



**AGENDA**  
**TOWN OF PINCHER CREEK**  
**COMMITTEE OF THE WHOLE**  
Wednesday, May 4, 2022 AT 9:00 A.M.  
[In Person & Virtual via Zoom](#)

1. **Call to Order**
2. **Agenda Approval**
3. **Scheduled Delegations**
  - 3.1 Appreciation gifts for Council service -Scott Korbett
  - 3.2 nature positive/emerging economies project – Patty Richards
4. **Committee Reports**
5. **Administration**
6. **Business Arising from the Minutes**
  - 6.1 Regional Airport Committee Terms of Reference
  - 6.2 Police Advisory Committee Terms of Reference
7. **Bylaws**
  - 7.1 Tax Exemption Bylaw No. 1629-22
8. **New Business**
  - 8.1 Infrastructure Master Plan
  - 8.2 The Longest Day of SMILES
  - 8.3 PCCELC/CFEP Funding Support (Tentative)
9. **Closed Session**
10. **Adjournment**

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Regional Airport Committee Terms of Reference	
<b>PRESENTED BY:</b> Laurie Wilgosh, Chief Administrative Officer	<b>DATE OF MEETING:</b> 5/4/2022

### **PURPOSE:**

For council to review and propose amendments to the Regional Airport Committee Terms of Reference

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek That Committee of the Whole recommend the following amendments to the draft Regional Airport Committee Terms of Reference:

### **BACKGROUND/HISTORY:**

The Town, M.D. of Pincher Creek, Municipality of Crowsnest Pass and Village of Cowley have formed a Regional Airport Committee to consider and advance potential services at the local airport. Prior to choosing a governance model for the committee, Town Council would like to clarify a few guiding principles in the Terms of Reference, which will be shared with the other members in due course.

### **ALTERNATIVES:**

That Committee of the Whole receive the proposed amendments provided.

That Committee of the Whole receive the background airport committee resolutions and draft Terms of Reference as provided.

### **IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

Feasibility Study and Airport Master Plan.

### **FINANCIAL IMPLICATIONS:**

Undetermined

### **PUBLIC RELATIONS IMPLICATIONS:**

Local residents and ratepayers will appreciate a shared vision and regional approach to airport services

### **ATTACHMENTS:**

Terms of ref\_mar18 - 2874

### **CONCLUSION/SUMMARY:**

Administration supports that Council provide recommendations for amendments to the Regional Airport Committee Terms of Reference.

**Signatures:**

**Department Head:**

*Laurie Wilgosh*

**CAO:**

*Laurie Wilgosh*



# Regional Airport Committee

## **TERMS OF REFERENCE - CZPC**

### **1. Name and Type**

- a. Regional Airport Committee
- b. Committee of Regional Councils as stakeholders along with community members

### **2. Statement of Purpose**

- a. To provide oversight and guidance for the operation of the Airport with the goal of transitioning to a Commission or Airport Authority, within the current year. (December 31, 2022).
- b. Beyond establishing the “entity”, it will be to make Pincher Creek Airport a dynamic destination providing services to enhance tourism and economic development in Alberta’s SW.
- c. To provide a forum for receiving input and advice from aviation stakeholder groups, professionals and the community respecting PC Airport.

### **3. Composition of the Committee**

- a. Four (4) members of Council, one each from the following Municipalities: Village of Cowley, Crowsnest Pass and the MD and Town of Pincher Creek. There will be three (3) citizen reps to take the number to seven (7), From these seven, and by these seven, the Chair will be selected.
- b. Elected member terms are for one year only and will be determined each year at the respective council organizational meetings.
- c. Community member spots will be advertised upon notice of pending vacancy and to coincide with the Organizational Meeting assignments in the Fall of each year.
- d. Community Member term is two years and is renewable upon agreement of both parties.

### **4. Chair**

- a. Chairperson will be selected annually at the November meeting along with the Vice Chair.

### **5. Outcomes and Objectives**

- a. In general to make recommendations to regional Councils regarding airport governance and operating model and to support the creation of a new, permanent governance entity for our Airport.
- b. Once established, to implement the Master Plan according to an approved operating budget and in line with an established and approved capital plan.



## **6. Duties and Responsibilities**

- a. Provide and review research on operating models with Airport Facilitator (KS2 Mgmt)
- b. Advocate for the PC Airport with funders, regulators, airlines and industry stakeholders.
- c. Prepare a preliminary capital improvement plan for the airport based on the recommendations of the master plan.
- d. To make recommendations to regional councils regarding potential capital projects (major and minor), which would include the prioritization of capital projects and funding strategy.
- e. Establish a logical footprint of the future expansion of the Airport.
- f. Work within statutory plans that empower land use planning, servicing and development on airport and adjacent lands.
- g. To create a budget in support of the above activities and refer to regional Council's for annual budgetary considerations.
- h. Report back to Council annually or as required.
- i. Champion the marketing and promotion of the airport and services.
- j. Direct communication in support of community awareness on the future of the airport and services.
- j. Tourism related to the Airport
- k. Develop Airport policy and initiatives
- l. Develop awareness and support for the Airport Safety Management System
- m. Airport matters or initiatives

## **7. Authority**

The Committee has responsibility for all operations, policies, employees, budgeting and other functions as required by the Committee. This authority is derived by approval of their annual budget by regional councils.

- a. Manage within their assigned budget (hire consultants, travel, etc.).
- b. Identify and support the pursuit of grants and other funding.
- c. Oversee the implementation of the Master Plan currently underway.
- d. Ensure compliance/reporting requirement of funders.
- e. Generally provide direction except where regional Council(s) inherently need to approve.

## **8. Budgeting / Finance**

- a. On or before September 30 each year, the committee will prepare and send to the regional councils a budget which is an estimate of its anticipated revenues and expenditures required as a result of its proposed activities for the next year.
- b. A capital plan will also be established and submitted with an ongoing five (5) year forecast.
- c. The committee may acquire assets
- d. The committee may prescribe charges or fees for any service provided
- e. The funds of the committee shall be deposited in an accredited financial institution covered under the Federal Deposit Guarantee Corporation and in accordance with the committees Financial Policy and as approved by the committee.
- f. The committee shall establish, maintain and designated reserves for future requirements of the airport. These funds will be reviewed annually by the both the committee and the regional councils and included with the budget submission.

## **9. Meetings**

- a. As necessary, but a set meeting in November as the organizational Meeting / AGM.
- b. A quorum of the committee is four (4) of the seven members and must include the chair or vice.
- c. Every effort will be made to reach a consensus of the Committee members, however all decisions will require approval of the majority of the committee.
- d. Agenda packages for the meeting will be emailed at least three (3) days prior to meeting date. A hard copy will be provided at the beginning of the meeting if requested by the member.
- e. Approved meeting minutes will be circulated back to regional councils and the public.

## **10. Decisions of the Committee**

- a. Decisions of the Committee shall be made by motion and recorded in the minutes of the respective meeting. A copy of these minutes shall be signed by the Chair, which duly signed ,shall be the official copy and shall be maintained at the Committee office and archives.
- b. A decision of the committee comes into effect immediately upon approval of the committee

## **11. Administrative Support**

- a. A secretary will be provided to this committee by one of the four partner municipalities on an annual rotating basis to be assigned at the November meeting
- b. CAO's of each of the four Municipalities will be invited to attend, as support, as needed.



c. Additional municipal support will be considered through requests to the CAO's.

## 12. Confidentiality

a. Where, in the opinion of the Committee, there are considerations of a confidential nature, members will be advised of the necessity for confidentiality

## Regional Airport Committee, Winter 2022

### Stakeholders

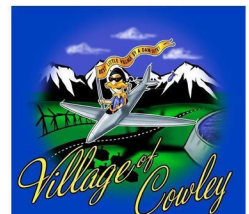
Municipality of Crowsnest Pass, MD of Pincher Creek, Town of Pincher Creek and Village of Cowley

### Community Members

Gordon Berturelli  
and Leo Reedyk

### Airport Management

KS2 Mgmt Ltd  
- Kent Milley



**6.2 Airport Master Plan – Alberta Community Partnership Grant Application**  
**JACKSON:**

X

That Council for the Town of Pincher Creek agree to be the managing partner for the Alberta Community Partnership grant program to pursue the Pincher Creek Airport Master Plan development for the communities of Municipal District of Pincher Creek # 9, the Municipality of Crowsnest Pass and the Town of Pincher Creek.

**CARRIED 21-005**

**7. BYLAWS**

**8. NEW BUSINESS**

**8.1 Pincher Creek Humane Society Donation in Honor of Councillor O'Rourke**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek approve a donation of \$1000 in memory of Councillor Sussanne O'Rourke to the Pincher Creek Humane Society.

**CARRIED 21-006**

**8.2 Vacancy in Position of Councillor**

**McGILLIVRAY:**

That Council for the Town of Pincher Creek agree to not conduct a by-election for the current vacant position of Councillor and to wait for the general municipal election to be held in October 2021.

