

Brief Opposing Proposed Bylaw No. 1162, Land Use Bylaw Amendment

By

Crowsnest Conservation Society

November 7, 2023

The Crowsnest Conservation Society is “a diverse group of individuals with a passion for nature and the beautiful landscapes in the Crowsnest Pass and surrounding area. We share a strong conservation ethic.” Our vision states “we work together with community partners” to ensure “private and public decisions about land development are made with the long term needs of wildlife and sustainable community as key factors.” (<https://www.crowsnestconservation.ca>)

The Crowsnest Conservation Society urges you to reject this application by SentrySix for a rezoning of Non-Urban Area – NUA-1 land to Grouped Country Residential- GCR-1 and its associated land rezoning of Non-Urban-NUA-1 to Recreation and Open Space – RO-1. There are four important reasons for rejecting this application for rezoning;

- Proposed Zoning and Housing Type not needed or desirable
- Lack of Access to Water
- Interference and Reduction of Wildlife Corridors
- Existence of Wetlands in close proximity

These reasons will be discussed knowing that the rezoning is a prelude to the proponent’s Development Plan that will request the division into residential lots by the Crowsnest Pass Municipal Planning Commission.

1. Proposed Zoning and Housing Type not needed or desirable

- a. The creation of an additional Grouped Country Residential Subdivision within our municipality is not needed or desired.

“The MCNP is also dealing with a legacy of large lot, low density housing, typically called “country residential development. P.25 MDP

We have too many GCR subdivisions which have never been completed by the developer, to the detriment of current residents who have no access to water for fire prevention or no egress if the single access road were to be closed. Most of these existing subdivisions have not yet sold or had residences built on each lot. It makes no sense to start another subdivision.

- b. The proposal for a Grouped Country Residential Subdivision is in contravention of Council’s own Municipal Development Plan (2000).

“... this type of development is not compatible with focusing housing development in urban areas where more diverse, efficient housing options can be provided. P.25 MDP

“Densification is the basis of the MCNP growth strategy....Setting density targets for new development areas means that more people will live on a smaller footprint of land, which makes infrastructure delivery more affordable, supports businesses and protects important natural areas. This is particularly important in Crowsnest Pass because of the limited land base and environmental constraints. P.29 MDP

“GOAL: Direct new residential development to existing urban areas and establish a sustainable density target – supporting a wide range of housing option in size, style, and price for a diverse population. P.60 MDP

2. Lack of Access to water

- a. The *South Saskatchewan River Basin Management Plan (2015)*, under the *Alberta Water Act*, has not allowed any new water licenses since 2006 except for conservation purposes.

“Each lot is expected to drill a personal household water well for water supply. A hydrological study is currently underway to verify that the underground aquifer has enough supply for each lot to be allocated 1250 m³/year as per the Alberta Water Act without impacting existing domestic and licenced (sic) users. The hydrological study will also verify whether baseline water chemistry is acceptable for drinking without treatment. P.7 SentrySix Proposal

This proposal is for a new Grouped Country Residential subdivision within the South Saskatchewan River Basin. It will have to be demonstrated that the new wells are not taking water from the aquifers in the closed river basin.

- b. The *Crowsnest Pass Land Use Bylaw* for Grouped Country Residential subdivision requires access to potable water for each lot (Schedule 2-GCR-1).
- c. Under the *Alberta Municipal Development Act*, the *Subdivision and Development Regulations* require the availability and adequacy of a water supply.
7. “In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application, ...f) the availability and adequacy of a water supply....” *Subdivision & Development Regulations*, P.10 (emphasis added)

3. Interference and Reduction of Wildlife Corridors

The Crowsnest Conservation Society supports all the work done recently by environmental groups to support wildlife connectivity in our area, such as Road Watch, Miistakis Institute, and the Nature Conservancy of Canada (NCC). This research and planning should be respected rather than allowing a residential development that will jeopardize wildlife movement.

