

TOWN OF CANMORE
AGENDA
Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, June 6, 2023 at 9:00 a.m.

Times are estimates only.

- A. CALL TO ORDER AND APPROVAL OF AGENDA**
- 9:00 – 9:05
1. **Land Acknowledgement**
 2. **Agenda for the June 6, 2023 Regular Meeting of Council**
- B. PUBLIC HEARINGS**
- 9:05 – 9:35
1. **Land Use Bylaw Amendment 2023-02 231 & 233 Three Sisters Drive**
 - (1) Call to order
 - (2) Administration Summary
 - (3) Applicant Summary
 - (4) Public Verbal Submissions
 - (5) Public Written Submissions
 - (6) Council Questions of the Applicant
 - (7) Closing Comments from Administration
 - (8) Council Questions of Administration
 - (9) Adjournment of the Public Hearing
- 9:35 – 10:05
2. **Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District**
 - (1) Call to order
 - (2) Administration Summary
 - (3) Applicant Summary
 - (4) Public Verbal Submissions
 - (5) Public Written Submissions
 - (6) Council Questions of the Applicant
 - (7) Closing Comments from Administration
 - (8) Council Questions of Administration
 - (9) Adjournment of the Public Hearing
- Meeting break 10:05 – 10:20**
- C. DELEGATIONS – None**
- D. APPROVAL OF MINUTES**
- 10:20 – 10:25
1. **Minutes of the May 2, 2023 Regular Meeting of Council**
 2. **Minutes of the May 16, 2023 Special Meeting of Council**
- E. BUSINESS ARISING FROM THE MINUTES**
- 10:25 – 10:35
1. **Canmore Downtown Business Improvement Area (BIA)**

Purpose: To receive Council’s decision on the Paid Parking Program requests made by the BIA following the board’s presentation at the May 2, 2023 regular council meeting.

Council may:

- a) refer the request to administration or a committee for further research, review and recommendation,
- b) accept the request as information only, or
- c) make a decision on the request.

F. UNFINISHED BUSINESS

10:35 – 11:15

1. Procedural Bylaw Amendment 2023-16 Omnibus and Finance Committee Bylaw Amendment 2023-19 Omnibus (consultant arriving at 1 p.m.)

Recommendation:

- 1) That Council give first reading to Procedural Bylaw Amendment 2023-16 Omnibus.
- 2) That Council give second reading to Procedural Bylaw Amendment 2023-16 Omnibus.
- 3) That Council give leave to go to third reading of Procedural Bylaw Amendment 2023-16 Omnibus.
- 4) That Council give third reading to Procedural Bylaw Amendment 2023-16 Omnibus.

- 5) That Council give first reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.
- 6) That Council give second reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.
- 7) That Council give leave to go to third reading of Finance Committee Bylaw Amendment 2023-19 Omnibus.
- 8) That Council give third reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.

G. BYLAW APPROVAL

11:15 – 11:45

1. Land Use Bylaw Amendment 2023-02 231 & 233 Three Sisters Drive

Recommendation: That Council defeat Bylaw 2023-02 on second reading.

Meeting Break 11:45 – 12:45

12:45 – 1:45

2. Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District

Recommendation: That Council postpone second and third reading of Bylaw 2022-14 until such time as an application for an amending bylaw for the growth boundary in the Municipal Development Plan is brought to Council, no later than December 31, 2023.

1:45 – 2:45

3. Bylaw 2022-09 and 2022-10 800 3rd Avenue Municipal Development Plan and Land Use Bylaw Amendments

Recommendations:

- 1) That Council give second reading to Bylaw 2022-09 “800 3rd Avenue Municipal Development Plan Amendments.”
- 2) That Council give third reading to Bylaw 2022-10 “800 3rd Avenue Land Use Bylaw Amendment.”

- 3) That Council direct administration to execute the Letter of Intent dated May 11, 2023 respecting a Conservation Easement.

Meeting Break 2:45 – 3:00

3:00 – 3:15

4. Fireworks Ban Bylaw 2023-23

Recommendation:

- 1) That Council give first reading to Fireworks Ban Bylaw 2023-23.
- 2) That Council give second reading to Fireworks Ban Bylaw 2023-23.
- 3) That Council give leave to go to third reading of Fireworks Ban Bylaw 2023-23.
- 4) That Council give third reading to Fireworks Ban Bylaw 2023-23.

H. NEW BUSINESS

3:15 – 4:15

1. Housing Accelerator Fund Action Plan

Recommendations:

- 1) That Council approve the Housing Accelerator Fund Action Plan as contained in Attachment 2;
- 2) That Council direct administration to report back to Council with proposed amendments to the Land Use Bylaw and policy amendments to phase out “Tourist Home” as a use;
- 3) That Council direct administration to return to Council with a report on property tax policy options to incentivize purpose-built rentals and full-time/long-term occupancy of residential units; and
- 4) direct administration to investigate and report back on changes to residential districts in the Land Use Bylaw that can facilitate provision of additional housing supply; and
- 5) approve a new 2023 capital project for \$200,000 for consulting and legal fees to support bylaw and policy initiatives to positively impact housing affordability and supply, to be funded \$50,000 from the General Capital Reserve and \$150,000 from the Development Application Reserve.

4:15 – 4:45

2. Retail Gap Analysis and Light Industrial and Commercial Land Review

Recommendation: That Council direct administration to return with recommended amendments to the Land Use Bylaw and Municipal Development Plan to discourage the provision of employee housing in industrial districts.

I. REPORTS FROM ADMINISTRATION – None

J. NOTICES OF MOTION – None

K. IN CAMERA – None

4:45

L. ADJOURNMENT

**TOWN OF CANMORE
MINUTES**

Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, May 2, 2023 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Wade Graham	Deputy Mayor
Tanya Foubert	Councillor
Jeff Hilstad	Councillor
Jeff Mah	Councillor
Karen Marra	Councillor
Joanna McCallum	Councillor

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Robyn Dinnadge	Manager of Communications
Sara Jones	Executive Assistant
Allyssa Rygersberg	Deputy Municipal Clerk (recorder)
Brian Kinzie	Project Engineer
Nathan Grivell	Development Planner
Lauren Miller	Manager of Planning and Development
Caitlin Miller	Manager of Protective Services
Anika Drost	Development Planner
Palki Biswas	Finance Manager

Mayor Krausert called the May 2, 2023 regular meeting to order at 9:00 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

- 1. Land Acknowledgement**
- 2. Agenda for the May 2, 2023 Regular Meeting of Council**

77-2023

Moved by Mayor Krausert that Council approve the agenda for May 2, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS

**1. Land Use Bylaw Amendment 2022-25 – Canadian Rockies Public Schools
 Lawrence Grassi Middle School Direct Control District**

(1) Mayor Krausert opened the public hearing for Bylaw 2022-25 at 9:04 a.m.

(2) Public Submissions

In favour

Name	Verbal	Written
Steve Ashton		X
Canadian Rockies Public Schools (CRPS): Brian Callaghan Debbie McKibbin Arlene Rheume	X	

Neutral or Unstated

Name	Verbal	Written
Brent Buchanan	X	
Laurie Dunk, St. Michael's Anglican Church		X
Karen Lassen	X	
Cate Scott	X	X

Opposed

Name	Verbal	Written
Janet Bebensee Gell		X
Manya Bernbaum		X
Safi Bernbaum		X
Stan Bernbaum	X	X
Sheila Buchanan		X
William Carry		X
Steven Gell		X
Nancy Hawes		X
John Homer		X
Marianne Kasper		X
Fred Klein		X
Doreen McGillis	X	
Jim Pyecroft		X
Tim and Diane Ross		X
Monique Schmaltz	X	X
Abby Steinberg		X
Derek Wilding		X
Roswitha Yamamoto		X

Meeting break 9:36 – 9:42 a.m. (during public verbal presentations)

Minutes approved by: _____

(3) Public Written Submissions

The recording secretary read into the record the names of those who provided written submissions. These submissions are recorded in the list of public submissions above and are published in the record of public submissions for this meeting.

(4) Lori Van Rooijen, the applicant's representative, addressed questions of clarification from Council.

(5) Administration provided final closing comments based on the verbal and written submissions and addressed questions of clarification from Council.

(6) Mayor Krausert closed the public hearing at 9:59 a.m.

C. DELEGATIONS

1. Canmore Downtown Business Improvement Area (BIA)

Tory Kendal, Board Chair, and Beth VanderVoort, Interim Executive Director for BIA, provided Council with a presentation on the board's review of the Downtown Paid Parking Program and requested amendments to the program. The request will be considered by Council at the June 6, 2023 regular meeting.

D. APPROVAL OF MINUTES

1. Minutes of the February 21, 2023 Special Meeting of Council

78-2023 Moved by Mayor Krausert that Council approve the minutes of the February 21, 2023 special meeting as presented.

CARRIED UNANIMOUSLY

2. Minutes of the April 4, 2023 Regular Meeting of Council

79-2023 Moved by Mayor Krausert that Council approve the minutes of the April 4, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

Meeting Break 10:37 – 10:52

E. BUSINESS ARISING FROM THE MINUTES – None

F. UNFINISHED BUSINESS – None

G. BYLAW APPROVAL

**1. Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools
Lawrence Grassi Middle School Direct Control District**

80-2023 Moved by Mayor Krausert that Council give second reading to Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District.

CARRIED UNANIMOUSLY

Minutes approved by: _____

81-2023 Moved by Mayor Krausert that Council give third reading to Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District.

CARRIED UNANIMOUSLY

2. Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District

Michelle Ouellette, Division Manager for McElhanney, Pastor Shawn Franklin of Trinity Bible Church, and Jalysa Weib, Canmore resident, spoke to the Land Use Bylaw Amendment 2022-14 Trinity Bible Direct Control District.

82-2023 Moved by Mayor Krausert that Council give first reading to Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District and schedule a public hearing for June 6, 2023.

CARRIED

In Favour: Foubert, Graham, Hilstad, Krausert, Mah, Marra
Opposed: McCallum

Meeting Break 1:00 – 2:00 p.m.

3. Bylaw 2023-02 Land Use Bylaw Amendment 231 and 233 Three Sisters Drive

Tara McConnery, Property Owner, Rob Findlay, Architect, and Michelle Ouellette, Division Manager for McElhanney, spoke to Land Use Bylaw Amendment 2023-02 231 and 233 Three Sisters Drive.

83-2023 Moved by Mayor Krausert that Council give first reading to Land Use Bylaw Amendment 2023-02 231 and 233 Three Sisters Drive and schedule a public hearing for June 6, 2023.

CARRIED UNANIMOUSLY

4. Property Tax Rate Bylaw 2023-13 and Supplementary Property Tax Rate Bylaw 2023-14

84-2023 Moved by Mayor Krausert that Council give first reading to Property Tax Rate Bylaw 2023-13.

CARRIED UNANIMOUSLY

85-2023 Moved by Mayor Krausert that Council give second reading to Property Tax Rate Bylaw 2023-13.

CARRIED UNANIMOUSLY

86-2023 Moved by Mayor Krausert that Council give leave to go to third Council give first reading of Property Tax Rate Bylaw 2023-13.

CARRIED UNANIMOUSLY

87-2023 Moved by Mayor Krausert that Council give third reading to Property Tax Rate Bylaw 2023-13.

CARRIED UNANIMOUSLY

Minutes approved by: _____

88-2023 Moved by Mayor Krausert that Council give first reading to Supplementary Property Tax Rate Bylaw 2023-14.

CARRIED UNANIMOUSLY

89-2023 Moved by Mayor Krausert that Council give second reading to Supplementary Property Tax Rate Bylaw 2023-14.

CARRIED UNANIMOUSLY

90-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Supplementary Property Tax Rate Bylaw 2023-14.

CARRIED UNANIMOUSLY

91-2023 Moved by Mayor Krausert that Council give third reading to Supplementary Property Tax Rate Bylaw 2023-14.

CARRIED UNANIMOUSLY

5. Council Remuneration Review Committee Bylaw 2023-12

92-2023 Moved by Mayor Krausert that Council give first reading to Council Remuneration Review Committee Bylaw 2023-12.

CARRIED UNANIMOUSLY

93-2023 Moved by Mayor Krausert that Council give second reading to Council Remuneration Review Committee Bylaw 2023-12.

CARRIED UNANIMOUSLY

94-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Council Remuneration Review Committee Bylaw 2023-12.

CARRIED UNANIMOUSLY

95-2023 Moved by Mayor Krausert that Council give third reading to Council Remuneration Review Committee Bylaw 2023-12.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. RCMP Retroactive Pay Advocacy

96-2023 Moved by Mayor Krausert that Council direct Mayor Krausert to join the Federation of Canadian Municipalities in calling on the Federal Government to commit to ensuring that going forward local governments are meaningfully consulted, fully informed, and at the table on issues related to policing costs given the municipal role in keeping our communities safe.

CARRIED UNANIMOUSLY

97-2023 Moved by Mayor Krausert that Council direct Mayor Krausert to convey this support in writing to our local Member of Parliament.

CARRIED UNANIMOUSLY

I. REPORTS FROM ADMINISTRATION - None

J. NOTICES OF MOTION - None

Minutes approved by: _____

K. IN CAMERA - None

L. ADJOURNMENT

98-2023

Moved by Mayor Krausert that Council adjourn the May 2, 2023 regular meeting of Council at 3:22 p.m.

Sean Krausert, Mayor

Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: _____

**TOWN OF CANMORE
MINUTES**

Special Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, May 16, 2023 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Wade Graham	Deputy Mayor
Tanya Foubert	Councillor (attended virtually)
Jeff Hilstad	Councillor
Jeff Mah	Councillor
Karen Marra	Councillor
Joanna McCallum	Councillor

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Sara Jones	Executive Assistant (recorder)
Allyssa Rygersberg	Deputy Municipal Clerk
Andy Esarte	Manager of Engineering
Andreas Comeau	Manager of Public Works
Ric Irwin	Senior Finance Officer

Mayor Krausert called the May 16, 2023 special meeting to order at 10:08 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

- 1. Land Acknowledgement**
- 2. Agenda for the May 16, 2023 Special Meeting of Council**

99-2023

Moved by Mayor Krausert that Council approve the agenda for May 16, 2023 special meeting as presented.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS – None

C. DELEGATIONS – None

D. APPROVAL OF MINUTES – None

E. BUSINESS ARISING FROM THE MINUTES – None

F. UNFINISHED BUSINESS – None

G. BYLAW APPROVAL – None

H. NEW BUSINESS

1. Capital Budget and Plan Amendments

Administration spoke to a written report to provide context for Council on the proposed recommendations for amendments to capital scope, schedule, and budget of projects in the 2023-208 Capital Budget and Plan.

2. Capital Project Budget and Staging Amendments

100-2023

Moved by Mayor Krausert that Council approve an increase to the budget for CAP 7235 Bow River West Pathway – Phase 1 from \$2,200,000 to \$3,600,000 funded by:

- \$171,000 Investing in Canada Infrastructure Program (ICIP) federal grant,
- \$424,000 Canada Community Building Fund (CCBF) federal grant, and
- \$805,000 Municipal Sustainability Initiative (MSI) provincial grant.

CARRIED

In favour: Foubert, Hilstad, Krausert, Mah, Marra, McCallum
Opposed: Graham

101-2023

Moved by Mayor Krausert that Council approve an increase to the budget for CAP 7297 Bow Valley Trail and Teepee Town Street and Drainage Improvements from \$2,700,000 to \$3,900,000 funded by:

- \$290,000 Offsite Levy Reserve,
- \$575,000 MSI provincial grant, and
- \$335,000 CCBF federal grant.

CARRIED UNANIMOUSLY

102-2023

Moved by Mayor Krausert that Council approve an increase to the budget for CAP 7324 Bow Valley Trail Water Upgrade – Phase 2 from \$1,750,000 to \$2,250,000 funded by:

- \$500,000 Water Utility Reserve.

CARRIED UNANIMOUSLY

103-2023

Moved by Mayor Krausert that Council approve a reduction in the scope of capital project 7323 Bow Valley Trail Wastewater Upgrade – Phase 2 to coincide with the extents of CAP 7297.

CARRIED UNANIMOUSLY

104-2023

Moved by Mayor Krausert that Council approve the cancellation of the 2024 approved capital projects: CAP 7355 Teepee Town 2nd Avenue Rehabilitation Construction and CAP 7369 BVT Wastewater Upgrade – Phase 3 and bring the projects back into the future capital plan.

CARRIED UNANIMOUSLY

105-2023

Moved by Mayor Krausert that Council direct administration to update the 2024-2028 capital plan to account for future project budget and staging approvals as part of the 2024 budget amendment process.

CARRIED UNANIMOUSLY

Minutes approved by: _____

I. REPORTS FROM ADMINISTRATION – None

J. NOTICES OF MOTION – None

K. IN CAMERA – None

L. ADJOURNMENT

106-2023

Moved by Mayor Krausert that the Council adjourn the May 16, 2023 special meeting at 11:22 a.m.

CARRIED UNANIMOUSLY

Sean Krausert, Mayor

Sara Jones, Executive Assistant

Minutes approved by: _____



March 6th, 2023

Sally Caudill
Chief Administrative Officer
sally.caudill@canmore.ca

Dear Ms. Caudill

Re: Downtown Paid Parking Program

The Downtown Canmore BIA Board of Directors has recently gone through a review of the status of the Downtown Paid Parking Program with the BIA membership. This has included a survey plus two meetings with the members. The Board Directors commitment to this information gathering is to present to Council the findings and suggestions for improvement to the program for the coming year.

After reviewing the information gathered, we would like to have the opportunity to speak to the Mayor and Council and request we be included in an upcoming Council or Council of the Whole meeting.

The following are areas the BIA Board of Directors would like to address with Council:

1. Paid Parking hours;
2. Cost of parking passes;
3. Increase area from Canmore proper to include a greater geographical area;
4. Parking Officers allow grace time for people to get tickets before ticketing;
5. Parking Officers, in addition to normal duties, operate as Ambassadors to the downtown; and
6. Concerns regarding ease of use (non-functional machines, app issues, etc).

We look forward to hearing from you in regard to the scheduling of the meeting.

Regards

A handwritten signature in black ink, appearing to read "Tory Kendal".

Tory Kendal
Chair, Downtown Canmore BIA

CC: Mayor Sean Krausert
Sean.krausert@canmore.ca

PO Box 8906 Canmore, AB T1W 0J3
www.visitdowntowncanmore.com

403-493-5235
ed@visitdowntowncanmore.com



Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #:** F-1

TO: Council

SUBJECT: Procedural Bylaw Amendment 2023-16 Omnibus and Finance Committee Bylaw Amendment 2023-19 Omnibus

SUBMITTED BY: Sally Caudill, Chief Administrative Officer

RECOMMENDATION: That Council give first reading to Procedural Bylaw Amendment 2023-16 Omnibus.

That Council give second reading to Procedural Bylaw Amendment 2023-16 Omnibus.

That Council give leave to go to third reading of Procedural Bylaw Amendment 2023-16 Omnibus.

That Council give third reading to Procedural Bylaw Amendment 2023-16 Omnibus.

That Council give first reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.

That Council give second reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.

That Council give leave to go to third reading of Finance Committee Bylaw Amendment 2023-19 Omnibus.

That Council give third reading to Finance Committee Bylaw Amendment 2023-19 Omnibus.

EXECUTIVE SUMMARY

This report contains recommendations for amending the Procedural Bylaw to address issues discussed in a workshop with Council including amending a published agenda, questions from the public, points of order, and electronic meeting attendance. When the report was originally brought to Council in April of this year, Council chose to postpone the item until all members of Council could be present and a review by an independent governance expert was complete. Based on that review, the report also contains recommendations for changes to both the Procedural Bylaw and the Finance Committee Bylaw.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Council held a workshop with administration in March 2023 to recommend potential amendments to their Procedural Bylaw. These proposed amendments are discussed below. The current bylaw was first approved in 2018 and has seen several amendments since then, most recently in spring of 2022.

At the April 4, 2023 meeting, Council approved motion 70-2023:

That Council postpone the Procedural Bylaw Amendment 2013-16 Omnibus until the regular meeting of council on June 6, 2023 when all members of Council will be in attendance to be able to speak to this bylaw effecting our procedure and that, prior to returning, have the Procedural Bylaw Amendment 2023-16 Omnibus and Finance Committee Bylaw 2016-19 reviewed by an independent governance expert and that Council direct administration to report back to council with alternative methods for the public to be heard by Council before or during regular business meetings and Committee of the Whole meetings.

DISCUSSION

At the Procedural Bylaw workshop earlier this year, Council discussed four items to be brought forward for discussion and debate at a formal Council meeting: amending a published agenda, questions from the public, points of order, and electronic meeting attendance. The Request for Decision (RFD) report in the April 4, 2023 agenda package said the following:

Amending a published agenda

The current bylaw contains a procedure for adding urgent business to a published agenda but is silent on how to amend the agenda package to include a new written submission. Administration recommends that Council authorize administration to delete a published agenda and replace it with an agenda that contains the new item and is clearly marked to show the change.

Questions from the public

Currently, the Procedural Bylaw allows for a member of the public to submit a question in writing to Council and have their question answered by the Mayor in public before a regular meeting is called to order.

One of Council's strategic priorities is "meaningful, two-way public engagement and communication (that) is civil, supportive and productive." Further, "Our focus is on strengthening relationships with residents by increasing satisfaction with public engagement processes." Public question period rarely aligns with this priority. Questions are submitted infrequently and when they are they tend to be directed at protesting a Council decision rather than seeking information or clarity. Neither Council nor the public member comes away satisfied with these interactions.

As a result of concerns raised at the workshop about alignment with Council's strategic priorities, administration recommends removing the sections of the Procedural Bylaw related to questions from the public (sections 35 and 36). Members of the public can still ask questions by emailing questions directly to Council as a whole or to individual councillors, requesting to appear as a council delegation, and participating in public hearings, open houses, and other opportunities routinely provided to receive feedback.

Points of order

Administration is recommending an amendment to the description of a point of order in section 46(a) to soften the language and provide more clarity. The recommended language, that “(a member may) call a point of order at any time the member believes that a rule or customary procedure of council has been incorrectly applied or overlooked during the proceedings” is sourced from the House of Commons Procedure and Practice.

There was some discussion at the workshop about whether the authority to call a point of order, point of procedure, or question or privilege should be expanded from council members to include the chief administrative officer (CAO) and the municipal clerk (MC). If a member of council wishes to propose this amendment, the motion would be as follows:

Section 46 is amended by adding “chief administrative officer and municipal clerk” after “A member”.

Electronic meeting attendance

As part of the amendments to the Municipal Government Act included in the 2022 *Red Tape Reduction Statutes Amendment Act*, section 199 of the MGA was amended to allow council meetings and council committee meetings to be carried out by “electronic means” if a council has passed a bylaw allowing for this. The specific requirements are addressed as follows:

- 1. Specify the type or types or electronic means by which meetings are authorized to be held.**

Since the pandemic, we have had the technology to allow members to join council meetings by telephone or by videoconferencing. No change is recommended other than setting out the authority in the bylaw.

- 2. Require the identity of each councillor attending the meeting to be confirmed by a method authorized by the bylaw.**

Currently, the bylaw requires members joining electronically to have their cameras on and their faces visible. Council indicated this is still preferred, but indicated they wish to allow for situations where it isn’t possible. The recommendation is that a member joining electronically without a camera be required to verbally confirm their identity after the meeting is called to order, after each break, and at any other time the presiding officer requests it (to account for things like lost connections.)

- 3. Specify a method for giving notice of a meeting to be held entirely by electronic means, a method by which the public may access the meeting and make submissions, and a method by which the public may access information related to the meeting.**

It’s recommended that notices of meetings to be held entirely by electronic means be provided in the same manner as notices of special meetings. That is, notice will be published in the local paper where time allows, and if notice can’t be provided in the paper then it will be given on the Town’s website and social media and posted on the front door of the Civic Centre. Information related to the meeting will be posted on the Town’s website, as is our usual practice.

Also, if a meeting is held entirely by electronic means, the public may attend by watching the livestream. The livestream (or the videoconferencing feed if the livestream isn't operational) will also be projected in the council chamber should a member of the public wish to attend in person.

INDEPENDENT REVIEW

After Council approved Motion 70-2023, administration awarded the work to Nolan Crouse, who was recommended to administration by George Cuff. Mr. Crouse was the Mayor of St. Albert for 10 years and Chair of the Edmonton Metropolitan Regional Board (EMRB) for 5.5 years. He is a co-founder of the Mid-Sized Cities Mayors Caucus. The current Procedural Bylaw, original Request for Decision (RFD) report, and the proposed bylaw changes were all provided to Mr. Crouse. Two Zoom calls were held to discuss the project and walk through his findings.

Procedural Bylaw review

Mr. Crouse's perspective on the points of order item outlined in the original April 4, 2023 RFD is included separately (attachment 1). He finds nothing to indicate that including the CAO and municipal clerk as members is problematic and points to the respective roles and responsibilities of each to manage the health and safety of the workplace and procedural accuracy.

His review of the Procedural Bylaw recommends several additional changes (attachment 2). Given some of them are significant and/or were not discussed at the Procedural Bylaw workshop, administration has provided an alternate motion for each item so that Council can determine the approach to Mr. Crouse's advice. That said, a typographical error found by Mr. Crouse has been added to the amending bylaw (section 20.1 in attachment 3). In addition, Mr. Crouse recommends that Council more formally establish both the Agenda Review Committee and the Committee of the Whole by adding some additional language to the bylaw (sections 15.0 and 83.0 in attachment 3) and some clarifying language around electronic meeting attendance (section 48 in attachment 3). Administration supports these changes as they are all technical in nature, provide enhanced clarity, and do not change the bylaw in fundamental ways. Otherwise, the amending bylaw has not been changed from the April 4, 2023 agenda package (attachments 3 and 4).

Mr. Crouse's remaining suggestions are outlined below for Council's consideration:

Questions from the public

The question period section of Canmore's Procedural Bylaw has undergone many changes over the years based on lived experience and the use and effectiveness of the process. Question period is rarely used and has not proven to be a useful or meaningful form of public engagement or input. The recommendation to remove it is based on its ineffectiveness and lack of use. As Mr. Crouse's report identifies, there are still many meaningful and impactful ways for Council to engage with residents and for the community to give input and be heard by both Council and administration.

Mr. Crouse supports administration's original recommendation to remove public question period, which was the feedback from Council at the Procedural Bylaw workshop. He has offered several examples from other communities. Of the examples he has provided, Airdrie's process appears to be most similar to Canmore's current process. Strathcona and Peace River's process is similar to Canmore's delegation process, which remains in our bylaw.

If Council wants to add an alternative question period, administration recommends a process similar to the City of Calgary's question period, which is from a different section of their bylaw than that provided by Mr. Crouse (see attachment 5). This approach is being proposed as a way for a member of Council to bring forward a question that they are hearing from the community in an official public forum. The proposed motion would be:

“That Council amend the Procedural Bylaw by adding sections 35.1 and 35.2 as follows:

35.1 At regular meetings only, the period identified in the agenda as question period is the time set aside for councillors to ask administration questions about items that are not on the current agenda, subject to the following:

- a) a councillor intending to ask a question must advise the Mayor and the CAO of the question by email at least 24 hours in advance of the meeting;
- b) administration will respond to questions asked during question period verbally at the meeting;
- c) any unanswered question or request for additional information shall be brought back as part of question period at the next regular meeting;
- d) a question asked during question period must not introduce a motion for consideration;
- e) question period is limited to:
 - i. a maximum of three questions per meeting, and
 - ii. a maximum of 15 minutes per meeting;
- f) where a question has been asked prior to the expiry of the 15 minutes, that matter may be concluded.

35.2 The name of the councillor asking the question and the topic of the question must be recorded in the minutes of the meeting.”

Meeting conduct

Mr. Crouse recommends adding “Members shall not text each other during a Council meeting” as section 43.1 of the bylaw. Administration has no input on this item as it is purely at Council's discretion. If Council would like to include this language, the following motion can be approved:

“That Council amend the Procedural Bylaw by adding section 43.1 as follows: “Members shall not text each other during any meeting governed by this bylaw.”

Mr. Crouse has flagged a concern that sections 48.1 and 48.1.1 may be in partial conflict around making one's face visible during an electronic meeting. The intent of 48.1.1 is to acknowledge that technical difficulties in electronic meetings can and will occur. 48.1 is the ideal circumstance, where all attendees are visible on

screen. 48.1.1 provides some flexibility and discretion for the inevitable technical difficulty while allowing the presiding officer to determine what is appropriate given the circumstance. Administration and Mr. Crouse have no suggestions for how to improve this. Council could choose to eliminate the partial conflict by eliminating section 48.1.1, but this is not recommended by administration as not having flexibility could mean that someone experiencing technical difficulties would not be able to participate in the meeting, despite the presiding officer and all of Council knowing that the attendee is present. Administration believes it is worth trialing this section and revisiting it in the future if it proves problematic.

Motions

Mr. Crouse recommends that Section 51 be removed from the bylaw so that the presiding officer follows the same rules as all members of Council. Administration has no input on this item as it is purely at Council's discretion. If Council would like to remove this item, the following motion can be approved:

“That Council amend the Procedural Bylaw by striking out section 51.”

Meeting recordings

Mr. Crouse recommends that summaries of verbal recordings be only a small handful of words to ensure no errors are made by the recording secretary. Administration believes that this practice is already being followed so no changes are recommended.

Procedure for the first reading of a planning bylaw

Mr. Crouse recommends removing the ability of the applicant to present to Council at first reading in section 86.1 and instead move this to the public hearing. While technically legal, his concern is that it puts Council at risk of being accused of having considered information gathered outside the public hearing.

This section of the bylaw is quite new and was approved by this Council in April of 2022. It was added to set out a procedure for Council to hear from an applicant and administration plus have an opportunity to ask questions when a planning bylaw is submitted for consideration. Previously the bylaw was silent on this matter. The process was added to provide clarity on the roles of administration and the applicant, and to allow Council the opportunity to ask questions directly of applicants. Historically, administration was the only presenter of a planning application. At times, this was challenging as administration was asked questions related to the application but beyond the required scope of review or was expected by the applicant to promote the proposal rather than present an assessment of the proposal's alignment with approved plans and policies. Currently the language of the Procedural Bylaw allows the applicant an opportunity to speak at first reading but does not require it and indicates that there should always be a presentation from administration speaking at first reading. The public hearing language allows for a presentation from either administration or the applicant or both.

While administration believes that this current process does provide value in terms of clarifying who “owns” the application, there have been some challenges that have recently arisen where applicants are presenting new information to Council that administration has not had the benefit of reviewing and cannot speak to. So, administration is supportive of Mr. Crouse's recommendation. If Council would like to amend this item, the following motion should be approved:

“That Council amend the Procedural Bylaw by striking out sections 86.1 e) and 86.1 g).”

Finance Committee Bylaw Review

Mr. Crouse provided six recommended changes to the Finance Committee Bylaw (attachment 6). Five are minor wording changes and the sixth simply removed the CAO as chair. The practices of the Finance Committee have been in effect since the committee was formed, well before this Council. As none of these proposed changes are significant, administration supports all suggested changes and has prepared the amendments to the Finance Committee Bylaw. Mr. Crouse further notes that the CAO should not be making motions. This has been the practice for motions around accepting agendas, minutes, and directing administration to return to Council since the Finance Committee was formed. Administration has no issues with stopping this practice as the motions are of minor consequence.

ANALYSIS OF ALTERNATIVES

N/A

FINANCIAL IMPACTS

Administration received three quotes for this work with costs ranging from \$1,000 to almost \$10,000. The work was awarded to the lowest bidder. After a discussion at agenda review, administration asked Mr. Crouse to attend the meeting in person to present his recommendations. Costs for that were not part of the original bid so were added on. Total costs are expected to be around \$2,000. As this project was unbudgeted, the costs will be coded to Council's contracted services budget and reported in the 2023 financials as a variance.

STAKEHOLDER ENGAGEMENT

Administration contacted Municipal Affairs and Alberta Municipalities (AB Munis), asking if they could perform the review or recommend someone who could. AB Munis provided a recommendation for a consultant. Administration requested quotes from the recommended consultant as well as six independent contractors (including George Cuff and David Siegel, both of whom were quoted in recent Rocky Mountain Outlook articles) and three firms with governance expertise. The CAO was fortunate to have a phone conversation with Mr. Cuff, who declined to bid, but offered additional suggestions of who to contact and provided valuable perspective and advice. In the end, one independent consultant (recommended by Mr. Cuff) and two firms provided quotes and could complete the work in time for the June 6 meeting. The quotes were reviewed by Cheryl Hyde, Municipal Clerk, Therese Rogers, General Manager of Corporate Services, and the CAO.

ATTACHMENTS

- 1) Nolan Crouse recommendation on Points of Order
- 2) Nolan Crouse recommendations for Procedural Bylaw 2018-01
- 3) Procedural Bylaw 2018-01 - tracked changes
- 4) Procedural Bylaw Amendment 2023-16 Omnibus
- 5) City of Calgary Procedural Bylaw – question period section
- 6) Nolan Crouse recommendations for Finance Committee Bylaw 2016-19
- 7) Finance Committee Bylaw 2016-19 - tracked changes
- 8) Finance Committee Bylaw Amendment 2023-19 Omnibus

AUTHORIZATION

Submitted by: Sally Caudill
Chief Administrative Officer

Date: May 11, 2023

Crouse Developments Inc.



Ms. Sally Caudill
Chief Administrative Officer
Town of Canmore, Alberta

May 10, 2023

Re:

Point of Order
Point of Procedure
Point of Privilege

Dear Ms. Caudill;

In response to the Point of Order matter that was raised in the RFD “**Points of Order**”.

It is this writer’s conclusion that the proposed motion provided by Administration (provided in the April 4 RFD) can be interpreted as “in order” and if moved by a member of council may proceed to be debated. There is no clear protocol that would encourage or discourage this practice that I was able to find.

Feel free to contact me at nolan@nolancrouse.com or 780 863 0028

Yours sincerely,

Nolan Crouse

Nolan Crouse, MBA, CCMP™
Serving others in all treaty territories; we are all treaty people
Management Consultant

Crouse Developments Inc.

Ph: 780.863.0028

Email: nolan@nolancrouse.com

50 Deane Crescent | St. Albert, Alberta | T8N 4Z4

www.nolancrouse.com



Point of Order
Point of Procedure
Point of Privilege

Commentary May 10, 2023

Challenges in all assemblies from the Federal to Provincial to Municipal governments are common (including bullying of legislative assembly teen-aged page workers). The protocols and Roberts Rules speak more clearly to “members” and are mostly silent on non-members (and staff) who are involved in most of these assemblies.

It is a collective responsibility of the members to help maintain processes (and decorum) and when confronted with a matter, it is clear in Roberts Rules of Order for all bodies, assemblies, boards etc., that the ultimate decision maker and point of control lays with the presiding officer. In the case of Canmore this is the mayor of course.

It is the mayor who must determine if someone calls a Point of Order, Procedure or Privilege that the mayor who must rule. The mayor may also be challenged and be put to a vote to see if council supports any ruling made by the mayor.

Again, it is not clear anywhere if a non-voting member has rights to call a “point”, but certainly, a municipal clerk or CAO has an obligation to bring it to the attention if there is a matter of importance to be raised. That may be anything from an emergency occurring in the community to a procedure or if a bylaw is being unknowingly compromised. Municipal clerks across the province assist with that.

The Canmore Council Code of Conduct Bylaw in sections 7.1 through 7.3 speak to respectful interactions. In this regard, there is one role that is not considered by some and that it is the CAOs role to ensure that council chambers provides for a psychologically safe workplace for employees (as per the Occupational Health and Safety Act). As such, it is incumbent upon the CAO to ensure anything that compromises that is addressed.

Conclusion

It is this writer’s conclusion that the proposed motion provided by Administration (provided in the April 4 RFD) can be interpreted as “in order” and if moved by a member of council may proceed to be debated. There is no clear protocol that would encourage or discourage this practice that I was able to find.

The proposed motion is as follows: “Section 46 be amended by adding “chief administrative officer and municipal clerk” after “A member...””.

Crouse Developments Inc.



Ms. Sally Caudill
Chief Administrative Officer
Town of Canmore, Alberta

May 9, 2023

Dear Ms. Caudill;

Thank you for the opportunity to review the current Procedure Bylaw and Administration's proposed changes for the Town of Canmore that was included in the April 4-2023 Agenda Package.

The motion is stated as follows:

"Have the procedural bylaw amendment 2023-16 omnibus and bylaw 2016-19 (finance committee bylaw) reviewed by an independent governance expert and that council direct administration to report back to council with alternative methods for the public to be heard by council before or during regular business meetings and committee of the whole meetings."

Feel free to contact me at nolan@nolancrouse.com or 780 863 0028

Yours sincerely,

Nolan Crouse

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Canmore-21-22

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Ph: 780.863.0028
Email: nolan@nolancrouse.com

50 Deane Crescent | St. Albert, Alberta | T8N 4Z4

www.nolancrouse.com



Canmore Procedure Bylaw
Review – May 9, 2023

First of all Canmore has a very good Procedure Bylaw already in place.

Secondly, the recommended redline changes (additions and deletions) by Administration are very well done and my recommendation is that they be approved.

Upon searching essentially every Alberta city, I was hard pressed to find any procedure whereby you should add, delete or significantly change, with exception of a modest number of YELLOW highlighted areas within the bylaw attached.

Below is a brief summary of my suggestions and my color-shaded commentary following is perhaps a better reference:

In addition to some minor suggestions, there are 2 more “material” changes to be considered to the current bylaw that I would recommend within your redline version:

1. The wording changes officially “stand up” the Agenda Review Committee plus the Committee of the Whole, both not included in the MGA but are permitted if approved by a Council bylaw and the recommendations herein do just that.
2. It is recommended that a Council discussion take place regarding the Public Hearing procedure outlined in Section 86. Currently a proponent is provided with an opportunity to address council prior to a public hearing. I reviewed your precise procedure with three (3) different individuals from three (3) separate small cities in Alberta (a long-time municipal planner, a long-time municipal governance expert and a municipal lawyer). All three (3) agreed that while legal, your current procedure should be amended. As one stated *“it is like having a public hearing before the public hearing”*.

My professional advice is that Council should vote on First Reading, putting the issue officially on record (whether you agree with the proposal or not), and the date of the public hearing be set to officially begin the process. While that is technically the most correct process, it does have political implications because many do not understand the intent of a First Reading.

It is also recognized that it may be “politically convenient” to have information prior to the official public hearing, technically it should be reconsidered.

Public input and engagement

With respect to the second half of the motion below:

“...report back to council with alternative methods for the public to be heard by council before or during regular business meetings and committee of the whole meetings”.

Summary

1. There are a multiple number of approaches to this matter and indeed this writer has heard of many approaches. There are no “silver bullets”.
2. I am fully supportive of the redline version recommending removal of the current practice whereby council answers question from the public. As you are fully aware that practice is fraught with difficulties.
3. Attached are Procedure Bylaw sections from five (5) municipalities and these examples point out that there are a variety of approaches that are utilized and the list of approaches seems as long as there are the number of municipalities.

Attached are examples from a mid-sized city, a town, two (2) large cities and a county.

- i. City of Calgary
- ii. City of Edmonton
- iii. County of Strathcona
- iv. City of Airdrie
- v. Town of Peace River

Public input gathering approaches used:

1. Mailed out questionnaires
2. Summer students with clipboards on walking trails
3. Quarterly open houses or town halls hosted by council members
4. Budget town halls
5. Open dialogue tables at a mall
6. Focus groups
7. 100 random phone calls performing periodic surveys
8. Council meetings
9. Committee meetings
10. Email or call an elected official
11. Email or call a member of administration
12. All public questions sent to administration who answers all of them and copies council
13. Plebiscites
14. Council advisory committees
15. Stuffing utility and tax notices with information and requests
16. Utilizing a survey company to gather random input
17. One approach that a retired CAO shared was as follows:

“Anyone wishing to be part of providing input would authorize their email address be used by the municipality to send out a request for input. That would take some work to grow the number to about 500 and once the list reaches a substantial number, periodic questions would be sent to those email addresses. Anyone who did not respond in a one-year period would be dropped off the list and new ones added. Using that email listing would provide statistically significant input if random and could be used to judge public sentiment.”

Public Submissions

I fully support the removal of Section 34 as per the redline version.

For sections 30-31-32-33, the Canmore procedure is frankly quite well done. Some other highlighted considerations.

The 3 largest municipalities reviewed (Strathcona, Calgary and Edmonton) do not permit the public to address council directly but public members must address a committee first to be vetted.

The Peace River model is such that the public members are vetted by the CAO and only items on the agenda may be reviewed. (Canmore has the Agenda Committee performing this function, which is even better!)

Airdrie permits only 5 minutes per speaker and a maximum allotment for public input is 30 minutes on any council meeting agenda.

A separate Calgary procedure exists whereby time is specifically allotted for council members to be able to ask questions of administration (almost on behalf of residents). This is perhaps a good compromise and at times, on some agenda items, this occurs whether it is formal or not.

Calgary

Sept 15-2021

BYLAW NUMBER 35M2017

*BCC = Boards, Committees
& Commissions

C – Members of the Public

Conduct of Members of the Public

30. In order to ensure a safe and respectful meeting environment, those seated in the public gallery or participating remotely at *Council* or *City BCC* meetings must:
- (55M2021, 2021 September 15)
- (a) DELETED BY 55M2021, 2021 SEPTEMBER 15.
 - (b) not spontaneously applaud, display signs or engage in any behavior which may be disruptive, disrespectful or intimidating to others.

Participation by Members of the Public

31. (1) When *Council* is required to hold a public hearing on a proposed bylaw or resolution, *Council* must hear from members of the public prior to second reading of the bylaw or prior to voting on the resolution, unless another enactment specifies otherwise.
[MGA, s. 230(1)]
- (2) When a *Standing Policy Committee* is considering proposed recommendations on matters contained in their agendas, the *SPC* must hear from members of the public who wish to speak to those matters, prior to debating the proposed recommendations.
- (3) Other *City BCCs* may, by a vote of the body, choose whether or not to hear from members of the public who wish to speak to those matters, but must hear from members of the public who have been referred by *Council* or *Executive Committee*.
- (4) To facilitate the efficiency of *Council Committee* meetings, the *Chair* in consultation with the *City Clerk* may direct that multiple speakers make their submissions in a single panel.
(24M2019, 2019 June 17)
32. When making a submission to *Council* or to a *Council Committee*, a member of the public must:
- (a) speak only when called by the *Chair*;
 - (b) abide by the rules of conduct in section 30 and abide by the *Chair's* direction regarding participation;
 - (c) limit their comments to the matter contained in the report and the recommendations being discussed;
 - (d) address *Members* for a maximum of five minutes per person, representative or group, unless the *Chair* allows a group to make their presentations one after the other without interruption; and
 - (e) not engage in argument with *Members*.
33. Individuals may, with the consent of the *Chair*, provide presentation material, to be included in the *Corporate Record* for the meeting. Noting *Council's* expectation of respectful meeting proceedings, *Council* or a *City BCC* may move to exclude from the *Corporate Record* any written submission deemed to be offensive, whether or not the submission is deemed to be of

City of Edmonton

Request to Speak at a Council/Committee Meeting

Participation is available in person or remotely. Those wishing to view the meeting, but not participate, can do so online at www.edmonton.ca/meetings.

If you are speaking on behalf of another person, the person will need to complete an Authorization to Speak on Someone's Behalf form (available on edmonton.ca in the City Clerk FAQs) and provide the signed form to the Office of the City Clerk.

This personal information is being collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and will be used in scheduling you as a speaker before City Council.

All City Council, Standing Committee, and Public Hearing meetings are recorded. Public participation in these meetings, including any verbal reports or presentations delivered during these meetings, are recorded and included in the official meeting record. All meeting recordings and corresponding documentation are available for viewing at www.edmonton.ca/meetings.

Please note: Members of the public have the right to request to speak to items, but **Council does not generally hear from members of the public at City Council meetings** (aside from Non-Statutory Public Hearings). The Members of Council consider public input in advance of City Council meetings either through correspondence or at meetings of Standing Committees of Council (Executive, Community and Public Services, Urban Planning, etc.). Council will make the decision whether to hear from registered speakers at the beginning of the Council meeting.

If you have any questions about the collection of this information, please contact the Office of the City Clerk at 780-496-8178 or 1 Sir Winston Churchill Square, Edmonton, AB T5J 2R7

(Source City of Edmonton website May 2, 2023)

County of Strathcona

The **Priorities Committee may receive public presentations** from individuals, groups, organizations or external agencies. Political parties, political representatives and unions may not make public presentations.

Making a request

Requests to make a public presentation must be made in writing to the Director of Legislative and Legal Services, emailed to legislativeofficer@strathcona.ca at least 21 days prior to a Priorities Committee meeting. Requests received less than 21 days before a Priorities Committee meeting will be included on the agenda for the next available Priorities Committee meeting.

Public presentations are limited to a maximum of 15 minutes and may provide special recognition of persons, organizations and events, award presentations, or reports of interest to the County and Committee. Public presentation topics must be relevant to a matter that is within the County's jurisdiction.

Presentations may include hardcopy or electronic materials and all materials must be provided at least ten business days prior to the meeting.

Personal information is being collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act and will be used for purposes of managing and administering public hearings, public presentations and open house presentations. If you have any questions regarding the collection and use of your personal information, please contact legislativeofficer@strathcona.ca.

(Source County of Strathcona website May 2, 2023)

- XI. Notices of Motion
- XII. Comments from the Public
- XIII. Key Communications Items
- XIV. Closed Session
- XV. Adjournment

(9) Presentations

- (a) Any individual, group, or organization wishing to appear before Council or to address an agenda item not designated as a public hearing shall give written notice to the office of the CAO no later than noon on the Wednesday proceeding the Meeting day.
- (b) An instructional sheet setting out Meeting procedures and protocol shall be supplied to anyone wishing to address a Council or Committee Meeting.
- (c) Any person or delegation addressing Council shall state name(s), address(s), and the purpose of the presentation.
- (d) Presentations shall speak only on the matters which they have submitted to Council and which have been included on the agenda.
- (e) Presentations may be limited in the time they are permitted but shall generally be allowed 15 minutes for presentation and discussion, which can be extended or decreased at the discretion of Council.
- (f) Council may accept a written submission in lieu of a verbal presentation as long as the document is signed, dated, and shows the residential address of the person making the submission.
- (g) Presentations shall not address Council on the same subject matter more than once every six (6) months.
- (h) Notwithstanding any provision of this Bylaw, the Council will grant a full and fair hearing to persons entitled by law to make oral presentations to Council.

(10) Letters to Council

- (a) Should a person, group or organization wish to bring a matter to the attention of Council, it shall be forwarded to the Chief Administrative Officer in writing and must:

AIRDRIE

- (f) the names of the Members voting for or against a Resolution and of those who are absent for the vote;
 - (g) any abstentions made under the Act by any Member and the reason for the abstention;
 - (h) any abstentions made as a result of a Pecuniary Conflict of Interest and the reason for the abstention;
 - (i) provision for the signatures of the Chair and the City Clerk, which signatures may be applied in a digital format.
- 71 Amended Motions will show as one Resolution complete with amendments; the Resolutions will not be split to show the original and amending Resolutions separately.
- 72 A withdrawn Motion will not be recorded.

Public Question Period

- 73 Public Question Period is limited to a maximum of five (5) minutes per person and the total allowable time for Public Question period is restricted to thirty (30) minutes.
- 74 Those persons wishing to speak may contact the City Clerk in advance of the Public Question Period to advise of the question they wish to ask.
- 75 Those persons wishing to speak:
- (a) must ask a question; and
 - (b) must provide their name and municipality of residence.

Public Hearings

- 76 Public Hearings are statutory hearings pursuant to the requirements of the Act.
- 77 Public Hearings are held at Regular or Special Council Meetings.
- 78 Public Hearings are advertised in accordance with the Act and any applicable City of Airdrie bylaws, policies, and procedures.

Written Submissions for Public Hearings

BYLAW 2018-01

Office Consolidation Current as of April 11, 2022 *(Crouse's comments highlighted in yellow)*

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH PROCEDURES AND CONDUCT OF COUNCIL
AND MEMBERS OF COUNCIL**

WHEREAS the Municipal Government Act authorizes council to pass bylaws respecting the procedures and conduct of council and council members,

NOW THEREFORE the Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as "Procedural Bylaw 2018-01."

INTERPRETATION

- 2 The following words and phrases mean:
 - a) **agenda** means the order of items of business for a meeting and the associated reports, bylaws, and other documents;
 - b) **Agenda Review Committee** means a committee consisting of the mayor, the deputy mayor, and the chief administrative officer; *(Crouse: Agenda Review Committee is officially endorsed later in these recommendations)*
 - c) **Committee of the Whole** means a committee consisting of all members of council;
 - d) **Finance Committee** means the committee established by *Finance Committee Bylaw 2016-19* as amended;
 - e) **member** means an elected member of council and, in the case of the Finance Committee only, the chief administrative officer; *(Crouse: Review Agenda Committee also has the CAO as a member)*
 - f) **presiding officer** means the mayor; or, in the absence of the mayor, the deputy mayor; or in the absence of both the mayor and deputy mayor, the member chosen by resolution of council;
 - g) **regular meeting** means a council meeting scheduled at the annual organizational meeting;
 - h) **two-thirds vote** means a favourable vote made by five of seven, four of six, three of five and three of four members;
 - i) **social media** means websites and applications that enable users to create and share content or to participate in social networking.

The precedence of rules governing council's procedures is:

- j) the *Municipal Government Act*,
 - k) other provincial legislation,
 - l) this bylaw, and
 - m) the current edition of *Robert's Rules of Order and Parliamentary Procedure*.
- 3 Where a bylaw references a Town staff position, department or council committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
- 4 This bylaw applies to regular meetings, special meetings, annual organizational meetings, Committee of the Whole meetings, and Finance Committee meetings.

MEETINGS

- 5 The business of the annual organizational meeting shall include
- a) the schedule of regular meetings,
 - b) the schedule of committee of the whole meetings,
 - c) the roster of deputy mayor appointments, and
 - d) the appointment of members and public representatives to council committees and external agencies.
- 2022-04
- 6 If a regular meeting or committee of the whole meeting is scheduled to occur on a statutory holiday, that meeting shall be rescheduled or cancelled.
- 2022-04
- 7 When a special meeting is called, notice of the special meeting is deemed to have been given to the public
- a) when the time, date, location, and purpose of the meeting has been advertised at least once in the week preceding the meeting in a local newspaper, or
 - b) where advertising in a local paper is not possible, when a notice that specifies the time, date, location, and purpose of the meeting has been posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media.
- 8 Meetings governed by this bylaw shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next regularly scheduled meeting or at a meeting called specially to complete the business.

- 9 The presiding officer shall call a recess every two hours, or as near as is practical, unless the members present unanimously agree to reschedule or cancel the recess.

2019-08

QUORUM

- 10 If quorum, as defined in the *Municipal Government Act*, is not present within fifteen minutes after the time fixed for a meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 11 If a meeting is adjourned for failure to constitute a quorum, or for loss of quorum during a meeting, the agenda for that meeting shall be considered at the next regular meeting or at a special meeting called to complete the business.
- 12 If quorum is present within fifteen minutes after the time fixed for a meeting, but the mayor and deputy mayor are absent, the CAO shall call the meeting to order and call for a presiding officer to be chosen by resolution of council.
- 13 Notwithstanding sections 11 and 13, if an absent member provides notice within fifteen minutes after the time fixed for a meeting of their expected arrival time, the presiding officer or the CAO may postpone the meeting until the absent member or members arrive.

AGENDA

- 14 *(Crouse: prior to outlining these references to an Agenda Review Committee, there should be a statement that states "A committee is hereby established by this Procedure Bylaw and shall be named the Agenda Review Committee").*
Agendas shall be prepared under the direction of the Agenda Review Committee.

- 15 Unless otherwise authorized by this bylaw, submissions for inclusion in an agenda shall be delivered to the CAO no later than 4:30 p.m. on the twenty-second calendar day prior to the meeting.

2019-08

- 16 When the twenty-second calendar day prior to a meeting falls on a legislated or general holiday, submissions for the agenda shall be delivered to the CAO no later than 4:30 p.m. on the first business day following the holiday.

2019-08

- 17 The Agenda Review Committee may authorize inclusion on the agenda of items received after the submission deadline but before the agenda is published.

- 18 Once an agenda is published, it is the property of council. Items may only be removed from the agenda by a unanimous vote or added as urgent business by a two-thirds vote.

- 19 The agenda shall be made available to members at least three business days prior to the meeting and made available to the public not less than twenty-four hours later.

20. If an item added as urgent business in accordance with section 19 contains a written submission, the municipal clerk shall delete the published agenda and replace it with an agenda that contains the new item and is clearly marked to show the change.

20 Failure to meet the deadlines imposed in section 20 does not invalidate the agenda.

21 The order of business for a regular meeting shall be decided by a majority vote.

MEMBER SUBMISSIONS

22 A member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the CAO in accordance with section 16.

23 If approved for inclusion in the agenda, a request for decision submitted by a member will be included as new business at the next regular meeting or special meeting called to complete regular business.

24 If a request for decision submitted by a member is not approved for inclusion in the agenda, the member may submit a notice of motion. The notice of motion will appear on the agenda for the next regular meeting or special meeting called to complete regular business.

25 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.

26 A notice of motion is not debatable, however the member presenting the notice may speak to the notice for a period not to exceed five minutes.

27 The motion for which notice was given and any supporting documents must be submitted to the CAO in the form of a request for decision by 4:30 p.m. on the fourth day following the meeting at which the notice of motion was made.

28 The motion on notice shall be added as new business on the agenda for the subsequent regular meeting or special meeting called to complete regular business.

29 Council may waive the requirement for notice by a two-thirds vote and add the matter to the agenda as urgent business.

PUBLIC SUBMISSIONS

30 A person other than a member may submit a request to the CAO to include written material in the agenda and/or appear as a delegation at a regular council meeting or a committee of the whole meeting and the agenda review committee may, in their unfettered discretion, permit the request provided

a) the person has submitted their request in accordance with section 16,

b) the person has provided a description of the matter they wish to address,

c) the person has not addressed council on the same matter within the previous six months,

- d) the matter pertains to a community event, new initiative or provides an update on an item of council interest or that the Town has funded,
 - e) the matter does not pertain to any undecided matter that has been the subject of a public hearing or a matter that is on a proposed future agenda for a decision of council, and
 - f) there are no concerns around procedural fairness.
- 31 No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by the Agenda Review Committee or a majority vote of members present.

2022-04

- 32 When a delegation or written submission requires a council decision, council shall not make a decision at the same meeting in which the request is received; rather, the request shall appear on the agenda for the following regular meeting as business arising from the minutes, at which time council shall
- a) refer the request to administration or a committee for further research, review and recommendation,
 - b) accept the request as information only, or
 - c) make a decision on the request.
- 33 Notwithstanding section 33, council may, by two-thirds vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful,
- a) refer the request to administration or a committee for further research, review and recommendation,
 - b) accept the request as information only, or
 - c) make a decision on the request.

2022-04

- 34 ~~Before a regular meeting is called to order, council will answer questions from the public, without the need to comply with section 31 and in accordance with the following:~~
- ~~a) questions on the following items will not be permitted:~~
 - ~~(i) items that are on the current agenda, or~~
 - ~~(ii) items that are currently being dealt with at a public hearing;~~

~~b) in order to facilitate meaningful responses to questions, citizens must provide a brief written submission stating their question(s) to the municipal clerk a minimum of one business day before the start of the council meeting; and~~

~~e)a) the question(s) provided will be read out, will include the name of the questioner, and will be answered by the presiding officer.~~

35 ~~A question asked before a meeting is called to order shall not be recorded in the minutes of the meeting.~~

MEETING CONDUCT

36 The presiding officer shall

- a) maintain order and decorum and may, if necessary, call a member to order,
- b) determine who has a right to speak,
- c) ensure all members who wish to speak to a motion have spoken, ensure that the members are ready to vote, and subsequently call the vote,
- d) rule when a motion is out of order, and
- e) ensure persons in the gallery maintain quiet and order and may, if necessary, provide for the removal of those who do not comply.

37 A member wishing to speak at a meeting shall address the presiding officer and must be recognized by the presiding officer before speaking.

38 No member shall speak for longer than five consecutive minutes.

39 Members shall be respectful and attentive, shall avoid distracting themselves and others, and shall not cause disruptions during a meeting.

40 When a member is speaking at a meeting, that member shall

- a) speak respectfully,
- b) refrain from using any offensive or disrespectful language when speaking about any member, administration, council as a whole, or any other parties,
- c) not shout or use a raised voice, and
- d) assume personal responsibility for any stated quote, and at the request of council, give the source of the information.

- 41 No person in the public gallery during a meeting shall address council unless invited to do so by the presiding officer.
- 42 No person shall use a video recording device during a meeting unless authorized to do so by this bylaw or by a unanimous vote of members present.
- 43 No member shall engage in use of social media during a meeting. *(Crouse: I suggest that you add: "Members shall not text each other during a Council meeting".)*
- 44 When the presiding officer calls a member to order, the member shall immediately cease to speak. After the presiding officer has ruled, the member may explain their action that resulted in the call to order.
- 45 A member may
- a) call a point of order at any time the member believes that ~~a rule pertaining to the conduct of the meeting has been violated~~ a rule or customary procedure of council has been incorrectly applied or overlooked during the proceedings,
 - b) call a point of procedure at any time the member requires more information about the rules of council or parliamentary law, and
 - c) call a question of privilege at any time the member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake.
- 46 When any point of order, point of procedure, or question of privilege arises, it shall be immediately taken into consideration and ruled upon by the presiding officer.
- 47 Any decision of the presiding officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of members present.

ELECTRONIC MEETING ATTENDANCE

48.01 Members may participate in any meeting to which this bylaw applies by attending in person or by electronic means, including by telephone or by the videoconferencing system approved by the CAO.

48.1 Members who are participating in ~~council or council committee proceedings~~ a meeting by electronic means shall, whenever practicable, join using videoconferencing technology ~~must have the audio and video functions enabled with and have~~ their face clearly visible in order to be counted towards quorum, to participate in debate, and to vote.

2020-22

48.1.1 If a member participating a meeting by electronic means is unable to make their face clearly visible, the member shall verbally confirm their identity to the satisfaction of the presiding officer after the meeting is called to order, after each break, and at any other time the presiding officer requests confirmation of identity in order to be counted towards quorum, to participate in debate,

and to vote. (Crouse: 48.1 above states "... shall ... have their face clearly visible to be counted toward quorum" and 48.1.1 appears to be in partial conflict with that)

48.1.2 A member must attend no more than 25% of regular council meetings and 25% of committee of the whole meetings by electronic means in a calendar year unless otherwise authorized by a council motion.

48.2 Persons who are participating in closed sessions (in camera sessions) of council or council committee proceedings by ~~videoconferencing technology~~ electronic means must prevent any person not authorized to be at the closed session from hearing the proceedings.

2020-22

48.3 Persons other than members are eligible to participate in council or council committee proceedings by ~~videoconferencing technology~~ electronic means only upon compliance with relevant sections of *Procedural Bylaw 2018-01* and acceptance of their registration by the municipal clerk.

2020-22

48.4 In the event all members participate in a meeting by electronic means,

- a) a public notice shall be advertised a least once in a local newspaper, and where that is not possible notice shall be posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media,
- b) information related to the meeting shall be posted to the Town of Canmore website, and
- c) the CAO shall provide a physical location for members of the public to watch or listen to the meeting and, whenever possible, provide a live streaming video that can be viewed remotely.

MOTIONS

48 Members may ask questions of administration through the presiding officer before a motion is made, for the purposes of determining what motion should be made in relation to the item.

49 All motions shall be presented in writing unless members present unanimously agree to consider a verbal motion.

50 Motions based on recommendations by administration will be moved by the presiding officer. Amending motions and subsequent motions on the same topic may be made by any member.

51 The presiding officer may speak to a motion at any time after it has been moved. (Crouse: In my opinion the presiding officer should follow the same rules as all members of council; remember, at this time council (as a body) owns the motion, not the presiding officer, and anyone may bring an Administration recommended motion forward)

52 All members speaking to a motion must comply with meeting procedures as stated in this bylaw.

53 Any motion substantially the same as a motion voted on in the previous six months, with the exception of a motion to reconsider, is out of order.

- 54 A motion may be withdrawn by the member that made the motion any time before voting occurs, subject to no objection from any member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 55 A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed and adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes.
- 56 When a motion contains more than one distinct proposition, council shall vote on each proposition separately if any member so requests or the presiding officer so directs.
- 57 After a motion has been made a member may request further information. The presiding officer shall provide the information or direct the request to administration or to the appropriate member.
- 58 After a motion for first, second or third reading of a bylaw, members may
- a) debate the substance of the bylaw,
 - b) propose and vote on amendments to the bylaw,
 - c) make a motion to postpone the vote on the motion for a reading of the bylaw; and
 - d) vote on the bylaw reading.
- 59 After a motion has been made, no other motion may be made except for
- a) a motion to amend the motion on the floor,
 - b) a motion to table the motion until a time later in the meeting, or
 - c) a motion to postpone the main motion to a specific date.
- 2022-04
- 60 Amending motions shall be made in accordance with the following:
- a) Only one amendment to the main motion and one amendment to that amendment shall be on the floor at any given time.
 - b) A member who moved a motion may not move an amendment to that motion, except the presiding officer who moves a motion recommended by administration.
 - c) The main motion shall not be debated until all amendments to it have been put to the vote.
 - d) Amendments shall be voted on in the reverse order in which they were moved.
 - d) When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.

- 61 A member may not move an amendment which
- a) does not relate to the subject matter of the main motion, or
 - b) is contrary to the main motion.
- 62 A motion to postpone must include the reason for postponement and a specific date when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.
- 2022-04
- 63 A motion to table must include the reason and time within the current meeting to which the matter is to be tabled. A motion to table is not debatable.
- 64 A motion to reconsider a motion that has already been voted on
- a) must be made by a member who voted on the prevailing side of the motion in question,
 - b) must be made the same day the vote was taken on the motion in question or added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
 - c) is debatable,
 - d) may be postponed,
 - e) must be decided by a two-thirds vote, and
 - e.1) may not be made if a vote for which the reconsideration sought has caused an irrevocable action.
- 2022-04
- 65 A motion to rescind a motion which has been passed
- a) may be added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
 - b) is debatable,
 - c) may be postponed,
 - d) must be decided by a two-thirds vote, and
 - e) may not be made if a vote for which the rescission is sought has caused an irrevocable action.
- 2022-04
- 66 A motion to adjourn may be made by any member except when

- a) another member has the floor,
 - b) a call for a vote has been made,
 - c) the members are voting,
 - d) the meeting is in camera, or
 - e) a previous motion to adjourn has been defeated, and no other proceedings have taken place.
- 67 A motion to adjourn is not debatable and cannot be reconsidered.
- 68 When considering approval or acceptance of a document
- a) a motion to approve a document provides direction for administration to implement any actions or direction articulated in the document, subject to council approval of actions or directions with unbudgeted financial implications,
 - b) a motion to accept a document for planning purposes provides direction for administration to use the document as a guide, and to gain council approval before taking action or establishing a direction, and
 - c) a motion to accept as information provides direction for administration to take no action related to the document.
- 69 Any member may request the motion under consideration to be read at any time, but not so as to interrupt a member who is speaking.
- 70 Any member may request that the presiding officer call a vote on a motion, and the presiding officer shall consider and rule on the request immediately.
- 71 Once the presiding officer has called the vote on a motion on the floor, no member may speak to the motion until after the result of the vote has been declared.
- 72 Unless otherwise provided for in this bylaw, motions will be decided by majority vote of council.
- 73 Motions receiving a unanimous vote shall be recorded in the minutes as “carried unanimously” or “defeated unanimously” and, in the case of a split vote, as “carried” or “defeated,” and the names of those who voted for and against the motion shall be recorded.

MEETING RECORDS

- 74 Unless otherwise authorized by this bylaw, discussion, questions and debate shall not be recorded in the minutes.
- 75 Unless otherwise authorized by this bylaw, a *summary* *(Crouse: I recommend that this recorded summary be only a small handful of words when presentations are verbally to avoid any error of interpretation by the recording*

secretary) of any verbal presentations made and/or a copy of written materials provided by members of the public will be recorded in the minutes.

- 76 When a meeting is closed to the public to discuss a matter that is within one of the exceptions to disclosure in the Freedom of Information and Protection of Privacy Act, the reason for closing the meeting and the names of persons present other than members shall be recorded in the minutes.
- 77 Minutes of a meeting other than a committee of the whole meeting shall be adopted by motion at the following regular meeting, regardless of whether or not the same members are present.
- 78 Any member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.
- 79 Approved minutes shall be signed by the presiding officer and the recording secretary who were present at the meeting where the minutes were taken, wherever practicable. Where not practicable, the minutes shall be signed by the current presiding officer and recording secretary.
- 80 The CAO is authorized to provide for streaming video and video recording of any meeting.
- 81 A video recording provided by the CAO may be used to determine the accuracy of a portion of the minutes.

COMMITTEE OF THE WHOLE

- 82 *(Crouse: the following sentence is recommended to be added: "A committee is hereby established called the "Committee of the Whole, with membership comprised of all members of Council)".* The business of a Committee of the Whole meeting shall include:
 - a) briefings from members, administration, and the public, and
 - b) consideration of policies, bylaws, and plans for recommendation to council.
- 83 The committee of the whole is authorized only to make recommendations, by motion, to council. Such recommendations will be submitted to a council agenda in accordance with section 16.
- 84 The following exceptions to this bylaw apply to committee of the whole:
 - f) a member may speak for longer than five minutes,
 - g) members must be recognized by the chair before speaking, however members may direct questions and answers to one another and to administration, and
 - h) members may discuss an issue without a motion on the floor.
- 85 Minutes of a committee of the whole meeting shall be adopted by motion at the following committee of the whole meeting, regardless of whether or not the same members are present.

PROCEDURE FOR FIRST READING OF A PLANNING BYLAW

86.1 Before giving first reading to *(Crouse: While technically legal, if information on the matter is presented to Council outside of the public hearing, somebody might be able to argue that Council could have, or did in fact, consider information gathered outside the hearing. This might be sufficient grounds for the Courts to overturn the passage of the bylaw due to information received before even reading it into the record?)*

- a) a proposed bylaw to adopt or amend a municipal development plan,
- b) a proposed bylaw to adopt or amend an area structure plan,
- c) a proposed bylaw to adopt or amend an area redevelopment plan, or
- d) a proposed bylaw amending the Land Use Bylaw,

Council shall, at a regular or special council meeting, *(Crouse: Again, this below process appears to be information that should be disclosed and shared within the public hearing process, not prior to the public hearing.)*

- a) provide the applicant, if any, with the opportunity to present their application,
- b) hear a presentation from administration, and
- c) hold a question period for Council to ask questions of the applicant, if any, and administration.

2022-04

PUBLIC HEARINGS PROCEDURE

86 Notwithstanding any other section of this bylaw, Sections 88 through 93 apply to public hearings.

87 A public hearing shall include

- a) a brief summary from administration and/or the applicant to provide context,
- b) presentations from the public and questions of clarification from council,
- c) acknowledgment of written submissions received by the municipal clerk,
- c.1) Council questions of the applicant in response to public presentations (if applicable),
- d) closing comments from administration, and
- d.1) Council questions of administration.

2020-28; 2022-04

88 No person shall address council at a public hearing

- a) without the permission of the presiding officer, and
- b) unless the person is speaking in accordance with section 88(a), more than once or for more than five minutes, exclusive of the time required to answer questions from council.

2022-04

- 89 Notwithstanding section 89(b), the presiding officer retains the right to limit or extend public presentations in order to ensure the integrity of the public hearing.
- 90 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing
- a) must be present in the council chamber or via electronic attendance, and
 - b) must register with the municipal clerk by noon on the business day preceding the hearing.

2022-04

91.1 Notwithstanding section 91(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.

2022-04

91.2 A person or group may submit their presentation using a pre-recorded video or audio provided that the video is shown by a representative who is present in the council chamber or via electronic attendance.

2022-04

91.3 Notwithstanding section 91.2, the presiding officer retains the right to stop a pre-recorded video or audio presentation that does not comply with the public hearing procedures set out in this bylaw.

2022-04

91.4 A representative of a person or group referenced in sections 91, 91.1, or 91.2 must be willing and able to speak for and answer questions on behalf of the person or group they represent. If it is determined upon questioning by the presiding officer that the representative

- a) will only be reading a written statement of a person or group, and with respect to which they will not be able to answer questions of council, then, notwithstanding sections 91 and 91.2, the presiding officer may end the presentation immediately by acknowledging receipt of the written statement without it being read by the representative, or
- b) will only be presenting a pre-recorded video or audio, and with respect to which they will not be able to answer questions of council,

then, notwithstanding section 91.2, the presiding officer may end the presentation immediately without the pre-recorded video or audio being shown.

2022-04

91 The presiding officer shall ensure all members of the public present at a public hearing feel safe to participate by requiring those present to

- a) speak respectfully,
- b) refrain from using any offensive or disrespectful language,

- c) directly address the item without repetition or reference to matters irrelevant to the public hearing,
- d) maintain order and quiet,
- e) refrain from interrupting any speech or action of members of council or any other member of the public that is addressing council, and
- f) refrain from displaying placards or signs supporting a particular outcome of the topic under discussion.

92 No motions shall be made at a public hearing.

PUBLIC HEARING RECORDS

93 Repealed 2018-18.

94 Repealed 2018-18.

95 A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and the close of the hearing.

2020-18; 2022-04

96.1 The municipal clerk shall compile written submissions received from members of the public before 9 a.m. two business days before the hearing into a record of public submissions and publish that record by 5 p.m. two business days before the hearing.

2020-18; 2022-04

96.2 The municipal clerk shall add written submissions received from members of the public between 9 a.m. two business days before the hearing and the close of the hearing to the published record of public submissions by the end of the next business day after the adjournment of the council meeting during which the public hearing was held.

2020-18; 2022-04

96.3 Anonymous submissions shall not be accepted, and an individual's name must be attached to every submission.

2022-04

96 Where a person provides more than one identical or largely identical written submission, only one shall be included in the record of public submissions.

2022-04

97 The minutes of a public hearing shall record

- a) the names of administration and the applicant, or representatives of the applicant, who presented at the hearing, and
- b) the names of the members of the public who provided written and/or verbal submissions along with a general indication of support, opposition, or neutrality, but not a summary of the presentations and/or a copy of any written materials provided.

BYLAW 2018-01
Office Consolidation Current as of April 11, 2022

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH PROCEDURES AND CONDUCT OF COUNCIL
AND MEMBERS OF COUNCIL**

WHEREAS the Municipal Government Act authorizes council to pass bylaws respecting the procedures and conduct of council and council members,

NOW THEREFORE the Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as “Procedural Bylaw 2018-01.”

INTERPRETATION

- 2 The following words and phrases mean:

- a) **agenda** means the order of items of business for a meeting and the associated reports, bylaws, and other documents;
- b) **Agenda Review Committee** means a committee consisting of the mayor, the deputy mayor, and the chief administrative officer;
- c) **Committee of the Whole** means a committee consisting of all members of council;
- d) **Finance Committee** means the committee established by *Finance Committee Bylaw 2016-19* as amended;
- e) **member** means an elected member of council and, in the case of the Finance Committee only, the chief administrative officer;
- f) **presiding officer** means the mayor; or, in the absence of the mayor, the deputy mayor; or in the absence of both the mayor and deputy mayor, the member chosen by resolution of council;
- g) **regular meeting** means a council meeting scheduled at the annual organizational meeting;
- h) **two-thirds vote** means a favourable vote made by five of seven, four of six, three of five and three of four members;
- i) **social media** means websites and applications that enable users to create and share content or to participate in social networking.

- 3 The precedence of rules governing council's procedures is:
 - a) the *Municipal Government Act*,
 - b) other provincial legislation,
 - c) this bylaw, and
 - d) the current edition of *Robert's Rules of Order and Parliamentary Procedure*.
- 4 Where a bylaw references a Town staff position, department or council committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
- 5 This bylaw applies to regular meetings, special meetings, annual organizational meetings, Committee of the Whole meetings, and Finance Committee meetings.

