



AGENDA
TOWN OF PINCHER CREEK
COMMITTEE OF THE WHOLE
Wednesday, August 3, 2022 AT 9:00 A.M.
[In Person & Virtual via Zoom](#)

1. **Call to Order**
2. **Agenda Approval**
3. **Scheduled Delegations**
4. **Committee Reports**
5. **Administration**
 - 5.1 Elected Officials Asset Management Workshop
6. **Business Arising from the Minutes**
 - 6.1 Short Term Rentals
7. **Bylaws**
8. **New Business**
 - 8.1 Bus Shelters
 - 8.2 Housing Discussion – no RFD
 - 8.3 Hillcrest Meadows ASP update – no RFD
 - 8.4 CAO Recruitment – Direction
 - 8.5 Pre-Budget Public Consultation – Discussion
 - 8.6 MHHS south – flower bed
9. **Closed Session**
 - 9.1 North East Area Structure Plan
10. **Adjournment**

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Elected Officials Asset Management Workshop	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 8/3/2022

PURPOSE:

To invite members of Council to attend an Asset Management Workshop designed specifically for Elected Officials in Alberta.

RECOMMENDATION:

That Council for the Town of Pincher Creek approve attendance of Councilor(s) _____ at the Elected Officials Asset Management Workshop in Lethbridge, Alberta on September 12, 2022.

BACKGROUND/HISTORY:

An Asset Management training opportunity, designed specifically for elected officials, is being jointly presented by Alberta Municipalities, Rural Municipalities of Alberta, and Infrastructure Asset Management Alberta.

Asset management is an important tool for councils to understand the link between infrastructure and service delivery. It also helps councils to make data-informed, community-minded decisions. This one-day course will allow elected officials to peer into the asset management process and learn more about the benefits. Although the workshop is mainly focused on elected officials, CAOs are encouraged to attend as well to get a sense of the strategic side of asset management.

At a minimum, by the end of this workshop, elected officials will have achieved the following:

- Develop an understanding of the asset management process to support your work as an elected official
- Connect with other elected officials and share asset management experiences

This one-day course will be offered five times in September 2022. Workshops will be held in the Edmonton, Calgary, Lethbridge, Grande Prairie, and Vermillion areas.

September 8, 2022 CALGARY
Courtyard by Marriott Calgary Airport
2500 48 Avenue NE, Calgary, AB T3J 4V8

September 12, 2022 LETHBRIDGE
Holiday Inn Lethbridge

2375 Mayor Magrath Drive South, Lethbridge, AB, T1K 7M1

September 15, 2022 GRANDE PRAIRIE
Four Points by Sheraton Grande Prairie
6702 106 St, Grande Prairie, AB, T8W 0K8

September 26, 2022 VERMILION
Pomeroy Inn & Suites Vermilion
4111 51 St, Vermilion, AB, T9X 0B4

September 29, 2022 EDMONTON
Holiday Inn Edmonton South
950 Parsons Rd. SW Edmonton, AB, T6X 0J4

This workshop is only available to elected officials and CAOs of municipalities in Alberta.

Registration must be completed by August 25, 2022.

ALTERNATIVES:

That Council for the Town of Pincher Creek accept the Elected Official Asset Management Workshop training opportunity as information

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Council has identified Asset Management as a key priority in their strategic planning sessions. This workshop would be beneficial for councilors to increase their asset management knowledge to assist in future strategic direction related to infrastructure assets.

FINANCIAL IMPLICATIONS:

There is no cost to participate in the workshop. Breakfast, coffee breaks, and lunch will be provided. Participants will be responsible for any travel costs associated with attending the workshop.

PUBLIC RELATIONS IMPLICATIONS:

N/A

ATTACHMENTS:

07-15-22-Apply-Now-for-Free-Asset-Management-Training-Opportunities - 2960

CONCLUSION/SUMMARY:

Administration supports multiple members of Council attending the Elected Officials Asset Management Workshop.

