



Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, August 20, 2024 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

- 3.a Janet Wees Letter to Brian Jean, Minister of Energy and Minerals
- 3.b Correspondence- District of Elkford

4. ADOPTION OF MINUTES

- 4.a Minutes of the Council Meeting of July 16, 2024
- 4.b Minutes of the Special Council Meeting of August 6, 2024.

5. PUBLIC HEARINGS

- 5.a Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A - *Public Hearing*
- 5.b Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 34-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve multiple land uses on the subject parcel - *Public Hearing*
- 5.c Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 - *Public Hearing*

6. DELEGATIONS

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

7. REQUESTS FOR DECISION

- 7.a Bylaw 1153, 2023 Road Closure Bylaw - *Second and Third Reading*
- 7.b Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A - *Second and Third Reading*
- 7.c Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 34-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve the multiple land use on the subject parcel - *Second and*

Third Reading

- 7.d Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 - *Second and Third Reading*
- 7.e Subdivision Endorsement Extension Request 2020-0-137
- 7.f MDM Community Centre - Windows Replacement - Update

8. COUNCIL MEMBER REPORTS

9. PUBLIC INPUT PERIOD

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

10. COUNCILOR INQUIRIES AND NOTICE OF MOTION

- 10.a Notice of Motion for August 20, 2024 – Standards for Moved In Homes for Vacant Lots or Infills – Mayor Painter

11. IN CAMERA

- 11.a Economic Interests of the Public Body - Municipal Land Sales - *FOIP Act Section 25*
- 11.b Economic Interests of the Public Body - Application to Purchase Municipal Land - *FOIP Act Section 25*
- 11.c Economic Interests of the Public Body - Amendment to an Application to Purchase Municipal Land - *FOIP Act Section 25*
- 11.d Economic Interests of the Public Body - Land Swap Proposal - *FOIP Act Section 25*

12. ADJOURNMENT



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 3.a

Subject: Janet Wees Letter to Brian Jean, Minister of Energy and Minerals

Recommendation: That Council accept the Janet Wees Letter to Brian Jean, Minister of Energy and Minerals as information.

Executive Summary:

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

Relevant Council Direction, Policy or Bylaws:

1041, 2020 - Procedure Bylaw

Discussion:

The Municipality was cc'd on a letter to Minister Brian Jean for our information.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[2024 07 17 - J. Wees - Coal Mine Concerns.pdf](#)

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JUL 17 2024

Personal Privacy - FOIP Act Section 17

Calgary AB [REDACTED]

July 10, 2024

Brian Jean

Minister of Energy and Minerals of Alberta

10110 Fraser Ave Suite 107

Fort McMurray AB T9H 5C2

Dear Minister Jean and others to whom I have cc'd,

This letter is in response to a letter devised and sent by "We Are A Coal Town" from Crowsnest Pass. They state "activists from outside our community our(should read are) trying to dictate our future".

As one of those "activists" I resent that I am unable to dictate my future due to a small minority of coal mine supporters. My future depends solely on clean water. (Just ask me and other Calgaryans after our water restrictions!) It allows me to drink clean water, to use water for various concerns, to buy Alberta beef that drinks that water, and eat crops that depend on that water. It allows me to enjoy the sightings of wildlife who are in danger of losing their habitats, their prey, because of selenium in that water. As one of those "activists" I wish to rebut certain statements (some in the form of questions) from the form letter put forth by this group .

1. "...responsible development of steelmaking coal..." What are the specifics of "responsible development"? Nobody and nowhere has there been any "responsible" deletion of selenium in the water that is poisoning fish and laying bare our eastern slopes of the Rockies. Someone please, show me "responsible development"!
2. "...is imperative that Alberta leverages its abundant natural resources..." Does this mean decimate the natural resources such as forests and water in the Eastern slopes of the Rockies? How is laying waste to the mountains (see enclosed photos) leveraging our natural resources?
3. "...adhering to stringent environmental and safety standards." How will that occur if the byproduct of selenium still exists? What "stringent" standards have been planned but failed in other jurisdictions? See photos enclosed from BC.
4. "...BC boasts a thriving coal industry..." But to what risk? To quote from the narwhal.ca/bc-teck-resources-selenium-risks-study/ "Food harvested from British Columbia's Elk Valley is higher in selenium than food from the grocery store or food harvested from regions

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not affected by Teck Resources' coal mines, according to a human health risk assessment the mining company was required to undertake." So, "thriving" for whom? Not to mention the wafting of coal dust over Alberta lands from BC coal mines. The letter goes on to say, "Alberta has the potential to achieve similar success..." NO THANKS! How can the health and well-being of people who live elsewhere instead of just one little corner of Alberta not be considered?

5. "...mortgage paying jobs..." Has this area considered that the Australian companies are highly into automation? Just how many jobs will there really be and for how long? They want to reclaim an abandoned site. Why was it abandoned and how will it differ this time? The companies from out of country are in this for their profits, reaping our natural resources for their own good.
6. "...essential for producing the steel..." If innovation is to be considered (as 'technological advancement' is stated later), maybe steelmaking can look to other avenues like using hydrogen, or other alternatives mentioned here: <https://wholesale.banking.societegenerale.com/en/news-insights/clients-successes/clients-successes-details/news/steel-production-replacing-coal-with-green-hydrogen/#:~:text=By%20replacing%20coal%20with%20green,of%20CO2%20by%202040>.
7. "Alberta can play a critical role in the global supply chain..." Who is making all the money from coal? Out of country companies, some of which are anathema in their own countries, are reaping our resources for their profits. Alberta gets money from leases; does that justify what these companies are doing to our environment? Poisoning water, destroying forests, landscapes, habitats, streams, leaving desolation as seen in the photo I enclose.

While I am asking you to read my letter, some of you may not have the time or inclination, but please do read the letter to the editor from Annie Martin of Lethbridge. She says it all.

Yours truly,

Janet Wees



Personal Privacy - FOIP Act Section 17

Cc Danielle Smith, Premier; Rebecca Schulz, MLA; Chelsae Petrovic, MLA; Garth Roswell, MLA; Blair Painter, mayor; Joe Ceci, MLA, Amanda Chapman, MLA; Sarah Elmeligi, MLA; Steven Guilbeault, MP; Jonathan Wilkinson, MP.

Photo by Andrew Sproate, taken near Mt. Erickson in BC

These firms are large-scale businesses with

spike in capital gains taxes on family-run grain farms.

growing insecurity, it makes absolute sense to ensure we avoid becoming overreliant on

views of our publication.
© Troy Media

Grassy Mountain project not in the interests of Albertans

Editor:

I am shocked to see that the Grassy Mountain mountaintop removal mine project, which was soundly rejected by both the Alberta Energy Regulator (AER) and federal regulators in 2021 is now back before the AER under the guise of an "advanced project."

This slight-of-hand is being performed by Northback, a renamed version of Benga Mining, still owned by the same Australian billionaire, Gina Rinehart. That this project is back before the AER is an abomination, and not in the interest of Albertans.

The people of Alberta have not been properly informed of these developments and many are still unaware of this situation.

The already rejected Grassy Mountain coal project proposed in the headwaters of

LETTERS TO THE EDITOR

the Oldman River will poison the only water we have here in Lethbridge, where I live with my family.

The Oldman River provides 100 percent of our water for drinking, bathing, and irrigation.

We have no other water. This river system crosses the prairies and provides water for many downstream communities, including Medicine Hat and Saskatoon.

The proposed coal development plans to annex water from the Oldman River to process coal, diminishing the river and exposing all downstream to dangerous chemical substances such as selenium and

heavy metals.

This mining process harms the environment irretrievably, literally chopping up mountains and spitting them into slag heaps exposed to the elements profoundly damaging river and other ecosystems. Coal dust will be moved by the powerful winds that blow through this area and will be spread over land and snowpack, further poisoning the environment and waters.

This damage is predicted to continue for centuries to come. Selenium contamination has not been successfully managed in the Elk River Valley of BC despite costly attempts to do so, and repeated fines to the mining company responsible.

The Elk River is no longer potable, and fish are being adversely affected. The water table in the Livingstone Range at

the headwaters of the Oldman River feeds springs and aquifers in the foothills and makes these lands so rich and precious for ranching and farming. This lands sacred to its Indigenous peoples who have been its stewards for millennia.

It is outrageous and unconscionable that this project would be permitted to happen for short-term gain and for the profit of an Australian billionaire. Water is our most precious resource, along with air and soil and plant and animal ecosystems. Without clean water, there is no life.

That this company and the current government have so little regard for life is appalling. We must share our concerns with all levels of government.

Aunle Martin
Lethbridge

Submit letters to letters@lethbridaeherald.com



Alberta's auditor finds province's surface water management ineffective

Addendum

BY THE CANADIAN PRESS ON JULY 10, 2024..



Alberta Auditor General Doug Wylie speaks in Edmonton on Friday, Oct. 4, 2019. Wylie says the province's system for managing surface water is ineffective and not set up to deal with changing conditions. THE CANADIAN PRESS/ Jason Franson

EDMONTON – Alberta's auditor general says the province's system for managing surface water is ineffective and not set up to deal with changing conditions.

Doug Wylie says in a report that Alberta Environment and Protected Areas has no water conservation objectives in most of its basins.

The report says the government doesn't know if existing water conservation objectives are working.

It says processes to monitor water use, assess risks and decide when conservation is needed aren't very strong.

It concludes the province isn't doing a good job making sure that water users are being efficient or staying within the requirements of their licences.

The report comes as much of the province remains under drought conditions.

Provincial regulators are also considering the expansion of water-intensive industries such as coal mining.

A provincial spokesperson was not immediately available for comment.



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 3.b

Subject: Correspondence- District of Elkford

Recommendation: That Council accepts the correspondence as information.

Executive Summary:

Administration received correspondence from the District of Elkford notifying us that our Municipal Float won second prize in the Municipal category at Wildcat Days.

Relevant Council Direction, Policy or Bylaws:

None

Discussion:

None

Analysis of Alternatives:

None

Financial Impacts:

None

Attachments:

[2024 07 13_Correspondence District of Elkford.pdf](#)

[Ribbon_Wildcat Days.jpg](#)



District of Elkford
P.O. Box 340 Elkford, B.C. V0B 1H0
P. 250.865.4000 • F. 250.865.4001 • info@elkford.ca • www.elkford.ca

July 13, 2024

Kristin Colucci
P.O. Box 600
Blairmore, AB T0K 0E0


Dear Ms. Colucci:

Re: 2024 Wildcat Days Parade

Thank you for attending Elkford's 2024 Wildcat Days Parade on June 29. The District of Elkford is pleased to announce that the Municipality of Crowsnest Pass has been awarded second place in the municipal category of the parade. Please accept this letter and placement ribbon as a token of our congratulations!

Your participation contributed greatly to the success of the parade, which is one of most anticipated events of our Wildcat Days community celebration. We hope that you were able to enjoy some of the other Wildcat Days festivities, and we sincerely hope you will join us again for next year's parade.

Sincerely,



Steve Fairbairn
Mayor

Cc: Council, via Friday Email File





Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 4.a

Subject: Minutes of the Council Meeting of July 16, 2024

Recommendation: That Council adopt the Minutes of the Council Meeting of July 16, 2024 as presented.

Executive Summary:

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

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

n/a

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2024 07 16 - Council Meeting Minutes.docx](#)



Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, July 16, 2024

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, July 16, 2024.

Council Present:

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

Administration Present:

Patrick Thomas, Chief Administrative Officer
Brian McCulloch, Director of Finance
Jeremy Wickson, Temporary Director of Development, Engineering and Operations
Johan van der Bank, Manager of Development and Trades
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

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

ADOPTION OF AGENDA

Amendments:

Public Hearings

- a. Defer Public Hearing for Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A to August 20, 2024
- b. Defer Public Hearing for Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 24-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve a multiple land use parcel to August 20, 2024

Requests for Decision

- b. Defer Second and Third Readings for Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A to August 20, 2024
- c. Defer Second and Third Readings for Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 24-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve a multiple land use parcel to August 20, 2024
- g. Delete 2024 Property Tax Public Auction Date and Reserve Bid

Additions:

Councillor Inquiries and Notice of Motion

- a. Notice of Motion for August 20, 2024 – Standards for Moved In Homes for Vacant Lots or Infills – Mayor Painter
- b. Dust Suppression Inquiries – Councillor Glavin

In Camera

- c. Economic Interests of the Public Body – FOIP Act Section 25 - Councillor Ward
- d. Personal Privacy – Peace Officer Position – FOIP Act Section 17 - Councillor Kubik

01-2024-07-16: Councillor Girhiny moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2024-07-16: Councillor Kubik moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Crowsnest Pass Senior Housing Board of May 21, 2024

THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of May 21, 2024 as information.

3.b

MD of Pincher Creek Letter of Concern Regarding Grizzly Bears in Alberta of June 27, 2024

THAT Council accept the MD of Pincher Creek Letter of Concern Regarding Grizzly Bears in Alberta of June 27, 2024 as information.

Carried

ADOPTION OF MINUTES

03-2024-07-16: Councillor Glavin moved to adopt the Minutes of the Council Meeting of July 9, 2024 as presented.

Carried

PUBLIC HEARINGS

None

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments - First Reading

04-2024-07-16: Councillor Sygutek moved first reading of Bylaw 1183, 2024 - Land Use Bylaw Amendment Omnibus No. 4 - Housekeeping Amendments.

Carried

Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 - First Reading

05-2024-07-16: Councillor Sygutek moved first reading of Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1.

Carried

Bylaw 1200, 2024 - Amendment to Bylaw 1166, 2023 - Second and Third Reading

06-2024-07-16: Councillor Girhiny moved second reading of Bylaw 1200, 2024 - Amendment to Bylaw 1166, 2023 as amended.