**CARRIED 21-007**

**9. REPORTS**

**9.1 Upcoming Committee Meetings and Events**

Regional Emergency Management Organization  
Joint Council  
Community Early Learning Centre  
Intermunicipal Collaboration Framework  
Municipal Development and Subdivision Authority  
Landfill Association  
Pincher Creek Foundation

**10. ADMINISTRATION**

**10.1 Council Information Distribution List**

**ELLIOTT:**

That Council for the Town of Pincher Creek accept the January 11, 2021 Council Information Distribution List as information.

**CARRIED 21-008**

**10.2 Operations Fourth Quarter Report**

**JACKSON:**

That Council for the Town of Pincher Creek accept the Operations Fourth Quarter Report as information with thanks.

**CARRIED 21-009**



**10.3 Chief Administrative Officer 4th Quarter Report**

**JACKSON:**

That Council for the Town of Pincher Creek accept the Chief Administrative Officer 4<sup>th</sup> Quarter Report as information.

**CARRIED 21-097**

*Mayor Anderberg called a recess at 7:51 pm*

*D. Green left the meeting at 7:51 pm*

*Mayor Anderberg called the meeting back to order at 7:59 pm*

**11. CLOSED MEETING DISCUSSION**

**JACKSON:**

That Council for the Town of Pincher Creek agree to move to a closed session of Council on Monday, March 8, 2021 at 7:59 pm in accordance with section 16, 21 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Director of Finance and Human Resources, Recreation Manager and Administrative Manager in attendance.

**CARRIED 21-098**

**BARBER:**

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, March 8, 2021 at 9:48 pm.

**CARRIED 21-099**

**11.1 Canadian Broadcasting Corporation Lease Renewal – FOIP s. 16 & 24**

**KORBETT:**

That Council for the Town of Pincher Creek authorize and approve the five (5) year Addendum Agreement to the Canadian Broadcasting Corporation lease agreement dated September 27, 2016 continuing with the same terms and conditions.

**CARRIED 21-100**

**11.2 Airport Services/Fee Proposal – FOIP s. 16 & 24**

**McGILLIVRAY:**

X

That Council for the Town of Pincher Creek approve the proposed concept of the Governance model of a Not-for-profit Municipal Corporation with the three municipal members being Municipality of Crowsnest Pass, Municipal District of Pincher Creek, and the Town of Pincher Creek for the Airport Services ongoing and expanded operation.

**FURTHER**

That Council for the Town of Pincher Creek agree to share the proposed fee of \$25,000 among the three municipal partners for Airport Services to be funded from general ledger account 1100001920.

**CARRIED 21-101**

*Regular Council Meeting*

*January 24, 2022*

Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance.

**CARRIED 22-031**

**OLIVER:**

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, January 24, 2022 at 9:34 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Community Services, Recreation Manager, Marketing & Economic Development Officer and Executive Assistant in attendance

**CARRIED 22-032**

*A. Grose left the meeting at 9:35 pm*

**11.1 Council Strategic Plan – FOIP s. 16 & 19**

**GREEN:**

That Council for the Town of Pincher Creek direct administration to advise InnoVisions and Associates that they approve the Strategic Plan proposal opt 3 but allow for 2 full days of discussion.

**CARRIED 22-033**

**11.2 Airport Advisory Committee Request – FOIP s. 21 & 25**

X

**GREEN:**

That Council for the Town of Pincher Creek request a regional meeting be held with the Municipal District of Pincher Creek Council, the Crowsnest Pass Council, the Town of Pincher Creek Council and the Village of Cowley Council to review the Airport Master Plan and Feasibility Study, in order for all Councils to have a clear understanding of the goals, options, anticipated costs and governance model, and to include any other partner organizations.

**CARRIED 22-034**

**11.3 2022 Pincher Planters Agreement – FOIP s. 16**

**OLIVER:**

That Council for the Town of Pincher Creek agrees to enter into the 2022 agreement between the Town of Pincher Creek and the Pincher Planters, and to thank and commend the Pincher Planters for their continued service.

**CARRIED 22-035**

**12. NOTICE OF MOTION**

**13. ADJOURNMENT**

**OLIVER:**

That this meeting of Council on January 24, 2022 be hereby adjourned at 9:42 pm.

**CARRIED 22-036**

**6 BUSINESS ARISING FROM THE MINUTES**

**6.1 Stars Funding 2022**

**BARBER:**

That Council for the Town of Pincher Creek approve the increase of \$16 to the STARS grant for 2022.

**CARRIED 22-041**

**BARBER:**

That Council for the Town of Pincher Creek agree to make a standing motion to include STARS in their yearly budgets in the amount of \$7,300.

**CARRIED 22-042**

**6.2 Alberta Municipalities - Municipal Leaders Caucus**

**GREEN:**

That Council for the Town of Pincher Creek directs administration to register Councillor Nodge to attend in person and Councillor Green to attend virtually to the Alberta Municipalities Municipal Leaders Caucus in Edmonton on March 9<sup>th</sup> and 10<sup>th</sup> 2022.

**CARRIED 22-043**

**6.3 Sgt. Ryan Hodge – RCMP**

**a) Community Policing Report**

**OLIVER:**

That Council for the Town of Pincher Creek accepts the Community Policing Report as information.

**CARRIED 22-044**

**b) Provincial Transition Proposal Discussion**

**OLIVER:**

That Council for the Town of Pincher Creek directs administration to invite the MLA to speak to Council about the police transition proposal and how to inform the public on the proposal.

**CARRIED 22-045**

*A. Roth joined the meeting at 6:47 pm*

**6.4 Cabin Ridge Coal Project Update**

**NODGE:**

That Council for the Town of Pincher Creek accepts the Cabin Ridge Coal Project Update as information.

**CARRIED 22-046**

**6.5 Airport Regional Meeting**

**GREEN:**

X

That Council for the Town of Pincher Creek directs administration to request the Advisory Committee develop a Terms of Reference and include a Proforma of financial statements for Council's information.

**CARRIED 22-047**



**8.4 Alberta Advantage Immigration Project - Rural Renewal Stream  
Community Designation**

**NODGE:**

That Council for the Town of Pincher Creek direct administration to apply for the Community Designation under the Alberta Advantage Immigration Project - Rural Renewal Stream and agree to provide a letter of support with the application.

**CARRIED 22-144**

**8.5 Regional Airport Committee**

**OLIVER:**

That Council for the Town of Pincher Creek receive the Regional Airport Committee Terms of Reference as presented and share the Terms of Reference with the other municipal airport partners.

**CARRIED 22-145**

**GREEN:**

That Council for the Town of Pincher Creek receive the Pincher Creek Airport Master Plan as information.

**CARRIED 22-146**

**OLIVER:**

That Council for the Town of Pincher Creek postpones approving the proposed governance model of Commission, Society or incorporated under the Alberta Companies Act, also known as a Part 9 Company until the terms of reference are finalized.

**CARRIED 22-147**

*Deputy Mayor Barber called a recess at 8:12 pm*

*Deputy Mayor Barber called the meeting back to order at 8:22 pm*

**9. REPORTS**

**10. ADMINISTRATION**

**10.1 Council Information Distribution List**

**ELLIOTT:**

That Council for the Town of Pincher Creek accepts the April 11, 2022 Council Information Distribution List as information.

**CARRIED 22-148**

**11. CLOSED MEETING DISCUSSION**

**OLIVER:**

That Council for the Town of Pincher Creek agree to move into a closed session of Council on Monday, April 11, 2022 at 8:23 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Director of Finance and Human Resources, Director of Community Services, Recreation Marketing & Economic Development Officer, and Executive Assistant in attendance.

**CARRIED 22-149**

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Police Advisory Committee Terms of Reference	
<b>PRESENTED BY:</b> Laurie Wilgosh, Chief Administrative Officer	<b>DATE OF MEETING:</b> 5/4/2022

### PURPOSE:

For Council to review and approve the recommended revisions to the Police Advisory Committee Terms of Reference

### RECOMMENDATION:

That Council for the Town of Pincher Creek That Committee of the Whole approve the revised Police Advisory Committee Terms of Reference as presented.

### BACKGROUND/HISTORY:

Due to some uncertainty about a Town Councillor sitting on the Police Advisory Committee as a citizen member at large, some additional questions arose regarding the Terms of Reference. These items have been addressed accordingly. In addition, the RCMP Sergeant Ryan Hodge indicated that he had no concerns with the Town Councillor sitting as a member at large, and would in fact appreciate his presence on the committee.

### ALTERNATIVES:

That Committee of the Whole recommend the following revisions to the Police Advisory Committee Terms of Reference:

That Committee of the Whole receive the revised Police Advisory Committee Terms of Reference as presented.

### IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

### FINANCIAL IMPLICATIONS:

N/A

### PUBLIC RELATIONS IMPLICATIONS:

The purposed of the Police Advisory Committee is to provide a conduit for communication between the RCMP, local Municipalities and Councils, local organizations and the public in general.

### ATTACHMENTS:

Police Advisory Committee terms of reference - Final - 2875

**CONCLUSION/SUMMARY:**

Administration supports that Committee of the Whole review and amend or approve the Police Advisory Committee Terms of Reference as presented.