Signatures:

Department Head:



CAO:

Lannie Wilgosh

July 15, 2022

Apply Now for Free Asset Management Training Opportunities

Registration for free asset management training workshops and cohorts is open now and will provide municipalities with vital education on asset management

Does your municipality want to learn more about how asset management can improve your community? In collaboration with the Federation of Canadian Municipalities (FCM), the RMA, Alberta Municipalities, and IAMA are providing the following educational cohorts and workshops to municipalities:

- ◆ **Introductory Cohort**
 - ◇ This cohort seeks municipalities with little to no asset management and who will learn how to develop asset management processes and policies.
- ◆ **Intermediate Cohort**
 - ◇ This cohort seeks municipalities with some asset management uptake and will help further develop and improve current asset management plans.
- ◆ **Elected Official Workshop**
 - ◇ These one-day workshops are available to all elected officials and CAOs. The workshops will focus on the importance of asset management in communities.
- ◆ **Group Learning Communities**
 - ◇ These workshops will focus on developing partnerships between municipalities to share information and seek solutions to asset management challenges (registration opening soon).

Registration is open now. Sign up and learn more about the benefits of asset management.

For more information visit: RMAAlberta.com/advocacy/asset-management-training/

This initiative is delivered through the Municipal Asset Management Program, which is delivered by the Federation of Canadian Municipalities and funded by the Government of Canada.



Karrina Jung
Policy Advisor
780.955.4085
karrina@RMAAlberta.com

Wyatt Skovron
Manager of Policy & Advocacy
780.955.4096
wyatt@RMAAlberta.com

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.

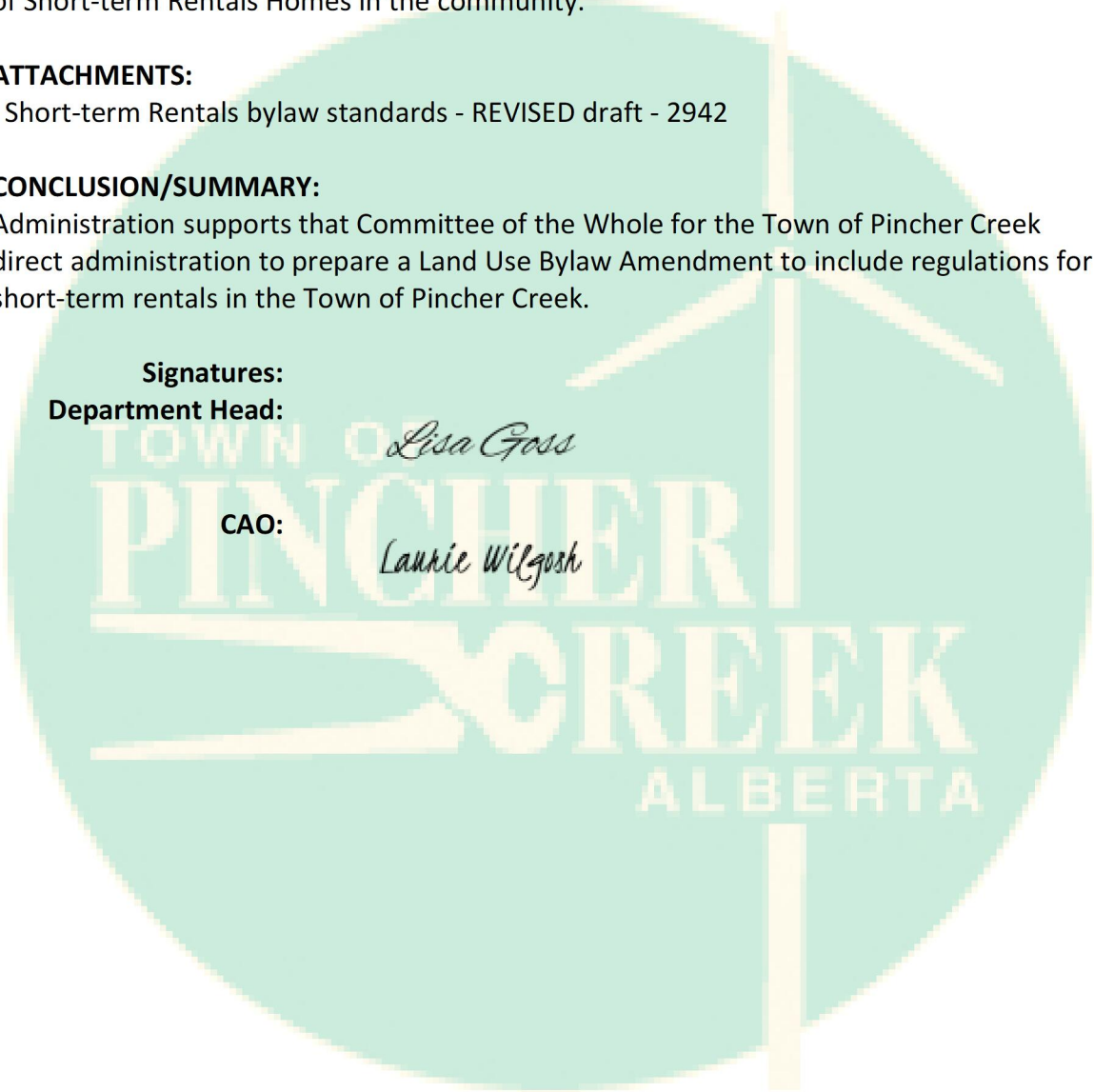
Signatures:

Department Head:

Lisa Goss

CAO:

Laurie Wilgosh



Short-term Rentals – Bylaw Discussion Items

Discussion item:

- Discuss Type 1 (owner occupied/resides) - 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*. They would still require a business license.

Rationale for criteria: Suggest not requiring a development permit (if criteria met) and just the business license so as not to make it too cumbersome for an owner who resides in their own home and just rents it out for a short time or a couple weeks a year, etc.

Type 2, where the owner does not reside in dwelling, and it is solely rented for commercial income would require a development permit.

Billeting of 20-under sport athletes (whether host paid or not) is suggested to be excluded (i.e., not considered a “Short-term Rental”).

Discussion item:

- Prohibit the Type 2 (owner does not reside) use in ‘Multi-family Residential – R4’ district. (Changed to just Type 2, instead of both types.)

Rationale for criteria: trying to manage and prevent affordable housing stock being removed from the housing market potential. Additionally, the sub-rental of dwelling units in multi-unit buildings may potentially create safety concerns (i.e., building access) or have greater impacts to adjacent residents residing in such close proximity.

Discussion item:

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.

Rationale for criteria: trying to manage and prevent too many homes being converted to short-term rentals and removing housing stock availability in the town, removing affordable housing potential, especially by out-of-town commercial entities buying up houses expressly for this purpose.

Discussion item: 32.6 to determine if Council wants a cap like this or remove it and just monitor over time.

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% (approx. 80 dwellings) of the total number of single-detached dwellings in the R-1 land use district may be approved as a Short-term Rentals Type 2, based on a first come first served basis.

Rationale for criteria: trying to manage and prevent too many homes being converted to short-term rentals and removing housing stock availability, removing affordable housing potential, and not negatively impact residents right to peace and quiet, parking problems, etc. if there are too many, especially in one area.

Discussion item: 32.7 density – appropriate number of guests allowed in a home. Draft suggests eight, this could be raised to ten or twelve, etc.

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).

Rationale for criteria: to manage the impacts to neighbours by limiting the number of potential vehicles that would require parking in the area as the number and size of driveways is limited in the land use bylaw (two off-street parking stalls are stipulated). Additionally, it helps to manage the number of people (guests) in a home, so it does not become a party house (i.e., 20 students or more renting it as a flop, party, pad, etc).

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.

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Bus Shelters	
PRESENTED BY: Al Roth, Director of Operations	DATE OF MEETING: 8/3/2022

PURPOSE:

For the Committee of the Whole to review the attached letter from the Pincher Creek Foundation, requesting one of the bus shelters to be given to be used at Crest View Lodge.

RECOMMENDATION:

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek review the request from the Pincher Creek foundation and direct administration in the distribution of the Bus Shelters.

BACKGROUND/HISTORY:

In 2019, Council designated the use of the bus shelters to the Recreation Department for their use and delegation to their needs to the community. These discussions were held during budget discussions between Council and Administration.