MEETINGS

- 6 The business of the annual organizational meeting shall include
 - a) the schedule of regular meetings,
 - b) the schedule of committee of the whole meetings,
 - c) the roster of deputy mayor appointments, and
 - d) the appointment of members and public representatives to council committees and external agencies.

2022-04
- 7 If a regular meeting or committee of the whole meeting is scheduled to occur on a statutory holiday, that meeting shall be rescheduled or cancelled.

2022-04
- 8 When a special meeting is called, notice of the special meeting is deemed to have been given to the public
 - a) when the time, date, location, and purpose of the meeting has been advertised at least once in the week preceding the meeting in a local newspaper, or
 - b) where advertising in a local paper is not possible, when a notice that specifies the time, date, location, and purpose of the meeting has been posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media.
- 9 Meetings governed by this bylaw shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next regularly scheduled meeting or at a meeting called specially to complete the business.

2019-08, 2022-04

- 10 The presiding officer shall call a recess every two hours, or as near as is practical, unless the members present unanimously agree to reschedule or cancel the recess.

2019-08

QUORUM

- 11 If quorum, as defined in the *Municipal Government Act*, is not present within fifteen minutes after the time fixed for a meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 12 If a meeting is adjourned for failure to constitute a quorum, or for loss of quorum during a meeting, the agenda for that meeting shall be considered at the next regular meeting or at a special meeting called to complete the business.
- 13 If quorum is present within fifteen minutes after the time fixed for a meeting, but the mayor and deputy mayor are absent, the CAO shall call the meeting to order and call for a presiding officer to be chosen by resolution of council.
- 14 Notwithstanding sections 11 and 13, if an absent member provides notice within fifteen minutes after the time fixed for a meeting of their expected arrival time, the presiding officer or the CAO may postpone the meeting until the absent member or members arrive.

AGENDA

15.0 A committee is hereby established by this Procedural Bylaw and shall be named the Agenda Review Committee.

- 15 Agendas shall be prepared under the direction of the Agenda Review Committee.
- 16 Unless otherwise authorized by this bylaw, submissions for inclusion in an agenda shall be delivered to the CAO no later than 4:30 p.m. on the twenty-second calendar day prior to the meeting.
2019-08
- 17 When the twenty-second calendar day prior to a meeting falls on a legislated or general holiday, submissions for the agenda shall be delivered to the CAO no later than 4:30 p.m. on the first business day following the holiday.
2019-08
- 18 The Agenda Review Committee may authorize inclusion on the agenda of items received after the submission deadline but before the agenda is published.
- 19 Once an agenda is published, it is the property of council. Items may only be removed from the agenda by a unanimous vote or added as urgent business by a two-thirds vote.
- 20 The agenda shall be made available to members at least three business days prior to the meeting and made available to the public not less than twenty-four hours later.

20.1 If an item added as urgent business in accordance with section 19 contains a written submission, the municipal clerk shall delete the published agenda and replace it with an agenda that contains the new item and is clearly marked to show the change.

21 Failure to meet the deadlines imposed in section 20 does not invalidate the agenda.

22 The order of business for a regular meeting shall be decided by a majority vote.

MEMBER SUBMISSIONS

23 A member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the CAO in accordance with section 16.

24 If approved for inclusion in the agenda, a request for decision submitted by a member will be included as new business at the next regular meeting or special meeting called to complete regular business.

25 If a request for decision submitted by a member is not approved for inclusion in the agenda, the member may submit a notice of motion. The notice of motion will appear on the agenda for the next regular meeting or special meeting called to complete regular business.

26 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.

27 A notice of motion is not debatable, however the member presenting the notice may speak to the notice for a period not to exceed five minutes.

28 The motion for which notice was given and any supporting documents must be submitted to the CAO in the form of a request for decision by 4:30 p.m. on the fourth day following the meeting at which the notice of motion was made.

29 The motion on notice shall be added as new business on the agenda for the subsequent regular meeting or special meeting called to complete regular business.

30 Council may waive the requirement for notice by a two-thirds vote and add the matter to the agenda as urgent business.

PUBLIC SUBMISSIONS

31 A person other than a member may submit a request to the CAO to include written material in the agenda and/or appear as a delegation at a regular council meeting or a committee of the whole meeting and the agenda review committee may, in their unfettered discretion, permit the request provided

a) the person has submitted their request in accordance with section 16,

b) the person has provided a description of the matter they wish to address,

c) the person has not addressed council on the same matter within the previous six months,

- d) the matter pertains to a community event, new initiative or provides an update on an item of council interest or that the Town has funded,
- e) the matter does not pertain to any undecided matter that has been the subject of a public hearing or a matter that is on a proposed future agenda for a decision of council, and
- f) there are no concerns around procedural fairness.

32 No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by the Agenda Review Committee or a majority vote of members present.

2022-04

33 When a delegation or written submission requires a council decision, council shall not make a decision at the same meeting in which the request is received; rather, the request shall appear on the agenda for the following regular meeting as business arising from the minutes, at which time council shall

- a) refer the request to administration or a committee for further research, review and recommendation,
- b) accept the request as information only, or
- c) make a decision on the request.

34 Notwithstanding section 33, council may, by two-thirds vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful,

- a) refer the request to administration or a committee for further research, review and recommendation,
- b) accept the request as information only, or
- c) make a decision on the request.

2022-04

35 ~~Before a regular meeting is called to order, council will answer questions from the public, without the need to comply with section 31 and in accordance with the following:~~

~~a) questions on the following items will not be permitted:~~

~~(i) items that are on the current agenda, or~~

~~(ii) items that are currently being dealt with at a public hearing;~~

~~b) in order to facilitate meaningful responses to questions, citizens must provide a brief written submission stating their question(s) to the municipal clerk a minimum of one business day before the start of the council meeting; and~~

~~e)a) the question(s) provided will be read out, will include the name of the questioner, and will be answered by the presiding officer.~~

36 ~~A question asked before a meeting is called to order shall not be recorded in the minutes of the meeting.~~

MEETING CONDUCT

37 The presiding officer shall

- a) maintain order and decorum and may, if necessary, call a member to order,
- b) determine who has a right to speak,
- c) ensure all members who wish to speak to a motion have spoken, ensure that the members are ready to vote, and subsequently call the vote,
- d) rule when a motion is out of order, and
- e) ensure persons in the gallery maintain quiet and order and may, if necessary, provide for the removal of those who do not comply.

38 A member wishing to speak at a meeting shall address the presiding officer and must be recognized by the presiding officer before speaking.

39 No member shall speak for longer than five consecutive minutes.

40 Members shall be respectful and attentive, shall avoid distracting themselves and others, and shall not cause disruptions during a meeting.

41 When a member is speaking at a meeting, that member shall

- a) speak respectfully,
- b) refrain from using any offensive or disrespectful language when speaking about any member, administration, council as a whole, or any other parties,
- c) not shout or use a raised voice, and
- d) assume personal responsibility for any stated quote, and at the request of council, give the source of the information.

- 42 No person in the public gallery during a meeting shall address council unless invited to do so by the presiding officer.
- 43 No person shall use a video recording device during a meeting unless authorized to do so by this bylaw or by a unanimous vote of members present.
- 44 No member shall engage in use of social media during a meeting.
- 45 When the presiding officer calls a member to order, the member shall immediately cease to speak. After the presiding officer has ruled, the member may explain their action that resulted in the call to order.
- 46 A member may
- a) call a point of order at any time the member believes that ~~a rule pertaining to the conduct of the meeting has been violated~~ a rule or customary procedure of council has been incorrectly applied or overlooked during the proceedings,
 - b) call a point of procedure at any time the member requires more information about the rules of council or parliamentary law, and
 - c) call a question of privilege at any time the member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake.
- 47 When any point of order, point of procedure, or question of privilege arises, it shall be immediately taken into consideration and ruled upon by the presiding officer.
- 48 Any decision of the presiding officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of members present.

ELECTRONIC MEETING ATTENDANCE

48.01 Members may participate in any meeting to which this bylaw applies by attending in person or by electronic means, including by telephone or by the videoconferencing system approved by the CAO.

48.1 Members who are participating in ~~council or council committee proceedings~~ a meeting by electronic means shall, whenever practicable, join using videoconferencing technology ~~must have the audio and video functions enabled with~~ and have their face clearly visible in order to be counted towards quorum, to participate in debate, and to vote.

2020-22

48.1.1 Notwithstanding section 48.1, if a member participating a meeting by electronic means is unable to make their face clearly visible, the member shall verbally confirm their identity to the satisfaction of the presiding officer after the meeting is called to order, after each break, and at any other time the presiding officer requests confirmation of identity in order to be counted towards quorum, to participate in debate, and to vote.

48.1.2 A member must attend no more than 25% of regular council meetings and 25% of committee of the whole meetings by electronic means in a calendar year unless otherwise authorized by a council motion.

48.2 Persons who are participating in closed sessions (in camera sessions) of council or council committee proceedings by ~~videoconferencing technology~~electronic means must prevent any person not authorized to be at the closed session from hearing the proceedings.

2020-22

48.3 Persons other than members are eligible to participate in council or council committee proceedings by ~~videoconferencing technology~~electronic means only upon compliance with relevant sections of *Procedural Bylaw 2018-01* and acceptance of their registration by the municipal clerk.

2020-22

48.4 In the event all members participate in a meeting by electronic means,

- a) a public notice shall be advertised a least once in a local newspaper, and where that is not possible notice shall be posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media,
- b) information related to the meeting shall be posted to the Town of Canmore website, and
- c) the CAO shall provide a physical location for members of the public to watch or listen to the meeting and, whenever possible, provide a live streaming video that can be viewed remotely.

MOTIONS

49 Members may ask questions of administration through the presiding officer before a motion is made, for the purposes of determining what motion should be made in relation to the item.

50 All motions shall be presented in writing unless members present unanimously agree to consider a verbal motion.

51 Motions based on recommendations by administration will be moved by the presiding officer. Amending motions and subsequent motions on the same topic may be made by any member.

52 The presiding officer may speak to a motion at any time after it has been moved.

53 All members speaking to a motion must comply with meeting procedures as stated in this bylaw.

54 Any motion substantially the same as a motion voted on in the previous six months, with the exception of a motion to reconsider, is out of order.

55 A motion may be withdrawn by the member that made the motion any time before voting occurs, subject to no objection from any member present. Motions withdrawn in this manner shall not be recorded in the minutes.

- 56 A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed and adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes.
- 57 When a motion contains more than one distinct proposition, council shall vote on each proposition separately if any member so requests or the presiding officer so directs.
- 58 After a motion has been made a member may request further information. The presiding officer shall provide the information or direct the request to administration or to the appropriate member.
- 59 After a motion for first, second or third reading of a bylaw, members may
- a) debate the substance of the bylaw,
 - b) propose and vote on amendments to the bylaw,
 - c) make a motion to postpone the vote on the motion for a reading of the bylaw; and
 - d) vote on the bylaw reading.
- 60 After a motion has been made, no other motion may be made except for
- a) a motion to amend the motion on the floor,
 - b) a motion to table the motion until a time later in the meeting, or
 - c) a motion to postpone the main motion to a specific date.
- 2022-04
- 61 Amending motions shall be made in accordance with the following:
- a) Only one amendment to the main motion and one amendment to that amendment shall be on the floor at any given time.
 - b) A member who moved a motion may not move an amendment to that motion, except the presiding officer who moves a motion recommended by administration.
 - c) The main motion shall not be debated until all amendments to it have been put to the vote.
 - d) Amendments shall be voted on in the reverse order in which they were moved.
 - d) When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.
- 62 A member may not move an amendment which
- a) does not relate to the subject matter of the main motion, or

b) is contrary to the main motion.

63 A motion to postpone must include the reason for postponement and a specific date when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.

2022-04

64 A motion to table must include the reason and time within the current meeting to which the matter is to be tabled. A motion to table is not debatable.

65 A motion to reconsider a motion that has already been voted on

a) must be made by a member who voted on the prevailing side of the motion in question,

b) must be made the same day the vote was taken on the motion in question or added to a future agenda in accordance with the provisions related to member submissions in this bylaw,

c) is debatable,

d) may be postponed,

e) must be decided by a two-thirds vote, and

e.1) may not be made if a vote for which the reconsideration sought has caused an irrevocable action.

2022-04

66 A motion to rescind a motion which has been passed

a) may be added to a future agenda in accordance with the provisions related to member submissions in this bylaw,

b) is debatable,

c) may be postponed,

d) must be decided by a two-thirds vote, and

e) may not be made if a vote for which the rescission is sought has caused an irrevocable action.

2022-04

67 A motion to adjourn may be made by any member except when

a) another member has the floor,

b) a call for a vote has been made,

- c) the members are voting,
- d) the meeting is in camera, or
- e) a previous motion to adjourn has been defeated, and no other proceedings have taken place.

68 A motion to adjourn is not debatable and cannot be reconsidered.

69 When considering approval or acceptance of a document

- a) a motion to approve a document provides direction for administration to implement any actions or direction articulated in the document, subject to council approval of actions or directions with unbudgeted financial implications,
- b) a motion to accept a document for planning purposes provides direction for administration to use the document as a guide, and to gain council approval before taking action or establishing a direction, and
- c) a motion to accept as information provides direction for administration to take no action related to the document.

70 Any member may request the motion under consideration to be read at any time, but not so as to interrupt a member who is speaking.

71 Any member may request that the presiding officer call a vote on a motion, and the presiding officer shall consider and rule on the request immediately.

72 Once the presiding officer has called the vote on a motion on the floor, no member may speak to the motion until after the result of the vote has been declared.

73 Unless otherwise provided for in this bylaw, motions will be decided by majority vote of council.

74 Motions receiving a unanimous vote shall be recorded in the minutes as “carried unanimously” or “defeated unanimously” and, in the case of a split vote, as “carried” or “defeated,” and the names of those who voted for and against the motion shall be recorded.

MEETING RECORDS

75 Unless otherwise authorized by this bylaw, discussion, questions and debate shall not be recorded in the minutes.

76 Unless otherwise authorized by this bylaw, a summary of any verbal presentations made and/or a copy of written materials provided by members of the public will be recorded in the minutes.

77 When a meeting is closed to the public to discuss a matter that is within one of the exceptions to disclosure in the Freedom of Information and Protection of Privacy Act, the reason for closing the meeting and the names of persons present other than members shall be recorded in the minutes.

- 78 Minutes of a meeting other than a committee of the whole meeting shall be adopted by motion at the following regular meeting, regardless of whether or not the same members are present.
- 79 Any member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.
- 80 Approved minutes shall be signed by the presiding officer and the recording secretary who were present at the meeting where the minutes were taken, wherever practicable. Where not practicable, the minutes shall be signed by the current presiding officer and recording secretary.
- 81 The CAO is authorized to provide for streaming video and video recording of any meeting.
- 82 A video recording provided by the CAO may be used to determine the accuracy of a portion of the minutes.

COMMITTEE OF THE WHOLE

83.0 A committee is hereby established by this Procedural Bylaw and shall be named Committee of the Whole.

- 83 The business of a Committee of the Whole meeting shall include
- a) briefings from members, administration, and the public, and
 - b) consideration of policies, bylaws, and plans for recommendation to council.
- 84 The Committee of the Whole is authorized only to make recommendations, by motion, to council. Such recommendations will be submitted to a council agenda in accordance with section 16.
- 85 The following exceptions to this bylaw apply to Committee of the Whole
- f) a member may speak for longer than five minutes,
 - g) members must be recognized by the chair before speaking, however members may direct questions and answers to one another and to administration, and
 - h) members may discuss an issue without a motion on the floor.
- 86 Minutes of a Committee of the Whole meeting shall be adopted by motion at the following Committee of the Whole meeting, regardless of whether or not the same members are present.

PROCEDURE FOR FIRST READING OF A PLANNING BYLAW

- 86.1 Before giving first reading to
- a) a proposed bylaw to adopt or amend a municipal development plan,

- b) a proposed bylaw to adopt or amend an area structure plan,
 - c) a proposed bylaw to adopt or amend an area redevelopment plan, or
 - d) a proposed bylaw amending the Land Use Bylaw,
- Council shall, at a regular or special council meeting
- e) provide the applicant, if any, with the opportunity to present their application,
 - f) hear a presentation from administration, and
 - g) hold a question period for Council to ask questions of the applicant, if any, and administration.

2022-04

PUBLIC HEARINGS PROCEDURE

87 Notwithstanding any other section of this bylaw, Sections 88 through 93 apply to public hearings.

88 A public hearing shall include

- a) a brief summary from administration and/or the applicant to provide context,
- b) presentations from the public and questions of clarification from council,
- c) acknowledgment of written submissions received by the municipal clerk,
- c.1) Council questions of the applicant in response to public presentations (if applicable),
- d) closing comments from administration, and
- d.1) Council questions of administration.

2020-28; 2022-04

89 No person shall address council at a public hearing

- a) without the permission of the presiding officer, and
- b) unless the person is speaking in accordance with section 88(a), more than once or for more than five minutes, exclusive of the time required to answer questions from council.

2022-04

90 Notwithstanding section 89(b), the presiding officer retains the right to limit or extend public presentations in order to ensure the integrity of the public hearing.

91 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing

- a) must be present in the council chamber or via electronic attendance, and

b) must register with the municipal clerk by noon on the business day preceding the hearing.

2022-04

91.1 Notwithstanding section 91(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.

2022-04

91.2 A person or group may submit their presentation using a pre-recorded video or audio provided that the video is shown by a representative who is present in the council chamber or via electronic attendance.

2022-04

91.3 Notwithstanding section 91.2, the presiding officer retains the right to stop a pre-recorded video or audio presentation that does not comply with the public hearing procedures set out in this bylaw.

2022-04

91.4 A representative of a person or group referenced in sections 91, 91.1, or 91.2 must be willing and able to speak for and answer questions on behalf of the person or group they represent. If it is determined upon questioning by the presiding officer that the representative

a) will only be reading a written statement of a person or group, and with respect to which they will not be able to answer questions of council, then, notwithstanding sections 91 and 91.2, the presiding officer may end the presentation immediately by acknowledging receipt of the written statement without it being read by the representative, or

b) will only be presenting a pre-recorded video or audio, and with respect to which they will not be able to answer questions of council,

then, notwithstanding section 91.2, the presiding officer may end the presentation immediately without the pre-recorded video or audio being shown.

2022-04

92 The presiding officer shall ensure all members of the public present at a public hearing feel safe to participate by requiring those present to

a) speak respectfully,

b) refrain from using any offensive or disrespectful language,

c) directly address the item without repetition or reference to matters irrelevant to the public hearing,

d) maintain order and quiet,

e) refrain from interrupting any speech or action of members of council or any other member of the public that is addressing council, and

- f) refrain from displaying placards or signs supporting a particular outcome of the topic under discussion.

93 No motions shall be made at a public hearing.

PUBLIC HEARING RECORDS

94 Repealed 2018-18.

95 Repealed 2018-18.

96 A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and the close of the hearing.

2020-18; 2022-04

96.1 The municipal clerk shall compile written submissions received from members of the public before 9 a.m. two business days before the hearing into a record of public submissions and publish that record by 5 p.m. two business days before the hearing.

2020-18; 2022-04

96.2 The municipal clerk shall add written submissions received from members of the public between 9 a.m. two business days before the hearing and the close of the hearing to the published record of public submissions by the end of the next business day after the adjournment of the council meeting during which the public hearing was held.

2020-18; 2022-04

96.3 Anonymous submissions shall not be accepted, and an individual's name must be attached to every submission.

2022-04

97 Where a person provides more than one identical or largely identical written submission, only one shall be included in the record of public submissions.

2022-04

98 The minutes of a public hearing shall record

- a) the names of administration and the applicant, or representatives of the applicant, who presented at the hearing, and
- b) the names of the members of the public who provided written and/or verbal submissions along with a general indication of support, opposition, or neutrality, but not a summary of the presentations and/or a copy of any written materials provided.

ENACTMENT/TRANSITION

99 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

100 Bylaws 04-2013, 2015-14, 2016-16, and 2017-35 are repealed.

101 This bylaw comes into force on the date it is passed.

FIRST READING: January 23, 2018

SECOND READING: January 23, 2018

THIRD READING: January 23, 2018

DATE IN FORCE: January 26, 2018

OFFICE CONSOLIDATION

This document is a consolidation of a bylaw with one or more amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

2018-01	Procedural Bylaw
2019-08	Amending Bylaw Meeting Length
2020-18	Amending Bylaw Public Hearing Submissions
2020-22	Amending Bylaw Electronic Meeting Attendance
2022-04	Amending Bylaw Omnibus

BYLAW 2023-16

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND PROCEDURAL BYLAW 2018-01**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as Procedural Bylaw Amendment 2023-16 Omnibus.

INTERPRETATION

- 2 Words defined in Bylaw 2018-01 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Bylaw 2018-01 is amended by this bylaw.
- 4 Section 2e) is amended by adding “and, in the case of the Finance Committee only, the chief administrative officer” after “elected member of council”.
- 5 The following is added before section 15:
 - 15.0 A committee is hereby established by this Procedural Bylaw and shall be named the Agenda Review Committee.
- 6 The following is added after section 20:
 - 20.1 If an item added as urgent business in accordance with section 19 contains a written submission, the municipal clerk shall delete the published agenda and replace it with an agenda that contains the new item and is clearly marked to show the change.
- 7 Section 35 and Section 36 are repealed.
- 8 Section 46a) is amended by striking out “a rule pertaining to the conduct of the meeting has been violated” and substituting “a rule or customary procedure of council has been incorrectly applied or overlooked during the proceedings”.
- 9 The following is added after section 48:
 - 48.01 Members may participate in any meeting to which this bylaw applies by attending in person or by electronic means, including by telephone or by the videoconferencing system approved by the CAO.
- 10 Section 48.1 is repealed and substituted with, “Members who are participating in a meeting by electronic means shall, whenever practicable, join using videoconferencing technology and have their face clearly visible in order to be counted towards quorum, to participate in debate, and to vote.”

11 The following are added after section 48.1:

48.1.1 Notwithstanding section 48.1, if a member participating in a meeting by electronic means is unable to make their face clearly visible, the member shall verbally confirm their identity to the satisfaction of the presiding officer after the meeting is called to order, after each break, and at any other time the presiding officer requests confirmation of identity in order to be counted towards quorum, to participate in debate, and to vote.

48.1.2 A member must attend no more than 25% of regular council meetings and 25% of committee of the whole meetings by electronic means in a calendar year unless otherwise authorized by a council motion.

12 Sections 48.2 and 48.3 are amended by striking out “videoconferencing technology” and substituting “electronic means”.

13 The following is added after section 48.3:

48.4 “In the event all members participate in a meeting by electronic means,

a) a public notice shall be advertised a least once in a local newspaper, and where that is not possible notice shall be posted for at least twenty-four hours on the front door of the Civic Centre and on the Town’s website and social media, and

b) the CAO shall provide a physical location for members of the public to watch or listen to the meeting and, whenever possible, provide a livestreaming video that can be viewed remotely.

14 The following is added before section 83:

83.0 A committee is hereby established by this Procedural Bylaw and shall be named Committee of the Whole.

15 Sections 83, 84, 85, and 86 are amended by striking out “committee of the whole” and substituting “Committee of the Whole”.

ENACTMENT/TRANSITION

16 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

17 This bylaw comes into force on the date it is passed.

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

BYLAW NUMBER 35M2017**Pecuniary Interest**

58. A *Member* who has a pecuniary interest in a matter before *Council* or a *Council Committee* must:

- (a) disclose the general nature of the pecuniary interest; and
- (b) leave the meeting before debate if required and return after the vote is declared.

[MGA, s. 172(1)]

Question Period

59. (1) At *Council* meetings only, the period identified in the Order of Business as *question period* is the time set aside for *Councillors* to ask *Administration* questions.

- (2) The *Councillor* must advise the *Mayor* and *Administration* of the question in advance of the meeting whenever possible.

60. (1) *Administration* must respond to questions asked during *question period* verbally at the meeting.

- (2) Despite subsection (1), where *Administration* is unable to respond to a question during *question period*, the question will be treated as an *Administrative Inquiry* and will follow the process set out in section 75.

(24M2019, 2019 June 17)

61. A question asked during *question period* must not introduce a motion for consideration.

62. (1) *Question period* is limited to:

- (a) a maximum of three questions per meeting; and
- (b) a maximum of 15 minutes per meeting. Where a question has been asked prior to the expiry of the fifteen minutes, that matter may be concluded.

(2) DELETED BY 24M2019, 2019 JUNE 17

63. The name of the *Councillor* asking the question and the topic of the question must be noted in the minutes of the meeting.

Confirming the Agenda Order / Changes to a Published Agenda

64. (1) Once a *Council* or a *Council Committee* agenda is set or otherwise published, it is the property of the voting body. Changes or deletions from the published agenda may only be considered at the meeting.

- (2) The agenda and any amendments to it must be confirmed by a *majority vote* at the start of meetings of *Council* and *Council Committees*.

Addition of Urgent Business to an Agenda

65. (1) A *Member* may make a motion to add *urgent business* to a *Council* or *Council Committee* meeting agenda.

Crouse Developments Inc.



Ms. Sally Caudill
Chief Administrative Officer
Town of Canmore, Alberta

May 9, 2023

Dear Ms. Caudill;

Thank you for the opportunity to review the current Finance Committee Bylaw for the Town of Canmore that was included in the April 4-2023 Agenda Package.

Feel free to contact me at nolan@nolancrouse.com or 780 863 0028

Yours sincerely,

Nolan Crouse

Nolan Crouse, MBA, CCMP™
Serving others in all treaty territories; we are all treaty people
Management Consultant

Canmore-19/20

Crouse Developments Inc.

Ph: 780.863.0028

Email: nolan@nolancrouse.com

50 Deane Crescent | St. Albert, Alberta | T8N 4Z4

www.nolancrouse.com



Finance Committee Bylaw
Review – May 9, 2023

Upon searching 10 large towns and small cities, I ceased the search as NONE had a similarly named Bylaw as Canmore; each municipality establishes its own process over time.

Research	Beaumont	Grande Prairie	St. Albert
	Medicine Hat	Cochrane	Brooks
	Camrose	Wetaskiwin	Lethbridge
	Spruce Grove		

The Canmore Bylaw recommendations are as follows:

1. Suggest delete the words "TO ESTABLISH" and replace it with the words "WITH RESPECT TO" to recognize it is already in place.
2. Suggest change the word "ESTABLISHMENT" to "PURPOSE AND MEMBERSHIP"
3. Suggest deleting the entirety of 3.1
4. Suggest delete this phrase as the words "term of office" do not apply to the CAO.
5. Delete this "and" as it does not belong.
6. While the CAO chairing a Governance meeting is dependent upon the culture, a governance purist would discourage this as a policy. Consider Deputy Mayor or another member of council as Chair. It is additionally noted in previous minutes that the CAO does make motions and these terms of reference does not give that authority and best governance practices should discourage that practice.

Note:

With respect to number 6. above, I reviewed this matter with 3 other individuals who offer advice on these matters (two of whom previously worked in municipal affairs). The most telling comment is as follows:

"I would certainly recommend that this practice stops. If there was a municipal inspection on the town, that would show up as a practice that should not continue. The blurring of lines between governance and management/administration is a very slippery slope".

These comments apply to both the CAO making motions as well as the CAO chairing a governance committee (both practices are recommended to be changed).



BYLAW 2016-19

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A FINANCE COMMITTEE

1

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

1: TITLE

1.1. This bylaw shall be known as the "Finance Committee Bylaw."

2: INTERPRETATION

2.1. In this bylaw "committee" means Town of Canmore Finance Committee.

2.2. Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.

2

3: ESTABLISHMENT

3.1. The Town of Canmore Finance Committee is hereby established.

3

3.2. The purpose of the committee is to assist Town Council in fulfilling its financial oversight responsibilities for the Town of Canmore.

3.3. The objective of the committee is to demonstrate fiscal responsibility in an, open, public, and transparent manner.

3.4. The committee shall be comprised of:
a) The mayor and all councillors, and
b) The chief administrative officer (non-voting).

3.5. The mayor, councillors and the chief administrative officer are members of the Committee throughout their term of office.

4

4: AUTHORITY

4.1. Subject to the limitations imposed by the Municipal Government Act, Council delegates to the committee the authority to review and approve or make recommendations to Council on matters related to the Town's fiscal matters including, but not limited to:

- a) The budget process,
b) Debt statistics as required by the Debt Management Policy,
c) Financial policies,
d) The annual audit,
e) Long-range financial plans,
f) Reserve levels,
g) Quarterly operating financial variance reports, and
h) Capital project progress reporting, and
i) The appointment of the Town's auditors.

5

Bylaw approved by: [Signatures]

- 4.2. Council further delegates to the committee authority to:
- a) Meet with the Town's appointed auditor prior to commencement of the annual audit to discuss potential areas of concern, and
 - b) Meet with the Town's investment advisor as needed, but not less than once per term.
- 4.3. Council reserves the authority to reconsider any vote made by the Finance Committee.

5: MEETING SCHEDULE AND PROCEDURES

- 5.1. The committee will meet at a minimum quarterly and as required.
- 5.2. Public notice of a meeting will be provided on the Town's website at least 24 hours prior to the meeting.
- 5.3. The committee will conduct its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.
- 5.4. The mayor or chief administrative officer shall be the chair of the committee. 6
- 5.5. Quorum is four voting members.
- 5.6. Matters will be decided by majority vote. A tied vote is defeated.
- 5.7. Minutes, supporting schedules and information will be made available to the public.

6: MEETING RECORDS

- 6.1. Agendas shall be made available to committee members at least three days prior to a meeting, and made available to the public at least one day prior to a meeting.
- 6.2. Minutes shall be prepared for every committee meeting and contain the following:
- a) The date, time and location of the meeting;
 - b) The names of all committee members present;
 - c) The name of anyone other than a committee member who participated in the meeting; and
 - d) Any motions made at the meeting, along with the results of the vote on the motion.
- 6.3. Questions and debate shall not be recorded in council committee minutes.
- 6.4. Minutes of a meeting shall be adopted by motion at the next meeting convened.
- 6.5. Any member may request a correction to the minutes before they are adopted; corrections are deemed adopted when the motion to adopt the minutes has carried.
- 6.6. Approved minutes shall be signed by the chairperson and the recording secretary who were present at the meeting where the minutes were taken, wherever possible. Where not possible, the minutes shall be signed by the current presiding officer and recording secretary.

Bylaw approved by: CT JB

6.7. The chief administrative officer is authorized to provide streaming video and video recording of any meeting.

7: REPORT TO COUNCIL

7.1. The Committee shall report on its proceedings and recommendations in a manner that reflects how recommendations impact upon the short and long term financial position of the Town.

7.2. Upon making recommendations, the committee will present all viable options and outline the rationale for the committee's recommendations.

8: ENACTMENT/TRANSITION

8.1. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

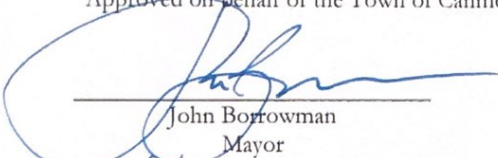
8.2. This bylaw comes into force on the date it is passed.

FIRST READING: October 18, 2016

SECOND READING: October 18, 2016

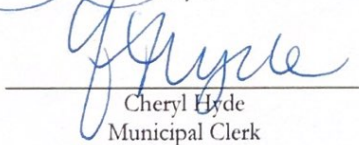
THIRD READING: October 18, 2016

Approved on behalf of the Town of Canmore:





John Borrowman
Mayor

October 24, 2016
Date



Cheryl Hyde
Municipal Clerk

October 21, 2016
Date

Bylaw approved by:  

BYLAW 2016-19

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
WITH RESPECT TO ESTABLISH A FINANCE COMMITTEE**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

1: TITLE

1.1. This bylaw shall be known as the “Finance Committee Bylaw.”

2: INTERPRETATION

2.1. In this bylaw “committee” means Town of Canmore Finance Committee.

2.2. Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.

3: PURPOSE AND MEMBERSHIP ESTABLISHMENT

3.1. ~~The Town of Canmore Finance Committee is hereby established.~~

3.2. The purpose of the committee is to assist Town Council in fulfilling its financial oversight responsibilities for the Town of Canmore.

3.3. The objective of the committee is to demonstrate fiscal responsibility in an, open, public, and transparent manner.

3.4. The committee shall be comprised of:

- a) The mayor and all councillors, and
- b) The chief administrative officer (non-voting).

3.5. The mayor, councillors and the chief administrative officer are members of the Committee ~~throughout their term of office.~~

4: AUTHORITY

4.1. Subject to the limitations imposed by the Municipal Government Act, Council delegates to the committee the authority to review and approve or make recommendations to Council on matters related to the Town’s fiscal matters including, but not limited to:

- a) The budget process,
- b) Debt statistics as required by the Debt Management Policy,
- c) Financial policies,
- d) The annual audit,
- e) Long-range financial plans,
- f) Reserve levels,
- g) Quarterly operating financial variance reports, ~~and~~
- h) Capital project progress reporting, and
- i) The appointment of the Town’s auditors.

- 4.2. Council further delegates to the committee authority to:
 - a) Meet with the Town's appointed auditor prior to commencement of the annual audit to discuss potential areas of concern, and
 - b) Meet with the Town's investment advisor as needed, but not less than once per term.
- 4.3. Council reserves the authority to reconsider any vote made by the Finance Committee.

5: MEETING SCHEDULE AND PROCEDURES

- 5.1. The committee will meet at a minimum quarterly and as required.
- 5.2. Public notice of a meeting will be provided on the Town's website at least 24 hours prior to the meeting.
- 5.3. The committee will conduct its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.
- 5.4. The mayor ~~or chief administrative officer~~ shall be the chair of the committee.
- 5.5. Quorum is four voting members.
- 5.6. Matters will be decided by majority vote. A tied vote is defeated.
- 5.7. Minutes, supporting schedules and information will be made available to the public.

6: MEETING RECORDS

- 6.1. Agendas shall be made available to committee members at least three days prior to a meeting, and made available to the public at least one day prior to a meeting.
- 6.2. Minutes shall be prepared for every committee meeting and contain the following:
 - a) The date, time and location of the meeting;
 - b) The names of all committee members present;
 - c) The name of anyone other than a committee member who participated in the meeting; and
 - d) Any motions made at the meeting, along with the results of the vote on the motion.
- 6.3. Questions and debate shall not be recorded in council committee minutes.
- 6.4. Minutes of a meeting shall be adopted by motion at the next meeting convened.
- 6.5. Any member may request a correction to the minutes before they are adopted; corrections are deemed adopted when the motion to adopt the minutes has carried.
- 6.6. Approved minutes shall be signed by the chairperson and the recording secretary who were present at the meeting where the minutes were taken, wherever possible. Where not possible, the minutes shall be signed by the current presiding officer and recording secretary.

6.7. The chief administrative officer is authorized to provide streaming video and video recording of any meeting.

7: REPORT TO COUNCIL

7.1. The Committee shall report on its proceedings and recommendations in a manner that reflects how recommendations impact upon the short and long term financial position of the Town.

7.2. Upon making recommendations, the committee will present all viable options and outline the rationale for the committee’s recommendations.

8: ENACTMENT/TRANSITION

8.1. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

8.2. This bylaw comes into force on the date it is passed.

FIRST READING: October 18, 2016

SECOND READING: October 18, 2016

THIRD READING: October 18, 2016

Approved on behalf of the Town of Canmore:

John Borrowman
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

BYLAW 2023-19

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND FINANCE COMMITTEE BYLAW 2016-19**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as Finance Committee Bylaw Amendment 2023-19 Omnibus.

INTERPRETATION

- 2 Words defined in Bylaw 2016-19 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Bylaw 2016-19 is amended by this bylaw.
- 4 The heading is amended by striking out “to Establish a” and substituting “With Respect to.”
- 5 Section 3 is amended by striking out “Establishment” and substituting “Purpose and Membership”.
- 6 Section 3.1 is repealed.
- 7 Section 3.5 is amended by striking out “throughout their term of office”.
- 8 Section 4.1 g) is amended by striking out “and”.
- 9 Section 5.4 is amended by striking out “or chief administrative officer”.
- 10 The numbering of the bylaw is amended by removing numbers in the headers and numbering all sections chronologically.

ENACTMENT/TRANSITION

- 11 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 12 This bylaw comes into force on the date it is passed.

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #:** G-1

TO: Council

SUBJECT: Bylaw 2023-02 Land Use Amendment – 231 & 233 Three Sisters Drive

SUBMITTED BY: Anika Drost, Development Planner

RECOMMENDATION: That Council defeat Bylaw 2023-02 on second reading.

EXECUTIVE SUMMARY

Bylaw 2023-02 received first reading on May 2, 2023 and is the subject of a public hearing on June 6, 2023.

Administration’s analysis and recommendation on this matter presented at first reading of this bylaw remains unchanged.

Please see Attachment 1 for the Request for Decision submitted on May 2, 2023 with the related attachments and Attachment 2 for Bylaw 2023-02 presented at first reading.

At first reading, the applicant proposed a scenario that envisioned 12 residential units on the subject sites. Administration must note that this scenario was not presented during the processing of the application. The Request for Decision at first reading (See Attachment 1) references a proposed land use to support the development of eight residential units. To achieve eight units on the subject site, the applicant would need to be granted variances to the regulations of the proposed R2A district. In the absence of site plans that demonstrate the configuration and massing of such units, the viability of achieving 12-units on this site is unknown at this time.

The notion of contemplating eight or twelve units on the site also presupposes the decision of the applicable Development Authority. In this case, the Development Authority would be administration, who only has authority to grant variances up to 10% (Section 1.14.1.1 of the Land Use Bylaw), if the Development Authority deems that the variance provides:

- *A community or neighbourhood benefit; and*
- *That the proposed development would not unduly interfere with the amenities of the area; or materially interfere with, or affect the use, enjoyment, safety, aesthetics, or value of neighbouring properties.*

Such an analysis would not occur until a development permit application is received, and there is no guarantee that the outcome of that analysis would be in the applicant’s favour.

The applicant has also not previously discussed the possibility of providing Vital Homes through bonusing on-site (allowing additional market units for the provision of affordable units) with administration. Since the R2A district does not include unit count maximums, there is nothing for the Town to bonus, as the only constraints on what's developable on the lots are the development standards. In the few occasions where

Section 12 has been applied to a development, the areas had unit maximums so that it was clear how many additional units the developer was getting as part of the provision of PAH.

Section 12 of the LUB was not crafted with the intent of being applied in an infill context. The purpose statement clearly notes an intent *“To increase the number of Perpetually Affordable Housing units constructed and available within comprehensive developments, primarily in new areas of town.”*

Section 12.2.0.23 does refer to variances for infill development:

“Variances for infill developments in existing developed residential areas, require additional public consultation, through a Land Use Bylaw amendment or Area Redevelopment Plan process, to evaluate the possible impact(s) and their potential mitigation.”

However, this cannot be read in isolation, as previous clauses, such as 12.2.0.4 make reference to a collaborative and ongoing design process, early in the process:

The Developer, CCHC, and the Town shall work collaboratively early in the design phase of the project to ensure the type and size of units are appropriate and consistent with current demand and need for PAH.

Therefore, for 12.2.0.23 to be a consideration, a specific design for the buildings would have already been established and agreed upon by the Town, the developer, and Canmore Community Housing, that would attempt to accommodate the necessary variances associated with the infill development. Since the design work for the site has yet to commence and there have been no joint discussions between CCH, administration, and the developer to date, it would be premature for administration to make any commitments with regard to density bonusing on this site, as the scale and massing of the development and what level of variances would be required to accommodate a 12-unit residential development, remains unclear.

It is also worth reiterating, that the matter before Council is not any particular unit count. The matter before Council is whether it is appropriate to rezone the subject lands from R2 to R2A and if the suite of uses contemplated within the R2A district is appropriate for this area. Development Permit applications in this area will not be reviewed by Council and the applicants will not be bound to build any particular number of units, despite any discussions that occur as part of the rezoning application. If the proposed rezoning is approved, the applicant will have the right to build any of the permitted uses listed within the district, so long as the units adhere to the applicable development standards. Therefore, the focus need not be just on what the applicant is proposing today, but all the possibilities the zone provides moving forward, should the properties come under new ownership or the current owner decide to move in a different development direction.

ATTACHMENTS

- 1) RFD and attachments from the May 2, 2023 Council meeting.

AUTHORIZATION

Submitted by: Anika Drost
Development Planner Date: May 16, 2023

Approved by: Lauren Miller
Manager of Planning & Development Date: May 17, 2023

Approved by: Whitney Smithers
GM of Municipal Infrastructure Date: May 17, 2023

Approved by: Sally Caudill
Chief Administrative Officer Date: May 30, 2023



Request for Decision

DATE OF MEETING: May 2, 2023 **Agenda #:** G-3

TO: Council

SUBJECT: Bylaw 2023-02 Land Use Bylaw Amendment – 231 & 233 Three Sisters Drive

SUBMITTED BY: Anika Drost, Development Planner

RECOMMENDATION: That Council give first reading to Bylaw 2023-02 and schedule a public hearing for June 6, 2023.

EXECUTIVE SUMMARY

Administration received an application to amend the Town of Canmore Land Use Bylaw 2018-22 for parcels located at 231 and 233 Three Sisters Drive (Attachment 1 – Current Land Use Map), to redesignate the lands from R2 Residential Two-Unit District to R2A Residential Low Density District. The R2 District allows the development of duplexes as the highest density development. Redesignation of the properties to the R2A District would allow the development of townhouses. Townhouses are a permitted use in the R2A District. Despite the recommendation for first reading to the amending Bylaw, and scheduling of a public hearing, administration does not support the applicants' proposal for reasons explained in this report.

While administration does not support the application, out of a duty of procedural fairness, Council is obligated to hold a public hearing and to consider community input before making a decision. First reading needs to occur for a public hearing to be scheduled and held. A decision can be made at second reading of the bylaw.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The subject parcels are not located in an area governed by an Area Structure Plan or Area Redevelopment Plan. Therefore, the application was reviewed for alignment with the Municipal Development to ensure consistent application of policy direction. The Municipal Development Plan provides overarching development guidance and policy direction to achieve the vision of the community.

DISCUSSION

Applicants' Proposal

The applicants propose to change the land use designation for two parcels located at 231 and 233 Three Sisters Drive (See Attachment 1: Current Land Use Map and Attachment 2: Site Aerial) from R2 to R2A to allow the development of townhouses on the subject properties. "Townhouses" and "Townhouses, Stacked" are both permitted uses within the R2A district.

There currently is one detached dwelling unit on each parcel. Under the current zoning, the applicant could build one Duplex building per lot. Each unit within the Duplex building is allowed to have one Accessory Dwelling Unit (accessory dwelling units create opportunities to provide market-affordable rental housing). This would result in potentially four units per lot; for a total of eight units across two parcels. The applicant is

requesting that the two parcels be rezoned to accommodate the development of a townhouse building comprised of four units on each site, for a total of eight units across the two parcels.

In the applicants' justification statement, the applicants stated that townhouses generally yield smaller units than duplexes, which in turn may yield a more economical use of the land; potentially create housing at a lower price point; and potentially create a wider range of housing options for residents in Town. The applicant provided no background evidence to support these assertions, nor any strategy or program details that demonstrate the applicants' commitment to provision of lower cost housing.

The applicants have stated that other properties in proximity to the subject sites already exhibit higher densities and differing built form than duplexes and detached dwelling units. These densities are associated with different land use districts. The properties across the street from the subject parcels are within the R3 – Residential Comprehensive Multiple Unit District, which provides the opportunity to yield higher densities than those found in either R2 or R2A districts. The applicants also indicated that there are other properties along Three Sisters Drive that are districted R2A (there is a block of R2A lots to the south, near the intersection of Three Sisters Drive and Prospect Heights).

The applicants propose to develop four principal dwelling units per parcel as indicated in the draft plan below (see Figure 1). The applicants believe that the development of smaller units will create lower priced housing stock than that of two duplex units on each lot.

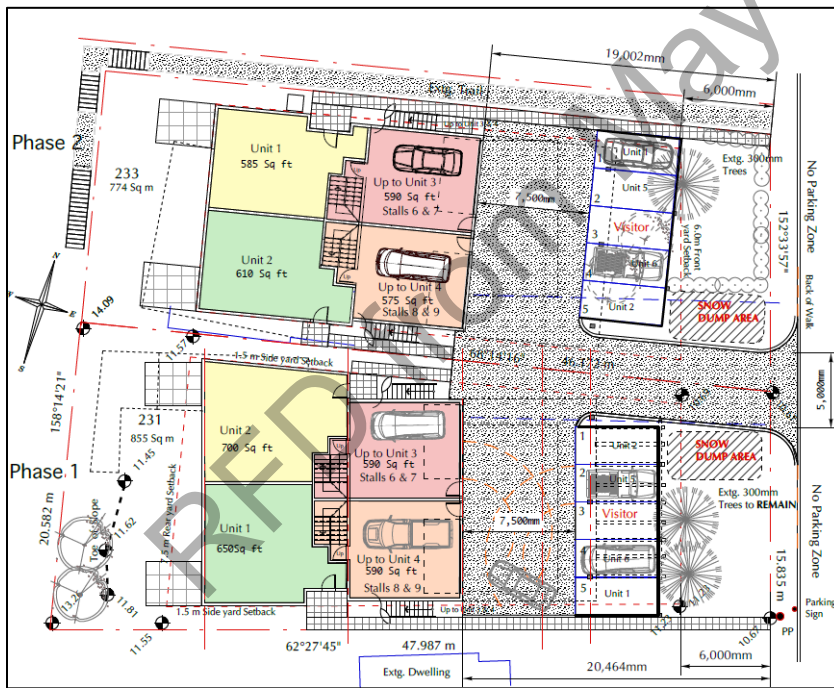


Figure 1: Proposed Townhouse Development

The applicants have noted in their application that the subject parcels are 12% and 23% larger than the average lot sizes for R2 parcels along Three Sisters Drive. It is the applicants' opinion that larger parcel sizes support an increase in density and allows for additional on-site parking, vehicle turning, and landscaping to mitigate concerns about the addition of units to the sites. The applicants have also identified that they will pursue a shared access option to limit the number of driveways onto Three Sisters Drive to one shared

driveway for all proposed units. Administration notes that existing access is one shared driveway for both existing units.

Administration's Analysis

The subject properties are designated as Neighbourhood Residential within the Conceptual Land Use map in the MDP. The MDP emphasizes appropriate tools, such as area structure or area redevelopment plan to create comprehensively planned areas and abstain from ad-hoc planning, such as the proposed amendment. Although there is policy within the MDP to support a variety of housing and higher density, planning should occur in an orderly and efficient manner.

Section 2.3.2 a) states that important factors to consider for infill and redevelopment includes that:

- a) *The new development is in context with or provides an appropriate transition from existing development*

The proposed amendment (if approved) would result in mid-block spot zoning, creating an isolated R2A pocket along a street block face that is entirely designated R2. The properties across Three Sisters Drive are zoned R3 and DC-41-1980 Three Sisters Drive-Nuwest Townhouse DC District (Attachment 1).

Although there are higher density developments located along Rundle Drive (across the street from Three Sisters Drive), the block face at which the subject parcels are located does not contain higher density developments beyond duplexes. R2A parcels would deviate and disrupt the continuity of existing development with the introduction of townhouses.

When considering the community benefits of this amendment, administration is of the opinion that the application's benefits are minor in nature. The applicant would like to develop eight units. The current zoning can already yield eight units. However, those eight units could not be individually sold. The Townhouse form allows all eight units to be individually sold, whereas the current zoning would see the ADUs bundled with the principal duplex unit. If the applicants' intent is to create more units, rezoning of these lands is not directly needed in order to accomplish that. Although the applicants have stated their intent to develop four townhouse units on each of the subject sites, the proposed amendment could only yield townhouses with three units in each building per site, for a total of six units per site. In order to get a fourth unit in each townhouse building, a variance to the minimum lot area requirement would need to be granted at the development permit stage. Administration also emphasizes that there is no guarantee that the property would be developed as currently proposed by current or future applicants.

Although the addition of townhouses could theoretically increase the total number of principal dwelling units from four to six units per parcel, the applicants' submissions indicate that ADUs are not contemplated in the development. It is unclear how the notion of smaller units will yield lower-priced housing if they are to be at market rates; and how the units would be assigned to local residents. Administration finds that without a strategy or program in place to directly manage the market cost of units, smaller units do not automatically yield more affordable housing. The Town has no mechanism to regulate and secure the affordability of these units in perpetuity.

Administration acknowledges the applicants' finding that the setbacks, building height, and site coverage between the two districts are identical. Although the applicants' townhouse design could reflect the appearance of a duplex from the parcel frontage, this does not diminish the impacts of spot zoning and the need for comprehensive planning. Despite these parcels being slightly larger than the average parcel within this block face, there are no other distinguishing factors that would differentiate these parcels from other,

larger R2 parcels along Three Sisters Drive. Approval of a land use amendment for these parcels could encourage additional, mid-block parcels to be considered for spot zoning. There are 35 other R2 parcels along Three Sisters Drive that have not been developed and subdivided into duplex lots. Out of these 35 parcels, six parcels are either of a similar size or larger than the subject parcels. Approval of the proposed amendment could result in similar applications for the other six parcels along Three Sisters Drive. Caution should be exercised to balance this type of spot zoning for increased density with comprehensive planning (such as an Area Redevelopment Plan) that provides equitable development opportunities for other landowners and developers along Three Sisters Drive.

ANALYSIS OF ALTERNATIVES

If an increase in density along Three Sisters Drive is desired, Council may wish to direct administration to initiate the appropriate planning processes to consider higher density building typologies in this area.

FINANCIAL IMPACTS

None.

STAKEHOLDER ENGAGEMENT

The applicants canvassed Three Sisters Drive and submitted six landowner letters, four of which are in support of the proposed amendment.

Administration completed a circulation of the applications to area landowners within a 60-metre radius of the subject parcels. Landowners were provided one month to submit comments to administration. Five landowner letters were received. One letter provided support for the application and two provided clear opposition, with the remaining two noting concerns about the impacts that the increased density will have for this area. The following key concerns were raised:

- Insufficient on-site parking and the resulting higher demand for street-parking in an already congested area
- Traffic safety concerns at the Rundle Drive/Three Sisters Drive intersection
- Snow removal and flooding concerns
- Lack of ability to enforce the applicants' commitment to create housing for locals
- Existing opportunity to add units to the properties within the realm of the R2 district
- Precedence setting nature of the application that could encourage other developers to apply and change the character of housing along Three Sisters Drive
- The requirement for comprehensive planning to accommodate additional density

In response to public concerns, the applicants have stated that they are intending to provide adequate on-site parking. They plan to utilize a shared access agreement to reduce the number of driveways onto Three-Sisters Drive, and that they plan to provide adequate on-site vehicle turning space and snow storage space. These elements could be more thoroughly fleshed out at the Development Permit stage. Additionally, they have re-emphasized their commitment to create housing options within Town.

Administration agrees with the concerns that speak to the potential of a land use amendment encouraging similar applications to be considered by the Town, and the need for additional planning prior to an increase in density in this area.

ATTACHMENTS

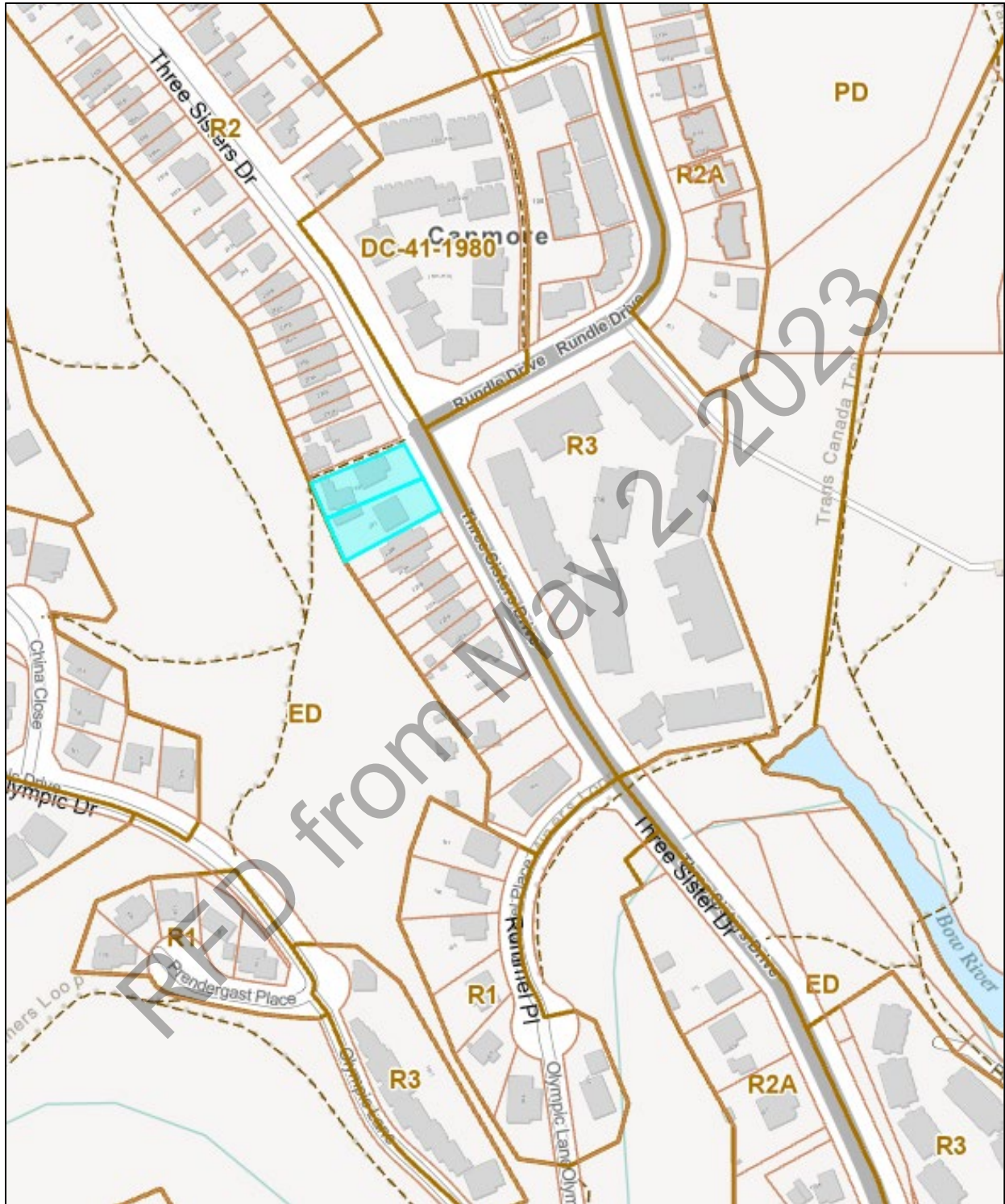
- 1) Current Land Use Map
- 2) Aerial Site Map
- 3) Land Use Bylaw Amendment 2023-02

AUTHORIZATION

Submitted by:	Anika Drost Development Planner	Date:	<u>March 30, 2023</u>
Approved by:	Lauren Miller, RPP, MCIP, AICP Manager of Planning and Development	Date:	<u>April 12, 2023</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date:	<u>April 14, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>April 25, 2023</u>

RFD from May 2, 2023

Attachment 1 – Current Land Use Map



Attachment 2 – Site Aerial





BYLAW 2023-02

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND REVISED LAND USE BYLAW 2018-22**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as the “Land Use Bylaw Amendment – Redesignation of 231 and 233 Three Sisters Drive”

INTERPRETATION

- 2 Words defined in revised Land Use Bylaw 2018-22 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 Revised Land Use Bylaw 2018-22 is amended by this bylaw.
- 4 Section 15 is amended to redesignate the land identified in Schedule A of this bylaw from R2 Residential Two-Unit District to R2A Residential Low Density District.

ENACTMENT/TRANSITION

- 5 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 6 Schedule A forms part of this bylaw.
- 7 This bylaw comes into force on the date it is passed.

FIRST READING: May 2, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

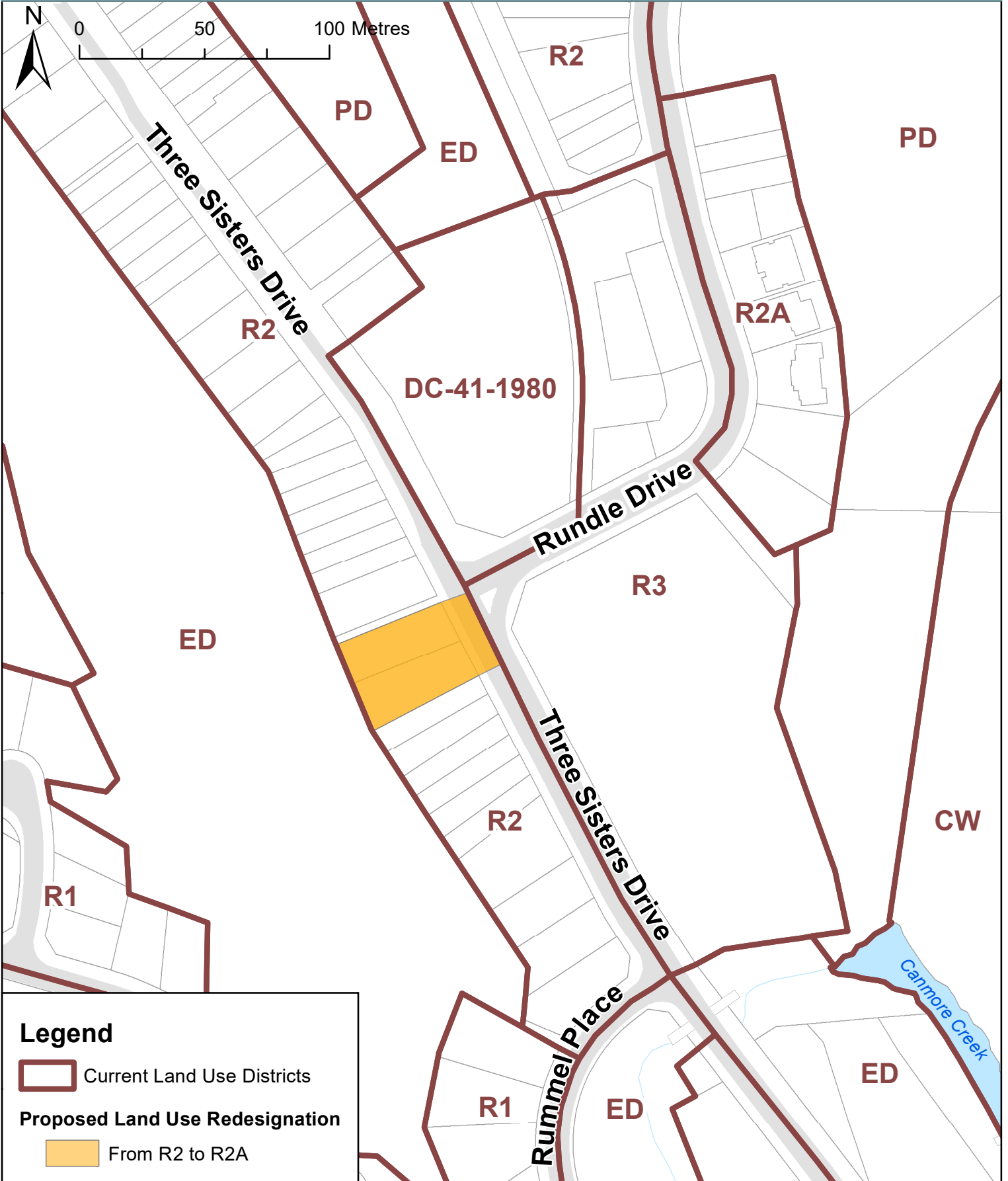
Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

Schedule A: Bylaw 2023-02





Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #:** G-2

TO: Council

SUBJECT: Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District

SUBMITTED BY: Nathan Grivell, Development Planner

RECOMMENDATION: That Council postpone second and third reading of Bylaw 2022-14 until such time as an application for an amending bylaw for the growth boundary in the Municipal Development Plan is brought to Council, no later than December 31, 2023.

EXECUTIVE SUMMARY

Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District received first reading May 2, 2023, and is the subject of a public hearing on June 6, 2023.

Administration's analysis and recommendation on this matter, presented at first reading of this bylaw, remains unchanged. However, if Council decides to proceed to second reading for the proposed DC district, administration recommends deleting language in the proposed bylaw respecting sewage systems, as the language is inappropriate for inclusion in the Land Use Bylaw (LUB).

DISCUSSION

Administration recommends that Council amend Bylaw 2022-14 before voting on second reading by striking out section 14.41.6.1, which reads as follows:

14.41.6.1 The site may be serviced with private on-site sanitary servicing. The regulations for this shall follow the Alberta Private Sewage Systems Standard of Practice 2015, as amended. An exemption to the Canmore Sewerage Bylaw No. 2015-18, as amended, shall be granted.

The intention of Section 14.41.6.1 is to direct the approval of a private sewage system and to grant an exemption to the requirement to connect to the municipal sewage system under Bylaw 2018-18 Sewerage Use Bylaw. The applicable provision of the Sewerage Use Bylaw is section 4.1:

4.1. An owner of a premises where wastewater disposal is required shall connect the premises to the sewerage system, at the owner's own expense and in accordance with the Town's engineering standards, unless otherwise authorized in writing by the Town's chief administrative officer.

Section 14.41.6.1 as proposed is prohibited by section 201(2) of the MGA:

201(2) A council must not exercise a power or function or perform a duty that is by this or another enactment or a bylaw assigned to the chief administrative officer or a delegated officer.

Section 4.1 of the Sewerage Bylaw delegates the authority to grant exemptions to the CAO.

Section 201(2) of the MGA encodes a common law presumption that, where legislation delegates discretion to a particular decision-maker, only that decision-maker can exercise it. Indicators that the delegated decision-maker was acting under dictation from the delegators means that the discretionary power was not in fact exercised by the delegated decision-maker.

Please see Attachment 1 for the Request for Decision submitted on May 2, 2023, and Attachment 2 for Bylaw 2022-14.

ANALYSIS OF ALTERNATIVES

Council could proceed to give the bylaw second reading. The considerations Council should be mindful of if they decide to pursue this approach are outlined in the Analysis of Alternatives section in the Request for Decision from the May 2, 2023 Council Meeting (see Attachment 2).

ATTACHMENTS

- 1) RFD from the May 2, 2023, Council Meeting
- 2) Land Use Bylaw Amendment 2022-14 - Trinity Bible Church Direct Control District

AUTHORIZATION

Submitted by:	Nathan Grivell Development Planner	Date: <u>May 16, 2023</u>
Approved by:	Lauren Miller Manager of Planning & Development	Date: <u>May 17, 2023</u>
Approved by:	Whitney Smithers GM of Municipal Infrastructure	Date: <u>May 17, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>May 30, 2023</u>



Request for Decision

DATE OF MEETING: May 2, 2023 **Agenda #:** G-2

TO: Council

SUBJECT: Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District

SUBMITTED BY: Nathan Grivell, Development Planner

RECOMMENDATION: That Council postpone first reading of Bylaw 2022-14 until such time as an application for an amending bylaw for the growth boundary in the Municipal Development Plan is brought to Council, no later than December 31, 2023.

EXECUTIVE SUMMARY

The Trinity Bible Church (TBC) is applying to redesignate a parcel of land, located at 105 Harvie Heights Road, from CW – Conservation of Wildlands District to a Direct Control District (DC District). The purpose of the redesignation is to allow the TBC to develop a religious institution on the site. Administration is of the opinion that the Growth Boundary as delineated in the Municipal Development Plan (MDP) must be amended first (or concurrently with) amending the Land use Bylaw in order to accommodate the proposed development.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

None.

DISCUSSION

TBC is proposing a land use redesignation, from CW District to a DC District, at 105 Harvie Heights Road (Figure 1) to construct a religious institution (Cultural Establishment). The site has been cleared and consists of a detached dwelling with an accessory building and a driveway (Figure 2). There is no area redevelopment or structure plan that governs redevelopment of the site.



Figure 1 – Location of Site



Figure 2 – Existing Site with Future Development Concept Overlay

The site is located outside of the Growth Boundary as defined in the Municipal Development Plan and administration recommends that Bylaw 2022-14 should not be approved until the Growth Boundary is amended.

Growth Boundary

The Municipal Development Plan (MDP) includes a Growth Boundary to delineate areas that the Town has determined to be appropriate for urban development from those that are not ready or suitable for development. Currently, within the Growth Boundary there is land that has been deemed suitable for development but remains undeveloped. The Growth Boundary also ensures that growth happens in an orderly fashion and does not “leapfrog” to the outskirts of Town. The MDP speaks to future growth and development within this boundary:

MDP Policy 2.1.1

All new urban residential, commercial, industrial and institutional development will be limited to those areas within the Growth Boundary as shown in Map 1.

However, the MDP does allow for some exceptions, specifically where the type of development is not urban in nature and conforms to the conservation land use policies set out in Section 4.1.

MDP Policy 2.1 - Development Outside of the Growth Boundary

2.1.4 Development that is considered to be urban in nature will not be allowed outside of the Growth Boundary. Development proposals outside of the Growth Boundary that may be considered are those that conform to the Conservation land use policies in Section 4.1.

MDP Policy 4.1 - Conservation

Conservation areas are a conceptual land use category and generally consist of lands that are outside of the Growth Boundary. A substantial portion of land within the Town’s boundary has been identified as Conservation areas. One of the primary objectives of Conservation areas is to minimize development to protect natural features and ecosystem functions and the majority of this area is protected through designation as Provincial Park.

Development in Conservation Areas

4.1.1 Conservation areas are generally accommodated in those areas identified on Map 2 – Conceptual Land Use.

4.1.2 Development in Conservation areas should be limited to recreational use, agricultural uses, infrastructure and utilities, and will be subject to any additional restrictions on these activities contained in the MDP including Environmentally Sensitive Areas policies contained in Section 4.2.

4.1.3 Notwithstanding 4.1.2, existing development in Conservation areas will be permitted to continue.

4.1.4 Changes in zoning for lands within Conservation areas that would allow new or additional development of those lands shall be discouraged unless exceptional community benefit can be demonstrated. Should an application for amendment be considered, an EIS will be required to be prepared and potential impacts of the development are addressed and mitigated.

Urban development refers to development that is characteristic of a city or town environment, such as residential neighbourhoods and commercial areas that have access to municipal utility services. In administration’s opinion, a cultural establishment is more urban than rural in nature. Furthermore, to align

with the direction provided in Section 2.1.4, Section 4.1 establishes special consideration for rural uses that generally require separation from urban areas (i.e. private recreational pursuits and agricultural endeavors).

Section 4.1.4 does offer some opportunity for non-rural development where “exceptional community benefit” is proposed. The applicant has identified social benefits that the religious institution does/will offer (Figure 3).

SPIRITUAL / EMOTIONAL SUPPORT	COMMUNITY SUPPORT PROGRAMS
<ul style="list-style-type: none"> • Home to 100 + Canmore residents & families providing weekly spiritual encouragement and biblical training • Church home away from home to many visitors (both vacationers & short-term workers) • Kids, Youth, Adult, Senior & Family programs • Bereavement Support & Counseling through the GriefShare outreach • Summer kids programs • Meeting Centre for Bow Valley Churches • Canmore Ladies Christmas Banquet (13 years) • Support many international causes 	<ul style="list-style-type: none"> • Multi-purpose venue to support mid-week programs (Drum Circle, Bow Valley Choral) • Young Mom's/ tot drop-in play time • Skiers Church at Sunshine Village • Providing volunteers for Food & Friends • Safe Park program • Benevolent offering cheques (i.e.: Canmore Food Bank & others) • Support for Steve Sellers with Athletes in Action working with the Canmore Eagles & Olympic Athletes • Support for Youth Unlimited: working with youth • Affordable childcare (future offering)

Figure 3 – Applicant’s Summary of Community Benefits

Administration acknowledges the social benefits that Cultural Establishments provide within the community. However, the use of the term ‘exceptional’ community benefit in Section 4.1.4 magnifies how broad reaching and significant the community benefit must be. While many of the community benefits outlined in Figure 3 are valuable services to the community, it is difficult to assess how broad reaching these services are, their frequency, and to what degree they positively impact the community, to determine if they qualify as ‘exceptional’. Given this subjectiveness, and the urban nature of the church, in administration’s opinion, the land use amendment cannot proceed without first (or concurrently with) amending the Growth Boundary and Maps 1 and 2 of the MDP.

Section 4.1.3 does recognize existing developments in the CW Districts and the property rights of these landowners. However, while these existing developments may redevelop, they are not permitted to increase in density or size or change their primary use.

The Applicant has a different interpretation of these sections in the MDP and wishes to proceed to Council, despite administration’s advice that an amendment to the MDP is necessary in order to accommodate the proposed development. Generally, the Applicant believes that the proposed development is rural in nature as Cultural Establishments may be found in rural settings. Furthermore, they contend that the proposal aligns with the requirements of Section 4.1.4, stating it offers exceptional community benefit (Figure 3) and that they have completed the required Environmental Impact Statement for the proposed use.

ANALYSIS OF ALTERNATIVES

Council could choose to give first reading to the land use amendment and schedule a public hearing. The following has been prepared should Council decide that no amendment to the MDP is required for the proposed land use amendment.

Environmental Concerns

The subject site is located adjacent to the Harvie Heights Regional Habitat Patch (HHRHP). Therefore, the Applicant was required to complete an Environmental Impact Statement (EIS). The EIS has been reviewed by the Town's environmental consultant MSES, who concluded that, overall, the proposed project will likely have minimal impacts to several ecosystem components such as vegetation and soils, given that the development would occur on an already disturbed property. However, there are concerns surrounding cumulative impacts from sensory disturbances to wildlife use of the HHRHP and increased human access to the HHRHP that could increase human-wildlife conflict and contribute to wildlife avoidance of the area. The applicant has included in the DC District requirements for fencing and signage, to discourage entry into the HHRHP, as well as landscaping to discourage on-site animal attractants.

Purpose and Use

The applicant has established a purpose statement for the proposed DC District to allow only for development of a religious institution and its typical ancillary uses:

“To provide for a cultural establishment which may include accessory uses, that are incidental and directly related to the cultural establishment, such as a rectory, daycare, cultural events, and seminary.”

Administration has no objections to the proposed purpose statement, as it reflects the intended development of the site, and it does not permit other private and related uses of the land. The Applicant has also reinforced this with a limited number of uses that are either typical in the LUB's stock land use districts or directly related to the Cultural Establishment (see Section 14.41.2-14.41.3).

The Applicant has included district-specific uses and definitions. There is a modified definition for cultural establishment. The Applicant is concerned the current definition in the LUB is too subjective to capture their ancillary uses and they want to avoid any uncertainty. Administration believes the existing definition is adequate, however, has no objections as the modified definition only pertains to the DC District. The Applicant has also included a new use, specific to the DC District - Rectory. The intent of this use is for a small dwelling unit, located inside the church, for a staff member, such as a Minister. Including an opportunity for staff housing aligns with the affordable housing policies in the MDP and, therefore, administration has no objections to the proposed use or its definition.

Development Regulations

As mentioned, there is no area redevelopment or structure plan to help guide the creation of a DC District for this site. Furthermore, there is limited development in the area to help evaluate the appropriateness of the development regulations in the proposed DC District. The nearest development is the one storey detached dwelling and accessory buildings located on the adjacent lot. The Visitor Information Centre is the next closest development, located approximately 500 m from the site and across the Trans Canada Highway.

With regard to existing zoning, the adjacent site and the subject site are governed by the CW District which, establishes a general building setback of 15 m from all property lines and a maximum building height of 10 m. However, these requirements are intended to guide possible redevelopment or expansion of an existing development and not for new primary uses of a site (which are not listed in the district), making its use as a comparison limited. Another comparison is development along Harvie Heights Road within the MD of Bighorn, the HWY-HH District. This district generally allows for a maximum eave line height of 8 m, a maximum of 4 storeys, and a maximum roof height of 12 m, with an opportunity for an extra 2.7m in height for 30% of building where architectural merit is demonstrated. That said, these are the requirements of the MD of Bighorn and are subject to change.

