



AGENDA
TOWN OF PINCHER CREEK
COMMITTEE OF THE WHOLE
Wednesday, July 6, 2022 AT 9:00 A.M.
[In Person & Virtual via Zoom](#)

1. **Call to Order**
2. **Agenda Approval**
3. **Scheduled Delegations**
 - 3.1 Carrie Cooley - Southwest Alberta Sustainable Community Initiative
4. **Committee Reports**
5. **Administration**
 - 5.1 Tristan Walker - Energy Lead Report
6. **Business Arising from the Minutes**
 - 6.1 Short Term Rentals
 - 6.2 Alberta Municipalities Pre-Convention Options
7. **Bylaws**
8. **New Business**
 - 8.1 Request to Waive Rental Income
9. **Closed Session**
 - 9.1 North East Area Structure Plan
 - 9.2 RCMP Facility Update (No RFD)
 - 9.3 Personnel (No RFD)
10. **Adjournment**



Southwest Alberta Sustainable Community Initiative Box 1297, Pincher Creek, AB T0K 1W0

Tel 403-627-1750 Email admin@sasci.ca

April 26, 2022

Hello Town Council & Staff,

Our Board of Directors respectfully request some time in which to apprise Council of the work SASCI is doing. Our 10-minute presentation will include an introduction of Liza Dawber, the Grant Specialist, to the new councillors; we are also excited to talk about our new Fund Development Specialist, and the groundwork that has been laid thus far for the Community Fund.

If it is suitable for you, the Committee of the Whole Meeting on Wednesday July 6, 2022, would be great for our team.

Thank you for your consideration. We look forward to your response.

Regards,

Carrie Cooley, SASCI Administrator
Southwest Alberta Sustainable Community Initiative
PO Box 1297 Pincher Creek, AB T0K 1W0
Mobile phone: (403) 627-1750
Email: admin@sasci.ca

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Short-term Rentals	
PRESENTED BY: Lisa Goss, Legislative Service Manager	DATE OF MEETING: 7/6/2022

PURPOSE:

For the Committee to consider how the Town of Pincher Creek would like to address short-term rentals in the municipality.

RECOMMENDATION:

That Council for the Town of Pincher Creek direct administration to prepare a Land Use Bylaw Amendment to include regulations for short-term rentals in the Town of Pincher Creek.

BACKGROUND/HISTORY:

At the May 24, 2022 regular meeting, Council was provided information regarding addressing tourist homes in the municipality as a result of receiving several inquiries. Council agreed to move forward with regulations of Tourist Homes in Pincher Creek, to require both business licenses and development permits as per Bylaws 1550-11 (Business License Bylaw) and 1547 (Land Use Bylaw).

The terminology has been changed from 'Tourist Homes' to 'Short-term Rental' to not exclude non-tourism types.

Some items for discussion;

- Type 1 - Require a development permit as a permitted use, or do not require a development permit and specifically exempt the use in Schedule 3, Development Not Requiring a Permit. If a development permit is not required, the applicant would still be required to apply for a Home Occupation and Business License which would result in the adjacent property owners being notified of the application
- 32.6 to determine if Council wants a cap like this or remove it and just monitor over time
- the suitability of the R4 district and what may or may not be appropriate

ALTERNATIVES:

That Committee of the Whole for the Town of Pincher Creek receives the information regarding Short-term Rentals as presented.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

The current Land Use Bylaw 1547 and amendments thereto is silent regarding regulations on tourist homes and/or short-term rentals.

FINANCIAL IMPLICATIONS:

Application Fees outlined in the Land Use Bylaw are as follows;

Permitted Use - \$50

Discretionary Use - \$150

Home Occupation - \$75

Business License - \$125 (Business License Bylaw 1551-11)

PUBLIC RELATIONS IMPLICATIONS:

Councils direction will provide clarity for residents and administration regarding the future of Short-term Rentals Homes in the community.

ATTACHMENTS:

Short-term Rentals bylaw standards - REVISED draft - 2942

CONCLUSION/SUMMARY:

Administration supports that Committee of the Whole for the Town of Pincher Creek direct administration to prepare a Land Use Bylaw Amendment to include regulations for short-term rentals in the Town of Pincher Creek.