Carried

07-2024-07-16: Councillor Ward moved third and final reading of Bylaw 1200, 2024 - Amendment to Bylaw 1166, 2023 as amended.

Carried

Service Areas Update

08-2024-07-16: Councillor Filipuzzi moved to accept the Service Areas Update as information.
Carried

Budget 2025 Calendar, Development Guidelines and Public Survey results

09-2024-07-16: Councillor Filipuzzi moved that Council approve the Budget 2025 Calendar and the Budget 2025 Development Guidelines.
Carried

Application under the Redevelopment Incentive Policy 1705-02

10-2024-07-16: Councillor Ward moved that Council approve the application under the Redevelopment Incentive Policy 1705-02 for reducing municipal property taxes for RJZ Enterprises Inc for 2024 and 2025.
Carried

Bellevue/Hillcrest Entrance Overlay Project

11-2024-07-16: Councillor Filipuzzi moved that Council approves up to \$550,000 from the Canada Community Building Fund for completion of the mill and overlay project from Downtown Bellevue to the CPR tracks.
Carried

CPR Crossing Maintenance

12-2024-07-16: Councillor Sygutek moved that Council approves up to \$95,000 from the Millrate Stabilization Reserve for repairs to the 112th Street railway crossing.
Carried

COUNCIL MEMBER REPORTS

- Councillor Ward
 - Attended the Northback tour last week with Councillors Glavin and Girhiny
 - Learned that the drill program will encompass 38 holes approximately 4 inches in diameter at a cost of 8 million dollars
 - Noted that various local contractors are working on the property, which is good for the local economy

PUBLIC INPUT PERIOD

- None

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

Notice of Motion for August 20, 2024 – Standards for Moved In Homes for Vacant Lots or Infills – Mayor Painter

Mayor Painter gave Notice of Motion to bring back for discussion by Council to consider implementing standards for moved in homes on vacant lots or infills and to allow for input by neighboring residents at the August 20, 2024 Council Meeting.

Dust Suppression Inquiries – Councillor Glavin

Councillor Glavin inquired about dust suppression in several non-urban areas. Patrick Thomas, Chief Administrative Officer advised of the areas where dust suppression was applied. He also clarified that the Sartoris area had water applied three times over the weekend to control the dust for the Sinister 7 camping area.

IN CAMERA

- 13-2024-07-16:** Councillor Sygutek moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short recess at 2:41 pm:
- a. Economic Interests of the Public Body – Request to Amend Land Purchase Agreement - FOIP Act Section 25
 - b. Economic Interests of the Public Body – Application to Purchase Municipal Land - FOIP Act Section 25
 - c. Economic Interests of the Public Body – FOIP Act Section 25
 - d. Personal Privacy – Peace Officer Position – FOIP Act Section 17

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 2:48 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

- 14-2024-07-16:** Councillor Sygutek moved that Council come out of In Camera at 3:25 pm.

Carried

- 15-2024-07-16:** Councillor Kubik moved that Council approve amending a portion of the purchase agreement to Ian Gauthier and Celina Osborne-Dasilva for the properties located at 14886-21 Avenue and 14890-21 Avenue in Frank to remove the condition to commence construction within a specified period of time.

Carried

16-2024-07-16: Councillor Ward moved that Council accepts the offer to purchase a portion of the road allowance adjacent to 1317 – 85 Street subject to the following conditions:

1. That the price for the land is \$4.00 per square foot plus GST.
2. That the applicant is responsible for all costs relating to the closure of the road allowance.
3. That the applicant is responsible for all costs relating to re-districting the subject land to R-1 Residential.
4. That the applicant is responsible for all costs relating to the consolidation of the subject property to the current title for 1317 – 85th Street in Coleman by plan of survey.
5. That the applicants are responsible for all legal costs associated with this transaction including the legal costs of the Municipality, if any.
6. That this transaction be completed in its entirety by July 1, 2025.

Carried

ADJOURNMENT

17-2024-07-16: Councillor Filipuzzi moved to adjourn the meeting at 3:28 pm.

Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 4.b

Subject: Minutes of the Special Council Meeting of August 6, 2024.

Recommendation: That Council adopt the Minutes of the Special Council Meeting of August 6, 2024 as presented.

Executive Summary:

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

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

n/a

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2024 08 06 Special Council Meeting Minutes.docx](#)



Municipality of Crowsnest Pass
Special Council Meeting Minutes
Tuesday, August 6, 2024

A special meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, August 6, 2024.

Council Present:

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

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Colucci, Deputy Chief Administrative Officer
Laurie Lowe, Recording Secretary

CALL TO ORDER

Mayor Blair Painter called the meeting to order at 12:56 pm.

ADOPTION OF AGENDA

01-2024-08-06: Councillor Ward moved to adopt the agenda.

Carried

IN CAMERA

02-2024-08-06: Councillor Glavin moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act:

5.a FOIP Exception – Business Interests of a Third Party – Consultant Proposal -
FOIP Act Section 16

Carried

DEPARTURE

Laurie Lowe, Recording Secretary departed the meeting at 12:57 pm.

RECONVENE

Mayor Painter convened the In Camera meeting at 12:57 pm. Patrick Thomas, Chief Administrative Officer and Kristin Colucci, Deputy Chief Administrative Officer in attendance to provide advice to Council.

03-2024-08-06: Councillor Sygutek moved that Council come out of In Camera at 1:48 pm.
Carried

04-2024-08-06:: Councillor Sygutek moved that Administration engage Zero Hour Strategy to develop a communication plan for the Municipality, with funding to come from the millrate stabilization funding.
Carried

ADJOURNMENT

05-2024-08-06: Councillor Filipuzzi moved to adjourn the meeting at 1:49 pm.
Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 5.a

Subject: Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A - Public Hearing

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

Executive Summary:

Bylaw 1194, 2024 was given first reading on June 25, 2024.

Bylaw 1194, 2024 proposes to rezone the subject property from Residential R-1 to Medium Density Residential R-2A, for the purpose of developing a "Multi-Unit Residential Building" (four units) as a permitted use in this land use district.

One written submission was received from Kevin Young, who is an adjacent property owner.

Relevant Council Direction, Policy or Bylaws:

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

Land Use Bylaw No. 1165, 2023

Discussion:

N/

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1194, 2024 - notice.docx](#)

[KYoung -REVISED Response to Notice of Public Hearing - Proposed Bylaw. 1194, 2024 - 7pm Aug 20 2024.pdf](#)

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA

PROPOSED BYLAW NO. 1194, 2024

7:00pm , August 20th , 2024

Municipality of Crowsnest Pass Council Chambers

PURSUANT to sections 216.4, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1194, 2024, being a bylaw to amend Bylaw No. 1165, 2023, being the municipal land use bylaw.

The purpose of Bylaw No. 1194, 2024 is to rezone the lands legally described as Lot 8, Block 19, Plan 3387AE, within SW¼ 9-8-4-W5M, containing ±0.05 ha (0.13 acres), as shown on Schedule 'A', from "Residential – R-1" to "Medium Density Residential – R-2A". The subject lands are known municipally as 1309 84th Street and are located in the Coleman area.




The purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Medium Density Residential – R-2A" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1194, 2024 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on August 20th, 2024. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at reception@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 4:30pm on August 6, 2024.

LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

 FROM: Residential R-1
TO: Medium Density Residential R-2A

LOT 8, BLOCK 19, PLAN 3387AE WITHIN
SW 1/4 SEC 9, TWP 8, RGE 4, W 5 M

Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

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

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

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 16th day of July, 2024.

Attention: Bonnie Kawasaki, Executive Assistant to the CAO, Crowsnest Pass, Alberta

August 2, 2024

Dear Council,

I'd like this letter to serve as my written submission to oppose rezoning of the property at 1309 84th Street in Coleman, Alberta to Medium Density Residential – R-2A. I am an adjacent property owner and understand the reason for the rezoning application to be for a proposed 4-plex multi-unit building development on those lands. The reasons I oppose the rezoning include:

- 1) The area in Coleman known as Bushtown where the lot at 1309 84th Street resides currently contains no developed medium density residential buildings. All buildings are individual homes on either one or multiple lots (apart from the community hall). Rezoning one lot to R-2A with no urban plan for the community is a risk to the value of neighboring properties as it sets a precedent that threatens the continuity and character of our quaint and unique neighborhood. Bushtown is a 'rare gem' of a community, and I hope that is recognized and protected.
- 2) Living directly east of the property in question, I can clearly observe the lack of parking available to accommodate 4 possible families living on the single 50x110' lot at 1309 84th Street. The logistics of this are highly problematic for all existing R1 residences adjacent and near to the property. The Land Use Bylaw requires 1.25-1.75 off street parking spots for each residence (in a multi-unit dwelling) for a reason and with the space for 5-7 parking spots physically unavailable (considering at least some green space allotment), the street, alley, and neighboring throughways will be constantly congested and in disorder, again threatening our property value and salability and quality of life.
- 3) There is only one narrow bridge into south Bushtown, where the lot resides, south of the tracks, and south of the river. Rezoning this lot and opening the door to other lots being rezoned threatens the safety of the community. With fires and floods and various forms of extreme weather on the rise, the infrastructure in place to support rapid evacuation and ease of access/egress is a further deterrent to the R-2A rezoning.

In my understanding of the Land Use Bylaw and a review of the requirements for a R-2A development, I cannot see how the lot at 1309 84th Street, given its size and surroundings, could support a 4-plex development, considering the setbacks, maximum lot coverage, snow removal, the aforementioned parking, etc. without requiring a variance to most parameters. I understand that the Land Use Bylaw provides for 'sub-standard lots' in all districts, but as explained in the bylaw, that is there to satisfy unique situations. Otherwise, the specific land use standards and district parameters there to protect the integrity, safety, and quality of the community are unnecessary. Nothing has been provided by the municipality to suggest this is one of those unique situations. I also understand that the land use standards are addressed at the development permitting stage, but rezoning the land when the land cannot support the development it is being rezoned for based on the requirements set by the municipality is highly inefficient, ineffective, and a risk to the neighborhood. It sets a precedent for more R-2A rezoning and creates opportunity to destroy the character and quality of our community. I request Council does not approve the rezoning of the lands at 1309 84th Street, Coleman, Alberta.

See below for a 'conceptual' site plan and elevation drawing for the proposed development received from the Crowsnest Pass Development Officer. This is the proposed development requiring the rezoning of the lot at 1309 84th Street to R-2A from R1, understanding that changes can be required by the Development Officer at the development permitting stage. The lot at 1309 84th Street is 50' wide x 110' long. The building illustrated is approximately 41' wide by 63' long, with side setbacks of less than 5', a front setback of 20', and a rear setback of 25'. The proposed 4-plex building is a front-back design, assumedly meaning the front mirrors the back, and as does the sides, given only the front and side elevations were provided. If each residence is a 2 bedroom unit, at least 7 off-street parking stalls are required, which the Development Officer indicated would be provisioned via 3-4 stalls in the front and 3-4 stalls in the back. The concerns I have include:





- 1) The principal building and required parking take up the entire lot. 100%. There is ZERO green space. This is unacceptable. The building would be a lifeless structure in the middle of a quaint R1 residential community.
- 2) The front-back design concept requires that the alley be used as the primary access for 2 of the 4 units. The alley in question is a narrow, single lane dirt track, with limited gravel, deeply rutted and can only be accessed from the south on 13th avenue as the river is at the north end of the alley. 7 other properties sparingly use this alley, as all existing homes have paved street access. The alley cannot support primary access traffic – potentially it could be upgraded, but still it is only accessible from one end, making it unsafe as a primary access route for residents of the 4-plex as well as all other residents using the alley. And having the front of 2 home units facing the alley is odd, inconsistent with every other home in Bushtown, and unappealing from a standard of living perspective. It would be an unattractive completely random mess of a property, degrading the rest of the neighborhood. The development is reckless and unacceptable.
- 3) The side setbacks are less than half of what the bylaw for R-2A requires, leaving neighboring homes crowded by this 2-story imposing block of a structure. It would be menacing and staggeringly out of place, as would any other 4-plex design on this lot. The lot cannot support R-2A development, it is too small.

I request Council does not approve the rezoning of the lands at 1309 84th Street, Coleman, Alberta.

Sincerely,

Kevin Young

Personal Privacy - FOIA Act Section 17

Coleman, AB



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 5.b

Subject: Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 34-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve multiple land uses on the subject parcel - Public Hearing

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

Executive Summary:

Bylaw 1196, 2024 proposes to rezone a portion of a multiple land use parcel to bring the property into compliance with the land use bylaw, and enable the landowner to apply for a development permit to build a Single-detached Dwelling.

Please note that, while the map in Schedule A of Bylaw 1196, 2024 and in the Public Notice is correct, the text of the Bylaw, the Public Notice, and the associated RFDs contained a clerical error by referencing the quarter section number as 24 instead of 34. The civic address of the subject property was stated correctly in the Public Notice (11102 - 18 Avenue). The correction to the quarter section number was made in the text of the Bylaw, the Public Notice and the associated RFDs for public hearing and second and third readings.

