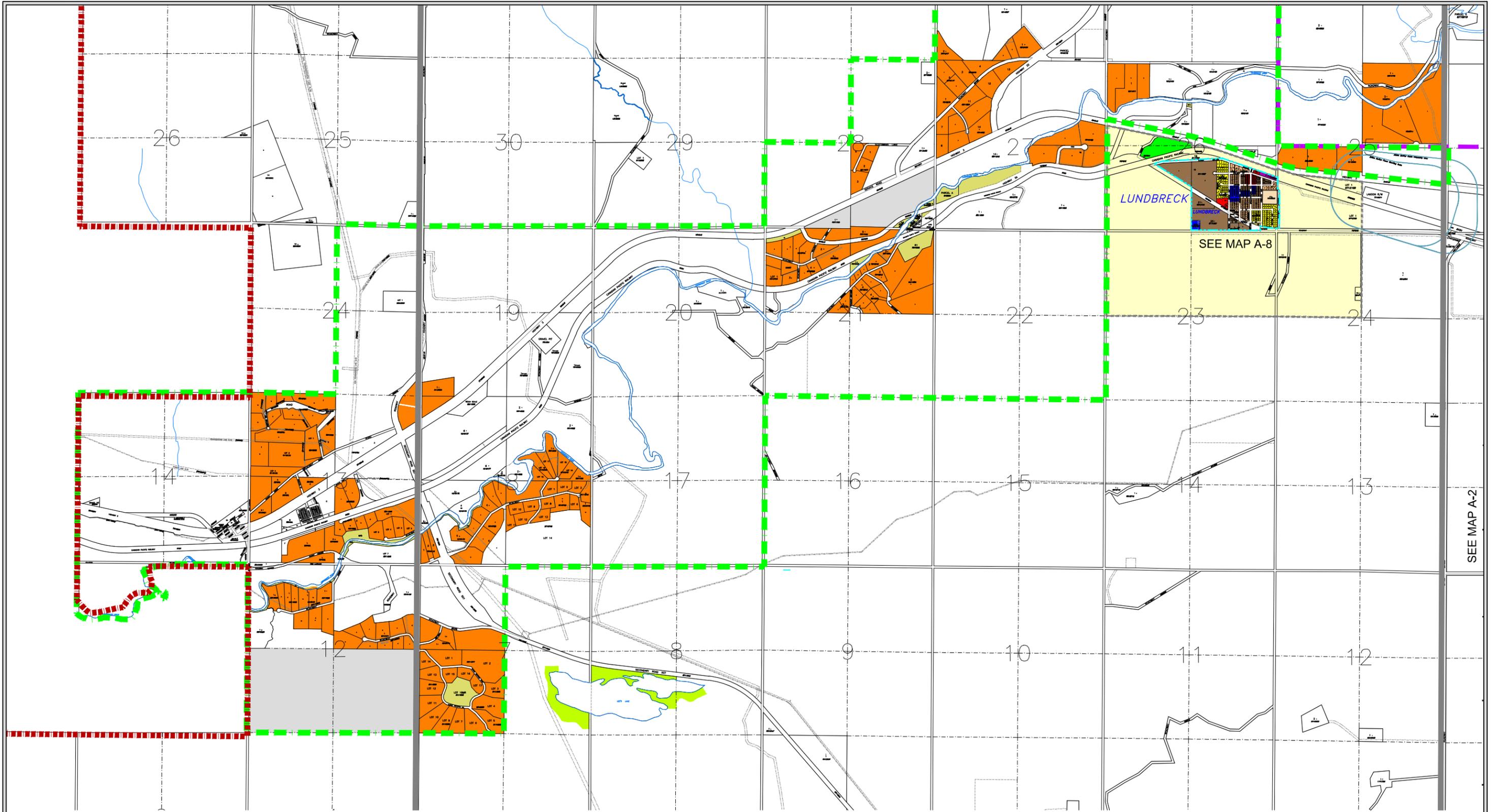
VILLAGE OF COWLEY FRINGE AREA & VICINITY

- Agriculture
- Urban Fringe
- Landfill Industrial
- Village Boundary
- Grouped Country Residential 'GCR'
- Wind Farm Industrial 'WFI'
- Oldman Dam ASP Boundary

SEE MAP A-19

SEE MAP A-30

MAP A-2



SEE MAP A-2



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

BURMIS LUNDBRECK CORRIDOR

--- ASP Boundary
--- Hamlet Boundary

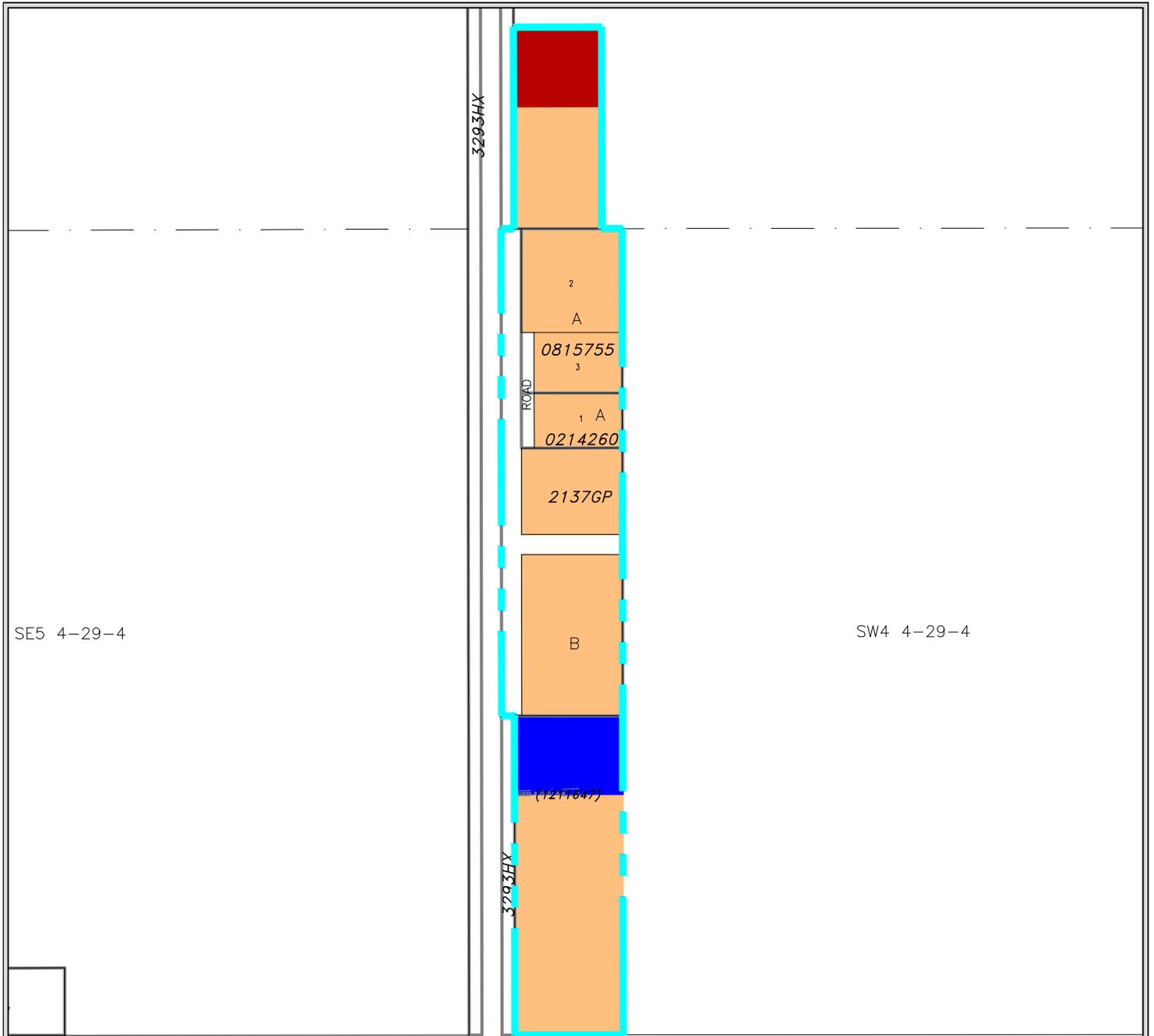
- Agricultural
- Direct Control
- Parks And Open Space
- Rural Recreation 1
- Rural Recreation 2
- Grouped Country Residential

- 'A'
- 'DC'
- 'POS'
- 'RR-1'
- 'RR-2'
- 'GCR'

MAP A-3



August 02, 2018 N:\Pincher-Creek-MD\Pincher-Creek-MD LUD & Land Use Redesignations\Draft Update - Pincher Creek MD LUB 1289-18.dwg



3293HX

2

A

0815755

3

1 A

0214260

2137GP

B

(1211647)

3293HX

SE5 4-29-4

SW4 4-29-4



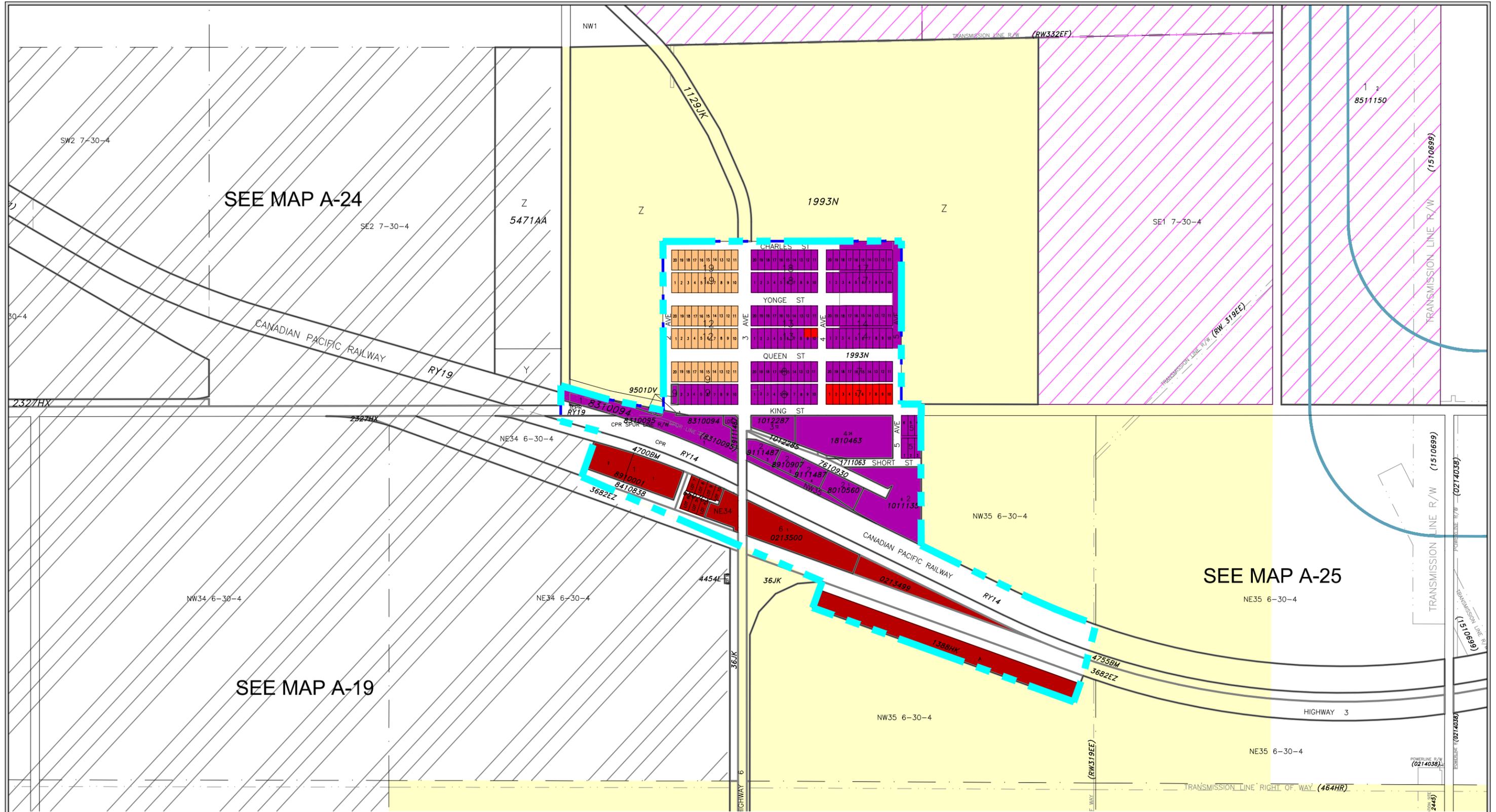
M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

HAMLET OF TWIN BUTTE

-  Agriculture
-  Hamlet Highway Commercial 'A'
-  Hamlet Residential 2 'HHC'
-  Hamlet Public And Institutional 'HR-2'
-  Hamlet Boundary 'HPI'

MAP A-4

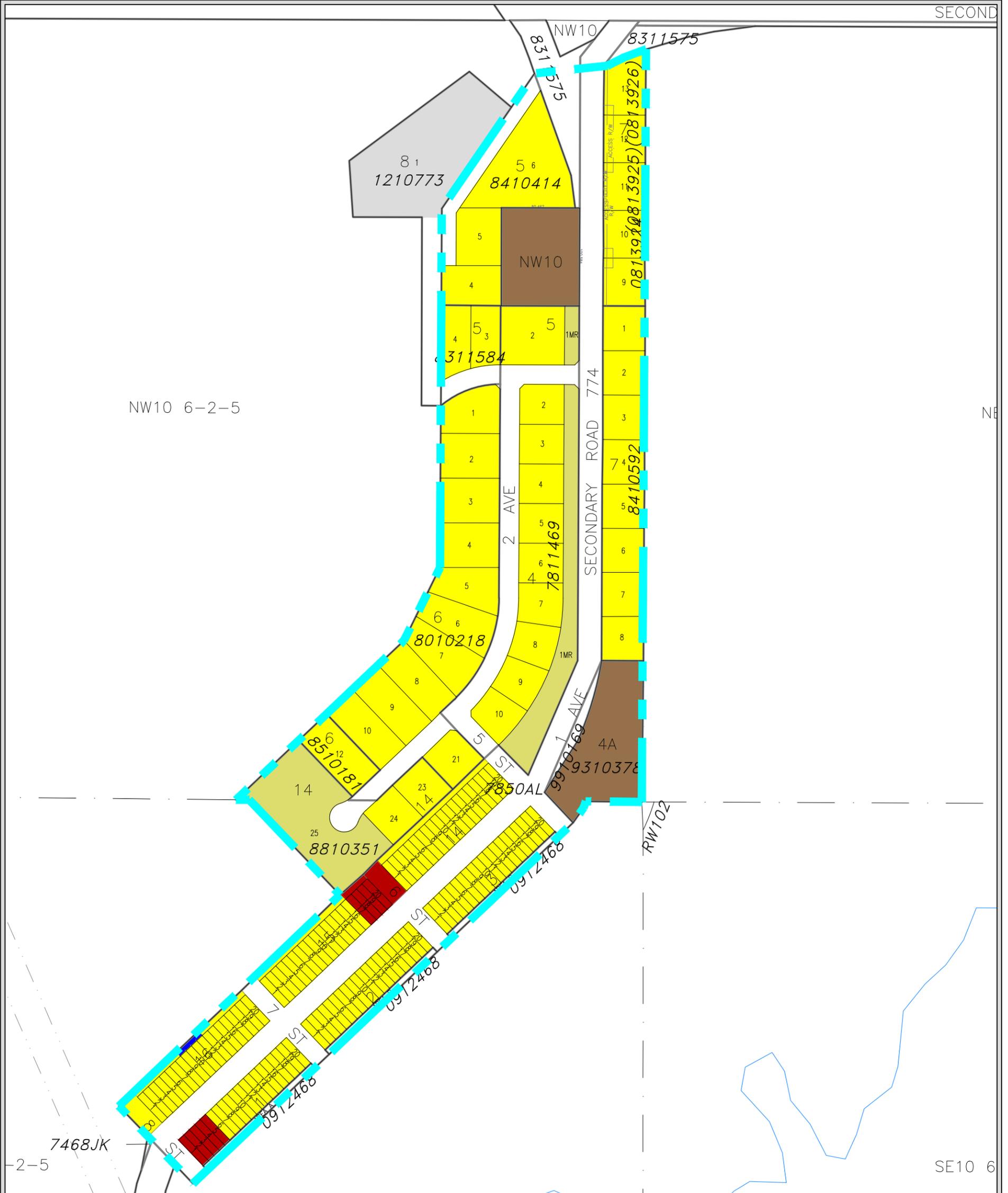




M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18
 HAMLET OF PINCHER STATION

- Agriculture
 - Urban Fringe
 - Hamlet Commercial
 - Hamlet Highway Commercial
 - Hamlet General Industrial And Warehousing
 - Hamlet Residential 2
 - Airport Vicinity Protection
 - Hamlet Boundary
- 'A'
 - 'UF'
 - 'HC'
 - 'HHC'
 - 'HGIW'
 - 'HR-2'
 - 'AVP'

MAP A-5



NW10 6-2-5

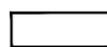
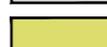
NE

SE10 6



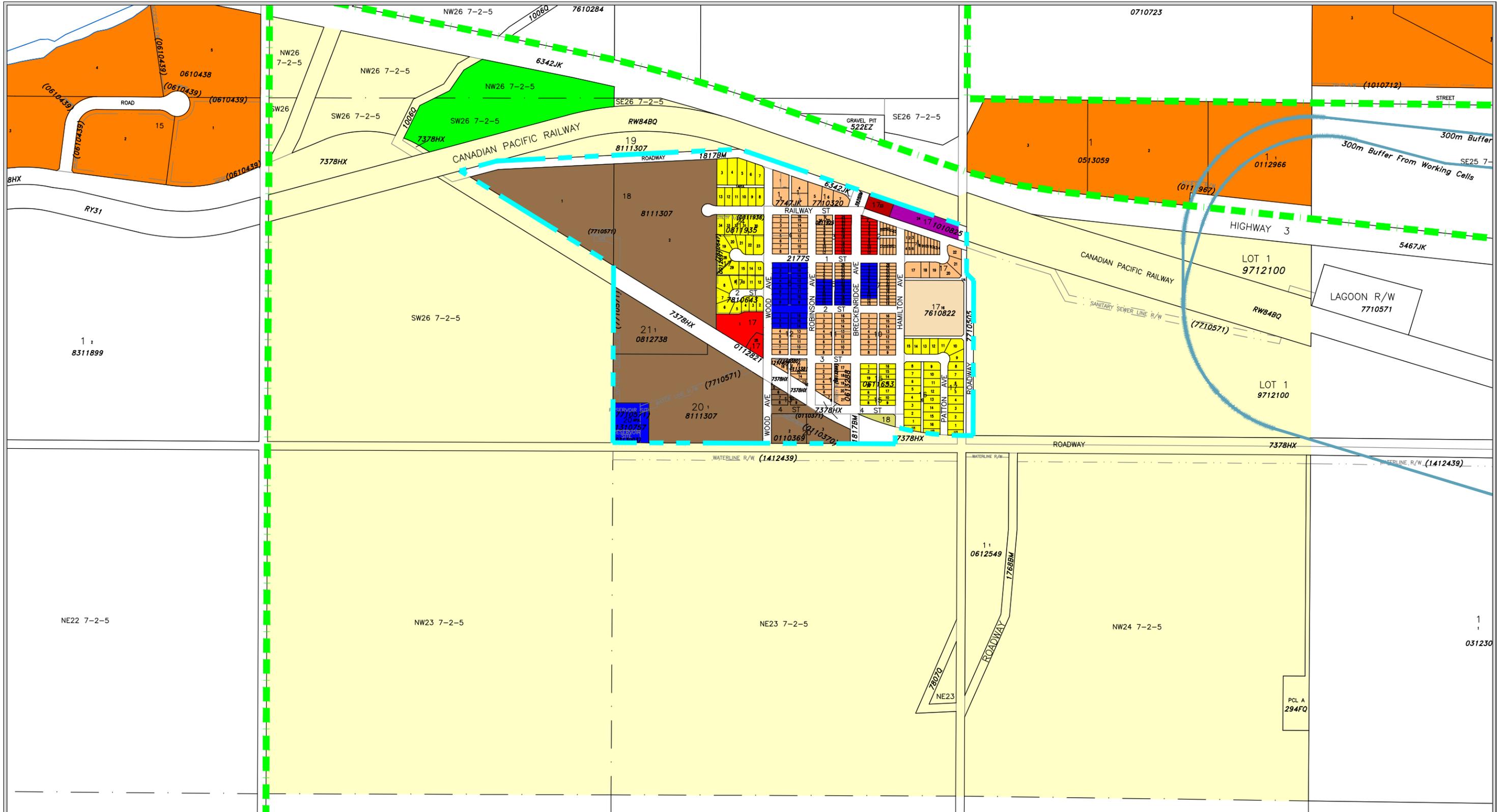
**M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

HAMLET OF BEAVER MINES

- | | |
|--|--------|
|  Agriculture | 'A' |
|  Direct Control | 'DC' |
|  Parks And Open Space | 'POS' |
|  Hamlet Highway Commercial | 'HHC' |
|  Hamlet Single-Detached Residential 1 | 'HR-1' |
|  Hamlet Public And Institutional | 'HPI' |
|  Hamlet Transitional / Agricultural | 'HTA' |
|  Hamlet Boundary | |

MAP A-7





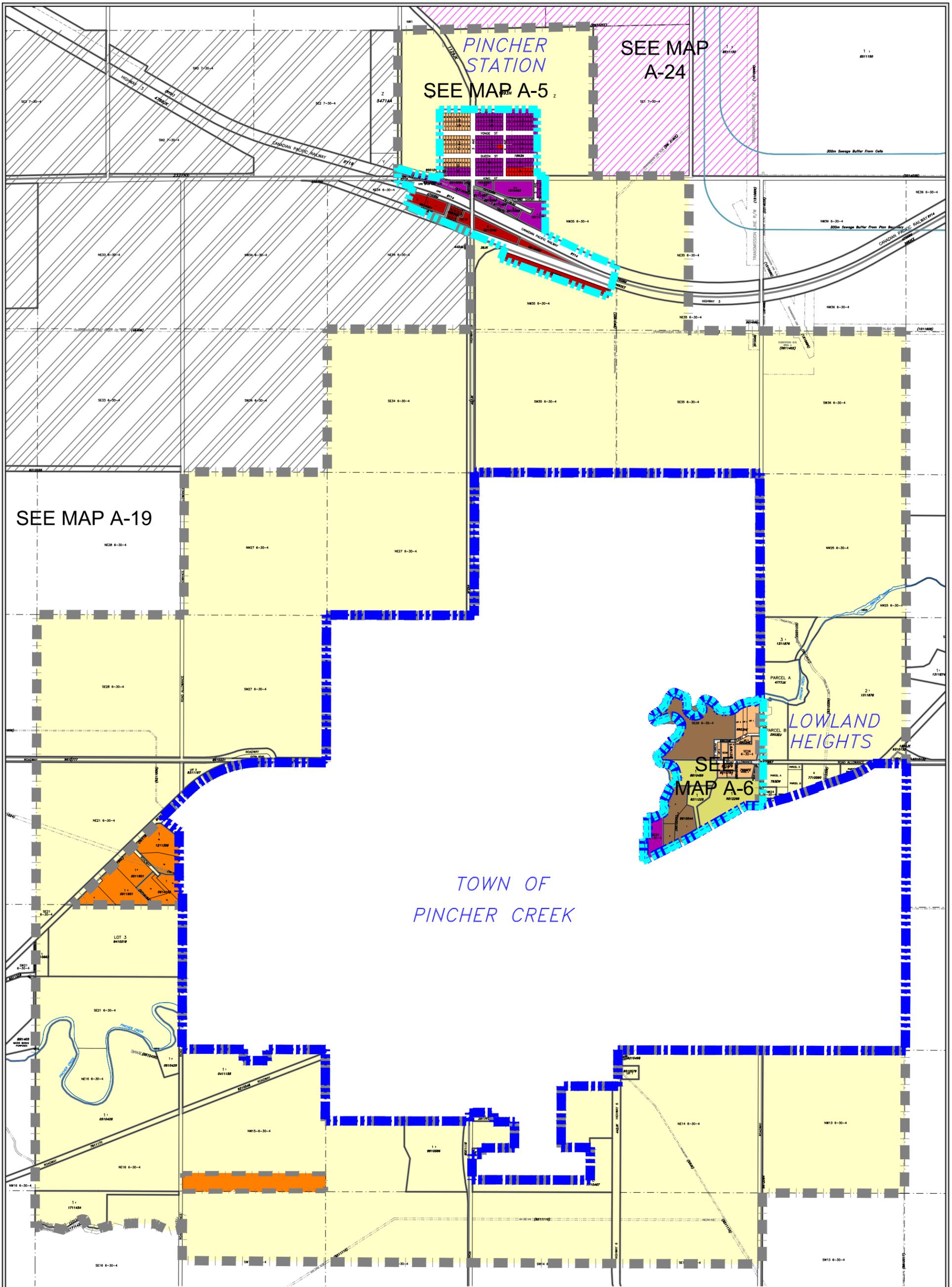
M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

HAMLET OF LUNDBRECK

- - - Burmis Lundbreck Corridor ASP Boundary
- - - Hamlet Boundary
- Agriculture 'A'
- Urban Fringe 'UF'
- Parks And Open Space 'POS'
- Hamlet Commercial 'HC'
- Hamlet General Industrial And Warehousing 'HGIW'
- Hamlet Highway Commercial 'HHC'

- Hamlet Single-Detached Residential 1 'HR-1'
- Hamlet Residential 2 'HR-2'
- Hamlet Manufactured Home Park 3 'HR-3'
- Hamlet Public And Institutional 'HPI'
- Hamlet Transitional / Agricultural 'HTA'
- Rural Recreational 1 'RR1'
- Grouped Country Residential 'GCR'

MAP A-8



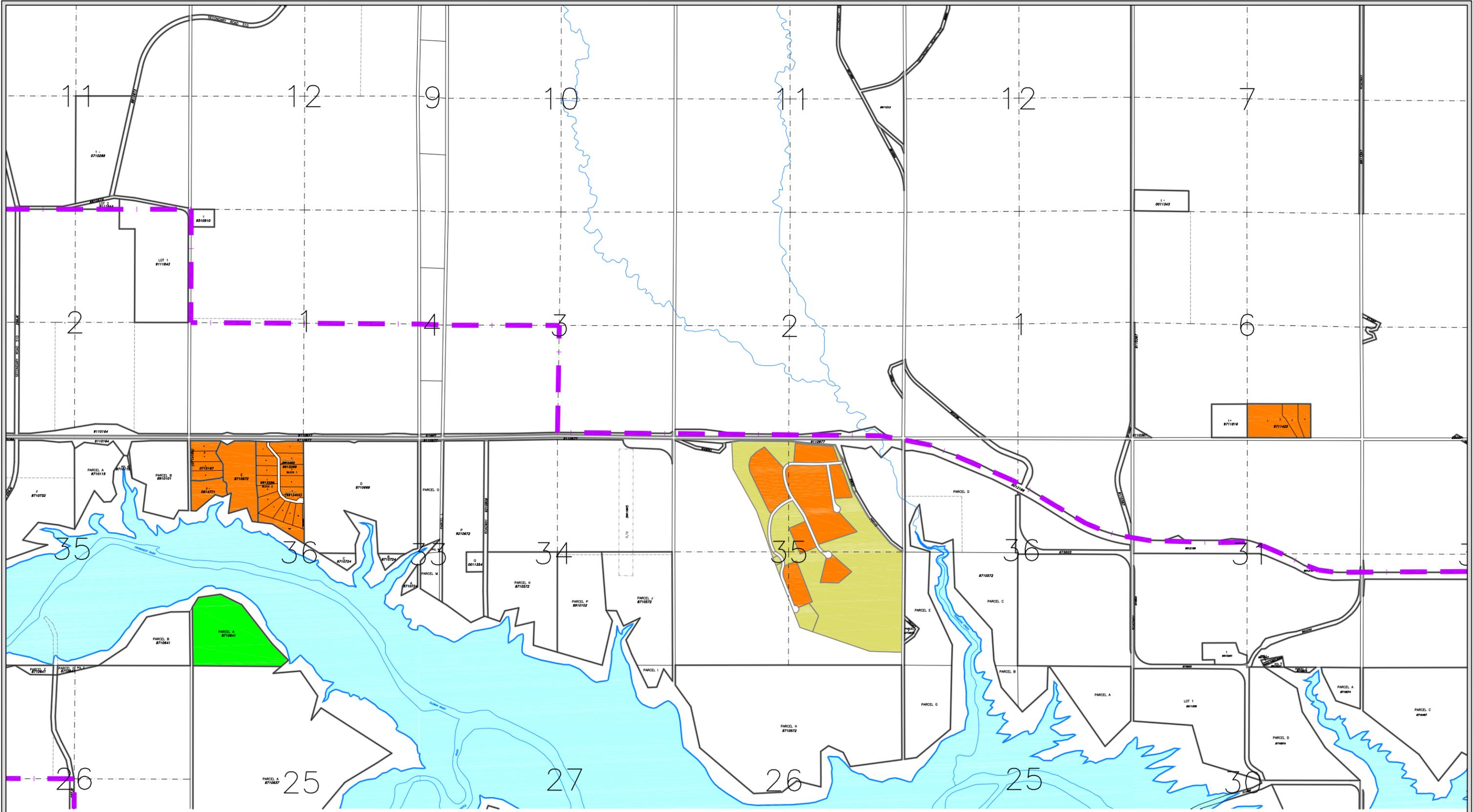
M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

TOWN OF PINCHER CREEK - URBAN FRINGE

- Agriculture
- Grouped Country Residential
- Urban Fringe
- Airport Vicinity Protection
- Urban Fringe Boundary And Intermunicipal Development Plan Boundary
- Hamlet Boundary
- Town Of Pincher Creek Boundary

'A'
 'GCR'
 'UF'
 'AVP'

MAP A-9



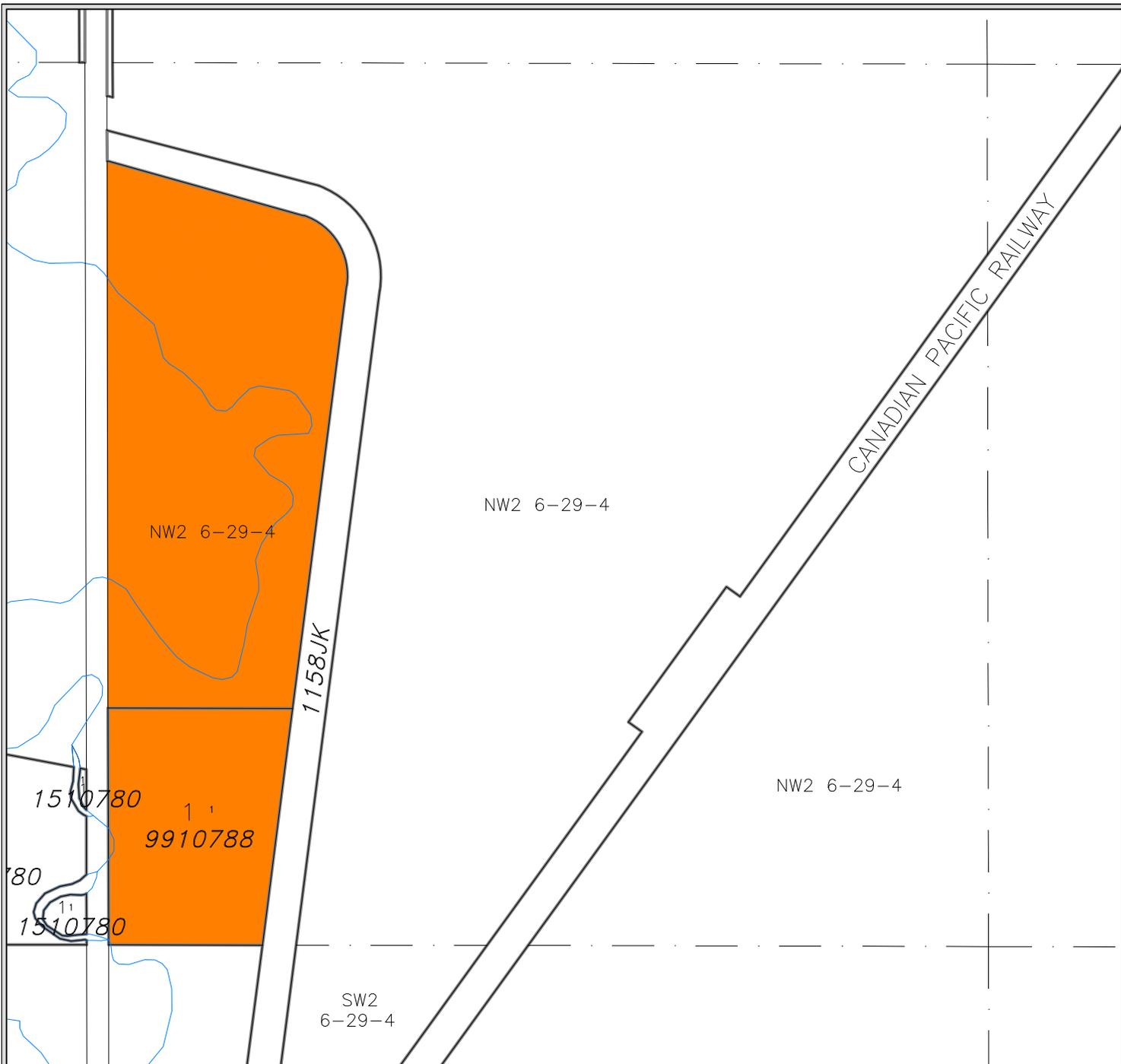
M.D. OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

OLDMAN RIVER RESERVOIR NORTHSIDE

-  Agriculture
-  Grouped Country Residential
-  Parks And Open Space
-  Rural Recreation 1
-  Oldman Dam ASP Boundary

- 'A'
- 'GCR'
- 'POS'
- 'RR-1'

MAP A-10

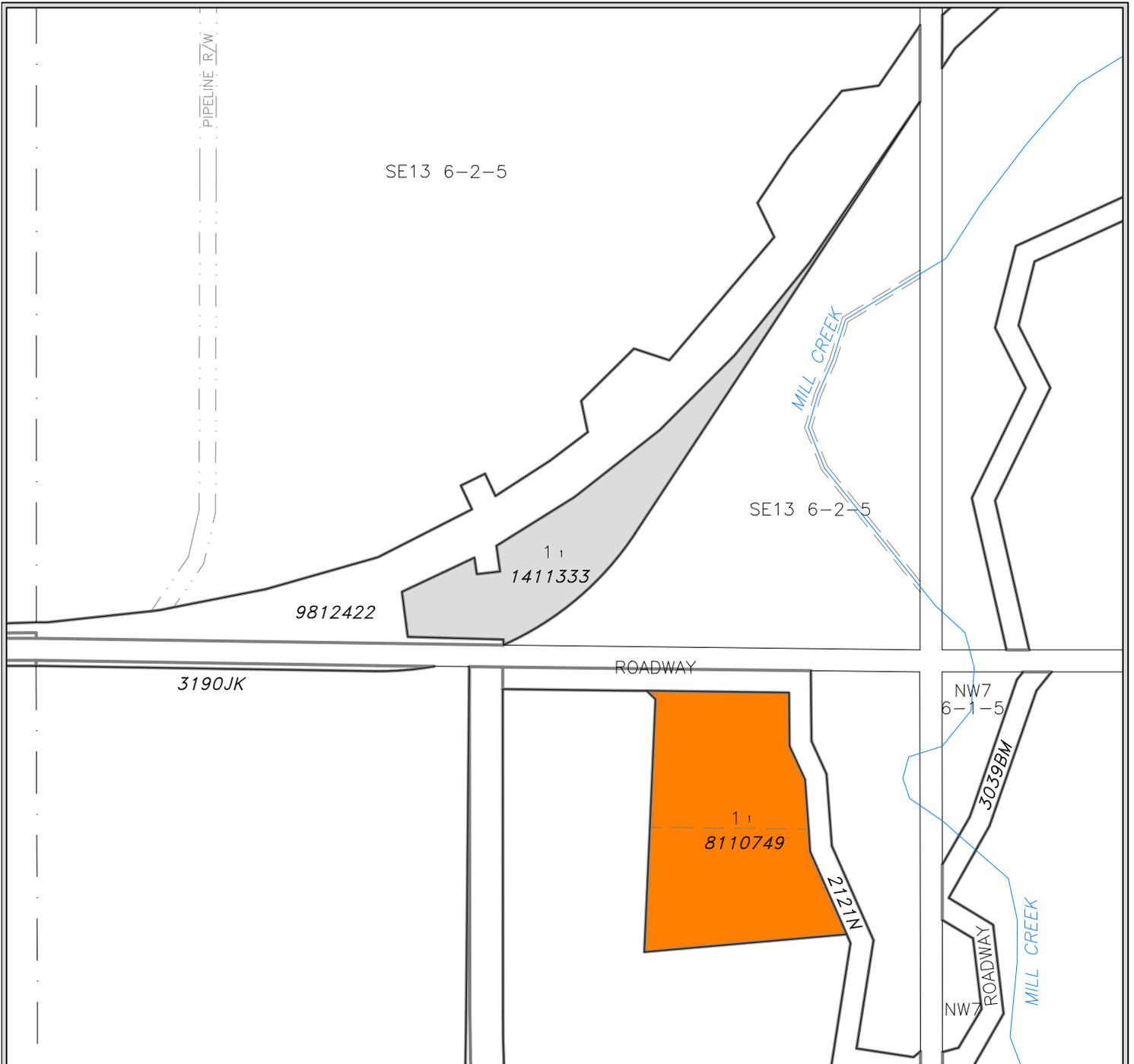


**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

NW 1/4 SEC 2, TWP 6, RGE 29, W 4 M

- Agriculture 'A'
- Grouped Country Residential 'GCR'

MAP A-11

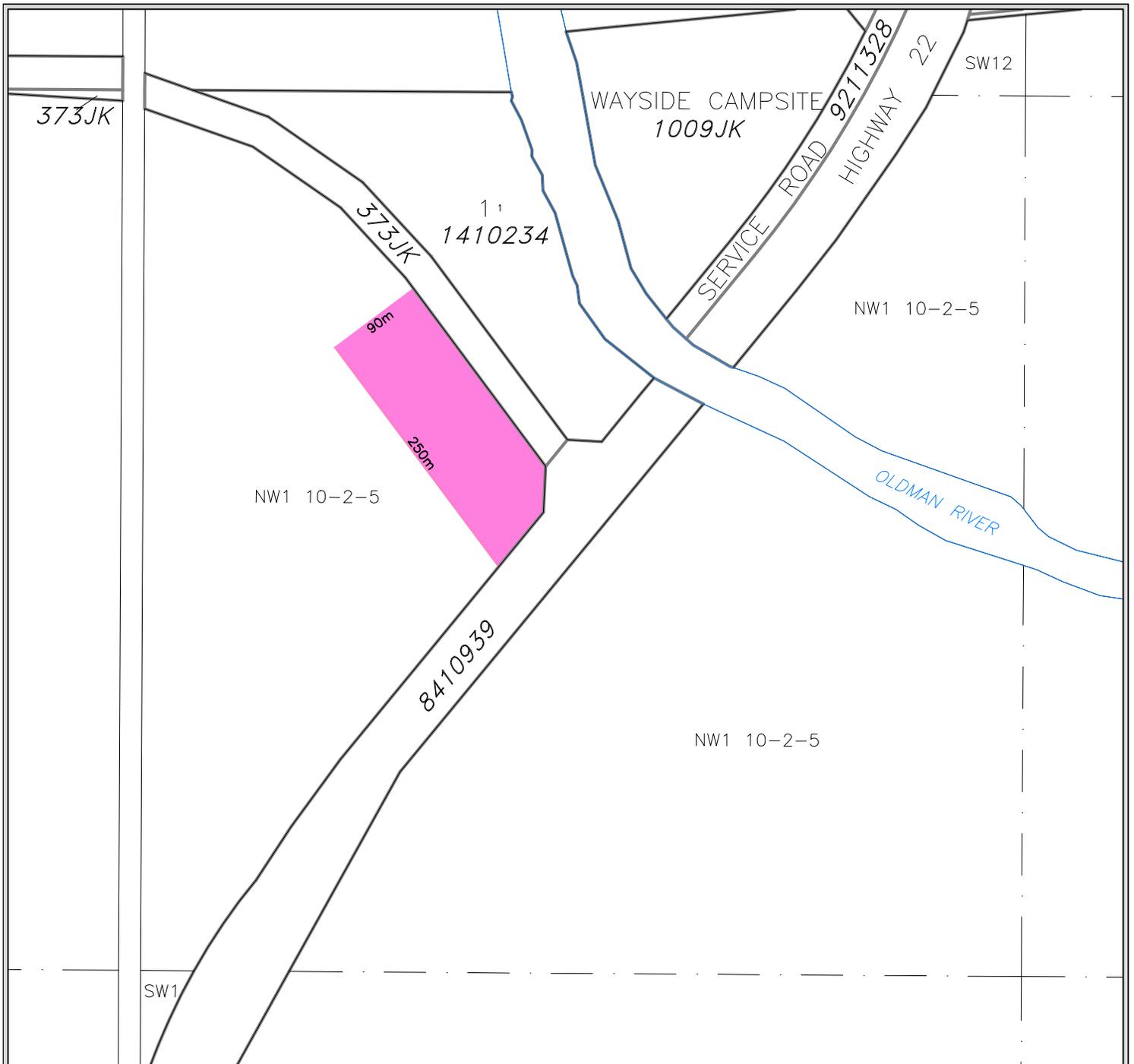


M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

NE 1/4 SEC 12 & SE 1/4 SEC 13, TWP 6, RGE 2, W 5 M

- | | | |
|---|-----------------------------|-------|
|  | Agriculture | 'A' |
|  | Direct Control | 'DC' |
|  | Grouped Country Residential | 'GCR' |

MAP A-12

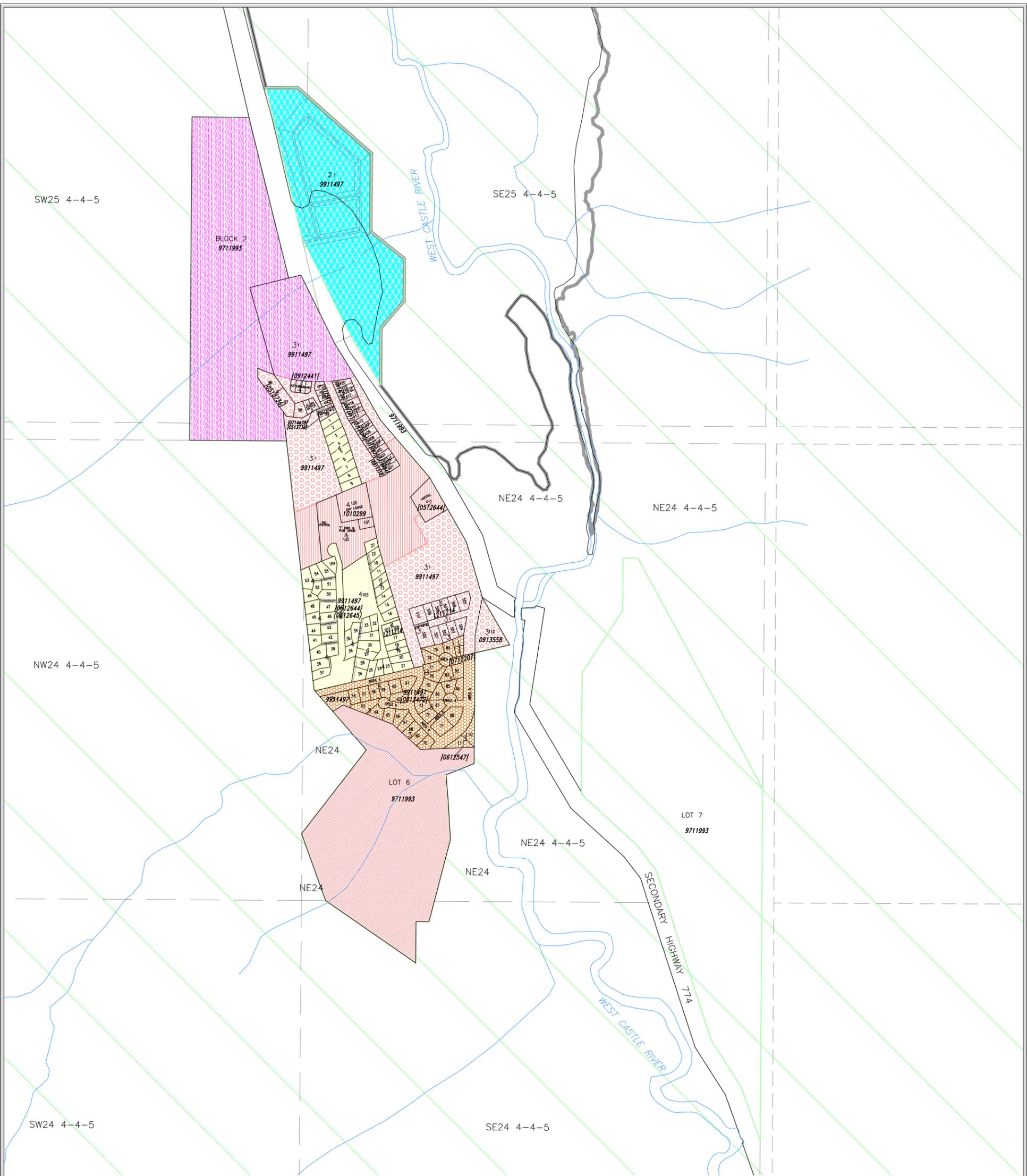


M.D. OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

NW 1/4 SEC 1, TWP 10, RGE 2, W 5 M

- Agriculture 'A'
- Rural Highway Commercial 'RC'

MAP A-13

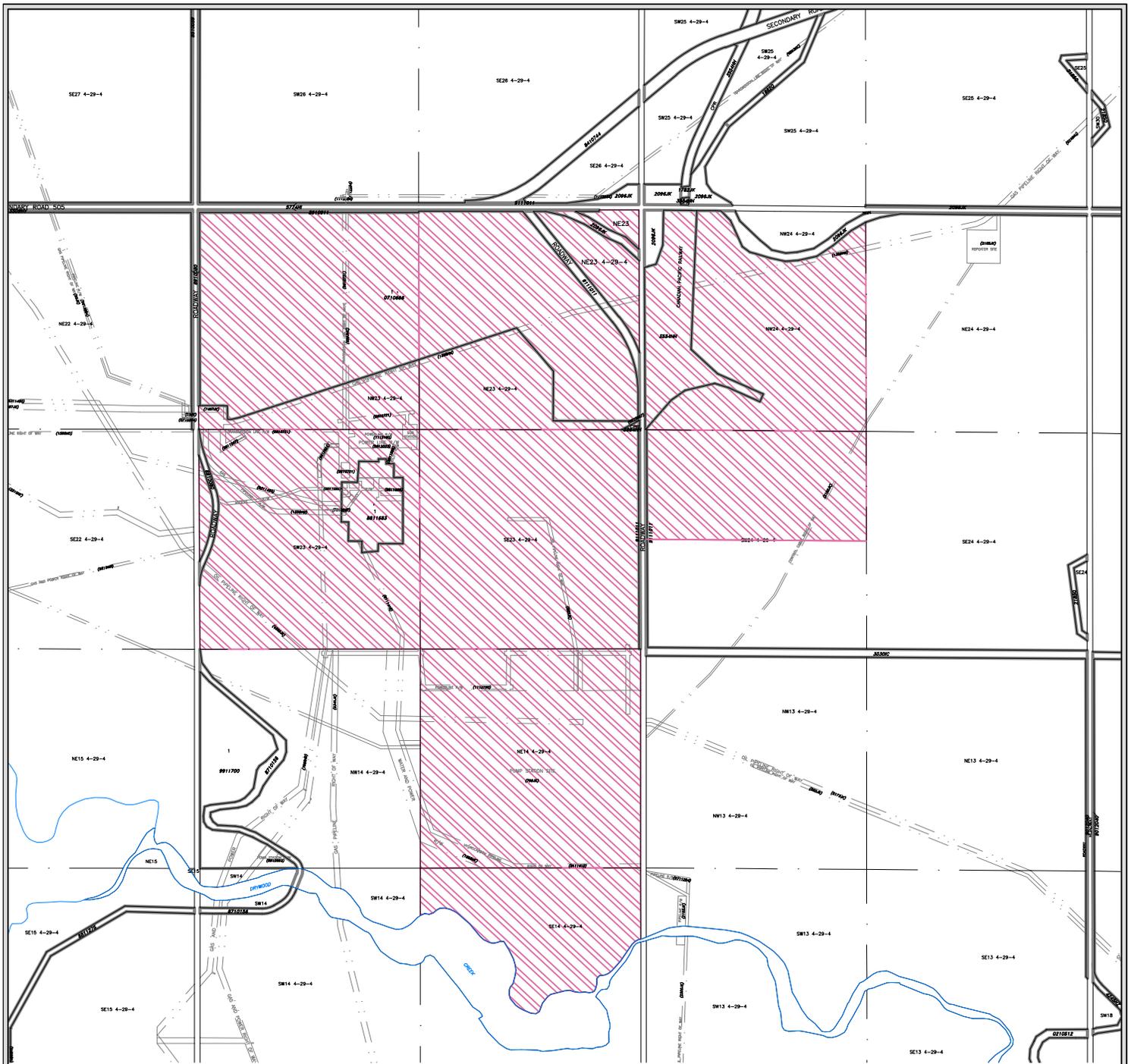


**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

CASTLE MOUNTAIN RESORT

-  West Castle Wetlands-Non Surveyed Location Approximate
 -  Castle Carbondale Resource
 -  Castle Mountain Resort Medium Density Residential
 -  Castle Mountain Resort Public Utility
 -  Castle Mountain Resort Residential 1
 -  Castle Mountain Resort Residential 2
 -  Castle Mountain Resort Seasonal Residential
 -  Castle Mountain Resort Ski Resort
 -  Castle Mountain Resort Ski Resort Core
- 'CCR'
 - 'CMMDR'
 - 'CMPU'
 - 'CMR-1'
 - 'CMR-2'
 - 'CMSR'
 - 'CMSR-1'
 - 'CMSRC'

MAP A-14



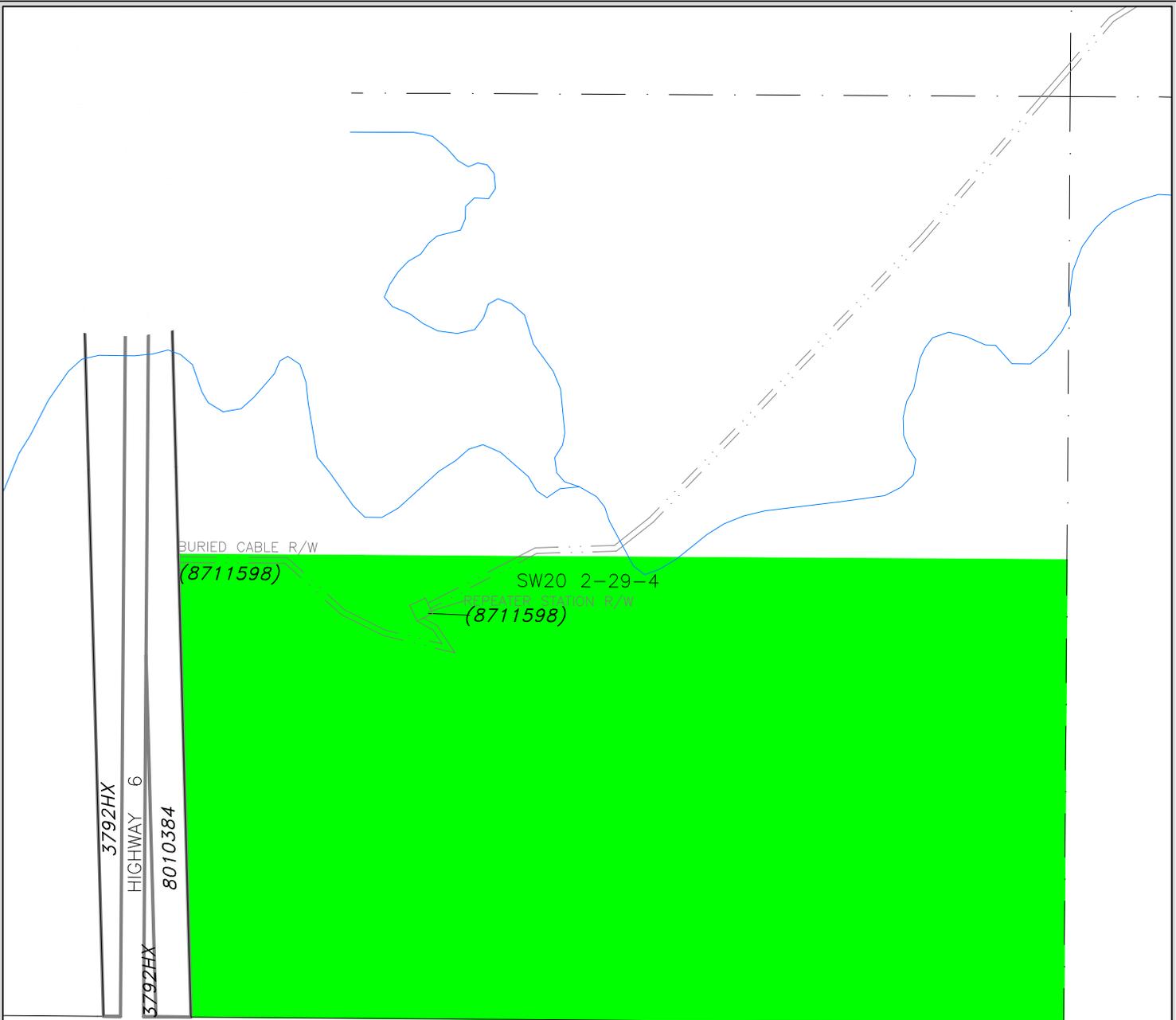
**M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

**PORTION OF SEC 14, ALL SEC 23 & PORTION OF SEC 24
IN TWP 4, RGE 29, W 4 M**

MAP A-15

-  Agriculture 'A'
-  Multi-Lot Heavy Rural Industrial 'MHRI'



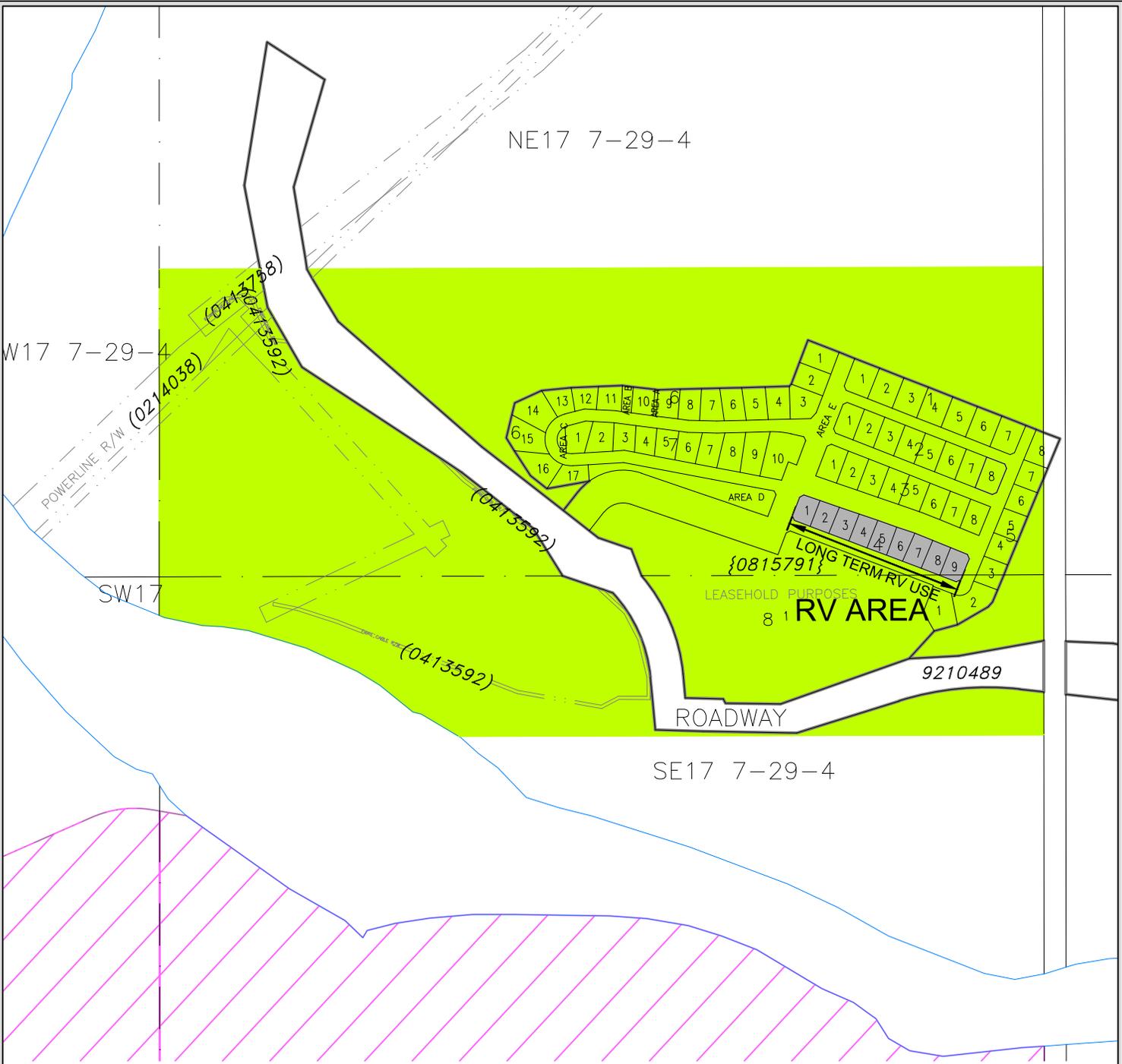


M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

PORTION OF SW 20, TWP 2, RGE 29, W 4 M
 WATERTON HOMESTEAD CAMPGROUND

MAP A-16

- Agriculture 'A'
- Rural Recreation 1 'RR-1'

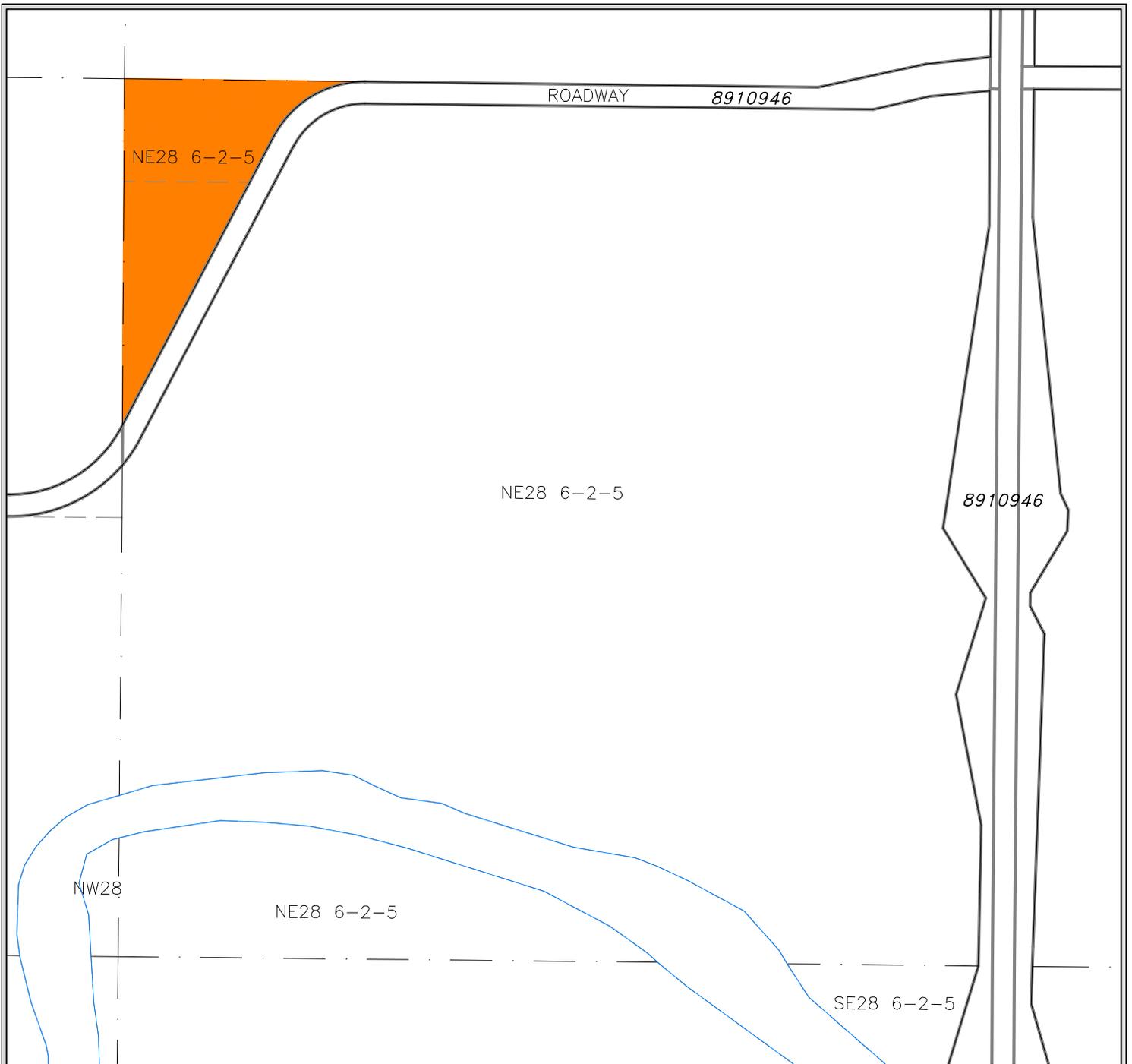


**M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

**PORTION OF NE & SE SEC 17, TWP 7, RGE 29, W 4 M
CASTLE VIEW RIDGE**

MAP A-17

- Agriculture 'A'
- Rural Recreation 2 'RR-2'

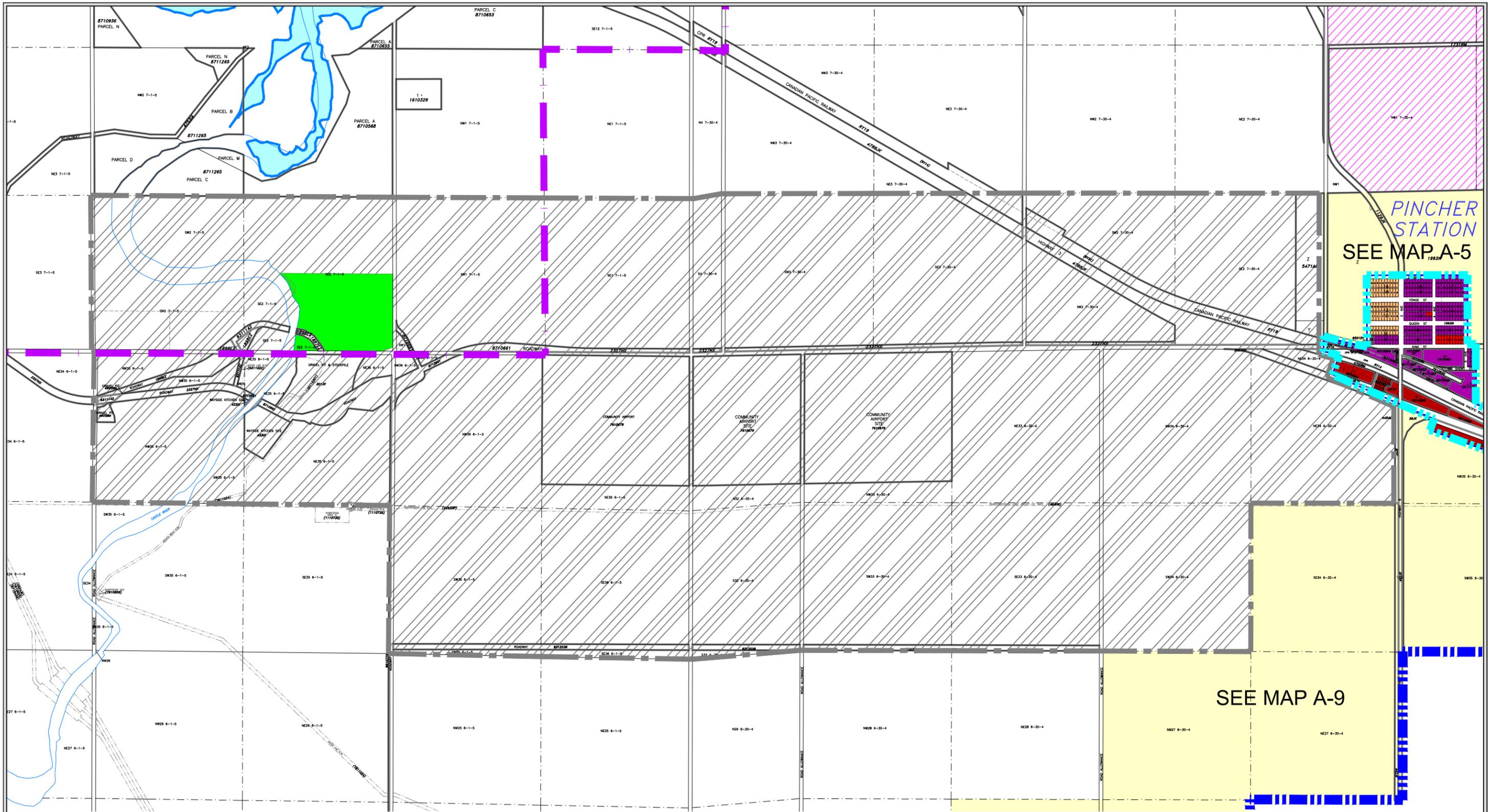


**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

NE 1/4 SEC 28, TWP 6, RGE 2, W 5 M

- Agriculture 'A'
- Grouped Country Residential 'GCR'

MAP A-18



PINCHER STATION
SEE MAP A-5



SEE MAP A-9

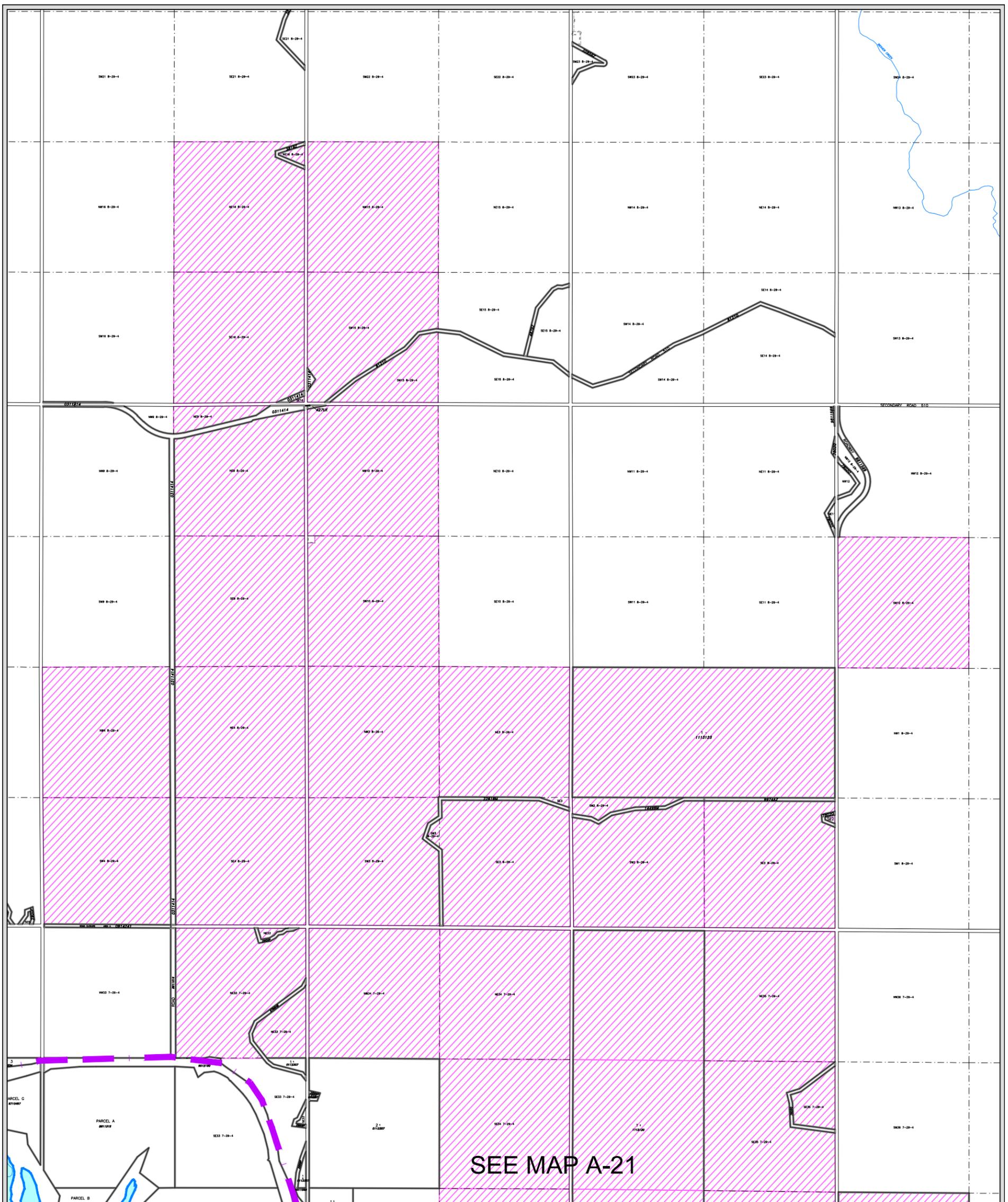


M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18

AIRPORT VICINITY PROTECTION

- Agriculture
 - Urban Fringe
 - Airport Vicinity Protection
 - Rural Recreation 1
 - Wind Farm Industrial
 - Hamlet Boundary
 - Town of Pincher Creek Boundary
 - Oldman Dam ASP Boundary
- 'A'
 - 'UF'
 - 'AVP'
 - 'RR-1'
 - 'WFI'

MAP A-19



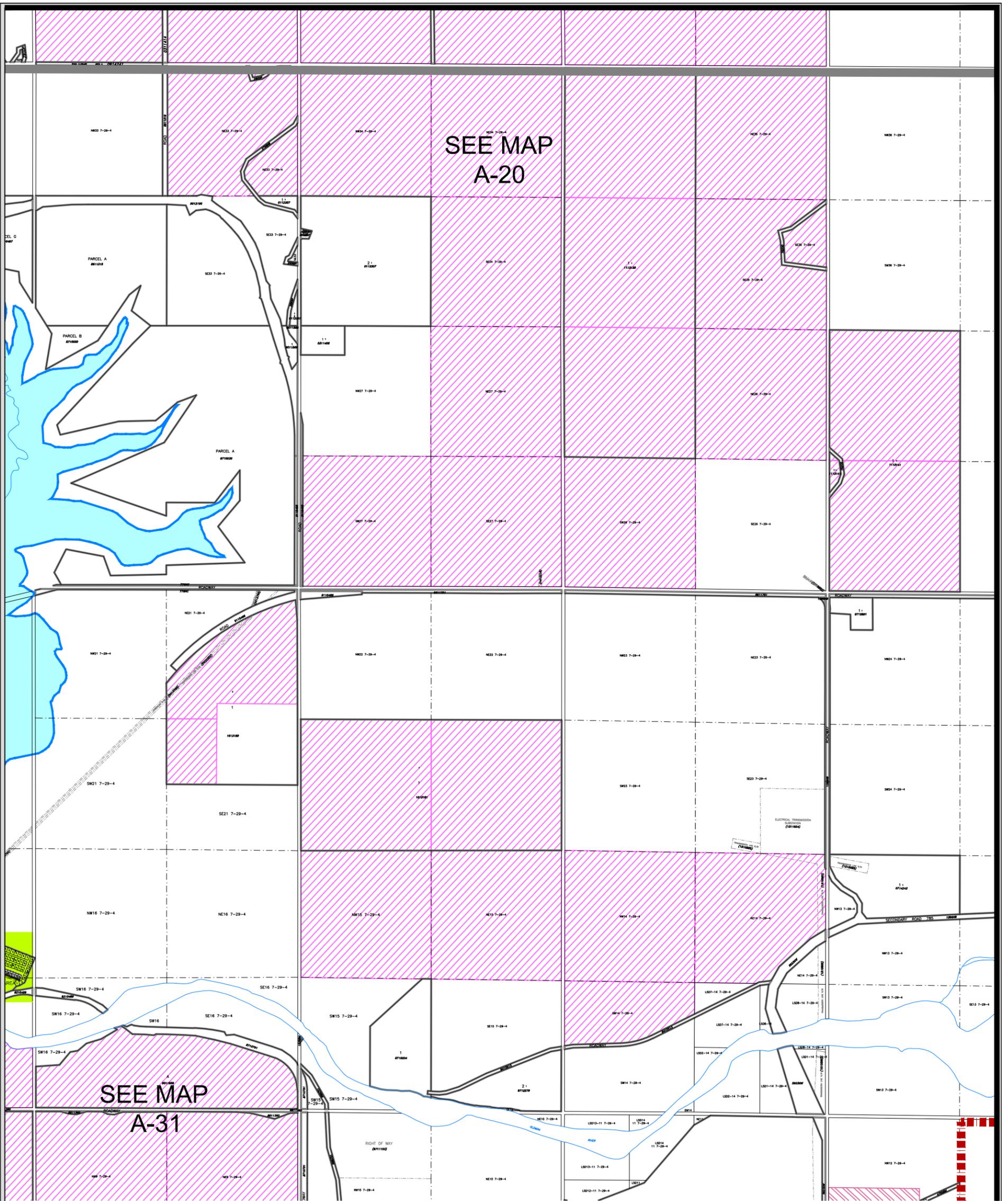
**M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

**NE 33, N 1/2 34, N 1/2 35, TWP 7, RGE 29, W 4 M &
ALL 2, ALL 3, ALL 4, E 1/2 9, W 1/2 10, SW 12, W 1/2 15, E 1/2 16,
TWP 8, RGE 29, W 4 M**

MAP A-20

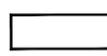
-  Agriculture 'A'
-  Wind Farm Industrial 'WFI'
-  Oldman Dam ASP Boundary





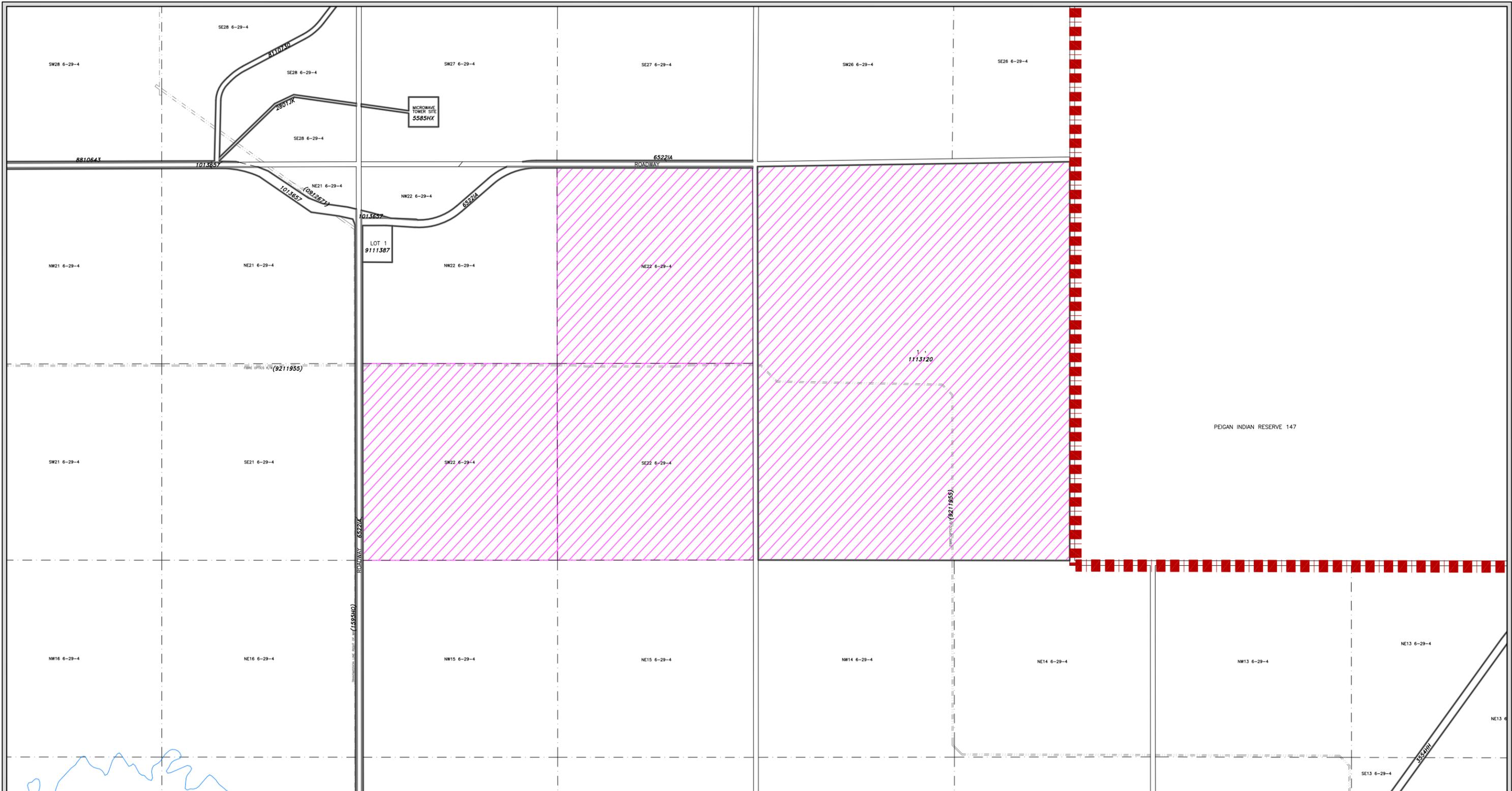
**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

N 1/2 14, SW 14, N 1/2 15, E 1/2 21, S 1/2 22, W 1/2 25, NE 26, W 1/2 26,
E 1/2 27, SW 27, SE 34, S 1/2 35, TWP 7, RGE 29, W 4 M

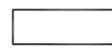
-  Agriculture
-  Wind Farm Industrial
- 'A'
- 'WFI'

MAP A-21





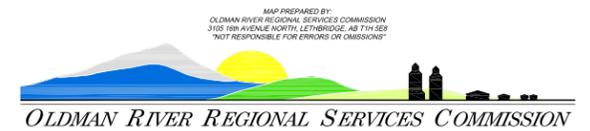
M.D OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

 Agriculture
 Wind Farm Industrial

'A'
'WFI'

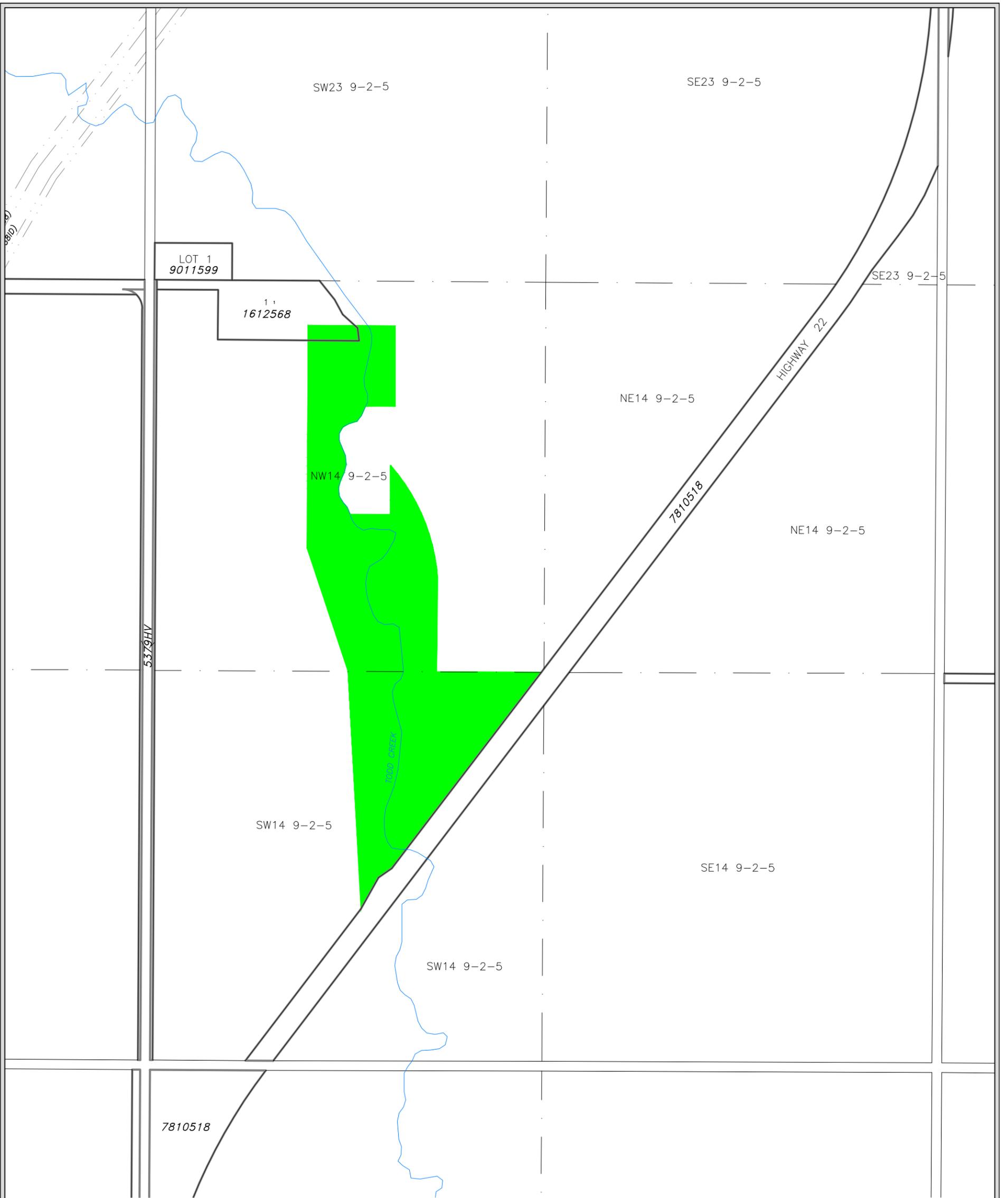
MAP A-22

PORTION OF SEC 22 & SEC 23, TWP 6, RGE 29, W 4 M



MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 18th AVENUE NORTH, LEHRBOURG, AB T1H 5S9
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

August 02, 2018 N:\Pincher-Creek-MD\Pincher-Creek-MD LUD & Land Use Redesignations\
 Draft Update - Pincher Creek MD LUB 1289-18.dwg



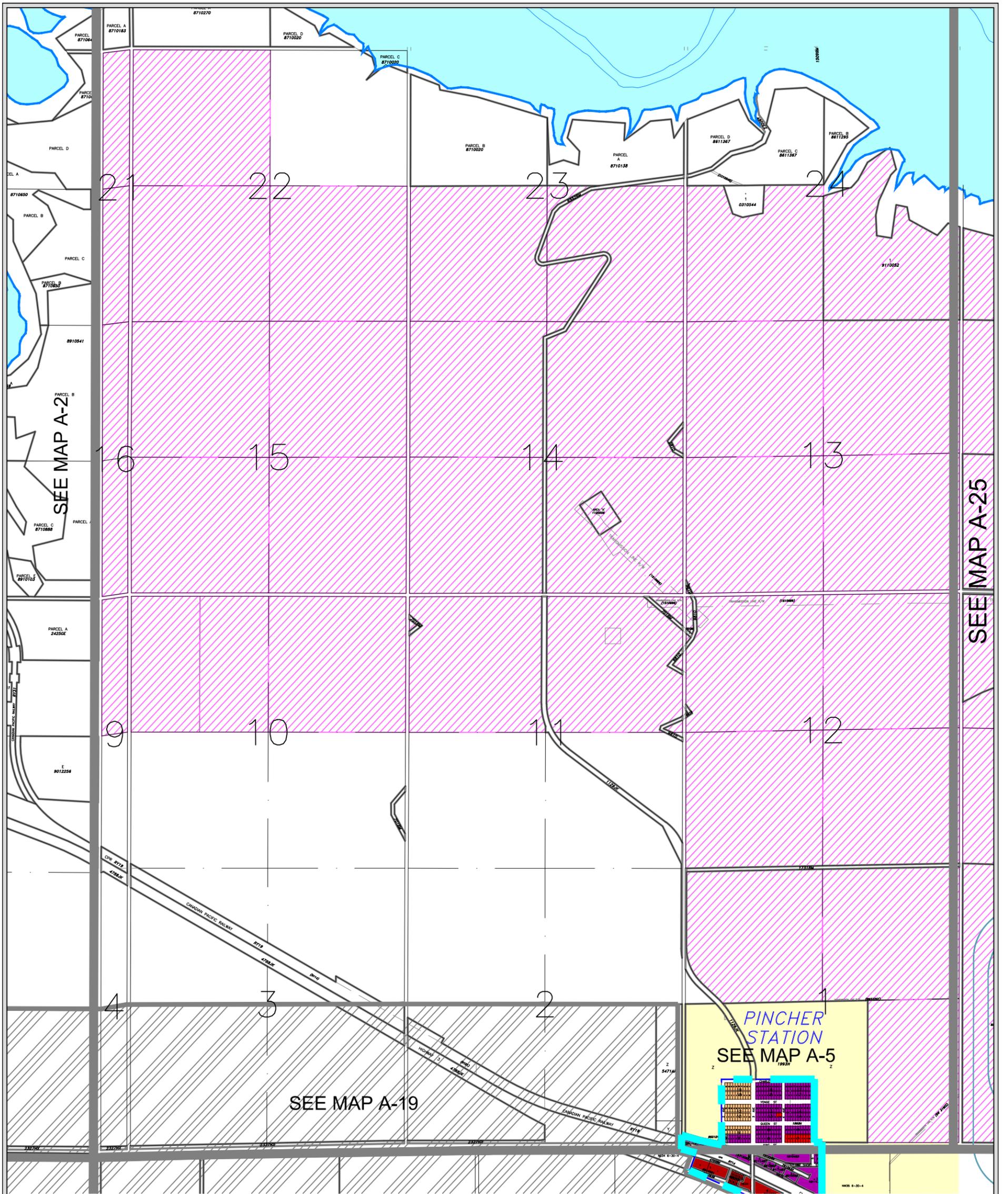
M.D. OF PINCHER CREEK No. 9
 LAND USE DISTRICT MAP
 Bylaw No. 1289-18

