

TOWN OF CANMORE

MINUTES

Environmental Advisory Review Committee

Zoom online

5pm Monday September 13th, 2021

COMMITTEE MEMBERS PRESENT

Bob Raina	Chair
Karena Thieme	Vice Chair
Glynis Carling	Public Member
Ken Hodges	Public Member
Ralph Walicki	Public Member
Vi Sandford	Council Representative

COMMITTEE MEMBERS ABSENT

Richard Daniel	Public Member
Sari Ohsada	Public Member

ADMINISTRATION PRESENT

Lori Rissling Wynn	Environment and Sustainability Supervisor
Amy Fournier	Energy and Climate Action Coordinator

MEMBERS OF THE PUBLIC PRESENT

None

Action items in red.

1) **CALL TO ORDER and APPROVAL OF AGENDA** 5:07pm
CARRIED UNANIMOUSLY

2) **APPROVAL OF MINUTES** 5:09pm
CARRIED UNANIMOUSLY

3) OLD BUSINESS

a) Discussion of potential EIS policy amendments

- The committee discussed amendments to the EIS policy to include climate action (redline version of policy attached).
- The committee feels their participation in the EIS process does add value. They provide a blend of technical understanding and local context to the review, and whereas the Third-Party Reviewer has the technical expertise to review EISs, they don't typically provide the local context. EARC's perspective adds value, is not necessarily redundant, and can complement the Third-Party Review.
- Councilor Sandford stated she felt it was valuable that EARC participates and appreciates that Council gets to receive additional review as a result of these reviews.
- EARC agreed to add "archaeological and historic resources and traditional ecological knowledge" to Section 7.2 (Existing site conditions) of the EIS policy.
- EARC agreed to add "climate change impacts" to Section 7.3 (Analysis of impacts) of the EIS policy

and agreed that further details and guidance on what this would entail would be developed during the preparation of detailed EIS TORs.

b) Discussion of potential EARC TOR amendments

- After much discussion, the committee felt the EIS review requirements identified in the EARC TOR were adequate. They are comfortable having their review capacity limited to determining if the EIS meets the TOR. In addition to this, they inserted the following to Core Function ii, “and provide comments with regards to the content and quality” of the EISs. In practice, EARC is already doing this with their reviews – providing additional comments to Council, which they can consider at their discretion.

4) **Roundtable**

- Reaction to the social norms campaign with Banff has been well received and generated conversation in the valley which is in part the intent of the program.
- Councilor Sandford participated in a recent ICLEI conference and through this event, gratified to see the work Town of Canmore is doing.
- Bow Valley Green Energy Co-operative’s first solar installation is up and running at Ralph Connor Church. Congratulations.

5) **Next meeting**

Monday October 18th, 2021

6) **ADJOURNMENT**

7:10pm
CARRIED UNANIMOUSLY



Environmental Impact Statement (EIS) Policy

DATE APPROVED: September 20, 2016

COUNCIL RESOLUTION: 264-2016

1. POLICY STATEMENT

This policy identifies the scope, content and process for developing an EIS. This policy applies to all EISs required to be prepared for the Town of Canmore.

2. PURPOSE

The purpose of an EIS is to provide sufficient information to a decision making authority in order to make an informed decision on the proposal before it. An EIS outlines existing conditions, identifies significant natural and ecological features, determines the nature and scale of the potential impacts generated by a proposal and provides recommendations for how best to avoid or mitigate those impacts.

3. DEFINITIONS

Unless specifically defined in this section, all terms included in this policy shall be as defined in the MDP.

- 1) "Cumulative Impacts" as described in this policy are intended to ensure that the impacts of the proposal are not considered in isolation from other developments or plans in the area. Cumulative impacts are intended to be on a scale appropriate to the level at which an EIS is prepared. For example, an EIS that is submitted for an ASP should consider the cumulative impacts of the proposed ASP along with the neighbouring areas. This contrasts with an EIS prepared for a specific site development which may only be required to incorporate the neighbouring properties in the cumulative impact assessment.

4. RESPONSIBILITIES

- 1) The Planning and Development Department shall be responsible for the maintenance of this policy.
- 2) The Town of Canmore shall only accept Environmental Impact Statements that comply with this policy.
- 3) The Planning and Development Department shall ensure that all decision making authorities are provided with a copy of this policy.