The proposed DC District is consistent with the CW District with regards to the front yard setback. The TBC is proposing a 40m rear yard setback to align with setback recommendations from The Bow Corridor Ecosystem Advisory Group's Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (the Guidelines). The size of the side yard setback is 6m. One side yard is adjacent to the HHRHP, and the setback is less than that of the CW and BCEAG recommendations. However, given the size of the front and rear setbacks, the Applicant desires flexibility to move the development laterally to accommodate parking and other design requirements should the need arise. Given the requirements in the DC District for wildlife fencing and signage, the impacts to the site by the HHRHP and complying with the 40m recommendation in the Guidelines for one yard, administration has no objection to the proposed side yard setback.

Building and Site Design

The DC District requires adherence to the town-wide architectural and urban design requirements outlined in Section 11 of the LUB. Therefore, the appearance of the religious institution (i.e. materials, colours, and massing) as well as the design of the site (i.e. landscaping and pathways) will be generally consistent with other development seen in Canmore.

The DC District requires that 25% of the site be landscaped with native vegetation, which is consistent with commercial districts such as Bow Valley Trail. This minimum amount, and required native tree and shrub plantings, should complement the site.

The DC District limits maximum site coverage to 12%. At maximum, this would result in a footprint of 962.76 m². For a massing comparison, this is 68% or, approximately a third smaller than the Catholic Church located in the Silvertip Trail DC District and is approximately eight times the size of the detached dwelling on the adjacent site. In addition, The Silvertip Trail DC District (the land use district that governs the Catholic Church on Palliser Trail) allows for a maximum eave line and building height of 9 m and 14 m, respectively.

In short, the DC District allows for more height than that permitted in the CW District, comparable height to that of the MD of Bighorn's HWY-HH District, but not as much height as the Silvertip Trail DC District. Administration does not object to the proposed height regulations, but acknowledges there is more subjectivity to the evaluation due to the site's location, governing land use district and lack of adjacent development.

Servicing

The Applicant is proposing to connect to municipal water but not the municipal sanitary sewer system. Instead, they will upgrade the existing septic system. The MDP requires that all new development connect to municipal wastewater systems (Section 14.2.1 and 14.2.2). However, the Sewerage Use Bylaw 2015-18 allows for an exception in Section 4.1:

“An owner of a premises where wastewater disposal is required shall connect the premises to the sewerage system, at the owner’s own expense and in accordance with the Town’s engineering standards, unless otherwise authorized in writing by the Town’s chief administrative officer.”

The applicant is seeking an exemption. The closest sanitary sewer mains are located approximately 240 m across Highway 1 or approximately 2 km away along Palliser Trail. The applicant was asked to assess the feasibility of connecting to the municipal sanitary sewer. The applicant responded that they would seek an exemption to the Sewerage Use Bylaw and that “connecting to the urban servicing for this site is a substantially different application which is not before Council at this time”.

Administration does not see an issue with the request from a technical perspective if the applicant can follow the Provincial guidelines for septic systems and demonstrate that they can size the septic system appropriately for the use. Administration would note that a septic system has limitations, and while it may work in this case, it may not work for higher density development.

FINANCIAL IMPACTS

None.

STAKEHOLDER ENGAGEMENT

The Applicant held a virtual open house on April 6, 2022. A one-week advertisement for the open house was placed in the Rocky Mountain Outlook on 24 March 2022. A total of 7 people joined the virtual meeting.

Administration completed a circulation to landowners within 60m of the site and allowed a month for comment. One letter was received, and this was reviewed and provided to the Applicant for their consideration for making changes. No changes were made by the Applicant in response to this letter.

The letter received indicated support for the building and application but also noted some concerns:

- Improvements required to the access road
 - This is a public road and the need for enhancements will be assessed by the Engineering Department at the DP stage.
- On-site parking needs to be paved
 - Pavement or equivalent is required to delineate parking stalls and drive aisles. This will be assessed at the DP stage.
- Locate parking on the west side of the site to reduce noise.
 - The west side of the site is adjacent to the HHRHP and therefore the east side is preferable to reduce the impacts of vehicles (noise, lights, etc.) on wildlife.
- Clarity around the size and location of the rectory is needed.
 - The DC District now includes a requirement for the rectory to be located in the church. Furthermore, its size is required to be small in scale and incidental, to the satisfaction of the

Development Authority. This will be reviewed at the DP stage. Note, a maximum size has not been established to allow for some design flexibility.

- Septic system may leak/flow onto the adjacent property
 - Septic systems are regulated by the Provincial Government. The Applicant will need to comply with these standards.

ATTACHMENTS

- 1) Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control

AUTHORIZATION

Submitted by:	Nathan Grivell Development Planner	Date: <u>April 3, 2023</u>
Approved by:	Lauren Miller Manager of Planning and Development	Date: <u>April 5, 2023</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date: <u>April 14, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>April 25, 2023</u>

RFD from May 2, 2023

BYLAW 2022-14

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND REVISED LAND USE BYLAW 2018-22**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as the Trinity Bible Church Direct Control Bylaw.

INTERPRETATION

- 2 Words defined in revised Land Use Bylaw 2018-22 shall have the same meaning when used in this bylaw.

PROVISIONS

- 3 That Section 15 of Land Use Bylaw 2018-22 be amended to re-designate Plan 8610642, Lot A from CW Conservation of Wildlands District to DC2022-14 Trinity Bible Church Direct Control District as shown in Schedule A of this bylaw.
- 4 That Section 14 of Land Use Bylaw 2018-22 be amended to include Section 14.41 as described in Schedule B of this bylaw.

ENACTMENT/TRANSITION

- 5 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 6 Schedules A and B form part of this bylaw.
- 7 This bylaw comes into force on the date it is passed.

FIRST READING: May 2, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

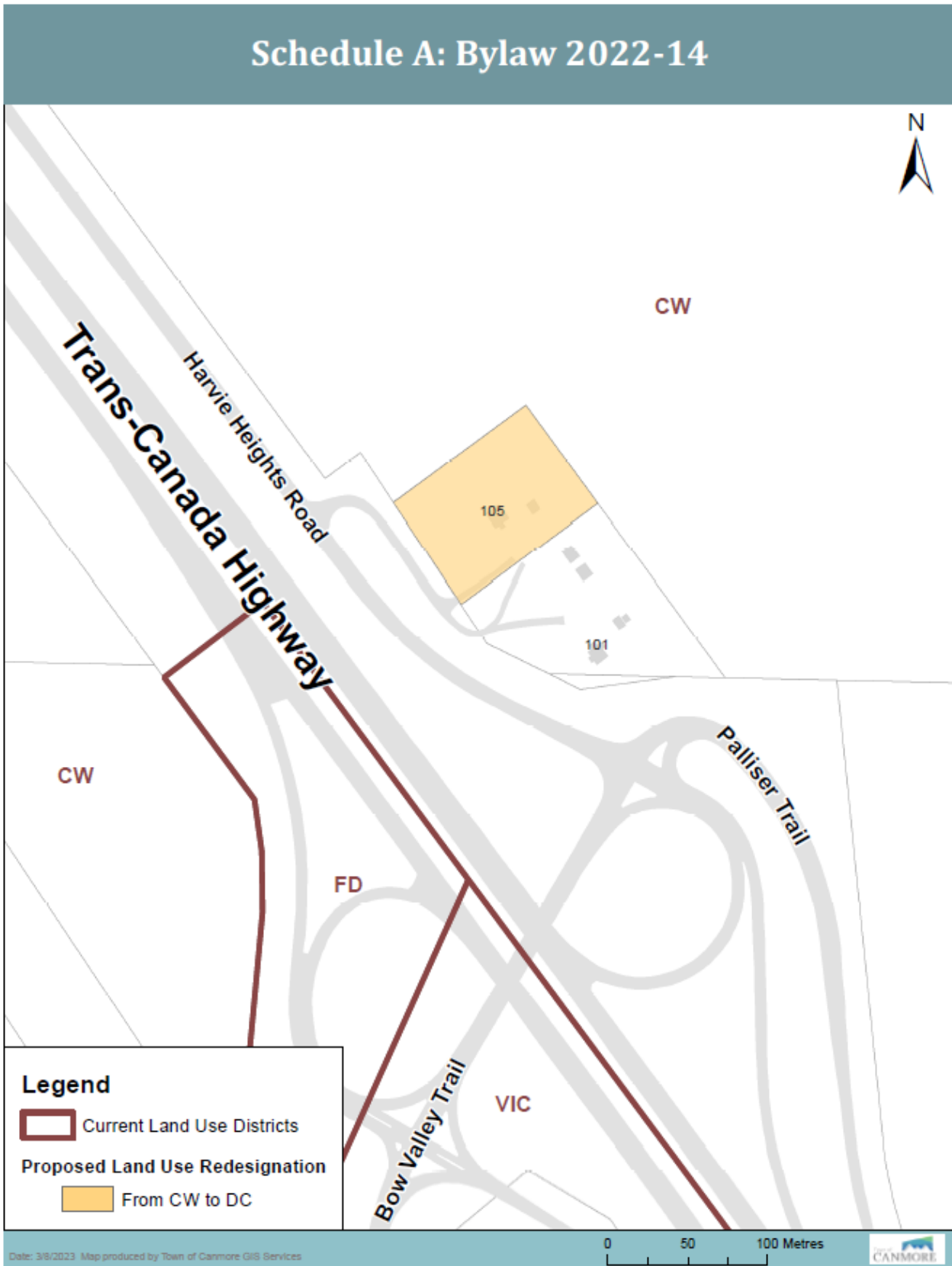
Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Bylaw approved by: _____

SCHEDULE B

14.41 TRINITY BIBLE CHURCH DIRECT CONTROL DISTRICT [BYLAW 2022-14]

14.41.1 Purpose

To provide for a cultural establishment which may include accessory uses, that are incidental and directly related to the cultural establishment, such as a rectory, day care, cultural events, and seminary.

14.41.2 Permitted Uses

Cultural Establishment

Open Space

Public Utility

14.41.3 Discretionary Uses

Rectory

Accessory Building

Signs

14.41.4 Regulations

14.41.4.1 Except as specifically modified by this Direct Control Bylaw, the provisions of the Land Use Bylaw 2018-22 including but not limited to Section 2, General Regulations, and Section 11, Community Architectural & Urban Design Standards, shall apply. Variances to these regulations may be granted where deemed appropriate by the Development Authority.

14.41.4.2 The minimum lot area shall be 0.8 ha.

14.41.4.3 The minimum site width shall be 76.6 m.

14.41.4.4 The maximum site coverage for all buildings shall be 12%.

14.41.4.5 The maximum building height shall be 13 m.

14.41.4.6 The maximum eaveline height shall be 8 m.

14.41.4.7 The minimum front yard setback shall be 15 m.

14.41.4.8 The minimum rear yard setback shall be 40 m.

14.41.4.9 The minimum side yard setback shall be 6 m.

14.41.5 Specific Definitions

For the purposes of this District, the following definitions shall apply:

Cultural Establishment: means a development that is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a place for religious assembly. Incidental uses, specifically, a day care, a seminary, and indoor or outdoor cultural events

are also included so long as they occur generally within and are directly related to the cultural establishment.

Rectory: means a single Dwelling Unit located within a Cultural Establishment located on the site for the purpose of housing a staff member of the Cultural Establishment.

Additional Requirements

- 14.41.5.1 A Rectory shall be designed to be small in scale and incidental to the Cultural Establishment to the satisfaction of the Development Authority.
- 14.41.5.2 The site shall be fenced with a four-foot-high page wire or similar in accordance with the recommendations in the Environmental Impact Statement (EIS) to the satisfaction of the Town of Canmore.
- 14.41.5.3 Signage shall be placed on the site to educate patrons to the Cultural Establishment about the sensitivity of the Harvie Heights Regional Habitat Patch as recommended in the EIS to the satisfaction of the Town of Canmore.
- 14.41.5.4 A minimum of 25% of the site shall be landscaped. Landscaping of the site shall be done with plant species native to the local area as recommended in the EIS.
- 14.41.5.5 Parking within the front yard setback shall be permitted as long as it is screened with landscaping or other features to the satisfaction of the Development Authority.

14.41.6 Servicing

- 14.41.6.1 The site may be serviced with private on-site sanitary servicing. The regulations for this shall follow the Alberta Private Sewage Systems Standard of Practice 2015, as amended. An exemption to the Canmore Sewerage Bylaw No. 2015-18, as amended, shall be granted.
- 14.41.6.2 Water servicing to the site shall be provided to ensure adequate domestic water supply and fire protection.

14.41.7 Development Authority

The Canmore Planning Commission shall be the Development Authority for a Cultural Establishment development within this District. The Development Authority for all other development, including non-structural work to a Cultural Establishment, within this District, shall be the Development Officer.

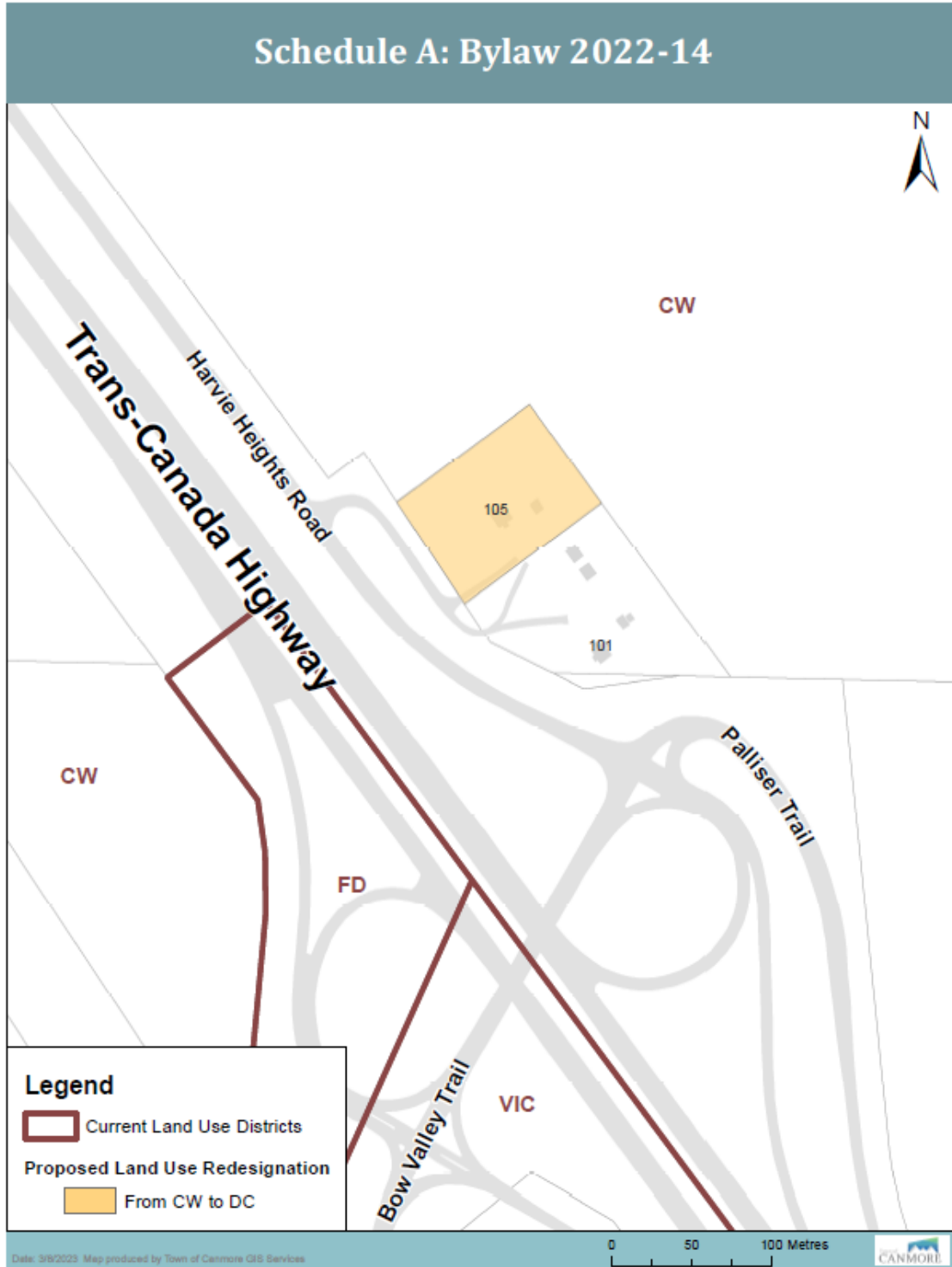
14.41.8 Schedules

Schedule "A" shows the location of the District and forms a part of this Bylaw.

Schedule A: Trinity Bible Church Direct Control District

Legal Description: Plan 8610642, Lot A

Municipal Address: 105 Harvie Heights Road



Bylaw approved by: _____



Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #:** G-3

TO: Council

SUBJECT: Bylaws 2022-09 and 2022-10 800 3rd Avenue MDP and LUB Amendments

SUBMITTED BY: Lauren Miller, RPP, MCIP, AICP

- RECOMMENDATION:**
1. That Council give second reading to Municipal Development Plan Amending Bylaw 2022-09 800 3rd Avenue.
 2. That Council give third reading to Municipal Development Plan Amending Bylaw 2022-09 800 3rd Avenue Municipal Development Plan Amendments.
 3. That Council give second reading to Land Use Bylaw Amendment 2022-10 800 3rd Avenue Direct Control District.
 4. That Council give third reading to Land Use Bylaw Amendment 2022-10 800 3rd Avenue Direct Control District.
 5. That Council direct administration to execute the Letter of Intent dated May 11, 2023, respecting a Conservation Easement.

EXECUTIVE SUMMARY

Council gave first reading to Bylaws 2022-09 and 2022-10 on May 3, 2022. A public hearing was held on May 24, 2022. Based on the feedback heard during the public hearing, Council made motion 125-2022 directing “administration to work with the applicant to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 (“the Bylaws”) regarding each of the following topics and provide the said recommendation and/or wording to Council prior to the 2nd reading of the bylaws.

- A. limiting house sizes in the subject area,
- B. creation of a legal instrument upon all parcels of the subject lands, which will include the following elements: (i) if a palliative care facility is not constructed in Area A then Area A will revert to the owner and the land in Area A will remain in a natural state; (ii) there is to be no trail or road connection between the Spring Creek development and 3rd Avenue through the subject lands; and (iii) the lands shall be protected in perpetuity from any further development except as described in the application,
- C. minimizing the distance between the buildings in Area Band 3rd Avenue in order to minimize the disruption to the undeveloped areas of the lands
- D. removing the buildings in Area C, subject to an agreement between the Spring Creek development and the Applicant whereby the Spring Creek development provides at its own cost water servicing to the palliative care facility (if such is determined to be needed) and provides at its own cost fill, landscaping, and a trail for Area C to become a park, and
- F. limiting maximum building height.”

The Applicant heard the feedback and made substantial changes to their proposal in order to address the topics identified. Administration is satisfied with most of the changes that the Applicant has put forward and believes they address the majority of concerns raised by Council.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The land that is the subject of this application is identified in the Municipal Development Plan (MDP) as outside the Growth Boundary as noted in Map 1 of the MDP; as “Conservation” land as noted in Map 2; and as “Habitat Patch” as noted in Map 4. The Municipal Development Plan has direction that applies to this proposal.

The site is currently designated as FD – Future Development District under the Land Use Bylaw.

First reading was given to Bylaws 2022-09 and 2022-10 on May 3, 2022. A public hearing was held on May 24, 2022.

On July 5, 2022, administration provided Council with an update, indicating that the Applicant needed additional time to submit a response to Council’s direction. As a result, Council directed administration (152-2022) to return no later than November 1, 2022 with a response to Council motion 125-2022 (described in the executive summary of this report).

On November 1, 2022, administration again updated Council, indicating the Applicant needed additional time to respond to the items in motion 125-2022. Council directed administration to return no later than June 2023 with a response from the Applicant to Council direction from the May 24, 2022 Council meeting regarding Bylaws 2022-09 and 2022-10.

DISCUSSION

At the May 24, 2022 Council meeting, Council passed five motions regarding changes to Bylaw 2022-09 and 2022-10. Administration has been working with the Applicant since that time to address the topics noted in the motions. The Applicant’s rationale for the proposed changes in response to each motion are discussed below, with further explanation provided in Attachment 6.

125A-2022 – “limiting house sizes in the subject area”

The Applicant has addressed this by adding language within Area B, regarding house size that is similar to what is permissible with other low-density residential districts in Town. This will ensure the houses built in this sub area will not be larger than other detached dwellings in Town.

The Applicant has included similar house size language in Area D. However, the language in this sub-district is slightly nuanced because in section 14.40.18.5.b the Applicant has included a building size cap of 750 m². This is in recognition that the large lot area of Area D (approximately 6, 326 m²) could legally yield a significantly larger house than what would be permissible in other residential areas and still only represent at an FAR (floor area ratio) of 0.35. Though the maximum size is still much larger than what would typically be permissible, given the large lot size, the Applicant feels it is a reasonable size to meet their needs, in light of the amount of land they have offered up for conservation.

125B-2022 – “creation of a legal instrument upon all parcels of the subject lands, which will include the following elements: (i) if a palliative care facility is not constructed in Area A then Area will revert to the owners and the land in Area A will remain in a natural state; (ii) there is to

be no trail or road connection between the Spring Creek development and 3rd Avenue through the subject lands; and (iii) the lands shall be protected in perpetuity from any further development except as described in the application”

Regarding the protection of lands from further development, the Applicant has provided a signed Letter of Intent (LOI) (see Attachment 5) for a proposed Conservation Easement. The Applicant is seeking the Town’s signature on this LOI. Administration is seeking a Council resolution to do so, as the LOI is in response to resolution 125-2022B(ii) and (iii).

A Conservation Easement is a voluntary agreement entered into by a landowner and another party, typically called the “grantee”. Conservation Easements can be registered on title to the land to secure protection of the land outside of the regulatory regime. In Alberta, the purposes of Conservation Easements and the “qualified organizations” that can act as grantees, are provided by the Alberta Land Stewardship Act. Qualified organizations include government agencies, municipalities, and registered charities that acquire interests in land for such purposes (“land trusts”).

The Applicant’s proposal for a Conservation Easement on subdistricts C and D responds to resolution 125-2022B(ii) and (iii) as a means to restrict road or trail connections into the subject lands and to protect the lands in perpetuity. A Conservation Easement can cover a larger area than the maximum municipal reserve taking, and it can be specifically for the purpose of wildlife conservation, which goes beyond the purposes of environmental reserves under the MGA. Because a Conservation Easement is a negotiated agreement, it provides greater flexibility on the terms. A Conservation Easement does not necessarily provide more durable protection than a Municipal Reserve or a Restrictive Covenant, as an Easement can be discharged according to its own terms. However, it provides the most viable response to Council’s resolutions in the context of these applications.

The proposed Conservation Easement is clearly for wildlife conservation purposes and specifically the functioning of the South Canmore Local Habitat Patch as identified by the Bow Corridor Ecosystem Advisory Group. This clear purpose will benefit the legal enforceability of the easement against future landowners. These will remain private lands, and the proposed terms will prohibit general public access to the Conservation Easement area.

“Perpetual” means that an easement registered on title has no set end date and can continue indefinitely. This does not mean that the easement will last “forever”. The proposed terms will provide for the Conservation Easement to be reviewed and possibly terminated should the functionality of the Habitat Patch be lost due to use and development of the surrounding area over time.

The LOI does not propose a specific Grantee and anticipates that the Town will be the Grantee. This is the first Conservation Easement where the Town will be named as the grantee, so it is anticipated that there will be lessons learned through the implementation of this approach that can inform future conservation efforts within the Town. This will not create a binding commitment on the Town to become the Grantee; however, Council should anticipate that the Town will be asked to act as Grantee if the applicants cannot find another qualified organization. Should the Town be Grantee, the terms of the Conservation Easement should put the responsibilities for monitoring and enforcement of public access on the landowners as proposed in the LOI.

The LOI includes the Applicant’s proposal that no part of the lands be dedicated as municipal reserve in support of the representation that the landowners will be responsible for enforcing public use restrictions.

Administration's understanding of the Applicant's concern is that the taking of land as municipal reserve at the time of subdivision could enable public travel through the reserve lands into the Conservation Easement Area on private land. Entering municipal reserve easements on private land, in lieu of taking land as municipal reserves, will make the landowners responsible for access management of all conserved lands.

The LOI does not respond to resolution 125C-2022B(i) respecting the reversion of Area A to the landowner if no palliative care facility is developed, nor has administration asked for this addition. The considerations for Council in the context of applications for Land Use Bylaw and MDP amendments are regarding the use of the lands and not who should own the lands.

125C-2022 – “minimizing the distance between the buildings in Area B and 3rd Avenue in order to minimize the disruption to the undeveloped areas of the lands”

The Applicant did not make any changes to the yard setbacks proposed in Area B. The lot sizes and development standards proposed for this subdistrict are in an effort to align with the recommendation from the Applicant's biologist to avoid development along a straight line along the street, as this would be problematic for wildlife. The applicants want to encourage a non-linear pattern, like that seen in the original concept plan, to allow for permeability between homes that would allow line of sight for wildlife to move through freely.

Administration informed the Applicant that the proposed wording will not require staggered building placement along the front lot lines of the four dwellings. The development standards establish a minimum yard set back. Unless there is some site constraint that requires a developer to do so, most development is constructed to the minimum development standard, which would result in all four houses being built 6 m from the front lot line. The concern raised by the biologist is difficult to address at this stage in the process, since lots have yet to be created. Without establishing development standards for each lot that would stagger the front yard setback, the desired non-linear pattern cannot be achieved along the street by means of these regulations alone.

It will be the responsibility of the Applicant to work with future purchasers of these lots to ensure the non-linear effect is achieved along the four new lots.

125D-2022 – “removing the buildings in Area C, subject to an agreement between the Spring Creek development and the Applicant whereby the Spring Creek development provides at its own cost water servicing to the palliative care facility (if such is determined to be needed) and provides at its own cost fill, landscaping, and a trail for Area C to become a park”

The Applicant has removed all development from Area C, which previously proposed two detached dwelling units, and proposes to place the lands within Area C under a conservation easement to maintain its natural state. The Applicant spoke with the developer of Spring Creek and determined that there was not an interest on Spring Creek's behalf to pay for servicing of the Palliative Care facility. The Applicant will pay for the servicing. The Applicant has increased the number of dwellings in Area B from three to four, which represents a reduction in dwelling units across the entire plan area by one dwelling unit, from what was proposed at first reading. The sale of home sites in Subdistrict B will support the larger infrastructure costs for servicing the entire site and any costs associated with planned environmental offsetting.

125F-2022 – “limiting maximum building height”

The Applicant is proposing the inclusion of language in sections 14.40.10.6 and 14.40.18.5 that establishes a maximum building height that is in alignment with what is currently permissible in other low-density residential districts. This represents a reduction of 2.5m in building height in Area D, from what was proposed at first reading.

ANALYSIS OF ALTERNATIVES

Council could decide not to give second reading to these bylaws. If this alternative were advanced, no changes would be made to the current land use district (which is FD - Future Development District) and no changes would be made to MDP maps or the respective designation of lands within those maps.

Council could decide to make substantive amendments (amendments that are not grammatical or editorial in nature) to the proposed Direct Control District bylaw. This is not recommended, as such changes could impact the viability of the proposed development and could alter the results presented in the associated studies for this proposal. If Council is not satisfied with the bylaw as presented, they could direct Administration to work with the Applicant on specific areas of the bylaw that are of concern, or defeat both bylaws and have the Applicant reapply with a different proposal.

Council could give further readings to the bylaw but direct the administration to negotiate changes to the proposed LOI. Administration does not advise this though, as the LOI provides a response to Council’s resolution, and it is unlikely that material changes will be successfully negotiated at this time.

Council could give further readings to the bylaws but decline to have the Town execute the LOI with the Applicants. This would result in motion 125B-2022 being unaddressed.

FINANCIAL IMPACTS

No change from those noted in the Financial Impacts section of Attachment 1.

STAKEHOLDER ENGAGEMENT

None.

ATTACHMENTS

- 1) RFD from May 3, 2022 First Reading
- 2) Bylaw 2022-09 MDP Amendment Growth Boundary Map and Conceptual Land Use Map
- 3) Bylaw 2022-10 LUB Amendment First Reading 800 3rd Avenue South Land Direct Control District
- 4) Applicant Amendments to Bylaw 2022-10
- 5) Redline of Bylaw 2022-10 Presented at First Reading
- 6) Letter of Intent (LOI) for Proposed Conservation Easement
- 7) Applicant Response to May 24, 2022 Council Motions

AUTHORIZATION

Submitted by:	Lauren Miller, RPP, MCIP, AICP Manager of Planning & Development	Date: <u>May 15, 2023</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date: <u>May 17, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>May 30, 2023</u>



Request for Decision

DATE OF MEETING: May 3, 2022 **Agenda #:** G-2

TO: Council

SUBJECT: Bylaws 2022-09 and 2022-10 800 3rd Avenue MDP and LUB amendments

SUBMITTED BY: Alaric Fish, Senior Planner

- RECOMMENDATION:**
1. That Council give first reading to Bylaw 2022-09 “800 3rd Avenue Municipal Development Plan Amendments.”
 2. That Council give first reading to Bylaw 2022-10 “800 3rd Avenue Land Use Bylaw Amendment.”
 3. That Council schedule a single public hearing for Bylaw 2022-09 and 2022-10 on May 24, 2022.

EXECUTIVE SUMMARY

New development is proposed on a vacant privately-owned parcel in South Canmore. The land is identified as Wildlife Habitat Patch and is located outside the Town’s Growth Boundary. As a result, three Municipal Development Plan map amendments are proposed to allow a degree of development on this site (Bylaw 2022-09). The land is currently zone FD – Future Development. Due to this site being privately owned, it has been anticipated that evaluation of a development proposal would occur at some time in the future. The Applicant has submitted various reports in support of their specific application. Council should first consider the Municipal Development Plan amendments, and if the general concept of the development is acceptable, then the details of the proposed development can be evaluated through the proposed Land Use Bylaw direct control district (Bylaw 2022-10).

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The land subject of this application is identified in the Municipal Development Plan (MDP) as outside the Growth Boundary as noted in Map 1; as “Conservation” land as noted in Map 2; and as “Habitat Patch” as noted in Map 4. The Municipal Development Plan has direction that applies to this proposal.

The site is currently designated as FD – Future Development District under the Land Use Bylaw.

DISCUSSION

The subject site is an undeveloped privately-owned lot of about 8.27 ha (20.4 ac) located at the end of 3rd Avenue in South Canmore (see Figure 1 below). The site has previously been used to keep horses, but in recent years has been unoccupied. There are a number of small informal walking trails, but any human use of the site other than by the owners is trespassing. The site is identified as Habitat Patch according to the Guidelines established by the Bow Corridor Ecosystem Advisory Group (BCEAG). This is unusual, as most designated Wildlife Corridor and Habitat Patch lands are publicly owned. Due to this site being privately owned, it has been anticipated that evaluation of a development proposal would occur at some time in the

future. The site does not have Provincial designation as a Wildlife Corridor. Further, the land use designation of Future Development District does imply development would occur on the site at some point.



Figure 1 800 3rd Avenue location (outlined in red)

The Applicant purchased the site in 2018 and is proposing the development of six homes and a palliative care facility on the site. The owners have responded to some of Administration’s feedback that recommended minimizing the area to be developed by clustering development as close as possible to existing development in the northwest corner and avoiding environmentally sensitive lands (creeks and swampy wetland areas).

To enable the proposed development, amendments to the MDP (Bylaw 2022-09) and the creation of a new direct control land use district (Bylaw 2022-10) are proposed.

Bylaw 2022-09 Municipal Development Plan amendment (Attachment 1)

Bylaw 2022-09 proposes to amend three maps in the MDP.

In the introductory comments to policies for “Wildlife Corridor and Habitat Patch Location and Design”, the MDP briefly summarizes the establishment of wildlife areas in the Canmore Area:

Wildlife corridors and habitat patches, along with criteria for evaluating the design of wildlife corridors and habitat patches, were first identified by the multi-jurisdictional Bow Corridor Ecosystem Advisory Group (BCEAG) in 1998 in the Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (recently updated in 2012). [From the preamble to Section 4.2.6]

This is not a policy clause. It is a background statement on the origin of Habitat Patches and Wildlife Corridors. In the past, proposals such as this might be brought to BCEAG for review. However, BCEAG is an advisory group only and do not issue formal comments or recommendations to member bodies. BCEAG has not met in several years, so this proposal has not been brought to them for review and comment.

The BCEAG Guidelines document, as referenced in the MDP, includes a section on “Development Footprints in Habitat Patches”:

The minimum local habitat patch size of 4.5 km² should be maintained. New development within any of the local habitat patches will not be permitted since all habitat patches are currently less than 4.5 km².

The BCEAG Guidelines also recognize that various government agencies, including municipal governments, have a degree of autonomy to make decisions, and specifics of the site should be considered. Environmental sustainability and preserving wildlife habitat are foundational values in Canmore as reflected in the Guidelines, and Council must consider these values relative to other priorities and objectives. Examples of exceptions to the principles of Habitat Patch management are construction of the Town’s Waste Transfer Station and Materials Recycling Facility, expansion of the Wastewater Treatment Plant, and the Cougar Creek Debris Retention Structure.

The MDP does not specifically reference the BCEAG Guidelines when establishing these areas and instead creates them in map 4:

4.2.6 Wildlife corridors and habitat patches are established as generally shown on Map 4 - Wildlife Corridors and Habitat Patches.

The MDP also includes specific direction regarding the Wildlife Corridors and Habitat Patches;

4.2.11 No new development shall be allowed within a habitat patch or corridor, excepting:

- a. infrastructure and utilities may be allowed to be located within or to cross a habitat patch or corridor in the least intrusive manner possible, and*
- b. non-intensive, trail-based recreational uses may be allowed.*

4.2.12 Where new development is considered pursuant to 4.2.11, an EIS shall be required by the Town where it has the authority.

4.2.13 Development proposals within or adjacent to a wildlife corridor or habitat patch shall have regard for the BCEAG Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (2012) and most recent principles of wildlife conservation to ensure the values and function of the corridor or habitat patch are not compromised.

The three MDP maps amendments required to bring the MDP in line with the proposed application are as follow:

1. To move the Growth Boundary to include this site within the Growth Boundary;
2. To change the Conceptual Land Use for the site from Conservation to Neighbourhood Residential; and
3. To remove the site from the Habitat Patch designation in Map 4.

Moving the Growth Boundary

The MDP includes the following direction regarding the Growth Boundary:

2.1.5 The Growth Boundary should not be expanded beyond the area shown in Map 1, except where:

- a. a community benefit is achieved, and*
 - b. a net positive fiscal or socio-economic impacts are achieved, and*
 - c. the proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner, and*
 - d. the proposed development does not result in unacceptable environmental impacts.*
- a. *Community benefit.* The provision of land for a palliative care facility demonstrates a potential community benefit as the nearest hospice facilities are located in Calgary. That said, the provision of palliative care facilities rests with the Province through Alberta Health Services (AHS) and not the municipality.
 - b. *Net positive fiscal or socio-economic benefits.* There will be a variety of jobs created by the palliative care facility. Additionally, there will be some additional tax revenue generated from the proposed six residential properties. However, the development will result in new infrastructure obligations for the Town, specifically maintenance of the secondary emergency access road to the site and maintenance of new waterline connections.
 - c. *Connect to municipal infrastructure in a fiscally and environmentally sensitive manner.* New municipal infrastructure will be required in the form of new water and sanitary lines and a new south emergency access connection along the 3rd Avenue right of way towards the Waste Transfer Station. Initial construction will occur at the developer's expense, but where these lines are under public right of ways, they will become the Town's responsibility to operate and maintain. The Town's Engineering Department has been involved in reviewing the proposed site servicing (Attachment 7). These matters would be finalized at the detailed design phase of subsequent process if development proceeds.

3rd Avenue is deficient with respect to minimum standards for emergency access and needs resolution for additional development to occur, particularly for a palliative care facility. A new emergency access road is proposed to extend south down 3rd Avenue to the Waste Transfer Station. The cost for upgrade and construction is to be borne by the developer, but on-going maintenance of this will be the responsibility of the Town. This will provide some benefit to existing Town services that access the Wastewater Treatment Plant and Materials Recycling Facility.

- d. *No unacceptable environmental impacts.* Page ii of the Executive Summary of the EIS (Attachment 4) states “The EIS concluded that potential residual effects, or any effect that will remain once all mitigation, restoration, and compensation is completed, are negligible to low overall.” The Town’s third-party review conducted by Management and Solutions in Environmental Science (MSES) (Attachment 5) raise a number of concerns regarding the cumulative effects of increasing pressure on the regional wildlife corridor network from development and human use. While this application on its own may be small in impact, the cumulative effects of this and other pressures need further consideration.

Conceptual Land Use change

The MDP states the following:

4.1.4 Changes in zoning for lands within Conservation areas that would allow new or additional development of those lands shall be discouraged unless exceptional community benefit can be demonstrated. Should an application for amendment be considered, an EIS will be required to be prepared and potential impacts of the development are addressed and mitigated.

The language “shall be discouraged” in 4.1.4 identifies that a change to Conservation areas can only occur if the proposed development can demonstrate “exceptional community benefit”. This sets a consideration bar that is higher than the one required for movement of the Growth Boundary.

Removing the Habitat Patch designation

This aspect of the amendment was not addressed by the Applicant in their supporting report. Administration added it to acknowledge development proposed on the site and the Applicant had no concerns. The level of development proposed is moderate and the site could remain as Habitat Patch. However, for better consistency with the Municipal Development Plan, the area is proposed to be removed from the designated Habitat Patch. There is a small inconsistency between the BCEAG Habitat Patch boundary and the Town’s representation of this in the MDP (see Figure 2 below). This means that the development proposed in Area C is not in Habitat Patch as identified by BCEAG and development in this area is not contrary to the BCEAG Guidelines.



Figure 2 Boundary inconsistency between BCEAG and MDP

Bylaw 2022-10 Land Use Bylaw amendment

The site is currently designated as FD - Future Development District. The purpose statement of the FD district is: “To designate land that is potentially suited for future urban uses including subdivision and development.” This district was historically used in areas where future development is anticipated as outlined in a higher-level document (e.g. an Area Structure Plan). In this case, the site is privately owned, and the current zoning contemplates some level of future development on the land. As a result of the balancing between the Habitat Patch designation and private property, the lands were designated as FD.

The proposed direct control district includes four “sub-districts” for each of the different areas (see Figure 3 below):

Area A – This portion of the site will be donated to the Palliative Care Society of the Bow Valley who plan to construct a 6-bed hospice and operate day hospice palliative care programs.

Area B – Creation of three residential lots for future residential development

Area C – Creation of two residential lots for future residential development accessed by a private road and bridge across Spring Creek

Area D – Creation of one residential lot for future residential development and limited agricultural pursuits as defined by the Land Use Bylaw. These could include things like raising crops or rearing of livestock; most likely a kind of hobby farm. The majority of the site in Area D will remain in a natural state.

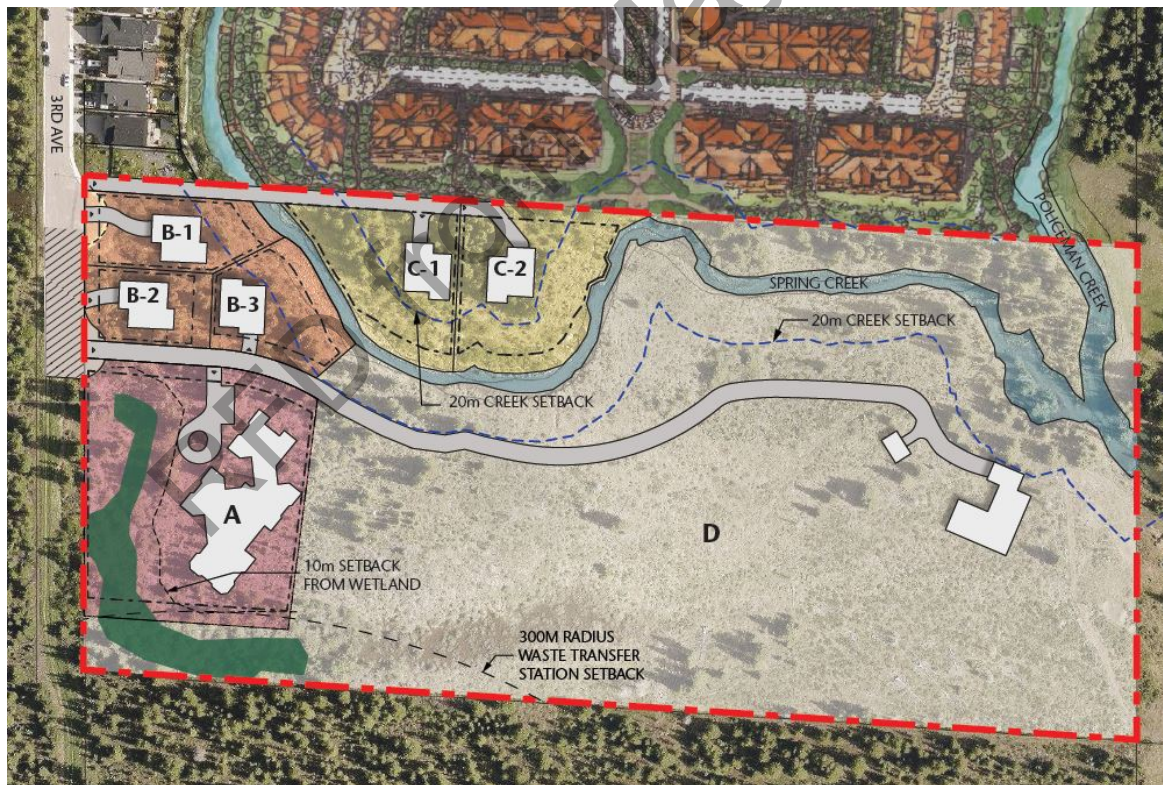


Figure 3 Concept map show four development areas

Administration is generally satisfied with the proposed land uses, but could not reach agreement with the Applicant on some specific items, as follows:

House size - The MDP provides direction for sustainable housing design through a maximum dwelling unit size:

6.1.4 In order to promote sustainable housing design and to limit the impacts of housing massing in existing neighbourhoods, the Town may adopt a maximum dwelling unit size in residential neighbourhoods, utilizing land use zoning best practices such as limiting lot sizes, providing appropriate setback requirements and limiting the height of buildings.

This has been implemented in many other areas of town and the majority of lots enable a home of up to 325 m² (3,500 ft²). Based on the conceptual lot sizes, areas B and C establish maximum house sizes of 550 m² – 1,367m², (5,920 ft² – 14,714 ft²) and effectively no maximum for the dwelling in area D. Administration recognizes that this is an unusual area with minimal impact on existing development, but recommends a maximum house size be included, in line with other areas in town for the sake of consistency and advancing the Town's Climate Action goals.

Additional residential units. The Applicant has proposed six residential dwellings in an environmentally sensitive area. They have also added the potential for Accessory Dwelling Units (ADUs) to each of the primary units, which could result in 12 residential dwellings total. The Applicant felt strongly that ADUs should be included to potentially offer six more rental units to Canmore. While provision of ADUs is generally encouraged, Administration does not support the potential creation of six additional units by means of ADUs within this environmentally sensitive area. While the EIS suggests the impact will be negligible, the Third-Party review of the EIS also concluded that “any further addition of development only contributes to the existing, significant, cumulative effects.” Administration acknowledges development rights the landowner has but only supports a lower amount of development.

Accessory Dwelling Unit Size – Section 2 - General Regulations of the Land Use Bylaw establish a maximum size of 80 m² (860 ft²). Areas B and C of this district propose ADUs of up to 110 m² (1,184 ft²). The ADU in Area D is proposed to have a maximum size of 140 m² (1,507 ft²).

The Applicant feels that the ADU sizes proposed represent sizes and potential configurations that are lacking in Canmore at this time. Administration is not confident that many purchasers of such large lots will be inclined to rent an attached or detached ADU of this size. Therefore, while such units might contribute to the mix of housing available within the community, the contribution these units could have on Canmore's affordable housing needs (which is a primary intent of the provision of ADUs) is questionable.

Detached Accessory Dwelling Unit (DADU) Building Height – Current DADU building height regulations within the Land Use Bylaw are between 4 m – 6 m. The Applicant is proposing a maximum of 9.5 m, which is the same height as the principal buildings in Areas B and C. This proposed regulation draws the “secondary” nature of the structure into question, when it is permissible to be similar in size to the primary dwelling. Administration would recommend that regulations on this matter align with the existing DADU heights permissible within other areas of town.

Building Height – The proposed building height in Area D is 12 m, the same as the R3 medium density land use district. While there are large setbacks proposed, no rationale has been provided that explains why such a tall building height is necessary for a detached dwelling. In absence of that justification, Administration recommends 9.5 m as used for virtually all other detached dwelling districts is more appropriate.

Environmental Reserve Easement – The Town has advised trail connections would be desirable in the area. This would include a connection along Spring Creek to the proposed palliative care facility (shown in pink in Figure 4); to extend future trails in Spring Creek Mountain Village (shown in aqua in Figure 4); and to enable a connection in the northwest corner of the site between an existing trail that dead ends (shown in yellow in Figure 4) back to 3rd Avenue. These trails provide logical connections and offer amenities outside of the Habitat Patch where human use is discouraged.

The Applicant disagrees with these recommendations and instead prefers to retain private ownership with no public trails. Instead of Municipal or Environmental Reserve, they have proposed Environmental Reserve Easements in creek-side areas where development cannot occur. Their rationale is to improve environmental conditions by protecting riparian areas from development and human use. Additionally, some of the neighbourhood feedback has been that existing residents do not want another connection across the creek to Spring Creek Mountain Village. Regardless of whether the pink and aqua trails are built, it will be difficult to stop the public from using the proposed private bridge to Area C when there is an existing trail that dead-ends (yellow above) and future creek-side trail planned in Spring Creek Mountain Village (shown in darker blue).

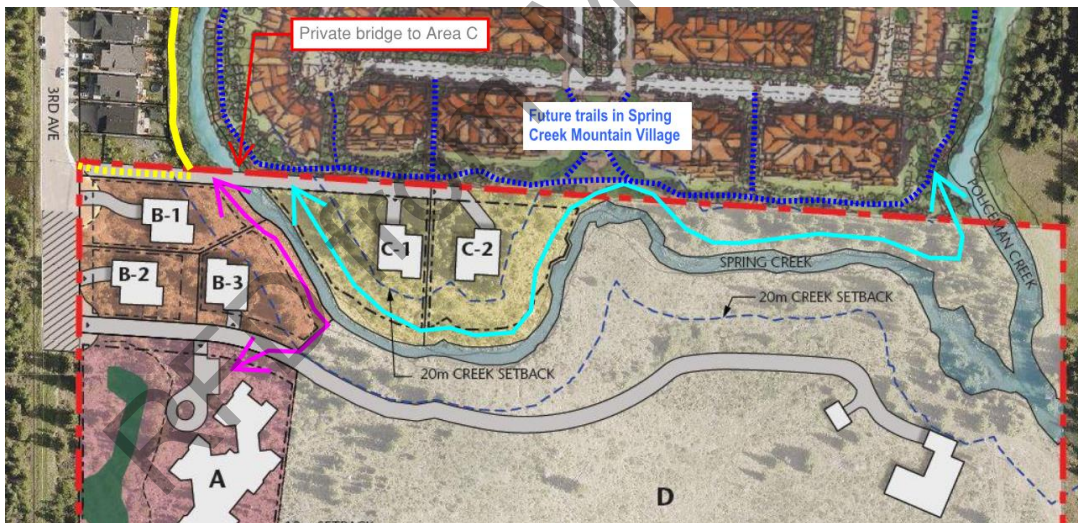


Figure 2 Trail connections proposed by Town

The Town has indicated future Municipal Reserve dedications will be considered at subdivision, but the Applicant has instead proposed to provide additional Environmental Reserve Easements that total greater than 10% of the site as Municipal Reserve. Administration and the Applicant disagree on this approach and some of the calculation methodology. If accepted as proposed, there would be no public access to the site and the existing trail along Spring Creek north of the site would remain a dead-end. Administration disagrees with the proposed Environmental Reserve Easement approach as the trails would provide community benefit (trails are generally one of the most appreciated recreation amenities for Canmore

residents in community surveys); expand the creek-side trail network common elsewhere in town; resolve the problematic existing trail dead-end (yellow trail); and would be expected to have minimal negative impact on riparian area. Lastly, the trails would provide a community benefit in keeping with the consideration to move the Growth Boundary, as discussed earlier in the report.

Climate Action – The Applicant has suggested they intend to incorporate the latest green building initiatives in their construction plans, but no commitments towards meeting the Town’s Greenhouse Gas reduction targets have been made. Administration would have preferred to see some commitment given the other ecological trade-offs associated with this proposal. At a minimum, any new development will be required to comply with the Town’s Green Building regulations as outlined in the Land Use Bylaw.

ANALYSIS OF ALTERNATIVES

Council could defeat the proposed Bylaws at First Reading. Approving First Reading puts the proposal in the public realm and invites formal public comment through the Public Hearing process. Approving First Reading does not imply support for the plan or future approvals. For these reasons, Administration does not recommend defeating the Bylaw at this stage unless Council sees insurmountable issues with the proposed plan in the current form.

To better reflect the environmentally sensitive nature of the area and align more closely with the Town’s objectives and administrative procedures, Administration recommends changes to the proposed direct control district. The recommended changes are described in Attachment 9 and are summarized as follows:

1. **Remove Accessory Dwelling Units Use** - While these are encouraged in many neighbourhoods to provide housing options, as noted in the review of the EIS, minimizing the scale of development is desirable.
2. **Maximum Building Height** – Reduce the building height in Area D to 9.5 m to make it consistent with other detached dwelling maximums.
3. **Environmental Reserve Easement clause** - Remove this clause as this matter should be dealt with at subdivision. This development should include modest trail connections as outlined in this report.
4. **Subdivision Related Clauses** – Some clauses within the bylaw are best dealt with during subsequent phases of the development process. Embedding them in the LUB does not provide the Town with any additional level of assurance and would actually be difficult to enforce at the land use stage.

FINANCIAL IMPACTS

As noted above, there will be some additional costs to the Town, primarily for the increased maintenance of the emergency access roads, but also long-term replacement cost for new waterline connections. There will also be increased tax revenue generated by the residential dwellings.

STAKEHOLDER ENGAGEMENT

The Applicant undertook public engagement in January 2022. The results of this engagement can be seen in their What We Heard report (Attachment 8). Their application has been revised following that engagement and feedback from Administration.

In February 2022, the Town notified properties within 60 metres of the proposed site (approximately 8 properties) about the proposed application. Information on the application was made available on the Town’s

website. Concerns raised can be classified under the following main areas, with Administration's response noted below:

- Traffic
 - As noted above, the proposed development is not expected to generate more traffic than existing road networks can accommodate. One request was that the site be accessed from the Wastewater Treatment Plant, but this is not an option based on efforts to minimize activity in the Habitat Patch and is also not consistent with the terms of the current railway crossing agreement.
- Bridge over Spring Creek
 - A number of people expressed opposition to the private bridge across Spring Creek. These concerns were based on a variety of reasons, including environmental concerns and additional public use. If development is permitted in Area C, no other alternatives for access has been secured at this time.
- Wildlife
 - The Applicant's EIS has addressed this issue, recommends mitigations, and concludes that the development would result in "low to negligible potential effects on the biophysical resources assessed in the EIS". There will be some impacts, but the majority of animals using the area are deer and elk and are "already living amongst extensive physical and sensory human disturbance in the SCLHP [South Canmore Local Habitat Patch]."
- Construction noise
 - This is unavoidable with new development and will occur if the development proceeds.
- Access to adjacent private land to the east
 - The Town was contacted by an adjacent property owner expressing concern with the proposal. They currently share the controlled access road to the Wastewater Treatment Plant but seek a permanent solution. The Town continues to work with that landowner on this matter.

The Town suggested that the Applicants engage with Indigenous stakeholders. In response, the Applicants explained that the palliative care proponents had consulted extensively on needs for the facility to accommodate Indigenous traditions and are working to incorporate those design requirements.

The application was circulated to Alberta Environment and Parks. They reiterated direction in the BCEAG Guidelines, but also acknowledged the independence of the municipal authority. They also recommended the Town engage with the BCEAG to work on improving wildlife habitat in the rest of the habitat patch.

The Environmental Advisory Review Committee also reviewed the EIS. Their review is included as Attachment 6.

ATTACHMENTS

- 1) Bylaw 2022-09 800 3rd Avenue MDP Amendments
- 2) Bylaw 2022-10 800 3rd Avenue Land Use Bylaw Amendment
- 3) Supporting Report from Applicant
- 4) Environmental Impact Statement
- 5) Third Party Review of Environmental Impact Statement
- 6) Environmental Advisory Review Committee Review of Environmental Impact Statement

- 7) Servicing Technical Memo
- 8) Applicant's What We Heard Report
- 9) Town of Canmore Administration Proposed Amendments to Bylaw 2022-10

AUTHORIZATION

Submitted by: Alaric Fish
Senior Planner Date: March 30, 2022

Approved by: Lauren Miller
Manager of Planning and Development Date: April 8, 2022

Approved by: Whitney Smithers
General Manager of Municipal Infrastructure Date: April 11, 2022

Approved by: Sally Caudill
Chief Administrative Officer Date: April 26, 2022

RFD from May 3, 2022

BYLAW 2022-09

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND MUNICIPAL DEVELOPMENT PLAN BYLAW 2016-03**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

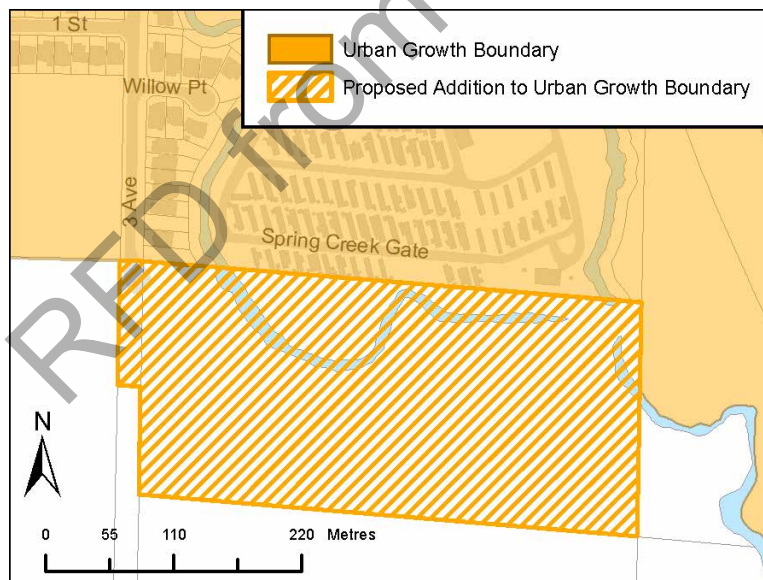
1. This bylaw shall be known as the “Bylaw 2022-09 Municipal Development Plan Amendments 3rd Avenue South.”

INTERPRETATION

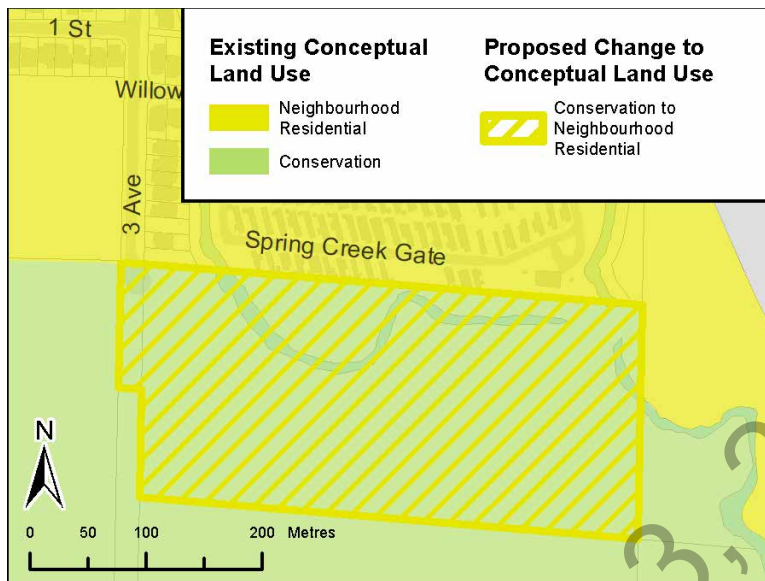
2. Words defined in Municipal Development Plan Bylaw 2016-03 shall have the same meaning when used in this bylaw.

PROVISIONS

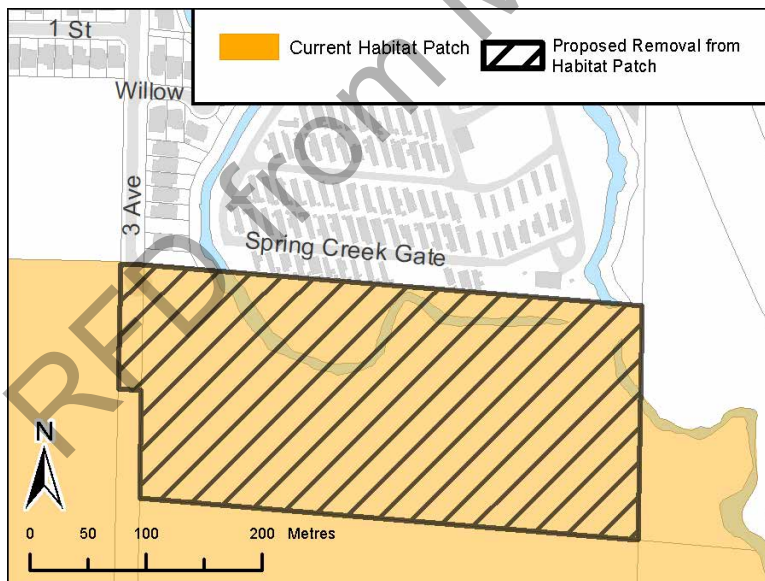
3. Municipal Development Plan Bylaw 2018-16 is amended by this bylaw.
4. Meridian 5 Range 10 Township 24 Section 28, the South Half of Legal Subdivision 13 in the Northwest Quarter, as shown on a Township Plan dated 02 March 1889, with a Municipal Address of 800 3rd Avenue, and as shown on the maps below, is redesignated as follows:
 - a) Map 1. The Growth Boundary is amended to include this site within the Growth Boundary as shown on the map below and in Schedule A.



- b) Map 2. The Conceptual Land Use for this site is changed from “Conservation” to “Neighbourhood Residential” as shown on the map below and in Schedule B.



- c) Map 4. The Wildlife Corridors and Habitat Patches boundary is changed to remove this site from the area designated as Habitat Patch as in Schedule C.



ENACTMENT/TRANSITION

- 5. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 6. Schedules A, B, and C form part of this bylaw.
- 7. This bylaw comes into force on the date it is passed.

FIRST READING:

PUBLIC HEARING;

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

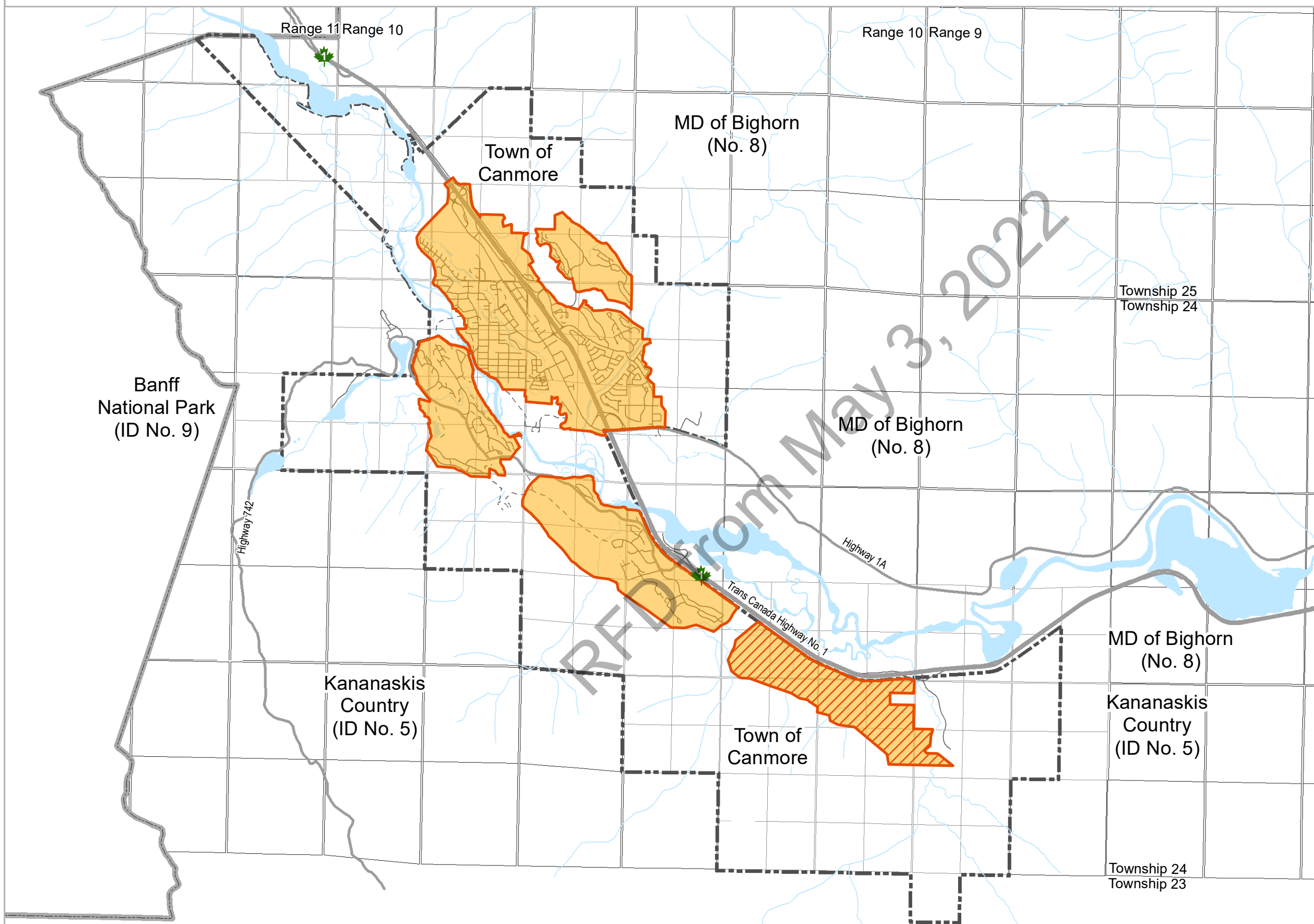
 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

RFD from May 3, 2022

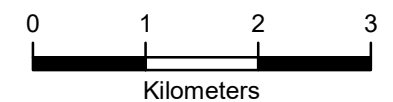


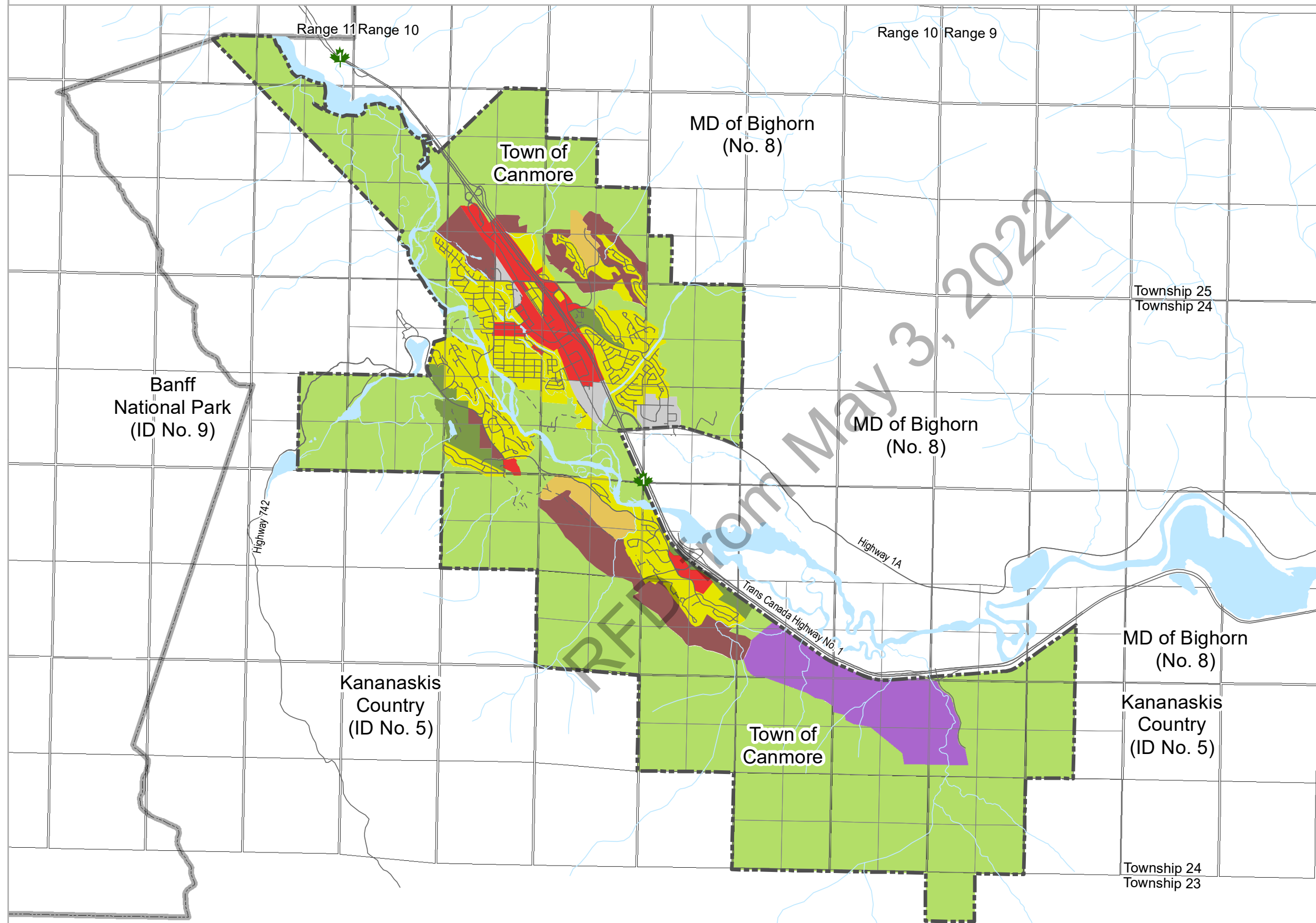
Legend

- Growth Boundary
- Area To Be Determined
- Town Boundary

Disclaimer:

The Town of Canmore provides this information in good faith but it provides no warranty, nor accepts any liability arising from any incorrect, incomplete or misleading information or its improper use. Unless otherwise specified within the MDP, the boundaries or locations of any symbols or areas shown on a map are approximate only, not absolute and will be interpreted as such. They are not intended to define exact locations or the extent of areas or influences. Precise location of areas, influences or boundaries, for the purpose of evaluating development proposals, will need to be confirmed before any development decisions are made or will be determined by Town Administration at the time of application.

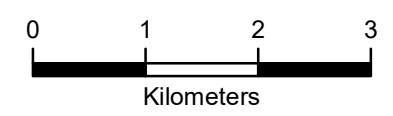


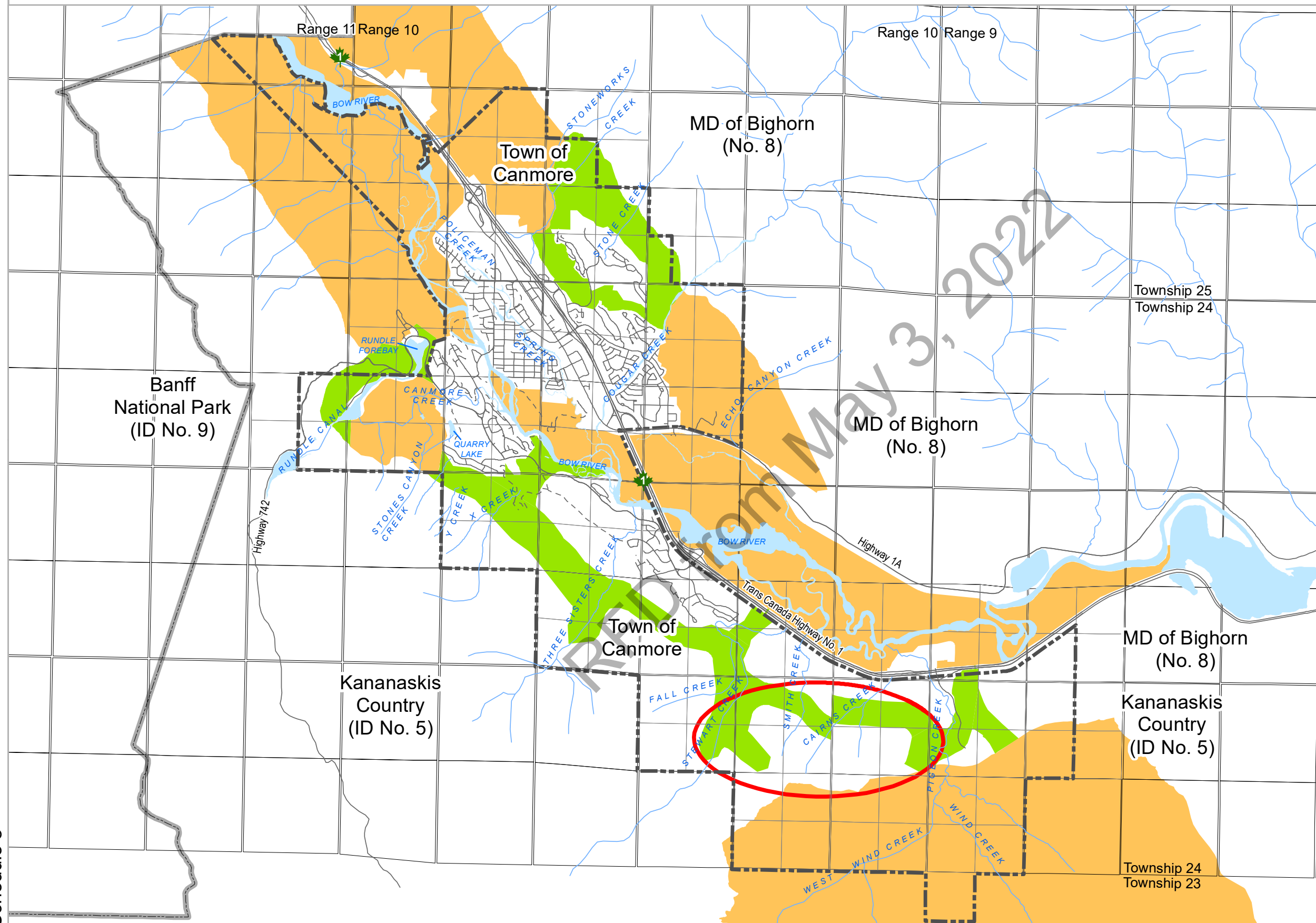


Legend

- Neighbourhood Residential
- Commercial and Mixed Use
- Industrial
- Resort Centre
- Future Planning
(Area To Be Determined)
- Conservation
- Community Open Space
And Recreation
- Private Recreation
- Town Boundary

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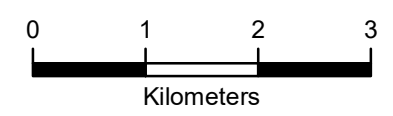


Legend

- Habitat Patch
- Wildlife Corridor
- Town Boundary
- Area Under Review

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BYLAW 2022-10

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND REVISED LAND USE BYLAW 2018-22**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This bylaw shall be known as the “Bylaw 2022-10 800 3rd Avenue Direct Control District.”