PORTION OF W 1/2 SEC 14, TWP 9, RGE 2, W 5 M

- Agriculture 'A'
- Rural Recreation 1 'RR-1'

MAP A-23





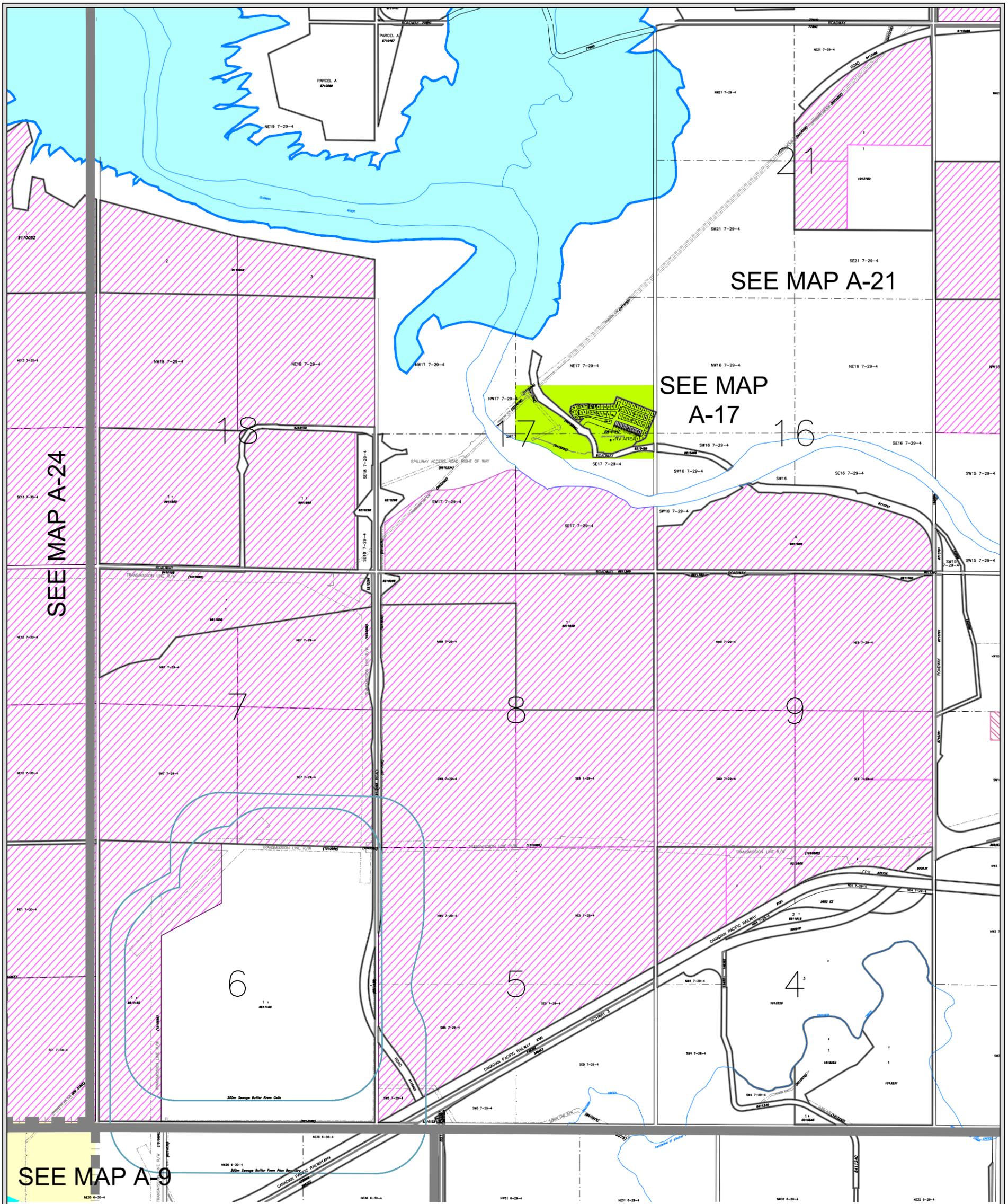
**M.D OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

**N 1/2 & SE 1/4 SEC 1, NE 9, N 1/2 SEC 10, N 1/2 SEC 11, SEC 12, SEC 13, SEC 14,
SEC 15, SEC 16, SEC 21, S 1/2 & NW 1/4 SEC 22, S 1/2 SEC 23 & S 1/2 SEC 24,
TWP 7, RGE 30, W 4 M**

MAP A-24

- Agriculture
- Wind Farm Industrial
- 'A'
- 'WFI'

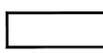




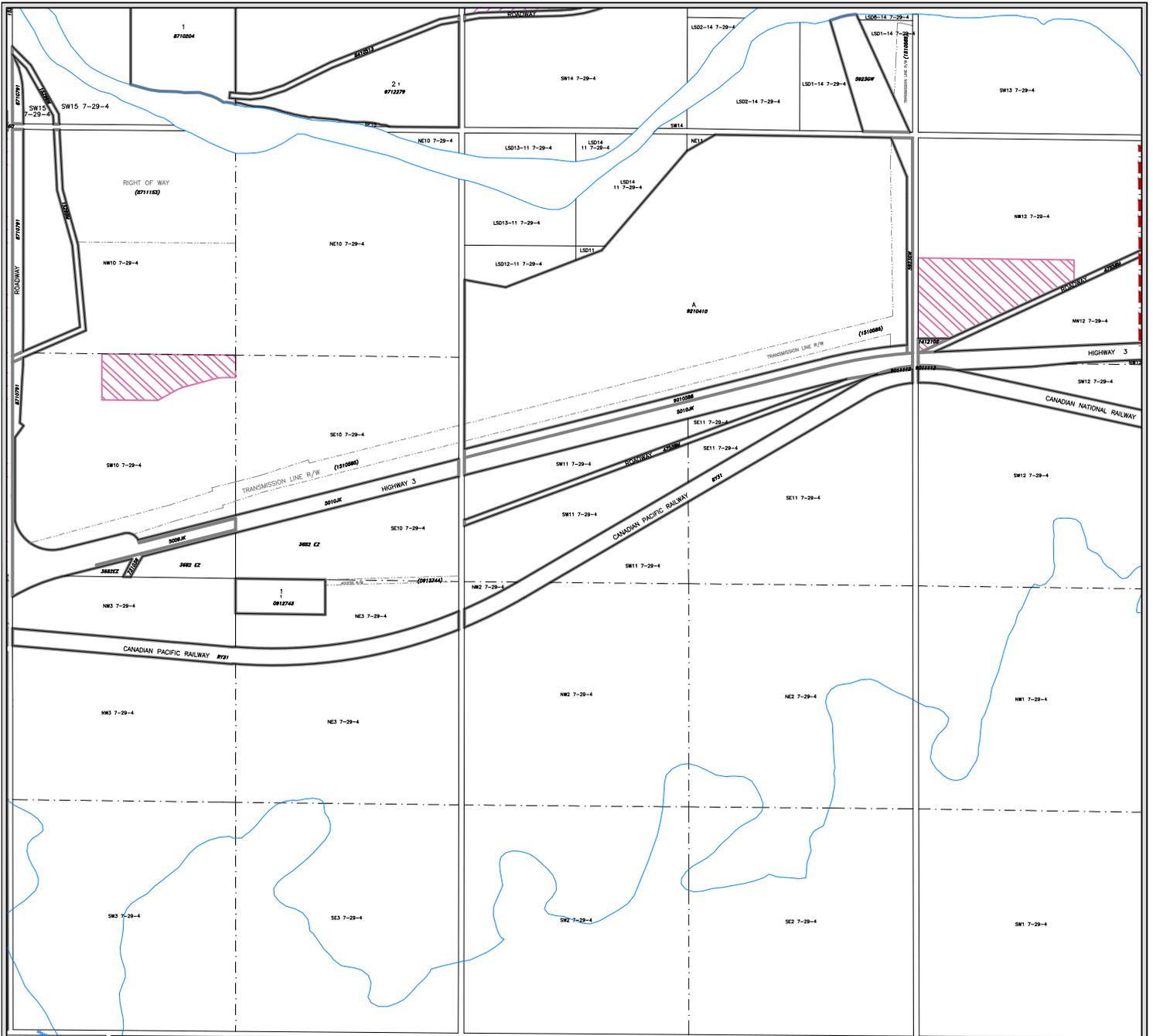
**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

N 1/2 SEC 4, W 1/2 SEC 6, SEC 7, SEC 8, SEC 9, S 1/2 SEC 16, S 1/2 SEC 17, SEC 18,
S 1/2 SEC 19, TWP 7, RGE 29, W4M

MAP A-25

-  Agriculture
-  Wind Farm Industrial
-  Rural Recreation 2 'RR-2'
- 'A'
- 'WFI'





**M.D. OF PINCHER CREEK No. 9
LAND USE DISTRICT MAP
Bylaw No. 1289-18**

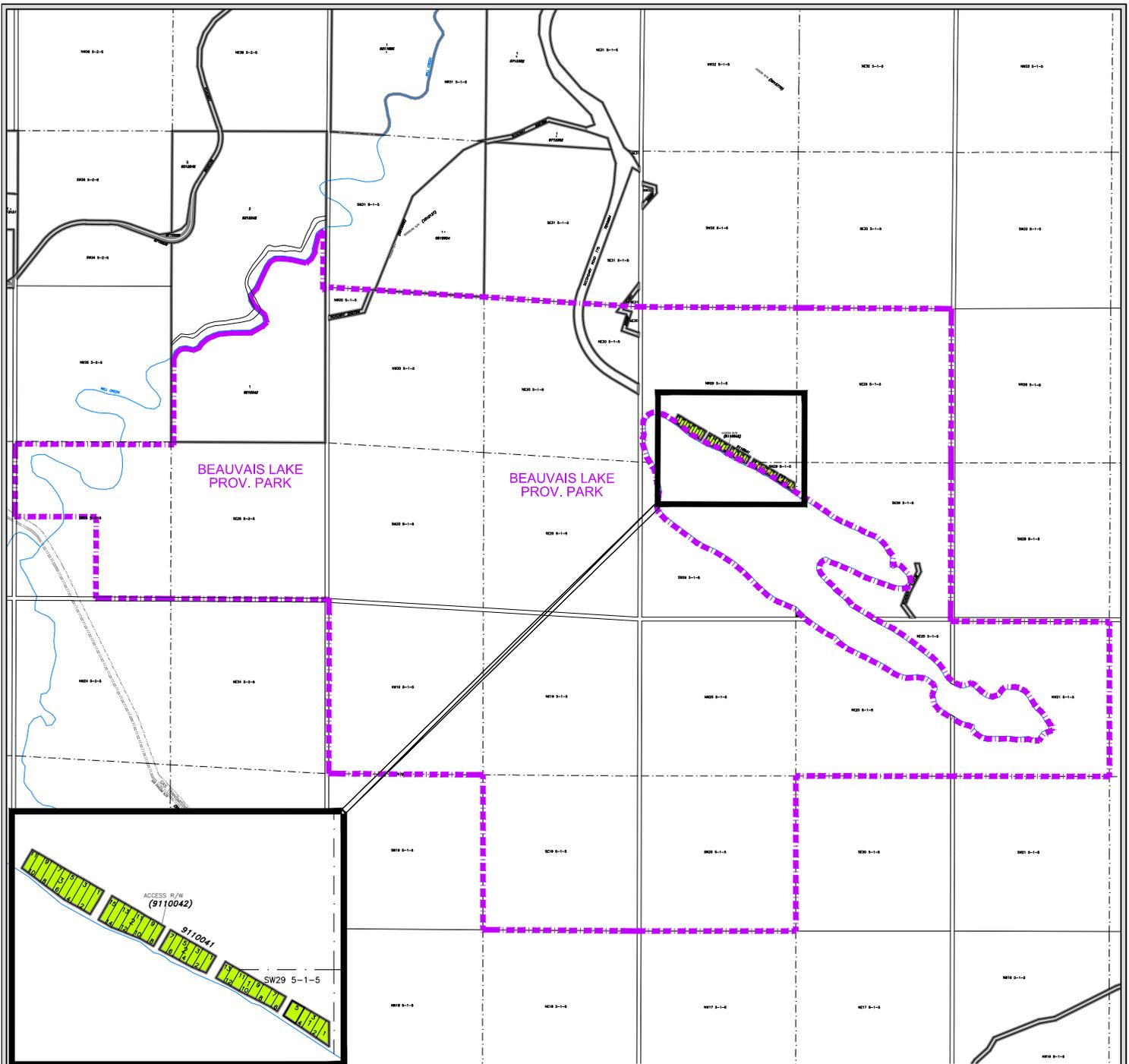
PORTION OF SW 1/4 SEC 10 & NW 1/4 SEC 12 , TWP 7, RGE 29, W 4 M

MAP A-26

-  Agriculture
-  Multi-Lot Heavy Rural Industrial 'MHRI'

'A'





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

BEAUVAIS LAKE

-  Agriculture
-  Rural Recreation 2
-  Provincial Park Boundary

'A'
 'RR-2'

MAP A-27



Recommendation to Council

TITLE: Ron Sekella Micro Farms Concept Plan			
PREPARED BY:	Roland Milligan	DATE:	2018-09-05
DEPARTMENT: Development and Community Services			
Department Supervisor	Date	ATTACHMENTS: 1. LUB Amendment Application 2. Parcel Location Diagrams 3. Micro Farms CONCEPT PLAN 4. Responses from Circulation	
APPROVALS:			
			
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That the Micro Farms Concept Plan for Block P , Plan 921 0672 be approved, and further that administration be directed to prepare the requested Land Use Bylaw Amending Bylaw to be brought back to Council for further consideration.

BACKGROUND:

Landowner Ron Sekella has made application for amendment to the Land Use Bylaw.

The proposed amendment is to redesignate Block P, Plan 921 0672 from Agriculture - A to Grouped Country Residential – GCR (*Attachment No. 1*).

The parcel is within the boundary of the Oldman River Reservoir Area Structure Plan (ORRASP). It is located in an area that was deemed GCR Discretionary within the ORRASP (*Attachment No. 2*).

On June 6, 2018, the applicant submitted a concept plan for the proposed land use redesignation (*Attachment No. 3*).

Section B, General Future Land Use, of the MD's Municipal Development Plan (MDP), gives direction as to which areas within the MD that multi-lot country residential shall be considered.

Section B 3. (c) of the MDP indicates specified locations around the Oldman River Reservoir.

The following are the guidelines from the Residential Land Use section of the ORRASP regarding redesignation to GCR.

Multi-Lot or Grouped Country Residential Subdivisions

8. *All parcels proposed for multi-lot residential subdivisions will require a land use bylaw redesignation to "Grouped Country Residential".*
9. *All redesignation applications must provide:*

Recommendation to Council

- a) *a design scheme that is presented to a public meeting held by the M.D. Council and adopted by resolution or bylaw as required;*
- b) *(b) information contained in the design scheme will include the data required for design schemes and area structure plans in the municipal development plan, as well as comments from the departments of Alberta Environment (responsible for dam operations) and Alberta Tourism, Parks, Recreation & Culture (responsible for administration of the ODPRA).*

10. Access to multi-lot residential areas will be by public roads constructed to M.D. road standards.

11. Minimum parcel size shall be as outlined in the Land Use Bylaw and the maximum density of country residential parcels will not be more than 16 parcels per quarter section.

12. Redesignation to Grouped Country Residential should not unduly interfere with agricultural uses on adjacent lands.

This application was initially received by the MD in March 2018. After an initial review by the MD's planner, the applicant held off on proceeding and took the intervening time to gather further information as suggested by the planner.

Following the receipt of the completed application, the MD circulated the Concept Plan to the referral agencies required in Section 18 of the ORRASP.

At the time of preparing this report, the MD has received responses from Alberta Environment and Parks Operation Infrastructure Branch and Alberta Transportation (*Attachment No. 4*).

Dam operations has no concerns with the application and Alberta Transportation provided a letter stating that they did not feel that the plan as proposed would have any appreciable impact on the highway network.

FINANCIAL IMPLICATIONS:

None at this time.



Municipal District of Pincher Creek
P.O. Box 279
Pincher Creek, AB T0K 1W0
Phone: 403.627.3130 • Fax: 403.627.5070

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

PERMIT FEE \$600.00

RECEIPT NO. 31086

I/We hereby make application to amend the Land Use Bylaw.

Applicant: Ronald Anthony Sekella

Address: Box 354, Lundbreck, AB T0K 1H0 Telephone: 403-628-2485 / 403-339-0402

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Lot _____ Block P Registered Plan 9210672

or Certificate of Title 161 183 603

Quarter NW & SW 34 Township 7 Range 30 Meridian 4

AMENDMENT PROPOSED

From: AGRICULTURE - A

To: GROUPED COUNTRY RESIDENTIAL - GCR

REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT

Please find the following information as support for this application

I/We enclose \$ 600 being the application fee.

DATE: May 23, 2017

Ronald Anthony Sekella
Applicant

Ronald Sekella
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting.

IMPORTANT NOTES:

1. Every application for an amendment to the Land Use Bylaw shall be completed in every part and signed.
2. If the amendment involves a change of land use district, the applicant shall also supply:
 - (a) a site plan at a scale to the satisfaction of the Development Officer showing the size and shape of the lands affected, the location and extent of existing developments, waterbodies and treed areas and the location and form of any new development intended, fully dimensioned and explicit to the satisfaction of the Development Officer;
 - (b) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development; and
 - (c) a Certificate of Title indicating ownership and encumbrances.
3. An application fee shall be required.
4. If the amendment involves a revision to the wording of the Land Use Bylaw, including the addition to or the deletion from the permitted or discretionary uses listed for a district, the desired change shall be explicit and reasons given.
5. Failure to complete the application form fully and supply the required information, plans, and fee may cause delays in processing the application.
6. The Development Officer may refuse to accept an application for amendment to the Land Use Bylaw where the information required has not been supplied or where the quality of such information is inadequate to properly evaluate the application.
7. Upon receipt of an application for amendment, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant that he may appear and speak to the application.
8. A decision of the Council in regard to an application to amend the Land Use Bylaw is final but, if refused, the applicant may reapply at any time that the Council agrees to accept another application for the same or similar amendment.

Diagram No. 2
GIS Aerial Map - Block P, Plan No. 921 0672

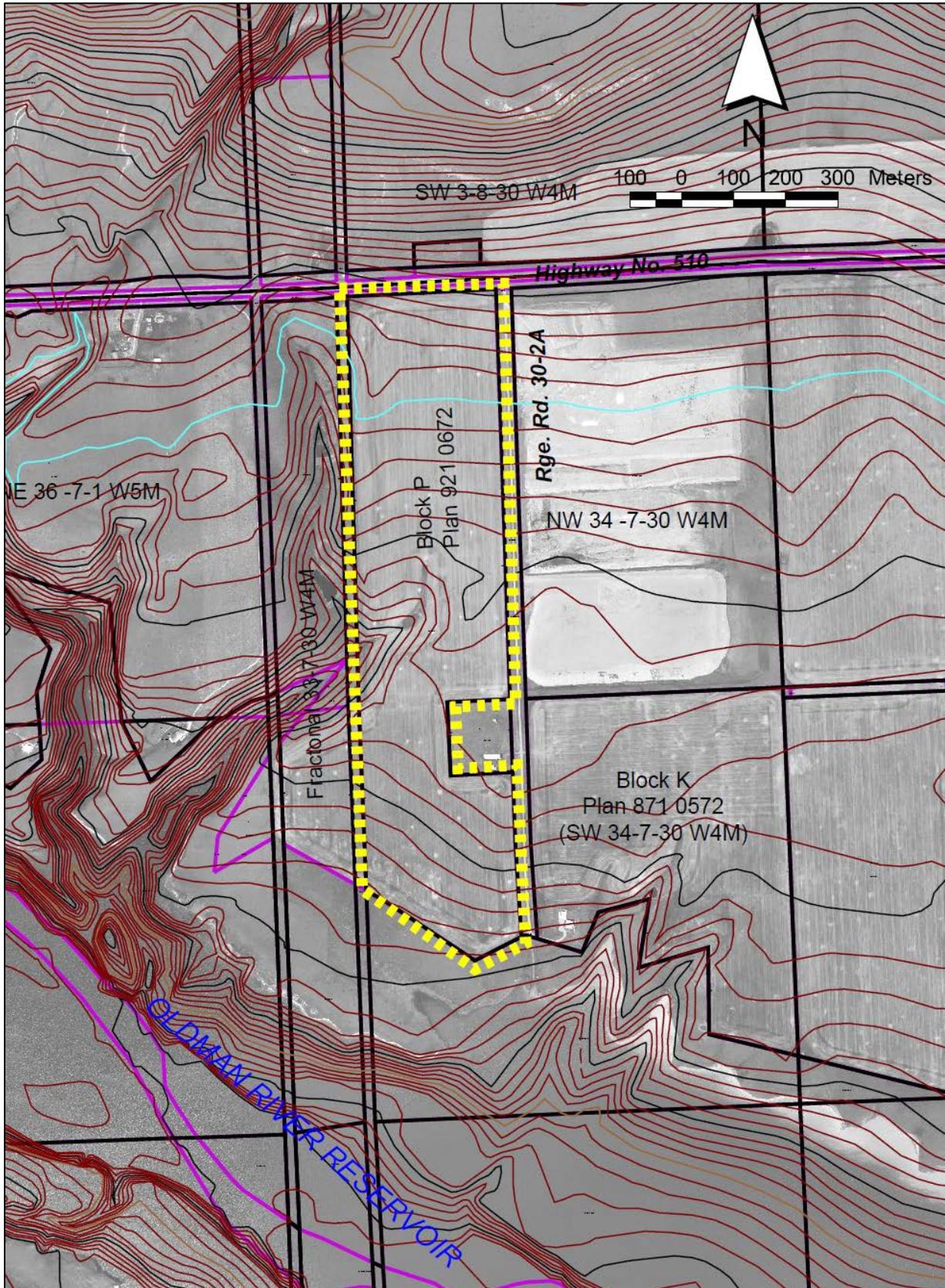
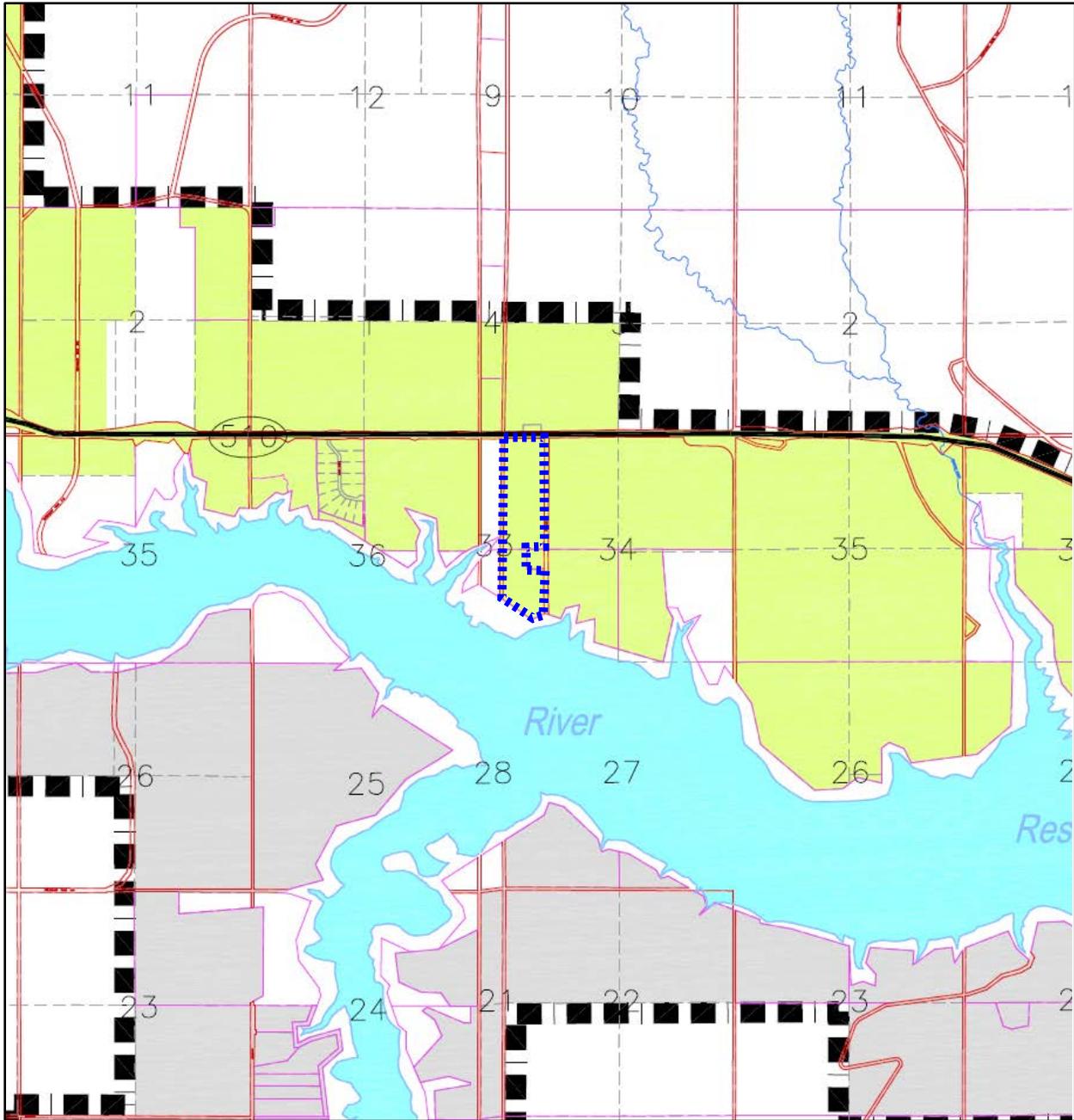


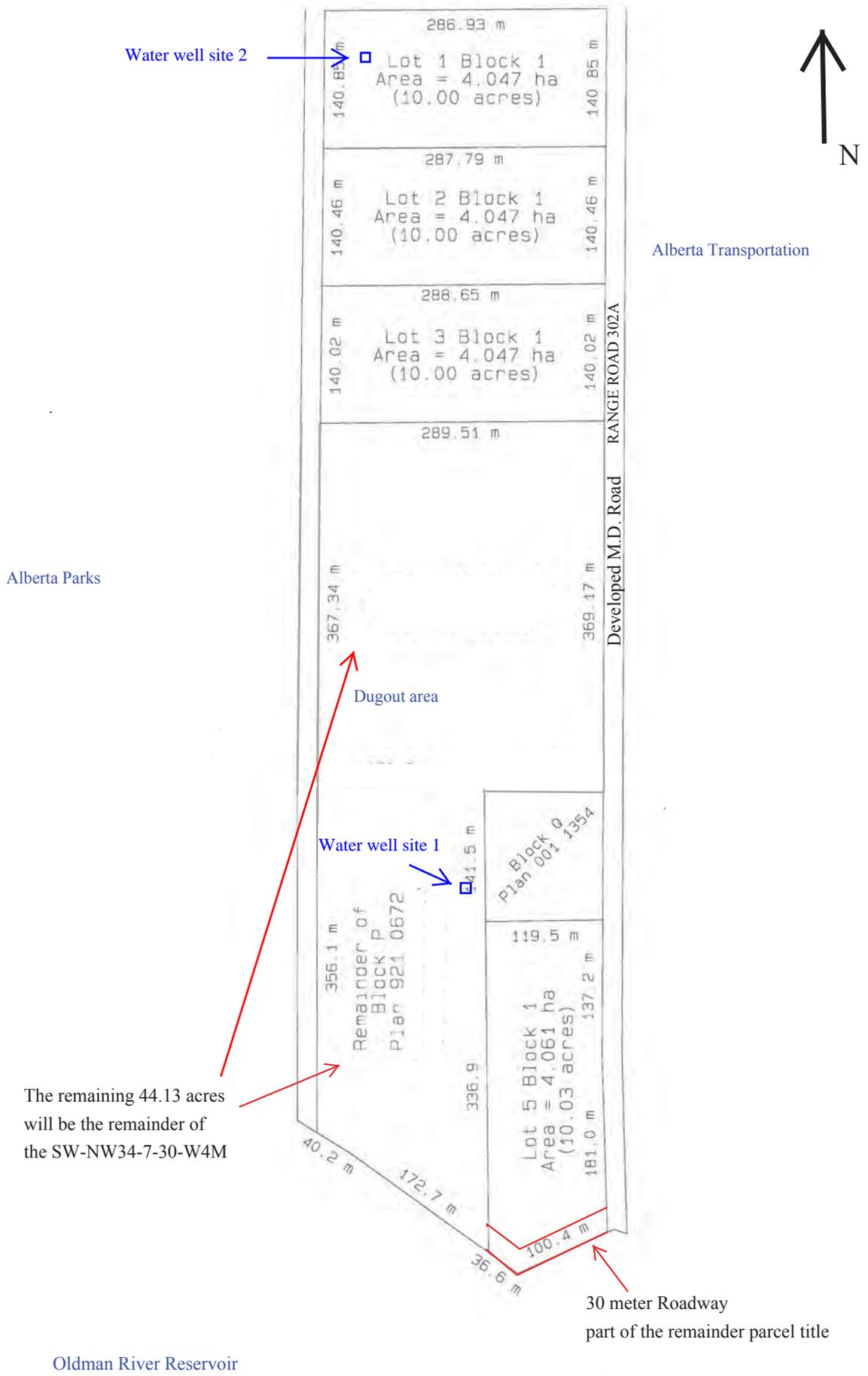
Diagram No. 3

Portion of Map 6
Oldman River Reservoir Area Structure Plan
Bylaw No. 1120-06



**Diagram No. 4
Proposed Lot Layout**

Highway 510



Water well site 2



Alberta Transportation

Alberta Parks

Dugout area

Water well site 1

The remaining 44.13 acres
will be the remainder of
the SW-NW34-7-30-W4M

30 meter Roadway
part of the remainder parcel title

Oldman River Reservoir

***Ron Sekella Micro Farms
Concept Plan***

Application For

Ronald Sekella

In

***SW & NW, SEC 34, TWP 7, RGE 30, W4M,
containing 84 acres
in The MD of Pincher Creek, Alberta***

***May 19, 2017 (Resubmitted March 5, 2018)
(Resubmitted June 6, 2018)***

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	<i>Conceptual design</i>	
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	<i>Existing land use</i>	
	<i>Wildlife and environmental sensitivity</i>	<i>Pg. 5</i>
	<i>Site opportunities</i>	
	<i>Oldman River Reservoir access</i>	
	<i>Topography and vegetation</i>	
	<i>Soil conditions and slope stability</i>	
	<i>Drainage</i>	<i>Pg. 6</i>
3.	<i>Planning concepts and policies</i>	<i>Pg. 6</i>
	<i>Development concept</i>	
	<i>Municipal District road standards</i>	
	<i>Municipal reserve</i>	
4.	<i>Servicing requirements</i>	<i>Pg. 6</i>
	<i>Lot access</i>	
	<i>Sewage disposal</i>	
	<i>Domestic water supply</i>	
	<i>Fire protection</i>	<i>Pg. 7</i>
	<i>Natural gas service</i>	
	<i>Electrical service</i>	
	<i>Garbage storage and disposal</i>	
	<i>Communications</i>	
	<i>School bus service</i>	

5. Development plan

Objectives of the plan

Land use and population

Pg. 8

The conceptual plan

CONCLUSION

Pg. 8

PICTURES

NOTES

Appendix 1 Land title

Appendix 2 Geotechnical evaluation

Appendix 3 Hydro geological investigation

Appendix 4 Septic design + specific for existing dwelling

Appendix 5 Historical act approval

Map 1 MD location map

Map 2 Conceptual plan map

Map 3 Oldman River Reservoir area structure plan map

Map 4 Wildlife mitigation set back map

Map 5 Air Photo

Ron Sekella Micro Farms **CONCEPT PLAN**

1. BACKGROUND

Introduction

In accordance with the Oldman River Reservoir Area Structure Plan: “All parcels proposed for multi-lot residential subdivisions will require a land use bylaw re-designation to “Grouped Country Residential”. Along with the application we also submit this concept plan for the re-designation of this property from agricultural use to grouped country residential use. The Ron Sekella Micro Farms Plan is located in NW & SW¼, SEC 34, TWP 8, RGE 30, W4M containing 84 acres more or less in the MD of Pincher Creek, Alberta. The applicant is Ronald Sekella

Location

The proposed subdivision is located to the south of Highway 510 along Range Road 302A. This road will provide ample clearance for MD standard approaches to each lot. The property is also adjacent to Alberta Parks and the Oldman River Reservoir: (Map 1 MD location) (Map 5 air photo)

Conceptual design

The land encompasses approximately 84 acres. The Micro Farm is the concept to enhance small scale farming within agricultural communities through a model that will enhance irrigation methods, soil preparation, horticultural endeavours and to fill key small agricultural niches. The Micro Farm is the residual parcel of approximately 44.13 acres. The subdivision is intended for Grouped Country Residential development comprised of four 10 acre parcels and the residual parcel falling into both the NW & SW quarters. In the future this concept does not prevent further subdivisions, however at this time the proposed development does recognize some limiting factors to maximizing the allotment of acreages for this subdivision. The limiting factors are addressed further in this concept and include; water usage, wildlife buffer zones, setbacks, topography, and access to the Oldman River Reservoir. (Map 3) (Map 4)

2. EXISTING CONDITIONS AND LAND USE

Existing land use

Currently this land is zoned as agricultural mostly in cultivation and currently seeded to tame grass.

Land uses in the immediate area include:

- Country residential half mile to the west
- Agricultural usage in the surrounding area, mostly involves cultivation, hay land and grazing.
- Alberta Parks
- Alberta Transportation pit run stock piles

Country Residential usage in this specific location is complimentary to the Area Structure Plan completed for the lands surrounding the Oldman River Reservoir. In that document this land is identified as being suitable for a Grouped Country Residential subdivision. (Map 3)

Wildlife and environmental sensitivity

On the site and adjacent to the site, habitat areas have been recognized. The concept plan shows there is no recommended 400 meter set back from any identified primary wildlife mitigation areas. (Map 4)

Historical Act

An application was made to Alberta Culture and Tourism and has approval as per: (Appendix 5)

Site opportunities

The area north from the Oldman River reservoir is scenic with varied topography and views. Many building sites are available on each acreage and will provide residents superior look outs. The site is well drained, stable, serviceable and easily accessed with no investment required from the MD of Pincher Creek. Lots created on this site will be highly desirable and saleable. A high quality development can occur on this site.

Oldman River Reservoir access

The current access from the road allowance to the reservoir is not developed and there is no plan to develop it or suggest any public access, however it is intended to obtain an allocation for an irrigation water license from this location if allowed

Topography and vegetation

The land slopes down from the north to the south towards the Oldman River Reservoir, the residual parcel in the NW quarter contains a small dug out. A future water allocation will include; enlarging this dug out for additional water storage. The vegetation will consist generally of grasses in arable areas on each acreage. There is no evidence of structures having been constructed on the site in the past.

Soil conditions and slope stability

The attached geotechnical study was performed in April 2017.
(Appendix 2).

Septic disposal

The attached septic soils study provides information relation to a septic design that will accommodate the entire subdivision. There is currently an operating septic tank and field operation on the lands and accordingly this design will be recommended for all the parcels. Taking in account from the geotechnical study as well. (Appendix 4) (Appendix 3)

Drainage and topography

Any alteration to the existing topography will for agricultural use and will include works on the residual parcel to accommodate the Micro Farm. This will require licensing for the Micro Farm specifically and will not affect the country residential parcels. Since only a minimal amount of the subdivision will be made impervious through buildings and roadways, the influence of the subdivision area runoff will have a negligible effect on adjacent lands.

3. PLANNING CONCEPTS AND POLICIES

Development concept

The intent of this 'Concept Plan' is to provide country residential development on large lots, with the parcels described more or less as 10 acres, 10 acres, 10 acres, 10 acres, 44 acres (residual). This 5 parcel concept is to accommodate: The topography, the required setbacks, water usage and small agricultural practices

Municipal District road standards

The existing M.D. road has excellent sight clearance for M.D. standard approaches into each title. (See map # 2)

Municipal reserve

Municipal Reserve requirements will be met through a cash-in-lieu payment to the MD of Pincher Creek.

4. SERVICING REQUIREMENTS

Lot access

M.D. standard approaches into each title.

Sewage disposal

The attached Septic system design from January 2017 consisted of recommendations that sewage will be disposed of in septic tanks and fields on each property. Individual homeowners will be required to obtain the necessary permits from the authorities having jurisdiction at the time of development. (See appendix 4)

Domestic water supply

The Water Act legislates that Alberta Environment needs to approve a hydro geological study on any subdivision that will create more than 5 parcels out of a quarter section. This application involves the NW and the SW quarter sections and each quarter does not exceed 5 parcels 'out' in this application. Initial water wells drilled on this property indicate that there is adequate water for statutory household rights. Each acreage owner will be responsible for their own water well development (See Hydro geological investigation appendix 3)

Fire protection

Each acreage owner will be responsible for following current fire codes The project will adopt the 'FireSmart Manual ' supplied through Alberta Sustainable Resource Development.

Natural gas service

Natural gas service is close and can be accessed when needed

Electrical service

Electrical service is close and can be accessed when needed

Garbage storage and disposal

Garbage will be stored on site within wildlife proof containers. Each lot owner will be responsible for its offsite disposal.

Communications

There is a cell tower in range of this site, local internet available as well

School bus service

The current road should accommodate a school bus route.

5. DEVELOPMENT PLAN

Objectives of the plan

The Ron Sekella Micro Farms proposed subdivision will give an option of country residential living on large accommodating acreages in Southern Alberta. Opportunities and constraints of the site, as well as the standards of the MD of Pincher Creek have been used to develop a plan for this proposed subdivision. This concept is intended to provide future residents a high quality living environment.

Future land owners and rate payers will live in a country residential community that:

- Offers advantages of the natural attributes of the site
- Is complementary to other country residential sites in the area
- Contains efficient roadways and services
- Has a low impact on sensitive areas of the property

Land use and population

The acreages of this proposed subdivision will be country residential properties with the exception of the roadways, any public utility lots needed by utility providers and public right of ways. All parcels will accommodate a single family dwelling. There is proposed to be 5 acreages on the NW & SW quarter sections within plan 9210672

The conceptual plan

Subject to minor amendments after a final survey, 'map 2' is the conceptual plan for this concept plan. It includes:

- A description of the lot sizes and advantages.
- A minimum amount of roadway to provide access
- No development on unsuitable portions of the land .

CONCLUSION

Ronald Sekella proposes this 'Concept Plan' for a high quality development that will reflect well on the MD of Pincher Creek. Agreements with the Municipal District will ensure a high quality development without the burden of the costs to the MD. Ronald Sekella and his affiliates look forward to cooperating with the MD of Pincher Creek with the development of

RON SEKELLA MICRO FARMS.



RONALD ANTHONY SEKELLA

Pictures





Appendix 1

Land Title



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 405 984 9210672;P 161 183 603

LEGAL DESCRIPTION

PLAN 9210672
BLOCK P
CONTAINING 35.76 HECTARES (88.36 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES	MORE OR LESS
SUBDIVISION	0011354	1.70	4.20	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 4;30;7;34;W
ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

REFERENCE NUMBER: 001 143 662 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
161 183 603	08/08/2016	TRANSFER OF LAND	\$310,000	\$310,000

OWNERS

RONALD ANTHONY SEKELLA
OF P.O. BOX 354
LUNDBRECK
ALBERTA T0K 1H0

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	NUMBER	DATE (D/M/Y)	PARTICULARS
	761 081 508	28/06/1976	CAVEAT CAVEATOR - CHIEF MOUNTAIN GAS CO-OP LTD. BOX 38 CARDSTON ALBERTA T0K0K0

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 183 603

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

(DATA UPDATED BY: CHANGE OF NAME 021072638)

991 041 007	11/02/1999	UTILITY RIGHT OF WAY GRANTEE - CHIEF MOUNTAIN GAS CO-OP LTD. BOX 38 CARDSTON ALBERTA T0K0K0
-------------	------------	---

(DATA UPDATED BY: CHANGE OF NAME 021075009)

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
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Appendix 2

Geotechnical Evaluation

**GEOTECHNICAL INVESTIGATION REPORT
SEKELLA SUBDIVISION GEOTECHNICAL
INVESTIGATION**

PART OF NW & SW 34-7-30-W4M
MUNICIPAL DISTRICT OF PINCHER CREEK, ALBERTA

PREPARED FOR

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PREPARED BY

PARKLAND GEOTECHNICAL CONSULTING LTD.
LETHBRIDGE, ALBERTA

Parkland **GEO**

PROJECT NO. LE0101

MAY 2017

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1.0 INTRODUCTION

Peter Maloff of 507 Cattle Company Ltd. is proposing to develop a new subdivision north of the Oldman River Dam Reservoir in the Municipal District (MD) of Pincher Creek, Alberta. Parkland Geotechnical Consulting Ltd. (ParklandGEO) was requested to perform a geotechnical investigation for the proposed development. The scope of work was outlined in ParklandGEO's proposal dated March 2, 2017 (File # LP1226). The subdivision septic field suitability is being investigated by JA Building Services and several test pits have been excavated on behalf of the Owner. Authorization to proceed with this geotechnical investigation was given by Peter Maloff by way of a signed Agreement for Professional Services on March 14, 2017. This report summarizes the results of the field and laboratory testing programs and presents geotechnical recommendations for the general site preparation, foundations, slabs on grade, site drainage, and other relevant information.

2.0 PROJECT INFORMATION

2.1 SITE DESCRIPTION

The proposed rural subdivision is located south of Highway 510 and west of Range Road 302 A which is north of the Oldman River Dam Reservoir in the Municipal District of Pincher Creek, Alberta. The subdivision is located in parts of SW and NW 34-7-30-W4M as shown in Figure 2 of Appendix A. The subject property consists of 5 lots ranging from 4.047 hectares to 10.701 hectares. The site is sloped down towards the Oldman Dam reservoir with a maximum elevation difference of 23.5 m between Borehole 1, near the north end of the property, and Borehole 5 near the south end of the property. There is also a natural drainage coulee sloping south west near Borehole 4. At the time of the field investigation, the site consisted a relatively level stubble field. The subject property is bordered by native grasslands to the north, the Oldman Dam reservoir to the south, residential properties and farmland to the west and a large gravel pit to the east. The site was accessed from secondary Highway 510 and Range Road 302 A. The site and surrounding area are shown on the Aerial Plan, Figure 3. Photographs taken at the time of the field investigation are presented in Figure 4.

2.2 PROJECT DESCRIPTION

At the time of the investigation, a preliminary subdivision layout was provided showing 5 lots. There are two existing structures on the property, north of Lot 5, consisting of a small house and a Quonset building. The Owner of the development is currently in the process of constructing a single family residential house on the balance of Block P, located west of Lot 5. The remaining four lots are north of the existing structures in the remainder of Block P. This geotechnical investigation was undertaken as part of the development permit application process.

3.0 FIELD AND LABORATORY PROGRAMS

On March 24, 2017, five boreholes were drilled at the site to a depth of 9.5 m below grade. The locations and ground surface elevations of the boreholes are shown on the Site Plan, Figure 2. The following sampling and testing procedures were followed during the field program:

1. Prior to mobilizing the drilling rig, ParklandGEO personnel contacted Alberta One Call to verify the drill site was clear of underground utilities.
2. The boreholes were drilled using a truck-mounted power auger drilling rig with 150 mm diameter solid stem augers. The drill rig was operated by Chilako Drilling Services Ltd.
3. Drilling operations were monitored by ParklandGEO personnel. The soil encountered was visually examined during drilling and logged according to the Modified Unified Soil Classification System.
4. Soil samples were collected from auger cuttings at 1.0 m intervals in order to determine the soil/moisture profile and from other selected depths for other testing. Soil samples were also obtained from Standard Penetrations Tests (SPTs), which were performed at selected depth intervals.
5. At the completion of drilling, 25 mm hand-slotted PVC standpipes were installed in all boreholes. All boreholes were backfilled with auger cuttings and bentonite and cut-off flush with the ground level, capped and protected with sand. Excess auger cuttings were spread around the boreholes by ParklandGEO.
6. All soil samples were returned to ParklandGEO's Lethbridge laboratory for further testing. The results of the laboratory testing are shown on the borehole logs in Appendix A and the individual test results are presented in Appendix B. The laboratory testing program consisted of moisture contents, Atterberg Limits, a swell test and sulphate testing.
7. Groundwater conditions were not present during drilling. Groundwater level measurements were taken on March 31, 2107, approximately one week after drilling and all of the holes were found to be dry.
8. The locations and elevations of the boreholes were surveyed by ParklandGEO using a Trimble GeoXH 2008 Series GPS receiver and a Trimble Tornado GPS antenna. The estimated post data correction vertical accuracy of this equipment is ± 10 cm. The survey was tied to ASCM 320838 which has an elevation of 1129.39 m. The survey also tied in the top of the newly completed water wall casing as a fixed reference for the site. UTM coordinates and geodetic elevations are provided in the boreholes logs in Appendix A.

4.0 SUBSURFACE CONDITIONS

The soil profile at the site consisted of topsoil overlying a layer of lacustrine silty clay and clay till. Detailed soil conditions encountered at each of the borehole locations are described in the borehole logs in Appendix A. Five test pits were also excavated on the site by J.A. Building Services for the purpose of designing the septic fields for the Sekella residence and the other 5 lots. The soil test results and definitions of the terminology and symbols used on the borehole logs are provided on the explanation sheets also in Appendix A. The following is a brief description of the soil types encountered.

4.1 TOPSOIL

A layer of surficial topsoil up to 75 mm thick was encountered in all of the boreholes. The topsoil was organic, silty, brown and damp. In general, this topsoil is considered to be weak and compressible under load. It is possible that thicker layers of topsoil are present between the borehole locations.

4.2 LACUSTRINE CLAY

Boreholes 1 to 3 had a layer of high plastic, lacustrine clay below the topsoil. This layer was about 7.5 m thick and had a moisture content ranging from 21 percent to 40 percent with an average of about 28 percent. The layer had a high plasticity with a plasticity index of 68 percent. The layer had a firm to stiff consistency with Standard Penetration Test (SPT) N values ranging between 6 and 17.

4.3 SAND

A layer of silty sand was encountered in Borehole 5 below the topsoil and was about 1 m thick. It was fine grained, poorly graded, brown and damp. It had a moisture content of 9 percent and was a superficial layer likely to be removed for any construction.

4.4 CLAY TILL

Clay Till deposits were encountered beneath the topsoil, sand, and lacustrine deposits in the boreholes. The till extended below the maximum 9.5 m depth drilled. These deposits were a variable mixture of clay, silt and sand, with traces of gravel, occasional oxide stains, and coal inclusions. Although not encountered, cobbles, boulders, and thick sand lenses are common in the local till. The till was high plastic with a plasticity index of 55 percent. The SPT "N" values ranged from 8 to 27 blows per 300 mm of penetration, indicating a firm to very stiff consistency. The moisture contents ranged from about 19 to 32 percent and typical value of about 24 percent which is considered to be at or slightly below the Optimum Moisture Content (OMC) for these deposits. The CBR value for the till is estimated to be between 3 and 5 in the soaked condition.

4.5 WATER SOLUBLE SULPHATES

Soil samples were taken at depths of 1.0 m in Boreholes 1 and 3 and at 3.0 m in Borehole 4 for water soluble sulphate concentration testing. The concentrations of water soluble sulphates were in the range of 0.0184 to 0.0480 percent, which indicates a "negligible potential for sulphate attack on buried concrete in direct contact with soil." Although not found at this site, moderate to high concentrations of water soluble sulphates migrate with the groundwater and are common in Southern Alberta. Therefore it is recommended that any concrete in direct contact with the native soils be Type HS (50) Sulphate Resistant Cement and have a maximum water to cement ratio of 0.45 and a compressive strength of 32 MPa.

5.0 GROUNDWATER CONDITIONS

Groundwater seepage was not observed at any of the borehole locations during or after drilling. Groundwater level measurements were taken on March 31, 2017, one week after drilling. The following table summarizes the observed groundwater conditions.

**TABLE 1
GROUNDWATER MEASUREMENTS**

Borehole	Ground Elevation (m)	March 24, 2017		March 31, 2017	
		Borehole Depth (m)	Groundwater Level	Groundwater Level (mbg)	Groundwater Elevation (m)
1	1153.56	9.5	Dry	Dry	< 1144.06
2	1150.58	9.5	Dry	Dry	< 1141.08
3	1146.09	9.5	Dry	Dry	< 1136.59
4	1136.34	9.5	Dry	Dry	< 1126.84
5	1130.09	9.5	Dry	Dry	< 1122.59

The water table is recharged by infiltration of precipitation (rain and snow melt) through fissures and cracks in the till. Groundwater elevations are expected to fluctuate higher on a seasonal basis and will be highest after periods of heavy or prolonged precipitation and snow-melt. Due to the low permeability of the clay subgrade the response to heavy precipitation is expected to be slow. The subgrade will be susceptible to perched groundwater conditions on a seasonal basis during the spring and summer months. Although not encountered, sand lenses are common in clay till deposits. Perched groundwater in sand lenses above the till could lead to seepage with volumes depending on the size of the sand lenses intercepted. Perched conditions will dissipate over time as the groundwater evaporates or infiltrates down to the groundwater table. Groundwater seepage is not expected for shallow excavations at this site or for deep bored excavations. The volumes of groundwater encountered will be dependent on seasonal conditions and the permeability of the soil layers intercepted by excavations.

6.0 DISCUSSION AND RECOMMENDATIONS

6.1 GEOTECHNICAL EVALUATION

The proposed development is a 6 lot rural residential subdivision including one lot the owner of the subdivision's residence being constructed on the remainder of Block P west of Lot 5. The overhead power and water wall are in place for this residence. The main consideration for this investigation was to determine the presence of high plastic clays and suitable foundation options to mitigate the effects of shrinkage and swelling of the clays. A existing residential subdivision to the west has experienced significant issues with swelling high plastic clays which caused foundation cracking.

Other geotechnical considerations for the project include:

1. The presence of high plastic clays in surficial soils. A swell test was performed on a sample from Borehole 3 at a depth of 4.5 m below grade. The sample had a free swell of 0.723 percent and a swell pressure of 82.0 kPa which indicates a significant potential for swelling if wetted. All of the boreholes had high plastic clays present with a Plasticity Index ranging from 55 percent to 68 percent. This issue is discussed further in Section 6.2.
2. The amount and degree of yard irrigation must be managed around structures in this development. Excessive irrigation including watering of trees near homes. The groundwater table can rise which can affect the swelling of the clays.
3. The native clay till is considered suitable for conventional footings for the expected one or two storey single family homes with modifications to mitigate the effects of the high plastic clays.
4. The level of support for local access roads in the fine grained subgrade will be relatively low. Due to the fine-grained nature of the surficial soils, subgrade conditions for road and lots may be adversely impacted by wet weather and seasonal high groundwater levels including perched groundwater conditions. The surficial fill may weaken and rut when wet. Site preparation measures will be significantly impacted by wet weather.
5. Private Septic Disposal Systems (PSDS) are being designed by others and are not within the scope of this report.

6.2 SWELLING CLAY ISSUES

Near surface high plastic clays were encountered at the site. This is typical for many areas in and around the Oldman Reservoir. High plastic clays will exhibit volume changes such as swelling (heave) and shrinkage with changes on soil moisture content. The typical problem with swelling soils is that they are exposed and allowed to dry out during construction, and then once concrete flatwork or pavement is placed over the soil, the evapo-transpiration conditions change and the soils gain moisture resulting in swelling. Since structural features such as foundations and slabs are placed after shrinkage, the effects of swelling are magnified when the soil re-establishes a new soil-moisture equilibrium. Swelling pressures in excess of 80 kPa are considered possible at this site which is well in excess of some foundation and typical slab loads. The swelling problems are magnified by the variation of plasticity in the subgrade, which may lead to non-uniform swelling and harmful differential heave.

The ideal option is to provide a structurally supported floor slab underlain by a crushable void form or crawl space. This option is relatively expensive, but it will provide the most predictable level of slab performance and may be justified for slabs with strict vertical tolerances. A variation of this would be to support the floor with floor trusses over a crawl space.

If the Owner is willing to accept some risk, then it may be acceptable to construct a grade supported slab and try and minimize the potential for differential slab movement. If subgrade conditions are uniform, heave will still occur, but the potential for differential heave may be reduced. The following construction practices can be used to try and reduce possible problems with heaving/shrinking:

1. Higher plastic clays could be removed and replaced or mixed with a suitable low to medium plastic material. However, given the thick deposits of high plastic clay at this site, removal may not be considered to be practical. An alternative to removing the high plastic clay is to cap it with low to medium plastic clay which will provide a seal and help prevent the underlying high plastic clay from experiencing significant moisture increase, which would induce swelling. A minimum of 1.0 m of cover is recommended. With either of the options above, a diligent testing program should be carried out to ensure that sufficient density and moisture content are achieved.
2. Swelling pressures are heave potential are reduced when soil moisture contents approach 35 percent. Soils drier than this will be subject to higher swelling. The existing moisture content ranged from 18 to 38 percent. It is crucial not to allow exposed subgrade soils to dry during construction through the use of a protective layer such as mud slabs; or the subgrade can be saturated by flooding or injection prior to placement of the gravel base and slab.
3. The design of water lines and heating ducts beneath slab on grad floors can have a significant impact on subgrade soils and require very careful design and construction measures.

4. Interior non-load bearing walls need to be designed to accommodate potential vertical movement of the slab.
5. Exterior drainage around the building perimeters is important to minimize the potential for infiltration into subgrade soils. Roof and other drains should discharge well clear of buildings. The use of paving stones adjacent to buildings is also not recommended unless special design considerations are used to promote the drainage of water away from buildings. Pavement areas around buildings should be kept high, especially in gravel surfaced areas. The surface of the top of the subgrade should mirror the surface grades and shed infiltration water away.
6. Landscaping should be designed to minimize the need for watering adjacent to the proposed buildings. Planting trees and larger shrubs within 1 to 3 m of the buildings should be avoided, because root systems can take moisture from the subgrade and lead to possible subgrade shrinkage and settlement.

These steps can be taken to reduce the detrimental effects of swelling clays on foundations and slabs. Due to the nature of these soils however, there is no procedure that can be followed that can totally eliminate the risk.

6.3 SITE PREPARATION

As a country residential subdivision, it is expected that the development will follow existing grades with minimal changes (cuts/fills) except as required for access roads (ie. ditches). There are no deep fills proposed for any building footprints. The site is located on the north side of Oldman Dam Reservoir and gently slopes towards the reservoir. With the exception of a drainage on Lot 4, the site is relatively level.

In areas which require grading such as road and building pads, topsoil and organic material should be stripped before excavation takes place. It is expected that topsoil will be stockpiled for reuse during landscaping. Care should be taken to minimize cross contamination of organic and non-organic soils. The exposed subgrade below access roads should be proof-rolled under the supervision of experienced geotechnical personnel to identify potential soft areas. If soft spots are encountered in near surface soils, sub-cut excavation and replacement of soils may be required. If excessively soft subgrade conditions are encountered across this site, preparation procedures should be reviewed. The depth of any sub-cut excavation should be sufficient to remove soft material or to bridge over the material to give proper support to construction traffic. Following removal of any undesirable soils, all exposed subgrade soils should be scarified to a minimum depth of 150 mm, moisture conditioned and compacted to a minimum of 98 percent of Standard Proctor Maximum Dry Density (SPMDD) in pavement and building areas. In building areas, the clay surface should be moisture conditioned to a moisture content 2 to 4 percent above the Optimum Moisture Content (OMC).

Fill required to bring the site up to grade should be a low to medium plastic clay. The native surficial clay is high plastic clay which is marginally suitable for use as engineered fill. High

plastic clay may be selectively used or mixed with lower plastic clays to reduce the swelling potential. If used, the high plastic clay should be placed well wet of OMC.

Fill material should be placed to a uniform density of 98 percent of Standard Proctor Maximum Dry Density (SPMDD) for any soils which are likely to support home foundations. If new fills greater than 1.0 m are proposed, including trench backfill, this compaction specification should be increased to 100 percent SPMDD. The lift thicknesses should be governed by the ability of the selected compaction equipment to uniformly achieve the recommended density. However, it is generally recommended that the maximum compacted thickness of fill after compaction should not exceed 200 mm for granular fill and 150 mm for clay fill. Uniformity of fill compaction is most important.

Fill placement and compaction during the winter months is challenging due to the difficulty in moisture conditioning fill soils and obtaining high compaction levels. Materials and methodology should be reviewed prior to construction if cold weather compaction of fills is proposed. High compaction levels can only be achieved using fill soils that are not frozen provided the compaction area is heated and hoarded to prevent freezing during placement and compaction.

6.4 RESIDENTIAL FOUNDATIONS

6.4.1 Basement Excavations

For proposed basements excavated during wet weather or with elevations close to the groundwater table elevation, construction traffic from tractor dozer equipment could cause the disturbance of the subgrade resulting in a significant weakening of the bearing surface. Excavation is best carried out with backhoe or "Gradall" equipment. Basement excavations in the native clay and clay till soils are not expected to be able to stand vertical for long periods of time. For excavations deeper than 1.5 m, sideslopes should be cut back to 1 H:1 V. If space does not permit the slopes to be cut back, some form of temporary shoring must be installed to protect workers from the excavation.

The latest edition of the Construction Safety Regulations of the Occupational Health and Safety Act of Alberta should be followed. All temporary surcharge loads should be kept back from the excavated faces by at least a distance equivalent to the depth of the excavation. All vehicles delivering materials to the site should be kept back from excavated faces a distance equivalent to the depth or 1.0 m, whichever is greater.

6.4.2 Footings

Standard house basement foundations using strip and spread footings will generally be acceptable for this site. Footings based on the native clay till, or engineered fill prepared as described in Section 6.2.2, may be designed based on a maximum allowable bearing pressure of 120 kPa (SLS) for strip footings and 150 kPa (SLS) for pad footing placed on undisturbed inorganic soil free from loosened material. The design and construction of residential foundations should conform to the Alberta Building Code. In general, excavations should not be allowed to dry out excessively during construction; and the bearing soil should be protected

against freezing during and after construction. Due to the high plastic clay soils at this site, the bearing surface should be protected by a mud slab. While adhering to minimum footing width set by the Alberta Building Code, footings should not be oversized to reduce bearing pressure because it may result in extra heave.

6.4.3 Grade Supported Slabs

Floor slabs should rest on at least 150 mm of well graded, free draining, granular base. Suitable materials would include coarse sand or crushed gravel with less than 10 percent passing the 0.080 mm sieve. The drainage layer below the slab should be compacted uniformly to at least 95 percent of SPMDD.

Small vertical movements may be experienced, therefore provisions should be made for movements between partitions and adjoining columns or load bearing walls. In addition, where partitions are placed under structural members a space should be left at the top of partition to allow vertical movement (at least 25 mm). Columns in basements which support floor joists should be adjustable. Water lines should be installed carefully to minimize the potential for breakage and leaks below slabs. Heating ducts below grade should be avoided.

6.4.4 Basement Subdrainage

Surface water should be drained away from the building foundation walls as quickly as possible, both during and after construction. It is recommended to provide a 5 percent back slope away from buildings for at least a distance of 3 m. Roof and other drains should discharge well clear of buildings. The slope of exterior backfills should be checked periodically to verify water is shed away from the buildings. If the backfill settles causing water to pond against the foundation wall, should be regraded.

A permanent subdrainage system (weeping tile drain) is recommended around the outside perimeter of basements. The weeping drain should be surrounded with granular material to prevent the fine grained native soil from being washed into the drain. The granular filter may consist of free draining crushed rock or washed rock placed around the perforated drain pipe and wrapped with a coarse concrete sand or suitable geotextile.

Infiltration flows into most weeping tile drains are expected to be low to moderate because the native soil, has a relatively low permeability. The largest flows will occur during periods of heavy precipitation and will be greatest for basements excavated into very sandy soils which are perched on lower permeable clays within the tile deposits. Groundwater infiltration flows can be significantly increased by poor site drainage around houses, improperly directed roof leaders and poorly graded or compacted backfills.

6.4.5 Backfill for House Structures

Backfill soils are capable of exerting significant horizontal pressures onto a basement wall. It is recommended the backfilling be delayed until the concrete has gained enough strength to support the horizontal loads. The top and bottom of the wall should be braced prior to backfilling. Therefore, it is recommended to place the basement floor slab and floor joists prior to backfilling around walls. Backfill should be brought up evenly around the building perimeter to minimize differential horizontal pressures on the basement walls.

Rather than heavily compacting the backfill around the basements, it is recommended to normally compact the backfill (90 to 95 percent of SPMDD) recognizing that settlement of the backfill will occur, particularly after the first freeze/thaw and moisture infiltration cycle. Backfill around basement walls should be sloped to shed water away from the structure with a recommended slope of 5 percent. The slope of the backfill should be checked periodically to maintain the slope of the ground surface away from the wall. If possible, the upper 500 mm of the backfill should be medium plastic clay, to reduce potential surface water infiltration. Roof leaders from houses and garages may be discharged onto the ground surface well clear of the foundation walls to help reduce wet weather infiltration of water into the subdrainage weeping tile system.

6.5 FOUNDATION CONCRETE

Water-soluble concentrations from the samples from the site ranged from 0.0184 to 0.048 percent, indicated negligible potential for chemical attack of subsurface concrete. However, based on local experience, high sulphates are known to exist in this area of southern Alberta. Soluble Sulphates are highly mobile and are known to migrate with the local water table. Therefore, Sulphate Resistant (Type HS) hydraulic cement is recommended for use in all subsurface concrete in contact with native soil at the site in accordance with CSA Standard CAN-A23.1-14. The recommended minimum 56-day compressive strength is 32 MPa with a water cement ratio of 0.45. All concrete exposed to a freezing environment either during or after construction should be air entrained.

6.6 ROADS

6.6.1 Subgrade and Roadbed Preparation

Local lot access roads are proposed. It is understood that these roads could possibly be paved. The new road alignments should be stripped of topsoil shipping should be monitored by experienced geotechnical personnel to verify that the exposed surficial soils are uniform and stable. The exposed subgrade should be scarified and uniformly recompacted to at least 98 percent of SPMDD. If subgrade, weather and/or groundwater conditions are unfavorable, it may be required to modify this preparation recommendation.

Any soft areas where deleterious materials are encountered should be sub-excavated and replaced with a suitable material. The depth of excavation should be sufficient to remove the soft material or to bridge over the material to give proper support to the pavement. If wet soil that meet the requirements for general fill are encountered; drying and recompaction of the soil may be possible option for replacement.

6.6.2 Subgrade Fill Materials and Placement

If required, fill used to bring the site up to grade should consist of: select sand, well graded coarse gravel, or low to medium plastic inorganic clay. Sand which is uniformly graded, or which contains more than 12 percent passing the 0.080 mm sieve, should not be used without further review.

The existing native clay till deposits are considered to be suitable fill material, but it will require moisture conditioning prior to use in order to achieve specific densities. The type of material used for road bed construction will impact on the subgrade support chosen for the pavement design section and on the road bed side slopes. If coarse granular fill is proposed for subgrade construction or improvement, the suggested material is a selected well graded coarse gravel with a maximum aggregate size of 150 mm. Recommended gradation specifications are provided in the following table.

TABLE 2
150 MM COARSE GRADED GRAVEL

Sieve Size (mm)	Percent Passing by Weight	
150	---	100
75	100	75 - 100
50	85 - 100	---
25	60 - 85	60 - 95
5.0	20 - 50	20 - 50
0.080	0 - 10	0 - 10

Fill material in the road bed should be placed to a density of at least 98 percent of SPMDD. Uniformity of compaction is most important. The uniformity of compaction can be checked periodically by proofrolling the fill, in conjunction with a regular in-situ density testing program. The lift thickness will be governed by the ability of the compaction equipment to achieve the recommended density. It would be suggested to use lifts with a maximum thickness of 200 mm, although initial lifts may have to be thicker to protect the subgrade.

If soft subgrade conditions are encountered, the site preparation procedures should be reviewed based on the actual subgrade conditions and final road grades. Subgrade problems are most often encountered during periods of snowmelt or heavy precipitation when the groundwater table is shallowest and when surface water does not evaporate into the subgrade. Wetting of the exposed surface will substantially weaken the subgrade.

6.6.3 Sideslopes and Cutslopes

If shallow embankments or roadside ditches are proposed, embankment sideslopes no steeper than 3 H : 1 V should be used for preliminary design purposes. If granular embankment fills are used, it may be possible to slightly deepen the embankments provided the slopes are well vegetated to protect against erosion. The comments above are based on local experience. For any major roadside cuts within the native clay soils, sideslopes no steeper than 4 H : 1 V are recommended for preliminary design purposes. These preliminary recommendations should be reviewed before finalizing designs. The appropriate time for this review is after grade line, right of way restrictions and possible fill materials have been determined.

6.6.4 Pavement Design

The native surficial soils were estimated to have a soaked California Bearing Ratio (CBR) of 3 to 4 depending on the subgrade soil. For design purposes, the proposed pavement sections are based on the assumption of a stable subgrade which has a CBR of at least 4 percent in a soaked condition; or a subgrade which has been improved to an equivalent level as described in Sub-Section 6.4.1 and 6.4.2. This estimated CBR value is indicative of a moderate level of subgrade support. The majority of surficial soils across the site are expected to meet this minimum subgrade support condition, but there is potential for some localized soft areas. In localized areas of weaker subgrade it is expected the subgrade will be improved to an equivalent level of support as discussed in Sub-Section 6.4.3.

The recommended design traffic for this rural subdivision is 9×10^4 Equivalent 80 kN Single Axle Loads (ESAL's). The design traffic number is based on the preceding design assumptions the following flexible pavement design is proposed:

**TABLE 3
 FLEXIBLE PAVEMENT DESIGN**

Pavement Sections	Local Residential	
Design Traffic (ESAL's)	9 x 10 ⁴	
Asphalt Concrete Pavement (ACP) 20 or 25mm Crush Base Gravel (GBC) Sub-Base Gravel (minimum)	75 mm 100 mm 250 mm	75 mm 300 mm
Geotextile 150 mm Subgrade preparation	Suggested Yes	Suggested Yes

The sub-base thickness given above is based on ideal conditions, but as noted the subgrade support available is expected to vary and localized weaker areas will be present. Therefore, additional sub-base gravel should be expected to be required and should be budgeted along with a contingency volume for localized soft areas which may require substantial subgrade improvement gravel. If subgrade improvement gravel is required, it may be placed with the sub-base in a single lift, effectively increasing the sub-base layer. Local experience suggests a total coarse gravel sub-base layer of 300 to 500 mm may be required depending on weather and subsurface conditions at the time of construction.

6.6.5 Pavement Materials

The performance of the proposed pavement design sections will be, in part, dependent on achieving an adequate level of compaction in subgrade and pavement materials. The recommended levels of compaction for the granular materials in the pavement section should be a minimum of 98 percent of SPMD. The asphalt concrete should be compacted to a minimum of 97 percent of Marshall Density based on a 50 blow laboratory Marshall Test. It is recommended to use pavement materials conforming to the following specifications:

**TABLE 4
 ASPHALT CONCRETE**

Parameter	Specification
Stability (kN minimum)	8.0
Flow (mm)	2.0 – 4.0
Air Voids (percent)	3.0 – 5.0
VMA (percent)	14.0 – 16.0
VFA (percent)	70 – 80
Asphalt Cement (penetration grade)	150-200 (A)

Aggregate materials for base and subbase gravel should be composed of sound, hard, durable particles free from organics and other foreign material. It is recommended to use aggregates conforming to the following Alberta Transportation (AT) specifications.

**TABLE 5
 RECOMMENDED AGGREGATE SPECIFICATIONS**

Material	AT Specifications
Asphalt Gravel	Designation 1, Class 12.5 or 16
Crushed Base Gravel (GBC)	Designation 2, Class 20 or 25
Subbase Gravel (if required)	Designation 2, Class 40

A copy of the AT aggregate specifications are provided in Appendix A. Based on availability of local materials at the time of tendering or construction, alternate materials could be considered upon review by the geotechnical engineer.

6.6.6 Surface Drainage

Site grading during and after construction is an important consideration. The pavement and road bed should be sloped and graded to effectively and rapidly remove all surface water during and after construction. To minimize the occurrence of surface water ponding on the roadway, surface grades of at least 2 percent are recommended. Water should not be allowed to pond on the exposed subgrade or sub-base. Allowing water to pond on the sub-base, base, or pavement surface will lead to infiltration of water into the subgrade which could result in weakening of the subgrade soils and may lead to distress/failure of the overlying pavement.

6.6.7 Geosynthetic Filter Fabric

As a general rule, if the subgrade is too soft or sensitive to undertake a conventional subgrade preparation, then the use of filter fabric is recommended. Even if a subgrade preparation if the local clay soil can be achieved the use of filter fabric is suggested for long term performance of roads. The filter fabric is placed below, granular materials to provide a separation barrier to keep subgrade fines. If filter fabric is not placed, more gravel will be needed to achieve the same performance. The filter fabric must be strong enough to withstand construction activities. It is recommended to place the geotextile in accordance with the following specifications:

TABLE 6
SUGGESTED GEOTEXTILE SPECIFICATIONS

Test Parameter	Specifications
Minimum Grab Tensile Strength	900 N
Maximum Elongation at Break	30 percent
Minimum Mullen Burst Strength	2500 kPa
Minimum Tear Strength	400 N
Maximum Equivalent Opening Size	600 microns

For pavement applications, woven fabrics typically have more favorable stress/strain characteristics (30% elongation at failure) than non-woven filter fabrics (100 % elongation at failure). Therefore, the woven fabric will mobilize more strength as the subgrade deflects under construction traffic loads. Non-woven fabrics would be suitable for use as a separation barrier in subdrainage trenches. If sand fill is used on top of the native subgrade, a filter fabric is not required because there is limited potential for upward migration of fines and no need for a separation barrier. Proposed geosynthetic filter fabrics should be reviewed based on their proposed end use. A slightly less robust geotextile could be given consideration if initial field performance ratings dictate.

6.6.8 Frost Action

The expected typical depth of frost penetration is about 2.1 m for the native clay soils. Deeper frost penetration will occur on an infrequent basis. For frost heave to occur in frost susceptible soils, high soil moisture content and/or available free-water close to the subgrade must be available within the depth of frost. If any one of these three conditions is removed the potential for heave is significantly reduced. The depth of frost varies from winter to winter and is dependent on ambient temperature and both surface and subgrade conditions. The potential for frost penetration in a road setting is severe due to the expected lack of snow cover. However, heave alone does not adversely impact the road performance. Where subgrade materials are similar the overall heave is uniform, resulting in relatively minor damage to the surface development (i.e. pavements). The potential for frost to penetrate into the water table is low due to factors such as soluble salts and additional latent heat of the groundwater. Surface conditions such as shade or lack of snow cover can affect frost penetration.

Due to the presence of low permeable till soil and a relatively deep groundwater table, the potential for differential frost heave is considered to be low to moderate at this site. Based on local experience, frost heave in typical local clay till soils is in the order of 25 to 60 mm. The subgrade is considered to be relatively uniform which will reduce the potential for harmful differential heave. The worse cases of heave will occur if there are sharp transitions from fine grained clay / silt deposits to granular sand or gravel materials, including imported trench backfill.

The use of native material is recommended except for pipe bedding. With the bedding zone below the depth of frost typically, the frost heave of overlying backfill will be similar to adjacent soil. If imported granular material is required for utility trenches within the roadway, the trench side slopes should be reduced to 5 H : 1 V to provide a gradual transition between subgrade granular fill and fine grained native clay soils and reduce the potential for differential frost heave. Insulation details for shallow buried services can be provided upon request.

6.7 INSPECTION

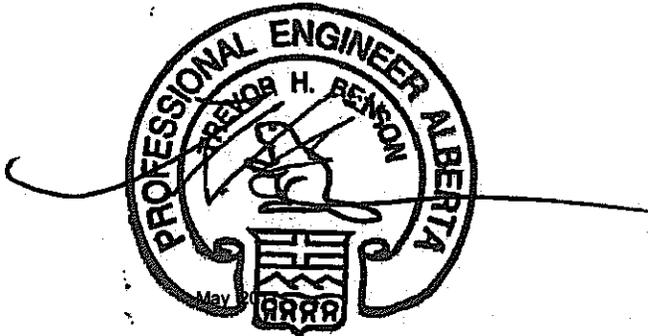
It is recommended that on-site inspection and testing be performed to verify that actual site conditions are consistent with assumed conditions which meet or exceed design criteria. Adequate levels of inspection include: testing of engineered fill, review of all completed bearing surfaces for footings and full time inspection during construction of deep foundations.

7.0 LIMITATIONS

Geological conditions are variable. At the time this report was prepared, information on the subsurface conditions was available only at the borehole locations. Therefore, it was necessary to make certain assumptions concerning conditions between the borehole locations. The recommendations presented in this report and any subsequent correspondence, are based on an evaluation of information derived from five boreholes. The conditions described are believed to be reasonably representative of the site. If conditions are noted during construction which are believed to be at variance with the conditions described in this report, this office should be contacted immediately.

This report has been prepared for the exclusive use of **Peter Maloff of 507 Cattle Company Ltd.** and their approved agents, for the specified application of the proposed Sekella Subdivision in the Municipal District of Pincher Creek, Alberta. It has been prepared in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made. Use of the report is subject to acceptance of the General Terms and Conditions provided in Limitation Appendix of this report.

Respectfully submitted,
ARKLAND GEOTECHNICAL CONSULTING LTD.
APEGA Permit #07312



Trevor Benson, P.Eng.
Lethbridge Office Manager

Reviewed by: Mark Brotherton, P.Eng.

FIGURES

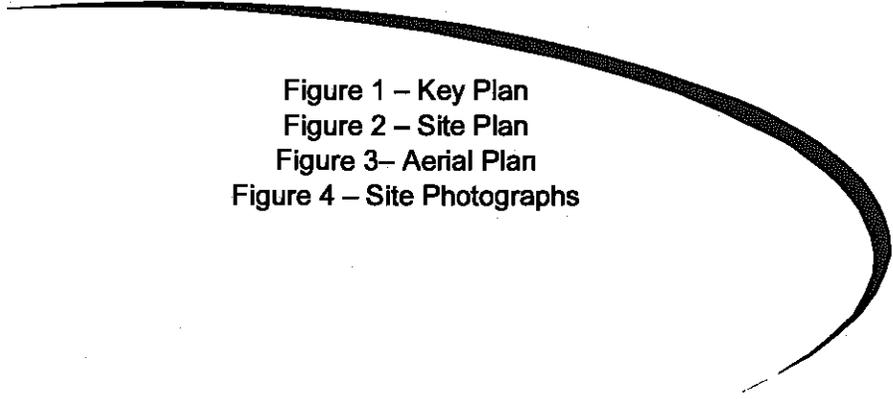


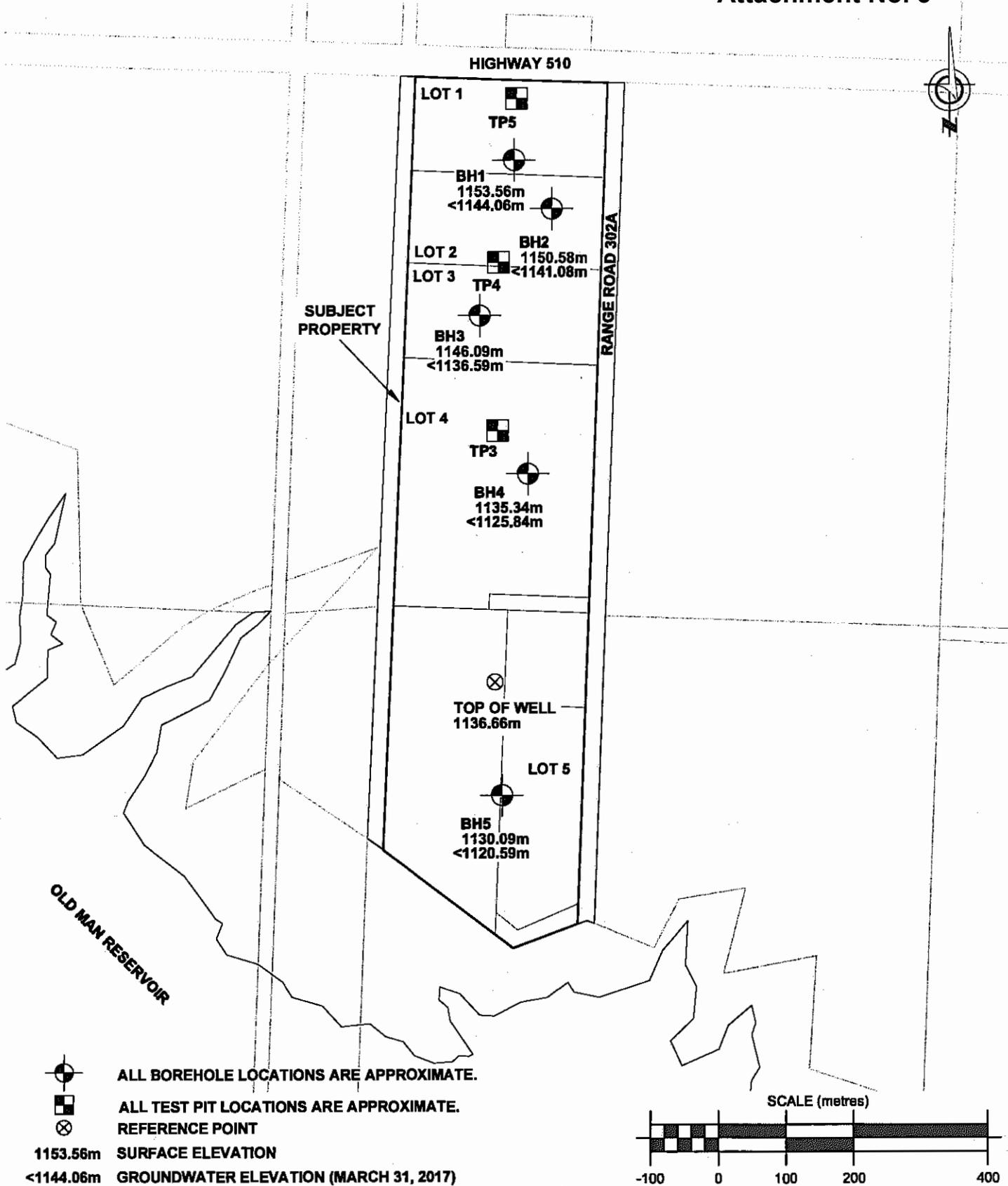
Figure 1 – Key Plan
Figure 2 – Site Plan
Figure 3– Aerial Plan
Figure 4 – Site Photographs



**BOY CATTLE
COMPANY**

KEY PLAN

PROPOSED SENECA RIVER SUBDIVISION					
100 & 200 2ND ST NW, WASH DC 20001					
OWNER	DATE	SCALE	DATE	APPROVED	
BOY	1987	1"=100'			
SCALE	DATE	DATE	DATE	DRAWN BY	
1"=100'	1987	1987	1987	T. J. HARRIS	



	CLIENT:	SITE PLAN			
	507 CATTLE COMPANY	PROPOSED SEKELLA RURAL SUBDIVISION NW & SW 34-7-30 W4M, MD OF PINCHER CREEK, AB			
		DRAWN:	CHK'D.:	REV #:	DATE:
	NC	TB	0	APRIL 2017	
SCALE:	JOB NO.	DRAWING NO.			
1:7500	LE0101	FIGURE 2			



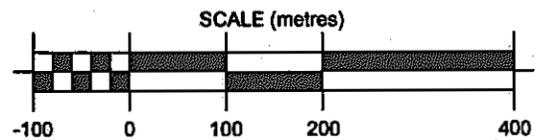
NOTE: AERIAL PHOTOGRAPH OBTAINED FROM GOOGLE EARTH, DATED JUNE 10, 2015.



ALL BOREHOLE LOCATIONS ARE APPROXIMATE.



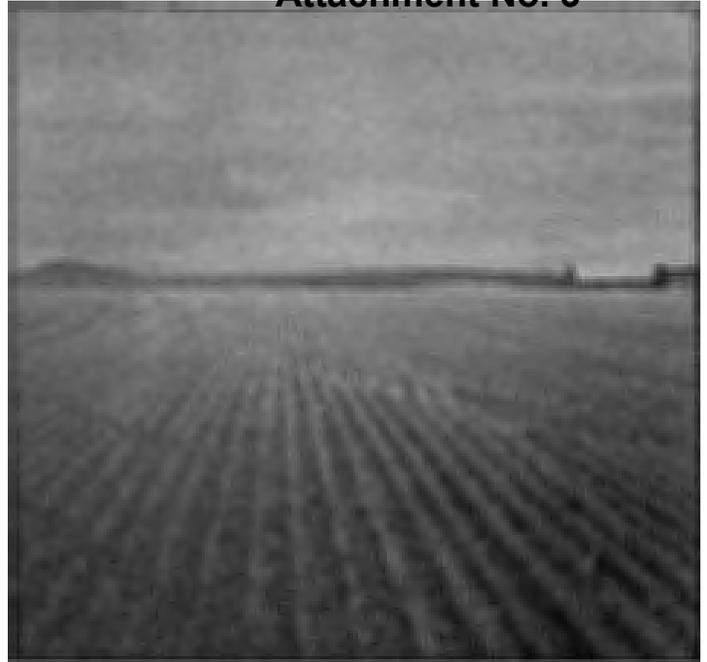
ALL TEST PIT LOCATIONS ARE APPROXIMATE.