**Signatures:**

**Department Head:**

*Laurie Wilgosh*

**CAO:**

*Laurie Wilgosh*



# **TERMS OF REFERENCE**

## **Pincher Creek Police Advisory Committee**

---

### **PURPOSE OF THE COMMITTEE:**

**The Pincher Creek Police Advisory Committee shall formalize the process for receiving input from the community and the partnership between the community, the RCMP and local government.**

Specifically, the Committee will:

- Advise the Detachment Commander on policing priorities identified through community input
- Keep the Detachment Commander informed of emerging trends and issues within the community
- Make recommendations on community policing initiatives based on identified trends and issues acknowledging cultural awareness
- Provide regular reports to Council regarding the progress of the committee

The Town of Pincher Creek and the Detachment Commander of the local RCMP detachment recognize the value and benefit of the community policing concept which enhances the quality of life for residents.

The principle philosophy of the Police Advisory Committee is that “the police are the community and the community are the police”, a philosophy which is also reflected in the RCMP mission statement of providing a safe and secure community through community input.

The Police Advisory Committee reflects the demographics of the community served by the RCMP and provides liaison between Council, residents, community groups and the RCMP.

Community organizations and individuals that wish to appear before, or communicate directly with Council on any community policing matter, may be encouraged to contact and make presentation to the Police Advisory Committee first for support, input, etc.

### **MEMBERSHIP:**

All recommendations for membership must be reviewed and approved by the Detachment Commander and Council. The PAC should be comprised of, but not limited to:

#### Permanent Members

- Detachment Commander of the local R.C.M.P. detachment
- One (1) Community Peace Officer (Town and MD)



- One (1) Representative from Victim Services
- One (1) Representative from Citizens on Patrol
- One (1) Representative from a Community Youth Centre
- One (1) Representative from each High School
- One (1) Representative from each School Division
- One (1) Representative from Family and Community Support Services (FCSS)
- One (1) Representative from Town Council (an alternate must be designated)
- One (1) Representative from Municipal District Council (an alternate must be designated)
- One (1) Representative from Village Council (an alternate must be designated)
- One (1) Representative from Piikani Nation Chief and Council (an alternate must be designated)
- One (1) Representative from Chamber of Commerce (President or delegate)
- One (1) Representative from Napi Friendship Association

#### Term Members from the Community

- One (1) Senior's Representative
- One (2) Members at large who reside in the Town, MD, Village and/or Reserve
- One (1) Youth Representative

Term members of the PAC shall serve a term of two (2) years from their anniversary date and may be renewed by approval of the Detachment Commander and Council. All past members may re-apply for appointment to the PAC. One half (1/2) of the initial appointments are to be appointed for a one (1) year term.

All members of the PAC shall:

- Undertake a criminal records review and suitability screening through the RCMP
- Swear an Oath of Confidentiality
- Be of the full age of eighteen (18) years, except for a youth representative, who shall be at least sixteen (16) years of age

The Detachment Commander of the local RCMP shall have the authority to remove a member from the PAC, and must inform Council. Where a vacancy occurs in the membership of the listed organizations by reason of death, resignation or removal, the Detachment Commander shall request a replacement representative, who shall hold office for the remaining term of the vacant membership.

A member of the Committee will be disqualified to serve on the Committee if they:

- Are absent for three (3) consecutive meetings unless absences are authorized by the Committee
- Send written notice of resignation to the Committee

### **TERM OF THE COMMITTEE:**

The Committee shall serve at the pleasure of Council and may be dissolved at any time with the agreement of Council or by committee resignation or recommendation.

## **CONDUCT OF MEETINGS:**

### **Quorum:**

Meeting quorum consists of 51% of the Committee membership of 19

The PAC will meet six (6) times per calendar year, during the months of January, March, May, July, September and November on the third Wednesday of the month in Town Council Chambers, or as required at the discretion of the Chair.

The Detachment Commander in collaboration with Council is responsible for establishing and maintaining the Terms of Reference of the PAC with input from its membership.

The Detachment Commander and Council together will identify one (1) administrative support staff to sit on the PAC. The administrative support staff shall keep accurate records of all meetings, assist with the preparation of committee documents and reports, and provide police-related statistics and information relevant to the PAC's objectives.

The Detachment Commander and administrative support staff are ex-officio members of the PAC, and as such, will not have voting privileges.

The Mayor is an ex-officio member of the PAC.

At the first meeting, the PAC shall elect a Chair and Vice Chair from its membership for a term of one year (should not be the Detachment Commander or Council member).

## **AUTHORITY OF THE COMMITTEE:**

The Committee shall act in an advisory capacity to the Council and shall not have the power to direct consultants or enter into any agreements.

## **FINANCIAL:**

The Committee may not incur any expenses unless authorized by the Town of Pincher Creek.

### **Reporting to Council:**

Meeting minutes will be circulated to Council following the meeting where they are approved.

**May 25, 2015**

Page 3 of 3

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Tax Exemption Bylaw No. 1629-22	
<b>PRESENTED BY:</b> Wendy Catonio, Director of Finance and Human Resources	<b>DATE OF MEETING:</b> 5/4/2022

### **PURPOSE:**

As per Council's direction, prepare a Tax Exemption Bylaw for non-residential properties.

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek direct Administration to bring the Tax Exemption Bylaw No. 1629-22 to the next Regular Meeting of Council with the amendments as discussed.

### **BACKGROUND/HISTORY:**

At the February 23, 2022 Committee of the Whole meeting, Council discussed the Property Tax Incentive Bylaw and agreed on the basic principles as presented. COTW directed Administration to bring the Bylaw to the Policy Review Committee. The Policy Review Committee met on April 4, 2022 and made the changes as presented in the attached Bylaw.

Some items have been left for Committee of the Whole to discuss such as:

1. Definition of "Improvements" as it is not defined in the MGA
2. Minimum dollar amount that a property owner must spend to be eligible for this program. The original Bylaw had \$5,000
3. Term of the Tax Exemption is 3 years

Consideration: are the implications of this bylaw fair and reasonable for existing business and ratepayers?

### **ALTERNATIVES:**

That Council for the Town of Pincher Creek receive the proposed Tax Exemption Bylaw No. 1629-22 as information.

That Council for the Town of Pincher Creek direct Administration to gather further information to bring back to Council.

### **IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

This Tax Exemption Bylaw may encourage existing property owners and prospective property owners to invest in the Town of Pincher Creek.

### **FINANCIAL IMPLICATIONS:**



Undeterminable at this time but the Town may be foregoing a portion of property taxes derived from new growth when this Bylaw is passed. Existing property owners will be required to cover cost increases.

**PUBLIC RELATIONS IMPLICATIONS:**

The idea of offering an incentive to new and expanding businesses is very appealing as it may encourage some of our existing businesses to look into growth opportunities.

It would encourage incentivization as positive steps as we move into additional steps that will come out of the Community Economic Development Strategy.

**ATTACHMENTS:**

Draft Bylaw No 1629-22 - Tax Exemption bylaw - No Markup - 2871

Draft Bylaw No 1629-22 - Tax Exemption bylaw Showing Changes - 2871

**CONCLUSION/SUMMARY:**

Administration supports presenting the Tax Exemption Bylaw No. 1629-22 as amended for first reading at the next Regular Meeting of Council.

**Signatures:**

**Department Head:**

*Wendy Catonio*

**CAO:**

*Laurie Wilgosh*





## Town of Pincher Creek Tax Exemption Bylaw No. 1629-22

### A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO ESTABLISH TAX EXEMPTION FOR BUSINESS DEVELOPMENT

WHEREAS the Town of Pincher Creek acknowledges the importance of business development in the Town for the general benefit of the Town, including goods, services, employment and taxes;

AND WHEREAS the Town wishes to facilitate growth of existing businesses and also attract new business construction to support the growth and prosperity of the Town;

AND WHEREAS pursuant to Section 364.2 of the *Municipal Government Act*, RSA 2000, c M-26, Council may pass a tax exemption bylaw to encourage development and revitalization of non-residential properties for the general benefit of the Town;

AND WHEREAS the Town of Pincher Creek is responsible for carrying out measures that will develop and maintain a viable community pursuant to Section 3(c) of the *Municipal Government Act*, which includes measures to improve the long-term economic outlook for the Town;

NOW THEREFORE, the Council of the Town of Pincher Creek, in the Province of Alberta, enacts as follows:

#### 1. Short Title

1.1 This Bylaw may be referred to as the "Tax Exemption Bylaw".

#### 2. Definitions

2.1 In this Bylaw, unless the context otherwise requires:

- a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
- b) "Administration" means the administrative and operational arm of the Town comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- c) "Applicant" means a person who applies for an Exemption;
- d) "Assessed Person" means an assessed person as that term is defined under Section 284(1) of the Act;
- e) "Business" means commerce for purposes of the production, storage, buying or selling of goods and services;
- f) "Chief Administrative Officer" or "CAO" means the chief administrative officer as appointed by Council, including the CAO's delegate;
- h) "Complete Application" means an application submitted pursuant to this Tax Exemption Bylaw that includes the Application Fee (if any) and the application requirements for non-residential tax exemption and the application form for non-residential tax exemption as set out in Appendices "A" and "B"



