



## **CITY OF PRINCE ALBERT**

### **PLANNING ADVISORY COMMITTEE REGULAR MEETING**

# **AGENDA**

**TUESDAY, JUNE 20, 2023, 4:00 PM  
MAIN BOARDROOM, 2ND FLOOR, CITY HALL**

#### **1. CALL TO ORDER**

#### **2. APPROVAL OF AGENDA**

#### **3. DECLARATION OF CONFLICT OF INTEREST**

#### **4. APPROVAL OF MINUTES**

- 4.1 April 25, 2023 Planning Advisory Committee Meeting Minutes for Approval (MIN 23-40)

#### **5. CORRESPONDENCE & DELEGATIONS**

#### **6. REPORTS OF ADMINISTRATION & COMMITTEES**

- 6.1 Property Amenities Bylaw - Habitation of Tents on Private Property (RPT 23-193)

Verbal Presentation: Tim Maier, Bylaw Enforcement Supervisor

#### **7. UNFINISHED BUSINESS**

#### **8. ADJOURNMENT**



City of  
**Prince Albert**

*MIN 23-40*

**MOTION:**

That the Minutes for the Planning Advisory Committee Regular & Incamera Meetings held April 25, 2023, be taken as read and adopted.

**ATTACHMENTS:**

1. Regular Minutes
2. Incamera Minutes



## **CITY OF PRINCE ALBERT**

### **PLANNING ADVISORY COMMITTEE REGULAR MEETING**

# **MINUTES**

**TUESDAY, APRIL 25, 2023, 4:13 P.M.  
MAIN BOARDROOM, 2<sup>ND</sup> FLOOR, CITY HALL**

**PRESENT:** Councillor Dawn Kilmer  
Sherry Bates  
Hannah Buckie  
Marcel Hallé  
Danielle Makari  
Rishi Sankhla

Terri Mercier, City Clerk  
Craig Guidinger, Director of Planning and Development Services

#### **1. CALL TO ORDER**

Councillor Kilmer, Chairperson, called the meeting to order.

## **2. APPROVAL OF AGENDA**

0013. **Moved by:** Sankhla

That the Agenda for this meeting be approved, as presented, and, that the presentations, delegations and speakers listed on the Agenda be heard when called forward by the Chair.

**CARRIED**

## **3. DECLARATION OF CONFLICT OF INTEREST**

## **4. ADOPTION OF MINUTES**

0014. **Moved by:** Hallé

That the Minutes for the Planning Advisory Committee Regular Meeting held March 28, 2023, be taken as read and adopted.

Absent: Councillor Lennox-Zepp, Leanne Bear and Carmen Plaunt

**CARRIED**

## **5. CORRESPONDENCE & DELEGATIONS**

## **6. REPORTS OF ADMINISTRATION & COMMITTEES**

6.1 Property Amenities Bylaw and Processes (RPT 23-159)

Verbal Presentation was provided by Tim Maier, Bylaw Enforcement Supervisor.

0015. **Moved by:** Hallé

That the feedback given by the Planning Advisory Committee at the April 25, 2023 meeting regarding RPT 23-159 be considered in future amendments to the Property Amenities Bylaw.

Absent: Councillor Lennox-Zepp, Leanne Bear and Carmen Plaunt

**CARRIED**

**7. UNFINISHED BUSINESS**

**8. ADJOURNMENT – 5:17 P.M.**

0016. **Moved by:** Buckie

That this Committee do now adjourn.

Absent: Councillor Lennox-Zepp, Leanne Bear and Carmen Plaunt

**CARRIED**

COUNCILLOR DAWN KILMER  
CHAIRPERSON

SAVANNAH PRICE  
SECRETARY

MINUTES ADOPTED THIS 24<sup>th</sup> DAY OF MAY, A.D. 2023.



***RPT 23-193***

**TITLE:** Property Amenities Bylaw - Habitation of Tents on Private Property

**DATE:** June 13, 2023

**TO:** Planning Advisory Committee

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That the feedback received from the June 20, 2023 PAC meeting with regards to RPT-193 be taken into consideration for future amendments to the Property Amenities Bylaw.

**TOPIC & PURPOSE:**

To get feedback on our current Bylaw and processes specifically related to the habitation of people in tents, campers, cars, etc on private property in the City of Prince Albert and to determine what amendments may need to be made to the Property Amenities Bylaw.

**BACKGROUND:**

The homelessness issues in Prince Albert have had a large impact on our call volume but have also added new property issues that were not as prevalent as in previous years. The number of homeless encampments rose significantly in summer 2022, they went from 41 in 2021 to 118 in 2022.