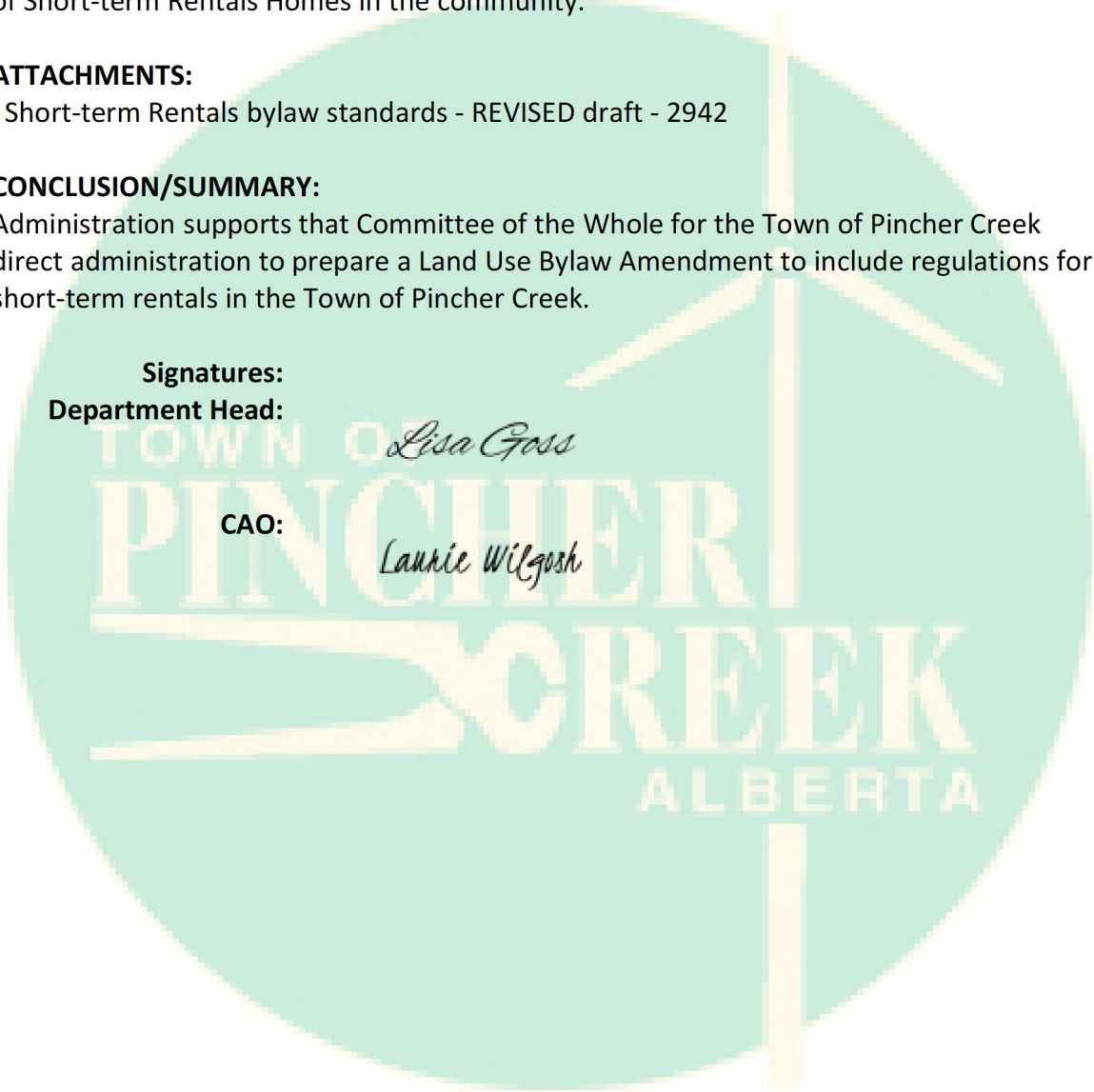
Signatures:

Department Head:

Lisa Goss

CAO:

Laurie Wilgosh



Town of Pincher Creek Land Use Bylaw – proposed amendments

SHORT-TERM RENTALS

Proposed: Land Use Bylaw - Uses and Standards:

Add to 'Residential - R1', 'Manufactured / Mobile home – R2', 'Country Residential – R3' districts two types of Short-term Rentals. Prohibit the Type 2 use in 'Multi-family Residential – R4' district.