Relevant Council Direction, Policy or Bylaws:

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

Land Use Bylaw No. 1165, 2023

Discussion:

N/A

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1196, 2024 - \(August 2024\) notice - corrected.pdf](#)

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA

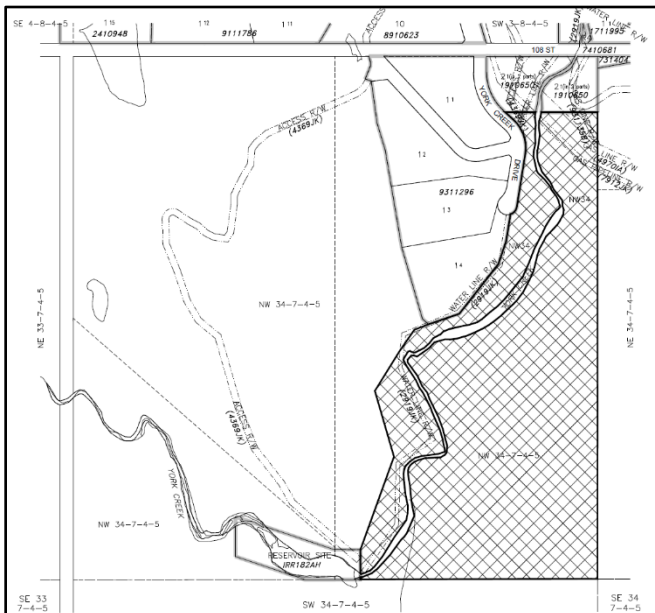
PROPOSED BYLAW NO. 1196, 2024

7:00pm , August 20th , 2024


Municipality of Crowsnest Pass Council Chambers

PURSUANT to sections 216.4, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1196, 2024, being a bylaw to amend Bylaw No. 1165, 2023, being the municipal land use bylaw.

The purpose of Bylaw No. 1196, 2024 is to redesignate the lands legally described as a portion of NW¼ 34-7-4-W5M, containing ±16.933 ha (41.84 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Grouped Country Residential – GCR-1". The subject lands are known municipally as 11102 18th Avenue and are located in the Blairmore area.



**LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'**

 FROM: Non-Urban Area NUA-1
TO: Grouped Country Residential GCR-1

PORTION OF NW 1/4 SEC 34, TWP 7, RGE 4, W 5 M
CONTAINING 16.933±ha(41.84±ac)

The purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Grouped Country Residential – GCR-1" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1196, 2024 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on August 20th, 2024. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at reception@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 4:30pm on August 6, 2024. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

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

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

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 16th day of July, 2024.



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 5.c

Subject: Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 - Public Hearing

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

Executive Summary:

Bylaw 1198, 2024 was given first reading on July 16, 2024 and a public hearing was scheduled.

The proposed bylaw involves the rezoning of Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 for the purpose of bringing the PEAKS Campus property (Livingstone Range School Division) into compliance with the land use bylaw, and provide for the future development of the property in accordance with the uses in the Public P-1 land use district.

Relevant Council Direction, Policy or Bylaws:

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

Land Use Bylaw No. 1165-2023

Discussion:

N

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1198, 2024 - \(June 2024\) notice.docx](#)

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA

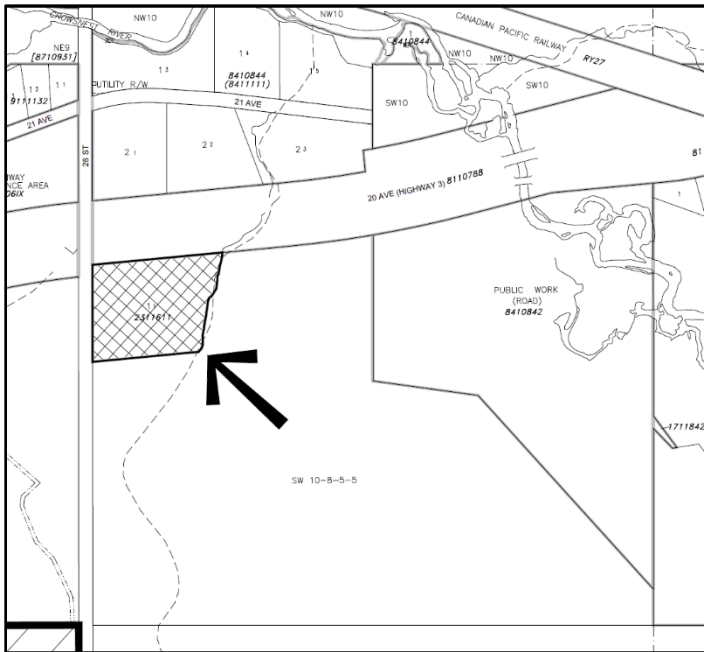
PROPOSED BYLAW NO. 1198, 2024

7:00pm, August 20th, 2024


Municipality of Crowsnest Pass Council Chambers

PURSUANT to sections 216.4, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1198, 2024, being a bylaw to amend Bylaw No. 1165, 2023, being the municipal land use bylaw.

The purpose of Bylaw No. 1198, 2024 is to redesignate the lands legally described as Lot 1, Block 1, Plan 231 1611, containing ±2.344 ha (5.792 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Public – P-1". The subject lands are known municipally as 2010 26 Street and are located in the Sentinel area.



**LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'**

 FROM: NON-URBAN AREA – NUA-1
TO: PUBLIC – P-1

LOT 1, BLOCK 1, PLAN 2311611
WITHIN SW 1/4 SEC 10, TWP 8, RGE 5, W 5 M

The purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Public – P-1" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1198, 2024 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on August 20th, 2024. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written

submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at reception@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 4:30pm on August 6th, 2024. Verbal

presentations (limited to 5 minutes) will be accepted the public hearing.

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

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

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 17th day of July, 2024.



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.a

Subject: Bylaw 1153, 2023 Road Closure Bylaw - Second and Third Reading

Recommendation: That Council gives second and third reading of Bylaw 1153, 2023.

Executive Summary:

Bylaw 1153, 2023 proposes the closure of a portion of an Unnamed Lane, and for the consolidation of a portion of the closed lane with an adjacent property pursuant to an approved land sale.

Relevant Council Direction, Policy or Bylaws:

Section 22, *Road Closure*, Municipal Government Act
Motion 20-2022-07-12

Discussion:

Council gave first reading to Bylaw 1153, 2023 on April 16, 2024. Subsequently, Administration completed the road closure referral procedure and Council held a public hearing on May 28, 2024. There were no objections received during the referral process or the public hearing. The complete road closure package was submitted to Alberta Transportation in June 2024. The bylaw was recently received signed from the Minister of Transportation and Economic Corridors, and can now be considered by Council for second and third readings.

It was determined to close the entire lane as it is not needed for public access, and there is the potential that other adjacent landowners may want to purchase a portion of the lane for consolidation with their parcels.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

[Bylaw 1153, 2023 - signed by Minister.pdf](#)

[Bylaw 1153, 2023 - Schedule A.pdf](#)

[Bylaw 1153, 2023 - Schedule A Aerial Photo.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1153, 2023

ROAD CLOSURE

BEING a bylaw of the Municipality of Crowsnest Pass for the purpose of closing to public travel and creating title to and disposing of portions of a public roadway in accordance with section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

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

AND WHEREAS application has been made to Council to have the roadway closed.

AND WHEREAS the Council of the Municipality of Crowsnest Pass deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating titles to and disposing of same.

AND WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with sections 216.4 and 606 of the Municipal Government Act.

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

NOW THEREFORE be it resolved that the Council of the Municipality of Crowsnest Pass in the Province of Alberta does hereby close to public travel and create titles to and dispose of the following described roadway, subject to rights of access granted by other legislation:

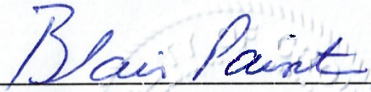
1. PLAN _____, AREA 'A', CONTAINING 0.009 HECTARES (0.02 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

2. PLAN _____, AREA 'B', CONTAINING 0.009 HECTARES (0.02 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

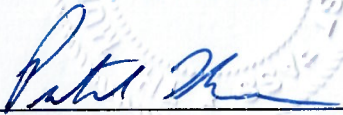
3. PLAN _____, AREA 'C', CONTAINING 0.019 HECTARES (0.05 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

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

READ a **first** time in Council this 16th day of April 2024.




Blair Painter
Mayor



Patrick Thomas
Chief Administrative Officer

PUBLIC HEARING was scheduled for the 28th day of May 2024 and advertised in the Crowsnest Pass Herald on the 1st and 8th day of May 2024.

APPROVED this 28 day of June 2024



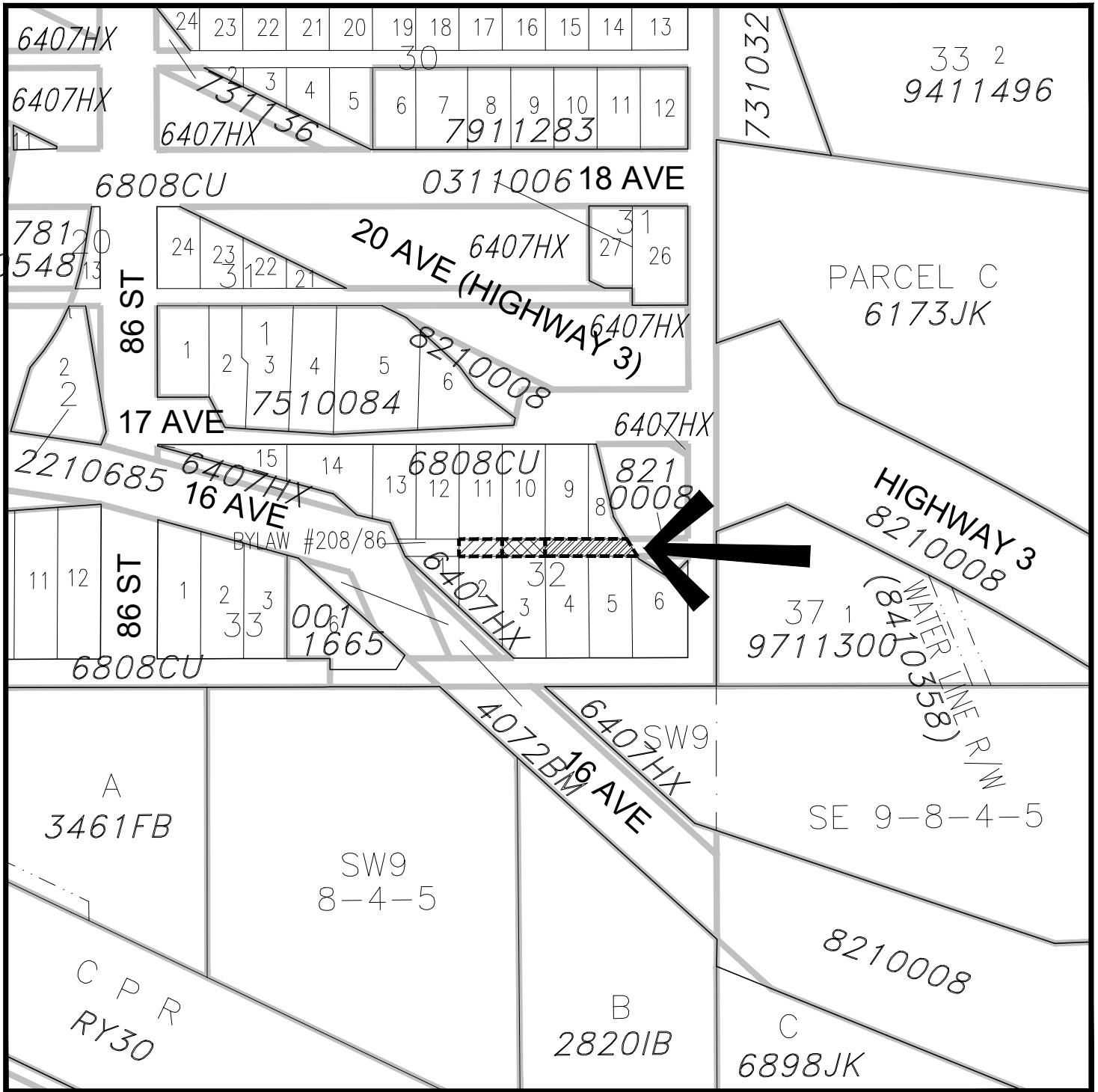
for Minister of Transportation and Economic Corridors

READ a **second** time in Council this _____ day of _____ 202_____

READ a **third and final** time in this _____ day of _____ 202_____

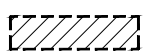
Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



**PROPOSED ROAD CLOSURE
SCHEDULE 'A'**

Bylaw #: 1153, 2023
Date: _____



PLAN _____, AREA 'A', CONTAINING 0.009±HECTARES (0.02±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS



PLAN _____, AREA 'B', CONTAINING 0.009±HECTARES (0.02±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS



PLAN _____, AREA 'C', CONTAINING 0.019±HECTARES (0.05±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS

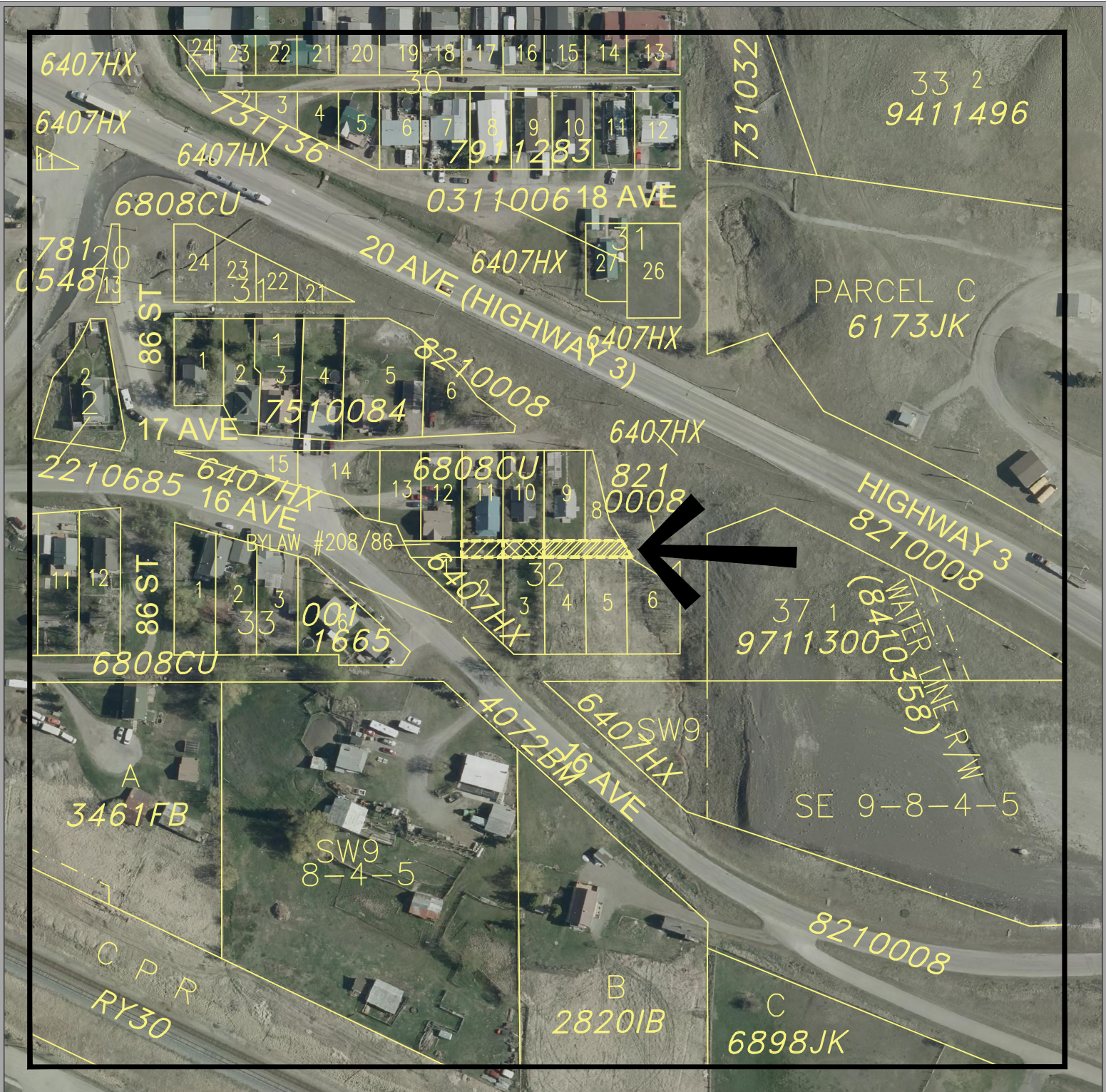
WITHIN NW 1/4 SEC 9, TWP 8, RGE 4, W 5 M
MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS
DATE: MARCH 13, 2024

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



0 Metres 50 100
March 13, 2024 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowstest Pass - Bylaw 1153, 2023 - Road Closure, Plan 6808CU.dwg





**PROPOSED ROAD CLOSURE
SCHEDULE 'A'**

Bylaw #: 1153, 2023
Date: _____



PLAN _____, AREA 'A', CONTAINING 0.009±HECTARES (0.02±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS



PLAN _____, AREA 'B', CONTAINING 0.009±HECTARES (0.02±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS



PLAN _____, AREA 'C', CONTAINING 0.019±HECTARES (0.05±ACRES)
EXCEPTING THEREOUT ALL MINES AND MINERALS

WITHIN NW 1/4 SEC 9, TWP 8, RGE 4, W 5 M
MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS
DATE: MARCH 13, 2024

Aerial Photo Date: May 19, 2021

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

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150

March 13, 2024 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Bylaw 1153, 2023 - Road Closure, Plan 6808CU.dwg

38



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.b

Subject: Bylaw 1194, 2024 - Land Use Bylaw Amendment - Rezone Lot 8, Block 19, Plan 3387AE from Residential R-1 to Medium Density Residential R-2A - Second and Third Reading

Recommendation: That Council gives second and third readings of Bylaw 1194, 2024.

Executive Summary:

Bylaw 1194, 2024 proposes to rezone the subject property from Residential R-1 to Medium Density Residential R-2A, for the purpose of developing a "Multi-Unit Residential Building" (four units) as a permitted use in this land use district.

Relevant Council Direction, Policy or Bylaws:

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

Land Use Bylaw No. 1165, 2023

Discussion:

The proposed rezoning is part of a proposed development for a "Multi-Unit Residential Building" (four units). A Multi-Unit Residential Building is not permitted in the current zoning of R-1 district, however a "Duplex" is a discretionary use in R-1. The proposed development meets the minimum setbacks and parking requirements for the four units, with the parking for two of the units coming off the rear lane.

The proposed rezoning is supported by the Municipal Development Plan (MDP) policies 2.1.4 (support infill development in existing neighbourhoods), 2.2.1 (consider and mitigate the impact of multi-unit residential buildings on adjacent development), and 2.3.3 (support innovative housing options). In Chapter 2 "Expanding our housing options" the MDP identifies the need to support infill in existing neighbourhoods, a mix of housing types, and higher density, while doing this thoughtfully with respect to existing development in mature neighbourhoods.

Schedule 5 of the Land Use Bylaw - "Standards for Apartment, Multi-Unit Residential, and Mixed-use Buildings" establishes standards that multi-unit developments shall address as part of their

development permit application, including parking, landscaping and the impact on adjacent development.

The surrounding parcels in this cul-de-sac neighbourhood are all within the Residential R-1 land use district. R-2 and R-2A parcels are scattered throughout our communities. This type of infill zoning can be supported on two bases: 1) the proposed infill development is not entirely out of character with the surrounding land uses as it proposes low-rise residential development, albeit of a higher density than the other parcels in this area; and 2) the proposed infill development is aligned with the overall community goals and objectives (i.e. higher density, respectful infill) for new development as espoused in the current Municipal Development Plan of 2021.

The applicant proposes a fourplex development, and therefore rezoning the property to the R-2A district is correct. The rezoning of the property to R-2A does not approve actual development, it is just a step in the process. The property (50ft wide) may not meet the minimum lot width (60ft) for a fourplex "Multi-unit Residential Building" in the R-2 A district however, please note that the land use bylaw provides for sub-standard lots in all districts. The details of a proposed development, such as yard setbacks, maximum lot coverage ratio, parking requirements, snow removal requirements, and other general standards for development are not typically addressed at the rezoning stage, and instead will be addressed at the development permit stage.

The applicant must be able to satisfy the Development Authority that the proposed development is feasible and can be carried out on the parcel without adverse impacts on adjacent parcels, or by taking measures to mitigate any adverse impacts. Variances may be required to some of the standards, and this is not uncommon. Alternatively, if the developer cannot meet the development standards or implement mitigation measures to the satisfaction of the Development Authority, *the developer may have to reconsider the fourplex proposal, and perhaps revise it to a three-plex or a duplex development, both of which are listed as possible uses in the R-2A district.*

If a development permit was approved, adjacent landowners would have the opportunity to appeal and demonstrate to the Appeal Board why the proposed development would adversely affect the use and enjoyment of their properties, or why the mitigating measures would not be sufficient.

The location of the subject parcel is within the Bushtown Area of Potential Environmental Concern (which is owned by the provincial government). The provincial government has not initiated the required environmental studies and monitoring to support setback distance variances in Bushtown, and as a result, the proposed development will not be allowed to have a basement unless the applicant can demonstrate with their own engineering study that there is no gas vapour or contaminated groundwater migration from the landfill and/or that they will take mitigative measures against such risks.

Analysis of Alternatives:

1. Following the Public Hearing, Council may give second and third Readings of Bylaw 1194, 2024.
2. If additional information is required, Council may postpone second reading of Bylaw 1194, 2024 and provide further direction to Administration.
3. Council may defeat Bylaw 1194, 2024.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1194, 2024 R-1 to R-2A.docx](#)

[Bylaw 1194, 2024 - Schedule A.pdf](#)

[Bylaw 1194, 2024 - Schedule A with aerial photo.pdf](#)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1194, 2024

LAND USE BYLAW AMENDMENT – Rezone Lot 8, Block 19, Plan 3387AE

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 1165, 2023, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to rezone the lands legally described as Lot 8, Block 19, Plan 3387AE, within SW¼ 9-8-4-W5M, containing ±0.05 ha (0.13 acres), from “Residential – R-1” to “Medium Density Residential – R-2A”, as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the “Medium Density Residential – R-2A” land use district as well as the overall community goals and objectives for new development as espoused in the current Municipal Development Plan, i.e. higher density and respectful infill.

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

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

1. The Land Use District Map be amended to rezone the lands legally described as Lot 8, Block 19, Plan 3387AE, within SW¼ 9-8-4-W5M, containing ±0.05 ha (0.13 acres), from “Residential – R-1” to “Medium Density Residential – R-2A”, as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.
2. Bylaw No. 1165, 2023, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2024.

READ a **second** time in council this _____ day of _____ 2024.

READ a **third and final** time in council this _____ day of _____ 2024.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



**LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'**



**FROM: Residential R-1
TO: Medium Density Residential R-2A**

**LOT 8, BLOCK 19, PLAN 3387AE WITHIN
SW 1/4 SEC 9, TWP 8, RGE 4, W 5 M**

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (COLEMAN)

DATE: MAY 29, 2024

**Bylaw #: 1194, 2024
Date: _____**



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



**LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'**

Aerial Photo Date: May 19, 2021



**FROM: Residential R-1
TO: Medium Density Residential R-2A**

**LOT 8, BLOCK 19, PLAN 3387AE WITHIN
SW 1/4 SEC 9, TWP 8, RGE 4, W 5 M**

MUNICIPALITY: MUNICIPALITY OF CROWNEST PASS (COLEMAN)

DATE: MAY 29, 2024

Bylaw #: 1194, 2024
Date: _____



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



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.c

Subject: Bylaw 1196, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as a portion of NW¼ 34-7-4-W5M from Non-Urban Area- NUA-1 to Grouped Country Residential GCR-1 to resolve the multiple land use on the subject parcel - Second and Third Reading

Recommendation: That Council gives second and third readings of Bylaw 1196, 2024.

Executive Summary:

Bylaw 1196, 2024 proposes to rezone a portion of a multiple land use parcel to bring the property into compliance with the land use bylaw, and enable the landowner to apply for a development permit to build a Single-detached Dwelling.

Please note that, while the map in Schedule A of Bylaw 1196, 2024 and in the Public Notice is correct, the text of the Bylaw, the Public Notice, and the associated RFDs contained a clerical error by referencing the quarter section number as 24 instead of 34. The civic address of the subject property was stated correctly in the Public Notice (11102 - 18 Avenue). The correction to the quarter section number was made in the text of the Bylaw, the Public Notice and the associated RFDs for public hearing and second and third readings.

Relevant Council Direction, Policy or Bylaws:

On June 25, 2024 Council gave first reading of Bylaw 1196, 2024.

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

Land Use Bylaw No. 1165, 2023

Discussion:

The portion of this property that lies west of York Creek is zoned GCR-1 because it was part of a previous multi-lot subdivision proposal which the landowner has now abandoned, and which will not proceed. The portion of the property that lies east of York Creek remained zoned NUA-1 and was never part of the abandoned multi-lot subdivision, mainly because 1) it lies on the other side of York

Creek and 2) only a small portion of it is reasonably developable.

Since having abandoned the proposed multi-lot subdivision, the landowner has been taking steps to enable him to sell three titles to his children. As one of these steps, the landowner obtained approval from Council to purchase the road which is the only access into these lands. The landowner is in the process of closing and acquiring the road plan so that a private access easement can be provided for access into the two parcels west of York Creek. No development can occur on those lands until this access easement has been finalized.

In the mean time, the landowner would like to allow one of his children to start construction of their home on the portion of the land that is east of York Creek, where access will be provided by an easement from 108 Street through property that is owned by a family member. To facilitate this, a development permit application must be made to build one house on the portion of the subject parcel east of York Creek. ***However, the land use bylaw requires that the Development Officer cannot accept a development permit application as complete on a parcel with multiple land use until that has been resolved.*** The proposed rezoning is therefore required to resolve the multiple land use of the parcel, thereby bringing the property into compliance with the land use bylaw, and allowing the applicant to apply for a development permit for one Single-detached Dwelling.

The GCR-1 district is consistent with the applicant's intent with this parcel and the adjacent land that he owns west of York Creek, in that, once all the steps of abandoning the multi-lot subdivision has been completed, there will be three separate titles instead of the present two titles, and there will be three houses constructed - two houses on the two parcels west of York Creek and one house on the parcel east of York Creek.

A Single Detached dwelling is a permitted use in the Grouped Country Residential land use district, and is a discretionary use in the Non-Urban Area land use district. The GCR-1 land use district has a maximum lot size of 2.02ha (5 acres) for an un-serviced parcel. The property has an onerous topography of steep slopes and creek banks, and as a result much of the property would not be considered reasonably developable or accessible, and only a smaller portion towards the north of the parcel appears feasible for an accessible building site for the proposed house. The land use bylaw allows the Subdivision Authority and the Development Authority to disregard undevelopable portions of a parcel in considering the lot size - in other words, while the parcel is much larger than the maximum GCR-1 lot size of 5 acres, approximately 5 acres of the parcel is actually accessible and developable - i.e. an area around the north portion towards 108 Street. Additional considerations for allowing the rezoning of this parcel to the GCR-1 district are:

1. The portion of this parcel that lies west of York Creek is already zoned GCR-1.
2. The property is surrounded by Grouped County residential development to the west (see attached Land Use map).
3. The subject property is more suited to country residential acreage development than to development of the uses listed in the Non-Urban Area land use district.
4. Once the steps to abandon the multi-lot subdivision are completed and three separate titles remain for his children, this area will have three country residential parcels "grouped" around one access easement.

The Municipal Development Plan and the map that accompanied the Southmore Phase 2 ASP consultation letter dated June 7, 2024 (see attached - letter is on the second page) identify the property to the east of the subject parcel as a growth node for future residential development,

envisioned as a mix of single-detached, semi-detached and multi-unit housing types. The accompanying map shows similar development on the east and south portions of the subject parcel. Due to steep topography on some of these portions of the subject parcel they may either not be developable or may only be accessible / developable from the east (see attached topographic map).