We also noticed a large increase of tents being set up on private property with people living in them. Currently our Property Amenities Bylaw does not prohibit people living in tents on private property, although it does prohibit habitation of campers, RV's, etc). We were able to deal with some of these tent situations by establishing that they had become a "nuisance" to the neighbourhood, under our general "nuisance" section of the bylaw, but it would be quicker and simpler to add tents to the list of where habitation is prohibited in the Property Amenities Bylaw.

**PROPOSED APPROACH AND RATIONALE:**

Section 13 (d) of our Property Amenities Bylaw states:

*“Human habitation is not permitted in any recreation vehicles, trailer or accessory building. No trailer, motorhome, camper or tent trailer shall be supplied with a permanent connection to a utility such as gas or power from a permanent structure.”*

At the time the Property Amenities Bylaw was first established we did not foresee the homelessness issue increasing in the manner in which it has been which has led to many encampments on private properties.

These encampments do not necessarily have power connected but they definitely have become a nuisance. Bylaw Officers have observed backyards being used as toilets with an accumulation of human feces, illegal fire pits and complaints of people roaming the neighbourhoods and going into yards causing vandalism, theft and general mischief.

An amendment to the Bylaw would empower our Officers to have habited tents removed immediately without having to wait or prove that it has become a nuisance. At the same time, we do not want to interfere with tax paying citizens enjoying their own yards and having camp outs with their kids.

**CONSULTATIONS:**

The Bylaw Services Manager is working closely with affected stakeholders including PAC in consideration of future changes to the Property Amenities Bylaw.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Any changes to the Property Amenities Bylaw will be uploaded on the City’s website and updated pamphlets will be made for distribution.

**POLICY IMPLICATIONS:**

Considering feedback and making amendments to the Property Amenities Bylaw will help develop new policy and processes.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no financial or privacy implications and no further options to the recommendation.

**STRATEGIC PLAN:**

The strategic priority of Promoting a Progressive Community is being enhanced by ensuring bylaws are understood, implemented and enforced.

**OFFICIAL COMMUNITY PLAN:**

Section 12 of the Official Community Plan recognizes safety as part of the City’s goals. The Property Amenities Bylaw is a promotion of these goals.

**PUBLIC NOTICE:**

Public Notice pursuant to Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:**

A verbal presentation will be provided at the meeting by Tim Maier, Bylaw Enforcement Supervisor to accompany the attached presentation.

**ATTACHMENTS:**

1. PAC Presentation – Property Amenities Bylaw - Habitation of Tents on Private Property

Written by: Trina Wareham, Bylaw Services Manager

Approved by: Director of Planning and Development Services & City Manager

# Planning Advisory Committee June 20/2023

Property Amenities Bylaw - The Habitation of tents on private property.

Tim Maier      June 13, 2023

## **Topic and Purpose:**

**-To get feedback on our current Property Amenities Bylaw and processes specifically related to the habitation of people in tents on private property, and to determine what amendments may need to be made to the Bylaw.**

**The purpose of the Property Amenities Bylaw is to identify what constitutes a nuisance and provide for the abatement of nuisances, including property or things that adversely affect:**

- (a) the safety, health and welfare of people in the neighbourhood;**
- (b) people's use and enjoyment of their property; or,**
- (c) the amenity of a neighbourhood.**

The section of the bylaw that relates to our current topic is Section 13 (d) - "Human habitation is not permitted in any recreation vehicles, trailer or accessory building. No trailer, motor home, camper or tent trailer shall be supplied with a permanent connection to a utility such as gas or power. No trailer, mobile home, camper or trailer shall be electrified or heated through the use of electrical cords powered from a permanent structure."

**\*Note - there is no mention of tents because that has not been a major issue until the last few years so there was no need for it to be addressed under the Bylaw.**

**What has changed to make it an issue now?**

Homelessness has become a major concern, not just in our community, but in communities all over Canada. Approximately 3 years ago, we began seeing homeless encampments spring up in wooded areas or vacant lots. If left, these encampments had the

tendency to grow and become hot spots for drug use, gang activity and hazardous activities such as fires being lit in the trees. Toilet areas caused health hazards. Debris would also accumulate and become very unsightly. All of this became a danger and nuisance to any nearby business or residential areas. Initially, this was primarily only a concern on City properties. When these are set up on City property, we have the ability to issue a warning to remove all personal belongings and then have the area cleaned by sanitation and the encampment removed.

### Examples (On City Property)







**What changed to make this an issue on private property?**

As the issue increased, we began seeing small encampments set up in peoples backyards with the permission of the tenants. Often the owners had no idea this was happening. Just as in the case with City property, these would often grow and severely affect the amenity of the neighbourhood.