INTERPRETATION

2. Words defined in revised Land Use Bylaw 2018-22 shall have the same meaning when used in this bylaw.

PROVISIONS

3. Revised Land Use Bylaw 2018-22 is amended by this bylaw.
4. Section 14 is amended to include section 14.40 as described in Schedule A of this bylaw.
5. Section 15, Map #3 of Bylaw 2018-22 is amended to re-designate the land identified in schedule A of this bylaw from FD Future Development District to 3rd Avenue South Land Direct Control District [2022-10]

ENACTMENT/TRANSITION

6. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
7. Schedule A forms part of this bylaw.
8. This bylaw comes into force on the date it is passed.

FIRST READING:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

RFD from May 3, 2022

Bylaw approved by: _____

14.40 3rd AVENUE SOUTH LAND DIRECT CONTROL DISTRICT [2022-10]

14.40.1 Purpose

To provide for a Care Facility and low-density Residential Detached Dwellings on wider lots with provisions to allow for Accessory Dwelling units and other compatible residential neighbourhood uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

RFD from May 3, 2022

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a care facility and provide for compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility

Accessory Building

14.40.5 Discretionary Uses

Amenity Space

Day Care

Public Building

Public Utility

Parking Area

Sign

Staff Accommodation

14.40.6 Sub-district A Regulations

14.40.6.1 The minimum yard setbacks are:

- a. Front Yard (north): 6.0 m
- b. Rear Yard (south): 1.5 m
- c. Side Yard (east): 1.5 m
- d. Side Yard (west): 1.5 m

14.40.6.2 The minimum lot area shall be 5400 m²

14.40.6.3 The maximum site coverage for all buildings shall be 2,000 m²

14.40.6.4 Maximum Gross Floor Area

- a. Care Facility buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13, excepting there is no limit to square meters and height is limited to 2.0 m. where parking is in a basement area.

14.40.6.5 The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential

14.40.8 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building

Accessory Dwelling Unit, Attached

Accessory Dwelling Unit, Detached

Detached Dwelling

Home Occupation – Class 1

14.40.10 Sub-district B Regulations

- 14.40.10.1 The maximum number of residential lots shall be 3
- 14.40.10.2 The maximum number of Accessory Dwelling units on each lot shall be 1.
- 14.40.10.3 The minimum lot area shall be 1000 m²
- 14.40.10.4 The minimum yard setbacks are:
- Front Yard : 6.0 m
 - Rear Yard : 7.5 m
 - Side Yard : 1.5 m
 - Side Yard: 1.5 m
- 14.40.10.5 The maximum building height shall be 9.5 m., and there is no maximum number of storeys.
- 14.40.10.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.10.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.10.8 Maximum Gross Floor Area
- Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.10.9 Accessory Buildings
- Up to two (2) Accessory Buildings shall be permitted on a lot.
 - Maximum Height shall be 5 m.
- 14.40.10.10 Accessory Dwelling Unit, Attached
- Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²
 - Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.10.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

RFD from May 3, 2022

14.40.11 Sub-district C Provisions | Residential

14.40.12 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area.

14.40.13 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Home Occupation – Class 1

14.40.14 Sub-district C Regulations

- 14.40.14.1 The maximum number of residential lots shall be 2.
- 14.40.14.2 The maximum number of Accessory Dwelling units on a lot shall be 1.
- 14.40.14.3 The minimum lot area shall be 1000 m²
- 14.40.14.4 The minimum yard setbacks are:
- Front Yard (north): 6.0 m
 - Rear Yard (south): 7.5 m
 - Side Yard (east): 1.5 m
 - Side Yard (west): 1.5 m
- 14.40.14.5 The maximum building height shall be 9.5 m., and there is no maximum number of stories.
- 14.40.14.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.14.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.14.8 Maximum Gross Floor Area
- Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.14.9 Accessory Buildings
- Up to two (2) Accessory Buildings shall be permitted on a lot.
 - Maximum Height shall be 5 m.
- 14.40.14.10 Accessory Dwelling Unit, Attached
- Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²

- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.14.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.14.12 **Shared Bridge**

The bridge will be a clear span design across Spring Creek that will adhere to environmental best management practices to avoid effects on Spring Creek.

14.40.14.13 **Shared Driveway**

The maximum width of a shared driveway at the property line shall be 5 m, and no maximum length.

14.40.15 Sub-district D Provisions | Residential and Agriculture

14.40.16 Purpose

To provide for one Residential Detached Dwelling unit with provision for one Accessory Dwelling unit and other compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

14.40.17 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Agriculture, Extensive
Home Occupation – Class 1
Public Utility

14.40.18 Discretionary Uses

Agricultural, Intensive
Public Building

14.40.19 Sub-district D Regulations

- 14.40.19.1 The minimum lot area shall be 3.9 hectares.
- 14.40.19.2 The minimum site width shall be 91.0 m.
- 14.40.19.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.19.4 The maximum site coverage for all buildings and structures shall be 900 m²
- 14.40.19.5 The maximum building height shall be 12 m., and there is no maximum number of stories.
- 14.40.19.6 The minimum setback for buildings and structures backing onto Spring Creek or Policeman Creek shall be 20 m. from top of bank.
- 14.40.19.7 Accessory Buildings
- Up to two (2) Accessory Buildings shall be permitted on a lot.
 - Maximum Height shall be 7 m.
- 14.40.19.8 Accessory Dwelling Unit, Attached
- Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m²
 - Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.
- 14.40.19.9 Accessory Dwelling Unit, Detached
- May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.

- b. Shall have a maximum total GFA of 140 m²
- c. Shall have a minimum rear yard setback of 1.5 m
- d. Shall have a minimum side yard setback of 1.0 m;
- e. Shall have a maximum height of 9.5 m;
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 140 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.19.10 **Special Amenity**

The principal Dwelling unit in Sub-district D is permitted to have two (2) kitchens. A second kitchen is permitted where the occupants of the dwelling unit live as part of the same tenancy and have freedom of access throughout the dwelling unit.

14.40.20 Additional Requirements

14.40.21 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this DC District.

14.40.22 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.23 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.24 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

14.40.25 Construction Environmental Management Plan

All construction shall be proceeded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.

14.40.26 Environmental Reserve Easement

An environmental reserve easement will be provided at the time of subdivision and will include the following:

- 6m minimum along the top of bank along the creeks
- Shrubby swamp as identified in the EIS
- 10m minimum buffer along the shrubby swamp edge
- Pockets of land in the north and northeast section of the site

14.40.27 Development Authority

The approving authority shall be designated as the Development Officer for the Municipality.

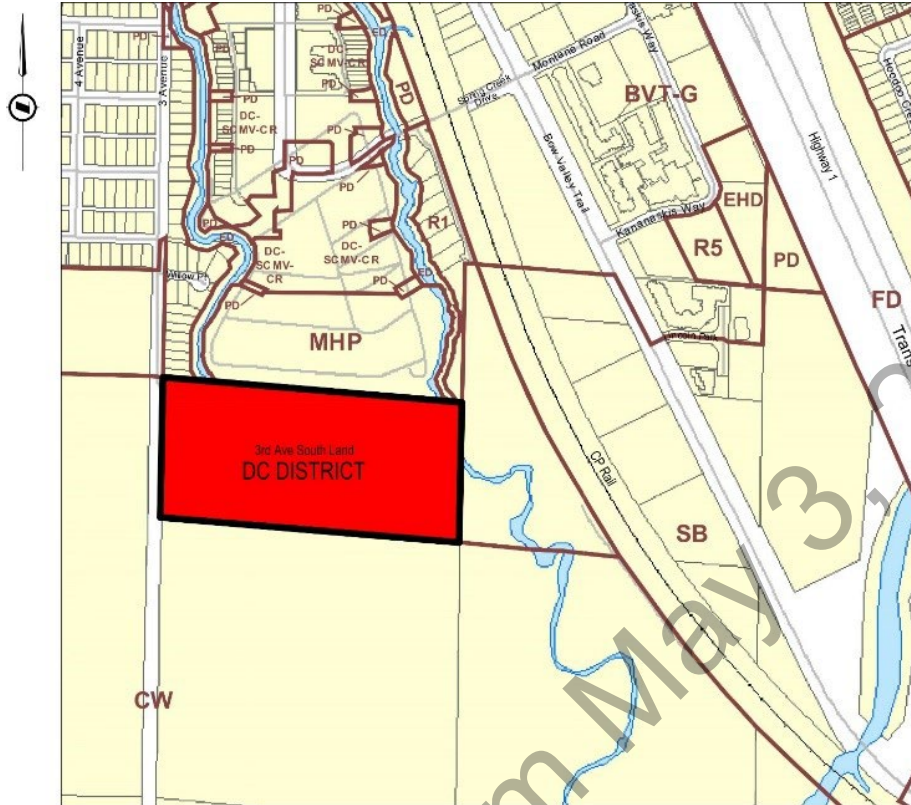
14.40.28 Schedules

Schedule "A" shows the location of the District.

Schedule A: 3rd Ave South Land Direct Control District

Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore

Municipal Address: 800 3rd Avenue Town of Canmore





**Supporting Report: Proposed
Amendments to Town of
Canmore**

March 21, 2022 | Revision # 2

**Municipal Development Plan
Bylaw 2022-09**

Submitted to: Town of Canmore
Prepared by McElhanney

**&
Land Use Bylaw 2022-10**

Contact
Michelle Ouellette
Senior Planner
403-621-1446
mouellette@mcelhanney.com

McElhanney Ltd.
203 – 502 Bow Valley Trail,
Canmore AB Canada T1W 1N9

800 - 3rd Avenue South

Our file: 2531-52101-00

Table of Contents

1. Introduction	1
1.1. Community Benefits	1
1.2. Location	1
1.3. Amendment Applications	2
1.4. Existing Site Context	3
2. Proposed Municipal Development Plan Amendment	7
2.1. Proposed MDP Amendment Application	7
3. Proposed Land Use Bylaw Amendment	9
3.1. Proposed LUB Amendment Application	9
3.2. Proposed Development	9
4. Policy Framework	11
4.1. Municipal Development Plan Bylaw 2016-03	11
4.2. Land Use Bylaw No. 2018-22	23
4.3. Mining the Future: A Vision for Canmore	24
4.4. Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley	24
4.5. Sustainability Screening Report	25
5. Overview of Conceptual Site Design & Direct Control District	26
5.1. Site Servicing	26
5.2. Road and Emergency Access	26
5.3. Direct Control District	26
6. Public Engagement	28
6.1. Public Engagement and COVID-19	28
7. Conclusion	29



List of Figures

Figure 1	Subject Site
Figure 2	Site Usage
Figure 3	Existing Growth Boundary
Figure 4	Proposed Growth Boundary
Figure 5	Existing Land Use
Figure 6	Proposed Land Use
Figure 7	Proposed Direct Control District Location

Tables

Table 1	Surrounding Land Uses
Table 2	MDP Policy Context
Table 3	LUB Policy Context

Appendices

Appendix A	Conceptual Site Plan
Appendix B	Environmental Impact Statement – 3 rd Avenue South Land
Appendix C	Technical Memo – 800 3 rd Avenue Conceptual Servicing Report
Appendix D	Letter of Support from Palliative Care Society of the Bow Valley
Appendix E	Sustainable Screening Report
Appendix F	Direct Control District
Appendix G	What We Heard Report



1. Introduction

1.1. COMMUNITY BENEFITS

The owners will make a philanthropic endowment of land (.8 ha) that will serve as a home for the building of a new Bow Valley Palliative Care Centre. This has been central to this proposal and will reduce the Society's fund-raising burden and bring to an end their exhaustive search for scarce and expensive land.

As Canmore grows there will be increasing need to allow for end of life care in the Community. This large land trust set in a pastoral green space at the foot of the 3 Sisters mountain range but close to town, is ideally suited for the Palliative Care Centre. It will be available to serve all residents not only of Canmore but of families throughout the Bow Valley. It will provide employment, training, and opportunities for volunteers to contribute their time, skills and love to residents needing end of life care.

This proposal will also bring clarity and future certainty of land use to this large, undeveloped tract of private land after 30 plus years of large-scale development aspirations. Council has an opportunity to support this low scale, development which is the antithesis of the large-scale development aspirations that are stressing the Canmore community. It will serve as a transitional fringe from the growing urban residential edge of Spring Creek Mountain Village to open spaces and more heavily used parklands, such as the Nordic Centre Provincial Park and trail systems nearby to the south.

As a modest low scale residential development and utilizes less than 6% of the land asset. It will have minimal visual impact. The remaining 94% will remain open space and serve as an appropriate natural and open space transition from Canmore's emerging south urban edge (Spring Creek) to the Provincial Parklands and the Bow River valley.

1.2. LOCATION

The subject site is located at 800 3rd Avenue in Canmore Alberta. The site has an area of approximately 8.2 ha and is near the south end of 3rd Avenue, directly south of Spring Creek Mountain Village.

Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore
Municipal Address: 800 3rd Avenue Town of Canmore

Figure 1: Subject Site



1.3. AMENDMENT APPLICATIONS

Supporting documents are provided with Amendment Applications as Appendices A-F. These supporting documents include:

- Appendix A** Conceptual Site Plan
- Appendix B** Environmental Impact Statement – 3rd Avenue South Land
- Appendix C** Technical Memo – 800 3rd Avenue Conceptual Servicing Report
- Appendix D** Letter of Support from Palliative Care Society of the Bow Valley
- Appendix E** Sustainable Screening Report
- Appendix F** Direct Control District
- Appendix G** What We Heard Report

If the Amendment Applications are passed by Council, the applicant intends to subsequently submit a subdivision application. Additional detailed information would be provided at that time.



1.3.1. Proposed MDP Amendment Application

The subject property is located outside of the Town of Canmore urban growth boundary under the Municipal Development Plan (MDP).

The purpose of the MDP amendment application is to amend Map 1 (Growth Boundary) and Map 2 (Conceptual Land Use) of the Town of Canmore Municipal Development Plan (MDP) Bylaw 2016-03 (MDP Amendment Application).

1.3.2. Proposed LUB Amendment Application

The purpose of the Land Use Bylaw (LUB) amendment application is to amend the Town of Canmore Land Use Bylaw 2018-22 by adding a new Direct Control District on the subject site.

The subject site is currently designated as Future Development District (FD). The purposes of the FD are to designate land that is potentially suited for future urban uses including subdivision and development. The FD also has discretionary uses such as agriculture. Permitted uses such as Wildlife Habitat Patch and Wildlife Corridor are not within the FD, as they are permitted in other districts such as NP Natural Park District and CW Conservation of Wildlands District.

As the subject site has unique characteristics, a more detailed consideration of the design and impact of the development requires a creation of a new Direct Control District (DC).

An amendment to the LUB will facilitate a future application to allow development of a maximum of 6 homes and a palliative care hospice facility on the subject site.

1.4. EXISTING SITE CONTEXT

1.4.1. Physical Setting

The subject property is a privately owned parcel of land with a history of grazing. Currently the subject site is in a natural state and undeveloped with people walking and using their bikes though and around the site extensively. The site sees many trespassers that cause disturbances such as potted cannabis cultivation, squatter debris and fire pits. The property owner is not currently residing on the land and as a result human disturbance to the land is not being actively managed. The property has a mix of deciduous and coniferous forest, shrubs, and grasses. The predominate ecosystem on the subject site is a low-shrub grassland that will be largely retained in its natural condition. In the past there have been numerous development applications for the subject site but none of them as environmentally sensitive as what is being currently proposed.

The site is currently accessed by a cul-de-sac at the end of 3rd Avenue. There is potential for more access points to the site by extending 3rd Ave south and using the current access road from the Canmore Wastewater Treatment facility. **Appendix C** has further information on emergency access.

There is an existing cross-easement agreement that was required by the Town of Canmore at the time of subdivision in 1986. The cross-easement agreement allows for construction of a road across the subject property connecting to the neighbouring property to the east to an access point on 3rd Ave.



Table 1: Surrounding Land Uses

DIRECTION	LAND USE
NORTH	Spring Creek RV park, however, the RV park it is currently being constructed into the high-density mixed-use development - Spring Creek Mountain Village (SCMV). SCMV has approval for 800-1200 new residential dwellings, 200 hotel rooms, and other neighbourhood uses.
EAST	A residential parcel with horse grazing that was developed in similar nature to this proposal and transportation corridors (i.e. CP Rail, Bow Valley Trail, and the Trans Canada Highway 1 and a frequently used heliport).
SOUTH	Canmore Wastewater Treatment Facility, Canmore Nordic Center Provincial Park, access roads, and a non-designated recreational trail network and the Waste Transfer Station and Materials Handling Facility, Canmore Ranch.
WEST	Access road heading north-west from the Canmore Wastewater Treatment Facility. Millennium Park which is premier outdoor venue for team sports consisting of an outdoor park with bleachers, a sports field, fenced ball diamond picnic tables and washrooms.

1.4.2. Previous Development Applications

In the past there have been development applications for the subject site by different applicants ranging in size from 39 – 100 residential dwellings. This proposed application is less intrusive than previous applications and has the potential to act as a transition zone to Spring Creek Mountain Village. This proposed application will also provide the appropriate land use to allow for a palliative care hospice facility which would be a significant public amenity to the community.

1.4.3. Habitat Patch

The subject site is partially within the South Canmore Local Habitat Patch (SCLHP). The SCLHP is regulated by the Town of Canmore and it is also known that development already exists within the SCLHP such as the Canmore Wastewater Treatment Facility, access roads, a large non-designated recreational trail network, and the Canmore Nordic Center Provincial Park.

The magnitude and geographical extent of current and proposed wildlife habitat disturbed (both directly and indirectly) in the SCLHP is a key topic of discussion in the Environmental Impact Statement (EIS) **Appendix B** which focuses on the potential effects of the project on biophysical resources in the area, such as vegetation, ecosystems, and wildlife and wildlife habitat.

The SCLHP is intended to provide sufficient habitat for wildlife (e.g., elk, bear, deer) to meet the food, rest, and water needs for a short period of time while they negotiate a corridor network (e.g., the SCLHP)



towards a larger, regional habitat patch (in this instance, the Bow Flats Habitat Patch) at its end. To function as intended, habitat patches need to provide sufficient intact habitat in their interior for wildlife to rest or forage with security from human disturbance. Since its establishment in 2009, habitat in the SCLHP has been fragmented and continues to be disturbed by frequent and ongoing incursions by humans through industrial development (e.g., the Waste Transfer Station), recreation (e.g., hiking, dog walking, cross country skiing, cycling), and sensory disturbance (e.g., Highway 1, Highway 1A, CP Rail, Alpine Helicopters Heliport). The Bow Corridor Ecosystem Advisory Group note that, even if it were completely intact, the SCLHP is not large enough to meet the minimum standards set for a functional habitat patch. In addition, the Tipple Wildlife Corridor is the only wildlife corridor that is adjacent, and separated from the SCLHP by the Bow River and was considered by the Bow Corridor Ecosystem Advisory Group to be not functioning as intended given the level of development and human activity in the area. Studies focused on large mammal use of the SCLHP and the Tipple Wildlife Corridor found that although deer and elk use the SCLHP, large carnivore (e.g., bears, cougars, wolves) use was low. In total, based on the current Conceptual Land Use Plan, 0.42 ha of land will be disturbed for buildings and 0.49 ha for roads and driveways, amounting to 0.5% of the SCLHP.

The EIS **Appendix B** concludes that potential residual effects, or any effect that will remain once all mitigation, restoration, and compensation is completed, are negligible to low overall. Through development of the EIS, considerations to avoid and reduce potential effects of the project were incorporated into the Conceptual Land Use Plan.

Figure 2 provides a STRAVA Heatmap which shows the 'heat' made by aggregated, public activities (walking, cycling, hiking, cross country skiing, etc.) over the last two (2) years around the subject site and within the SCLHP. STRAVA is a proprietary mapping tool that a small component of the population uses to track their activities (e.g., cycling and skiing) and does not represent all the current land users; for example, STRAVA is not likely to be used by casual land users such as dogwalkers or sightseers. The STRAVA Heatmap is updated monthly and can be accessed online (<https://www.strava.com/heatmap#7.00/-120.90000/38.36000/hot/all>). Below is a STRAVA Heatmap showing all the activities occurring within and around the subject site and within the SCLHP. From analysing the STRAVA Heatmap (brighter or hotter colours represent more use) it is evident people use the recreational trails within the SCLHP west and south of the subject site.



Figure 2: Site Usage



2. Proposed Municipal Development Plan Amendment

2.1. PROPOSED MDP AMENDMENT APPLICATION

This application requests a map amendment for the Town of Canmore Council to amend Map 1 (Growth Boundary) and Map 2 (Conceptual Land Use) of the Town of Canmore Municipal Development Plan (MDP) Bylaw 2016-03 (MDP Amendment Application).

2.1.1. Map 1 (Growth Boundary) Amendment

The MDP Amendment Application requests to expand the Growth Boundary on Map 1 (Growth Boundary) to encompass the entire subject site at 800 3rd Avenue Canmore. Figure 3 and Figure 4 show the specific map amendment and comparison to the existing growth boundary.

Figure 3: Existing Growth Boundary

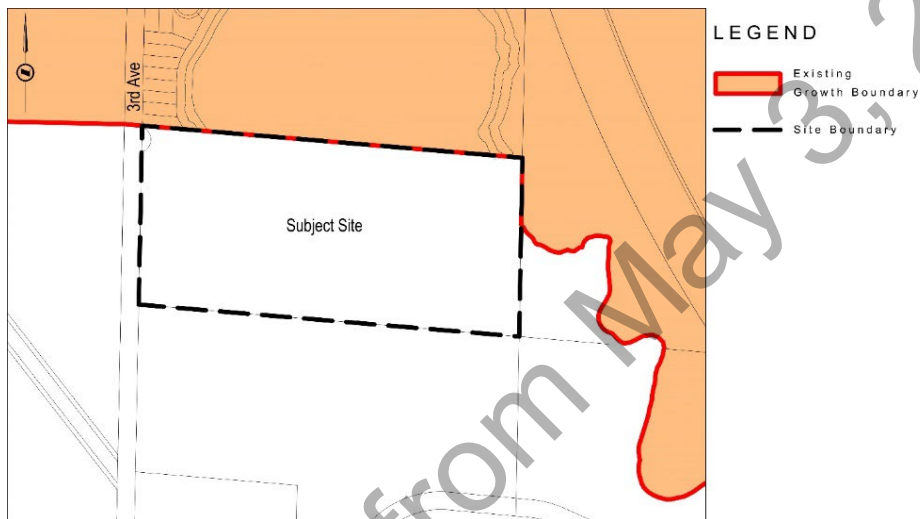
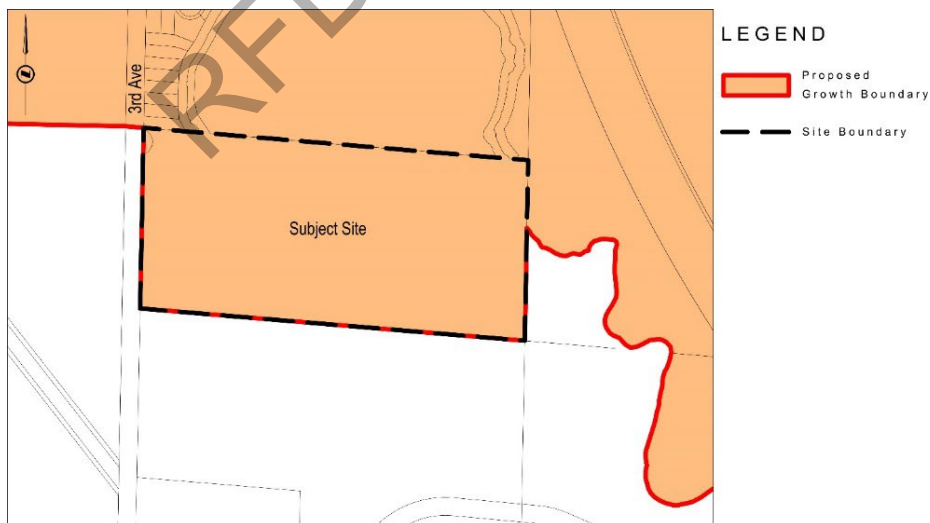


Figure 4: Proposed Growth Boundary



2.1.2. Map 2 (Conceptual Land Use) Amendment

The MDP Amendment Application requests to change the subject property land use designation on Map 2 (Conceptual Land Use) from 'Conservation' to 'Neighbourhood Residential'. Figure 5 and Figure 6 show the specific map amendment and comparison to the existing land use.

Figure 5: Existing Land Use

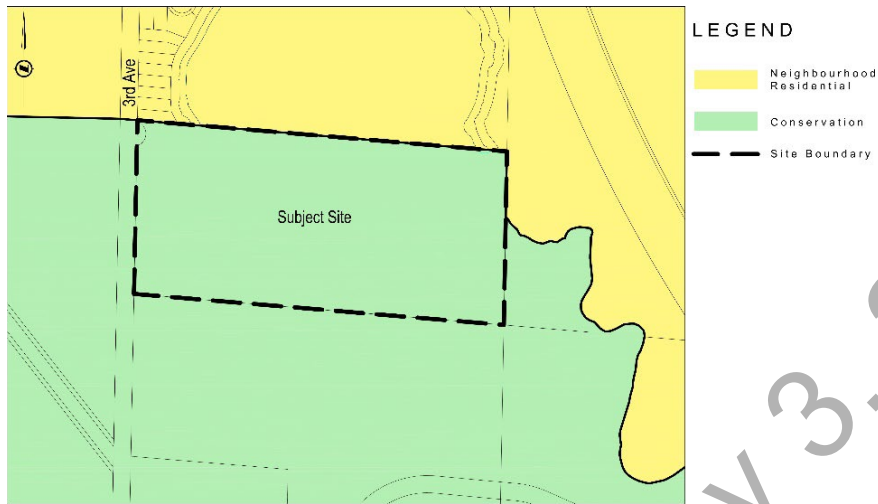
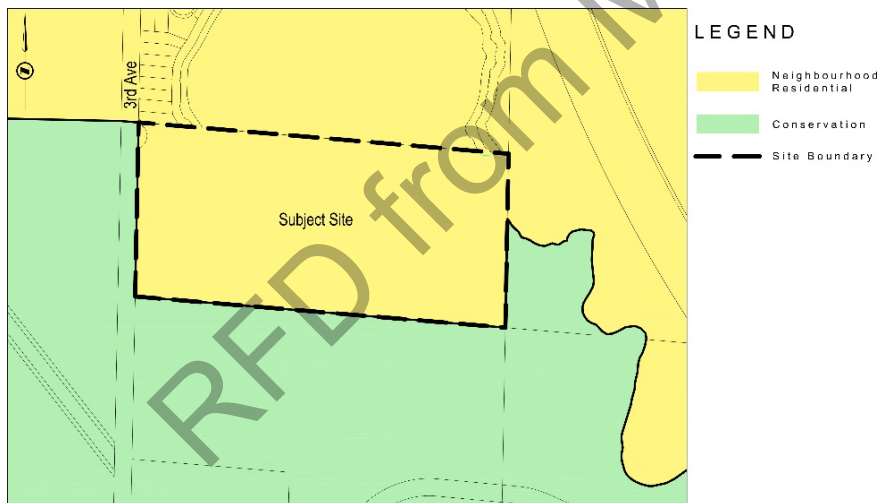


Figure 6: Proposed Land Use



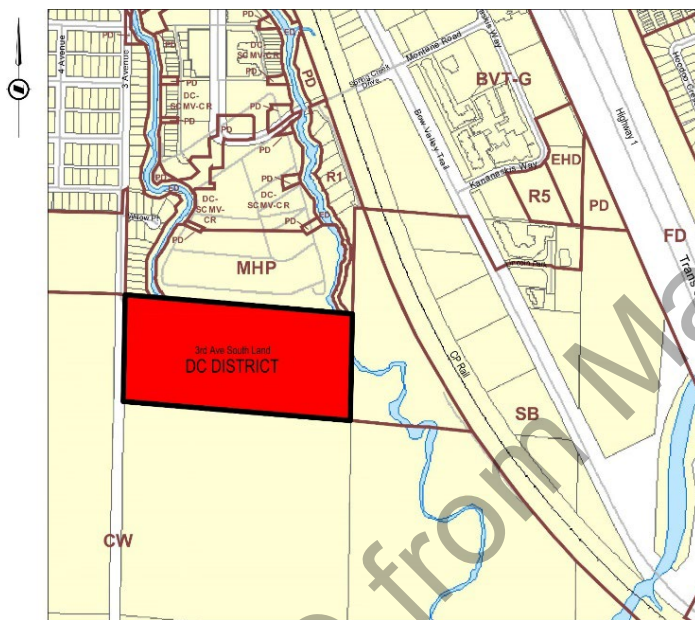
3. Proposed Land Use Bylaw Amendment

3.1. PROPOSED LUB AMENDMENT APPLICATION

This application requests to amend the Town of Canmore Land Use Bylaw 2018-22 by adding a new Direct Control district on the subject site.

The subject site is currently designated as Future Development District (FD). The purposes of the FD are to designate land that is potentially suited for future urban uses including subdivision and development. As the subject site has unique characteristics, a more detailed consideration of the design and impact of the development requires a creation of a new Direct Control District (DC).

Figure 7: Proposed Direct Control District Location



3.2. PROPOSED DEVELOPMENT

A conceptual site plan of the proposed development is in **Appendix A**. The proposed design of the development was directly shaped by the outcomes and findings of the Environmental Impact Statement (EIS) **Appendix B**.

3.2.1. Single Family Homes

A maximum of six (6) single family homes are proposed to be developed on the subject site. Five (5) of the single-family homes have lot sizes ranging from 1,000 m² (.25 acres) to 6,000 m² (1.5 acres). One (1) single-family home is for the landowners own use and most of the land will be kept in the natural state being wildlife friendly and will have a lot size of approximately 58,890 m² (14.55 ac). The development and orientation of the buildings will be wildlife-friendly and avoid or reduce any potential for wildlife-human conflict. There are no proposed links to the Spring Creek Mountain Village lands north of the subject site.



The option for accessory dwelling units within the proposed maximum of six (6) single-family homes will increase the housing stock opportunities by supplying additional housing into the community which is needed all over the community and are not site specific driven. With the option for the addition of these accessory dwelling units, it is a net benefit on their own terms, by giving the homeowners themselves the options of accessory dwelling units which has the potential to be utilized by a full range of people throughout the community. The development of a maximum of six (6) single family homes with the potential of accessory dwelling units will increase the already limited housing stock of Canmore.

3.2.2. Palliative Care Hospice

The Palliative Care Society of the Bow Valley (PCSBV) plans to construct a hospice for the purpose of providing and supporting 'full-spectrum' palliative and end-of-life care for the community of Canmore and the surrounding local Bow Valley communities from the time of diagnosis through to grief and bereavement support for the family and caregivers after the death of the patient. The applicant will donate approximately 0.8 ha (2 ac) of land to the PCSBV. The hospice will also include day hospice palliative care programs such as music therapy and physical therapy. Administrative offices for the Palliative Care Society of the Bow Valley, staff and volunteers' spaces will also be included within the building. Currently those patients for whom residential end-of-life care is appropriate must leave the community of Canmore to receive care in a hospice. The hospice will provide an exceptional benefit to the community and is supported by the Palliative Care Society of the Bow Valley. A letter of support from the Palliative Care Society of the Bow Valley is provided in **Appendix D**.



4. Policy Framework

4.1. MUNICIPAL DEVELOPMENT PLAN BYLAW 2016-03

The MDP sets the Town’s overall policy direction for community land use decisions and addresses environment, economic, social, cultural and governance affairs. A review of the MDP policies was conducted to identify policies relevant to the Amendment Applications.



The table below showcases MDP policies that are of relevance to this application:

Table 2: MDP Policy Context

MDP Policy		Response
1.4 GUIDING PRINCIPLES AND STRATEGIES TO ACHIEVE THE VISION	Recognize and strengthen Canmore as a diverse, inclusive community, integrating residents of all ages, income levels, and skills.	A donation of approximately 2 acres to the Palliative Care Society of the Bow Valley will reduce the burden of fundraising for a community-based charity and provide a site in proximity to Town amenities that otherwise would not be available.
1.4.1. Social Fabric	<p>Attract and retain a population that is demographically diverse and meaningfully employed in the community.</p> <p>Develop and maintain spaces to facilitate community gathering and engagement.</p> <p>Provide quality opportunities to age in place.</p>	<p>The proposed development will strengthen the community by providing local access to all Bow Valley residents requiring hospice care who would otherwise need to leave the Bow Valley for hospice care in Calgary or other urban locations.</p> <p>The palliative care hospice will provide space for community gathering and engagement for people facing terminal illness with their family and friends for mutual support and palliative care day programming provided to them by staff and volunteers of the PCSBV.</p>



		<p>A palliative care hospice and the programs associated with the provision of end of life care will provide an exceptional benefit to the community and retain a population and create permanent employment in sectors other than tourism and construction.</p> <p>Over the construction phase of 24-30 months, there will be 50-60 full time jobs which will be contracted positions with various local contractors and sub-contractors. Given the nature of the Hospice facility, the estimated economic impact is in the range of \$4 million annually. Once the hospice is fully operational, there will be 21 Full Time Employees.</p> <p>Terminal illness does not differentiate based on ethnicity. The PCSBV Palliative Care programming and service delivery will be sensitive to diverse cultural practices in end of life care. PCSBV has consulted with the Stoney Nakoda First Nations Morley on many occasions to ensure alignment with their specific cultural needs are met.</p>
<p>1.4 GUIDING PRINCIPLES AND STRATEGIES TO ACHIEVE THE VISION</p> <p>1.4.2 Identity</p>	<p>The architectural style of buildings evolves over time, yet maintains the mountain town character and distinct identity anchored in the mountain surroundings and mining history.</p> <p>Provide a residential density and mix of land uses to achieve more sustainable building forms and an efficient use of land that maintain the mountain town character.</p> <p>Maintain the town centre as the focal point of the community.</p>	<p>The proposed development will maintain the character of the Town by using architectural guidelines in keeping with a mountain atmosphere and with Town of Canmore guidelines.</p> <p>Residential density and the mix of land uses were chosen with consideration for the form and character of the surrounding environment. The proposed development is adjacent to existing development and is in proximity to the town center, the focal point of the community.</p>
<p>1.4 GUIDING PRINCIPLES AND STRATEGIES TO ACHIEVE THE VISION</p> <p>1.4.3 Environmental Stewardship</p>	<p>Continue to support and lead environmental programs and initiatives.</p> <p>Strengthen policies and initiatives regarding management of human use of wildlife corridors and habitat patches and how development can be better designed to protect the needs of wildlife.</p> <p>Promote environmental sustainability through development design and density, efficient use of infrastructure and the built form.</p> <p>Utilize current science and best practices in the identification and protection of wildlife</p>	<p>The unique features of the land were used to determine the most efficient use and location of development pieces for achieving efficiency of land use. Buildings were sited and oriented to completely avoid sensitive features such as Spring Creek and a shrubby swamp.</p> <p>Following requirements in the Town's MDP, the proposed development is located completely outside of the riparian corridor for Spring Creek, except for a small portion required for a bridge to provide access to Subdistrict C. The proposed development will not affect existing designated trail networks.</p> <p>The proposed development is within 800 meters of basic community services and other residential developments and with its proximity to such services and dwellings, supports enhanced use of pedestrian and cycling modes of transportation resulting in reduction of less environmentally friendly modes of transportation.</p>



	<p>corridors and habitat patches as well as maintaining the functionality of wildlife corridors.</p> <p>Support programs and initiatives that minimize our contribution to or mitigate the impacts of climate change.</p>	<p>Policies and initiatives regarding management of human use of local habitat patch guidelines and co-existence of humans and wildlife were used in the development of the concept plan. Management of human use of habitat patches has been recognized in site design choosing low density residential uses, and providing an intact, uninterrupted parcel of natural land sufficient in size for use by those types of wildlife using the area for foraging, resting, security and thermal regulation.</p> <p>Building locations concentrate human access and impact to contiguous residential areas. Building siting creates a mix of open spaces, buffers and barriers between wildlife and human use of trails, and buildings are oriented in a manner consistent with existing linear features.</p> <p>The proposed subdivisions are all accessed from 3rd Avenue to avoid unnecessary disturbance on the land. All buildings are sited and oriented in a manner that facilitates wildlife movement and reduces wildlife conflict by maintaining good sightlines and escape routes.</p> <p>Buildings are intentionally situated along the boundary of existing high-density residential development to reduce further fragmentation of the SCLHP.</p> <p>The impact to the size of the South Canmore Local Habitat Patch is less than 1%.</p> <p>The site design provides efficient use of existing infrastructure, such as siting all access to originate from 3rd Avenue to avoid or reduce effects on the natural environment.</p> <p>An Environmental Impact Statement (EIS) was completed to ensure current science and best practices were considered in the relationship of environmental features of the land and the proposed development, including but not limited to soil and terrain, vegetation, wetlands, wildlife, and waterbodies. The Terms of Reference were prepared jointly by the Town of Canmore and a Third-Party Reviewer, a reviewer selected by the Town of Canmore.</p> <p>The EIS concluded that the effect of the proposed development on the natural environment is negligible to low and the functionality of the wildlife local habitat patch will not be significantly altered from its current function. The effect on the natural environment, although negligible to low, will be avoided, reduced, or offset following mitigation measures proposed in the EIS. In particular, the development of a Construction Environmental Management Plan, to be administered by a qualified environmental monitor, will ensure the mitigation measures outlined in the EIS are appropriately implemented and functioning during construction and into occupation of the land.</p>
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<p>1.4 GUIDING PRINCIPLES AND STRATEGIES TO ACHIEVE THE VISION</p> <p>1.4.4 Economic Sustainability</p>	<p>Attract, retain, and support essential community and commercial services that meet the basic needs of residents and visitors.</p> <p>Achieve economic strength and resiliency to maintain a balanced socioeconomic population and workforce in accordance with an economic development strategic plan</p>	<p>The proposed development will provide essential community services for people and their families going through the end of life journey, which can be a very stressful and cause unnecessary financial burden. Terminal illness affects people in all walks of life. PCSBV will provide services to terminally ill patients regardless of age, income level, or gender in the form of providing hospice palliative care, end of live programs and support for terminally ill patients and their families and friends.</p> <p>The proposed development will create new employment in the palliative care health care sector with 21 full time employees and a variety of volunteer opportunities for many Bow Valley Residents.</p> <p>The hospice will provide long term employment above median salary ranges and outside of the traditional Canmore hospitality and tourism sectors. Rural Palliative Hospice care is an expanding sector because of the aging population and the desire for local population to spend their last days close to home. Further the proposed development will increase the residential assessment base for property taxes and provide resiliency in the event of changes to other sectors.</p> <p>The proposed development aligns well with the economic and social objectives of the Town of Canmore because of the nature of the services the hospice will provide. Hospice Bow valley is all about compassionate care for families, being a good neighbour, providing rural hospice care and being sensitive to environmental issues.</p>
<p>2 GROWTH MANAGEMENT</p> <p>2.1 GROWTH BOUNDARY</p>	<p>A growth boundary is a planning tool used to promote more efficient growth management by excluding</p>	<p>The subject property is currently not in the Growth boundary, however, the MDP Amendment Application proposes to expand the Growth Boundary to encompass the subject site and facilitate a future</p>



<p>Development Within the Growth Boundary 2.1.1</p>	<p>areas of land that are not ready for, or are not suitable for, urban development. In this section, urban development refers to development that is characteristic of a city or town environment, such as residential neighbourhoods and commercial areas that have access to municipal utility services.</p> <p>All new urban residential, commercial, industrial, and institutional development will be limited to those areas within the Growth Boundary as shown in Map 1.</p>	<p>application to allow a development of a maximum of 6 homes and a palliative care hospice.</p> <p>The land is currently classified as Future Development (FD) under the Land Use Bylaw (LUB), and with that, the future of the land is suitable for development as envisioned in efficient growth management. The purpose of FD is to designate land that is potentially suited for future urban uses including subdivision and development.</p> <p>There is a limited amount of available land near the Town Centre making the subject land suitable for development.</p> <p>The types of urban development in the proposed development are consistent with the characteristic of the town environment and to the characteristic of residential neighbourhoods that have access to municipal utility services.</p> <p>The land is also currently classified and taxed as 'Residential', a characteristic consistent with urban development. The land is adjacent to a development with high density uses and near the Town Center.</p>
<p>Moving the Growth Boundary 2.1.5</p>	<p>The Growth Boundary should not be expanded beyond the area shown in Map 1, except where:</p> <ol style="list-style-type: none"> a community benefit* is achieved, and a net positive fiscal or socio-economic impacts are achieved, and the proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner, and the proposed development does not result in unacceptable environmental impacts. 	<p>Exceptional Community benefit is achieved with this development because of the uniqueness of having a rural hospice located in Canmore for all residents of the Bow Valley. Currently, there are no rural hospices anywhere in Alberta. PCSBV has consulted with many community stakeholders regarding rural hospice care in the Bow Valley, including health care workers, medical practitioners, and other allied health care professionals to ascertain where the gaps in palliative care lie. Without exception, all spoke of the need for a residential hospice facility to avoid unnecessary hardship on families struggling with end of life issues by having to travel to Calgary or other urban centres for hospice care. Having the hospice located in Canmore addresses an enormous gap in services and will only increase as the population ages.</p> <p>The land for the hospice will be donated by the landowners. This is a significant benefit to the community as it eases the financial burden of the PCSBV who will be seeking financial support for the hospice construction and it's operations. PCSBV has consulted with the Town of Canmore and real estate agents regarding other land purchases. This process failed to provide a suitable property. The prospect of a 2-acre lot donation for the hospice is an opportunity that has mutual benefit for not only the Town of Canmore but also for the PCSBV. This is a most extraordinary and transformational gift for community benefit.</p> <p>A net positive fiscal or socio- economic impact is achieved by strengthening the social fabric of the community, retaining a diverse, meaningfully employed population, providing spaces to facilitate community engagement, and providing opportunities to age in place.</p>



		<p>The Engineering Technical study confirms that Municipal infrastructure can be connected in a fiscally and environmentally responsible manner Appendix C.</p> <p>The EIS concluded that the proposed development does not result in unacceptable environmental impacts on biophysical resources. Mitigation measures are expected to be successful and avoid, reduce and compensate for effects of the proposed development.</p> <p>The EIS concluded that the impact to the land was negligible to low. Mitigation measures were recommended to avoid, reduce, and compensate for potential effects during and after construction. Each of these measures are common environmental protection measures, achievable, and feasible.</p> <p>The EIS for the subject site is provided in Appendix B.</p>
2.1.6	<p>The submission of an Environmental Impact Statement (EIS) shall be required by the Town for a proposed expansion of the Growth Boundary. The EIS shall identify acceptable mitigation of any potential impacts.</p>	<p>The EIS concluded that any potential residual effects, or any effect that will remain once all mitigation, restoration, and compensation is completed, are negligible to low overall.</p> <p>The EIS for the subject site is provided in Appendix B.</p>
2.2 PATTERN OF GROWTH	<p>The Conceptual Land Use map (Map 2) identifies the general long term pattern of land use within Canmore. The map shows the general intent for future development, recognizing that more detailed boundaries and land uses will be determined or specified through area structure or redevelopment plans and the Land Use Bylaw. The general land use categories include:</p> <p>Conservation – the areas shown as Conservation areas identify lands that are not designated for urban development and may contain Environmentally Sensitive Areas such as wildlife corridors and habitat patches and waterbodies. (Section 4.1)</p>	<p>The land is currently classified on the Conceptual Land Use map as conservation and at the same time classified in the Land Use Bylaw as Future Development suitable for urban development including subdivision.</p> <p>Industrial and residential uses in conservation areas exist in the Town of Canmore and the area of the proposed development is similarly classified as conservation on the Conceptual Land Use Map.</p> <p>Currently there are industrial and residential uses in 'conservation' areas such as the Waster Water Plant, Waste Transfer Station, Materials Handling Facility, and the residential, industrial, and commercial uses in the Spray Valley Direct Control District, known as the TransAlta site. The proposed development will not impact the land to the same degree as existing uses in conservation areas. Large industrial-purposed trucks traverse the South Canmore Local Habitat Patch throughout the day and regularly disturb wildlife. The proposed development will result in very little traffic in comparison. Further, the EIS determined the proposed development has negligible to low impacts to the environment.</p>
GROWTH PHASING 2.3.4 and 2.3.5	<p>Development that utilizes existing infrastructure efficiently and minimizes financial impact on the Town will be encouraged.</p>	<p>The proposed development utilizes existing infrastructure efficiently and minimizes financial impact on the town.</p> <p>The proposed development is adjacent to existing high-density developments-in-progress and capacity exists</p>



	<p>Development of lands will be encouraged adjacent to built up areas and where capacity exists in community facilities such as schools, emergency services and recreation facilities.</p>	<p>for minimized, incremental impact to community facilities.</p> <p>The proposed development is near services and amenities in the Downtown area as well as near schools and recreational areas.</p> <p>Access is from 3rd Avenue and a minor road extension improvement may contribute positively to emergency services needs.</p>
<p>4. ENVIRONMENTAL STEWARDSHIP 4.1 CONSERVATION</p>	<p>To support initiatives that minimize the impact of the built environment on the natural environment.</p> <p>One of the primary objectives of Conservation areas is to minimize development to protect natural features and ecosystem functions and the majority of this area is protected through designation as Provincial Park.</p>	<p>The land is privately held and not protected through designation as a Provincial Park. Environmentally Sensitive Areas have been mapped as part of an EIS that was developed for the proposed development. The proposed development completely avoids the ESAs and recommends offsetting to compensate for residual effects, which may result in a net positive impact on the property.</p> <p>The proposed development achieves the objective of minimizing development by selecting low impact uses, few uses in number and placing impacts contiguous to existing residential developments while protecting a significant portion of the land as undisturbed natural setting. The impact of the proposed development to the total area of the SCLHP is less than 1%.</p> <p>The proposed development balances private ownership and environmental land stewardship using a combination of low impact uses and undisturbed parcels of land. Further, Environmental Reserve Easements with the Town of Canmore are proposed for areas around waterbodies over and above the minimum reserve required.</p>
<p>DEVELOPMENT IN CONSERVATION AREAS 4.1.2</p>	<p>Development in Conservation areas should be limited to recreational use, agricultural uses, infrastructure and utilities, and will be subject to any additional restrictions on these activities contained in the MDP including Environmentally Sensitive Areas policies contained in Section 4.2.</p>	<p>A substantial portion of the proposed development is in keeping with agricultural uses.</p>
<p>4.1.4</p>	<p>Changes in zoning for lands within Conservation areas that would allow new or additional development of those lands shall be discouraged unless exceptional community benefit can be demonstrated. Should an application for amendment be considered, an EIS will be required to be prepared and potential impacts of the development are addressed and mitigated.</p>	<p>The proposed development brings exceptional benefit to the community.</p> <p>The proposal will strengthen the community by including all residents who otherwise would need to leave the community for end-of-life care.</p> <p>A palliative care hospice and the programs associated with the provision of end-of-life care will retain a population and create permanent employment in sectors other than tourism and construction. A palliative care hospice will eliminate the need to travel outside the Bow Valley for end-of-life care.</p> <p>The palliative care hospice will provide space for community gathering and engagement primarily</p>



		<p>focused on assistance to those making end of life decisions.</p> <p>A donation of approximately 0.8 ha (2 ac) to the Palliative Care Society of the Bow Valley will reduce the burden of fundraising for a community-based society and provide a site in proximity to Town amenities that otherwise is not available. The proposed development will provide community services and opportunities to age in place with programs assisting those who wish to stay at home.</p> <p>The EIS concluded that the impact to the land was low to negligible. Several mitigation measures were recommended during and after construction and each of these measures are achievable and feasible.</p> <p>The EIS for the subject site is provided in Appendix B.</p>
<p>ENVIRONMENTALLY SENSITIVE AREAS 4.2</p>	<p>Environmentally Sensitive Areas (ESA) are areas of land established for the protection of sensitive natural features and ecologic functions and diversity, primarily for the protection of wildlife and waterbodies. They are not intended to provide for intensive human use and will be managed to ensure that the natural functions of these areas remain intact.</p>	<p>Although the Town has not formally identified all ESAs within the municipality, ESAs were mapped during the EIS and the entire project avoids ESAs on the property. The land provides habitat for certain species of wildlife and contains waterbodies (i.e., Spring Creek). The proposed development ensures a significant portion of the land remains intact and without intensive human uses. Low density residential units that are few in number and a Palliative Care hospice that is a community service with low human activity are uses that do not result in intensive human use.</p> <p>The proposed development is designed to constrain and limit human use to contiguous developments with similar uses and to retain a large portion of the land as an intact undisturbed natural setting for the protection of wildlife. The proposed development will protect Spring Creek and Policeman Creek using Environmental Reserve Easements with the Town of Canmore.</p> <p>A net reduction of human use will occur due to the concentration and placement of the buildings in an area with existing high human use and the presence of landowners protecting land from unauthorized human disturbance.</p> <p>The Land Use Bylaw uses <i>Wildlife Corridors</i> and <i>Wildlife Habitat Patches</i> as defined terms in Permitted and Discretionary Uses of a land use district. Although the MDP map identifies the land as part of a Wildlife Habitat Patch, the Land Use Bylaw does not.</p>
<p>4.2.1 & 4.2.2</p>	<p>4.2.1 Development and human activity should be strictly limited in an ESA to ensure the protection of the natural ecological functions.</p> <p>4.2.2 The identification of, or confirmation of a boundary of an ESA for an application for an area structure plan, land use amendment, subdivision</p>	<p>The proposed development is designed to constrain and limit human use to contiguous developments with similar uses and to retain a large portion of the land as an intact undisturbed natural setting for the protection of wildlife. The proposed development will protect waterbodies using Environmental Reserve Easements with the Town of Canmore.</p> <p>Environmentally Sensitive Areas, ESA, will be identified through land use planning and development proposals.</p>



	<p>application or development permit application will be required.</p>	<p>The EIS has identified certain biophysical features that qualify as ESAs. Mitigation measures recommended in the EIS avoid any effects on those ESAs, such as the wetland and riparian areas. Planting trees and shrubs will improve the climate change and erosion resiliency of Spring Creek.</p>
<p>Protection of Environmentally Sensitive Areas</p> <p>4.2.3</p>	<p>Lands identified as an ESA should be conserved or protected through the dedication of reserve lands or through the use of other conservation tools, including:</p> <ul style="list-style-type: none"> a Protection and management under Provincial Parks legislation, b Dedication of reserves pursuant to the Municipal Government Act, c Registration of conservation easements, d Land donations, acquisition or transfers, and e Transfer of development credits pursuant to the Alberta Land Stewardship Act. 	<p>The proposed development will include dedicating Environmental Reserve Easements with the Town of Canmore.</p> <p>Avoidance and offsetting are proposed that will improve the erosion and flood resiliency of Spring Creek in the face of Climate Change, while also improving fish and wildlife habitat along the creek. Buildings are setback 20 meters from creek beds.</p>
<p>Wildlife Corridors and Habitat Patch Location and Design</p> <p>4.2.6</p>	<p>Wildlife corridors and habitat patches are established as generally show on Map 4 – Wildlife Corridors and Habitat Patches.</p>	<p>A portion of the privately owned subject site is in a Local Habitat Patch.</p> <p>A guiding principle in the MDP is described as:</p> <ul style="list-style-type: none"> • Utilize current science and best practices in the identification and protection of wildlife corridors and habitat patches as well as maintaining the functionality of wildlife corridors. <p>The BCEAG (updated in 2012) states that the Tipple Wildlife Corridor, the wildlife corridor linking to the South Canmore Local Habitat Patch, is not functioning as intended given the level of development and human activity.</p> <p>In addition, and irrespective of the limitations of the Tipple Wildlife Corridor, the SCLHP fails to meet minimum science-based standards of a local habitat patch. Although suitable habitat exists for certain wildlife species in the SCLHP, the dead-end and highly disturbed nature renders the SCLHP functionally ineffective. The purpose of a local habitat patch is to meet the food, rest, and water needs for a short period of time while they negotiate a corridor network towards a larger, regional habitat patch at its end, in this instance the Bow Flats Habitat Patch, a habitat patch that is accessed by crossing the Trans Canada Highway. The BCEAG considers the crossing as a <i>Conceptual Wildlife Corridor</i>.</p> <p>One of the underlying studies in the BCEAG, Jacques Whitford AXYS Limited (2008c), found that deer and elk</p>



		<p>used the Tipple Wildlife Corridor and use by carnivores was low. It further stated that the Tipple Wildlife Corridor appears to be the portion of the corridor network that is the least functional. Additional studies, such as Herrero, J and S Jevons. 2000 also stated that the South Canmore Region fails to meet the minimum standards for a functional, viable corridor as set by BCEAG.</p> <p>In addition to the work done by the BCEAG, the EIS for the proposed development (2020) concluded that the proposed development will have a negligible to low residual effect on wildlife and their use of habitat. Offsetting measures proposed in the EIS are expected to result in a net positive impact for wildlife. Ungulates, such as deer or elk, are well documented in research and local knowledge as users of the SCLHP. Large carnivores, such as grizzly bears, wolves, black bears, or cougars have been found to be less likely to use the SCLHP due to the amount of existing, frequent disturbance. Although suitable habitat exists in the SCLHP for large carnivores, their specific life-history and habitat requirements restrict them from spending any significant amount of time in the SCLHP (i.e., they may occur, but they likely only pass through). The proposed development will not affect the current use of the SCLHP by large carnivores.</p> <p>The proposed development does not reduce the suitability of use by ungulates for forage, resting, security and thermal regulation. Many of the ungulates are resident elk that are habituated to human disturbance. The proposed development recognizes and continues to protect the natural features of the land sought after by species of wildlife.</p> <p>The EIS for the subject site in provided in Appendix B.</p>
<p>New Development Within or Adjacent to Wildlife Corridors and Habitat Patches 4.2.11</p>	<p>No new development shall be allowed within a habitat patch or corridor, excepting:</p> <ul style="list-style-type: none"> a infrastructure and utilities may be allowed to be located within or to cross a habitat patch or corridor in the least intrusive manner possible, and b non-intensive, trail-based recreational uses may be allowed. 	<p>The proposed development is expected to have negligible effect on wildlife movement. Habitat avoidance will likely be temporary (i.e. for the duration of construction) and will not result in unacceptable environmental impacts. The EIS for the subject site in provided in Appendix B</p> <p>Less than 1% of the natural ecosystem of the total local habitat patch will be disturbed with much of the area in Subdistrict D remaining as wildlife-friendly, agricultural land left in a natural state. The proposed development is designed to constrain and limit human use to adjacent developments.</p> <p>The proposed development does not reduce the suitability of use by ungulates for forage, resting, security and thermal regulation. Many of the ungulates are resident elk that are habituated to human disturbance and are thought to use high-human use areas for security from predators. The proposed development recognizes and continues to protect the natural features of the land sought after by many species of wildlife.</p>



		The proposed design was developed with the SCLHP in mind. The siting of the buildings reduces the potential for wildlife-human conflict by maintaining good sightlines and escape opportunities if wildlife wander into the residential areas. No wildlife exclusion fences are proposed which will maintain wildlife permeability of the parcel, including access to water along Spring and Policeman Creek.
4.2.12	Where new development is considered pursuant to 4.2.11, an EIS shall be required by the Town where it has the authority.	The EIS for the subject site is provided in Appendix B .
4.2.13, 4.2.16, & 4.2.17	Development proposals within or adjacent to a wildlife corridor or habitat patch shall have regard for the BCEAG Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (2012) and most recent principles of wildlife conservation to ensure the values and function of the corridor or habitat patch are not compromised.	<p>The proposed development has regard for the Step-Wise Approach in the BCEAG report.</p> <p>Step 1: Shape or Area. The proposed development does not change the shape of the SCLHP, an adjustment to the area of the habitat patch is not critical design adjustment given its impact is less than 1% and it is not reducing the likelihood of use for wildlife known to seasonally frequent the area.</p> <p>Step 2: Length and Width of Wildlife Corridors. The proposed development is not within a Wildlife Corridor.</p> <p>Step 3: Topography. The proposed development does not contain nor is between a ridge, ravine or bench requiring an adjustment or buffer. The proposed development is not located between a wildlife corridor requiring additional vegetation and hiding cover.</p> <p>Step 4: Vegetation Hiding Cover. The proposed development does not require an adjustment to the habitat patch for vegetation hiding cover as buildings will be sited to avoid foresters areas to the extent possible. The proposed development will follow Wildlife Site Design Guidelines in 18.3.4 such as placement of amenities, landscaping, lighting standards and building setbacks.</p> <p>The proposed development locates buildings adjacent to trails and berms and contiguous to residential developments and uses similar in nature to neighbours.</p>
Environmental Reserve Easements 4.3.3	The registration of Environmental Reserve Easements should be accepted by the Town when dedication of Environmental Reserve is impractical and public access is neither appropriate nor possible.	The proposed development will include dedicating Environment Reserve Easements with the Town of Canmore around Spring Creek and Policeman Creek.
5 AFFORDABLE HOUSING Market Accessory Suites and Incentives 5.3.7	The Town shall encourage or incentivize homeowners to design and construct single family detached dwellings in such a manner as to allow the potential for future suite	The option for accessory dwelling units within the proposed maximum of six (6) single-family homes will increase the housing stock opportunities by supplying additional housing into the community which is needed all over the community and are not site specific driven.



	<p>development with minimal modification and expenditures.</p>	<p>With the addition of the option for accessory dwelling units, it is a net benefit on their own terms, by giving the homeowners themselves the options of accessory dwelling units which has the potential to be utilized by a full range of people throughout the community.</p> <p>The development of a maximum of six (6) single family homes with the potential of accessory dwelling units will increase the already limited housing stock of Canmore.</p>
<p>Housing Variety 6.1.7</p>	<p>Provision of secondary and garden suites in all new neighbourhood residential areas where single-family detached dwellings are proposed will be encouraged by the Town. At a minimum, all land use districts for new residential areas should allow secondary suites as a permitted use.</p>	<p>Attached and Detached accessory dwelling units are permitted in the 6 (max) single family homes under the proposed LUB amendment application.</p>
<p>9 ECONOMIC DEVELOPMENT 9.1 ECONOMIC DEVELOPMENT STRATEGY Economic Development 9.1.1</p>	<p>Through land use planning activities and strategic business planning, the Town will establish an environment that retains existing and attracts new businesses and investment.</p>	<p>Over the construction phase of 24-30 months, there will be 50-60 full time jobs which will be contracted positions with various local contractors and sub-contractors. Given the nature of the Hospice facility, the estimated economic impact is in the range of \$4 million annually. Once the hospice is fully operational, there will be 21 Full Time Employees.</p> <p>The hospice will provide long term employment above median salary ranges and outside of the traditional Canmore hospitality and tourism sectors. Rural Palliative Hospice care is an expanding sector because of the aging population and the desire for local population to spend their last days close to home.</p> <p>Further the proposed development will increase the residential assessment base for property taxes and provide resiliency in the event of changes to other sectors.</p> <p>The proposed development aligns well with the economic and social objectives of the Town of Canmore because of the nature of the services the hospice will provide. Hospice Bow valley is all about compassionate care for families, being a good neighbour, providing rural hospice care and being sensitive to environmental issues.</p> <p>Employees of the PSCBV typically are well educated professionals who will live in Canmore and bring up their families. Consequently, they will contribute significantly to the social fabric and economic activity in the Bow Valley.</p> <p>Terminal illness doesn't differentiate based on ethnicity. The PCSBV Palliative Care programming and service delivery will be sensitive to diverse cultural practices in end of life care. PCSBV has consulted with the Stoney Nakoda First Nations Morley on many occasions to</p>



		ensure alignment with their specific cultural needs are met.
<p>14.3 TRANSPORTATION Street Design and Planning 14.3.3</p>	<p>In addition to the provisions in the Town’s Integrated Transportation Plan or Engineering Design and Construction Guidelines, the following should be considered in the design of new streets:</p> <ul style="list-style-type: none"> a. Provision for the safe and efficient movement of emergency and protective services, b. Provision of secondary emergency access and egress in the case of an event from identified hazards such as a wildfire or debris flood. 	<p>A technical memo regarding the emergency access points is provided in Appendix C.</p>
<p>15. COMMUNITY SERVICES Third Party Community Services 15.1.6</p>	<p>The Town will collaborate with the relevant government agencies and service providers to endeavor to reach and maintain the following areas at appropriate levels of service, including:</p> <ul style="list-style-type: none"> a. Accommodation and extended care for senior citizens, c. Special needs facilities and programs, e. Publicly available health services, 	<p>PCSBV has consulted with many community stakeholders regarding rural hospice care in the Bow Valley, including health care workers, medical practitioners, and other allied health care professionals to ascertain where the gaps in palliative care lie. Without exception, all spoke of the need for a residential hospice facility to avoid unnecessary hardship on families struggling with end of life issues by having to travel to Calgary or other urban centres for hospice care. Having the hospice located in Canmore addresses an enormous gap in services and will only increase as the population ages.</p> <p>Terminal illness does not differentiate based on ethnicity. The PCSBV Palliative Care programming and service delivery will be sensitive to diverse cultural practices in end of life care. PCSBV has consulted with the Stoney Nakoda First Nations Morley on many occasions to ensure alignment with their specific cultural needs are met.</p>

4.2. LAND USE BYLAW NO. 2018-22

According to the Town of Canmore Land Use Bylaw No. 2018-22, the subject site is currently designated as Future Development District (FD), with the purpose of designating land that is potentially suited for future urban uses including subdivision and development. As the subject site has unique characteristics, a more detailed consideration of the design and impact of the development requires a creation of a new Direct Control District (DC). The proposal aligns with the design criteria guidelines set out in Section 11: Community Architectural and Urban Design Standards of the Land Use Bylaw, that will make the proposed development unique and aesthetically pleasing addition to the urban fabric of the Town of Canmore.



Table 3: LUB Policy Context

LUB Policy		Response
11.4.1 Building Placement 11.4.1.5	Reduce stormwater runoff volumes on site by minimizing the amount of impervious surfaces. Some methods include designing a smaller building footprint, installing green roofs, collecting rainwater, and paving with pervious materials.	Approximately 0.35 ha of natural ecosystem in Subdistrict D will be disturbed to accommodate a residence, outbuilding and gravel access road. The remaining 5.57 ha of Subdistrict D will remain unaltered. Approximately 0.47 ha of natural ecosystem in Subdistricts A to C will be disturbed to accommodate residences and driveways. In total, the Project will have an affect on 0.81 ha of the 8.45 ha Project Area (i.e., the property) and much of that land will remain functionally connected to the rest of the South Canmore Local Habitat Patch, resulting in a negligible to low effect on the environment. Appendix A + B
11.4.2 Vehicle Access, Parking and Utilities 11.4.2.3	Driveways should be located at the edge of a parcel rather than in the centre of the parcel, and shared where possible.	The proposed maximum of 6 homes on the subject site will have driveways at the western edge of the parcel or a shared driveway on the northern edge of the parcel.

4.3. MINING THE FUTURE: A VISION FOR CANMORE

Mining the Future: A Vision for Canmore is a document approved in 2006 which was developed to establish the Town's strategic direction and implement the community vision. One of the foundational values arising from the community visioning process during the preparation of the document is strengthening the Social Fabric of the community, specifically, *Criteria #4 ensure all citizens have access to basic levels of safe, secure, affordable, and appropriate shelter.*

The draft development concept proposes a palliative care hospice facility to help individuals who have a serious illness in which a cure or complete reversal of the disease and its process is no longer possible. The hospice will also give the ability to residents of Canmore to stay within the community at the critical moment at the end of life and not having to leave. Currently the Town of Canmore does not have one of these facilities nor do the surrounding local communities of the Bow Valley. The draft development concept also proposes a maximum of six (6) single family homes with the option for accessory dwelling units which will add to the limited housing stock to the town.

4.4. WILDLIFE CORRIDOR AND HABITAT PATCH GUIDELINES FOR THE BOW VALLEY

The *Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley* were developed to identify the current wildlife corridors and habitat patches in the Bow Valley and to provide land management agencies with guidelines for assessing development applications that have the potential to impact adjacent wildlife corridors and habitat patches.

The subject site is partially within the South Canmore Local Habitat Patch (SCLHP). The SCLHP is administered by the municipality and it is also known that development already exists within the SCLHP



such as the Canmore Wastewater Treatment Facility, access roads, the Canmore Nordic Center Provincial Park, and a large non-designated recreational trail network.

It is stated within the *Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley* that “Wildlife do not appear to be using the Tipple wildlife corridor as intended given the level of development and human activity within and adjacent to this corridor. This information and level of human activity within and adjacent to the South Canmore Local Habitat Patch suggests wildlife use of the Tipple wildlife corridor and habitat patch are compromised.” An EIS is provided in **Appendix B** to help provide information to the Town of Canmore Council to make an informed decision on the proposed application. The EIS is a comprehensive assessment of the potential impact on the SCLPH examining the potential impacts of the projects on the environment, prior to mitigation measures.

The EIS concludes that potential residual effects, or any effect that will remain once all mitigation, restoration, and compensation is completed, are negligible to low overall.

4.5. SUSTAINABILITY SCREENING REPORT

As part of the land use bylaw amendment process a Sustainability Screening Report is required by the Town of Canmore. The purpose of the Sustainability Screening Report is to demonstrate how the proposed Municipal Development Plan Amendment and Land Use Bylaw Amendment applications will provide a net benefit to the community and build on the Town's sustainability initiatives. A Sustainability Screening Report has been provided in **Appendix E**. The EIS also illustrates how the proposal will improve the riparian habitat that will improve climate change resilience of Spring Creek by providing vegetative buffers where flood waters will slow and filter into the ground instead of erode banks and increase sediments into the streams including the Bow River.



5. Overview of Conceptual Site Design & Direct Control District

The site presents an excellent opportunity for residential development with agriculture associated uses and a Palliative Care Hospice facility. The site is on the south edge of town giving the proposed development great access to existing services. The Conceptual Site Plan is guided by information provided through the studies in the EIS analysis and site use recommendations. The conceptual site plan is provided in **Appendix A**. Further architectural details will be provided at the development permit stage following the proposed land use bylaw amendment.

5.1. SITE SERVICING

With existing developments completed to the north of the subject site, site servicing will essentially connect to the existing infrastructure provided along 3rd Avenue. The site is in an excellent location because site sanitary services are located adjacent to the site, water systems are available, and this site is easily accessed by 3rd Avenue. A portion of 3rd Avenue and new municipal infrastructure will need to be extended south to complete the servicing to the site. Further details can be found in the conceptual servicing report provided in **Appendix C**.

5.2. ROAD AND EMERGENCY ACCESS

The road access for the development will be a simple extension of 3rd Avenue, terminating in a cul-de-sac. It will meet the Town of Canmore local road standards, given the current designation of the existing road. In addition, with the primary access for the development being from 1st Street and 3rd Avenue in South Canmore, based on the Town's requirements, an emergency access will be required. This is strictly based on the length of the road from 1st Street to the development, as dictated by the Town.

The emergency access is proposed along the existing 3rd Avenue right of way (ROW). While other options have been reviewed for the emergency access location (west, north, and east of the development), the alignment along the existing 3rd Avenue ROW will have the least impact to the surrounding area. A map of the proposed emergency access is provided in **Appendix C**.

5.3. DIRECT CONTROL DISTRICT

Following discussions with Town Staff, a Direct Control district was recommended to better control this type of proposed development on site due to the assortment of special uses all within one area. The Direct Control District is directly shaped by the outcomes and findings of the EIS that dictates special approaches to the use of the land and therefore a Direct Control District is the best suited format to take advantage of the EIS information because it is so critical that they work together. The proposed 3rd Ave South Land Direct Control district is provided in **Appendix F**. The purpose of the Direct Control district is to provide for a Care Facility and low-density detached dwelling units on wider lots with provisions to allow for accessory dwelling units and other compatible residential neighbourhood uses and to provide for agriculture pursuits consistent with single-family use and other compatible agricultural uses.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.



The proposed development will be designed with appropriate massing and a material palette that respects the surrounding urban fabric and reinforces the Canmore lifestyle.

5.3.1. Sub District A | Care Facility

The purpose of this sub district is to provide for a care facility and provide for compatible and complimentary uses. The proposed lot will be approximately 5,400 m² (1.33 ac) – 9,286 m² (2.29 ac) giving ample room to build the facility. The Palliative Care Society intends to use the facility for overnight care as well as educational sessions and various other community services. Currently there is no facility like this in the community of Canmore, nor the surrounding local communities of the Bow Valley.

5.3.2. Sub District B | Residential

The purpose of this sub district is to provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses. The cluster of a maximum of three (3) proposed lots will range in area from approximately 1,000 m² (.25 acres) to 6,000 m² (1.5 acres).

5.3.3. Sub District C | Residential

Sub District C is not located in the Habitat Patch and the purpose of this sub district is to provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area. The cluster of a maximum of two (2) proposed lots will range in area from approximately 1,000 m² (.25 acres) to 6,000 m² (1.5 acres). Potential effects of the bridge on Spring Creek have been considered and are provided in **Appendix B**.

5.3.4. Sub District D | Residential and Agriculture

The purpose of this sub district is to provide one detached dwelling unit with provision for one accessory dwelling unit and other compatible residential uses and to provide for agriculture pursuits consistent with single-family use and other compatible agricultural uses. The proposed lot will be approximately 58,890 m² (14.55 ac) to accommodate residential and agricultural uses.



6. Public Engagement

6.1. PUBLIC ENGAGEMENT AND COVID-19

In response to COVID-19 and the need for physical distancing, the applicant has compiled a suite of tools that can be used to deliver safe, effective, and meaningful community engagement such as a project website and an online questionnaire.

These tools, when combined, provide the means to conduct a meaningful engagement program with the community. The purposes of the public engagement is to gain feedback from the community regarding the proposed municipal development plan and land use bylaw amendment applications. The applicant will show the public that how the proposed land uses are:

1. a net community benefit will be achieved
2. a net positive fiscal or socio-economic impacts are achieved
3. the proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner
4. the proposed development does not result in unacceptable environmental impacts as the design is directed by the findings of the EIS

Public Engagement was held during the first quarter of 2022 and included a number of virtual open houses and creation of a project communications website. Please refer to Appendix G for a complete What We Heard Report and associated responses from the community which were received. We also include responses to the Town provided public notification which is included in Appendix G.



7. Conclusion

In summary, the applicant believes that there will be a long-term exceptional community benefit to the Town of Canmore by facilitating the development of a maximum of 6 single-family homes with the option for accessory dwelling units, and a palliative care hospice. The ability to reduce human traffic travelling across private property, controlled access to the subject property, preservation of habitats, and securing how Administration sees the future of this property are all benefits to the community.

The proposed design of the development was directly shaped by the outcomes and findings of the Environmental Impact Statement (EIS). The EIS finds that the proposed development will have a negligible to low potential effect on the environment, including wildlife and wildlife habitat. The potential effects of the proposed development are predictable and mitigation measures are expected to avoid or reduce those effects.

The applicant therefore requests the Town of Canmore to grant the MDP (Bylaw 2022-09) and LUB (Bylaw 2022-10) Amendment Application to create a new Direct Control District on the subject property to facilitate the future development of this site.



