

TOWN OF CANMORE
MINUTES
Environmental Advisory Review Committee
Zoom online
5pm Monday April 19th, 2021

COMMITTEE MEMBERS PRESENT

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| Bob Raina | Chair |
| Karena Thieme | Vice Chair |
| Glynis Carling | Public Member |
| Richard Daniel | Public Member |
| Ken Hodges | Public Member |
| Sari Ohsada | Public Member |
| Ralph Walicki | Public Member |
| Vi Sandford | Council Representative |

COMMITTEE MEMBERS ABSENT

None

ADMINISTRATION PRESENT

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| Lori Rissling Wynn | Town of Canmore Liaison, Environment and Sustainability Supervisor |
| Alaric Fish | Planning and Development, Town of Canmore |

MEMBERS OF THE PUBLIC PRESENT

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| Jan McCaffery | Owner/Applicant |
| Bernie McCaffery | Owner/Applicant |
| Keenan Rudichuk | Associated Environmental Consultants |
| Rosemary Boulton | Palliative Care Society of the Bow Valley |

Action items in red.

- 1) **CALL TO ORDER and APPROVAL OF AGENDA** 5:04pm
CARRIED UNANIMOUSLY
- 2) **APPROVAL OF MINUTES** 5:05pm
CARRIED UNANIMOUSLY
- 3) **EIS evaluation – 3rd Avenue South Land EIS**
 - a) Clarifying questions regarding the application:
 - Request to clarify the number of units in the proposed development as there were conflicting statements in the EIS regarding number of units.
 - Request to clarify land ownership in the South Canmore Habitat Patch (SCHP).
 - Request to clarify use of the 1:100 flood elevation. AB Infrastructure uses 1:500 and 1:1000 for their projects in flood zones.
 - Clarification of use of ornamental landscaping and fertilizers.

- Request to comment on the intensity of use with respect to the palliative care facility as it relates to impacts to wildlife.
- Request to clarify road designation – public or private?
- Sub district C – request to explain why access is not through Spring Creek?
- Sub district D – request to explain location of the house and size of house as it relates to the maximum house size limits in the LUB.
- Request to explain the LUB definition of agricultural use versus the provincial designation of Agricultural Land Reserve.
- Request to explain the permitted residential uses in the development and if duplexes or fourplexes will be permitted.
- Request to describe how climate action will be incorporated into the development.
- Request to clarify if pathway connections will be included in the development.

4) **Motion to take the meeting in camera** 5:56pm
CARRIED UNANIMOUSLY
 a) EIS evaluation

5) **Motion to return to public meeting** 7:30pm
CARRIED UNANIMOUSLY

6) **Acceptance of the evaluation as discussed** 7:30pm
 Minutes and evaluation available within 3 business days.
CARRIED UNANIMOUSLY

7) **ROUNDTABLE**
 • Climate Action presentation to Council April 20th, at 1pm Committee of the Whole meeting

8) **Next meeting**
 Tentatively set as Monday May 10th, 2021

9) **ADJOURNMENT** 7:39pm
CARRIED UNANIMOUSLY

Date: 22 April 2021

To: Alaric Fish – Senior Planner and file manager for 3rd Avenue South Land

CC: Lori Rissling Wynn – EARC liaison
EARC Committee Members – Ralph Walicki, Karena Thieme, Sari Ohsada, Rick Daniels, Glynis Carling, and Ken Hodges
Vi Sandford – Councilor

Subject: EARC EIS Review of 3rd Avenue South lands

On Monday April 19th, the EARC committee completed a review of the EIS for the 3rd Avenue South lands.

The meeting included an opportunity to ask clarifying questions of the Applicant, an evaluation of the EIS and MSES's third party review, and an opportunity for the Committee to offer additional comment.

The results of the review are outlined in the attached table. EARC found the EIS meets the requirements for the EIS as set out in the Terms of Reference (2020).

The review also included additional comments detailed in the table attached – these are suggested considerations for the Applicant and the Town of Canmore.

The Committee is also concerned with the gradual, incremental erosion of habitat within and adjacent to the town boundaries. While each small development in and of itself may not have significant impacts, the cumulative effect of multiple developments throughout the valley may impact the effectiveness of the designated habitat patches. The Town may want to review the existing habitat reserves with the intention of preserving them from future fragmentation.

If you have any questions regarding EARC's assessment, I can be reached at (403) 921-6007.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Raina', with a long horizontal flourish extending to the right.