**Examples (On private property) and the issues it creates for the neighbourhood:**

Aug 16, 2022 at 1:48:40 PM



Aug 16, 2022 at 1:47:24 PM



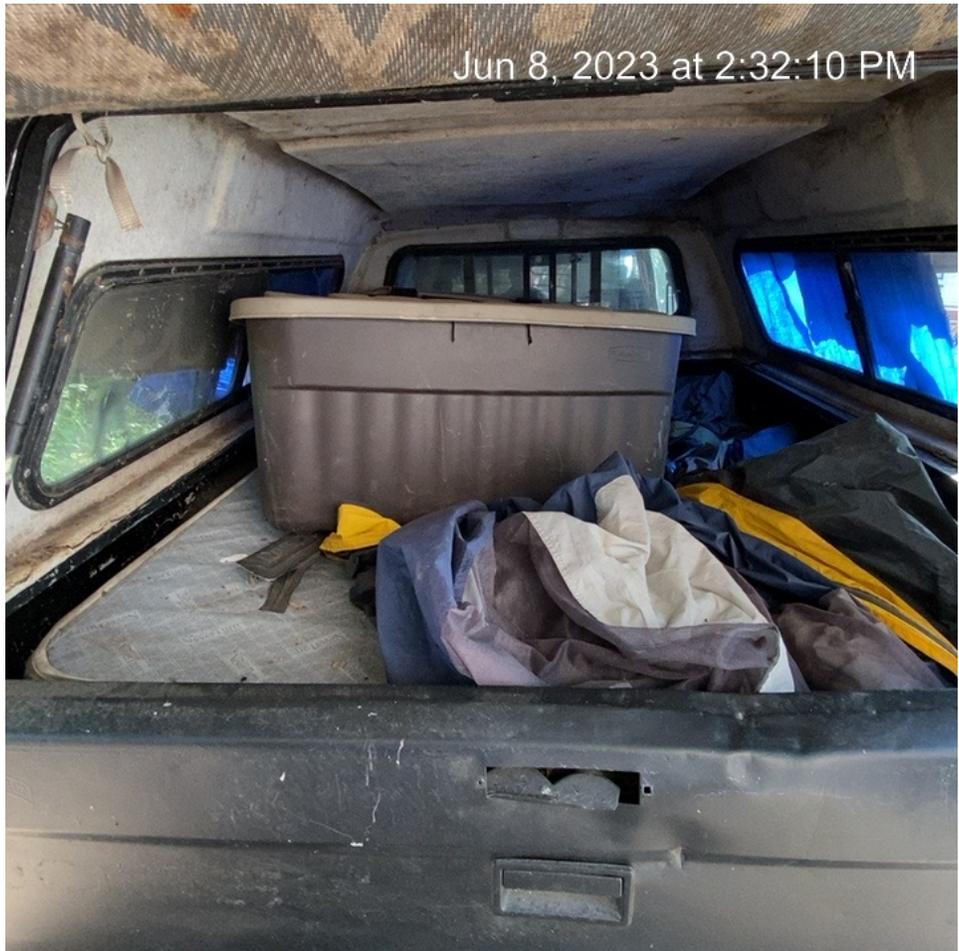
Jun 12 2023 at 2:13:20 PM



May 9, 2023 at 2:20:15

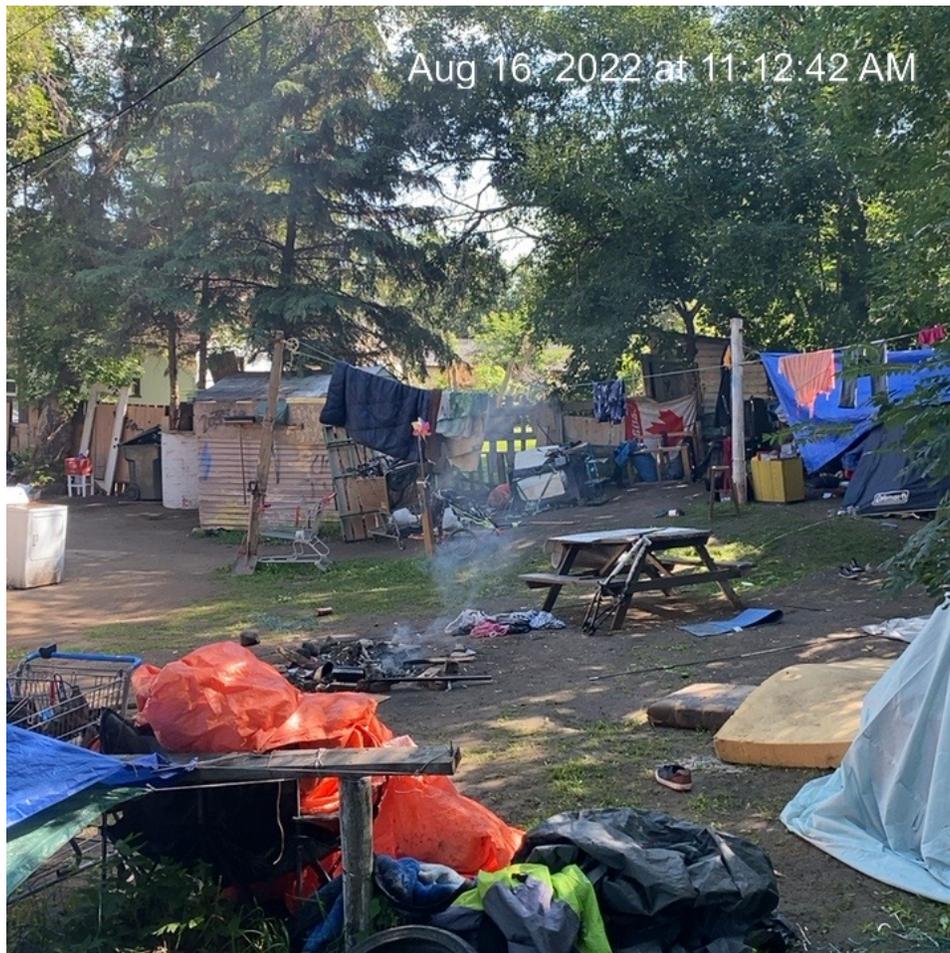


Jun 8, 2023 at 2:32:10 PM



Aug 16, 2022 at 11:07:58 AM





**Current process when we receive a complaint of people living in an RV, camper, trailer or accessory building on private property:**

**1 - Attend and conduct an investigation to see if there is any evidence of habitation or if there is a power connection. Evidence could be things such as used bedding, changing conditions inside the camper, food products inside or around the camper, human feces on the property and finding people inside the trailer on a regular basis.**

**2 - A warning note will be left asking for the removal of the power cable and to stop the habitation of the camper. Deadline will be given.**

**3 - If they do not listen to the warning, a Compliance Order will be issued ordering the non-habitation of the camper and the cleanup of any debris surrounding it.**

**4 - If compliance is not met, the owner of the property could face fines, court, or in some cases, the removal of the camper from the property.**

**Problem with current wording of the Bylaw and current process if the complaint is about people living specifically in tents on private property:**

**1 - Because the Bylaw does not prohibit the habitation of tents, we can only immediately deal with the garbage, debris and illegal fire pits when we attend.**

**2 - In order to deal with the removal of the tents, we must prove that they are becoming a nuisance to the neighbourhood and use the general nuisance section of the bylaw, which states "Nuisances Prohibited Generally. No person shall cause or permit a nuisance to occur or remain on any property owned by that person."