Short-term Rentals Type 1 (owner-occupied)

- this can be listed as a permitted use provided the standards and criteria of the bylaw are met. Type 1 shall apply to situations where an owner lives/resides in the dwelling as their primary abode (residence) but may rent out the house or rooms as accommodation on a temporary or short-term bases not to exceed 60 days in a calendar year for financial gain. (*Note: This may apply to situations where an owner rents out their house while they are away on vacation or out of the country for an extended period, etc.*)

Short-term Rentals Type 2 (non-owner-occupied rental)

- this can be listed as a discretionary use provided the standards and criteria of the bylaw are met. Type 2 shall apply to situations where an owner does not live/reside in the dwelling as their primary residence but rents out the house or rooms as accommodation on temporary or short-term bases as a rental, vacation home or temporary accommodation for commercial purposes, or a commercial entity uses the home exclusively for short-term rentals. (*Note: This applies to situations where a person or business owns a dwelling(s) that they rent for accommodation for commercial income, etc.*)

These uses exclude the temporary or short-term billeting of minor or under-20 athletes on sports teams and they are exempt from the permitting requirements.

Development Permit Considerations:

Short-term Rentals Type 1 (owner-occupied)

- Require a development permit as a permitted use, or do not require a development permit and specifically exempt the use in *Schedule 3, Development Not Requiring a Permit*.
- No notification process or right to appeal by neighbors.
- A municipal business license will be required.

Short-term Rentals Type 2 (non-owner-occupied rental)

- Require a development permit.
- Notification to adjacent neighbor's process would occur, along with the right to appeal.
- A municipal business license will be required.

Add a section to the land use bylaw Schedule 4, Standards of Development

SECTION 32 SHORT-TERM RENTALSS

Definition

Short-term Rentals means a dwelling unit, either a house, apartment, or individual room, operated as a temporary or short-term rental or lease accommodation unit, occupied by a guest or guests for a period of less than 28 continuance days where the residence owner may or may not be present or residing on site, and includes all temporary or short-term rentals, vacation homes or temporary accommodation for commercial purposes or for compensation. This use does not include Bed and Breakfasts, Home Occupations, Motels, or Hotels which are separately defined uses. It also excludes temporary or short-term billeting of minor or under-20 athletes on sports teams.

Standards

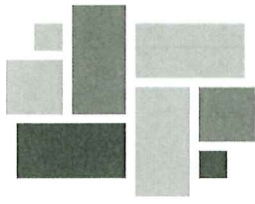
- 32.1 Short-term Rentals are prohibited in residential districts except where they are expressly listed as a permitted or discretionary use.
- 32.2 Short-term Rentals that are prohibited or are found to be operating without a valid development permit and/or Business Licence are subject to the imposition of fines/penalties by the municipality in accordance with the fee schedule or other applicable bylaw.
- 32.3 A Short-term Rentals is characterized by:
 - (a) The advertising or management of a dwelling unit as a Short-term Rental, temporary accommodation, tourist accommodation or vacation rental on social media, the internet or on vacation rental websites, such as but not limited to Airbnb, VRBO, or where the intent is for the occupant to stay for short-term visiting or vacation purposes rather than use the property as a permanent residence.
 - (b) The use of a system of reservations, deposits, confirmations, and payments for nightly accommodation at the residence.
 - (c) The active management and commercial nature of the dwelling being used as a Short-term Rental.
- 32.4 For Short-term Rentals categorized as a Type 2 (non-owner-occupied rental) any single person, business or commercial entity shall be limited to operating no more than 3 such Short-term Rentals at any one time within the municipality.
- 32.5 The number of rental units or bedrooms in the Short-term Rentals and the maximum occupancy of the dwelling shall be stated on the application form and included as a condition of approval in the development permit. The Development Authority may limit the number of rental units and/or the maximum occupancy of a Short-term Rentals on a case-by-case basis.
- 32.6 The Development Authority may limit the number of dwellings used as short-term rental units on a street or defined area, and no more than 5% of the total number of single-detached dwellings in the R-1 land use district of the Town of Pincher Creek may be approved as a Short-term Rentals Type 2, based on a first come first served basis.
- 32.7 Where approved, Short-term Rentals shall be developed and operated in accordance with the following regulations in order to ensure that the impacts of this commercial use do not unduly affect the amenities of the residential neighbourhood in which they are located:
 - (a) The maximum number of bedrooms in a dwelling unit used for a Short-term Rentals shall be four, with maximum of eight 'pillows' (guests).