	CLIENT:		AERIAL PLAN			
	507 CATTLE COMPANY		PROPOSED SEKELLA RURAL SUBDIVISION NW & SW 34-7-30 W4M, MD OF PINCHER CREEK, AB			
	DRAWN: NC	CHK'D.: TB	REV #: 0	DATE: APRIL 2017		
	SCALE: 1:7500	JOB NO. LE0101	DRAWING NO. FIGURE 3			



PHOTOGRAPH 1: SHOWS SUBJECT PROPERTY, FACING NORTHWEST



PHOTOGRAPH 2: SHOWS SUBJECT PROPERTY, FACING NORTH



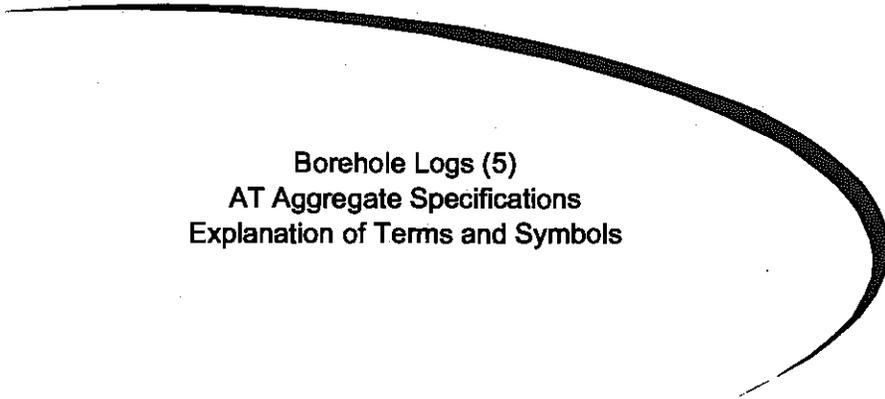
PHOTOGRAPH 3: SHOWS BH5, FACING WEST



PHOTOGRAPH 4: SHOWS SUBJECT PROPERTY, FACING SOUTHWEST

	CLIENT:			SITE PHOTOGRAPHS			
	507 CATTLE COMPANY			PROPOSED SEKELLA RURAL SUBDIVISION NW & SW 34-7-30 W4M, MD OF PINCHER CREEK, AB			
				DRAWN:	CHK'D.:	REV #:	DATE:
	NC	TB	0	APRIL 2017			
SCALE:	JOB NO.		DRAWING NO.				
NTS	LE0101		FIGURE		4		

APPENDIX A



**Borehole Logs (5)
AT Aggregate Specifications
Explanation of Terms and Symbols**



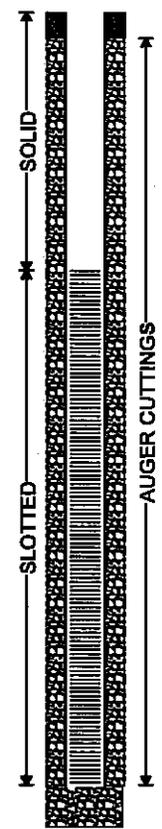
CLIENT: Peter Maloff
 SITE: Sekella Subdivision
 NOTES:

BOREHOLE NO.: BH01

PROJECT NO.: LE0101

BH LOCATION: Lot 5

SUBSURFACE PROFILE			Moisture (Wp —X— W)	Type	Sample No	SPT (N)	Comments	Well Completion Details	Elevation (m)
Depth (m)	Description	Symbol							
0	GROUND SURFACE								1153.56
0	Topsoil Organic, brown, moist.	[Symbol]							1153.31
1	Clay Silty, trace sand, firm to stiff, high plastic, dark brown, moist.	[Symbol]	25	[Symbol]	1G1				
2		[Symbol]	30	[Symbol]	1D1	13			
3		[Symbol]	28	[Symbol]	1G2		PP = 300 kPa		
4		[Symbol]	33	[Symbol]	1D2	9			
5		[Symbol]	38	[Symbol]	1D3	11			
6		[Symbol]	35	[Symbol]	1G3				
7		[Symbol]	23	[Symbol]	1D4	8			
8		[Symbol]	22	[Symbol]	1D5	9	PP = 250 kPa		
9	Till Clay, silty, trace sand, trace gravel, stiff, high plastic, rust staining, occasional coal inclusions, dark, moist.	[Symbol]	19	[Symbol]	1G4				1146.06
10	End of hole at 9.5 m. Dry at completion. 25 mm PVC standpipe installed. Borehole dry on March 31, 2017.	[Symbol]		[Symbol]	1D6	13			1144.06



LOGGED BY: TB
 CONTRACTOR: Chilako Drilling
 RIG/METHOD: Truck Mounted / Solid Stem
 DATE: March 24, 2017
 CALIBRATION:

GROUND ELEVATION: 1153.56
 NORTHING: 5499612.73
 EASTING: 283518.39



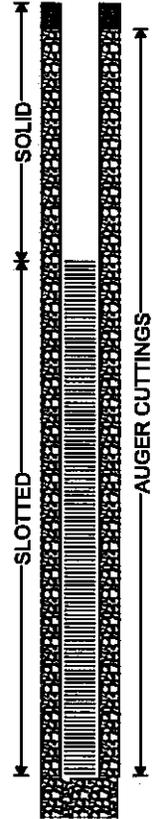
CLIENT: Peter Maloff
 SITE: Sekella Subdivision
 NOTES:

BOREHOLE NO.: BH02

PROJECT NO.: LE0101

BH LOCATION: Lot 4

SUBSURFACE PROFILE			Moisture (Wp ---X--- Wl) 25 50 75	Type	Sample No	SPT (N)	Comments	Well Completion Details	Elevation (m)
Depth (m)	Description	Symbol							
0	GROUND SURFACE								1150.58
0	Topsoil Organic, brown, moist.	[Symbol]							1150.33
1	Clay Silty, trace sand, firm to stiff, high plastic, stiff, dark brown, moist.	[Symbol]	25						
2		[Symbol]	28	[Symbol]	2D1	17			
3		[Symbol]	23	[Symbol]	2D2	11			
4		[Symbol]	40	[Symbol]	2T1				
5		[Symbol]	24	[Symbol]	2G1				
6		[Symbol]	36	[Symbol]	2D3	6			
7		[Symbol]	39				PP = 200 kPa		
8	Till Clay silty, trace sand, trace gravel, stiff, high plastic, rust staining, occasional coal inclusions, dark brown, moist.	[Symbol]	23	[Symbol]	2D4	8			1143.08
9		[Symbol]	28	[Symbol]	2D5	10			1141.08
10	End of hole at 9.5 m. Dry at completion. 25 mm PVC standpipe Installed. Boreholed dry on March 31, 2017.								
11									
12									
13									
14									
15									



LOGGED BY: TB
 CONTRACTOR: Chilako Drilling
 RIG/METHOD: Truck Mounted / Solid Stem
 DATE: March 24, 2017
 CALIBRATION:

GROUND ELEVATION: 1150.58
 NORTHING: 5499540.30
 EASTING: 283573.87



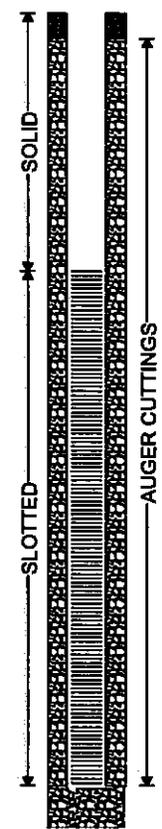
CLIENT: Peter Maloff
 SITE: Sekella Subdivision
 NOTES:

BOREHOLE NO.: BH03

PROJECT NO.: LE0101

BH LOCATION: Lot 3

SUBSURFACE PROFILE			Moisture (Wp —X— Wl) 25 50 75	Type	Sample No	SPT (N)	Comments	Well Completion Details	Elevation (m)
Depth (m)	Description	Symbol							
0	GROUND SURFACE								1146.09
0	Topsoil Organic, brown, moist.	[Symbol]							1145.84
1	Clay Silty, trace sand, firm to stiff, high plastic, dark brown, moist.	[Symbol]	26						
2		[Symbol]	28	[Symbol]	3D1	10			
3		[Symbol]	32						
4		[Symbol]	31	[Symbol]	3D2	6			
5		[Symbol]	25	[Symbol]	2T1		Swell Test = 0.723 percent, 82.0 kPa		
6		[Symbol]	24	[Symbol]	2D3	10			
7		[Symbol]	21				PP = 200 kPa		
8	Till Clay, silty, trace sand, trace gravel, stiff, high plastic, rust staining, occasional coal inclusions, dark brown, moist.	[Symbol]	18	[Symbol]	2D4	12			1138.59
9		[Symbol]	19	[Symbol]	2D5	14			
10	End of hole at 9.5 m. Dry at completion. 25 mm PVC standpipe installed. Borehole dry on March 31, 2017.								1136.59



LOGGED BY: TB
 CONTRACTOR: Chilako Drilling
 RIG/METHOD: Truck Mounted / Solid Stem
 DATE: March 24, 2017
 CALIBRATION:

GROUND ELEVATION: 1146.09
 NORTHING: 5499381.51
 EASTING: 283465.89

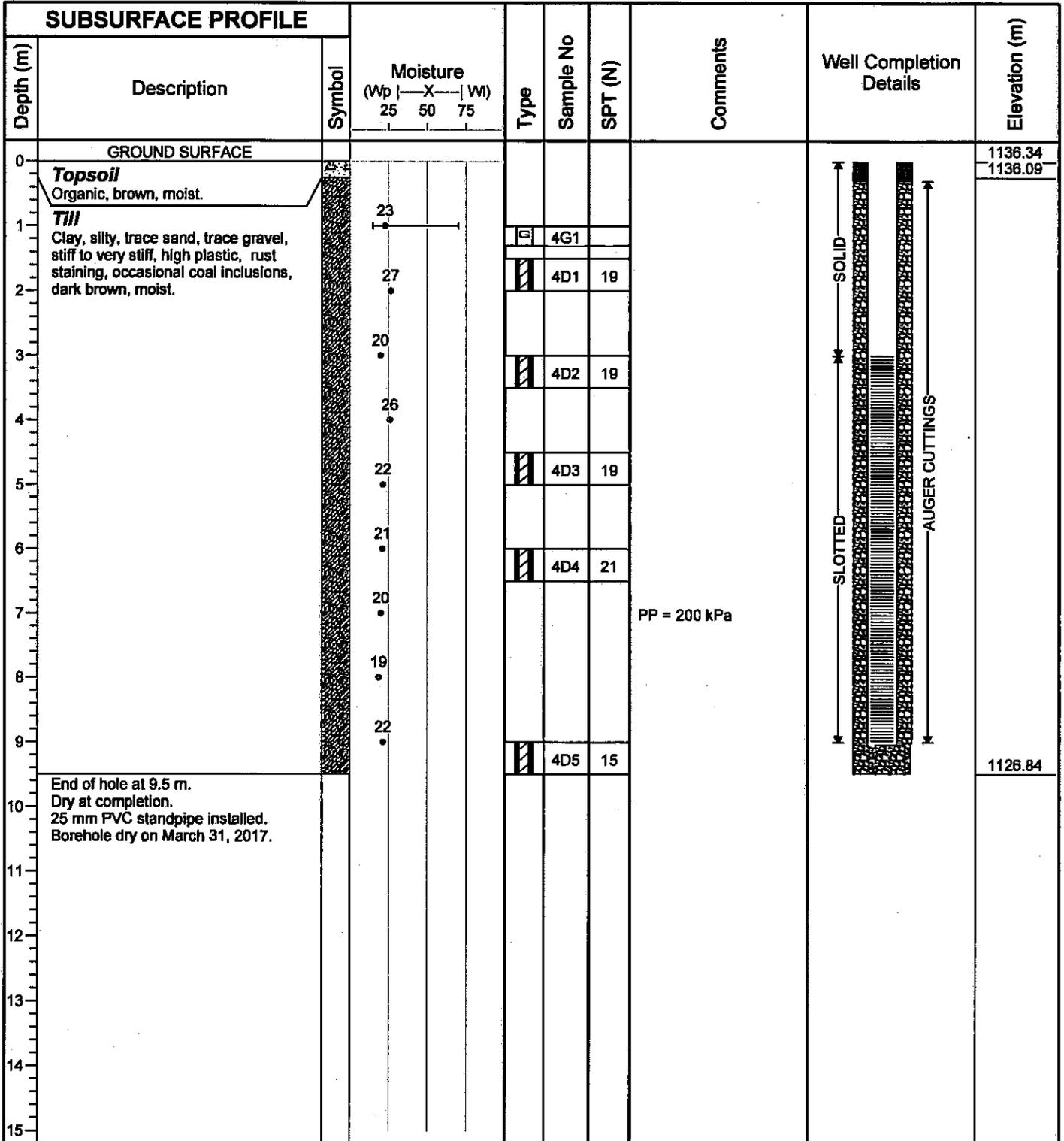


CLIENT: Peter Maloff
 SITE: Sekella Subdivision
 NOTES:

BOREHOLE NO.: BH04

PROJECT NO.: LE0101

BH LOCATION: Lot 2



LOGGED BY: TB
 CONTRACTOR: Chilako Drilling
 RIG/METHOD: Truck Mounted / Solid Stem
 DATE: March 24, 2017
 CALIBRATION:

GROUND ELEVATION: 1136.34
 NORTHING: 5499146.90
 EASTING: 283537.34



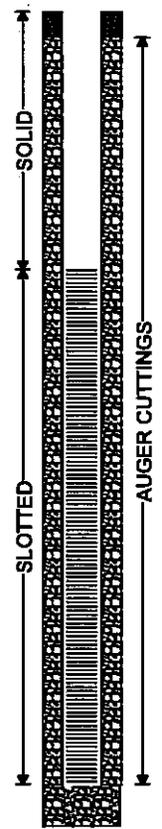
CLIENT: Peter Maloff
 SITE: Sekella Subdivision
 NOTES:

BOREHOLE NO.: BH05

PROJECT NO.: LE0101

BH LOCATION: Lot 1

SUBSURFACE PROFILE			Moisture (Wp X W) 25 50 75	Type	Sample No	SPT (N)	Comments	Well Completion Details	Elevation (m)
Depth (m)	Description	Symbol							
0	GROUND SURFACE								1130.09
0	Topsoil Organic, brown, moist.	[Symbol]							1129.84
1	Sand Silty, trace clay, loose, fine grained, poorly graded, brown, damp.	[Symbol]	9	[Symbol]	5G1				1128.59
2	Till Clay, silty, trace sand, trace gravel, stiff to very stiff, high plastic, rust staining, occasional coal inclusions, dark brown, moist.	[Symbol]	24	[Symbol]	5D1	27			
3		[Symbol]	21	[Symbol]	5D2	18			
4		[Symbol]	24						
5		[Symbol]	23	[Symbol]	5D3	15			
6		[Symbol]	24						
7		[Symbol]	23						
8		[Symbol]	21	[Symbol]	5D4	19			
		[Symbol]		[Symbol]	5G2				
9		[Symbol]	20	[Symbol]	5D5	18			
10	End of hole at 9.5 m. Dry at completion. 25 mm PVC standpipe installed. Borehole dry on March 31, 2017.								1120.59



LOGGED BY: TB
 CONTRACTOR: Chilako Drilling
 RIG/METHOD: Truck Mounted / Solid Stem
 DATE: March 24, 2017
 CALIBRATION:

GROUND ELEVATION: 1130.09
 NORTHING: 5498667.13
 EASTING: 283497.11



**ALBERTA TRANSPORTATION -
 SPECIFICATIONS FOR AGGREGATE
 (TABLE 3.2.3.1, DECEMBER 2010)**

DESIGNATION		1				2				3				4			5		6		7	8	9		
Class (mm)		10	12.5	16	25	*16(N2)	20	25	40	12.5AW	12.5BW	12.5C	16	20	25	40	10A	10B	80	125	40	25	8		
Percent Passing Metric Sieve (CGSB 8-GP-2M) µm	125 000																			100					
	80 000																			100					
	50 000																			55-100	55-100				
	40 000								100							100						100			
	25 000				100			100	70-94							100					38-100	38-100		100	
	20 000				85-95		100	82-97							100		55-90								
	16 000			100	75-87	100	84-94	70-94	55-85					100							32-85	32-85		90-100	
	12 500		100	80-92	65-80	88-100				100	100	100	72-85												
	10 000	100	83-82	70-84	58-72	78-94	63-86	52-79	44-74	35-65	55-75	70-93	53-82	35-77	30-77	25-72	100	100					85-100	45-75	
	8 000																							100	
	5 000	60-75	55-70	50-65	40-58	55-70	40-67	35-64	33-62	0-15	0-15	30-60	27-54	15-55	15-55	8-55	70-90	45-70	20-65	20-65			0-15	85-100	
	1250	28-45	26-45	26-45	25-44	26-45	20-43	18-43	17-43	0-3	0-3	9-28	9-28	0-30	0-30	0-30	20-45	20-45					40-100	0-5	45-75
	830	18-38	18-38	18-38	16-38	16-38	14-34	12-34	12-34																30-50
	315	12-30	12-30	12-30	10-28	12-30	8-26	8-26	8-26			0-15	0-15							9-22	9-22	6-30	6-30	17-100	18-30
160	8-20	8-20	8-20	6-18	8-20	5-18	5-18	5-18			0-11	0-11							5-15	5-15				10-21	
80	4-10	4-10	4-10	4-10	4-10	2-10	2-10	2-10	0-0.3	0-0.3	0-8	0-8	0-12	0-12	0-12	0-10	0-10	2-10	2-15	6-30				5-15	
%FRACTURE BY WEIGHT (2 FACES)	ALL +5000	* SEE NOTE (N1)				80+	60+	60+	50+	75+ (100% 1 face)	75+ (100% 1 face)	60+	60+	40+	40+	25+	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PLASTICITY INDEX (PI)		NP	NP	NP	NP	NP	NP-6	NP-6	NP-6	N/A	N/A	NP-4	NP-4	NP-8	NP-8	NP-8	NP-6	NP-6	NP-6	NP-6	NP-6	NP-6	NP-6	NP-6	
L.A. ABRASION LOSS PERCENT MAX.		40	40	40	40	50	50	50	50	35	35	35	35	N/A	N/A	N/A	N/A	35							
FLAKINESS INDEX		N/A								MAX 15				N/A											
COEFFICIENT OF UNIFORMITY (C _u)		N/A																				3+	N/A		

Designations:

- Designation 1 - Asphalt Concrete Pavement
- Designation 2 - Base Course Aggregate
- Designation 3 - Seal Coat Aggregate
- Designation 4 - Gravel Surfacing Aggregate
- Designation 5 - Sanding Material
- Designation 6 - Gravel Fill
- Designation 7 - Cement Stabilized Base Course Aggregate
- Designation 8 - Granular Filter Aggregate
- Designation 9 - Slurry Seal Aggregate

*** Notes:**

- N1. According to Specification 3.50, Asphalt Concrete Pavement - EPS or 3.53, Asphalt Concrete Pavement - Superpave and Mix Type Specified.
- N2. Designation 2 Class 16 Material is ASBC
- N3. For crushed aggregates other than all Designation 5 and Designation 9 materials, a tolerance of three percent in the amount passing the maximum size sieve will be permitted provided all oversize material passes the next larger standard sieve size.
- N4. Unless otherwise specified, Pit-Run Aggregate will be defined as unprocessed granular material, with no specified gradation requirement, that is extracted from an aggregate deposit.

The terms and symbols used on the borehole logs to summarize the results of the field investigation and subsequent laboratory testing are described on the following two pages.

The borehole logs are a graphical representation summarizing the soil profile as determined during site specific field investigation. The materials, boundaries, and conditions have been established only at the borehole location at the time of drilling. The soil conditions shown on the borehole logs are not necessarily representative of the subsurface conditions elsewhere across the site. The transitions in soil profile usually have gradual rather than distinct unit boundaries as shown on the borehole logs.

1. PRINCIPAL SOIL TYPE – The major soil type by weight of material or by behaviour.

Material	Grain Size
Boulders	Larger than 300 mm
Cobbles	75 mm to 300 mm
Coarse Gravel	19 mm to 75 mm
Fine Gravel	5 mm to 19 mm
Coarse Sand	2 mm to 5 mm
Medium Sand	0.425 mm to 2 mm
Fine Sand	0.075 mm to 0.425 mm
Silt & Clay	Smaller than 0.075 mm

2. DESCRIPTION OF MINOR SOIL TYPE – Minor soil types are identified by weight of minor component.

Percent	Descriptor
35 to 50	and
20 to 35	some
10 to 20	little
1 to 10	trace

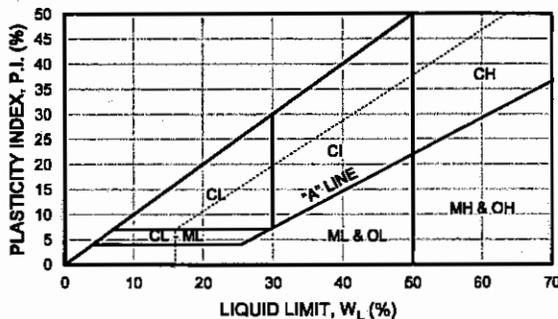
3. RELATIVE STRENGTH OF COARSE GRAINED SOIL – The following terms are used relative to Standard Penetration Test (SPT), ASTM D1586, N value for blows per 300 mm.

Description	N Value
Very Loose	Less than 4
Loose	4 to 10
Compact	10 to 30
Dense	30 to 50
Very Dense	Over 50

4. CONSISTENCY OF FINE GRAINED SOILS – The following terms are used relative to undrained shear strength and Standard Penetration Test (SPT), ASTM D1586, N value for blows per 300 mm. It is noted that this correlation needs to be used with caution as the correlation is only very approximate.

Description	Undrained Shear Strength, C_u (kPa)	N Value
Very Soft	Less than 12	Less than 2
Soft	12 to 25	2 to 4
Firm	25 to 50	4 to 8
Stiff	50 to 100	8 to 15
Very Stiff	100 to 150	15 to 30
Hard	Over 150	Over 30

MODIFIED UNIFIED CLASSIFICATION SYSTEM FOR SOILS							
MAJOR DIVISION		GROUP SYMBOL	GRAPH SYMBOL	TYPICAL DESCRIPTION	LABORATORY CLASSIFICATION CRITERIA		
COARSE GRAINED SOILS (MORE THAN HALF BY WEIGHT LARGER THAN NO. 200 SIEVE)	GRAVELS MORE THAN HALF COARSE GRAINS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)	GW 	WELL GRADED GRAVELS, GRAVEL-SAND MIXTURE, LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1 \text{ to } 3$		
		DIRTY GRAVELS (WITH SOME FINES)	GP 	POORLY GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS		
		GC 	GM 	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES	CONTENT OF FINES EXCEEDS 12%	ATTERBERG LIMITS BELOW "A" LINE OR P.I. LESS THAN 4	
			GC 	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES		ATTERBERG LIMITS ABOVE "A" LINE OR P.I. LESS THAN 7	
	SANDS MORE THAN HALF FINE GRAINS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)	SW 	WELL GRADED SANDS, GRAVELLY SANDS WITH LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1 \text{ to } 3$		
			SP 	POORLY GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS		
		DIRTY SANDS (WITH SOME FINES)	SM 	SILTY SANDS, SAND-SILT MIXTURES	CONTENT OF FINES EXCEEDS 12%	ATTERBERG LIMITS BELOW "A" LINE OR P.I. LESS THAN 4	
			SC 	CLAYEY SANDS, SAND-CLAY MIXTURES		ATTERBERG LIMITS ABOVE "A" LINE OR P.I. LESS THAN 7	
FINE-GRAINED SOILS (MORE THAN HALF BY WEIGHT PASSES NO. 200 SIEVE)	SILTS BELOW "A" LINE NEGLECTIBLE ORGANIC CONTENT	$W_L < 50\%$	ML 	INORGANIC SILTS & VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY	CLASSIFICATION IS BASED UPON PLASTICITY CHART (SEE BELOW)		
		$W_L > 50\%$	MH 	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS, FINE SANDY OR SILTY SOILS			
	CLAYS ABOVE "A" LINE NEGLECTIBLE ORGANIC CONTENT	$W_L < 30\%$	CL 	INORGANIC CLAYS OF LOW PLASTICITY, GRAVELLY, SANDY, OR SILTY SOILS			
		$30\% < W_L < 50\%$	CI 	INORGANIC CLAYS OF MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS			
		$W_L > 50\%$	CH 	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS			
	ORGANIC SILTS & CLAYS BELOW "A" LINE	$W_L < 50\%$	OL 	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW AND MEDIUM PLASTICITY			
		$W_L > 50\%$	OH 	ORGANIC CLAYS OF HIGH PLASTICITY, ORGANIC SILTS			
	HIGHLY ORGANIC SOILS		Pt				PEAT AND OTHER HIGHLY ORGANIC SOILS

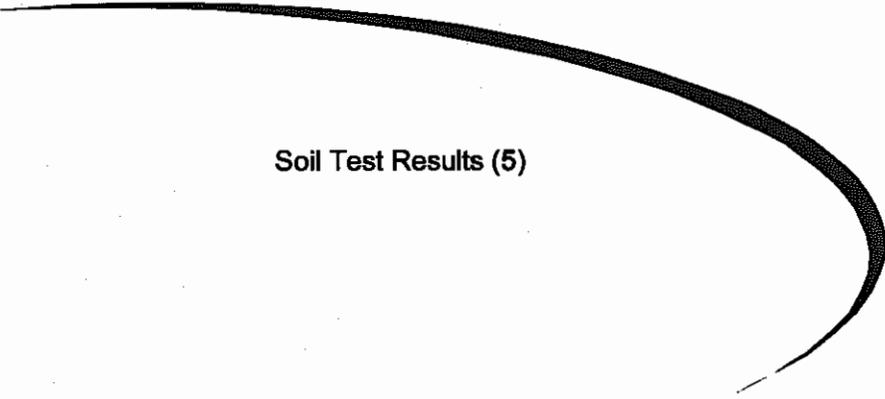


NOTES ON SOIL CLASSIFICATION AND DESCRIPTION:

- Soils are classified and described according to their engineering properties and behaviour.
- Boundary classification for soil with characteristics of two groups are given combined group symbols (e.g. GW-GC is a well graded gravel sand mixture with clay binder between 5 and 12%).
- Soil classification is in accordance with the Unified Soil Classification System (ASTM D2487) with the exception that an inorganic clay of medium plasticity (CI) is recognized.
- The use of modifying adjectives may be employed to define the estimated percentage range by eight of minor components.

APPENDIX B

Soil Test Results (5)





LIQUID LIMIT, PLASTIC LIMIT, AND PLASTICITY INDEX

ASTM D4318 - Method A: Multi-Point

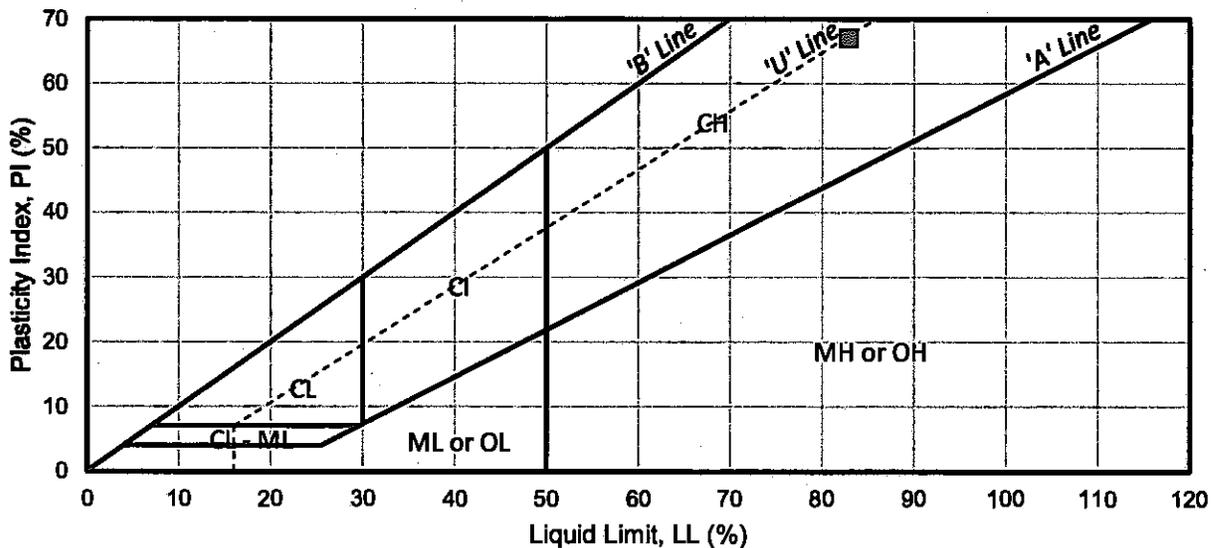
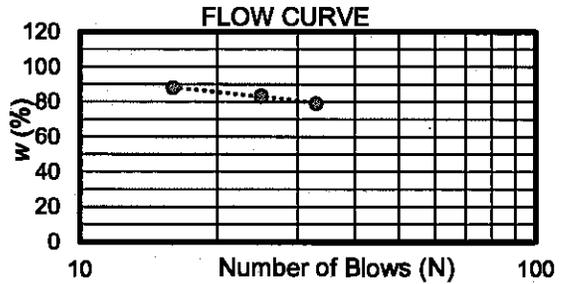
PROJECT: Proposed Sekella Subdivision
 PROJECT#: LE0101
 CLIENT: Peter Maloff
 SOIL DESCRIPTION: Clay, medium plastic

SAMPLE DATE: 24-Mar-17
 TEST DATE: 03-Apr-17
 SAMPLE ID: 1G2
 DEPTH: 2 m

PROCEDURE USED: Wet Preparation - Method A: Multi-Point

	AS RECEIVED	PLASTIC LIMIT				LIQUID LIMIT			
		1	2	3	4	1	2	3	4
Number of blows, N						33	25	16	
Container Number		P	E	T		J	R	O	
Tare Container, M _C (g)		30.650	30.750	30.800		30.870	30.730	30.750	
Wet Sample + Tare, M _{CMS} (g)		39.490	40.280	41.380		42.250	42.700	44.130	
Dry Sample + Tare, M _{CDS} (g)		38.300	38.990	39.910		37.220	37.250	37.860	
Dry Sample, M _S (g)		7.650	8.240	9.110		6.350	6.520	7.110	
Water, M _W (g)		1.190	1.290	1.470		5.030	5.450	6.270	
Moisture Content, w (%)		15.6	15.7	16.1		79.2	83.6	88.2	

Plastic Limit, PL or w _p (%)	16
Liquid Limit, LL or w _L (%)	83
Plasticity Index, PI (%)	67
Modified USCS Classification	CH





LIQUID LIMIT, PLASTIC LIMIT, AND PLASTICITY INDEX

ASTM D4318 - Method A: Multi-Point

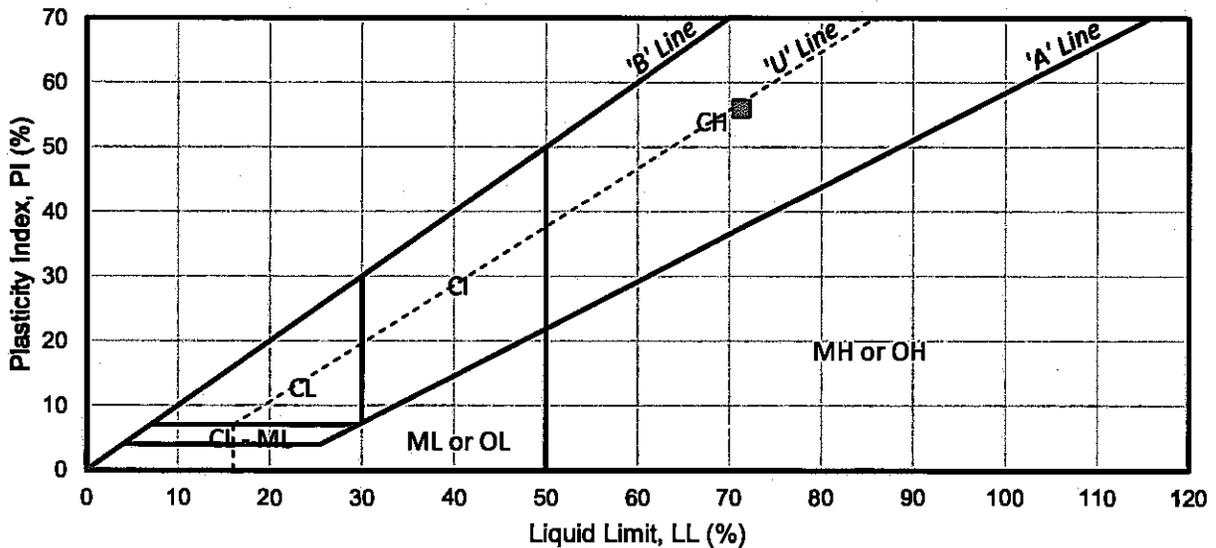
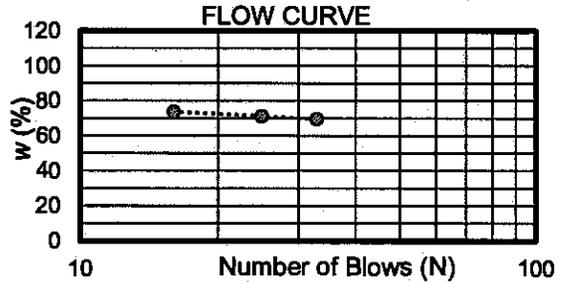
PROJECT: Proposed Sekella Subdivision
PROJECT#: LE0101
CLIENT: Peter Maloff
SOIL DESCRIPTION: Clay, medium plastic

SAMPLE DATE: 24-Mar-17
TEST DATE: 03-Apr-17
SAMPLE ID: 4G1
DEPTH: 1 m

PROCEDURE USED: Wet Preparation - Method A: Multi-Point

	AS RECEIVED	PLASTIC LIMIT				LIQUID LIMIT			
		1	2	3	4	1	2	3	4
Number of blows, N						33	25	16	
Container Number		P	E	T		J	R	O	
Tare Container, M _C (g)		30.670	30.590	30.800		30.830	30.770	30.750	
Wet Sample + Tare, M _{CMS} (g)		39.840	40.030	39.580		41.680	43.820	42.920	
Dry Sample + Tare, M _{CDS} (g)		38.640	38.790	38.410		37.220	38.390	37.750	
Dry Sample, M _S (g)		7.970	8.200	7.610		6.390	7.620	7.000	
Water, M _W (g)		1.200	1.240	1.170		4.460	5.430	5.170	
Moisture Content, w (%)		15.1	15.1	15.4		69.6	71.3	73.9	

Plastic Limit, PL or w _p (%)	15
Liquid Limit, LL or w _L (%)	71
Plasticity Index, PI (%)	56
Modified USCS Classification	CH





WATER-SOLUBLE SULPHATE IN SOIL

ASTM C1580

PROJECT: Sekella Subdivision

SAMPLE DATE: March 24, 2017

PROJECT#: LE0101

TEST DATE: April 11, 2017

CLIENT: Peter Maloff

Sample #: 1 Borehole: BH 1 Depth: 1.0 m Result: 0.026%	Sample #: Borehole: Depth: Result:
Sample #: 2 Borehole: BH 3 Depth: 1.0 m Result: 0.048%	Sample #: Borehole: Depth: Result:
Sample #: 3 Borehole: BH 4 Depth: 3.0 m Result: 0.018%	Sample #: Borehole: Depth: Result:
Sample #: Borehole: Depth: Result:	Sample #: Borehole: Depth: Result:
Sample #: Borehole: Depth: Result:	Sample #: Borehole: Depth: Result:
Sample #: Borehole: Depth: Result:	Sample #: Borehole: Depth: Result:

Comments: Range of 0.0184 to 0.048 percent. Sulphate Exposure Classification Negligible

REQUIREMENTS FOR CONCRETE SUBJECTED TO SULPHATE ATTACK (CAN/CSA-A23.1-14)

EXPOSURE CLASSIFICATION	DEGREE OF EXPOSURE	WATER-SOLUBLE SULFATE (SO ₄) IN SOIL SAMPLE, %	SULFATE (SO ₄) IN GROUNDWATER SAMPLES, mg/L	MINIMUM SPECIFIED 56-DAY COMPRESSIVE STRENGTH, MPa	MAXIMUM WATER-CEMENTING MATERIAL RATIO	PORTLAND CEMENT TO BE USED
S-1	Very Severe	over 2.0	over 10,000	35	0.40	HS
S-2	Severe	0.20 to 2.0	1,500 to 10,000	32	0.45	HS
S-3	Moderate	0.1 to 0.2	150 to 1,500	30	0.50	MS or HS

TECH: AB
CHECKED: SS



ONE DIMENSIONAL SWELL TEST

ASTM D4546-03

PROJECT: Sekella Subdivision

SAMPLE ID: 17-03 at 4.5 m

PROJECT#: LE0101

SAMPLE DATE:

CLIENT: Peter Maloff

TEST DATE: April 3, 2017

SOIL DESCRIPTION: Clay Till

SAMPLE CONDITION: Undisturbed

TEST PARAMETERS	Trimming Method	Cutting Ring	HYDROMETER & ATTERBERG LIMITS	Gravel	
	Test Condition	Inundated at 2 kPa		Sand	
	Specimen Diameter (mm)	63.4		Silt	
	Specimen Height (mm)	25.4		Clay	
				Liquid Limit	
			Plastic Limit		

		Initial	Final
SOIL PROPERTIES	Wet Density (kg/m ³)	1992	2159
	Dry Density (kg/m ³)	1649	1696
	Moisture Content (%)	20.8	27.3
	Void Ratio	0.668	0.621
	Degree of Saturation (%)	85.8	120.7
	Swell Pressure (kPa)	-	82.0
	Assumed Specific Gravity	2.75	

	Load Increment (kPa)	Void Ratio (End of Increment)	Free Swell (%)	Height (End of Increment)
RESULTS SUMMARY	0	0.668		25.377
	2	0.660		25.250
	2	0.672	0.723	25.433
	40	0.670		25.413
	100	0.657		25.228



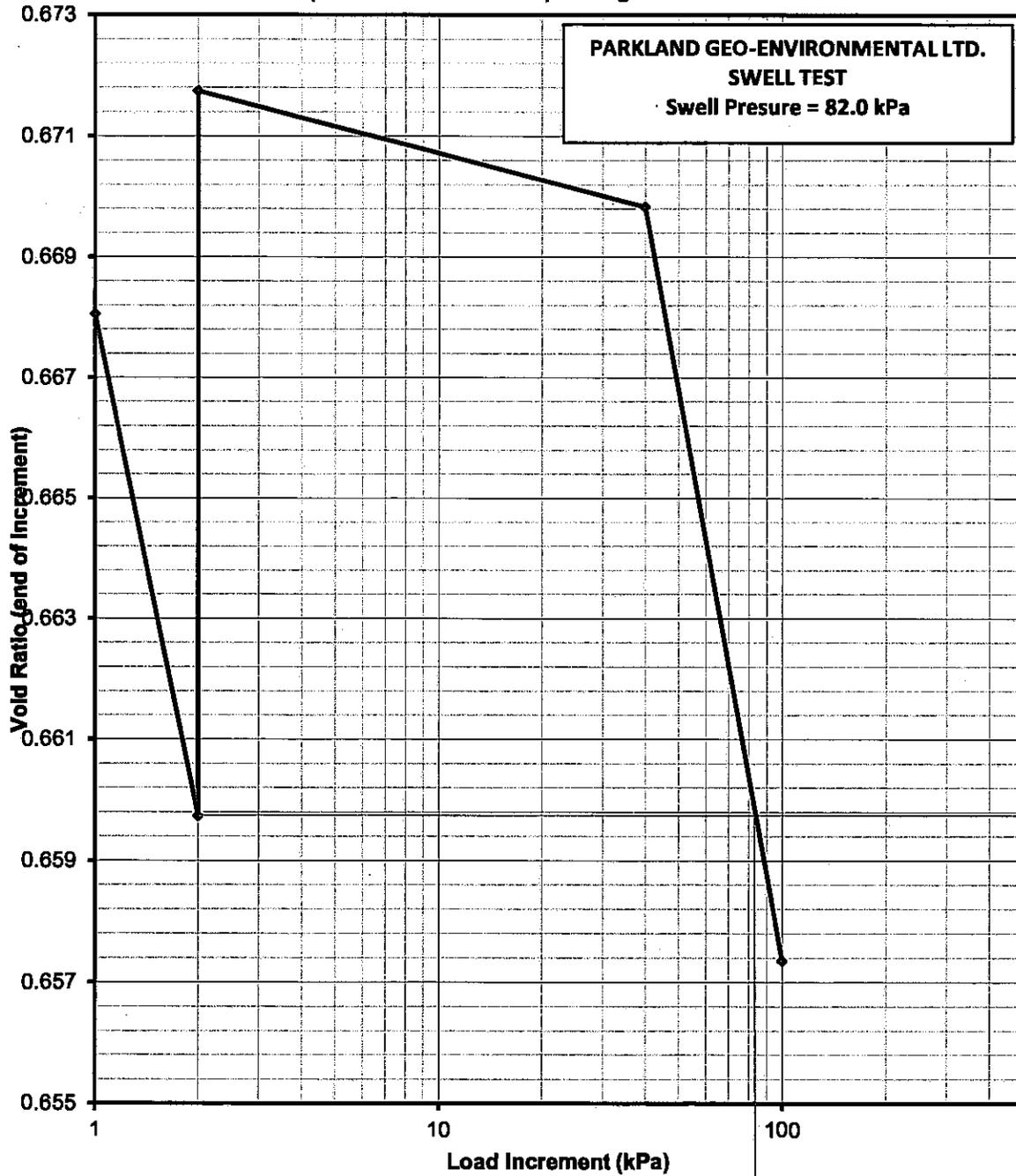
ONE DIMENSIONAL SWELL TEST

ASTM D4546-03

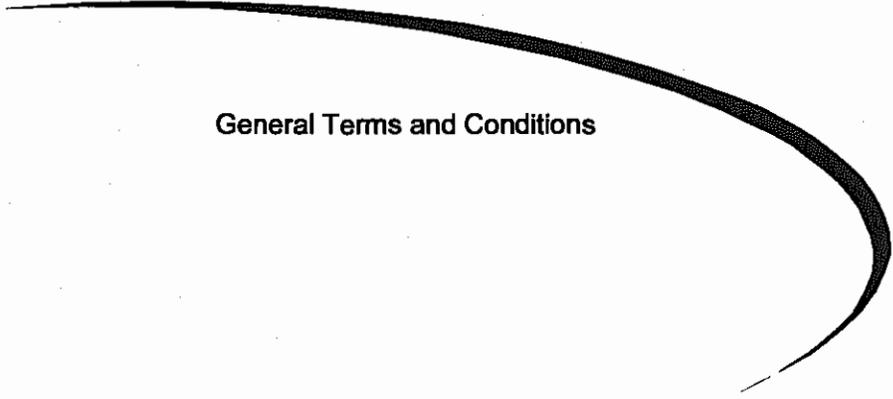
PROJECT: Sekella Subdivision
PROJECT#: LE0101
CLIENT: Peter Maloff

SAMPLE ID: 17-03 at 4.5 m
SAMPLE DATE:
TEST DATE: April 3, 2017

Void Ratio (end of load increment) Vs Log of Pressure



LIMITATIONS



General Terms and Conditions



The use of this attached report is subject to the following general terms and conditions.

1. **STANDARD OF CARE** - In the performance of professional services, ParklandGEO used the degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession practicing in the same or similar localities. No other warranty expressed or implied is made in any manner.
2. **INTERPRETATION OF THE REPORT** - The CLIENT recognizes that subsurface conditions will vary from those encountered at the location where borings, surveys, or explorations are made and that the data, interpretations and recommendation of ParklandGEO are based solely on the information available to him. Classification and identification of soils, rocks, geological units, contaminated materials and contaminant quantities will be based on commonly accepted practices in geotechnical or environmental consulting practice in this area. ParklandGEO will not be responsible for the interpretation by others of the information developed.
3. **SITE INFORMATION** - The CLIENT has agreed to provide all information with respect to the past, present and proposed conditions and use of the Site, whether specifically requested or not. The CLIENT acknowledged that in order for ParklandGEO to properly advise and assist the CLIENT, ParklandGEO has relied on full disclosure by the CLIENT of all matters pertinent to the Site investigation.
4. **COMPLETE REPORT** - The Report is of a summary nature and is not intended to stand alone without reference to the instructions given to ParklandGEO by the CLIENT, communications between ParklandGEO and the CLIENT, and to any other reports, writings or documents prepared by ParklandGEO for the CLIENT relative to the specific Site, all of which constitute the Report. The word "Report" shall refer to any and all of the documents referred to herein. In order to properly understand the suggestions, recommendations and opinions expressed by ParklandGEO, reference must be made to the whole of the Report. ParklandGEO cannot be responsible for use of any part or portions of the report without reference to the whole report. The CLIENT has agreed that "This report has been prepared for the exclusive use of the named CLIENT. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. ParklandGEO accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report."

The CLIENT has agreed that in the event that any such report is released to a third party, the above disclaimer shall not be obliterated or altered in any manner. The CLIENT further agrees that all such reports shall be used solely for the purposes of the CLIENT and shall not be released or used by others without the prior written permission of ParklandGEO.

5. **LIMITATIONS ON SCOPE OF INVESTIGATION AND WARRANTY DISCLAIMER**
There is no warranty, expressed or implied, by ParklandGEO that:
 - a) the investigation uncovered all potential geo-hazards, contaminants or environmental liabilities on the Site; or
 - b) the Site is entirely free of all geo-hazards or contaminants as a result of any investigation or cleanup work undertaken on the Site, since it is not possible, even with exhaustive sampling, testing and analysis, to document all potential geo-hazards or contaminants on the Site.

The CLIENT acknowledged that:

- a) the investigation findings are based solely on the information generated as a result of the specific scope of the investigation authorized by the CLIENT;
 - b) unless specifically stated in the agreed Scope of Work, the investigation will not, nor is it intended to assess or detect potential contaminants or environmental liabilities on the Site;
 - c) any assessment regarding geological conditions on the Site is based on the interpretation of conditions determined at specific sampling locations and depths and that conditions may vary between sampling locations, hence there can be no assurance that undetected geological conditions, including soils or groundwater are not located on the Site;
 - d) any assessment is also dependent on and limited by the accuracy of the analytical data generated by the sample analyses;
 - e) any assessment is also limited by the scientific possibility of determining the presence of unsuitable geological conditions for which scientific analyses have been conducted; and
 - f) the laboratory testing program and analytical parameters selected are limited to those outlined in the CLIENT's authorized scope of investigation; and
 - g) there are risks associated with the discovery of hazardous materials in and upon the lands and premises which may inadvertently discovered as part of the investigation. The CLIENT acknowledges that it may have a responsibility in law to inform the owner of any affected property of the existence or suspected existence of hazardous materials and in some cases the discovery of hazardous conditions and materials will require that certain regulatory bodies be informed. The CLIENT further acknowledges that any such discovery may result in the fair market value of the lands and premises and of any other lands and premises adjacent thereto to be adversely affected in a material respect.
6. **COST ESTIMATES** - Estimates of remediation or construction costs can only be based on the specific information generated and the technical limitations of the investigation authorized by the CLIENT. Accordingly, estimated costs for construction or remediation are based on the known site conditions, which can vary as new information is discovered during construction. As some construction activities are an iterative exercise, ParklandGEO shall therefore not be liable for the accuracy of any estimates of remediation or construction costs provided.
 7. **LIMITATION OF LIABILITY** - The CLIENT has agreed that to the fullest extent permitted by the law ParklandGEO's total liability to CLIENT for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in anyway relating to the Project is contractually limited, as outlined in ParklandGEO's standard Consulting Services Agreement. Further, the CLIENT has agreed that to the fullest extent permitted by law ParklandGEO is not liable to the CLIENT for any special, indirect or consequential damages whatsoever, regardless of cause.
 8. **INDEMNIFICATION** - To the fullest extent permitted by law, the CLIENT has agreed to defend, indemnify and hold ParklandGEO, its directors, officers, employees, agents and subcontractors, harmless from and against any and all claims, defence costs, including legal fees on a full indemnity basis, damages, and other liabilities arising out of or in any way related to ParklandGEO's work, reports or recommendations.

Appendix 3

Hydro geological investigation

RON SEKELLA MICRO FARMS
PRELIMINARY HYDROGEOLOGICAL
INVESTIGATION,
NW & SW-34-7-30-W.4M.

WASKASOO HYDROGEOLOGICAL SERVICES
33 ROLAND STREET
RED DEER, ALBERTA T4P 3K9

DECEMBER, 2017

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FIGURES

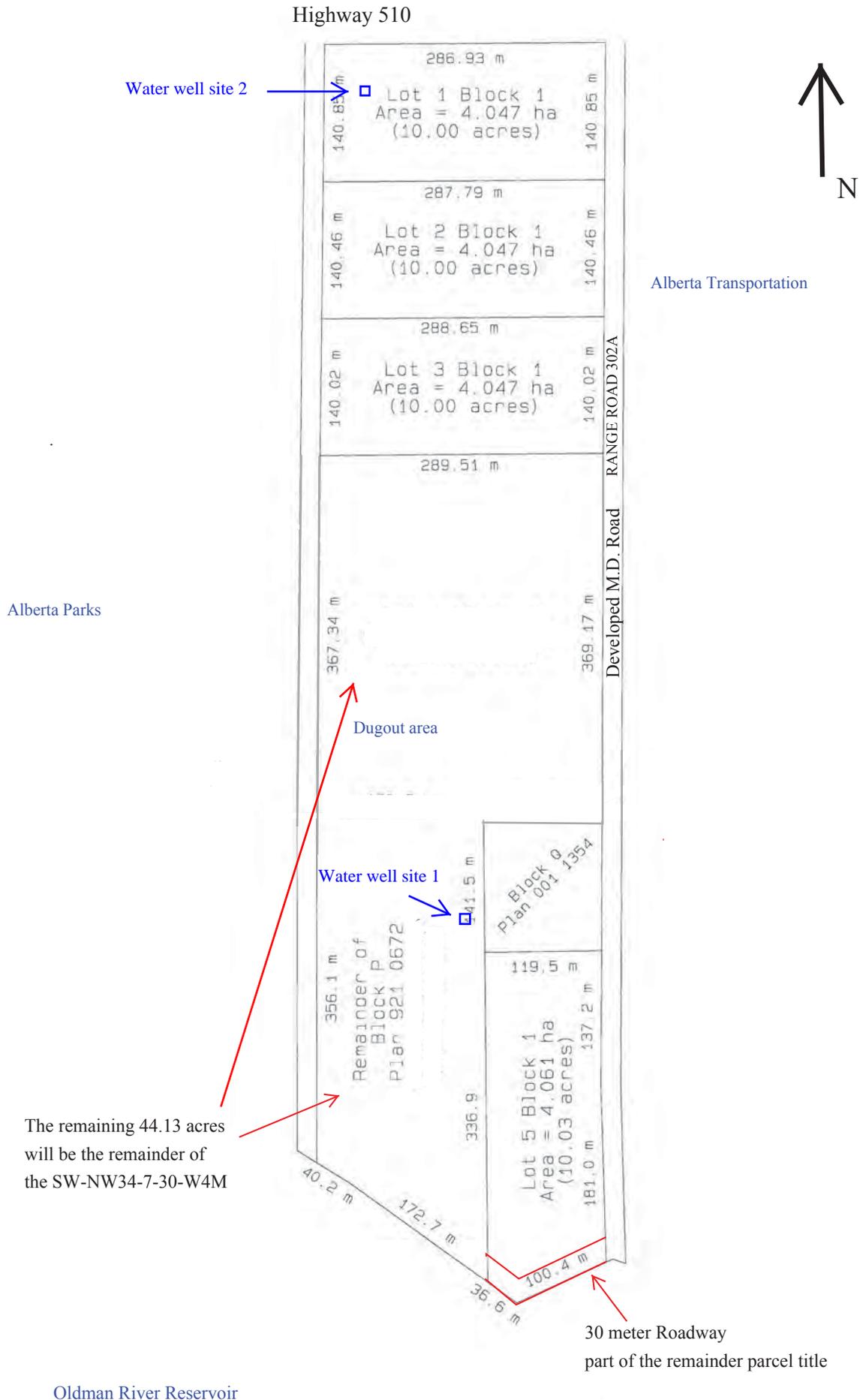
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In this proposed development, it is recommended that household water supply be provided by individual domestic water wells, as has been done in adjacent developments in the area to the west and on the south side of the reservoir. Should the developers so desire, they could provide communal potable water systems in future developments, provided that adequate evaluation is carried out for that purpose.

1.2 Climate

The nearest climate station to the development is at Cowley. However, the Pincher Creek station, which is slightly further away, has a much more detailed and complete meteorological record than does Cowley. For this reason, the data cited below are taken from the Pincher Creek station.

Annual precipitation at Pincher Creek is 488 mm/year, with the maximum in May and June, and the minimum in January and February, and in October to December. There is very little difference in the amounts of precipitation in these months of minimum precipitation. Rain has been observed in every month except February. Snowfall has occurred in every month except June to September.

Average maximum temperature varies between 0 ° C in January and 24° C in July. Absolute minima and maxima are lower and higher than these averages. Average minimum temperature in January is -8° C and is 8° C in July.

This is an area of appreciable wind. The daily average varies annually from 17 km/hour in August to 28 km/hour in December. Absolute maximum wind velocity observed has varied from 67 km/hour in August to 107 km/hour in November.

1.3 Geology

1.3.1 Bedrock geology

The bedrock formation present in this area is known as the Porcupine Hills Formation. It is considered to be of Upper Cretaceous to Paleocene age, and is composed mainly of sandstone, cross bedded to massive, medium to thickly bedded, friable; mudstone, massive, rubbly; limestone, pedogenic; granules and pebble conglomerate (Pana and Elgr, 2013). In this area, the strata dip to the west.

1.3.2 Surficial geology

Based on the drilling records of the immediate area, there are 20 to 27 m of glacial till overlying the consolidated strata of the Porcupine Hills Formation. This glacial material consists mainly of clay, stony clay, and a few very thin gravelly sequences. Colour ranges from yellow and brown in shallower

materials which are oxidized by air and by downward percolating rainfall and snowmelt. Below this oxidized layer the till is a blue to grey colour. To the west the thickness varies significantly due to the hilly and eroded nature of the land surface.

1.4 Previous hydrogeologic studies in the area

The only hydrogeologic study which includes the area of this report was carried out in 1974 by O. Tokarsky as part of the Fernie-Lethbridge hydrogeology mapsheet, scale 1:250 000 (ie, ¼ inch = 1 mile), as part of the Alberta Research Council regional mapping program. Virtually no site-specific information was available at that time, and Tokarsky was obliged to extrapolate and interpret from adjacent areas. He estimated that wells in this area could be expected to produce between 1 and 5 igpm (imperial gallons per minute).

About 30 years later, the PFRA co-financed jointly with many counties and municipal districts an updated series of hydrogeological studies, taking advantage of the much greater level of data available at that time. Pincher Creek Municipal District did not participate in this initiative.

1.5 GOWN observation well, Station Oldman Dam Site #3

Alberta Environment maintains a network of over 200 observation wells within the province in order to monitor and document the natural and manmade effects on groundwater levels over time throughout the province. These are collectively known as **Groundwater Observation Well Network**, or GOWN. About another 200 observation wells also have existed in the past, but have been discontinued for various reasons. The water levels are measured and plotted on hydrographs, showing fluctuations of water level vs time. Information from these wells enables hydrogeologists to understand the background hydrogeologic conditions in an area before starting to impact the aquifers through pumping.

One well of this network is currently in operation southwest of the site of this investigation and on the southeast side of the reservoir. Water levels have been measured at this site since 1988, with a hiatus of three years between 1995 and 1998. Figure 1.3 shows the long-term hydrograph (graph of water level vs time) from the beginning to the present, or 29 years. Figure 1.4 is also included, which shows just the last four years, such that the detailed seasonal changes are more evident for this period. The well used for this station is completed in shallow bedrock, but appears to reflect mainly the variations of level in the Oldman Reservoir. Maximum observed annual fluctuation is about 3.05 m, but the average is around half that amount, or 1.6 m.

It is expected that similar annual fluctuations in water level may also be expected in private domestic supply wells of the residences north of the reservoir, but the amplitude of the annual fluctuation would decrease with increasing distance from the reservoir.

Oldman Dam Site #3 Obs 5_0263

**Station: Oldman Dam Site
#3 Obs 5_0263 (05AAG008)**



Station name Oldman Dam Site #3 Obs 5_0263
 Obs. Well# 263
 ATS SW-16-7-29-4
 Description
 Latitude 49.558139722
 Longitude -113.877137722
 AWWID Well ID [196321](#)
 River Basin Oldman River
 Well Depth 18.55 m



Data Station details Additional Downloads

3 Years
 3 Years Stats
 All Data
 Flyover
 Past 3 Years
 All Data

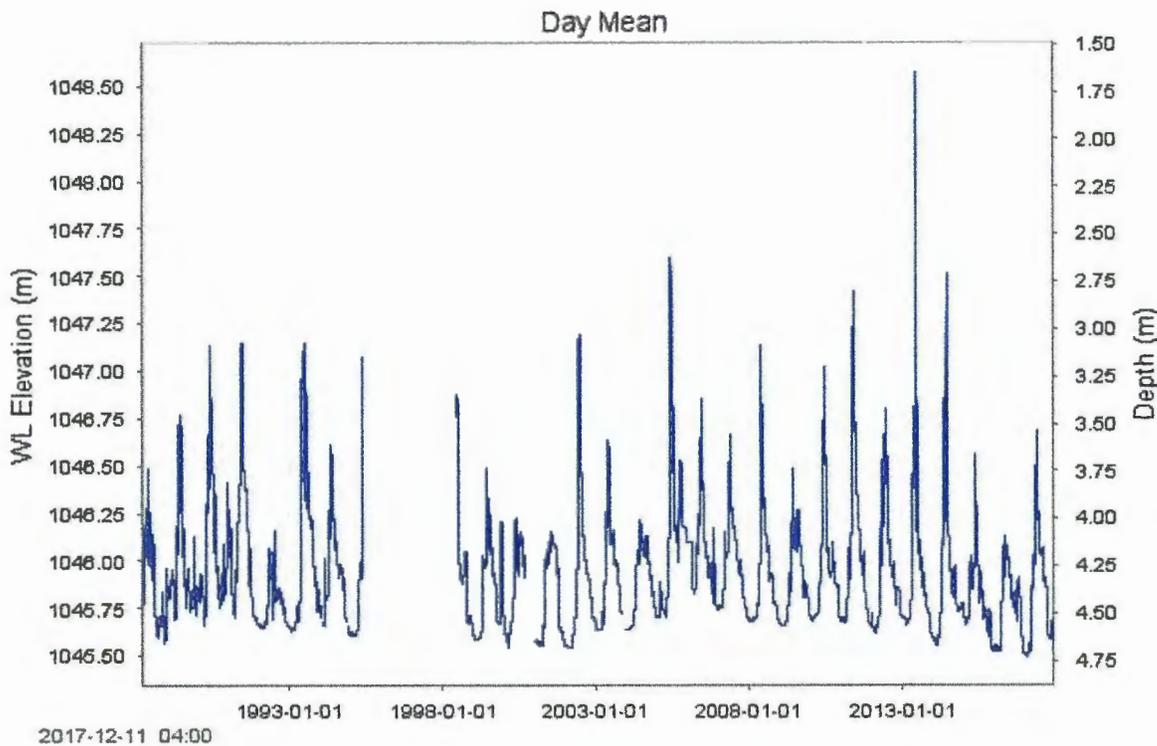


FIGURE 1.4

HYDROGRAPH OF GOWN OLDMAN DAM OBSERVATION WELL #3, 1989 – 2017

For technical enquires about this web page please contact Alberta Environment & Sustainable Resource Development - Data Management Section - Groundwater Information at gwinfo@gov.ab.ca

Station: Oldman Dam Site #3 Obs 5_0263 (05AAG008)



Station name Oldman Dam Site #3 Obs 5_0263
Obs. Well# 263
ATS SW-16-7-29-4
Description
Latitude 49.558139722
Longitude -113.877137722
AWWID Well ID [196321](#)
River Basin Oldman River
Well Depth 18.55 m



[Data](#) [Station details](#) [Additional Downloads](#)

3 Years 3 Years Stats All Data Flyover Past 3 Years All Data

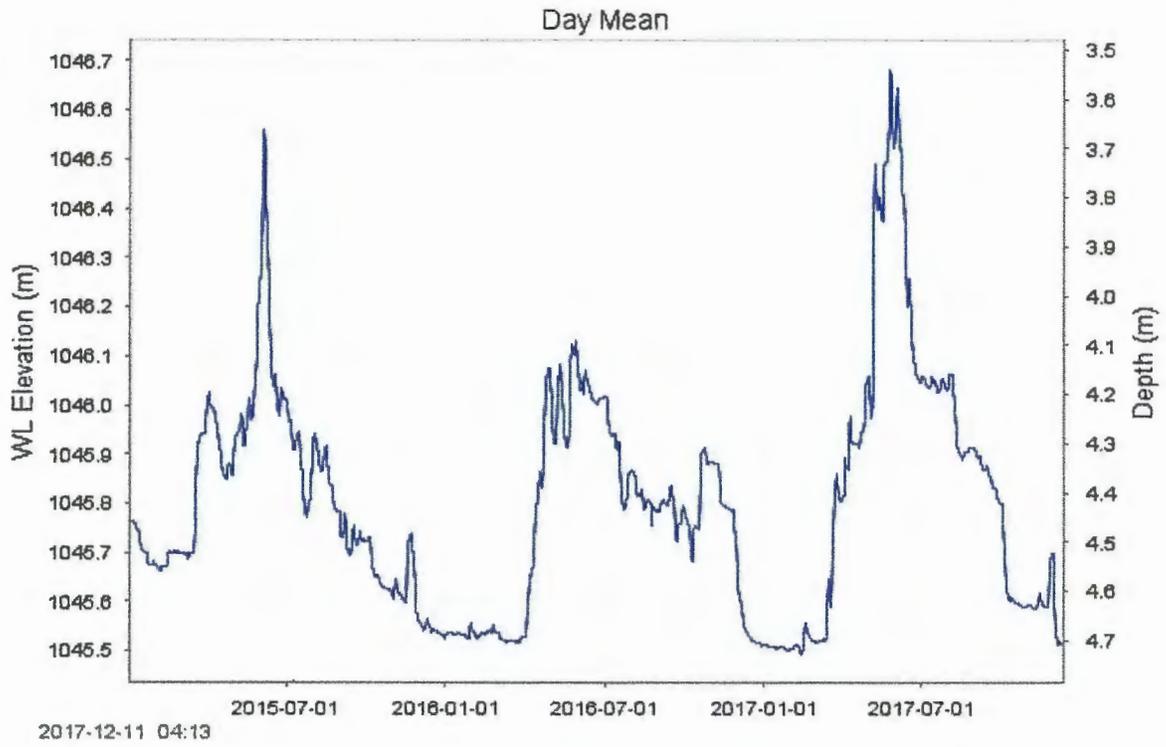


FIGURE 1.5

HYDROGRAPH OF GOWN OLDMAN DAM OBSERVATION WELL #3, 2015 – 2017

For technical enquires about this web page please contact Alberta Environment & Sustainable Resource Development - Data Management Section - Groundwater Information at gwinfo@gov.ab.ca

2.0 Legal framework

Alberta's *Water Act* and the *Water (Ministerial) Regulation* are the statutory documents which govern the development, use and regulation of surface water and groundwater in the province. These documents are administered by the Department of Environment and Parks. To the extent possible, all water is administered in the same way, whether on or beneath the land surface. The act states that all water resources within Alberta belongs to the Province, and are to be administered on behalf of the people of the Province. The Crown is subject to the same regulations as are the residents of Alberta. All information obtained in administering these resources is freely available to the public.

The Act, in Section 1 (x) defines "household purposes" as the use of a maximum of 1250 cubic metres of water per year per household for the purposes of human consumption, sanitation, fire prevention, and watering of domestic animals, gardens and trees. All this is intended for the internal use by an individual household. When a few chickens become hundreds or thousands, or two cows become a feedlot of several hundred, or a garden is intended for market purposes, it is no longer household use and requires a diversion license.

The Act allows for the creation of Water Management Plans and Water Management Areas, such as the Oldman River Basin Water Plan. This plan was established in 2007 and modified in 2010. It permits the regulation of licenses to ensure that groundwater and surface water are properly and fairly allocated.

The *Water (Ministerial) Regulation* has established the training standards for water well drillers, and the standards of construction that they must follow. The nature and standards of materials to be used are also specified. In addition, drillers must report to the Ministry and to the owner the results of all drilling on his land.

An excerpt of the *Water Act* is attached in the following pages, which is relevant to the use of groundwater in this area. Section 21(1) states that any person who owns land adjacent to a water body may use that water for household purposes, and that no license is required to do so.

Section 21(2) states that any person who owns or occupies land may divert groundwater from that land for household purposes, and that no license is required.

In order to avoid over-development of the groundwater resource, Section 21(3) states that a limit will be established on the number of individual households within a parcel of land. That number is not stated in the *Water Act*, but has been established by a ministerial order as five per quarter section.

Section 22 stipulates that all other non-domestic use of water will require an approval, license or registration.

Section 23 cautions that the rights explained in Section 21 are not absolute. If the Director [of Environment] determines that the developments in Section 21 create a serious environmental impact, a water management order may be issued, creating a water management area. This has been done for the Oldman and Bow River basins, in which further development of surface water and groundwater have been subjected to major restrictions. However, a residential subdivision of land will require an investigation of water availability to be carried out by a professional engineer or professional geoscientist. This must show that 1250 cubic metres of water per year [3.42 m³/day, or

0.52 igpm] are available for each household within the subdivision and will not interfere with other pre-existing users.

In summary, a developer may permit the construction of individual privately owned water wells on up to five parcels within a quarter section of land. This presupposes that the existing water management plan does not object to such a development.

- (a) in the case of a permit, including an exploration permit, that was issued for a specified period of time, continues as a permit, and the *Water Resources Act*, RSA 1980 cW-5, continues to apply to that permit as if that Act were still in force, and
- (b) in the case of a permit that does not have an expiry date, is deemed to be an approval under this Act that expires on December 31, 1999.
- (3) A deemed approval under this section is subject to this Act.

1996 cW-3.5 s20

Household purposes

21(1) Subject to subsection (3) and section 23 and any exemptions specified in the regulations, a person who owns or occupies land that adjoins a river, stream, lake, natural watercourse or other natural water body

- (a) has the right to commence and continue the diversion of the water that adjoins that land for household purposes, whether or not that water is reserved under section 35, and
- (b) may not obtain a licence for the diversion of water that adjoins that land for household purposes.
- (2)** Subject to subsection (3) and section 23 and any exemptions specified in the regulations, a person who owns or occupies land under which groundwater exists
- (a) has the right to commence and continue the diversion of the groundwater for household purposes, and
- (b) may not obtain a licence for the diversion of the groundwater for household purposes.
- (3)** The number of households on a parcel of land for the purposes of this section is limited to
- (a) the number permitted under an applicable approved water management plan, or
- (b) if there is no applicable approved water management plan, the number permitted by an order of the Minister.
- (4)** A person who diverts water under subsection (1) or (2) may, without an approval, licence or registration, pump or otherwise convey water to the point of use for household purposes.

1996 cW-3.5 s21

Riparian owner or occupant

22(1) Notwithstanding the common law, a riparian owner, riparian occupant or person who owns or occupies land under which groundwater exists has the right to divert water only in accordance with section 21 and may not divert water for any other purpose unless authorized by this Act or under an approval, licence or registration.

(2) A person described in subsection (1) may commence an action with respect to a diversion of water only in respect of a diversion of water that is not authorized by this Act or under an approval, licence or registration.

(3) Nothing in this Act is to be construed so as to repeal, remove or reduce any rights held at common law by a riparian owner or occupant of land or by a person who owns or occupies land under which groundwater exists, other than the right to the continued flow or diversion of water.

1996 cW-3.5 s22

Household diversions

23(1) If the Director is of the opinion that there is or may be a significant adverse effect on the aquatic environment or on a licensee or traditional agriculture user resulting from a diversion of water pursuant to section 21, the Director may, subject to the regulations,

- (a) issue a water management order under section 97, and
- (b) declare that a person described in section 21 who did not divert water as described in section 21 prior to the date of the declaration may not, as of the date of the declaration, divert water as described in section 21 from a source of water specified in the declaration or from any sources of water within the water management area specified in the declaration.

(2) The Director must provide notice of a declaration in a form and manner satisfactory to the Director.

(3) If, on or after January 1, 1999, a subdivision of land of a type or class of subdivision specified in the regulations is approved under the *Municipal Government Act*, a person residing within that subdivision on a parcel of land that adjoins or is above a source of water described in section 21 has the right to commence and continue the diversion of water under section 21 only if

- (a) a report certified by a professional engineer or professional geoscientist, as defined in the *Engineering and Geoscience*

Professions Act, was submitted to the subdivision authority as part of the application for the subdivision under the *Municipal Government Act*, and the report states that the diversion of 1250 cubic metres of water per year for household purposes under section 21 for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, and

- (b) the diversion of water for each of the households within the subdivision under section 21 is not inconsistent with an applicable approved water management plan.
- (4) Notwithstanding subsection (3), a person residing within a subdivision as described in subsection (3) has the right to commence and continue the diversion of water under section 21 if
- (a) the written consent of the subdivision authority is provided to the Director,
 - (b) the Director is of the opinion that there are or were extenuating circumstances with respect to the submission of the report under subsection (3), and
 - (c) the Director has approved in writing the right to divert under section 21.

RSA 2000 cW-3 s23;2011 c3 s33

Traditional agriculture user

24(1) A person who owns or occupies land

- (a) to which a registration is appurtenant, and
- (b) that adjoins a river, stream, lake, natural watercourse or other natural water body, or under which groundwater exists,

has the right to commence and continue the diversion of water from the sources authorized in the registration for the purpose of raising animals or applying pesticides to crops, as part of a farm unit, as authorized by the registration.

(2) A person who diverts water in accordance with subsection (1) may, without an approval or licence, pump or otherwise convey water to the point of use on the land that adjoins the source of water, or to an adjacent parcel of land owned by that person if both parcels form part of the same farm unit.

1996 cW-3.5 s24

3.0 Hydrogeology

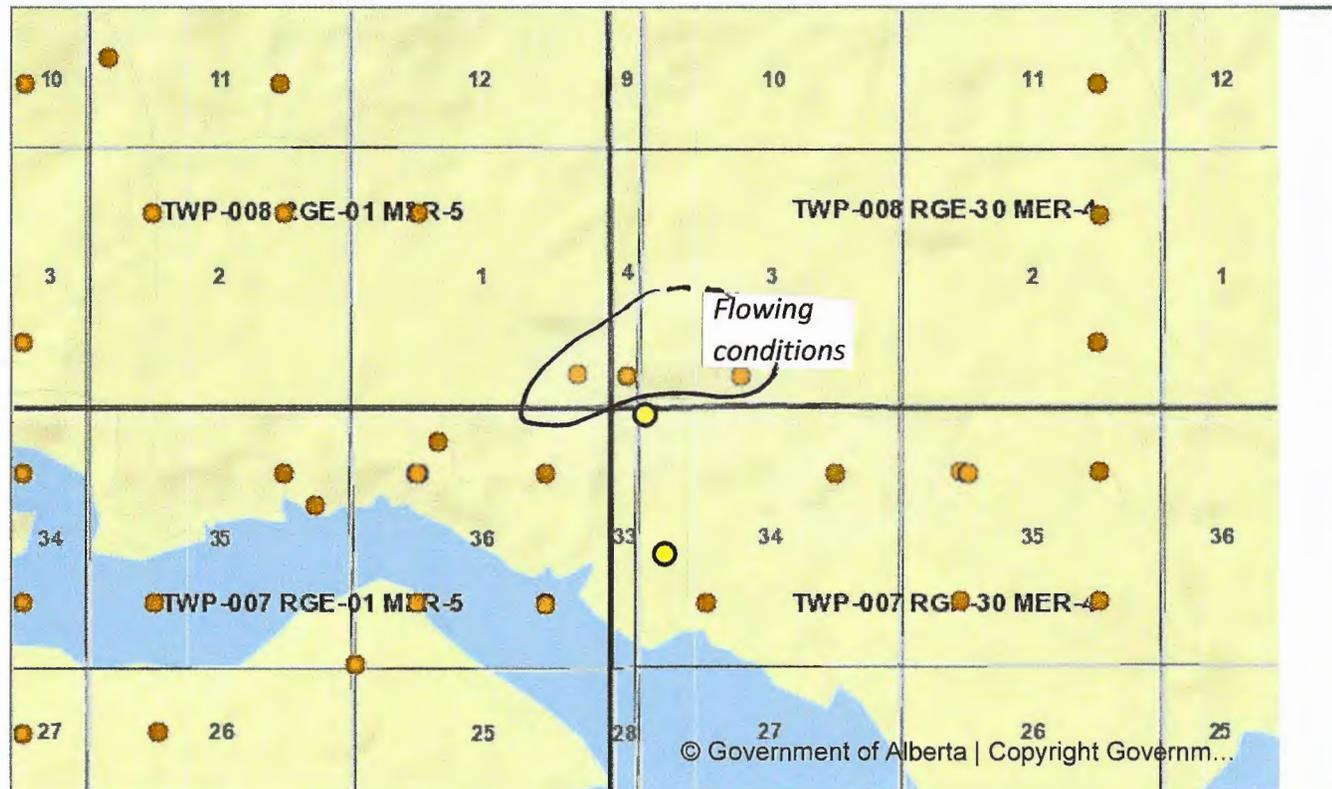
Figure 3.1 shows the locations of all wells within the area of investigation and about a one-mile (1.6 km) radius of this area. It should be noted however that in NW-Section 36, there are over fifteen wells within the same quarter section and all cannot be shown at the scale of this map.

Because, as noted earlier, the strata dip strongly to the west, it is not possible to predict the depth to the aquifer(s) in advance, based on information from nearby wells. In addition, the main determinant in productivity of wells is not necessarily the stratigraphy (nature of the rock types), but rather the degree of fracturing of the rock, and this may be highly variable from one location to another.

The tests of the two Sekella wells plus those of several other nearby wells with suitable data have been analyzed to calculate the aquifer parameters, and hence to evaluate the sustainable productive capacity of aquifers in this area. Table 3.1 below summarizes the technical details and productive capacity of the wells within the immediate area, based on the information provided by the drilling contractors in their reports supplied to Alberta Environment and to their owners. In addition, the transmissivity (in m²/day) is added for those where data quality was judged adequate to make such calculations.

TABLE 3.1. WATER WELLS IN STUDY AREA

Owner	Land Location	Year Drilled	Total Depth, m	Aquifer Interval, m	Depth to water, m	Reported Yield, L/Min	Use	Transmissivity, m ² /day	Comments
Ron Sekella	S-34-7-30-W.4	2016	54.9	42.7-48.8	24.03	33.6	Domestic	0.1	
Ron Sekella	13-34-7-30-W.4	2016	36.6	27.4-35.4	6.58	20.5	Domestic	6.4	
Wildlife Mitigation	NE-34-7-30-W.4	1988	8.2		flowing	36.4	Environmental		
Chevron Standard	3-3-8-30-W.4	1979	11.9	10	flowing	18	Industrial		Plugged
Chevron Standard	1-4-8-30-W.4	1979	11.9	11.9	flowing	3.6	Industrial		Plugged
Public Works Alberta	NE-36-7-1-W.5	1989	30.5	12.2-30.5	3.96	11.37	Municipal		
Public Works Alberta	NE-36-7-1-W.5	1989	24.4				Municipal		Skid to new site
Public Works Alberta	NE-36-7-1-W.5	1989	36.6	18.3-36.6	6.4	15.9			
Tony Connellan	NE-36-7-1-W.5	1999	109.7	18.3-24.4 103.6-109.7	14.02	5.7	Domestic	0.009	
G & J Berturelli	14-36-7-1-W.5	2008	123.4	32-44.2 68.6-91.4	47.12	15.91	Domestic		
Lloyd Lang	NW-36-7-1-W.5	2001	85.3	73.2-80.8	53.25	22.7		5.1	
Lloyd Lang	NW-36-7-1-W.5	1998	91.4	36.6-42.7 67.1-91.4	29.57	14.8	Domestic	0.67	
Keith Johnson	NW-36-7-1-W.5	2012	86.9	56.4-76.2	49.88	59.1	Domestic		
Lloyd Lang	NW-36-7-1-W.5	1998	51.8	231.3-39.6	16.86	15.9	Domestic		
M & C Horwood	NW-36-7-1-W.5	2002	62.5	50.3-61	38.8	227.3	Domestic		
Chris Calvez	NW-36-7-1-W.5	2011	80.8	35.1-50.3 66.5-74.7	39.25	91.8	Domestic		
Rob Shaw	NW-36-7-1-W.5	2014	74.7	51.8-67.1	37.19	181.8	Domestic		
Allan Kaltwasser	NW-36-7-1-W.5	2007	170.7	32-54.9	30	4.55	Domestic		
Peter Seward	NW-36-7-1-W.5	2013	166.1	32-44.2 62.5-68.6 80.8-86.9 105.2-111.3	26.5	11.4	Domestic		
Myles Lang	NW-36-7-1-W.5	2004	117.4	93-105.2	45.9	227.3	Domestic		
Chevron Standard	1-1-8-1-W.5	1979	11.9		flowing		Industrial		Plugged



Alberta Water Well Information Database Map

Projection

Web Mercator (Auxillary Sphere)

Datum

WGS 84

Date

11/12/2017 10:00:53 AM

Legend

- Groundwater Drilling Report
- ◆ Baseline Water Well Report

<http://groundwater.alberta.ca/WaterWells/d/>

Information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at time of use.

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FIGURE 3.1. LOCATIONS OF WATER WELLS

Based on the requirement for 1250 cubic metres per year, equivalent to 2.37 L/minute or 0.52 igpm, to meet household needs, it may be seen that all of the wells of the immediate area are capable of meeting this criterion.

However, another factor must also be considered. All water is interconnected, given sufficient time. The water produced from a well is derived at some time in the past from infiltration of rainfall and the melting of snow at the land surface. This factor is called recharge. Over the long-term, the productive capacity of a well is limited, not only by the permeability of the aquifer around a well, but also by the recharge in its immediate area. Recharge is a complex phenomenon, and its magnitude depends on numerous factors: the intensity and amount of precipitation, the nature of the soils overlying the aquifer, and climatic factors such as amount of wind and intensity of sunshine, both of which influence the rate of evapotranspiration of water from the land surface. In addition, land slope influences the velocity that water on the land either runs away to streams, or infiltrates. The nature and intensity of the vegetative cover also influence the amount of water available to recharge aquifers.

Although often difficult to quantify, recharge and the subsequent discharge into stream beds is what permits streams to continue flowing in the absence of rainfall. However, recharge has been mapped for a large area of central Alberta, and reaches up to more than 72 mm/year in the foothills southwest of Red Deer and Calgary (Barker et al, 2011, p. 40). Table 3.1 confirms the presence of four flowing shot-holes belonging to Chevron Standard Oil Ltd. in the general area of the Ron Sekella well at Lsd. 13-34. This confirms the reality of active recharge to, and active discharge from aquifers in this area.

Tokarsky (1974) noted numerous springs associated with the Porcupine Hills Formation, which is an additional indication that recharge is substantial into this formation. Assuming a conservative recharge rate of 44 mm or 0.044 m/year, based upon measured and calculated values from other foothills areas, we may calculate the recharge to a 10 acre (40,468.6 m²) parcel as follows: $0.044 \times 40468.6 = 1780.6$ cubic metres per year of recharge. This is somewhat greater than the required statutory minimum of 1250 cubic metres per year. However, extrapolation from other foothills areas some distance to the north must be viewed with some skepticism. An ample margin of security, as mentioned above is well advised. Figure 3.1 shows an area of flowing artesian wells adjacent to the Sekella well in Lsd. 13-34. Total aerial extent is unknown because of insufficient borehole information in this area.

Current licensed groundwater diversion in the area is limited to the northeast quarter of Section 34 and the northeast quarter of Section 33 for "wildlife mitigation", according to the two licenses issued by Alberta Environment. There are two very small additional licenses for 165 cubic metres per year which were issued to Lloyd Lang. The table below, provided by Alberta Environment, indicates that most of the authorized diversion is for a fish hatchery. In fact, the hatchery for which this water was allocated in February, 1996, has never been built. Therefore, this water has been allocated for nearly 22 years and there are still no plans for its use. By Environment's own policy, these licenses should be cancelled immediately, so that others may be able to use the water beneficially.

In addition, once these licenses are cancelled, the developers could if desired, examine the possibility of obtaining the six wells from Alberta Environment in order to use at least some of them as future household or municipal supplies where they are located suitably. However, these wells were drilled about 1988 to 1989, and it would be prudent to re-evaluate their current condition before entering into any legal agreement.

TABLE 3.2. AUTHORIZED GROUNDWATER DIVERSIONS IN STUDY AREA

Project	Interim Licence Number	Approval ID	Water Allocation ID	File Number	Lsd	Qua	Sec	Twp	Rng	Mer	Quantity (m ³)	PUMP RATE (GALLONS PER MINUTE)	Consumptive Use (m ³)	Specific Purpose	Licence Type	Lower Prod'n Interval
COWLEY/FARM UNIT/LLOYD LANG - F00164600	00164600 00 00	164600	61438	F00164600	NW	36	7	1	5		83	-	83	REGISTRY	WAREG	82
COWLEY/FARM UNIT/LLOYD LANG - F00164600	00164600 00 00	164600	61440	F00164600	NW	36	7	1	5		82	-	82	REGISTRY	WAREG	85
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20998	27973	7409	23453	16		34	7	30	4	3,700	1	3,700	WTLNDS	WAAPV	18
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20998	27973	7410	23453	16		34	7	30	4	3,700	1	3,700	WTLNDS	WAAPV	18
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20998	27973	7411	23453	16		34	7	30	4	3,700	1	3,700	WTLNDS	WAAPV	18
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20998	27973	7412	23453	16		34	7	30	4	2,470	26	2,470	WTLNDS	WAAPV	24
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20999	27972	7407	23453	16		33	7	30	4	2,470	1	2,470	WTLNDS	WAAPV	30
PINCHER CREEK/FISHERY/ALTA ENVIRONMENT	20999	27972	7408	23453	16		33	7	30	4	2,470	1	2,470	WTLNDS	WAAPV	37
											Total		18,675			

In adjacent developments, a few wells have been drilled and proven to have inadequate capacity. This may be a result of very low aquifer permeability or perhaps inadequate knowledge on the part of the drilling contractor.

The real number of "dry holes" may be greater than that reported, as drillers, like everybody else, are more prone to talk about their successes than their failures.

There are several extensive subdivision developments directly south across the Oldman River Reservoir from the proposed micro farm development. Their water demand and consumption will have no impact and are of no relevance to the availability of groundwater on the north side. The river and reservoir form a line sink, or boundary separating two distinctive and unconnected groundwater flow systems.

4.0 Water quality

Only four reliable records were available of water quality in the general area of interest (Appendix B). Of the four, two are analyses of water from the two new Sekella wells, and two are from Environment records. Depths are known for three of these wells. However, the analysis for the water of the Reynolds wells suggests that it is probably also a deep well.

Table 4.1 below summarizes the parameters in the analyses of the four samples.

TABLE 4.1 ANALYSES OF GROUNDWATER IN STUDY AREA

Well Owner		R. Sekella	R. Sekella	C. Reynolds	A.J Connellan
Location		Lsd.5-34-7-30-W.4	Lsd.13-34-7-30-W.4	NW-1-8-1-W.5	NE-36-7-1-W.5
Sampling Date		11/10/2016	26/10/2016	28/04/1986	
Well depth, m	Units	54.9	36.6		46.3
ion balance				1.02	
Tot. Alkalinity	mg/L	835	2140	373	392
Tot. Diss. Solids	mg/L	893	431	614	473
Calcium	mg/L	75.2	213	65	2
Chloride	mg/L	6.8	3.5	5	4
Sodium	mg/L	237	138	119	189
NO ₂ +NO ₃	mg/L	1.72	0.16	0.05	0.1
Iron	mg/L	0.02	0.03	0.02	0.1
Fluoride	mg/L	0.1	0.2	0.2	0.8
Bicarbonate	mg/L	287	409	455	431
Carbonate	mg/L	6	18		13
Magnesium	mg/L	268	10	32	1
Potassium	mg/L	13.7	3.9	6.6	2
Copper	mg/L	0.01	0		
Manganese	mg/L	0.08	0.02		
Sulphate	mg/L	197	25.7	162	38
Silica	mg/L			6.9	
Hardness	mg/L	298	95.2	294	10
Conductivity	µmhos/cm	1820	880	1005	1000
pH	pH units	8.28	8.29	7.9	8.7
SAR		5.97	6.15		25.9

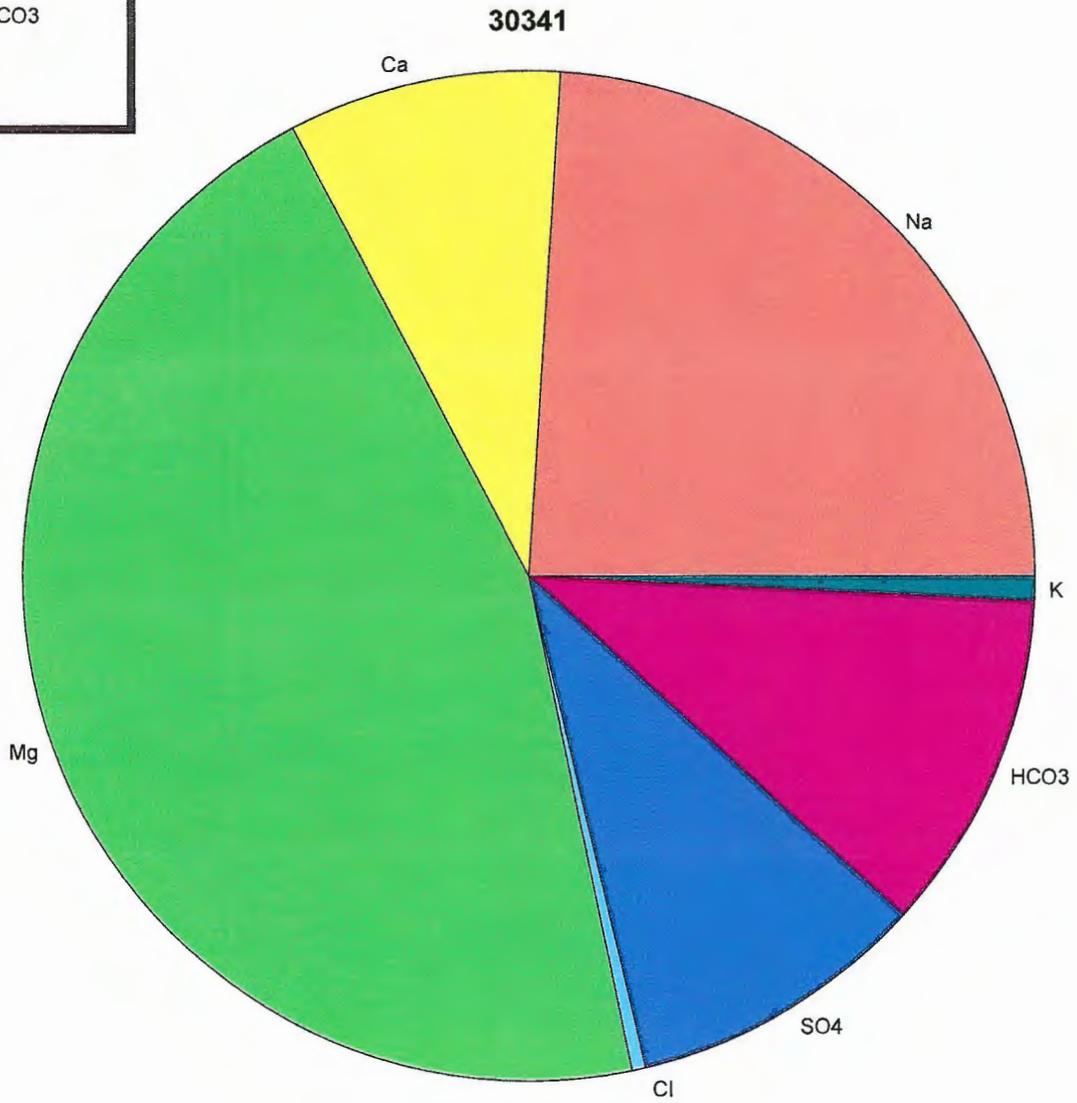
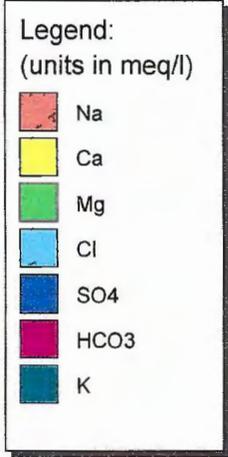
Excess concentrations shown in bold.