**

3 - Once we have established that the tents are a nuisance by documenting complaints from neighbours about how they are affecting them, we can then order the removal under the nuisance section of the Bylaw. Establishing that it is a nuisance can take time and allows the encampment to grow. It would be more effective if we added tents, cars and trucks to the list where habitation is prohibited. Currently, if a person lives in a tent on private property but keeps the area clean and does not become a nuisance to the neighbourhood, we cannot order them to remove the tent (13th St Example).

**So why don't we just change the Bylaw and prohibit living in tents?**

This may be the answer, but Bylaw Enforcement is very aware of the severity of the homelessness issue. There are no free shelters currently running. There is one shelter for women with minimal fees, but nothing for men. If people are displaced from a private property, they will end up somewhere else such as a forested area, as they have no place else to go (Riverbank example). Also, Bylaw Enforcement does not want to overstep into civil matters and liberties that will negatively affect the well being of citizens. For example, what if residents of a household want to live in a tent in their own backyard for an extended time. This is not something we want to interfere with.

## **Questions for Discussion:**

**1 - As residents of the City, would it bother you to have multiple tents being lived in next door? What if the yards remained clean?**

**2 - Are there any cases where you believe people should be allowed to live in tents?**

**3 - How long can a person stay in a tent before it is considered "Habitation"?**

**4 - Since homelessness was the catalyst that created this issue, how would prohibiting living in tents on private property affect our homeless population?**

## **Scenario's for Discussion:**

**1 - The Bylaw is left as is, and we continue to focus on the garbage, debris, illegal fire pits and unsanitary conditions; but allow habitation of tents as long as it is not becoming a nuisance to the neighbourhood.**

**2 - The Bylaw is changed to completely prohibit the habitation of tents on private property.**

**3 - Certain timeframes are established in which a person is allowed to stay in a tent, after which it would be considered habitation and be prohibited.**