Mr. Bob Raina, P.Ge.
Chair, Environmental Advisory Review Committee

**EARC EIS Evaluation for:
3rd Ave South Land
19 April 2021**

| TOR Requirements | EIS Section(s) | EARC Assessment (met/not met) | Additional comments | Suggestions for Council |
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| 1) Proposal Overview | | | | |
| <ul style="list-style-type: none"> A description of the proposal | Sec. 1.4 | Yes | | |
| <ul style="list-style-type: none"> Mapping of the proposal in relation to regional and existing site conditions and constraints | Fig. 1-1 Fig. 1 Fig. 1-3 | Yes | | EARC noted a concern with regard to the lack of connectivity to the NW of SCLHP, resulting in fragmentation and a pinch point for wildlife. |
| <ul style="list-style-type: none"> Identification of federal or provincial requirements or restrictions relevant to the study, and how the proposal will meet the intent or legislative requirement | Sec. 1.5 Table 1-2 | Yes | | |
| <ul style="list-style-type: none"> An overview of the municipal planning policy context, including statutory documents and zoning | Sec. 1.1 Sec. 1.4 Table 1-1 Sec. 1.5 | Yes | Although BCEAG comments regarding low functionality of the South Canmore local habitat patch are provided in the EIS, this key recommendation from BCEAG is not included: "In order to preserve the intended function of the habitat patch, new dispositions and expansions to existing dispositions should not be permitted within the South Canmore habitat patch. (BCEAG 2012, page F-33) | While not required in the Terms of Reference, the municipal planning context should have included a reference to the Town's 'Climate Action Plan' (2018) which states "Climate mitigation should be considered in future land use and development decisions". EARC recommends that future development assessments be required to address climate change in the EIS Terms of Reference. |
| 2) Existing Site Conditions | | | | |
| <ul style="list-style-type: none"> Identification of previous relevant literature/studies, if publicly available | Sec. 3.4.1 | Yes | | |
| <ul style="list-style-type: none"> A description of existing environmental conditions, including: | Sec. 1.3 Sec.3.2.2 | Yes | | |

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| i. | Site location map | Fig. 1-1 | Yes | | |
| ii. | Soils, landforms and surficial geology | Sec. 3.2 | Yes | EARC noted that more details concerning the management/mitigation of the depth of the water table will be required at the time of the engineering design/development (e.g. necessary build up etc.) | |
| iii. | Hydrological or hydrogeological (desktop assessment only) resources including wetlands | Sec. 3.6 | Yes | See comment in section 2ii. | |
| iv. | A biophysical inventory and analysis of terrestrial and aquatic communities (studies being undertaken during the appropriate season), and the relationship to the larger local and regional ecosystem | Sec. 3.3 Sec. 3.4 Sec. 3.5 | Yes | EARC noted more site specific field observations will be required at the time of the engineering design/development (e.g. aquatic inventory, nest surveys) | |
| v. | A summary description of the natural features and components, and the proposed criteria to be applied for evaluation of their significance, and | Sec. 3 | Yes | | |
| vi. | Hazards and constraints resulting from existing site conditions | Sec. 3 | Yes | | |
| 3) Analysis of Impacts | | | | | |
| | <ul style="list-style-type: none"> Analysis and criteria for evaluation of the foreseeable short and long term positive and negative impacts of the proposal with respect to: | | | | |
| i. | Fish and associated habitat | Sec. 3.5.3 | Yes | EARC noted that the Table of mitigation measures in Section 4 should document the verbally stated intent to prohibit the use of nitrate and phosphate fertilizers. | |
| ii. | Wildlife and associated habitat | Sec. 3.4.3 | Yes | EARC concurs with MSES's third party assessment that the cumulative impact | EARC noted the opportunity exists to include limitations/restrictions in the |

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| | | | <p>on wildlife habitat will be higher than “negligible”. MSES’s evaluation states “While the EIS predicts the proposed Project will have negligible impacts on cumulative effects, we do not agree that the cumulative effects will be negligible.”</p> <p>As for other recently reviewed EISs, wildlife data used in this EIS is outdated and especially so in the context of the cumulative risk/impact assessment not representative.</p> <p>There is no indication of how livestock may impact wildlife other than citing that livestock has historically grazed the area.</p> | Subdivision D land use district regarding the location of the house to avoid potential “cul-du-sac” effects. |
| iii. | Vegetation | Sec. 3.3.3 | Yes | See comment in Section 3i. |
| iv. | Soils and terrain | Sec. 3.2.3 | Yes | |
| v. | Groundwater impacts | Sec. 3.6.3 | Yes | See comment in Section 2ii. EARC noted the opportunity to include the management of potential leaching and subsurface chemical flow (e.g. due to fertilization or petroleum leakage on a private gravel road). |
| vi. | Surface water impacts, and | Sec. 3.6.3 | Yes | EARC noted the opportunity to assess other access options to avoid the requirement to construct a bridge for access. |
| vii. | Air quality | Sec. 3.8.3 | Yes. | EARC noted the opportunity to ensure brush clearing will exclude any burning practices to avoid negative air quality impacts. Mitigation measures suggested in Section 3.8.4 are not included in Section 4. To offset the impacts from vehicle emissions, additional native species |