On February 10, 2020 a request for decision was submitted to Council surrounding Kootenai Brown Pioneer Village, the Pincher Creek Foundation and the Pincher Creek Golf Club requesting council to consider their organizations receiving a the bus shelter. It was determined that further consideration will be given to regional transportation and that the bus shelters were not available at that time CARRIED 20-092

March 2, 2022 Council for the Town of Pincher Creek received information on the designation for Transportation Bus Shelters. That Committee of the Whole for the Town of Pincher Creek accept as information only and refers it to the Transportation Committee for further review COTW 2022-027 Another request for a bus shelter was received from residents for placement at the Dog Off Leash park.

ALTERNATIVES:

That Committee of the Whole for the Town of Pincher Creek distribute one of the bus shelters to the Pincher Creek Foundation for use by the residents.

That two additional locations for the remaining bus shelters be chosen by Council and that the usage be monitored and reviewed in one year's time.

Additional sites:

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Support was given informally during the 2019 budget deliberations to have the Rec. Dept. take care and control over the shelters for their use.

FINANCIAL IMPLICATIONS:

Value of each bus shelter is \$9,415.00

Foundations for the bus shelters will have budget implications.

PUBLIC RELATIONS IMPLICATIONS:

In the past many members of the public as well user groups have asked to purchase or be gifted the shelters.

ATTACHMENTS:

Bus Shelter Initial Letter - 2959

CONCLUSION/SUMMARY:

Administration supports that Council choose three locations within the community for placement of the former bus shelters.

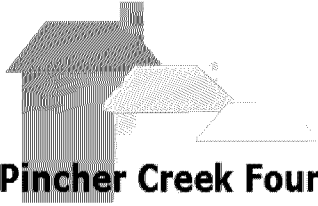
Signatures:

Department Head:



CAO:





Crestview Lodge Canyon Manor Willow Court Cottages
Canyon Cottages Family Social Housing

Pincher Creek Foundation

“Providing Safe & Affordable Housing for Seniors for over 50 years”

Town of Pincher Creek
962 St John Ave
Pincher Creek, Alberta
T0K1W0

RE: BUS SHELTER ALLOCATION

Dear Mr. Mayor & Town of Pincher Creek Council Members,

Please accept this as our formal request to utilize one of the decommissioned bus shelters at Crestview Lodge.

Currently our smoking residents are having to brave the elements and with mobility concerns, we would like to offer them shelter and safety from the weather. We have been actively looking for a solution to this problem. I was recently made aware of a previous request to utilize one of the decommissioned bus shelters from the Town of Pincher Creek Transportation Program.

We would like to submit a second request at this time.

Thank you for your consideration.

Stacey Kylo,

Chief Administrative Officer
Pincher Creek Foundation

Town of Pincher Creek

REQUEST FOR DECISION

Council

SUBJECT: Chief Administrative Officer position	
PRESENTED BY: Laurie Wilgosh, Chief Administrative Officer	DATE OF MEETING: 8/3/2022

PURPOSE:

For Council to consider how to fill the CAO position - to advertise through news media and municipal associations or hiring a recruitment company

RECOMMENDATION:

That Council for the Town of Pincher Creek agree to direct administration to prepare a job advertisement for the Chief Administrative Officer position and post accordingly for a four week duration, with results to be reviewed and assessed at that time.

BACKGROUND/HISTORY:

The CAO has given notice that she will be retiring at the end of 2022. Council will need to decide if they wish to give direction to advertise through newspaper ads, with municipal associations such as: Alberta Municipalities and Local Government Administrators Association or to hire a recruiting company to do the search.

Council may choose to advertise and receive applications through the CAO for a period of time, four weeks may be appropriate. If a suitable applicant has not been found at that time the search could be expanded and a recruitment company would be hired.

Council may wish to appoint an ad hoc Council member committee to receive and review all CAO applications, followed by making recommendations for personal interviews.

ALTERNATIVES:

That Committee of the Whole direct administration to bring back three to five recruitment agency proposals for consideration at the next regular Council meeting.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

N/A

FINANCIAL IMPLICATIONS:

Advertisement costs approximately \$2500 to \$25,000

PUBLIC RELATIONS IMPLICATIONS:

N/A

ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

Administration recommends using an advertising process initially to determine the availability of a suitable CAO candidate, followed by a recruitment agency if required.

Signatures:

Department Head:

Lisa Goss

CAO:

Lannie Wilgosh