APPENDIX A

Conceptual Site Plan

RFD from May 3, 2022

N
 **CONCEPT PLAN**

A 9,286m² / 2.29 ACRES
 (17% Lot Coverage)

B 5,886m² / 1.45 ACRES

B-1: 2,139m² / 0.53 Acres
 (17% Lot Coverage)

B-2: 1,584m² / 0.39 Acres
 (23% Lot Coverage)

B-3: 2,163m² / 0.53 Acres
 (17% Lot Coverage)

C 7,902m² / 1.95 ACRES

C-1: 3,058m² / 0.76 Acres
 (12% Lot Coverage)


C-2: 3,907m² / 0.97 Acres
 (10% Lot Coverage)


Private road access easement:
 937m² / 0.23 Acres

D 58,890 m² / 14.55 ACRES

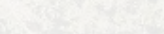
**SPRING CREEK &
 POLICEMAN CREEK**
 4,514m² / 1.12 ACRES

- Notes:
- Building footprints are conceptual
 - Building footprint in Subdistrict A is 1,620m² / 17,400 s.f. / 0.4 acres
 - Each residential building footprint in Subdistricts B & C is 372m² / 4000 s.f. / 0.09 acres

 **WETLAND**

 **PROPOSED ROAD EXTENSION**

 **PROPERTY LINE**

 **MINIMUM YARD SETBACKS
 (PROPOSED)**



APPENDIX B

Environmental Impact Statement – 3rd Ave South Land

RFD from May 3, 2022

APPENDIX C

Technical Memo – 800 3rd Avenue Conceptual Servicing Report

RFD from May 3, 2022

APPENDIX D

Letter of Support from Palliative Care Society of the Bow Valley

RFD from May 3, 2022

August 19, 2020

Letter of Support from:

Julie Hamilton
Chair, Board of Directors
Palliative Care Society of the Bow Valley

To: Lauren Miller
Manager of Planning & Development

Alaric Fish
Senior Planner

Re: Land Use Rezoning Application from Bernie and Jan McCaffery for 3rd Avenue South Land in Canmore

The Palliative Care Society of the Bow Valley (PCSBV) is a not-for-profit society run by a volunteer Board of Directors. Palliative care is a branch of health care for individuals and families who are living with a life-limiting illness that is usually at an advanced stage. The main goal of the PCSBV is to provide comfort and dignity for the person living with the illness as well as the best quality of life for both the patient and his or her family.

While an important objective is the relief of pain and other symptoms, enhancing the overall quality of life is the primary goal. Palliative care meets not only the physical needs but also the psychological, social, cultural, emotional and spiritual needs of each person and family.

Many patients with terminal illness living in the Bow Valley, are choosing to stay at home and consequently, are not receiving the full spectrum of palliative care that is offered in an urban setting such as Calgary. This situation appears to be inconsistent with how Canmore prides itself in the quality of life it offers, and with the reasons many people choose to live in the Bow Valley.

It is for this reason that the PCSBV board of directors is moving forward with construction in Canmore of a 6-bed residential hospice which will also include day hospice palliative care programs. The board determined that the innovative approach being planned will result in a world class rural palliative care model where patients and their families will be able to choose how their palliative end of life care is to be provided. This model will be integrated seamlessly with existing palliative care, long term, cancer and acute care delivery programs based in Canmore and Banff.

In June 2019, Jan and Bernie McCaffery indicated to the PCSBV of their intention to donate 2 acres of their property in south Canmore to be used as the site to build our planned hospice. Having this property donated to the PCSBV will provide enormous benefit to residents of Canmore and the Bow Valley.

Benefits of the hospice in this location include;

- Improving quality of life for families and patients living with terminal illness.
- The full spectrum of health care needs for the Bow Valley's aging population will be met locally.
- Hospice located within proximity of Canmore town centre which avoids having to travel to Calgary for hospice care.



**Building Community;
Hospice Palliative Care in
the Bow Valley**

#202 1080 Railway Avenue
PO Box 40113
Canmore Crossing
Canmore T1W 1P4

- Bringing appropriate primary palliative end-of-life care to Canmore residents and other Bow Valley communities.
- Enhancing family centered care.
- Providing important and close links with the Bow Valley Community Cancer Center in the Canmore Hospital.
- Accommodating First Nations cultural needs.
- Allow the use of local contractors and businesses for construction and furnishing of the hospice.

The PCSBV is very appreciative of the donation of this property from McCaffery's and supports their application to the Town of Canmore to Re-Zone the land use of their property so that it can be used for the site for a 6- bed residential hospice. The planned facility is one story and would be designed to blend into the landscape. The location of this property is ideally situated for the purpose of a rural residential hospice with its mountain views and proximity to medical amenities.

On behalf of the PCSBV, I thank the McCaffery's for their generous support of the PCSBV and their transformational gift which not only will improve the experience of people and their families on the end of life journey but also will contribute to making Canmore a leader in rural hospice care.

Respectfully submitted

Julie Hamilton
Chair, PCSBV
403-609-8985
jchamilton52@icloud.com

APPENDIX E

Sustainable Screening Report

*please see digital submission

RFD from May 3, 2022



3rd Avenue South Land

March 21, 2022 | Revision # 1

Sustainability Screening Report

Submitted to: Town of Canmore
Prepared by McElhanney

Contact

Michelle Ouellette
Senior Planner
403-621-1446
mouellette@mcelhanney.com

McElhanney Ltd.

203 – 502 Bow Valley Trail,
Canmore AB Canada T1W 1N9

Our file: 2531-52101-00

Table of Contents

1. Overview	1
2. Sustainability Screening Analysis	1
2.1. Building Economic Sustainability	1
2.2. Enhancing Environmental Stewardship	2
2.3. Strengthening The Social Fabric.....	3
3. Closing	3

Appendices

Appendix A SSR Matrix

RFD from May 3, 2022



1. Overview

The purpose of the Sustainability Screening Report is to demonstrate how the proposed Municipal Development Plan Amendment and Land Use Bylaw Amendment applications will provide a net benefit to the community and build on the Town's sustainability initiatives.

The property is currently underutilized and provides an excellent opportunity for a development of seven (7) single-family homes and a palliative care hospice that will provide a benefit to the overall community. The site is ideally located at the south end of Canmore to easily connect to municipal services. The proposed development will add to the housing stock of the Town by providing space for the low-density single-family homes, designed in a cluster configuration (low-impact development). The site will also provide space for a palliative care hospice facility. Currently, there is no palliative care hospice facility in the Town of Canmore. The proposed development will be designed to efficiently utilize the available space, while respecting the existing scale and nature of the surrounding urban fabric.

The SSR outline below provides brief commentary on the proposed offsets identified within the SSR Matrix. As this project is in the redistricting stage and building design has not yet been undertaken, there are several design-related items that are unknowns at this time. The checklist and proposed offsets will be revisited, reviewed, and updated at key milestones during the design phase to ensure the project is in keeping with the Town of Canmore's environmental, economic, and cultural goals. As the project moves forward to the development permit stage, a more detailed SSR will be submitted to the Town of Canmore.

2. Sustainability Screening Analysis

2.1. BUILDING ECONOMIC SUSTAINABILITY

How does the project contribute to the priorities contained in the Economic Development and Tourism Strategy?

The top Strategic Action within the Economic Development Strategy states that over the next 5 years (2020-2025) the Town of Canmore will be:

- *Continuing to work closely and collaboratively with stakeholders to investigate how best to support the development of housing that meets the needs of the work force required by Canmore industries.*

The strategy has identified that economic and business success are currently being impeded by a lack of "housing for all types". Fundamentally, the retention and attraction of a diverse and talented workforce is challenged by the availability of houses for all workforce levels. This application proposes seven (7) single-family residential units will increase the housing stock of Canmore. The building design has not yet been undertaken but within the proposed Direct Control District secondary suites and garden suites are

proposed under the permitted uses to help increase the amount of people living on site. Secondary suites and garden suites have the potential to help the homeowner with their mortgage, and to help residents of Canmore find suitable residential units to 'age in place'.

In addition to providing an increase to housing in Canmore the proposed development will also provide space for a much-needed palliative care hospice facility. This facility will help individuals who have a serious illness in which a cure or complete reversal of the disease and its process is no longer possible. The palliative care hospice facility will also provide long-term jobs for Canmore residents within the health care industry. Combined, these attributes go a long way to supporting the three strategic pillars of the Town of Canmore's Economic Development Strategy:

1. *Nurturing an inclusive and sustainable local economy.*
2. *Continuing to diversify Canmore's economy.*
3. *Retaining and attracting a talented workforce.*

2.2. ENHANCING ENVIRONMENTAL STEWARDSHIP

What water saving measures does the project propose (demonstrable improvement over average)?

It is intended that high efficiency fixtures will be incorporated. These will be explored in greater detail during detailed design.

Does the project utilize a rainwater harvesting system or use 100% infiltration for storm water?

Opportunities to capture, retain, and/or re-use rainwater will be explored during detailed design. The benefits of these strategies would be to retain storm water on site and to encourage water infiltration directly into the ground instead of contributing to runoff.

What construction waste diversion rate will be achieved?

The percentage of diverted construction waste as a means of environmental stewardship and responsible development will be determined during detailed design of the project.

What long-term, operating waste diversion flows does the project propose?

Waste, recycling, and organics collection will comply with the requirements of the Town of Canmore's Engineering Design and Construction guidelines. Bear proof bins will be provided near the palliative care hospice facility if needed. Locations will be coordinated with Town of Canmore's input during design.

Does the project encourage people to use bicycles or walking as a means of transportation?

The proposed development is to be located in south of Canmore's downtown core (6min bike ride), thus it is anticipated that cycling will be a desirable mode of short distance travel. The number of bicycle parking stalls, location, and quality, at the palliative care hospice facility will be determined during design and will meet the minimum requirements of the Land Use Bylaw.

What is the average size of the dwelling or accommodation units?

The average size of the single-family residential units will be determined at the detailed design stage.



What level of green building initiatives does the project include?

It is anticipated that this project will be constructed to Built Green standards. The standard level pursued will be determined during detailed design.

What level of energy consumption does a residential building achieve?

The degree of EnerGuide scoring will be determined during detailed design.

Are there environmentally sensitive lands within or adjacent to the site?

Required environmental setbacks are prosed from the streams on site to the proposed development. Please see the Environmental Impact Statement for the proposed development.

2.3. STRENGTHENING THE SOCIAL FABRIC

Does the project increase the supply of truly affordable housing? (PAH)

Although no PAH units are specifically proposed, this project will provide housing choice by way of varying sizes and designs.

Does the project exceed minimum municipal reserve requirements (including cash in lieu)? (what percent is above or below requirements)

The project team will work with the Town of Canmore to determine if any Municipal and/or School Reserve (MR/SR) is owed, and if so, will work with the Town of Canmore to identify where and how MR/SR can best be provided, and adapt the recommended land use strategy accordingly.

Does the projects public consultation program exceed statutory requirements?

Engaging the public in the evolution of their communities is important to us. It is the proposed, as the development process progresses, that the statutory requirements for public consultation will be exceeded. Due to the current COVID-19 pandemic, in person engagement is not being considered. To ensure that everyone has an opportunity to review the proposed development, online engagement tools will be utilized for this project. A website will be used as a base for information on the project. A set of presentation boards will be created and uploaded to the website as well as a set of frequently asked questions. In addition to the website, a discussion forum will be implemented that will create a hub of common questions, interesting ideas, and useful discussion on the project. A survey will also be used to seek feedback on the proposed development.

3. Closing

The combined elements proposed for the development of the 3rd Avenue South Lands site, including housing, increased density, location and access to open space and trails, walkability, improvements of Canmore's social fabric, all support the principles established for the Sustainability Screening process through the Visions and Goals of the Municipal Development Plan and other Town statutory documents.



APPENDIX A

SSR Matrix

RFD from May 3, 2022

Sustainability Screening Report Process Impact - Offset Matrix

Summary Page

Overall Results	Impact	%	Offset	%
Economic Sustainability	-0.52	5.74	13.50	5.43
Environmental Stewardship	-5.20	57.10	20.00	8.05
Social Fabric	-3.39	37.15	214.89	86.51
Total Impact	-9.11		Total Offset	248.39
			Net Score	239.28

Economic Sustainability	
Income and Wages	0.00
Non-Residential Tax Assessment	-0.52

Economic Sustainability	
0.00	InfraCycle Assessment
0.00	Increasing commercial assessment
0.00	New employment above median salary
6.00	New employment outside of 4 significant sectors
6.00	Floor space for Economic Development & Tourism
1.50	Percentage of local construction labour value
0.00	Economic leadership or innovation

Environmental Stewardship	
Residential Water Consumption	-0.22
Commercial Water Consumption	-0.42
Residential Solid Waste Generation	-0.15
Commercial Solid Waste Generation	-0.85
All Building Energy use and GHG emissions	-1.06
Transportation	0.00
Infrastructure (sanitary-gravity)	0.00
Infrastructure (sanitary-pressure)	0.00
Environmentally Sensitive Lands	-1.17
Land Consumption	-0.16
Efficient Residential Land Use	0.00
Efficient Commercial Land Use	0.00
Efficient Industrial Land Use	0.00
Efficient Mixed Use Residential Land Use	-0.64
Efficient Mixed Use Commercial Land Use	0.00
Metres of trails / capita	-0.32
Metres of new roads to service development	-0.21

Environmental Stewardship	
2.00	Residential / commercial mix of uses
0.00	Higher density than current levels
6.00	Access to community services from <u>residences</u>
0.00	Access to services from the <u>commercial</u> site
0.00	Water saving measures
0.00	Rain water harvesting system or infiltration
3.00	Construction waste diversion rate
2.00	Long-term, operating waste diversion
0.00	Parking stalls are un-assigned
3.00	Bike parking of adequate quality
4.00	Average size of the dwellings
0.00	LEED Certified
0.00	Built Green Certified
0.00	Other green building certification programs
0.00	Commercial energy consumption reduction
0.00	Residential energy consumption reduction
0.00	Environmentally sensitive land protection
0.00	Minimize density adjacent to sensitive lands
0.00	Reuse an existing contaminated site
0.00	Environmental leadership or innovation

Social Fabric	
Affordability of Market housing (in relation to median income)	0.00
PAH Housing	-0.66
Seniors Housing	-0.53
Employee Housing	-0.40
Childcare spaces	-0.53
Library	-0.21
Food Bank Usage	-0.42
Social Assistance Payments	-0.42
Crimes Against Persons and Property	-0.21

Social Fabric	
0.00	Units of perpetually affordable housing
0.00	Cash contribution towards PAH
0.00	Bedrooms of employee housing
0.00	Bedrooms for employees earning < median income
0.00	Cash contribution towards employee housing
209.89	Units of seniors housing
0.00	Percentage of the employees housed
0.00	Employees rental assistance 10% below market levels
4.00	Percentage of site ares for social interaction
0.00	Reuse an existing historic property or building
0.00	Exceed minimum municipal reserve requirements
0.00	Accessible recreation or cultural facilities or programs
0.00	Contribution to recreation facilities
0.00	Support school enrollment
0.00	Support for current childcare facilities
0.00	Support for cultural establishments
0.00	Support for other non-profit community organizations
0.00	Unique supports for community programming
0.00	Support for special events
1.00	Public art component
0.00	Public consultation program
0.00	Social leadership or innovation

RFD from May 3, 2022

Contact

Michelle Ouellette

403-621-1446

mouellette@mcelhanney.com



McElhanney



ENVIRONMENTAL IMPACT STATEMENT

Conceptual Land Use Plan 3rd Avenue South Land



MARCH 2021

RFD from May 3, 2022

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REVISIONS PAGE

Conceptual Land Use Plan 3rd Avenue South Land

Client: Jan and Bernie McCaffery

Project Manager: Keenan Rudichuk, R.P.Bio.

Environmental Impact Statement

Associated Environmental Consultants Inc.

Revision/ Issue	Date	Description	Prepared by	Client Review
1.0	2020-12-01	First Draft delivered to the Town of Canmore	Keenan Rudichuk, R.P.Bio.	JM, BM
2.0	2021-02-24	Revised version following Information Requests from the Town of Canmore	Keenan Rudichuk, R.P.Bio.	JM, BM
3.0	2021-03-25	Revised version to clarify body text and revise Spring Creek setback	Keenan Rudichuk, R.P.Bio.	JM, BM
4.0	2021-04-01	Further revised Spring Creek setback wording	Keenan Rudichuk, R.P.Bio.	JM, BM

RFD from May 3, 2022

EXECUTIVE SUMMARY

Associated Environmental Consultants Inc. completed an Environmental Impact Statement (EIS) for a Conceptual Land Use Plan for an 8.64 ha privately held parcel of land at 800 3rd Avenue in Canmore, Alberta (the property). A portion of the property is within an area designated by the Town as a Conservation Area (i.e., the South Canmore Local Habitat Patch [SCLHP]). The Conceptual Land Use Plan will require an amendment of the Land Use designation and an adjustment to the Urban Growth Boundary. As a result, an EIS is required to be submitted to the Town's decision-making authorities under the Town's Municipal Development Plan.

The EIS adheres to the Town of Canmore's EIS Policy and was developed in accordance with a Terms of Reference that set the scope of the EIS and identified the biophysical resources that were to be assessed for the project. The purpose of the EIS is to inform the Town's decision-making authorities about the Conceptual Land Use Plan and how the plan interacts with key biophysical resources.

The Conceptual Land Use Plan proposes the 8.64 ha parcel be divided into four subdistricts, labeled A to D. Subdistrict A will be 0.82 ha and will be gifted to the Palliative Care Society of the Bow Valley to construct a hospice for end-of-life care. Subdistricts B (0.62 ha, divided into three lots) and C (1.14 ha, divided into two lots) will be reserved for residential development. Subdistrict C will require the construction of a clear span bridge across Spring Creek; although no bridge design is in place, the bridge will be clear span and will adhere to all environmental best management practices to avoid effects on Spring Creek. A total of five residential buildings are proposed for Subdistricts B and C, and each residential building footprint will not exceed 372 m². The property owners will retain approximately 5.61 ha that will become Subdistrict D, which will include their 700 m² family residence. The remaining 0.45 ha of the property is within the wetted boundary of Spring Creek and Policeman Creek and will not be disturbed.

In compliance with the Town's 2020 bylaw related to streamside setbacks, the entire proposed development (except for a single, clear span bridge to access Subdistrict C) is set back 20 m from Spring Creek and Policeman Creek and will avoid adverse effects on the stream and riparian vegetation. Section 5.2.1 discusses streamside setbacks and how they relate to *Stepping Back from the Water* (GoA 2012) guidance document. All buildings have been sited to reduce the potential effect on vegetation, ecosystems (e.g., by completely avoiding the swamp wetland on the property), wildlife, and wildlife habitat.

The property is currently vegetated with native species that comprise four distinct ecosystem types: 1) coniferous forest (dominated by mature spruce trees), 2) tall shrub (dominated by regenerating balsam poplar and willow), 3) low shrub-grass (an historic burned area that is primarily willow and grassy species), and 4) a shrubby swamp wetland (a predominantly dry, forested swamp dominated by willow and balsam poplar). The Conceptual Land Use Plan will completely avoid the shrubby swamp wetland.

Historical and existing land use on the property includes agricultural uses (e.g., grazing by horses) and recreational use (e.g., walking, hiking, skiing). Grazing by horses has occurred within the property for at least 60 years since occupation by the original landowners. Adjacent land uses include highly densified residences to the north (community of Spring Creek Mountain Village); residences and a transportation corridor to the east (CP Rail, Bow Valley Trail and the Trans-Canada Highway); the Waste Transfer Facility, Wastewater Treatment Facility, and Canmore Nordic Provincial Park to the south; and Millennium Park to the northwest. Except for the community of Spring Creek Mountain Village (which

is high-density residential housing), the land surrounding the property is largely forested and disturbed by human activity (e.g., hiking trails, ski trails, dog walking).

The EIS focuses on the potential effects of the project on biophysical resources in the area, such as vegetation, ecosystems, and wildlife and wildlife habitat. Through development of the EIS, considerations to avoid and reduce potential effects of the project were incorporated into the Conceptual Land Use Plan. The EIS concluded that potential residual effects, or any effect that will remain once all mitigation, restoration, and compensation is completed, are negligible to low overall. The magnitude and geographical extent of current and proposed wildlife habitat disturbed (both directly and indirectly) in the SCLHP is a key topic of discussion in the EIS. The SCLHP is a Conservation Area set aside for large-ranging wildlife in the Bow Valley. In particular, the SCLHP is intended to provide sufficient habitat for wildlife (e.g., elk, bear, deer) to meet the food, rest, and water needs for a short period of time while they negotiate a corridor network (e.g., the SCLHP) towards a larger, regional habitat patch (in this instance, the Bow Flats Habitat Patch) at its end. To function as intended, habitat patches need to provide sufficient intact habitat in their interior for wildlife to rest or forage with security from human disturbance. Since its establishment in 2009, habitat in the SCLHP has been fragmented and continues to be disturbed by frequent and ongoing incursions by humans through industrial development (e.g., the Waste Transfer Station), recreation (e.g., hiking, dog walking, cross country skiing, cycling), and sensory disturbance (e.g., Highway 1, Highway 1A, CP Rail, Alpine Helicopters Heliport). The Bow Corridor Ecosystem Advisory Group note that, even if it were completely intact, the SCLHP is not large enough to meet the minimum standards set for a functional habitat patch. In addition, the Tipple Wildlife Corridor is the only wildlife corridor directly connected to the SCLHP and was considered by the Bow Corridor Ecosystem Advisory Group to be not functioning as intended given the level of development and human activity in the area. Studies focused on large mammal use of the SCLHP and the Tipple Wildlife Corridor found that although deer and elk use the SCLHP, large carnivore (e.g., bears, cougars, wolves) use was low. In total, based on the current Conceptual Land Use Plan, 0.42 ha of land will be disturbed for buildings and 0.49 ha for roads and driveways, amounting to 0.5% of the SCLHP.

Key considerations of potential effects of the project on biophysical resources addressed in the EIS are as follows:

- Soil disturbance (e.g., alteration, compaction, or erosion);
- Vegetation disturbance (e.g., vegetation clearing or ecosystem degradation from invasive plants);
- Large mammal movement, habitat selection, habitat fragmentation, and wildlife security;
- Large carnivore habitat selection and their documented use of the SCLHP;
- Effects on the water quality of Spring and Policeman Creeks; and
- Riparian habitat disturbance.

Mitigation measures have been proposed for each potential effect that will avoid, reduce, or offset potential effects of the project. Key mitigation to avoid, reduce, or offset potential effects of the project include, but are not limited to:

- The development of a Construction Environmental Management Plan (CEMP) in advance of construction that addresses potential spills, erosion and sediment control, dust management, and monitoring requirements.
- The requirement to retain a qualified environmental monitor to direct construction activities and enforce the CEMP.
- The incorporation of wildlife-friendly design (e.g., lighting, building siting) to avoid or reduce the effect on wildlife and reduce the potential for wildlife-human conflict.
- Timing construction activities to avoid effects on wildlife during sensitive seasons (e.g., nesting birds).

- Planting trees and shrubs within 20 m of Spring Creek to compensate for habitat loss from the proposed clear span bridge construction and to improve wildlife habitat value, erosion, and flood resiliency of the stream.

A cumulative effects assessment was completed following the Terms of Reference prepared by the Town and included past, current, and reasonably foreseeable developments. Potential residual effects of the project are any effect that has the potential to remain once all mitigation has been applied or implemented. Mitigation proposed for the project is expected to be effective in avoiding, reducing, or offsetting for potential effects of the project; however, following mitigation, residual effects of the project will remain. Potential residual effects of the project are:

- Permanent disturbance to soil and terrain within the proposed project footprint;
- A reduction in native vegetation within the proposed project footprint;
- Wildlife habitat loss or habitat avoidance; or
- Potential spread of invasive plants during construction.

The direct footprint of the Conceptual Land Use Plan will result in the permanent disturbance of some soil and vegetation that provides habitat for wildlife. The development of new buildings in the currently natural setting of the SCLHP will affect wildlife use through habitat loss and habitat avoidance. However, the species most-likely affected (e.g., deer or elk) are species that are already living amongst extensive physical and sensory human disturbance in the SCLHP, and the proposed project is expected to have negligible to low short and long-term effects on wildlife. The project has been designed to minimize all potential effects through building siting and orientation (e.g., to avoid or reduce wildlife-human conflict). Offsetting to compensate for potential effects that cannot be fully mitigated, such as planting trees and shrubs within the Spring Creek riparian corridor, is proposed to enhance habitat for fish and wildlife while improving erosion resiliency of the creek.

The Conceptual End Land Use Plan will result in low to negligible potential effects on the biophysical resources assessed in the EIS. Mitigation measures have been recommended to avoid, reduce, or compensate potential effects of the project; however, once a detailed design has been developed, additional permitting and environmental monitoring will be required to ensure the construction follows all applicable regulations and designs meet criteria set out by federal and provincial laws, such as the *Water Act*. Permitting necessary for the project and environmental monitoring during construction may include, but are not limited to the following:

- A *Water Act* application will be pursued for any instream work that may be required as part of a future bridge into Subdistrict C. No instream work is anticipated based on the design assessed in the EIS.
- A *Water Act* Code of Practice Notification for Watercourse Crossings will be pursued (e.g., where there is no impact to the bank, bed or shores of a waterbody, but where the waterbody will be crossed with a structure).
- A Qualified Professional will be retained to complete an auditory or visual presence/non-detection survey to determine if the shrubby swamp is used by amphibians if construction occurs during a season where the shrubby wetland has standing water.
- A Qualified Aquatic Environmental Specialist (QAES) will be retained for any instream works in Spring Creek in support of the construction of a bridge and installation of offsetting.

Additional mitigation measures proposed to be included in the Direct Control District to manage cumulative effects on Spring Creek include:

- Maintaining a minimum setback of at least 20 m for all buildings and landscaping along Spring and Policeman Creek. The minimum 20 m setback will prevail over any other setback that may conflict with the minimum 20 m setback.

Environmental Impact Statement

- Avoid planting non-native species such as manicured lawns immediately adjacent to the minimum 20 m setback to maintain riparian water quality function (e.g., sediment, nitrate, or phosphorus transport).
- Where not in conflict with the FireSmart directive, mature trees over 0.3 m in diameter will be protected in perpetuity throughout the minimum 20 m setback on Spring and Policeman Creeks. Trees removed within 20 m of Spring Creek to meet FireSmart objectives should be replaced by less flammable species such as poplar or cottonwood.
- The existing undisturbed areas adjacent to Spring and Policeman Creeks and within the minimum 20 m setback should be protected as a non-disturbance zone. No soil or vegetation disturbance (except where FireSmart thinning is required) will occur within this area, except for the removal of noxious or invasive plant species. In the removal of noxious or invasive species, only mechanical methods such as cutting or hand-pulling will occur, and no use of herbicides will be allowed.

RFD from May 3, 2022

TABLE OF CONTENTS

SECTION	PAGE NO.
Executive Summary	i
Table of Contents	v
List of Tables	vii
List of Figures	viii
1 Introduction	1-1
1.1 Background	1-1
1.2 Purpose of the EIS	1-1
1.3 Physical Setting	1-2
1.4 Proposed Land Use Description	1-5
1.5 Legislation and Guidelines	1-8
2 Assessment Methods	2-1
2.1 Project scope	2-1
2.2 Spatial and Temporal Boundaries	2-1
2.3 Analysis of Alternatives	2-3
2.4 Impact Assessment Criteria	2-5
3 Impact Assessment	3-1
3.1 General Overview	3-1
3.2 Soils and Terrain	3-2
3.3 Vegetation and Wetlands	3-4
3.4 Wildlife and Wildlife Habitat	3-13
3.5 Fish and Fish Habitat	3-28
3.6 Water Quality, Hydrology and Hydrogeology	3-32
3.7 Land and Resource Use	3-35
3.8 Air Quality	3-36
3.9 Cultural and Heritage Resources	3-37
3.10 Summary of Predicted Effects	3-38
4 Mitigation Measures	4-1
5 Cumulative Effects	5-1
5.1 Methods	5-1
5.2 Cumulative Effects Assessment	5-1
5.3 Residual Impacts	5-5
5.4 Future Permitting, Mitigation, and Monitoring	5-5
References	
Certification Page	

Environmental Impact Statement

Appendix A – Conceptual Land Use Plan

Appendix B - Terms of Reference

Appendix C - Vegetation Observed in Project Area

Appendix D - Site Photographs

Appendix E - FWMIT Species Summary Report

Appendix F - Letter of Support

RFD from May 3, 2022



LIST OF TABLES

	PAGE NO.
Table 1-1 Area Summaries of the Project Area and the Conceptual Land Use Plan	1-5
Table 1-2 Regulatory Considerations	1-9
Table 2-1 Impact Assessment Criteria	2-5
Table 3-1 Vegetation Community Proportions of the Project Area*	3-6
Table 3-2 Proposed Project Effects on Ecosystems in the Project Area	3-9
Table 3-3 Estimated Area of FireSmart Vegetation Disturbance	3-12
Table 3-4 SCLHP Fragmentation, Patch Size, and Interior Habitat Availability	3-16
Table 3-5 Wildlife Species Captured in Game Cameras in SCLHP ¹	3-20
Table 3-6 Water Quality Parameters	3-32
Table 3-7 Summary of Predicted Effects	3-38
Table 4-1 Recommended Mitigation Measures	4-1
Table 5-1 Linear and Non-Linear Disturbance in the SCLHP Since Establishment in 1999	5-1
Table 5-2 SCLHP Fragmentation, Patch Size, and Interior Habitat in 1997, 2011, and Current Condition	5-1
Table 5-3 Residual Impact Summary	5-5

RFD from May 3, 2022

LIST OF FIGURES

	PAGE NO.
Figure 1-1 Property Location	1-3
Figure 1-2 Wildlife Corridors and Habitat Patches near Canmore (BCEAG 2012).	1-4
Figure 1-3 Conceptual Land Use Plan	1-6
Figure 2-1 Assessment Boundaries	2-2
Figure 3-1 Vegetation Communities	3-7
Figure 3-2 Project Conceptual Design and Ecosystem Map	3-11
Figure 3-3 Strava Heatmap and Human Use in SCLHP	3-18
Figure 5-1 Historic, Current, and Reasonably Foreseeable Development in RSA	5-1

RFD from May 3, 2022

1 INTRODUCTION

1.1 Background

Associated Environmental Consultants Ltd. (Associated) was retained to complete an Environmental Impact Statement (EIS) for a proposed land use plan for a parcel of land in the S.1/2 of L.S. 13, Sec 28, TWP. 24, Rge. 10 W5M, in Canmore, Alberta (the property). An EIS is required as per the Canmore Municipal Development Plan (MDP) (TOC 2016) because a portion of the property is located within an area designated as a Conservation Area (such as a habitat patch) and is outside the Urban Growth Boundary. The property is within the South Canmore Local Habitat Patch (SCLHP) and proposes a land use change, which requires an amendment to the Urban Growth Boundary. The EIS is to be submitted to the decision-making authorities of the Town (Town of Canmore 2016).

The general contents to be provided in an EIS are outlined in the Canmore EIS Policy (2016). The Town is responsible for preparing a Terms of Reference (ToR) that considers the EIS Policy and sets the specific requirements for what must be included in the EIS (Town of Canmore 2016). The Town contracted a qualified, independent, third-party reviewer that helped prepare the ToR and review the EIS.

The property is approximately 8.65 ha, including 0.45 ha that accounts for the approximate wetted width of Spring Creek and a portion of Policeman Creek, which flow through the northern portion of the property. A Conceptual Land Use Plan (**Appendix A**) has been developed for the property, which may be revised to a Final Land Use Plan following the EIS and land use amendment process. The Conceptual Land Use Plan proposes a land use change to Direct Control District that will include four subdistricts: a Palliative Care Centre (Subdistrict A will be 0.82 ha), lots for five residential units (Subdistricts B and C; totalling 0.62 ha and 1.14 ha respectively), and 1 single-family residential dwelling (zoned Residential and Agricultural) (Subdistrict D will be 5.61 ha) (the Project).

This version of the EIS has been reviewed once by the Town and their third-party reviewer¹ and has been amended to reflect the comments provided on the initial draft.

1.2 Purpose of the EIS

The purpose of the EIS is to provide information to the Town of Canmore Council to make an informed decision on the proposed land use plan. In summary, the EIS will:

- Describe the proposed new land use;
- Describe the existing environmental conditions and features on and surrounding the property;
- Identify significant natural ecological features;
- Describe potential impacts of the project, prior to mitigation;
- Recommend measures to avoid or reduce these impacts and identify residual impacts and their significance after the implementation of proposed mitigation;
- Recommend if any further studies or monitoring is to be undertaken through the course of mitigation implementation;
- Discuss cumulative effects in reference to existing, approved, and future developments in the area; and
- Identify additional mitigation measures to minimize impacts on ecosystem components and cumulative effects.

¹ Information requests from the Town's initial review received December 21, 2020.

1.3 Physical Setting

The property is located immediately south of the community of Spring Creek Mountain Village and is accessed by 3rd Avenue. The ecological condition of the property is comprised of deciduous and coniferous forest, shrubby ecosystems, and grassy ecosystems. Spring Creek flows through the north portion of the property and discharges into Policeman Creek above its confluence with the Bow River to the southeast. Surrounding existing land uses include residences and Spring Creek Mountain Village to the north, a single ranchland residence and transportation corridors to the east (i.e., CP Rail, Bow Valley Trail, and the Trans-Canada Highway), a Waste Transfer Station and Wastewater Treatment Facility and the Canmore Nordic Centre Provincial Park to the south, and Millennium Park to the west. The Bow Valley is an important movement corridor for wildlife occurring in the region, and wildlife corridors and habitat patches have been identified for the areas surrounding the Town of Canmore (BCEAG 2012, Edwards 2013).

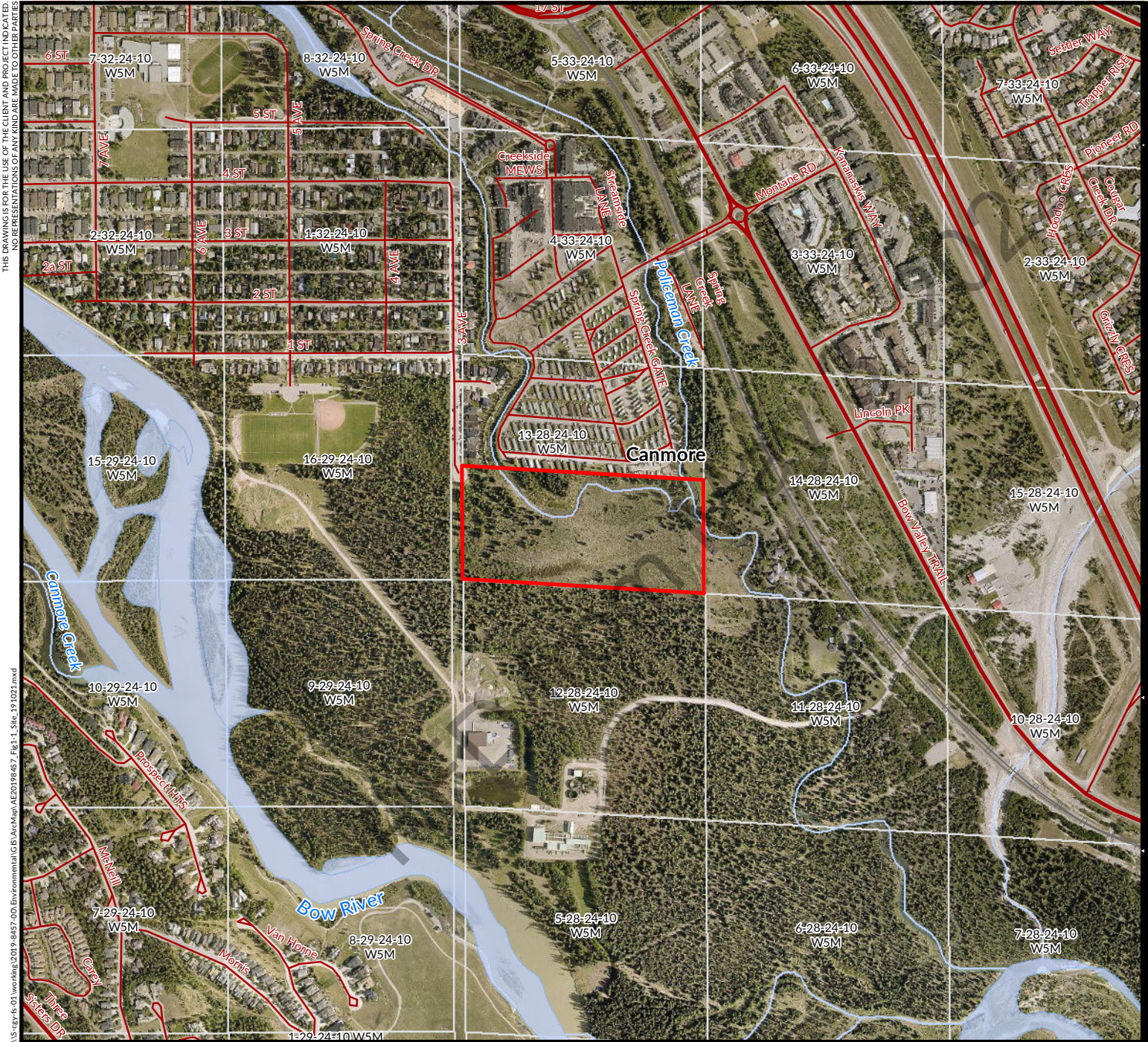
A portion of the property is located within the SCLHP as defined by the Bow Corridor Ecosystem Advisory Group (BCEAG 2012) and the MDP (TOC 2016). The property is adjacent to the Tipple Wildlife Corridor (which is connected to the Three Sisters Along Valley Corridor) and the Bow Flats Regional Habitat Patch (Figure 1-1, Figure 1-2). The SCLHP is isolated from the Tipple Wildlife Corridor to the south by the Bow River. The Tipple Wildlife Corridor has been cleared of native vegetation and terrain has been reshaped as a result of historic disturbance, likely related to historic mining operations in Canmore. Adjacent to the Tipple Wildlife Corridor (west and east) residential houses and access roads exist. The portion of the Tipple Wildlife Corridor that is immediately adjacent to the SCLHP is a large area cleared of trees and shrubs and that has revegetated with grasses. The Tipple Wildlife Corridor does not support wildlife use as intended “given the level of development and human activity within and adjacent to [the] corridor” (BCEAG 2012) likely due to the cleared vegetation and close proximity to human development.

The SCLHP is approximately 182.2 ha (1.8 km²) with an existing linear feature (e.g., roads, trails) density of 2.9 km/km² and 5.3 ha of non-linear anthropogenic disturbance (e.g., buildings, housing²). Human use of the SCLHP includes cycling (year-round), hiking/walking (year-round), dog walking (year-round, both on lease and off leash), running (year-round), and skiing/snowshoeing (winter). The SCLHP is located in a Key Wildlife and Biodiversity Zone (ESRD 2019), that encompasses the Bow River and portions of the adjacent land to the east and southeast. Key Wildlife and Biodiversity Zones are “considered to be a combination of key winter ungulate habitat and higher habitat potential for biodiversity” (ESRD 2015a). These zones occur along major river corridors in Alberta and are identified for their uniqueness on the landscape and the value they provide ungulates during winter.

Adjacent to the SCLHP to the east is the Bow Flats Regional Habitat Patch, which is currently fragmented from the SCLHP by Highway 1. A “conceptual wildlife corridor” connects the two habitat patches; however, the habitat patches are separated by a significant barrier to movement (i.e., Highway 1) and are currently not contiguously connected habitat. The Highway 1 crossing on the Bow River provides a narrow movement corridor for wildlife between the SCLHP and the Bow Flats Regional Habitat Patch (Edwards 2013).

The location of the property is provided in Figure 1-1 and regional context of wildlife habitat patches in relation to the project is provided in Figure 1-2.

² Summaries of linear and non-linear densities are based on ortho-interpretation of 2017 imagery completed specifically for this study.



Legend

- Site
- Road
- Highway
- Railway
- Watercourse
- Water Body

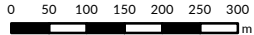


FIGURE 1-1
Site Location

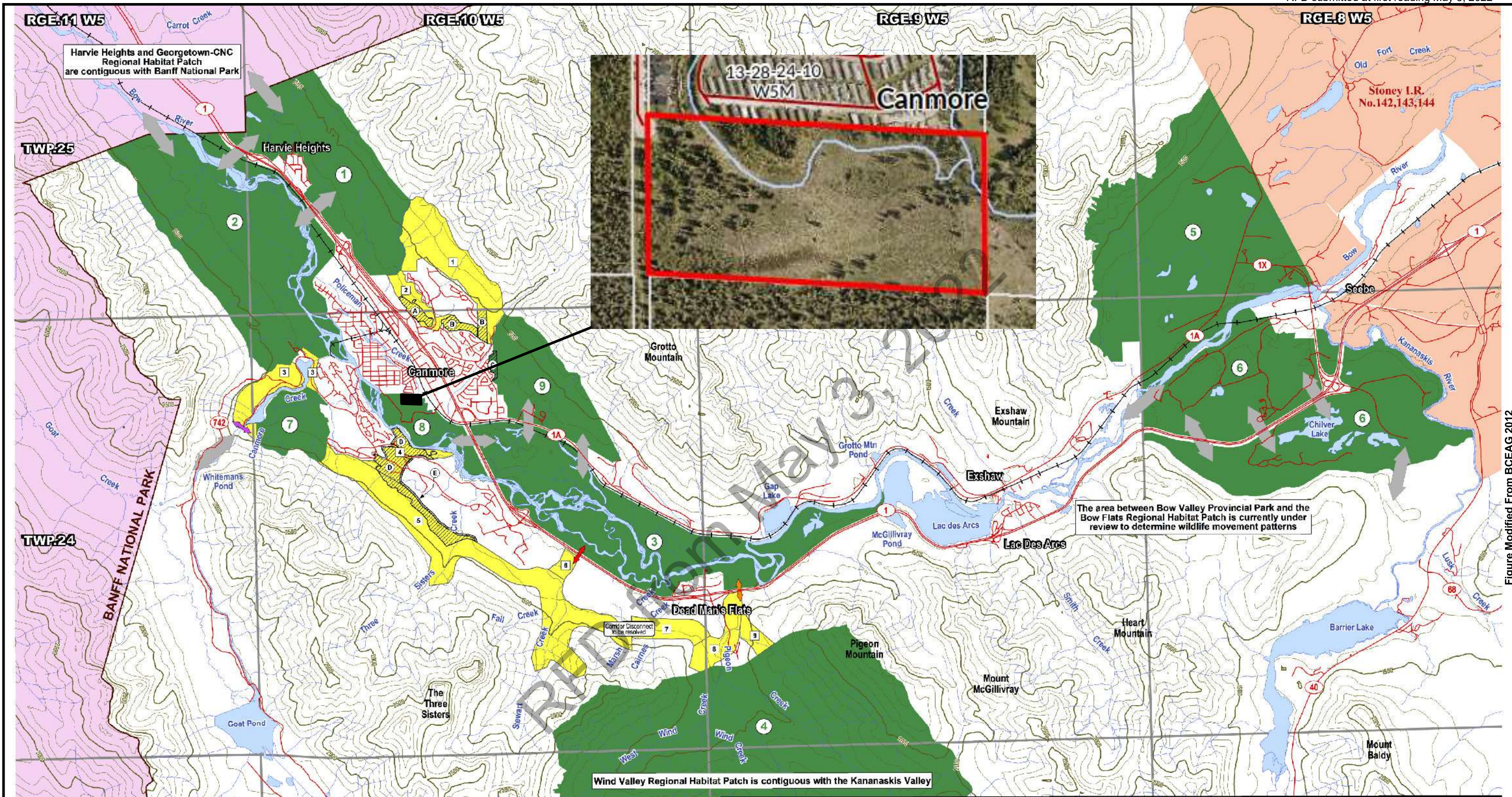
3rd Avenue South Land

AE PROJECT No.	2019-8457
DATE	2019 OCTOBER
SCALE*	1:10,000
COORD. SYSTEM	NAD 1983 UTM ZONE 11N
REV	0
DESCRIPTION	ISSUED FOR DRAFT
DRAWN BY	LAW
CHECKED BY	JL

ESRI World Imagery; Esri, DigitalGlobe, GeoEye, i-cubed, USDA FSA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community; Roads: Statistics Canada, 2018; Railway: Government of Canada, 2018; Hydrography: Altalis Ltd., 1996.

THIS DRAWING IS FOR THE USE OF THE CLIENT AND PROJECT INDICATED. NO REPRESENTATIONS OF ANY KIND ARE MADE TO OTHER PARTIES.

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Harvie Heights and Georgetown-CNC Regional Habitat Patch are contiguous with Banff National Park

The area between Bow Valley Provincial Park and the Bow Flats Regional Habitat Patch is currently under review to determine wildlife movement patterns

Wind Valley Regional Habitat Patch is contiguous with the Kananaskis Valley

- | | | | | | |
|--|--|--|--|--|---|
| <ul style="list-style-type: none"> — Road —+— Rail — Hydrography ■ Banff National Park ■ First Nation Reserve | <p>Wildlife Underpass</p> <ul style="list-style-type: none"> — Wind Valley — Stewart Creek <p>Wildlife Crossing Structure</p> <ul style="list-style-type: none"> — Rundle Canal | <p>Regional Habitat Patch</p> <ul style="list-style-type: none"> 1 Harvie Heights 2 Georgetown - CNC 3 Bow Flats 4 Wind Valley 5 Yarnuska 6 Bow Valley Provincial Park <p>CNC - Canmore Nordic Centre</p> | <p>Local Habitat Patch</p> <ul style="list-style-type: none"> 7 Quarry Lake 8 South Canmore 9 Indian Flats | <p>Wildlife Corridor</p> <ul style="list-style-type: none"> 1 Upper Silvertip 2 Lower Silvertip 3 Georgetown Quarry Lake 4 Tipple 5 Three Sisters Along Valley 6 Stewart Creek 7 Wind Valley 8 Dead Man's Flats 9 Pigeon | <p>Conceptual Wildlife Corridor</p> <p>↔</p> <p>Conservation Easements</p> <ul style="list-style-type: none"> ■ Palliser ■ Eagle Terrace ■ Canyon Ridge ■ 2003 Easement ■ 35m Easement |
|--|--|--|--|--|---|

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 Base data provided by Spatial Data Warehouse Ltd.
 Data provided by Alberta Tourism, Parks and Recreation

Information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at time of use.

Prepared by: ASRD, Southern Rockies Area, RIU-Calgary.

SCALE
 0 1 2 3 4
 Kilometres

Government of Alberta

**FIGURE 1
 WILDLIFE CORRIDORS
 AND
 HABITAT PATCHES**

**WILDLIFE CORRIDOR AND
 HABITAT PATCH GUIDELINES
 FOR THE BOW VALLEY**

2011

Figure Modified From BCEAG 2012

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1.4 Proposed Land Use Description

The area of the property is approximately 8.65 ha. Table 1-1 presents the maximum areas proposed in the Conceptual Land Use Plan and may be smaller than presented when final plans are developed (Appendix A, Figure 1-3). The areas presented in Table 1-1 are summaries of the conceptual building footprints and proposed access roads based on the Conceptual Land Use Plan. Areas presented in Table 1-1 are based on disturbances within each proposed Subdistrict and will vary from area summaries in the Land Use application (i.e., road surface areas are included in each respective Subdistrict in Table 1-1). Areas required for vegetation clearing, including any FireSmart thinning necessary³, have not been accounted for in Table 1-1. The area summaries presented in Table 1-1 may change in the future once the Land Use Plan is finalized following the EIS and land use amendment consultation process.

The proposed land use for these areas are summarized, noting that only 0.07 ha be disturbed for a single residence and outbuilding in Subdistrict D, with 5.54 ha (including 0.30 ha of driveway surface) of the surrounding area remaining as wildlife-friendly, agricultural land left in a natural state. Overall, based on the Conceptual Land Use Plan, the project will only functionally change land use by approximately 0.91 ha (11% of the Project Area and 0.5% of the SCLHP) (sum of buildings and road/driveway) from the historical uses.

Table 1-1
Area Summaries of the Project Area and the Conceptual Land Use Plan

Subdistrict	Project Component in hectares					Footprint Percent of the SCLHP ²
	Buildings	Natural	Road/Driveway	Spring Creek	Total Area	
Spring Creek ¹				0.46	0.46	-
A	0.16	0.62	0.04		0.82	0.1
B	0.11	0.43	0.08		0.62	0.1
C	0.07	0.99	0.07		1.14	-
D	0.07	5.24	0.30		5.61	0.2
Grand Total	0.42	7.27	0.49	0.46	8.65	0.5

Note: Area summaries may vary from Appendix A due to area summary methods.

¹ Spring Creek will not be disturbed, and a 20 m setback has been incorporated into Project design (Figure 1-3).

² Percent of proposed footprint in the SCLHP = South Canmore Local Habitat Patch, based on area summaries of the SCLHP from BCEAG 2012.





³ Subdistrict C is not within the SCLHP.

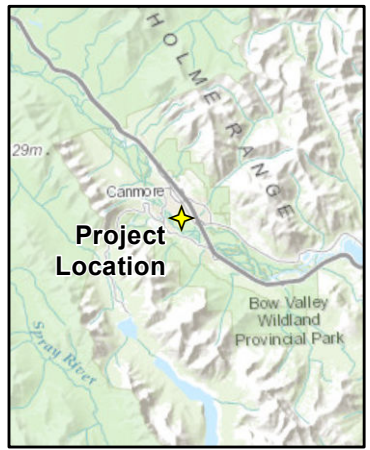
The Project incorporates sensitive wildlife design throughout. Considerations for reducing effects on wildlife are summarized in Section 4, and include situating buildings in the northwestern periphery of the SCLHP to reduce movement barriers; using existing linear corridors to focus human activity to areas with existing high human use; incorporating low-density lighting options to reduce the effect of light on wildlife; and orienting buildings in a manner that dissipates human development from high concentrations to lower concentrations (e.g., reduces densification from Spring Creek community). Following comments from the Town on the initial EIS draft, the Conceptual Land Use Plan incorporates further building re-orientation to avoid a shrubby wetland ecosystem and reduce effects on wildlife and their habitat (Appendix A; Figure 1-3).

³ FireSmart thinning is discussed in further detail in Section 3.3.3 and Table 3-3.



LEGEND:

-  Wetland
-  Proposed Road Extension
-  Property Line
-  Minimum Lot Setbacks (proposed)



**FIGURE 1-3:
CONCEPTUAL DESIGN**

**South Canmore EIS for
3rd Avenue South Land**

AE PROJECT No.	2019-8457.000
DATE	FEB. 2021
SCALE	1:2231
COORD. SYSTEM	NAD 83 UTM 11
REV	1
DESCRIPTION	ISSUED FOR DRAFT
DRAWN BY	DA
CHECKED BY	KR

Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Sources: Esri, HERE, DeLorme, Mapbox, TomTom, Swatch, IGN, and the GIS User Community
Coordinates: IGN, Karlsruhe Institute of Technology, Esri China (Hong Kong) (c)
OpenStreetMap contributors and the GIS User Community

Subdistrict A - Palliative Care House

The proponent has gifted a portion of the property (Subdistrict A) for the Palliative Care Society of the Bow Valley. The Palliative Care Society plans to construct a hospice for the purpose of providing and supporting 'full-spectrum' palliative and end-of-life care for the local communities. The hospice will support families from the time of diagnosis through to grief and bereavement support for the family and caregivers after the death of the patient. The hospice will provide an **exceptional benefit** to the community and is supported by the Palliative Care Society of the Bow Valley (**Appendix F**) The plan is for six suites for patients of the hospice, complete with private washrooms and two day-use hospice suites for family members within the Bow Valley. Hospice programs such as music therapy and physical therapy as well as administrative offices for the Palliative Care Society, staff, and volunteer spaces will also be included. The hospice will be tied into the existing roads to provide patient and staff vehicle access. Following review by the Town and their third-party reviewer, the hospice was relocated to avoid a shrubby swamp wetland identified on the property. Cul-de-sac effects of the design (i.e., instances where wildlife are "cornered" in a development, potentially resulting in human-wildlife conflicts) were also addressed. The updated design will avoid or reduce cul-de-sac effects on large ranging mammals (e.g., elk) by creating relatively wide movement corridors and long line-of-sight for wildlife. Because cul-de-sac effects are unlikely, the updated design will not require wildlife exclusion fencing for this subdistrict (Figure 1-3).

The area partitioned for Subdistrict A will be approximately 0.82 ha in area (including roads) and the proposed area required for the buildings and access roads is approximately 0.20 ha (0.1% of the SCLHP; Figure 1-3, Table 1-1).

Subdistrict B and C - Lots for Residential Units

Subdistricts B and C are intended for the development of residential units. Subdistrict C is not within the SCLHP. The lots are near existing services and utilities, close to amenities in the downtown area, and near schools and recreational areas. The lots will maintain their natural features and vegetation and the design development will be sensitive to the needs of wildlife by carefully selecting their placement, design lighting, and suitable landscaping to reduce effects on wildlife and their behaviour. Both subdistricts will be set back from Spring Creek by a minimum of 20 m to avoid effects on important riparian vegetation and a Direct Control District (that describes development parameters) will be in place to mitigate effects on water quality and fish habitat. Subdistrict B will be approximately 0.62 ha and Subdistrict C will be approximately 1.14 ha (including access roads). The location proposed for these lots is immediately adjacent to existing development to the north and is not expected to act as a barrier to wildlife movement; therefore, no wildlife exclusion fencing is being proposed for these subdistricts.

The proposed area set aside for the buildings and access roads in Subdistrict B is approximately 0.19 ha (0.1% of the SCLHP) and 0.14 ha (0.0% of the SCLHP) for Subdistrict C. Each residential building footprint in Subdistricts B and C will not exceed 372 m².

Subdistrict D - Residential and Agricultural

Subdistrict D is proposed for Residential and Agricultural use. An Agricultural subdistrict is in keeping with the characteristics, history, and discretionary uses of the land under its current Land Use bylaw designation. In addition, this pursuit is consistent with that of the agricultural operation of the adjacent neighbour to the east. Subdistrict D will include a single residential unit and outbuilding. The proposed land use is to provide future provision, if desired, for small, low-impact animal husbandry for the personal use of the landowners. The operation may entail grazing and sheltering of not more than three horses; however, decisions to pasture horses in Subdistrict D have not been confirmed. The grazing area will be on land immediately adjacent to the grazing land of the neighbour to the east (Figure 1-3). Currently, horses are grazed seasonally in a portion of Subdistrict D. An existing, single-wire electric fence is installed and removed seasonally by the neighbour to reduce impacts of grazing on the property and Spring and Policeman Creeks. The property owners view wildlife use of their property as an intrinsic value that they want to

maintain and do not want to exclude wildlife from their land. If future grazing is desired by the proponent, a wildlife-permeable fence (e.g., split rail or page wire) may be erected to enclose approximately 0.6-0.8 ha of the parcel for continued grazing use and to reduce effects of horse grazing on Spring Creek, Policeman Creek, and the larger parcel.

Subdistrict D is approximately 5.61 ha in total. All proposed development will occur outside of the setback on Spring Creek (Figure 1-3). Approximately 0.07 ha will be used for the building footprints and approximately 0.30 ha will be used for the access road and driveway. The remaining 5.24 ha will remain in its current state (i.e., currently vegetated) and will be grazed at the same or less intensity than has historically been grazed.

The total area of proposed development in Subdistrict D is approximately 0.37 ha (0.2% of the SCLHP).

1.5 Legislation and Guidelines

The following guidelines and policy documents were reviewed as part of the EIS:

- Municipal Development Plan Bylaw 2016-03, Town of Canmore (TOC 2016) Amended 2020.
- South Saskatchewan Regional Plan 2014-2024: An Alberta Land-use Framework Integrated Plan (GoA 2017).
- Town of Canmore. Human Use Management Review. Consultation Summary, Final Recommendation and Implementation Plans (Town of Canmore 2015).
- Town of Canmore Wildfire Mitigation Strategy Review. Montane Forest Management Ltd. (Montane 2018).
- Town of Canmore Noise Bylaw (Town of Canmore 1997).
- Human-Wildlife Coexistence: Recommendations for Improving Human-Wildlife Coexistence in the Bow Valley. Town of Canmore, Town of Banff, Alberta Government (GoA 2018).
- Recommendations for Trails and Management of Recreational Use for the Town of Canmore: South Canmore and West Palliser (TERA 2012).
- Bow Corridor Ecosystem Advisory Group. Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (BCEAG 2012).

Table 1-2 summarizes regulatory considerations applicable to the proposed project. For this project, approval or notification under the *Fisheries Act* is not required because the proposed project will not involve activities within a waterbody or result in potential for harmful alteration, disruption or destruction of fish habitat through construction activities (i.e., no construction activities will occur in the water and no potential disturbance to the banks, shoreline, or water quality are anticipated to occur). The proposed bridge across Spring Creek will be clear span and all work related to bridge construction will be above the high-water mark for the creek.

A *Water Act* approval will be required for project activities because the Project Area is within the Bow River flood fringe. An approval is required for all activities that have the potential to temporarily or permanently affect the location or direction of flow of water or may become capable of altering the flow of water, whether or not the flow or presence of water is continuous, intermittent or occurs only during a flood.

**Table 1-2
Regulatory Considerations**

Legislation	Environmental Conditions and Restrictions
Federal	
<i>Migratory Birds Convention Act</i>	<ul style="list-style-type: none"> Provides protection for migratory birds and their nests; prohibiting disturbing, destroying, or taking a nest, egg, or nest shelter of a migratory bird. The project is in the B4 nesting zone, with a breeding and nesting period from approximately April 15 to August 30.
<i>Species at Risk Act (SARA)</i>	<ul style="list-style-type: none"> The Act prohibits the killing, harming, harassment, possession, capturing or taking of a species listed as extirpated, endangered or threatened; the damage or destruction of a residence on federal lands.
<i>Fisheries Act</i>	<ul style="list-style-type: none"> Potential for harmful alteration, disruption, or destruction of fish habitat through construction activities (e.g., the potential introduction of deleterious materials into the water).
Provincial	
<i>Environmental Protection and Enhancement Act</i>	<ul style="list-style-type: none"> Modifications are being made to the Town's existing stormwater system. A Notification will be submitted to Alberta Environment and Parks.
<i>Wildlife Act</i>	<ul style="list-style-type: none"> The Act provides protection and conservation of wildlife in Alberta. A person shall not willfully molest, disturb, or destroy a house, nest, or den of prescribed wildlife.
<i>Water Act</i>	<ul style="list-style-type: none"> The Act protects Alberta's waterbodies. Temporary and permanent project activities that may directly or indirectly affect water flow, quality, or aquatic environments require prior authorization from Alberta Environment and Parks.
<i>Historical Resources Act</i>	<ul style="list-style-type: none"> Applies when ground disturbance in an area of known and potential archaeological resources occurs or is in the vicinity of a provincially designated Provincial Historic Resource (Historic Resource Value Notations of 4a, 5a, and 1h respectively). Approval may require additional studies (i.e., Historical Resources Impact Assessment).
<i>Weed Control Act</i>	<ul style="list-style-type: none"> Requires the management of noxious or invasive weeds. Weed management will be a requirement in the project tender documents.

2 ASSESSMENT METHODS

2.1 Project scope

A Terms of Reference (ToR) for the project was developed by the Town and their independent third-party reviewer. The ToR outlines the scope of the EIS ([Appendix B](#)).

2.2 Spatial and Temporal Boundaries

Spatial Boundaries

To capture the variability of effects of the project locally and regionally, the project was assessed at the following three spatial scales (Figure 2-1):

- Project Area;
- Local Study Area; and
- Regional Study Area.

Project Area

The Project Area is the property boundary as described in Section 1 and comprises approximately 8.65 ha of privately-owned land as described in Section 1.4.

Local Study Area

The Local Study Area (LSA) is the area where direct and indirect effects of the project may affect the environment. The LSA was selected based on the estimated range of sensory disturbance (e.g., noise and vibration), and potential physical impacts of the project. The LSA is a 150 m buffer around the property boundary, to capture the direct and indirect project effects on selected environmental components. The total area of the LSA is 34.2 ha.

Regional Study Area

The Regional Study Area (RSA) was determined with input from the third-party consultant for the Town and was selected to capture potential cumulative effects associated with the proposed project. The RSA is a 500 m buffer around the SCLHP, assessed for the localized and direct project effects on selected environmental elements. The total area of the RSA is 664.1 ha.

Temporal Boundaries

The project was assessed using two temporal boundaries, the construction and operation phases, to capture variation in project effects at different phases of the project. The construction phase includes all of the physical and sensory disturbance that may result from land clearing, site preparation and building construction (e.g., short term effects). The operation phase includes all physical and sensory disturbance that may result during the normal operations of the hospice and the residential buildings (e.g., long term effects).

For each phase, the project effects were characterized as baseline conditions, application case (i.e., the effects of the project), and reasonably foreseeable development (i.e., the effects of the project plus any additional effects from proposed or approved projects within the RSA). The Cumulative Effects Assessment is provided in Section 5.

2.3 Analysis of Alternatives

Based on preliminary work completed on the property in 2019 and consultation with regulatory agencies (AEP) and Town officials (e.g., Fire, Land), the Conceptual Land Use Plan was adjusted to align existing land use and potential future land use (**Appendix A**). Following an initial review by the Town and their third-party reviewer (dated December 21, 2020), changes were made to the proposed design to further reduce effects on vegetation, wetlands, wildlife, and wildlife habitat.

Alternatives to the project have been considered with the primary focus being on reducing the effects on biophysical components (e.g., vegetation, wetlands, wildlife, and wildlife habitat) and maintaining suitable forage and resting habitat for wildlife using the SCLHP. Variations in building configurations, site layouts (including changes in setbacks), and amount of proposed development have been explored. The orientation of the buildings in the Project Area have been consolidated to the far north-western periphery of the parcel to reduce habitat fragmentation or any potential effects on wildlife movement through the Project Area. The location and orientation of the proposed hospice was reconfigured to avoid a shrubby wetland ecosystem and reduce cul-de-sac effects on wildlife movement. The Conceptual Land Use Plan situates all buildings and access roads in an orientation that minimizes physical or perceived barriers to wildlife movement and concentrates disturbance adjacent to an area where human development already exists (e.g., 3rd Avenue) and all access roads are planned to concentrate traffic to originate from 3rd Avenue).

The following are descriptions of the subdistrict layouts and how the analysis of alternatives has resulted in avoiding or reducing effects on vegetation, wetlands, wildlife, and wildlife habitat.

Subdistrict A will include a palliative care facility (i.e., a hospice) that, during operation, will house a limited number of beds (six hospice suites and two day-use suites). Each bed will have a limited number of assigned personnel, and visitors to the hospice are anticipated to restrict their movements between the parking lot and interior of the building. The orientation of the building has been considered in the subdistrict and is being proposed in a location that concentrates human activity to one area, limits the amount of linear disturbance required to access the building (i.e., the access is coupled with access to Subdistrict D along an existing cleared area of 3rd Avenue), and focuses all work in an area where existing human disturbance (e.g., an existing berm, walking trails) likely contributes to reduced use by wildlife species.

Following review by the Town and their third-party reviewers, the footprint of the hospice was moved east and reconfigured to both avoid a wetland ecosystem and reduce cul-de-sac effects on wildlife movement by improving line-of-sight for wildlife (see Section 3.4 for more detail).

Subdistrict B has been situated such that all access locations originate from an existing cleared extension of 3rd Avenue and to maintain suitable forage and rest opportunities for all wildlife in the remaining portion of the SCLHP. The associated noise disturbance, once construction is complete, is expected to be minimal and similar to residential noise in adjacent developments. Development in Subdistrict B will 'feather' human development into the SCLHP compared to the hard-line development boundaries to the north.

Subdistrict C is not within the SCLHP and is situated such that access to the Project Area is concentrated with the other developments and a 20 m setback from Spring Creek is observed. A single, clear span crossing over Spring Creek is proposed to access Subdistrict C. Although no design is currently in place, permits and authorizations for this crossing will be pursued upon approval to develop this area. The crossing will incorporate design features that will avoid Spring Creek (i.e., clear span) and reduce the footprint of the bridge within 20 m of Spring Creek (as defined by the high-water mark). Options for the bridge location were provided to the Town, and the Town selected the currently sited location as the preferred option. All potential alternative locations for the crossing were considered and the

currently proposed location will result in the least disturbance to vegetation and ecosystems because the least amount of access road and utilities will be required.

Subdistrict D includes the proposed main residence of the proponent. The building footprint for this residence is situated at the northern periphery of Subdistrict D to maintain suitable temporary forage and rest for wildlife in the area and reduce any potential effects on wildlife movement through the SCLHP. Many options were considered for the location of this building and the final location is a balance between maintaining the existing low-shrub grassland area and reducing any visual or movement disturbance of the building on wildlife. The main residence is oriented to the east-central extent of the subdistrict to maintain movement, forage, and rest opportunities for wildlife in a manner that will not change significantly from current conditions.

RFD from May 3, 2022

2.4 Impact Assessment Criteria

The criteria described in Table 2-1 are used to assess potential impacts on ecological components and selected biophysical resources.

Table 2-1
Impact Assessment Criteria

Direction	Magnitude	Scale	Duration	Reversibility	Frequency	Confidence
Positive: Effects represent a real or potential increase in quantity, quality or other attribute of the biophysical resource receptor.	Negligible: Measured or estimated effect results in no change to the biophysical resource (i.e., quantity, quality or other attribute) compared to existing conditions.	Project: Effect occurs within the project building envelope	Short-term: Effect occurs only during construction.	Short-term: Effect can be reversed after completion of construction.	Isolated: Effects occur for a limited or specific time frame during construction.	Predictable: Effect on biophysical resource is well understood based on known knowledge and mitigation measures.
Negative: Effects represent a real or potential decrease in quantity, quality or other attribute of the biophysical resource receptor.	Low: Measured or estimated effect results in no noticeable effects to the biophysical resource (i.e., quantity, quality or other attribute) compared to existing conditions. Effects are within the understood range of natural variation.	Local: Effect occurs within the Project Study Area.	Long-term: Effect persists beyond the construction.	Long-term: Effects persist into operations.	Intermittent: Effects occur periodically throughout construction	Uncertain: Effect on biophysical resource is not well understood and/or effectiveness of mitigation measures are not known or uncertain.
Neutral: No observable effect in quantity, quality or other attribute of the biophysical resource receptor.	Moderate: Measured or estimated effect results in a noticeable affect to the biophysical resource (i.e., quantity, quality or other attribute) compared to existing conditions. Effects are within the understood range of natural variation and may require specialized mitigation.	Regional: Effect occurs within the Regional Study Area.			Frequent: Effects occur continuously for the duration of construction and persist into operations.	
	High: Measured or estimated effect results in an affect to the biophysical resource (i.e., quantity, quality or other attribute) compared to existing conditions. Effects are beyond the understood range of natural variation, and likely require specialized mitigation.					

RFD from May 3, 2022

3 IMPACT ASSESSMENT

3.1 General Overview

The scope of the EIS is based on the 2016 Town of Canmore Environmental Impact Statement Policy and the approved ToR for the project ([Appendix B](#)). Included in this assessment are biophysical resources considered important by the applicant, public, scientists, or government agencies. Based on the background review, results of three field visits completed for the project and the ToR, the following biophysical resources are addressed in this EIS:

- Soils and Terrain;
- Vegetation and Wetlands;
- Wildlife and Wildlife Habitat;
- Fish and Fish Habitat;
- Water Quality, Hydrology, and Hydrogeology;
- Land and Resource Use;
- Air Quality; and
- Cultural and Heritage Resources.

Based on the location of the property, the Conceptual Land Use Plan (in relation to Canmore as a whole; [Appendix A](#)), data from field assessments, research for the Bow Valley and the habitat of the RSA, the EIS will also considered the following:

- South Canmore Local Habitat Patch (SCLHP) – A portion of the proposed project will be undertaken in the SCLHP. A local habitat patch is defined as an area meant to meet the food, rest and water needs of wildlife for a short period while they negotiate a corridor network towards a larger, regional habitat patch at its end. Habitat patches need to provide sufficient habitat in their interior for an animal to rest or feed with security from human disturbance (BCEAG 2012). Habitat patches are recognized municipal planning considerations in the Town of Canmore.
- Elk and elk habitat - Elk were selected as a valued component for the project because they may be affected by the project, are known to habituate to human disturbance (i.e., are likely to persist throughout the project life), and are known to use habitats throughout the Bow Valley, including the LSA. As such, elk may use habitats within the LSA during both the construction and operation phases. By focusing the effects assessment on elk and elk habitat, their ecological requirements and life history are considered in Project planning and mitigation recommendations.
- Large carnivores, such as black bear, grizzly bear, cougar, coyote, and wolf were assessed through a review of existing reports. Habitat suitability for each species was assessed during three surveys of the property during various seasons. Existing disturbance, proximity to human use areas, ambient noise, sign (e.g., rubs, tracks, pellets, beds, scat), anecdotal reports, and species-behavioural response to disturbance were considered in the assessment for large carnivores.
- Species at Risk - Species at risk include any plant or wildlife species listed by the *Alberta Wildlife Act*, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), and the *Species at Risk Act* (SARA) for their conservation concern. Species at risk are known to, or have the potential to, occur in the Bow Valley and species at risk were assessed based on the habitat suitability of the Project Area for each species. The ecological requirements of each species at risk with potential to occur on the property are considered in project planning, project design, and mitigation recommendations.

A review of existing environmental conditions included available reports, desktop information, guidelines and the proposed Conceptual Land Use Plan. In 2019 and 2020, air photographs, existing reports (e.g., BIAs), and data layers were reviewed before the completion of site visits to identify vegetation communities, wildlife habitat suitability and potential for sensitive or at-risk plants, plant communities, fish and wildlife, flood risk, and historical resource values (HRVs). In 2021, interviews with provincial biologists and land users familiar with the site were conducted. Documents related to adjacent proposed developments were reviewed prior to a winter survey to assess relative wildlife habitat use during winter. Winter is a limiting season for wildlife. The winter survey focused on the SCLHP (including the property) and wildlife use within it. The review of existing information focused adjacent land use and potential effects of the project on the LSA and RSA.

Site visits were completed on October 2, 2019, July 23, 2020, and January 15, 2021 to verify information identified in the desktop review, describe existing environmental conditions, and support responses to the initial review of the EIS by the Town and their third-party reviewers. The site visits focused on the LSA and SCLHP.

Potential impacts of the proposed land use change on the biophysical environment was evaluated against potential impacts from the construction and operation of the project.

For purposes of this EIS, construction activities include:

- Staging and laydown.
- Vegetation clearing.
- Grubbing, excavation, grading, and soil compaction.
- Access road construction.
- Building foundation installation.
- Utilities installation.
- Building construction (interior and exterior).
- Landscaping and restoration.

For purposes of this EIS, operational activities could include:

- Horse pasturing and grazing.
- Vehicle access to and from the Project Area.
- Increased adjacent land use (i.e., increased foot/bicycle traffic in surrounding area, including unsanctioned trails).

3.2 Soils and Terrain

3.2.1 Methods

A desktop review was conducted to determine soil information in the LSA including review of the Alberta Soil Inventory Database (AGRASID) (AARD 2015), Environmental Site Assessment Repository (ESAR) (GoA 2020a), and existing public reports relevant to the LSA.

Additional soil and terrain information was acquired during field assessments completed on October 2, 2019 and July 23, 2020. Soils in the Project Area were inspected to a depth of approximately 30 cm using a shovel. Soil texture and colour were investigated as per the Field Handbook for the Soils of Western Canada (Watson and Pennock 2016). Detailed subsurface soil characteristics will be acquired as part of future geotechnical investigations, pending approval of the application.

3.2.2 Baseline Conditions

The Project Area is located in the valley bottom of the Bow River Valley. A review of AGRASID (AARD 2015) suggests that Chernozems and Orthic Regosols are the most common soil types in and surrounding the Project Area. Geotechnical investigations were completed in the Project Area in 2003 and results indicate that the soils are similar to conditions found elsewhere in South Canmore (Matrix Planning and Wildlife & Company 2003). They consist of 0.6 to 1.0 m of sandy silt overlying gravel which is relatively thick (up to 30 m) of sands and coarse gravels. These gravels are interpreted to be glacial outwash deposits originating during the retreat of glaciers from the Bow Valley. Soil development in the Project Area has been influenced by past fluvial deposits from high water levels as well as vegetation decomposition. Soils within undeveloped portions of the LSA are considered to be native and minimally disturbed.