- i) "Council" means all the Councillors of the Town including the Chief Elected Official for the Town;
- g) "Exemption" means an exemption from taxation for Non-residential Property as provided for in Part 10, Division 2 of the Act. For purposes of clarity, the exemption from taxation applies only to taxes imposed by the Town under Part 10, Division 2 of the Act and not any Provincial requisitions;
- h) "Expansion" means development that adds to an existing Structure to increase the Structure's physical space for purposes of facilitating the Business within that Structure, or to replace an existing Structure for purposes of facilitating the Business within that Structure;
- i) "New Construction" means the construction of a new Structure for the purpose of establishing a Business within that Structure;
- j) "Non-residential Property" means non-residential as defined in the Act section 297 (4) (b) in respect of property;
- k) "Qualifying Property" means a Structure that is the subject of the New Construction or an Expansion;
- l) "Structure" means a structure as that term is defined in s 284(1)(u) of the Act that is Non-residential Property;
- m) "Tax Exemption Agreement" means a written agreement setting out the terms and conditions for an Exemption for the Qualifying Property; and
- n) "Town" means the Town of Pincher Creek in the Province of Alberta.
- o) Improvement – definition???

### 3. Purpose

- 3.1 The purpose of this Tax Exemption Bylaw is to allow for Tax Exemptions under Part 10, Division 2 of the Act for Qualifying Properties in the Town that meet the requirements of this Bylaw.3.2

### 4. Scope

- 4.1 This tax exemption applies to the improvement portion of the property tax. For greater clarity, the Applicant will continue to receive a tax notice for the land portion of their assessed property.
- 4.2 The Applicant will continue to receive a tax notice for any Provincial Requisitions, such as Education, Senior's Housing and requisitions from any other Agencies, Boards, Commissions and Foundations.
- 4.3 The Applicant will continue to receive a tax notice for any Local Improvements.

### 5. Criteria for an Exemption

- 5.1 In order to apply for an Exemption under this bylaw , an Applicant must meet the following criteria:
  - 5.1.1 the Applicant must be the Assessed Person for the Qualifying Property that is the subject of the application;
  - 5.1.2 the applicant may apply for an exemption for structural improvements to a property on behalf of a tenant of the property;





5.1.3 the Applicant must have no outstanding monies owing to the Town.

5.2 In order to qualify for an Exemption, the Qualifying Property must meet the following criteria:

5.2.1 The Applicant must submit a Complete Application in accordance with the terms of this Bylaw.

5.2.2 the Qualifying Property must be located within the geographical boundaries of the Town;

5.2.3 the Development of the Qualifying Property must qualify as New Construction or an Expansion or an improvement;

5.2.4 All required Town Development approvals with respect to the development of the Qualifying Property must have been issued;

5.2.5 Eligibility for a Tax Exemption pursuant to this Bylaw requires the following criteria:

5.2.5.1 Notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding or improving the structure of the building.

5.2.5.2 In the case where a property owner elects to use their own labour, then a letter from a third-party accounting firm is required verifying the costs submitted and ensuring that all costs are true, and those that are submitted are only those for constructing or expanding or improving the building.

5.2.5.3 A building/ development permit has been obtained and executed by the Town of Pincher Creek, if required.

5.2.5.4 All construction inspections are completed and a permit for occupancy has been granted by the Town, if required.

5.2.5.5 A minimum of \$5,000 ??? invested in new construction or expansion or improvement

5.2.6 The Applicant must submit a Complete Application in accordance with the terms of this Bylaw.

5.2.7 With respect to a Qualifying Property, only one agreement with a three- year period is allowed.

## 6. Application for an Exemption

6.1 Applicants must submit a Complete Application to the CAO. The CAO shall respond to the application within 60 working days from the time of submission.

6.2 Applications may be submitted at any time and, if approved, the tax exemption applies for 3 (three) years beginning the year following the year of approval. .

6.3 Notwithstanding the Complete Application requirements set out in this Bylaw, the CAO may require any additional information that, in the discretion of the CAO, is necessary to complete the application.



- 6.4 The CAO will advise Applicants in writing if their application is accepted for consideration. Applications accepted for consideration shall become the property of the Town and may not be returned.
- 6.5 The CAO has the discretion to reject applications that are incomplete and will provide a written description of the reasons for rejection within 60 business days of the application.
- 6.6 Applicants whose applications are returned as incomplete may resubmit an application at any time.
- 6.7 The CAO will advise Applicants within 60 business days in writing with reasons if their application is rejected.

## **7. Consideration of Applications**

- 7.1 The CAO shall review the Complete Application to determine if it meets the criteria and requirements for an Exemption and provide a written report with recommendations to Council within 60 business days of the application.
- 7.2 Council shall review the Complete Application and the CAO report and may:
  - 7.2.1 pass a resolution directing the CAO to enter into a Tax Exemption Agreement; or
  - 7.2.2 pass a resolution refusing the Complete Application.
- 7.3 A resolution directing the CAO to enter into a Tax Exemption Agreement must include:
  - 7.3.1 the 3 (three) years to which the Exemption applies; and
  - 7.3.2 the dollar value of the Exemption for the Qualifying Property for each of the fiscal tax years affected whether based upon the costs of New Construction or the costs of an Expansion or improvements.
- 7.4 The CAO shall provide written notice of a refusal by Council to an Applicant within 14 business days which must include the resolution passed under section 7.2.

## **8. Tax Exemption Agreement**

- 8.1 Where Council has passed a resolution approving an Exemption, The CAO shall draft a Tax Exemption Agreement in accordance with the resolution of Council.
- 8.2 A Tax Exemption Agreement must outline:
  - 8.2.1 the taxation years to which the Exemption applies, which must not include any taxation year earlier than the taxation year in which the Exemption is granted;
  - 8.2.2 the amount of the Exemption for each taxation year to which the Exemption applies;
  - 8.2.3 a deadline for submission of proof that the Qualifying Property has been approved for occupancy, if required;
- 8.3 In the event of a cancellation pursuant to section 9.1 of this Bylaw, any monies owed to the Town shall be immediately paid by the Applicant; and





- 8.4 any other conditions The CAO deems necessary and the taxation year(s) to which the condition applies.
- 8.5 A Tax Exemption Agreement shall be honored notwithstanding this bylaw being amended or repealed subsequent to entering into such agreement.
- 8.6 Notwithstanding that the market value of a property could increase, decrease or remain the same, no applicant will be allowed to use the municipal exemption tax rebate to reduce the tax notice to below zero.
- 8.7 Annual Taxation must be paid when due.

## **9. Cancellation of Tax Exemption Agreements**

9.1 If at any time after an Exemption is granted, The CAO determines that the Applicant or their application:

- 9.1.1. did not meet, or ceased to meet, any of the material applicable criteria in Section 5 which formed the basis of granting the Exemption;
- 9.1.2. Tax arrears are owing with respect to the Qualifying Property; or
- 9.1.3. that there was a breach of any material condition of the Tax Exemption Agreement; then

The CAO shall make a recommendation to Council and Council may, by resolution, cancel the Tax Exemption Agreement. .

- 9.2 A resolution passed by Council pursuant to section 9.1 must include reasons and identify the taxation year or years to which the cancellation applies.
- 9.3 The CAO shall provide written notice of a cancellation to an Applicant which must include the resolution passed under section 9.1.

## **10. Review of Decision**

- 10.1 Where an application has been rejected by the CAO on the basis that it is incomplete, Applicants may resubmit to the CAO a revised application at any time;
- 10.2 Applicants may apply to Council within 30 business days of receiving a notice of cancellation to review the cancellation and Council may uphold or revoke the cancellation.
- 10.3 Applications for judicial review of a decision pursuant to this Tax Exemption Bylaw must be filed with the Court of Queen's Bench and served not more than sixty (60) days after the date the decisions is received by the Applicant.

## **11. Review of Bylaw**

- 11.1 This bylaw shall be reviewed by Council in a public Council meeting at least every second year from the date of passing of the bylaw for the purpose of assessing whether to amend or repeal the bylaw.



**12. Severability**

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

**13. Effective Date**

13.1 This Bylaw shall come into force and take effect when it is approved after third reading.

READ a First time this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ a Second time this \_\_\_\_ day \_\_\_\_\_, 2022.

READ a Third time this \_\_\_\_ day of \_\_\_\_\_, 2022.