- (b) Short-term Rentals require a development permit. A permit may be revoked at any time if, in the opinion of a designated officer, the operator has violated any provision of this bylaw or the conditions of a permit.
- (c) A minimum of two hard surfaced, on-site parking stalls shall be provided and parking stalls shall not be tandem. The Development Authority shall not approve any variance to the off-street parking standard for a Short-term Rentals.
- (d) A recreational vehicle (camper trailer) shall not be used as accommodation for the owner/operator, other residents of the property or for the Short-term Rentals guests.
- (e) The exterior appearance of a dwelling approved as a Short-term Rentals shall not be altered, renovated, or changed to make the residential dwelling significantly stand-out or be readily recognized or identified as a commercial accommodation rental unit except where limited signage may be approved as provided for in this bylaw.
- (f) Short-term Rentals shall not interfere with the rights of other neighbours and residents to quiet enjoyment of a residential neighbourhood.
- (g) Approved Short-term Rentals must apply for and obtain a current municipal Business Licence from the municipality.
- (h) The Developmental Authority shall not approve a development permit for both a Short-term Rental and Bed & Breakfast on the same property.
- (i) The Development Authority may place conditions on a development permit to address or mitigate concerns with compatibility to the neighbourhood or to ensure the standards of this bylaw are being met.
- (j) The Development Authority may refuse to approve a development permit for a Short-term Rentals if they determine there are other pre-existing Short-term Rentals established in the vicinity or neighborhood and additional such use would negatively affect the neighborhood, cause traffic or parking concerns, or interfere with the residents right to peaceful enjoyment of their property.

32.8 The owner/operator of the Short-term Rental shall:

- (a) Have a business license and disclose their license number in all online postings and advertisements.
- (b) Keep and maintain, or have kept and maintained by a company or individual identified in the development permit application, a guest record/register that shall be reasonably available for inspection by designated officer.
- (c) Provide personal contact information to the designated officer that is kept accurate and up to date during the duration of the active operation of the dwelling as a Short-term Rental.
- (d) Provide and maintain the on-site parking as required.
- (e) Advertising related to the Short-term Rental shall not displayed until after a development permit is issued. Signage shall only be displayed as allowed for in this bylaw and includes:
 - (i) one window signage, no larger than 0.4 m² (4 sq. ft.); or

- (ii) up to one freestanding sign no more than 1.5 m (5 ft.) above ground or sidewalk grade and shall not be more than 0.4 m² (4 ft.²) in area.
 - (iii) For any signage associated with a Short-term Rental, it must be made of a material that is complementary to the principal dwelling; and
 - (iv) not be directly illuminated in any way.
- (f) Ensure that all parts of the dwelling conform to the National Building Code – Alberta Edition.
- (g) Be responsible for complying with Alberta Government requirements relating to the provincial tourism levy on accommodation.



Alberta Municipalities

Strength In Members

September 21 - 23, 2022

Calgary TELUS Convention Centre
136 8 Ave SE
Calgary, AB T2G 0K6

Sessions

Select the sessions your registrants would like to attend. Please note, all pre-convention sessions will run a full-day on Tuesday September 20.

ATTENDEES CAN ONLY ATTEND ONE PRE-CONVENTION SESSION.

Pre-Convention Sessions

EOEP - Council's Role in Land Use and Development Approvals

\$395.00

Select

Taking place Tuesday, September 20 - 8:30am - 4:00pm

Good planning" is a general concept – there is no single approved statement of what good planning consists of. Planning has evolved over many years and can be considered a long term, ongoing process that includes planning itself, as well as project delivery and ongoing monitoring and evaluation. Planning aims to improve the effectiveness of public services in meeting people's needs, and to support the development of local communities and to improve the quality of life for all.