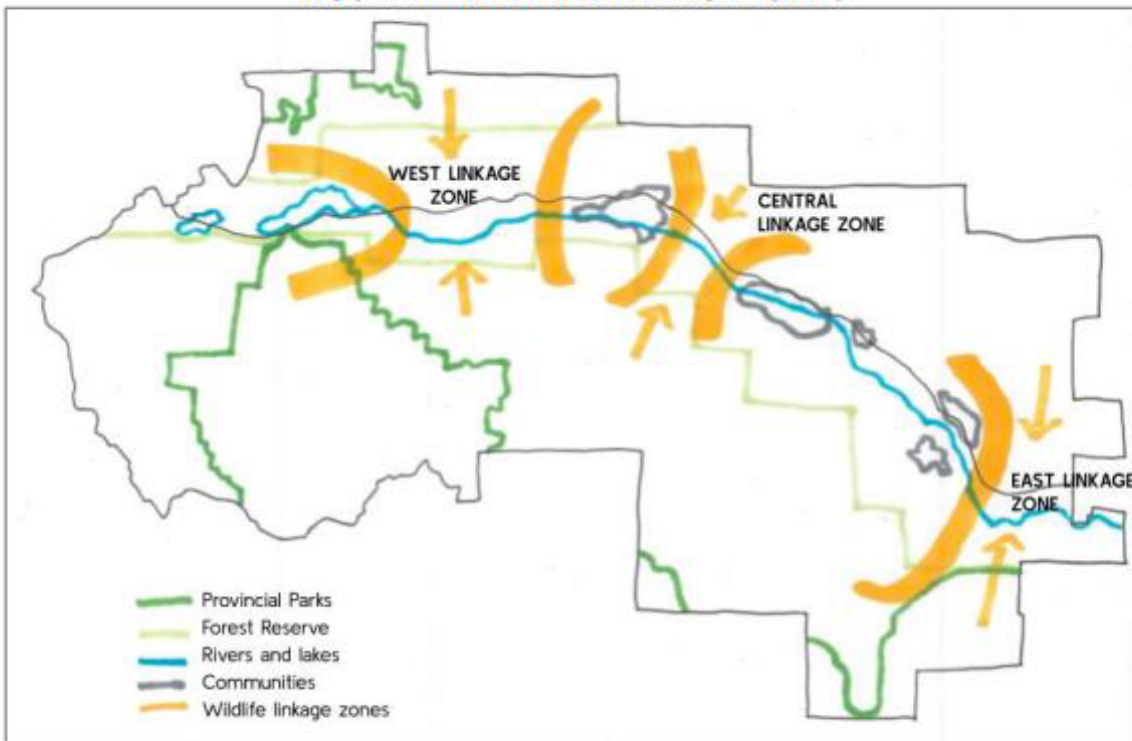
- a. The Proposal was sent to Council omitting important Technical Studies as listed in the *Crowsnest Pass Municipal Development Plan* Section 4.2.9 (p.77) for:
 - a. Biophysical assessment
 - b. Environmental impact assessment
 - c. Wildlife impact assessment
 - d. Environmental management plan

“New grouped country residential development ...Proposals for subdivision shall be required to articulate the interaction between proposed land uses and the open space network. P.64 MDP

A survey quoted in the *Crowsnest Pass Municipal Development Plan* stated that 93% of people identify the natural environment as the most defining characteristic of the Crowsnest Pass. (P.101 MDP). The proponents of this development have not provided Council with these additional reports that would demonstrate Council’s recognition of that importance to residents.

