

## Manager Legislative Services

Highlight Report – 1st, Quarter 2019



01 May 2019

## Highlight Report

---

This report is to provide the Chief Administrative Officer (CAO) and Council for the Town of Pincher Creek with a summary of projects, files in progress and/or completions as it pertains to the Manager of Legislative Services area. The report is used to monitor project(s) progress. The report is also used to inform and advise Council and request directives of any aspect wherever needed.

### Bylaws reviewed by Council

The bylaws that were reviewed, approved and/or rescinded by Council for the Town of Pincher Creek are as follows:

#### Nuisance Bylaw No 1574-19

On February 25<sup>th</sup>, 2019 Town Council passed first reading of Nuisance Bylaw 1574-19 to include provision to go coincide with the Deer Aversion program with additional change. And on March 6<sup>th</sup>, 2019 Town Council passed second, third and final reading of Nuisance Bylaw No. 1574-19.

### Renewal of Leases/Agreements

At the October 23, 2013 Council Organizational Meeting it was agreed the Property Review Committee consist of all members of Council. Council will be presented with all relevant leases/agreements information on as needed bases. Leases/Agreements that were reviewed and renewed this quarter, subject to Council approval, are as follows:

- 1) On May 28<sup>th</sup>, 2018 Town Council directed administration to prepare a lease agreement for Plan 1710737, Block C, Lot 8 with the Pincher Creek Emergency Services Commission (PCESC). The subject property is located adjacent to the Fire Hall property. On June 25, 2018 Town Council approved a five (5) year lease agreement between the Town and PCESC dated July 2018. However, on February 11, 2019 Town Council approved an amended lease agreement dated February 2019. The agreement was forwarded to the PCESC for signatures. This file has now been completed.
- 2) On January 28, 2019 Town Council approved and directed administration to proceed with the renewal agreement granting the RCMP to occupy the property located on 1369 Hunter Street for a fifteen (15) year renewal period ending March 31, 2033. The terms and conditions are same as the previous occupancy agreement. The Occupancy Agreement has been completed and duly signed. This file has been completed.
- 3) On February 6, 2019 Town Council agreed with the proposed Electric Vehicle Charging Station location and directed administration to review the items of concern with the License of Occupation Agreement with ATCO Power (2010) Ltd. A revised agreement has been submitted to ATCO Power for consideration. This file is in progress.

- 4) On March 11, 2019 Town Council directed administration to contract Lindsey Patterson for the removal of beavers from the creek plus the skunk and raccoon removal service with the cost for the latter to be charged to the property owner that requests a skunk removal service. Administration is in the process of developing a contract service agreement for consideration. The beaver in the creek control program was previously considered by Town Council at the January 28, 2019 regular Town Council meeting. This file is in progress.

## Land Sale

A Summary List of Town lots for sale is available on the Town of Pincher Creek web site. These are the I3-Business Park and II- General Industrial and Warehousing zoned lots in the North East Industrial area. A total of twenty-eight (28) commercial zoned town owned properties are listed for sale.

On June 19, 2017, the Town received a request from the adjacent property owner to consider renting or selling part of the Town owned property Plan 2524H, Lot 39. The request was forwarded to the Committee of the Whole on July 5, 2017 and agreed to offer for sale the subject property. (*Resolution COTW 2017-135*) The offer for sale was presented to the adjacent property owner in writing on July 24, 2017 with as at the time of writing no reply. On February 11, 2019, and considering time is of the essence, Town Council directed administration to notify the prospective purchaser that the offer of the land sale is null and void and close the file accordingly.

On January 22, 2018 Town Council authorized and directed administration to proceed with the purchase on the entire lot Plan 1410447, Block 1, Lot 8 and to provide the land required for Veteran Street local improvement intersection allocation approximately 2,978.8 ft<sup>2</sup> of lot 8. On June 21, 2018 North & Company Law Office confirmed the transfer and completion of the land purchase. At such time the replotting of the road allowance and intersection is registered the same will to be presented to Town Council for further direction. This file is in progress.

On August 27, 2018 Town Council authorized and directed administration to proceed with the removal of Municipal Reserve designation and disposal of land and sale of approximately 688.89 ft<sup>2</sup> portion of Plan 8810262, Block 15, Lot 20MR, and to hold a public hearing regarding the disposal and sale. A purchase agreement has been prepared detailing the process and estimated cost to be signed by the Town and the Purchaser(s). Administration has contacted the purchaser to find out if they wish to move forward with the land acquisition. However, On February 11, 2019 Town Council directed administration to notify the prospective purchaser that the offer of the land sale is null and void and close the file accordingly.