The analysis of the water in the Lsd. 5-34 Sekella well shows slightly excessive sodium and manganese. The sodium level (Health Canada's upper limit is 200 mg/L) will provide no problems for any potable purpose, but could prove deleterious for lawn and garden watering. The slightly excessive manganese might impart a blackish stain to plumbing facilities and to laundry washed in this water. This level of manganese may therefore be an aesthetic problem rather than a health problem. This water is very hard and could result in deposits inside piping and plumbing fixtures.

The second and third analyses above show no excessive parameters. The fourth well has water of primarily of a sodium – bicarbonate facies and has a slightly excessive pH level. That is, the principal cation is sodium, to the near total exclusion of calcium, magnesium and potassium. The main anion is bicarbonate, to the almost total exclusion of chloride, carbonate and sulfate. For the parameters analyzed, this water meets all the standards of the Guidelines for Canadian Drinking Water Quality (2014), except for a slightly high pH. This level of pH does not affect safe use of the water.

Water of this quality is very soft (hardness is just 10 mg/L), and is excellent for laundry and for plumbing facilities. This quality of water will not cause scaling in piping or laundry facilities, and will minimize the need for soap for washing of clothes, dishes, and bathing. However, the relatively high Sodium Adsorption Ratio of 25.9 potentially indicates substantial risk to soils and plants should this water be used for lawns or gardens (Fetter, 1994, p. 413). The actual risk would depend on the degree of flushing action of natural precipitation through the soil column which might prevent a buildup of sodium.

Figures 4.1 and 4.2 demonstrate that water quality in this area is highly variable even within short distances. However, it is in general of excellent quality for potable purposes.



DESCRIPTION: Figure 4.1.
Quality of groundwater, Sekella Well 5-34

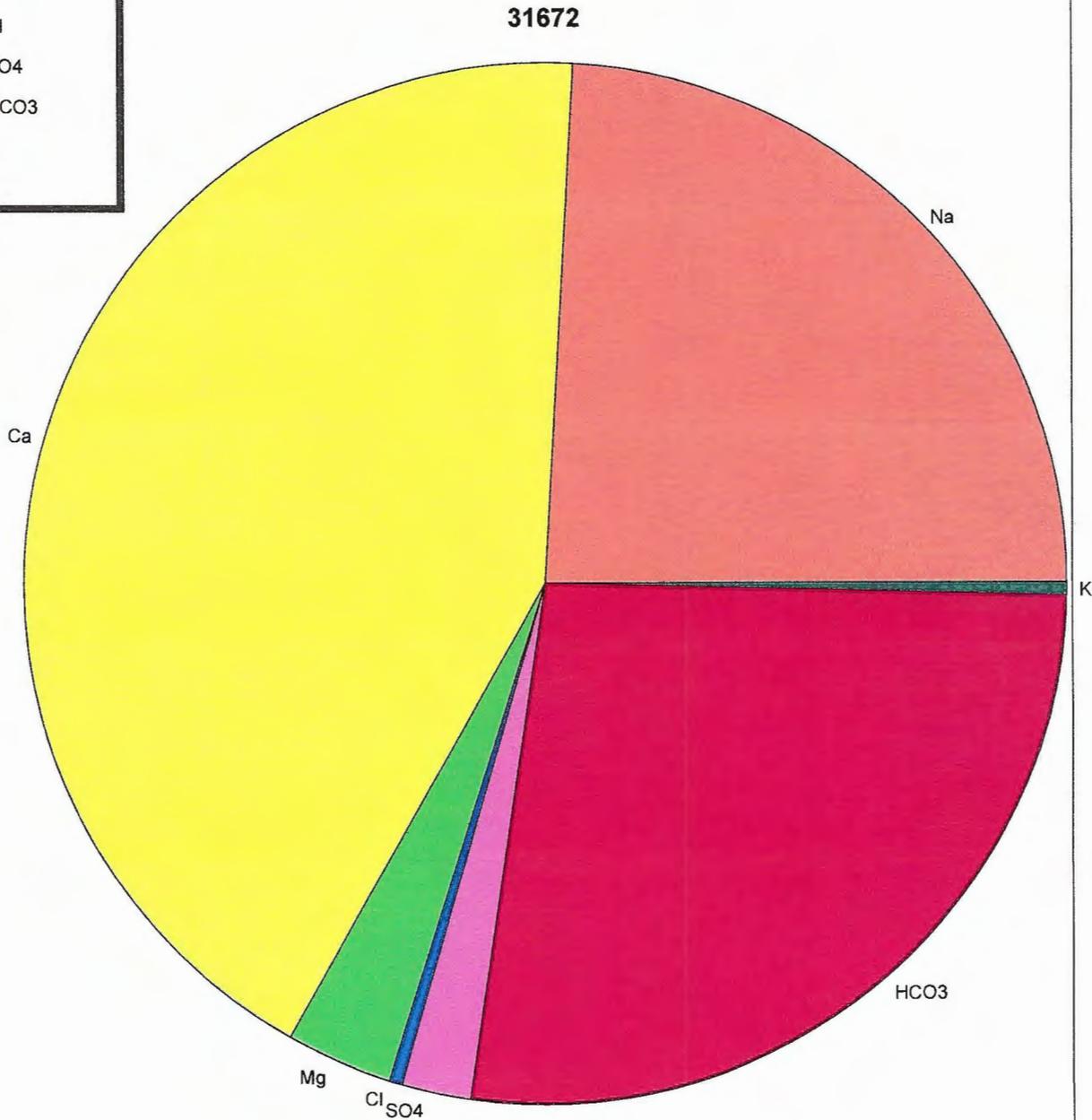
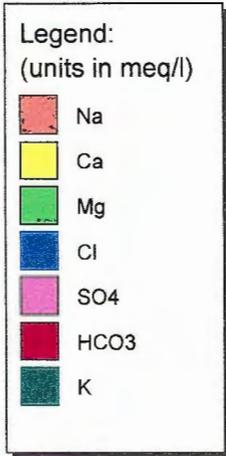


CLIENT: Ron Sekella

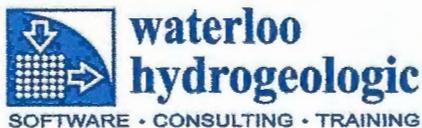
PROJECT: Ron Sekella Micro Farms

PROJ. #: 17-11

DATE: 3 January, 2018



DESCRIPTION: Figure 4.2.
Quality of Groundwater, Sekella Well 13-34



CLIENT: Ron Sekella

PROJECT: Ron Sekella Micro Farms

PROJ. #: 17-11

DATE: 3 January, 2018

5.0 Adequacy of proposed subdivision design

The size of the individual parcels being proposed is 10 acres, or 40,468 m² each. This size of parcel provides some margin of security for assuring adequate recharge for long-term water supply of each household. In addition, it is large enough to provide adequate seepage and spreading of septic waste without endangering neighboring water supplies. However, proper distances must be observed, and land topography taken into consideration in the location of septic fields. Obviously, household water supply wells should be located up-gradient from septic fields.

It should be noted that production of groundwater for household use will remove virtually no water from the environment, as nearly all will return to the subsurface via septic tanks and septic fields. The soils, especially the clay within the soils adsorb the metallic ions to a very large extent, thus returning the water to nature in relatively good condition.

It is possible that smaller parcels could be created and still achieve sufficient area for groundwater recharge. However, in the absence of firm calculations of site-specific recharge rates, it is preferable to adopt the conservative approach already being used for this proposed development.

Alberta Agriculture has prepared a map showing in a relative way the vulnerability of soils in Alberta to contamination, that is, the susceptibility of soils to permit the entry of contaminants downward to the water table. For the area under study here, the rating is considered to be fairly low, that is, the second lowest category in a listing of six vulnerability levels. Nevertheless, it is incumbent on all landowners to exercise due vigilance at all times in the handling and disposal of all hydrocarbon products such as motor fuel and waste motor oil. The same comment applies to the handling of fertilizers, pesticides, and household waste.

All irrigation is proposed to be carried out using unallocated surface water still available within the basin and steps will be taken to divert this water to the users. The amount available (upon application) is 8,275 acre-feet per annum for irrigation, plus another 1,268 acre-feet for diverse uses, but excluding industrial use.

It is important to note that there is almost no competition for groundwater in this area, other than for household use. There is a developed subdivision one-half mile (800 m) to the west which has only unlicensed household use. The only licensed diversions are two very small diversions belonging to Lloyd Lang, for a total of 165 cubic metres per year. The other licensed diversions previously mentioned (18,510 cubic metres per year) have never been used in the twenty-two years since the licenses were issued, and therefore should be cancelled without delay. That water would become available to serious developers who could use it for beneficial purposes.

Some of the potential purchasers of these parcels and others yet to be developed are likely to be families with little experience in the realities of rural living and the unfamiliar challenges which this may entail. For those persons more acquainted with an urban life style, urban background meeting rural reality will probably create some anxiety and unfamiliar issues. It is highly recommended that every prospective purchaser become familiar with the document **Code of the West**, found on the municipal district's web page. It offers much valuable council on a wide range of such issues, especially including that of rural water supply.

6.0 Conclusions

- Potable water supply for existing and proposed rural subdivision development is currently provided by water wells completed in bedrock aquifers of the local area.
- Bedrock aquifers in this area consist of sandstone beds of the Porcupine Hills Formation, of Paleocene to Upper Cretaceous age, which dips to the west.
- The aquifers derive their permeability primarily from fracturing within the sandstone, and the degree of fracturing is highly variable.
- The producing wells of this area have adequate productive capacity in all cases to provide the required 1250 cubic metres per year of water for an individual well in a rural subdivision.
- However, a few dry boreholes are known, and purchasers of land must recognize that occasionally a property may require the drilling of more than one borehole in order to meet its needs.
- Water levels in the wells nearest the Oldman reservoir appear to rise and fall in concert with reservoir level, the amplitude of fluctuation decreasing with increased distance from the reservoir.
- The amount of information on water quality is inadequate. What little is available indicates that groundwater is of excellent quality, with only pH, sodium content and manganese perhaps being slightly above the federal guideline. These issues appear to be local and not generalized. This is a minor issue and does not affect the potability of the water. Quality is highly variable within short distances.
- Individual parcel size of 10 acres is appropriate to assure sufficient recharge to the aquifers of the area for long-term water supply security. Smaller sizes are not recommended. The use of groundwater for domestic purposes will not remove any significant amount of water from the hydrologic cycle, as virtually all household water will return to the underground via septic tanks and fields, with the native soils adsorbing most if not all deleterious parameters.
- In February, 1996, two interim licenses were issued to divert 18,510 cubic metres per year of groundwater to supply a fishery at the location of this study. After nearly twenty-two years, this facility has not been built and the two licenses have never been used.
- Up to five individual private household wells per quarter section of land may be drilled and used with no licensing or authorization required from Alberta Environment and Parks. Above that quantity of lots and wells, a professional evaluation must be carried out and the diversions licensed.

7.0 Recommendations

- From a water supply point of view, it is recommended that the Municipal District of Pincher Creek approve the application to develop up to five individual parcels of not less than 10 acres each in each full quarter-section of the project.
- It is recommended that prospective purchasers of these rural micro farms review carefully the Municipal District's web page entitled **Code of the West**, in order to better appreciate the changes in their lifestyle that they will be facing.
- It is recommended that Alberta Environment and Parks cancel the two unused groundwater diversion licenses (for 18,510 cubic metres per year, attached as Appendix D), such that the groundwater in this area may become available for other beneficial uses.
- It is recommended that every new purchaser of parcels in this area construct and test a new water supply well **BEFORE** constructing any type of permanent structure on his/her property.
- Alternatively, the developer might opt to construct a new productive well on each parcel before selling the property and add its cost to the final selling price. This would greatly improve the water supply security to potential purchasers.
- Should the developer wish to increase the density of development above five parcels per quarter-section, it is recommended to explore the possibility of purchasing and testing one or several of the existing wells corresponding to the moribund water licenses (assuming that the wells still exist), as a potential municipal supply. However, the developer should review their current condition and test them carefully prior to purchase, as they are now nearly 30 years old.
- On each property, the household well should be located up-gradient from the septic field as great a distance as is practical, bearing in mind to also stay a suitable distance from any neighboring facilities of a similar type.

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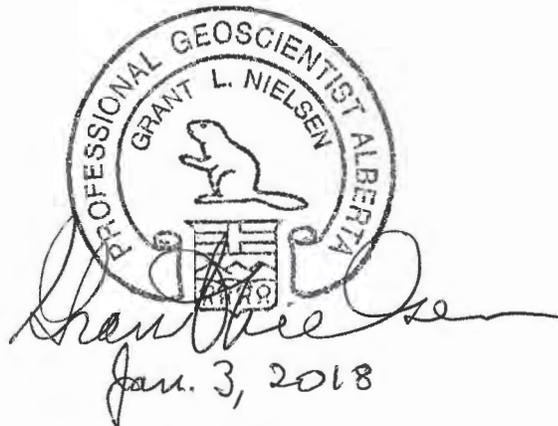
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9.0 Closure

This document, entitled "Preliminary hydrogeological investigation, **Ron Sekella Micro Farms Hydrogeological Investigation, NW & SW-34-7-30-W.4M**" was prepared at the request of and on behalf of the Ron Sekella Micro Farms, by Waskasoo Hydrogeological Services. The material in it reflects Waskasoo Hydrogeological Services' best judgement in light of the information available to the firm at the time of its preparation. The Client and Waskasoo Hydrogeological Services make no representation or warranty to any other person with regard to this report and the work referred to in this report and they accept no duty of care to any other person nor any liability or responsibility whatsoever for any losses, expenses, damages, fines, penalties or other harm what may be suffered or incurred by any other person as a result of the use of, reliance on, any decision made, or any action taken based on this report or the work referred to in this report. Any use, reliance on or decisions made which any third party makes of this report based on it, are the full responsibility of such third parties.

The report has been prepared for specific application to this site and is based upon an interpretation of existing water well drilling information, water quality data, previous knowledge of the area, and a career dedicated to the development and protection of groundwater resources, and use of currently accepted professional methods and practises for analyzing the data obtained at the site.

Nothing in this report is intended to constitute or provide a legal opinion.



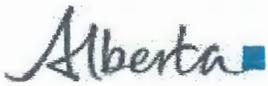
Jan. 3, 2018

Grant L. Nielsen

Seal of Association of Professional Engineers and Geoscientists of Alberta

APPENDICES

APPENDIX A
WATE WELL RECORDS



Water Well Drilling Report

Attachment No. 3

[View in Imperial](#) [Export to Excel](#)

GIC Well ID 9706178
GoA Well Tag No.
Drilling Company Well ID SEKELLA#1
Date Report Received 2016/10/10

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

Well Identification and Location										Measurement in Metric	
Owner Name SEKELLA RON	Address P.O. BOX 354			Town LUNDBRECK		Province ALBERTA	Country CANADA	Postal Code T0K 0H0			
Location	1/4 or LSD	SEC	TWP	RGE	W of MER	Lot	Block	Plan	Additional Description		
	5	34	7	30	4						
Measured from Boundary of					GPS Coordinates in Decimal Degrees (NAD 83)						
_____ m from _____					Latitude 49.603260		Longitude -113.996620		Elevation 1136.60 m		
_____ m from _____					How Location Obtained					How Elevation Obtained	
					Differential corrected handheld GPS 5-10m					Differential corrected handheld GPS 5-10m	

Drilling Information	
Method of Drilling Rotary - Air	Type of Work New Well
Proposed Well Use Domestic	

Formation Log			Measurement in Metric
Depth from ground level (m)	Water Bearing	Lithology Description	
6.10		Brown Stony Clay	
22.86		Brown Wet Till	
23.77		Brown Stony Clay	
30.48		Brownish Yellow Soft Sandstone & Shale Stringers	
31.09		Gray Hard Sandstone	
35.97		Gray Soft Siltstone	
42.06		Gray Hard Shale	
42.67		Gray Hard Sandstone	
44.50	Yes	Gray Sandy Sandstone & Shale	
48.77		Light Gray Hard Sandstone	
54.86		Gray Shale	

Yield Test Summary			Measurement in Metric
Recommended Pump Rate	13.64 L/min		
Test Date	Water Removal Rate (L/min)	Static Water Level (m)	
2016/10/06	13.64	24.69	

Well Completion				Measurement in Metric
Total Depth Drilled	Finished Well Depth	Start Date	End Date	
54.86 m	54.86 m	2016/09/15	2016/10/03	

Borehole		
Diameter (cm)	From (m)	To (m)
20.32	0.00	6.10
15.24	6.10	54.86
Surface Casing (if applicable)		Well Casing/Liner
Steel		Plastic
Size OD :	17.78 cm	Size OD : 13.97 cm
Wall Thickness :	0.711 cm	Wall Thickness : 0.635 cm
Bottom at :	21.95 m	Top at : 18.29 m
		Bottom at : 54.86 m

Perforations				
From (m)	To (m)	Diameter or Slot Width (cm)	Slot Length (cm)	Hole or Slot Interval (cm)
42.67	48.77	0.102	5.08	30.48

Performed by Machine

Annular Seal Bentonite Chips/Tablets
Placed from 0.00 m to 6.10 m
Amount 2.00 Sacks

Other Seals

Type	At (m)
Driven	21.95

Screen Type

Size OD : _____ cm

From (m)	To (m)	Slot Size (cm)
_____	_____	_____

Attachment _____

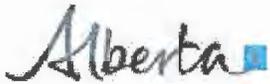
Top Fittings _____ Bottom Fittings _____

Pack

Type _____ Grain Size _____

Amount _____

Contractor Certification	
Name of Journeyman responsible for drilling/construction of well GARFIELD BLAND	Certification No 3838AD
Company Name GARFIELD BLAND CONSULTING	Copy of Well report provided to owner Yes
	Date approval holder signed 2016/10/10



Water Well Drilling Report

Attachment No. 3

[View in Imperial](#) [Export to Excel](#)

GIC Well ID 9100118
 GoA Well Tag No.
 Drilling Company Well ID SEKELLA#1
 Date Report Received 2016/10/10

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

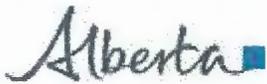
Well Identification and Location										Measurement in Metric	
Owner Name SEKELLA RON		Address P.O. BOX 354			Town LUNDBRECK		Province ALBERTA		Country CANADA	Postal Code T0K 0H0	
Location	1/4 or LSD	SEC	TWP	RGE	W of MER	Lot	Block	Plan	Additional Description		
	5	34	7	30	4						
Measured from Boundary of					GPS Coordinates in Decimal Degrees (NAD 83)						
_____ m from _____					Latitude <u>49.005200</u> Longitude <u>-112.026620</u>					Elevation <u>1136.60</u> m	
_____ m from _____					How Location Obtained Differential corrected handheld GPS 5-10m					How Elevation Obtained Differential corrected handheld GPS 5-10m	

Additional Information										Measurement in Metric	
Distance From Top of Casing to Ground Level <u>60.96</u> cm					Is Flow Control Installed _____						
Is Artesian Flow _____					Rate _____ L/min					Describe _____	
Recommended Pump Rate <u>13.64</u> L/min					Pump Installed <u>Yes</u>					Depth <u>42.67</u> m	
Recommended Pump Intake Depth (From TOC) <u>42.67</u> m					Type <u>Submersible</u>					Make <u>GOULDS</u> H.P. <u>0.5</u>	
										Model (Output Rating) <u>5GPM</u>	
Did you Encounter Saline Water (>4000 ppm TDS) _____					Depth _____ m					Well Disinfected Upon Completion <u>Yes</u>	
Gas _____					Depth _____ m					Geophysical Log Taken _____	
										Submitted to ESRD _____	
Additional Comments on Well SLOW WELL BUT RECOVERY GOOD.LIKELY SAFE YIELD AROUND 500 GAL PER DAY.										Sample Collected for Potability _____ Submitted to ESRD _____	

Yield Test			Taken From Top of Casing Depth to water level		Measurement in Metric
Test Date 2016/10/06	Start Time 11:00 AM	Static Water Level 24.69 m	Drawdown (m)	Elapsed Time Minutes:Sec	Recovery (m)
Method of Water Removal					
Type <u>PUMP</u>					
Removal Rate <u>13.64</u> L/min					
Depth Withdrawn From <u>42.67</u> m					
If water removal period was < 2 hours, explain why GENERATOR FAILURE					
			24.69 0:00		
			25.92 1:00		
			26.54 2:00		
			27.15 3:00		
			27.76 4:00		
			28.36 5:00		
			28.67 6:00		
			28.98 7:00		
			29.57 8:00		
			29.89 9:00		
			30.50 10:00		
			31.10 12:00		
			32.02 15:00		
			33.85 20:00		
			35.67 25:00		
			37.51 30:00		
			41.15 40:00		
			41.79 45:00		
			120:00 27.74		
			1440:00 24.69		

Water Diverted for Drilling		
Water Source OLDMAN RESEVOIR	Amount Taken 2273.05 L	Diversion Date & Time 2016/09/15 2:00 PM

Contractor Certification		
Name of Journeyman responsible for drilling/construction of well GARFIELD BLAND	Certification No 3838AD	
Company Name GARFIELD BLAND CONSULTING	Copy of Well report provided to owner Yes	Date approval holder signed 2016/10/10



Water Well Drilling Report

Attachment No. 3

[View in Imperial](#) [Export to Excel](#)

GIC Well ID 9706179
GoA Well Tag No.
Drilling Company Well ID SEKELLA#2
Date Report Received 2016/10/26

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

Well Identification and Location										Measurement in Metric	
Owner Name	Address		Town		Province		Country		Postal Code		
SEKELLA, RON	P.O. BOX 354		LUNDBRECK		ALBERTA		CANADA		TOK 0H0		
Location	1/4 or LSD	SEC	TWP	RGE	W of MER	Lot	Block	Plan	Additional Description		
	13	34	7	30	4						
Measured from Boundary of					GPS Coordinates in Decimal Degrees (NAD 83)						
_____ m from _____					Latitude <u>49.611050</u> Longitude <u>-113.998260</u>					Elevation <u>1156.41</u> m	
_____ m from _____					How Location Obtained					How Elevation Obtained	
					Differential corrected handheld GPS 5-10m					Differential corrected handheld GPS 5-10m	

Drilling Information	
Method of Drilling Rotary - Air	Type of Work New Well
Proposed Well Use Domestic	

Formation Log			Measurement in Metric
Depth from ground level (m)	Water Bearing	Lithology Description	
6.10		Brown Silty Clay	
18.29		Brown Clayey Till	
27.43		Brown Stony Till	
35.05	Yes	Brown Hard Sandstone	
36.58		Gray Hard Shale	

Yield Test Summary			Measurement in Metric
Recommended Pump Rate	<u>27.28</u> L/min		
Test Date	Water Removal Rate (L/min)	Static Water Level (m)	
2016/10/25	20.46	6.58	

Well Completion				Measurement in Metric
Total Depth Drilled	Finished Well Depth	Start Date	End Date	
36.58 m	36.58 m	2016/10/17	2016/10/19	

Borehole			
Diameter (cm)	From (m)	To (m)	
22.86	0.00	6.10	
0.00	0.00	0.00	
15.88	6.10	36.58	

Surface Casing (if applicable)		Well Casing/Liner	
Steel		Plastic	
Size OD :	<u>17.78</u> cm	Size OD :	<u>13.97</u> cm
Wall Thickness :	<u>0.711</u> cm	Wall Thickness :	<u>0.635</u> cm
Bottom at :	<u>6.40</u> m	Top at :	<u>5.49</u> m
		Bottom at :	<u>35.97</u> m

Perforations				
From (m)	To (m)	Diameter or Slot Width (cm)	Slot Length (cm)	Hole or Slot Interval(cm)
27.43	35.36	0.203	5.08	7.62

Performed by Machine

Annular Seal Bentonite Slurry
Placed from 0.00 m to 6.10 m
Amount 10.00 Gallons

Other Seals

Type	At (m)
Driven	6.40

Screen Type

Size OD : _____ cm

From (m) _____ To (m) _____ Slot Size (cm) _____

Attachment _____

Top Fittings _____ Bottom Fittings _____

Pack

Type _____ Grain Size _____

Amount _____

Contractor Certification	
Name of Journeyman responsible for drilling/construction of well GARFIELD BLAND	Certification No 3838AD
Company Name GARFIELD BLAND CONSULTING	Copy of Well report provided to owner Yes
	Date approval holder signed 2016/10/26



Water Well Drilling Report

Attachment No. 3

[View in Imperial](#) [Export to Excel](#)

GIC Well ID 9706179
GoA Well Tag No.
Drilling Company Well ID SEKELLA#2
Date Report Received 2016/10/26

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

Well Identification and Location										Measurement in Metric
Owner Name SEKELLA, RON		Address P.O. BOX 354			Town LUNDBRECK		Province ALBERTA	Country CANADA	Postal Code TOK 0H0	
Location	1/4 or LSD 13	SEC 34	TWP 7	RGE 30	W of MER 4	Lot	Block	Plan	Additional Description	
Measured from Boundary of					GPS Coordinates in Decimal Degrees (NAD 83)			Elevation		
_____ m from _____					Latitude 49.611050 Longitude -113.993260			1156.41 m		
_____ m from _____					How Location Obtained			How Elevation Obtained		
					Differential corrected handheld GPS 5-10m			Differential corrected handheld GPS 5-10m		

Additional Information										Measurement in Metric
Distance From Top of Casing to Ground Level 60.96 cm										
Is Artesian Flow _____					Is Flow Control Installed _____					
Rate _____ L/min					Describe _____					
Recommended Pump Rate 27.28 L/min					Pump Installed _____		Depth _____ m			
Recommended Pump Intake Depth (From TOC) 27.43 m					Type _____	Make _____	H.P. _____			
										Model (Output Rating) _____
Did you Encounter Saline Water (>4000 ppm TDS) _____					Depth _____ m		Well Disinfected Upon Completion Yes			
Gas _____					Depth _____ m		Geophysical Log Taken _____			
										Submitted to ESRD _____
Additional Comments on Well					Sample Collected for Potability _____			Submitted to ESRD _____		
TILL IS CORDILLERAN, BEDROCK IS PORCUPINE HILLS FORMATION.										

Yield Test			Taken From Top of Casing Depth to water level		Measurement in Metric
Test Date 2016/10/25	Start Time 10:00 AM	Static Water Level 6.58 m	Drawdown (m)	Elapsed Time Minutes:Sec	Recovery (m)
Method of Water Removal			6.58	0:00	11.96
Type PUMP				1:00	11.45
Removal Rate 20.46 L/min			10.87	2:00	10.46
Depth Withdrawn From 12.19 m			10.95	3:00	9.68
			10.95	4:00	9.32
			11.33	5:00	9.02
			11.05	6:00	8.76
			11.05	7:00	8.51
			11.07	8:00	8.25
			11.07	9:00	8.05
			11.05	10:00	7.82
			11.20	12:00	7.52
			11.53	15:00	7.19
			11.61	20:00	6.93
			11.73	25:00	6.83
			11.84	30:00	6.73
			11.89	40:00	6.61
			11.94	50:00	6.55
			11.96	60:00	6.53
			12.06	75:00	6.50
			12.02	90:00	
			12.12	105:00	
			11.96	120:00	

Water Diverted for Drilling		
Water Source	Amount Taken	Diversion Date & Time
	L	

Contractor Certification		
Name of Journeyman responsible for drilling/construction of well GARFIELD BLAND	Certification No 3838AD	
Company Name GARFIELD BLAND CONSULTING	Copy of Well report provided to owner Yes	Date approval holder signed 2016/10/26

Appendix 4

Septic design



5th Jan 2017

Attn Ron Sekella

Soil Analysis for Septic Suitability

Legal Description of Property:

NW34-7-30-W4M

To Whom it may Concern

Please find the following a true analysis of the above property's soil suitability to accept residential septic systems.

We attended site on the 1st of December 2016. At this time we dug 5 test pits, 3 for this soil analysis and 2 for a residential septic design.

The location of the 3 test pits were spread out over the the proposed divisions of the Northern most 4 lots. Soil logs and samples were taken from each test pit and samples were sent for lab testing at Down To Earth labs in Lethbridge AB.

The following is a detail list of the 3 test pits;

- TP3 – 113° 59' 48.19"W 49° 36' 30.36"N Sample depths 40"/77"
- TP4 – 113° 59' 47.79"W 49° 36' 34.90"N Sample depths 24"/60"
- TP5 – 113° 59' 47.33"W 49° 36' 39.54"N Sample depths 44"/65"

The sample depths are taken from loading and limiting layers of soils.

From the test pits and results from the lab we can determine the following summary.

PO Box 37, Hillerest Mines, AB T0k 1C0

Tel (403) 563 8395



Summary

The soils in the above land location are on the whole suitable for residential septic systems. The soil characteristics show mainly clays which can be acceptable for septic systems depending on property size and land area. A secondary treatment process would be advisable to limit size of treatment fields, this can be in the form of a sand mound, treatment plants or other secondary treatment processes.

Please see attached documentation for research results.

A handwritten signature in black ink, appearing to be "Justin Ames".

Justin Ames PS 9380

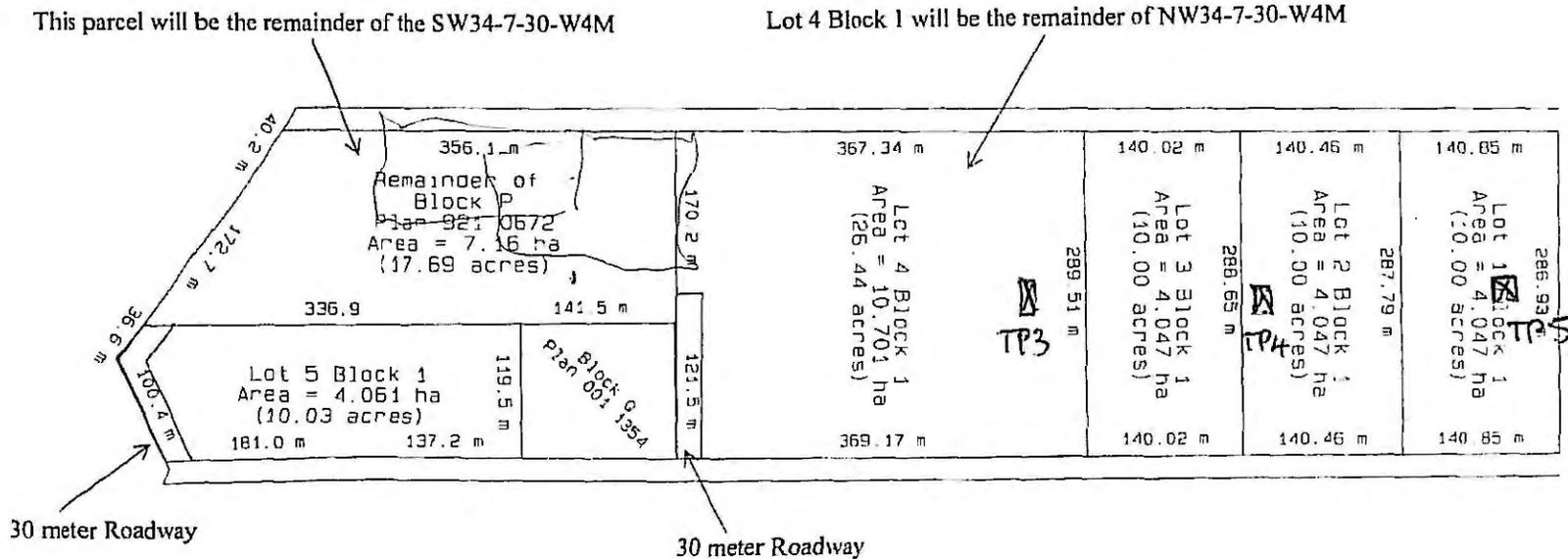
Owner J A Building Services(JABS)
A division of Tregenna Investments Ltd
Box 37 Hillcrest AB T0K 1C0
Tel (403) 563 8395
jabuildingservices@hotmail.com

PO Box 37, Hillcrest Mines, AB T0k 1C0

Tel (403) 563 8395

Dec 1st 2016

Test Pit Locations



TP3	113° 59' 48.19" W	49° 36' 30.36" W
TP4	113° 59' 47.79" W	49° 36' 34.9" W
TP5	113° 59' 47.33" W	49° 36' 39.54" W



Permit Number: PS 9380
 Name: J. Ames
 Date: Dec 1st 2016

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID <u>Ron Sekella</u>											
Legal Land Location										Test pit	
LSD - ¼	Sec	Twp	Rg.	Mer.	Lot	Block	Plan	Easting	Northing		
NW	34	7	30	W4M							
Vegetation Notes: <u>Roots showing to 3ft</u>						Overall Site Slope % Slope position of test pit					
Test Hole No.	Soil Subgroup			Parent Material		Drainage		Depth of Lab (sample #1)		Depth of Lab (sample #2)	
TP 3											
Horizon	Depth (cm) (In)	Texture	Lab or HT	Color	Gleying	Mottling	Structure	Grade	Consistence	Moisture	% Coarse Fragment
1	0-6	L		Blk/Bro	NA	NA	GR	WM	M	Med	1-5
2	6-38	CL		Bro	NA	NA	SBK	M	F	Med	1
3	38-65	C		Bro	NA	Yes	SBK	M	F	Med	1
4	65-D	C		Bro	NA	Yes	PR	MS	M	Med	1
Depth to Groundwater: <u>NA</u>				Limiting Soil Layer Characteristic, describe:							
Depth to Seasonally Saturated Soil:				Depth to Limiting Soil Layer:							
Limiting Topography:				Depth to Highly Permeable Layer:							
Key Limiting Features on System Design:											
Weather Condition Notes: <u>Overcast light snow</u>											
Comments (such as root depth and abundance or other pertinent observations):											

Samples taken from 40" & 77"



Permit Number: PS9380
 Name: J. Ames
 Date: Dec 1st 2016

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID <u>Ron Sekella</u>											
Legal Land Location										Test pit	
LSD - ¼	Sec	Twp	Rg.	Mer.	Lot	Block	Plan	Easting		Northing	
NW	34	7	30	W4M							
Vegetation Notes: <u>Roots showing to 3H</u>						Overall Site Slope %					
						Slope position of test pit					
Test Hole No.		Soil Subgroup			Parent Material		Drainage		Depth of Lab (sample #1)		Depth of Lab (sample #2)
TP4											
Horizon	Depth (cm) (In)	Texture	Lab or HT	Color	Gleying	Mottling	Structure	Grade	Consistence	Moisture	%Coarse Fragment
1	0-6	PR		Blk/Brown	NA	NA	M	MS	Fine	Med	1-5
2	6-45	CL		Bro	NA	NA	BK	WM	Fine	Med	1
3	45-D	C		Bro	Slight	Slight	PR	MS	Fine Med	med	1
Depth to Groundwater:					Limiting Soil Layer Characteristic, describe:						
Depth to Seasonally Saturated Soil:					Depth to Limiting Soil Layer:						
Limiting Topography:					Depth to Highly Permeable Layer:						
Key Limiting Features on System Design:											
Weather Condition Notes: <u>Over cast light snow</u>											
Comments (such as root depth and abundance or other pertinent observations): <u>Samples taken from 24" / 60"</u>											



Permit Number: PS9380
 Name: J. Ames
 Date: Dec 1st 2016

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID <u>Ron Sekella</u>											
Legal Land Location										Test pit	
LSD - ¼	Sec	Twp	Rg.	Mer.	Lot	Block	Plan	Easting	Northing		
NW	34	7	30	W4M							
Vegetation Notes: <u>Roots showing to 3rd H.</u>						Overall Site Slope %					
						Slope position of test pit					
Test Hole No.	Soil Subgroup			Parent Material		Drainage		Depth of Lab (sample #1)		Depth of Lab (sample #2)	
<u>TPS</u>											
Horizon	Depth (cm) (In)	Texture	Lab or HT	Color	Gleying	Mottling	Structure	Grade	Consistence	Molsture	%Coarse Fragment
1	0-8	CL		Blk/Brown	NA	NA	BK	M	M	Med	1-5
2	8-39	CL		Brown	NA	NA	SBK	M	C	Med	1
3	39-60	C		Brown	NA	Fine	SBK	MF	M	low (Fine)	1
4	60-D	C		light Be	NA	Fine	PR	MS	M	Med	0
Depth to Groundwater:				Limiting Soil Layer Characteristic, describe:							
Depth to Seasonally Saturated Soil:				Depth to Limiting Soil Layer:							
Limiting Topography:				Depth to Highly Permeable Layer:							
Key Limiting Features on System Design:											
Weather Condition Notes: <u>Over-cast light snow</u>											
Comments (such as root depth and abundance of other pertinent observations): <u>Samples taken from 44" / 65"</u>											

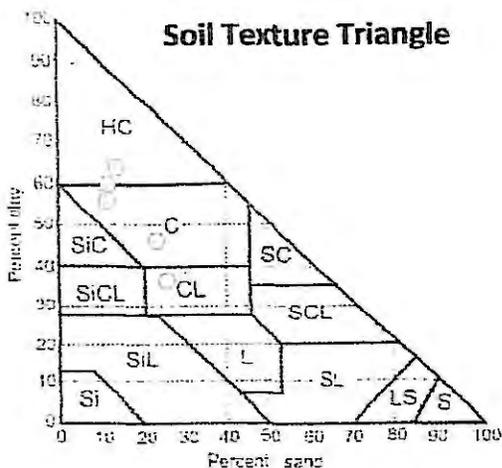


Down To Earth Labs Inc.

The Science of Higher Yields

Justin Ames J.A. Building Services PO Box 46 Hillcrest Mines, AB T0K 1C0	Report #: 33438 Report Date: 12/8/2016 Received: 12/6/2016 Completed: 12/8/2016 Test Done: ST	Project : Ron Sekella PO: Notes:	3510 6th Ave North Lethbridge, AB T1H 5C3 403-328-1133 www.downtoearthlabs.com info@downtoearthlabs.com
--	---	--	---

		Sample ID:	161206L001	161206L002	161206L003	161206L004	161206L005
		Cust. Sample ID:	TP1	TP1	TP2	TP2	TP3
Analyte	Units	Limit	24"	60"	30"	72"	40"
Sand	%	0.1	12.0	12.0	26.0	23.6	14.2
Silt	%	0.1	26.2	32.0	38.0	30.4	21.8
Clay	%	0.1	59.8	56.0	36.0	46.0	64.0
Soil Texture	-	1	Clay	Clay	Clay Loam	Clay	Heavy Clay



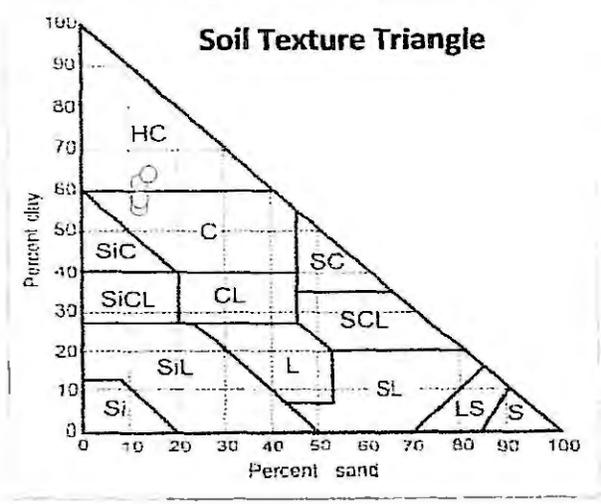


Down To Earth Labs Inc.

The Science of Higher Yields

Justin Ames J.A. Building Services PO Box 46 Hillcrest Mines, AB T0K 1C0	Report #: 33438 Report Date: 12/8/2016 Received: 12/6/2016 Completed: 12/8/2016 Test Done: ST	Project: Ron Sekella PO: Notes:	3510 6th Ave North Lethbridge, AB T1H 5C3 403-328-1133 www.downtoearthlabs.com info@downtoearthlabs.com
--	---	---------------------------------------	---

Analyte	Units	Limit	Sample ID: 161206L006	Sample ID: 161206L007	Sample ID: 161206L008	Sample ID: 161206L009	Sample ID: 161206L010
			Cust. Sample ID: TP3	Cust. Sample ID: TP4	Cust. Sample ID: TP4	Cust. Sample ID: TP5	Cust. Sample ID: TP5
			77"	24"	60"	44"	65"
Sand	%	0.1	12.2	12.2	12.4	14.4	12.4
Silt	%	0.1	29.8	31.8	25.6	21.6	29.6
Clay	%	0.1	58.0	56.0	62.0	64.0	58.0
Soil Texture	-	1	Clay	Clay	Heavy Clay	Heavy Clay	Clay



Raygan Boyce - Chemist



5th Jan 2017

Attn Ron Sekella

Septic Design

Legal Description of Property:

Lot 6, Block P, Plan 921 0672
SW34-7-30-W4M

This private sewage system is for a 5 bedroom single family dwelling. The total peak wastewater flow per day used in this design is 563 imp gal. The average operating flow is expected to be 375 imp gal per day.

The sewage system includes a septic tank, dosing tank and mound style treatment field system. This system is suitable for the site and soil conditions of your property. The design reflected in the following applies, and meets, the requirements of the current Alberta Private Sewage Standard of Practice (Standard). The system will achieve effective treatment of the wastewater from this residence.

1 Wastewater Characteristics

1.1 Wastewater Peak Flow

Total peak daily flow used in this design is: 563 imp gal
(75 imp.gal/bedroom x 5 bedrooms x 1.5 persons/bedroom)

1.2 Wastewater Strength

Characteristics of the development were considered to assess sewage strength. No garbage grinders or other characteristics were identified that would cause typical wastewater strength to be exceeded.

Projected wastewater strength for the design is: BOD 220mg/L
TSS 220mg/L
Oil & Grease 50mg/L



2 Soil Characteristics and Effluent loading rates

This system uses the soil characteristics from test pit 1 for design purposes and location of field. (Please note TP2 does have better characteristics, but looking at an average over all 5 TPs on the property TP 1 is closer to the normal soil characteristics for this property)

1. Restrictive lay sits below 4ft, from top of test pit.
2. Limiting condition for soil loading rate is horizon 2 (6-48") Clay blocky grade 2 structure.
3. Effluent loading rate for this soil type is .14imp gal/day/ft²
4. Using a treatment mound we are able to increase the loading rate to .20imp gal/day/ft².
5. This allows us to have a min of 3ft of soil infiltration area beneath the sand layer.

3 Site Evaluation

This property is located in a rural area and is surrounded by grazing land and the Old Man reservoir to the South. The well is located in the North East corner over 200 yards from any part of the septic system. The site has a approx a 9% slope running from the North down to South/West. There is no body of water within 200 yards of the septic system.

4 System Design

This is a treatment mound system using pressure distribution.
(see attached drawings for detailed layout)

Septic Tank dimensions

Main chamber 1150 imp gal min.

Dosing chamber 750 imp gal min.

Effluent filter installed in dosing tank

Pump details

Flow rate 54.94 Usgal/min

Pressure head 13.03ft

(Please note – dosing tank to include an high level alarm float monitored in the dwelling with an audible and visual device.

Product specification sheets to be included by installer before design is issued to inspection company)



Delivery pipework	2 inch SCH40
Lateral pipework	1 inch SCH40 8 x 44ft lengths 16 orifices per length 1/8" diameter Spaced at 2.75ft (every 5 th facing down)
Treatment field	12" deep sand layer 2 nd Treatment 4ft wide by 176ft long Mound size 25ft by 200ft using 24 inch chambers Inspection ports 1/4 length in from both ends of each lateral.

Please see attached design documentation for system layout, mound dimensions and details.

All other supporting documentation are attached to this system design document.

Some adjustments to pump design may be required due to final location of dwelling and distance to septic system.

Justin Ames PS 9380

Owner J A Building Services(JABS)
A division of Tregenna Investments Ltd
Box 37 Hillcrest AB T0K 1C0
Tel (403) 563 8395
jabuildingservices@hotmail.com

Appendix 5
Historical act approval

Historical Resources Act Approval

Proponent: Ron Sekella Micro Farms
8506-19th Ave/ Box 1059, Crownsnest Pass, AB T0K 0M0

Contact: Mr. Ronald Sekella

Agent: Arrow Archaeology Limited

Contact: Neil Mirau

Project Name: Sekella Subdivision

Project Components: Residential Subdivision
Area Structure Plan / Outline Plan

Application Purpose: Requesting HRA Approval / Requirements

Historical Resources Act approval is granted for the activities described in this application and its attached plan(s)/sketch(es) subject to Section 31, "a person who discovers an historic resource in the course of making an excavation for a purpose other than for the purpose of seeking historic resources shall forthwith notify the Minister of the discovery." The chance discovery of historical resources is to be reported to the contacts identified within [Standard Requirements under the Historical Resources Act: Reporting the Discovery of Historic Resources](#).



Martina Purdon
Head, Regulatory Approvals &
Information Management

Lands Affected: All New Lands

Proposed Development Area:

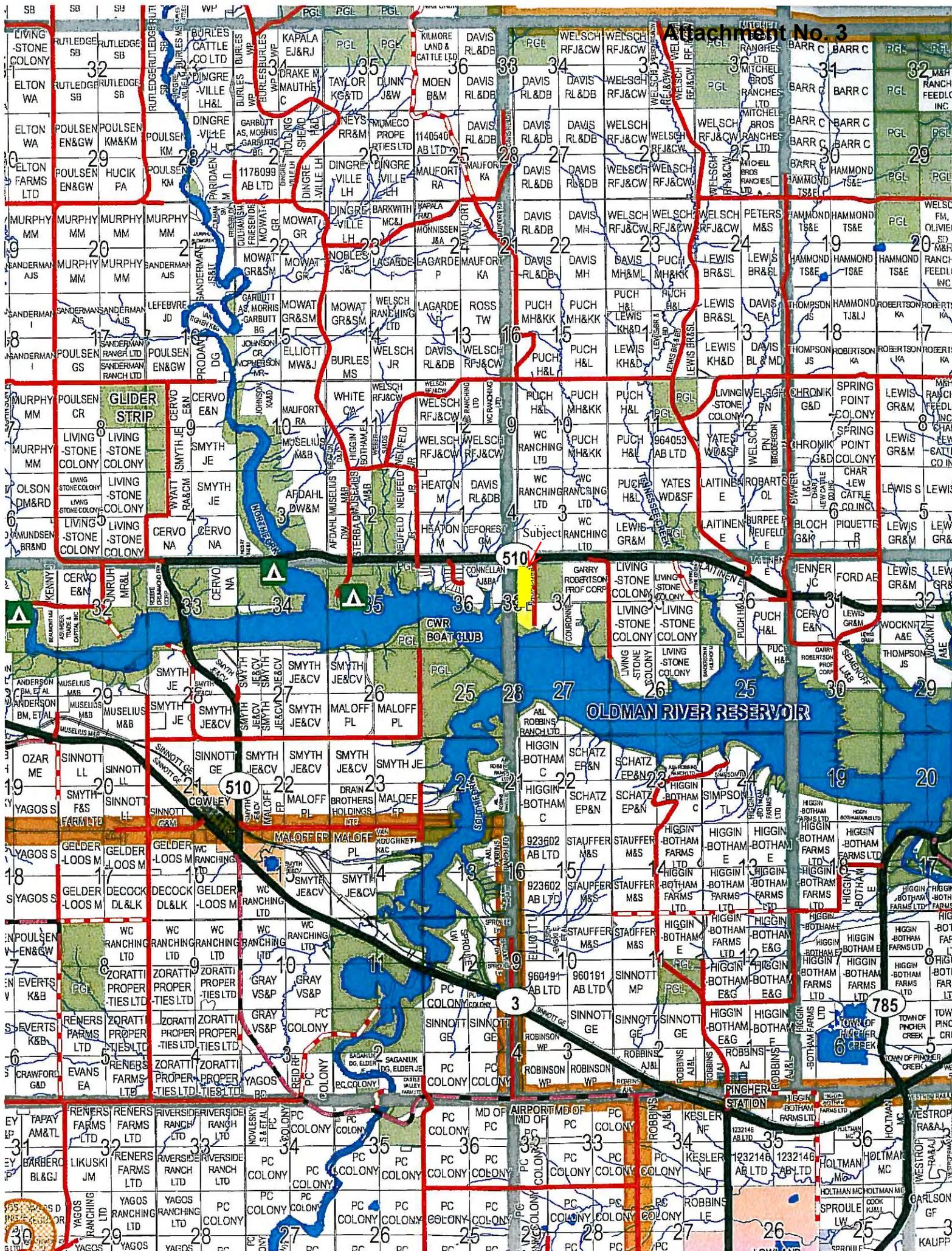
MER	RGE	TWP	SEC	LSD List
4	30	7	34	4,5,12,13

Documents Attached:

Document Name	Document Type
Development Plan	Illustrative Material
Map	Illustrative Material
Survey Plan	Illustrative Material

Map #1

MD Location



Map #2

Conceptual plan

Highway 510

Water well site 2



Alberta Transportation

Alberta Parks

Dugout area

Water well site 1

The remaining 44.13 acres will be the remainder of the SW-NW34-7-30-W4M

30 meter Roadway part of the remainder parcel title

Oldman River Reservoir

Map #3

Oldman River area structure plan map

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9
 OLDMAN RIVER RESERVOIR
 AREA STRUCTURE PLAN

WIND ENERGY
 CONVERSION SYSTEM
 AND GROUPED
 COUNTRY RESIDENTIAL

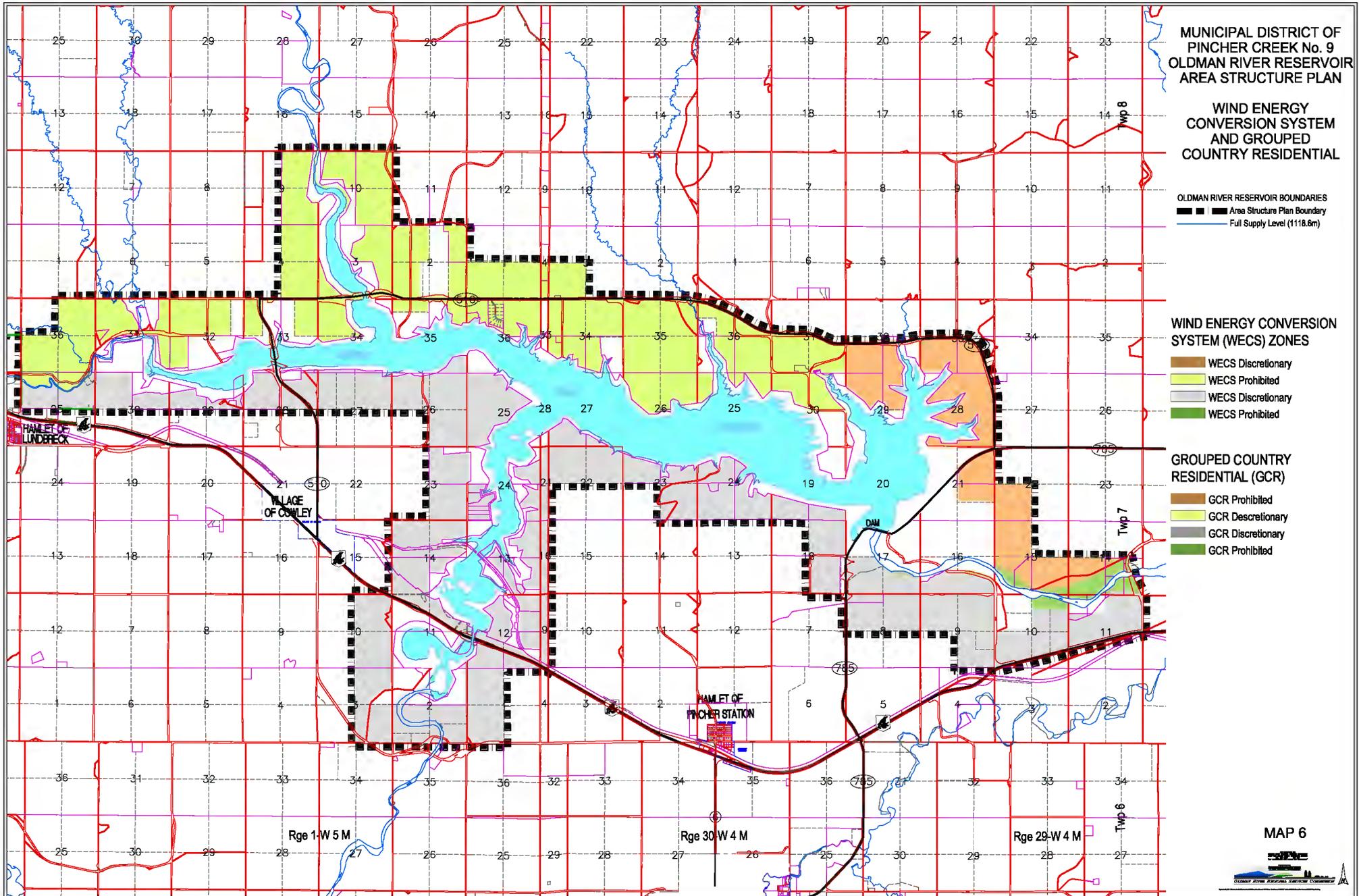
OLDMAN RIVER RESERVOIR BOUNDARIES
 ■■■ Area Structure Plan Boundary
 — Full Supply Level (1118.6m)

WIND ENERGY CONVERSION
 SYSTEM (WECS) ZONES

- WECS Discretionary
- WECS Prohibited
- WECS Discretionary
- WECS Prohibited

GROUPED COUNTRY
 RESIDENTIAL (GCR)

- GCR Prohibited
- GCR Discretionary
- GCR Discretionary
- GCR Prohibited



MAP 6



Map #4

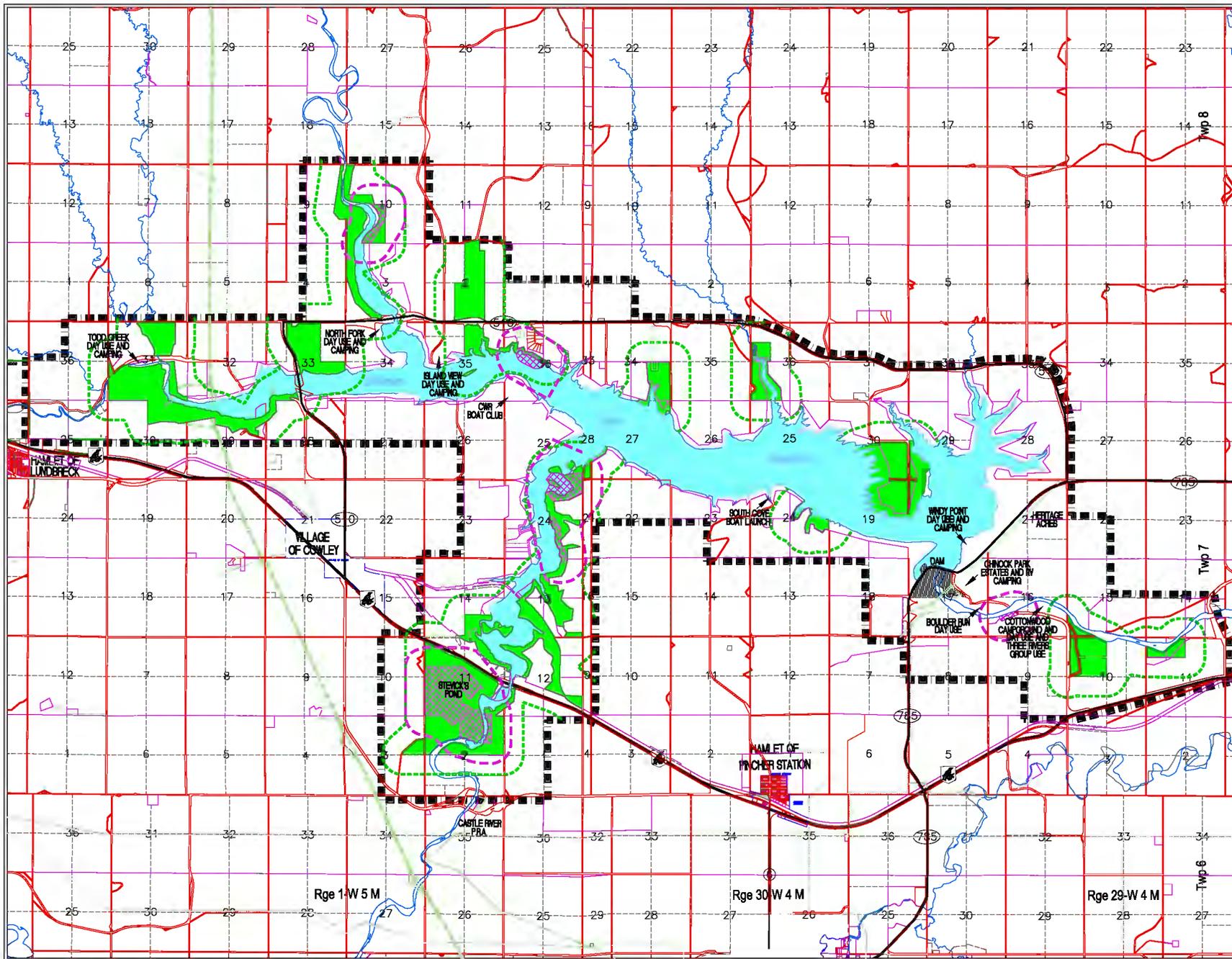
Wildlife mitigation map

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9
 OLDMAN RIVER RESERVOIR
 AREA STRUCTURE PLAN

GUIDE MAP
 PROVINCIAL IMPORTANCE
 Revised April 4, 2007

OLDMAN RIVER RESERVOIR BOUNDARIES
 ■■■ Area Structure Plan Boundary
 — Full Supply Level (1118.6m)

PROVINCIAL IMPORTANCE
 ■ Preservation Area
 ○ Preservation 400m Buffer
 ▨ Wildlife Control Area
 ○ Wildlife Control Area 400m Buffer
 Data Supplied By:
 Alberta Sustainable Resource Development.

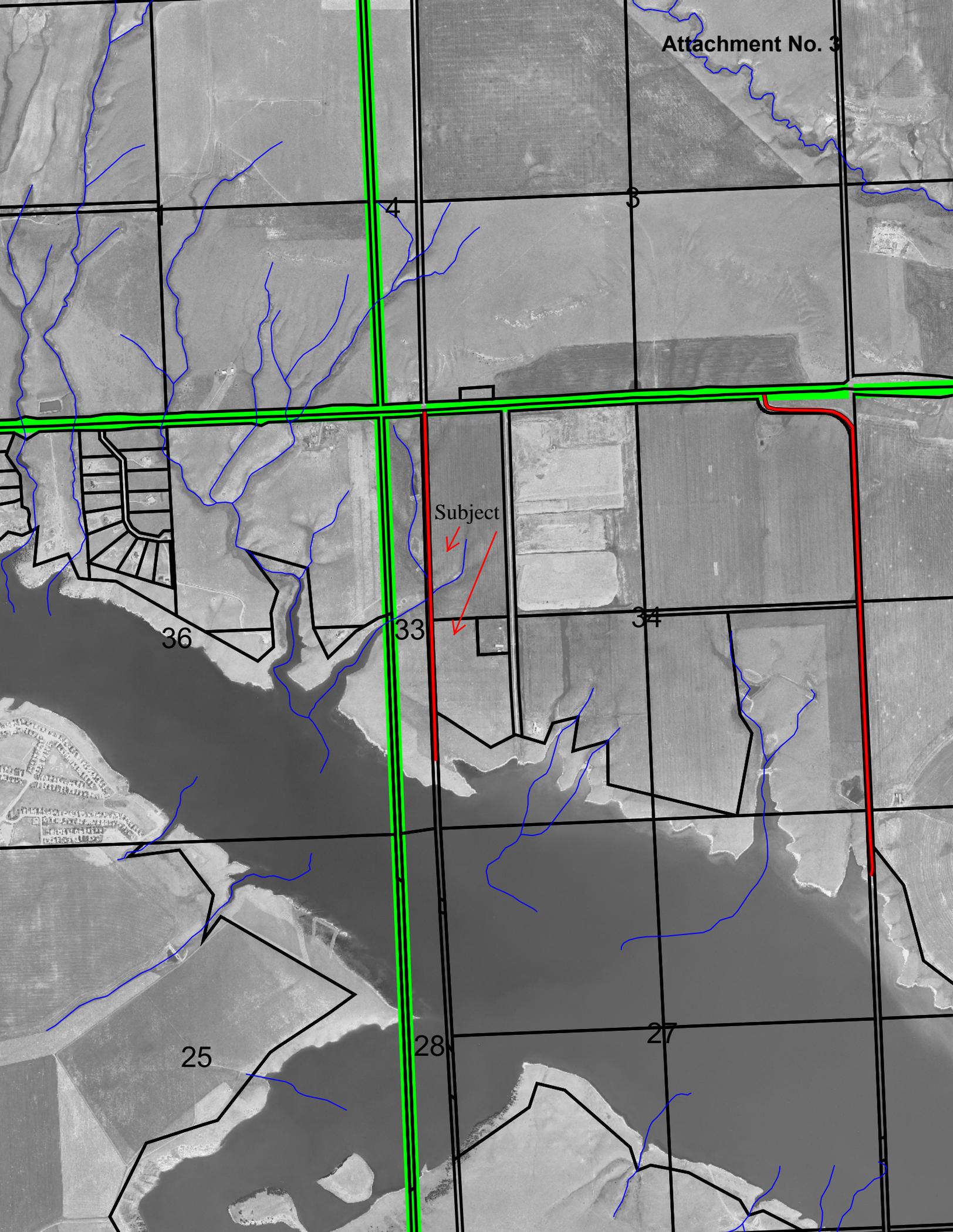


MAP 5



Map #5

Air Photo



Subject

4

5

36

33

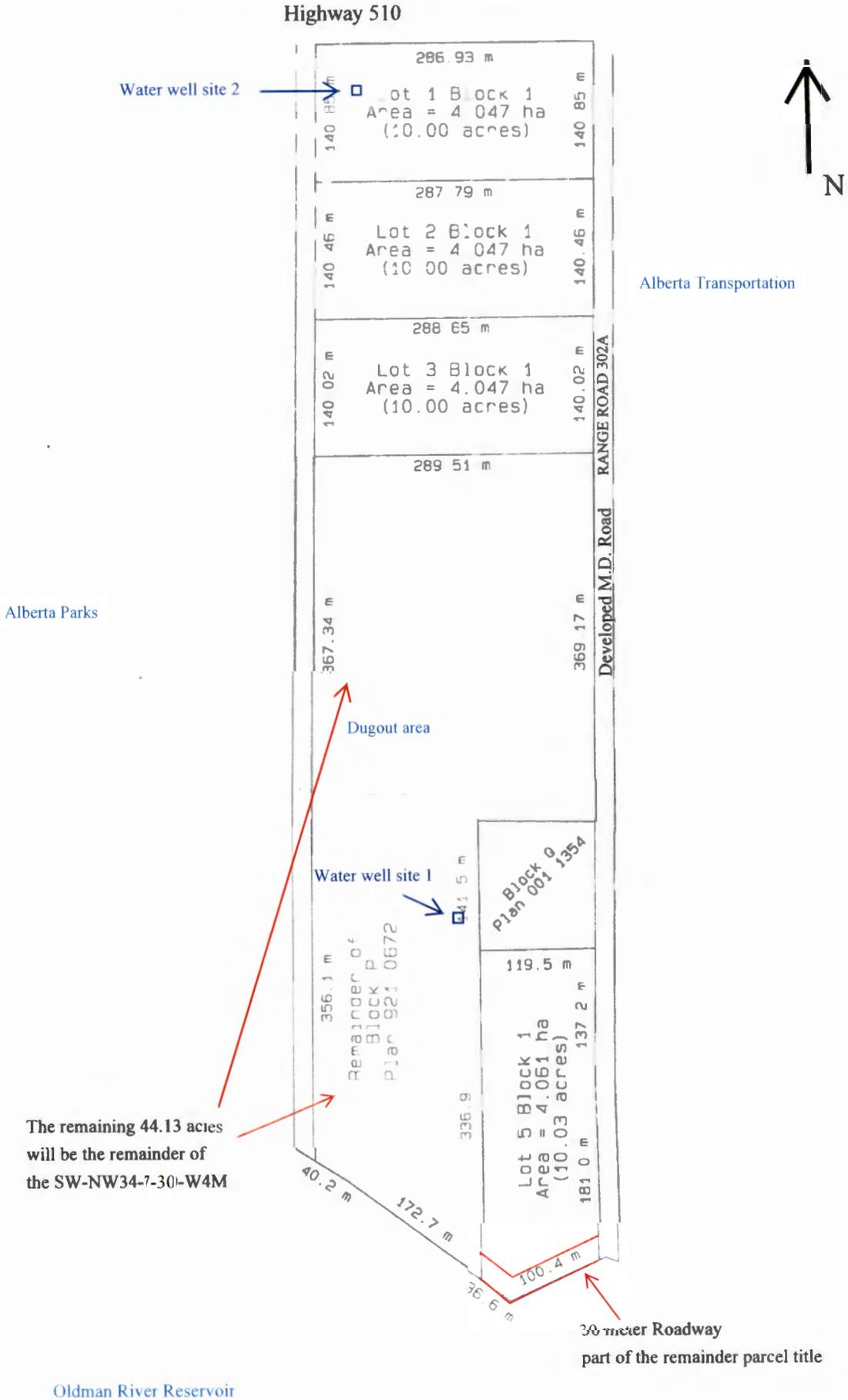
34

25

28

27

RON SEKELLA MICRO FARMS CONCEPT PLAN



Tara Cryderman

From: AEP OIB Lands Coordinator <AEP.OIBLands@gov.ab.ca>
Sent: Thursday, July 12, 2018 11:22 AM
To: Tara Cryderman
Subject: FW: Subdivision Concept Plan - NW & SW 34-7-30 W4M; Block P, Plan 9210672
Attachments: 2018-06-14_Ron_Sekella_Micro_Farms_Concept_Plan.pdf

Good Morning,

Thank you for the opportunity to review the attached proposed subdivision plan. Operations Infrastructure Branch does not have any concerns with rezoning the land to Grouped Country Residential.

Susanne Lampier
Land Management Coordinator
Operations Infrastructure Branch
Alberta Environment and Parks
Room 2:00, 200-5 Avenue South
Lethbridge, Alberta T1J 4L1

From: Scott Gerber
Sent: Monday, June 25, 2018 10:00 AM
To: AEP OIB Lands Coordinator <AEP.OIBLands@gov.ab.ca>
Cc: Scott Gerber <Scott.Gerber@gov.ab.ca>
Subject: FW: Subdivision Concept Plan - NW & SW 34-7-30 W4M; Block P, Plan 9210672

Susanne
It appears to me that Ron Sekella has met AEP OIB concerns. Would you have a quick look, can get this back to the M.D. By the 20th of July ?
Cheers ,Scott .

Scott Gerber
Operation Infrastructure
Alberta Environment & Parks
Oldman River Dam
Office 403 627-5544
Fax 403 627-5528
Cell 403 627-7736



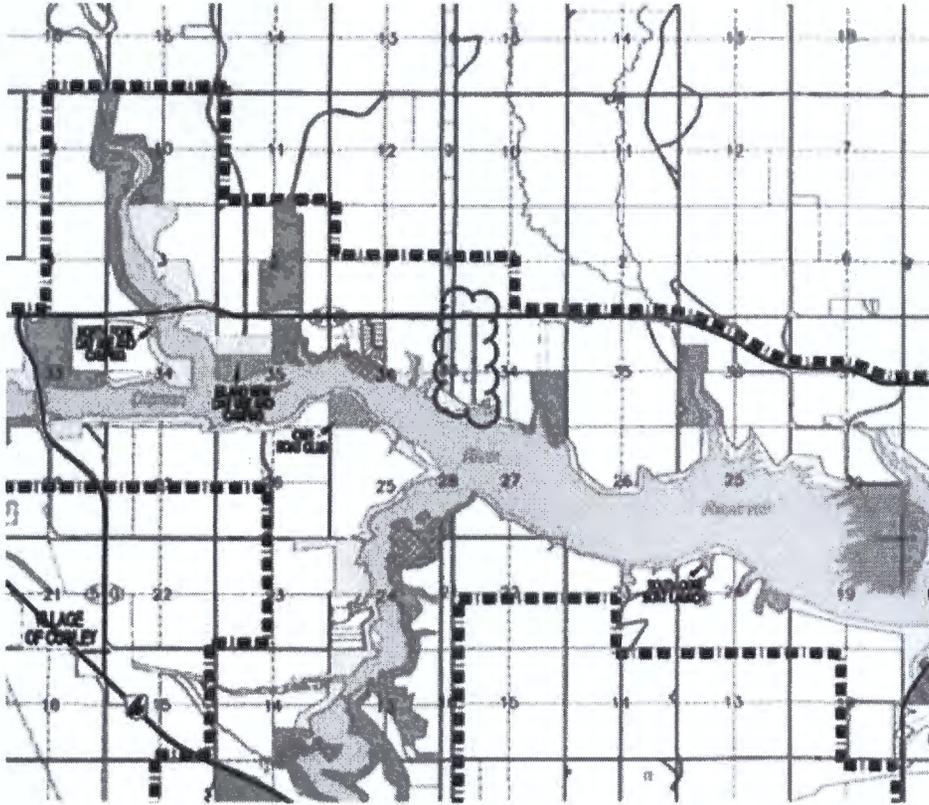
From: Tara Cryderman <AdminExecAsst@mdpincercreek.ab.ca>
Sent: June 22, 2018 15:14
To: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>; Tara Cryderman <AdminExecAsst@mdpincercreek.ab.ca>
Subject: Subdivision Concept Plan - NW & SW 34-7-30 W4M; Block P, Plan 9210672

Attachment No. 4

Pursuant to the Application Referral requirements of the Oldman River Reservoir Area Structure Plan, please find attached a subdivision concept plan submitted by Ronald Anthony Sekella, your review.

Please review this plan and provide your comments, no later than **July 20, 2018**.

For your reference, here is a map showing the location of the proposed subdivision.



Do not hesitate to contact us, should further information or clarification be required.

Take care,
Tara

Tara Cryderman
Executive Assistant
P.O. Box 279
1037 Herron Avenue
Municipal District of Pincher Creek No. 9
Phone: 403.627.3130
Fax: 403.627.5070
Email: tcryderman@mdpincercreek.ab.ca

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Our Reference: 2512-W½ 34-7-30-W4M (510)

July 3, 2018

Roland Milligan
Municipal District of Pincher Creek No. 9
Box 279
1037 Herron Avenue
Pincher Creek, AB T0K 1W0

Dear Mr. Milligan:

**RE: SUBDIVISION CONCEPT PLAN
PROPOSED RON SEKELLA MICRO FARMS CONCEPT PLAN
BLOCK P, PLAN 9210672 WITHIN PORTION OF W½ 34-7-30-W4M
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**

Reference to the above noted *subdivision concept plan* for Ron Sekella Micro Farms Concept Plan.

Our office commented previously on this concept plan June 8, 2017. Our comments are based on this circulation being a concept plan only. Our comments may alter when an official land use redesignation application from the Municipal District of Pincher Creek No. 9 and/or a subdivision application from the Oldman River Regional Services Commission (ORRSC) has been circulated to our office.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 ("the regulation").

Alberta Transportation's primary objective is to allow subdivision and development of adjacent properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway network.

To that end, currently and as proposed, the parcels to be created and remnant land will gain indirect access to the provincial highway system solely by way local road system (Range Road 302a). Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the proposed concept plan as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance, the department would grant a waiver of said Sections 14 and 15(2) *at the time of subdivision*.

Even though the waiver of Sections 14 and 15(2) would be granted at the time of subdivision, the applicant is advised that no direct access to the highway will be allowed as a result of this application.

Mr. Milligan

- 2 -

July 3, 2018

Notwithstanding the foregoing, the applicant would also be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the centre point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and, as such, any development would require the benefit of a permit from our department. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact the department through the undersigned, at Lethbridge 403/381-5426, in this regard.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Thank you for the referral and opportunity to comment.

FOR INFORMATION PURPOSES

The concept plan for the proposed country residential subdivision/development is located directly adjacent to an active gravel pit that is being considered for expected long range usage.

Continuing gravel pit operation activities occur at this location involving, but not limited to, large truck traffic accessing local road Range Road 302a, dust, noise, and lighting associated with routine crushing operations.

Alberta Transportation accepts no responsibility for the continual gravel pit operation activities and for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. By way of this letter, the applicant/developer is apprised that provisions for noise attenuation, dust abatement, etc., are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

The cumulative effects of this type of subdivision/development may not be compatible and/or desirable for this location.

Yours truly,



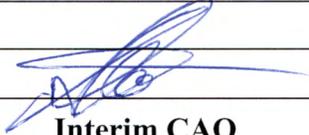
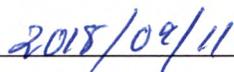
Leah Olsen
Development/Planning Technologist

LO/jb

cc: Municipal District of Pincher Creek No. 9 – admindevoff@mdpincercreek.ab.ca;
tcryderman@mdpincercreek.ab.ca;
info@mdpincercreek.ab.ca

Oldman River Regional Services Commission – gavinscott@orrsc.com
Glen Murray, Aggregates Coordinator – e-mailed

Recommendation to Council

TITLE: Draft Resolution to Foothills Little Bow Regarding Wind Turbine Abandonment			
PREPARED BY: Roland Milligan	DATE: 2108-09-10		
DEPARTMENT: Development and Community Services			
Department Supervisor	Date	ATTACHMENTS: 1. Draft Resolution and Background	
APPROVALS:			
			
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That after Council review the Draft Resolution *Decommissioning Cost of a Wind Power Plant* and approve that it be forwarded to the September 21st, 2018 Foothills Little Bow meeting for consideration.

BACKGROUND:

At the Municipal Planning Commission meeting of September 4, 2018, the concern of the possibility of wind farms infrastructure being abandoned was raised.

It was suggested that a resolution be prepared to be taken to Foothills Little Bow in order to raise these concerns with the province.

At that meeting the MPC passed the following resolution:

Moved that the Municipal Planning Commission direct the Director of Development and Community Services to bring a recommendation to Council that a resolution be brought forward at the scheduled Foothills Little Bow Meeting, regarding decommissioning of wind turbines.

A draft resolution “Decommissioning Cost of a Wind Power Plant” has been prepared for Council’s review.

FINANCIAL IMPLICATIONS:

None at this time.

RESOLUTION
FOOTHILLS LITTLE BOW MUNICIPAL ASSOCIATION
DECOMMISSIONING COST OF A WIND POWER PLANT

WHEREAS: the Alberta Utilities Commission regulates the utilities sector, natural gas and electricity markets to protect social, economic and environmental interests of Alberta where competitive market forces do not.

WHEREAS: the Commission ensures that electric facilities are built, operated and decommissioned in an efficient and environmentally responsible way.

WHEREAS: provincial growth and policy has increased the amount of development of wind power plants and their associated infrastructure, and;

WHEREAS: wind power plants have a limited life span and will require either decommissioning or repowering at the end of that life cycle. In the event that a wind power plant is abandoned prior to or after its life cycle, the components and associated infrastructure may be abandoned on the landscape, becoming an unsafe and unsightly nuisance, creating a costly cleanup for landowners, and further, the affected municipality.

WHEREAS: pursuant to Section 5(1)(h) of the Hydro and Electric Energy Act, the Commission may make regulations as to the measures to be taken in the construction, operation or abandonment of any power plant for the protection of life, property and wildlife, and;

WHEREAS: pursuant to Section 5(4) of the Hydro and Electric Energy Act (4), Subject to the approval of the Minister responsible for the Environmental Protection and Enhancement Act, the Commission may make regulations as to the measures to be taken in the abandonment of any power plant for the control of pollution and ensuring environment conservation, and;

WHEREAS: the Commission falls within the structure of the Ministry of Energy, and the Ministry develops policy for Renewable Electricity.

THEREFORE BE IT RESOLVED that Rural Municipalities of Alberta request the Minister of Energy to direct the Commission to establish a method of ensuring that there is funding in place to ensure that an abandoned wind energy plant is decommissioned and reclaimed in a environmentally responsible way.

Sponsored by: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

MOVED BY: _____

SECONDED BY: _____

CARRIED: _____

DEFEATED: _____

Resolution Background Decommissioning Costs of a Wind Power Plant

The Province of Alberta's Climate Leadership Plan is helping to provide for further renewable energy developments within the province. Wind power plant developments, in particular, use large amounts of land and the ever evolving technology is calling for larger and larger equipment being used.

Wind power development has now expanded throughout the province. Municipal Councils are charged with the responsibility of providing for the orderly development of land and land uses within the municipality.

A typical wind power plant can easily involve as many as twenty wind turbines, a facility substation, an interconnection transmission line, kilometers of underground cables, and the associated crane pads and access roads.

The province of Alberta was home to the first commercial wind power plant in Canada, the Cowley Ridge Wind Farm. This plant was recently decommissioned by the facility owner. All the above ground components were removed but the underground wiring, concrete for foundations, and transformer pads remain in place. The owner states those components will be removed in 2019. The owner states that they also recycled 90% of the Cowley Ridge turbines. Stating that they recovered 50% of the decommissioning costs through metal sales.

The big question is, what would have happened to the site if the owner simply walked away from it? Would the landowner remove the facility? What if the landowner left? Would it cause environmental and safety hazards if left to deteriorate?

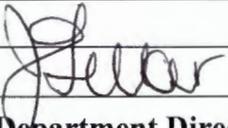
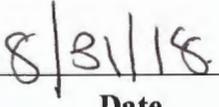
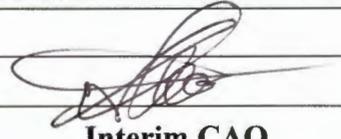
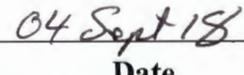
Since the start of this type of development, these concerns have been raised. There are a number of similar answers from developers that really have not changed over the years. With regard to the costs, "The value of the salvage pays for the removal and reclamation." And also, "the site will be repowered at the end of the current equipment's lifespan."

Municipalities have also been told that the agreements in place between the developer and the landowner addresses these concerns and covers off the removal and restoration. As may have been the case in the Cowley Ridge example. However, concerns continued to be raised due to the recent issues around oil and gas well abandonment. Companies that sell off the asset, and the responsibility, or the final company goes bankrupt and there is no recourse for the landowners.

With the scale of these developments, what would happen if a development was abandoned after it was and no longer able to produce? The idea has been suggested that the municipality could handle the issue as an unsightly premises and go after the landowner to clean it up. After all, that landowner may have benefited greatly for the life of that project. If it is not done, the eventually goes through the courts to get permission to remove it and add those costs to the land taxes. Due to the sheer scale of these developments and the costs for removing them, does there come a point when the cost is greater than the value of the land? The landowner walks away and the municipality is left with the cost.

This issue is being raised in Europe and North America. The State of Montana Department of Environmental Quality requires bonding for wind farm developments 25MW or greater.

Recommendation to Council

TITLE: Uncollected Accounts Receivable			
PREPARED BY: Janene Felker		DATE: August 31, 2018	
DEPARTMENT: Finance			
Department Supervisor		ATTACHMENTS: None	
Date		ATTACHMENTS: None	
APPROVALS:			
 _____ Department Director	 _____ Date	 _____ Interim CAO	 _____ Date

RECOMMENDATION:

The Council write off the balances of the accounts: BRUD013, MARR002, ROBI010, and ROBI011.

BACKGROUND:

Every year or two, Council is presented with a list of accounts that have been deemed uncollectible by Administration. Once a year, any accounts that have balances owing that can be transferred to tax accounts are done so. Administration has exhausted all efforts to collect these accounts and the cost of sending invoices and letters does not equal the amount that is being written off. The accounts and amounts that are being presented are as follows:

- BRUD013 - \$41.66
- MARR002 - \$21.84
- ROBI010 - \$33.75
- ROBI011 - \$31.41

Council may want to also debate whether only MD residents should be allowed to purchase items and services from the MD.

The last time accounts were before Council to be written off was May 2016.

FINANCIAL IMPLICATIONS:

There is \$500 budgeted in 2-12-0-921-2921 Administration – Cancellation of Accounts Receivable. The total requested today is \$128.66

Recommendation to Council

TITLE: Beaver Mines Park and Gazebo Lease Operator Agreement			
PREPARED BY: Janene Felker		DATE: August 31, 2018	
DEPARTMENT: Finance			
			ATTACHMENTS:
Department Supervisor	Date	1. Email Dated August 29, 2018 2. Lease Operator Agreement	
APPROVALS:			
			
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That Council enter into a lease operator agreement with the Beaver Mines Community Association to operate the Beaver Mines park and gazebo.

BACKGROUND:

The Beaver Mines Community Association (BMCA) currently operates the gazebo at the Beaver Mines park. Upon further investigation into the MD's records, there is no agreement between the MD and the BMCA for them to be able to rent the Beaver Mines Park and gazebo out on behalf of the MD.

The MD pays the insurance for the BMCA and has been in contact with Jubilee Insurance multiple times on their behalf. Jubilee's position is that there is no conflict of interest with the owner of the Beaver Mines store also issuing liquor licenses. In addition, as long as there is a proper supervision (ie. sober adults to ensure liquor doesn't leave gazebo area) that having liquor at the gazebo is acceptable. Finally, formal events where a liquor license is required should also have a proper rental agreement between BCMA and the 3rd party. The BCMA has been provided a template for a proper rental agreement.

FINANCIAL IMPLICATIONS:

None.

From: Sheldon Steinke
Sent: Wednesday, August 29, 2018 11:15 AM
To: Janene Felker; Tara Cryderman
Subject: FW: BMCA and the 3rd Party Facility Rental Agreement

Janene/Tara

Here is the email I sent out to Council.

For the Next Council agenda I would like to put this email and the 3rd party rental agreement on with a recommendation for Administration to prepare a Lease Operator Agreement for BMCA.

Sheldon

From: Sheldon Steinke
Sent: August 23, 2018 3:24 PM
To: 'Bev Everts' <CouncilDiv3@mdpincercreek.ab.ca>; 'Brian Hammond' <bhammond@mdpincercreek.ab.ca>; 'Quentin Stevick' <CouncilDiv1@mdpincercreek.ab.ca>; 'Rick Lemire ' <CouncilDiv2@mdpincercreek.ab.ca>; Terry Yagos <CouncilDiv5@mdpincercreek.ab.ca>
Cc: Roland Milligan <AdminDirDev@mdpincercreek.ab.ca>
Subject: BMCA and the 3rd Party Facility Rental Agreement

Folks

I was contacted by Mr. Pinard (403-627-5946) with a question about the potential Conflict of Interest of the store owner not having a 3rd Party sign the Facility Rental Agreement because he is the one selling the 3rd Party the alcohol for a function at the BM Park.

Because there is no formal agreement in place for the BMCA or the store owner, to operate the BM Park on behalf of the Municipality there is no obligation on BMCA or the store owner to be responsible to have 3rd party facility rental agreements signed.

Therefore, if the store owner chooses not to have the rental agreement sign by a 3rd party the store owner is not in violation of an agreement.

In Alberta the 3rd Party is responsible to obtain a Consumption of Liquor Permit from the Alberta Liquor Control Board (ALCB) to use the liquor at a publically owned space and by having the Facility Rental Agreement it is easier for that individual to get the Liquor Permit.

In reviewing the 3rd Party Facility Rental agreement I would conclude that the BMCA and the store owner have been acting (Voluntarily) as the store front for issuing Facility Rental Agreements on behalf of the Municipality in Beave Mines with no agreements to do so in place.

The Store owner is not violating any agreements with the Municipality to not have a 3rd Party Facility Rental agreements signed because there is no agreement with the Municipality for him to do it.

However, if a 3rd party uses the Park and a follow on incident occurs because of alcohol consumed at the park the Municipality can be named if there is a legal claim made.

The issue here is the Municipality's Liability and we must demonstrate in the agreement trail that the 3rd party takes on the liability of the function and the alcohol that is consumed at their function.

So how do we proceed?

Does the BMCA want to continue to be the issuer of the Rental Agreements?

Does the Municipality seek an agreement with the Store owner to sell Facility Rental Agreements at the store and be the Municipality's agent?

Do we want to sell permits at the Front Counter of the Municipal Office?

My recommendation is to draft a Lease Agreement with BMCA and they become the operators of the Park, Gazebo and Grounds and the issuer of rental agreements.

Your advice please!

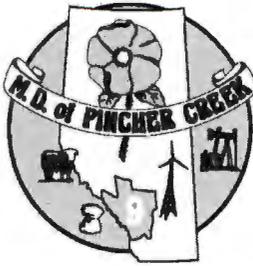
I was told there is a BMCA general meeting next week and this issue needs an answer before the meeting.

I have not returned a call to Mr. Pinard at this point.

Sheldon

Sheldon Steinke
Interim Chief Administrative Officer
Municipal District of Pincher Creek No. 9
PO Box 279
Pincher Creek, AB T0K-1W0
Phone: 403-627-3130

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Attachment # 2

LEASE OPERATOR AGREEMENT

THIS AGREEMENT made this day of , 2018.