**Please note this course is not applicable for associate or affiliate members.

Pre-Convention Sessions

EOEP - Council's Role in Public Engagement

\$395.00

Select

Taking place Tuesday, September 20 - 8:30am - 4:00pm

Municipal councils are elected to make decision on behalf of citizens. However, in order to govern effectively and make decisions that are in the best interest of the diverse communities within municipalities, councils must be willing to consider the community's perspectives and input when making decisions. The EOEP's Council's Role in Public Engagement course will provide an overview of the various ways municipalities can engage with citizens, how public input can be integrated into decision-making, the dangers and limits of involving the public in municipal decisions, and the importance of engagement in supporting sustainable community development.

**Please note this course is not applicable for associate or affiliate members.

Pre-Convention Sessions

RMRF Legal Course

\$395.00

Taking place on Tuesday, September 20 - 8:30am - 4:00pm

Select

Legal Seminar, hosted by RMRF

* Please note this course is not applicable for associate or affiliate members.

Host City Activities

Host City Reception

\$25.00

Join the City of Calgary on Wednesday, September 21 for a night to remember.

Select

Host City Activities

Host City Reception Guest Ticket

\$25.00

Join the City of Calgary on Wednesday, September 21 for a night to remember.

Select

Previous

Cancel

Next

September 21 - 23, 2022

Calgary TELUS Convention Centre

136 8 Ave SE

Calgary, AB T2G 0K6

To allow us to assign sessions to the correct spaces at the Convention Center, please select your top three sessions.

Please note: by selecting a session, this does not guarantee your spot at the session. Each session is first come first serve.

- Effective Municipal Meetings (MG Committee)
- Wastewater Innovation (S&E Committee)
- Small Community Viability (Small Communities Committee)
- Infrastructure Challenges of the Future of Transportation (I&E Committee)
- Environmental Social and Governance (Economic Strategy Committee)
- Long-term Care (Safe and Healthy Communities)
- Compassionate Leadership & Development (CAO/CFO Session)
- The Weaponization of Social Media
- Freedom of Expression and Public Safety: Balancing rights and duties
- Laughing Matters
- Broadband Session
- New Project Contracting Practices

Previous

Cancel

Next

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Request to waive rental income	
PRESENTED BY: Wendy Catonio, Director of Finance and Human Resources	DATE OF MEETING: 7/6/2022

PURPOSE:

To consider the request from the Fred Huddleston Senior Centre to waive rental income for 2022.

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to waive the \$1,050.00 rental income for 2022 for the Fred Huddleston Senior Centre.

BACKGROUND/HISTORY:

During COVID, Council agreed to waive rental income for Community Organizations that could not operate. According to the attached letter, the Fred Huddleston Senior Centre continues to struggle and is therefore requesting that Town Council waive the \$1,050 for the the 2022 rent.

ALTERNATIVES:

That Council for the Town of Pincher Creek receive the letter from the Fred Huddleston Senior Centre as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Council is very supportive of all Community Organizations and their ability to continue operating during these unprecedented times.

FINANCIAL IMPLICATIONS:

The annual rent is \$1,000 plus \$50 GST.

PUBLIC RELATIONS IMPLICATIONS:

Seniors were impacted greatly through the COVID pandemic due to isolation. The Fred Huddleston Senior Centre provides an excellent opportunity for Seniors to gather now that COVID restrictions have been lifted.

ATTACHMENTS:

Fred Huddleston Senior Centre - 2945

CONCLUSION/SUMMARY:

Administration supports Council waiving the \$1,050 of annual rent for the Fred Huddlestun Senior Centre.

Signatures:

Department Head:

Wendy Catonio

CAO:

Laurie Wilgosh



Fred Huddlestun Senior Centre

June 9,2022

Box 2481

Pincher Creek Alberta

We at the Huddlestun Centre are are just getting back on our feet and appreciate a year rent free

Thank you

Joyce Wallin

Treasurer

RECEIVED

JUN 09 2022

Town of Pincher Creek