## General Insurance

In cooperation with the finance department we have been reviewing the property and equipment schedules including all certificates of insurance and coverage of Town owned properties. Regarding the reporting requirements for additions, deletions of assets and claims we confirm that it is current and the activities for the first quarter have been minimal.

## Tax Recovery

We confirm that the Tax Recovery Arrears List for Lands and Mobile Homes dated March 11<sup>th</sup>, 2019 have been registered covering a total of twenty-two (22) properties (*13 Lands and 9 Mobile Homes*). Notification have been mailed to the property owners in accordance with the Municipal Government Act. Discharge of tax notifications for paid tax arrears accounts are being filed with Land Titles Office subsequent to confirmation of payments. This file is ongoing and in progress.

## Development

Administration receives applications for development permits, home occupation and sign permits on an ongoing basis. Any discretionary use applications and application for waivers are referred to the Municipal Development and Subdivision Authority (MDSA) for decisions and/or recommendations.

### **Summary of development activities this first quarter year-to-date are as follows:**

- 5** - Development Permit Applications total value of **\$472,000.00**  
**Y-T-D: 5** Development Permits for an estimated aggregate total value of **\$472,000.00**
- 3** - Sign Permit Application  
**Y-T-D: 3** Sign Permit Applications
- 1** - Home-Based Occupation Permits  
**Y-T-D: 1** Home-Based Occupation Permits
- 15** Compliance Certificates issued  
**Y-T-D: 15** Compliance Certificates issued
- 3 MDSA** applications heard/decided  
**Y-T-D: 3 MDSA** Applications heard/decided

### Quality Management Plan (QMP)

On December 5, 2018 Town Council directed administration to proceed with updating the Quality Management Plan (QMP) in consultation with the Alberta Safety Codes Council, the Town's Safety Codes Agency and local building contractors. In addition to initiate the application with the Alberta Safety Codes Council to include, in addition to the Building discipline, the Electrical, Plumbing and Gas technical disciplines in the scope of accreditation. This file is in progress.

## Wildlife Control Program

On April 9, 2018 Council directed administration to request Eagle Creek Wildlife Control to present a proposal to the Town regarding the Deer population in Pincher Creek and the

## Wildlife Control Program

### Continued

requirement to obtain any necessary permits and liability coverage. On April 23, 2018 Town Council directed administration to engage Eagle Creek Wildlife Control to provide for the removal of Mule Deer from the Town and to provide the Town with a copy of the Provincial Permit and Liability Insurance coverage naming the Town as additional insured.

On June 6<sup>th</sup>, 2018 Town Council was provided with an update on the Deer removal proposal. Again, on November 7, 2018 Town Council was provided with an update regarding the deer aversion program and directed administration to continue dialogue with Eagle Creek Wildlife Control.

On March 25, 2019 Town Council was provided with information regarding the Deer Aversion program and deferred it to the April 3, 2019 regular meeting of Council. This file is in progress.

## Bylaw Enforcement

The Bylaw Enforcement Department is currently reviewing municipal enforcement regarding developments without permits, expired permit and unsightly premises. The internal incidents/activities reporting and tracking process of the Community Peace Officers, which is on an ongoing basis, is current and reviewed daily and in compliance with the Public Security Peace Officer Program. For the first quarter 2019 there were a total of **55 counts** of incident types reported of which the detailed report is attached. Currently, the CPO's are handling all incoming dog and general animal complaints.

## Order to Remedy Dangers and Unsightly Property

An Order to Remedy Danger and Unsightly Property was issued for Plan 7710064, Block B, Lot 3 in accordance the MGA section 545 and 546. In addition, Town Council granted an extension of the order of completion with a new completion date of September 30, 2019. (*Resolution 19-126 - February 25, 2019*) This file is in progress.

## Stop Order

On January 14, 2019 Town Council was provided with an update regarding the Stop Order dated November 8, 2018 for Plan 7510110, Block 12, Lot 13-14 for the removal of the shipping container to bring the property in compliance with the Land Use Bylaw. On March 11, 2019 Town Council extended the completion date for the removal of the shipping container to May 31, 2019. (*Resolution 19-152*) The property owner has been notified accordingly. This file is in progress.

## Weed Control/Inspection

The CPO's have been working in conjunction with the Southern Alberta Weed Committee (SAWC) coordinator to determine the services that could compliment the Town's current Weed Control program. The SAWC weed control program position typically runs from May to November in each year.

Respectfully Submitted,

Gus Kollee,  
Manager Legislative Services.

/ak

Attachments