BETWEEN:

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
(hereinafter called the "Landlord")

AND:

BEAVER MINES COMMUNITY ASSOCIATION
(hereinafter called the "Tenant")

WHEREAS:

- A. The Landlord is or is entitled to be the legal and beneficial owner of the Lands;
- B. The Landlord has agreed to lease to the Tenant, and the Tenant has agreed to lease from the Landlord, the Lands;

NOW THEREFORE in consideration of the grant of leasehold interest, rents payable, and the mutual covenants contained within this Lease, the parties hereby agree as follows:

ARTICLE 1 – DEFINITIONS

1.1 Definitions

In this Lease, and in addition to the defined parties to this Lease, the following words and expressions shall have the meanings herein set forth unless inconsistent with the subject matter or context:

- (a) "**Commencement Date**" means the 11th day of September, 2018, or such other date as mutually agreed-upon by the Landlord and Tenant;
- (b) "**Goods and Services Tax**" shall mean the Goods and Services Tax assessed under and pursuant to the *Excise Tax Act*, RSC 1985, Chapter E-15 and shall include any other tax imposed supplementary thereto or in substitution therefore;
- (c) "**Hazardous Substances**" means any substance which is hazardous to persons or property and includes, without limiting the generality of the foregoing, substances declared to be hazardous or toxic under any law or regulation now or hereafter enacted or promulgated by any governmental authority having jurisdiction over the Tenant and the Lands;
- (d) "**Lands**" means the lands legally and municipally described as set out in **Schedule "A"** attached hereto;
- (e) "**Lease**" means this lease as from time to time amended in writing and agreed to by all parties hereto;
- (f) "**Permitted Use**" means the Tenant's exclusive use of the Lands for the following purpose(s):

Community Events and Recreation

- (g) **"Rent"** means the rent specified in Section 4.1, together with all other payments which may become due from the Tenant to the Landlord pursuant to this Lease; and
- (h) **"Term"** means the term of this Lease as set out in Section 3.1.

ARTICLE 2 – DEMISE

2.1 Demise of Lands

The Landlord hereby leases to the Tenant and the Tenant hereby leases from the Landlord the Lands for the Term and upon and subject to the covenants, conditions and agreements herein expressed.

ARTICLE 3 – TERM

3.1 Term

The Tenant shall have and hold the Lands basis for the period commencing upon the Commencement Date and ending upon the 1st day of January 2019, subject always to earlier termination or renewal of this Lease and the Term as provided in this Lease.

3.2 Renewal

Provided that the Tenant is not then in default of any of its obligations contained within this Lease, this lease will be automatically renewed on an annual basis, unless at least 90 day written notification has been given by either party of intent to terminate the lease upon the same terms, covenant and conditions contained within this Lease.

3.3 Termination by Landlord

Notwithstanding any provisions contained within this Lease, the Landlord may terminate this Lease, together with all rights and privileges granted to the Tenant under this Lease, without cause or reason, at the Landlord's sole discretion, upon ninety (90) days prior written notice to the Tenant.

ARTICLE 4 – RENT

4.1 Rent

The Tenant shall pay to the Landlord as rent for the Term of this Lease the sum of one (\$1) Dollar per year, plus applicable taxes such as the federal Goods and Services Tax, payable on the Commencement Date.

4.2 Net Lease

The Landlord and the Tenant hereby covenant and agree that for all purposes that this Lease shall be a net lease for the Landlord, and that save and except for as specifically set forth within this Lease, the Landlord shall not be responsible for any cost, charge, expense or outlay of any nature whatsoever arising from or relating to the Lands, or any impositions, costs and expenses of every nature and kind relating to the Lands whether or not specifically provided for within this Lease. All such costs shall be the responsibility of the Tenant to pay promptly when due. To the extent that any such costs are paid by the Landlord the Tenant shall reimburse the Landlord immediately upon demand, such sums being collectable in the same manner as Rent.

ARTICLE 5 – UTILITIES, TAXES AND EXPENSES

5.1 Goods and Services Tax

The Tenant shall pay promptly when due all Goods and Services Tax applicable to the payment of Rent or on any other amounts owed by the Tenant to the Landlord. In the event that such taxes are by statute, law, by-law, regulation or ordinance imposed upon or payable by the Landlord as recipient of the Rent, the Tenant shall pay to the Landlord as Rent the Goods and Services Tax.

5.2 Utilities and Services

The Tenant shall be responsible for the prompt payment, when due, of all costs (including installation charges) of all utilities consumed on or within the Lands including, without restriction, all gas, water, electrical, and telephone rates and charges, and shall indemnify the Landlord against any and all liability or damages pertaining thereto. Payments shall either be made directly to the supplier of the services or equipment, or shall be paid to the Landlord as reimbursement for payment of such costs if paid by the Landlord to the said supplier(s).

5.3 The Tenant's Taxes

Subject to the availability of any exemption under the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended from time to time, the Tenant shall pay, when and if they shall become due and payable, all real estate taxes, assessments, rates and charges and other government impositions, general or special, ordinary or extraordinary, foreseen or unforeseen, of every kind, including assessments for local or public improvements and school taxes which may at any time during the Term be imposed, assessed or levied, in respect of the Lands and Tenant's leasehold interest in the Lands and all fixtures and improvements from time to time located thereon, or which, howsoever imposed, might constitute a lien on the Lands or any part thereof or a liability of the Landlord.

ARTICLE 6 – USE OF LANDS

6.1 Use of Lands

The Lands shall be used continuously during the Term for the Permitted Use, and for no other use. The Tenant shall not carry on nor permit to be carried on upon the Lands any other trade, business or activity, without the prior written consent of the Landlord, which consent may be unreasonably withheld.

6.2 No Nuisance

The Tenant shall not carry on any business or do or suffer any act or thing which in the opinion of the Landlord constitutes a nuisance or would result in a nuisance, or which would be offensive or an annoyance to the Landlord, as well as occupants of lands and property owners in the vicinity of the Lands, nor do or suffer any waste or damage, disfiguration or injury to the Lands.

6.3 Compliance with Laws

- (a) The Tenant will promptly comply with and conform to the requirements of every applicable law, by-law, regulation, ordinance and order at any time or from time to time in force during the Term affecting the Lands or the business carried upon the Lands.
- (b) The Landlord will promptly comply with and conform to the requirements of every applicable law, by-law, regulation, ordinance and order at any time or from time to time in force during the Term affecting the Lands.

6.4 Improvements, Alterations, Fixtures

- (a) The Tenant shall not without the prior written consent of the Landlord, which consent may not be unreasonably withheld, excavate, drill, install, erect, or permit to be excavated, drilled, installed or erected over, under or through the Leased Premises, any pit, foundation, pavement, building, fence, sidewalk, installation, addition, partition, sign, alteration, antenna or other structure or improvement.
- (b) Upon the expiration or other termination of this Lease, all alterations, additions, partitions, improvements or structures which may have been made or installed by the Tenant upon or within the Lands, (whether with or without the Landlord's consent) and which are attached to the Lands shall remain upon and be surrendered with the Lands as a part of the Lands without disturbance, molestation or injury and such be and become the absolute property of the Landlord without compensation to the Tenant.
- (c) Notwithstanding Section 6.5(b), the Landlord may, by written notice to the Tenant prior to or after the termination or expiration of the Term, require the removal at the expense of the Tenant of any and all alterations, additions, partitions, improvements or structures on the Lands and/or the restoration of the Lands to the same condition that they were in before any alterations, additions, partitions, improvements or structures were made, erected or installed, such work to be done by or at the direction of the Landlord.
- (d) Notwithstanding Section 6.5(b), but subject to Section 6.5(a) and 6.5(c), and provided the Tenant has paid the Rent and performed and observed all the covenants and conditions contained in this Lease, the Tenant shall at the expiration or other sooner termination of this Lease have the right to remove its trade fixtures, but shall make good the damage caused to the Lands which may result from such installation and removal including the restoration of the Lands to the same condition that they were in before any improvement, alteration or fixture was made, erected or installed, such work to be done by or at the direction of the Landlord.

6.5 Insurance

- (a) The Tenant shall purchase at its own expense and maintain in force during the Term and any renewal term the following insurance coverage satisfactory to the Landlord:
 - (i) comprehensive general liability or commercial general liability insurance certificate of insurance, including coverage of liability for bodily injury, death and property damage occurring in or about the Lands in the following amounts:
 - A. not less than TWO MILLION (\$2,000,000.00) DOLLARS (or from time to time such greater amounts as are sufficient, as determined from time to time by the Landlord acting reasonably, to afford equivalent protection against all such claims) comprehensive general liability if the Tenant is either a private individual and the Permitted Use is not for a commercial purpose or is a not-for-profit association or society; otherwise
 - B. not less than FIVE MILLION (\$5,000,000.00) DOLLARS (or from time to time such greater amounts as are sufficient, as determined from time to time by the Landlord acting reasonably, to afford equivalent protection against all such claims) commercial general liability is required if the Tenant is a body corporate, a government entity, or an individual where the Permitted Use is for a commercial purpose; or
- (b) Each policy shall name the Landlord as an additional insured and each policy shall contain a waiver of cross-claim and subrogation against the Landlord, its servants, agents and employees and shall protect and indemnify both the Tenant and the Landlord.

- (c) In addition to the foregoing, the Landlord reserves the right to:
 - (i) require that the Landlord maintain Workers' Compensation Insurance in accordance with the Workers' Compensation Act, RSA 2000, Chapter W-15, as amended from time to time, protecting the Landlord and the Tenant from claims under that Act; and
 - (ii) require certified copies of all insurance policies and to accept or reject the Tenant's insurer(s).

6.6 Indemnity

The Tenant hereby indemnifies and saves harmless the Landlord and its successors and assigns from and against any and all losses, liabilities, damages, costs (including, without restriction, all legal and other professional costs on a solicitor and his own client full indemnity basis) and expense of any kind whatsoever which at any time or from time to time may be paid, incurred or asserted against the Landlord, whatsoever arising from or out of, directly or indirectly, the Tenant's use or occupancy of the Lands or occasioned wholly or in part by any act or omission of the Tenant, its agents, contractors, employees, sub-tenants, licensees, concessionaires or anyone permitted by the Tenant to be in or on the Lands. Without limiting the generality of the foregoing, this indemnity shall include those aforementioned costs which at any time or from time to time may be paid, incurred or asserted against the Landlord as a direct or indirect result of the presence on or under, or the escape seepage, leakage, spillage, discharge, emission or release by the Tenant, and those parties permitted to be upon the Lands by the Tenant (excluding the Landlord, its employees, agents, and contractors), of any Hazardous Substances, from the Lands either onto any lands (including the Lands), into the atmosphere or into any water. This indemnification shall survive the expiration of the Term and the termination of this Lease for whatever cause.

6.7 Hazardous Substances

The Tenant represents, covenants and warrants to and in favour of the Landlord that:

- (a) it shall not allow any Hazardous Substances to be placed, held, located or disposed of on, under or at the Lands without the prior written consent of the Landlord, which consent may be arbitrarily or unreasonably withheld;
- (b) it shall not allow the Lands to be utilized in any manner in contravention of any applicable laws intended to protect the environment, including without limitation, laws respecting the use, storage, handling, disposal and emission of Hazardous Substances;
- (c) to the extent that Hazardous Substances are, with the Landlord's consent, placed, held, located or disposed of on, under or at the Lands in accordance with the terms hereof, the Tenant shall:
 - A. comply with, or cause to be complied with, all applicable laws and regulations relating to the use, storage, handling and disposal of the Hazardous Substances (including, without restriction, compliance with WHMIS program recommendations),
 - B. at the request of the Landlord, provide evidence to the Landlord of compliance with all such requirements, such evidence to include inspection reports and such tests as the Landlord may reasonably require, all at the expense of the Landlord.

ARTICLE 7 – REPAIRS

7.1 Maintenance and Repair

The Tenant covenants to keep the Lands tidy and in substantially the same condition as existed as of the commencement of this Lease as determined by the Landlord acting reasonably including, without restriction, promptly attending to the following:

- (a) maintaining the Lands, as well as any improvements, equipment, machinery, or other property of the Tenant placed upon the Lands, in a safe condition capable of use by the Tenant;

- (b) routine yard maintenance and weed control so as to comply with all applicable laws and otherwise not constitute a nuisance; and
- (c) all snow removal, field maintenance and cleaning required with respect to the use and occupation of the Lands.

Notwithstanding any of the foregoing, the Tenant shall not be responsible for the reconstruction of damaged or destroyed improvements owned by the Landlord, but only if the Tenant is not the cause of the aforesaid damage or destruction.

ARTICLE 8 – LICENSES, ASSIGNMENTS AND SUBLETTINGS

8.1 Licenses, Assignments and Subletting

The Tenant shall not transfer, assign, license or sublet this Lease, the Lands, or any portions thereof, nor mortgage, pledge, or in any way encumber this Lease, without the prior written consent of the Landlord, which may be unreasonably withheld.

ARTICLE 9 – LIABILITIES

9.1 Theft

The Landlord shall not be liable for the theft of any property at any time upon the Lands.

9.2 Damage or Injury

The Landlord shall not be liable for any injuries or death, or any losses or damages whatsoever, caused to any individual or property while on or within the Lands as a result of, or in any way arising out of, the occupation or use of the Lands by the Tenant pursuant to this Lease.

ARTICLE 10 – TENANT'S DEFAULT

10.1 Default

Notwithstanding anything contained herein to the contrary, if the Tenant fails to perform any of its obligations under this Lease as and when required, and such default continues for a period of seven (7) days after written notice from the Landlord of such default, then the Landlord may, at its option, re-enter and take possession of the Lands with or without terminating this Lease.

10.2 Remedies Upon Default

Upon the occurrence of the event of default, as defined within Section 10.1 of this Lease, at the Landlord's option, the Term shall become forfeited and void, and the Landlord may without notice or any form of legal process whatsoever forthwith re-enter upon the Lands, or any part thereof, in the name of the whole and repossess and enjoy the same as its former estate, anything contained in any statute or law to the contrary notwithstanding. No re-entry or taking possession of the Lands shall be construed as an election on the part of Tenant to terminate this Lease unless at the time of or subsequent to such re-entry or taking of possession written notice of such termination has been given to the Tenant.

10.3 Additional Remedies

The rights and remedies of the Landlord pursuant to Section 10.1 and 10.2 of this Lease are in addition to the rights and remedies of the Landlord at law, equity, or as otherwise contained within this Lease. The forfeiture of this Lease by the Tenant shall be wholly without prejudice to the right of the Landlord to recover damages for any antecedent breach of covenant on the part of the Tenant.

10.4 Right to Perform

All covenants, terms and conditions to be performed by the Tenant under any of the provisions of this Lease shall be performed by the Tenant, at the Tenant's sole cost and expense. If the Tenant shall fail to perform any act on its part to be performed under this Lease, and such default shall continue for seven (7) days after notice thereof from the Landlord, the Landlord may (but shall not be obligated so to do) perform such act without waiving or releasing the Tenant from any of its obligations relative thereto. The Tenant shall pay to the Landlord on demand for all costs incurred by the Landlord in performing such act, from the date each such payment was made or each such cost was incurred by the Landlord, until paid in full.

10.5 Waiver

The waiver by the Landlord of a breach of a term, covenant or condition herein contained will not be deemed to be a waiver of a subsequent breach of the same or another term, covenant or condition herein contained. No covenant, term or condition of this Lease will be deemed to have been waived by the Landlord unless the waiver is in writing signed by the Landlord.

ARTICLE 11 – GENERAL PROVISIONS

11.1 Quiet Enjoyment

By paying the Rent and other charges or expenses required to be paid by the Tenant under this Lease, and by duly performing all of the Tenant's other obligations under this Lease, the Tenant shall be entitled to peaceably enjoy and possess the Lands for the Term without any interruption or disturbance from the Landlord, or any person, firm or corporation lawfully claiming through the Landlord; provided always that nothing contained within this Section shall limit the rights of access granted to the Landlord. The Tenant will not oppose and will cooperate with the Landlord (including, without restriction, executing any documents or consents required by the Landlord) in connection with any subdivision, rezoning, development permit or building permit application which the Landlord may wish to make at any time after the Commencement Date. The Tenant shall be subject to any and all new easements or rights of way granted by the Landlord after the Commencement Date without further compensation or consideration owed to the Tenant.

11.2 Access

The Tenant covenants that the Landlord, or its employees or agents, may enter upon the Lands and the Lands at any time during normal business hours for the purposes of inspecting the condition of the Lands, confirming the performance of the Tenant's obligations under this Lease, and otherwise conducting non-destructive investigative work relative to the Landlord's intended use of the Lands.

11.3 Lease Entire Agreement

It is hereby understood and agreed by and between the parties that the terms and conditions set forth herein, together with the terms and conditions set forth in the rules and regulations and any schedules and plans annexed hereto, embrace all of the terms and conditions of this Lease entered into by the Landlord and the Tenant and supersede and take the place of any and all previous agreements or representations of any kind, written, oral or implied heretofore made by anyone in reference to the Lands. If any provision of this Lease is illegal or unenforceable it shall be considered separate and severable from the remaining provisions of this Lease, and the remaining provisions shall remain in force and be binding as though the said illegal or unenforceable provisions had never been included. The schedules shall form part of this Lease.

11.4 Amendment to Lease

No amendment to or waiver of any provision of this Lease or any consent required or permitted hereunder shall be deemed or taken as made or given unless such amendment, waiver or consent is in writing and signed under the corporate seal of the Landlord.

11.5 Governing Law

This Agreement shall be governed in accordance with the laws of the Province of Alberta and the parties hereto agree to submit to such jurisdiction.

11.6 Notices

Any notice, demand, request, consent or other instrument required or permitted to be given under this Lease (the "Notice") shall be in writing and shall be given and deemed to have been received as provided in this Section, and shall be addressed as follows:

- (a) to the Landlord as follows: Municipal District of Pincher Creek No. 9
1037 Herron Avenue
P.O. Box 279
Pincher Creek, AB T0K 1W0
Facsimile: (403) 627-5070

- (b) to the Tenant as follows: Beaver Mines Community Association
P.O. Box 1344
Pincher Creek, AB T0K 1W0
Attention: Mike Morley

or such other address as either party may appoint for all future Notices by notice in writing.

Any Notice must be delivered by: personal service, facsimile, mailed in Canada by prepaid registered post, or sent by prepaid courier. A Notice shall be deemed to have been received by the party to whom the Notice is addressed upon the same date as sending the Notice by delivery, facsimile, or prepaid courier, or on that day which is five (5) business days following the date that the Notice was mailed if sent by prepaid registered mail. If at the time of mailing there is an actual or apprehended interruption in mail service by labour dispute or otherwise, force majeure or other cause, then all Notices shall be delivered or sent by facsimile or prepaid courier.

11.7 Time of the Essence

Time shall be of the essence throughout this Lease.

11.8 Binding Effect

This Lease shall enure to the benefit of, and be binding upon, the Tenant and its respective heirs, executors, administrators permitted successors and permitted assigns, as well as the Landlord and its successors and assigns. Where the Tenant is more than one person/entity/corporation, all persons/entities/corporations designated as being part of the Tenant shall be jointly and severally bound by the terms, covenants and agreements contained in the Lease.

11.9 Independent Legal Advice

The parties hereby acknowledge and confirm that each was advised by the other to obtain independent legal or other professional advice, and that each has had an opportunity to read, review and understand the nature and effect of the provisions of this Lease prior by executing this Lease. Each hereby confirms that it has had the opportunity to seek independent legal or professional advice prior to executing this Lease and has either:

- (a) obtained such legal or other professional advice; or

- (b) waived the right to obtain such independent legal or other professional advice.

IN WITNESS WHEREOF the parties hereto have executed this Lease as of the date first above written above.

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

Per: _____

Per: _____ (c/s)

BEAVER MINES COMMUNITY ASSOCIATION

Per: _____

Per: _____

SCHEDULE "A"

THE LANDS

1. Legal Description

NW 10 06 02 W5

**Lot 25
Block 14
Plan 8810351**

Municipal Address - 511 Second Avenue Beaver Mines Alberta

EXCEPTING THEREOUT ALL MINES AND MINERALS

Recommendation to Council



TITLE: Statement of Cash Position

PREPARED BY: Brendan Schlossberger

DATE: September 6, 2018

DEPARTMENT: Finance

Janene Felker

ATTACHMENTS:

Department Supervisor

September 6, 2018

1. Statement of Cash Position

APPROVALS:

Janene Felker

S. Steinke

Janene Felker

Sept 6, 2018

S. Steinke

06 Sept 18

Department Director

Date

Interim CAO

Date

RECOMMENDATION:

That Council receive the Statement of Cash Position, for the month ending August 2018, as information.

BACKGROUND:

Every month a Statement of Cash Position is provided for Council's review.

FINANCIAL IMPLICATIONS:

None at this time.

M.D. of Pincher Creek No. 9 Statement of Cash Position

Month Ending August 2018

BANK STATEMENT C.I.B.C.	August	July
General Accounts		
Bank Statement Balance	916,475.35	944,276.90
Deposits After Month End	4,886.00	133.60
Cash On Hand	600.00	600.00
Outstanding Cheques	(528,657.90)	(354,280.62)
Month End Cash Available	393,303.45	590,729.88

M.D.'S GENERAL LEDGER	August	July
Balance Forward from Previous Month	590,729.88	1,291,288.29
Revenue for the Month:		
Receipts for the Month	486,842.73	4,103,842.26
Interest for the Month	2,567.14	2,699.10
Transferred from Short Term Investments	2,176,160.99	815,390.83
Disbursements for the Month:		
Cheques Written	(2,376,052.18)	(797,543.89)
Payroll Direct Deposits and Withdrawals	(448,835.38)	(407,071.69)
Electronic Withdrawals - Utilities and VISA	(37,642.04)	(30,627.91)
Banking Transaction Fees	(467.69)	(809.11)
Transfer to Short Term Investments	0.00	(4,386,438.00)
M.D.'s General Ledger Balance at Month End	393,303.45	590,729.88

SHORT TERM INVESTMENTS - C.I.B.C.	August	July
General Account Operating Funds	6,760,692.00	8,001,401.66
MSI Capital Grant Advances	5,447,857.81	5,439,591.72
Public Reserve Trust Funds	100,298.36	100,135.95
Tax Forfeiture Land Sales	13,766.78	13,744.49
Recycling Committee	34,402.44	34,346.73
Water Intake Advance	-	74,567.40
Water For Life Advance	69,103.25	918,574.26
12,426,120.64	14,582,362.21	

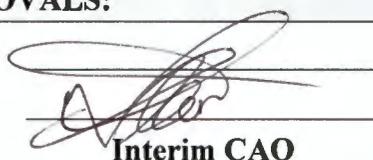
LONG TERM INVESTMENTS	August	July	Annual Rate	Original	Original
Financial Institution	Market Value	Market Value	of Return	Investment	Investment
			2017	Date	Amount
C.I.B.C. Wood Gundy - Bonds	8,725,765.00	8,687,681.00	1.14%	Nov-88	1,255,915.75

COMMENTS

September Items of Note	Amount
Expense Out - School Requisitions	(664,866.00)
Expense Out - Debenture Payments	(107,000.00)
Expense Out - PC Emergency Services	(131,444.00)

This Statement Submitted to Council this 11th Day of September 2018.

Recommendation to Council

TITLE: Chinook Arch Library Board 2019-2022 Budget and Member Levy			
PREPARED BY: Sheldon Steinke		DATE: September 5, 2018	
DEPARTMENT:			
			ATTACHMENTS:
Department Supervisor		Date	1. Letter from Chinook Arch Library Board, dated August 8, 2018
APPROVALS:			
Department Director	Date	 Interim CAO	 Date

RECOMMENDATION:
 That the MD of Pincher Creek approves the Chinook Arch Library Board 2019 – 2022 Municipal Levy Schedule.

BACKGROUND:
 On August 14, 2018, the MD received a letter from DeVar Dahl, Chair of the Chinook Arch Library Board, regarding the Chinook Arch Library Board 2019 – 2022 Budget and Member Levy.
 The 2015-2018 Budget was approved by Council in August 2014.

FINANCIAL IMPLICATIONS:
 The increase of the Municipal Levy will impact budget deliberations.

RECEIVED

AUG 14 2018

M.D. OF PINCHER CREEK



**Chinook Arch
Regional Library
System**

Memo

August 8, 2018

To: Mayors and Reeves of Member Municipalities of the Chinook Arch Regional Library System

From: DeVar Dahl, Chair of the Chinook Arch Library Board

Re: Chinook Arch Library Board 2019-2022 Budget and Member Levy

Thriving Libraries, Thriving Communities! is the theme of the Chinook Arch 2019-2022 Plan of Service. In development for over a year, this exciting plan is the result of a collaborative and consultative process involving stakeholders from across the Region. It sees Chinook Arch embarking on exciting new initiatives designed to support local libraries' efforts to become their communities' go-to destination for information, entertainment, and community connection.

At its August 2nd meeting, the Chinook Arch Library Board approved the 2019-2022 Plan of Service and a new 4-year budget (both enclosed). The budget includes modest increases to the per capita Municipal Levy for each of the four years (see chart below). Proposed increases of \$0.16 per capita in 2019 and 2020 and \$0.12 per capita in 2021 and 2022 are drastically reduced over the 2015-2018 budget's \$0.22 per capita average annual increase. Note that the Library Board Levy remains static at \$3.57 per capita.

	2019	2020	2021	2022
Municipal Levy	\$8.01	\$8.40	\$8.29	\$8.41
(% increase)	2.04%	2%	1.47%	1.45%
Library Board Levy	\$3.57	\$3.57	\$3.57	\$3.57
Total Member Levy	\$11.58	\$11.74	\$11.86	\$11.98
(% increase to total levy)	1.4%	1.38%	1.02%	1.01%

According to the Chinook Arch System Agreement, any change to the membership levy must be approved by 2/3 of member councils representing 2/3 of the total member population (that is 27 councils representing 136,020 residents). **We respectfully request that your council pass a motion on the proposed municipal levy schedule, and send a copy of the council resolution to the Chinook Arch office by November 9, 2018.**

Proposed resolution: *The (Name of Municipality) approves the Chinook Arch Library Board 2019-2022 Municipal Levy Schedule.*

Library System Revenues

The Chinook Arch Regional Library System is funded primarily by member municipalities and library boards. An annual provincial operating grant is another an important source of funds. Chinook Arch also seeks out other funding sources to enhance service and add value to System membership.

Chinook Arch CEO Robin Hepher would be pleased to attend a council meeting to answer questions about the plan of service, budget, and member levy. To arrange a presentation, please phone 403-380-1500 or email arch@chinookarch.ca

(encl.)

2902 - 7th Avenue North, Lethbridge, Alberta T1H 5C6, Phone: 403-380-1500, Fax: 403-380-3550

Thriving Libraries, Thriving Communities!
2019 – 2022 Chinook Arch Plan of Service



Chinook Arch
Regional Library
System

Theme 1: Marketing and Advocacy

Identified Need: Raise awareness of the library's role and services.

Value Proposition: Provide marketing/advocacy expertise and support

Key Activities:

- Recruit Communications expert
- Develop Communication strategies to assist libraries in promoting services
- Partner with other library systems to develop/deliver advocacy training and support
- Develop Mobile Service Unit that will attend community events

Output Measures: Number of library visits, attendance at library events, awareness of library services among residents, number of library card holders

Impact: Thriving libraries are acknowledged by community members as the go-to place for information, entertainment, and community connection.

Theme 2: Collection Development

Identified Need: Assistance with collection planning, management, and acquisition

Value Proposition: Reduced wait times for customers; reduced workload on library staff; provision of data and expertise to assist with library collections

Key Activities:

- Explore centralized purchasing of high-demand items
- Develop collection support initiatives, eg. automated release plans, weeding support
- Identify regional collection development specialist/consultant/team
- Deliver reports and data that are relevant and easy for library staff to act on

Output Measures: Wait times for popular items, circulation statistics, regional resource sharing figures, customer feedback

Impact: The library is the community's number one source for a diverse selection of reading and viewing materials that are popular, current, and available in a timely fashion.

Theme 3: Programming Support

Identified Need: It is time-consuming to develop and offer library programs

Value Proposition: Programming materials and expertise; demographic information and assistance with assessing community needs

Key Activities:

- Develop programming kits/materials for library use
- Explore the provision of programming staff (contract and/or partner organization staff)
- Cultivate partnerships with third-party organizations for in-library program delivery
- Identify regional programming consultant/expert/team to assist libraries with program planning
- Explore a mobile service to deliver programs at events and in non-traditional library venues and under-served communities

Output Measures: Number of library programs offered; number of program attendees; programming partnerships created; customer feedback

Impact: By offering a range of high-quality programming, the library contributes in a significant way to the vitality and vibrancy of the community, and supports life-long learning and leisure opportunities for community members from a diversity of backgrounds

Theme 4: Technology

Identified Need: Developments in technology place pressure on library internet access and on library staff, who are often called to troubleshoot and provide training and support on the use of a variety of devices and platforms

Value Proposition: Improved internet and technology support at libraries

Key Activities:

- Explore the purchase of additional Supernet bandwidth for libraries
- Explore assisting libraries with the purchase of public access computers and devices
- Explore the creation of a Digital Literary Librarian position (funded by DLE Program)
- Develop/co-develop workshops and training opportunities for delivery in-library and elsewhere

Output Measures: Bandwidth available at libraries; upload and download speeds on public computers and wifi; number of patrons receiving training or assistance; customer feedback; currency of computers and other devices attached to the network

Impact: Residents are literate in technology, enabling their full participation in the digital economy.

Theme 5: Library Administration Support

Identified Need: Support and training in the areas of human resources and board governance

Value Proposition: Human resources and board development expertise

Key Activities:

- Identify human resources and board governance expertise at Chinook Arch or in the community
- Host at least one Board Basics workshop every year
- Create templates for documents such as reports, budgets, financial statements, and so on

- Create templates for job postings, human resources policies, and so on
- Explore “Library in a Box” model of local service delivery

Output Measures: Number of training/support sessions provided; number of board orientations; number of templates created; customer feedback

Impact: Member library staff and boards are empowered to make use of best practices in board governance and in library operations, to efficiently and effectively deliver services to residents

Theme 6: Extend Services to All Residents in the Chinook Arch Region

Identified Need: Not all eligible municipalities are members of Chinook Arch

Value Proposition: Chinook Arch offers access to high quality library services to residents of southwestern Alberta

Key Activities:

- Explore opportunities to welcome non-member municipalities into the System

Output Measures: Number of municipal members joining the System

Impact: All residents within the Chinook Arch region enjoy full access to System services

Chinook Arch Library Board
Budget 2019-2022 (Summary)

	2019	2020	2021	2022
<u>REVENUE</u>				
Municipal and Board Levies	\$ 2,293,100	\$ 2,355,300	\$ 2,410,700	\$ 2,467,500
Municipal Rural Services Fee	67,800	68,700	69,500	70,400
Grants	1,163,240	1,163,240	1,163,240	1,163,240
Contract Services	298,220	263,271	264,353	265,467
Other Income	353,000	373,000	353,000	343,000
TOTAL REVENUE	\$ 4,175,360	\$ 4,223,511	\$ 4,260,793	\$ 4,309,607
<u>EXPENSES</u>				
Materials and Collections	\$ 895,600	\$ 940,100	\$ 927,600	\$ 942,200
Shipping and Delivery	51,500	51,845	52,700	53,510
Network Services	257,000	257,900	261,800	262,700
Bibliographic Services	97,500	100,000	103,000	108,500
Programs	356,900	358,685	362,979	366,681
Training and Development	97,000	97,000	98,500	99,700
Salaries and Benefits	2,025,000	2,061,000	2,085,000	2,103,000
Administration	46,150	46,150	49,000	49,000
Building and Maintenance	42,500	43,660	45,800	47,500
Board Expenses	31,700	31,700	32,200	32,700
Contract and Other Services	177,333	143,387	145,500	146,600
Amortization Expense	\$ 96,000	\$ 96,000	\$ 96,000	\$ 96,000
TOTAL OPERATING EXPENSES	\$ 4,174,183	\$ 4,227,427	\$ 4,260,079	\$ 4,308,091
Operating Surplus/Deficit	\$ 1,177	\$ (3,917)	\$ 714	\$ 1,516

INTERIM CHIEF ADMINISTRATIVE OFFICER'S REPORT

Aug 28, 2018 to Sep 11, 2018

DISCUSSION:

- Aug 29, 2018 Meeting HJ Consulting for Budget Development,
- Aug 30, 2018 Safety BBQ staff end of season,
- Aug 31, 2018 Road Tour Council,
- Sept 04, 2018 Council re Fast4ward CAO selection,
- Sept 05, 2018 Operations/PW Safety meeting,
- Sept 06, 2018 Non Union Staff Policy Development and research,

UPCOMING:

- Sept 10, 2018 BMCA Advisory Group Meeting.
- Sept 11, 2018 Council Committee/Regular Council.

OTHER

Safety Officer Position
Director Positions

Interviews set for 18/19 September.
Job Description development ongoing.

RECOMMENDATION:

That Council receive for information, the Interim Chief Administrative Officer's report for the period of Aug 28, 2018 to Sep 11, 2018

Prepared by: Interim CAO, S. Steinke Date: Sept 06, 2018

Presented to: Council Date: Sept 11, 2018

F 4 e)

Recommendation to Council



TITLE: Consultant Services for Collective Bargaining Agreement revisions and Lead Negotiator.

PREPARED BY: S. Steinke

DATE: 22 August 2018

DEPARTMENT:

		ATTACHMENTS:
Department Supervisor	Date	

APPROVALS:

		<u>S. Steinke</u>	
			<u>11/09/18</u>
Department Director	Date	Interim CAO	Date

RECOMMENDATION:
Council ratify the engagement of Mr. Steve Connors as the consultant to support administration on drafting revisions to the current Collective Agreement and act as the lead negotiator for the upcoming Collective Bargaining Negotiations.

BACKGROUND:

The Municipality will be entering into negotiations shortly with CUPE Local 928 and administrations is currently preparing wording amendments and concepts for negotiated amendments or changes to the Collective Bargaining Agreement (CBA).
 I am recommending to Council this would be the ideal time to bring in a person who is very knowledgeable about the Provincial Legislative changes to the Labour Code and Regulations.
 Mr., Connors is also an experienced negotiator in Alberta, British Columbia and the Northwest Territories.

FINANCIAL IMPLICATIONS:

Cost Estimate is \$25,000 for the contract to the Municipality.



Recommendation to Council

TITLE: Informational Correspondence

PREPARED BY: Sheldon Steinke

DATE: September 6, 2018

DEPARTMENT: CAO

		ATTACHMENTS:
Department Supervisor	Date	<ol style="list-style-type: none"> 1. Letter from Municipal Affairs, dated August 14, 2018 2. Letter from Municipal Affairs, dated July 25, 2018 3. Letter from Environment and Parks, dated August 22, 2018, with document 4. Letter from Environment and Parks, dated August 22, 2018, with document 5. Letter from Town of Pincher Creek, dated August 24, 2018 6. Joint Council Meeting Notes, dated August 16, 2018 7. Letter from Livingstone Range School Division, dated August 29, 2018 8. Email from Alberta SouthWest, dated September 6, 2018 9. Letter from Community Foundation, dated August 24, 2018 10. Letter from Prairie Conservation Forum, received August 28, 2018

APPROVALS:

	S. Steinke		
			<i>06 Sept 18</i>
Department Director	Date	Interim CAO	Date

RECOMMENDATION:

That Council receive the following documents as information:

- Letter from Municipal Affairs, dated August 14, 2018
- Letter from Municipal Affairs, dated July 25, 2018
- Letter from Environment and Parks, dated August 22, 2018, with document
- Letter from Environment and Parks, dated August 22, 2018, with document
- Letter from Town of Pincher Creek, dated August 24, 2018
- Joint Council Meeting Notes, dated August 16, 2018
- Letter from Livingstone Range School Division, dated August 29, 2018



Recommendation to Council

- Email from Alberta SouthWest, dated September 6, 2018
- Letter from Community Foundation, dated August 24, 2018
- Letter from Prairie Conservation Forum, received August 28, 2018

BACKGROUND:

Multiple documents were received.

FINANCIAL IMPLICATIONS:

None at this time.



ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
MLA, Leduc-Beaumont

RECEIVED

AUG 31 2018

M.D. OF PINCHER CREEK

AR94527

August 14, 2018

Reeve Quentin Stevick
Municipal District of Pincher Creek
PO Box 279
Pincher Creek AB T0K 1W0

Dear Reeve Stevick,

The Government of Alberta is committed to working with municipalities to make life better for Albertans. By providing stable, predictable funding to our municipal partners, we continue to ensure you have the resources needed to meet your local infrastructure priorities and strengthen the communities you call home. Alberta is partnering with the Government of Canada to provide Gas Tax Fund (GTF) funding to assist with building strong, safe, and resilient communities.

I am pleased to accept the following qualifying project submitted by your municipality under the GTF program.

Project #	Project Name	GTF Funding
GTF-49	Lundbreck Local Road (Bridge File 671)	\$410,000

The provincial government appreciates opportunities to celebrate your GTF funded projects with you, so please send invitations for these milestone events to my office. If you would like to discuss possible project recognition events and activities, as outlined in the program guidelines, contact Municipal Affairs Communications, toll-free at 310-0000, then 780-427-8862, or at ma.gtfgrants@gov.ab.ca.

I look forward to working in partnership to strengthen Alberta's communities.

Sincerely,

Hon. Shaye Anderson
Minister of Municipal Affairs

cc: Sheldon Steinke, Chief Administrative Officer, Municipal District of Pincher Creek



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Leduc-Beaumont*

RECEIVED

JUL 31 2018

M.D. OF PINCHER CREEK

AR93928

July 25, 2018

Reeve Quentin Stevick
Municipal District of Pincher Creek
PO Box 279
Pincher Creek AB T0K 1W0

Dear Reeve Stevick,

As you are aware, recent changes to the *Municipal Government Act* will require all municipalities to create intermunicipal collaboration frameworks (ICF) and intermunicipal development plans (IDP) with their neighbours. This work reflects our mutual priority of ensuring all Albertans benefit from the efficient delivery of local services and effective co-ordination of development, and I am pleased to see the progress already made.

The two-year period set out in legislation to accomplish this task is challenging, but I am confident the existing legacy of intermunicipal co-operation has placed us in a position to be successful. I am nevertheless aware of some specific challenges that can be addressed at this time, and gratefully acknowledge the practical solutions that have been proposed during discussions with the municipal associations, the administrative associations, and municipalities.

As a result of these discussions, I have signed Ministerial Order No. MSL:047/18 (attached), which makes the following changes:

- Exempts parties from the requirement to create an IDP where the entire area along one or both sides of the common boundary between the parties is composed entirely of federal or provincial Crown land. This change recognizes the limited value in the creation of an IDP where development is restricted.
- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between municipal districts, special areas, improvement districts, or rural specialized municipalities. This change will allow rural municipalities to focus their efforts on working with their urban neighbours during the initial two-year period.

.../2

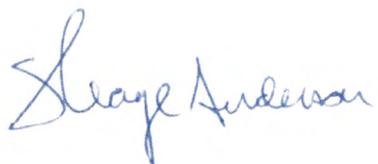
- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between municipalities that are members of the same growth management board (GMB). This change will allow GMB member municipalities to harmonize their ICFs and IDPs with their growth and service plan, and provide an opportunity to address through an ICF or IDP any matters not addressed in a growth or servicing plan.
- Extends the timeline by one year (to April 1, 2021) for all ICFs and IDPs between a municipality that is a member of a GMB, and a municipality that is not a member of the GMB, but is located within the boundaries of the member municipality. This change will allow GMB member municipalities to create their ICFs and IDPs within the context of their growth and servicing plan.

In each case, all parties to a framework or plan must agree to apply the exemption or extension by council resolution, and the resolution must be filed with the Minister within 90 days of the date the resolution is passed.

In the event other circumstances arise that are beyond your control, I will consider specific requests for an exemption or time extension. However, based on the importance of this work to all Albertans, I encourage you to make every effort to work with your neighbours and to meet the legislated timelines.

I trust these changes will provide some practical efficiencies as we work toward improved intermunicipal solutions.

Sincerely,



Hon. Shaye Anderson
Minister of Municipal Affairs

Attachment: Ministerial Order No. MSL:047/18

cc: Sheldon Steinke, Chief Administrative Officer, Municipal District of Pincher Creek



ALBERTA
MUNICIPAL AFFAIRS

Office of the Minister
MLA, Leduc-Beaumont

MINISTERIAL ORDER NO. MSL:047/18

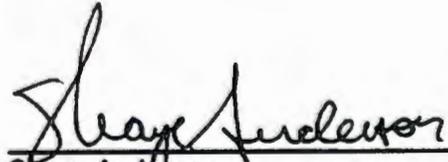
I, Shaye Anderson, Minister of Municipal Affairs, pursuant to Sections 605 and 631 of the *Municipal Government Act (MGA)*, make the following order:

- 1) Two or more councils of municipalities that have common boundaries where the entire area along one or both sides of the common boundary is composed entirely of federal or provincial crown land are exempt from the requirements of Section 631 of the *MGA* on the condition that all parties to the framework agree to apply the exemption by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.
- 2) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between municipalities that are municipal districts or specialized municipalities referred to in Section 77 of the *MGA* (excluding the Municipality of Jasper), improvement districts referred to in Section 581 of the *MGA*, or special areas as defined in Section 1 of the *Special Areas Act*, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.
- 3) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between municipalities that are members of the same growth management board established pursuant to Section 708.02 of the *MGA* before April 1, 2018, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.

.../2

- 4) That the time for an intermunicipal collaboration framework to be created pursuant to Section 708.28(1) of the *MGA* or an intermunicipal development plan to be adopted pursuant to Section 631(3) of the *MGA* is April 1, 2021, where the framework or plan is between a municipality that is a member of a growth management board established pursuant to Section 708.02 of the *MGA* before April 1, 2018 and a municipality that is not a member of the growth management board but is located entirely within the boundaries of the member municipality, and on the condition that all parties to the framework agree to apply the extension by resolution and file copies of the resolutions with the Minister within 90 days of the date each resolution is passed.
- 5) That the time for an arbitrator to create an intermunicipal collaboration framework or an intermunicipal development plan pursuant to Section 708.36(1)(a) of the *MGA* is April 1, 2022, where the time to create the framework or adopt the plan is modified by this Order.

Dated at Edmonton, Alberta, this 19th day of July, 2018.



Shaye Anderson
Minister of Municipal Affairs

RECEIVED

AUG 31 2018

M.D. OF PINCHER CREEK

August 22, 2018

Mr. Sheldon Steinke, CAO
MD of Pincher Creek
PO Box 279
1037 Herron Avenue
Pincher Creek, AB
T0K 1W0
CAO@mdpincercreek.ab.ca

Dear Mr. Steinke:

On May 17, 2018, the Minister of Environment and Parks announced the release of the Livingstone-Porcupine Hills Land Footprint and Recreation Management Plans to the public and First Nations. These two plans provide direction for the management of activities in the planning areas while providing a range of benefits to communities and all Albertans.

Two copies of the Livingstone-Porcupine Hills Land Footprint Management Plan have been enclosed for your records. Copies of the Livingstone-Porcupine Hills Recreation Management Plan will also be sent in a separate package. You can also find copies of both finalized plans online at <http://esrduat.alberta.ca/land/programs-and-services/land-and-resource-planning/regional-planning/south-saskatchewan-region/subregional-plans/default.aspx>.

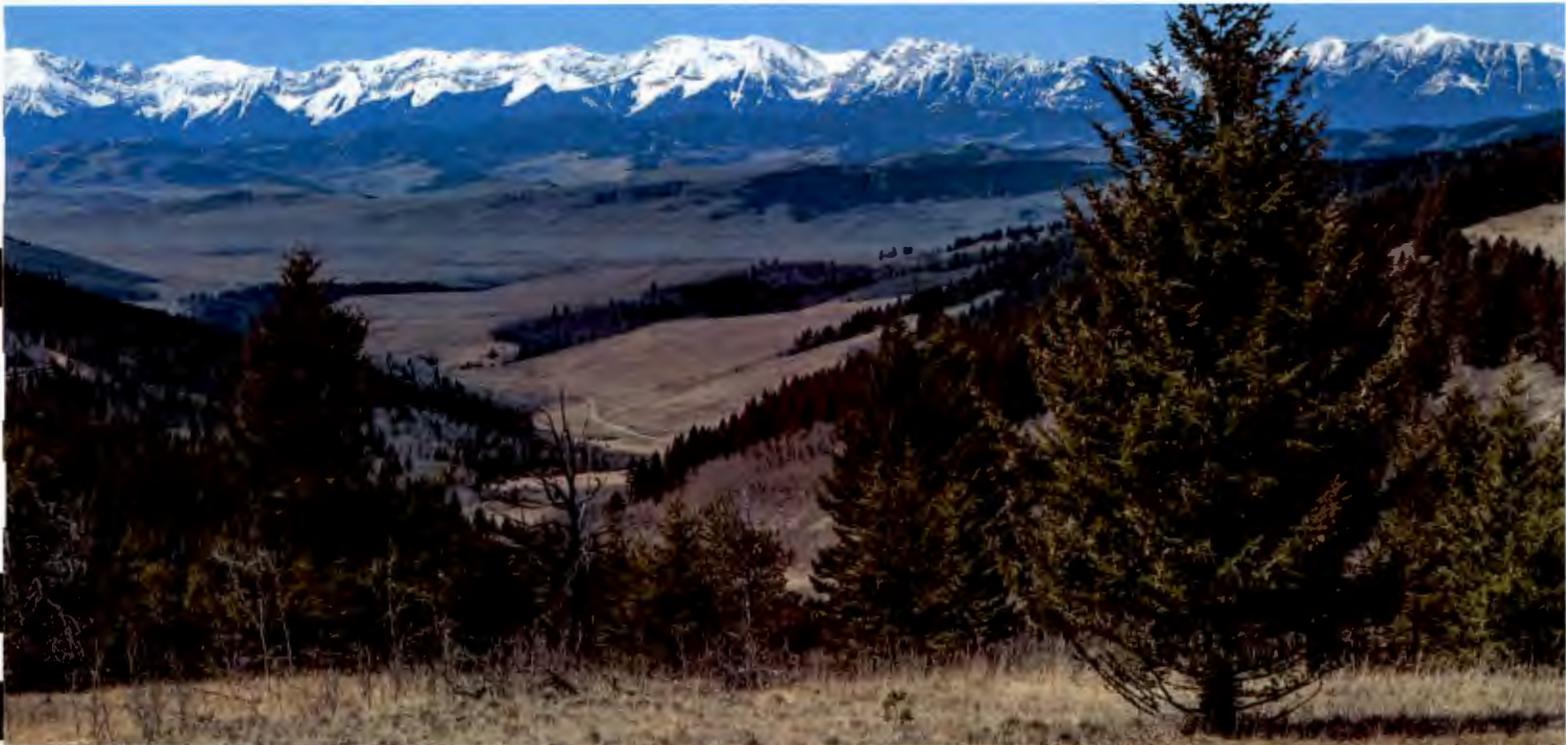
If you have any questions, please feel free to contact Cheryl Dash at Cheryl.Dash@gov.ab.ca or at 403-381-5562.

Planning Branch

Policy and Planning Division

Alberta Environment and Parks

Livingstone- Porcupine Hills



Land Footprint Management Plan

Alberta ■

Livingstone-Porcupine Hills Land Footprint Management Plan

Planning Branch, Policy and Planning Division, Alberta Environment and Parks

Any comments, questions, or suggestions regarding the content of this document may be directed to:

Policy and Planning Division
Planning Branch
3rd Floor, South Petroleum Plaza
9915 - 108 Street
Edmonton, Alberta T5K 2G8

Call Toll Free Alberta: 310-3773
Toll Free: 1-877-944-0313

Email: AEP.Planning@gov.ab.ca
Media Inquires: AEP.Mediainquiries@gov.ab.ca
Website: <http://aep.alberta.ca/>

This document can be found at:

Recommended citation:

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2018 Government of Alberta

EXECUTIVE SUMMARY

Recent, rapid growth and expanding human development are impacting the South Saskatchewan Region's natural biodiversity assets and ecosystems. To address these changes and to manage the impacts of competing land-use demands, the Government of Alberta committed to guiding human development on public lands through footprint management planning as specified in the South Saskatchewan Regional Plan.

Footprint means the impact or extent of a disturbance and includes the intensity, frequency, and nature of any uses or activities related to the disturbance. Natural events such as fire, wind, and insect outbreaks have disturbed Alberta's landscapes for millennia, creating cycles of disturbance to which today's ecosystems are adapted. Human footprint is an outcome of land use and can impact water quality, fish and wildlife, recreational and tourism opportunities, and Indigenous peoples' activities on the land.

Through the regional planning process, Albertans clearly identified a priority on the Livingstone area and Porcupine Hills as having high values for components such as headwaters, westslope cutthroat trout, Foothills fescue grasslands, recreation opportunities, and high scenic value. The Livingstone-Porcupine Hills Land Footprint Management Plan provides direction to guide the long-term cumulative effects of human footprint on public lands in the Eastern Slopes - particularly impacts to biodiversity and watersheds. Opportunities for the responsible development of natural resources, tourism, and recreational activities are maintained as identified in the objectives and strategies in the South Saskatchewan Regional Plan.

This land has also provided shelter, food, medicine and enabled a way of life for First Nations since time immemorial. First Nations continue to have a strong connection to this land and the implementation of the Livingstone-Porcupine Hills Land Footprint Management Plan acknowledges and maintains the relationship that Indigenous Peoples have with the land.

Plan Authority

The Livingstone-Porcupine Hills Land Footprint Management Plan ("this Plan") becomes effective as a subregional plan under the South Saskatchewan Regional Plan and in accordance with Section 13(5) of the *Alberta Land Stewardship Act*.

Under the overarching umbrella of the *Alberta Land Stewardship Act*, management on Crown Lands within the Livingstone-Porcupine Hills will be delivered through existing legislation where applicable such as the *Public Lands Act*, *Water Act*, *Forests Act*, *Provincial Parks Act*, *Environmental Protection and Enhancement Act* and other existing policies and strategies.

This Plan will be implemented as part of the Implementation Plan of the South Saskatchewan Regional Plan. The regulatory and enforceable components of this Plan will be the management thresholds described in Sections 2.2 and 3.1 below. These will be implemented by departments and agencies through the regulatory system. This will include: Public Land Use Zones to be enacted in this region effective 2018 under the *Public Lands Act*; the motorized trail system on the Public Land Use Zone maps; the forest management plan requirements; and the regulatory approvals.

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COMMON TERMINOLOGY

For ease of interpretation, some commonly used terms are provided with some context as to how they are to be understood:

Cumulative effects, *cumulative impacts* – the combined effects of past, present and reasonably foreseeable future land-use activities on the environment.

Disturbance – means human activity that moves or removes one or more of the following features of the public land or that alters or results in the alteration of the state of one or more of those features from the state in which it existed before the human activity occurred, and includes any change in the intensity, frequency or nature of the human activity¹:

- | | |
|----------------|----------------------------------|
| (i) vegetation | (vi) wetland |
| (ii) soil | (vii) water body or watercourse |
| (iii) subsoil | (viii) air flow or wind currents |
| (iv) bedrock | (ix) ambient sound volumes |
| (v) landform | (x) light or shade |

Footprint, *human footprint* – as set out in Section 1(1)(m) of the Public Lands Administration Regulation, footprint means the impact or extent of a disturbance and includes the intensity, frequency, and nature of any uses or activities related to the disturbance. This includes temporary and permanent human landscape alterations including patches and linear corridors of disturbance (e.g. roads, trails, well sites, industrial sites, land clearings, etc.). Footprint also includes the duration, timing and other factors (e.g. noise, scenic value) that are attributes related to the physical land disturbance.

Indigenous peoples – for the purposes of this Plan, “Indigenous peoples” means “Aboriginal Peoples of Canada” within the meaning of Section 35 of the *Constitution Act, 1982*. For the reasons stated in the South Saskatchewan Regional Plan, the focus on conversation with the region’s Indigenous peoples has been with First Nations. All First Nations in the planning area adhered to a Treaty, under which they hold treaty rights within the meaning of Section 35 of the *Constitution Act, 1982*.

Motorized access – means the use of highways or designated trails used by a motor vehicle. Motorized access, and its respective disturbance limits, makes no distinction as to the corridor width or type of conveyance used for motorized access.

Threshold, *management threshold* – has the meaning given to it in the South Saskatchewan Regional Plan and may include a limit, target, trigger, range, measure, index or unit of measurement. All thresholds in this Plan are management thresholds and therefore are premised on the ecological response to a disturbance but also consider the socioeconomic realities of conservation decision-making, including the risk associated with greater levels of development.

¹ Section 1(1)(m) of the Public Lands Administration Regulation

LIST OF ABBREVIATIONS

GOA	Government of Alberta
ILM	Integrated Land Management
IRMS	Integrated Resource Management System
LFMP	Land Footprint Management Plan (“this Plan”)
PLUZ	Public Land Use Zone
SSRP	South Saskatchewan Regional Plan

PART 1: CONTEXT

1.0 INTRODUCTION

The benefits we receive from biodiversity and healthy, functioning ecosystems are critical to the ongoing prosperity of all Albertans. However, these natural features are sensitive to the impacts of human development. Alberta's historic development and more recent, rapid growth is impacting the South Saskatchewan Region's natural biodiversity assets and ecosystems. To address these changes and to manage the impacts of land-use demands, the Government of Alberta (GoA) committed to guiding human development on public lands through footprint management planning as specified under Implementation Section 3 of the South Saskatchewan Regional Plan (SSRP).

1.1 Purpose

The Livingstone-Porcupine Hills Land Footprint Management Plan ("this Plan") outlines a system to minimize the extent, duration and rate of cumulative footprint to achieve landscapes with healthy, functioning ecosystems that provide a range of benefits to communities and all Albertans. Footprint management planning applies to the identified public lands² in the Eastern Slopes of the South Saskatchewan Region (see Section 5: Maps – Regional Overview Map). In the Livingstone area and the Porcupine Hills, these landscapes are used for forestry, mining, grazing, tourism and recreational activity. Each of these uses transforms the landscape from its natural condition and contributes to the overall disturbance and human footprint. Efforts to maintain the overall landscape connectivity and ecosystem integrity of the Eastern Slopes are part of a larger legacy of land stewardship for Alberta and North America. This Plan currently only applies to the Livingstone area and to the Porcupine Hills (see Section 1.4 – Planning area).

1.2 Management Outcomes

The purpose of this Plan is accomplished by addressing two coarse components of footprint:

1. **Motorized access** – Research and species at risk recovery planning initiatives in Alberta, have shown that managing human footprint including the extent, duration and rate of disturbance and motorized access are the most significant actions that can be taken to support biodiversity and watersheds (SSRP 2017, p. 61).
2. **Spatial human footprint** – Research and natural resource management in Alberta have shown that the ability of a landscape to be resilient and support biodiversity and healthy, functioning ecosystems is affected by the loss, fragmentation, and alteration of key habitats due to human footprint³.

² Public lands are areas of land managed for multiple environmental, social and economic outcomes and are held in trust by the provincial government on behalf of all Albertans.

³ Farr, D., Braid, A., Janz, A., Sarchuk, B., Slater, S., Sztaba, A., Barrett, D., Stenhouse, G., Morehouse, A., Wheatley, M. 2017. Ecological response to human activities in southwestern Alberta: Scientific assessment and synthesis. Alberta Environment and Parks, Government of Alberta. ISBN No. 978-1-4601-3540-2. Available at: <<https://open.alberta.ca/publications/9781460135402>>

The following three management outcomes provide a system to minimize the extent of motorized access, and to guide the spatial placement and rate of linear and patch footprint development. Each outcome directly relates to objectives described in Part 3 of this document.

Outcome 1: Human footprint and disturbance are effectively minimized so as to sustain biodiversity and watershed values and provide a range of benefits to communities and all Albertans:

- This outcome describes the regulatory and enforceable management thresholds (limits and targets) for motorized access and spatial human footprint (see Section 3.1).

Outcome 2: Operational planning and management are aligned so as to minimize the extent, duration and rate of footprint development:

- This outcome describes the Integrated Land Management (ILM) practices required in operational plans that receive direction on motorized access and spatial human footprint from this Plan (see Section 3.2).

Outcome 3: Service delivery is truly integrated, through clear coordination, collaboration, and proactive decisions across government departments and agencies, to minimize footprint:

- This outcome describes the departmental business processes and integration mechanisms which enable footprint to be managed as a condition of approval and informed decision-making (see Section 3.3).

1.3 Provincial Guidance

The SSRP establishes the long-term vision for the region and it aligns provincial policies to achieve Alberta's environmental, economic and social outcomes. This Plan receives guidance from the SSRP and from the regional environmental management frameworks (i.e. surface water quality, air quality, and biodiversity). To integrate all planning initiatives, this Plan is also intended to support regional biodiversity objectives, and federal and provincial species-at-risk recovery efforts. This Plan is also intended to implement the principles of the United Nations Declaration on the Rights of Indigenous Peoples in a way that is consistent with Canada's Constitution and with Alberta law.

According to SSRP, the management intent for public land in the Eastern Slopes is for integrated management that incorporates the objectives for biodiversity and healthy, functioning ecosystems, to achieve multiple objectives. Watershed management and headwaters protection is the highest priority.⁴ Forests will be managed with this as the highest priority (including water storage, recharge and release functions). Practices to manage wildfire risk to communities will be equal in priority to headwaters protection. Other values such as biodiversity, forest ecosystem resiliency (natural disturbance patterns) and timber supply will be key secondary management priorities (SSRP p.58).

⁴ Carried forward from A Policy for Resource Management of the Eastern Slopes (Eastern Slopes Policy, revised 1984).

In the SSRP, subregional priorities for footprint planning were identified with a focus on key headwaters areas, areas of sensitive terrestrial and aquatic habitat, and other areas of high biodiversity value including for connectivity (p. 61). The SSRP also specifies that footprint planning include approaches and requirements related to the intensity of linear footprint, management of motorized access, mandatory use of Integrated Land Management (ILM) tools; and direction on how and where such requirements will apply (p.69). These are provided in Parts 2 and 3 of this Plan and are consistent with provincial policies, strategies and frameworks, and with the desired vision for the region as stated within the SSRP.

1.4 Planning Area

The Livingstone-Porcupine Hills, combined with the Castle Parks, form a landscape complex that is an integral part of the internationally significant Crown of the Continent Ecosystem. The Crown of the Continent has long been recognized by Indigenous Peoples, scientists, and conservation groups as an ecologically significant area. It comprises the headwaters of North America's three great watersheds (the Saskatchewan, Missouri and Columbia River systems) and is recognized as critical to the protection of wildlife, landscapes and water⁵.

The Livingstone-Porcupine Hills subregion (see Maps – Public Land Use Zone) is situated northwest of Pincher Creek, west of Claresholm and surrounds the Municipality of Crowsnest Pass in the Eastern Slopes of the South Saskatchewan Region. It is a mountainous landscape surrounded by a patchwork of farms and ranches. The Livingstone area and the Porcupine Hills are two distinct but adjacent landscapes. Both are known for their views, iconic wildlife species, diversity of climate regimes and ecosystems (grasslands, forests, foothills, and alpine habitats), key linkage areas, and wilderness. The planning area encompasses approximately 1,401 km² within the Livingstone and another 392 km² within the Porcupine Hills.

The 'Cowboy Trail' (Highway 22), is the area's main transportation artery. Intersecting Highway 22 are private and public roads accessing historic and current forest harvest areas, oil, gas, and mining sites, as well as grazing lease lands and provincial parks. The metallurgical coal potential and tourism opportunities are significant and important economic resources for the region and the province. Many trails were created by outdoor recreation users who enjoy using public lands for various activities including camping, hunting and fishing, horseback riding and off-highway vehicle use. These activities have all left a footprint on the landscape.



5 Crown Managers Partnership. 2011. Crown of the Continent Ecosystem. Retrieved on August 16, 2017 from: <http://crownmanagers.org/crown-of-the-continent-ecosyst/>

PART 2: MANAGEMENT TOOLS

2.0 Integrated Land Management

This Plan recognizes that the Livingstone-Porcupine Hills will continue to support concurrent industrial, commercial, and recreational activities. In practical terms this means footprint is managed to sustain industrial purposes and access for commercial and non-commercial recreation and tourism opportunities for all Albertans. ILM is a strategic, planned approach to manage human footprint on the landscape by:

- Actual footprint reduction (including reclamation)
- Working together (coordinated approaches to reduce impacts on other users)
- Reducing the intensity or longevity of footprint (temporal)
- Efficient use of land (spatial)⁶

ILM is a collaborative process promoting responsible use of public lands for all land users. This Section provides direction and clarity to concepts relevant to operational planning (e.g. forestry management plans, recreation management plans). It is expected that as operational or sectorial plans are created and updated, that it is the responsibility of the GOA to enact decisions consistent with the priorities identified in Section 1.3 and with the intent to integrate the management of all activities on public lands. Mandatory practices described in this Plan include:

- 2.1 Zoning
- 2.2 Management Thresholds
- 2.3 Siting to Avoid Valued Features
- 2.4 Restoration and Reclamation

2.1 Zoning

Zoning is a common tool for land planning that allows better spatial and temporal management of various activities. This Plan utilizes the following zoning tools:



⁶ From the ILM Tools Compendium (2012), these practices are in addition to the Master Schedule of Standards and Conditions that can be applied to individual dispositions that will enable ILM.

2.1.1 Public Land Use Zones

Where established, Public Land Use Zones (PLUZs) are public lands to which legislative controls apply under authority of the *Public Lands Act*, to assist in the management of industrial, commercial and recreational land uses and resources. The establishment of PLUZs supports this Plan's outcomes through focused efforts to designate motorized trails and to reduce disturbance in the Livingstone-Porcupine Hills. This Plan requires the ability to designate motorized access, on which motorized use is permitted as signed or otherwise identified⁷;

2.1.2 Footprint Planning Zones

This Plan uses an intensity-based zonation scheme in which Valued Ecosystem Components (VECs) are spatially represented to determine management intents for different areas, in particular motorized access disturbance limits. VECs spatially represent environmental elements and ecosystem services about which we want to understand the implications of development (e.g. clean water, westslope cutthroat trout, etc.). VECs enable land manager's to build an understanding between planning, human activity, and the condition of the biophysical landscape. This condition is expressed in terms of an indicator. Zones were delineated using VECs modelled in a series of outputs. These outputs were combined with local and expert knowledge and used to create the zones outlined in Part 5: Maps – Footprint Planning Zones. The delineated zones include:

Provincial Park and Protected Area

Zone 1 – Conservation: This zone identifies existing or proposed protected areas or conservation areas determined in the South Saskatchewan Regional Plan and the more recent Castle Parks designations. These zones are characterized by limited human development, limited disturbance, and low impact recreation and are not managed by the Land Footprint Management Plan. Acknowledging Zone 1 areas provides a holistic approach to landscape management and these ecological benchmark areas will enable comparison of the ecological performance of the other zones. This Plan does not prescribe or enact further conservation areas.

Public Lands

Zone 2 – Enhanced: This zone prioritizes high value landscapes while enabling economic and social opportunities with lower intensity disturbances and activity types. In the Livingstone-Porcupine Hills, this zone includes areas of higher overall landscape sensitivity due to the abundance of VECs. These areas translate into a higher risk from fragmentation and more potential damage from human disturbance. Components identified in this zone include the highest value habitats for grizzly bear, mountain goats, bighorn sheep, westslope cutthroat

⁷ Restrictions may apply differently, or not at all, to First Nations individuals exercising treaty rights.

trout, and important areas for headwaters and biodiversity, including key linkage areas (e.g. elk migratory corridors). Zone 2 is characterized by:

- Low-intensity land uses such as mix of forestry, small-scale industrial or commercial land uses, tourism and recreational uses, well-managed grazing, and traditional land uses.
- Activity-based requirements in operational planning that reduce the extent and duration of industrial and commercial footprint.

Zone 3 – Extensive: This zone enables a broad range of economic and social opportunities with emphasis on reclamation and managing new footprint disturbance. Long-term landscape considerations are made for ecological values over time and space. In the Livingstone-Porcupine Hills, Zone 3 has traditionally received more human disturbance and therefore provides opportunities for re-use of footprint or for reclamation activities.

- Intent is to direct responsible footprint development that aligns with restoration intents (see Section 2.4) for the area;
- There may be areas within the extensive zone where mitigation measures may be required. For example, the multiple-use public lands are generally in an extensive management zone. However, in the Livingstone-Porcupine Hills, there is a need to manage footprint to lower intensity levels in order to restore and preserve sensitive species habitat and headwaters values. Therefore, an enhanced level of management is required.

The zones guide the nature of various activities or considerations required for regulatory approvals. The nature of enhanced management requirements are outlined in Section 3.2.

2.2 Management Thresholds

This Plan establishes and provides for implementation of the following management thresholds:

- 2.2.2 Disturbance limits on Open Motorized Access (see Section 3.1, Objective 1.1);
- 2.2.3 Disturbance limits on Restricted Motorized Access (see Section 3.1, Objective 1.1);
- 2.2.4 Disturbance limits on Near-Stream Motorized Access (see Section 3.1, Objective 1.1); and
- 2.2.5 Spatial human footprint targets (i.e. interior habitat) based on the draft Biodiversity Management Framework's indicators (see Section 3.1, Objective 1.2).



Disturbance limits will come into effect with the regulatory details upon approval of this Plan in accordance with Section 13(5) of the *Alberta Land Stewardship Act*.

2.2.1 Motorized Access Densities and Limits

This Plan utilizes motorized access densities as a measure to assess, manage, and report on the relationship between the levels of motorized use and a disturbance limit (expressed in kilometres per kilometre squared). As an indicator, the density of motorized roads and trails captures the cumulative impact of human access including:

- i) increased use of areas by humans,
- ii) increased sedimentation and erosion into streams,
- iii) wildlife mortality from route construction or collisions,
- iv) stress or negative impacts to wildlife behaviour, and;
- v) the spread and increases of undesirable species (e.g. invasive plants).

These impacts are pressures affecting VECs. Motorized access densities make no distinction as to the corridor width or type of conveyance used for motorized access. Managing motorized access considers the relationship between cumulative motorized access and its impacts to a suite of watershed, wildlife and habitat values. Designating a limited amount of well-located motorized access helps to ensure the integrity of ecosystems and watersheds, visual quality objectives, landscape connectivity, and overall wilderness quality.

The disturbance limits on motorized access densities represent undesirable conditions with heightened risk of adverse effects. Exceedances of limits are to be avoided and setting density targets in operational planning should reflect this goal. If a limit is reached or exceeded it requires a management response as described in Section 4.4.4. It is important to note that the limits are not considered to be “manage-up-to” numbers and that a contingency will be held for new developments. Motorized access is classified either as Open Motorized Access or Restricted Motorized Access to better manage for competing land uses public lands outside of parks and protected areas.

2.2.2 Open Motorized Access

Open Motorized Access is motorized access by any person for any purpose on a highway designated by a road authority for public use or on a trail designated for public use as identified on the Livingstone and Porcupine Hills Public Land Use Zone maps. Open Motorized Access means the identified and publicly accessible roads and trails maintained for specified public uses.

Currently, most roads under statutory consent contribute to the Open Motorized Access densities unless specified by the regulator. Surveyed and unsurveyed road allowances where a

highway or trail has been constructed, constitute Open Motorized Access and must be managed as such. Open Motorized Access throughout the planning area will be managed with a limit as set out in Section 3.1, Objective 1.1.

2.2.3 Restricted Motorized Access

Restricted motorized access is motorized access authorized under a statutory consent that includes measures to restrict public access, and mitigate impacts to fish and wildlife, including two or more of the following:

- (i) motor vehicle volume restrictions to manage wildlife risks;
- (ii) motor vehicle speed limits to manage wildlife risks;
- (iii) motor vehicle timing restrictions;
- (iv) motor vehicle noise restrictions; or
- (v) road construction standards to manage sedimentation and surface erosion risks.

Restricted Motorized Access intended for industrial or commercial roads and trails under disposition (primarily forestry, energy and mining, and for grazing allotment holders) to access allocated resources. Restricted Motorized Access reasonably demonstrates that there are no significant, long-term or irreversible impacts to wildlife, habitat, and/or watercourses (e.g. from surface sedimentation) by meeting conditions set by the Government of Alberta. For example, use is of low intensity, seasonal or temporary, and has access controls to prohibit public use. Restricted Motorized Access throughout the planning area will be managed with a limit as set out in Section 3.1, Objective 1.1. This access is being addressed with its own limit so that industry and commercial interests are more informed to apply Integrated Land Management practices, and to reduce liability for disposition holders.

2.2.4 Near-stream Motorized Access

Near-stream Motorized Access refers to any motorized access that falls within 100 m of a stream on highly erodible soils⁸. Headwaters protection is a priority in the Eastern Slopes and limiting sedimentation near streams and water bodies has been a common practice for many years. This indicator is the most significant predictor of reduced westslope cutthroat trout populations⁹. Near-stream Motorized Access throughout the planning area will be managed with a limit as set out in Section 3.1, Objective 1.1.

⁸ Highly erodible soils means soils classified as High under 'Erosion Hazard' in the Derived Ecosite Phase dataset or by other means as published by the Minister responsible for the Forests Act.

⁹ Porter, M., S. Casley, D. Pickard, E. Snead, and K. Wieckowski. 2013. Draft Version 3.2, May 2013. Tier 1 Watershed-level fish values monitoring protocol. Draft report prepared by ESSA Technologies Ltd. for BC British Columbia Ministry of Forests, Lands and Natural Resource Operations and BC Ministry of the Environment (MOE), Victoria, BC. 28 p.

2.2.5 Spatial Human Footprint Targets (Interior Habitat)

In accordance with Section 3.2 of the South Saskatchewan Regional Plan, this Plan outlines a system to minimize the extent, duration and rate of linear footprint development to meet outcomes and objectives for biodiversity and ecosystems in the SSRP. Target-setting is used in this Plan to determine a desirable future condition based on ecosystem needs for biodiversity and watersheds, also considering social and economic dimensions. The approach under this Plan is to identify indicators of biodiversity and watershed condition that will guide targets for total amounts of human footprint at any one time. Within one year of the effective date of this Plan, thresholds to guide spatial human footprint until 2045 will be developed. The system of monitoring, evaluation, and reporting will also be described (see Section 4.4). Note that much of the management response information will be addressed through implementation of the draft Biodiversity Management Framework for the South Saskatchewan Region.

Some of the key considerations (in order of priority) in setting targets are:

- Identifying key indicators for biodiversity and watershed integrity in the region, in particular those that address the impacts of both patches and linear forms of human footprint (e.g. interior habitat and patch size and connectivity, and related trigger levels as described in the draft Biodiversity Management Framework for the South Saskatchewan Region and the emerging final document);
- Identifying targets that ultimately align with the planning hierarchy and support achieving improved performance of biodiversity and watershed integrity indicators and related objectives as expressed through trigger levels for each indicator. Regional trigger levels identified in the environmental management frameworks (i.e. air quality, surface, water quality, biodiversity) should be first assessed as to applicability/ relevance in setting targets for the sub-region in this Plan. In particular, interior habitat reflects habitat quality, as many species require large tracts of intact 'core' habitat. Therefore this indicator is sensitive to all linear corridors of disturbance, including motorized ones, and also includes patches of disturbance such as forest harvest areas, industrial sites and land clearings. Interior habitat reflects an inverse relationship to landscape fragmentation. It provides an indication of subregional biodiversity condition as it relates to footprint. This indicator is also strongly correlated with undisturbed land cover and is a useful measure for watershed integrity;
- Locally relevant information on biodiversity (e.g. species- and habitat-specific needs);
- Watershed integrity needs (i.e. footprint levels for continued function of headwaters and other sensitive source areas, in addition to those considered already in regional environmental management frameworks);
- Levels of projected forest harvesting and wildfire risk mitigation needs.

2.3 Siting to Avoid Valued Features

This Plan requires the use of siting criteria to determine the suitability of a location when developing new footprint. In addition to activity-specific processes and direction, elements to be considered in these siting criteria are those relevant to land disturbances as follows: (including those identified in the ILM Tools Compendium (2012) under Siting to Avoid Valued Features¹⁰):

- Visual quality objectives (including for scenic value)
- Erosion risk potential, both landscape-level and site-level including slope, soil type, moisture
- Indigenous Peoples ancestral, traditional, and continued use sites and other sites of cultural significance
- Water features, including surface and groundwater considerations identified in source water protection planning (e.g. Wet Areas Mapping and Stepping Back from the Water¹¹)
- Sensitive habitat (e.g. rough fescue grasslands) and/or wildlife features or movement (e.g. from Fish and Wildlife Management Information Systems)
- Species at risk data or inventories (e.g. Alberta Conservation Information Management System)
- Noise considerations for wildlife, other land users, and adjacent private landowners
- Limits and targets outlined for footprint management (see Section 3.1).
- Seek 'multiple win' solutions; maintain opportunities for multiple uses on the landscape (e.g. recreation and tourism, resource extraction, ecosystem services)

2.4 Restoration and Reclamation

This Plan focuses on mitigating risk¹² at all times, particularly where human activities could have foreseeable and negative impacts to biodiversity and watershed integrity, and to avoid exceeding limits. To manage future human activity and due to the amount of pre-existing ('legacy') footprint in the Livingstone-Porcupine Hills, there is a clear need for a well-defined restoration strategy to address the restoration and reclamation needs on this landscape.

The success of this Plan relies on the collaborative and integrated approach of land management across sectors to forecast and respond to anticipated cumulative effects of land disturbances as outlined in Part 3 of this document. To address the systematic restoration and reclamation of disturbed areas, the development of an Eastern Slopes Restoration Strategy must be completed within one year of the effective date of this Plan, with site-specific planning details

¹⁰ Integrated Land Management Tools Compendium (2012: p. 63)

¹¹ Stepping Back from the Water (2012): <http://aep.alberta.ca/water/education-guidelines/documents/SteppingBackFromWater-Guide-2012.pdf>

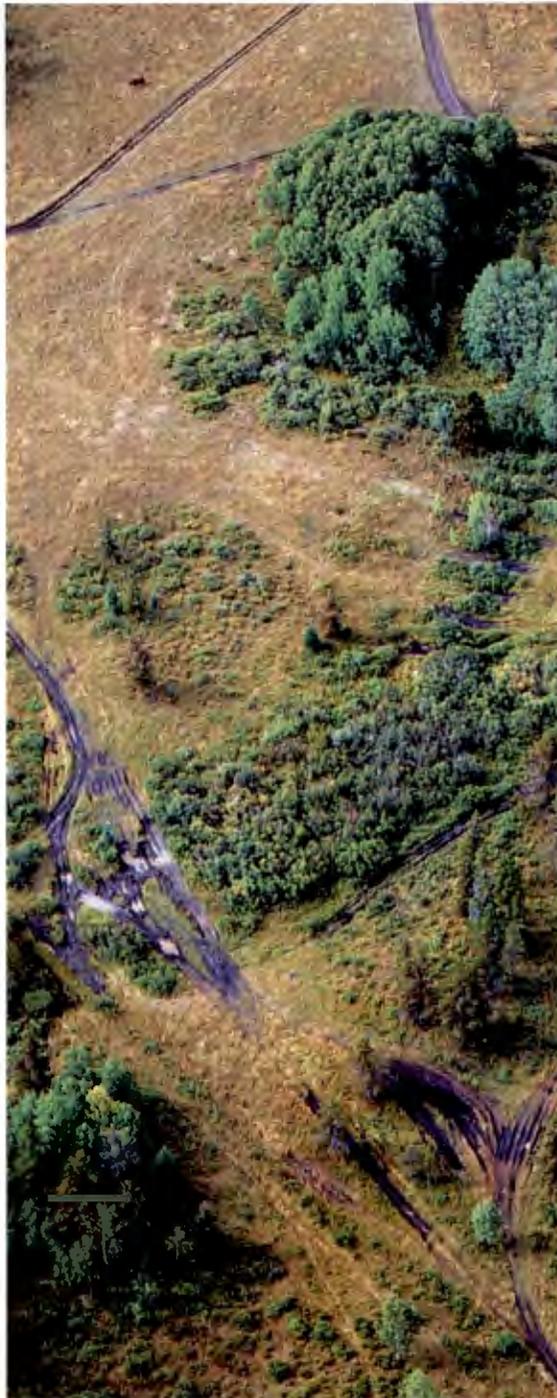
¹² The risk mitigation hierarchy prioritizes avoidance and reduction/minimization before restoration and offsetting – the latter will be explored in the Restoration Strategy through a conservation offset program guided by A Framework for Designing Conservation Offset Programs in Alberta (2016).

for each natural subregion. The intent is to re-establish native plant communities on disturbed sites within the planning areas and to restore ecosystem processes to as natural (normal) state as possible. Elements to be included in the Restoration Strategy include:

- A narrative of the proposed approach, reflecting this Plan's intent for footprint restoration, including scope, objectives, priorities and requirements (permits, license agreements, regulatory approvals);
- A chronological work plan including major tasks, resource allocations, milestones, deliverables, dependencies, and start and end dates;
- Principles that will apply to resource the work, and to manage performance and quality assurance over time;
- An identification of risks applicable to reclamation tasks and proposed strategies to mitigate these;
- A description of proposed deliverables including:
 - A methodology or guidelines to identify site-specific areas requiring restoration and the standards to which reclamation is deemed sufficient. This should include a spatial analysis of legacy footprint which is eligible for reclamation;
 - Criteria for determining sites for natural recovery, sites for active restoration, and disturbance areas for which disposition holders (industry or otherwise) have post-operation reclamation responsibilities
 - Criteria for prioritizing sites where reclamation efforts will be applied, as evaluated by risk and urgency to include (in order of priority):
 - » Any areas with a risk to public safety;
 - » Within watersheds containing critical fish habitat (for Westslope Cutthroat Trout and/or Bull Trout), areas near watercourses that pose a high erosion risk either through slope stability, soil type or resulting from drainage causing sedimentation;
 - » Areas that are an important habitat for species at risk or species of potential conservation concern (e.g. species listed at risk in federal and provincial legislation), particularly easily accessible locations and those that are at risk of continued motorized use;
 - » Native grassland areas that are unlikely to experience natural recovery because of the extent of disturbance or their difficulty to reclaim (e.g., Foothills fescue grasslands), or relatively healthy range sites including those at low risk of colonization by non-native species, especially plants known to be invasive;

- » Areas of low potential to experience recovery to adjacent grassland, shrubland or forest community without assistance because of large disturbance area and/or severe soil disturbance/compaction (e.g. roads and wide vehicle trails);
 - » Sites colonized by non-native or undesirable plant species including invasive and noxious plants designated under the *Alberta Weed Control Act*;
 - » Areas of high scenic or tourism development value.
- A framework which can be used to incorporate the criteria above into an actionable, place-based plan based on risk, urgency, cost and other socio-ecological factors. This should include a template for reclamation and vegetation management planning (see Section 3.2, Objective 3.2.6) that integrates climate change¹³, wildfire risk management, and forestry management for future projects in the Eastern Slopes;
 - A review of pertinent literature for best practices and approaches to reclamation in natural subregions and valued ecosystems of the South Saskatchewan Region (e.g. Foothills fescue grasslands). This should explore options for financing reclamation including concepts of offsetting, Green Bonds or other incentive-based approaches.

While an ongoing program of restoration and reclamation requires detailed planning, that will not preclude immediate action to remediate visible, highly eroded sites associated with trail closures or relocations.



¹³ Climate change is a complex issue that affects all Albertans. Increasing temperatures, more frequent droughts, floods and forest fires will create challenges for wildlife and ecosystems but also for the resource sector and land users. This Plan's purpose of reducing fragmentation and optimizing landscape connectivity is considered to improve ecosystem resiliency to support climate adaptation.

3.0 STRATEGIES AND ACTIONS

This section of the Plan provides the details that link outcomes and management tools to manage human footprint in the Livingstone-Porcupine Hills area. The strategies and actions in this section will have implications for land and resource use. These have been collaboratively developed based on achieving land-use outcomes that optimize benefits across environmental, social and economic dimensions. The following tables provide the objectives, actions, and performance metrics related to the three management outcomes of this Plan. The responsibility column refers to the government department or agency with primary responsibility. The timeline column indicates by when certain frameworks and actions need to be achieved and apply as of the Plan's effective date.

3.1 Detailed Regulatory Limits and Targets

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
3.1.1 Motorized access is managed to sustain biodiversity and watershed integrity	Establish an <u>Open Motorized Access</u> disturbance limit of 0.4 km/km ² in Zone 2	Open Motorized Access: Livingstone: < 386.2 km Porcupine Hills: < 117.6 km	Alberta Environment and Parks	< 1 year
	Establish an <u>Open Motorized Access</u> disturbance limit of 0.6 km/km ² in Zone 3	Open Motorized Access: Livingstone: < 252.9 km Porcupine Hills: < 58.8 km	Alberta Environment and Parks	< 1 year
	Establish a <u>Restricted Motorized Access</u> disturbance limit of 0.6 km/km ² in both Zone 2 and Zone 3 respectively	Restricted Motorized Access: Livingstone: < 832.3 km Porcupine Hills: < 235.2 km	Alberta Environment and Parks	< 1 year
	Establish a <u>Near-stream Motorized Access</u> disturbance limit (within 100 m of a stream on erodible soils) of 0.04 km/km ² in each analysis unit	Near-stream Motorized Access: Livingstone: < 55.4 km Porcupine Hills: < 15.7 km (across all watersheds)	Alberta Environment and Parks	< 1 year
3.1.2 Important ecosystems and habitat are managed to sustain biodiversity and watershed integrity	Within one year of the effective date of this Plan, management thresholds to guide spatial human footprint until 2045, will be developed.	To be determined in 1 year of effective date	Alberta Environment and Parks	< 1 year

3.2 Detailed Integrated Land Management Practices

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
Forestry and Wildfire Management Planning				
3.2.1 Forestry management planning and operations incorporate human footprint requirements for biodiversity and watersheds, and integrate recreation, tourism, grazing, wildfire and other resource uses	Develop forest management plan(s) with values, objectives, indicators and targets that align with the strategic land-use priorities for the Eastern Slopes (e.g. creation of resilient, healthy forests within a natural range of variation that support water storage, recharge and release functions) and align with actions below	Revised C5 Forest Management Plan sets parameters on footprint in accordance with this Plan	Alberta Agriculture and Forestry	Upon revision of Forest Management Plan(s)
	Coordinated access planning (and subsequent approval) of forestry activity will meet management thresholds established in this Plan: <ul style="list-style-type: none"> Class 4 forestry roads (1-3 years) consistent with the Timber Harvest Planning and Operating Ground rules are managed as <u>Restricted Motorized Access</u> Forest Harvest Areas are assessed for their contribution to <u>Spatial Human Footprint</u> and managed to meet the target (Objective 1.2) 	Indicators and targets set by Alberta Agriculture and Forestry in revised C5 Forest Management Plan	Alberta Agriculture and Forestry, Alberta Environment and Parks	< 2 years
	ILM applies to all forestry activity. Where possible, forestry operating roads will convert to <u>Restricted Motorized Access</u> , are coordinated with other sectors, and include measures approved by the Government of Alberta. Forestry roads, under a statutory consent, are allowed to continue until the road is no longer needed. Forestry roads will coordinate future access needs with other sectors to reduce the extent of permanent motorized access, before decision to close and reclaim when the resource activity ends (use sequencing) ¹⁴	Indicators and targets set by Alberta Agriculture and Forestry in revised C5 Forest Management Plan	Alberta Agriculture and Forestry	< 2 years
	On the classified land-base, commercial forestry supports multiple objectives including managing non-timber resources such as wildfire risk, forest encroachment onto grasslands, maintaining scenic values, optimizing connectivity, snowpack retention, and water quality ¹⁵	Indicators and targets set by Alberta Agriculture and Forestry in revised C5 Forest Management Plan	Alberta Agriculture and Forestry	Ongoing

¹⁴ Refers to use of multi-use corridors and coordinated physical access controls in the ILM Tools Compendium, 2012.

¹⁵ Consistent with objectives 1.1.1.1, 1.1.1.2, 1.1.1.3, 1.1.2.1, 1.2.1.1 and 3.1.1.1 in the Alberta Forest Management Planning Standard.