The Single-Detached Dwelling that would follow a successful rezoning, would access the property from 108th street and through an existing access easement.

Analysis of Alternatives:

1. Following the public hearing, Council may give second and third readings of Bylaw 1196, 2024.
2. If additional information is required, Council may postpone second reading of Bylaw 1196, 2024 and provide further direction to Administration.
3. Council may defeat Bylaw 1196, 2024.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1196, 2024 - \(corrected August 2024\).docx](#)

[Bylaw 1196, 2024 - Schedule A.pdf](#)

[Bylaw 1196, 2024 - Schedule A Aerial Photo.pdf](#)

[Land Use Map.pdf](#)

[Southmore Phase 2 - plan area map and initial consultation letter.pdf](#)

[Topographic Map.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1196, 2024

LAND USE BYLAW AMENDMENT – Redesignate a portion of NW¼ 34-7-4-W5M

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 1165, 2023, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redesignate the lands legally described as a portion of NW¼ 34-7-4-W5M, containing ±16.933 ha (41.84 acres), from “Non-Urban Area – NUA-1” to “Grouped Country Residential – GCR-1”, as shown on Schedule ‘A’ attached hereto and forming part of this bylaw

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the “Grouped Country Residential – GCR-1” land use district.

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

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

1. The Land Use District Map be amended to redesignate the lands legally described as a portion of NW¼ 34-7-4-W5M, containing ±16.933 ha (41.84 acres), from “Non-Urban Area – NUA-1” to “Grouped Country Residential – GCR-1”, as shown on Schedule ‘A’, attached hereto and forming part of this bylaw.
2. Bylaw No. 1165, 2023, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

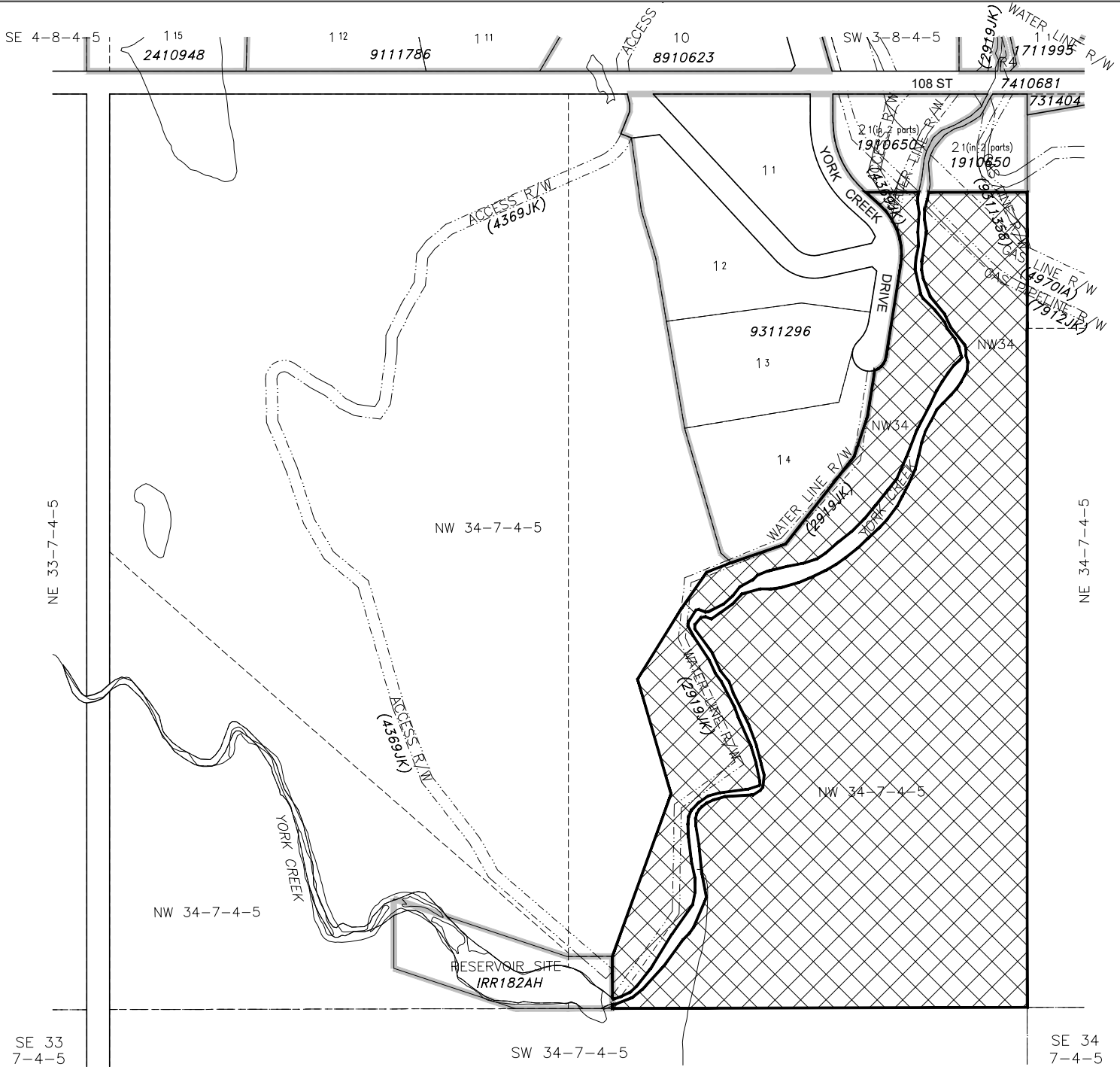
READ a **first** time in council this _____ day of _____ 2024.

READ a **second** time in council this _____ day of _____ 2024.

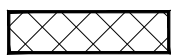
READ a **third and final** time in council this _____ day of _____ 2024.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Non-Urban Area NUA-1
TO: Grouped Country Residential GCR-1

PORTION OF NW 1/4 SEC 34, TWP 7, RGE 4, W 5 M
CONTAINING 16.933±ha(41.84±ac)

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (BLAIRMORE)

DATE: MAY 29, 2024

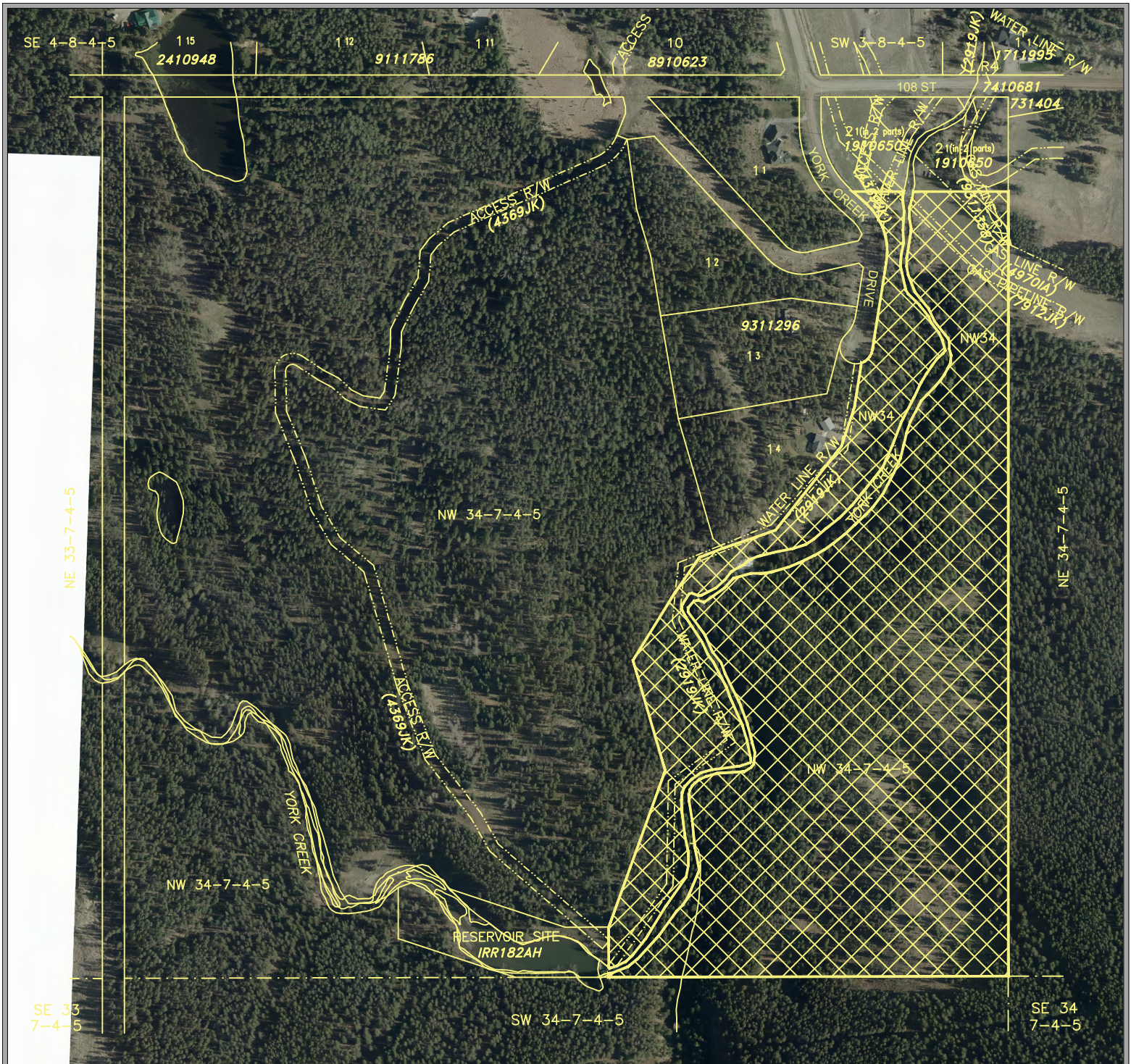
Bylaw #: 1196, 2024

Date: _____



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



Aerial Photo Date: May 19, 2021

LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Non-Urban Area NUA-1

TO: Grouped Country Residential GCR-1

PORTION OF NW 1/4 SEC 34, TWP 7, RGE 4, W 5 M
CONTAINING 16.933±ha(41.84±ac)

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (BLAIRMORE)