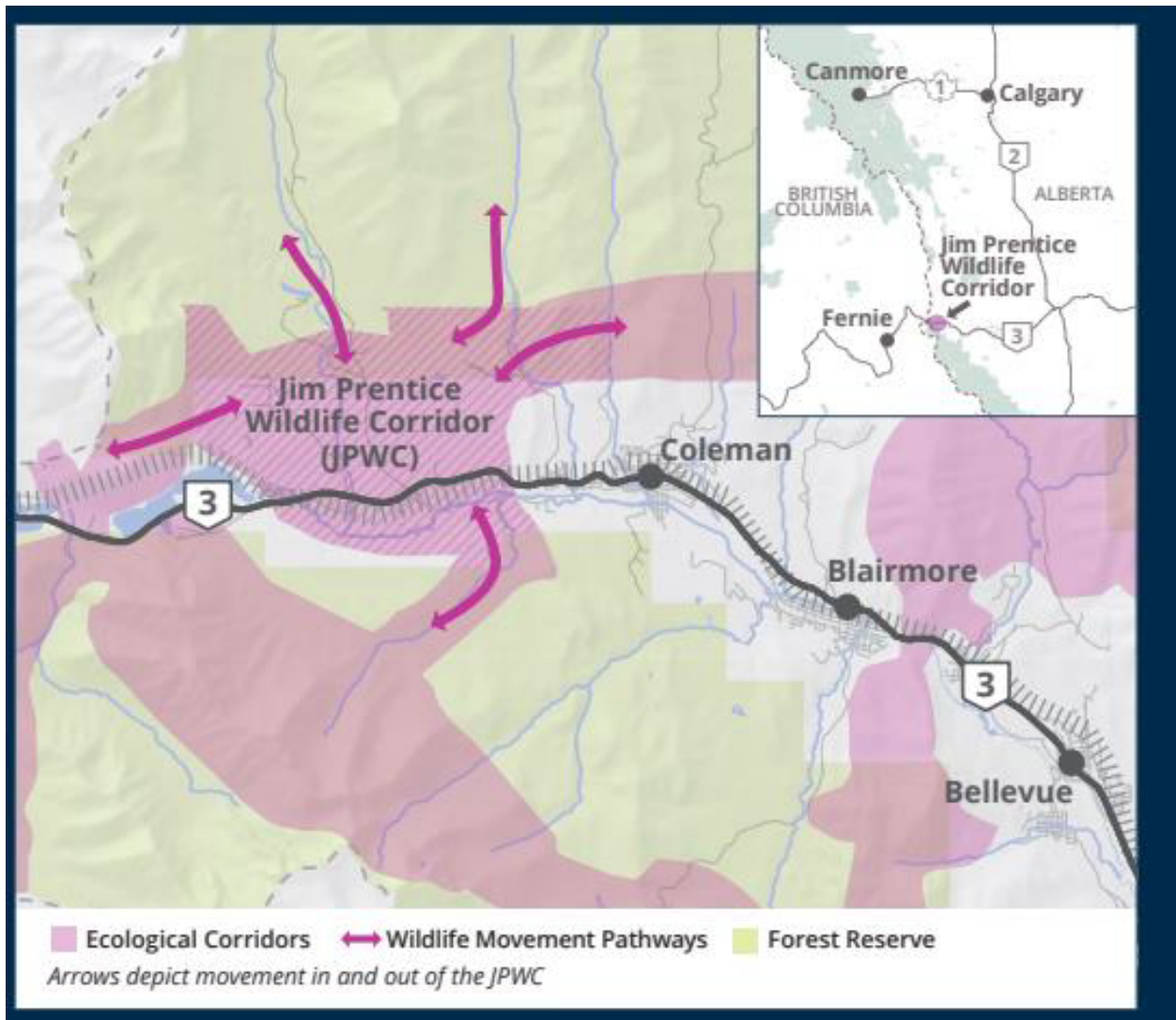
- b. This proposed development is in the middle of the municipally-defined West Zone wildlife linkage corridor (MDP, P.15).

FIGURE 9 - WILDLIFE LINKAGE ZONES



The NCC created the Jim Prentice Wildlife Corridor and has conducted a wildlife monitoring study with Miistakis Institute over the past three years. They have proven that the Crowsnest Pass “contains the highest number of medium and large animal species in North America” (Miistakis Institute and NCC, 2022). Road Watch and Miistakis had previously identified where wildlife collisions occurred and where a wildlife crossing structure would be valuable.

The evidence collected by these three organizations confirm that the West Wildlife Linkage Zone as described in the MDP is critical to the movement of large wildlife.



Map from “Linking Landscapes,” Miistakis Institute and NCC, 2022.

- c. The designation of these particular Non-Urban lands for any type of development is in contravention of the current *Crowsnest Pass Municipal Development Plan* which emphasizes the importance of maintaining wildlife corridors.