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
3.2.2 Wildfire risk management integrates footprint planning holistically through a combination of prescribed fires, natural fires, and forestry activity for relevant sub-areas to minimize losses and risk to human life, communities, watersheds, sensitive soils, natural resources and infrastructure	Complete and coordinate sub-area (Porcupine Hills-Poll Haven, Crowsnest Corridor, Castle-Carbondale) disturbance management plans (e.g. utilizing natural range of variation, specific regime targets, cumulative risk, prescribed fire use and prescribed wildfire guidelines, etc.) and considering footprint parameters and FireSmart Strategies (Hazard and Risk Assessments, Wildfire Preparedness Guides, and Wildfire Mitigation Strategies) for all communities in the planning area	Completion schedule set by Alberta Agriculture and Forestry	Alberta Agriculture and Forestry	< 3 years
	Reduce the area identified by the <u>Catastrophic Fire Indicator</u>	% area reduction set by Alberta Agriculture and Forestry	Alberta Agriculture and Forestry	< 3 years
	Complete Emergency Response Plans for all identified Human Life Values-at-Risk considering footprint parameters	Emergency Response Plans are complete and municipalities have signed off on the respective plan(s)	Municipal governments	< 3 years
Commercial and Industrial Development Planning				
3.2.3 Planning and development of energy (including renewables) and mining incorporate human footprint requirements for biodiversity and watersheds, and integrate forestry, recreation, tourism, grazing, wildfire and other resource uses	The Government of Alberta will work with industry proponents to comply with motorized access limits for new coal, mineral, oil or gas, and renewable energy developments. Planning for access must demonstrate the application of ILM and align with the Restoration Strategy.	Indicators and targets set by Alberta Environment and Parks	Alberta Energy Regulator, Alberta Environment and Parks	< 1 year
	Coordinated access planning (and subsequent approval) of energy and mining activity will meet thresholds established in this Plan: <ul style="list-style-type: none"> • Access management by energy- and mining-related transportation corridors is coordinated with other sectors and adheres to motorized access limits (Objective 1.1) • Industrial sites, utility corridors, pipelines and other exploration or seismic disturbances are assessed for their contribution to <u>Spatial Human Footprint</u> and managed to meet the target (Objective 1.2) 	Indicators and targets set by Alberta Environment and Parks	Alberta Energy Regulator, Alberta Environment and Parks	< 1 year
	• Single purpose or limited use industrial access corridors will convert to <u>Restricted Motorized Access</u> , are coordinated with other sectors, and include measures approved by the regulator	Indicators and targets set by Alberta Environment and Parks	Alberta Energy Regulator, Alberta Environment and Parks	< 1 year

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
	The SSRP states that where freehold rights exist, opportunities for the responsible exploration, development and extraction of energy resources are maintained – this Plan supports the strategy to maintain physical access to freehold minerals. Any development of freehold minerals will be reviewed by the Alberta Energy Regulator. If development is approved, then dispositions will be issued for access roads and other infrastructure, taking measures to minimize impacts to fescue grasslands and the ecological values of the overall landscape as per the intent of this management plan	Indicators and targets set by Alberta Environment and Parks	Alberta Energy Regulator, Alberta Environment and Parks	Ongoing
	Siting, timing, and site-related footprint requirements for renewable energy developments follow standards and best management practices	See applicable documents (e.g. Wildlife Directive for Alberta Wind Energy Projects, 2017)	Alberta Environment and Parks	Ongoing
3.2.4 Planning and development of commercial recreation and tourism incorporate human footprint requirements for biodiversity and watersheds, and integrate forestry, non-commercial recreation, grazing, wildfire and other resource uses	a) Commercial recreation and tourism proponents will be required to demonstrate motorized access requirements for new tenure. Planning for access must demonstrate the application of ILM and align with subregional plans for recreation management.	Indicators and targets set by Alberta Environment and Parks in consultation with Alberta Culture and Tourism	Alberta Culture and Tourism, Alberta Environment and Parks	< 1 year
	Coordinated access planning (and subsequent approval) of commercial recreation and tourism activity will meet thresholds established in this Plan: <ul style="list-style-type: none"> Access by tourism-related transportation corridors is coordinated with other sectors and adheres to motorized access limits (Objective 1.1) Commercial sites, staging areas, campgrounds, etc. are assessed for their contribution to <u>Spatial Human Footprint</u> and managed to meet the target (Objective 1.2) 	Indicators and targets set by Alberta Culture and Tourism and Alberta Environment and Parks (Operations Division)	Alberta Culture and Tourism, Alberta Environment and Parks	< 1 year
	Single purpose or limited use commercial access corridors will convert to <u>Restricted Motorized Access</u> , are coordinated with other sectors, and include measures approved by the Government of Alberta	Indicators and targets set by Alberta Environment and Parks in consultation with Alberta Culture and Tourism	Alberta Environment and Parks, Alberta Culture and Tourism	Ongoing

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
	The SSRP states that work should occur with municipalities, private investors, and landowners to identify areas of high value for tourism to encourage tourism investment and infrastructure development opportunities. Any commercial recreational or tourism development applications will be reviewed by Alberta Environment and Parks. If the development is approved, then dispositions will be issued for access roads and/or other recreational or tourism infrastructure.	Indicators and targets set by Alberta Culture and Tourism and Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks, Alberta Culture and Tourism	Ongoing
Recreation Management Planning				
3.2.5 Recreation management planning and operations incorporate footprint requirements for biodiversity and watersheds, and integrate tourism, grazing, wildfire and other resource uses	Develop recreation management plan(s) with outcomes and objectives that align with the Eastern Slopes priorities and with this Plan. Recreation management planning will demonstrate the application of ILM, including the siting criteria identified in Section 2.3 and also compatibility factors that consider the needs of other land users and adjacent land owners to public lands	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	< 1 year
	Coordinated access planning (and subsequent approval) of recreation and tourism activity will meet thresholds established in this Plan: <ul style="list-style-type: none"> Access corridors for motorized recreation is coordinated with other sectors and adheres to motorized access limits and are considered <u>Open Motorized Access</u> (Objective 1.1) Motorized camping nodes, staging areas, recreation infrastructure are assessed for their contribution to <u>Spatial Human Footprint</u> and managed to meet the target (Objective 1.2) 	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	< 1 year
	Coordinated access planning and development of non-motorized recreation must also adhere to mandatory ILM particularly siting criteria to minimize the effects of footprint on sensitive areas	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	< 1 year

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
	Planning and development of motorized recreation sites, manages motorized recreation, including camping on public land to ensure the protection of environmental values including biodiversity, sensitive wildlife and landscape elements, and cultural values	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	Immediately
	Public Land Use Zones will be established whereby off-highway vehicles must stay on signed, designated trails specified for motorized recreational use, or multi-use. Certain areas may be designated for specific recreational uses (e.g. snowmobile areas). 'Wheels out of water' applies to all watercourse crossings, especially in sensitive fish habitat: (as per the Public Lands Administration Regulation)	Public Land Use Zone established as part of Crown Land and recreation management implementation. All watercourses have crossing structures as specified in the Recreation Management Plan	Alberta Environment and Parks	Immediately
	Alberta Environment and Parks may close or restrict motorized and non-motorized access to protect ecological values, to ensure public safety, or for management purposes (e.g. during periods of heavy rainfall, thin snowpack for snowmobiles, or for wildfire risk or species management requirements, etc.)	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	Ongoing
	Manage the impact of recreational motorized access to wildlife through key mountain passes in partnership with Parks and authorities in British Columbia	To be determined following regular meetings held with staff in BC Ministry of Forest, Lands, Natural Resource Operations (Cranbrook) to discuss and address issues	Alberta Environment and Parks	< 2 years

Management of Grazing and Range

3.2.6 Range (or grazing allotment) management and vegetation management planning incorporate footprint requirements for biodiversity and watersheds, and integrate wildfire, with a focus on Foothills Fescue grasslands and riparian health	As a part of restoration and reclamation, develop a vegetation management plan, including specifications for range vegetation inventories, and range and riparian health assessments. Results are used to develop and update range planning. Vegetation inventories will be used to measure changes to fescue communities.	A vegetation management plan, coordinated with restoration and reclamation is completed to improve range and riparian health for fescue communities. Other indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	< 3 years
	Coordinated access planning (and subsequent approval) of motorized access for grazing activity will meet thresholds established in this Plan. Any development of new trails for range management purposes will require coordination among sectors and prior review and approval for ILM. Allotment holders receive a permission placard for off-highway vehicle use off designated roads or trails to conduct range management activities	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	Ongoing

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
	Apply range management practices such that range and riparian communities are maintained or improved. Allotment holders will consider projects that will reduce or mitigate impacts from livestock use (e.g. development of off-stream watering facilities, protection of springs, practices that reduce risks of invasive species introduction)	Strategies and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	Ongoing
	All proposed activities are reviewed to ensure impacts to Foothills fescue ¹⁶ grasslands, riparian areas and groundwater seeps, particularly those that are largely intact, are avoided wherever possible. ¹⁷ Avoiding disturbance to Foothills fescue grassland, riparian areas and groundwater seeps, is a priority for all siting criteria. Where impacts cannot be avoided, detailed mitigation plans (including construction and reclamation plans) are required	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks	Ongoing
	Manage and monitor invasive species, insect and pathogen infestations according to Government of Alberta policies, legislation and best practices	Indicators and targets set by Alberta Environment and Parks (Operations Division)	Alberta Environment and Parks, Alberta Agriculture and Forestry	Ongoing

Restoration and Reclamation Management Planning

3.2.7 Restoration is planned to sustain biodiversity and watershed integrity	Work with stakeholders and adjacent land managers to ensure wildlife connectivity corridors are enhanced throughout the Livingstone, Porcupine Hills and adjacent landscapes	To be determined following regular meetings held with industry, municipalities, land organizations (e.g. Mistaklis, Southern Alberta Land Trust, Nature Conservancy of Canada, etc.)	Alberta Environment and Parks	Ongoing
	Rare, significant or sensitive eco-systems and habitats are maintained or enhanced through existing species at risk recovery planning initiatives, best practices, or through measures described in this Plan to manage new footprint disturbance	To be determined in a monitoring program developed by Environmental Monitoring and Science Division, Alberta Environment and Parks	Alberta Environment and Parks	Ongoing
	Develop a strategy to restore linear features in the area to support the above thresholds, to reduce landscape fragmentation, and to integrate use of public land. Details are identified in Section 2.4.	Restoration Strategy completed within timeframe with sites and areas identified and prioritized for restoration and reclamation	Alberta Environment and Parks	Strategy < 1 year; restoration efforts ongoing
	Where possible, plant or re-plant native vegetation using seeds sourced within the respective area; where not possible, use best certified native seed sources or best available alternative sources	Restoration Strategy identifies this directive for restoration and reclamation	Alberta Environment and Parks	Ongoing

¹⁶ The "Foothills Fescue PNTs" (i.e., PNT090087) will remain in place as a means of alerting applicants to the presence of fescue communities and the responsibilities associated with operating in these areas (as per Information Letter 2010-02).

¹⁷ Principles for Minimizing Surface Disturbance in Native Grasslands 2016 available online at: <http://open.alberta.ca/dataset/dbbc914c-a2f7-4df9-8b28-979459883f17/resource/5070c720-58e8-4a1d-baed-256727449611/download/2016-Principles-for-Minimizing-Surface-Disturbance-in-Native-Grassland-September-1-2016.pdf>

3.3 Detailed GoA Business Process and Integration Mechanisms

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
3.3.1 Appropriate and effective governance are in place to support the implementation of this Plan	<p>Led by Alberta Environment and Parks, all departments and agencies with a responsibility for approving and issuing dispositions, allotments and tenure, and their respective resource managers, collaborate toward a business process and structural mechanisms to integrate footprint into approvals and decision-making. Concurrent initiatives (e.g. Integrated Approvals Process) may provide a suitable platform for this.</p> <p>Systems and structures must:</p> <ul style="list-style-type: none"> • Develop the system tools for tracking, monitoring, real-time spatial data and storage for resource managers and users (must support the performance management system) • Provide clarity to staff on dealing with foreclosure, exceedance of limits, footprint calculations, restoration requirements • Provide a means of communication between different sectorial needs on the landscape and how to guide the sequencing of activities over time (10 year outlook) • Consider traditional land use and traditional ecological knowledge in decision-making • Develop a robust monitoring, evaluation and reporting program for biodiversity and watershed indicators which links the actions to manage footprint in this Plan to performance metrics (enabled by the effective date of the plan) • Address outstanding management of pre-existing dispositions including abandoned dispositions, shifting to <u>Restricted Motorized Access</u>, and restoration 	<p>Integrated Resource Management System business processes for approvals and decision support are developed as described in Section 4.0</p> <p>Metrics for service delivery are improved</p>	Alberta Environment and Parks	< 2 years

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
3.3.2 Relevant provisions in Sub-regional Integrated Resource Plans are effectively rescinded (see Appendix B)	Implement necessary regulatory direction (e.g. land disturbance standards) and assess needed alignment with other regulatory tools (e.g. PNTs) and whether gaps need to be addressed	The Livingstone-Porcupine Hills Sub-regional Integrated Resource Plan gets approval to be rescinded (no further outstanding items exist)	Alberta Environment and Parks	< 2 years
	Any remaining Prime Protection (IRP Zone 1) or Critical Wildlife (IRP Zone 2) remains in effect until replaced by biodiversity sensitivity data layers or new surveys that reflect the best and most recent information. The layers must be integrated into approval mechanisms (e.g. Master Schedule of Standards and Conditions, 2017) to direct how those layers are used in decision-making	Biodiversity sensitivity layers are integrated into a decision support tool as described in Section 4.1.2	Alberta Environment and Parks	< 2 year
	Any outstanding provisions are redirected to the appropriate agency for incorporation into suitable policy and planning documents (e.g. Recreation Management Plans)	Outstanding provisions are reviewed by appropriate agencies with direction provided to Alberta Environment and Parks confirming they are incorporated	Alberta Environment and Parks	< 2 years
	As part of reviewing and incorporating the Integrated Resource Plans, the Government of Alberta will integrate a review of the coal categories for the South Saskatchewan Region (SSRP p. 61). New direction, consistent with footprint planning outcomes, will supersede the coal categories and may extend to all large-scale industrial surface disturbances, including coal. This new direction should be consistent with an integrated approach. It will specify where surface exploration and development can and cannot occur based on the best and most recent biodiversity sensitivity data	A strategy is developed for updating Coal Policy and Integrated Resource Plan direction around coal and mineral extraction	Alberta Energy Regulator, Alberta Environment and Parks	< 3 years
3.3.3 Enable accessible and relevant opportunities for the participation of Indigenous peoples in land-use planning and input to decision-making	Partner with First Nations to appropriately collect, use, and apply Traditional Ecological Knowledge and Traditional Land Use Information, respecting confidentiality and ensuring security as directed by each participant Nation	Traditional Land Use studies are completed for the Livingstone and Porcupine Hills, direction is used in land-use management	Alberta Culture and Tourism, Alberta Environment and Parks, Alberta Indigenous Relations	< 3 years (Traditional Land-Use studies), ongoing
	Where appropriate, consider and implement buffers or other mechanisms to protect traditional use sites and sites of cultural significance while maintaining access, if appropriate, for the sites.	Methodologies and best practices are developed in partnership with First Nations and used in land-use management	Alberta Culture and Tourism, Alberta Environment and Parks, Alberta Indigenous Relations	Ongoing

Objectives	Strategy/Action	Performance Metric	Responsibility	Timeline
	Provide support and communicate with First Nations regarding their use of traditional use sites. Identify key sites and types of access required to practice traditional uses (ongoing access to Restricted Motorized Access will be arranged through the South Saskatchewan Regional Plan First Nations Implementation Table, or equivalent partnership)	Methodologies and best practices are developed in partnership with First Nations and used in land-use management	Alberta Culture and Tourism, Alberta Environment and Parks, Alberta Indigenous Relations	Ongoing
	Develop cultural awareness and sensitivity training, with First Nations, which will be delivered to GOA lands and field staff and statutory consent holders. Identify opportunities for public education as well. GOA staff must be familiar with the standard operating procedures regarding Public Lands Area Regulations enforcement as it relates to First Nations Treaty Rights and traditional land uses	All operational staff involved in land-use management are trained	Alberta Culture and Tourism, Alberta Environment and Parks, Indigenous Relations	Ongoing



4.0 IMPLEMENTATION

All departments and agencies and resource managers with land use, tenure, and resource management mandates in the Livingstone-Porcupine Hills area will be responsible for leadership and collaboration to enable the purpose and outcomes outlined in this Plan. Footprint management planning requires that land-use which impacts footprint must better forecast and predict cumulative effects, the impacts of new technologies, the impacts of climate change, and how to responsibly manage resources into the future. Alberta's Integrated Resource Management System (IRMS) exists to understand the impact our growth has on communities, our environment and each other as a whole. This coordinated approach includes setting and achieving the environmental, economic, and social outcomes Albertans expect from resource development, while maintaining the community support to develop these resources. The IRMS roles and responsibilities for footprint plan implementation are identified in Table 4.1.2.

4.1 Governance

New ways of doing things require new organizational structures which determine how, who and what, and must provide accountability in decision-making. The related institutional architecture and how it executes decision-making can be referred to as governance. Governance of public lands must evolve as land-use pressures change, new technologies become available, and new science emerges to inform management.

Since footprint management planning and the implementation of this Plan are emergent in the Province of Alberta, novel governance structures will emerge to fulfill the needs created by this Plan and other plans. New business processes for implementation, including better forecasting of footprint development, will be created through direction from this Plan including guidance on approvals, data and informatics, performance management, and enabling accessible and relevant opportunities for the participation of Indigenous peoples in land-use planning and input on decision-making.

4.1.1 Inclusion of Indigenous Peoples in Land-use Planning

The Eastern Slopes include the hunting and gathering, and ceremonial places that lie within traditional territories of multiple First Nations. The Livingstone and Porcupine Hills areas provided sustenance, materials, medicines, and sacred places for First Nations since time immemorial and is expected to continue to do so for generations yet to come. Indigenous communities are intimately connected to the land and are therefore their ancestral, traditional, and continued uses of public lands are at risk from the impacts of climate change, industrial development, and unmanaged recreational use.

The GOA prioritizes renewing and strengthening relationships with Indigenous Peoples, and all government departments have been mandated to implement the principles of the United Nations Declaration on the Rights of Indigenous Peoples in a way that is consistent with Canada's

Constitution and with Alberta law. For the Livingstone-Porcupine Hills area, the completion and integration of Traditional Land Use studies to support planning and land-use decisions that respect First Nations Treaty rights and ancestral, traditional, and continued land uses, is a priority. First Nations involvement in subregional footprint management planning processes has occurred regularly through one-on-one meetings and at the South Saskatchewan Regional Plan First Nations Implementation Table. Implementation of this Plan is expected to be consistent with First Nations ability to continually exercise their Treaty rights and to acknowledge and maintain the relationship that Indigenous Peoples have with the land and the importance of their activities on that land.

4.1.2 IRMS roles and responsibilities in footprint plan implementation

Stage	Environment and Parks, Planning Branch	Environment and Parks, Operations Division	Environment and Parks, Monitoring and Science Division	Alberta Energy	Energy Regulator	Agriculture & Forestry	Indigenous Relations	Land-Use Secretariat	Related Parties
Development of LFMPs	□	◇	◇	◇	◇	◇	◇	○	◇
Governance and business process	□	◇	◇	○	◇	◇	○	◇	◇
Monitoring, Evaluation, Reporting									
Sharing results to inform reporting	◇	◇	□	○	◇	◇	○	○	○
Status of Ambient Environmental Condition	○	○	□	○	◇	◇	○	○	○
Status of Management Response	◇	□	○	○	○	○	○	○	○
Coordination of reporting into Regional Plan reporting	□	◇	○	○	○	○	○	◇	○
Communication related to reporting	◇	◇	□	○	○	○	○	◇	○
Management Response									
Determination of threshold exceedance	◇	□	○	○	◇	◇	○	○	○
Investigation	◇	□	◇	◇	◇	◇	○	○	○
Development and evaluation of potential management actions	◇	□	◇	◇	◇	◇	◇	○	◇
Oversight and delivery of management actions	◇	□	◇	◇	◇	◇	○	○	◇
Evaluation of effectiveness	◇	◇	□	◇	◇	◇	◇	○	○
Review of LFMP (every 5 years)	□	◇	◇	◇	◇	◇	◇	◇	◇

□ = lead, group/person who is ultimately accountable & responsible for completion of activity or work

◇ = participant, group/person who needs to provide feedback and contribute to an activity

○ = informed, group/person who needs to know of a decision or action

4.2 Access Coordination Mechanisms

Footprint management planning in the Livingstone-Porcupine Hills area requires a proactive and coordinated approach by the GOA. Access coordination is led by department land managers and disposition regulators and enables all sectors to manage motorized access to sustainable, long-term levels that are below the disturbance limit. This Plan requires the following mechanisms to be used by GOA to support ongoing access coordination planning:

- 4.21. Integrated Approvals Process – a one stop portal for applications which allows a predetermination of how motorized access densities are impacted;
- 4.22. Cumulative Effects Management System Decision Support Tool – a digital interface to track, monitor, and evaluate changes to motorized access densities which allows for proactive decision-making;
- 4.23. Guiding Principles – a list of management principles which guide decision-making to incorporate consistent valuations of how to navigate the complexities and uncertainties of conservation and resource use.

4.2.1 Integrated Approvals Process

A core function of the Operations Division within Environment and Parks is to receive, evaluate, decide upon, and manage the application of natural resource and industrial activities that operate under the *Public Lands Act*, *Water Act* and *Environmental Protection and Enhancement Act*. This Plan requires that footprint be assessed as a condition of approval.

Integrating approvals will streamline the business processes to manage the full life cycle of the approval from application to closure and restoration. Institutional structure will be needed to implement appropriate, underlying data architecture and stewardship, information technology to simplify the client-facing application process, automate processes where appropriate and reduce manual handling of approval data and information in the system. The GOA is already working to integrate approvals and develop the respective business process. This is a natural part of the ongoing organizational change necessary for evolving toward better and more efficient ways of doing things over time. A key requirement of the resultant approvals system is that it is agile and flexible to ensure ongoing developments and improvements can be made quickly and efficiently and in response to accelerating change. A prerequisite of system agility is the establishment of integrated data inventory, storage, and management and client interface with appropriate governance stewardship, built to accommodate accelerating changes in technology, business requirements, policy and legislation.

4.2.2 Cumulative Effects Management System Decision Support Tool

Alberta Environment and Parks is currently developing a Decision Support Tool (DST) to build the underlying data architecture described above to make approvals decisions. It is proposed that this tool or a similar process tool be created specifically to support decision-making around footprint. The current tool will serve to report on biodiversity indicators so that decision-makers (Alberta Energy Regulator, Alberta Environment and Parks, and Alberta Agriculture and Forestry) can query real-time current conditions, compare this condition to regional or subregional thresholds, and evaluate the impacts of proposed new development activities. The successful development of this system will serve as a prototype to develop applications for other indicators, such as human footprint.

The successful management of footprint is predicated on understanding the current and future landscape conditions with the ability to assess potential impacts, in order to proactively make decisions. Building a decision support tool for footprint is an important step to coordination across Government of Alberta departments and improving client service delivery. It is expected that the future priorities for this project are to expand to the South Saskatchewan Region, make the tool available to external proponents, and incorporate scenario modelling for future states – including for restoration. This will enable footprint to be factored into all decision-making for land management and resource use in the South Saskatchewan Green Area.

Success will be defined by tangible demonstration of:

- Consideration of cumulative effects management indicators and thresholds from this Plan in the decision-making process used by the Alberta Energy Regulator, Alberta Environment and Parks and Alberta Agriculture and Forestry;
- Multiple decision-makers accessing a single authoritative source of information on habitat condition and footprint, and following consistent methodologies in assessing impacts in relation to thresholds;
- An up-to-date inventory of project applications and approvals that is accessible across decision-makers;
- A business process that can be communicated to proponents or project applicants on how their project impacts indicators and thresholds;
- Transparency of how the management system has been enhanced to enable effective implementation of the Land Footprint Management Plan.

4.2.3 Guiding Principles

The following management principles will guide decision-making for the Livingstone-Porcupine Hills area and can be used to avert disputes regarding resource priorities and second-order allocations:

Accountability: Land managers and regulators must operate with a common objective to minimize footprint. For example, to reduce the extent of motorized access, land managers must understand the attribution of Open and Restricted Motorized Access, how these access types are to be accounted for separately and managed distinctly, and how to communicate conditions and potential constraints to proponents;

Integrated management: This Plan deems recreation, forestry, wildfire, grazing and other operational plans to support coordinated access planning. This requires each of these plans to understand the motorized needs of the respective activity and how it contributes to the overall motorized access levels in the subregion. This Plan allocates motorized access such that industrial activity will have precedence over public motorized recreation. For example, recreation management plans must consider the levels of motorized trails designated for off highway vehicle use. These trails will detract from the overall Open Motorized Access available for other future applicants;

The Precautionary Principle: The GOA recognizes that the lack of certainty regarding a potential threat to the environment should not be used as a reason for not taking action to avert the risk of serious or irreversible harm to the environment. For example, approvals, investments, and operational planning must consider the impacts on future opportunities and the ability of Valued Ecosystem Components to withstand further impacts;

Evidence-based decision making: Decisions on actions and management responses are informed by natural and social science, local knowledge, and Indigenous world views, perspectives, and traditional knowledge.



20 Headwaters Action Plan. 2014. Oldman Watershed Council. p. 26

4.3 Operational Transition

Many components of implementing this Plan will require a one to three year period as of the Plan's effective date where current activities are gradually transitioned to align with the outcomes and objectives and create the necessary business processes. Some components of this Plan can be implemented in practice before the respective operational plans can be amended (e.g. C5 Forest Management Plan). Other transitional components include:

1. Adherence to designated roads and trails, and recreation requirements to be defined in the draft Livingstone-Porcupine Hills Recreation Management Plan;
2. Alignment with other subregional planning initiatives, in particular the recreation plans mentioned above, the Castle Parks Management Plan¹⁸, and the Pekisko Heritage Rangeland Management Plan¹⁹. The Livingstone-Porcupine Hills Land Footprint Management Plan is the main proactive management action to implement the regional draft Biodiversity Management Framework²⁰ and to support related outcomes in the South Saskatchewan Regional Plan.

4.4 Management Response

This Plan aims to proactively manage motorized access and spatial human footprint by preventing limits from being reached or exceeded. If limits are exceeded, or triggers are reached, Alberta Environment and Parks is responsible for responding appropriately, by initiating a management response. In the context of this Plan, the terms 'management response' and 'management actions' have distinct meanings: The management response is a set of steps that will be undertaken if a limit or trigger is reached or exceeded. Part of the management response is determining the need for management actions. Management responses begin with verifying current condition; if a limit is reached or exceeded, there is a commitment that steps will be taken to return to conditions below the limit. Management responses should leverage existing programs where possible. Steps in a management response include:

1. Verification – ensure integrity of collection data;
2. Preliminary assessment – determine conditions relative to triggers or limits;
3. Investigation – determine cause and parties responsible;
4. Mitigative management actions – halt the problem, set a goal and manage the problem until the goal is met;
5. Assess implementation effectiveness – other monitoring, modeling, and reporting is used to assess and communicate on the status of conditions;

18 Castle Management Plan – draft Castle Provincial Park and Castle Wildland Provincial Park (2017)

19 South Saskatchewan Regional Plan (amended 2017; Strategy 3.13 p. 73, 135, 136)

20 South Saskatchewan Regional Plan (amended 2017; p. 56, Strategy 3.1 p. 68, p. 132)

6. Communication – accountability and transparency are necessary to a successful management response. In the event of a management response, a report specifying the details and the effects of the management response shall be made publicly available.

4.4.1 Management actions

Management actions are determined once the cause, trends, and urgency are investigated and become more stringent depending on the severity. Management actions are a subset of the overall management response and will be place-based, and focused on minimizing land disturbance. There is a range of options available when determining what kind of actions should be taken. A mix of tools, both discretionary and mandatory, can be used in a coordinated way. Alternatively, discretionary measures provide other options and approaches that can lead to effective results. Incentives for discretionary approaches can be created in different ways, for example, a market based approach related to ecosystem services. Typical mitigative management actions, enacted by a collaboration of resource managers if a limit is reached or exceeded, will include a combination of mandatory and discretionary measures, for example:

- Integrated Land Management practices to avoid unnecessary disturbance and/or reduce the amount of infrastructure, for example:
 - Adjust location of the project;
 - Avoid new footprint by requiring the use of existing disturbance (e.g., use existing infrastructure and align new infrastructure with existing infrastructure to avoid additional disturbance);
 - Cluster projects to reduce footprint, including sharing of infrastructure;
 - Set requirements for improved project design / revise the scope of the project;
 - Reduce impact of construction phase (e.g., access roads);
 - Prevent permanent disturbance that can pose as a risk to species through improved design;
 - Adjust timing or intensity of development;
- Reclamation requirements:
 - Enforcement of conditions of statutory consent, Operating Ground Rules, etc.
 - Application of reclamation criteria and any requirements for legacy disturbances (e.g. well pads);
- Conservation offsets such as offsets to require restoration of legacy footprint as a component of new project approvals;

- Restrictions on further land disturbance, such as setting of disturbance standards (under the Public Lands Administration Regulation);
- Changes to fish and wildlife regulations;
- Lowering of fish and wildlife harvest levels;
- Revisions to land use authorizations;
- Revisions to operational policies and performance standards;
- Municipal bylaws – if considered appropriate and enacted by local governments as necessary.

To confirm that desired outcomes are met, Alberta Environment and Parks will provide oversight of management actions, evaluates the effects of each action, retains accountability for the overall effectiveness of the actions, and communicates progress. New approaches may also be developed and the intent is to encourage innovative practices.

4.5 Performance Management

Measuring performance is an integral part of planning to enable monitoring, evaluation and reporting on the implementation progress and the effectiveness of this Plan. This valuable information guides decision-making and supports continuous improvement towards achieving plan outcomes. To facilitate performance measurement, a performance management system will be developed that outlines how outcomes are developed and realized through plan implementation, review and reporting. The Land Footprint Management Plan identifies outcomes, objectives, and actions that can be evaluated using performance metrics. These metrics are monitored and analyzed on a regular and ongoing basis to determine the progress of plan implementation. The actions developed through the planning process and their effectiveness in achieving the desired outcomes, will be monitored. Agencies responsible for implementation will report annually on progress on implementing their respective management actions. Alberta Environment and Parks will coordinate the collection of this information which will then be summarized and incorporated into the regional planning status reporting cycle.

This Plan is intended to sustain biodiversity and watershed integrity by directing that three kinds of management actions take place in the region:

1. Management of motorized access (Section 3.1, Objective 1.1);
2. Managing spatial human footprint (Section 3.1, Objective 1.2);
3. Directing ILM practices (Section 3.2).

4.5.1 Monitoring

Monitoring performance includes monitoring the specific actions taken, as well as progress towards achieving the outcomes. Measuring whether management actions are completed is done on an annual basis while measuring progress towards outcomes entails longer-term data monitoring as this is progress towards a specified end or desired condition could take years to be realized.

A monitoring strategy will be developed immediately. Development of the strategy will be coordinated by Alberta Environment and Parks in collaboration with all departments and agencies responsible for implementation, subject matter experts (including Indigenous peoples), local stakeholders, and advisory groups. Collaborative monitoring provides an opportunity to share information and expertise while still allowing respective monitoring programs as a component of a plan monitoring strategy. A monitoring strategy will:

- Identify the key questions to be answered by monitoring activities;
- List and define each attribute to be monitored, and explain:
 - The relevance of each attribute to biodiversity and watershed integrity and, where applicable, valued ecosystem components;
 - The linkage between each attribute and one or more management actions listed under Section 3.1, with reference to existing scientific evidence where applicable;
- Explain the data collection, analytical, and quality assurance protocols used to monitor each attribute;
- Specify the location and monitoring schedule of each monitoring site (note that monitoring sites would be located within and outside the Livingstone-Porcupine Hills);
- Describe the statistical approaches that will be used to answer each key question, which may include:
 - Assessing the relationships between biodiversity and ecosystem health attributes versus anthropogenic disturbance, across one or more gradients of anthropogenic disturbance;
 - Comparing differences in biodiversity and ecosystem health attributes before versus after plan implementation (Before After Impact Control);
 - Comparing the levels of biodiversity and ecosystem health attributes in the Livingstone-Porcupine Hills (after plan implementation) compared to one or more reference areas;
- Identify the roles and responsibilities of each organization involved in monitoring;
- Identify milestones and the reporting schedule over the initial monitoring period (five years);

- Provide an estimated budget (expenditures and revenue) over the initial five-year monitoring period;
- Explain how monitoring findings would potentially inform the five-year plan review, and subsequent decisions to amend, renew, or otherwise adjust this Plan.

As part of developing a monitoring strategy, a performance metric framework will be populated to contain the specific details for each metric, including: relevance, data collection frequency or availability, reporting frequency, data sources, and data storage. A standard performance metric framework is under development by Alberta Environment and Parks and will be used for this Plan's monitoring strategy.

4.5.2 Evaluation

Evaluation is the systematic assessment of the design, implementation or results of a plan for the purpose of reporting, learning, making adjustments to priorities or decision-making. In order to assess the effectiveness of plan implementation, performance metric data and information needs to periodically undergo a rigorous analysis and interpretation to determine the extent to which this Plan is achieving the intended outcomes. This will include evaluation against baseline conditions and/or established limits and targets. Also as part of evaluation, the efficiency with which resources were used, and results or outputs achieved, needs to be examined. The relevance of this Plan, in light of current priorities, also needs to be included as part of evaluation.

The tool for tracking performance metric data and information will be the performance metric framework, which will be critical for determining how effective this Plan has been in achieving outcomes. Tracking of inputs and implementation progress through the status of strategies and actions to understand which have been completed, which are in progress, and which have not yet started and why, is also important to assist evaluation of plan efficiency. Assessing the effectiveness of these actions, and specifically the impact of these actions on biodiversity and watershed integrity, is challenging because:

- Biodiversity and watershed integrity are not easily defined or measured;
- The impacts of management actions on biodiversity and watershed integrity are incompletely understood;
- Management actions beyond the three types listed above, that are directed in this Plan, may also impact biodiversity and watershed integrity;
- Additional management actions not considered in this Plan, plus natural disturbances such as wildfire and weather, may also impact biodiversity and watershed integrity.

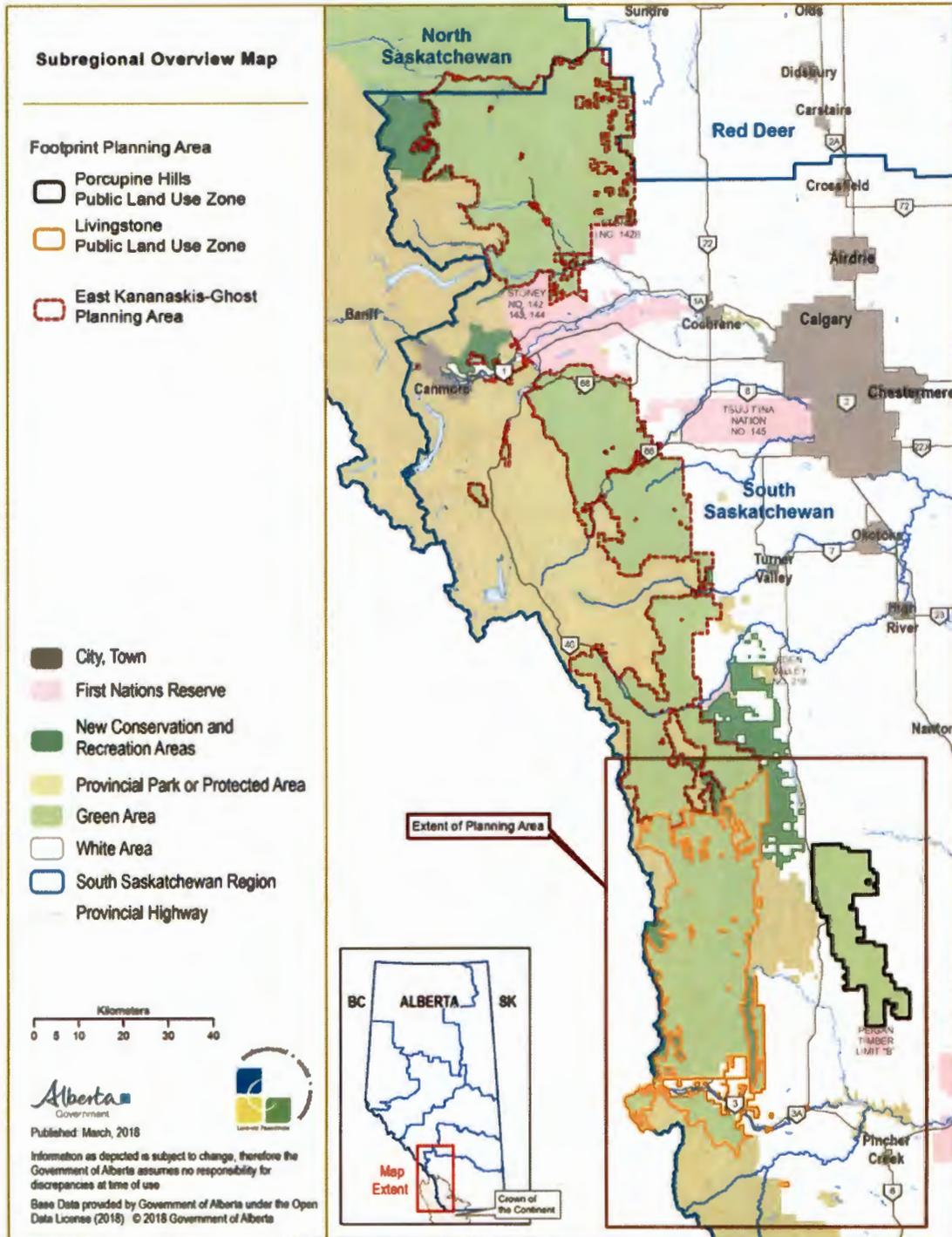
4.5.3 Reporting

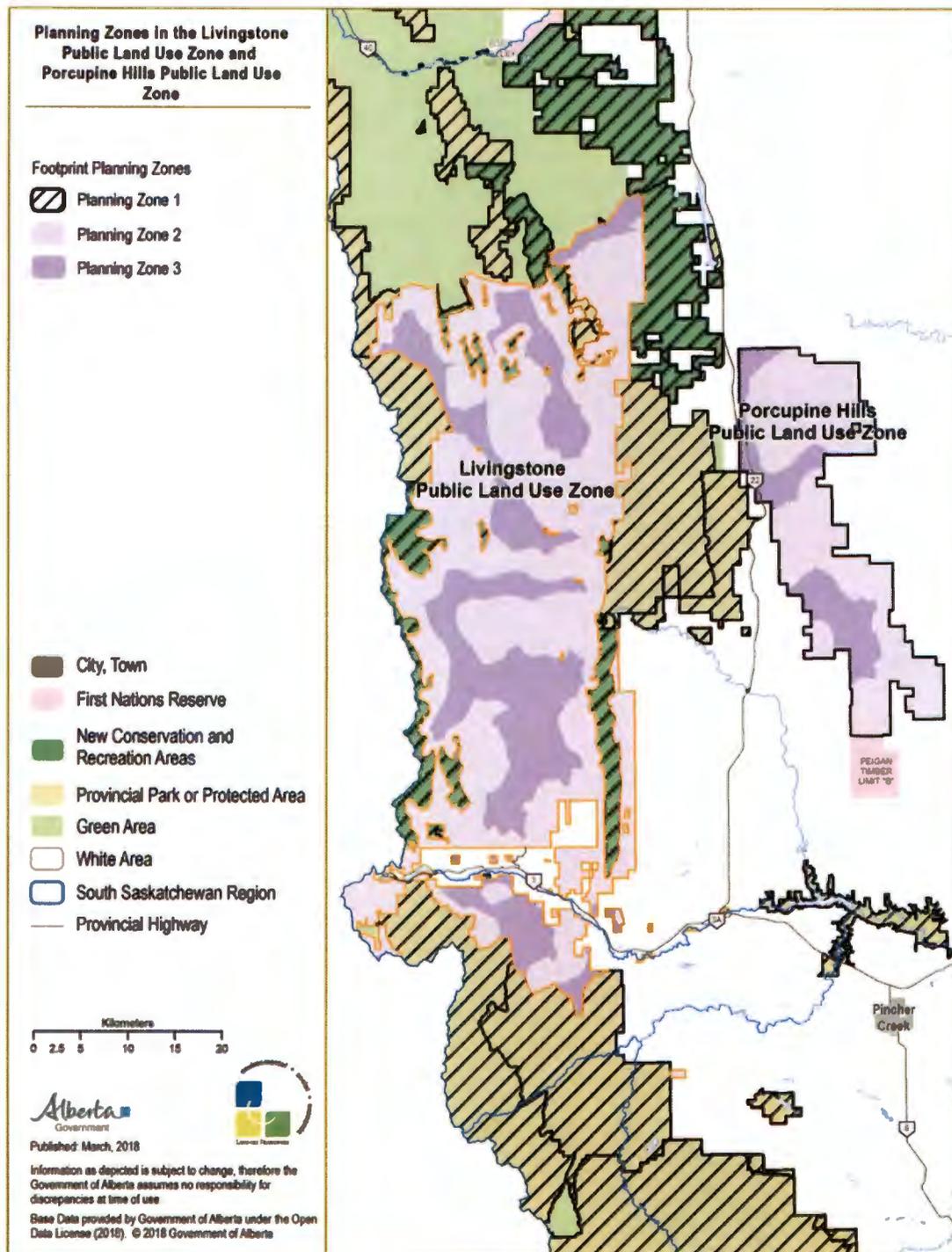
Reporting is an essential component of any planning process. The results of evaluation and changes arising from implementation need to be shared broadly. Government will use various mechanisms to formally communicate on plan progress, including the release of reports that speak directly to this Plan, as well as communications that address more specific aspects of this Plan. Reports will provide evidence that progress is being made towards achieving the outcomes. They will adequately communicate progress on metrics and include technical information.

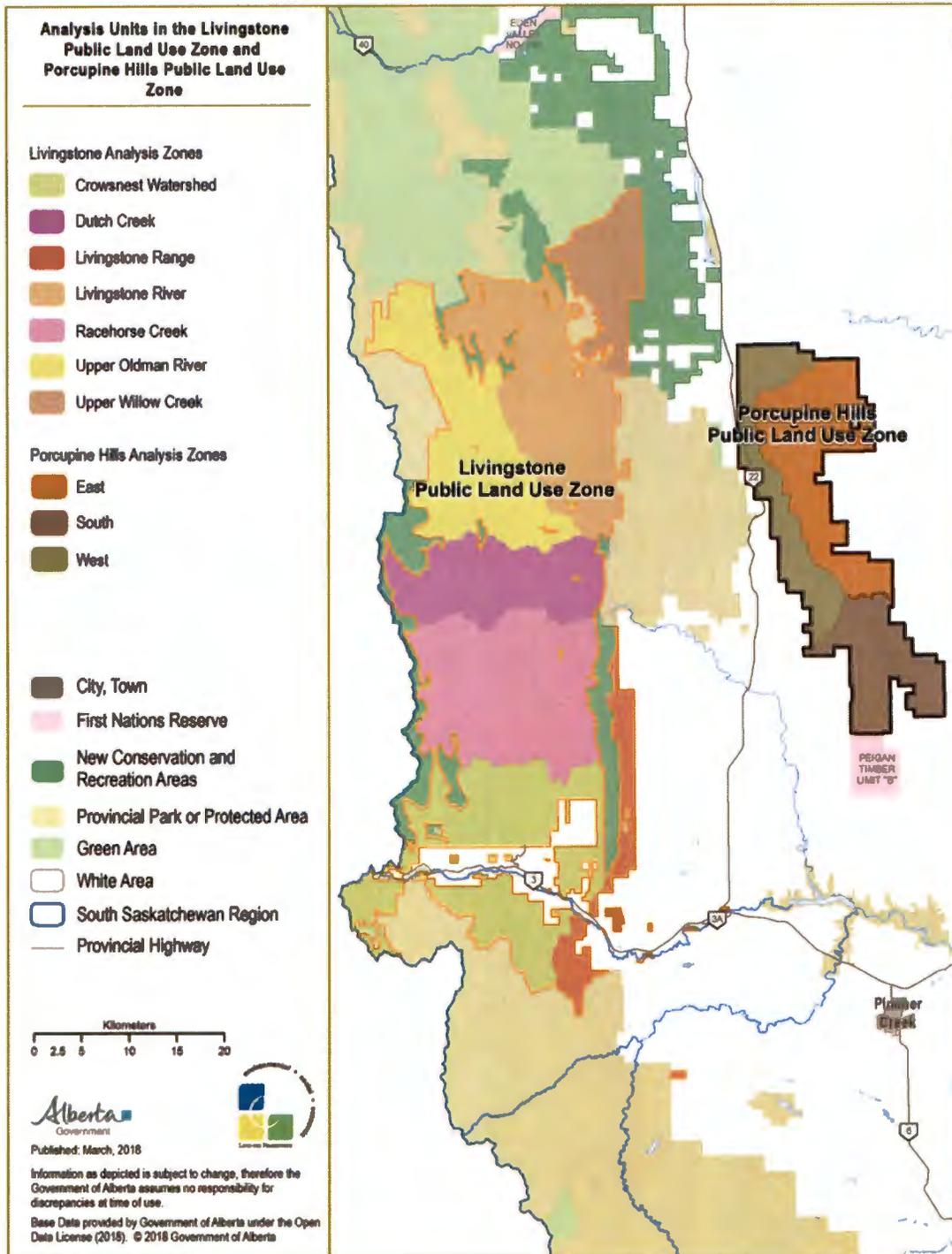
Reporting on implementation progress (strategies and actions) is anticipated to be done annually. Reporting on progress towards achieving strategic outcomes is anticipated to be undertaken after the five-year plan review and following the comprehensive ten-year review. Plans developed under the Land-use Framework are scheduled for review at least once every five years following plan approval, with a report made available to the public. Five year reviews will examine how well this Plan is progressing towards achieving outcomes and include an assessment of the performance metrics. At least once every ten years following plan approval, a comprehensive review is anticipated to be undertaken which will include a thorough evaluation of plan effectiveness, efficiency and relevance. This could result in this Plan being amended, replaced, renewed or repealed. First Nations and public consultation is anticipated to be a part of the formal ten-year review.

Plan reviews can also be triggered by the ongoing review of the performance metrics. If this Plan is meeting the expected objectives, no further action is required until the five and ten year scheduled reviews. Should analysis of the performance metrics show that this Plan is not meeting expected objectives, a review the performance components may be conducted, or a review of the Plan in its entirety, can be initiated. This Plan is intended to be adaptive in order to advance footprint management in the Eastern Slopes.

5.0 MAPS







APPENDICES

Appendix A: Glossary of Terms

Biodiversity – The assortment of life on earth—the variety of genetic material in all living things, the variety of species on earth and the different kinds of living communities and the environments in which they occur (Land-use Framework, 2008).

Catastrophic fire indicator – Large, contiguous areas within a region where the occurrence of intense wildfire that is uncontrollable with conventional suppression methods (greater than 4000kW/m - air suppression is less effective) is more likely to occur. The size threshold used to define large contiguous areas will vary based on desired land-uses within a region and their tolerance for wildfire disturbance.

Commercial recreation - Instructing/guiding/outfitting activities on public land and/or water for which a consumer pays a fee (e.g. commercial trail riding, dog tours, heli-ski tours, fishing, bird hunting, off-highway vehicle tour, etc.). Typically these operations are not supported by capital investment in permanent infrastructure, such as fixed roof structures (Outdoor Recreation Glossary of Terms).

Conservation – The responsible preservation, management and care of our land and of our natural and cultural resources (Land-use Framework, 2008).

Conservation offset – An action taken to counteract impacts from development that remain after efforts have been taken to avoid and minimize those impacts (Alberta Conservation Offset Framework, draft).

Corridor, wildlife corridor – A physical linkage, connecting two areas of habitat and differing from the habitat on either side. Corridors are used by organisms to move around without having to leave the preferred habitat (draft Biodiversity Management Framework, 2017).

Crown of the Continent – The region that includes and surrounds Waterton-Glacier International Peace Park (a UNESCO World Heritage Site) in southwestern Alberta, southeastern BC, and northwestern Montana (draft Castle Management Plan, 2017).

Cumulative effects – The combined effects of past, present and reasonably foreseeable land-use activities, over time, on the environment (South Saskatchewan Regional Plan, amended 2017).

Designated trail – A linear feature which, through regional and subregional planning processes or management plans, is identified for a specific activity or activities. Trails are mapped, signed, and maintained.

Disturbance – In respect of public land, means human activity that moves or removes one or more of the following features of the public land or that alters or results in the alteration of the state of one or more of those features from the state in which it existed before the human activity occurred, and includes any change in the intensity, frequency or nature of the human activity (Public Land Administration Regulation, 2011):

- | | |
|-----------------|-----------------------------------|
| (i) vegetation; | (vi) wetland; |
| (ii) soil; | (vii) water body or watercourse; |
| (iii) subsoil; | (viii) air flow or wind currents; |
| (iv) bedrock; | (ix) ambient sound volumes; |
| (v) landform; | (x) light or shade. |

Ecosystem function – Processes that are necessary for the self-maintenance of an ecosystem such as primary production, nutrient cycling, decomposition, etc. The term is used primarily as a distinction from values (South Saskatchewan Regional Plan, amended 2017).

Ecosystem services – Outputs (goods and services) derived from ecosystems that benefit people. These include provisioning services, regulating services, supporting services, and cultural services. Ecosystems, and the biodiversity contained within them, provide a stream of goods and services essential for society's well-being. It is synonymous with 'Ecosystem Goods and Services' (draft Biodiversity Management Framework, 2017).

Ecosystems – The interaction between organisms, including humans, and their environment. Ecosystem health/integrity refers to the adequate structure and functioning of an ecosystem, as described by scientific information and societal priorities (South Saskatchewan Regional Plan, amended 2017).

Footprint – *human footprint* – As set out in Section 1(1)(m) of the Public Lands Administration Regulation, footprint means the impact or extent of a disturbance and includes the intensity, frequency, and nature of any uses or activities related to the disturbance. This includes temporary and permanent human landscape alterations including patches and linear corridors of disturbance (e.g. roads, trails, well sites, industrial sites, land clearings, etc.). Footprint also includes the duration, timing and other factors (e.g. noise, scenic value) that are attributes related to the physical land disturbance.

Foreclosure – The reduction in availability of development of future options if the capacity of a valued ecosystem component to absorb change or further impacts has been taken up by approved and to-be-approved activities (Sinclair et al. 2016).

Headwaters – The source and upper tributaries of a stream or river (South Saskatchewan Regional Plan, amended 2017).

Highly erodible soils – Means soils classified as High under 'Erosion Hazard' in the Derived Ecosite Phase dataset or by other means as published by the Minister responsible for the *Forests Act*.

Indicators – These are identified as part of the performance management system and are a measure of state or condition.

Indigenous Peoples – For the purposes of the present document, “Indigenous Peoples” means “aboriginal peoples of Canada” within the meaning of Section 35 of the *Constitution Act*, 1982. For the reasons stated in the South Saskatchewan Regional Plan, the focus on conversation with the region’s Indigenous Peoples has been with First Nations. All First Nations in the planning area adhered to a Treaty, under which they hold treaty rights within the meaning of Section 35 of the *Constitution Act*, 1982.

Limit, disturbance limit – A management threshold that establishes a maximum amount of land disturbance that may occur in a given area in order to prevent undesirable change in the condition of a given landscape. It can be described specific to types of disturbance, for example linear or non-linear footprint, and is based on an assessment of environmental, social and economic priorities in a given area. It may be used in areas where it is necessary to take active steps in footprint management to address one or more key drivers for the area in either a proactive or responsive manner.

Linkage areas – Broader regions of connectivity important to maintain ecological processes and facilitate the movement of multiple species.

Motorized access – Means the use of highways or designated trails used by a motor vehicle.

Motor vehicle – Has the same meaning as in the *Traffic Safety Act*.

Open motorized access – Means motorized access by any person for any purpose on a highway designated by a road authority for public use within the meaning of the *Traffic Safety Act*, or on a trail designated for public use as identified on the Livingstone Public Land Use Zone map or the Porcupine Hills Public Land Use Zone map as published by the Designated Minister, but does not include restricted motorized access.

Near-stream motorized access - Means motorized access on highly erodible soils within 100 metres of a water body.

Public land – Land owned by the Government of Alberta, which makes decisions about how it is used and managed, including for agriculture, forestry, resource development, habitat conservation and protection of watersheds and biodiversity (South Saskatchewan Regional Plan, amended 2017).

Public land use zones - Are areas of public land to which legislative controls apply under authority of the *Public Lands Act*, to assist in the management of industrial, commercial and recreational land uses and resources.

Reclamation – The process of reconvertng disturbed land to its former or other productive uses (Glossary of Reclamation and Remediation Terms Used in Alberta 7th Edition, 2002).

Restoration – The process of restoring site conditions as they were before the land disturbance (Glossary of Reclamation and Remediation Terms Used in Alberta 7th Edition, 2002).

Restricted motorized access – Means motorized access authorized under a statutory consent that includes measures to restrict public access, and mitigate impacts to fish and wildlife, including two or more of the following:

- (i) motor vehicle volume restrictions to manage wildlife risks;
- (ii) motor vehicle speed limits to manage wildlife risks;
- (iii) motor vehicle timing restrictions;
- (iv) motor vehicle noise restrictions; or
- (v) road construction standards to manage sedimentation and surface erosion risks.

Spatial – Relating to, or occupying, space (draft Biodiversity Management Framework, 2017).

Target, disturbance target – A management threshold that establishes a quantitative goal for land disturbance in a given area to improve the performance of an environmental indicator(s) in the biodiversity management framework or other guiding plans. It can be described specific to types of disturbance, for example linear or non-linear footprint, and is based on an assessment of environmental, social and economic priorities in a given area. It may be used in a variety of geographic areas where it is desirable to work towards and promote deliberate footprint management practices in proactive manner.

Temporal – Relating to time (draft Biodiversity Management Framework, 2017).

Threshold – Has the meaning given to it in a regional plan and may include a limit, target, trigger, range, measure, index or unit of measurement (*Alberta Land Stewardship Act*, 2009).

Tourism – Activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited (United Nations World Tourism Organization).

Valued ecosystem components – The environmental element of an ecosystem that is identified as having scientific, social, cultural, economic, historical, archaeological or aesthetic importance. The value of an ecosystem component may be determined on the basis of cultural ideals or scientific concern.

Watershed – All lands enclosed by a continuous hydrologic-surface drainage divide and lying upslope from a specified point on a stream (South Saskatchewan Regional Plan, amended 2017).

Watershed integrity – Means the capacity of a watershed to support and maintain the full range of ecological processes and functions essential to the sustainability of biodiversity and of the watershed resources and services provided to society. The effects of groundwater in contributing to watershed integrity are acknowledged.

Appendix B: Livingstone-Porcupine Hills Subregional Integrated Resource Plan Review Summary

Currently for the area, the Livingstone-Porcupine Hills Sub-Regional Integrated Resource Plan (1987) sets the land-use direction through provisions that provide management direction for various activities. The 1987 Integrated Resource Plan will remain in effect until all provisions have been reviewed for their relevance and incorporated as appropriate under the implementation strategies of subregional planning or issue-specific plans in the region.

Under the Land-Use Framework, the Government of Alberta has affirmed an enhanced Integrated Resource Management System for managing the province's land and natural resources. Footprint management planning is a key component to the system and builds on the objectives of regional planning while representing Alberta's resource management policy for public lands and resources within defined planning areas. All land use decisions are aligned within the planning system.

The Livingstone-Porcupine Hills Sub-Regional Integrated Resource Plan included 484 provisions with 83 per cent of them considered either aligned with current plans, directives, and other land management tools. The remaining 17 per cent have been redirected for consideration on a localized scale during the development of various plans such as the Livingstone-Porcupine Hills Land Footprint Management Plan, recreation management plans, and/or tourism destination plans under the South Saskatchewan Regional Plan, or Wildlife Land Use Guidelines, Forest Management Plans, Operating Ground Rules, Range Management Plans, and Wildlife Management Plans.

Forty provisions were identified to be addressed by the implementation of the Livingstone-Porcupine Hills Land Footprint Management Plan or to be redirected to sectorial plans for consideration on a localized scale, for example, through Recreation Management Plans, Operating Ground Rules, Range Management Plans, etc. The relevant provisions are incorporated through policy into this Plan's implementation.

RECEIVED

AUG 30 2018

M.D. OF PINCHER CREEK

August 22, 2018

Mr. Sheldon Steinke, CAO
MD of Pincher Creek
PO Box 279
1037 Herron Avenue
Pincher Creek, AB
TOK 1W0
CAO@mdpincercreek.ab.ca

Dear Mr. Steinke:

On May 17, 2018, the Minister of Environment and Parks announced the release of the Livingstone-Porcupine Hills Land Footprint and Recreation Management Plans to the public and First Nations. These two plans provide direction for the management of activities in the planning areas while providing a range of benefits to communities and all Albertans.

Two copies of the Livingstone-Porcupine Hills Recreation Management Plan have been enclosed for your records. Copies of the Livingstone-Porcupine Hills Land Footprint Management Plan will also be sent in a separate package. You can also find copies of both finalized plans online at <http://esrduat.alberta.ca/land/programs-and-services/land-and-resource-planning/regional-planning/south-saskatchewan-region/subregional-plans/default.aspx>.

If you have any questions, please feel free to contact Cheryl Dash at Cheryl.Dash@gov.ab.ca or at 403-381-5562.

Planning Branch
Policy and Planning Division
Alberta Environment and Parks

Livingstone- Porcupine Hills



Recreation Management Plan

Alberta ■

Any comments, questions, or suggestions regarding the content of this document may be directed to:

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EXECUTIVE SUMMARY

The Livingstone-Porcupine Hills Recreation Management Plan addresses the priorities for outdoor recreation expressed in the South Saskatchewan Regional Plan, which is within the traditional territory of Treaty 7. The South Saskatchewan Regional Plan prioritized planning for the Livingstone–Porcupine Hills areas as a region of high recreational use. It contains the headwaters of the Oldman River, supports biodiversity values, requires the management of wildlife risk and provides traditional First Nations land uses.

The Livingstone-Porcupine Hills area supports forestry, agriculture, mining and energy industries, in addition to outdoor recreation and tourism. Enhanced recreation management is required to thoughtfully manage the impacts of recreation on other land uses and ecological values. The Livingstone-Porcupine Hills Recreation Management Plan promotes sustainable outdoor recreation opportunities that support Albertans’ quality of life, diversify local economies and reduce conflicts across the landscape.

The Livingstone-Porcupine Hills Recreation Management Plan provides direction for recreational opportunities and management so that Albertans and visitors are able to enjoy these public lands responsibly. The plan also commits to monitoring and reporting on plan implementation and adapting as needed to address changing pressures and trends.

The plan also recognizes that partnerships and collaboration with stakeholders are essential to developing and delivering a recreation experience and management system that is ecologically sustainable and meets the varying needs of users.

The Livingstone-Porcupine Hills Recreation Management Plan commits to:

- Establishing a designated motorized trail system that meets the open motorized access limits prescribed by the Livingstone–Porcupine Hills Land Footprint Management Plan to protect watershed, biodiversity and other values.
- Developing best practices and guidelines for siting recreation infrastructure, including trails, camping and day use areas that:
 - protect water bodies and riparian areas from sedimentation and damage;
 - buffer critical wildlife habitat and ecologically sensitive areas;
 - meet the needs of recreation users and promote positive experiences; and,
 - identify timing restrictions, temporary closures and other measures to manage impacts to the environment and recreation infrastructure.

- Improving recreation infrastructure, including installation of appropriate water crossings, upgrading trails and other recreation areas and providing enhanced camping opportunities, as resources permit.
- Formalizing existing and desired trails and supporting infrastructure for non-motorized recreation activities.
- Enhancing public use of recreation infrastructure through management strategies and actions.
- Enabling nature-based tourism opportunities where desired and appropriate.

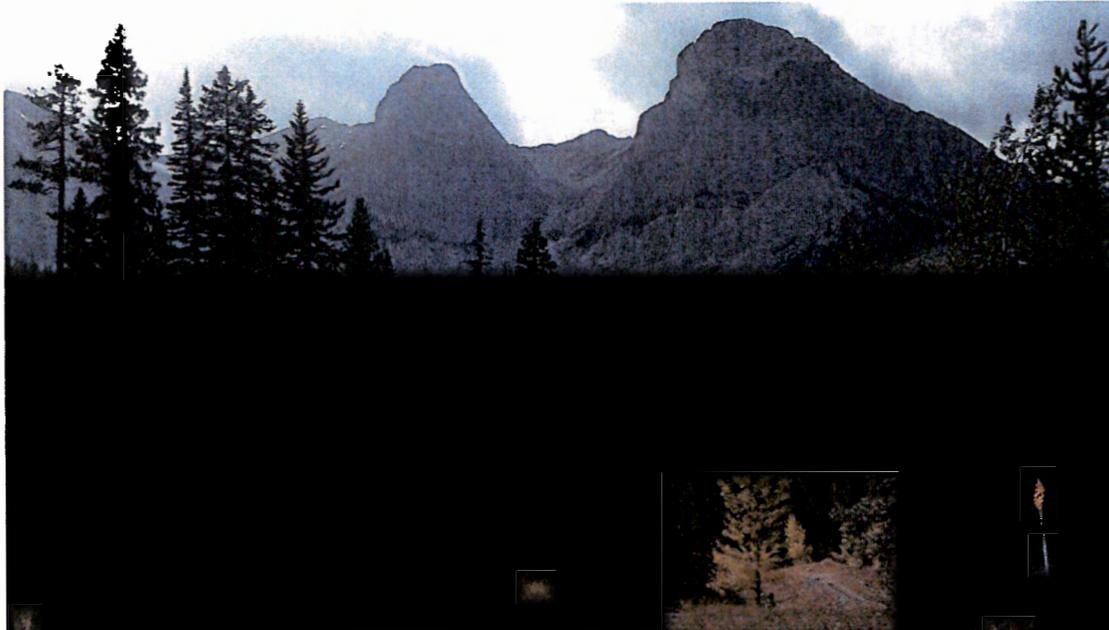


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1.0 INTRODUCTION

1.1 Background and Context

The South Saskatchewan Regional Plan (2017) identifies the long-term **vision**¹ for the region and the management intent for public land within the **Green Area** (Figure 1). As part of management intent for the Green Area, the Government of Alberta aims to provide a diversity of **outdoor recreation** opportunities while recognizing that recreation occurs within a multiple use landscape with complex environmental, economic and social values.

The Government of Alberta is changing its approach to recreation management on **public land**. Recreation management plans enable the government to work with partners and recreation users to improve sustainability of the recreation infrastructure system and provide the experience Albertans and visitors are seeking. The plan recognizes that access to natural spaces improves residents' and visitors' sense of place and connection to nature, which enhances quality of life

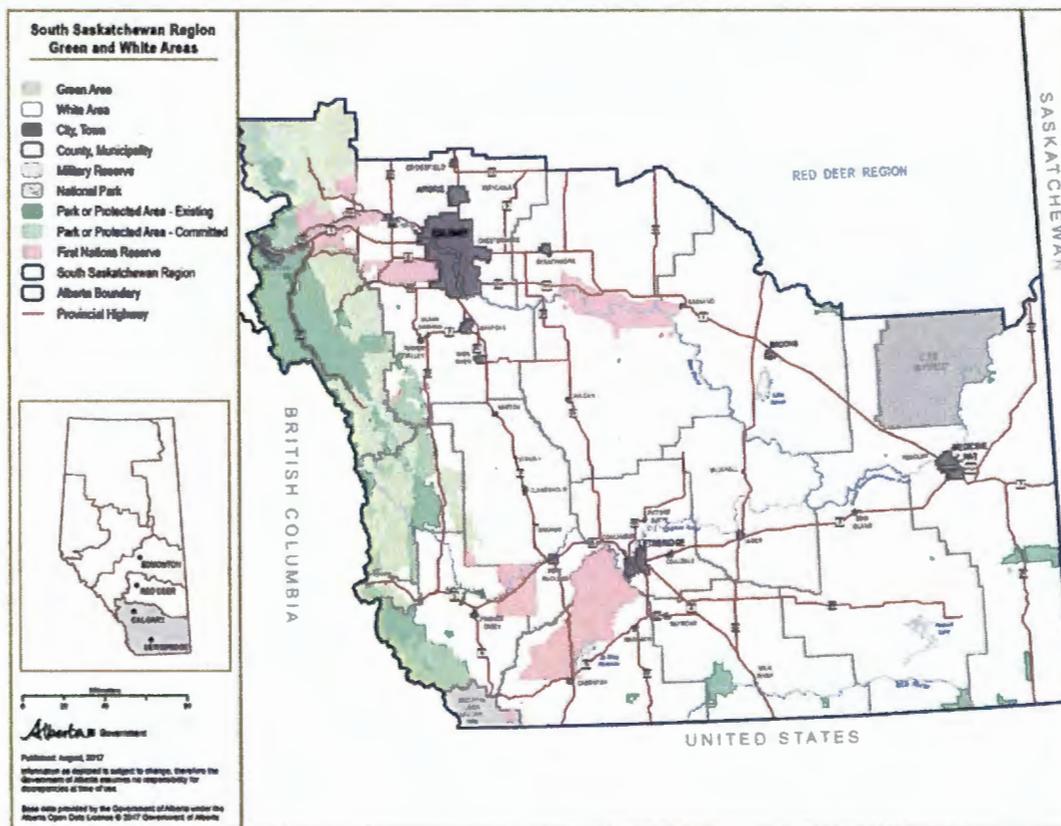


Figure 1: Green Area of the South Saskatchewan Region

¹ Note to Readers: The bolded words have definitions provided in the Acronym and Glossary Appendix. The bolded words are bolded once upon first use of the word.

and promotes stewardship of Alberta's public land. The physical, spiritual and mental benefits of outdoor recreation are widely recognized as essential for health². Public lands provide an opportunity for Albertans and **visitors** to benefit from all that outdoor recreation offers. With a management plan in place, managing recreation on public lands will be undertaken in a way which assures Albertans that public lands can be enjoyed for recreation and that opportunities will be provided for future nature-based tourism and economic diversification in southwest Alberta.

1.2 Strategic Nature of the Plan

The South Saskatchewan Regional Plan outlines the strategic direction of the Government of Alberta for managing recreation within the Livingstone and Porcupine Hills **Public Land Use Zones** (Figure 2). This will assist government staff and stakeholders in operationalizing the Livingstone-Porcupine Hills Recreation Management Plan. This includes:

- Direction on the sustainable development and management of a recreation system.
- Allowable recreational uses of the public lands within the planning areas by the public.
- Identification of recreation and tourism opportunities in the planning areas.
- Location of **trails** available for motorized and non-motorized recreation use.
- Future use of the public lands and the recreation infrastructure within the planning areas by tourism operators and/or developers.
- Strategies and actions to enhance management of public use of the planning area's recreation infrastructure.
- Actions that need to be undertaken to support recreation activities.

This plan is sufficiently flexible so that future proposals within the prescribed allowable uses may be considered. Implementation is subject to available resources and project prioritization both within the planning area and throughout the region.

² A Framework for Recreation in Canada - 2015 - Pathways to Wellbeing.

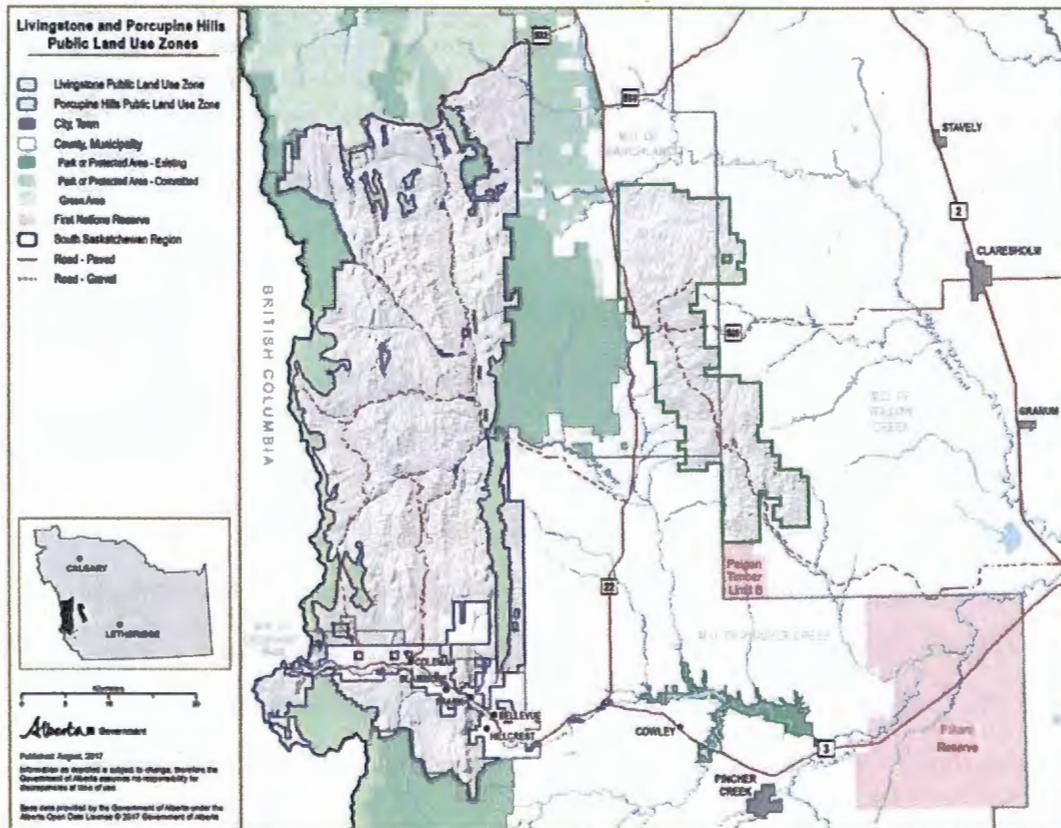


Figure 2: Porcupine Hills and Livingstone Public Land Use Zones

1.3 Vision

Albertans and visitors to the Livingstone and Porcupine Hills Public Lands Use Zones are able to experience a broad variety of outdoor recreation and nature-based tourism opportunities. The vision for recreation management in the Livingstone and Porcupine Hills areas is:

The vision is supported by outcomes and objectives (Section 2.2, Table 3) and specific management actions and strategies (Section 4-5, Tables 4-12).

“The scenic and well-managed landscapes of the Livingstone and Porcupine Hills regions, and their abundant wildlife, thriving populations of native fish, inspiring vistas, and unique Indigenous and rural ways of life, will provide Albertans and our visitors with a diversity of recreational opportunities which connect us to the natural environment. Recreational users will find adventure, challenge, solitude, escape, and wonder that reflects the living diversity of Alberta’s southern foothills and mountains and the stewardship ethic that sustains the landscape.”

1.4 Planning Area

The Livingstone-Porcupine Hills planning area includes portions of four municipalities: The Municipal Districts of Ranchland No. 66, Willow Creek No. 26, Pincher Creek No. 9 and the Municipality of Crowsnest Pass. The Towns of Nanton, Stavely, Claresholm, Granum, and Fort Macleod are east of the planning areas, while the Village of Cowley and the Town of Pincher Creek are located to the south. Peigan Timber Limit "B" Reserve Lands and Piikani Reserve No. 147, including the Piikani community Brocket, are south and east of the planning area. The Blood Reserve No. 148 is to the southeast and the Eden Valley Reserve No. 216 is located to the north. Finally, the City of Lethbridge is the largest populated centre in the vicinity of the Porcupine Hills, approximately 100 kilometres east-southeast of the planning area.

The Livingstone area is comprised of the headwaters of the Oldman River, Dutch Creek, and Racehorse Creek, to the Livingstone Range, with the strip of Green Area along the North Burmis Road and south of the Crowsnest Pass to the Castle Provincial Park and Castle Wildlands Provincial Park. The area is located between the British Columbia (BC) border in the west to Highway 22 in the east and from the Castle Parks border in the south to Highway 532 in the north. It encompasses approximately 1398 km² of public land in the Green Area. (Figure 2). The Porcupine Hills are found east of the Livingstone Range, between Highway 22 (also called the Cowboy Trail) and Highway 2, south toward Peigan Timber Limit "B", and north toward Highway 533. The Porcupine Hills comprise approximately 392 km² of public land in the Green Area of Alberta.

The Livingstone and Porcupine Hills areas form important components of the Crown of the Continent ecosystem which covers approximately 72,000 km² of land along the shared Rocky Mountain borders of Alberta, British Columbia and Montana. It is an area recognized internationally for its rich biodiversity and diverse landscapes that range from prairies to mountain peaks. The Livingstone area includes the headwater basins of the Oldman and Livingstone rivers. The Livingstone and Porcupine Hills have a diverse array of flora and fauna including the well-known landmark and local icon – the Burmis Tree (a limber pine). There are several legislated species at risk in the area, including westslope cutthroat trout, bull trout, grizzly bear, limber and whitebark pine. Native rough fescue grasslands grow throughout the planning area.

The Livingstone-Porcupine Hills area has been an important landscape for **Indigenous Peoples**. A strong First Nations cultural connection to the area continues today as treaty rights are exercised and various traditional uses of the area continue, including spiritual and ceremonial activities, and food and medicinal plant collection. The Livingstone and Porcupine Hills areas also have a long history of logging, mining and providing rangeland for local ranchers to graze cattle. The area has also supported the oil and gas sector.



Limber Pine

This area is increasingly becoming a destination for tourism and recreation. With its close proximity to large urban centres, the area provides an easy escape for southern Albertans. The hills, creeks, forests, and grasslands draw recreationists of all kinds. Locations for overnight stays can be found in nearby communities and a range of camping styles are accommodated in the region, including provincial parks and natural areas found within the Public Land Use Zones. There are numerous summer and winter recreational opportunities including hiking, wildlife viewing, mountain biking, horseback riding, scrambling, caving, cross country skiing, canoeing, rafting, snowmobiling, and summer **off-highway vehicle (OHV)** use. Hunting is popular in the area and the Livingstone, Oldman and Crowsnest Rivers are known as world-class locations for fly fishing. Trails extend throughout the Livingstone area and provide connections to other areas in the region, as well as into British Columbia. **Tourists** are drawn to the area by the iconic Cowboy Trail (Highway 22), often to take part in authentic ranch vacations, or to learn about local history at the nearby Head-Smashed-in Buffalo Jump World Heritage Site, Leitch Collieries Provincial Historic Site, the Bellevue Mine Provincial Historic Site, the Village of Lille Provincial Historic Resource, and the Frank Slide Interpretive Centre.



Frank Slide

1.5 Indigenous Values

Indigenous Peoples have been present in southwestern Alberta since time immemorial. The Livingstone and Porcupine Hills areas were, and continue to be, culturally important landscapes to a number of First Nations communities today. Strong connections were formed with these landscapes as nomadic Indigenous Peoples engaged in seasonal activities that brought them in recurring contact with hunting, gathering, harvesting, ceremonial and cultural sites in the Livingstone and Porcupine Hills areas. As a result, numerous traditional use and sacred sites exist in these two areas. The area has sustained First Nations communities, particularly for hunting and fishing, food gathering, encampments, ceremonial use, burial sites, securing tipi poles and other raw materials (including medicinal and ceremonial plants, ochre, tools, and firewood), for engaging in various cultural practices and renewing connections with other Indigenous communities.

Through frequent and close contact with these landscapes, an intimate knowledge of the land, its waterways, plants and animals, natural resources and seasonal cycles was accumulated over time from their ancestors – often referred to as **traditional knowledge**. There is an extensive history of recurring use of the two areas within the archaeological record and the oral tradition of involved First Nations. This, however, changed with the signing of Treaties and the creation

of Indian Reserves which contemplated a transition to agriculture. Confined to reserves, First Nations were unable to engage in the long-standing seasonal round³ that involved the use of these important landscapes. Government policy changes would eventually remove travel restrictions and allow First Nations to re-engage with their traditional sacred sites and culturally significant areas and to pursue hunting, gathering and other activities within their traditional territory. First Nations continue to have strong cultural, spiritual and physical connections with these landscapes today and use the two areas on a regular basis. This plan does not in any way direct First Nations use of the landscape, and does not apply to Indigenous peoples' use of the area for traditional land use or exercise of Treaty Rights.

The Livingstone and Porcupine Hills areas are culturally significant and provide enduring benefits to Indigenous Peoples in Alberta. A number of significant sacred, ceremonial and cultural sites are located in the Livingstone-Porcupine Hills area. Some of these sites are well known, others are less known, and some have been forgotten (lost) over time. The visible remains and relics of past Indigenous activity are scattered throughout the landscape and give testimony to First Nations occupation and use. Geologic landmarks can be particularly significant to First Nations because of their spiritual or ceremonial value (i.e., they are central to traditional knowledge and belief systems). Landmarks in this area often have known traditional names (Table 1).

Table 1: Examples of Landmark Names

English Name	Name in Blackfoot	Name in Stoney
Crowsnest Mountain	Thunder Pipe Mountain	Raven's Lodge (Gar-a-ga-ma-be)
Livingstone Range	The Tipi Liner (Punnii-ik'k'tattsis)	White Goat Mountains (Key Ska Tha-ga Hie)
Livingstone Gap	Napi's Gambling Area (Napii Ootsit-taik'tsspii)	
Racehorse Creek		A-gda-kya-be Wabda
Window Mountain	Hoop Mountain	
Porcupine Hills	Porcupine Tail (Kais-kkoo'p'soyis)	Tall Pine (Cha-bda-e-pa)
Oldman River	Old Man River (Napiotsiit'taam)	

³ A pattern of movement from one resource-gathering area to another in a cycle that was followed each year.

2.0 RECREATION MANAGEMENT CONTEXT

2.1 Legislative and Planning Context

Plan Authority

The Livingstone-Porcupine Hills Recreation Management Plan came into effect May 14, 2018. Under the Land-use Framework, the Government of Alberta has affirmed an enhanced Integrated Resource Management System that sets out a new approach for managing the province's land and natural resources. Regional priorities, outcomes and direction are established through regional plans. The South Saskatchewan Regional Plan (SSRP) came into effect September 1, 2014 (amended February 2017) and the Government of Alberta committed to numerous strategies within southern Alberta, including issue-specific planning, such as recreation management planning. This Recreation Management Plan becomes effective in accordance with Section 13(5) of the *Alberta Land Stewardship Act* as an issue-specific sub-regional plan under the South Saskatchewan Regional Plan.

The *Public Lands Act* and the Public Lands Administration Regulation provide for the management and use of **vacant public land** and public land under **disposition** in Alberta. The Recreation Management Plan is further supported by a wide array of provincial legislation, regulations, provincial policy, directives, and codes of practice which are implemented through a full range of both regulatory and non-regulatory tools. One key tool is the Livingstone-Porcupine Hills Land Footprint Management Plan, which provides direction for the Livingstone-Porcupine Hills Recreation Management Plan by setting **limits** and thresholds for motorized access density including roads and trails.

The second key tool required to provide for activities in appropriate places and enable compliance efforts is a Public Land Use Zone. These are regulatory instruments that are established on Alberta public lands, under Public Land Administration Regulations, to provide those activities and any accompanying enforcement authority. Public Land Use Zones for the Livingstone-Porcupine Hills areas were established effective May 14, 2018.

The pre-existing Livingstone-Porcupine Hills Sub-Regional Integrated Resource Plan (1987) has been providing land use and resource management direction for the planning area. There are 42 provisions that are addressed by the Recreation Management Plan. The Integrated Resource Plan will remain in effect until all provisions have been reviewed for their relevance and incorporated as appropriate under the implementation strategies of sub-regional planning or issue-specific plans in the region.

Plan Hierarchy

The South Saskatchewan Regional Plan (2017) establishes the long-term vision for the region. It aligns provincial policies to achieve Alberta’s environmental, economic and social outcomes. Recreation management plans are issue-specific and also receive the guidance and commitments from the Land Footprint Management Plan, which in turn receives guidance from regional environmental management frameworks (Figure 3).

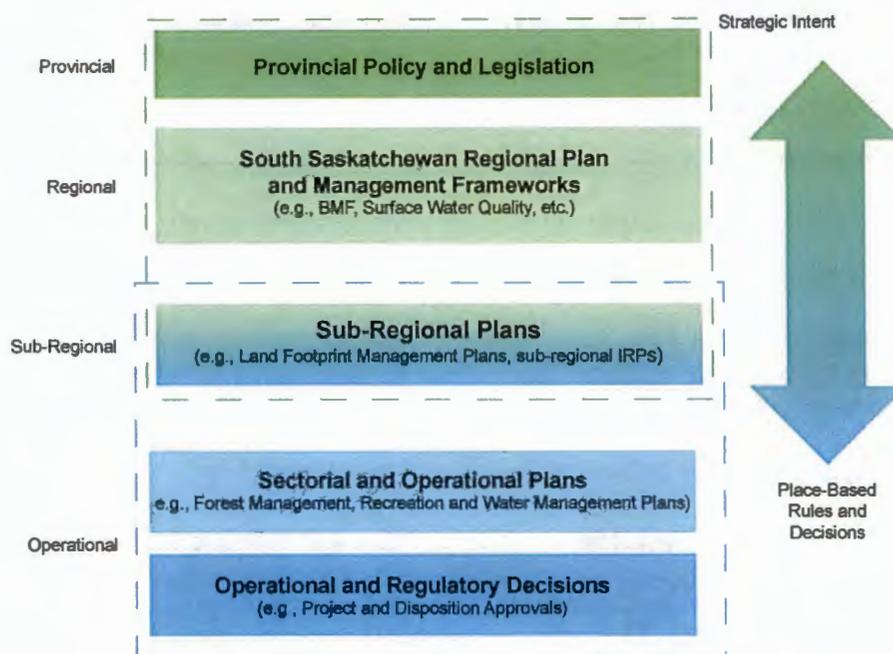


Figure 3: Provincial Planning System Hierarchy

The Livingstone-Porcupine Hills Recreation Management Plan’s management actions also align with current provincial species at risk recovery plans and federal species at risk legislation.

South Saskatchewan Regional Plan Outcomes and Objectives

The South Saskatchewan Regional Plan (2017) also sets the broad outcomes and objectives for the region. The Recreation Management Plan will directly support the following South Saskatchewan Regional Plan outcomes:

- Outcome 3: “Biodiversity and ecosystem function are sustained with shared stewardship.” (SSRP, Pg. 56)
- Outcome 4: “Watersheds are managed to support healthy ecosystems and human needs through shared stewardship.” (SSRP, Pg. 77)

- Outcome 6: “The quality of life of residents is enhanced through increased opportunities for outdoor recreation and the preservation and promotion of the regions unique cultural and natural heritage.” (SSRP, Pg. 91)

In addition, the Recreation Management Plan will contribute to:

- Outcome 1: “The region is positioned as a world-class, year-round, tourism destination.” (SSRP, Pg. 50)

The South Saskatchewan Regional Plan identifies biodiversity and healthy, functioning ecosystems as key priorities for sub-regional planning. Specifically, these are:

- headwaters protection,
- conservation of biodiversity and sensitive habitat, including connectivity,
- mitigation of wildfire risk, including public safety and ecosystem health, and,
- integrated and coordinated use of public land.

The outcomes, objectives and priorities of the Recreation Management Plan for Livingstone-Porcupine Hills align with the outcomes and objectives of the South Saskatchewan Regional Plan and apply them to the unique local values and landscapes of these areas.

Alignment with the Land Footprint Management Plan

In the Livingstone and Porcupine Hills, recreation use is one of the main contributors to human footprint. The Livingstone-Porcupine Hills Land Footprint Management Plan provides direction to this plan in managing two components of footprint: i) motorized access, and ii) spatial human footprint (Figure 3). Most notably, the direction received from the Land Footprint Management Plan relates to disturbance limits on motorized access, particularly on **Open Motorized Access** which means roads or trails, of any width or type, permitted for ongoing public use. There is also a disturbance limit on **Near-stream Motorized Access** which applies to all motorized access – including motorized trails – that occur on erodible soils within 100 metres of a watercourse.

The mandatory integrated land management practices outlined in the Land Footprint Management Plan include:

- Develop recreation management plan(s) with outcomes and objectives that align with the Eastern Slopes priorities in the South Saskatchewan Regional Plan and with the Footprint Plan. Recreation management planning will demonstrate the application of integrated land management, including the siting criteria identified in Section 2.3 of the Land Footprint Management Plan and also compatibility factors that consider the needs of other land users and adjacent land owners to public lands; coordinated access planning (and subsequent approval) of recreation and tourism activity will meet thresholds established in the Land Footprint Management Plan:
 - Access corridors for motorized recreation are coordinated with other sectors and adhere to motorized access limits and are considered Open Motorized Access.

- Motorized camping nodes, staging areas, recreation infrastructure are assessed for their contribution to Spatial Human Footprint and managed to meet open motorized access targets of 0.4km/km² within Zone 2 and 0.6km/km² within Zone 3. Coordinated access planning and development of non-motorized recreation must also adhere to mandatory integrated land management, particularly siting criteria to minimize the effects of footprint on sensitive areas.
- Alberta Environment and Parks may close or restrict motorized and non-motorized access to protect ecological values, to ensure public safety, or for management purposes (e.g. during periods of heavy rainfall, thin snowpack for snowmobiles, or for wildfire risk or species management requirements).
- Minimize the impact of recreational motorized access to wildlife through key mountain passes in partnership with Parks and authorities in British Columbia.

Access coordination mechanisms:

Footprint management planning in the Livingstone-Porcupine Hills area requires a proactive and coordinated approach by the Government of Alberta. Access coordination is led by department land managers and disposition regulators and enables all sectors to manage motorized access to sustainable, long-term levels that are below the disturbance limits. The Land Footprint Management Plan provides the following guidance to access coordination efforts, including access provided in the Recreation Management Plan:

- The Land Footprint Management Plan requires that footprint be assessed as a condition of approval.
- Land managers and regulators must operate with a common objective to minimize footprint.
- Operational plans must understand the motorized needs of the respective activity and how it contributes to the overall motorized access levels in the sub region. The Land Footprint Management Plan allocates motorized access such that new industrial activity will have precedence over public motorized recreation.
- The Government of Alberta recognizes that the lack of certainty regarding a potential threat to the environment should not be used as a reason for not taking action to avert the risk of serious or irreversible harm to the environment.

Castle Provincial Park and Castle Wildland Provincial Park

In 2017, the Government established two parks in the Castle area, the Castle Provincial Park and the Castle Wilderness Provincial Park. These two parks are managed through the Castle Management Plan – Castle Provincial Park and Castle Wildland Provincial Park (draft 2018). The Castle parks are to be managed as world-class protected places that allow Albertans and visitors to experience this unique ecological area. As part of Alberta's park system, recreation and tourism opportunities will include infrastructure for non-motorized trails, campgrounds

and day use facilities. The Castle Provincial Park will provide Albertans and visitors the primary location for front-country nature-based experiences and also provide access to park services including educational and interpretive programs, information and visitor support. The Castle Wildlands Provincial Park will focus on low-impact backcountry and wilderness experiences including trails and backcountry huts.