DATE: MAY 29, 2024

Bylaw #: 1196, 2024

Date: _____

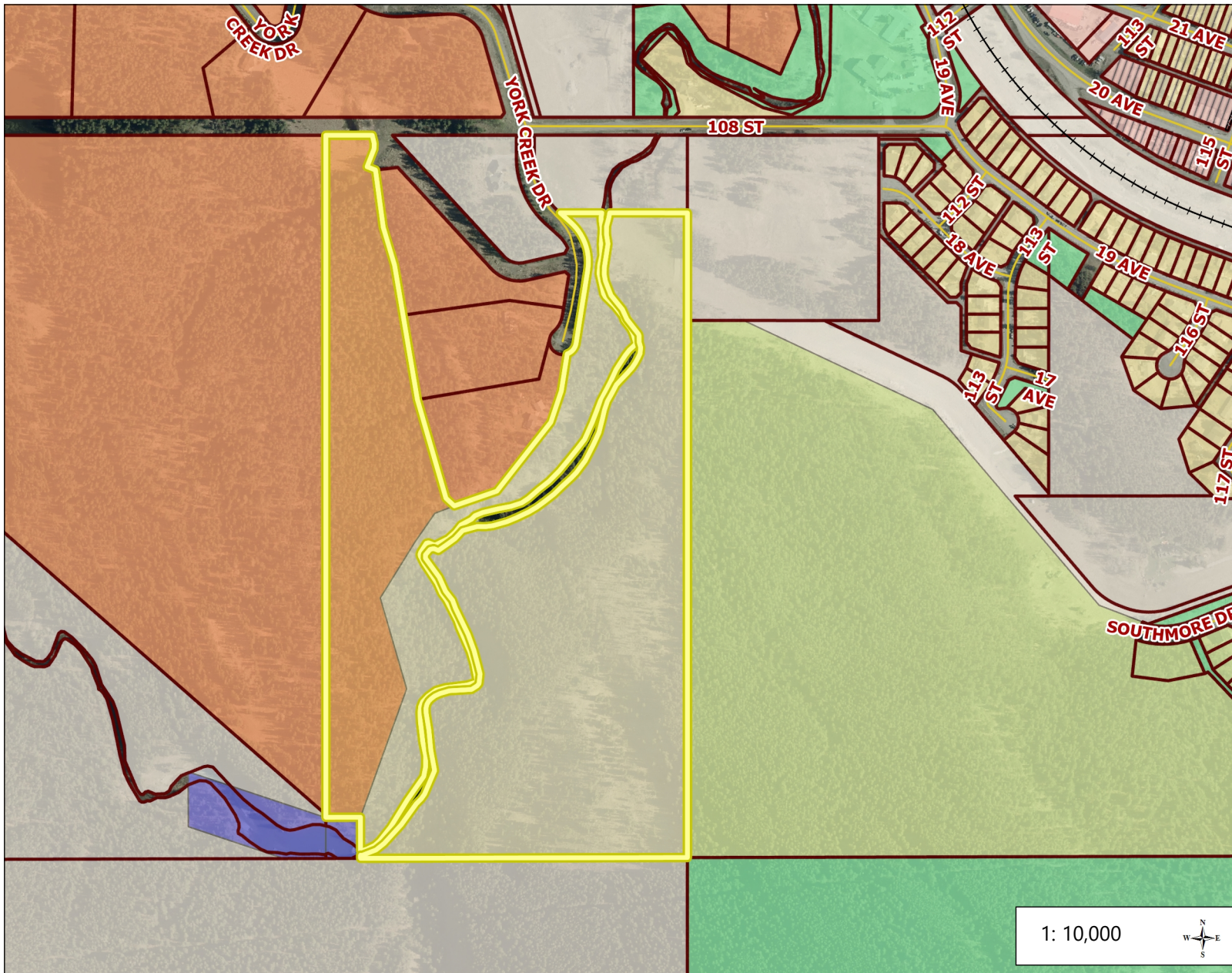


OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400





Municipality of Crowsnest Pass



Legend

Land Use Districts -

-  COMPREHENSIVE SKI VILLAGE
CSV
-  GROUPED COUNTRY RESIDENTIAL
GCR-1

1: 10,000



0.5 0 0.25 0.5 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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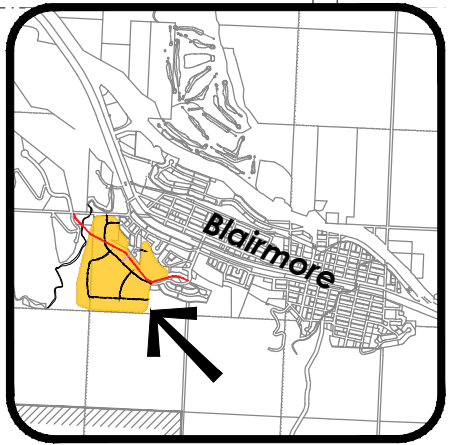
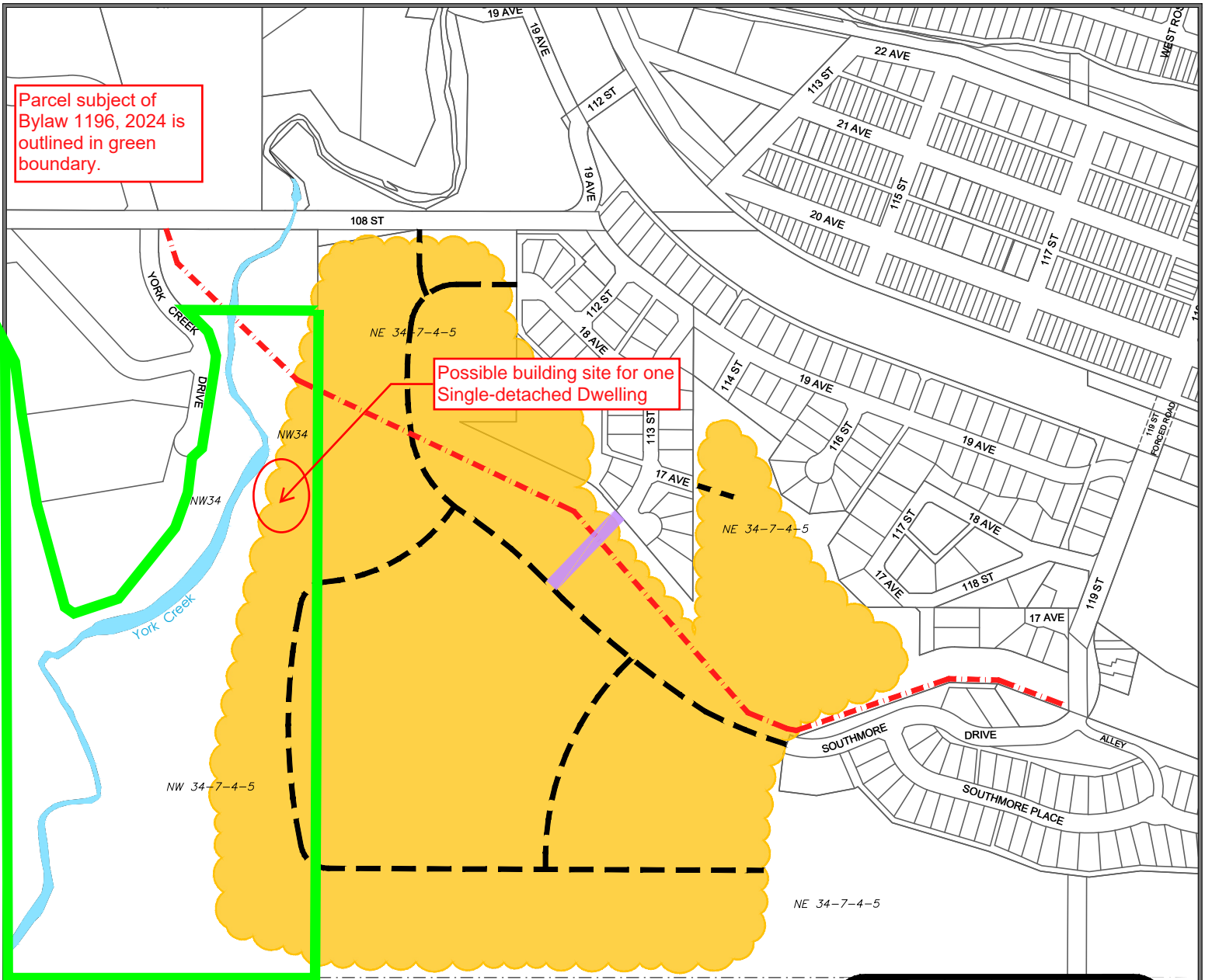
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Parcel subject of Bylaw 1196, 2024 is outlined in green boundary.

Possible building site for one Single-detached Dwelling



**SOUTHMORE PHASE 2
PRELIMINARY PLANNING AREA**

WITHIN NE 1/4 SEC 34,
TWP 7, RGE 4, W 5 M

- Preliminary Planning Area
- Potential Pedestrian Corridor
- Potential Roads
- High Pressure Gas Line

FOR DISCUSSION
PURPOSES ONLY





June 7, 2024

File: 9A-197

To whom it may concern:

RE: NOTICE OF PLAN PREPARATION TO PLAN AREA LANDOWNERS

On behalf of the Municipality of Crowsnest Pass, the Oldman River Regional Services Commission would like to make you aware of a forthcoming area structure plan the Municipality plans to undertake this year in the vicinity of your property.

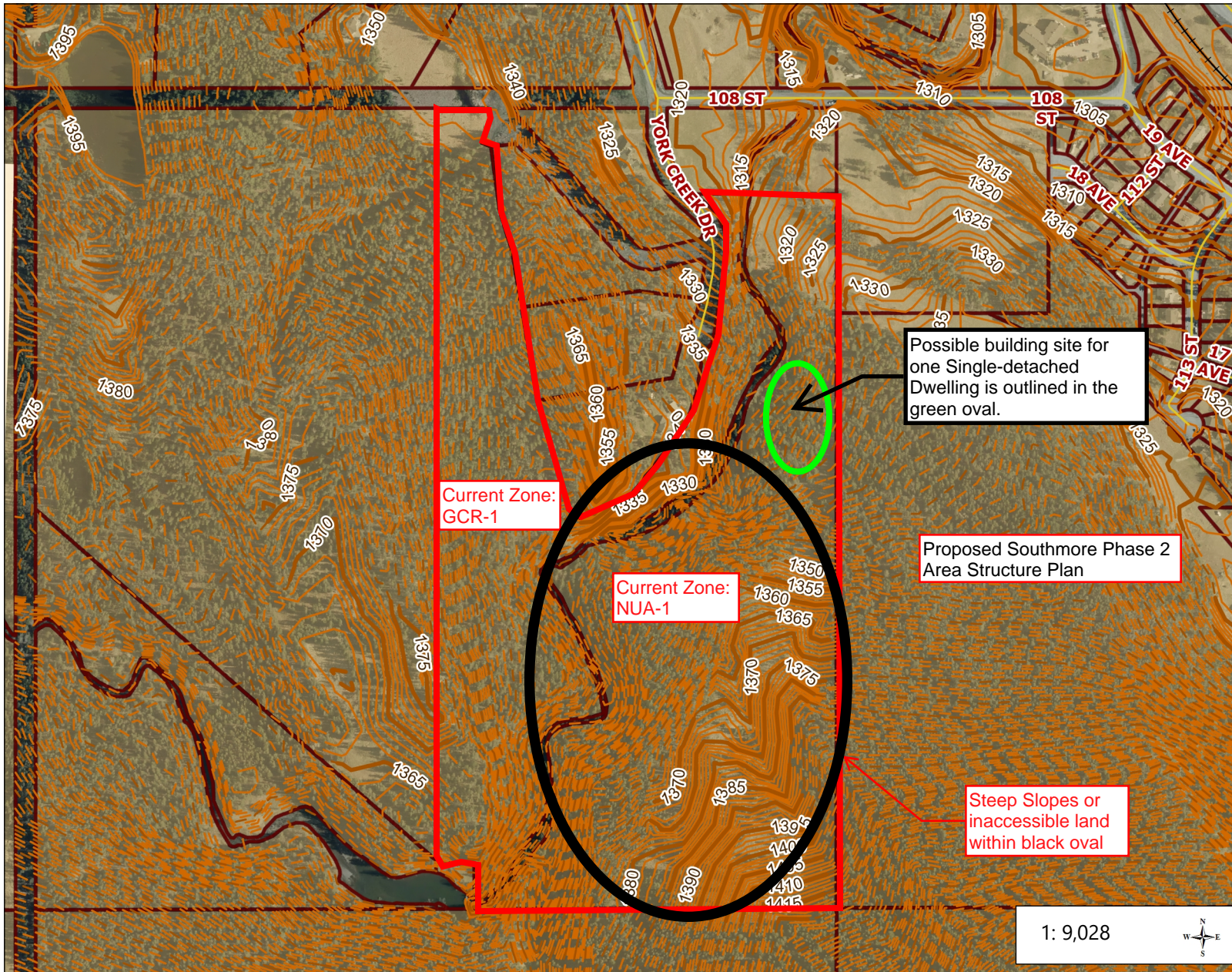
An area structure plan is a municipal planning document authorized under section 633 of the *Municipal Government Act*. It articulates future land uses and infrastructure within an undeveloped area, thereby ensuring that growth and development will be accommodated in an orderly and economical fashion. The *Southmore Phase 2 Area Structure Plan* is motivated by a desire to increase the supply of residential lots in Crowsnest Pass to the west of the existing development in Southmore – an area identified as a growth node in the Municipal Development Plan. The area is envisioned as an outstanding residential neighbourhood containing a mix of single-detached, semi-detached and multi-unit housing types developed harmoniously with the alpine environment in which it is situated with consideration for important matters like access, drainage, topography, servicing, pipeline setbacks and connections to natural and recreational assets. Aesthetically, it will serve as an extension of the existing development in Southmore – developed with forms, materials and palette that speak to its prized location on nature’s doorstep.

Earlier this year, an engineering consultant was engaged to evaluate the physical constraints of the area and assess the viability of a new neighbourhood. The resulting report on engineering feasibility for Southmore Phase 2 will serve to help establish the boundary of the planning area, and subsequently inform development of the area structure plan (see preliminary map on reverse side of page).

This letter serves as preliminary notice of the planning initiative for the purpose of inviting comments from landowners that own land within the planning area. Opportunity exists for plan area landowners to be involved in the planning process for their lands to the extent that they’re willing. Please be advised that this planning initiative, if passed by bylaw as an area structure plan – puts no obligation upon a landowner to develop their lands. If you have any questions, concerns or comments, feel free to contact me at 403-329-1344 or by email at ryandyck@orrsc.com.

Ryan Dyck
Planner
Oldman River Regional Services Commission

Municipality of Crowsnest Pass



Legend

- Adjacent Roads
- Railway
- Road Labels
- Road Centerline
- Closed Roads
- Contour-Index
- Contour-Index-Depression
- Contour-Index-Obscured
- Contour-Intermediate
- Contour-Intermediate-Depress
- Contour-Intermediate-Obscure
- Boundary
- Title Linework
- Parcels

Possible building site for one Single-detached Dwelling is outlined in the green oval.

Proposed Southmore Phase 2 Area Structure Plan

Steep Slopes or inaccessible land within black oval

Current Zone: GCR-1

Current Zone: NUA-1

1: 9,028



0.5 0 0.23 0.5 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© OpenStreetMap contributors

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Crowsnest Pass



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.d

Subject: Bylaw 1198, 2024 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 - Second and Third Reading

Recommendation: That Council gives second and third reading of Bylaw 1198, 2024.

Executive Summary:

The proposed bylaw involves the rezoning of Lot 1, Block 1, Plan 2311611 from Non-Urban Area NUA-1 to Public P-1 for the purpose of bringing the PEAKS Campus property (Livingstone Range School Division) into compliance with the land use bylaw, and provide for the future development of the property in accordance with the uses in the Public P-1 land use district.

Relevant Council Direction, Policy or Bylaws:

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

Land Use Bylaw No. 1165-2023

Discussion:

The existing PEAKS Campus (Livingstone Range School Division), located at the former Alberta Tourism Information Centre near Crowsnest Lake, operates as a "Community Facility" (school) with large gathering spaces, bunk rooms, science labs and outdoor recreational programs. This type of use was removed from the Non-Urban Area NUA-1 land use district in Omnibus No. 3, land use bylaw 1165, 2023. In order to bring the property into compliance with the current land use bylaw, and to facilitate possible future development, the applicant has proposed the rezoning to Public P-1.

A Comprehensive Site Development Plan will accompany any future development permit applications.

Analysis of Alternatives:

1. Following the public hearing, Council may give second and third readings of Bylaw 1198, 2024.
2. If additional information is required, Council may postpone second reading of Bylaw 1198, 2024

and provide further direction to Administration.

3. Council may defeat Bylaw 1198, 2024.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1198, 2024 - \(June 2024\).docx](#)

[Bylaw 1198, 2024 Schedule A.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1198, 2024

LAND USE BYLAW AMENDMENT – Rezone Lot 1, Block 1, Plan 231 1611

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 1165, 2023, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to rezone the lands legally described as Lot 1, Block 1, Plan 231 1611, containing ±2.344 ha (5.792 acres), from “Non-Urban Area – NUA-1” to “Public – P-1” as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the “Public – P-1” land use district.