“The municipality’s five urban communities are separated by areas that remain generally undeveloped. In effort to retain critical habitat areas and wildlife linkage zones, and to maintain distinct identities for each community within the municipality, these spaces should be left in an undeveloped state (not including linear uses like trails and utilities). P. 35 MDP

“Goal: Sustain a harmonious balance between natural and built environments by directing development to built-up areas – preventing the fragmentation of wild lands and preserving the unique biodiversity of the MCNP. P. 74 MDP

“Preserving connected patches of native vegetation is critical to maintaining a wildlife habitat. Intensive uses in proximity to the west linkage zone and east linkage zone are discouraged in this plan and the compatibility of proposed projects will be determined on a case-by-case basis. P.76 MDP

- d. This proposal is also in contravention of the Alberta government requirement for the Municipality to abide by the South Saskatchewan Regional Plan, approved in 2014 and amended in 2018, under the *Alberta Land Use Act, Regulatory Details, Part 1, Section 2,(1.c)*.

The South Saskatchewan Regional Plan states key outcomes as:

“Biodiversity and ecosystem function are sustained through shared stewardship.”

“Watersheds are managed to support healthy ecosystems and human needs through shared stewardship.”

“Land is used efficiently to reduce the amount of are that is taken up by permanent or long-term developments associated with the built environment.”

“The quality of life of residents is enhanced through... the preservation and promotion of the region’s unique...natural heritage.” SSRP P.45, 46

and strategic directions as

“Conserving and Maintaining the benefits of biodiversity.”

“Advancing watershed management.”

“Promoting efficient use of land.”

“...preserving and promoting the region’s unique...natural heritage.” SSRP P.45, 46

4. Risk of damage to three existing wetlands on the border of the proposed development.

The Proposal states that an “desktop environmental study” is being conducted to “evaluate existence of wetlands or environmentally sensitive areas “ and to assess “any other environmental conditions that may need to be mitigated.” (Proposal, P.7).

The Crowsnest Conservation Society believes that an on-site examination of the wetlands and regionally sensitive areas must be required by Council to ensure that the proposed development adheres to the *Municipal Development Plan*, the *Standards of Development* in the municipal *Land Use Bylaw* and the expectations of provincial agencies regulating such areas.

“Development proposals shall be required to determine the existence of a wetland and adhere to the Government of Alberta requirements concerning the preservation of wetlands, including the Alberta Wetland Policy, Stepping Back from the Water, Water Act and Public Lands Act.” P.75 MDP

Conclusion

There are four important reasons the Crowsnest Conservation Society opposes Proposed Bylaw No. 1162, Land Use Bylaw Amendment, that would allow SentrySix to create a new Grouped Country Residential Subdivision in this part of the Municipality of the Crowsnest Pass.

- Proposed Zoning and Housing Type not needed or desirable
- Lack of Access to water
- Interference and Reduction of Wildlife Corridors
- Existence of wetlands in close proximity

To justify some of our statements we have used Council’s own recently approved *Municipal Development Plan* and *Land Use Bylaw*, as well as provincial requirements such as the *South Saskatchewan Regional Plan* and the *South Saskatchewan River Basin Management Plan*, under *Alberta Water Act*.

The Crowsnest Conservation Society urges you to deny approval of Proposed Bylaw No. 1162, Land Use Bylaw Amendment.

Council’s refusal to approve this application will help to maintain existing wildlife corridors, water quantities, the integrity of our own municipal goals, and provincial requirements that are committed to preserving healthy natural landscapes for future generations of Albertans.

References

Miistakis Institute and Nature Conservancy of Canada (2022), *Linking Landscapes: Helping Wildlife Move around the Crowsnest Pass*.
https://www.rockies.ca/files/reports/MIR_NCC_LinkinLandscapes_ParticipantUpdate_OCT2022_Final.pdf

Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 (MGA). Current in 2016.

Municipality of Crowsnest Pass Development Plan (MCDP), Bylaw No. 1059, 2020.

SentrySix Land Corporation (2023). *Tecumseh Subdivision Development Proposal*. (Proposal).

Standards of Development, Municipality of Crowsnest Pass Land Use Bylaw No. 868-2013, consolidated to Bylaw No. 1157-2023.I (LUB).

South Saskatchewan Regional Plan (2014, Amended 2018) (SSRP). Developed pursuant to section 13 of the Alberta Land Stewardship Act.

South Saskatchewan River Basin Management Plan, under the Alberta Water Act. (2015).