On its southern border, the Livingstone Public Land Use Zone is directly adjacent to the Castle Provincial Park and the Castle Wildlands Provincial Park. The Recreation Management Plan will complement the direction set in the Castle Parks plan for outdoor recreation. The direction and management intent of the Castle Parks plan will be taken into consideration to ensure all Albertans and visitors to the region have a broad array of activities and recreation styles to choose from. Integrated planning will occur to ensure trail systems are designed with the management intent of all areas in mind, and to take advantage of the tremendous opportunity to develop and maintain interconnected trail networks that showcase the beauty and uniqueness of the region.

Recreation and Other Land Uses

A recreation system will be developed in the two Public Land Use Zones in future years. A designated system reduces risk for all land uses and users by ensuring everyone is aware of what activities are occurring and where, along with the ability to manage incompatible uses.

The South Saskatchewan Regional Plan recognizes the economic value of this land for multiple sectors and this plan supports maintaining the multi-use function of these Public Land Use Zones. The development and designation of recreation infrastructure will be done with consideration of compatibility between desired activities and existing land uses, including industrial, forestry and agricultural uses. These designations are done with the understanding that while public lands are working landscapes where resource extraction continues to provide a number of essential economic benefits to Albertans, recreation and tourism increasingly provide important economic benefits too. Designations for recreation infrastructure will not occur where the impacts of recreation on the commercial, industrial or agricultural use will cause unnecessary risk to public or disposition holders, nor will designations contravene any existing land use commitment. Within the working land context however, there is a need to protect and enhance recreation infrastructure and amenity values, and protect them from avoidable damage or loss so as to retain their economic and social value. While the Government of Alberta recognizes that some disposition holders may be effected by this plan, the government is committed to ensuring that these effects are mitigated. In particular, existing commitments in the regional plan to avoid conversion and maintain intact native grasslands and to continue the commitment to stocking rates currently in effect, will be upheld..

Potential impacts to the continued exercise of treaty rights, and to plant and animal communities supporting continued **traditional land use**, and protection of culturally important areas, should be considered when designating and/or developing recreation and tourism related infrastructure. Designation of new trails and development of recreation infrastructure will require assessment by Alberta Culture and Tourism to determine if historical resources are present and if the recreational activity may have impact to those resources.

2.2 Strategic Outcomes and Objectives

The strategic outcomes and key objectives are outlined in Table 2. These strategic outcomes and objectives are supported by a comprehensive list of strategies and actions found in Section 4 of this plan. Timeframes for completion of strategies and actions supporting the outcomes and objectives are specified in the tables in Section 4.

Table 2: Outcomes and Objectives

Outcome	Key Objective
Watershed integrity, biodiversity values and reduction of wildfire risk will be enhanced through improved management of the recreation system, in collaboration with users.	Through management of recreation activities and designated trails, environmental values will be maintained and improved, including habitat for species at risk.
	As trails, staging, day use and camping areas are planned and designated, environmental assessment will be guided by motorized access limits, existing policies and other current plans.
Outdoor recreation and tourism opportunities will provide a diverse array of activities for Albertans and visitors.	The designated trail system reflects a variety of experiences for summer and winter activities that are developed, managed and maintained using recognized best management practices and guidelines to sustain long-term use on sites and infrastructure suitable for the activity.
	Staging areas , complete with appropriate infrastructure and amenities, are available at locations that support parking and access to the trail network and permitted uses of the area.
	A diverse array of non-motorized activities such as hunting, backcountry camping and hiking, mountaineering, and horseback riding are enabled.
	A variety of camping experiences are available.
	Day use opportunities are available at attractive and appropriate locations.
	Connectivity of the recreation system is developed with surrounding land and adjacent recreation infrastructure, where possible and appropriate, to foster linkages to other parts of the region, in particular the Castle area, British Columbia, municipalities and regional trail systems.
Albertans have increased awareness, knowledge and respect for the current, historical and cultural use of the areas.	Public awareness of the designation of the Porcupine Hills and Livingstone areas as Public Land Use Zones and of the associated rules and regulations is increased.
	Public understanding of the recreational opportunities available, responsible use of the natural environment and stewardship practices is enhanced.
	Education and awareness of First Nations and local history, culture and values within the Public Land Use Zones are advanced.
Recreationists are responsible stewards of the land and resources.	Partnerships with recreational groups are encouraged and recreation users have the opportunity to participate in stewardship activities such as clean-up days, restoration, trail maintenance and monitoring.
Recreationists demonstrate increased compliance with the rules and regulations when recreating.	Those involved in compliance activities (e.g. enforcement officials, education staff, partner groups) are engaged to provide ongoing and continued enforcement, education, awareness and outreach to support acceptable behaviour on public lands.
Provincial, municipal governments and emergency service agencies work together to improve public safety.	Public safety messaging, including education about the risks inherent in outdoor recreation activities on public lands, is delivered by Alberta Environment and Parks and other partners.
Local and regional communities with an interest in increasing and diversifying their tourism industries are supported by opportunities that enhance appreciation and enjoyment of the area.	Tourism products and offerings that complement opportunities elsewhere in the region will be developed with local communities, First Nations, recreation user groups and tourism operators.

2.3 Management Principles

Management Principles were created based on input from stakeholders and First Nations, cross-jurisdictional best practices, and staff expertise. They are to be considered and upheld in all aspects of planning, implementation and evaluation of outdoor recreation management within the Livingstone and Porcupine Hills Public Land Use Zones.

1. Outdoor recreation activities and the development of associated nature-based tourism opportunities is a significant land use in Porcupine Hills and Livingstone.
2. Sustainable best management practices that support biodiversity, ecological health and watershed integrity underlies the development of all outdoor recreation infrastructure, including trails, staging areas, day use areas and tourism developments.
3. Decisions on recreation land use are evidence-based. Indigenous ecological knowledge and ways of knowing are considered alongside western scientific perspectives in management decisions.
4. The “5 Es of management”⁴, engineering, education, enforcement, evaluation, and experience, are employed in the implementation of this plan. (Figure 4)
5. Recreation management is appropriately integrated with other land uses by land managers and impacts from and between recreation and other land uses will be managed. The Porcupine Hills and Livingstone areas exist within a broader landscape of public lands, First Nations lands, private lands, parks, and municipal lands. Respecting and cultivating the relationships across all lands and communities is necessary to strengthen their health and vitality.
6. Public recreation trails, day use and staging infrastructure are considered public resources and are not designated for long-term exclusive use.
7. Public safety within the designated trail and camping system is a shared responsibility.

5 “Es” of Recreation Management

Engineering – Designing and constructing the facilities to address environmental, economic or social interests and values.

Education – Informing participants about what is expected, important and interesting.

Enforcement – Ensuring compliance with rules and regulations.

Evaluation – Making sure actions are accomplishing goals and addressing issues.

Experience – Ensuring that the needs of the users are met in a way that creates a positive experience.

Figure 4. 5 “Es” of Recreation Management

⁴ Adapted from the NOHVCC Management Guidelines for OHV Recreation, 2006.

8. Activities and partnerships that enhance stewardship are encouraged and enabled.
9. Recreational use, management actions and management objectives are actively monitored and evaluated. A monitoring program will be designed and used to address emerging needs.



3.0 ISSUES AND OPPORTUNITIES

3.1 Issues

Key issues have been derived from conversations with a broad range of stakeholders, First Nations and experts within the Government of Alberta.

1. Environmental:

- Damage to watersheds (especially riparian areas), landscape degradation and scarring to forested areas and grasslands, including headwaters and areas containing sensitive species such as limber pine, and rough foothills fescue grasslands.
- Wildlife and wildlife habitat disturbance, including streams bearing westslope cutthroat trout, bull trout, grizzly bear habitat, and migration pathways of bighorn sheep, mountain goats, elk, and deer.
- Terrestrial and aquatic invasive species spreading along trails, camping and staging areas, and along waterways.
- Wildfire risk from recreational use.
- Soil erosion during rainfall and runoff events.
- Human waste and garbage.

2. Social:

- Increasing population and pursuit of leisure activities leading to more pressure from recreational activities on public land.
- Anticipated additional pressure from motorized recreation and random camping due to increase in activity and to changes in management intent in other regions and jurisdictions.
- Public resistance and opposition to changes to the status quo resulting from the creation of new protected areas, establishment of Public Land Use Zones, setting trail density limits, and the development of recreation plans.
- Disturbance and/or destruction of cultural and heritage sites (known and unknown).
- Illegal activities, including: exceeding the 14-day camping limit, littering, dumping of human waste, cutting of trees, etc.
- Public safety issues including: difficulty in undertaking evacuations as a result of recreational activities, improperly extinguished campfires, drinking and driving, unsafe operation of motorized vehicles, injuries from non-motorized activities, swift water rescues, irresponsible use of firearms, etc.

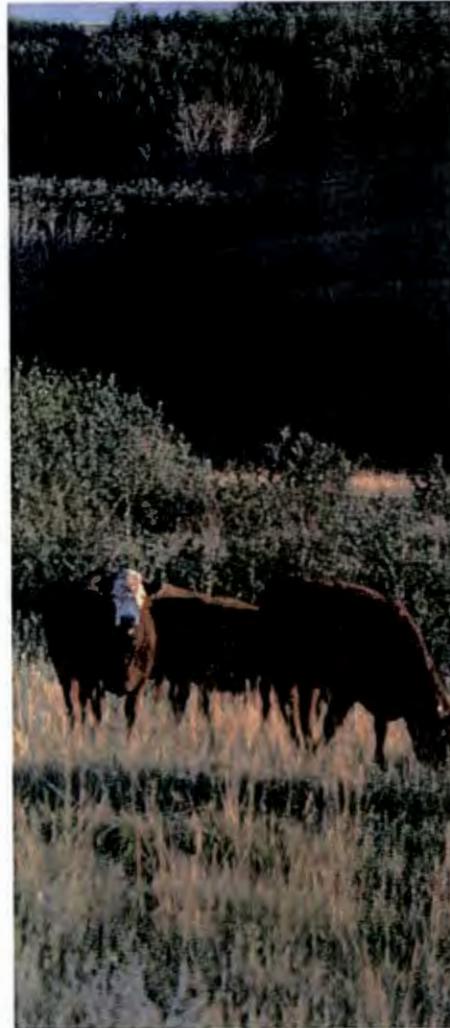
- Conflict between recreation use and landowners including: noise disturbances, wildlife displacement (onto private land), property damage, trespassing, and vandalism.
- Conflict between recreationists participating in incompatible recreation activities.
- Integrating recreation, as a new formal land use, with existing land uses and activities.

3. Economic:

- Impacts to agricultural disposition holders and allotment holders from damage to rangelands, damaged gates and/or fences, disturbance to cattle, impacts to cattle health, displacement of livestock, etc.
- Potential loss of economic benefits to local communities through the imposition of reduced summer OHV trail system or perceived curtailment of winter snowmobile opportunities.
- Unrealized economic benefits to local communities due to absence of a comprehensive, integrated, well-managed recreation system.
- Economic risk due to excessive costs associated with wildfires, provision of emergency services, potential evacuation difficulties, etc.
- Economic and liability risk due to industrial infrastructure damage, trespassing, etc.
- Potential additional costs to disposition holders to work around formally established recreation facilities.
- Economic cost of reclamation.

4. First Nations:

- Concerns about impact to First Nations' treaty rights and traditional activities, including harvesting of animals and plants.
- Disturbance and/or destruction of cultural and heritage sites (known and unknown).
- Lack of knowledge by officials and the public about treaty rights and traditional land use.



3.2 Opportunities

As well as issues raised by a broad range of stakeholders, First Nations and experts within the Government of Alberta, key opportunities were also identified. These include:

1. Environmental:

- There is opportunity to develop partnerships and share information so that Albertans and visitors can learn about the ecology and geology of the area, including information about species at risk, environmental stewardship, historical land use, etc.
- Enhanced management of public land use supports preservation of environmental goods and services: clean water, soil stability, ecosystem resiliency, carbon sequestration, landscape and plant biodiversity.
- The presence of rich natural resources that provide opportunities for nature-based tourism and nature-dependent recreation activities.
- The presence of spectacular landscapes that provide opportunities for people to discover Alberta's natural heritage and ecological diversity.

2. Social:

- The Porcupine Hills are accessible through five main points and are centrally located to a large regional population.
- The highways and municipal roads through the Livingstone provides access to Wildland and Provincial Parks, and Natural Areas.
- Spectacular scenic byways and viewpoints can provide day use and educational opportunities.
- The Livingstone area offers a number of mixed-use recreational activities.
- There is opportunity to develop partnerships, information, and resources for Albertans and visitors to learn about ranching culture and local history.
- There is opportunity to develop partnerships, information, and resources for Albertans and visitors to learn about and participate in recreational stewardship, connect to nature, etc.
- Enhancing access to nature for all Albertans provides substantive mental and physical health benefits.

3. Economic:

- There is opportunity to partner with municipalities to leverage the area as an important hub for outdoor recreation with an already well established tourism market for snowmobilers, hiking, cross country skiing and mountain biking.
- There is opportunity to develop facilities and infrastructure to support nature-based tourism and increase all-season recreational activities to enhance visitation.
- Outdoor recreation and tourism can generate demand for more businesses to provide goods and services, creating employment, attracting investment, contributing to government revenues and enhancing the desirability of communities.
- The growth of tourism in the region can support economic diversification by supporting growth in other sectors such as transportation, retail, construction and agriculture.

4. First Nations:

- There is opportunity to develop partnerships, information, and resources for Albertans and visitors to learn about First Nations history, culture and current socio-cultural practices.
- There are opportunities to develop Indigenous-focused tourism.

4.0 RECREATION MANAGEMENT DIRECTION – LIVINGSTONE AND PORCUPINE HILLS

The eight topics presented below outline the general management intent, strategies and actions that, as they are completed, will build the recreation system across the Livingstone and Porcupine Hills.

Each topic in this section contains two parts:

- **Management Intent:** Builds on the strategic intent of the plan and provides the direction for each management topic or theme. The management intent is supported by specific objectives, strategies and actions that describe the ways in which the Government of Alberta and its partners will meet the outcomes described in Section 2.2 (Table 3).
- **Objectives, Action and Strategies:** Recognizing that implementation will occur incrementally over a period of years, the strategies and actions support reaching or delivering upon the associated objective. These objectives, when achieved, will collectively result in reaching the desired outcomes.

Timeframes for all strategies and actions are provided to ensure timely implementation of this plan. All timeframes start from the date the plan is approved. They are generally defined for this section as:

- Short Term: one to three years
- Medium Term: four to seven years
- Long Term: seven to 10+ years
- Ongoing: Implemented immediately upon plan approval or short term and continuing forward

4.1 Recreation, Biodiversity and Ecosystem Function

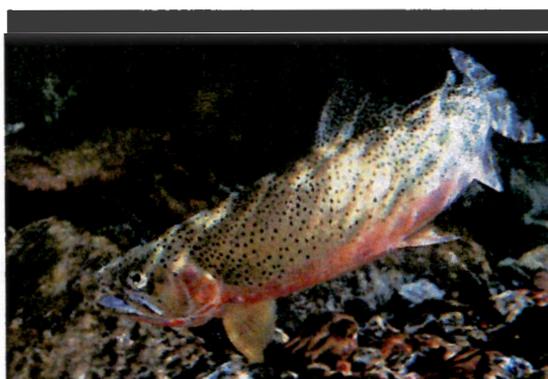
Management Intent

The public use of landscapes, especially unmanaged use, can have significant impacts on watershed integrity and biodiversity. While the management of all recreation is to be carried out in a manner that supports sustainable use of public lands, several key shifts are required to ensure maintenance and improvement of environmental values over time within the Livingstone and Porcupine Hills areas. These include:

- Reducing human footprint to sustainable limits. While all recreational activities have a footprint, motorized vehicles have the greatest impact on wildlife, water quality and hydrology, livestock, adjacent landowners, and other use. The open motorized access limits, as described by the Land Footprint Management Plan, support ecosystem function, and also align with direction for species of concern, including grizzly bear, westslope cutthroat trout, white bark and limber pine, and native grasslands. Limits to motorized access and appropriate trail siting also reduces the spread of invasive species, addresses noise concerns, and relieves conflict among users.
- Designating motorized use. Impacts from unpredictable use by recreation users are significant for wildlife, particularly ungulate species and wide-roaming carnivores, as well as livestock. Designated trails allow wildlife and livestock to become accustomed to the patterns of human use, learn to avoid designated areas and generally decrease stress responses in wildlife populations and livestock.
- Construction of trail water course crossings. Bridges and culverts will eventually be constructed over all water bodies on designated trails. This will include building properly designed approaches and prioritizing investment in crossings within habitat for westslope cutthroat trout and bull trout. These measures will reduce sedimentation to waterbodies and limit impacts to fisheries populations.
- Development and implementation of standards and best practices: Requirements for location, design and use of recreation infrastructure will mitigate the impacts of recreation on sensitive areas, species of concern, wildlife corridors and other natural resource values. These include (for example):
 - Shifting current camping away from riparian areas and meadows containing native or modified native grasslands, to less sensitive areas.
 - Re-routing trails to reduce the number of water crossings and away from highly erodible soils.
 - Timing restrictions to address sensitive periods for livestock and wildlife (e.g. calving seasons, ground nesting season) and wet time periods with high soil erosion potential.
 - Avoiding high value wildlife corridors wherever feasible.

Species at Risk Recovery Plans

The Recreation Management Plan for the Livingstone and Porcupine Hills will be an important tool to enable action towards specific recovery measures in



Westslope cutthroat trout

Species Recovery Plans, such as for westslope cutthroat trout, grizzly bear, limber pine, and other species at risk. Impacts to species at risk and appropriate mitigation measures must be considered when managing recreation activities.

Invasive Species Management

Controlling invasive species is a critical strategy for maintaining healthy ecosystems and biodiversity on the landscape. Recreation infrastructure system design, placement and maintenance, as well as partnerships and public education, will help manage invasive species, in particular invasive plants. All equipment for building and maintaining recreational infrastructure, and all recreational vehicles, and other equipment, such as fishing gear, trailers and footwear should follow best practices for preventing the spread of aquatic and terrestrial invasive species. Other plans and policies, including the Land Footprint Management Plan and species recovery plans, provide guidance and requirements for invasive species management.

Restoration

Restoration is a critical strategy to improve environmental condition and ecological function over time and will be an ongoing activity to restore deactivated trails, **random camping sites** and other undesirable disturbances on the landscape. Restoration methods will be natural or directed. Natural recovery will occur on disturbed sites that have the capacity to recover without intervention and can be assisted through trail design (e.g. prevention of sedimentation), as well as education that promotes responsible actions to reduce impacts to sensitive areas (e.g. “clean, drain, dry” for boats). Directed restoration activity is where the Government of Alberta and partners reclaim ground conditions to a predetermined level. This type of activity will take place on disturbed sites that are highly degraded, sites that are critical for species at risk, sites where natural recovery is unlikely to be successful, and sites that need to be re-designed to fit the permitted uses.

Restoration will proceed as resourcing and partnerships allow and will align with Alberta’s restoration guidelines, existing or as to be developed. Prioritization for restoration in the Public Land Use Zones will be directed and guided by the Land Footprint Management Plan as well as other species-specific recovery plans including westslope cutthroat trout and bull trout. While an ongoing program of restoration and reclamation requires detailed planning, that will not preclude immediate action to remediate visible, highly eroded sites associated with trail closures or relocations.



Table 3: Recreation, Biodiversity and Ecosystem Function Strategies and Actions

Objective		
Through management of recreation activities and designated trails, environmental values will be maintained and improved, including habitat for species at risk.		
Strategy/Action	Timeline	Lead
<p><i>Westslope Cutthroat Trout and Fish Habitat</i></p> <ul style="list-style-type: none"> a. Designated motorized trails that cross fish bearing water bodies will have a water course crossing. Priority will be for westslope cutthroat critical habitat. b. Interim measures will be adopted in priority areas on designated motorized and non-motorized trails to mitigate sedimentation until crossings can be constructed, e.g. closing or rerouting crossings, placement of matting to prevent erosion, etc. c. Non-motorized trails that are impacting fish habitats will be mitigated to reduce sedimentation to the waterbody. d. Motorized access for angling purposes to sensitive westslope cutthroat trout populations may be restricted for conservation purposes. 	Short Term and Ongoing	Alberta Environment and Parks (AEP), Operations Division
Strategy/Action	Timeline	Lead
<p><i>Whitebark and Limber Pine</i></p> <ul style="list-style-type: none"> e. Design trails to avoid cutting down limber/whitebark pine. f. Install education and interpretative signage at key trails/staging areas on whitebark and limber pine in coordination with species at risk recovery plans. 	Short Term	AEP, Operations Division
<p><i>Native and Modified Native Grasslands</i></p> <ul style="list-style-type: none"> g. Siting of trails to minimize impacts to native and modified native grasslands. Trails through rough fescue will be left to a minimum distance possible and be placed where there are existing disturbances. h. Camping areas will be assessed and prioritized to be moved or redesigned in such a manner to avoid impact to native and modified native grasslands wherever feasible. i. Education and interpretative signage will be installed at key trails/staging areas around native grasslands coordination with species at risk recovery plans. 	Short Term	AEP, Operations Division
<p><i>Wildlife</i></p> <ul style="list-style-type: none"> j. Designated trails will be designed to avoid critical wildlife habitat and wildlife corridors. If trails are located in important wildlife areas, appropriate mitigation will be completed or the trail will be closed. Appropriate mitigation includes siting in areas that minimize impact as well as seasonal, specific timing restrictions or minimize the length of trail through the area. 	Short Term and Ongoing	AEP, Operations Division
<p><i>Invasive Species</i></p> <ul style="list-style-type: none"> k. Engage Alberta Invasive Species Council for education and outreach and to work with user groups and the public, including potential to provide education and interpretative signage at key locations. l. Use a risk management approach to target species of concern, avoid unintended consequence and to utilize resources in an effective and efficient manner. m. Monitor trails/staging areas for the spread of invasive plants and remove/control when necessary or to comply with the Weed Control Act. n. Collaborate with municipalities on invasive species to raise awareness (themed around the "Play, Clean, Go" messaging). o. Explore potential funding or partnerships opportunities to install vehicle wash stations. 	Medium Term and Ongoing	AEP, Operations Division, Agriculture and Forestry

Objective		
As trails, staging, day use and camping areas are planned and designated, environmental assessment will be guided by motorized access limits, existing policies and other current plans.		
Strategy/Action	Timeline	Lead
a. Monitoring and evaluation will occur for trail networks, to establish usage levels and the condition of recreation infrastructure.	Ongoing	AEP, Operations Division
b. Areas historically used for trails and camping will be assessed for sustainability.	Short – Medium Term	AEP, Policy and Planning Division and Operations Division
c. Areas identified as unsuitable will be improved, rerouted or closed to allow natural recovery. Directed restoration prioritization will occur as per the Land Footprint Management Plan as resources permit.	Ongoing	AEP, Operations Division

4.2 Trails and Staging Areas

Management Intent

Motorized Trails

Off-highway vehicle use is an established recreational activity on public lands and will continue as directed by the South Saskatchewan Regional Plan. Trail infrastructure will move from an ad-hoc state to a system of purpose built, engineered and appropriately designed trails, including properly designed staging areas. Greater recreation use pressures, a reduction in the number of motorized trails compared to historic levels, and the removal of summer motorized use within the adjacent Castle Parks are likely to affect the motorized trail network within the Livingstone-Porcupine Hills area in the future. Existing trails that have been established and maintained have been assessed for potential incorporation into the new designated trail system and long-term monitoring will occur to ensure the designated trails systems aligns with other land uses.

Over the long term, the designated motorized trails will provide positive experiences that encourage stewardship, investment and appropriate behaviour. The future motorized trail system(s) within the Public Land Use Zones will reflect a variety of trail designs that accommodate a range of experiences. The Government of Alberta is committed to ensuring that the necessary resources are in place to work with recreation partners to establish infrastructure for the sustainable trail system over time.

Motorized recreation use will be enabled through designated trails in accordance with the Public Land Administration Regulation. The extent, location and design of the trail network will be determined through integrated and coordinated planning among government agencies and stakeholders and will conform to the motorized access limits set by the Land Footprint Management Plan.

Trail Classification for Motorized Use

Summer motorized trails will be classified by vehicle type in the short term (OHV and Single Track). As designated trails are assessed and upgraded as required, the designation will shift to a vehicle width based system. This system will use a combination of notice (through Public Land Use Zone maps) and signage, as well as physical barriers to only permit vehicles that meet the designated width. This system will be based on the current Alberta Recreation Corridors and Trails Classification System, or provincial policy that may be implemented in the future. Additional measures may be implemented with regards to trail classification and managing access of vehicle types.

Noise

Noise from motorized recreational activity can affect adjacent land owners, other recreational users, livestock and wildlife. To reduce site-specific noise impacts on neighboring landowners, the following mitigation measures will be considered: spatial buffers, motorized trail placement in locations that naturally reduce or muffle sound, timing restrictions, etc. (Table 4). It is recommended that provincial policy options are explored, such manufacturing standards for OHVs that lead to reduction of operating noise at the time of production, enhanced regulation around aftermarket modifications that increase noise emissions and standards to guide noise mitigation on public lands.

Buffers of a minimum of two kilometres between the location of existing private residences and designated motorized trails will be put in place with the objective of reducing noise impacts from motorized recreation. The Crowsnest Pass Recreation Management Unit trails will consider the location of private residences, but due to size of the area and proximity of the municipality, some smaller buffers may be required at specific locations to align with the intent of recreation management regarding proposed staging, camping and potential Public Land Recreation Areas.

Off-Road Capable Highway Vehicles (Trucks, 4x4s, Jeeps, SUVs, etc.)

The use of 4 wheeled on-highway vehicles for off-road activity is both a traditional way to access the backcountry and a recreational activity. However, these vehicles are



challenging to manage off road due their overall size and power, that allows them to reach places smaller off highway vehicles cannot, with resulting environmental damage.

Extreme use trails, areas for bouldering or rock climbs, as well as technical trails with obstacles requiring specialized vehicle modification (e.g. snorkels, low pressure or other high traction tires) will not be designated nor will such use be permitted. On-highway vehicles will continue to have access to all publicly accessible roads in the region. The department will explore options for limited trail access within the Livingstone and Porcupine Hills to enable continued access to traditional land use areas for First Nations elders as well for access to recreational opportunities, where such trails can be engineered and maintained to be sustainable long term.

Single Track Trails for Motorbike Use

Single-track only trails are desired by motorbike riders who are seeking challenging trails, including narrow trails, winding paths, trail obstacles and/or steep inclines and declines.

Due to the small area of the Porcupine Hills, the designated motorized trail network will, in the future, permit both OHVs and single track vehicles on all designated motorized trails. It will also include a limited single track network. The system will be designed to avoid impacts to environmental values in particular native and modified native grasslands, limber pine, and westslope cutthroat trout. The design will also address impacts to adjacent landowners, forestry and grazing activities.

The Livingstone area can potentially support a more diverse range of single track options. These opportunities will need to be built and maintained with partners in the future to reflect the specialized needs and considerations of this activity. In addition to any designated single track specific trails that may be identified in the future, motorbike riders will have access to all other designated motorized trails during the summer period unless otherwise restricted.

Winter Trails

Snowmobiling in the Livingstone is a well-established and popular recreational activity. In the Porcupine Hills it occurs when there is sufficient snowpack.

Winter motorized use is generally seen as compatible with the overall resource values and outcomes for both areas. Management direction for winter snowmobile use include:



- **Snow vehicles** will be required to stay on designated trails or within designated random ride areas.
- Critical wildlife habitat, as represented by Key Wildlife and Biodiversity Zones dataset maintained by Alberta Environment and Parks, will be avoided by snow vehicle trails or may be subject to timing restrictions.
- Future snow vehicle trails and infrastructure within critical wildlife habitat for ungulates will require assessment by wildlife biologists and other experts to determine appropriate extent, time and location.
- Unless otherwise indicated by Public Land Use Zone maps, signs or notice, trails for snow vehicles will be permitted from December 1 – April 30.
- Partnerships for grooming trails, maintaining safety shelters and clearing winter staging areas will be formalized with trail groups and municipalities.

As funding and partnerships permit, options for warming huts may be explored in suitable locations. These structures can provide shelter along long interconnected trail systems or in backcountry locations for safety.

Snow and ice bridges are generally permissible within the Livingstone area for winter recreation trails where existing bridges are not in place. The use of snow bridges may be limited in specific locations if impacts to sensitive water bodies are occurring.

Non-Motorized Trails

Non-motorized recreational use of the Porcupine Hills and Livingstone is an important, long-standing use of the area. The region contains important travel routes for First Nations, and some of the earliest trails in the region were created by ranchers to move livestock. Trails are used for a variety of activities including: hiking, biking, horseback riding, snowshoeing and cross-country skiing. Mountain biking in particular is a growing sector that has a strong community and organized support. Non-motorized trails also offer important access for other activities including: hunting, fishing, mountaineering, berry picking, wildlife viewing, viewscape photography and backpacking. The overall management intent is to continue to enable non-motorized activity throughout Porcupine Hills and Livingstone except where land use commitments, public safety



risks or sensitive environmental issues would prohibit such access.

Recreation trails on public lands exist as two types:

Unintentional - Existing Trails: are created as a result of industrial exploration, industrial access, cumulative trail use or other linear disturbance which receive public use.

Intentional - Designated Trails: are created when Environment and Parks issues a disposition for the trail, develops a sub-regional or recreation management plan and specifies the trails as designated, posts signs or notices in Public Land Use Zones and on vacant public land, approves notations for the purposes of a recreation management plan, or approves a disposition reservation.

Currently, there are only unintentional non-motorized trails in this area, however there is desire for designated non-motorized infrastructure (staging, amenities, trail development, water crossings etc.) in the future. The Department will be working with partners to designate specific high use non-motorized trails in the Public Land Use Zones starting in 2019.

Significant trails, including managed networks (e.g. hiking, skiing, biking), those that provide connectivity to staging areas, viewpoints, cultural or natural landscape features or are destination trails (e.g., Great Divide Trail), will receive appropriate designation. Heavily used designated trails will require improvements to an established trail standard. Supporting infrastructure, including staging areas, signage, or hut to hut systems may be established as funding and partnerships permit. Partners will be enabled to develop formalized trails where appropriate.

Equestrian use will continue within the Livingstone and Porcupine Hills Public Land Use Zones and is allowed on and off the designated trails unless otherwise indicated by sign or notice. Public trails may continue to be used by equestrian commercial operators, subject to the same rules and regulations as the public at large. Alberta Environment and Parks policy for the issuance of commercial trail riding permits will continue to be followed. Trails will not be available for long term exclusive commercial use. Privately developed trails under an appropriate disposition will allow for public access.



Mountain Biking

Mountain biking is a growing use within the region, with both approved trails and informal routes existing on public lands. The location of mountain bike trails, is important, with most mountain bikers preferring to ride within a relatively short distance from a well-developed and highly accessible staging area or community. The most popular mountain bike areas are currently located in or near the Municipality of Crowsnest Pass. Cooperation and coordination among the municipality, local trail groups and the Government of Alberta will be required to successfully and sustainably support this use. Separation of hiking, equestrian and mountain bike trails will be required in heavily used areas designed for specific users (e.g. people who downhill mountain bike).

A mountain bike strategy was previously developed for the Crowsnest Pass by interested parties. A dedicated mountain bike trail network (and skills park) already exists at the Pass Powderkeg. Mountain bikers are also using existing trails for mountain biking on public land that surrounds the municipality. As participation levels in mountain biking grows, the Government of Alberta, partners and stakeholders will explore options to locate, designate, build and maintain technical trails. These trail networks will be located in suitable areas within the Public Land Use Zones and will be built to sustainable best management practices. In particular, the government will work with trail groups to develop an “epic ride” as defined by the International Mountain Biking Association, which would connect the Castle parks and the Livingstone Public Land Use Zone.

The strategies and actions below support the identified objectives. These objectives, when achieved, collectively will result in reaching the desired outcomes described in Section 2.2 (Table 2).

5 As per BC's Outdoor Access Guide and Access Management Areas for Alexander Creek, Corbin Creek and Chauncey Todhunter

Table 4: Trails and Staging Strategies and Actions

Objective		
The designated trail system reflects a variety of experiences for summer and winter activities that are developed, managed and maintained using recognized best management practices and guidelines to sustain long-term use on sites and infrastructure suitable for the activity.		
Strategy/Action	Timeline	Lead
<i>General Trails Strategies and Actions</i>		
a. Ensure new trails are designed and classified following the <i>Alberta Recreation Corridors and Trail Classification System</i> and the <i>Minimizing Risk and Liability</i> best practices or future guidelines as may be developed by the province.	Ongoing	AEP, Operations Division
b. Establish partnerships with stakeholders for development, maintenance and/or monitoring of the trail system. Systems managed or maintained by local clubs will require authorization.	Ongoing	AEP, Operations Division
c. Establish buffers to minimize and avoid impacts to adjacent private landowners, including noise and trespass. Standard provincial guidelines will be developed for buffer specifications.	Ongoing	AEP, Operations Division, Trail Groups
d. Work with stakeholders to develop and maintain an appropriate trail difficulty rating system.	Medium-Long Term	AEP, Operations Division, Policy and Planning Division
e. Align timing restrictions of cross border trails with the timing restriction in BC. Alberta's designated trails into BC will be signed and access limited at appropriate locations away from the BC border to limit illegal access during period of restriction ⁵ .	Short Term	AEP, Operations Division, Trail Groups
f. Employ seasonal (timing) restrictions imposed to mitigate disturbance to wildlife, be responsive to high fire risk and wet conditions, consider livestock entry into Forest Reserve allotments, or address noise considerations where required.	Short Term	AEP, Operations Division
g. Build or maintain trail access to key cultural, historic and scenic features.	Ongoing	AEP, Operations Division
<i>Summer Motorized Trails Strategies and Actions</i>		
h. Complete inventory and assessment of existing motorized trails	Short Term	AEP, Operations Division
i. Seek shared road use agreements with municipalities and industry disposition holders to accommodate OHV use on select municipal road segments and select disposition roads that connect designated OHV trails.	Short Term	AEP, Operations Division
<i>Winter Motorized Trails Strategies and Actions</i>		
j. Establish a winter designated trail network and random sledding areas.	Short Term	AEP, Operations Division
k. Consider future random ride sledding areas for designation in consultation with local snowmobile groups.	Medium Term	AEP, Operations Division, Snowmobile groups
l. Enable groups to groom specified snowmobile trails through an authorization. Restrictions may be placed on groomer size where bridge crossings are required.	Ongoing	AEP, Operations Division, Snowmobile groups
m. Restrict use of groomed trails to vehicles meeting the definition of a snowmobile, as defined by the Motor Vehicle Safety Regulation CRC c1038 made pursuant to the <i>Motor Vehicle Safety Act</i> (1993, c.16).	Short Term	AEP, Operations Division
n. Explore opportunities with land managers and disposition holders to enable winter use of municipal and other disposition roads for snow vehicle use, where those roads are not maintained for on-highway vehicle traffic in winter.	Ongoing	AEP, Operations Division

Strategy/Action	Timeline	Lead
Non-motorized Trails Strategies and Actions		
o. Initiate inventory and assessment of existing non-motorized trails.	Medium Term	Non-motorized trail groups, AEP, Operations Division
p. Designate non-motorized trails to ensure trails are recognized on the landscape and are built in the best locations.	Short Term	AEP, Operations Division
q. Identify locations for a hut-to-hut concept that could be established by third parties to provide a diverse backcountry experience. Huts could facilitate hiking on long, interconnected trail systems or in popular backcountry climbing areas.	Medium-Long Term	AEP, Operations Division, Stakeholders and Parks Division
r. Explore options for technical mountain bike trails.	Medium Term	Mountain Bike Groups
s. Work with user groups to enable grooming of identified trails for cross country skiing.	Ongoing	AEP, Operations Division, Cross Country Ski Groups

Objective

Connectivity of the recreation system is developed with surrounding land and adjacent recreation infrastructure, where possible and appropriate, to foster linkages to other parts of the region, in particular the Castle area, British Columbia, municipalities and regional trail systems.

Strategy/Action	Timeline	Lead
a. Enable opportunities for interconnected and diverse multi-use trails systems for a full range of recreation activities that promote multi-day trips/tours which include or lead to or connect key attractions and communities.	Long Term	AEP, Alberta C&T, Municipalities
b. Identify non-motorized trail networks that connect to the region's parks and protected areas.	Short Term	AEP

Objective

Staging areas, complete with appropriate infrastructure and amenities, are available at locations that support parking and access to the trail network and permitted uses of the area.

Strategy/Action	Timeline	Lead
a. Work with partners to maintain year round access to key roads and staging areas.	Long Term	AEP, Operations Division
b. Identify staging areas to support the designated trail systems and dispersed recreation use.	Ongoing	AEP, Operations Division

4.3 Camping

Backcountry Camping

Backcountry or tent camping will continue to be permitted throughout the two Public Land Use Zones unless there is a risk to public safety, environmentally sensitive areas requiring restrictions (e.g. wildlife corridors), incompatibility with adjacent activity, or existing dispositions issued under the Public Lands Act prohibit public access. Camping is generally not permitted on designated trails.

Motorized Camping

Motorized camping is managed to address the concerns associated with random motorized camping, lessen impacts to the environment and to promote desirable camping experiences.

Rustic Motorized Camping

Rustic motorized camping will occur in established designated locations (described to the side). Existing camping sites will be assessed for environmental concerns and if required, moved to more suitable locations over time. Restoration work will be undertaken where it is most needed, as sites are designated. Riparian areas, terrestrial critical habitat for threatened fish species like westslope cutthroat trout and bull trout and areas containing native grasslands, will be avoided and camping areas moved to less sensitive areas over time. Future rustic motorized camping areas will have a defined boundary and the Government of Alberta will conduct ongoing monitoring to assess use and sustainability of these sites.

Rustic Camping Zones – various sized camping zones that are near roads and or trails. Their length and size will vary, with some allowing campers to be more dispersed and some providing for group camping.

- Best practices for siting camping zones will be created and include consideration for setbacks from water and riparian areas, safe approaches, surfacing, and considerations for critical wildlife habitat and other sensitive areas.
- These sites will be non-serviced.

Backcountry Camping

Camping that typically requires some travel from highway, OHV trail or road access, which may involve hiking, boating, riding or being accompanied by pack animals and utilizes a tent, sleeping bag or tarp for sleeping.

Rustic Motorized Camping

Camping with a recreational vehicle (RV) or camping unit designed to be towed on or behind a motorized vehicle within a designated area with limited or no services or amenities.

Figure 6. Camping definitions

Phase 1: Inventory, Assessment and Engagement

Short term, 1-3 years

- Inventory, assessment and identification of rustic motorized camping zones.
- Engagement on proposed Public Land Recreation Areas and camping zones, including discussions on location, size and management intent. Engagement will include local grazers, recreational users and any other stakeholders directly impacted by the Public Land Recreation Areas.
- Signage, boundary delineation, site upgrading and other management actions.

Phase 2: Designation

Short-Medium term, 4-7 years

- Formal establishment of Public Land Recreation Areas, as determined by engagement.
- Designation of rustic motorized camping zones.

Phase 3: Monitoring & Evaluation

On-going

- Monitoring and evaluation to inform whether other solutions are required to manage rustic motorized camping. Solutions may include expansion, addition, closure, or relocations of rustic motorized camping zones.
- Evaluation may inform more extensive management actions including introduction of registration systems or limiting of users within certain sites.

Provincial Recreation Areas currently exist within the Livingstone areas. These are existing campsites under the authority of Alberta Parks. Provincial Recreation Areas are subject to the regulations of the *Provincial Parks Act*. Opportunities will be explored to link Provincial Recreation Areas to the designated trail system.

Table 5: Camping Strategies and Actions

Objective		
A variety of sustainable camping experiences are available.		
Strategy/Action	Timeline	Lead
a. Inventory, assess and engage with stakeholders to establish future Public Land Recreation Areas and rustic motorized camping zones	Short Term to Medium Term	AEP, Operations Division Policy & Planning Division
b. Explore the upgrading of existing Provincial Recreation Areas to provide a camping experience that accommodates large camping units and group camping experiences.	Medium Term	AEP, Parks Division
c. Explore options for Provincial Recreation Areas that could directly connect to designated motorized trail systems and enable OHV users to leave from/near their campsite.	Medium Term	AEP, Policy and Planning Division
d. Development best management practices for locating and designing new or improved camping areas.	Short Term and Ongoing	AEP, Operations Division
e. Identify designate rustic motorized camping areas. These will be identified on Public Land Use Zone maps and through signage.	Medium Term	AEP, Operations Division
f. Inspect rustic camping zones annually for: <ul style="list-style-type: none"> • Environmental impacts within the camping zone and adjacent lands (ground scarring, litter management, camp fire debris, tree damage or removal, etc.). • Condition of perimeter markers (where these are installed) and approach roads to camping zones. • Maintenance of rustic camping zones, Public Land Recreation Areas and staging areas will be contingent on appropriate resources or partnerships. 	Ongoing	AEP, Operations Division
g. Employ temporary camping closures in response to but not limited to: <ul style="list-style-type: none"> • wildfire or flood threat, • poor ground conditions, and • human-wildlife conflict. 	Ongoing	AEP, Operations Division



4.4 Nature-based Tourism, Scenic Areas and Viewpoints

Management Intent

Nature-based tourism is an important contributor to local and provincial economies, encompassing visitation that is undertaken largely or solely for the purpose of enjoying natural attractions and engaging in outdoor activities, whether for relaxation, discovery or adventure (e.g., camping, bird watching, trail riding, downhill skiing, hunting, mountain biking, motorized recreation). The South Saskatchewan Regional Plan defines the environmental priorities under which development must consider, including: headwater protection, conserving biodiversity, management of wildfire risk and integrated land management. These factors inform the location, extent and use of any nature-based tourism opportunities that may be provided. These priorities inform the location, extent and use of any nature-based tourism opportunities that may be provided. While visitation to these Public Land Use Zones should be encouraged, associated nature-based tourism and commercial recreation opportunities must fit within established thresholds for land disturbance and must also consider the resource values, desires of local communities and effects of proposed developments to the public lands outdoor recreation system.

In support of tourism within these Public Land Use Zones, the role of public lands management is to maintain, within a working landscape, the setting, important destinations, and infrastructure that facilitates a variety of positive outdoor recreation experiences. This includes commercial recreation and nature-based tourism experiences. In particular, the development of sustainable trails, staging areas, and supporting recreation infrastructure is needed to support the future growth of tourism opportunities. Recreation infrastructure, both current and future, within the Public Land Use Zones is available for use by tourism and commercial recreation operators under the same regulations and restrictions that apply to the general public. Tourism operators are not granted any preferential use of (or exclusive rights to) public recreation facilities, staging areas, trails, etc. Tourism operators can apply for authorizations for specific use for activities that are compatible with the land use in the Public Land Use Zones.

Outdoor recreation activities and nature-based tourism are major attractions for residents and non-residents. While limited commercial services are available north and south of Highway 3, visitor services and facilities are found in Municipality of Crowsnest Pass and the adjacent communities of Pincher Creek, Nanton, Longview and Claresholm. In addition to these important local communities, the designation of the Castle Provincial Park and Wildland Provincial Park creates new and unique opportunities for nature-based tourism. The Castle Region Tourism Strategy will explore support for tourism outside the recently created Castle parks. This area includes the Municipality of Crowsnest Pass and M.D. of Pincher Creek and south to the borders of the Waterton National Park. Alberta Environment and Parks staff will consider the different management intents, intended settings and requirements for supporting infrastructure when working with operators to determine the most appropriate location for their desired

development. Tourism operations on public lands should complement the attractions and opportunities available within the Castle parks.

Ensuring an adequate land base that maintains these high aesthetic qualities is necessary for tourism development and essential to providing certainty and security for future investment. There is a strong desire to ensure that land bases are managed for potential future commercial recreation and/or tourism use, including maintaining the features, setting, scenery, and access to recreation activities and opportunities.

Scenic Areas and Viewpoints

The Porcupine Hills and Livingstone area offers tremendous scenery. Previous plans, including the Eastern Slopes Policy (1984) recognized the high scenic and recreation values of the area that draw residents and visitors alike to visit these areas. Efforts will be made to locate trails and day use areas near viewpoints to maximize the visitor experience. However, topography, elevation, ground conditions and the presence of sensitive native vegetation are factors that ultimately determine whether viewpoints can be provided along trails. Recreation facilities will be situated in a manner that maintains scenic views.

Table 6: Nature-based Tourism, Scenic Areas and Viewpoints Strategies and Actions

Objective		
Tourism products and offerings that complement opportunities elsewhere in the region will be developed with local communities, First Nations, recreation user groups and tourism operators.		
Strategy/Action	Timeline	Lead
a. Encourage surrounding communities with an interest in boosting outdoor recreation and nature-based tourism capacity to develop and implement tourism plans.	Short-Medium Term	Culture & Tourism (C&T), Tourism Division
b. Investigate opportunities for identifying potential tourism development nodes in collaboration with all stakeholders, including local municipalities.	Short-Medium Term	C&T, AEP
c. Identify potential commercial recreation opportunities and nature-based tourism experiences in collaboration with all stakeholders and First Nations.	Short Term	AEP, C&T

4.5 Other Recreational Activities

Management Intent

Alberta's public lands have long provided an array of recreation opportunities to Albertans and visitors including: hunting, fishing, target shooting, climbing and scrambling, kayaking and canoeing, snowshoeing, cross-country and backcountry skiing, hiking, mountain biking, caving, geo-caching, equestrian use, backpacking (i.e. backcountry camping), nature appreciation, photography, berry picking as well as other newer recreation pursuits such as zip-lining and via-ferrata. These activities are pursued by individuals and groups on their own as well as through

commercial ventures and will continue in a similar way in the future. The Government of Alberta will work with stakeholders and partners to identify, build and maintain any infrastructure that might be needed to support these various recreation pursuits, including ensuring appropriate permissions or dispositions are in place.

Day Use

Specific sites within the two Public Land Use Zones have great potential for day use but are virtually undeveloped. The size and level of development offered in day use areas will vary, dependent on their location, popularity, site features and existing road access. The provision of day use opportunities would serve Albertans and visitors by providing them with:

- A scenic spot to enjoy public lands.
- Interpretive signage or kiosks that allow travelers to learn about the immediate area, the viewscape, the area's local and natural history, dominant land uses (e.g. ranching, logging), or areas of cultural significance to First Nations. Interpretive information will be developed in collaboration with local communities and First Nations.
- The opportunity to explore and discover.

Potential sites to enable day use include, but are not limited to:

- Crowsnest Mountain (Livingstone)
- Townsite of Lille (Livingstone)
- Sharples Creek Road - East (Porcupine)

Special Events and Commercial Activities for Recreational Purposes

A special event is any organized event that requires special provisions or conditions that are not under the authority of an existing disposition. Events may range from local or family functions (e.g. wedding, family reunion) to large provincial, national and international events (e.g. rallies, international races). They may require use of public facilities or require additional amenities to be brought in (e.g. waste services, parking etc.).

Alberta Environment and Parks requires that special events for commercial purposes receive prior authorization. Commercial purpose is defined as having or intending to have an economic benefit and generally involves a fee or other reward in exchange for participation in the event. Authorizations follow established government policy and processes.

Both the Livingstone and Porcupine Hills areas are destinations for various commercial recreation and other organized special events. Events such as motorbike races, poker rallies, human endurance adventure races, and trail rides can significantly benefit the local economy and provide meaningful recreation and tourism experiences. These events may continue on

public land where they are compatible with the recreation management intent for the area, and with appropriate approval. Development of a standard provincial process specifically for special events on public land approvals is recommended.

Hunting and Fishing

Hunting and fishing will continue within the Livingstone and Porcupine Hills Public Land Use Zones in accordance with provincial hunting and fishing regulations. As per the Public Lands Administration Regulation, hunters and anglers will be required to stay on designated motorized trails when using motorized vehicles. The design of the designated motorized trails network will consider maintaining reasonable access to important hunting or fishing areas. According to the Public Land Administration Regulation Section 185(8), this does not apply to an individual who is exercising a right recognized and affirmed under Part II of the *Constitution Act*, 1982 or a right under Section 12 of the Transfer Agreement or is travelling to a location to exercise such a right.

Target Shooting

Target shooting includes the following: sport-based target shooting using firearms, trap and skeet shooting, and other types of skill based shooting done for purposes other than hunting. These activities have historically taken place on public land among areas with recreational and other activity. Subsequently, public safety has been identified as a concern. To prohibit dangerous activities such as target shooting in the Livingstone and Porcupine Hills Public Land Use Zones, Alberta Environment and Parks will post signs or notices prohibiting these activities. Further, Alberta Environment and Parks has the authority under the Public Lands Administration Regulation to prohibit dangerous activities near Public Land Recreations Areas, camping zones, designated staging and day use areas and designated trails. The safe use and discharge of a firearm can be conducted elsewhere within the Public Land Use Zones. All uses of firearms upon public land must comply with provincial and federal legislation.

Mountaineering/Rock & Ice Climbing/Via Ferrata

As public interest in mountaineering, rock and ice climbing, and via ferrata, grows in this area, the Government of Alberta will seek input from recreation users about sites and routes that may be of interest. If issues at popular climbing and scrambling sites arise, in consultation with First Nations and stakeholders, actions may be undertaken to ensure that increased use does not result in excessive impacts.

Water Access

Staging areas that provide access to larger tributaries for fisheries and water-based recreation such as canoeing, kayaking, rafting, will be designated to identify access points. This will be done in consultation with stakeholders and First Nations.

Table 7: Other Recreational Activities Strategies and Actions

Objective		
Day use opportunities are available at attractive and appropriate locations.		
Strategy/Action	Timeline	Lead
a. Identify day use sites and upgrade if required to support intended use.	Medium Term	AEP, Operations Division

Objective		
A diverse array of non-motorized activities, including non-trail based opportunities such as hunting, backcountry camping and hiking, mountaineering, and horseback riding are enabled.		
Strategy/Action	Timeline	Lead
a. Working with users and commercial operators to identify and formalize water assess.	Short Term	AEP, C&T
b. Ensure the designated trail system considers hunting and fishing access.	Short Term	AEP, Operations Division
c. Explore options for designating access to popular areas for mountaineering, rock and ice climbing based on demand from the user community.	Long Term	AEP, Operations Division
d. Identify areas where target shooting will not be permitted and include on Public Land Use Zone maps.	Short Term	AEP, Operations Division

4.6 Education

Management Intent

Education and outreach programs will support, and align with, the management and decision-making plans for recreation and tourism experiences of the area. Educational activities are designed to support government, community, and First Nations by building collective capacity to manage the environment through enhanced awareness and understanding of sustainable recreation on public land. It is also intended to contribute to greater stewardship, protection of the environment, and enhanced recreational experiences.

Table 8: Education Strategies and Actions

Objective		
Public awareness of the designation of the Porcupine Hills and Livingstone areas as Public Land Use Zones and of the associated rules and regulations is increased.		
Strategy/Action	Timeline	Lead
a. Provide information on best practices for recreation activities and recreating in a safe manner through social media campaigns, the Alberta Environment and Parks website, public service announcements, and utilize existing Government of Alberta educational campaigns for responsible recreation.	Short Term	AEP, Fish & Wildlife Enforcement Branch (FWEB)
b. Develop integrated programming to equip enforcement, engagement and other staff with information and materials to engage and educate visitors on-site.	Short-Medium Term	AEP, FWEB, Strategy Division
c. Plan and host 'Respect the Land' trailer events, education workshops, presentations and support stewardship events led by partners.	Short Term	AEP, Strategy Division
d. Create a smart phone app to accompany the Alberta Environment and Parks website to share information on the rules and regulations associated with the two Public Land Use Zones including communicating area closures.	Short-Medium Term	AEP

Objective		
Public understanding of the recreational opportunities available, responsible use of the natural environment and stewardship practices is enhanced.		
Strategy/Action	Timeline	Lead
a. Develop materials and messaging to be distributed and delivered by multiple partners, as well as by the Government of Alberta.	Short Term	AEP, Strategy Division
b. Establish and foster mutually beneficial partnerships that expand the delivery of land stewardship and responsible recreation education. Identify, manage and promote opportunities for partners to participate in planned recreational and environmental stewardship activities and events.	Ongoing	AEP, Operations Division
c. Develop interpretative signage at staging areas, trail heads and viewpoints to highlight the natural environment.	Short-Medium Term	AEP, Operations Division, Strategy Division
d. Support development of self-guiding/interpretive brochures/maps for specific trails that provide information on natural and cultural values.	Medium-Long Term	Partners, AEP, Strategy Division

Objective		
Education and awareness of First Nations and local history, culture and values within the Public Land Use Zones are advanced.		
Strategy/Action	Timeline	Lead
a. Reflect Indigenous history and culture in educational signage at staging areas, trail heads, viewpoints and areas of cultural significance.	Short-Medium Term	AEP, C&T
b. Reflect local history of surrounding communities and current land use within the region in place names and educational signage at staging areas, trail heads and viewpoints.	Short-Medium Term	AEP, C&T
c. Provide the public with information on First Nations' treaty rights and traditional land use practices as it applies to access on public land.	Short-Medium Term	AEP, C&T

4.7 Compliance and Public Safety

Management Intent

Compliance

The authority for managing recreation activities on public land is mainly derived from the Public Lands Act and Public Land Administration Regulation. The Public Land Use Zone provides authority to enforce rules and regulations, including specific direction from a notice of an officer. All recreational users in the Livingstone and Porcupine Hills must comply with any conditions and restrictions that are identified and should report public lands infractions through existing programs (e.g. Report a Poacher program).

The Public Land Administration Regulation provides a list of actions and activities that are illegal, as does the *Traffic Safety Act*, the Off-highway Vehicle Regulation, and the *Forest and Prairie Protection Act*. Infractions that may be ticketed at the time of the offence are outlined in the Provincial Offences Procedures Act while other offences require a court summons. As new provincial enforcement guidelines, tools and instruments are approved; those pertaining to recreation regulations will be adopted. Enforcement responsibilities will be led by the Government of Alberta and include collaboration with other enforcement agencies. Where education and enforcement are not effective and consistent non-compliant behaviour persists, additional measures may be taken including temporary or permanent closures of areas for specific uses.

Public Safety

The recreation system will be designed, constructed, and maintained to provincial standards and guidelines. Education, enforcement and stewardship partnerships will be utilized to inform and encourage safe and responsible behaviours. However, it is important that users recognize these are wilderness areas, with little to no immediate emergency response available. Visitors to the area should be aware of the risks and have the appropriate skill level and equipment to undertake their chosen activity.

Recreation use is an important piece of emergency response planning. This type of planning clarifies the roles and responsibilities of the various agencies and governments that provide or support emergency responses. They must consider the full range of potential situations or hazards that may occur, not just recreation. Emergency response plans for the Public Land Use Zones, when prepared, will however ensure that potential recreation related emergency responses are considered.

The Wildfire Management Branch of Alberta Agriculture and Forestry implements various measures under the *Forest and Prairie Protection Act* to manage wildfire risk and safety. These measures include fire restrictions and fire bans, OHV bans, and in extreme fire hazard situations, forest reserve closures. Public lands may be closed due to other risks including flooding, storms, and human-wildlife conflicts. Any closures will be communicated broadly.

Table 9: Compliance and Public Safety Strategies and Actions

Objective		
Those involved in compliance activities (e.g. enforcement officials, education staff, partner groups) are engaged to provide ongoing and continued enforcement, education, awareness and outreach to support acceptable behaviour on public lands.		
Strategy/Action	Timeline	Lead
a. Implement temporary closure of trails and areas, or restriction of certain activities to reduce wildfire risk, flood risk, wildlife-human conflict risk or other public safety matters.	Ongoing	AEP, Operations Division
b. Impose speed limits on designated OHV trails within Public Land Recreation Areas where warranted.	Short Term	AEP, Operations Division
c. Make Indigenous cultural awareness training available to all provincial officers on public lands.	Short Term	AEP, Parks Division
d. Implement provincial enforcement actions and priorities throughout the Public Land Use Zones (e.g. long weekend compliance campaigns, regulatory messaging.).	Ongoing	GoA, Public Lands Enforcement Committee (PLEC)
e. Compliance, engagement and other staff will engage with visitors on-site to provide information and/or materials.	Ongoing	AEP, Operations Division, Strategy Division

Objective		
Public safety messaging, including education about the risks inherent in outdoor recreation activities on public lands, is delivered by Alberta, Environment and Parks and other partners		
Strategy/Action	Timeline	Lead
a. Use signs and other media to communicate safety messages to recreational users.	Ongoing	AEP, Operations Division, Strategy Division
b. Inform Albertans and visitors about the risks of recreating on public lands through education and outreach programs.	Short Term and Ongoing	AEP, Strategy Division

4.8 Partnerships

Management Intent

The success of recreation management in the two Public Land Use Zones will be dependent on partnerships. Recreation groups engaged in the development, management and/or stewardship of the recreation system often take significant pride in their investments, align themselves with best management practices for managing trail systems, and are responsible users (with the expectation that others will also demonstrate responsible behaviours). Local recreation groups and clubs have proven themselves to be positive partners with the Government of Alberta in the construction and maintenance of trail networks in the Livingstone and Porcupine Hills areas, investing significant time and resources. Other groups have focused on environmental stewardship including: reclamation and restoration projects for riparian areas and old trails, delivering education and outreach programming and messaging to support responsible and sustainable use of public lands, and monitoring to assist in evaluating the recreation system.

The Government of Alberta will continue to coordinate partnerships with volunteers and willing parties including: clubs, associations, stewardship groups, municipalities, First Nations, willing individuals, industry, disposition holders, landowners and interested organizations.

It is recognized that there is uncertainty around liability of trails and recreation infrastructure when either developed or maintained by trail groups and not-for-profit organizations. Improved processes for agreements with organizations will be pursued to clarify liability and role in risk management between the Government of Alberta and parties active in recreation infrastructure development and/or maintenance or stewardship activities on these public lands. It is also recommended that provincial policy be developed that provides clarity and certainty on the assumption of risk between the Government of Alberta, recreation users and the parties supporting recreation management.

Table 10: Partnerships Strategies and Actions

Objective		
Partnerships with recreational groups are encouraged and recreation users have the opportunity to participate in stewardship activities such as clean-up days, restoration, trail maintenance and monitoring.		
Strategy/Action	Timeline	Lead
a. The Government of Alberta will establish multi-sector advisory group(s) to support the implementation of the Recreation Management Plan.	Short Term	AEP, Operations Division
b. Stakeholder support and partnerships will be pursued to establish, maintain and monitor recreation infrastructure, education and outreach, and reclamation activities.	Ongoing	AEP, Operations Division

5.0 RECREATION MANAGEMENT UNITS: LIVINGSTONE AND PORCUPINE HILLS

This section provides the management intent, strategies and actions that apply to specific recreation management units within the Public Land Use Zones. Recreation Management Units are administrative boundaries that provide a way to provide direction in smaller areas with a higher level of specificity. They are non-regulatory in nature and are used to guide detailed recreation management decision-making. Albertans and visitors to the area are not required to be aware of the differing units and should use signage and public notices (through maps, websites, staff, or other mechanisms) to guide their actions within these areas.

The Livingstone Public Land Use Zone is comprised of four Recreation Management Units (Figure 8). The Porcupine Hills is comprised of one Recreation Management Unit.

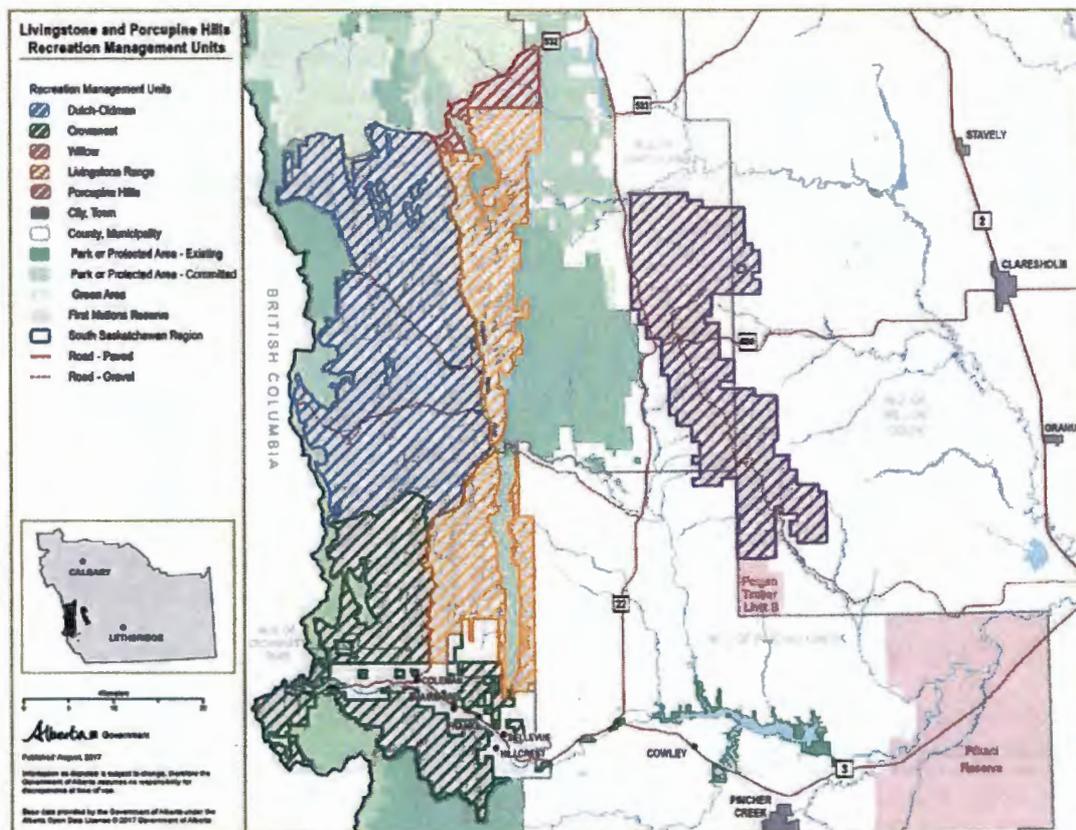


Figure 8: Livingstone Porcupine Hills Recreation Management Units Map

Recreation Management Unit Summary

Each Recreation Management Unit is comprised of different values, management intent, desired settings and compatible activities. Table 11 summarizes the overall management direction of these areas. More detail can be found in Sections 5.1 and 5.2.

The recreation setting is representative of the spectrum of recreation opportunities possible within a given landscape based on the experience sought. While the affects of industry may change the overall setting of a specific location over time, generally, recreation in the Recreation Management Units will be managed to the following settings:

- **Backcountry:** Very low levels of infrastructure, largely natural surroundings (some industry or agriculture activity may be evident but only in isolated locations), no, or limited, services or amenities, expectation of fewer recreationists within the area
- **Mid-Country:** Some infrastructure developed; a variety of natural and modified surroundings; some services or amenities may be provided at high use locations; may encounter other recreationists
- **Front-Country:** Infrastructure developed to support high intensity use; surroundings may be modified or highly modified (e.g. roads, industrial uses, human settlement); some amenities or services are provided; likely to encounter other recreationists

Table 11: Recreation Setting and Activities by Recreation Management Unit

	Crowsnest RMU	Livingstone Range RMU	Oldman Dutch RMU	Willow Creek RMU	Porcupine Hills RMU
Recreation Setting	Front-Country to Mid-Country	Backcountry	Mid-Country to Backcountry	Mid-Country	Mid-Country to Backcountry
Summer Motorized Trails e.g. quads, side by sides, dirt bikes, trucks, 4x4	Yes	Limited	Yes^	Yes	Yes
Winter Motorized Trails	Yes	No	Yes	Yes	No
Summer Non-Motorized Activities hiking, equestrian, mountain biking.	Yes*	Yes	Yes	Yes	Yes
Winter Non-Motorized Activities e.g. snowshoeing, skiing	Yes	Yes	Yes	Yes	Yes
Motorized Special Events	Yes	No	Yes	Yes	Limited (no more than 2 per year)
Non-motorized and Other Special Events e.g. endurance races, festivals	Yes	No	Yes	Yes	Yes
Backcountry Camping	Yes	Yes	Yes	Yes	Yes
Rustic Motorized Camping (in designated areas)	Yes	Limited	Yes	Yes	Yes

* Provision will be made for dedicated, engineered mountain biking trails in the Crowsnest RMU

^ Summer motorized activity will avoid the Continental Divide and proposed wildland parks, which will be focused on backcountry and non-motorized activities with the exception of designated trails that cross in to British Columbia. Long term management of the proposed wildland parks will be done as part of the Parks planning process.

Note 1: Other recreational activities not listed in the matrix (i.e. hunting, fishing, climbing, scrambling, backcountry skiing, backcountry backpacking/camping, caving, geo-caching, nature appreciation, photography, canoeing, kayaking, tubing, picnicking, etc.) are permissible within a Recreation Management Unit unless restricted by applicable regulations, guidelines or conditions. Access for First Nations exercising treaty rights and traditional land uses and range allotment holders will be maintained in all Recreation Management Units.

5.1 Livingstone Recreation Management Units

Background

As shown in Figure 8, the Livingstone Public Land Use Zone occupies a large land base along the continental divide. It has experienced considerable recreational use in the past, which has grown stronger with each passing decade. The area is particularly popular among hunters, anglers, random campers and OHV enthusiasts (both summer trail riders and winter snowmobile users). Recreational access to every mountain valley is available due to established public and industry roads.

Snowmobiling, and use of other tracked vehicles, has grown substantially within the Livingstone Public Land Use Zone over the last 30 years, with Crowsnest Pass area being frequently voted one of the best riding areas in western Canada. For snowmobilers, the area provides:

- high snowfall
- long riding season
- variety of terrain on groomed and ungroomed trails
- convenient staging areas
- impressive scenery
- proximity to amenities and services needed by riders

In addition to the recreational values, the Livingstone Public Land Use Zone provides important habitat for key land and water-based species, including species at risk (e.g. westslope cutthroat trout, grizzly bear). The Public Land Use Zone is also an active working landscape with logging, oil and gas development, mining, and trapping underway. Grazing is another significant land use, with ranching being a primary income source for a large number of residents.

First Nations have a special connection to the Livingstone area. Several significant sites within the Livingstone are reflected in oral history, with First Nations exercising treaty rights, traditional land uses and cultural practices into present day. Management of recreation within Livingstone will respect the historical and cultural significance of the area and ongoing conversations with First Nations will help to ensure that effects to the Nations from public use are understood and mitigated appropriately.

Additionally, the Livingstone Public Land Use Zone is envisioned as capable of supporting year round commercial recreation and tourism opportunities of all types. Crowsnest Pass is an important hub and gateway for recreational activity on surrounding public lands. Growth of tourism and outdoor recreation related industries are desired by the community, and the surrounding public lands will play a pivotal role in providing the features, scenery, and setting, including the recreation infrastructure, that attracts visitors to the area.

The potential of the Livingstone Public Land Use Zone as a destination for winter recreation and supporting non-motorized commercial recreation, such as hiking and trail riding, has been recognized and should be encouraged, along with continued motorized recreation during the summer.

Services for visitors within the Public Land Use Zone are very limited and servicing for infrastructure development (power, water, sewage), are not readily available. The focus of enhancements and new nature-based tourism development will be focused within the Crowsnest Recreation Management Unit that surrounds the municipality. As such, partnerships for recreational trail development, road sharing and other services that will enable tourism growth within the municipality are critical. Similarly, coordination with Alberta Transportation is necessary to ensure that future road upgrades, signage and pull-out areas support access to the Livingstone recreation system.

Recreation Opportunity Concept Maps

Figures 8 – 10 outline the intent to enhance the management of outdoor recreation in the planning area and are a representative of the current understanding of the desired future state at the time of plan approval. They should be referred to as information maps only representing concepts and strategic direction and are a summarized visual representation of the management intent and specific direction laid out within Sections 5.1 and 5.3. These maps are not regulatory nor legally binding in nature and the current year Public Land Use Zone Map (Section 5.4) must be consulted for designated trails and areas.

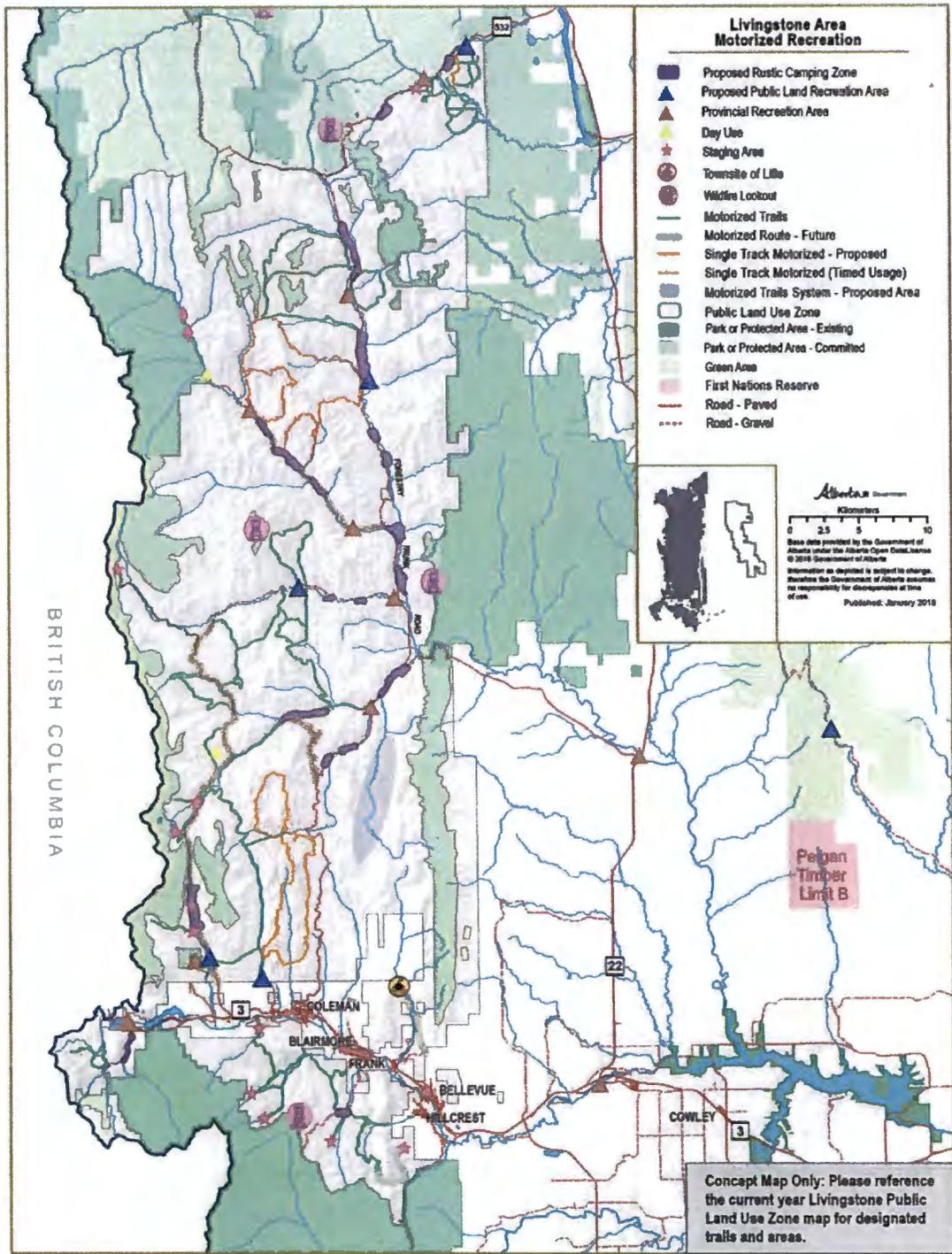


Figure 9: Livingstone Summer Recreation Opportunity Map - Motorized

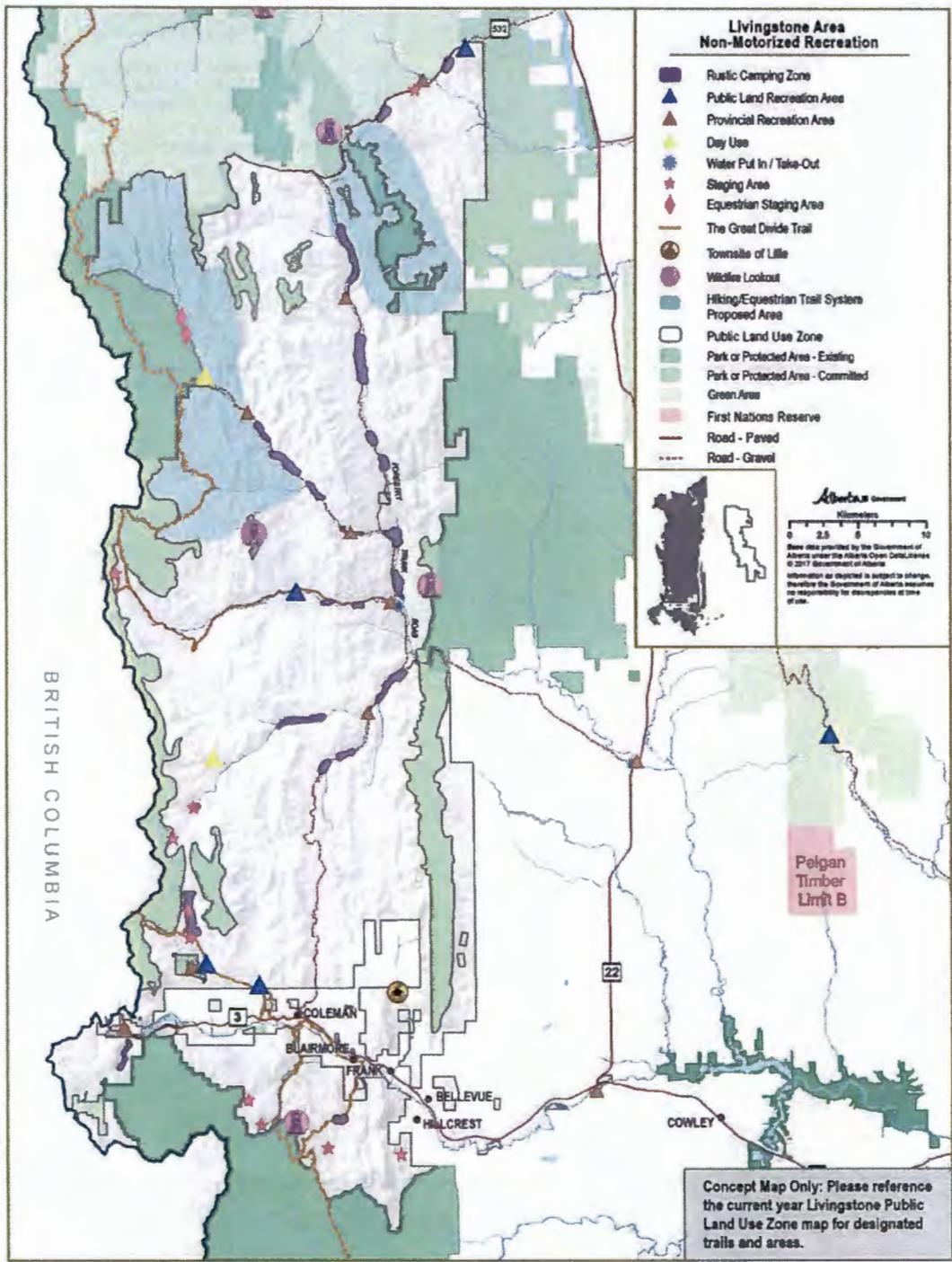


Figure 10: Livingstone Summer Recreation Opportunity Map – Non-Motorized

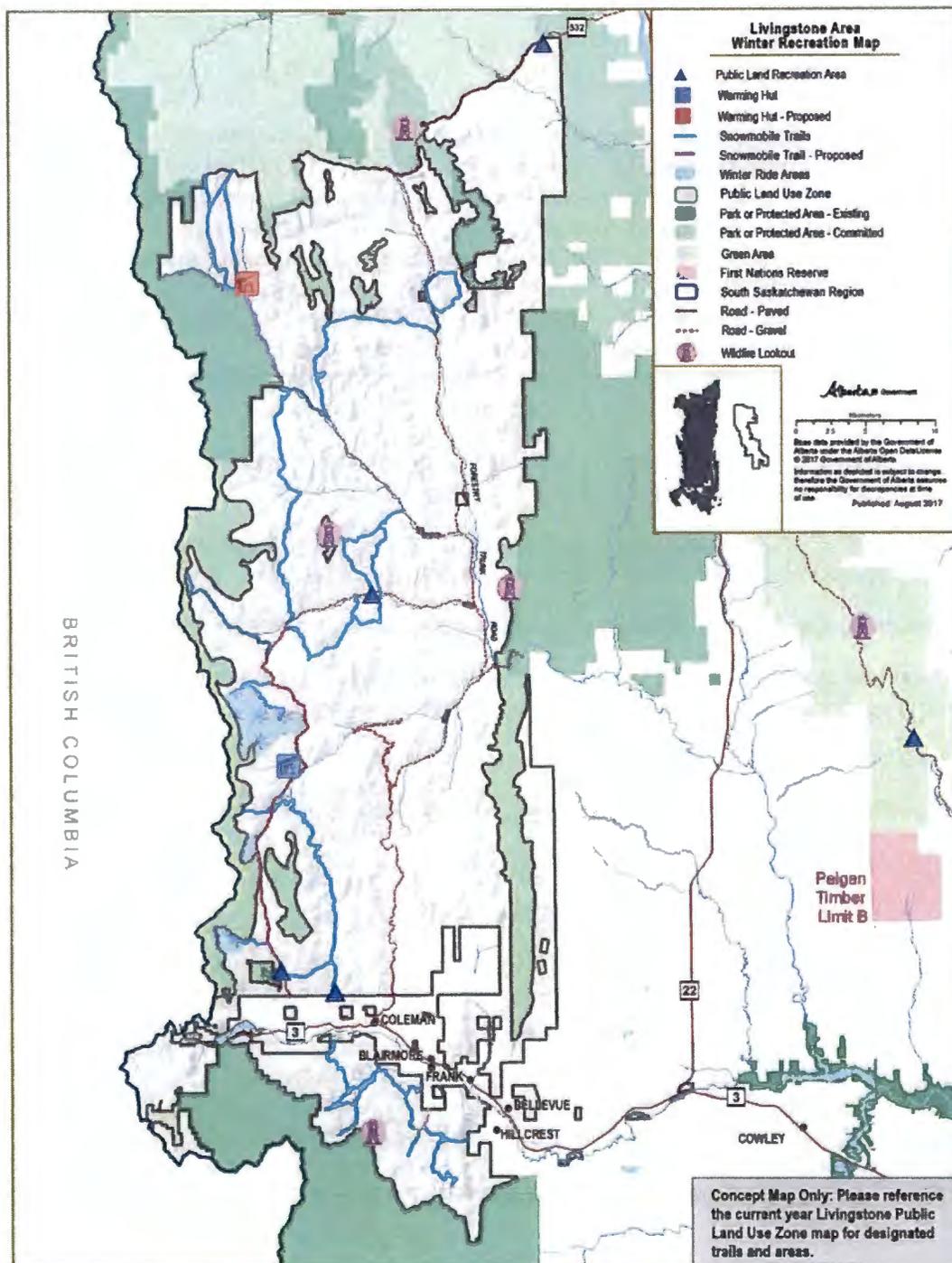


Figure 11: Livingstone Winter Recreation Opportunity Map

5.1.1 Crowsnest Recreation Management Unit

Management Intent

The Crowsnest Recreation Management Unit has historically experienced heavy recreational use and will continue to provide a full range of four-season recreation activities and tourism experiences in the future. A significant feature of the Recreation Management Unit is that it includes the interface with the Municipality of Crowsnest Pass. Recreation users will have access to a range of amenities and services (many of which are pre-existing and located within the municipality) and, in the future, to a well-developed recreation infrastructure system on public land in the surrounding areas. Inter-connected trail systems will expand visitor experiences and connect communities, scenic or cultural sites, and tourism features. Natural, local, Indigenous, and other cultural and historical interpretation opportunities will be promoted. More specifically, the following will be pursued:

- Provide an assortment of four-season recreation opportunities in close proximity to the Highway 3 corridor and the Municipality of Crowsnest Pass.
- Concentrate recreation infrastructure and amenities within this Recreation Management Unit and design recreation facilities to withstand high intensities of use.
- Enable the development of appropriate nature-based tourism opportunities.
- Accommodate both motorized and non-motorized recreation activities through winter and summer while ensuring enough separation between conflicting uses.
- Formalize hiking trails to well-known destinations and features.
- Provide continued support for winter cross-country ski trail systems managed by partners.
- Provide a large variety of options for day trips and excursions.
- Provide recreation experiences for all ages and abilities.
- Enable opportunities for unique recreation activities (e.g., OHV obstacle and skill-testing area for new and experienced riders, adventure races) where appropriate.

Given the significant potential for expanded recreation opportunities, the Government of Alberta will work with the Municipality of Crowsnest Pass to explore developing an interconnected recreation infrastructure system that promotes economic diversification, environmental sustainability, and improves quality of life and experiences for residents and visitors. Several locations within this Recreation Management Unit are unsuitable for recreation development due to wildlife habitat sensitivities and will be avoided.

Connectivity

The Crowsnest Recreation Management Unit presents a unique opportunity in providing the setting for connected and diverse trails systems for both summer and winter use. This area contains four main staging and/or camping sites –including Atlas, McGillivray, Sartoris and York Creek. The Recreation Management Unit also contains numerous trail connections from the local municipalities into the Public Land Use Zone, desirable connections to the Castle Parks for winter and non-motorized trails, connections north into the adjacent Dutch-Oldman Recreation Management Unit, as well as trail connections to British Columbia. It also contains portions of the most significant hiking trail in the region – the Great Divide Trail. The Government of Alberta will encourage trail development that connects trail networks within the region.

5.1.2 Livingstone Range Recreation Management Unit

Management Intent

The area has high scenic values and draws a variety of non-motorized users including hikers, equestrian users, hunters and anglers. Water-based recreation along the Livingstone and Oldman Rivers is also popular. Given the area’s natural landscape and habitat values, the focus of this Recreation Management Unit will be on non-motorized backcountry recreation experiences. As fishing and hunting are popular in this area, provision will be made for a limited number of designated motorized trails to support these activities.

Few recreation facilities are anticipated within the area in the immediate future. Existing roads and staging areas will remain in place. If recreational demand and use grows in future years, an assessment on the need for staging areas and formalized non-motorized trails will be undertaken. Similarly, no formalized connectivity with the Bob Creek Wildland Provincial Park is currently envisioned. Non-motorized connections may be explored in the future. A limited number of rustic camping zones may be considered in the future to support non-motorized activities.