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

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

1. The Land Use District Map be amended to rezone the lands legally described as Lot 1, Block 1, Plan 231 1611, containing ±2.344 ha (5.792 acres), from “Non-Urban Area – NUA-1” to “Public – P-1” as shown on Schedule ‘A’ attached hereto and forming part of this bylaw.
2. Bylaw No. 1165, 2023, being the Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.

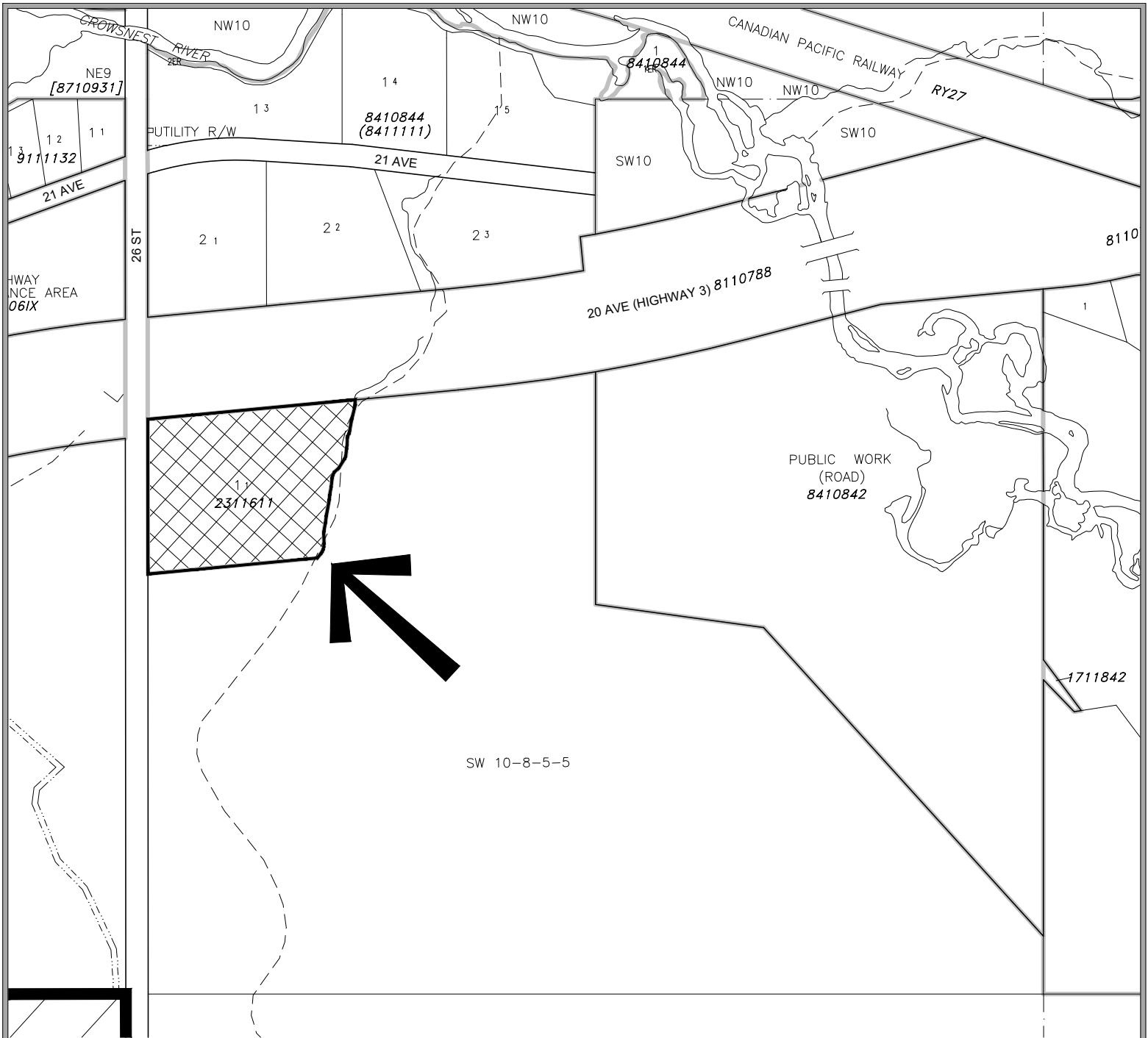
READ a **first** time in council this _____ day of _____ 2024.

READ a **second** time in council this _____ day of _____ 2024.

READ a **third and final** time in council this _____ day of _____ 2024.

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: NON-URBAN AREA – NUA-1
TO: PUBLIC – P-1

LOT 1, BLOCK 1, PLAN 2311611
WITHIN SW 1/4 SEC 10, TWP 8, RGE 5, W 5 M
MUNICIPALITY: CROWSNEST PASS
DATE: JUNE 19, 2024

Bylaw #: 1198, 2024
Date: _____



0 Metres 100 200 300 400



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



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.e

Subject: Subdivision Endorsement Extension Request 2020-0-137

Recommendation:

That Council considers the subdivision endorsement extension request for Subdivision 2020-0-137 for a period of 12 months, to August 20, 2025.

Executive Summary:

The Oldman River Regional Services Commission is in receipt of a subdivision endorsement extension request for the subdivision known as 2020-0-137 in Coleman. The purpose of the subdivision is a boundary adjustment between two R-1 properties in Bushtown, to correct a fence encroachment. The original subdivision approval was given on December 16, 2020 by the Municipal Planning Commission. The applicant wishes to complete the conditions of subdivision approval to get the subdivision registered however, the 12-month validity of the subdivision approval has expired and needs to be renewed to complete the registration process. The applicant requests a 12-month extension period.

Relevant Council Direction, Policy or Bylaws:

Section 657, Municipal Government Act, RSA 2000, c M-26. (MGA)

Discussion:

See the attached report from the Oldman River Regional Services Commission.

Analysis of Alternatives:

- Council can approve the extension for 12 months.
- Council can approve the extension, but for a different time period.
- Council can deny the extension request.

Financial Impacts:

N/A

Attachments:

[MEMO - 1st extension request \(Jumarchik-Deroche 2020-0-137\).pdf](#)

Memo

To: Municipality of Crowsnest Pass Council

File: 2020-0-137

From: Ryan Dyck, Planner

Date: August 6, 2024

Re: Subdivision Endorsement Extension Request

Background & Proposal

The Oldman River Regional Services Commission is in receipt of a subdivision endorsement extension request for a subdivision approval on lands known as Lot 4, Block A, Plan 1332EL and Lot 5, Block A, Plan 1878FA – being a boundary line adjustment between two urban residential parcels to relocate the shared property line to correspond with existing fencing. Subdivision approval was originally granted on December 16, 2020. This is the applicant's first extension request.

As per section 657(1) of the Municipal Government Act (MGA), if a plan of subdivision is not endorsed by the subdivision authority for a municipality within 12 months from the date on which the subdivision approval is given, the plan may not be accepted by Alberta Land Titles unless the time period is extended by Council. There is not a legislated expiry date for subdivision approval extensions. However, generally accepted best practice is that subdivision extensions should not exceed 12 months, which is the MGA statutory time limit for the original approval to be finalized.

Recommended Action

The applicant has required additional time to complete the conditions of approval, which are now finalized.

The applicant has submitted a letter requesting a 12-month extension. Council has the following options to consider:

1. Grant the extension by a resolution of Council pursuant to Section 657(6) of the MGA.
2. Refuse to grant the extension. Note that there is no appeal of a decision on a time extension request.

Once Council has reviewed the request and made a decision, we would appreciate notification of the decision in writing for our file. If you have any questions or need clarification, please contact me at your convenience.

RD/jm
ATTACHMENTS

Subdivision Application – Request for Extension

ORRSC file number: 2020-0-137 Expired Date: December 16, 2021

Previous Extension Approved: Yes No Extension Period Requested: _____
(not to exceed one year)

ORRSC Fee submitted: 1st Request (\$350.00) 2nd Request (\$450.00) 3rd Request (\$550.00)

Name of registered owner(s): Personal Privacy - FOIP Act Section 17

Owner's address: _____

Blairmore AB TOKOEO Personal Privacy - FOIP Act Section 17
City Province Postal Code Cell Phone
Personal Privacy - FOIP Act Section 17
Home Phone _____

Name of Applicant: _____
(if different from owner)

Applicant's address: _____

City Province Postal Code Cell Phone
Home Phone _____ Email _____

Legal description: Lot 4+5 or Condo unit _____ Block A Plan 1878 FA
Quarter SW Section 9 Township 8 Range 4 Meridian W5M

Reason(s) for Request:
I thought I had met all the conditions to complete this transaction. But upon trying to sell our home we found out that in fact we had not. So I am asking for a extension so that we can complete this transaction

Personal Privacy - FOIP Act Section 17

July 17 2024
Date

SUBDIVISION APPLICATION DECISION

Our File: 2020-0-137
Your File: 20-14895

NOTICE DATE: December 17, 2020

TO: Personal Privacy - FOIP Act Section 17 [REDACTED], Municipality of Crowsnest Pass, Livingstone Range School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator, AER, Canada Post, CPR

RE: Lot 4, Block A, Plan 1332EL and Lot 5, Block A, Plan 1878FA within SW1/4 9-8-4-W5M / Municipality of Crowsnest Pass

DECISION: APPROVED ON CONDITION **DECISION DATE:** December 16, 2020
(See attached resolution for conditions)

Your subdivision application has been *Approved on Condition* and a copy of the decision is attached.

We advise that it is the *applicant's responsibility* to ensure that all conditions of approval have been met. This process will require coordination between yourself, your surveyor, ORRSC and your municipality.

The subdivision may be finalized following the required 14-day appeal period as outlined below. If no appeals have been filed within the specified time period, you may proceed with the finalization. You have **one year from the approval date** to finalize your subdivision. *(If you are unable to finalize the subdivision within this time frame please contact the ORRSC in order to request a possible time extension. A minimum extension fee of \$330.00 will be required.)*

Right to Appeal

Pursuant to the Municipal Government Act, the applicant, government departments, and local authorities have a right to appeal the decision or any conditions of the subdivision **within 14 days of receipt of this notice** to the appropriate appeal board. The date of receipt of the decision is deemed to be 7 days from the date the decision is mailed.

You may also appeal any reserve requirement (land or money) established by the subdivision authority. The appeal may be commenced by providing a written statement of the grounds of appeal to:

Municipal Government Board, Alberta Municipal Affairs – Subdivision Appeals Case Manager
1229 – 91 Street SW, Edmonton, Alberta T6X 1E9

The appeal board must receive your notice of appeal within 21 days of the date of this letter informing you of the subdivision authority's decision. ***(Please contact the municipality to determine any applicable fees.)***

In order for your surveyor to register your subdivision at the Land Titles Office, they must receive an "Endorsement" document from our office. ORRSC will provide the Endorsement upon receipt of the following:

- **Finalization fee** – pay to ORRSC the finalization fee of \$205.00 for each new lot to be created by the subdivision.
- **Fulfilling the Conditions** – ensure that all the conditions of your approval have been met (*refer to attached Resolution*) and provide the Oldman River Regional Services Commission documented evidence to that effect.
- **Surveyor's package** which includes the Plan of Survey, signed consents, etc. (or your separation of title document as prepared by your lawyer or surveyor).

After endorsement, we will return the documents to your surveyor who will register them with the Land Titles Office.

Should you require any further clarification please contact ORRSC at (403) 329-1344 or visit our website at www.orrsc.com for more details regarding the finalization process.

Yours truly,



Mike Burla
Senior Planner

MB/jm
Attachment

RESOLUTION

2020-0-137

Municipality of Crowsnest Pass Residential re-alignment of Lot 4, Block A, Plan 1332EL and Lot 5, Block A, Plan 1878FA within SW1/4 9-8-4-W5M

THAT the **Residential** re-alignment of Lot 4, Block A, Plan 1332EL and Lot 5, Block A, Plan 1878FA within SW1/4 9-8-4-W5M (Certificate of Title No. 181 175 203, 971 357 467), to create two new parcels of 0.17 and 0.19 acres, respectively from titled areas comprising of 0.36 acres; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Municipality of Crowsnest Pass.
2. That the applicant provide confirmation, to the satisfaction of the Subdivision Authority, that the encroaching shed has been relocated prior to finalization.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(c) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Municipality of Crowsnest Pass – Johan van der Bank, Manager of Development and Trades:
“This appears to be a good solution to address the existing encroachments. The municipality does not require a development agreement for this boundary adjustment.”
- (e) TELUS Communications Inc. has no objections to the above noted circulation.
- (f) ATCO Gas has no objection.
- (g) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (h) Alberta Health Services – Wade Goin, Executive Officer/Public Health Inspector:
“In response to the request for comment on the above noted subdivision, we have reviewed the information and wish to provide the following comments: • Alberta Health Services does not object to this subdivision provided all other pertinent bylaws, regulations and standards are complied with. If you require any further information, please call me at 403-562-5030.”

- (i) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a boundary adjusted/residential parcel at the above noted location.