SIGNED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Don Anderberg, MAYOR

\_\_\_\_\_  
Laurie Wilgosh, CHIEF ADMINISTRATIVE OFFICER





**Appendix "A"**  
**Application Requirements for**  
**Tax Exemption**  
**Bylaw No. 1629-22**

1. All applications for an Exemption under to the Tax Exemption Bylaw must include the following information:
  - a) a signed and dated application form:
  - b) if the Applicant is not an individual, an agent authorization form or directors' resolution:
  - c) if the Applicant is a corporation, a corporate registry record of the Applicant dated within 60 days of the date of the application:
  - d) a land titles certificate for the lands on which the Qualifying Property is located dated within 60 days of the date of the application:
  - e) copies of all building/development permits issued with respect to the development of the Qualifying Property:
  - f) a description of the Business conducted or to be conducted in the Qualifying Property:
  - g) an indication of whether the development is New Construction or an Expansion or an improvement:
  - h) an estimate of when the Qualifying Property will be approved for occupancy after completion of the New Construction or Expansion, if required:
  - i) an explanation of how the application meets the criteria for an Exemption; and
  - j) With regards to Expansions the following additional information:
    - i. photographs of the Qualifying Property before the Expansion; and
    - ii. a notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding the structure of the building
    - iii. a financial summary and copies of receipts or paid invoices in relation to the development showing the location of the Expansion.
2. Applicants may provide any other material, including additional print, visual or audio- visual material, which the Applicant believes will support their application.

**All Qualifying Properties will be subject to inspection by Town staff to ensure the validity of the application.**



**Appendix "B"**  
**Application Form for**  
**Tax Exemption**  
***Pursuant to the Tax Exemption Bylaw No. 1629-22***

**Business Information**

Business Name: \_\_\_\_\_

Registered Corporate name, if different: \_\_\_\_\_

Legal Address of Assessed Property: \_\_\_\_\_

\_\_\_\_\_

Mailing Address of Assessed Property: \_\_\_\_\_

\_\_\_\_\_

**Personal Information**

Name of applicant or agent: \_\_\_\_\_

Mailing Address for applicant or agent: \_\_\_\_\_

\_\_\_\_\_

Email Address for applicant or agent: \_\_\_\_\_

\_\_\_\_\_

Telephone number for applicant or agent: \_\_\_\_\_

\_\_\_\_\_



Personal information required by Town of Pincher Creek application forms is collected under authority of sections 33(a) and (c) of the Alberta Freedom of Information and Protection of Privacy (FOIP) Act. Your personal information will be used to process your application(s). Please be advised that your name, address and details related to your application may be included on reports that are available to the public as required or allowed by legislation. If you have any questions, please contact the Town's FOIP Head at 403-627-3156 or email [reception@pinchercreek.ca](mailto:reception@pinchercreek.ca)

Provide, or append, a brief description of the Business:

The Applicant is applying for a three-year (36 month) tax exemption for: (choose applicable)

- ☐ New Construction
- ☐ Expansion
- ☐ Improvements (façade)

Describe, or append, an explanation of why you are seeking an Exemption and how you meet the criteria for one of the tax exemption programs listed above:

---

---

---

---

---

What date is the subject property expected to be approved for occupancy:

---

Indicate if the application includes the following:

- |   |   |
|---|---|
| <input type="checkbox"/> Building/Development Permits (required)                        | <input type="checkbox"/> Land Titles Certificate (required) |
| <input type="checkbox"/> Tax Assessment Notices (required)                              | <input type="checkbox"/> Notarized cost statement           |
| <input type="checkbox"/> Agent Authorization Form/Directors' Resolution (if applicable) | <input type="checkbox"/> Photos (if applicable)             |
| <input type="checkbox"/> Financial Summary and Receipts/ Invoices (if applicable)       | <input type="checkbox"/> Other materials (optional)         |
| <input type="checkbox"/> Corporate Registry Record (if applicable)                      |   |



\_\_\_\_\_  
Date of the Application

\_\_\_\_\_  
Signature of Applicant (or Applicant's Agent)

\_\_\_\_\_  
Print Name of Applicant (or Applicant's Agent)  
\_\_\_\_\_

**FOR OFFICE USE ONLY**

\_\_\_\_\_  
**DATE APPLICATION WAS RECEIVED**

\_\_\_\_\_  
**NAME OF RECIPIENT**

DRAFT





## Town of Pincher Creek

### ~~Business Investment Incentive~~

### Tax Exemption

### Bylaw No. 1629-212

#### A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO ESTABLISH TAX ~~INCENTIVES~~ EXEMPTION FOR BUSINESS DEVELOPMENT

WHEREAS the Town of Pincher Creek acknowledges the importance of business development in the Town for the general benefit of the Town, including goods, services, employment and taxes;

AND WHEREAS the Town wishes to ~~support~~ facilitate the growth of ~~already~~ existing businesses and also attract ~~more new~~ businesses construction to support the growth and prosperity of the Town;

AND WHEREAS pursuant to Section 364.2 of the *Municipal Government Act*, RSA 2000, c M-26, Council may pass a tax ~~incentives~~ exemption bylaw to encourage development and revitalization of non-residential properties for the general benefit of the Town;

AND WHEREAS the Town of Pincher Creek is responsible for carrying out measures that will develop and maintain a viable community pursuant to Section 3(c) of the *Municipal Government Act*, which includes measures to improve the long-term economic outlook for the Town;

NOW THEREFORE, the Council of the Town of Pincher Creek, in the Province of Alberta, ~~duly assembled~~, enacts as follows:

#### 1. Short Title

1.1 This Bylaw may be referred to as the "Tax ~~Incentives~~ Exemption Bylaw".

#### 2. Definitions

2.1 In this Bylaw, unless the context otherwise requires:

- a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
- b) "Administration" means the administrative and operational arm of the Town comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the CAO;
- c) "Applicant" means a person who applies for an Exemption;
- d) "Assessed Person" means an assessed person as that term is defined under Section 284(1) of the Act;
- e) "Business" means commerce for purposes of the production, storage, buying or selling of goods and services;
- f) "Chief Administrative Officer" or "CAO" means the chief administrative officer as appointed by Council, including the CAO's delegate;
- h) "Complete Application" means an application submitted pursuant to this Tax ~~Incentives~~ Exemption



Bylaw that includes the Application Fee (if any) and the application requirements for non-residential tax ~~incentives~~exemption and the application form for non-residential tax ~~incentives~~exemption as set out in Appendices "A" and "B"

- i) "Council" means all the Councillors of the Town including the Chief Elected Official for the Town;
- g) "Exemption" means an exemption from taxation for Non-residential Property as provided for in Part 10, Division 2 of the Act. For purposes of clarity, the exemption from taxation applies only to taxes imposed by the Town under Part 10, Division 2 of the Act and not any Provincial requisitions;
- h) "Expansion" means development that adds to an existing Structure to increase the Structure's physical space for purposes of facilitating the Business within that Structure, or to replace an existing Structure for purposes of facilitating the Business within that Structure;
- i) "New Construction" means the construction of a new Structure for the purpose of establishing a Business within that Structure;
- j) "Non-residential Property" means non-residential as defined in the Act section 297 (4) (b) in respect of property;
- k) "Qualifying Property" means a Structure that is the subject of the New Construction or an Expansion;
- l) "Structure" means a structure as that term is defined in s 284(1)(u) of the Act that is Non-residential Property;
- m) "Tax ~~Incentive~~Exemption Agreement" means a written agreement setting out the terms and conditions for an Exemption for the Qualifying Property; and
- n) "Town" means the Town of Pincher Creek in the Province of Alberta.

~~n) o)~~ Improvement – definition????

### 3. Purpose

- 3.1 The purpose of this Tax ~~Incentives~~Exemption Bylaw is to allow ~~tax incentives~~ for Tax Exemptions ~~from taxation~~ under Part 10, Division 2 of the Act for Qualifying Properties in the Town that meet the requirements of this ~~Tax Incentives~~ Bylaw.
- 3.2 ~~Tax incentives under this Tax Incentives Bylaw will not be granted in respect of the land portion of Non-residential property taxes imposed on land under Part 10, Division 2 of the~~

### 4. Scope

- 4.1 This tax exemption applies to the improvement portion of the property tax. For greater clarity, the Applicant will continue to receive a tax notice for the land portion of their assessed property.
- 4.2 The Applicant will continue to receive a tax notice for any Provincial Requisitions, such as Education, Senior's Housing and requisitions from any other Agencies, Boards, Commissions and Foundations.
- 4.14.3 The Applicant will continue to receive a tax notice for any Local Improvements.

### 5. Criteria for an Exemption

- 4.15.1 In order to apply for an Exemption under this bylaw ~~from the Town portion of the property tax (not~~





~~including land portion~~), an Applicant must meet the following criteria:

4.1.15.1.1 the Applicant must be the Assessed Person for the Qualifying Property that is the subject of the application;

4.1.15.1.2 the applicant may apply for an exemption for structural improvements to a property ~~made by~~ on behalf of a tenant of the property;

4.1.35.1.3 the Applicant must have no outstanding monies owing to the Town.