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| | | | could be planted in areas to be restored post-construction. The implementation of a no idling policy for vehicles during construction and while attending the hospice will minimize emissions generated in the Project Area, LSA, and RSA | No Idling signage may be of assistance in reducing idling of vehicles related to the operation of the hospice. |
| <ul style="list-style-type: none"> Analysis of the human use impacts resulting from the proposal | Sec. 3.7.3 | Yes | The use of Strava to estimate the current human use does not provide credible data; the EIS itself states that the most likely users would not be represented. | |
| <ul style="list-style-type: none"> Analysis of alternatives and modifications to the proposal to limit or remove impacts | Sec. 2.3 | Yes | <p>EARC understands that negotiations are in progress to assess an access option via Spring Creek Road, the EIS does not discuss alternative access roads that would avoid the construction of a bridge to access Subdivision C.</p> <p>No discussion of alternative, developing only a fraction of the land e.g., reducing the removal of vegetation, disturbance of wildlife etc.</p> | |
| <ul style="list-style-type: none"> An evaluation of whether the form of the development/proposal can be accommodated given any identified ecological sensitivities or constraints, including land use type and intensity of the proposed development | Sec. 3 and subheadings for Potential Impacts and Recommended Mitigations | Yes | | |
| <ul style="list-style-type: none"> Analysis of the cumulative impacts of the proposal considering the impacts of previous development and human activity in the South | Sec. 5 Sec. 5.2.2 Sec. 5.2.3 | Yes | | |

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| | Canmore Local Habitat patch. For the purposes of this analysis the focal area should include the South Canmore Local Habitat patch plus a 500 m buffer around its boundary. At a minimum the cumulative effects analysis should include: | | | | |
| i. | A quantitative description of land cover/wildlife habitat change over time inside the habitat patch | Sec. 5.2.2 Fig. 5-1 Table 5-1 Table 5-2 | Yes | | |
| ii. | A quantitative description of change in human-related disturbance levels over time inside the habitat patch (e.g., roads, designated vs undesignated recreational trails) | Table 5-1 Table 5-2 Figure 5-1 | Yes | | |
| iii. | A discussion of how existing, and future/proposed development impacts the quality and quantity of wildlife habitat inside the patch and wildlife use of it, including quantitative estimates of potential changes in overall patch size, fragmentation level etc. | Sec. 5 Table 5-3 | Yes | EARC concurs with MSES's comment that the fencing would need to be reviewed to ensure it does not act as barrier to wildlife. | EARC noted the opportunity to review the cumulative effects study currently underway by Yellowstone-to-Yukon Conservation Initiative. EARC noted the concern that data used for the EIS's cumulative effects analysis is outdated and therefore does not reflect more recent developments in the area. |
| iv. | Temporal range of the analysis should span from the period when the South Canmore Habitat Patch was first established (~1992-1999) and include analysis of landscape change every 5 to 10 years to existing conditions. It will also include a discussion of predicted Future impacts (i.e., | Sec. 2.2 | Yes | EARC noted the opportunity to include climate scenario analysis to assess/predict future impacts (e.g. 100 year flood impacts - frequency and severity changes). | |

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| with Project and other Reasonably Foreseeable Developments) | | | | |
| 4) Mitigations, Recommendations & Conclusions | | | | |
| <ul style="list-style-type: none"> Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts | Sec. 3 Table 4-1 | Yes | | EARC noted the opportunity to consider gates/signage to restrict access to Subdistrict D to reduce incidental uninvited traffic onto the property. |
| <ul style="list-style-type: none"> Identification of residual impacts and criteria proposed to evaluate their significance | Sec. 3 Table 3-7 | Yes | | |
| <ul style="list-style-type: none"> Wildlife habitat patches are a valid municipal planning issue and the EIS will need to consider how development or any proposed mitigations will impact wildlife use of the adjacent habitat patch as well as how cumulative effects are impacting the South Canmore Local Habitat patch | Sec. 5.2.2 | Yes | | |