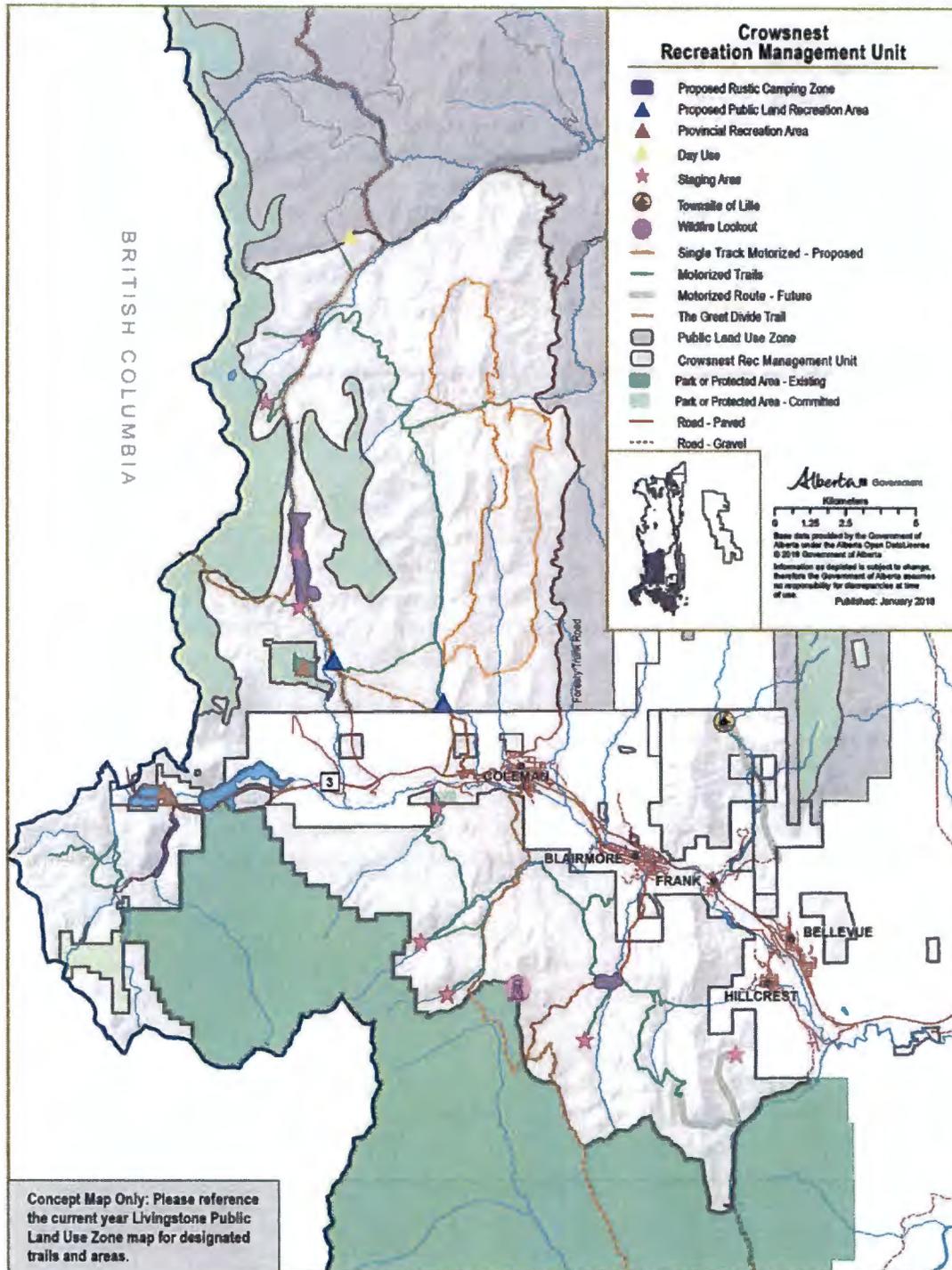


Figure 12: Crowsnest Recreation Management Unit Opportunity Map

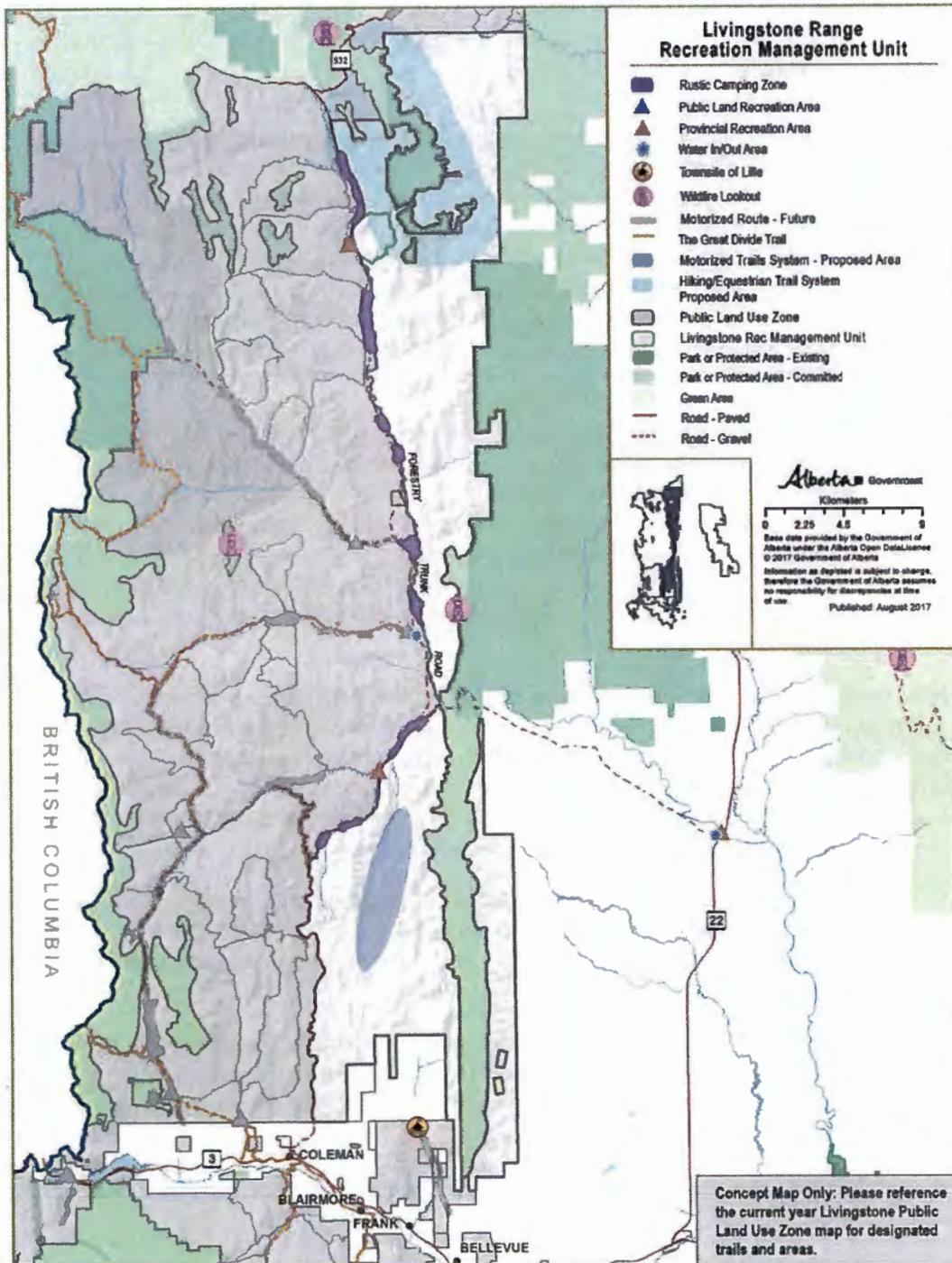


Figure 13: Livingstone Range Recreation Management Unit Opportunity Map

5.1.3 Dutch-Oldman Recreation Management Unit

Management Intent

This Dutch-Oldman Recreation Management Unit is comprised of several watershed basins: Racehorse Creek, Dutch Creek, Hidden Creek, Upper Oldman River and other minor drainages. The overall management intent is to provide opportunities for rustic motorized camping and motorized recreation at designated locations and on designated trails (winter and summer) supported by necessary staging areas. Non-motorized forms of recreation can occur throughout the entirety of this Recreation Management Unit. Appropriate and compatible forms of nature-based tourism (e.g. guiding, outfitting) that utilize existing infrastructure could be accommodated. Staging areas for equestrian and hiking use will be provided, focused near the Beehive Natural Area.

The area offers important opportunities for motorized recreation that support a variety of skill levels for riders. As trails are upgraded to promote sustainability, providing a varying level of technical challenge within trail systems will be incorporated into detailed trail design. A limited amount of highly technical motorbike or single track trails may be designated. These single track trails will be situated on suitable terrain and with appropriate timing restrictions. Within the Hidden Creek drainage, recreation infrastructure will be reduced to address known resource concerns, including westslope cutthroat trout. No summer motorized trails will be designated in close proximity to Hidden Creek.

Improved opportunities for summer and winter OHV use and rustic motorized camping will be provided in the lower Racehorse, Dutch Creek, the Upper Oldman and remaining minor drainages. The focus of this activity will be in the central portion of the Recreation Management Unit with limited trails that connect to BC or allow for effective connectivity of the network along the western portion of the area. Motorized access will be routed away from the Crown of the Continent area unless providing connectivity to neighboring trail systems.

The west side of the Recreation Management Unit is important for snowmobilers, providing some of the highest quality snowmobile areas in the province, as well as connectivity to well-known snow areas in BC. Random ride areas and routes for snowmobilers have been identified. (Figure 13: Livingstone Winter Motorized Trails and Areas).

During summer use, the western portion immediately adjacent to the proposed High Rock Wildland Park will be focused towards non-motorized uses including backcountry hiking, hunting, fishing etc. Limited summer motorized trails will be included on the western portion to allow for staging areas for non-motorized activities.

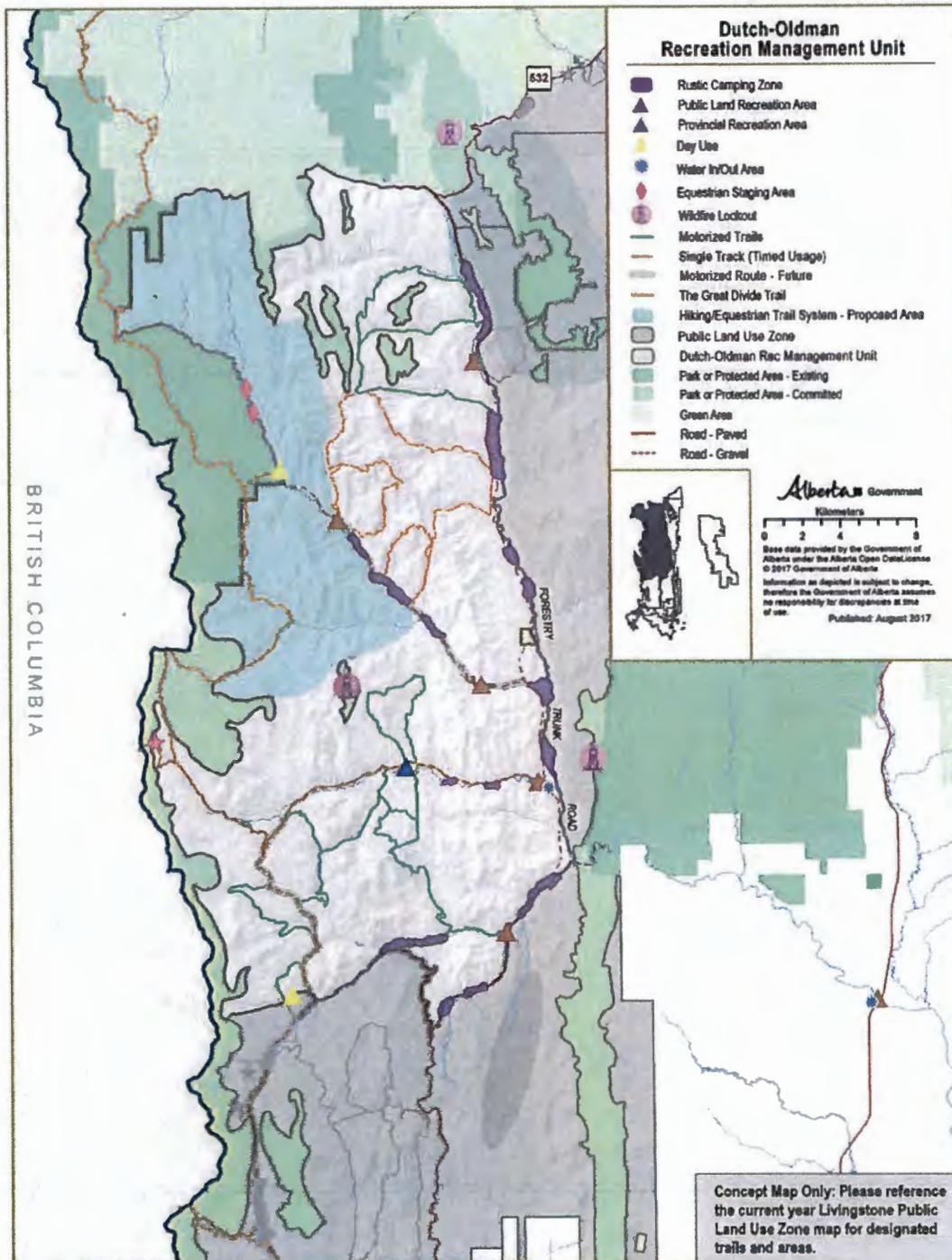


Figure 14: Dutch-Oldman Recreation Management Unit Opportunity Map

5.1.4 Willow Creek Recreation Management Unit

Management Intent

The Willow Creek Recreation Management Unit is a popular day use and camping area supporting a variety of recreation opportunities. Within a half-day's driving distance from Calgary and communities to the south, the area provides year-round opportunities, including rustic motorized camping at designated camping zones. The area will allow continuation of motorized recreation using the designated trails.

Existing equestrian use will be supported by upgrading staging areas with specific amenities required for riders to access the surrounding land base. There is significant opportunity for enhanced hiking trails that lead around and into the Mount Livingstone Natural Area and Bob Creek Wildland Provincial Park, with staging and access originating within the Willow Recreation Management Unit. The potential for development of these trails will be explored with partners.



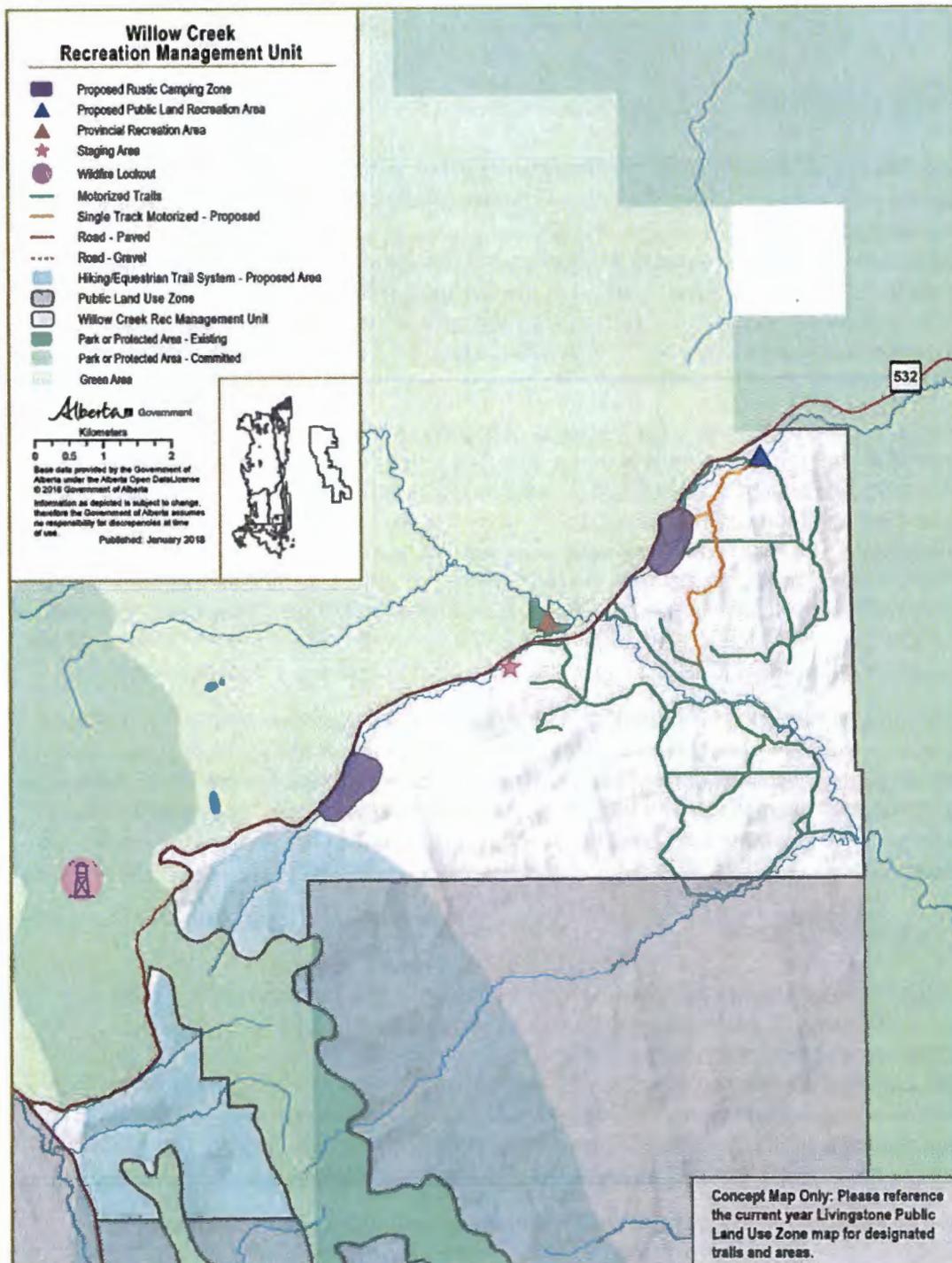


Figure 15: Willow Creek Recreation Management Unit Opportunity Map

5.2 Porcupine Hills Recreation Management Unit

Background

Porcupine Hills provides a unique combination of vistas, varied topography and vegetation that makes the area attractive for a number of recreational activities. The southern areas are easily accessible from nearby Lethbridge, and major highways including Highway 22 and Highway 520 provide excellent transportation to the Public Land Use Zone. While most activity happens in the summer season due to unreliable and early melting snowpack, the area is enjoyed year round for day use and overnight activities. Hunting is a significant activity within the area. Scenic gravel roads also currently exist, including Skyline Road, Beaver Creek Road, and East and West Trout Creek Roads.

Portions of the Porcupine Hills have experienced heavy recreational use such as random camping and motorbiking. These activities have had a significant affect on the lands and require enhanced management including improved trail location design, reduction in motorized access as per the Land Footprint Management Plan, and compliance in order to remain sustainable for the long term. The Public Land Use Zone is surrounded by private landowners and is also used extensively for logging and ranching. Given the close proximity of private landowners around these public lands, there is a need to respect private property along the boundaries of the Public Land Use Zone. The area also contains a high amount of fescue grassland and springs, as well as provides important wildlife habitat for ungulates (mountain sheep, elk, deer, moose, etc.).

The Porcupine Hills are an important area for First Nations. The area is currently used by First Nations for exercising Treaty Rights, gathering of medicinal plants and other resources as well as containing sites of cultural or historical significance. Respect for First Nations traditional land use will be integrated in management decisions and ongoing conversations with area First Nations will help ensure that potential affects from the designated recreation infrastructure system are mitigated.

Management Intent

The overall management intent for the recreation system in the Porcupine Hills is to provide opportunities that take advantage of the high scenic values and interesting and unique terrain for formalized and dispersed non-motorized trails, day use as well as camping. The focus will be on providing a rustic and natural visitor experience, without significant modifications to the landscape. A designated motorized recreation trail system will provide experiences for OHV users, focusing on families, casual riders and shorter distance rides. Similarly, rustic motorized camping will be within designated zones and Public Land Recreation Areas.

North of Highway 520 in the Porcupine Hills, minimal motorized access (with appropriate staging) will be maintained to provide access for different types of recreation including hunting, day use, hiking and other dispersed recreation. The area south of Highway 520 will have a trail

network designated for higher density motorized use. The designated trail system will make use of existing trails where environmentally feasible to limit development of new infrastructure on undisturbed land, especially avoiding disturbance on native grasslands. Within the southernmost portions of the Porcupine Hills (Figure 18: Porcupine Hills Recreation Opportunity Map), a non-motorized zone is delineated. This zone prohibits designated recreational motorized access. Formalized trails may be established in the future for hiking and equestrian use. Staging areas that support access for non-motorized use will be established in the area near Beaver Creek.

Winter Motorized Trails

Porcupine Hills rarely has enough snowpack to permit the establishment of winter motorized trails. Should the snowpack be adequate, recreationists may use the designated summer trails in the Porcupine Hills for snowmobiling. Within the Porcupine Hills, snow and/or ice bridges are not feasible and existing bridges must be used.

Nature-based Tourism, Viewpoints and Scenic Features

Existing developed tourism opportunities are limited within the Porcupine Hills; however, the surrounding area currently promotes ranching heritage through commercial trail riding, working ranch vacations, and B & B lodging which celebrate the cowboy culture. These ventures are encouraged to continue to use the Porcupine Hills trails and staging areas to support their businesses. Additionally, opportunities may exist for Indigenous tourism. Tourism operations that align with the Recreation Management Plan, Land Footprint Management Plan, and South Saskatchewan Regional Plan will be encouraged to locate their activities to this area.

Special Events and Commercial Activities for Recreational Purposes

A variety of special events have occurred in this area in the past, including car rallies, motorbike events, and dog trials. Future applications for commercial special events must demonstrate alignment with this Plan, including assessing and mitigating for potential impacts to biodiversity, wildfire risk, and other land uses in the area. A maximum of two commercial special events per year may be permitted off the designated trail network in Porcupine Hills, including within the non-motorized zone. Approval may be subject to conditions such as timing restrictions, requirements for reclamation, approval of racecourse, and other conditions that the approval authority may deem necessary. Considerations for adjacent landowners will be required for all events.

Recreation Opportunity Concept Maps

Figure 15 indicates the strategic intent of enhancing the management of outdoor recreation in the planning area and are a representative of the current understanding of the desired future state at the time of plan approval. They should be referred to as information maps only representing concepts and strategic direction and are a summarized visual representation of the management intent and specific direction laid out within Sections 5.1 and 5.3. These maps are not regulatory nor legally binding in nature and the current year Public Land Use Zone Map (Section 5.4) must be consulted when recreating within the Public Land Use Zones.

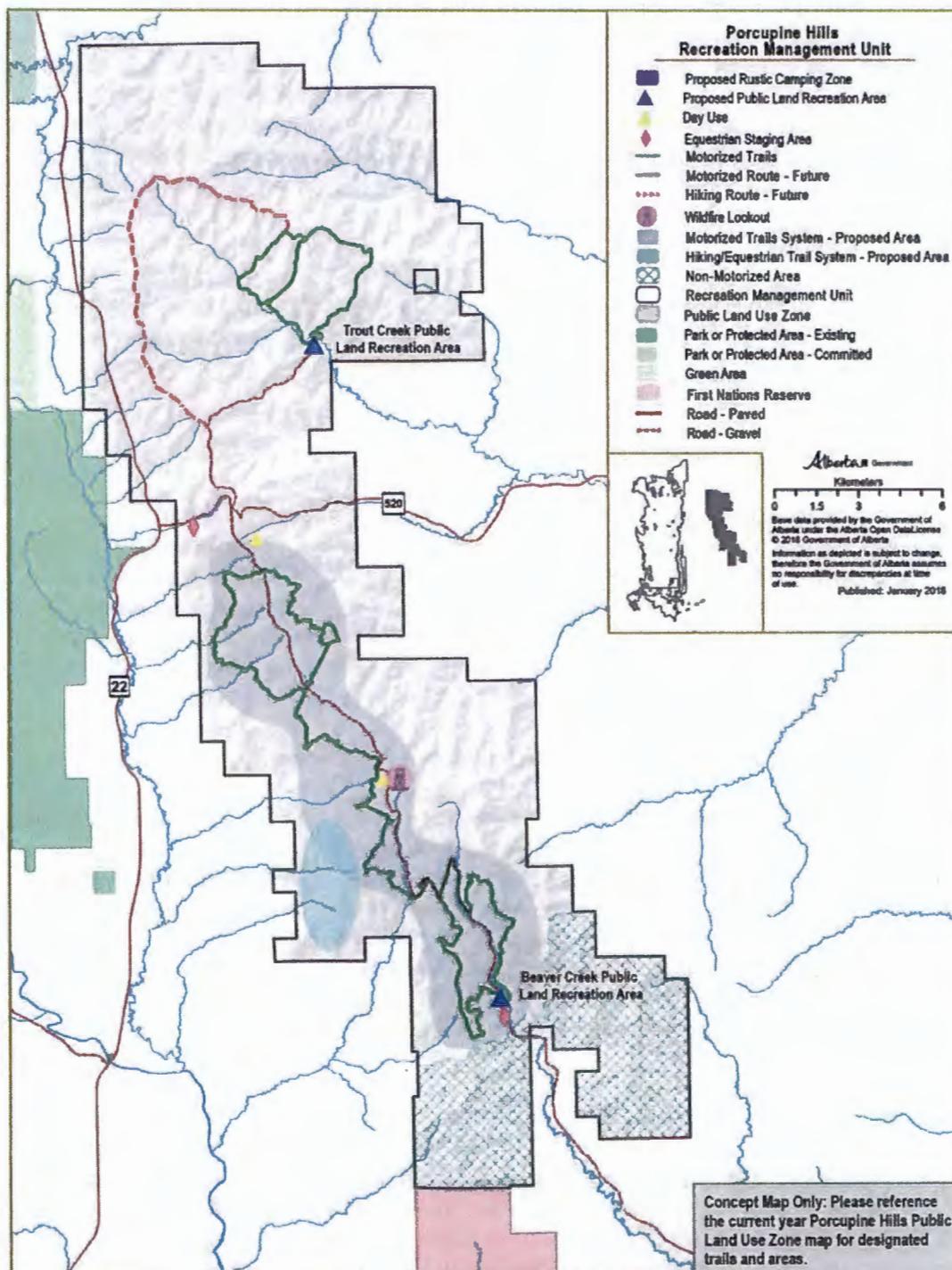


Figure 16: Porcupine Hills Recreation Opportunity Map

5.3 Recreation Management Unit Strategies and Actions

In addition to the overarching strategies and actions identified in Section 4, the following area-specific strategies and actions have been identified by stakeholders and Government of Alberta staff as important to enhancing or maintaining the outdoor recreation system into the future. These actions will be pursued subject to availability of partnerships and prioritization of resources.

Table 12: Recreation Management Unit Specific Strategies and Actions

Crowsnest Recreation Management Unit			
Strategy/Action	Timeline	Lead	
Trails and Staging Motorized	Establish a single track motorcycle area along the Forestry Trunk Road as shown in Figure 12. This network will be established in an area that is sustainable for heavy use and built in collaboration with users.	Short Term	AEP, Operations Division
	Develop and maintain a snowmobile trail connection between the Cataract Creek Public Land Use Zone and the Atlas area within the Livingstone as well as into the Crowsnest Pass.	Short Term and Ongoing	AEP, Operations Division and Snowmobile Groups
	Winter random riding areas will be identified for snowmobile use. Proposed areas include, but not limited to, Dean's Peak and Window Mountain.	Short Term and Ongoing	AEP, Operations Division
	Development of family-oriented OHV riding areas around McGillivray Creek and Atlas areas to support youth, family, and new riders.	Medium Term	AEP, Operations Division
	Maintain access to Tent Mountain	Short Term	AEP, Operations Division
Trails and Staging Non-motorized	Identify non-motorized trail networks that connect the region's parks and protected areas with the Livingstone Public Land Use Zone.	Short-Medium Term	AEP, Operations Division and Parks Division
	<ul style="list-style-type: none"> Consider viability and desirability of enabling public access to the Ptolemy Caves. Maintain non-motorized access through Castle Park to the North York Creek plane crash site within Castle Provincial Park. 		
	Designate the Great Divide Trail, Crowsnest Mountain, Window Mountain Lake and other trails in the area.	Short-Medium Term	AEP Operations Division, Trail Groups
	Designate popular summer hiking trails around the Crowsnest Pass to encourage wider use.	Short-Medium Term	AEP, Operations Division
	Explore options to develop and designate enhanced cross-country skiing, snowshoeing, skijoring or ski touring trails around the Crowsnest Pass; in particular, in and around the Alison/Chinook area.	Short-Medium Term	AEP, Operations Division, Trail Groups
	Enable mountain bike clubs and other interested parties to develop and upgrade mountain bike trails in the Crowsnest Pass and other appropriate areas.	Ongoing	Interested clubs and organizations

Trails and Staging	Strategy/Action	Timeline	Lead
Camping	Explore option to establish Public Land Recreation Areas for enhanced management of high use camping and staging areas. For Crowsnest Recreation Management Unit, these may include Atlas and McGillivray Creek.	Short Term	AEP, Policy and Planning Division
Dutch - Oldman Recreation Management Unit			
	Strategy/Action	Timeline	Lead
Trails and Staging Motorized	Explore placement with local user groups and Alberta Parks of a winter safety shelter between Racehorse Creek and Cataract Creek (to the north) along the designated snowmobile network within the Public Land Use Zone or within Honeymoon Provincial Recreation Area.	Short-Medium Term	AEP Operations Division and/or Parks Division
	Maintain the existing Racehorse Creek Safety Shelter for snowmobilers use in partnership with the local clubs.	Ongoing	Snowmobile Groups
	Develop and maintain a snowmobile trail connection between the Cataract Creek Public Land Use Zone and the Atlas area within the Livingstone.	Ongoing	AEP, Operations Division and Snowmobile Groups
Trails and Staging Non-motorized	Maintain non-motorized access to Window Mountain within the proposed High Rock Wildland Provincial Park including appropriate staging.	Short Term	AEP, Operations Division, Parks Division
	Formalize the Great Divide Trail to secure the route long term.	Short Term	AEP, Operations Division
	Upgrade staging and trails into the Beehive Natural Area for equestrian and hiking use.	Medium Term	AEP, Operations Division
	Identify non-motorized trail networks that connect regional Parks and Protected Areas (i.e. Kananaskis Country), and with British Columbia.	Medium-Long Term	AEP, Operations Division
Camping	Explore option to establish Public Land Recreation Areas for enhanced management of high use camping and staging areas. For Dutch-Oldman Recreation Management Unit, these may include Caesar's Flats.	Short Term	AEP, Policy and Planning Division
Livingstone Range			
	Strategy/Action	Timeline	Lead
Trails and Staging Motorized	Determine feasibility of upgrading motorized access along Daisy Creek to address environmental concerns, including trail rerouting, trail upgrading and bridge placement prior to permitting motorized access.	Short-Medium Term	AEP, Operations Division
Trails and Staging Non-motorized	Designate non-motorized trails for access to the Livingstone Range and develop staging areas where appropriate.	Medium-Long Term	Trail Groups
Other Recreation Activities	Monitor existing water recreation put in/take out sites; upgrade or close as required to maintain environmental values and promote positive experiences.	Long Term	AEP, Operations Partners

Willow Creek			
	Strategy/Action	Timeline	Lead
Trails and Staging Non-motorized	Explore options for formalization and expansion of hiking and mountain biking trails into nearby areas.	Medium Term	AEP, Operations Division
	As resources permit, upgrade existing staging areas in the Recreation Management Unit to support equestrian use. Enhanced amenities may include hitching rails, corral structures, etc.	Medium Term	AEP, Operations Division
	Maintain access from Willow Creek to public lands and parks and protected areas to the north and south for hiking and equestrian use.	Short Term	AEP, Operations Division
Camping	Explore option to establish Public Land Recreation Areas for enhanced management of high use camping and staging areas. For the Willow Creek Recreation Management Unit, these may include the area known as Stimson Creek.	Short Term	AEP, Policy and Planning Division
Porcupine Hills			
	Strategy/Action	Timeline	Lead
Trails and Staging Motorized	Establish a motorized loop in the North Porcupine Hills to allow for hunting access, non-motorized staging and dispersed recreation.	Short Term	AEP, Operations Division
	Establish a limited designated summer OHV trail system focused on shorter rides.	Short Term	AEP, Operations Division
Trails and Staging Non-motorized	Maintain recreational access to the Porcupine Hills as a destination for individuals, families and visitors for low intensity recreation use.	Ongoing	AEP, Operations Division
	Look for opportunities for developing hiking, equestrian and mountain bike trails in the north Porcupine Hills, that are connected to the proposed staging and camping areas (e.g. the trail informally known as the 'north ridge walk').	Medium Term	AEP, Operations Division
Camping	Explore option to establish Public Land Recreation Areas for enhanced management of high use camping and staging areas. For the Porcupine Hills Recreation Management Unit, these may include the Beaver Creek and Trout Creek.	Short Term	AEP, Policy and Planning Division

5.4 Public Land Use Zone Maps

Maps will be prepared that provide important information for recreational users within the Livingstone and Porcupine Hills Public Land Use Zones. Official Public Land Use Zone maps are primarily intended to identify the designated motorized trail network and supporting facilities (trailheads, staging areas, designated camping zones, areas with restrictions including target shooting, and public roads). These maps serve as notice of the designated motorized network and should be considered the authority for recreational users (as developed).

The Public Land Use Zone map will be available on Government of Alberta websites as well as through digital and hard copy distribution. In addition to maps, information about the recreation opportunities and user requirements will be shared through kiosks, signs, education materials, and smart phone applications (as developed). Information on temporary closures, fire bans or other messaging will also be shared through Alberta Environment and Parks website.

Summer Public Land Use Zone maps will be reviewed and updated before May 1 and winter maps will be reviewed and updated before November 1 of each year. They may also be updated to reflect changes to infrastructure or in response to other activities or changes to the landscape. The process for reviewing and updating the Public Land Use Zone map will be developed within a year of plan approval and will consider stakeholder and First Nations input.

As the mapping of key features and designation of trails is an integral part of recreation management planning, certain major changes, either individually or cumulatively, may prompt a fulsome review of this Plan, as indicated in Section 6.3. Should a proposed trail route, desired recreation opportunities or other recreation management activity differ from the Recreation Management Plan, Alberta Environment and Parks will determine if that action requires a partial or full review of the plan.

6.0 PERFORMANCE MANAGEMENT

Measuring performance enables monitoring, evaluation and reporting on the implementation progress as well as the effectiveness of the plan. This valuable information guides decision-making and supports continuous improvement towards achieving plan outcomes. A **performance management** system will outline how outcomes are realized through plan implementation, review and reporting. Consistently measuring performance helps better understand the impacts of plans and programs on people, the economy and the environment. Having a dedicated and systematic performance management system also enhances collaboration with partners and the overall delivery of services to Albertans.

6.1. Monitoring

Monitoring performance means monitoring whether strategies and actions have been applied, as well as the progress towards achieving the outcomes – the effectiveness of the plan overall. Alberta Environment and Parks, led by Policy and Planning Division, will track plan implementation annually.

Monitoring Plan Outcomes

Measuring progress towards outcomes entails longer-term monitoring and data collection as progress towards a specified end or desired condition could take years to be realized. A monitoring strategy will be developed within a year of plan approval by the Alberta Environment and Parks in collaboration with all agencies responsible for implementation and subject matter experts, including First Nations, local stakeholders and advisory groups.

A monitoring strategy will:

- define the purpose and scope of monitoring,
- identify relevant metrics to be monitored,
- specify sources and methods of data collection,
- set out a plan for future monitoring throughout Livingstone and Porcupine Hills (including timing), and
- clarify roles and responsibilities.

A performance metric framework will be populated to contain the specific details for each metric, including: relevance, data collection frequency or availability, reporting frequency, data sources and data storage. A standard performance metric framework is under development by Alberta Environment and Parks and will be used for the Livingstone-Porcupine Hills Recreation Management Plan monitoring strategy.

Performance will be measured in the areas of experience, enforcement, education and sustainable engineering, as they relate to the desired environmental, social and economic conditions the Livingstone-Porcupine Hills Recreation Management Plan aims to achieve. Performance measures will be selected and finalized during plan implementation when the monitoring strategy is developed.

Experience – This provides information on the recreational users' experience while engaged in activities within the Public Land Use Zones. A Recreation Use and Experience Survey may be used and include (but not limited to): information about demographics, user satisfaction with their experience and desired activities, and the infrastructure they use. A longitudinal survey completed every five years could provide the necessary information if organized and conducted on a regional scale.

Enforcement – This provides information about the degree to which users comply with any rules and regulations that are in effect within the Public Land Use Zones. One measure may be the number of tickets issued compared to the number of interactions. Positive changes in behaviours should result in fewer tickets and be reflected in the ratio of tickets to interactions, regardless of the number of officers on the ground. This data can be provided through annual reporting from the Alberta Ministry of Justice and Solicitor General.

Education – This provides information on how well informed recreational users are about opportunities and requirements within the Public Land Use Zones. One example of how to measure this is to have questions in the Recreation Use and Experience Survey that would measure the respondent's level of awareness on key topics such as: rules and regulations, safety information (such as BearSmart), and other general information deemed important for recreationists to know. A longitudinal survey completed every five years by Alberta Environment and Parks could provide the necessary information if organized and conducted on a regional scale.

System Sustainability – This provides information on the status and condition of the recreation system relative to the protection of environmental, social, and economic values (e.g., trails, crossings, staging areas, etc. that will be retained and trails that will be retired) within the Public Land Use Zones. Examples of measures include: the number of kilometres of upgraded and maintained designated trails (both motorized and non-motorized), the number of recreation sites managed (trailheads, staging areas, rustic camping areas), the number of approved water-crossings built/maintained, and Indigenous sites and values protected. Resources necessary to accomplish these measures would also be tracked. This data would be collected annually from reporting completed by an advisory group or from land managers' records.

Carrying Capacity

There are many performance measures and frameworks that have been used in other jurisdictions to help inform carrying capacity (**recreational, infrastructure and environmental**). Determining carrying capacity is a complex and resource intensive process. During the development of the monitoring strategy, measures that can provide the data, and be used to build a foundation for a future carrying capacity framework, will be identified and given a higher priority. Methods, such as a longitudinal survey on recreation use and experience, are proposed to obtain information about recreational use in high demand areas (e.g. staging areas, trails) and to develop a baseline. Over time, carrying capacity will be better defined and **triggers** and limits identified.

While approaches to carrying capacity are being developed, qualitative metrics will be applied to identify where carrying capacity may be exceeded and further management actions are required in order to limit damage and/or access. Some examples could include:

- Monitoring environmental degradation
- Monitoring user conflict between and within user group types
- Identification and retirement/reclamation of unusable trails or infrastructure
- Addressing public safety concerns
- Identifying facilities that are at capacity or over utilized consistently during a season

6.2 Evaluation

Evaluation is the systematic assessment of the design, implementation or results of a plan for reporting, learning, making adjustments to priorities, or decision-making. In order to assess the effectiveness of plan implementation, performance metric data and information needs to periodically undergo a rigorous analysis and interpretation to determine the extent to which the plan is achieving the intended outcomes. The efficiency with which resources are used and results or outputs achieved needs to also be examined. The relevance of the plan, in light of current priorities, also needs to be included as part of evaluation.

The tool for tracking data and information will be the performance metric framework, which will be critical for determining how effective the plan has been in achieving outcomes of the Recreation Management Plan as well as strategies and actions during the implementation. Regular reporting on the Land Footprint Management Plan metrics will provide the data to determine whether the Recreation Management Plan (through trail designation and the reclamation of historic unnecessary or unsustainable trails) is meeting the motorized access limits in the Land Footprint Management Plan and other requirements related to recreation and footprint.

6.3 Reporting and Plan Review

The results of evaluation and changes arising from implementation need to be shared broadly. Alberta Environment and Parks will use various mechanisms to communicate plan progress, including reports that speak directly to the plan, and communications that address more specific aspects of the plan. Reports will provide evidence that progress is being made towards achieving the outcomes and will adequately communicate progress on metrics.

At least once every 10 years following plan approval, a review will be undertaken which will include a thorough evaluation of plan effectiveness, efficiency, and relevance. This could result in the plan being amended, replaced, renewed, or repealed. Reporting on progress towards achieving strategic outcomes will be undertaken following the 10-year review.

Plan reviews can also be triggered by the ongoing review of the performance metrics. If the plan is meeting the expected strategies, no further action is required until the 10-year review. Should analysis of the performance metrics show that the plan is not meeting expected outcomes, a review of the poorly performing component may be conducted or a revision of the plan in its entirety can be initiated. Other considerations that might trigger a plan revision may include:

- Significant impacts to the planning area attributable to natural disturbances such as flood, wildfire, climate change effects, etc.
- Changes to the Public Land Use Zone maps are not in alignment with the plan.
- New government policy or statutory changes have significant implications for the plan.

7.0 APPENDICES

Appendix A: Glossary of Terms

Acronyms:

AEP: The department of Alberta Environment and Parks

C&T: The department of Alberta Culture and Tourism

Terms:

Carrying Capacity¹ – the ability of something to accommodate a level of use. There are three types:

Recreational² - where the level of use of a trail or area exceeds what is socially acceptable in aspects such as crowding and conflict. The threshold for recreational carrying capacity is dependent on factors such as number of people, perception of type of location, personal crowding preference. For example, backcountry users might feel that seeing two or three people is reaching the threshold of capacity but front-country users might feel that seeing 15 or 20 people is reaching the threshold of capacity.

Infrastructure³ - where the amount and condition of facilities and/or infrastructure such as bathrooms, signs, and parking are able to meet the needs of users.

Environmental⁴ – determined by the threshold where the biophysical factors cannot withstand the level of use and creates changes to the ecosystem.

Commercial Purpose (see also Recreational Purpose) – means a use or activity undertaken.

(i) with an intention that the use or activity may produce an economic benefit, whether for the person or persons that undertake the use or activity or for a charity or other person, or

(ii) in connection with the business of the person or persons that undertake the use or activity.

Day Use Site – a site where travellers can stop to rest and relax, enjoy the area or engage in specific activities that are offered at that location. Day use sites are not available for overnight use.

1 Stankey et al. (1985). *The limits of acceptable change system for wilderness planning* (General technical report INT-76). Ogden: UT: USDA Forest Service.

2 Manning, R. E. (2007). *Parks and carrying capacity: Commons without tragedy*. Island Press, Washington.

3 Needham, M.D., Ceurvorst, R. L. and Tynon, J.F. (2013). "Toward an approach for measuring indicators of facility carrying capacity in outdoor recreation areas." In *Journal of Leisure Research*, 45(3), 345-366.

4 Stankey et al. (1985). *The limits of acceptable change system for wilderness planning* (General technical report INT-76). Ogden: UT: USDA Forest Service.

Designated Trail⁵ - means, through regional and sub-regional planning process or through a regional management plan, an area or linear disturbance (trail) identified for a specific activity or activities. Trails are mapped, signed, and maintained. Trails that are mapped through the Alberta Environment and Parks Public Land Use Zone maps are designated trails.

Disposition⁶ - means any instrument executed pursuant to this Act, the former Act, The *Provincial Lands Act*, RSA 1942 c62, or the *Dominion Lands Act* (Canada), RSC 1927 c113, whereby

1. any estate or interest in land of the Crown, or
2. any other right or privilege in respect of land of the Crown that is not an estate or interest in land, is or has been granted or conveyed by the Crown to any person, but does not include a grant.

Extreme Use Trails⁷ - specific trail uses that involve competition or an element of danger.

Green Area⁸ - the unsettled portion of the province, primarily forest lands not available for agricultural development other than grazing.

Indigenous Peoples – for the purposes of the present document, “Indigenous Peoples” means “aboriginal peoples of Canada” within the meaning of Section 35 of the Constitution Act, 1982. For the reasons stated in the South Saskatchewan Regional Plan (2014), the focus on conversation with the region’s Aboriginal peoples has been with First Nations. All First Nations in the planning area adhered to a Treaty, under which they hold treaty rights within the meaning of Section 35 of the *Constitution Act*, 1982.

Limit (Land Disturbance Limit) – a management threshold that establishes a maximum amount of land disturbance that may occur in a given area in order to prevent undesirable change in the condition of a given landscape. It can be described specific to types of disturbance, for example linear or non-linear footprint, and is based on an assessment of environmental, social and economic priorities in a given area. It may be used in focused areas where it is necessary to take active steps in footprint management to address one or more key drivers for the area in either a proactive or responsive manner. Examples include meeting federal requirements (e.g. caribou range plans), addressing key regional plan outcomes, to meet or respond to specific biodiversity management framework indicators.

Motorized Access - means access for any recreational activity that uses a motor vehicle as defined in the *Traffic Safety Act* as: (i) a vehicle propelled by any power other than muscular power, or (ii) a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.

Nature-based Tourism⁹ - tourism that is undertaken largely or solely for the purpose of enjoying natural attractions and engaging in outdoor activities, whether for relaxation, discovery or adventure (e.g., camping, bird watching, trail riding, downhill skiing, hunting, mountain biking, motorized recreation, etc.).

5 Draft - Trails Administration Procedure

6 The *Public Lands Act* (2000) Alberta Queens Printer (e))

7 Government of Alberta. 2009. Alberta Recreation Corridor and Trails Classification System

8 Government of Alberta (2017) South Saskatchewan Regional Plan.

9 As defined within the South Saskatchewan Regional Plan

Near Stream Motorized Access - refers to Open or Restricted Motorized Access that falls within 100 m of a stream on highly erodible soils.

Objective - is a concrete statement describing what is to be achieved or accomplished. Objective statements provide direction for planning, for evaluating plans and for guiding projects and actions. Objectives should be written so that they can be evaluated at the conclusion of a project to determine if they were achieved. A well-worded objective will be Specific, Measurable, Attainable/Achievable, Realistic and Time-bound (SMART).

- Specific - the statement should indicate what should be accomplished. It should be phrased using action words like “design,” “sell,” “build,” “implement”.
- Measurable – the statement should clearly state what will be achieved and when it will be achieved. If you can measure the goal, you can determine if you have accomplished it. If the objective is accomplished, the project is a success.
- Acceptable – does everyone in the organization agree that the goal is necessary and desirable? Is the objective acceptable to managers and KEY stakeholders?
- Realistic – this means the goal can be accomplished, but it may be challenging. Is the goal/objective achievable?
- Time bound – an objective should specify a deadline and time horizon.

Off-highway Vehicle (OHV) - means a motor vehicle used for cross-country travel on land or water but does not include snow vehicles or boats.

Open Motorized Access - is general public access including permitted access for motorized recreation on designated trails, as well as established public/municipal roads and any industrial access that does not meet the criteria for Restricted Motorized Access.

Outcome¹⁰ - the likely or achieved short-term and medium-term effects of an intervention's outputs Broad in perspective and scope.

Outdoor Recreation¹¹ - all those things that a person or group chooses to do in an outdoors setting in order to make their leisure time more interesting, more enjoyable and more personally satisfying so as to enhance social functioning, assist in individual and community development and improve quality of life.

Performance Management - is a progressive method for measuring both plan performance and effectiveness that weaves throughout the entire planning process – it is not a stand-alone or external system.

Principles¹² - the fundamental basis that clarifies institutional values and perspectives, serves as a guide for making decisions and taking action, and help: to provide a common understanding and nomenclature for everyone involved in the planning and management processes.

¹⁰ <http://www.oecd.org/development/peer-review/s/2754804.pdf>

¹¹ Adapted from Recreation as defined within the South Saskatchewan Regional Plan

¹² Adapted from Principles of Recreation Resource Planning. Society of Outdoor Recreation Professionals.

Provincial Recreation Areas (PRAs) - established under the *Provincial Parks Act*, provincial recreation areas are managed to support outdoor recreation and tourism as the primary intent. They often provide access to lakes, rivers, reservoirs and adjacent Crown land. Provincial recreation areas support a range of outdoor activities in natural, modified and man-made settings.

Public Land (see also Green Area; Vacant Public Land) – “public land” means land of the Crown in right of Alberta; *Public Lands Act*.

Public Land Recreation Area (PLRA) – a delineated area on public land established under the Public Land Administration Regulation (PLAR) that is intended for recreational purposes including camping, staging or day use. Activities within a PLRA are regulated through the Public Land Administration Regulation.

Public Land Use Zones (PLUZs) - an area designated under the Public Lands Administration Regulation that enables the management of public activities on the landscape.

Random Camping Sites – are motorized camping areas which exist in a natural (unmaintained) state, that typically offer no amenities, and in which campers need to be self-sufficient. Random camping is an unregulated activity that has occurred at “random” dispersed locations throughout the Public Land Use Zones, wherever people are able to find or establish vehicle access, with virtually no restrictions or rules to govern this activity.

Recreation Infrastructure System – the entirety of all designated motorized trails, designated non-motorized trails, undesignated non-motorized trails, staging and day use areas, camping areas (zones, Public Land Recreation Areas, etc.) as well as any supporting infrastructure (such as water crossings and shelters) and amenities (such as information kiosks, and garbage facilities).

Recreational Purpose (see also Commercial Purpose) – means a use or activity, including without limitation the following, that is undertaken for a purpose other than a commercial purpose:

- (i) hunting as defined in the *Wildlife Act*;
- (ii) camping;
- (iii) fishing;
- (iv) boating;
- (v) nature study, including viewing, drawing and photography;
- (vi) staging for air travel including hang-gliding and hot-air ballooning, but not including air travel by aerodromes within the meaning of the *Aeronautics Act* (Canada);
- (vii) human-powered travel, including hiking, swimming, underwater diving, snorkelling, skiing, snowshoeing, skating and sliding;

(viii) animal-powered travel, including dog-sledding, horseback riding, carting and tracking;

(ix) the use of any conveyance.

Restoration¹³ – the process of restoring site conditions as they were before the land disturbance.

Restricted Motorized Access - industrial or commercial access under disposition (primarily forestry, energy and mining, and grazing allotment holders) to access allocated resources.

Rustic Camping Zone – refers to a defined location (i.e., a designated area that is shown on a Public Land Use Zone map) where vehicle assisted (motorized) camping can occur. Camping zones are un-serviced and provide limited or no amenities (i.e., they offer a rustic camping experience).

Rustic Motorized Camping – camping with a recreational vehicle (RV) or camping unit that is designed to be carried on or towed behind a motorized vehicle within a designated area having limited or no services or amenities.

Snow Vehicle¹⁴ - a motor vehicle designed and equipped to be driven exclusively or chiefly on snow or ice or both.

Staging Area – may also be referred to as a trailhead, is an access point to a trail or trail system that is supported by public facilities which may include: vehicle (and trailer) parking area, OHV unloading ramp, signs, kiosk, garbage receptacles, toilets, hitching posts for horse, etc.

Threshold¹⁵ – “has the meaning given to it in a regional plan and may include a limit, target, trigger, range, measure, index or unit of measurement.”

Traditional Land Use¹⁶ – Alberta recognizes that First Nations may engage in customs or practices on the land that are not listed in Section 35 Treaty rights but are nonetheless important to First Nations (“traditional uses”). Traditional uses of land include burial grounds, gathering sites, and historical or ceremonial locations and do not refer to proprietary interest in the land. First Nations’ traditional use information can help greater inform Crown consultation and serve to avoid or mitigate adverse impacts. Alberta will consult with First Nations when traditional uses have the potential to be adversely impacted by land and natural resource management decisions.

Trail¹⁷ - a travel way established either through construction or use which is passable by at least one or more of the following : foot traffic, livestock, watercraft, bicycles, in-line skates, wheelchairs, cross-country skis, off-road recreation vehicles such as motorcycles, snowmobiles, ATVs, and 4-wheel drive vehicles.

¹³ Glossary of Reclamation and Remediation Terms Used in Alberta 7th Edition, 2002.

¹⁴ *Public Lands Act: Public Lands Administration Regulations*, 2011.

¹⁵ *Alberta Land Stewardship Act*, 2009.

¹⁶ Government of Alberta (2013). *The Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management*. Edmonton, AB.

¹⁷ National Trails System, National Park Service, US Department of the Interior, retrieved www.nps.gov/nts/nts_faq.html

Triggers - triggers are the basis for evaluating a changing condition, at which point a management response is initiated. Triggers may be developed to guide proactive and early management responses to avoid undesirable consequences. Exceedances of triggers or targets do not necessarily signal a real or meaningful change, but may provide an early opportunity to examine an indicator to determine what the trends are and what management response may be desired to mitigate foreseen negative impacts.

Tourist - a person who takes an overnight trip, or a same-day trip of more than 40 km (one-way) outside of their home community.

Vacant Public Land¹⁸ - means a vacant disposition area or other land that is under the administration of the Minister and that is not the subject of a formal disposition.

Vision¹⁹ - a “**vision statement**” is a picture of your planning area in the future; it is your inspiration and the framework for your strategic planning.

Visitors (see also Tourist) – a person who takes an overnight trip, or a same-day trip of more than 40 km (one-way) outside of their home community.

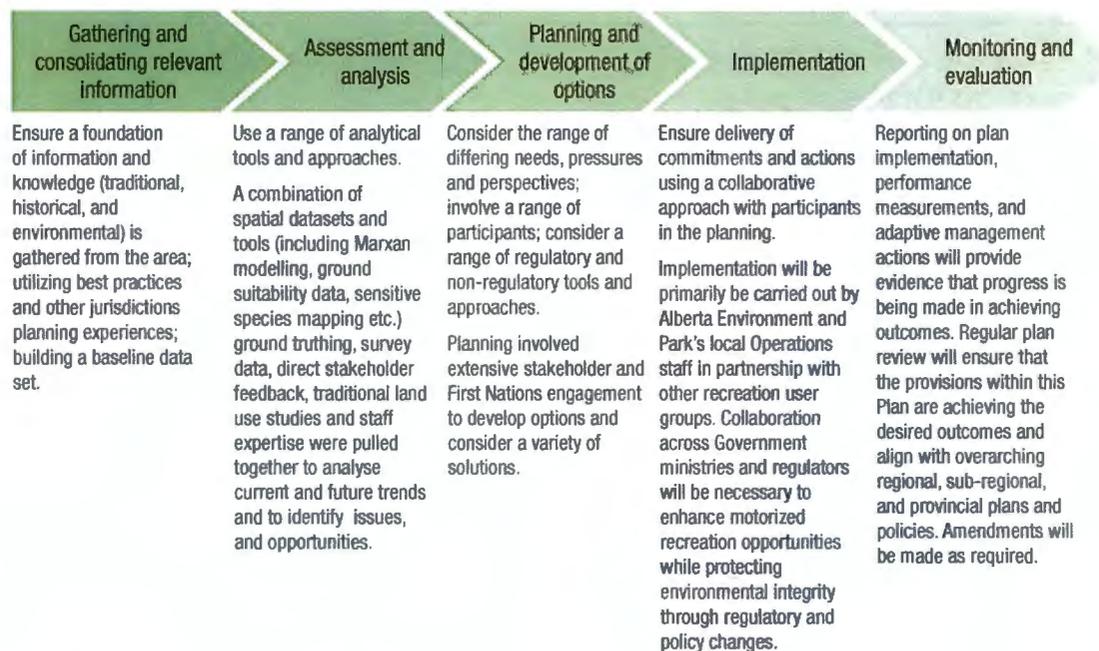
¹⁸ *Public Lands Act: Public Lands Administration Regulations*. (2011).

¹⁹ Defining and Incorporating Principles within Public Land Use Policy.

Appendix B: Planning and Public Engagement Process

The South Saskatchewan Regional Plan (pg. 136) outlines an integrated planning system in which key steps would enable an efficient and effective planning process for all sub-regional planning activities.

The Livingstone-Porcupine Hills Recreation Management Plan sets a standard for future sub-regional planning in the South Saskatchewan region – including recreation and footprint planning. The following graphic outlines the process in the development of the Livingstone-Porcupine Hills Recreation Management Plan.



Engagement Overview

In March 2015, the planning processes for the Livingstone-Porcupine Hills Land Footprint and Recreation Management Plans began. The initial planning stage engaged local users, stakeholders, municipalities and First Nations to:

- Identify key areas of interest,
- Look at management alternatives and techniques, establish a common language,
- Understand the multiple use landscape, and
- Develop relationships with stakeholders in the planning area.

During this initial planning stage, the Footprint and Recreation Project Teams worked cooperatively to engage stakeholders and build a foundation of area knowledge. A stakeholder list of over 800 was developed and over 48 meetings and workshops were held with stakeholders, landowners, industry and community partners; and over 20 meetings were held with Treaty 6 and Treaty 7 Nations including field and site visits to add to the traditional ecological knowledge necessary to respect First Nations Treaty and Aboriginal rights.

Initial conversations highlighted three areas of comment:

1. Planning and the Planning Process:

- Being authentically engaged and involved in the process.
- Building relationships and trust.
- Making connections to existing management plans, recovery plans, municipal plans, biodiversity management framework, etc.
- Transparency.
- Timely process and understanding what's next; consistent across province.
- Understanding governance, approval processes for plans and activities, zoning that might be involved, etc.
- Questions about what the plans will look like, what they will do, how things may/will change for users and industry, what data is being used and being able to manage into the future.

2. Managing the Landscape:

- Managing the landscape so ecosystem function is maintained/intact – considering biodiversity, connectivity, adjacent land.
- Understanding how current activities are affecting adjacent landowners, wildlife, emergency services, etc.
- Looking at watersheds, forest management, grazing and industrial activities – current and proposed.
- Having enforcement staff on the landscape.

3. Stewardship and Cultural Identity:

- The importance of education in changing stewardship ethic and understanding the cultural and environmental significance of the area.
- Building capacity with the younger generations; education system and onsite youth activities.
- Having the ability to complete a full traditional land use study of the area – field work with elders, oral history and paper.
- A willingness to help with activities – education, trail work, monitoring, training.
- Understanding how Public Land Use Zones will affect recreation, traditional uses and access.

After the initial planning stage, the Footprint and Recreation Management Planning Project Teams branched off to focus attention on the planning scale/focus/needs to address assessment, analysis and preparation of the separate draft plans.

In May 2017, the Southwest Alberta Recreation Advisory Group (SARAG) was formed to review and provide recommendations on various components of a draft Recreation Management Plan. The advisory group was comprised of representatives from sectors including municipalities, equestrian, landowners, grazing, winter and summer motorized use, hunting and fishing, guides and outfitters, non-governmental organizations, and industry. The group had an advisory role to Alberta Environment and Parks who were responsible for decision-making. After the completion of the Recreation Management Plan public consultation process, the advisory group was disbanded. The Southwest Alberta Recreation Advisory Group met five times from June 2017 to August 2017. Stakeholder engagement will continue to support implementation of the plan. Stakeholder engagement will continue to support implementation of the plan.

Appendix C: References

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Other Inputs:

Alberta Environment and Parks. Porcupine Hills Recreation Management Planning Participant Notes and Comments from Sector Meetings and Workshops. November 2015-December 2016.

Alberta Environment and Parks. Porcupine Hills Recreation Management Planning Southwest Alberta Recreation Advisory Group (SARAG) Participant Notes and Comments. 2017.



TOWN OF PINCHER CREEK

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PHONE: 403-627-3156 FAX: 403-627-4784
e-mail: reception@pinchercreek.ca
web page: www.pinchercreek.ca



August 24, 2018

RECEIVED

AUG 29 2018

M.D. OF PINCHER CREEK

Reeve and Council
Municipal District Pincher Creek No. 9
Box 279
Pincher Creek, AB
T0K 1W0

Dear Reeve and Council,

Please be advised that you are invited to attend a meeting with the following community organizations at the Town of Pincher Creek on October 18, 2018 commencing at 8:30 am.

2019 to 2022 Budget Presentation Agenda:

- 8:30 am Pincher Creek and District Municipal Library Board
- 9:00 am Pincher Creek Search and Rescue
- 9:30 am Pincher Creek Humane Society
- 10:00 am Pincher Creek Food Bank
- 10:30 am Regional Emergency Management Organization

I am requesting these organizations send me the information to be presented at this meeting by September 28, 2018. Once I receive this information, I will forward it to everyone to review before the meeting.

We look forward to seeing you there.

Yours truly,

Wendy D. Catonio, CPA, CGA

Director of Finance and Human Resources
Town of Pincher Creek
Telephone: (403) 627-3156
Fax: (403) 627-4784
Email: finance@pinchercreek.ca



JOINT COUNCIL MEETING NOTES

Town of Pincher Creek and Municipal District of Pincher Creek No. 9
Thursday, August 16, 2018
Town Office Council Chambers

In Attendance:

Town of Pincher Creek – Mayor Don Anderberg; Councillors M. Barber, W. Elliott, L. Jackson, S. Korbett, B. McGillivray and S. O'Rourke; CAO L. Wilgosh, Director of Operations A. Roth and Admin. Assistant H. Koshney

Municipal District of Pincher Creek No. 9 – Reeve Q. Stevick; Councillors B. Everts, B. Hammond and T. Yagos; CAO S. Steinke

1. SUPPER

2. CALL TO ORDER

Mayor Anderberg called the meeting to order at 6:03 p.m.

3. AGENDA APPROVAL

ELLIOTT:

Moved to approve the agenda with the addition of item 4a Extend thank you.

CARRIED

4. ADOPTION OF March 8, 2018 JOINT COUNCIL MEETING NOTES

STEVICK:

Moved that the March 8, 2018 Joint Council Meeting Notes be accepted as presented.

CARRIED

4a. EXTEND THANK YOU

Reeve Stevick thanked the Town of Pincher Creek for support with the Sage Creek fire situation and ongoing support being prepared as new fires may arise. Getting information out earlier this year has been beneficial and positive comments have been received from the public.

5. INTERMUNICIPAL COLLABORATION FRAMEWORK/INTERMUNICIPAL DEVELOPMENT PLAN

Funding has been approved through ACP (Alberta Community Partnership) and now we must decide on the process to move forward. Creation of a Steering Committee with members from the Town and MD was discussed.

KORBETT:

Moved that the Joint Council recommend that the ICF Steering Committee appointees by both the Town and MD Councils be completed by the second meeting in September.

CARRIED

6. CHILDREN'S WORLD DAYCARE CLOSURE/NEW SERVICE PROVIDER

Mayor Anderberg provided background information on childcare issues and advised that Children's World Daycare closed on August 10, 2018 leaving many families without adequate childcare. The Town of Pincher Creek is working toward new childcare facilities but will be providing contracted run childcare facilities in St. Michael's School on September 4, 2018. The Pincher Creek Community Early Learning Centre, a not-for-profit municipal corporation has been set up, with a Board of Directors in place and childcare staff is being hired. The Town invited the MD to be involved in this community driven project which also provides childcare to MD children, and to attend a meeting on September 5, 2018 with both School Boards and the Ministry of Children's Services to discuss important topics including funding.

7. REGIONAL EMERGENCY MANAGEMENT ORGANIZATION/FINANCES

A. Roth, Director of Emergency Management (DEM) gave an update on recent emergency management activities emphasizing how busy he is in this position and as the Director of Operations for the Town of Pincher Creek. A REMO meeting will be scheduled in early fall to review the budget.

Discussion followed around how to best manage the DEM position. Some management structure and organization is necessary.

HAMMOND:

Moved that the Joint Council recommend CAO L. Wilgosh and CAO S. Steinke work together to schedule an Emergency Management Meeting including the Village of Cowley to discuss structure and the Director of Emergency Management organization.

CARRIED

Joint Council Meeting Notes
Thursday, August 16, 2018

8. JOINT COUNCIL MEETINGS/SPECIAL COUNCIL MEETING STATUS
Administration to research legislative guidelines or restrictions regarding Joint Council meetings and decision making procedures.
9. ADJOURNMENT
Councillor McGillivray adjourned the meeting at 8:25 p.m.

DRAFT



Livingstone Range
SCHOOL DIVISION NO. 68

Reeve Quentin Stevick
PO Box 279, Pincher Creek, AB T0K 1W0

Wednesday, August 29, 2018

Dear Reeve Quentin Stevick;

I am writing to you on behalf of Livingstone Range School Division No. 68 to inform you of a recent decision of the Board to conduct an electoral ward boundary review.

The history of our division is that on August 25, 1994, then Education Minister Halvar Jonson signed an Establishment Order creating Livingstone Range Regional Division No. 68, which came into effect on January 1, 1995.

The number of trustees was established as seven members. Based on the 2017 provincial census, the population of the region was approximately 27,551 residents, thus each trustee represents about 3,936 citizens.

Since formation in 1995 when the population within LRSD ward boundaries was 27,694 there has been development throughout the region and population redistribution as some municipalities grow and others decline.

On June 22, 2018 the Board of Trustees passed the following motion:

"Trustee Yagos moved that the Board of Trustees approve the ward boundary review proposal prepared by Alberta School Board Association of what would be involved in a ward review facilitated by them".
(carried unanimously)

Following the adoption of the above motion, the Alberta School Boards Association was contacted for the purposes of assisting the Board of Trustees and the administration in reviewing the current ward configuration and the relevant data regarding population in order to make recommendations to the Board. Mr. Jim Gibbons has been retained as the Board's consultant to conduct this review. We respectfully request that you and your administration receive his inquiries

The Board will be hosting a series of public meetings in the fall to present information and receive input from electors.

Respectfully yours,

Brad Toone,
Board Chair

cc: Livingstone Range School Division No. 68 Principals
Livingstone Range School Division No. 68 School Council Chairs

Tara Cryderman

Subject: FW: Media Release: EDA Receives National Award for its Economic Recovery and Resiliency Program

From: Sheldon Steinke

Sent: Thursday, September 6, 2018 8:53 AM

To: Tara Cryderman <AdminExecAsst@mdpincercreek.ab.ca>

Subject: FW: Media Release: EDA Receives National Award for its Economic Recovery and Resiliency Program

Tara
Council Information item.
Sheldon

Subject: FW: Media Release: EDA Receives National Award for its Economic Recovery and Resiliency Program

Dear AlbertaSW Board, CAOs and EDOs,
We can now make the news public: EDA has received another award for the economic resiliency program!
We are looking forward to offering this training in our region in the upcoming weeks

Subject: Media Release: EDA Receives National Award for its Economic Recovery and Resiliency Program



EDA Media Release

For Immediate Release

Economic Developers Alberta (EDA) Receives National Award for its Economic Recovery and Resiliency Program

SDG Leadership Awards Presented to Organizations Committed to Advancing Sustainable Development Goals

Toronto, ON (September 6, 2018) – Economic Developers Alberta (EDA) has received an SDG Leadership Award for its Economic Recovery and Resiliency Program.

The Global Compact Network Canada (GCNC), the Canadian network of the UN Global Compact, organizes the award. These awards recognize Canadian organizations that are helping to advance the 17 Sustainable Development Goals in Canada and inspiring others to take action.

"We are proud to be recognized for our contribution to advancing the SDG's in Canada with our Economic Recovery and Resiliency Program," said Leann Hackman-Carty EDA CEO. "The information and training in our program helps to build the capacity to respond to and recover from economic disruptions. I feel our work also inspires Canadian communities to embrace important resiliency practices."

EDA's strategic partner, the [International Economic Development Council \(IEDC\)](#) has helped to accelerate and expand EDA's work in this area.

"Congratulations to EDA for being recognized nationally for your Economic Recovery and Resiliency program," said Jeff Finkle, IEDC President. "Over the past few years we have been pleased to partner with EDA in order to become a one-stop shop for disaster preparedness and post-disaster economic recovery by providing important economic resilience resources, tools, and training to our members. These economic developers are dedicated to creating, retaining and expanding jobs in their communities."

Since its inception in 2015, the GCNC has played an important role in bringing the business case of the SDGs to Canadian businesses, and advocating their adoption and implementation.

"The SDG Leadership Awards are Canada's celebration of the SDGs and an inspiration for business leadership. Today we will celebrate and recognize organizations and businesses who are doing great work to help advance the SDGs and inspiring others to take action to create the future we want," said Helle Bank Jorgensen, President Emeritus, Global Compact Network Canada.

[Read EDA's entry here](#)

[About Economic Developers Alberta \(EDA\)](#)

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For more information or to arrange an interview contact:

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www.edaalberta.ca
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AUG 28 2018

M.D. OF PINCHER CREEK

Reeve Quentin Stevick
PO Box 279
1037 Herron Ave
Pincher Creek, AB T0K 1W0

August 24, 2018

Dear Reeve Stevick,

It is my pleasure to invite you to the launch of the 2018 edition of our *Vital Signs* publication. *Vital Signs* is an annual community check-up conducted by the Community Foundation of Lethbridge and Southwestern Alberta to assess quality of life in our region. The report is compiled using local data, sources, and research, and identifies advantages and challenges to life in Southwestern Alberta. *Vital Signs* looks at indicators in six areas: Community Connections, Cultural Life, Environment, Healthy Communities, Lifelong Learning, and Living Standards.

As an elected official, you may be interested in *Vital Signs* as an indicator of societal health and vitality. By employing sources and information specific to the communities, counties, and municipal districts of Southwestern Alberta, *Vital Signs* can help to shed light on specific challenges within your community, as well as acknowledge and encourage more growth in areas that are thriving. This year, Lethbridge and Southwestern Alberta's *Vital Signs* is also tracking quality of life indicators through the lens of the United Nations' 17 Sustainable Development Goals. These goals are part of a larger international vision for responsible, equitable growth.

In 2017, 39 community foundations across Canada and around the globe released *Vital Signs* reports. We will be launching our 2018 edition of *Vital Signs* at 10:30 a.m. on October 4th at the Community Foundation office (Unit 50, 1202 2nd Avenue S, Lethbridge). Please contact our office at 403-328-5297 if you are able to join us as we share *Vital Signs* 2018 with our community.

Best wishes,

Charleen Davidson
Executive Director

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AUG 28 2017
M.D. OF PINCHER CREEK



Prairie Conservation Forum
2nd Floor, Provincial Building
200 – 5th Avenue South
Lethbridge, Alberta T1J 4L1

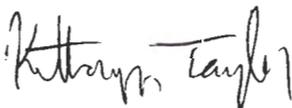
M.D. of Pincher Creek,

In 2017, the Prairie Conservation Forum developed a document titled 'Beneficial Management Practices for Renewable Energy Projects'. This document was developed with the intent of providing a framework for the development of industry-specific beneficial management practices applicable to the renewable energy sector. The beneficial management practices provided in this document are built on the minimal disturbance principles, guidelines and tools developed by the Government of Alberta for all industrial activity proposed in native prairie and parkland landscapes, and involved engagement with representatives of the renewable energy sector, comments provided by industry representatives, government agencies and interested stakeholders.

As an accompaniment to this document, we have developed two information summary sheets – one for the wind and solar energy industry, and one for landholders. Both of these summary sheets, as well as the original document, can be found on the PCF website at www.albertapcf.org (specifically, <http://www.albertapcf.org/resources-literature/pcf-resources>). I have also included a few copies of the landholder guide titled 'Reducing the Renewable Energy Footprint on your Native Grasslands; information for Alberta Landowners'. We hope that this guide will provide valuable information to landholders about what to expect, and what they can do, when the renewable energy industry is interested in their land for a renewable energy project.

Please feel free to pass this information on to landholders in your area. We would be pleased to send you more information sheets if you are interested.

Sincerely,



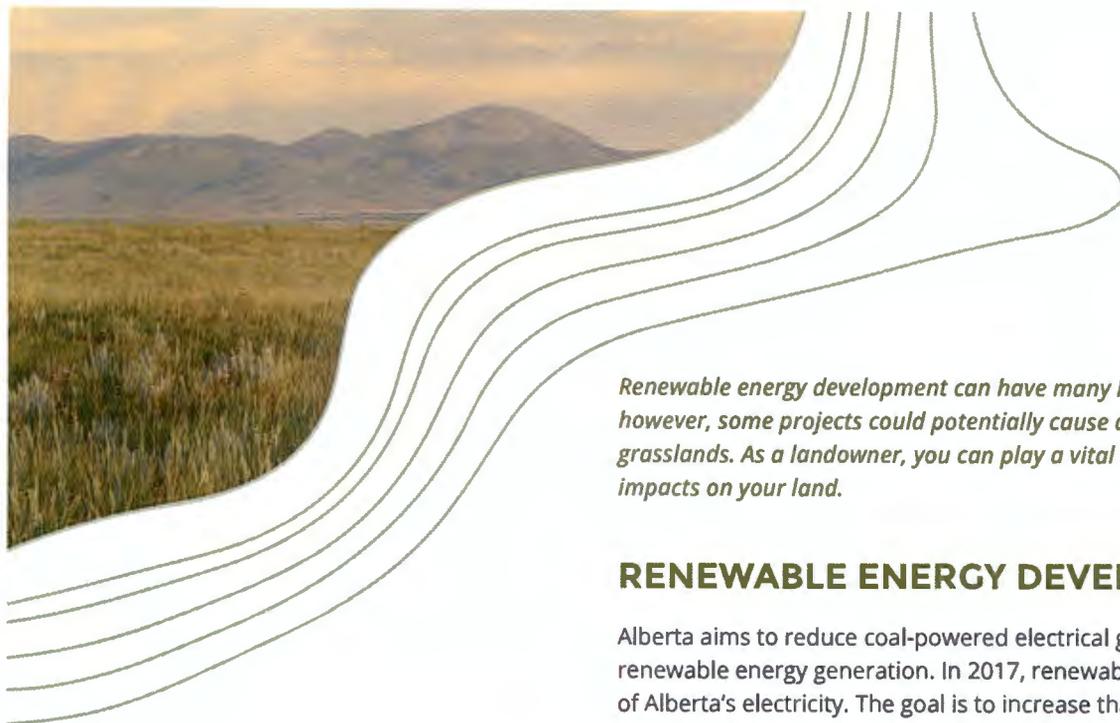
Katheryn Taylor

PCF Coordinator
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REDUCING THE RENEWABLE ENERGY FOOTPRINT ON YOUR NATIVE GRASSLANDS

INFORMATION FOR ALBERTA LANDOWNERS





Renewable energy development can have many benefits for Albertans; however, some projects could potentially cause adverse impacts to native grasslands. As a landowner, you can play a vital role in minimizing such impacts on your land.

RENEWABLE ENERGY DEVELOPMENT

Alberta aims to reduce coal-powered electrical generation and increase renewable energy generation. In 2017, renewable sources supplied about 9% of Alberta's electricity. The goal is to increase that to 30% by 2030. This has implications for current land use.

Wind, solar and other renewable energy projects offer such benefits as stimulation of local economies, diversification of energy supplies, and decreased greenhouse gas emissions. However, these projects can have adverse environmental impacts, particularly if they are sited in native grassland or parkland areas that support livestock production and a variety of wildlife and cultural activities. The impacts may include fragmentation or loss of native grasslands and wildlife habitat, soil degradation, and invasive weed problems. Examples of other potential impacts include noise, increased traffic and dust, or alterations to the surrounding view, depending on the project.

Renewable energy projects need to be properly planned, developed, operated and decommissioned to minimize the risk of potentially negative impacts. The Alberta Government has set out regulations, guidelines and other tools for renewable energy development and an approval process to determine if proposed projects are in the social, economic and environmental interests of Alberta. The recent amendment to the Conservation and Reclamation Regulation enables the Government to develop conservation and reclamation requirements and to require a developer to obtain a reclamation certificate at the end of a project's operations.

Landowners can help reduce adverse impacts of renewable energy development on native grassland and parkland areas through:

1. contract negotiations with developers;
2. input into consultations on proposed projects; and
3. having their own renewable energy equipment to meet their own energy needs.

WHY NATIVE PRAIRIE MATTERS

Healthy native grasslands are crucial for water storage and purification, high quality forage for livestock, wildlife habitat, biodiversity and carbon storage. These landscapes are also valued for their aesthetic beauty, recreational opportunities and cultural history. Considerable losses of native grassland, parkland and wetland habitat have already occurred and continue to occur in Alberta. Continued stewardship of the remaining native areas is important to maintain ecological, economic and social sustainability.



NEGOTIATING CONTRACTS WITH DEVELOPERS

As a landowner, you will want to consider many factors before signing an agreement with a renewable energy company. To assist landowners in negotiating such agreements, the Farmers' Advocate Office (FAO) has published *Renewable Energy in Alberta*.

That publication emphasizes how important it is for the landowner to negotiate with the developer to make sure the wording in the agreement is right for the landowner's needs. The FAO recommends consulting your lawyer, accountant and municipality, and talking with your neighbours before finalizing the agreement.

Leasing your land for a renewable energy power plant is completely voluntary. If you don't like the proposed contract, you don't have to accept it.

However, siting of transmission lines associated with a power plant could potentially be imposed on you or your neighbours. If agreements cannot be reached with affected landowners, then the Alberta Utilities Commission (AUC), which regulates Alberta's utilities sector, will determine if the proposed routing is in the public interest, through a public proceeding.

Utility-scale renewable energy projects require the AUC's approval. Before submitting a proposal to the AUC, the developer must notify and consult with local landowners, residents and occupants. Municipal approval is required to make sure the proposal complies with local land-use plans and bylaws. As part of the environmental requirements, the developer must review any wildlife survey information and wildlife mitigation plans with Alberta Environment and Parks (AEP), and a Wildlife Referral Report from AEP must accompany the submitted proposal. AEP's report is guided by its wildlife directives and beneficial management practices (BMPs) for renewable energy projects.

To learn about BMPs for renewable energy, see *Beneficial Management Practices for Renewable Energy Projects; Reducing the Footprint in Alberta's Native Grassland, Parkland and Wetland Ecosystems*.

You can help conserve native grasslands on your property by discussing those BMPs during your lease negotiations with the developer. For example, you might:

- Require the developer to avoid or minimize disturbances to native prairie habitat, riparian areas, wildlife corridors, and other environmentally sensitive or culturally important areas.
- Make sure you are satisfied with the developer's plans for restoring the native plant community (including requiring a professional to sign off) and for protecting water and soil resources, such as soil management practices during construction.
- Let the developer know about any existing conservation easements or agreements on your land.
- Discuss options to minimize the need to build new access roads, such as possibly using your existing farm or ranch trails or locating the project near existing transportation corridors.
- Specify how weed control will be conducted; the responsibility for weed control could be contracted back to you to ensure it will meet your requirements.

Any requirements that are important to you should be written into the final contract.



NEIGHBOUR INPUT ON PROPOSALS

As a nearby landowner, you can raise concerns about a proposed project's potential impacts on native grasslands through the developer's consultation process, the municipal approval process, and the *AUC's review process*.

All renewable energy applications to the AUC go through a multi-step process with several opportunities for landowner and public involvement, and a requirement that nearby landowners be notified and their concerns considered. More details can be found on the *AUC's website*.

YOUR OWN SMALL PROJECT

Having your own small renewable energy project to meet your own needs can contribute to a sustainable rural landscape in multiple ways. Such projects decrease the need for additional transmission infrastructure in remote locations, reducing the risk of impacts to native grasslands. Also, you can avoid native grassland when choosing a location for your equipment. For instance, if the project will be providing energy to your residence or outbuildings, you can place the equipment on altered or disturbed land near the buildings.

The *AUC website* has information on approval processes for small renewable energy projects. Some small projects do not need to apply to the AUC if they meet the exemption criteria or if they are *micro-generation projects*, which generate less than 5 megawatts. The Alberta Government has *incentive programs* for some types of small projects.

Rural Albertans will likely see a rapid increase in renewable energy development in the coming years. You can play a part in shaping a sustainable future for Alberta through your stewardship and conservation of resources including native prairie, and your discussions with developers.



CONTACT

www.albertapcf.org
info@albertapcf.org

2018



Meeting Minutes
of the
Agricultural Service Board – Municipal District of Pincher Creek No. 9
July 19, 2018 – MD Council Chambers

Present: Chair John Lawson, Vice Chair Martin Puch, Reeve Quentin Stevick, Councillor Bev Everts, Member Frank Welsch and Member David Robbins.

Also Present: Director of Operations Leo Reedyk, Agricultural Services Manager Shane Poulsen, Environmental Services Technician Lindsey Davidson and Alan Efetha – Agriculture Extension Specialist, Alberta Agriculture and Forestry, Pat Neumann – Deputy Fire Chief Pincher Creek Emergency Services

Chair John Lawson, called the meeting to order at 9:35 am.

A. ADOPTION OF AGENDA

Martin Puch

18/056

Moved that the agenda be amended with the following;

- Correspondence Action 1)a. CO-OP Communities in Full Colour request for support
- Correspondence Information 2)d. BMO Farm Family Award
- New Business 1) Weeds

AND THAT the agenda be approved as amended.

Carried.

B. INTRODUCTIONS

Alan Efetha – Agriculture Extension Specialist, Alberta Agriculture and Forestry gave a description of his role with the provincial ASB program and the purpose of his visit. Alan emphasized the expectation of the Minister that all ASB Programs adhere enforce all relevant acts accordingly and adhere to the terms and conditions and deadlines of the reporting requirements.

Alan then left the meeting to tour AES Facilities with Shane Poulsen, the time being 10:51 am.

C. MINUTES

Reeve Stevick 18/057

Moved that the minutes from the June 7, 2018 meeting be accepted as presented.

Carried.

D. AGRICULTURAL AND ENVIRONMENTAL SERVICES DEPARTMENTAL REPORTS

Councillor Everts 18/058

Moved that the AES Departmental Reports for the month of June be accepted as information.

Carried.

E. UNFINISHED BUSINESS

Pat Neumann spoke to the roles and responsibilities of different agencies during an emergency event and how the Livestock Emergency Response Plan would direct actions and activities.

Martin Puch 18/059

Moved that the discussion surrounding the *Draft* Livestock Emergency Response Plan be tabled until the next regular meeting on September 6, 2018.

AND THAT Ken Kendall of Kenneth Kendall Consulting, Director of Emergency Management Al Roth, and Deputy Fire Chief Pat Neumann be invited to participate in the discussion.

Carried.

Pat Neumann left the meeting at this time.

F. CORRESPONDANCE

1. **For Action**

a) CO-OP Communities in Full Colour

Frank Welsch 18/060

Moved that Councillor Everts respond to Jim Peace, general manager of CO-OP and confirm the details of the proposed event

AND THAT administrative staff compose an announcement of the activity to be posted on the MD Website and social media outlets.

Carried.

2. **For Information**

a) Livingstone – Porcupine Hills Land Footprint and Recreation Management Plans

Frank Welsch 18/061

Moved to accept the letter from Minister Shannon Phillips as information.

Carried.

b) 2% Liquid Strychnine Concentrate Product Registration

Frank Welsch 18/062

Moved that the full review document and link to consultation submission be posted on the MD's website

AND THAT the item be brought back to the Board on September 6, 2018 at such a time that the letter prepared by the Provincial Agricultural Service Board Committee will be available for review.

Carried.

c) ASB Appeal Committee

This item was discussed during conversation with Alan Efetha. AES staff will continue to pursue the possibility of a regional independent appeal committee subject to interest from neighbouring municipalities.

d) BMO Farm Family Award

David Robbins 18/063

Moved to accept the oral report provided by Reeve Stevick regarding the BMO Farm Family Award ceremony at the Calgary Stampede.

Carried.

H. NEW BUSINESS

1) WEEDS

Reeve Stevick conveyed that he had communicated his concerns to Shane Poulsen. Furthermore he expressed his concern for area producers in that he has noticed an increase in the amount of toxic Water Hemlock in pastures around the area.

I. NEXT MEETING

September 6, 2018

J. ADJOURNMENT

Frank Welsch

18/064

Moved to adjourn the meeting, the time being 12:51 pm.

Carried.

ASB Chairperson

ASB Secretary

Beaver Mines Community Association Board Meeting
Saturday August 18, 2018 – Notes (prepared by Breanne Bennett)

In Attendance:

BMCA Board: Pete Falkenberg, Ken Fast, Lynn Calder, Mark Pinard, , Pat Black, Bob Black, Bernie Bonertz, Breanne Bennett, Rob Bronson,
Community: Bert Nyrose, Marley Nyrose

Absent: Mike Morley, Linde Farley, Jeff McLarty, Stephanie McLarty, Bev Everts
Community: Bert Nyrose, Marley Nyrose

A. Call to order

Meeting called to order at 10:01AM by Pete

B. Approval of Agenda

Motion to adopt agenda by Pat Black, all in favour.

C. Approval of last meeting minutes

Note: Amendment from last meeting minutes, Bev Everts was present. Item 13 – notes on private party insurance changed at the request of Mark Pinard.
Motion to approve Lynn, all in favour.

D. Treasurer's report

\$5535.50 in the bank – end of July
Received a \$500 cheque from Pincher Creek Emergency Services as part of FireSmart – also received a \$50 gift certificate for Tim Hortons.

E. MD Report to BMCA – Bev Everts (absent)

- See attached document.
- Next regular Council Meeting is scheduled for 1PM August 28th.

F. Community Advisory Committee

- Lynn and Bert met with the Sheldon and Leo; terms of reference need to be approved by council before they are “official”. Notes and terms of reference were sent to the CAO by Lynn to include in the next council package.
- No meeting is scheduled.
- Bert suggested the BMCA to initiate a request for a vote for a local improvement bylaw in regards to the Water and Wastewater (the MD would take on the task of hooking residences up to service).
- Lynn discussed organizing a workshop with the contractor to understand the cost impact to home owners.
- Action: Breanne to send out invitation for Community Advisory Committee.

G. MD Correspondence

- Lynn: Land use bylaw letter
 - Land use bylaw sent to community for comments.
 - Land use bylaw committee members: Lynn Calder, Rob Bronson, Dave Mcneill, Jeff McLarty and Steve Guindon.
 - There was concern about the stance of the committee suggesting lot size or lot frontages without consulting the whole community; a compromise was discussed, and MD consultation should be done prior proceeding. The letter is redrafted to reflect the updates.
 - Action: Pete to sign letter, Lynn to send letter to MD.

- Lynn: Request for a moratorium
 - Letter requests the growth study to be accelerated.
 - Action: Pete to sign letter, Lynn to send to MD.
 - Letter is attached to minutes.

H. FireSmart

- Rob: Thank you to Kevin Kelley from the BMCA for all the work and effort you have put into FireSmarting our community.
- Recap: July 13 was the final draw. Congratulations to the winners: Lynn Calder, Jeff McLarty and Kim Galber. Invoice for \$615.00 given to Treasurer from Kevin (hours divided between the 3 winners). Steve Ozcowski has volunteered his burn pile; the piles within the hamlet will be moved to Steve's burn pile when it is safe to do so.

G. Outstanding Business

1. Tree's removed from MD park.
2. BBQ – Action Mike – Mike Absent; to be tabled next meeting
3. Fish Fry Equipment – Action Jeff/Mike – Jeff purchased burner for approximately \$70.00 – no pots were purchased.
4. Community By-Law Review – Rob
 - i. Draft completed.
 - ii. Changes to be voted on at the AGM.
 - iii. Action: Jeff/Rob to send draft to Breanne to distribute to community for review.
5. Historical Markers/Miners Cabins (Pete/Mike) – Nothing new to report. Discussion around building a cabin in the park.
 - i. Breanne wrote and sent letter to MD requesting permission to build a replica cabin. No response to date.
 - ii. Action Pete: Get plaque's made for historical markers/miners cabins prior to September 2018. Waiting on response from MD before ordering markers.
6. Park Planning (Bert) - Bert suggested Breanne send a thank you to MD for tree removal.
 - i. Action: Breanne send thank you to MD.
7. Park Pathway – To be tabled at next meeting.

8. Phone List – Jeff absent.
 - i. Jeff previously sent template to the board for review.
 - ii. Tabled to next meeting.
9. Gazebo Insurance – Jeff Absent – Tabled to next meeting.

New Business

1. New Bench – Ken May Memorial
 - a. Mary May formally requested to donate a bench to the MD park in Ken's name. BMCA has no concerns and will assist.
2. New Grants – Breanne will be applying for 2018/2019 grants; a request for suggestions was sent to the community. Thank you to all that replied.
 - a. Suggestions:
 - i. A new outhouse.
 - ii. Replace climbing apparatus or repair wood structure.
 - iii. Tennis net holder and net.
 - iv. Paint back board.
 - v. Hire facilitator for community development/planning workshop.
 - vi. BMCA request through MD for planning upgraded facility in the park (indoor heating, water, bathrooms and kitchen).
 - b. Breanne to apply for grant to upgrade playground facilities.
 - c. Action: Breanne send invitation to community for painting within the MD park on September 16 at 10AM.
3. AGM – Election on September 8, 2018 at 10AM.
 - a. Pete to look at the requirements for the AGM.
 - b. Breanne suggested guidelines for positions on the BMCA.
 - c. Suggestion for the role of the BMCA within the community.
 - d. Suggestion for events committee.

Call of Adjournment

Motion by Pete, all in favour.

Meeting adjourned at 11:17AM