4.25.2 In order to qualify for an Exemption, the Qualifying Property must meet the following criteria:

5.2.1 The Applicant must submit a Complete Application in accordance with the terms of this Bylaw.

4.2.15.2.2 the Qualifying Property must be located within the geographical boundaries of the Town;

4.2.25.2.3 the ~~d~~Development of the Qualifying Property must qualify as New Construction or an Expansion or an improvement;

4.2.35.2.4 All required Town ~~d~~Development approvals with respect to the development of the Qualifying Property must have been issued;

4.2.45.2.5 Eligibility for a Tax ~~Incentive~~Exemption pursuant to this Bylaw requires the following criteria:

4.2.4.15.2.5.1 Notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding or improving the structure of the building.

4.2.4.25.2.5.2 In the case where a property owner elects to use ~~his/her~~ their own labour, then a letter from a third-party accounting firm is required verifying the costs submitted and ensuring that all costs are true, and those that are submitted are only those for constructing or expanding or improving the building.

4.2.4.35.2.5.3 A building/ development permit has been obtained and executed by the Town of Pincher Creek, if required.

4.2.4.45.2.5.4 All construction inspections are completed and a permit for occupancy has been granted by the Town, if required.

4.2.4.55.2.5.5 A minimum of \$5,000 ~~???~~ invested in new construction or expansion or improvement

4.2.55.2.6 The Applicant must submit a Complete Application in accordance with the terms of this Bylaw.

4.2.65.2.7 With respect to a Qualifying Property, only one agreement with a three- year period is allowed.

## 6. Application for an Exemption

5.16.1 Applicants must submit a Complete Application to the CAO. The CAO shall respond to the application





within ~~30~~ 60 working days from the time of submission.

5.26.2 Applications may be submitted at any time and, if approved, the tax exemption applies for ~~36 months~~ 3 (three) years from the date the structure is approved for occupancy beginning the year following the year of approval. If the date of approval should fall outside the Town tax fiscal year then the exemption will be adjusted to apply for 36 contiguous months and the first month shall be the first month of the next Town tax fiscal year.

~~5.3~~ Complete Applications may be considered and approved in accordance with the requirements of this Tax Incentives Bylaw before construction on the Qualifying Property is complete, however, the Exemption will not apply until all construction on the Qualifying Property is complete and the development is inspected and approved for occupancy.

5.56.3 Notwithstanding the Complete Application requirements set out in this Bylaw, the CAO may require any additional information that, in the discretion of the CAO, is necessary to complete the application.

5.66.4 The CAO will advise Applicants in writing if their application is accepted for consideration. Applications accepted for consideration shall become the property of the Town and may not be returned.

5.76.5 The CAO has the discretion to reject applications that are incomplete and will provide a written description of the reasons for rejection within ~~30~~ 60 business days of the application.

5.86.6 Applicants whose applications are returned as incomplete may resubmit an application at any time.

5.96.7 The CAO will advise Applicants within ~~30~~ 60 business days in writing with reasons if their application is rejected.

## 7. Consideration of Applications

6.17.1 ~~Administration~~ The CAO shall review the Complete Application to determine if it meets the criteria and requirements for an Exemption and provide a written report with recommendations to Council within ~~30~~ 60 business days of the application.

6.27.2 Council shall review the Complete Application and ~~Administration's~~ the CAO report and may:

6.2.17.2.1 pass a resolution directing ~~Administration~~ the CAO to enter into a Tax ~~Incentive~~ Exemption Agreement; or

6.2.27.2.2 pass a resolution refusing the Complete Application.

6.37.3 A resolution directing ~~Administration~~ the CAO to enter into a Tax ~~Incentive~~ Exemption Agreement must include:

6.3.17.3.1 the ~~36 months~~ 3 (three) years to which the Exemption applies; and

6.3.27.3.2 the dollar value of the Exemption for the Qualifying Property for each of the fiscal tax years affected whether based upon the costs of New Construction or the costs of an Expansion or improvements. ~~In the first 36 months identified in the Tax Incentive~~



~~Agreement, the Qualifying Property shall receive a 100% Exemption on the mill rate imposed by the Town for the Town's portion of the property tax for the qualifying amount. Notwithstanding that the exemption may be granted during a municipal tax fiscal year, the 36 months of exemption from the municipal portion of the tax shall commence in the first month of the next Town tax fiscal year.~~

~~6.47.4~~ Administration The CAO shall provide written notice of a refusal by Council to an Applicant within 14 business days which must include the resolution passed under section ~~6.2.27.2~~.

## 8. Tax ~~Incentive~~ Exemption Agreement

~~7.18.1~~ Where Council has passed a resolution approving an Exemption, Administration The CAO shall draft a Tax ~~Incentive~~ Exemption Agreement in accordance with the resolution of Council.

~~7.28.2~~ A Tax ~~Incentive~~ Exemption Agreement must outline:

~~7.2.18.2.1~~ the taxation years to which the Exemption applies, which must not include any taxation year earlier than the taxation year in which the Exemption is granted;

~~7.2.28.2.2~~ the ~~extent~~ amount of the Exemption for each taxation year to which the Exemption applies;

~~7.2.38.2.3~~ a deadline for submission of proof that the Qualifying Property has been approved for occupancy, if required;

~~7.2.4~~ ~~any criteria in Section 4 which formed the basis of granting the Exemption and the taxation year or years to which the criteria applies all of which are deemed to be a condition or conditions of the Tax Incentive Agreement the breach of which will result in the cancellation of the Exemption for the taxation year or years to which the criteria applies;~~

~~7.58.3~~ In the event of a cancellation pursuant to section ~~89~~.1 of this Bylaw, any monies owed to the Town shall be immediately paid by the Applicant; and

~~7.68.4~~ any other conditions Administration The CAO deems necessary and the taxation year(s) to which the condition applies.

~~7.7~~ ~~Tax Incentive Agreements shall be executed by the chief elected official (or their delegate) and the CAO within 30 business days of approval of the Exemption by Council.~~

~~7.98.5~~ A Tax ~~Incentive~~ Exemption Agreement shall be honored notwithstanding this bylaw being amended or repealed subsequent to entering into such agreement.

~~8.6~~ Notwithstanding that the market value of a property could increase, decrease or remain the same, no applicant will be allowed to use the municipal ~~incentive exemption~~ tax rebate to reduce the tax ~~bill~~ notice to below zero. ~~Any calculated negative amounts will not be carried forward.~~

~~7.108.7~~ Annual Taxation must be paid when due.

## 9. Cancellation of Tax ~~Incentive~~ Exemption Agreements





~~8.19.1~~ If at any time after an Exemption is granted, ~~Administration~~The CAO determines that the Applicant or their application:

~~8.1.1.9.1.1.~~ did not meet, or ceased to meet, any of the material applicable criteria in Section ~~4~~5 which formed the basis of granting the Exemption;

~~8.1.2.9.1.2.~~ Tax arrears are owing with respect to the Qualifying Property; or

~~8.1.3.9.1.3.~~ that there was a breach of any material condition of the Tax ~~Incentive~~Exemption Agreement; then

~~Administration~~The CAO shall make a recommendation to Council and Council may, by resolution, cancel the Tax Exemption Agreement. ~~for the taxation year or years in which the criterion was not met or to which the condition applies.~~

~~8.29.2~~ A resolution passed by Council pursuant to section ~~89~~1 must include reasons and identify the taxation year or years to which the cancellation applies.

~~8.39.3~~ ~~Administration~~The CAO shall provide written notice of a cancellation to an Applicant which must include the resolution passed under section ~~89~~1.

## 10. Review of Decision

~~9.110.1~~ Where an application has been rejected by ~~Administration~~ the CAO on the basis that it is incomplete, Applicants may resubmit to ~~Administration~~ the CAO a revised application at any time;

~~9.2~~ ~~Applicants may apply to Council within 30 business days of receiving a Tax Incentive Agreement to review the Tax Incentive Agreement on the limited issue of whether the Tax Incentive Agreement follows the direction of Council. Council may revise the Tax Incentive Agreement or provide direction to Administration to revise the Tax Incentive Agreement in accordance with Council's initial resolution.~~

~~9.410.2~~ Applicants may apply to Council within 30 business days of receiving a notice of cancellation to review the cancellation and Council may uphold or revoke the cancellation.

~~9.510.3~~ Applications for judicial review of a decision pursuant to this Tax ~~Incentives~~Exemption Bylaw must be filed with the Court of Queen's Bench and served not more than sixty (60) days after the date the decisions is received by the Applicant.

## 11. Review of Bylaw

~~10.111.1~~ This bylaw shall be reviewed by Council in a public Council meeting at least every second year from the date of passing of the bylaw for the purpose of assessing whether to amend or repeal the bylaw.

## 12. Severability

~~11.112.1~~ If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this Bylaw is deemed valid.





### 13. Effective Date

~~12.13.1~~ 13.1 This Bylaw shall come into force and take effect when it is approved after third reading.

READ a First time this \_\_\_\_ day of \_\_\_\_\_, 202~~21~~.

READ a Second time this \_\_\_\_ day \_\_\_\_\_, 202~~21~~.

READ a Third time this \_\_\_\_ day of \_\_\_\_\_, 202~~21~~.

SIGNED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 202~~21~~.