During the site visits in 2019 and 2020, the terrain was identified as being primarily level and hummocky. An existing berm is located along the western boundary of the Project Area and has an elevation that is generally higher than the Project Area. Soils in the hummocks include mineral soils with a silty loam texture with pockets of sand. Soils in the hummock depressions include mineral soils with a clayey loam to silty loam texture. No organic soils or restrictive layers (e.g., clay) were encountered. Soil colour was variable across the Project Area have the following values and chroma:

- 10YR 2/2 (Very Dark Brown) in the coniferous forest;
- 10YR 4/3 (Brown) in the tall shrub and low shrub-grass areas; and
- 10YR 5/1 (Gray) in shrubby swamp.

3.2.3 Potential Impacts

Potential impacts to soil and terrain from the proposed land use include:

- Handling, grubbing, excavation, mixing, and grading of soils.
- Wind and water erosion on areas of exposed soil, especially if soils are fine to coarse textured (e.g., silt, sand and silty sand).
- Compaction of fine textured (clay loams) soils.

Table 1-1 summarizes the proposed changes to land cover in the Project Area. Approximately 1.24 ha of the Project Area does not occur in the SCLHP (i.e., it is either within Subdistrict C or area classified as Spring Creek).

Approximately 0.92 ha of soil may be disturbed to support residences, access roads, and outbuildings. Some soil disturbance (approximately 0.37 ha) will occur as a result of construction of a residence, support building and access road proposed for Subdistrict D; however, soil disturbance will be primarily associated with the proposed land uses for Subdistricts A, B, and C (approximately 0.55 ha) and impacts are expected primarily during construction when soil stripping, handling, excavation, and grading will occur. Construction in all subdistricts will alter existing terrain and topography as fill is required to raise the buildings to ensure the structures are above the 1:100-year flood level. Based on calculations of the Conceptual Land Use Plan, the majority of the Project Area (approximately 7.73 ha, 89% of the Project Area), will remain in an unaltered state, preserving existing soil and terrain characteristics.

With the implementation of mitigation measures (Section 3.2.4) effects on soils and terrain are predicted to be **negative** in direction and **negligible** in magnitude as a result of the Project. Confidence in this prediction is **predictable**.

Environmental effects on soils and terrain are summarized in Table 3-7, Section 3.10.

3.2.4 Recommended Mitigation

Recommended mitigation measures for soils and terrain include:

- Develop and implement mitigation measures and controls provided in an Erosion and Sediment Control (ESC) Plan before any soil disturbance occurs. The ESC will address risks associated with soil and terrain, including erosion, stockpiling requirements, and will remain in place during construction and until soils have revegetated.
- Retain a qualified Environmental Monitor during construction. Implementation and authority for mitigation related to soils and terrain will be at the discretion of an environmental monitor who will adhere to a Construction Environmental Management Plan that will be in place prior to construction.
- Salvage topsoil and stockpile for use in restoration following construction. Topsoil that has been salvaged for restoration should be handled once during the first growing season and seeded with native grasses to minimize soil loss and weed encroachment. Any soil piles present on the Project Area will be inspected by the Environmental Monitor for regulated weeds. An Invasive Species Management Plan will be implemented if necessary.
- Topsoil stripping should be restricted to the construction envelope (i.e., only the area necessary to safely construct) and topsoil handling and re-handling should be minimized.
- Minimize potential disturbance caused by stockpiles. No stockpiles, whether topsoil or fill, will be stored within 20 m of Spring Creek or Policeman Creek or within areas of the property that are not already planned for disturbance.
- Prevent the loss of soil during wind or rain events. Stockpiles of any soils required to be brought onto the property should not exceed the volume necessary for construction. If stockpiles are to be kept for longer than one construction season, the stockpiles will be vegetated with native grass seed to reduce erosion or invasive plant encroachment potential. Short term stockpiles should be covered with tarps or wetted if dust plumes are observed leaving the property.

Mitigation measures recommended for the project are further described in Section 4.

3.3 Vegetation and Wetlands

3.3.1 Methods

Vegetation Communities

Vegetation communities and plants observed were recorded during field visits completed on October 2, 2019 and July 23, 2020. The field assessment included a species inventory (including weed species) and habitat delineation. Vegetation inventories were completed in each habitat type throughout the Project Area and the LSA. Vegetation communities are described based on their dominant species. The provincial guidance document *Stepping Back from the Water* (GoA 2012) was used as a guide when assessing vegetation communities along Spring Creek and Policeman Creek (Section 5.2.1). Representative photographs were taken throughout the LSA.

Vascular plant species observed during the vegetation surveys were classified as native, non-native, or invasive species using the following reference manuals:

- Flora of Alberta (Moss 1996);
- Plants of the Western Boreal Forest and Aspen Parkland (Johnson et al. 1995); and
- Weeds of Canada and the Northern United States: A Guide for Identification (Royer and Dickinson 1999)

Species listed as prohibited noxious or noxious weed species according to the *Weed Control Act* were identified and their level of infestation in each vegetation community recorded.

Rare and Sensitive Plants

A background review and directed surveys to detect rare plants was completed within the development footprint.

A desktop review was conducted using ACIMS (AEP 2019) and FWMIS (AEP 2021) to identify potential rare and at-risk plants that may be present within 5 km of the Project Area. The ACIMS list was cross-referenced with those listed as “At Risk” by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC 2019), those listed as “At Risk,” “May Be at Risk,” and “Sensitive” in the General Status of Alberta Wild Species (ESRD 2015b), as well as those listed in Schedules 1 to 3 of the federal Species at Risk Public Registry (GoC 2019).

Procedures for rare plant surveys were based on the recommendations and guidelines outlined in the Alberta Native Plant Council (ANPC) Guidelines for Rare Vascular Plant Surveys in Alberta – 2012 Update (ANPC 2012). A meandering rare plant survey completed throughout the LSA on July 23, 2020 focused on all proposed construction components and habitats of highest likelihood of occurrence for plants of conservation concern. The site visits were designed to verify and characterize ecosystem types present, document any sensitive species encountered, and record non-native species (weeds).

Weed Species

Weed species were recorded during surveys completed on October 2, 2019 and July 23, 2020 to identify regulated (GoA 2017b) and nuisance species that occur on the property.

3.3.2 Baseline Conditions

No sensitive species were identified from the desktop search ([Appendix C](#)). Representative photographs taken during the field visits are provided in [Appendix D](#).

The Project Area is located in the Rocky Mountain Region and the Montane natural subregion (Natural Regions Committee 2006). The Project Area consists of native upland, wetland, and riparian vegetation along the banks of Spring and Policeman creeks. The Project Area is comprised of the following vegetation communities:

- **Coniferous forest:** dominated by white spruce (*Picea glauca*), silverberry (*Elaeagnus commutate*), shrubby cinquefoil (*Dasiphora fruticosa*), willow (*Salix spp.*), kinnikinnick (*Arctostaphylos uva-ursi*) and several grass species (*Leymus innovatus*; *Poa palustris*). This community comprises a small proportion of the Project Area due to existing disturbance (fire) at the site but dominates the rest of the LSA, extending further into the RSA.
- **Tall shrub:** dominated by regenerating balsam poplar (*Populus balsamifera*), spruce, willow (*Salix spp.*), bluegrass (*Poa spp.*) and moss species. The tall shrub community is similar to the coniferous forest ecosystem, but less dense.
- **Low shrub-grass:** is likely the result of an historic fire based on the presence of fire scars at the base of mature trees and abundance burned woody debris (standing and fallen) throughout this area. Approximately 319.6 m² of this ecosystem is within 20 m of Spring Creek (i.e., riparian). Large portions of the open-shrub grass community are currently being used by the adjacent lease holders as horse pasture, as evidenced by the grazing of the willow and grass species. Horses have been contained to this ecosystem by an electric fence that is installed when horses are grazing and removed when they are rotated to another pasture (east and on an adjacent landowner parcel). Subdistrict D was observed to be heavily grazed in 2019 when the horses were present. No horses were present at the time of the field survey on July 23, 2020, which resulted in more

prominent cover of native species in 2020 compared to 2019. White spruce saplings less than 1 m in height are located throughout this community. This community is the largest ecosystem represented within Subdistrict D and will remain largely intact in its current condition following construction.

- **Shrubby swamp wetland:** dominated by shining willow (*Salix lasiandra*), wild rose, balsam poplar and turned sedge (*Carex retrorsa*). One shrubby swamp is located in the western portion of the Project Area, partially within proposed Subdistrict A. The natural subsurface water flow has been impounded in this area by an artificial berm extending due south from 3rd Avenue. The establishment of this shrubby swamp likely resulted from a combination of the constructed berm (located along the western boundary of the property) and historic beaver activity (causing regular flooding) in Spring Creek. Beavers and their structures have been removed from the system and no recent evidence of beaver activity was observed anywhere along Spring or Policeman creeks. The shrubby swamp is hummocky and vegetated throughout (i.e., no exposed mineral soils exist) and likely holds water in the spring and early summer during years with abnormally high-water tables. It is not likely that standing water occurs annually. In years with abnormally high-water tables, standing water likely only persists until water levels recede following freshet (i.e., spring runoff) because water levels in the shrubby swamp is likely hydraulically connected to the Bow River.

Total area represented by each vegetation community is presented in Table 3-1. Vegetation communities are shown on Figure 3-1. A complete list of vegetation species observed in the Project Area is provided in [Appendix C](#).

Table 3-1
Vegetation Community Proportions of the Project Area*

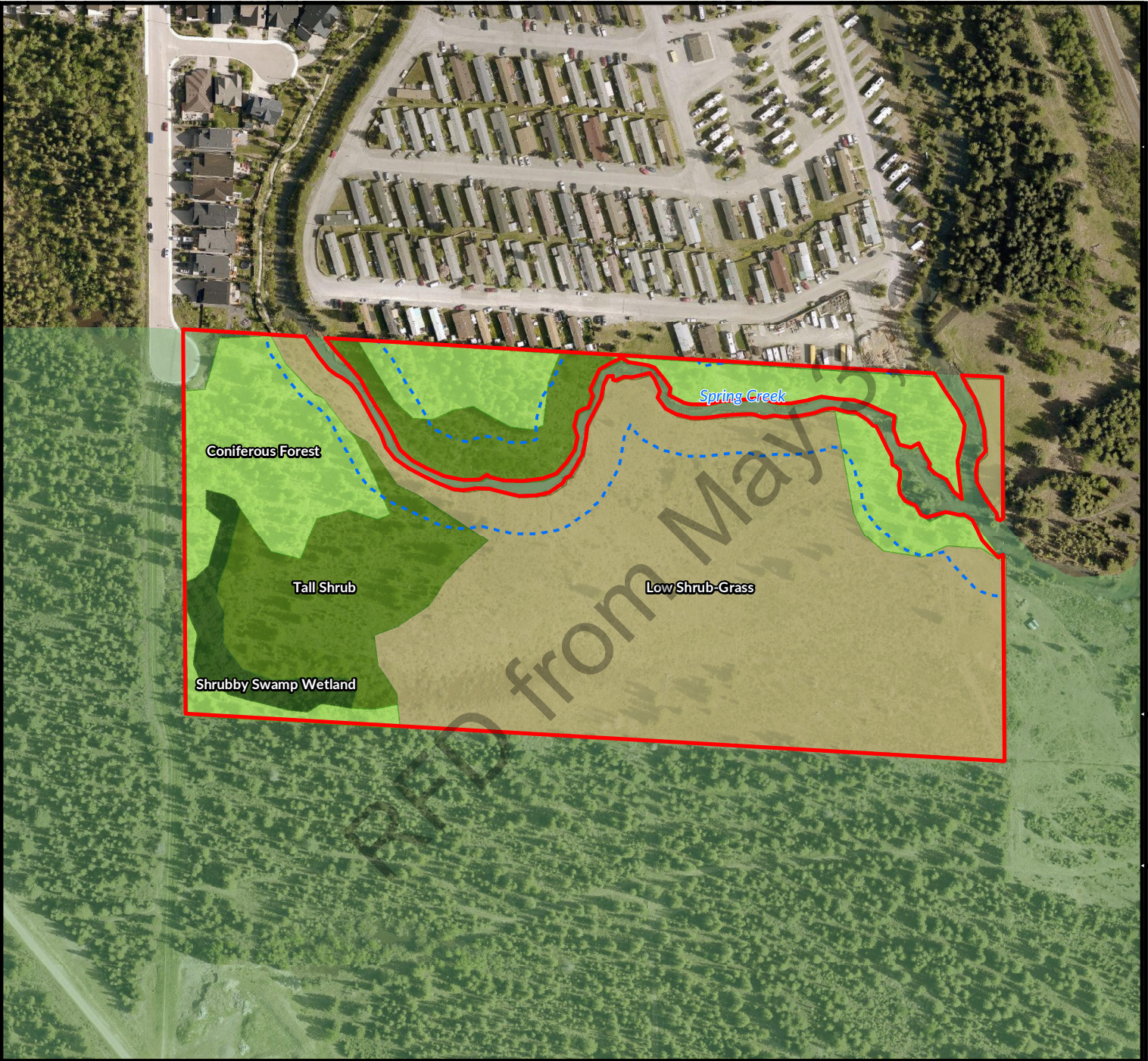
Vegetation Community	Total Area (ha)	Percent of Project Area
Coniferous forest	2.02	22%
Tall shrub	0.97	16%
Low shrub-grass**	4.96	54%
Shrubby swamp	0.25	3%
Spring Creek	0.45	5%
Total area	8.65	

*Area summaries are based on Conceptual Land Use Plan, ecosystem mapping in the field and do not include existing disturbance; summaries may differ from Appendix A.

**Approximately 1.8 ha (21% of the Project Area) is within 20 m of Spring Creek (i.e., riparian).

THIS DRAWING IS FOR THE USE OF THE CLIENT AND PROJECT INDICATED. NO REPRESENTATIONS OF ANY KIND ARE MADE TO OTHER PARTIES.

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- Legend**
- Habitat Patch
 - Site
 - Riparian Area
- Vegetation Community**
- Coniferous Forest
 - Low Shrub-Grass
 - Tall Shrub
 - Shrubby Swamp Wetland

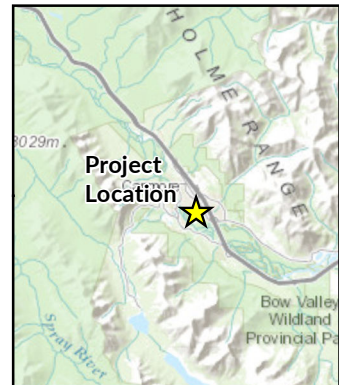


FIGURE 3-1
Vegetation Communities

3rd Avenue South Land

AE PROJECT No.	2019-8457
DATE	2020 AUGUST
SCALE*	1:3,000
COORD. SYSTEM	NAD 1983 UTM ZONE 11N
REV	1
DESCRIPTION	ISSUED FOR DRAFT
DRAWN BY	EC
CHECKED BY	WL

ESRI World Imagery; Esri, DigitalGlobe, GeoEye, i-cubed, USDA FSA, USGS, AEX, Geomapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community; Roads: Statistics Canada, 2018; Railway: Government of Canada, 2018; Hydrography: Altalis Ltd., 1996; Habitat Patch: Town of Canmore, 2020

The Town of Canmore requires that all developments adhere to their FireSmart guidelines (Montane 2018). Overall, the property is “Moderate-Low” FireSmart Hazard Level. Much of the property has been classified as “Cured-Grass” and the remaining classified as “Mature Spruce (C-2)⁴” wildland fuel types, which is consistent with the existing conditions. FireSmart activities will be applied to the property following guidelines from Montane (2018).

Several non-native species were identified in the Project Area, including dandelion (*Taraxacum officinale*), creeping thistle (*Cirsium arvense*), ox-eye daisy (*Leucanthemum vulgare*), tall buttercup (*Ranunculus acris*), alsike clover (*Trifolium hybridum*), timothy grass (*Phleum pratense*), quackgrass (*Elymus repens*), tumbling mustard (*Sisymbrium altissimum*), and common plantain (*Plantago major*). Most non-native species were confined to the existing berm at the western extent of the Project Area and included quackgrass, timothy, tumbling mustard, creeping thistle, dandelion, common plantain.

No rare plants, plant species at risk or rare plant communities were observed in the Project Area or LSA. No limber pine or whitebark pine were identified in the Project Area or adjacent areas.

3.3.3 Potential Impacts

Potential impacts to vegetation and wetlands from the proposed Conceptual Land Use Plan include:

- Disturbance to rare plants not observed during site assessments.
- Disturbance or fragmentation of native vegetation communities, including riparian ecosystems.
- Tree removal or shrub pruning to meet FireSmart requirements.
- Spread and introduction of regulated weeds or other non-native species.
- Introduction of non-native species such as ornamental grasses that require additional nitrates or phosphates for fertilizer may affect water quality.

Disturbance to Rare Plants

Rare plant surveys were conducted in all proposed or potential locations for construction. Rare plants are difficult to detect and may only occur for a short duration each year or may only germinate during specific climatic conditions (e.g., excessively wet seasons). Construction activities (e.g., vegetation or land clearing) may result in disturbance to rare plants that were not observed during the rare plant surveys. Mitigation proposed in Section 3.3.4 are intended to avoid or reduce potential effects on rare plants.

Vegetation Disturbance

Construction proposed for Subdistrict D will have a minimal impact on vegetation communities, with impacts being primarily associated with the development of the main residence, support outbuilding, and access road (Figure 3-2). Vegetation disturbance in Subdistrict D (total 0.37 ha) will primarily affect the low shrub-grass community that has historically been (and continues to be) used by the adjacent neighbour to the east to pasture horses. Grazing has occurred within Subdistrict D for at least 60 years (pers. comm. Kerry Kaleta) and although not currently planned, the proponent may desire to continue grazing in the future. Grazing has helped to maintain the low-shrub-grass community. If future grazing continues on the property, grazing will be managed using electric fences to avoid effects on riparian areas. It is expected that if grazing does continue, the low-shrub composition of this vegetation community will be maintained.

⁴ Mature Spruce (C-2) classification is considered by Montane (2018) to be within the “Extreme” FireSmart Area Hazard Level.

The Conceptual Land Use Plan would involve the clearing of approximately 0.92 ha of vegetation within the coniferous forest, tall shrub, low shrub-grass, shrubby swamp and riparian communities (Table 3-2). Long-term impacts of the land use in the Project Area may include the establishment or spread of invasive plant species into native communities. Following initial review by the Town, design updates in Subdistrict A have resulted in the reconfiguration of the proposed hospice to avoid the shrubby wetland.

Riparian vegetation in the Project Area has been affected by an existing human-use trail created by people walking along the banks of Spring Creek. Considering the long history of the Town of Canmore, this trail may have occurred many decades previous, long before the existence of the Town. The proposed construction of a bridge over Spring Creek to connect Subdistrict C to Subdistrict B will also result in approximately 326 m² (2% of total riparian in Project Area) of disturbance to riparian vegetation, fragmenting the contiguous nature of the riparian corridor for wildlife. The proposed bridge will be clear span, and just above grade on completion, which is not expected to affect wildlife movement. No evidence of disturbance from horses on riparian vegetation was observed during the site visits in 2019 or 2020; likely because of the temporary electric fences that are installed when horses are grazing in the area. Animal sign (e.g., tracks, pellets, browse) observed along the banks of Spring Creek originated from elk and deer. Willow and grass species have been browsed along Spring Creek, suppressing the growth of shrubs. No additional effects of the project on riparian vegetation is expected because the proposed land use will implement a 20 m setback along Spring and Policeman creeks.

Table 3-2
Proposed Project Effects on Ecosystems in the Project Area

Ecosystem Type	Total Ecosystem Area (ha)	Conceptual Design Footprint (ha)*	Percent of the Project Area
Coniferous Forest	2.02	0.44	24%
Tall Shrub	0.97	0.19	13%
Shrubby Swamp Wetland	0.25	-	-
Low-Shrub Grass**	4.96	0.29	6%
Spring Creek	0.45	-	-
Total	8.65	0.92	11%

*Includes driveways/roads.

**Approximately 1.8 ha (21% of the Project Area) is within 20 m of Spring Creek (i.e., riparian).

FireSmart Thinning

FireSmart mitigations and guidelines will be applied to each building. Combustible materials (e.g., trees and “ladder fuels”) will be removed within 10 m of any structures. Additional measures may be required in areas beyond 10 m including, but not limited to, thinning understorey woody species, pruning the boles of some trees to 2.0 m, or removing coarse woody debris (i.e., reducing fuel loads). Because the conceptual design may change before final design, the amount of vegetation that will be disturbed is not confirmed. The reconfiguration of the hospice in Subdistrict A will result in fewer trees removed because the new location (and its 10 m FireSmart setback) occupies more of the low shrub-grass vegetation community than its previous location (which was dominated by mature

spruce). Estimates based on the current conceptual design have been provided in Table 3-3 and are subject to change when designs are finalized.

RFD from May 3, 2022



**Table 3-3
Estimated Area of FireSmart Vegetation Disturbance**

Subdistrict	Conceptual Building Footprint	Estimated FireSmart Thinning Area*	Estimated Number of Trees Removed**
A	0.16	0.25	5
B	0.11	0.22	15
C	0.07	0.15	24
D	0.07	0.21	6
Total	0.42	0.82	50

*This is the area of 10 m setback and is not reflective of total vegetation disturbance. Some areas will not need to change from current condition.

**Estimate based on high resolution imagery. Actual areas and number of trees removed are expected to change once designs are finalized, and only trees required for removal will be cut.

Invasive Plants

Invasive species may be introduced, may expand their current level of infestation, or may be transported off of the Project Area to other locations, as a result of construction or operation of the Project. Several non-native species were identified along the berm at the western boundary of the Project Area and throughout the LSA, along the designated and non-designated multi-use trails.

With the implementation of mitigation measures, effects on vegetation and vegetation communities can be avoided or reduced. The proposed land uses are expected to have a **negative** and **low** impact on vegetation and wetlands in the Project Area. Confidence in this prediction is **predictable**.

Environmental effects to vegetation and wetlands are summarized in Table 3-7, Section 3.10.

3.3.4 Recommended Mitigation

Recommended mitigation measures for vegetation and wetlands include:

- Develop and implement a Construction Environmental Management Plan that addresses management practices that avoid or reduce effects on vegetation. Minimizing construction disturbance areas and avoiding disturbance to the shrubby wetland and areas within 20 m of Spring and Policeman creeks (except in areas necessary for the bridge crossing) should be addressed in the plan.
- Offset the removal of some of the trees on the property by planting trees to replace them. Replacement should be 1:1, but of a species that is not considered a wildfire risk (e.g., plant cottonwood instead of spruce).
- Improve the erosion resiliency of Spring Creek's riparian area by planting native shrubs or trees along the south (left) bank of Spring Creek within 20 m of the stream high-water mark.
- If grazing continues on the property, isolate grazing activities from Spring and Policeman Creek by installing electric fencing outside the 20 m setback of the streams. Monitoring the fences regularly during grazing and remove the electric fence when grazing stops.
- Minimize the extent of the construction footprint to reduce impacts on vegetation, in particular rare plants that may be growing, or in the soil seedbank, on the periphery of construction.

- Native vegetation should be left undisturbed wherever possible except for those activities required for construction (e.g., land clearing or FireSmart).
- Implement restoration activities that use native plants in areas where construction is complete to meet objectives set out in the Town of Canmore land use bylaws and prevent wind or water erosion issues.
- Post signage that educates construction personnel and other individuals that may access the Project Area about the importance of not spreading invasive vegetation on or off the site. Signage should include information about the risk of invasive plant spread into the SCLHP.
- Manage non-native and regulated weed species within the Project Area prior to initiating construction to prevent the spread of these species.
- Implement WildSmart and FireSmart mitigations and guidelines for the Town of Canmore (Montane 2018).

Mitigation measures recommended for the project are summarized in Section 4.

3.4 Wildlife and Wildlife Habitat

3.4.1 Methods

Background Review

Wildlife and wildlife habitat near the LSA have been studied in previous applications to the Town or in related studies (e.g., Golder 2017, Edwards 2013, MSES 2019, Corvidae 2018, BCEAG 2012, TERA 2012). Wildlife information gathered during those studies or projects was used to inform this EIS. Wildlife species identified in other studies or projects were reviewed and included in this EIS if suitable habitat exists in the LSA and the species has potential to be affected by the project. Wildlife and wildlife habitat (including species at risk) was assessed by identifying wildlife species that have potential to be affected by the project based on the habitat suitability of the property.

As part of the wildlife and wildlife habitat assessment, relevant studies, literature, and data were reviewed, including but not limited to:

- Home Ranges, Resource Selection, and Parasite Diversity of Urban Versus Rural Elk (*Cervus elaphus*) - Master Thesis (Edwards 2013).
- Calgary Canmore Areas Aerial Winter Elk Survey 2008 (ASRD 2008).
- Connectivity of Elk Migration in Southwestern Alberta - Master Thesis (Paton 2012).
- Spatial and Temporal Dynamics of Wildlife Use of a Human-Dominated Landscape (Hojnowski 2017).
- Spatio-temporal Patterns of Wildlife Distribution and Movement in Canmore's Benchlands Corridor (Miistakis 2010).
- Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (BCEAG 2012).
- Recommendations for Improving Human-Wildlife Coexistence in the Bow Valley (GoA 2018).
- Recommendations for Trails and Management of Recreational Use for the Town of Canmore: South Canmore and West Palliser (TERA 2012).
- Spring Creek Land Exchange EIS (Matrix Planning and Wildlife & Company 2003)
- Environmental Impact Statement for the Resort Centre Area Structure Plan Amendment (Golder 2017).
- Environmental Impact Statement Addendum WMC Expansion Project (MSES 2019).
- Bow Valley Bear Hazard Assessment (Honeyman 2007).
- Cougar Occurrence Summary 2000-2018 (Alberta Government 2019).
- Fish and Wildlife Internet Mapping Tool (FWIMT) (ESRD 2019).

- Species at Risk Public Registry (GoC 2019).
- Camera-trap data for the SCLHP available between 2008 and 2017 (FWMIS 2021).
- Various additional reports and information related to the species of interest for the Project.

A search of the FWMIS database was completed to identify known occurrences of wildlife and wildlife habitat (e.g., nests, dens, hibernacula) that have been recorded in the RSA. The search was conducted for a 5 km radius around the Project Area. A desktop review of available public data was completed and a comprehensive list of wildlife species with potential to occur in the Canmore region was reviewed (Golder 2017). MSES (2019) presents a refined list of wildlife species that were detected within 1 km of the Project Area. The wildlife species list (MSES 2019) was cross-referenced with the Alberta Wild Species Status, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), and the *Species at Risk Act* (SARA) registry lists to verify their conservation status (AEP 2015, GoC 2019a and GoC 2019b).

Interviews with regional AEP biologists responsible for the Bow-Crow District were conducted to gather information about wildlife use and occurrence in the SCLHP and ensure that all publicly available wildlife data was being included in the EIS. Camera-trap data for the SCLHP and available collar data in the RSA were provided by AEP following the interviews.

The Strava online data tracking application was used to detect relative use of the SCLHP and the Project Area by the public. Strava is a tool used by serious recreationists (e.g., skiers, cyclists, runners who want to track their distance over time) to collect and track their data and share it with a global community. Strava represents a portion of the public and is not a representative sample of the public; however, it can be used to show presence/non-detection of the public use of the land.

Alberta Environment and Parks (AEP) has been conducting remote camera trap studies in the Bow Valley around Canmore. One of the camera traps is located within the SCLHP and data from that camera was reviewed. The camera trap is located immediately north of the braided floodplain of the Bow River, in the southeastern corner of the SCLHP (UTM 11 616667E, 5659195N).

Field Surveys

Wildlife surveys completed in the Project Area were designed to characterize habitat suitability for those species likely to occur in the LSA. The surveys followed provincial protocols outlined in the Sensitive Species Inventory Guidelines (ESRD 2013). A meandering transect was completed on July 23, 2020 that focused on general wildlife habitat suitability, breeding bird potential, and raptor nests in the LSA. The meandering transects intersected all ecosystem types in the Project Area, including areas where high density of wildlife sign was anticipated (e.g., areas that provided important forage, cover, or resting habitat). Wildlife presence/detection, habitat use, and habitat features within the LSA were recorded. Habitat use was determined by the presence and relative density of wildlife sign observed during the surveys. Tracks, scat, pellets, beds, game trails, and browse were the primary indicators of wildlife use in the LSA. No wildlife features (e.g., dens, burrows, nests) were observed during the meandering transect.

A follow-up, winter wildlife survey was conducted on January 14 and 15, 2021 to characterize wildlife habitat suitability and relative wildlife use during their most limiting season (winter). A meandering transect was conducted and wildlife sign (e.g., tracks, pellets, scat, rubs, beds, cratering, scrapes, and browse) and relative wildlife habitat use was recorded. At the time of the survey, snow depth was 15-20 cm deep with relatively soft snow conditions (10-15 cm foot penetration in consolidated base with 0.5 cm of fresh powder on top) that allowed observers to identify tracks from both large mammals (e.g., ungulates) and small mammals (e.g., mice, voles). The survey was completed at least six

days since the previous snowfall, which provided suitable winter tracking conditions and excellent conditions to assess habitat selection during periods of deep and shallow snowpack.

Habitat Fragmentation and Patches in SCLHP

Habitat fragmentation was evaluated by delineating existing disturbance in the SCLHP using available ortho-imagery and ArcGIS software. Linear and non-linear disturbance was identified and mapped, and interior patch availability was measured using the ArcGIS Spatial Analyst Euclidian straight line distance tool. Interior patch availability (i.e., distance to human disturbance) was defined as the distance that a wildlife individual would have from the nearest human disturbance and was a relative measure of disturbance or security.

3.4.2 Baseline Conditions

3.4.2.1 South Canmore Local Habitat Patch

The Project Area is partially located within the SCLHP (Figure 2-1). Habitat patches are defined as areas that “likely meet the food, rest, security, and water needs of species for short periods of time while negotiating the corridor network toward larger regional habitat patches”. For the SCLHP, larger regional patches exist to the east (Bow Flats Habitat Patch) and to the west (Georgetown – CNC Habitat Patch) via connecting corridors and local habitat patches that are highly fragmented by human development (Figure 1-2). The Wildlife Corridor and Habitat Patch Guidelines (BCEAG 2012) recommend that the size of a Local Habitat Patch must be sufficient to meet the minimum security needs for a female grizzly bear, which is 4.5 km² (Gibeau et al. 1996) with a minimum width of 1.2 km. The 2012 BCEAG guidelines suggests that new human development should not be allowed within patches that are less than 4.5 km². BCEAG (2012) outlines preferred configurations for the shape, size, and location of wildlife corridors and habitat patches.

Recommendations in the Human-Wildlife Coexistence report for the Bow Valley states that if development is to be considered in the SCLHP, development should be directly adjacent to existing development to limit further fragmentation and planned in a manner that limits wildlife-human conflict (GoA 2018). The Conceptual Plan situates development in the northern periphery of the Project Area and buildings have been configured to avoid or reduce effects on wildlife.

When considering the scale at which wildlife in the Bow Corridor move (e.g., 4.5 km² or larger home range), and based on the general principles described for the preferred shape of a habitat patch (i.e., the SCLHP is the least favourable shape) (BCEAG 2012), the SCLHP in its entirety can be considered a cul-de-sac shape, or even a dead-end that terminates in high density urban setting for wildlife, when considering wildlife movement from east to west.

The SCLHP is adjacent to the Tipple Wildlife Corridor, a narrow, highly disturbed strip of land that connects the SCLHP to the Three Sisters Along Valley wildlife corridor to the south. A ‘conceptual wildlife corridor’ exists on the eastern boundary of the SCLHP and is intended to connect the SCLHP across Highway 1 to the Bow Flats Regional Habitat Patch to the east (Figure 1-2; BCEAG 2012). This conceptual corridor has no infrastructure to accommodate wildlife movement, and as a result, the SCLHP is functionally isolated from the Bow Flats Regional Habitat Patch, except for a narrow underpass beneath the crossing of Highway 1 over the Bow River (BCEAG 2012, Jacques Whitford Limited 2008). This underpass may facilitate wildlife movement between the habitat patches during seasons with low water volume in the Bow River.

Existing Disturbance

The SCLHP is fragmented, isolated, and may be considered a dead-end habitat feature; any large-ranging wildlife such as grizzly bears or wolves entering the SCLHP from the south or west are impounded to the north and east of the

SCLHP by the Spring Creek Development and Highway 1/CP Rail corridors, respectively. The total area of the SCLHP is 1.8 km² and under 0.9 km at its widest. These areas do not meet the minimum recommended size for a local habitat patch (BCEAG 2012) and may be more suitable as a wildlife corridor for medium-sized mammals, such as coyotes or lynx (Matrix Planning and Wildlife & Company 2003).

Based on disturbance mapping using 2017 ortho-imagery, approximately 5.3 km of linear features exist in the SCLHP, amounting to a linear feature density of 2.9 km/km². Using 2009 imagery, the BCEAG (2012) estimated the total length of linear features in the SCLHP to be 12.3 km, for a linear feature density of 6.8 km/km². The discrepancy between the two estimates may be a result of variations in mapping methods, image resolution, or map scale.

The Project Area is a privately-owned parcel partially within the SCLHP. Public users of the SCLHP have been detected using the Project Area for walking, cycling, hiking, snowshoeing, and skiing. The Canmore Nordic Center is situated south of the Project Area and is an area of high human use in the winter. Human use is concentrated in the north western portion of the SCLHP, along the major trails that are designated for hiking, walking, and cycling. Numerous trails, roads, and old buildings are scattered throughout the SCLHP, fragmenting the landscape south of the Project Area. The south eastern portion of the SCLHP is relatively less fragmented, although it is laced with non-designated trails that are used in all seasons, particularly in the winter, which is a sensitive season for wildlife.

Based on disturbance mapping using 2017 ortho-imagery, the SCLHP has been fragmented by human disturbance into 9 distinct patches. Analysis of this fragmentation resulted in a maximum distance from physical human disturbance (e.g., roads or trails) for wildlife being approximately 400 m at anytime while using the SCLHP (Table 3-4). Wildlife using the Project Area are always subjected to some form of sensory disturbance (e.g., Highway 1, CP Rail, Heliport, dog walkers, trail users).

Table 3-4
SCLHP Fragmentation, Patch Size, and Interior Habitat Availability

Patch Count	Patch ID ¹	Patch Area (ha)	Interior Habitat Distance ² (m)
1	1	11.3	238
2	2	23.7	220
3	3.1	5.2	87
4	3.2	18.6	140
5	3.3	3.0	55
6	4	75.9	400
7	5	1.2	30
8	6	6.2	70
9	7	19.9	220
Total		165.0	-

¹ Patch ID relates to the number of patches since the SCLHP was established (i.e., it was established with 7 patches, and Patch number 3 has been fragmented twice since).

² Interior Habitat Distance is the furthest distance (estimated using ArcGIS Euclidian straight line distance tools) available inside a patch from disturbed habitat. Data are based on 2017 ortho imagery.

The Waste Transfer Station and Waste Management Centre and their two access roads (oriented east-west) further fragments habitats in the broader landscape south of the Project Area. Regular heavy and light vehicle traffic is a common and ongoing disturbance along these roads during operational hours, which may deter large carnivores (e.g., cougar) from entering the SCLHP any further north. A ranchland property located south of the Waste Transfer Station is surrounded by wooden fencing, presumably to contain horses, and may isolate some wildlife species such as bears from accessing the property.

Although the Canmore Community Monitoring Report (Town of Canmore 2017) states that a number of trails were closed and rehabilitated to prevent use of non-designated trails, there is evidence that non-designated trails, including non-trails (i.e., hiking off-trail), are being used by the public throughout the SCLHP and the Project Area. During all of the field surveys, human use was documented throughout the SCLHP and Project Area. Sign of cycling, hiking, on-and-off leash dog walking, skiing, and snowshoeing on non-designated trails were activities observed or detected during the three visits that were completed. Although educational signage may be encouraging some of the public to use designated trails, the non-designated trails in the SCLHP and the Project Area are still being used for recreation by the public.

Figure 3-3 presents a “heatmap” generated from a data collection application called Strava⁵. In the heatmap, each user leaves a GPS track. The track becomes brighter with each additional user. The most highly used trails appear wide and orange-white, while less frequently used trails appear dull purple (Figure 3-3).

⁵ Strava Heatmaps are regularly growing with continued use and map human use over time. Strava can be accessed at: <https://www.strava.com/heatmap#13.68/-115.35866/51.07426/hot/all>

The Strava heatmap shows a high degree of human use in the Project Area and throughout the SCLHP. The evidence of use presented by Strava shows a relatively lower amount of incursions into the Project Area; however, it is important to note that only serious recreational users upload data to Strava, and these data are not representative of the larger population of casual users who may be dog walking or hiking (i.e., far more trail users are likely to not use Strava, than are likely). During the site visit in January 2021, a total of eighteen trail users were asked if they were currently or had previously used Strava in the area. None of those questioned reported using Strava, and only four of those questioned were aware of Strava or its use.

Sensory disturbance (noise) originates from many sources adjacent to, and from within, the SCLHP. Most notably, Highway 1 and the CP Rail line present persistent, regular background noise from vehicles and trains traveling through Canmore. In all portions of the SCLHP visited during the field visit in 2021, noise from Highway 1 and CP Rail was present and constant. Both CP Rail and Highway 1 are primary east-west transportation corridors for vehicles (estimated at 21,500 vehicles per day) and trains (40 trains per day; 1.7 trains/hour) traveling through Canmore (Alberta Government 2019). Additional sources of noise that could be considered disturbance to wildlife include:

- Alpine Helicopters Heliport (frequent from approaching, departing, and maintenance of helicopters);
- Waste Transfer Station and Waste Water Treatment Plant (noise from vehicles accessing the sites);
- Waste Transfer Station (noise from back-up warning alarms on large vehicles); and
- Construction noise originating from the Spring Creek expansion occurring to the north.

Section 3.7 discusses existing land use, resources, and the impact of those on the Project Area in further detail.

3.4.2.2 Wildlife and Species at Risk

Based on the location and habitat suitability of the LSA relative to Canmore as a whole, wildlife data from the Bow Valley and relevant reports, existing disturbance in the area, large mammals that have the potential or have been reported to use the LSA and SCLHP include black bear (*Ursus americanus*), grizzly bear (*Ursus arctos*), wolf (*Canis lupus*), coyote (*Canis latrans*), cougar (*Puma concolor*), deer (*Odocoileus* spp), moose (*Alces alces*), and elk (*Cervus elaphus*).

Results of a search of the FWMIT data base indicated that fourteen fish and five wildlife species have been detected in the LSA (AEP 2018). No species at risk have been reported within the terrestrial LSA; however, following an interview with regional biologists, observations of barred owl (*Strix varia*; provincially listed as “Sensitive”), grizzly bear (provincially listed as “At Risk” and federally listed under Schedule 1 of the Species at Risk Act as Special Concern) and Canadian toad (*Anaxyrus hemiophrys*; provincially listed as “May Be At Risk”) have been reported in the SCLHP. Appendix E presents the results of the FWMIT species search for the project.

During field surveys, evidence of use by large carnivores (e.g., bear, wolf, cougar) was assessed by looking for sign (e.g., hair snagged on barbed wire, rubs on large trees, claw marks on trees, scat, tracks). Using concepts developed in Mowat and Stroebeck (2000), a survey of the existing barbed wire fence located throughout the SCLHP was completed. The hypothesis was that if large carnivores crossed the fence line, they may leave evidence in the form of hairs snagged on the barbs. Only elk hair (differentiated from bear, cougar, or wolf hair by colour, texture, and professional experience) was observed snagged out of over 2 km of barbed wire that was surveyed.

Camera trap data were reviewed, and all available data were summarized. Table 3-5 is a summary of the wildlife species detected on the cameras between 2011 and 2017.

Table 3-5 Wildlife Species Captured in Game Cameras in SCLHP¹

Species Guild	Common Name	Scientific Name	2011	2015	2016	2017
Bird	Common Raven	<i>Corvus corax</i>				1
Carnivore	Cougar	<i>Puma concolor</i>			3	
	Coyote	<i>Canis latrans</i>			20	7
	Grizzly bear	<i>Ursus arctos</i>			6	
Ungulate	Moose	<i>Alces alces</i>			1	
	Wapiti (elk)	<i>Cervus elaphus</i>		44	12	1
	Mule deer	<i>Odocoileus hemionus</i>		3		
	White-tailed deer	<i>O. virginianus</i>		2	3	
Small Mammal	Marten	<i>Martes americanus</i>				2
	Red squirrel	<i>Sciurus vulgaris</i>			13	1
	Red-tailed chipmunk	<i>Neotamias ruficaudus</i>			1	
	Snowshoe hare	<i>Lepus americanus</i>			6	1
Total count			0	50	65	13

¹ Captures do not indicate number of individuals but number of images with that species. One individual may be captured multiple times.

Large Carnivores

Portions of SCLHP are highly valuable for wildlife, whereas others are either highly used by people (e.g., Waste Water Treatment Plant, recreational trails throughout) or provide dead-ends to wildlife movement (e.g., Spring Creek development) (pers. comm. Brett Boukall, AEP Regional Biologist). In a recent study comparing wildlife response to human interaction, Hojnowski (2017) found “strong evidence that animals responded to recreation over extended periods (e.g., two weeks), rather than simply real-time (daily) human use”, suggesting that regular human use tends to deter use by wildlife. The SCLHP is clearly used by recreational users in all seasons, during daytime and nighttime hours, for a multitude of activities ranging from off-leash dog walking, to skiing and cycling.

Large carnivores that are known to use habitats that occur in the LSA include: grizzly bear, black bear, wolf, coyote, and cougar. Existing information suggests that the LSA is a low-use area for carnivores because the area is highly disturbed by human development and sees regular human recreational use (TERA 2012; MSES 2019; Alberta Government 2019; GoA 2018; Hojnowski 2017). The following subsections discuss potential interactions between the project and large carnivores and any associated uncertainty. Mitigation provided in Section 3.4.4 is expected to reduce or avoid effects on large carnivores if they do occupy habitats near the LSA.

Grizzly Bear

Grizzly bears are omnivorous and select certain habitats based on the availability of forage, seasonal requirements, and proximity to human disturbance (Hojnowski 2017). Seasonally, grizzly bears will forage for berries in the fall in preparation for hibernation, hunt for newborn ungulates in spring, and forage opportunistically on forbs and

graminoids during the summer. Winter seasons are spent hibernating, in both mountainous and plateau terrain, well away from human disturbance. Den site fidelity is high (Ciarniello et al. 2005). The home range for a female grizzly bear is 4.5 km² and given that the SCLHP is only 1.8 km² (BCEAG 2012) it likely provides limited, short term habitat requirements for grizzly bears. Recent work into fine-scale habitat selection by grizzly bears has shown that grizzly bears select habitats in response to the degree of spatial and temporal disturbance caused by humans, and found that although grizzly bear habitat use “overlapped broadly with human activity, analysis of disturbance... suggested that bears made fine-scale behavioural adjustments to avoid the times and places of highest recreation intensity” (Hojnowski 2017).

Extensive work has been completed in the Bow Valley to monitor and reduce hazards associated with human-bear interactions. Bear-proof bins, changes to municipal bylaws, passive and active management, and bear attractant management (e.g., fruit-bearing tree and shrub removal) are methods that have been implemented by wildlife managers since 2000 (Honeyman 2007, GoA 2018). Recent and ongoing management tools (e.g., attractant management, public awareness) is expected to continue to reduce the potential for human-bear conflicts.

The Project Area and SCLHP provide suitable seasonal forage requirements for grizzly bear in the form of grazing. Hunting for newborn ungulates, an important food source for grizzly bears in spring, is less likely in the Project Area, because calving ungulates (e.g., elk, moose) have been known to use the island in the Bow River west of the Project Area for security during calving. Suitable and abundant early-season forage for grizzly bears to meet their energetic needs in spring is available in the southeastern portion of the SCLHP along the braided floodplain area and south of the Bow River along golf courses.

Although suitable habitat exists in the SCLHP for grizzly bear, the habitat is less functional due to the amount of existing and ongoing human disturbance than other habitats adjacent to the south of the SCLHP. Only six images of grizzly bear have been captured on game cameras in the SCLHP since 2011, and it is unclear if those observations originated from a single individual or multiple individuals (i.e., all observations were in 2016; Table 3-5). Anecdotally, grizzly bears have been known to use the southern portion of the SCLHP for forage on vegetation, but do not stay long, presumably due to the high amount of human use in the SCLHP (pers. comm. Brett Boukall, AEP Biologist). The southeastern tip and braided floodplain in the southeast of the SCLHP may provide forage and rest for grizzly bears, although human use is quite common in this area as well and may deter extended use by grizzly bears. The primary source of mortality for grizzly bears continues to be associated with transportation corridors (i.e., collisions along CP Rail and Highway 1) and less often with management interaction (e.g., destruction by wildlife management officials) (GoA 2018).

Black Bear

Habitat requirements for black bears are similar to those of grizzly bears, although black bears are more tolerant to human use and disturbance than grizzly bears (Honeyman 2007, GoA 2018). In support of this declaration, Honeyman (2007) reports three times as many black bear interactions with humans than grizzly bear. Most of these interactions occurred during the berry season on the south side of the Bow River, near the Stewart Creek golf course and Canmore Nordic Centre. In response, the Town of Canmore has implemented berry removal programs to deter bear foraging near the Town site, including areas in the SCLHP. No berry producing shrubs were identified during studies within the Project Area; however, suitable graminoid and forb forage does exist. Hojnowski (2017) found that in areas where off-leash dogs accompany their owners, black bears were less likely to occupy those areas.

Ancillary mitigation conducted by the Town of Canmore includes installing bear-proof garbage bins, bylaw amendments, and fruit-bearing tree and shrub removal to reduced negative interactions between black bears and humans (GoA 2018). With attractants being managed by the Town of Canmore, the historic, current, and ongoing

recreational, residential, and industrial disturbance observed in the northern portion of the SCLHP (including the Project Area) will also reduce the potential for black bear and human conflict in the SCLHP. No black bears were captured during camera traps deployed in the SCLHP; however, black bears may use habitats in the SCLHP for forage or resting.

Wolf

Telemetry data on GPS collared-wolves interacting with both the Town of Banff and Town of Canmore indicate clear avoidance by wolves of townsites, while demonstrating large, long distance movements along low-elevation habitats throughout the Bow Valley (GoA 2018). The Fairholme wolf pack has been reported to occupy habitats in the Bow Valley, primarily north west and north of the Town of Canmore. With a long history of persecution by humans, wolves have become sensitive to human disturbance (Hojnowski 2017), and the year-round, high volume of human use in the SCLHP (off leash dog walking, skiing, running, biking) would likely deter any wolves from entering or spending significant time the habitat patch (GoA 2018). In a study just south of the SCLHP (Hojnowski 2017), camera traps recorded wolves in fewer than 1% of the images (<100 images of 6,948 total, over 36,145 camera-trap days). Recent and ongoing management tools (e.g., attractant management, public awareness) is expected to continue to reduce potential conflict between wolves and humans.

Cougar

Cougars are habitat generalists and select their habitats in response to the availability of their primary prey species, deer, and opportunistically elk or moose. Deer, elk, and moose are known to use habitats in the SCLHP for forage, security, and rest, which may attract individual cougars into the SCLHP from adjacent habitats. Cougar are known to be very cryptic, although recent research has shown that some individuals may occupy habitats near human development (Alberta Government 2019). Often, these occurrences near human development are associated with cougars being attracted to the area by small pets. Images of cougar were captured on three occasions in the SCLHP in 2016; however, it is unclear if the images were of the same or multiple individuals.

Cougar home range varies in size between sexes, with females occupying territories ranging between 62 km² and 412 km² and males occupying territories between 221 km² and 1,311 km² (Alberta Government 2019). In comparison, the SCLHP is 1.8 km², which does not meet the home range needs for cougar; therefore, it is assumed that the primary range for cougar will be outside the SCLHP with only incidental occurrences within the SCLHP.

The Government of Alberta reported on cougar occurrence in the Bow Valley between 2000-2018 and ranked location zones within their study area based on number and severity of cougar interactions with humans. Despite relatively robust cougar populations in the Bow Valley, rates of conflict between cougar and humans are relatively low (GoA 2018). The Project Area (identified as South Industrial, Alberta Government 2019) was ranked as Low occurrence. Hojnowski (2017) found that hikers and off-leash dogs were negatively associated with cougar, elk, and deer (cougar's primary prey species) habitat use, and that cougar overlapped the least with human activity of all large carnivores in the study.

Based on available information, cougar may enter the SCLHP in pursuit of potential prey but are not likely to spend time in the SCLHP, due to the small size of the SCLHP and the amount of human disturbance, in particular the concentrated recreational activities in the northern portion of the SCLHP, including the Project Area. Public awareness campaigns currently in place are expected to continue to reduce potential future conflicts between humans and cougars.

Coyote

Coyotes use habitats in the SCLHP. Sign of coyote (i.e., tracks, scat, kill site) was detected throughout the SCLHP and most prominently in areas with dense, coniferous canopy cover, such as is found in the east-central portion of the SCLHP. Recent studies have shown that coyotes and humans can coexist with very little conflict. Off leash dogs have been shown to displace coyotes (Hojnowski 2017), likely because off leash dogs present a mortality risk to coyotes. Roads and trails were extensively used by coyotes in a camera trap study conducted in similar habitats to those found in the SCLHP (Hojnowski 2017).

Based on evidence collected during the winter track survey, trails and roads appeared to be used primarily for travel, while dense coniferous understorey habitat was found to have areas of higher use for hunting and investigating. Although no den sites or sign of denning was detected, the relatively undisturbed portions of the east central SCLHP may be used for denning. Coyotes have been reported to follow or stalk dogs on and off leash, and some records of coyotes biting children; these instances are attributed to food-conditioned, individual coyotes (GoA 2018). Attractant management and public awareness campaigns are expected to continue to reduce the potential for human-coyote conflicts.

Ungulates

Ungulates detected on the property include deer, moose, and most prominently, elk. In general, elk largely choose areas of forage availability, followed by areas of lower development, and lower slope. Attractants for elk include urban areas with large green spaces or open forested habitat that provide forage and security from predators (GoA 2018). Elk were shown to select habitats in the valley bottom over the steeper valley slopes of the Bow Valley and are known to occupy habitats in the LSA. Elk showed the strongest overall selection for habitats near existing residential developments, which is attributed to a reduction in mortality risk due to predation (Edwards 2013).

In a three-year study from 2000 to 2003, eleven elk were captured and radio-collared in the 'Canmore Corridor', an area that includes the Town's municipal boundary (Matrix Planning and Wildlife Company 2003). This study noted that:

- Approximately half of the radio-collared Canmore elk appeared to be non-migratory.
- Few elk movements were detected from the Bow Flats Natural Area across Highway 1A onto the Canmore Benchlands.
- Most elk use of the Benchlands occurred between Harvie Heights and SilverTip by elk with home ranges centered west of Town (including Banff National Park).
- Elk calving was focused around the Bow River Valley, on the island in the Bow River in the SCLHP, Three Sisters property, Wind Valley, and Pigeon Mountain.

Previous tracking and aerial survey information indicate that three spatially distinct elk herds are present in the greater Bow Valley area comprising the Bow Valley Provincial Park, Dead Man's Flats and the Canmore Townsite (Edwards 2013). Previous studies indicate that the local Canmore elk herd is part of a larger herd whose range extends from the Banff Park gates to the Stony Nation. Habitat in the valley bottom is most strongly selected by elk and they tend to show the strongest overall selection for habitats in lower elevations and level areas (river floodplains, open fields, developed areas) and near existing residential areas. Spring is an important season for elk as it signifies their calving season. Calves are at risk to predation by carnivores (e.g., wolf, bear, cougar) during this season, and in response, elk have adapted to select remote areas with good sightlines to avoid predators. Islands in the middle of rivers have been documented to provide suitable elk calving conditions, as have open forested habitat with limited disturbance (GoA 2018; Edwards 2013).

Data collected from field investigations during the growing season indicate that the Project Area and LSA are not as highly selected for by elk as they are deer. During a field visit completed on October 2, 2019, ungulate sign from elk and deer was observed, including trails, pellets, and tracks. Most tracks and pellets were from deer species, and a small amount of elk pellets and tracks observed within the Project Area, along the southern boundary. As part of the meandering survey completed on July 23, 2020, some elk and deer tracks were observed in the Project Area, with most tracks observed in the coniferous forest areas to the west and south of the Project Area. Very little sign was observed in either the Project Area or the LSA. Various game trails were observed in the LSA in the coniferous forest communities to the south and west of the property. Two well-used ungulate trails, with predominantly elk and deer tracks, were observed along the southern boundary of the property along the treeline. Additional deer and elk tracks were also observed along the bank and shore of Spring Creek; however, the elk sign was largely attributed to movement. Most tracks and scat observed within the Project Area was from horses, which were not present on the property at the time of the survey.

During winter track surveys in 2021, elk sign (e.g., grazing, browse, beds, tracks, pellets, chewing on boles of deciduous trees) was common throughout the SCLHP, with relatively less sign in the Project Area. Beds, pellets, and tracks of elk walking were observed in the Project Area, indicating that the Project Area provided rest and security from predators during the winter. Based on elk sign (i.e., tracks, pellets, sign of grazing), the existing Waste Transfer Station and Waste Water Treatment Plant south of the Project Area did not appear to affect elk movement from east to west, or from north to south; elk tracks were observed traveling past these facilities and cratering (i.e., areas where elk had used their hoof to expose grasses) was abundant along the margins of all roads in the SCLHP.

The highest concentration of elk sign was in the south eastern portion of the SCLHP, near the braided floodplain area that is predominantly graminoid and shrub species. Six elk were observed grazing in this area on January 15, 2021. Beds and abundant cratering and browse on shrubs was observed throughout the floodplain, indicating that this area provides forage, rest, and security from predators in all winter conditions (i.e., deep and shallow snowpack). The snowpack on January 15, 2021 was shallow, ranging between 15 and 20 cm in depth. Very high browse was observed on shrubby species (e.g., willow) in the floodplain area, indicating heavy reliance by elk or moose on the floodplain area over multiple years, in variable snowpack conditions, including when the snowpack is too deep to crater for grasses. Habitat throughout the rest of the SCLHP was also used by elk, primarily for walking and forage. This evidence supports anecdotal reports that the south eastern portion of the SCLHP may provide higher suitability habitat than the Project Area, based on the amount of use observed over many years. A large, open area immediately adjacent to the CP Rail line was used heavily for bedding and forage by elk, supporting the reports that elk in the SCLHP are not easily disturbed by human use when considering that trains pass through Canmore on average of 1.7 trains per hour (Alberta Government 2019).

Given that the Conceptual Land Use Plan is located in a portion of the SCLHP that is not currently or historically heavily relied on by elk during their important seasons (e.g., calving, wintering occurs in other locations of the SCLHP), the project is not expected to have a significant impact on elk or their use of habitats in the SCLHP.

Mitigation provided in Section 3.4.4 is expected to reduce or avoid effects on ungulates and their habitats.

Birds

A number of bird species that are particularly sensitive during the nesting season have potential to use habitats that occur in the LSA. Common bird species (e.g., black-billed magpie, American crow) likely occupy habitats in the LSA. Species of note that may occur on the property include the barred owl (*Strix varia*) and the provincially 'sensitive' and federally 'Special Concern' short-eared owl (*Asio flammeus*) (MSES 2019). The Project Area contains few trees large enough to support raptor (e.g., falcons, hawks, eagles, or owls) stick nests. During the field surveys completed in 2019

and 2020, no stick nests were observed within the Project Area or the LSA. Mitigation provided in Section 3.4.4 is expected to reduce or avoid effects on birds and their habitats.

Amphibians

Amphibians are most sensitive to disturbance during their reproductive life stage (spring and early summer) because they are restricted to aquatic environments for breeding, egg laying, and growing (metamorphosis).

The shrubby swamp will not be disturbed by the Conceptual Land Use Plan (Figure 3-2). The shrubby swamp is hummocky and vegetated throughout (i.e., no exposed mineral soils exist that are typical of suitable egg laying and security for amphibians) and may hold water in the spring and early summer during years with abnormally high-water tables (i.e., the shrubby swamp is hydraulically connected to the Bow River). Based on the characteristics of the shrubby swamp (i.e., limited soil gleying, vegetation, and groundcover) it is not likely that standing water occurs annually and if it does, the water does not last for any significant amount of time.

Amphibians are known to reproduce between April and July, depending on local water and air temperature (ASRD 2002). Amphibians use ponds, lakes, marshes, and temporary bodies of water for reproduction. Eggs are laid in the substrate, on vegetation, or in the water column. Once the eggs hatch, juvenile amphibians live in the water column and undergo metamorphosis (e.g., from tadpole to adult). In early life stages amphibians are restricted to aquatic environments because they acquire oxygen through external gills. Once metamorphosis is complete (approximately 1-2 weeks after eggs hatch), the juvenile will resorb their external gills and begin respiring through their skin (a process called cutaneous gas exchange) and their lungs (Tattersall et al. 2013). Juveniles metamorphose from aquatic life stages (i.e., with fins and gills) to terrestrial life stages (i.e., adults with legs and lungs) moving into terrestrial environments to forage and overwinter until the next breeding season.

Canadian toad has been identified within the SCLHP and may occupy habitats for foraging or travel during their adult stage, which is primarily terrestrial for this species (pers. comm. Brett Boukall AEP biologist). Canadian toads are most often associated with river valleys with sandy banks that are used for living and hibernation. Habitat of this description is found approximately 900 m from the Project Area in the southern portion of the SCLHP. Canadian toads, and most amphibians, breed between May and July each year in lakes, ponds, marshes, and areas with temporary bodies of water. They are known to breed in ponds that are several hundred metres from their overwintering sites (ASRD 2002).

The shrubby swamp may provide suitable amphibian breeding habitat (i.e., standing water) during seasons of abnormally high groundwater tables where the shrubby swamp holds standing water. If standing water is available and amphibians migrate to the shrubby swamp, it is possible that a full cycle of metamorphosis (i.e., from egg laying to emergence) may be completed. Emerging adults may then be found using terrestrial habitats to meet their life requisites.

Mitigation measures presented in Section 3.4.4 are intended to avoid or reduce effects on amphibians in the Project Area.

3.4.3 Potential Impacts

Potential effects on wildlife and wildlife habitat from the proposed Project include:

- Direct habitat disturbance (i.e., physical disturbance) of habitat used by wildlife.
- Sensory disturbance (including habitat avoidance) and human activities.
- Increased mortality risk.

Direct Habitat Disturbance

Wildlife habitat will be directly disturbed through the clearing and grading of land to accommodate the building footprints and access roads (Appendix A). Potential effects of direct disturbance include physical habitat loss or changes in behaviour (e.g., habitat abandonment or movement deflections). Wildlife exclusion fencing is not proposed for the project; therefore, no barriers to movement are expected to result from the Project because wildlife will be able to move through retained natural habitat within and adjacent to the Project Area. Wildlife in the area, such as elk and deer, are already habituated to moving through the already disturbed South Canmore Local Habitat Patch and the Town of Canmore despite the existing amount of disturbance (e.g., residential development). Consequently, the Project is expected to have a negligible effect on wildlife movement and habitat avoidance will likely be temporary (i.e., for the duration of construction).

Approximately 0.37 ha of wildlife habitat in Subdistrict D will be disturbed to accommodate a residence, outbuilding and gravel access road. The remaining 5.24 ha of Subdistrict D will remain unaltered. Approximately 0.53 ha of wildlife habitat in Subdistricts A, B, and C will be disturbed to accommodate residences and driveways. In total, the Project will have an effect on 0.92 ha of the 8.65 ha Project Area (i.e., the property) and much of that land will remain functionally connected to the rest of the SCLHP, resulting in a **negligible to low** effect on wildlife habitat.

Sensory Disturbance

Construction will result in a temporary increase in noise above the current background noise levels from the existing CP Rail line, highways, and heliport. Noise generated from construction will have short-term impacts on some wildlife species that may avoid the area due to higher noise levels from construction equipment and construction crew presence. Increased human activity may result in temporary habitat avoidance or movement deflections. However, based on work by completed by Hojnowski (2017), wildlife may habituate to the construction noise as construction progresses. The construction of the Project will not require any blasting, so vibration resulting from the work will be limited to earth-moving equipment.

Potential sensory disturbance effects on wildlife during operation and occupation of the land include an increase in vehicle noise and human activity associated with the Conceptual Land Use Plan; however, the concept of the plan considers the spatial layout of the Project in relation to existing disturbance and land use and concentrates potential sensory effects to one area (the northwest) that already has existing human disturbance (e.g., 3rd Avenue) (Section 2.3). The increase in vehicle noise and human activity may result in changes in habitat use or movement deflections; however, the site is currently adjacent to the community of Spring Creek to the north, will be within 130 m of the CP Rail line to the east, and 200 m to the Waste Transfer Station and Wastewater Treatment facilities to the south. In addition, other commercial and residential areas, the Municipal Heliport, Bow Valley Trail and the Trans-Canada Highway are all located within 650 m of the east boundary. Noise from these features was heard throughout the site visit on October 2, 2019, July 23, 2020, and January 15, 2021 and it is expected that noise from the operation of the proposed land use plan will be below the ambient noise from these existing surrounding land uses.

There is existing human use within and adjacent to the Project Area; however, the Project Area is used relatively less than an existing berm located along the western boundary of the Project Area (Figure 3-3). For example, the berm was observed to be used by various recreationists throughout the visit, including joggers, mountain bikers, cyclists, skiers, on-and-off leash dog walkers, and hikers. The wildlife in the area are likely habituated to this existing human use and presence as evidenced by extensive grazing by elk along the margin of the berm. Mitigation presented in Section 3.4.4 is expected to avoid or reduce effects of sensory disturbance on wildlife.

Increased Mortality Risk

The project may marginally increase the risk of human-wildlife interactions or may result in increased mortality risk on individual wildlife during construction or during operation/occupation of the Project Area. This potential effect may occur due to improper storage of garbage and food, through direct management action on problematic large carnivores (e.g., in the unlikely event of a Very High or Extreme interaction⁶ between cougar and humans; Alberta Government 2019), or through accidental mortality caused through direct disturbance. The proposed development will avoid or reduce surprise encounters between humans and all wildlife species because the conceptual plan maintains suitable line-of-sight for wildlife (i.e., reducing cul-de-sac effects) while concentrating development along the northern periphery of the SCLHP. It is anticipated that the open concept spacing of the buildings (relative to adjacent development to the north), the sight-lines available, and the availability of “escape terrain” (i.e., open space where wildlife can flee) will reduce potential aggressive or defensive behaviour if wildlife and humans interact.

Available mapping that shows pre-berry human-bear conflict in the Bow Valley in and around Canmore by Alberta Environment and Parks indicates that adjacent lands are high-risk of conflict interactions. This area mapped as high-risk is a highly densified portion of Canmore, and mapping speaks to the density of housing, the assumed higher encounter rates of humans, and a limited available escape terrain for wildlife if humans and wildlife do interact. The Conceptual Land Use Plan presents an open concept that provides good line-of-sight and available escape terrain.

It is expected that the Town of Canmore will continue to implement passive and active mitigation measures to avoid and reduce increased mortality risk on large carnivores (e.g., fruit and berry producing plant removal) (GoA 2018). Therefore, the project will avoid increased mortality risk on large carnivores by reducing attractants for specific species (e.g., black bear).

If amphibians are using the shrubby swamp for breeding during construction, emerging adults may be subject to mortality if the adults enter the construction area. During occupation of the Project Area, amphibians moving to and from the shrubby swamp may be killed crossing a road or parking area.

Mitigation presented in Section 3.4.4 is expected to avoid or reduce the risk of increased mortality on wildlife during construction and operation/occupation of the Project Area. With the implementation of mitigation measures (Section 3.4.4) effects on wildlife and wildlife habitat are predicted to be **low** in magnitude and **long-term** in duration as a result of the project. The confidence in this prediction is **predictable**.

Environmental effects on wildlife and wildlife habitat are summarized in Table 3-7, Section 3.10.

3.4.4 Recommended Mitigation

Recommended mitigation measures to avoid and reduce effects on wildlife and wildlife habitat as presented below.

Direct Habitat Disturbance

- Limit the area of land clearing and vegetation disturbance to only the area necessary for construction and personnel safety. The limits of construction in the shrubby swamp area should be clearly demarcated in the field to ensure that vegetation associated with the wetland is not disturbed. A construction monitor should be on site during all vegetation clearing activities to ensure that no accidental encroachment occurs beyond what is proposed.

⁶ Very High = Cougar depredating on domestic animals (livestock, pets) in developed areas or charges people or domestic pets. Extreme = Cougar injures or kills people. (Alberta Government 2019)

- Fence off open excavations during construction to prevent wildlife entrapment and remove fencing following construction.

Sensory Disturbance

- Implement a Construction Management Plan to be approved by the Town to mitigate construction activities that could pose a hazard to people and wildlife.
- Follow the Town of Canmore's Noise Bylaw to reduce the effects of noise on wildlife, including work starting after dawn and ceasing before dusk.
- Design street and outdoor lighting to screen and prevent illumination into the SCLHP.
- Use dark-sky lighting in the design of all buildings to minimize light disturbance at night.
- Consider planting trees along the periphery of the Project Area, including along the margin of Spring Creek, to improve wildlife security. Seedling density should target at least 40% cover when seedlings mature to function as suitable cover for elk (BCEAG 2012).
- If a species at risk is encountered in the Project Area, cease construction activities until consultation has occurred with Alberta Environment and Parks (AEP), and appropriate mitigation measures have been implemented (e.g., setbacks, timing restrictions).

Increased Mortality Risk

- Develop and implement a Wildlife Management Plan during construction to keep the site clean of food waste and other attractants that could attract wildlife, in particular bears. Continue to remove natural wildlife attractants such as buffaloberry. The wildlife management plan should include adaptive management strategies if wildlife mortalities are reported.
- Remove vegetation designated for clearing outside of the migratory breeding season for this region (i.e., do not disturb vegetation between April 15 and August 20), to minimize breeding bird mortality. Inspect vegetation for nests before being felled, limbed, or removed as an additional measure.
- Do not harass, feed, or interact with wildlife.
- Dispose of waste appropriately, including following the Town's bylaws related to bear-proof waste storage.
- Report project related wildlife injury or mortality to the Town of Canmore and AEP.
- Prior to construction, retain a Qualified Professional to conduct auditory monitoring of the shrubby swamp during the spring and early summer to determine if the swamp is being used by amphibians for breeding. If presence is detected, install isolation fencing between the shrubby swamp and any construction activities to avoid accidental mortality of amphibians that may be moving to the swamp.
- Monitor any amphibian mortality on roads or parking lots and report to the Alberta FrogWatch registry. Report observations of Canadian toad to AEP.
- Following construction of the Project Area, continue to manage the Project Area in accordance with WildSmart guidelines by not planting trees or shrubs that bear fruit that may become an attractant for wildlife.

Mitigation measures recommended for the Project are summarized in Section 4.

3.5 Fish and Fish Habitat

3.5.1 Methods

A desktop review and field investigation were completed to determine aquatic resources present in the Project Area. The desktop review consisted of searches of online databases for documented species occurrences or additional

habitat information and review of exiting environmental reports, where available. A field assessment to address information gaps and document existing conditions or environmental sensitivities was completed on October 2, 2019. The area of assessment focused on Spring Creek and surrounding riparian areas. The assessment was completed on foot during low water levels in Spring Creek.

Information collected during the assessment was used to prepare qualified aquatic environmental specialist recommendations outlining mitigation measures to prevent, avoid or reduce potential project effects, and information required to submit applicable regulatory permit or approval applications, such as a request for review to Fisheries and Oceans Canada, if the need arises.

Information on fish species present in Spring Creek were identified in the desktop assessment reports and online databases reviewed. Fish sampling was not completed during the field assessment due to the large number of information currently available on Spring and Policeman Creek.

Alternative watercourse crossing locations and riparian areas were assessed along Spring Creek to provide additional information on site-specific environmental features to support planning, project design, and consideration of potential contingencies, as discussed in the *Stepping Back from Water* development guidelines (GoA 2012).

3.5.2 Baseline Conditions

Spring Creek runs through the north section of the Project Area. Spring Creek is a tributary of the Bow River which is approximately 160 m southwest of the proposed land use Project Area. Spring Creek discharges into Policeman Creek before its confluence with the Bow River (Figure 3-1). As Spring Creek is hydraulically connected to the Bow River, there is the potential for any species that occurs in the Bow River to be present in Spring Creek. A search of the Fish and Wildlife Information Management System showed Spring Creek to be a known fish bearing waterbody that supports: brook trout (*Salvelinus fontinalis*), brown trout (*Salmo trutta*), bull trout (*Salvelinus confluentus*; provincially listed as At Risk, and federally as a Threatened species on Schedule 1 of the *Species at Risk Act.*), cutthroat trout (*Oncorhynchus clarki*), lake trout (*Salvelinus namaycush*), longnose sucker (*Catostomus catostomus*), and mountain whitefish (*Prosopium williamsoni*).

Under the *Water Act* Code of Practice for Watercourse Crossings – Canmore Management Area Map, Spring Creek is a mapped waterbody and adopts the Class B Classification for Policeman Creek and the September 1 to April 30 restricted activity period (RAP) and has been identified as brown trout and bull trout spawning habitat.

Four unidentified fish were observed from the channel banks in Spring Creek during the field visit. The Spring Creek channel substrates were primarily fines with some gravel dominated areas. Fines substrates present are unconsolidated and were overlaying gravels and cobbles substrates. Where observed, gravel and cobble substrates had small amounts of algae growing on the surface. The riparian vegetation along the creek bank has stabilized the banks, large amounts of grasses and willows line the channel. Small diameter woody debris was abundant in the reaches of Spring Creek near subdivisions B and C, likely originating from historic beaver activity in the area. Dense woody debris deposited in the channel creates a barrier or mat of organic material covering large areas of the channel substrates. The channel banks of the creek were well defined, and there was little evidence of erosion or sloughing observed. Fish habitat potential in Spring Creek includes rearing, cover and foraging habitat potential provided by overhanging riparian and emergent vegetation, large and small woody debris, and a few locations with undercut banks (primarily downstream of Subdivision C, near the confluence with Policeman Creek).

There were no deep pools observed in or adjacent to the Project Area and the channel is unlikely to provide overwintering habitat for the species present in the Bow River and its tributaries. Gravels and vegetation (emergent

and woody debris) may provide spawning potential for salmonids and forage species respectively. Overall, habitat features provide moderate quality rearing, foraging and spawning potential for fish species present. This may include use of habitat in Spring Creek by bull trout (Threatened under Schedule 1 of the *Species at Risk Act*) and other salmonids.

There was evidence of horse movement within the creek; banks had hoof prints in the fine channel substrates. In addition to horse disturbance, there was evidence of human disturbance; anthropogenic debris was seen embedded in the channel bottom. Below the confluence to Policeman Creek both stream depth and water volume increased, providing improved habitat potential for larger bodied fish species. The confluence of Spring Creek and Policeman Creek has large pools, riffles, and a gravel bar. The substrate diversity increased with an increase in gravels and cobbles. The gravel bar situated below the confluence may function as a spawning area for some fish species. The junction of Spring Creek and Policeman Creek could provide moderate habitat for larger bodied fish species.

3.5.3 Potential Impacts

Potential impacts to fish and fish habitat could occur through:

- Temporary changes in water quality for fish as a result of sedimentation or spills during construction.
- Disturbance to riparian habitat associated with the construction of a bridge between Subdivision B and Subdivision C.
- Increase in impervious surfaces associated with development and alteration of drainage and surface runoff.

Following the Town of Canmore bylaws⁷ and discussion with the Town planning department, the proposed land use activities have been designed to occur at least 20 m away from Spring Creek, with the exception of a single, clear span bridge that will access Subdivision C from 3rd Avenue.