5. REQUIREMENT FOR AN EIS

- 1) An EIS will be required to be prepared and submitted in accordance with the Town's Municipal Development Plan and Land Use Bylaw.
- 2) All costs related to the preparation of an EIS shall be at the expense of the applicant.

6. EIS TERMS OF REFERENCE

An EIS must be tailored to be appropriate to the nature, scale and location of the planning or development proposal being evaluated. Typically, large or complex proposals will require more detailed and extensive research and analysis to create the EIS than simple or small proposals. To ensure that decision makers have sufficient information to inform the decision before them a Terms of Reference

shall be created. The Terms of Reference shall be developed by administration with input from the qualified professional(s) hired to conduct the third party review of the EIS. The Environmental Advisory Review Committee (EARC) will also review and provide input into the Terms of Reference. An EIS is intended have a scope limited to those issues relevant to the proposal.

1) Development of the Terms of Reference

A Terms of Reference for an EIS shall identify the information and issues that need to be addressed in relation to the proposal including the site and study area. All Terms of References shall start with the contents of an EIS listed in section 7 of this policy. This list can be reduced, added to or modified as needed to ensure that issues and information needed to make an informed decision on the proposal are included in the EIS. Prior to development of the Terms of Reference, the Town will hire a qualified professional(s) and engage EARC to provide input into the Terms of Reference. The qualified professionals will also prepare an independent third party review of the EIS.

2) Terms of References where there are multiple studies conducted as part of a proposal

In some instances other studies (e.g. transportation impact analysis, slope stability) are prepared as part of a proposal. In instances where there is overlap of scope, the Terms of Reference for the EIS may be modified to remove items from the scope that are covered under those other studies.

3) Terms of Reference where previous studies have been completed

In some instances previous studies have been created regarding the subject land or proposal. Relevant issues will still need to be covered in the EIS, although it is possible that a previous study may meet these requirements. The applicability of previous reports will be evaluated as part of the EIS process.

4) Alterations to Terms of Reference

Where the Terms of Reference are for an EIS related to planning and development proposals, the EIS should be deemed complete by the decision making authority where it addresses all items identified in the Terms of Reference. Alterations to the Terms of Reference should only be required in situations where new information or issues arise pertinent to the proposal that were not considered when the Terms of Reference was prepared or where the proposal has been altered substantially from that contemplated when the Terms of Reference was created.

7. CONTENTS OF AN EIS

In accordance with 6(1) above, the following is a sample of the issues that typically require evaluation in an EIS. This forms the starting point for developing a Terms of Reference.

1) Proposal Overview

- a. A description of the proposal.
- b. Mapping of the proposal in relation to existing site conditions and constraints.
- c. Identification of federal, ~~or~~ provincial and municipal requirements ~~or~~ restrictions, and targets relevant to the study, and how the proposal will meet the intent or legislative requirements.
- d. An overview of the planning policy context, including statutory documents and zoning.

2) Existing Site Conditions

- a. A description of existing environmental conditions, including:
 - i. Site location map,

Commented [LRW1]: Intent with this statement is to also include an overview of federal and municipal greenhouse gas reduction targets.

- ii. Soils, landforms and surficial geology,
 - iii. Hydrological or hydrogeological resources including wetlands,
 - 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,
 - v. A summary description of the natural features and components, and the proposed criteria to be applied for evaluation of their significance, and
 - vi. Hazards and constraints resulting from existing site conditions.
 - vii. Archeological and historic resources.
 - viii. Traditional ecological knowledge.
- b. A literature review of previous relevant studies.

3) Analysis of Impacts

- a. Analysis and criteria for evaluation of the foreseeable short, medium, and long term positive and negative impacts of the proposal with respect to:
- i. Fish and associated habitat,
 - ii. Wildlife and associated habitat,
 - iii. Vegetation,
 - iv. Soils and terrain,
 - v. Ground water impacts,
 - vi. Surface water impacts,
 - vii. Air quality and,
 - viii. Climate change impacts.
- b. Specific analysis of the human use impacts resulting from the proposal.
- c. Analysis of alternatives and modifications to the proposal to limit or remove impacts.
- d. 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.
- e. Analysis of the cumulative impacts of the proposal considering the impacts of adjacent development.