\_\_\_\_\_  
Don Anderberg, MAYOR

\_\_\_\_\_  
Laurie Wilgosh, CHIEF ADMINISTRATIVE OFFICER

## Appendix "A"

Application Requirements for ~~Business Investment Incentive~~  
Tax Exemption  
Bylaw No. 1629-2~~21~~



1. All applications for an Exemption under to the Tax ~~Incentives~~Exemption Bylaw must include the following information:
  - a) a signed and dated application form:
  - b) if the Applicant is not an individual, an agent authorization form or directors' resolution:
  - c) if the Applicant is a corporation, a corporate registry record of the Applicant dated within 60 days of the date of the application:
  - d) a land titles certificate for the lands on which the Qualifying Property is located dated within 60 days of the date of the application:
  - e) copies of all building/development permits issued with respect to the development of the Qualifying Property:
  - f) a description of the Business conducted or to be conducted in the Qualifying Property:
  - g) an indication of whether the development is New Construction or an Expansion or an improvement:
  - h) an estimate of when the Qualifying Property will be approved for occupancy after completion of the New Construction or Expansion, if required:
  - i) an explanation of how the application meets the criteria for an Exemption; and
  - j) With regards to Expansions the following additional information:
    - i. photographs of the Qualifying Property before the Expansion; and
    - ii. a notarized statement from a third-party construction firm indicating that the costs presented by the applicant are true, and that all costs submitted are those only for constructing or expanding the structure of the building
    - iii. a financial summary and copies of receipts or paid invoices in relation to the development showing the location of the Expansion.
2. Applicants may provide any other material, including additional print, visual or audio- visual material, which the Applicant believes will support their application.

**~~NOTE: Applications and all material provided will be included in reports to Council and the Council agenda packages that are available to the public.~~**

**All Qualifying Properties will be subject to inspection by Town staff to ensure the validity of the application.**



**Appendix "B"**  
**Application Form for ~~Business Investment Incentive~~**  
**Tax Exemption**  
**Pursuant to the Tax ~~Incentives~~ Exemption Bylaw No. 1629-22~~1~~**

**Business Information**

Business Name: \_\_\_\_\_

Registered Corporate name, if different: \_\_\_\_\_

Legal Address of Assessed Property: \_\_\_\_\_

\_\_\_\_\_

Mailing Address of Assessed Property: \_\_\_\_\_

\_\_\_\_\_

**Personal Information**

Name of applicant or agent: \_\_\_\_\_

Mailing Address for applicant or agent: \_\_\_\_\_

\_\_\_\_\_

Email Address for applicant or agent: \_\_\_\_\_

\_\_\_\_\_

Telephone number for applicant or agent: \_\_\_\_\_

\_\_\_\_\_





Personal information required by Town of Pincher Creek application forms is collected under authority of sections 33(a) and (c) of the Alberta Freedom of Information and Protection of Privacy (FOIP) Act. Your personal information will be used to process your application(s). Please be advised that your name, address and details related to your application may be included on reports that are available to the public as required or allowed by legislation. If you have any questions, please contact the Town's FOIP Head at 403-627-3156 or email [reception@pinchercreek.ca](mailto:reception@pinchercreek.ca)

Provide, or append, a brief description of the Business:

The Applicant is applying for a three-year (36 month) tax ~~incentive~~ exemption for: (choose applicable)

- ☐ New Construction
- ☐ Expansion
- ☐ Improvements (façade)

Describe, or append, an explanation of why you are seeking an Exemption and how you meet the criteria for one of the tax ~~incentive~~ exemption programs listed above:

---

---

---

---

---

What date is the subject property expected to be approved for occupancy:

---

Indicate if the application includes the following:

- |   |   |
|---|---|
| <input type="checkbox"/> Building/Development Permits (required)                        | <input type="checkbox"/> Land Titles Certificate (required) |
| <input type="checkbox"/> Tax Assessment Notices (required)                              | <input type="checkbox"/> Notarized cost statement           |
| <input type="checkbox"/> Agent Authorization Form/Directors' Resolution (if applicable) | <input type="checkbox"/> Photos (if applicable)             |
| <input type="checkbox"/> Financial Summary and Receipts/Invoices (if applicable)        | <input type="checkbox"/> Other materials (optional)         |
| <input type="checkbox"/> Corporate Registry Record (if applicable)                      |   |



\_\_\_\_\_  
Date of the Application

\_\_\_\_\_  
Signature of Applicant (or Applicant's Agent)

\_\_\_\_\_  
Print Name of Applicant (or Applicant's Agent)

**FOR OFFICE USE ONLY**

\_\_\_\_\_  
**DATE APPLICATION WAS RECEIVED**

\_\_\_\_\_  
**NAME OF RECIPIENT**

DRAFT

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> Infrastructure Master Plan	
<b>PRESENTED BY:</b> Al Roth, Director of Operations	<b>DATE OF MEETING:</b> 5/4/2022

### **PURPOSE:**

To inform Council of the updated Infrastructure Master Plan that will assist with Capital Project prioritization from 2023-2032.

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek accept the 2022 Infrastructure Master Plan as information.

### **BACKGROUND/HISTORY:**

An Infrastructure Master Plan (IMP) is a strategic document focused entirely on the current status of the Town's potable water, stormwater, wastewater, roads and sidewalk infrastructure, and when different parts of these systems may need to be replaced, upgraded, and/or extended.

The IMP is key to the effective management of the Town's infrastructure. While previous reports had been completed addressing isolated infrastructure categories, this IMP represents the first comprehensive/all inclusive plan for Pincher Creek to include water, wastewater, storm, roads and sidewalks. This new IMP will replace/supersede the previous IMP (which was concentrated on water distribution and wastewater collection only) and various, area specific, stormwater master plans.

Overall, the Town's infrastructure is in fair to good condition with some deficiencies to be addressed through long range planning.

Water infrastructure analysis shows various areas of Town which do not have the recommended minimum capacity to provide recommended fire flows. It is also recommended to expedite replacement of older cast iron pipes as they are contributing to the Town's water loss/leakage.

Sanitary infrastructure saw only one segment of Town having capacity issues, with the remaining focus being on replacement of aging infrastructure reaching its end of service life. Recommendations to utilize sewer lining to extend life and lower costs.

Stormwater infrastructure was found to be undersized throughout Town. While most systems are designed to handle at least a 1 in 5 year storm, the Town's system cannot handle a 1 in 2 year storm. Drainage has been a key concern of the Operations



department for many years and the 10-year capital plan outlines recommended priorities for upgrading the stormwater system.

Roads and sidewalks had condition assessments completed. The IMP recommends continuing the Town's annual sidewalk replacement program, and to replace roads as underground utilities are replaced, as many of the recommended replacements for roads overlap with recommended utility upgrades.

Overall, the Infrastructure Master Plan will be of great assistance in prioritizing capital upgrades for the next 10-years as well as providing parameters to future development expansion.

The full Infrastructure Master Plan can be found on Town of Pincher Creek website under Planning & Development, or can be downloaded here:  
<http://www.pincher creek.ca/docs/files/Infrastructure%20Master%20Plan%20-%20Town%20of%20Pincher%20Creek%20-%202022.pdf>

**ALTERNATIVES:**

That Council for the Town of Pincher Creek request additional information from administration.

**IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

The Infrastructure Master Plan will influence the upcoming capital projects to be proposed to Council during budget deliberations.

**FINANCIAL IMPLICATIONS:**

The Infrastructure Master Plan does not commit Council to any financial commitments. The IMP is a recommendation only which will be used by administration to prioritize projects to be proposed during budget deliberations.

**PUBLIC RELATIONS IMPLICATIONS:**

None at this time.

**ATTACHMENTS:**

None at this time.

**CONCLUSION/SUMMARY:**

Administration is extremely satisfied with the final Infrastructure Master Plan and supports Council's acceptance of the Plan.

**Signatures:**

**Department Head:**

*A. Levair*

**CAO:**

*Laurie Wilgosh*

# TOWN OF PINCHER CREEK

## REQUEST FOR DECISION

*Council*

<b>SUBJECT:</b> The Longest Day of SMILES	
<b>PRESENTED BY:</b> Laurie Wilgosh, Chief Administrative Officer	<b>DATE OF MEETING:</b> 5/4/2022

### **PURPOSE:**

Operation Smile Canada is inviting the Town of Pincher Creek to proclaim June 19th, 2022 as the Longest Day of SMILES.

### **RECOMMENDATION:**

That Council for the Town of Pincher Creek proclaim June 19th, 2022 as the Longest Day of SMILES in the Town of Pincher Creek.

### **BACKGROUND/HISTORY:**

The Longest Day of SMILES® encourages community ambassadors to raise awareness and funds to help a child born with a cleft condition smile and change their life with free, safe, cleft surgery and comprehensive care. From sun-up to sun-down, from coast to coast to coast, Canadians are dedicating June 19th, 2022, and the time leading up to it, to helping children SMILE.

Operation Smile Canada is a volunteer-delivered global medical charity that exists to ensure everyone has access to safe, effective surgery that they need wherever they live in the world. Surgery that will change a child's life forever... help families, communities, countries, regions and yes, the world. Every Three minutes a child is born with a cleft lip and/or cleft palate. Annually, that is an estimated 175,200 children world-wide. Infants born with cleft conditions have nine times the risk of dying within the first year of life.