The clear span bridge will result in the permanent disturbance of approximately 319 m² of riparian habitat within 20 m of Spring Creek. No bridge design is currently in place, and detailed bridge design and all required permits and authorizations will be pursued upon approval of the Conceptual Land Use Plan. The bridge will be designed to be clear span and mitigation measures are expected to be successful to avoid all impacts on the instream habitat of Spring Creek. No temporary or permanent disturbance to Spring Creek below the high-water mark is anticipated. In recognition of provincial guidance documents (e.g., GoA 2012), mitigation in the form of offsetting has been proposed to replace the habitat disturbed within 20 m of Spring Creek (i.e., for the bridge approach) by improving riparian habitat downstream of the proposed bridge, along portions of Subdistrict D and C that are currently vegetated with low growing shrubs and grasses. Proposed offsetting will include planting trees and shrubs that are intended to improve habitat for fish, wildlife, and reduce future erosion of Spring Creek's banks.

Mitigation measures presented in Section 3.5.4 are intended to avoid or reduce effects on fish and fish habitat and potential effects on fish and fish habitat are summarized in Table 3-7, Section 3.10. With the implementation of mitigation measures (Section 3.5.4) effects on fish and fish habitat are predicted to be **neutral** in direction and **negligible** in magnitude as a result of the Project. The confidence in this prediction is **predictable**.

⁷ 2020 Revised Town of Canmore Land Use Bylaw Section 2.5.1. Available at: <https://canmore.ca/municipal-services/residents-development-planning/planning-reference/land-use-bylaw>

3.5.4 Recommended Mitigation

The primary approach to protect Spring Creek is mitigation through avoidance. All project activities will be set back at least 20 m from the top of bank of Spring Creek, except for a single, clear span bridge to access Subdivision C. The following mitigation measures are intended to avoid or reduce effects on fish and fish habitat:

- Develop a Construction Environmental Management Plan (CEMP) that identifies risks and mitigates potential effects on Spring Creek. Spill protection, spill response, and erosion and sediment control (ESC) will be primary components of the CEMP to reduce effects on fish and fish habitat.
- Develop and implement an Erosion and Sediment Control (ESC) Plan before any construction begins to avoid changes in water quality. ESC measures must be implemented, amended or altered during, and post-construction depending on site conditions. All ESC measures must be maintained and monitored throughout construction activities. All deficiencies must be immediately addressed. ESC measures may need to remain in place post-construction until final restoration and landscaping activities are complete and re-vegetated areas are established.
- Retain a qualified professional during all work within 20 m of Spring Creek to monitor construction and proactively implement mitigation to avoid effects on Spring Creek. The monitor will have the authority to stop work if they deem the work presents a risk to fish or fish habitat.
- Install temporary ESC measures according to the ESC Plan to prevent erosion or potential sediment deposition into Spring Creek until revegetation occurs. ESC measures should be inspected regularly and frequently to ensure they are working as designed.
- Avoid erosion or sedimentation into Spring Creek or Policeman Creek by restricting access to the creek by horses, if horses are boarded in the Project Area. Restrict access by horses to the creeks by installing, and monitoring the effectiveness of, single-strand electric fence similar to the existing temporary fence. Install the electric fence at least 20 m from Spring and Policeman creeks and remove the electric fence if horses are not using the Project Area.
- Improve habitat quality for fish and wildlife by offsetting for disturbed areas associated with the bridge. Select areas along Spring Creek for restoration that are currently not shrubby and plant native shrub species (e.g., willow or poplar staking) within 20 m of the high-water mark of the stream. Stakes should be installed at a density of 0.5 stakes/m² and sites selected for offsetting should focus on the outside bank of bends in the stream to double as flood and erosion mitigation.
- Develop a spill response plan and ensure sufficient spill response materials are present in all equipment or readily available and in quantities appropriate for the equipment used. Ensure crews are trained in the proper use of spill response materials.
- Clearly demark in the field the limits of construction, including areas surrounding the clear span bridge. Retain an environmental monitor to ensure that no construction (except for the clear span bridge) occurs within 20 m of the stream banks as per the Conceptual Land Use Plan.
- Avoid storing hydrocarbons (e.g., fuels or lubricants for equipment) in the Project Area. If hydrocarbon storage is required, store, service, and re-fuel equipment more than 30 m from any waterbody, ditch, or channel that may result in fuels reaching Spring Creek or Policeman Creek. All hydrocarbons stored on site must be stored in double-walled containers with at least 110% capacity of the volume to be stored.

Mitigation measures recommended for the project are further described in Section 4.

3.6 Water Quality, Hydrology and Hydrogeology

3.6.1 Methods

Searches of the FWMIS database and the Code of Practice (COP) for Watercourse Crossings Calgary Management Area Map were completed for the Project Area (AEP 2018; GoA 2012). The field assessment included a visual inspection of the Project Area and verification of the hydrologic features identified during the desktop review, including a search of the Alberta Waterwells Database (GoA 2020b), Alberta Flood Risk Mapping (AEP 2019) and existing reports (e.g., Spring Creek Properties Ltd. 2003). The provincial guidance document *Stepping Back from the Water* (GoA 2012) was reviewed to determine the appropriateness of using 20 m as a setback for development (Section 5.2.1).

3.6.2 Baseline Conditions

Spring Creek is a spring and groundwater charged stream. Spring Creek flows into Policeman Creek, a tributary of the Bow River. Both Spring Creek and Policeman Creek are Class B streams and support habitat for fish.

During the site visit conducted October 2, 2019 the temperature, dissolved oxygen, specific conductance, and pH were recorded at three different locations along Spring Creek and Policeman Creek (Table 3-6). The first site was measured immediately downstream of the community of Spring Creek Mountain Village. Site 2 was measured further downstream, near the horse were grazing area. Site 3 was measured below the confluence of Spring and Policeman Creeks. From the measurements taken it can be inferred the creek has high water quality suitable to support fish species. The water was clear, with low levels of turbidity.

Banks of Spring Creek ranged from 0.3 – 0.6 m above the channel bed. No floodway or flood fringe has been developed for Spring Creek as it falls within the Bow River flood fringe. Because the Project Area occurs in the Bow River flood fringe, it may have a high-water table. Within the Bow River flood fringe, groundwater has been previously detected between 0.6 – 2.0 m below the ground surface (Spring Creek Properties Ltd. 2003). Groundwater levels are likely lowest in March/April and highest during freshet in May/June. A *Water Act* approval will be required for project activities because the Project Area is within the Bow River flood fringe. An approval is required for all activities that have the potential to temporarily or permanently affect the location or direction of flow of water or may become capable of altering the flow of water, whether or not the flow or presence of water is continuous, intermittent or occurs only during a flood.

No additional surveys were completed during the field visit on July 23, 2020. Water levels in 2019 (fall) and 2020 (summer) were visually observed to be comparable in depth and flow.

Table 3-6
Water Quality Parameters

	Temperature (°C)	Specific Conductance (µs/cm)	pH	Dissolved Oxygen (mg/L)
Site 1	6.8	474.2	7.31	11.61
Site 2	7.2	473.3	8.05	10.96
Site 3	7.3	472.8	8.29	11.17

The Steep Creek hazard mapping suggests that the western-most portion of the Project Area is located in a low hazard area associated with the Cougar Creek drainage. No structures associated with Subdistrict A or B are located within this low hazard area.

3.6.3 Potential Impacts

Following the Town of Canmore bylaws and discussion with the Town planning department, the proposed land use activities have been designed to occur at least 20 m away from Spring Creek, with the exception of a single, clear span bridge that will access Subdivision C from 3rd Avenue. Activities around the proposed bridge construction may affect water quality in Spring Creek if mitigation is not implemented.

Potential impacts of the project on surface and ground water quantity and quality may occur through:

- Increased sedimentation from surface runoff during construction.
- Flood potential.
- Reduced water quality resulting from introduction of hydrocarbons (e.g., fuel spills).
- Continued nutrient loading from horse manure.
- Potential future nutrient loading (contamination) from lawn fertilizers;
- Obstruction of surface or groundwater flow.

Increased Sedimentation

Runoff into Spring Creek during construction and operation is unlikely; however, sediments may accumulate in low-lying areas, and overland flow from natural rain events may carry sediment from exposed soils into Spring Creek. The transfer of sediment can be prevented with the proper implementation of ESC mitigation measures and the maintenance of the vegetative buffer surrounding Spring Creek. Project-specific ESC measures and retention of a 20 m setback will prevent runoff from hard, unvegetated surfaces associated with Subdistricts A or B resulting in a negligible environmental impact to water quality.

A proposed bridge across Spring Creek will provide access from 3rd Avenue/Subdistrict B to Subdistrict C, which is located on the northern side of Spring Creek (Figure 1-3). Many guidelines and best practices exist for bridge construction in Alberta, including restricted activity periods for fish, ESC measures and monitoring and regulatory requirements (e.g., Alberta *Water Act* and federal *Transportation Act* and *Fisheries Act*) depending on the type, span and construction methods for the bridge. Prior to bridge construction over Spring Creek, the proponent will complete necessary field investigations and acquire all required regulatory approvals prior to initiating construction. Based on the width of Spring Creek (approximately 8 to 10 m at the location of the proposed bridge location) a clear span bridge will be designed to avoiding direct impacts on areas below the high-water mark of Spring Creek. The design will be reviewed by a Qualified Professional, who will look for opportunities to alter the design and avoid or reduce impacts to riparian areas.

Flood Potential

The 100-year flood elevation is factored into the design and construction of all structures in all subdistricts. In the event of a flood from the Bow River, the Project Area is currently provided some protection by a berm which has been built above the 100-year flood level elevation. Flooding from Spring Creek will be addressed in a similar manner, including designing and constructing structures above the 1:100-year flood elevation level.

Fuel Spills

Potential introduction of hydrocarbons (e.g., fuel spills) into Spring Creek may occur if fuel is stored or vehicles or equipment are fueled within 30 m of the stream. Mitigation measures intended to avoid the fuel spills into Spring Creek are presented in Section 3.6.4.

Continued Nutrient Loading

Nutrient inputs from pastured animals may affect water quality should mitigation measures not be implemented. Currently, horses in the area are limited from accessing Spring Creek by an electrified fence. Animals have grazed in the Project Area for decades without observable impacts to the creeks (e.g., eutrophication). With continued restrictions on pastured animals from entering the creek, the amount of nutrient loading occurring within Spring Creek will remain unchanged and the proposed conceptual land use for the Project Area will have negligible environmental consequences to the water quality or hydrology of Spring Creek.

Potential Future Nutrient Loading from Lawn Fertilizers

The water quality of Spring or Policeman Creek may be affected by additional nutrients if manicured lawns are a large portion of future landscaping in Subdivisions B and C. Mitigation measures proposed and restrictions in a Direct Control District over these areas are expected to avoid this potential effect (Section 5.2.1).

Obstruction of Surface or Groundwater

Impacts to groundwater in the Project Area are considered negligible as construction into the groundwater table is limited to building footings and foundations, and the soil present in the Project Area will allow for water movement around these features. No surface water will be obstructed because no other streams, ditches, or watercourses occur in the Project Area.

With the implementation of mitigation measures (i.e., 20 m setback), regulatory requirements and proven best management practices (i.e., ESC measures, spill avoidance/response plans), potential impacts to water quality, hydrology, and hydrogeology are predicted to be **neutral** in magnitude and **negligible** in their effects. The confidence in this prediction is **predictable**.

Environmental effects to water quality, hydrology and hydrogeology are summarized in Table 3-7, Section 3.10.

3.6.4 Recommended Mitigation

Recommended mitigation measures for water quality and hydrology include:

- Avoid effects on Spring Creek or Policeman Creek by implementing a Construction Environmental Management Plan that identifies risks and mitigates potential effects on surface and groundwater quality. Spill protection, spill response, and erosion and sediment control (ESC) will be primary components of the CEMP to reduce effects on surface and groundwater quality.
- Develop and implement an Erosion and Sediment Control (ESC) Plan before any construction begins to avoid changes in water quality. ESC measures must be implemented, amended or altered during, and post-construction depending on site conditions. All ESC measures must be maintained and monitored throughout construction activities. All deficiencies must be immediately addressed. ESC measures may need to remain in place post-construction until final restoration and landscaping activities are complete and re-vegetated areas are established.

- Retain a qualified professional during all work within 20 m of Spring Creek to monitor construction and proactively implement mitigation to avoid effects on Spring Creek. The monitor will have the authority to stop work if they deem the work presents a risk to surface or groundwater quality.
- Excavations in the Project Area, in particular areas associated with Subdistrict B and C should occur outside of freshet to avoid groundwater interactions.
- No construction may occur within 20 m of the creek banks, except for construction of the proposed bridge, as per the proposed land use plan. Clearing limits should be delineated in advance of any work to maintain the 20 m setback area.
- Limit the amount of vegetation disturbance outside the minimum 20 m buffer and retain as much of the native vegetation and soil as possible. Incorporate into the Direct Control District a Non-disturbance area for the entire portion of Spring and Policeman Creeks that are within the Project Area (See Section 5.2.1).
- Develop a spill response plan and ensure sufficient spill response materials are present in all equipment, or readily available, and in quantities appropriate for the equipment used. Ensure crews are trained in the proper use of spill response materials.
- Store, service, and fuel equipment more than 30 m from the water body's banks or slope breaks.

Mitigation measures recommended for the project are further described in Section 4.

3.7 Land and Resource Use

3.7.1 Methods

Aerial photographs, satellite imagery, and a field survey were used to document land and resource use, including visual resources, within the Project Area. Aerial photographs and satellite imagery dating back to 2006 were used. The desktop assessment identified various natural and anthropogenic features with the potential to directly or indirectly interact with project activities. The field assessment included a visual inspection of the Project Area and verification of features identified during the desktop review.

3.7.2 Baseline Conditions

The Project Area is located on private property located within the municipal boundaries of the Town of Canmore. The Project Area is currently native vegetation with a portion of the land being used for the grazing of two horses. The grazing area is surrounded by an electrified fence. Grazing has occurred within the Project Area for at least 60 years since occupation by the original landowners (Pers. Comm. Kerry Kaleta). Adjacent land uses include residences to the north (community of Spring Creek Mountain Village), residences and a transportation corridor to the east (CP Rail, Bow Valley Trail and the Trans-Canada Highway), the Waste Transfer Facility and the Wastewater Treatment Facility to the south, and Millennium Park to the northwest. Except for the community of Spring Creek Mountain Village, forested land that has been disturbed by human activity (e.g., hiking trails, dog walking) surrounds the Project Area.

3.7.3 Potential Impacts

The following potential impacts to land and resource use are associated with the proposed land use concept:

- Additional vehicle traffic and parking.
- Increased residents and human activity in the area (i.e., increased foot/bike traffic in surrounding area, including unsanctioned trails).
- Ornamental landscaping.
- Provision of a hospice for residents of the Bow Valley

The proposed land use for Subdistricts A, B, and C will result in five single detached residences and a Palliative Care Centre. This may result in 30 to 40 additional people occupying the area depending largely on the capacity of the hospice and will result in an increase in traffic and vehicles in the area, in particular along 3rd Avenue. The proposed land use for Subdistrict D will result in a negligible change in traffic, as it will comprise a single residence.

There is existing human use within and adjacent to the Project Area. For example, the berm was observed to be used by various recreationists throughout the visits completed on October 2, 2019 and July 23, 2020. This included joggers, mountain bikers and hikers/walkers. The surrounding areas are already being used (access road to the WTS and high use/well developed human use trails in the portions of the LSA west of the Project Area. The proposed land use may result in a small increase in recreational uses within the LSA since Subdistricts B and C include the construction of up to six new residences. However, considering recreational use already present in the area, the increase in potential recreational use from these additional residences will be negligible. The hospice will result in the largest increase in human activity in the area; however, based on the intent of this facility it is not expected to result in recreational activity in surrounding areas. The hospice will provide exceptional benefit to the community as it provides respite and solace for individuals and their families during difficult times of grieving (Appendix F).

The implementation of ornamental landscaping will introduce non-native species. With the planting of only native vegetation and avoidance of use of vegetation species that attract wildlife, potential negative impacts from landscaping can be avoided.

With the implementation of mitigation measures, **negative** and **negligible** environmental impacts are expected for the proposed Subdistricts A to D. More people will be permanently located in the area, but the area is already a high use recreation area, especially along the berm, the access road to the WTS and the coniferous forest between these two areas. It is likely that human activity will decrease in the Project Area once the Project Area becomes developed, and signage may improve conditions for wildlife by restricting unauthorized access onto private land. Given the intent of the hospice, this centre will provide the exceptional benefit to the community through a facility that serves residents of the Bow Valley area. Confidence in these predictions are **predictable**

Environmental effects to land and resource use are summarized in Table 3-7, Section 3.10.

3.7.4 Recommended Mitigation

Mitigation measures proposed for vegetation (Section 3.3.4) and wildlife habitat (Section 3.4.4) are also applicable to land and resource use. Informative signage may be installed to educate public about access to private lands, which would benefit wildlife, wildlife habitat, and vegetation and ecosystems.

Mitigation measures recommended for the Project are further described in Section 4.

3.8 Air Quality

3.8.1 Methods

A desktop review was completed of existing conditions to describe factors contributing to the existing air quality in the LSA and RSA.

3.8.2 Baseline Conditions

Air quality in the Bow Valley is primarily affected by transportation on Highway 1, CP Rail, local dust generation, and industrial facilities (e.g., Graymont and LaFarge quarries and processing) and the transfer, compaction, baling and storage of waste at the Waste Transfer Facility. The addition of traffic into the Project Area will be minimal and primarily associated with people coming to and from the proposed residences and hospice.

3.8.3 Potential Impacts

During construction activities, emissions from equipment may result in reduced air quality in the immediate vicinity of the work. Given the scale of work and likely duration, this effect is expected to be mitigated by standard vehicle emission mitigation (e.g., exhaust mufflers). Stockpiled soils may contribute to reduced air quality if particles from the stockpiles are transported into the air from wind. Mitigation to reduce aeolian erosion proposed in Section 3.2 of this EIS is expected to avoid or reduce the effects of wind-borne erosion and reduced air quality.

For all activities associated with the proposed land use, the increase in local vehicle traffic and associated emissions in the Project Area will be the largest impact. The low number of vehicles coming and going as part of the proposed land use for Subdistricts A to D will be negligible relative to emissions from traffic along Bow Valley Trail, Highway 1 or the CP Rail line.

With the implementation of mitigation measures (Section 3.8.4) effects on air quality are predicted to be **neutral** in direction and **negligible** in magnitude as a result of the Project. The confidence in this prediction is **predictable**.

Environmental effects to air quality are summarized in Table 3-7, Section 3.10.

3.8.4 Recommended Mitigation

No additional mitigation measures are proposed beyond what is provided in the Town's bylaws and those presented in Section 3.2.4 (Soils and Terrain) of this EIS. To offset the impacts from vehicle emissions, additional native species could be planted in areas to be restored post-construction. The implementation of a no idling policy for vehicles during construction and using the hospice will minimize emissions generated in the Project Area, LSA, and RSA.

Mitigation measures recommended for the project are further described in Section 4.

3.9 Cultural and Heritage Resources

A desktop review of historical resources was completed using the Historical Resources Listing Database (April 2020 edition) (GoA 2020c). The category of listing and historical resource value was identified to determine the type of resource listed and the likelihood of encountering the resource.

No historical resources are known to occur within the Project Area.

3.10 Summary of Predicted Effects

Table 3-7
Summary of Predicted Effects

Biophysical Resources*	Direction	Magnitude	Scale	Duration	Reversibility	Frequency	Confidence
Soils and Terrain	Negative	Negligible	Project	Short-term	Long-term	Isolated	Predictable
Vegetation and Wetlands	Negative	Low	Project	Long-term	Long-term	Isolated	Predictable
Wildlife and Wildlife Habitat	Negative	Low	Local	Long-term	Long-term	Frequent	Predictable
Fish and Fish Habitat	Neutral	Negligible	Project	Short-term	Short-term	Isolated	Predictable
Water Quality, Hydrology and Hydrogeology	Neutral	Negligible	Project	Short-term	Short-term	Isolated	Predictable
Land and Resource use	Negative environmental Positive - social	Negligible	Project	Short-term	Short-term	Isolated	Predictable
Air Quality	Neutral	Negligible	Local	Long-term	Long-term	Isolated	Predictable

* Potential impacts on Cultural and Heritage Resources will be addressed in accordance with the requirements of the *Historical Resources Act*

RFD from May 3, 2022

4 MITIGATION MEASURES

The mitigation measures provided in Table 4-1 are to guide the planning, design, construction and operation of a proposed private agricultural land use and a Palliative Care House land use for the 3rd Avenue South Land (parcel of land in the S1/2 of L.S. 13, Sec 28, TWP. 24, Rge. 10 W5M) in Canmore, Alberta.

**Table 4-1
Recommended Mitigation Measures**

Environmental Components	Potential Effect	Mitigation Measures
Soils and Terrain	<ul style="list-style-type: none"> • Soil stripping; • Erosion and Sedimentation resulting from surface disturbance; • Siltation from runoff into creeks 	<ul style="list-style-type: none"> • Develop and implement mitigation measures and controls provided in an Erosion and Sediment Control (ESC) Plan before any soil disturbance occurs. The ESC will address risks associated with soil and terrain, including erosion, stockpiling requirements, and will remain in place during construction and until soils have revegetated. • Retain a qualified Environmental Monitor during construction. Implementation and authority for mitigation related to soils and terrain will be at the discretion of an environmental monitor who will adhere to a Construction Environmental Management Plan that will be in place prior to construction. • Salvage topsoil and stockpile for use in restoration following construction. Topsoil that has been salvaged for restoration should be handled once during the first growing season and seeded with native grasses to minimize soil loss and weed encroachment. Any soil piles present on the Project Area will be inspected by the Environmental Monitor for regulated weeds. An Invasive Species Management Plan will be implemented if necessary. • Topsoil stripping should be restricted to the construction envelope (i.e., only the area necessary to safely construct) and topsoil handling and re-handling should be minimized. • Minimize potential disturbance caused by stockpiles. No stockpiles, whether topsoil or fill, will be stored within 20 m of Spring Creek or Policeman Creek or within areas of the property that are not already planned for disturbance. • Prevent the loss of soil during wind or rain events. Stockpiles of any soils required to be brought onto the property should not exceed the volume necessary for construction. If stockpiles are to be kept for longer than one construction season, the stockpiles will be vegetated with native grass seed to reduce erosion or invasive plant encroachment potential. Short term stockpiles should be covered with tarps or wetted if dust plumes are observed leaving the property.
Vegetation and Wetlands	<ul style="list-style-type: none"> • Project planning considerations; • Removal and fragmentation of vegetation communities; • Spread and establishment of weedy species; • Rare plants 	<ul style="list-style-type: none"> • Develop and implement a Construction Environmental Management Plan that addresses management practices that avoid or reduce effects on vegetation. Minimizing construction disturbance areas and avoiding disturbance to the shrubby wetland and areas within 20 m of Spring and Policeman creek (except in areas necessary for the bridge crossing) should be addressed in the plan. • Improve the erosion resiliency of Spring Creek's riparian area by planting native shrubs or trees along the south (left) bank of Spring Creek within 20 m of the stream high-water mark. • Minimize the extent of the construction footprint to reduce impacts on vegetation, in particular rare plants that may be growing, or in the soil seedbank, on the periphery of construction. • Native vegetation should be left undisturbed wherever possible except for those activities required for construction (e.g., land clearing or FireSmart). • Implement restoration activities that use native plants in areas where construction is complete to meet objectives set out in the Town of Canmore land use bylaws and prevent wind or water erosion issues. • Post signage that educates construction personnel and other individuals that may access the Project Area about the importance of not spreading invasive vegetation on or off the site. Signage should include information about the risk of invasive plant spread into the SCLHP. • Manage non-native and regulated weed species within the Project Area prior to initiating construction to prevent the spread of these species. • Implement WildSmart and FireSmart mitigations and guidelines for the Town of Canmore (Montane 2018). • Introduction of non-native species such as ornamental grasses that require additional nitrates or phosphates for fertilizer may affect water quality.
Wildlife and Wildlife Habitat	<ul style="list-style-type: none"> • Direct habitat disturbance; • Sensory disturbance; • Increased mortality risk 	<ul style="list-style-type: none"> • Limit the area of land clearing and vegetation disturbance to only the area necessary for construction and personnel safety. The limits of construction in the shrubby swamp area should be clearly demarked in the field to ensure that vegetation associated with the wetland is not disturbed. A construction monitor should be on site during all vegetation clearing activities to ensure that no accidental encroachment occurs beyond what is proposed. • Fence off open excavations during construction to prevent wildlife entrapment and remove fencing following construction. • Implement a Construction Management Plan to be approved by the Town to mitigate construction activities that could pose a hazard to people and wildlife. • Follow the Town of Canmore's Noise Bylaw to reduce the effects of noise on wildlife, including work starting after dawn and ceasing before dusk. • Design street and outdoor lighting to screen and prevent illumination into the SCLHP. • Use dark-sky lighting in the design of all buildings to minimize light disturbance at night.

Environmental Components	Potential Effect	Mitigation Measures
		<ul style="list-style-type: none"> Consider planting trees along the periphery of the Project Area, including along the margin of Spring Creek, to improve wildlife security. Seedling density should target at least 40% cover when seedlings mature to function as suitable cover for elk (BCEAG 2012). If a species at risk is encountered in the Project Area, cease construction activities until consultation has occurred with Alberta Environment and Parks (AEP), and appropriate mitigation measures have been implemented (e.g., setbacks, timing restrictions). Develop and implement a Wildlife Management Plan during construction to keep the site clean of food waste and other attractants which could attract wildlife, in particular bears. Continue to remove natural wildlife attractants such as buffaloberry. The wildlife management plan should include adaptive management strategies if wildlife mortalities are reported. Remove vegetation designated for clearing outside of the migratory breeding season for this region (i.e., do not disturb vegetation between April 15 and August 20), to minimize breeding bird mortality. Inspect vegetation for nests before being felled, limbed, or removed as an additional measure. Do not harass, feed, or interact with wildlife. Dispose of waste appropriately, including following the Town's bylaws related to bear-proof waste storage. Report project related wildlife injury or mortality to the Town of Canmore and AEP. Prior to construction, retain a Qualified Professional to conduct auditory monitoring of the shrubby swamp during the spring and early summer to determine if the swamp is being used by amphibians for breeding. If presence is detected, install isolation fencing between the shrubby swamp and any construction activities to avoid accidental mortality of amphibians that may be moving to the swamp. Monitor any amphibian mortality on roads or parking lots and report to the Alberta FrogWatch registry. Report observations of Canadian toad to AEP. Following construction of the Project Area, continue to manage the Project Area in accordance with WildSmart guidelines by not planting trees or shrubs that bear fruit that may become an attractant for wildlife.
Fish and Fish Habitat	<ul style="list-style-type: none"> Changes in water quality Disturbance to riparian habitat 	<ul style="list-style-type: none"> Develop a Construction Environmental Management Plan (CEMP) that identifies risks and mitigates potential effects on Spring Creek. Spill protection, spill response, and erosion and sediment control (ESC) will be primary components of the CEMP to reduce effects on fish and fish habitat. Develop and implement an Erosion and Sediment Control (ESC) Plan before any construction begins to avoid changes in water quality. ESC measures must be implemented, amended or altered during, and post-construction depending on site conditions. All ESC measures must be maintained and monitored throughout construction activities. All deficiencies must be immediately addressed. ESC measures may need to remain in place post-construction until final restoration and landscaping activities are complete and re-vegetated areas are established. Retain a qualified professional during all work within 20 m of Spring Creek to monitor construction and proactively implement mitigation to avoid effects on Spring Creek. The monitor will have the authority to stop work if they deem the work presents a risk to fish or fish habitat. Install temporary ESC measures according to the ESC Plan to prevent erosion or potential sediment deposition into Spring Creek until revegetation occurs. ESC measures should be inspected regularly and frequently to ensure they are working as designed. Avoid erosion or sedimentation into Spring Creek or Policeman Creek by restricting access to the creek by horses, if horses are boarded in the Project Area. Restrict access by horses to the creeks by installing, and monitoring the effectiveness of, single-strand electric fence similar to the existing temporary fence. Install the electric fence at least 20 m from Spring and Policeman creeks and remove the electric fence if horses are not using the Project Area. Improve habitat quality for fish and wildlife by offsetting for disturbed areas associated with the bridge. Select areas along Spring Creek for restoration that are currently not shrubby and plant native shrub species (e.g., willow or polar staking) within 20 m of the high-water mark of the stream. Stakes should be installed at a density of 0.5 stakes/m² and sites selected for offsetting should focus on the outside bank of bends in the stream to double as flood and erosion mitigation. Develop a spill response plan and ensure sufficient spill response materials are present in all equipment or readily available and in quantities appropriate for the equipment used. Ensure crews are trained in the proper use of spill response materials. Clearly demark in the field the limits of construction, including areas surrounding the clear span bridge. Retain an environmental monitor to ensure that no construction (except for the clear span bridge) occurs within 20 m of the stream banks as per the Conceptual Land Use Plan. Avoid storing hydrocarbons (e.g., fuels or lubricants for equipment) in the Project Area. If hydrocarbon storage is required, store, service, and re-fuel equipment more than 30 m from any waterbody, ditch, or channel that may result in fuels reaching Spring Creek or Policeman Creek. All hydrocarbons stored on site must be stored in double-walled containers with at least 110% capacity of the volume to be stored.



Environmental Components	Potential Effect	Mitigation Measures
Water Quality and Hydrology	<ul style="list-style-type: none"> • Increased sedimentation • Flood potential. • Reduced water quality • Continued nutrient loading • Obstruction of surface or groundwater flow. 	<ul style="list-style-type: none"> • Avoid effects on Spring Creek or Policeman Creek by implementing a Construction Environmental Management Plan that identifies risks and mitigates potential effects on surface and groundwater quality. Spill protection, spill response, and erosion and sediment control (ESC) will be primary components of the CEMP to reduce effects on surface and groundwater quality. • Develop and implement an Erosion and Sediment Control (ESC) Plan before any construction begins to avoid changes in water quality. ESC measures must be implemented, amended or altered during, and post-construction depending on site conditions. All ESC measures must be maintained and monitored throughout construction activities. All deficiencies must be immediately addressed. ESC measures may need to remain in place post-construction until final restoration and landscaping activities are complete and re-vegetated areas are established. • Retain a qualified professional during all work within 20 m of Spring Creek to monitor construction and proactively implement mitigation to avoid effects on Spring Creek. The monitor will have the authority to stop work if they deem the work presents a risk to surface or groundwater quality. • Excavations in the Project Area, in particular areas associated with Subdistrict B and C should occur outside of freshet to avoid groundwater interactions. • No construction may occur within 20 m of the creek banks, except for construction of the proposed bridge, as per the proposed land use plan. Clearing limits should be delineated in advance of any work to maintain the 20 m setback area. • Develop a spill response plan and ensure sufficient spill response materials are present in all equipment, or readily available, and in quantities appropriate for the equipment used. Ensure crews are trained in the proper use of spill response materials. • Store, service, and fuel equipment more than 30 m from the water body's banks or slope breaks.
Land and Resource Use	<ul style="list-style-type: none"> • Additional vehicle traffic and parking. • Increased residents and human activity in the area (i.e., increased foot/bike traffic in surrounding area, including unsanctioned trails). • Ornamental landscaping. • Provision of a Palliative Care Centre for residents of the Bow Valley 	<p>Mitigation measures proposed for vegetation (Section 3.3.4) and wildlife habitat (Section 3.4.4) are also applicable to land and resource use. Informative signage may be installed to educate public about access to private lands, which would benefit wildlife, wildlife habitat, and vegetation and ecosystems.</p>
Cultural and Heritage Resources	<ul style="list-style-type: none"> • Effects on unidentified artifacts 	<ul style="list-style-type: none"> • Acquire <i>Historical Resource Act</i> (HRA) Clearance for the project area as part of project planning. • HRA clearance is required prior to disturbing soils or beginning construction. • Any mitigation required will be specified in the <i>Historical Resource Act</i> Approval. This should be understood early in the project planning phase.

RFD from May 3, 2022

5 CUMULATIVE EFFECTS

5.1 Methods

Cumulative effects are changes to the environment that are caused by an action in combination with other past, present, and future human actions (Hegmann et al. 1999). In assessing potential cumulative effects, the following was considered:

- Effects over a larger area (i.e., the RSA).
- Effects during a longer period of time in the past and into the future.
- Effects on biophysical resources due to interactions with other developments, inclusive of the effects of the proposed project.
- Inclusion of other past, existing, and future reasonably foreseeable developments (RFD).
- Evaluation of significance in consideration of effects other than just local, direct effects.

Analysis of the potential cumulative effects of the Conceptual Land Use was completed considering the effects of previous development and human activity in the South Canmore Local Habitat Patch plus a 500 m buffer (i.e., the RSA) (Figure 2-1). The cumulative effects analysis included:

- A quantitative description of landcover/wildlife habitat change over time inside the habitat patch.
- A quantitative description of change in human-related disturbance levels over time inside the habitat patch (e.g., roads, designated vs undesignated recreational trails).
- Assessment of potential changes in the riparian value of Spring Creek, based on the provincial guideline *Stepping Back from the Water*, as a result of the 20 m setback.
- Assessment of existing and future/proposed development effects on the quality and quantity of wildlife habitat inside the patch and wildlife use of it, including quantitative estimates of potential changes in overall patch size and fragmentation level.
- The temporal range of the analysis spans from the period when the SCLHP was first established (1997), approximately 10 years later (2011), current conditions, and into the foreseeable future.

At the time the report was written, the BCEAG (2012) report summarized existing disturbance within the SCLHP, using 2009 ortho imagery as the base year. Because mapping methods vary among projects and spatial analysts (e.g., image resolution, spatial scale of mapping), total disturbance mapped for this EIS does not match that provided in the BCEAG (2012) report. To provide a consistent comparison across the time steps evaluated in this EIS, linear and non-linear delineation was completed by a single spatial analyst using ArcGIS software and publicly available imagery. Disturbance delineation was completed at a scale of 1:3,000. All predictions related to cumulative effects of this project are based on mapping completed specific to this project.

5.2 Cumulative Effects Assessment

The cumulative effects assessment for the Project focused on the RSA. As requested in the TOR, the SCLHP was evaluated quantitatively. The RSA was evaluated qualitatively. Several projects have been completed or are proposed to occur on land within the RSA. Specific to the SCLHP, only one other project is proposed within the SCLHP (upgrades to the Waste Management Facility). The land surrounding the RSA is highly developed in the north and northeast, west and south of the RSA. Habitat within the RSA is currently fragmented by the Bow River, Highway 1, Highway 1A, the Waste Management Facility, residential developments, and numerous roads and recreational trails throughout the area, including the SCLHP. Based on current ortho imagery, and aside from fragmented patches of

habitat within the SCLHP, very little undisturbed habitat exists in the RSA, resulting in few opportunities for future development in undisturbed ecosystems.

The following is a list of recent development in the RSA not yet visible in ortho-imagery:

- 308 Bow Valley Trail - Ford Dealership (complete in the last 2 years).
- 306 Bow Valley Trail - Industrial development in early stages of construction.

The following is a list of potential, reasonably foreseeable developments that may occur within the RSA:

- Three Sisters Mountain Village (TSMV) – proposed development located south of the SCLHP. The TSMV development may result in changes to existing land use for wildlife as a result of the installation of a proposed wildlife exclusion fence around its perimeter (Figure 5-1). This EIS assumes that the wildlife exclusion fencing will be included in the TSMV development.
- 400 Bow Valley Trail - currently used as temporary material laydown and dewatering pond for construction projects in the area.
- 304 Bow Valley Trail - currently used as temporary material laydown for construction projects in the area.
- Waste Management Facility addition (accessed from 91 Bow Valley Trail): building addition to handle Town's organic waste collection and an additional 4 trips/day (from 35 trips/day to 39 trips/day) by maintenance vehicles (MSES 2019). The upgrade is not expected to result in significant changes to the landscape and most of the new development will occur under the existing footprint.
- The proposed Project Area and surrounding SCLHP is already used for recreational activities and is located adjacent to the existing community of Spring Creek. Future proposed recreational activities include formalizing trail networks within the SCLHP.
- Within the developed portions of the RSA, the community of Spring Creek Mountain Village (north of the project area) will continue to undergo redevelopment in accordance with the approved Area Redevelopment Plan.
- It can also be expected that the commercial lands along Highway 1A will continue to be developed. Applications for commercial use are unknown at this time and are not included in this EIS.

5.2.1 Stepping Back from the Water

The provincial document *Stepping Back from the Water* (“*Stepping Back*”) outlines effects of development near water bodies in Alberta’s settled region (GoA 2012). The purpose of the *Stepping Back* document is to provide decision makers with recommended vegetated filter strips (i.e., riparian setback distances) based on a variety of ecological considerations, such as:

- Water quality functions;
- Flood water conveyance and storage;
- Bank and shoreline stabilization; and
- Habitat and biodiversity.

Riparian setback recommendations are provided in *Stepping Back* and take into consideration the potential cumulative effects of human disturbance along an entire watercourse. The guidelines outline various considerations such as soil texture, slopes, groundwater and other considerations for sites. The intensity of the development also needs to be taken into account to understand how the risk factors plus the development plan interact to understand the risk and recommended setback.

Spring Creek is a relatively short tributary (1,321 m estimated total length) of Policeman Creek that has a high degree of existing human disturbance along its banks; much of which includes intensive disturbance less than 5-10 m from the stream. The following subsections discuss the ecological considerations identified in *Stepping Back* and relates them to the Conceptual Land Use Plan.

Water Quality Functions

The purpose of the setback is to allow sufficient buffer on the stream to remove nitrates and trap other contaminants (such as sediment or phosphorus) before they reach Spring Creek through subsurface flow. Appendix 3 of *Stepping Back* also references "Contaminant Removal Results for Nitrate, Phosphorus, and Sediment" where measured buffer widths and percent reduction in contaminants are presented.

Based on results of empirical data presented in Appendix 3 of *Stepping Back*, the mean buffer width that removes at least 90% of nitrates from subsurface flow in forested or grass environments (similar to the Project Area) is measured to be 24.7 m (minimum width = 5 m; maximum width = 50 m). Measured setbacks to reduce phosphorus was between 5 m and 9 m, and for sediment between 5 and 10 m (GoA 2012). The overall risk of measurable contamination from the Conceptual Land Use Plan is low because the project is a low-density development that is well spread out. In addition, mitigation is proposed in this EIS to reduce the key potential sources of contamination, namely avoiding the migration of fertilizer applied to manicured lawns by only revegetating with native species that will not require nitrates or phosphorus to survive (Section 4).

Mitigation measures proposed in the EIS also recommend limiting the amount of vegetation disturbance to only those areas necessary for construction of the Conceptual Land Use Plan. Compensation is proposed in the EIS in the form of tree and shrub planting along the right bank of Spring Creek to improve riparian function on the stream which will offset for any disturbance caused by the proposed bridge. Additional mitigation measures proposed to be included in the Direct Control District to manage cumulative effects on Spring Creek include:

- Maintaining a minimum setback of at least 20 m for all buildings and landscaping along Spring and Policeman Creek. The minimum 20 m setback will prevail over any other setback that may conflict with the minimum 20 m setback.
- Avoid planting non-native monoculture species such as manicured lawns immediately adjacent to the minimum 20 m setback to maintain riparian water quality function (e.g., sediment, nitrate, or phosphorus transport). Any permanent landscaping that affects the vegetation outside the 20 m setback will be comprised of native vegetation.
- Where not in conflict with the FireSmart directive, mature trees over 0.3 m in diameter will be protected in perpetuity throughout the minimum 20 m setback on Spring and Policeman Creeks. Trees removed within 20 m of Spring Creek to meet FireSmart objectives should be replaced by less flammable species such as poplar or cottonwood.
- The existing undisturbed areas adjacent to Spring and Policeman Creeks and within the minimum 20 m setback should be protected as a non-disturbance zone. No soil or vegetation disturbance (except where FireSmart thinning is required) will occur within this area, except for the removal of noxious or invasive plant species. In the removal of noxious or invasive species, only mechanical methods such as cutting or hand-pulling will occur, and no use of herbicides will be allowed.

If the mitigation measures presented above are implemented by the Direct Control District, it is anticipated that the overall project effect on Spring Creek will be positive due to improved fish and wildlife habitat and bank and shoreline stability, and the EIS concludes that the 20 m setback is appropriate by weighing the likelihood (low) and the magnitude (negligible) of the effect happening.

Flood Water Conveyance and Storage

The Project Area is within the Flood Fringe of the Bow River. The Conceptual Land Use Plan has considered flood mitigation and plans are to elevate buildings to avoid the risk of floods, even in the uncertain future of climate change. The future final Land Use Plan will be designed to a 1 in 100-year flood elevation line.

Bank and Shoreline Stabilization

Slope stability is not a concern in the Project Area because slopes do not exceed 5% anywhere on the property. Bank erosion is not a concern in the Project Area because the stream gradient is not sufficient to change the channel course; however, the proposed compensation planting of trees and shrubs will improve bank stability and shoreline stabilization once plantings become established.

Habitat and Biodiversity

The Conceptual Land Use Plan will have a negligible effect on wildlife movement and use of the Spring and Policeman Creek riparian corridors due to the thoughtful building siting and open-spaced concept. By implementing mitigation measures in the Direct Control District as presented in this section, it is expected that the overall effect on Spring and Policeman Creeks will be positive and benefit fish and wildlife. Once planted trees and shrubs mature, they will create cover, forage, and thermal regulation for fish and wildlife.

5.2.2 South Canmore Local Habitat Patch

The SCLHP was designated between 1992 and 1999 (BCEAG 2012). The SCLHP has continued to undergo changes since its designation. Existing disturbance and habitat fragmentation of the SCLHP is discussed in Section 3.4.2. Table 5-1 presents changes in linear and non-linear disturbance. Table 5-2 presents changes in habitat fragmentation and patch size and maximum interior distance from human disturbance based on 1997, 2011, and 2017 imagery.

The SCLHP has not changed significantly since its establishment (based on 1997 ortho-imagery). In 1997 around the time of its designation, the SCLHP was already undersized to meet habitat patch objectives and had existing human disturbance within and adjacent to its boundaries (BCEAG 2012). When considering habitat fragmentation only, the SCLHP was established with seven distinct patches of intact habitat (considering Elk Island as a distinct patch) (Figure 5-1). Since 2011, a small portion of habitat has been disturbed. In 2017 imagery, linear development (3rd Avenue berm) and vegetation clearing (expansion of Waste Facilities) resulted in additional fragmentation, resulting in a total of nine distinct patches (Table 5-2). Currently, the density of linear features in the SCLHP is approximately 2.9 km/km² (Table 5-1).

SCLHP Established (1997)

Current Conditions (2020)

Reasonable Foreseeable Development

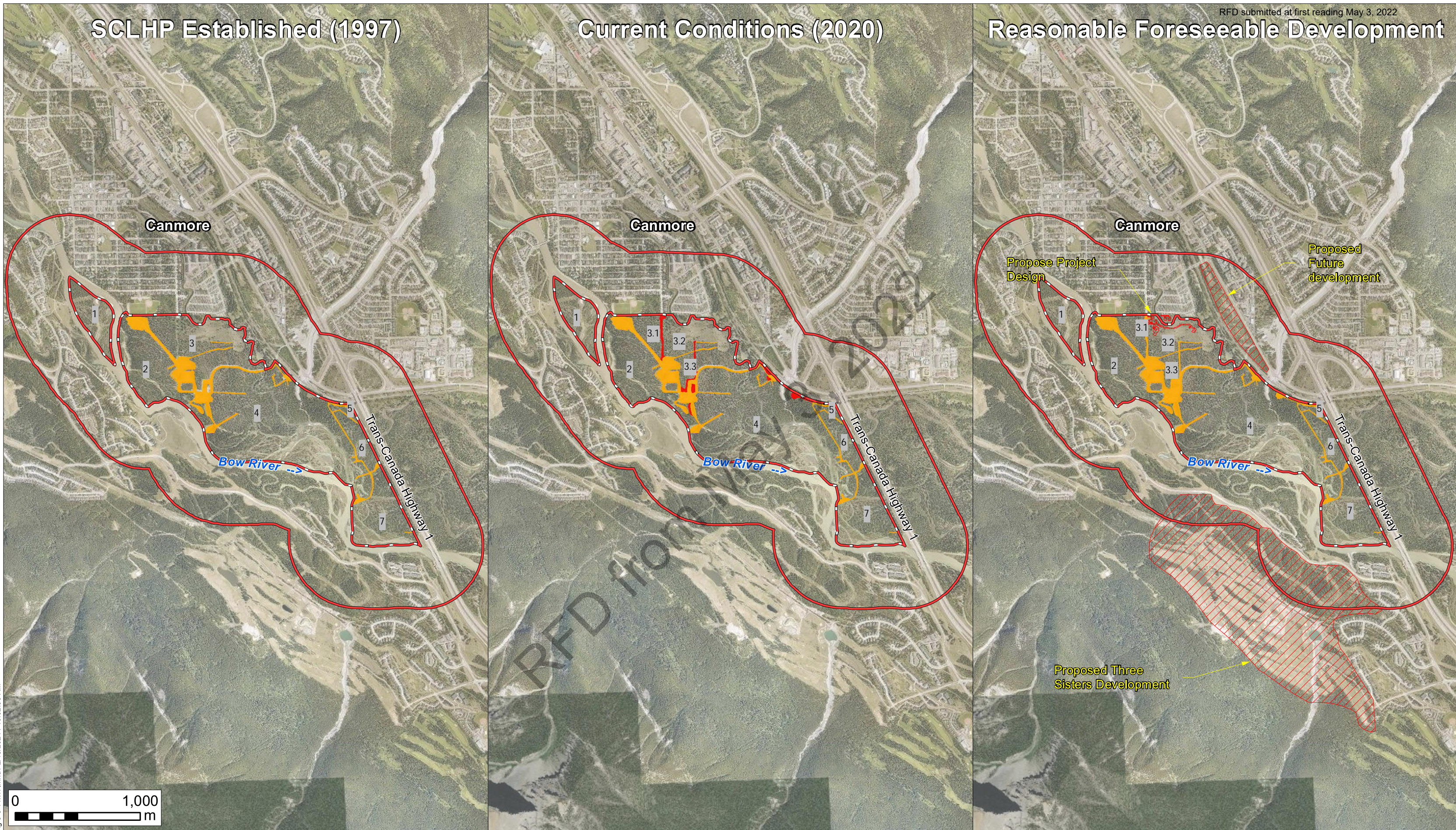
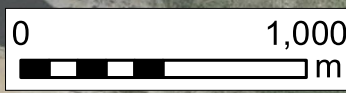


Fig 3-5 11x17.mxd / 2/19/2021 / 10:02:58 AM



- Disturbance
- Incremental Disturbance
- Reasonable Foreseeable Development

- Regional Study Area
- South Canmore Local Habitat Patch

AE PROJECT No.	2019-8457.000
DATE	FEB. 2021
SCALE	
COORD. SYSTEM	NAD 83 UTM 11
REV	1
DESCRIPTION	ISSUED FOR DRAFT
DRAWN BY	DA
CHECKED BY	KR

FIGURE 5-1 HISTORIC, CURRENT, AND RFD IN THE RSA

South Canmore EIS for 3rd Avenue South Land

Table 5-1
Linear and Non-Linear Disturbance in the SCLHP Since Establishment in 1999

Disturbance Type	1997	2011	Current Condition	Application Case ²	Reasonably Foreseeable Development ¹	Cumulative Total
Linear Features	4.7 km	0.6 km	5.3 km	6.0 km	-	6.0 km
Non-Linear Features	8.2 ha	1.3 ha	9.5 ha	9.9 ha	-	9.9 ha

*Calculations based on ortho imagery interpretation and the Conceptual Land Use Plan.

¹ No future development is proposed in the SCLHP.

² Application Case is the footprint of the proposed project and is 0.7 km linear disturbance and 0.42 ha non-linear. The application case is 27.6% more linear features than 1997 and 13% more than current condition.

Table 5-2
SCLHP Fragmentation, Patch Size, and Interior Habitat in 1997, 2011, and Current Condition

Patch Count	Patch ID ¹	1997		2011		Current Condition		Total Change in Patch Size ³
		Patch Area (ha)	Interior Habitat Distance ² (m)	Patch Area (ha)	Interior Habitat Distance ¹ (m)	Patch Area (ha)	Interior Habitat Distance ² (m)	
1	1	11.3	238	11.3	238	11.3	238	-
2	2	24.3	220	23.7	220	23.7	220	-0.6
3	3.1	27.9	180	5.2	87	5.2	87	-22.7
4	3.2	-	-	18.6	140	18.6	140	-
5	3.3	-	-	3.0	55	3.0	55	-
6	4	76.3	410	75.9	400	75.9	400	-0.4
7	5	1.2	30	1.2	30	1.2	30	-
8	6	6.2	70	6.2	70	6.2	70	-
9	7	19.9	220	19.9	220	19.9	220	-

Note: Imagery or mapping methods used for estimates in BCEAG (2012) may differ from this assessment.

¹ Patch Count is the number of distinct patches, Patch ID is the unique identifier for each patch (shown in Fig 5-1). Patch 3 has been fragmented twice.

² Interior Habitat Distance is the furthest distance (estimated using ArcGIS Euclidian Distance tool) available inside a patch from disturbed habitat. Current data are based on 2017 ortho imagery.

³ Total change in patch size is the difference between 1999 and 2017.

Based on the imagery available, only Patch #3 has been fragmented by linear development since the SCLHP was established. Patch #3 was approximately 27.9 ha in size in 1997. In the 2011 imagery, Patch #3 is fragmented by two new linear corridors, resulting in the creation of Patch #4 and Patch #5 (Table 5-2):

1. the construction of the berm extending south of 3rd Avenue, and
2. the construction of a trail north of the Waste Transfer Facility to the Project Area (Figure 5-1).

This fragmentation reduced Patch #3 to 5.2 ha, while creating Patch #4 (18.6 ha) and Patch #5 (3.0 ha).

All other disturbance that has reduced patch size is the result of vegetation clearing along already cleared areas (i.e., expanding footprints) (Table 5-2). The fragmentation of the SCLHP over time has resulting in a patchwork of intact habitat separated by linear corridors or non-linear disturbance (e.g., vegetation clearing). The fragmentation over time may affect smaller-ranging wildlife such as squirrels or rodents and may improve movement and forage for larger mammals such as coyote, elk, deer, or moose. Although the SCLHP has been fragmented somewhat over time, it is unlikely that the fragmentation has measurably affected the ability of wildlife to complete their life requisites as they had when the SCLHP was established. A summary of changes in the SCLHP and RSA is provided below.

5.2.3 Regional Study Area

The RSA is a 500 m buffered area surrounding the SCLHP. The RSA has been altered significantly more than the SCLHP since its establishment in 1999. The following is a summary of observed changes in the RSA (including the SCLHP) using historical aerial photographs and historical imagery.

1997 Ortho-imagery

- The total estimated disturbance in the SCLHP is 13.5 ha, including roads, infrastructure, and areas cleared of vegetation.
- Baseline conditions for the SCLHP. The SCLHP is highly fragmented with roads and trails. The SCLHP is intersected east-west with a major access road for the Wastewater Treatment Plant and Waste Transfer Station.
- The south eastern portion of the SCLHP is fragmented by north-south oriented linear disturbance parallel and perpendicular to Highway 1.
- Non-linear disturbance is primarily associated with the Wastewater Treatment Plant, Waste Transfer Station, and cleared road verges.
- Historic trails and roads, including historic fords of the Bow River, are visible in the imagery south of the Project Area.
- The cleared road and berm that extends south of 3rd Avenue has not yet been constructed.
- The RSA has less disturbed area (fewer houses) south of the SCLHP.
- The Tipple Wildlife Corridor appears to be under construction with recent soil disturbance.

2011 Ortho-imagery

- The total estimated disturbance in the SCLHP is 15.6 ha, including roads, infrastructure, and areas cleared of vegetation.
- Minimal change is observed in the SCLHP since 1997 (2.1 ha total).
- The Waste Transfer Facility footprint is expanded in the SCLHP within an existing disturbed area – minimal vegetation disturbance involved.

- The cleared road and berm that extends from 3rd Avenue to the Waster Management Facility has been constructed.
- Some densification has occurred in the community of Spring Creek as many mobile homes have been replaced with condominiums and commercial amenities.
- Significant residential densification around Three Sisters Drive, including the construction of Three Sisters Parkway.

2017 – Current Conditions

- The total estimated disturbance in the SCLHP is 15.6 ha, including roads, infrastructure, and areas cleared of vegetation.
- Minimal change is observed in the RSA since 2011. No new developments have occurred within the SCLHP; however, densification has occurred in the community of Spring Creek (RSA) as many mobile homes have been replaced with condominiums and associated commercial amenities.

Reasonably Foreseeable Development

- Conceptual Land Use Plan – Change in the SCLHP as a result of the Project will amount to approximately 0.7 km of new linear disturbance and 0.35 ha of new non-linear features (i.e., buildings not including Subdivision C). In total (accounting for area of linear disturbance), the proposed project will contribute an additional 0.8 ha of additional disturbance (not including Subdistrict C). Combined with existing disturbances (15.6 ha; 9% of the SCLHP), the total disturbance in the SCLHP will increase to 16.4 ha (9% of the SCLHP). The new access road into Subdistrict D will convert low shrub ecosystem to a gravel surface, which fragments the Low-Shrub Grass ecosystem. This effect is not expected to have the same effect on wildlife as creating a linear corridor in a forested environment (i.e., no security cover is being affected); therefore, an additional functional habitat fragment is not being created. Because of the location of the Project in relation to the overall SCLHP, this added disturbance is not anticipated to affect the ability of wildlife to meet their life requisites (e.g., reproduction, living, security) in the Project Area or the SCLHP.
- No additional developments are proposed within the SCLHP. The SCLHP is approximately 182.2 ha in area and factoring in existing and proposed developments for the SCLHP, a total of 9% of the SCLHP will remain disturbed into the foreseeable future.
- Change in the RSA as a result of other reasonably foreseeable future developments can be summarized as:
 - Shifts in wildlife use of the Tipple Wildlife Corridor may occur as a result of the proposed TSMV development. It is anticipated that the wildlife exclusion fencing proposed for the TSMV will influence wildlife traveling east-west along the Along Valley Corridor. Wildlife may use the Tipple Corridor more often, or they may defer to move further south (where there is less disturbance) of the TSMV during east-west travel. It is not expected that the fencing proposed for the TSMV will significantly influence wildlife use of the Tipple Corridor to an extent that changes wildlife-human interaction at the Project Area. Species that may move into the SCLHP as a result of avoiding the TSMV will likely continue their route to the east or to the west, and visual and sensory queues from existing disturbance (e.g., the traffic for the Waste Transfer Station) is expected to influence wildlife sensitive to disturbance to leave the SCLHP. The SCLHP does not provide sufficient space to meet all of the life requisites of large ranging mammals such as grizzly bear or cougar, and these species are most likely to enter the SCLHP intermittently.
 - Changes in large mammal wildlife use of the SCLHP as a result of the proposed TSMV wildlife exclusion fencing. Habitat will be lost within the footprint of the proposed TSMV wildlife exclusion fencing area. Wildlife will be displaced and may defer to using the SCLHP as an alternative.

- Shifts in human use in the Spring Creek Mountain Village, north of the Project Area. It is unclear if human use of the SCLHP will increase or decrease as a result of the Spring Creek development. No change in land cover in this area is anticipated.
- Developments within the RSA that may result in further reduce vegetated cover, if potential developments choose to replace native vegetation with hard infrastructure such as roads or buildings; however, the amount of land base available for development is limited (approximately 14 ha).

The remaining undisturbed portions of the SCLHP comprise public lands that are not expected to be developed given the existing provincial and municipal policy and guidelines in place. The SCLHP is surrounded by a variety of existing land uses that are disruptive to wildlife, in particular, the Trans-Canada Highway and the CP Rail line. The existing amount of habitat fragmentation in the SCLHP does not appear to affect wildlife use, most likely due to the scale that large mammals use the landscape. Specifically, elk do not appear to be negatively influenced by the habitat fragmentation in the SCLHP, and may rely on the linear corridors for security during foraging (especially in winter).

The Conceptual Land Use presented in this EIS is not expected to have an affect on wildlife use as a result of the TSMV development because suitable habitat remains within the southern portion of the SCLHP, which is the portion that provides the largest patches of intact habitat. In addition, the SCLHP will continue to not meet the spatial criteria for home range of large carnivores (i.e., large carnivores will require much larger range than the SCLHP) and any incursion by large carnivores into the SCLHP can be considered incidental and short term.

It is understood that elk use the SCLHP despite these existing constraints, and it is anticipated that elk and other wildlife will continue to use the SCLHP in the same manner as they do currently.

Within implementation of the proposed mitigation measures, potential cumulative effects associated with native vegetation cover loss, increase human use, and loss of habitat area in the SCLHP will be negligible in the long-term.

Future impacts on the quality and quantity of habitat in the SCLHP is not expected to change. In particular, habitat use as a result of fragmentation is not expected to increase as a result of the Project because all project components are situated in the northern periphery of the Project Area. The adjacent Bow Flats Regional Habitat Patch is not expected to be affected by the Project or reasonably foreseeable developments within the RSA, and the Bow Flats Regional Habitat patch will remain fragmented from the SCLHP unless the “conceptual corridors” are developed into functional wildlife crossings.

5.3 Residual Impacts

Residual impacts are those that remain once mitigations and cumulative impacts have been applied (Table 5-3).

Table 5-3
Residual Impact Summary

Ecosystem Component	Residual Impacts
Soils and Terrain	Negligible residual impacts expected with mitigation.
Vegetation and Wetlands	Low residual impacts due to a reduction in native vegetation cover and potential spread of weeds.
Wildlife and Wildlife Habitat	Low to Negligible from alteration of habitat and more human activity.
Cumulative Impacts	<p>Negligible and long-term residual impacts from habitat loss adjacent to and within SCLHP. The TSMV may result in movement deflections of wildlife caused by wildlife exclusion fencing.</p> <p>Negligible effects are anticipated because wildlife are habituated to presence of people, the Conceptual Plan considers wildlife movement and human-conflict, and the majority of the Project Area will remain in a natural state.</p>

5.4 Future Permitting, Mitigation, and Monitoring

Based on the final designs for the proposed residential areas in Subdistricts B and C, additional assessments may be required in support of regulatory applications. These may include but are not limited to the following:

- *Water Act* application for any instream work that may be required as part of a future bridge. No instream work is anticipated at this time.
- *Water Act* Code of Practice Notification for Watercourse Crossings (e.g., where there is no impact to the bank, bed or shores of a waterbody, but where the waterbody will be crossed with a structure).
- Retain a Qualified Professional to complete an auditory or visual presence/non-detection survey to determine if the shrubby swamp is used by amphibians. Surveys should be completed during the spring in a year when the shrubby swamp holds water.
- Retain a Qualified Aquatic Environmental Specialist (QAES) for any instream works in Spring Creek in support of the construction of a bridge.

Additional mitigation measures proposed to be included in the Direct Control District to protect Spring and Policeman Creek's riparian habitat value include:

- Maintaining a minimum setback of at least 20 m for all buildings and landscaping along Spring and Policeman Creek. The minimum 20 m setback will prevail over any other setback that may conflict with the minimum 20 m setback.
- Avoid planting non-native monoculture species such as manicured lawns immediately adjacent to the minimum 20 m setback to maintain riparian water quality function (e.g., sediment, nitrate, or phosphorus transport). Any permanent landscaping that affects the vegetation outside the 20 m setback will be comprised of native vegetation.

- Where not in conflict with the FireSmart directive, mature trees over 0.3 m in diameter will be protected in perpetuity throughout the minimum 20 m setback on Spring and Policeman Creeks. Trees removed within 20 m of Spring Creek to meet FireSmart objectives should be replaced by less flammable species such as poplar or cottonwood.
- The existing undisturbed areas adjacent to Spring and Policeman Creeks and within the minimum 20 m setback should be protected as a non-disturbance zone. No soil or vegetation disturbance (except where FireSmart thinning is required) will occur within this area, except for the removal of noxious or invasive plant species. In the removal of noxious or invasive species, only mechanical methods such as cutting or hand-pulling will occur, and no use of herbicides will be allowed.

RFD from May 3, 2022

REFERENCES

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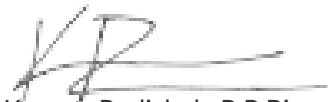
CERTIFICATION PAGE

This report presents our findings for an Environmental Impact Statement completed for the proposed Conceptual Land Use Plan 3rd Avenue South Land.

Respectfully submitted,

Prepared by:

Reviewed by:



Keenan Rudichuk, R.P.Bio.
Senior Wildlife Biologist



Richard Simpson, RFP, M.Sc.
Regional Manager

RFD from May 3, 2022

APPENDIX A – CONCEPTUAL LAND USE PLAN

RFD from May 3, 2022

APPENDIX B - TERMS OF REFERENCE

RFD from May 3, 2022

Terms of Reference

Environmental Impact Statement (EIS) for the South Canmore Lands – 800 3rd Avenue

1.0 Introduction

1.1 Project Description

The Town of Canmore has received a proposal to develop 20 acres of currently undeveloped land east of Spring Creek Gate and north of 3rd avenue (See Attachment 1). The property is privately owned by Bill and Jan McCaffery. The legal description of the property is S. ½ of L.S.D. 13, QTR NW, Sec. 28, TWP 24, Range 10. The municipal address is 800 3rd Avenue, Canmore, AB.

Development plans for the site have not been finalized, but initial plans call for the construction of five to seven private homes and a palliative care home. There are also plans to build a barn and fenced horse paddock in association with one of the homes on the property. New roads will be required to access the site.

The property falls within the South Canmore Local Habitat Patch. A habitat patch is defined as an area meant to meet the food, rest and water needs of animals for a short period while they negotiate a corridor network towards a larger, regional habitat patch at its end. Habitat patches need to provide sufficient habitat in their interior for an animal to rest or feed with security from human disturbance (BCEAG 2012).

1.2 Requirement for an EIS

The applicant's property is located within the South Canmore Local Habitat Patch, including the northern peninsula area (see Map 4 in MDP 2016). As per Canmore's Municipal Development Plan (2016), an EIS is required for proposed projects located within areas designated as Conservation areas, such as Habitat Patches, but that are outside of the Growth Boundary:

4.1.2 Development in Conservation areas should be limited to recreational use, agricultural uses, infrastructure and utilities, and will be subject to any additional restrictions on these activities contained in the MDP including Environmentally Sensitive Areas policies contained in Section 4.2.

4.1.4 Changes in zoning for lands within Conservation areas that would allow new or additional development of those lands shall be discouraged unless exceptional community benefit can be demonstrated. Should an application for amendment be considered, an EIS will be required to be prepared and potential impacts of the development addressed and mitigated.

The EIS should also consider:

New Development Within or Adjacent to Wildlife Corridors and Habitat Patches

4.2.13 *Development proposals within or adjacent to a wildlife corridor or habitat patch shall have regard for the BCEAG Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley (2012) and most recent principles of wildlife conservation to ensure the values and function of the corridor or habitat patch are not compromised.*

Wildlife Sensitive Design

4.2.16 *Developments should be designed to minimize impacts on any adjacent wildlife habitat patch or corridor. Design elements that should be addressed include, but are not limited to, placement of buildings, lighting, landscaping and fencing, educational signage and location of trails and trail heads.*

Waterbodies – Setbacks for New Development

4.2.23 *Setbacks from waterbodies shall be established at the area structure plan, land use bylaw amendment or subdivision phase to ensure that:*

- a. Land adjacent to a waterbody is dedicated as Environmental Reserve pursuant to Section 4.3,*
- b. Riparian areas, the waterbody and watershed processes are maintained in a natural state,*
- c. Public access is provided where desirable, and*
- d. Fish and wildlife habitat is protected.*

4.2.24 *The Provincial guidelines Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region (2012) should be used as a guideline for the identification of riparian areas and development of management options to determine waterbody setback distances.*

Flood Risk Areas

3.4.1 *Development within the areas identified as floodway, flood fringe and overland flow areas shall be designed to protect buildings and habitable spaces in addition to protecting the natural function of waterbodies.*

The preparation of an EIS is outlined in the Town's Environmental Impact Statement Policy. Prior to preparing the EIS, the Town must obtain input from a qualified third-party reviewer. The scope of the EIS is to assess the impacts of building five to seven private homes, one horse paddock, and a palliative care home within the South Canmore Local Habitat Patch – the land use and development level impacts of construction and operation of the facility including associated mitigations.

This EIS Terms of Reference was prepared and reviewed by the Town's third-party reviewer.

2.0 Purpose of the EIS

The purpose of the EIS is to provide sufficient information to Council and Town staff in order to make an informed decision on the application to amend the Municipal Development Plan and change the land use zoning to allow development in the South Canmore lands at 800 3rd Avenue. The EIS will outline existing conditions, identify significant natural and ecological features, determine the nature and scale of the potential impacts generated by the proposal, provide recommendations for how to best avoid or mitigate those impacts, and identify residual impacts and their significance.

3.0 Scope of the EIS

The EIS will be based on available information and accumulated data on environmental resources from the surrounding environments and identified linkages to the proposed development. The accumulated data and most recent scientific thought will form the basis of the EIS. In addition to existing information, it is recommended that a reconnaissance level survey be conducted to ground truth existing information.

1) Proposal Overview

- A description of the proposal.
- Mapping of the proposal in relation to regional and existing site conditions and constraints.
- Identification of federal or provincial requirements or restrictions relevant to the study, and how the proposal will meet the intent or legislative requirements.
- An overview of the municipal planning policy context, including statutory documents and zoning.

2) Existing Site Conditions

- Identification of previous relevant literature/studies, if publicly available
- A description of existing environmental conditions, including:
 - i. Site location map,
 - ii. Soils, landforms and surficial geology,
 - iii. Hydrological or hydrogeological (desktop assessment only) resources including wetlands,
 - iv. A biophysical inventory and analysis of terrestrial and aquatic communities (studies being undertaken during the appropriate season), and the relationship to the larger local and regional ecosystem,

- v. A summary description of the natural features and components, and the proposed criteria to be applied for evaluation of their significance, and
- vi. Hazards and constraints resulting from existing site conditions.

- .

3) Analysis of Impacts

- Analysis and criteria for evaluation of the foreseeable short and long term positive and negative impacts of the proposal with respect to:
 - i. Fish and associated habitat,
 - ii. Wildlife and associated habitat,
 - iii. Vegetation,
 - iv. Soils and terrain,
 - v. Ground water impacts,
 - vi. Surface water impacts, and
 - vii. Air quality.
- Analysis of the human use impacts resulting from the proposal.
- Analysis of alternatives and modifications to the proposal to limit or remove impacts.
- An evaluation of whether the form of the development/proposal can be accommodated given any identified ecological sensitivities or constraints, including land use type and intensity of the proposed development.
- Analysis of the cumulative impacts of the proposal considering the impacts of previous development and human activity in the South Canmore Local Habitat patch. For the purposes of this analysis the focal area should include the South Canmore Local Habitat patch plus a 500 m buffer around its boundary. At a minimum the cumulative effects analysis should include:
 - A quantitative description of landcover/wildlife habitat change over time inside the habitat patch
 - A quantitative description of change in human-related disturbance levels over time inside the habitat patch (e.g., roads, designated vs undesignated recreational trails)
 - A discussion of how existing, and future/proposed development impacts the quality and quantity of wildlife habitat inside the patch and wildlife use of it, including quantitative estimates of potential changes in overall patch size, fragmentation level etc.

- Temporal range of the analysis should span from the period when the South Canmore Habitat Patch was first established (~1992-1999) and include analysis of landscape change every 5 to 10 years to existing conditions. It will also include a discussion of predicted Future impacts (i.e., with Project and other Reasonably Foreseeable Developments)

4) Mitigations, Recommendations & Conclusions

- Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts.
- Identification of residual impacts and criteria proposed to evaluate their significance.

Wildlife habitat patches are a valid municipal planning issue and the EIS will need to consider how development or any proposed mitigations will impact wildlife use of the adjacent habitat patch as well as how cumulative effects are impacting the South Canmore Local Habitat patch.

4.0 EIS Report

The report will contain all information required by this Terms of Reference. The format of the report will include mapping, tables and supporting text. The Town will require a digital copy of the document.

5.0 Review of the EIS

The EIS Policy requires that this EIS Terms of Reference and the resulting EIS are reviewed by an independent, qualified third party that reports directly to the Town. The EIS Policy also requires that the third-party reviewer be involved from the beginning of the process. The Town and its third-party reviewer will work with the applicant's consultant to update and revise the EIS as may be necessary through the review process. Where significant changes are proposed to the EIS, the project or recommended mitigation strategies through the EIS review process, the applicant's consultant will produce an updated EIS that reflects these changes.

The EIS must be submitted and reviewed by the Town's third-party reviewer prior to First Reading by Council.

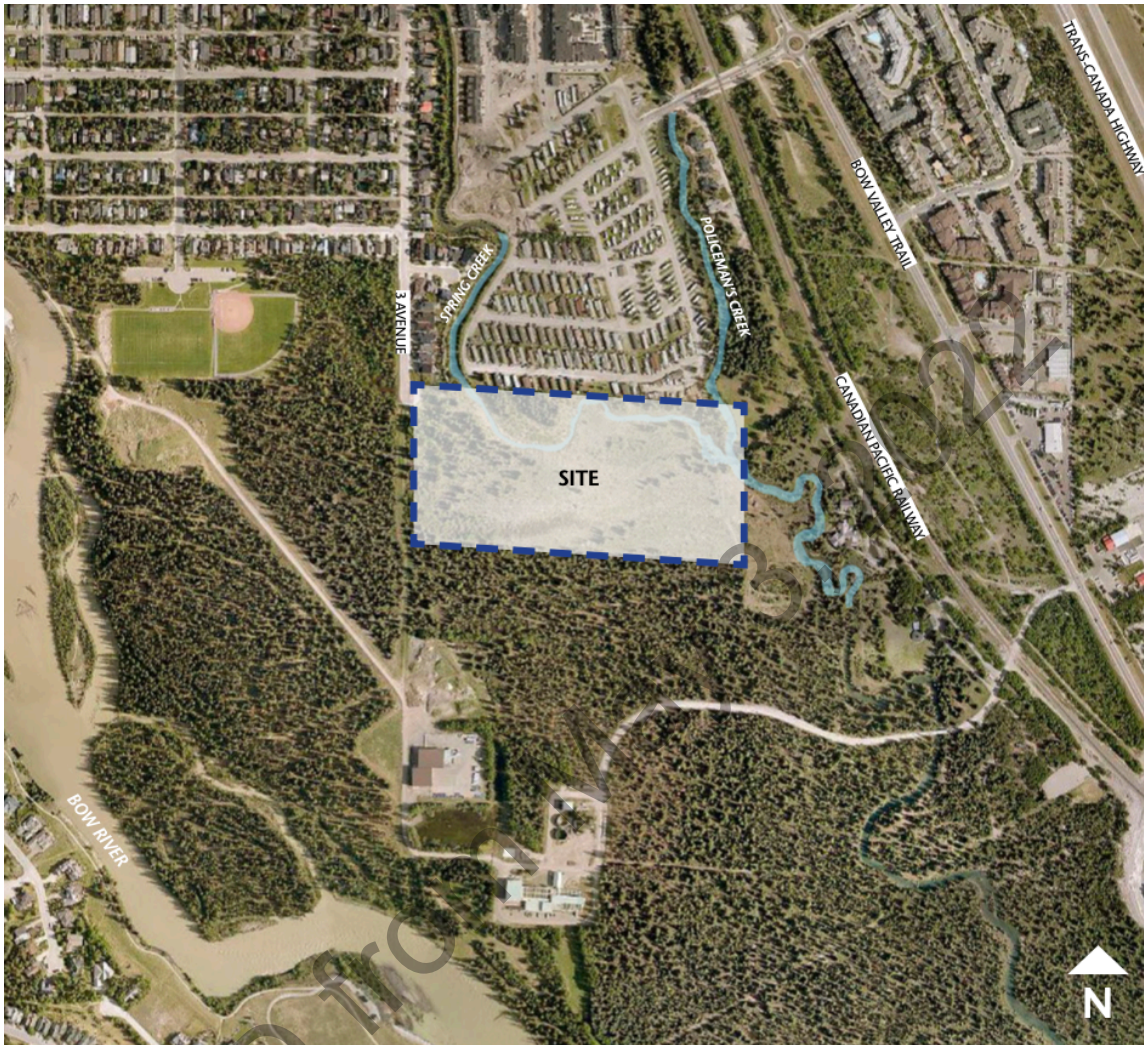
The Town may also refer the EIS to other agencies or committees for comment, including but not limited to the Province of Alberta and Canmore's Environmental Advisory Review Committee (EARC).