Commented [LRW2]: The details of this would be fleshed out during the development of the EIS TOR. The intent would be for this to include an analysis of the impacts of the project on climate change (i.e. GHG emission analysis) and how the project will respond to a changing climate (i.e. describe the adaptation and resilience aspects of the project).

4) Mitigations, Recommendations & Conclusions

- a. Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts.
- b. Specific recommendations on how to mitigate long term human use impacts resulting from the proposal.
- c. Identification of residual impacts and criteria proposed to evaluate their significance.
- d. Identify monitoring requirements, and whether more extensive environmental work is required.

8. SUBSEQUENT EIIS

- 1) As described in greater detail in the following sections, where an EIS has been prepared and accepted as part of a statutory plan, land use bylaw or development approval, a new EIS is generally not required at a later stage in the approval process unless the planning or development proposal changes significantly.

- 2) Where a planning or development proposal is submitted that is generally consistent with that contemplated in an EIS submitted as part of an ASP, ARP, or Land Use application the following shall apply:
 - a) If the prior EIS includes details pertinent to land use and development level impacts and mitigations, the Town may, at its discretion, waive the requirement for further EISs at the land use, subdivision or development permit stage.
 - b) If the prior EIS does not address details or issues pertinent to land use and development level impacts an addendum to the original EIS should be required by the Town. The Terms of Reference for such an addendum shall be limited to the land use and development level issues and mitigations.
- 3) Where a planning or development proposal is submitted that is not consistent with the proposal contemplated in an EIS submitted as part of an ASP, ARP, or Land Use application the Town shall, at its discretion, as to which one, require either:
 - a) a new EIS to be submitted which addresses the new proposal; or
 - b) An addendum to the previous EIS be submitted which incorporates the proposed changes.

9. SUBMISSION OF THE EIS

- 1) The EIS shall be submitted electronically.
- 2) Any documents referenced in the EIS shall be made available electronically to the Town of Canmore upon request.

10. REFERRALS

- 1) The Town may at its discretion refer anything covered under this policy for comment. Typical referrals include:
 - a) Province of Alberta (generally Alberta Environment and Parks)
 - b) Canmore's environmental advisory review committee

11. THIRD PARTY REVIEW

- 1) EISs will be reviewed by a relevant qualified professional(s).
- 2) The third party reviewer will act as an independent consultant and will report directly to the Town.
- 3) For a more effective and efficient third party review process, the Town's consultant should be engaged and involved from the beginning of the EIS process, rather than upon submission of the EIS to the Town. The third party reviewer will identify and make recommendations on how to reduce, mitigate or avoid negative impacts of the proposal including raising concerns if the negative impacts cannot be satisfactorily reduced, mitigated or avoided.
- 4) All costs associated to a third party review will be at the expense of the Town of Canmore.

12. ENSURING EIS MITIGATIONS ACHIEVED

- 1) Where an EIS identifies mitigation measures, these measures shall be incorporated into the relevant planning document or approval to ensure that they are carried out. For example, construction mitigation measures shall be incorporated as conditions of approval for subdivisions and development permits. Similarly, conditions regarding land use level details such as setbacks shall be incorporated into the relevant land use district.

13. EXCEPTIONS

- 1) Exceptions to this policy may be made by majority vote of Council provided that the exception is not inconsistent with the Municipal Development Plan.

14. STRATEGIC ALIGNMENT

In accordance with the Town of Canmore Council Strategic Plan ~~2016-18~~2019-2022, this policy is in alignment with the goal of environmental ~~goal: Canmore is a municipal leader in environmental stewardship sustainability.~~