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, this is merely a boundary adjustment of which currently and as proposed the parcel to be created will gain indirect access to the provincial highway system solely by way of the local street system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the boundary adjusted/residential parcel as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would 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 center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. 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 however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance a permit from Alberta Transportation will not be required and development of the boundary adjusted/residential parcel could proceed under the direction, control and management of the municipality. The applicant could contact the undersigned, at Lethbridge 403/382-4052, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

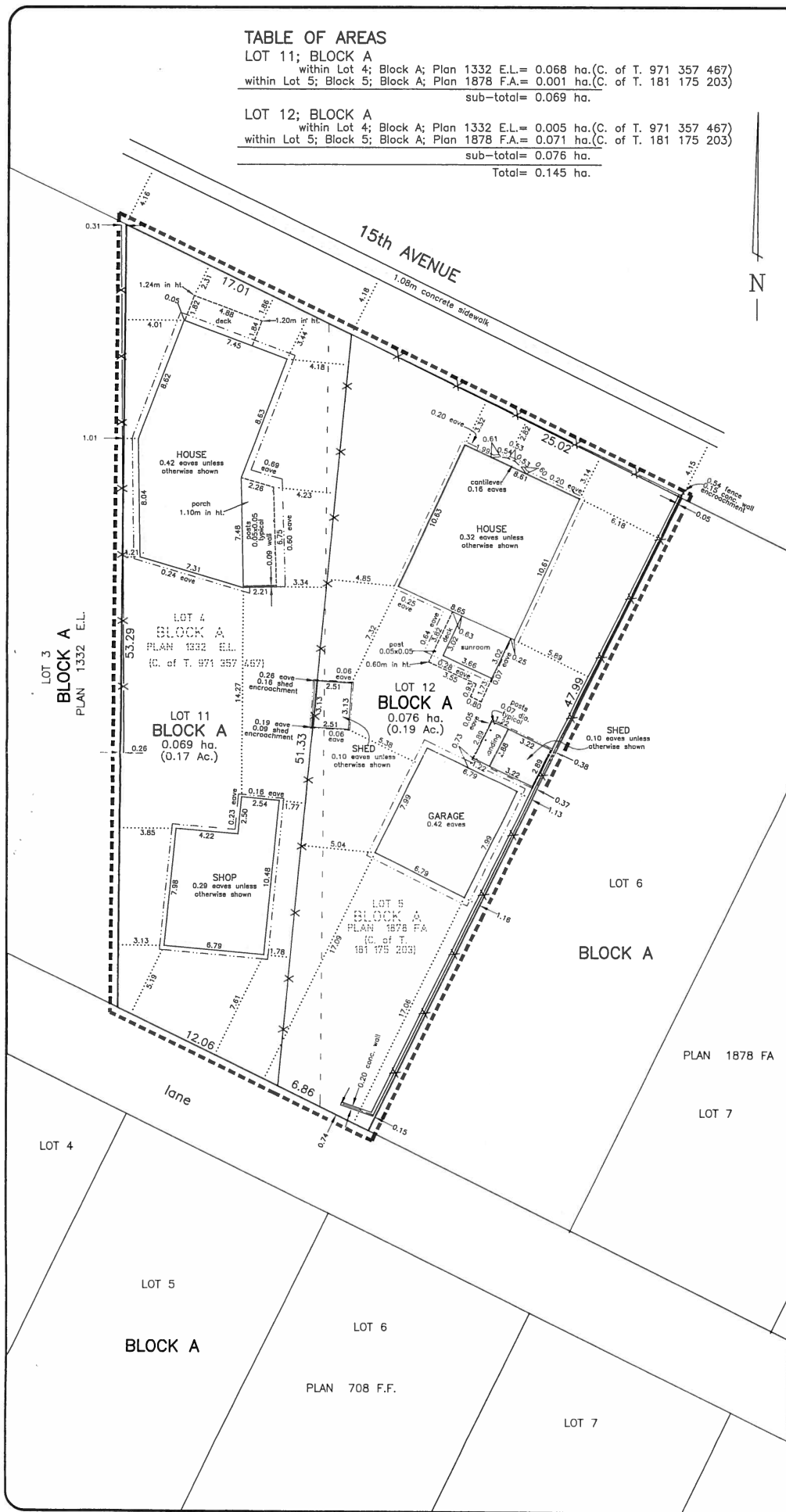
Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.”

- (j) Canada Post has no comment at this time.
(k) FortisAlberta has no concerns or requirements.

TABLE OF AREAS

LOT 11; BLOCK A	
within Lot 4; Block A; Plan 1332 E.L.=	0.068 ha.(C. of T. 971 357 467)
within Lot 5; Block 5; Block A; Plan 1878 F.A.=	0.001 ha.(C. of T. 181 175 203)
sub-total= 0.069 ha.	
LOT 12; BLOCK A	
within Lot 4; Block A; Plan 1332 E.L.=	0.005 ha.(C. of T. 971 357 467)
within Lot 5; Block 5; Block A; Plan 1878 F.A.=	0.071 ha.(C. of T. 181 175 203)
sub-total= 0.076 ha.	
Total= 0.145 ha.	



brown okamura & associates ltd.
 Professional Surveyors
 2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED	DRAWN	CUB	DATE	OCT. 7/20
	CHECKED	ZJP	JOB	20-14895
	SCALE		DRAWING	20-14895T
				1:250
				Z. J. Prosper A.L.S.

RATZLAFF DANIELSON

TENTATIVE PLAN SHOWING SUBDIVISION
 of all of
 LOT 4; BLOCK A; PLAN 1332 E.L. &
 LOT 5; BLOCK A; PLAN 1878 F.A.
 within
 S.W.1/4 SEC 9; TWP.8; RGE.4; W.5 M.
 MUNICIPALITY OF CROWNEST PASS

NO.	REVISION	DATE	BY
	Improvements shown were surveyed on September 16th, 2020 NOTE : Portion to be approved is outlined thus ----- and contains approximately 0.145 ha. Distances are in metres and decimal parts thereof.		
	Distances and areas are approximate and are subject to change upon final survey.		

PLAN 1878 FA
 LOT 7

LOT 4
 BLOCK A
 LOT 5
 BLOCK A
 LOT 6
 PLAN 708 F.F.
 LOT 6
 BLOCK A
 LOT 7



Municipality of Crowsnest Pass Request for Decision

Meeting Date: August 20, 2024

Agenda #: 7.f

Subject: MDM Community Centre - Windows Replacement - Update

Recommendation: That Council direct Administration:

1. To terminate further work on this project and advise the lowest bidder accordingly, and to allocate the \$650,000 in the 2024 budget to Reserves.

OR

2. To work with the architect and the lowest bidder to seek ways to implement the project over multiple budget years.

Executive Summary:

The MDM Window Replacement Project tender closed in June 2024. Two tenders were received. The lowest tender (\$2,282,000) was significantly over the budget (\$650,000). Administration seeks Council direction for either terminating the project or attempting to implement it over multiple budget years.

Relevant Council Direction, Policy or Bylaws:

Council 2024 Budget - MDM Windows, Exterior Doors and Fascia - CAP24 8104 - 8024 8104 2240 - \$650,000.00 - Millrate Reserve.

Discussion:

Ian Moxon Architect, who managed the tender on behalf of the Municipality, provided a summary of the tender process (attached).

The reasons why the tenders came in significantly above budget include:

1. The original budget was estimated in 2022. There was significant inflation in construction prices in 2022, 2023, and 2024.
2. The scope of work was revised by the addition of doors, fascia, soffits, downspouts, security system,

door hardware, interior millwork/trim.

3. Bidders indicated that the project cannot be completed in the two-month school vacation window (July and August), and instead requires several months of construction, which requires work to continue during building occupancy with school classes being moved out to alternative rooms in phases.

Analysis of Alternatives:

It is recommended that the project is re-evaluated with the following objectives:

1. Reconsider the increased budget and the added items.
2. Break down the project into components - critical areas, remediation, smaller individual projects.
3. Consider tendering the project as a Construction Management Project.

OR

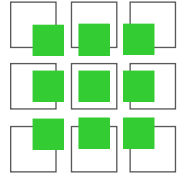
4. Terminate the project.

Financial Impacts:

If the project was re-evaluated and scheduled as individual projects over multiple years, it is expected that the project value will remain above \$2,000,000.

Attachments:

[Project Update CPMW 2024 08 08 Cost-Saving Proposal Letter.pdf](#)



LETTER

PROJECT PHASE: BIDDING & NEGOTIATION

DATE: 2024 04 05

Attn: Johan van der Bank
Manager of Development and Trades
Municipality of Crowsnest Pass
P.O. Box 600
Crowsnest Pass, Alberta
T0K 0E0
E: johan.vanderbank@crowsnestpass.com

MDM COMMUNITY CENTER, BELLEVUE, ALBERTA COST SAVING PROPOSAL

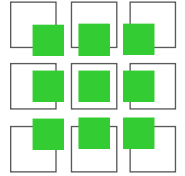
Dear Johan,

Following the tender of the window replacement, plus the extended exterior component remediation scope of work for the MDM Community Centre, a review of the budget has been completed. Bids were received from Nitro Construction and JC Master Contracting with JC Master Contracting coming in \$1M below Nitro Construction. Negotiations with the lowest bidder were completed to find areas to reduce the project budget and a cost reduction of approximately \$220,000.00 was presented with a revised bid amount of \$2,282,000.00.

The following are some reasons for the increased budget from the tender:

- Original budget was calculated in 2022 with an inflation factor added in 2023.
- Added scope items, such as doors, fascia, soffits, downspouts, security system, door hardware, interior millwork/trim, etc.
- Required phasing of the project to complete the project around the tenant's requirements
- Allowances for unforeseen items for repair and remediation, plus structural requirements.





LETTER

PROJECT PHASE: BIDDING & NEGOTIATION

DATE: 2024 04 05

IMAI would recommend the following:

- Re-evaluate the project along with an increased budget.
- Identify critical areas that will require remediation first and complete as smaller individual projects.
- Consider tendering the project as a Construction Management project. Working collaboratively with the Construction Manager, will allow the Design Team to ensure the budget is adhered to and effectively monitored.

Thank you for your attention to these matters.

Respectfully yours,

Matthew Koutsky
Project Manager, Assoc. AIA





**Municipality of Crowsnest Pass
Request for Decision**

Meeting Date: August 20, 2024

Agenda #: 10.a

Subject: Notice of Motion for August 20, 2024 – Standards for Moved In Homes for Vacant Lots or Infills – Mayor Painter

Recommendation: That Council have discussion concerning implementing further standards for Moved In Homes on vacant lots or infills.

Executive Summary:

Mayor Painter provided a Notice of Motion at the July 17th meeting of Council to bring back for discussion by Council to consider implementing standards for moved in homes on vacant lots or infills and to allow for input by neighboring residents at the August 20, 2024 Council Meeting.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

There has been 9 moved in dwellings since 2020.

DP2024-024	Lot 6 Block 4 Plan 9510566	1813 112 Street	Blairmore
DP2024-062	Lot 7 Block 29 Plan 6808CU	8621 19 Avenue	Coleman
DP2023-062	Lot 7-8 Block 1 Plan 2897R	13509 20 Avenue	Blairmore
DP2022-023	Lot 25 and 26 Block 9 Plan 820L	7478 18 Avenue	Coleman
DP2022-030	Lot 2 Block 3 Plan 0612636	104 Wolfstone Terrace	Coleman

DP2022-116	Lot 8 Block 1 Plan 0210159	1226 - East Hillcrest Dr	Hillcrest
DP2021-055	Lots 4-6, Block 23, Plan 5150S	22821 - 4 Avenue	Hillcrest Mines
DP2021-126	Lot 10, Block 4, Plan 101 0977	2548 Tecumseh Road	Coleman
DP2020-021	Lot 13, Block 14, Plan 3387AE	1210 - 84th Street	Coleman

Attached are the LUB standards for Moved in Dwellings.

Analysis of Alternatives:

Financial Impacts:

N/A

Attachments:

[Schedule 7 - Relocation of Buildings .pdf](#)

RELOCATION OF BUILDINGS

1 APPLICATION OF THIS SCHEDULE

- 1.1 This Schedule applies to any development permit application for either a permitted or a discretionary use that involves the relocation of a building, including “Moved-In Building”, “Moved-In Dwelling” and any other building type that is supplied as a “Ready-to-Move” or “Modular” building.

2 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- 2.1 An applicant for a development permit that involves the relocation of a building within or to the Municipality is required to submit, with their application, the following information in addition to the information normally required within this Bylaw:
- (a) colour photographs of the building proposed to be relocated, accurately depicting the building and general condition of the building;
 - (b) complete site plan showing how the proposed building would be located on the proposed lot;
 - (c) foundation proposals;
 - (d) floor plans of the building;
 - (e) the designated route for transporting the building into the community; and
 - (f) any other information that may be deemed necessary by the Development Authority.
- 2.2 It is the responsibility of the landowner to ensure that a building approved to be relocated into the community complies with relevant federal, provincial and municipal codes, standards, regulations, bylaws and legislation (e.g. the *Safety Codes Act*, restrictions on urea-formaldehyde insulation, asbestos content, standards in this Bylaw, the Traffic Bylaw, etc.)

3 DEVELOPMENT PERMIT APPLICATION CONSIDERATIONS

- 3.1 A development permit that involves the relocation of a building shall be reviewed by the Development Authority, based on the following criteria:
- (a) age of the building to be relocated;
 - (b) age of the surrounding buildings;
 - (c) condition / building materials of the relocated building;
 - (d) the compatibility of the proposed building to the neighbourhood and adjacent properties;
 - (e) the proposed location within the municipality;
 - (f) aesthetics of the neighbourhood;
 - (g) the compatibility of the proposed building with the future development of the area; and
 - (h) any other planning considerations as determined by the Development Authority.
- 3.2 In the case of a “Moved-In Dwelling” to be relocated, it shall, in the opinion of the Development Authority, be compatible with respect to age and appearance, with the houses in the receiving neighbourhood.

4 PROVISION OF SECURITY AND TIMELINE FOR COMPLETION

- 4.1 The landowner or applicant shall post a refundable security deposit in an amount specified in the Fees, Rates and Charges Bylaw to ensure that the proposed building is brought into compliance with the development permit conditions (Note: the landowner or applicant may also be required under the Traffic Bylaw to obtain a permit to move the building on municipal roads and to provide a refundable security deposit to cover potential damages to municipal infrastructure or utility infrastructure owned by a third-party – please contact the Transportation Department).
- 4.2 Renovations and conditions imposed by the Development Authority to a building relocated within or to the Municipality shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the security deposit.