By proclaiming June 19th, 2022, as the Longest Day of SMILES® in Town of Pincher Creek and challenging other communities to do the same, you can provide waiting children with exceptional cleft care and a hopeful future with a new smile.

### **ALTERNATIVES:**

That Council proclaim June 19th, 2022 as the Longest Day of SMILES in the Town of Pincher Creek and that the proclamation be added to the Town's Proclamation List and Policy # 123-96.

That Council receive the request and information regarding the Longest Day of SMILES as presented.

### **IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:**

N/A

**FINANCIAL IMPLICATIONS:**

N/A

**PUBLIC RELATIONS IMPLICATIONS:**

Help a child born with a cleft condition smile and change their life with free, safe, cleft surgery and comprehensive care

**ATTACHMENTS:**

123-21 Proclamations - 2873

FW\_ Invitation to Proclaim June 19th, 2022 The Longest Day of SMILES® - 2873

**CONCLUSION/SUMMARY:**

Administration supports that Council proclaim June 19, 2022 as the Longest Day of SMILES in Pincher Creek.

**Signatures:**

**Department Head:**

*Laurie Wilgosh*

**CAO:**

*Laurie Wilgosh*

TOWN OF  
PINCHER  
CREEK  
ALBERTA



**From:** [Cao](#)  
**To:** [Kristie Green](#)  
**Subject:** FW: Invitation to Proclaim June 19th, 2022 The Longest Day of SMILES®  
**Date:** Friday, April 08, 2022 8:57:58 AM

---

Hi Kristie,

Please put this request on the May COTW agenda and prepare an RFD for this.

Thanks, Laurie

---

**From:** anderbergsales [mailto:anderbergsales@gmail.com]  
**Sent:** Thursday, April 07, 2022 6:43 PM  
**To:** Cao <cao@pinchercreek.ca>  
**Subject:** Fwd: Invitation to Proclaim June 19th, 2022 The Longest Day of SMILES®

Hi Laurie

Can you distribute this to council.

Thanks

Don

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Candy Keillor <Candy.Keillor@operationsmile.org>  
Date: 2022-04-07 4:13 PM (GMT-07:00)  
To: DAnderberg@pinchercreek.ca  
Subject: Invitation to Proclaim June 19th, 2022 The Longest Day of SMILES®

Dear Mayor **Don Anderberg**,

In these unprecedented times, Operation Smile Canada recognizes the importance of engaging community members in ways that enable them to use their passion and creativity to encourage positive change.

Which is why we are inviting you as the Mayor of Town of Pincher Creek to proclaim June 19<sup>th</sup>, 2022 as the Longest Day of SMILES® in your community.

The Longest Day of SMILES® encourages community ambassadors to raise awareness and funds to help a child born with a cleft condition smile and change their life with free, safe, cleft surgery and comprehensive care. From sun-up to sun-down, from coast to coast to coast, Canadians are dedicating June 19<sup>th</sup>, 2022, and the time leading up to it, to helping children SMILE.

Operation Smile Canada is a volunteer-delivered global medical charity that exists to ensure everyone has access to safe, effective surgery that they need wherever they live in the world. Surgery that will change a child's life forever... help families, communities, countries, regions and yes, the world.

By proclaiming June 19<sup>th</sup>, 2022, as the Longest Day of SMILES® in Town of Pincher Creek and challenging other communities to do the same, you can provide waiting children with exceptional cleft care and a hopeful future with a new smile.

Our Community Engagement & Fundraising team is happy to support you and your community should you choose to participate with us.

To confirm your participation or to request more info, please email Candy Keillor, Community Engagement Specialist [candy.keillor@operationsmile.org](mailto:candy.keillor@operationsmile.org)

To learn more about the transformational impact of Operation Smile Canada, visit: [operationsmile.ca](http://operationsmile.ca)

We look forward to collaborating with you and your team to make this the best Longest Day of SMILES® yet! Together we can make a difference one smile at a time!

Keep Smiling,

**Candy Keillor (she/her)**  
**Community Engagement Specialist**



## TOWN OF PINCHER CREEK

<b>Approved by:</b> <b>Council</b>	<b>Date:</b>	<b>Policy Number:</b> <b>123-21</b>
<b>Reference:</b> <b>Resolution #21-254</b>	<b>Revision Date/by:</b> <b>2026</b>	
<b>Title:</b>	<b>PROCLAMATIONS</b>	

### **Policy Statement**

The Council provide direction to administration for advertising proclamations within the Town of Pincher Creek.

### **1. Definitions**

- 1.1 ORGANIZATION means any group requesting proclamations from the Town of Pincher Creek Council.
- 1.2 PROCLAMATIONS means those proclamations which have been approved by Council from time to time and is attached as Appendix A.

### **2. Responsibility**

- 2.1 Chief Administrative Officer:
  - 2.1.1 Receive all requests for proclamations
  - 2.1.2 Approve in writing to the organization requesting the proclamation, provided the organization is listed on Appendix A.
  - 2.2.3 Ensure the proclamation is advertised on Town of Pincher Creek social media accounts .
  - 2.2.4 Take any additional proclamations not listed in Appendix A to Council for approval and add those names to Appendix A.

### **3. End of Policy**

**POLICY NO. 123-21****APPENDIX 'A'**

<b>Date</b>	<b>Organization</b>	<b>Proclamation</b>
January-20	Alberta Association for Adult Literacy	Family Literacy Day
January 31 - Feb 6 *	Federation of Canadian Municipalities	International Development Week
February-20	Canadian Association of Oilwell Drilling Contractors	Oil and Gas Awareness Day
February-20	Pink Shirt Day	Pink Shirt Day
February	Chinook Health Region	Dental Health Month
Mar-20	Federation of Canadian Municipalities	U.N. International Day for the Elimination of Racial Discrimination
March	Kidney Foundation of Canada	Kidney Month
March	Canadian Red Cross Society	Red Cross Campaign Month
March	Alberta Community Crime Prevention Association	Fraud Prevention Month
March	Cerebral Palsy Association of Alberta	Cerebral Palsy Awareness Month
April 6 - 10 *	Canadian Wildlife Federation	National Wildlife Week
April-20	Canadian Public Health Association	World Health Day
April 18 - 25 *	Pitch-in Canada	Pitch in Week
April 18 - 24 *	Volunteer Alberta	Volunteer Week
April 18 - 24 *	National Victims of Crime	Victims of Crime Awareness Week
April-20	The Writers' Development Trust	Canada Book Day
April-20		Day of Mourning
April 26 - May 3 *	Canadian Public Health Association	National Immunization Week
April	First Student/Cardinal	School Bus Awareness & Safety Month
April	Foundation for Sarcoidosis Research	Sarcoidosis Awareness Month
May 3 - 9 *	Communities in Bloom	Communities in Bloom Week
May 10 - 16 *	Licensed Practical Nurses of Alberta	National Nursing Week
May 9 - 15 *	Alberta Minister of Justice	Crime Prevention Week

May 15 - 22 *	Pincher Creek Watershed Group	Invasive Species Awareness Week
May 16 - 22 *	American Public Works Association Alberta Chapter	National Public Works Week
May	Elks Club and Royal Purple	Hearing and Speech Month
May	Alberta Lung Association	Asthma & Allergy Awareness Month
May	Canadian National Institution for the Blind (CNIB)	Vision Health Month
May	Apparelyzed	Spinal Cord Injury Awareness Month
May 31 - June 6 *	Alberta Senior Advisory Council	Senior Citizen's Week
June	Alberta Recreation and Parks Association (ARPA)	Recreation & Parks Month
June 1 - 6	Safe Kids Pincher Creek	National Safe Kids Week
June-20	Heart & Stroke Foundation	National Health & Fitness Day
June-20	National Kids Day/The Smile Trust	National Kids Day
June-20	Federation of Canadian Municipalities	National Indigenous Peoples Day
July 23 - 24 *	TOPS	All T.O.P.S. Walk Day
July 18 - 25 *	Lifesaving Society	National Drowning Prevention Week
September-20	Alberta Council on Aging	Grandparents Day
September 20 - 25 *	Canadian Institute of Public Health Inspectors	Environmental Public Health Week
September-20	The Society of Safe and Caring Schools	Orange Shirt Day
September	Muscular Dystrophy Association of Canada	Muscular Dystrophy Awareness Month
September	McMan Youth, Family and Community Services Association	Fetal Alcohol Spectrum Disorder Awareness Month
October-20	Government of Canada	National Seniors Day
October 18 - 24 *	Recycling Council of Alberta	Waste Reduction Week
October	Lions	Vision Awareness Month
October	Canadian Breast Cancer Foundation	Breast Cancer Awareness Month
November-20	National Union of Public and General Employees	Community Social Service Workers Appreciation Day
Nov 5 - 11	Secretary of State	Veterans' Week
November 21 - 28 *	Correctional Services Canada	Restorative Justice Week