15. RELATED DOCUMENTS AND REGULATIONS

- 1) Town of Canmore Municipal Development Plan
- 2) Town of Canmore Land Use Bylaw
- 3) Town of Canmore FireSmart Mitigation Strategy
- 4) Bow Corridor Ecosystem Advisory Group *Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley* (2012)
- 5) Alberta Wetland Policy (2013)
- 6) Provincial Wetland Restoration/Compensation Guide (2005)
- 7) Stepping Back from the Water (2012)
- 8) Federal and Provincial Legislation and Regulations
 - The Fisheries Act
 - Navigable Waters Protection Act
 - Migratory Birds Convention Act
 - Public Lands Act
 - Water Act
 - Species at Risk Act
 - Environmental Protection and Enhancement Act
 - Wildlife Act
 - Municipal Government Act
 - Alberta Land Stewardship Act and South Saskatchewan Regional Plan
- 9) [Town of Canmore Environmental Sustainability Action Plan](#)
- 10) [Town of Canmore Climate Action Plan](#)
- 11) [Town of Canmore Climate Adaptation and Resilience Plan](#)

REPEALS POLICY: N/A

AUTHORIZATION:

John Borrowman
Mayor

Lisa de Soto, P.Eng.
Chief Administrative Officer

TOWN OF CANMORE
BYLAW 40-98 CONSOLIDATED 2017-09-27
PROVINCE OF ALBERTA

BEING A BY-LAW OF THE TOWN OF CANMORE IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN ENVIRONMENTAL ADVISORY REVIEW COMMITTEE.

WHEREAS Pursuant to the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta, 1980 as amended, a Council may pass by-laws to establish council committee and their functions;

WHEREAS Council for the Town of Canmore wishes to establish an Environmental Advisory Review Committee, for the purpose of providing advice and assistance to Council concerning the application of environmental provisions of policies and other functions;

NOW THEREFORE the Municipal Council for the Town of Canmore in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE
 - (a) This By-Law shall be known as the Environmental Advisory Review Committee By-Law.
2. ESTABLISHMENT
 - (a) The Environmental Advisory Review Committee is hereby established to perform those duties and functions as outlined in the Term of Reference (attached to the By-Law as Schedule "A") and as modified by Council from time to time.
3. DATE OF COMMENCEMENT
 - (a) This By-Law shall come into force and take effect upon the date of final reading thereof.
4. REPEAL
 - (b) By-Law 4-95 and all amendments thereto are repealed.

FIRST READING: October 6, 1998

SECOND READING: October 6, 1998

THIRD READING: October 6, 1998

MAYOR

DESIGNATED OFFICER

Schedule A – Environmental Advisory Review Committee Terms of Reference

Amended 2015.11.22 Bylaw 2015-22

Mandate

The Environmental Advisory Review Committee (the committee) will provide advice and assistance to council concerning the application of the environmental provisions of policies contained within the Canmore Municipal Development Plan.

The committee will advise and assist council with the compilation of information to further public awareness and understanding of particular environmental issues that may arise.

Reporting to council, the membership of this committee will be as follows:

- a) A minimum of five and a maximum of seven members from the community and appointed by council to terms not to exceed two years; amended 2017-09-27 Bylaw 2017-32
- b) One member of council;
- c) One member from Town administration.

Core Functions

In order to assist council, the committee shall:

- ~~i. Review, advise, and provide input to on the draft terms of reference for an environmental impact statement;~~
- ii. Review and advise on the completeness/adherence to the terms of reference and provide comments with regards to the content and quality of the environmental impact statements conducted;
- ~~ii. Review and advise on the draft terms of reference for an environmental impact statement;~~
- iii. Advise on protective management measures or mitigative measures that may be needed for specific environmental policy areas;
- iv. Review and advise on ~~environmental-Environmental impact-Impact assessment-Assessment~~ reports;
- v. Provide advice on the Town's Environmental Sustainability Action Plan (ESAP) and any updated or related plans; and support the execution of initiatives related to ESAP.
- vi. Upon request of the development authority, advise the development authority on environmental impact statement or environmental impact assessments statements as required by the Canmore Municipal Development Plan; and
- vii. perform duties as directed by council from time to time.

Commented [LRW1]: This is just a re-ordering of this item from ii to i. Makes sense to put this item first since it refers to the development of the EIS TOR

Commented [LRW2]: This is what is essentially happening in practice. In the EIS evaluations EARC does, there is a column for them to add their comments. It is up to Council to consider these or not. As such EARC felt it was important to acknowledge this and insert this language into the TOR.

Accountability

The Environmental Advisory Review Committee shall be accountable to council on the environmental impacts of development. All environmental impact statements and environmental impact assessments shall be reported to council.