

## Manager Legislative Services

Highlight Report – 1st, Quarter 2018



23 April 2018

## Highlight Report

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The bylaws that were reviewed, approved and/or rescinded by Council for the Town of Pincher Creek are as follows:

#### Council Code of Conduct Bylaw No. 1621-17

On October 10<sup>th</sup>, 2017 Town Council passed first, and on October 23<sup>rd</sup>, 2017 second reading. In addition, Council directed administration to review the guidelines regarding the Council Code of Conduct and bring the item back to Council for review. As per MGA section 188, *“The previous readings of a proposed bylaw are rescinded if the proposed bylaw (a) does not receive third reading within 2 years after first reading.”*

#### Council Code of Conduct Bylaw No 1622-18

On February 26, 2018 Town Council Passed first reading of Code of Conduct Bylaw No 1622-18. March 12, 2018 Town Council passed second and third and final reading of the Code of Conduct Bylaw.

#### Council Procedural Bylaw No 1596-18

On February 12, 2018 Town Council passed first reading of the procedural bylaw. Then on February 26, 2018 Town Council passed second, third and final reading.

#### Committee of the Whole Bylaw 1608-18

On February 26, 2018 Town Council passed first, second, third and final reading of the Committee of the Whole Bylaw to facilitate holding the meetings on a as needed basis.

#### Land Use Bylaw Amendment Bylaw No. 1547-AD

On March 12, 2018 Town Council Passed first reading of Bylaw No 1547-AD and agreed to hold a Public Hearing on the bylaw April 9, 2018. The purpose of the bylaw is to amend the Land Use Bylaw Schedule 2, Business Park – I3 section 1, adding “Dwelling units as a secondary use to an approved principal use” to the list of Discretionary Uses and deleting “Residential uses” in the list of Prohibited Uses. This file is in progress.

### 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 January 8, 2018 Town Council approved the 642669 Alberta Ltd O.A. Westcastle Motors Ltd five (5) year lease for the Northerly 268 feet of Road Plan 1505JK. This file is closed.
- 2) On January 22, 2018 Town Council agreed and approved the two (2) year Lease Agreement with the McMan Youth Family and Community Services Association for the property 659 Main Street. This file is closed.
- 3) On February 26, 2018 Town Council directed and authorized administration to proceed with the signing the Rogers Communications Inc. letter granting concurrence for an additional two (2) years for the tower location on Plan 8310308, Block 7, Lot 4. This file has been completed.
- 4) On March 26, 2018 Town Council agreed and approved the Encroachment Agreement and Access Easement Agreement for the benefit of property owner of Roll #00711000 – 789 Main Street.

## 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 I1- General Industrial and Warehousing zoned lots in the North East Industrial area.

The process of notifying adjacent property owners of six (6) properties the Town owns with the offer for sale information and first right of refusal is ongoing. Three properties are now listed on the Town's website as the adjacent owners have not indicated an interest. This file is on-going and in progress.

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. This file is in progress.

On July 17, 2017, the Town received a Real Estate Purchase Contract from 642669 Alberta Ltd to purchase Plan 1710737, Block C, Lot 9 in the amount of \$131,250.00. Town Council accepted the offer and directed administration to provide instructions to North & Company Law Office to act on the Town's behalf regarding the real estate transaction. (*Resolution 17-305*) As per purchase contract the Purchaser is to obtain a Development Permit and a Building Permit within 6 months. A Development Permit was issued on December 19, 2017 to develop a 12 Unit Condominium and subsequently amended to construct only two (2) Fourplex units. The real estate transaction was completed on March 20, 2018.

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. This file is in progress.

## Land Sale (continued)

On February 13, 2018 Town Council directed administration to present an offer to purchase Roll #3900000, Plan 0512720, Block 6, Lot 1 – located near Mountain View Avenue in the N.E. Industrial area.

On March 7, 2018 Town Council refused the purchase offer for town owned property Plan 7710596, Block 1, Lot 7 and recommend that the retaining wall, which appears to be stable, not be tampered with or altered. This file has been completed.

## 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 fourth quarter have been minimal.

## Tax Recovery

We confirm that the Tax Recovery Arrears List for Lands and Mobile Homes dated March 16<sup>th</sup>, 2018 have been registered covering a total of fifteen (15) properties (13 Lands and 2 Mobile Homes). 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.

On January 22, 2018 Town Council authorized and approved entering into a thirty-six (36) months Tax Arrears Payment Agreements for Roll #02400000 and Roll #00960000 with the final balance outstanding including tax arrears penalties to be paid in full on December 31, 2020. This file is ongoing and to be reviewed accordingly.

## Community Housing Committee

Legislative Services department has been participating and providing support to the Community Housing Committee. Administration assisted the Committee in developing a Request for Proposals (*RFP*) to provide the Town with a comprehensive plan for development of multi-family housing and potential commercial or community uses. Housing Strategies Inc. prepared an updated Housing Needs Assessment report for the Town of Pincher Creek, which was approved and accepted by Town Council. The next regular Community Housing Committee meeting is scheduled for April 2018. This file is 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:**

**7** Development Permit Applications total value of **\$317,050.000**  
**Y-T-D: 7** Development Permits for an estimated aggregate total value of **\$317,050.00**  
**1** - Demolition Permit Application  
**Y-T-D: 1** Demolition Permit Applications  
**1** - Sign Permit Application  
**Y-T-D: 1** Sign Permit Applications  
**3** - Home-Based Occupation Permits  
**Y-T-D: 3** Home-Based Occupation Permits  
**8** Compliance Certificates issued  
**Y-T-D: 8** Compliance Certificates issued  
**6** MDSA applications heard/decided  
**Y-T-D: 6** MDSA Applications heard/decided

## 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 Officer and Bylaw Officer, 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 2018 there were a total of 42 counts of incident types reported of which the detailed report is attached.

Currently, the CPO and the Bylaw Enforcement Officer are handling all incoming animal complaints.

## Weed Control/Inspection

The CPO and the Bylaw Enforcement Officer 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.  
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Attachments