6.0 Relevant and Available Documents

- Recommendations for Trails and Management of Recreational Use for the Town of Canmore: South Canmore and West Palliser (TERA Environmental Consultants, 2012)
- BCEAG (Bow Corridor Ecosystem Advisory Group). 1999. Wildlife corridor and habitat patch guidelines for the Bow Valley. 34pp.
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- Town of Canmore. 2019b. Human - Wildlife Coexistence in the Bow Valley.
- Flood risk mapping – available [here](#)

Attachment 1

Area overview



(Source: 3rd Avenue South Land: Conceptual Land Use Plan (Mta, 2020)

APPENDIX C - VEGETATION OBSERVED IN PROJECT AREA

Scientific Name	Common Name	Layer	Provincial Rank ¹	Project Area Classification			
				Coniferous Forest	Wetland	Open	Riparian
<i>Achillea millefolium</i>	common yarrow	Forb	S5	•			
<i>Amelanchier alnifolia</i>	saskatoon	Shrub	S5	•			
<i>Anemone canadensis</i>	Canada anemone	Forb	S5	•			
<i>Arctostaphylos uva-ursi</i>	common bearberry	Shrub	S5	•			
<i>Betula pumila</i>	dwarf birch	Shrub	S5	•		•	
<i>Bromus ciliatus</i>	fringed brome	Graminoid	S5	•		•	
<i>Calamagrostis canadensis</i>	bluejoint	Graminoid	S5				
<i>Calamagrostis stricta ssp. inexpansa</i>	northern reed grass	Graminoid	S4			•	
<i>Carex aquatilis</i>	water sedge	Graminoid	S5		•	•	•
<i>Carex flava</i>	yellow sedge	Graminoid	S2S3				
<i>Carex saxatilis</i>	rocky-ground sedge	Graminoid	S4		•		•
<i>Carex spp.</i>	sedge species	Graminoid	SNR	•		•	•
<i>Carex spp2.</i>	sedge species	Graminoid	SNR	•		•	•
<i>Carex utriculata</i>	small bottle sedge	Graminoid	S5				•
<i>Cirsium arvense</i>	creeping thistle	Forb	SNA		•		•
<i>Dasiphora fruticosa</i>	shrubby cinquefoil	Shrub	S5	•	•	•	

Environmental Impact Statement

Scientific Name	Common Name	Layer	Provincial Rank ¹	Project Area Classification			
				Coniferous Forest	Wetland	Open	Riparian
<i>Deschampsia cespitosa</i>	tufted hair grass	Graminoid	S5		•	•	•
<i>Elaeagnus commutata</i>	silverberry	Shrub	S5				•
<i>Elymus repens</i>	quackgrass	Graminoid	SNA				
<i>Elymus trachycaulus</i>	slender wheatgrass	Graminoid	S5		•	•	
<i>Equisetum arvense</i>	common horsetail	Forb	S5				•
<i>Equisetum pratense</i>	meadow horsetail	Forb	S5	•	•		
<i>Fragaria virginiana</i>	wild strawberry	Forb	S5	•		•	
<i>Galium boreale</i>	northern bedstraw	Forb	S5	•			
<i>Geum rivale</i>	purple avens	Forb	S5			•	
<i>Geum spp.</i>	avens	Forb	SNR				•
<i>Halenia deflexa</i>	spurred gentian	Forb	S4	•			
<i>Hordeum jubatum</i>	foxtail barley	Graminoid	S5				
<i>Juncus balticus</i>	wire rush	Graminoid	S5				•
<i>Juncus spp.</i>	rush species	Graminoid	SNR				
<i>Koeleria macrantha</i>	June grass	Graminoid	S5				
<i>Lathyrus ochroleucus</i>	cream-colored vetchling	Forb	S5	•			
<i>Leymus innovatus</i>	hairy wild rye	Graminoid	S5	•		•	
<i>Moss spp.</i>	moss species	Bryophyte	SNR				

Appendix C - Vegetation Observed in Project Area

Scientific Name	Common Name	Layer	Provincial Rank ¹	Project Area Classification			
				Coniferous Forest	Wetland	Open	Riparian
<i>Oryzopsis asperifolia</i>	white-grained mountain rice grass	Graminoid	S5	•			
<i>Packera paupercula</i>	balsam groundsel	Forb	S5			•	
<i>Phleum pratense</i>	timothy	Graminoid	SNA	•	•	•	
<i>Picea glauca</i>	white spruce	Tree	S5	•		•	•
<i>Plantago major</i>	common plantain	Forb	SNA				
<i>Plantago spp.</i>	plantain species	Forb	SNR				
<i>Platanthera dilatata</i>	tall white bog orchid	Forb	S3		•	•	
<i>Poa palustris</i>	fowl bluegrass	Graminoid	S5				
<i>Poa pratensis</i>	Kentucky bluegrass	Graminoid	S5		•		
<i>Poa spp.</i>	bluegrass species	Graminoid	SNR			•	
<i>Populus balsamifera</i>	balsam poplar	Tree	S5		•		
<i>Populus tremuloides</i>	aspen	Tree	S5			•	
<i>Potentilla anserina</i>	silverweed	Forb	S5				
<i>Prunella vulgaris</i>	heal-all	Forb	S3				
<i>Pyrola asarifolia</i>	common pink wintergreen	Forb	S5				
<i>Ranunculus acris</i>	tall buttercup	Forb	SNA		•	•	
<i>Ribes oxycanthoides</i>	northern gooseberry	Shrub	S5				
<i>Rosa acicularis</i>	prickly rose	Shrub	S5	•	•	•	
<i>Rubus pubescens</i>	dewberry	Forb	S5		•		

Environmental Impact Statement

Scientific Name	Common Name	Layer	Provincial Rank ¹	Project Area Classification			
				Coniferous Forest	Wetland	Open	Riparian
<i>Salix lasiandra</i>	shinning willow	Shrub	S5		•		•
<i>Salix scouleriana</i>	Scouler's willow	Shrub	S5				
<i>Salix spp.</i>	willow species	Shrub	SNR	•		•	
<i>Schizachne purpurascens</i>	purple oat grass	Graminoid	S5			•	
<i>Shepherdia canadensis</i>	Canada buffaloberry	Shrub	S5				
<i>Sisymbrium altissimum</i>	tumbling mustard	Forb	SNA				
<i>Sisyrinchium montanum</i>	common blue-eyed grass	Graminoid	S5			•	
<i>Symphyotrichum spp.</i>	aster species	Forb	SNR				
<i>Taraxacum officinale</i>	common dandelion	Forb	SNA			•	
<i>Trifolium hybridum</i>	alsike clover	Forb	SNA	•		•	
<i>Viola spp.</i>	violet species	Forb	S4				
<i>Leucanthemum vulgare</i>	ox-eye daisy	Forb	SNA			•	
<i>Solidago missouriensis</i>	low goldenrod	Forb	S5			•	
<i>Galearis rotundifolia</i>	round-leaved orchid	Forb	S5	•			

APPENDIX D - SITE PHOTOGRAPHS



Photo 1
Subdistrict D, looking northwest



Photo 2
Subdistrict D, looking northwest



Photo 3
Subdistrict D, looking southeast



Photo 4
Subdistrict C, looking northeast with Spring Creek and residences

APPENDIX E - FWMIT SPECIES SUMMARY REPORT

RFD from May 3, 2022

Fish and Wildlife Internet Mapping Tool (FWIMT)

(source database: Fish and Wildlife Management Information System (FWMIS))

Species Summary Report

Report Created: 30-Sep-2019 15:36

Species present within the current extent :

Fish Inventory

ARCTIC GRAYLING
 BROOK STICKLEBACK
 BROOK TROUT
 BROWN TROUT
 BULL TROUT
 BULL TROUT X BROOK TROUT HYB
 CUTTHROAT TROUT
 LAKE TROUT
 LONGNOSE SUCKER
 MOUNTAIN WHITEFISH
 RAINBOW TROUT
 SUCKER FAMILY
 TULLIBEE (CISCO)
 UNKNOWN
 WHITE SUCKER

Wildlife Inventory

BARRED OWL
 BOREAL TOAD
 COLUMBIA SPOTTED FROG
 COUGAR
 GRIZZLY BEAR

Stocked Inventory

ARCTIC GRAYLING
 BROOK TROUT
 BROWN TROUT
 CUTTHROAT TROUT
 RAINBOW TROUT

Buffer Extent

Centroid (X,Y):

475613, 5656466

Projection

10-TM AEP Forest

Centroid: (Qtr Sec Twp Rng Mer)

NW 28 24 10 5

Radius or Dimensions

5 kilometers

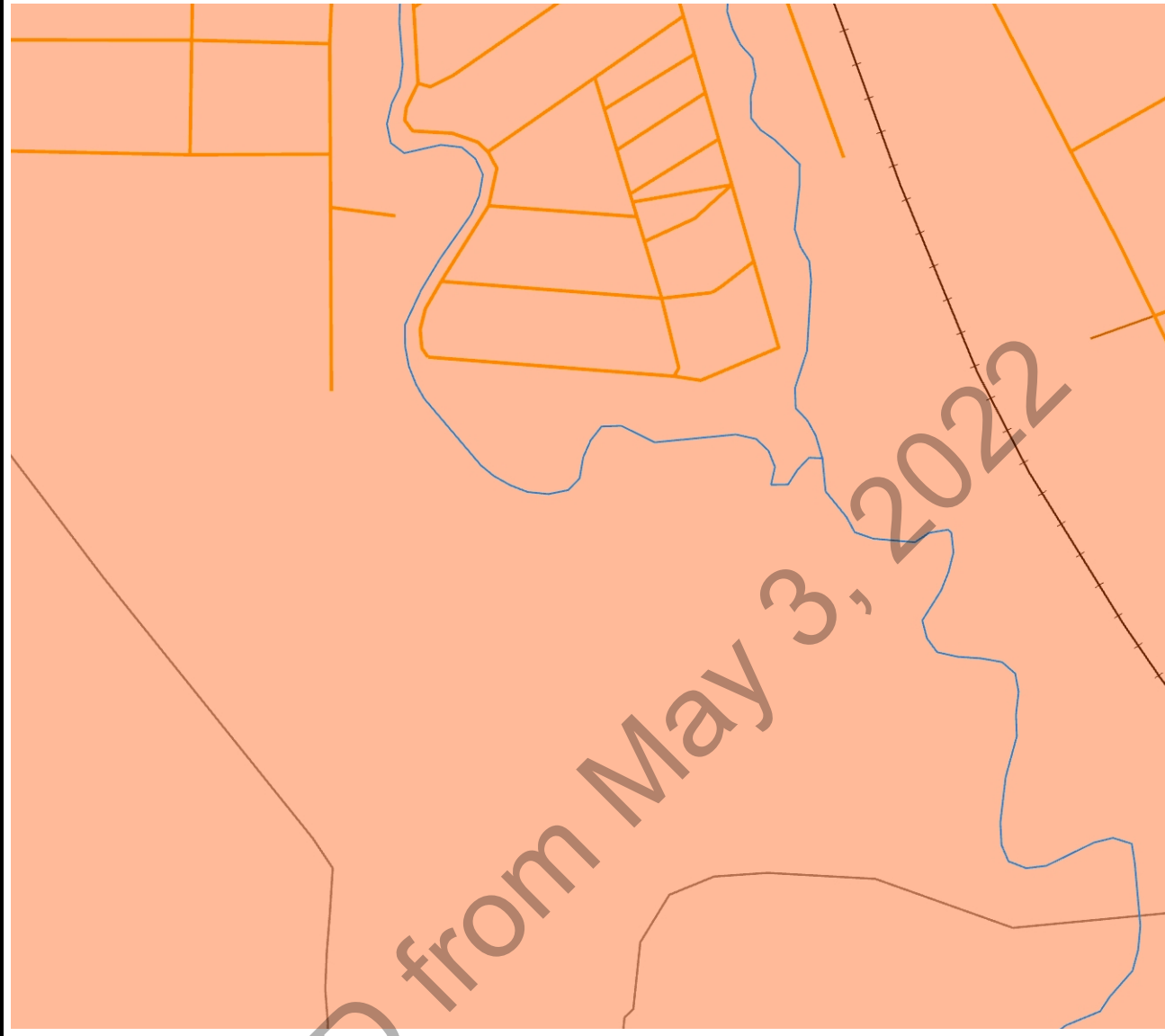
Contact Information

For contact information, please visit:

<http://aep.alberta.ca/about-us/contact-us/fisheries-wildlife-management-area-contacts.aspx>

30-Sep-2019 15:36

Map Results



Display may contain: Base Map Data provided by the Government of Alberta under the Alberta Open Government Licence. Cadastral and Dispositions Data provided by Alberta Data Partnerships. ©GeoEye, all rights reserved. Information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at time of use.

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APPENDIX F - LETTER OF SUPPORT

RFD from May 3, 2022



**Building Community;
Hospice Palliative Care in
the Bow Valley**

#202 1080 Railway Avenue
PO Box 40113
Canmore Crossing
Canmore T1W 1P4

August 19, 2020

Letter of Support from:

Julie Hamilton
Chair, Board of Directors
Palliative Care Society of the Bow Valley

To: Lauren Miller
Manager of Planning & Development

Alaric Fish
Senior Planner

Re: Land Use Rezoning Application from Bernie and Jan McCaffery for 3rd Avenue South Land in Canmore

The Palliative Care Society of the Bow Valley (PCSBV) is a not-for-profit society run by a volunteer Board of Directors. Palliative care is a branch of health care for individuals and families who are living with a life-limiting illness that is usually at an advanced stage. The main goal of the PCSBV is to provide comfort and dignity for the person living with the illness as well as the best quality of life for both the patient and his or her family.

While an important objective is the relief of pain and other symptoms, enhancing the overall quality of life is the primary goal. Palliative care meets not only the physical needs but also the psychological, social, cultural, emotional and spiritual needs of each person and family.

Many patients with terminal illness living in the Bow Valley, are choosing to stay at home and consequently, are not receiving the full spectrum of palliative care that is offered in an urban setting such as Calgary. This situation appears to be inconsistent with how Canmore prides itself in the quality of life it offers, and with the reasons many people choose to live in the Bow Valley.

It is for this reason that the PCSBV board of directors is moving forward with construction in Canmore of a 6-bed residential hospice which will also include day hospice palliative care programs. The board determined that the innovative approach being planned will result in a world class rural palliative care model where patients and their families will be able to choose how their palliative end of life care is to be provided. This model will be integrated seamlessly with existing palliative care, long term, cancer and acute care delivery programs based in Canmore and Banff.

In June 2019, Jan and Bernie McCaffery indicated to the PCSBV of their intention to donate 2 acres of their property in south Canmore to be used as the site to build our planned hospice. Having this property donated to the PCSBV will provide enormous benefit to residents of Canmore and the Bow Valley.

Benefits of the hospice in this location include;

- Improving quality of life for families and patients living with terminal illness.
- The full spectrum of health care needs for the Bow Valley's aging population will be met locally.
- Hospice located within proximity of Canmore town centre which avoids having to travel to Calgary for hospice care.

Palliative Care Society of the Bow Valley
www.palliativecarebowvalley.com



**Building Community;
Hospice Palliative Care in
the Bow Valley**

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- Bringing appropriate primary palliative end-of-life care to Canmore residents and other Bow Valley communities.
- Enhancing family centered care.
- Providing important and close links with the Bow Valley Community Cancer Center in the Canmore Hospital.
- Accommodating First Nations cultural needs.
- Allow the use of local contractors and businesses for construction and furnishing of the hospice.

The PCSBV is very appreciative of the donation of this property from McCaffery's and supports their application to the Town of Canmore to Re-Zone the land use of their property so that it can be used for the site for a 6- bed residential hospice. The planned facility is one story and would be designed to blend into the landscape. The location of this property is ideally situated for the purpose of a rural residential hospice with its mountain views and proximity to medical amenities.

On behalf of the PCSBV, I thank the McCaffery's for their generous support of the PCSBV and their transformational gift which not only will improve the experience of people and their families on the end of life journey but also will contribute to making Canmore a leader in rural hospice care.

Respectfully submitted

Julie Hamilton
Chair, PCSBV
403-609-8985
jchamilton52@icloud.com



Memo

To: **Alaric Fish, Town of Canmore** File no: **2025**

From: Brian Kopach (brian.kopach@mses.ca) cc: Shannon Gavin

Tel: (403) 400-5396

Date: **April 1, 2021**

Subject: Review of the Final Environmental Impact Statement for the Conceptual Land Use Plan for the 3rd Avenue South Land, Canmore, AB.

1.0 Introduction

The Town of Canmore (the Town) retained Management and Solutions in Environmental Science (MSES) to serve as the third-party reviewer (TPR) of the Environmental Impact Statement (EIS) for a proposed land use plan for the 3rd Avenue South Land (the Project). The EIS was prepared by Associated Environmental (AE) Consultants Inc. on behalf of landowners Jan and Bernie McCaffery. The need for an EIS is mandated under the Town's Municipal Development Plan (MDP) (Town of Canmore, 2016) because the Conceptual Land Use Plan requires an amendment to the Land Use designation for the property and an adjustment to the Urban Growth Boundary.

The role of the TPR is defined in the Town's EIS Policy (Town of Canmore, 2018). The EIS Policy states that the TPR shall contribute to the development of the Terms of Reference (ToR) and conduct a review of the EIS for the project. MSES worked with the Town to develop the ToR and reviewed a first draft of the EIS. This memo contains the MSES third-party review of the revised and final draft of the EIS.

1.1 Background on the Proposed Project

The proposed Project is located on 8.65 ha of previously undeveloped land south of Spring Creek Gate and east of 3rd Avenue, at 800 3rd Avenue. The majority of the property lies south of Spring Creek and west of Policeman's Creek inside the South Canmore Local Habitat Patch (SCLHP) (BCEAG, 2012). Habitat patches have been identified as areas that are important for supporting wildlife populations and movement in the Bow Valley. Terms within Canmore's MDP 2016-03 recommends minimizing or restricting disturbances within a habitat patch or corridor and require an EIS if developments are proposed inside habitat patches or wildlife corridors (Town of Canmore, 2016, Section 4.2).

The proposed development includes a Palliative Care Home (Subdistrict A, 0.82 ha), five single family dwellings (Sub Districts B & C, 0.62 & 1.14 ha respectively), and a single-family home on the remainder of



the property (Sub District D, 5.61 ha). Currently the Site is undeveloped except for a portion used for grazing inside an electrical fence. The EIS indicates that grazing has occurred on this site since the 1960s, but it is unclear how long the electrical fence has been in place. The EIS considers impacts from the Project and does not predict the need to construct additional wildlife exclusion fencing around the property. If human-wildlife conflict becomes a concern and fencing is needed in the future, we recommend the Town consider utilizing habitat offsets in collaboration with the Proponent to improve conditions elsewhere in the wildlife corridor network to offset the loss of habitat inside the newly fenced portion of the SCLHP.

An EIS is required because the site is located in the SCLHP and proposes an amendment to the Urban Growth Boundary. The EIS is a supporting document for proposed amendments to the Municipal Development Plan Bylaw 2016-03 and Land Use Bylaw 2018-22.

1.2 Review Approach

In Section 2.0 below, we provide a set of overarching comments on the EIS, and a set of discipline specific comments. The specific comments section includes the initial information requests MSES prepared based on a DRAFT of the EIS (**in bold**) to AE, a brief synopsis of the Proponent's response, and a final comment on the adequacy of the response in MSES' opinion along with any recommendations to address an issue or to fill a gap in the EIS (e.g., to reduce, mitigate or avoid negative impacts of the proposal). The EIS includes assessment of potential impacts to: Soils and Terrain, Vegetation and Wetlands, Wildlife and Wildlife Habitat, Fish and Fish Habitat, Water Quality, Hydrology and Hydrogeology, Land and Resource Use, Air Quality, Cultural and Heritage Resources, and the Cumulative Effects Assessment.

2.0 Technical Review of South Canmore Lands EIS

2.1 Overarching Comments

The revised EIS for the South Canmore Lands contains more information and insight into the Project Area compared to earlier drafts. The addition of a large carnivore assessment, as well as, revisions to the conceptual land use plan to avoid directly impacting a wetland, and text clarifying the potential use of wildlife fencing improve our understanding of the Project and its potential impacts.

A desktop assessment approach was applied because the development is considered relatively small compared to other developments in and around Canmore. However, the lack of rigorously collected field data for most disciplines will make the definition of triggers for implementing mitigation difficult. As well, the lack of site-specific quantitative data and the conditions under which mitigation action will be invoked is not clearly addressed in the EIS. The EIS does indicate that a number of management plans will be developed prior to site disturbance, these include an Erosion and Sediment Control (ESC) Plan, Construction Environmental Management Plan (CEMP), and a Wildlife Management Plan (WMP). It will be imperative that the Town of Canmore review and comment on the development of these plans to ensure that clear pathways to invoke future management actions are detailed in order to ensure that EIS impact predictions are accurate.

The revised cumulative effects analysis (CEA) quantifies changes in the amount of linear and non-linear disturbance over time in the SCLHP, based on aerial photo analysis. This analysis shows most of the disturbance in the SCLHP occurred prior to the establishment of the regional wildlife corridor network in the late 1990s. It also quantifies the level of fragmentation of remaining vegetation/wildlife habitat areas within the SCLHP (i.e., measured by the change in the size and number of undisturbed habitat areas within



the SCLHP over time). The fragmentation analysis found there has been relatively little change in the size and number of undisturbed vegetation/wildlife habitat areas within the SCLHP since the late 1990s.

The EIS predicts the proposed Project will have negligible impacts on cumulative effects because of its size. However, we remain concerned about the existing and future cumulative effects of development on wildlife in the SCLHP, and the regional corridor/patch network. Other environmental assessments in the region highlight the concerning current state of cumulative effects impacting the corridor networks around Canmore and that current conditions are only going to worsen in the future (Golder, 2020a, 2020b). While it is not the job of any single proponent to address this issue, the continual chipping away of physical space, and ever-increasing levels of human activity in the corridors and habitat patches is increasingly incompatible with the maintenance of suitable wildlife habitat and will serve to further erode connectivity in the Bow Valley (Whittington et al., *in press*). We do not agree that the cumulative effects are negligible. We understand this is a small project, but in a region where cumulative effects are already significant (Ford et al., 2020; Golder, 2020a, 2020b; Whittington et al., *in press*), any further addition of development only contributes to the existing, significant, cumulative effects. Changing this impact designation does not alter the overall conclusions of the EIS but should be a signal to all local and regional stakeholders that any additional development inside the corridor network will have a lasting impact. Given the existing cumulative effects impacting the corridor network, it is not enough to mitigate impacts of any single project inside the corridor network, either physical or sensory disturbance, but approaches must be identified to improve, not just mitigate, any impacts in order to improve conditions for wildlife from baseline conditions.

2.2 TPR Response to Revised EIS

2.2.1 Soils & Terrain

1) *Issue: Vague triggers to invoke mitigation action*

Reference: Section 3.2.4 & Section 4

Comment: *Recommended mitigation for soil erosion includes “[s]oil stripping, salvage, or handling will be suspended in wet conditions or during high wind velocities.” (pg. 3-4) However, no quantitative triggers for invoking mitigation are provided. It is impossible to know what is considered ‘wet conditions’ or ‘high wind velocities’. Who decides when conditions are wet enough, or winds are high enough to suspend construction activity?*

Similarly, in order to limit soil compaction, the EIS proposes to “[c]ease vehicular and equipment activity during or immediately after heavy rainfall to avoid soil compaction, rutting and/or erosion.” (Table 4-1, pg.4-1) It is unclear what ‘heavy rainfall’ means in practice and how mitigations to soil compaction will be measured to demonstrate their effectiveness. The lack of clear triggers makes it difficult to understand the decision-making process for invoking mitigation action.

Question(s)/Recommendation(s):

- a) Please quantitatively define what is considered ‘wet conditions’, ‘heavy rainfall’ or ‘high wind velocities’ in order to improve the clarity of the EIS in regards to when and how mitigation action will be implemented.**



b) Who will determine when conditions have exceeded thresholds for mitigation action and ensure that construction crews are adhering to the mitigations proposed in the EIS?

MSES Comment: Response is Partially Adequate

The revised EIS no longer contains the vague language used to describe when mitigation actions will be implemented, and it provides a proposal to retain an Environmental Monitor who will be tasked with implementing management actions. However, triggers for mitigation action remain undefined. The EIS provides a number of potential mitigation actions to prevent wind and water erosion 'during wind or rain events'

Recommendation: We recommend triggers based on wind velocity or rainfall be defined to determine when during a wind or rain event stockpiles will be covered? This could be addressed during the development of the ESC or Construction Environmental Management Plan (CEMP).

2) Issue: Wind erosion mitigation

Reference: Section 3.2.3 & Section 3.2.4

Comment: *The EIS correctly notes the potential impact of wind erosion on areas of exposed soil. The EIS states that the proponent will implement the mitigation measures and controls provided in an Erosion and Sediment Control (ESC) Plan before soil disturbance occurs. It is unclear when the ESC will be developed, and the EIS does not contain a discussion of any measures that will be used to mitigate the impacts of wind on stock piled soils or backfilled areas until they are revegetated.*

Question(s)/Recommendation(s):

- a) Please describe potential approaches to mitigate the impacts of wind erosion on stockpiled and backfilled areas until construction is complete and areas are revegetated.**

MSES Comment: Response is Adequate

The revised EIS now clearly indicates the ESC will be developed before soil disturbance occurs, presumably this means prior to the start of construction, and provides a number of additional proposals to limit potential impacts of soil erosion. Recommended mitigations now include retaining a qualified Environmental Monitor to implement mitigation measures, soil stockpiles will be kept at least 20 m away from Spring or Policeman Creek, and both long term and short term mitigation measures are included to limit the impact of wind and water erosion on stockpiled soils.

Recommendation: The EIS now clarifies that the ESC will be developed before soil disturbance occurs. We recommend the Town review the DRAFT ESC and provide input before approving permits necessary for construction to begin.



2.2.2 Vegetation & Wetlands

3) **Issue: FireSmart thinning and vegetation clearing calculations**

Reference: Section 3.3.3

Comment: The EIS estimates that approximately 0.82 ha of vegetation will be cleared in the different Subdistricts. However, it is unclear if FireSmart thinning has been included in these calculations.

Question(s)/Recommendation(s):

- a) **Please discuss the amount of vegetation that will potentially be impacted by FireSmart thinning activities.**

MSES Comment: Response is Adequate

The revised EIS provided quantitative estimates of the predicted FireSmart thinning area based on the conceptual design of the Project (See Table 3-3 of the Final EIS).

No Further Recommendations

4) **Issue: Low magnitude impact on Vegetation and Wetlands**

Reference: Section 3.3.3

Comment: The EIS notes that a large portion of the shrubby swamp wetland will be potentially impacted, yet the proposed land uses are expected to have a low impact on vegetation and wetlands. Permanent removal of a large portion of the only wetland in the Project Area does not represent a low impact in our opinion.

In addition, the goal of the Alberta Wetland Policy (GoA, 2013) is to conserve, restore, protect, and manage wetlands in the province to sustain benefits they provide to the environment, society and economy (GoA, 2013, pg. 2). Key parts of the policy including determining the relative value of wetlands and implementing a wetland mitigation hierarchy to avoid, minimize, or replace wetlands. The EIS only provides a general statement about how effects to the shrubby swamp wetland will adhere to the Alberta Wetland Policy and Implementation directives (pg. 3-8). There is no discussion about attempts to avoid, minimize, or replace wetlands as mitigation for potential impacts even though the EIS notes that “the Project will disturb a large portion of the shrubby swamp wetland in Subdistrict A.” (pg. 3-10).

Question(s)/Recommendation(s):

- a) **Please revise impact prediction for Vegetation and Wetlands to account for permanent loss of a large portion of the shrubby swamp wetland.**
- b) **Please provide additional details on how “[a]ny effects on the shrubby wetland in the Project Area will adhere to the Alberta Wetland Policy and Implementation directives.” (pg. 3-8), including a discussion about how potential impacts could be avoided, minimized, or replaced as outlined in the Wetland Policy.**



MSES Response: Response is Adequate

To address the issues raised in our previous review, the conceptual land use plan was adjusted so the proposed Palliative Care Home in Subdistrict A was realigned to avoid the shrubby swamp wetland. Further discussion was also added to describe the seasonal conditions of the wetland (See response to Issue #7).

No Further Recommendations

2.2.3 Wildlife & Wildlife Habitat

5) Issue: Building configuration in Project Area

Reference: Section 1.4, pg. 1-7

Comment: The Bow Corridor Ecosystem Advisory Group (BCEAG) wildlife corridor and habitat patch guidelines suggest, as a general principle, to avoid peninsulas, doglegs and cul-de-sacs in order to facilitate animal movement and to avoid trapping wildlife and increasing the potential for conflict. Looking at the conceptual site plan, it appears as though the placement of the Palliative Care Home (Subdistrict A) creates a potential cul-de-sac that could trap wildlife. The impact of the building configuration on the potential for wildlife conflict should be addressed in the EIS.

Question(s)/Recommendation(s):

- a) **Please describe how the conceptual site plan will not increase the potential for wildlife conflict interactions.**
- b) **Please discuss how the cul-de-sac effect will be mitigated.**

MSES Response: Response is Adequate

As part of the footprint realignment for the Palliative Care Home in Subdistrict A to avoid the shrubby wetland, the Care Home and associated parking lot was relocated from the centre of the Subdistrict into the northeastern corner of the Subdistrict. Beyond avoiding the wetland, this reconfiguration has the added benefit of reducing the potential cul-de-sac effect for wildlife on the property as a result of building the Care Home. There may be other design or planning considerations that limit the ability of the Proponent to locate the Care Home in a manner that further reduces the potential for a cul-de-sac effect to trap wildlife on the property. The EIS does acknowledge this by stating “[t]he updated design will avoid or reduce cul-de-sac effects on large ranging mammals” (pg. 1-8). We note that to completely avoid cul-de-sac effects the Care Home could also be relocated to Subdistrict B. Leaving Subdistrict A undeveloped is likely the best way to completely avoid cul-de-sac effects on wildlife movement.

Further, in order to mitigate Mortality Risk to wildlife, the EIS proposes to “[d]evelop and implement a Wildlife Management Plan during construction to keep the site clean of food waste and other attractants that could attract wildlife, in particular bears. Continue to remove natural wildlife attractants such as buffaloberry. The wildlife management plan should include adaptive management strategies if wildlife mortalities are reported.” (pg. 3-27). We support the development of a Wildlife Management Plan (WMP) which can be applied through construction and operation/occupation of the Project Area. It will be important that the WMP discuss triggers and potential mitigations that could be employed in the future so all stakeholders have an



understanding of the approaches that may be applied to manage potential issues during operations/occupation (e.g. higher than expected levels of mortality or management action such as removing problem bears or cougars).

Recommendation: We recommend that the Town consider planning or permitting approaches that will ensure cul-de-sac effects are avoided as much as possible. At most this could mean relocating the Care Home to Subdistrict B, and at a minimum, if the Care Home location in Subdistrict A deviates from the plans in the EIS ensuring that any design alterations or Care Home placement still limits cul-de-sac effects on wildlife.

We recommend the WMP be 1) developed prior to construction, 2) be applicable to the operations/occupation phase of the Project, and 3) the Town of Canmore should be given the opportunity to review the DRAFT WMP. The WMP should be deemed satisfactory by the Town of Canmore before construction permits are issued.

6) Issue: Assessment of habitat quality and quantity

Reference: Section 3.4.2

Comment: The wildlife assessment focuses on ungulates and provides only a high-level description of elk habitats and habitat use. The assessment lacks any quantitative analysis of habitat use, relying primarily on a study from 2003 to describe elk use in the broader region. The study used to describe regional elk habitat use is 17 years old and not listed in the references section of the EIS. The EIS mentions elk calving in the Spring Creek area but does not provide any further information on how or why elk use the Project Area and surrounding SCLHP.

Question(s)/Recommendation(s):

- a) **How does elk use of the Project Area compare to use of the broader SCLHP and to other parts of Canmore and the Bow Valley?**
- b) **Do elk use the Project Area for foraging or calving or both?**
- c) **Is there seasonal variation in elk use of the SCLHP?**

MSES Response: Response is Adequate

The EIS was revised to incorporate additional field survey information that was collected in January 2021. The revised information shows that while elk can be found throughout the SCLHP, elk appear to use the southeastern portion (i.e., outside the proposed Project Area) of the SCLHP most frequently. The EIS indicates that the Project Area is not currently or historically relied upon by elk for calving, or during the winter.

No Further Recommendations



7) Issue: Amphibians

Reference: Section 3.4.2, pg. 3-13

Comment: *The EIS concludes that the shrubby swamp wetland does not provide suitable reproductive habitat because during the field visit on July 23, 2020 the wetland did not have standing water. However, this does not confirm whether or not there is standing water in the wetland during spring and early summer when amphibians are breeding. Is there water in the wetland during the amphibian breeding season?*

Question(s)/Recommendation(s):

- a) **Please discuss water levels in the wetland during the spring and early summer.**
- b) **Please provide a more detailed discussion of amphibian reproductive habitat requirements (e.g. how long do juveniles require for development, and when do they disperse from reproductive habitats) to justify the EIS conclusions if it is determined the wetland is unsuitable breeding habitat. A single observation of wetland water levels outside of the breeding season for amphibians is insufficient justification for the conclusions in the EIS.**

MSES Response: Response is Adequate

Text was added to the revised EIS describing the conditions in the shrubby swamp wetland. The EIS describes how standing water in the wetland is related to high water table heights. As a result, the wetland is likely to only hold water in spring and summer during years with abnormally high-water tables. The lack of beavers in the area, and the existing artificial berm extending south from 3rd Avenue limit surface and subsurface flows that would normally recharge the wetland on a more regular basis.

No Further Recommendations

8) Issue: Barriers to wildlife movement

Reference: Section 3.4.3

Comment: *The discussion of the potential impacts of direct habitat disturbance states that “[n]o barriers to movement are expected to result from the Project because wildlife will be able to move through retained natural habitat within and adjacent to the Project Area.” (pg. 3-14) As well, that “[c]onsequently, the Project is expected to have a negligible effect on wildlife movement and habitat avoidance will likely be temporary (i.e., for the duration of construction).” (pg. 3-14) The EIS does note that there is currently an electric fence around some parts of the Project Area, and one of the proposed mitigation measures is to “[c]onsider installing fencing to encourage wildlife to browse elsewhere than within the fenced areas.” (pg. 4-3). Based on information provided in the EIS some form of fencing is proposed for a potential mitigation for Subdistricts B and D. Details on the type of fencing to be used in different Subdistricts is not clearly discussed in the EIS.*

The EIS discussion about fencing also contains some typos that confuse the reader. The EIS states “[c]onsider installing fencing around open spaces associated with the hospice (Subdistrict B) to prevent animals entering or becoming trapped.” (pg. 3-15). It appears the EIS is confusing Subdistrict B and C. Please clarify which subdistrict may be fenced.



Furthermore, no information is provided on the impacts of the electrical fence currently deployed at the site. Does it limit wildlife use inside the fenced area or is it not much of a barrier? The EIS suggests that the only impacts to wildlife habitat in Subdistrict D would result from construction of the buildings but depending on the type and extent of fencing used in the Project Area wildlife could be excluded from more habitat than predicted in the EIS. This is not currently accounted for in the impact predictions which are focused primarily on short term, construction related impacts. However, depending on how wildlife exclusion fencing is used, habitat loss in the Project Area could be more extensive and permanent than predicted in the EIS. This habitat loss could increase the duration of project-related impacts from short term to long term (Table 5-2).

Question(s)/Recommendation(s):

- a) **Please provide a more detailed discussion on the potential use of wildlife exclusion fencing in the Project Area. Where might it be used as a mitigation? What types of fencing will be deployed? What triggers would be used to determine when fencing is required? How would fencing of Project Area alter impact predictions?**
- b) **Please correct references to the hospice being in Subdistrict B.**

MSES Response: Response is Adequate

In response to our original information requests, the EIS was revised to say that because of the new building configuration there would be no need for any type of wildlife exclusion fencing in Subdistrict A. No decision has been made on whether or not portions of Subdistrict D will be used for grazing purposes. The revised EIS states that if it is used for grazing, no more than three horses will be on the property and grazing will be restricted to a 0.6-0.8 ha area which will be fenced using “wildlife permeable fencing (e.g., split rail or page wire)” (pg. 1-8/9). This clarifies the language and intention of the draft EIS.

Recommendation: If for some reason fencing more of the property, or a different kind of fencing (e.g. taller or less permeable) is proposed in the future, we recommend plans be developed by qualified professionals and approved by the Town of Canmore in order to minimize impacts on wildlife in the SCLHP and the Town should maintain the right to reject changes to fencing. We further recommend the Town consider developing a habitat offset plan in the event that wildlife are excluded from this portion of the SCLHP with a wildlife exclusion fence. The habitat offset plan could require the proponent to enhance habitat conditions in other parts of the wildlife corridor network to ‘offset’ the loss of habitat related to fencing the property inside the SCLHP.

9) Issue: No assessment of impacts on large carnivores

Reference: Section 3.4.2

Comment: The EIS did not assess potential impacts on bears because “adjacent habitats are so heavily disturbed by human development that large carnivores will likely avoid those areas (i.e., to the north and east of the Project Area), carnivores are not expected to extensively use habitats in the Project Area. As a result, large carnivores are not expected to be affected by the Project.” (pg. 3-12). However, no field data is presented to support this prediction.



The two reports the EIS references to support the claim that the Local Study Area (LSA) is a low-use area for carnivores do not actually contain any data demonstrating low use by carnivores (TERA 2012; MSES 2019). Alternatively, another regional EIA referenced in Section 3.4.1 (Golder, 2013 – missing from reference list in EIS) developed resource selection function models that show high probabilities of selection in the SCLHP area for grizzly bears and cougars.

Recent work on human-bear interactions using remote camera data collected in the Bow Valley between 2012 and 2017 indicates that there are relatively high levels of black bear use near the Project Area in the Pre-Berry season (Sunter, 2020). In addition, the Project Area is adjacent to areas considered a high risk for human-bear conflict (See Figure 2). At a minimum these two maps indicate that bear use of the area may be higher than predicted in the EIS, and as a result the potential for negative-human wildlife interactions is also higher than assumed in the EIS. In general, the EIS assumes that high levels of disturbance means low levels of wildlife use but there is no data in the EIS to support that assumption. Assessment of the potential for increases in human-wildlife conflicts and mortality risks to species such as bears should be discussed in the EIS.

Question(s)/Recommendation(s):

- a) We recommend completing an assessment for large carnivores or revising the discussion of why they were excluded from the assessment with rigorous supporting evidence.
- b) Given the high risk of conflict interactions, based on Alberta Environment and Parks data, adjacent to the Project site, please discuss why the addition of the Project will not lead to an increased risk of mortality for bears.

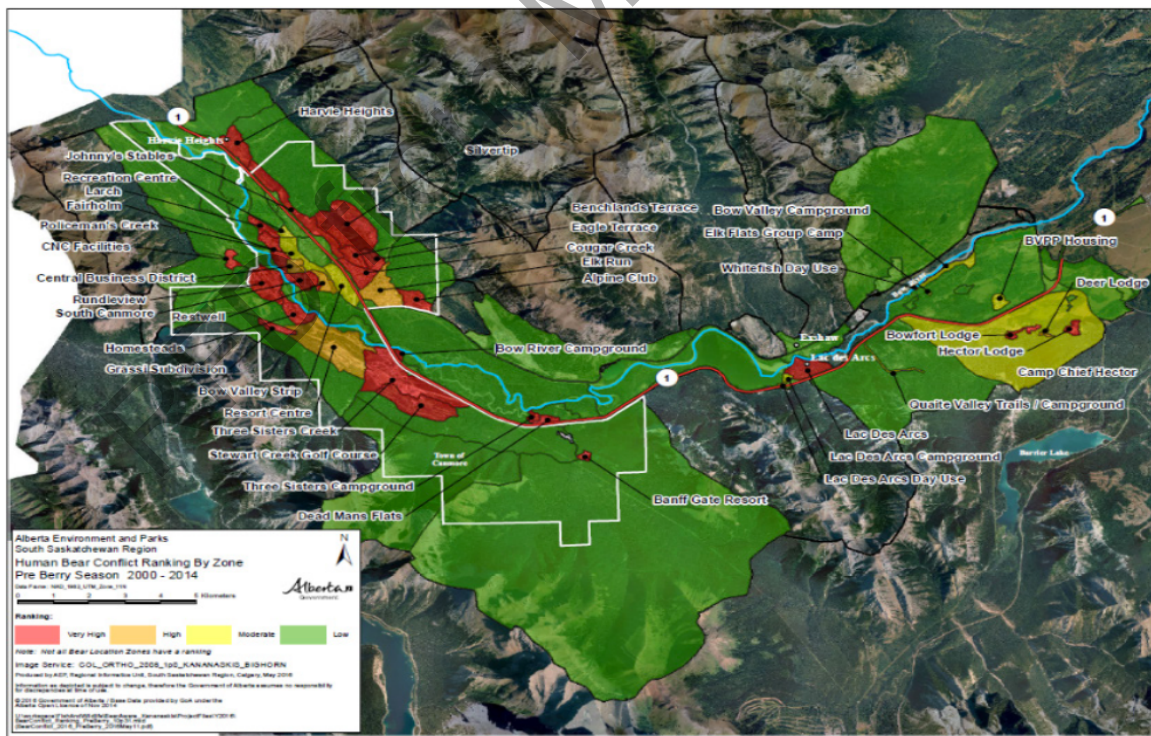


Figure 2. Map of Pre-Berry human-bear conflict in the Bow Valley in and around Canmore.



MSES Response:

An assessment of large carnivores was included in the revised EIS. The assessment is based on a field survey in January 2021, wildlife camera data from Alberta Environment and Parks (AEP), and discussions with regional wildlife managers. As with many other wildlife corridors and habitat patches around Canmore, human use, during the day and at night, is likely impacting carnivore use of the SCLHP. The wildlife camera data spanned from 2011 to 2017 and relatively few images of carnivores were obtained, with the most common carnivore being coyote. We found it surprising, but no black bears were recorded by the wildlife camera located in the SCLHP. Overall, the additional assessment does a reasonable job of describing carnivore use of the SCLHP and Project Area, but the lack of long term data precludes us from understanding how wildlife use patterns have changed over time in the SCLHP.

No Further Recommendations

2.2.4 Fish & Fish Habitat

10) Issue: *Vague definitions of when mitigations will be implemented*

Reference: Section 3.5.4

Comment: *Proposed mitigations include avoiding “construction activities during seasonally wet periods, heavy precipitation or snowmelt to prevent runoff.” (pg. 3-17) As for other disciplines, the proposed mitigations are not tied to meaningful triggers making it difficult to understand when mitigation action will be implemented and how it they will be enforced in order to limit impacts to fish and fish habitat.*

Question(s)/Recommendation(s):

- a) **Please provide clearly defined, ideally quantitative triggers for management action and a discussion about who will implement proposed mitigation measures to ensure they are being followed by construction crews.**

MSES Response: Response is Partially Adequate

To address this issue, the revised EIS expands on the original mitigation proposals presented in Section 3.5.4 (pg. 3-30). New proposed mitigations include the development of a Construction Environmental Management Plan (CEMP) to identify risks and mitigations to protect Spring Creek, retaining a qualified environmental professional to monitor construction during work within 20 m of Spring Creek. The monitor will have the authority to stop work if it presents a risk to fish or fish habitat. This is encouraging, but the revised EIS does not clearly define triggers for the implementation of mitigation measures. For example, what level of ‘risk’ will be required for the monitor to stop work?

The revised EIS also proposes to improve habitat quality for fish and wildlife by offsetting for disturbed areas associated with construction and operation of the clear span bridge.

Recommendations: We recommend incorporating triggers for mitigation or management action implementation in the CEMP and ESC, and that the Town review drafts of these documents before construction permits are issued for the Project.



In addition, we recommend details on offsetting plans be developed concurrent with the assessment and regulatory approvals required for bridge construction in the future.

11) Issue: *Grazing impacts on Policeman's Creek*

Reference: Section 3.5.4

Comment: *To limit impacts to fish and fish habitat, the EIS proposes to restrict access to Spring Creek by grazing horses. It is unclear if Policeman's Creek can also be impacted by grazing. If so, will it also be fenced?*

Question(s)/Recommendation(s):

a) Please discuss if Policeman's Creek can also be impacted by grazing activities, and if so, will it be fenced as proposed for Spring Creek?

MSES Response: Response is Adequate

The revised EIS states that horse access to both Spring Creek and Policeman Creek will be restricted using a single-strand electric fence placed at least 20 m from the creeks, and the fence will only be in place when horses are in the Project Area. The EIS states that horses used the property seasonally, but it is unclear how frequently horses will be kept in Subdistrict D in the future. Will it be all year round or seasonally?

Recommendations: We recommend the Town get clarity on the potential length of time horses may be on the property prior to subsequent permitting stages as year-round use by horses may impact the use of Subdistrict D by wildlife.

2.2.5 Water Quality, Hydrology & Hydrogeology

12) Issue: *Bridge across Spring Creek to Subdistrict C*

Reference: Section 3.6.3

Comment: *The EIS states "A bridge may be constructed to provide access from 3rd Avenue/ Subdistrict B to Subdistrict C, which is located on the northern side of Spring Creek." (pg. 3-19). If a bridge may be constructed, what other alternatives are being explored to access Subdistrict C? What are the potential impacts of the alternative access routes to Subdistrict C on other aspects of the environment?*

The wording in the EIS around bridge construction and potential impacts is also unclear. On page 1-8 the EIS concludes that "no potential disturbance to the banks, shoreline, or water quality are anticipated to occur". However, increased sedimentation is one of the potential impacts of bridge construction listed in the EIS (Section 3.6.3, pg. 3-18). The EIS also states that the "proposed construction of a bridge over Spring Creek to connect Subdistrict C to Subdistrict B will also result in effects on riparian vegetation." (Section 3.3.3, pg. 3-8) We also note the EIS does not include an assessment of impacts related to bridge construction and operation, instead it indicates that field investigations and required approvals will be acquired prior to constructing the bridge.

Question(s)/Recommendation(s):



- a) **Please discuss what alternative locations/approaches to building the bridge, as shown in Figure 3-2 (pg. 3-9), are being considered. Discuss how these alternatives could impact vegetation, wildlife etc.**
- b) **Please discuss why an assessment of bridge construction and operation is not included in the EIS as it appears to be a key element of the Project.**

MSES Response: Response is Adequate

Language was added to the revised EIS that clarifies the consideration of alternative locations for the proposed bridge. The EIS notes that options for bridge locations were provided to the Town for consideration, and the currently proposed location (i.e., along the northwestern property line) was selected by the Town as the preferred location for the bridge. There is also additional language that describes the disturbance of vegetation and riparian habitat associated with the clear bridge construction.

The revised EIS provides additional information on the placement and potential impacts of the proposed clear span bridge. The EIS predicts that the design of the bridge will limit impacts on riparian and aquatic habitats. In addition, the proponent is proposing offsetting the potential impacts of bridge construction by enhancing riparian habitat elsewhere along Spring Creek by planting trees and shrubs to improve habitat for fish and wildlife while also reducing potential erosion into the creek. We are satisfied with this recommendation, but it would be helpful to get more detail on the offsetting proposals, perhaps as part of the development of the CEMP, ESC, or permitting process for the bridge (See also response to Issue #10).

No Further Recommendations

13) Issue: Vague definitions of when mitigations will be implemented

Reference: Section 3.6.3 & 3.6.4

Comment: Proposed mitigations for water quality include “Avoid[ing] construction activities during seasonally wet periods, heavy precipitation or snowmelt to prevent runoff towards Spring Creek.” (pg. 3-19) are helpful, but it is unclear what constitutes ‘wet periods’ or ‘heavy’ precipitation? Based on the information provided in the EIS it is impossible to know when these mitigations will be implemented and who will enforce the proposed mitigations to ensure water quality is not impacted by construction activities.

In addition, the EIS notes that 100-year flood elevations will be considered in the design and construction of structures in Subdistrict A & B, but do not include Subdistricts C & D. The reasoning for this is unstated in the EIS. The EIS also states that project-specific ESC measures will be applied to Subdistricts A & B, but Subdistrict C, which is bounded by Spring Creek is not included.

Question(s)/Recommendation(s):

- a) **Please provide quantitative triggers for invoking mitigation action.**
- b) **Please discuss who will enact and enforce the proposed mitigations.**
- c) **Please discuss why Subdistrict C & D are not included in flood design mitigations, and why Subdistrict C is not included in water quality mitigation measures.**



MSES Response: Response is Partially Adequate

The revised EIS removed the vague language around when mitigation action will be triggered. As in other places in the revised EIS, the intent to develop a CEMP and ESC is highlighted instead. As we have mentioned elsewhere in this review (See response to Issues #1 & #10), some effort to define triggers for mitigation and management action will need to be included in these as yet to be developed plans.

Recommendation: See Recommendations for Issues #1 and #10

14) Issue: Setback distances

Reference: General

Comment: Throughout the EIS a 20 m setback from Spring Creek is proposed as one of the mitigations for impacts to water quality as well as fish and fish habitat. The ToR for the Project required the Provincial Guidelines “Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta’s Settled Region” (2012) be used to guide the development of management options for riparian areas including setback distances.

The Provincial Guideline of 20 m setbacks are for areas with glacial till substrates. However, the EIS notes the Project Area is underlain by fine and coarse fluvial materials. For alluvial sediments the Provincial Guidelines recommend a 50 m setback along streams, as a result the proposed setbacks from Spring Creek are likely insufficient to mitigate impacts of construction and operations on water quality, fish and fish habitat. The EIS does not provide a justification for why 20 m setbacks were selected.

Question(s)/Recommendation(s):

a) Please discuss why 20 m setbacks and not 50 m setbacks were used in the EIS.

MSES Response: Response is Adequate

The revised EIS now includes Section 5.2.1, which discusses the guidance from the ‘Stepping Back’ document and the site-specific environmental conditions that underpin the selection of a 20 m buffer along Spring Creek.

No Further Recommendations

2.2.6 Land & Resource Use

No Comments

2.2.7 Air Quality

15) Issue: Impact of dust from construction activities not considered

Reference: Section 3.8



Comment: The Air Quality assessment acknowledges a range of potential impacts to air quality at baseline including Highway 1, CP Rail, local dust generation, and regional industrial facilities (e.g. LaFarge plant). However, when discussing potential impacts of the project, the focus of the EIS is entirely on vehicle emissions. Dust generation from construction activities and its potential impact on other terrestrial resources is not accounted for and as a result no mitigation measures are included.

Question(s)/Recommendation(s):

- a) Please describe the potential for dust from construction activities, including stockpiling and backfilling, to decrease air quality.
- b) Please describe potential mitigations to limit the impact of dust on local air quality.

MSES Response: Response is Adequate

The EIS was updated to discuss the potential for construction related impacts to air quality. Mitigations proposed for Soils & Terrain (e.g., mitigating erosion from soil stockpiles) are also to be applied for air quality according to the revised EIS.

No Further Recommendations

2.2.8 Cultural & Heritage Resources

A desktop review of a Historical Resources database was completed and no records of occurrence were found. There was no discussion of engagement efforts with regional Indigenous groups. We recognize the need for engagement was not explicitly identified in the ToR for the EIS, and that the Town is currently reviewing and revising their own policies around the need for Indigenous engagement. However, the need for meaningful engagement with Indigenous peoples before proceeding with development projects was identified as a necessary action (#92) by the Truth and Reconciliation Commission of Canada (2015) “[i]n order to redress the legacy of residential schools and advance the process of Canadian reconciliation.”

Recommendation: We recommend the Proponent engage with representatives of the Stoney Nakoda Nation prior to subsequent permitting phases for the Project.

2.2.9 Cumulative Effects Assessment

16) Issue: No quantitative description of landcover/wildlife habitat change over time provided

Reference: Section 5.2

Comment: The cumulative effects analysis provided in the EIS was purported to include “A quantitative description of landcover/wildlife habitat change over time inside the habitat patch” and “[a] quantitative description of change in human-related disturbance levels over time inside the habitat patch (e.g. roads, designated vs undesignated recreational trails).” (pg. 5-1) Rather the EIS used aerial photographs to qualitatively describe human disturbances inside the SCLHP at different time periods but lacks any quantitative analysis from time period to time period making it difficult to understand how disturbance levels have changed, cumulatively, over time. For example, the EIS relies primarily on BCEAG (2012) to quantify disturbance in the SCLHP at one time period only, while disturbance levels are not quantified for any other time period (i.e.,



1999, 2011, 2020) for which aerial photographs were analyzed. As a result, we have no idea how disturbance levels have changed over time in the SCLHP, which was the intent of requiring this analysis in the Terms of Reference (ToR). No figures are provided showing how disturbance levels have changed over time in the SCLHP.

Question(s)/Recommendation(s):

- a) **Please quantify disturbances (e.g. linear and non-linear disturbances) in the SCLHP for each time period analyzed for the cumulative effects analysis as requested in the ToR.**

MSES Response: Response is Adequate

The revised EIS contains the landscape analysis requested in the ToR for the Project. It demonstrates that the majority of development/disturbance within the SCLHP occurred primarily prior to being formally designated a habitat patch in 1999 (BCEAG, 1999).

17) Issue: Fragmentation not related to wildlife habitat requirements

Reference: Section 1.4, pg. 1-7

Comment: The purpose of the local habitat patches is to provide cover and protection for species, meaning they require some level of 'interior' space inside habitat patches. Metrics on undisturbed habitat patch sizes remaining in the SCLHP would be informative to understand how the local habitat patch may be functioning for wildlife species such as elk, deer etc. When inside the SCLHP how far can elk get away from human disturbance? How will the addition of the Project affect these metrics? Answering questions like these is why landcover patch metrics should be calculated and related to wildlife needs. The EIS qualitatively discusses fragmentation primarily in the context of how much linear disturbance there is in the area. Fragmentation of remaining landcover / vegetation patches should be calculated and incorporated into the assessment.

Question(s)/Recommendation(s):

- a) **Please quantify wildlife habitat patch number and size and how that has changed over time in the SCLHP as part of the cumulative effects analysis.**

MSES Response: Response is Adequate

The revised fragmentation analysis demonstrates that wildlife habitat patch characteristics have remained relatively unchanged since before the regional wildlife corridor/patch network was formally established. The EIS states that "it is unlikely that the fragmentation has measurably affected the ability of wildlife to complete their life requisites as they had when the SCHLP was established." (pg. 5-3)

No Further Recommendations



18) Issue: Cumulative effects of TSMV development

Reference: Section 5

Comment: The EIS states “it is anticipated that elk and other wildlife will continue to use the SCLHP in the same manner as they do currently.” (AE, 2020, pg. 5-3) However, the RSA appears to include at least a portion of TSMV, and an EIS for part of the TSMV is listed in the reference section, yet development of TSMV is not included in the list of reasonably foreseeable developments (RFDs). This is important because TSMV/Golder have been advocating for extensive use of wildlife exclusion fencing around any proposed development. Such mitigation has the potential to displace wildlife such as elk or black bears into other parts of Canmore. This could increase wildlife use of the SCLHP and increase the probability of negative human-wildlife interactions occurring in the area. How will this RFD impact the potential for human-wildlife conflict in this area if SCLHP is made smaller by development? The EIS does not address this question.

Question(s)/Recommendation(s):

- a) Please provide a justification for why TSMV developments are not included as RFDs in the cumulative effects analysis.
- b) Please discuss the potential impacts of fencing around TSMV developments on potential wildlife use of the Tipple Across Valley corridor and the SCLHP.

MSES Response: Response is Adequate

The EIS now considers and discusses the impacts of development on TSMV property, particularly the potential for a wildlife exclusion fence to displace wildlife that currently use the TSMV lands (e.g., elk).

No Further Recommendations

19) Issue: Table 5-1

Reference: Section 5.2, Table 5-1, pg. 5-4

Comment: It is unclear what Table 5-1 (pg. 5-4) represents. The title states it shows existing, proposed and reasonably foreseeable development in the SCLHP, yet the numbers in the table do not match up with 2012 estimates of disturbance based on BCEAG (2012), and no quantitative estimates of disturbance levels for 2020 are provided. As a result, we presume ‘current’ conditions are represented by the 2012 data. Is Table 5-1 meant to show existing, project-related and RFD for the LSA and not the SCLHP?

Question(s)/Recommendation(s):

- a) Please clarify what the information in Table 5-1 represents?

MSES Response: Response is Adequate

The table has been revised based on the updated ortho imagery analysis completed for the revised EIS.

No Further Recommendations



4.0 Conclusion

The South Canmore Lands EIS provides a high-level overview of the baseline conditions in the Project Area and in the SCLHP. The regional wildlife corridor network is increasingly under pressure from development and human use, as a result sound decision-making, and management action increasingly requires more and more effort in order to ensure the long-term functionality of the corridor network. While the EIS predicts the proposed Project will have negligible impacts on cumulative effects, we do not agree that the cumulative effects will be negligible. Other environmental assessments in the region highlight the concerning current state of cumulative effects on wildlife and corridors and that existing conditions are only going to worsen in the future (TSMV, 2020). We understand this is a small project, but ~80% of the property is within the SCLHP, and in a region where cumulative effects are already significant (Ford et al., 2020; Golder 2020a, 2020b; Whittington et al., in press), any further addition of development only contributes to the existing, significant, cumulative effects.

The Town's MDP states that “[n]o new development shall be allowed within a habitat patch or corridor” (Town of Canmore, 2016, 4.2.11, pg.23). We recommend the Town and proponent discuss the justification for the amount of proposed development and its placement to ensure any cul-de-sac effects on wildlife are avoided entirely. Phasing of development timing could be another tool to ensure impacts on wildlife are minimized. Given the long standing, and ongoing concerns about corridor functionality, it is imperative that development inside the existing corridor network is minimized and rigorous detailed follow-up planning is undertaken to ensure that any unforeseen impacts of development, during construction or operations/occupancy, are managed in such a way as to not only reduce the impacts of the development but improve conditions in the adjacent habitat patch. This would increase alignment with the guiding principles in the MDP, particularly those that call for the better design of development to protect the needs of wildlife

5.0 References

- Bow Valley Ecosystem Advisory Group (BCEAG). 2012. Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley: Updated 2012. 29 pp.
- Edwards, BC. 2013. Home ranges, resource selection, and parasite diversity of urban versus rural elk (*Cervus elaphus*). M.Sc., University of Calgary, Department of Biological Sciences. 134 pp.
- Ford, A. T., E. J. Sunter, C. Fauvelle, J. L. Bradshaw, B. Ford, J. Hutchen, N. Phillipow, and K. J. Teichman. 2020. Effective corridor width: linking the spatial ecology of wildlife with land use policy. *European Journal of Wildlife Research* 66:69.
- Golder Associates. 2013. Environmental Impact Statement: Three Sisters Mountain Village Development Properties – Resort Centre, Stewart Creek and Sites 7/8 and 9. 247 pp.
- Golder Associates. 2020a. Environmental Impact Statement: Smith Creek Area Structure Plan. Prepared for Three Sisters Mountain Village Properties Ltd. 431 pp.
- Golder Associates. 2020b. Environmental Impact Statement: Three Sisters Village Area Structure Plan. Prepared for Three Sisters Mountain Village Properties Ltd. 437 pp.



- Government of Alberta (GoA). 2012. *Stepping Back from the Water: A Beneficial Management Practices Guide of New Development Near Water Bodies in Alberta's Settled Region*.
- Government of Alberta (GoA). 2013. *Alberta Wetland Policy*. Environment and Sustainable Resource Development. Edmonton, Alberta.
- Management and Solutions in Environmental Science (MSES). 019. *Environmental Impact Statement Addendum WMC Expansion Project*. Prepared for Town of Canmore. 37 pp.
- TERA Environmental Consultants. 2012. *Recommendations for Trails and Management of Recreational Use of the Town of Canmore: South Canmore and West Palliser*. July 2012. Prepared for the Town of Canmore. 16 pp.
- Sunter, E.J. 2020. *Factors affecting spatial and temporal variation in human-bear interactions*. MSc Thesis, University of British Columbia-Okanagan, 140 pp.
- Town of Canmore. 2016. *Canmore Municipal Development Plan Bylaw 2016-03* (Amended 2018).
- Town of Canmore. 2018. *Environmental Impact Statement (EIS) Policy*. Policy Number: PD-003. (Approved October 2, 2018).
- Truth and Reconciliation Commission of Canada. 2015. *Truth and Reconciliation Commission of Canada: Calls to Action*. 20 pp.
- Whittington, J., Baron, R., Hebblewhite, M., Ford, A.T. and J. Paczkowski. *in press*. Towns and trails drive carnivore connectivity using a step selection approach. bioRxiv.

TOWN OF CANMORE
MINUTES
Environmental Advisory Review Committee
Zoom online
5pm Monday April 19th, 2021

COMMITTEE MEMBERS PRESENT

Bob Raina	Chair
Karena Thieme	Vice Chair
Glynis Carling	Public Member
Richard Daniel	Public Member
Ken Hodges	Public Member
Sari Ohsada	Public Member
Ralph Walicki	Public Member
Vi Sandford	Council Representative

COMMITTEE MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Lori Rissling Wynn	Town of Canmore Liaison, Environment and Sustainability Supervisor
Alaric Fish	Planning and Development, Town of Canmore

MEMBERS OF THE PUBLIC PRESENT

Jan McCaffery	Owner/Applicant
Bernie McCaffery	Owner/Applicant
Keenan Rudichuk	Associated Environmental Consultants
Rosemary Boulton	Palliative Care Society of the Bow Valley

Action items in red.

- 1) **CALL TO ORDER and APPROVAL OF AGENDA** 5:04pm
CARRIED UNANIMOUSLY
- 2) **APPROVAL OF MINUTES** 5:05pm
CARRIED UNANIMOUSLY
- 3) **EIS evaluation – 3rd Avenue South Land EIS**
 - a) Clarifying questions regarding the application:
 - Request to clarify the number of units in the proposed development as there were conflicting statements in the EIS regarding number of units.
 - Request to clarify land ownership in the South Canmore Habitat Patch (SCHP).
 - Request to clarify use of the 1:100 flood elevation. AB Infrastructure uses 1:500 and 1:1000 for their projects in flood zones.
 - Clarification of use of ornamental landscaping and fertilizers.

- Request to comment on the intensity of use with respect to the palliative care facility as it relates to impacts to wildlife.
- Request to clarify road designation – public or private?
- Sub district C – request to explain why access is not through Spring Creek?
- Sub district D – request to explain location of the house and size of house as it relates to the maximum house size limits in the LUB.
- Request to explain the LUB definition of agricultural use versus the provincial designation of Agricultural Land Reserve.
- Request to explain the permitted residential uses in the development and if duplexes or fourplexes will be permitted.
- Request to describe how climate action will be incorporated into the development.
- Request to clarify if pathway connections will be included in the development.

4) **Motion to take the meeting in camera**

5:56pm

CARRIED UNANIMOUSLY

- a) EIS evaluation

5) **Motion to return to public meeting**

7:30pm

CARRIED UNANIMOUSLY

6) **Acceptance of the evaluation as discussed**

7:30pm

Minutes and evaluation available within 3 business days.

CARRIED UNANIMOUSLY

7) **ROUNDTABLE**

- Climate Action presentation to Council April 20th, at 1pm Committee of the Whole meeting

8) **Next meeting**

Tentatively set as Monday May 10th, 2021

9) **ADJOURNMENT**

7:39pm

CARRIED UNANIMOUSLY

Date: 22 April 2021

To: Alaric Fish – Senior Planner and file manager for 3rd Avenue South Land

CC: Lori Rissling Wynn – EARC liaison
EARC Committee Members – Ralph Walicki, Karena Thieme, Sari Ohsada, Rick Daniels, Glynis Carling, and Ken Hodges
Vi Sandford – Councilor

Subject: EARC EIS Review of 3rd Avenue South lands

On Monday April 19th, the EARC committee completed a review of the EIS for the 3rd Avenue South lands.

The meeting included an opportunity to ask clarifying questions of the Applicant, an evaluation of the EIS and MSES's third party review, and an opportunity for the Committee to offer additional comment.

The results of the review are outlined in the attached table. EARC found the EIS meets the requirements for the EIS as set out in the Terms of Reference (2020).

The review also included additional comments detailed in the table attached – these are suggested considerations for the Applicant and the Town of Canmore.

The Committee is also concerned with the gradual, incremental erosion of habitat within and adjacent to the town boundaries. While each small development in and of itself may not have significant impacts, the cumulative effect of multiple developments throughout the valley may impact the effectiveness of the designated habitat patches. The Town may want to review the existing habitat reserves with the intention of preserving them from future fragmentation.

If you have any questions regarding EARC's assessment, I can be reached at (403) 921-6007.

Sincerely,



Mr. Bob Raina, P.Ge.
Chair, Environmental Advisory Review Committee

**EARC EIS Evaluation for:
3rd Ave South Land
19 April 2021**

TOR Requirements	EIS Section(s)	EARC Assessment (met/not met)	Additional comments	Suggestions for Council
1) Proposal Overview				
<ul style="list-style-type: none"> A description of the proposal 	Sec. 1.4	Yes		
<ul style="list-style-type: none"> Mapping of the proposal in relation to regional and existing site conditions and constraints 	Fig. 1-1 Fig. 1 Fig. 1-3	Yes		EARC noted a concern with regard to the lack of connectivity to the NW of SCLHP, resulting in fragmentation and a pinch point for wildlife.
<ul style="list-style-type: none"> Identification of federal or provincial requirements or restrictions relevant to the study, and how the proposal will meet the intent or legislative requirement 	Sec. 1.5 Table 1-2	Yes		
<ul style="list-style-type: none"> An overview of the municipal planning policy context, including statutory documents and zoning 	Sec. 1.1 Sec. 1.4 Table 1-1 Sec. 1.5	Yes	Although BCEAG comments regarding low functionality of the South Canmore local habitat patch are provided in the EIS, this key recommendation from BCEAG is not included: "In order to preserve the intended function of the habitat patch, new dispositions and expansions to existing dispositions should not be permitted within the South Canmore habitat patch. (BCEAG 2012, page F-33)	While not required in the Terms of Reference, the municipal planning context should have included a reference to the Town's 'Climate Action Plan' (2018) which states "Climate mitigation should be considered in future land use and development decisions". EARC recommends that future development assessments be required to address climate change in the EIS Terms of Reference.
2) Existing Site Conditions				
<ul style="list-style-type: none"> Identification of previous relevant literature/studies, if publicly available 	Sec. 3.4.1	Yes		
<ul style="list-style-type: none"> A description of existing environmental conditions, including: 	Sec. 1.3 Sec.3.2.2	Yes		

i.	Site location map	Fig. 1-1	Yes		
ii.	Soils, landforms and surficial geology	Sec. 3.2	Yes	EARC noted that more details concerning the management/mitigation of the depth of the water table will be required at the time of the engineering design/development (e.g. necessary build up etc.)	
iii.	Hydrological or hydrogeological (desktop assessment only) resources including wetlands	Sec. 3.6	Yes	See comment in section 2ii.	
iv.	A biophysical inventory and analysis of terrestrial and aquatic communities (studies being undertaken during the appropriate season), and the relationship to the larger local and regional ecosystem	Sec. 3.3 Sec. 3.4 Sec. 3.5	Yes	EARC noted more site specific field observations will be required at the time of the engineering design/development (e.g. aquatic inventory, nest surveys)	
v.	A summary description of the natural features and components, and the proposed criteria to be applied for evaluation of their significance, and	Sec. 3	Yes		
vi.	Hazards and constraints resulting from existing site conditions	Sec. 3	Yes		
3) Analysis of Impacts					
	<ul style="list-style-type: none"> Analysis and criteria for evaluation of the foreseeable short and long term positive and negative impacts of the proposal with respect to: 				
i.	Fish and associated habitat	Sec. 3.5.3	Yes	EARC noted that the Table of mitigation measures in Section 4 should document the verbally stated intent to prohibit the use of nitrate and phosphate fertilizers.	
ii.	Wildlife and associated habitat	Sec. 3.4.3	Yes	EARC concurs with MSES's third party assessment that the cumulative impact	EARC noted the opportunity exists to include limitations/restrictions in the

				<p>on wildlife habitat will be higher than “negligible”. MSES’s evaluation states “While the EIS predicts the proposed Project will have negligible impacts on cumulative effects, we do not agree that the cumulative effects will be negligible.”</p> <p>As for other recently reviewed EISs, wildlife data used in this EIS is outdated and especially so in the context of the cumulative risk/impact assessment not representative.</p> <p>There is no indication of how livestock may impact wildlife other than citing that livestock has historically grazed the area.</p>	<p>Subdivision D land use district regarding the location of the house to avoid potential “cul-du-sac” effects.</p>
iii.	Vegetation	Sec. 3.3.3	Yes	See comment in Section 3i.	
iv.	Soils and terrain	Sec. 3.2.3	Yes		
v.	Groundwater impacts	Sec. 3.6.3	Yes	<p>See comment in Section 2ii.</p> <p>EARC noted the opportunity to include the management of potential leaching and subsurface chemical flow (e.g. due to fertilization or petroleum leakage on a private gravel road).</p>	
vi.	Surface water impacts, and	Sec. 3.6.3	Yes	EARC noted the opportunity to assess other access options to avoid the requirement to construct a bridge for access.	
vii.	Air quality	Sec. 3.8.3	Yes.	<p>EARC noted the opportunity to ensure brush clearing will exclude any burning practices to avoid negative air quality impacts.</p> <p>Mitigation measures suggested in Section 3.8.4 are not included in Section 4. To offset the impacts from vehicle emissions, additional native species</p>	

			could be planted in areas to be restored post-construction. The implementation of a no idling policy for vehicles during construction and while attending the hospice will minimize emissions generated in the Project Area, LSA, and RSA	No Idling signage may be of assistance in reducing idling of vehicles related to the operation of the hospice.
<ul style="list-style-type: none"> Analysis of the human use impacts resulting from the proposal 	Sec. 3.7.3	Yes	The use of Strava to estimate the current human use does not provide credible data; the EIS itself states that the most likely users would not be represented.	
<ul style="list-style-type: none"> Analysis of alternatives and modifications to the proposal to limit or remove impacts 	Sec. 2.3	Yes	EARC understands that negotiations are in progress to assess an access option via Spring Creek Road; the EIS does not discuss alternative access roads that would avoid the construction of a bridge to access Subdivision C. No discussion of alternative, developing only a fraction of the land e.g., reducing the removal of vegetation, disturbance of wildlife etc.	
<ul style="list-style-type: none"> An evaluation of whether the form of the development/proposal can be accommodated given any identified ecological sensitivities or constraints, including land use type and intensity of the proposed development 	Sec. 3 and subheadings for Potential Impacts and Recommended Mitigations	Yes		
<ul style="list-style-type: none"> Analysis of the cumulative impacts of the proposal considering the impacts of previous development and human activity in the South 	Sec. 5 Sec. 5.2.2 Sec. 5.2.3	Yes		

	Canmore Local Habitat patch. For the purposes of this analysis the focal area should include the South Canmore Local Habitat patch plus a 500 m buffer around its boundary. At a minimum the cumulative effects analysis should include:				
i.	A quantitative description of land cover/wildlife habitat change over time inside the habitat patch	Sec. 5.2.2 Fig. 5-1 Table 5-1 Table 5-2	Yes		
ii.	A quantitative description of change in human-related disturbance levels over time inside the habitat patch (e.g., roads, designated vs undesignated recreational trails)	Table 5-1 Table 5-2 Figure 5-1	Yes		
iii.	A discussion of how existing, and future/proposed development impacts the quality and quantity of wildlife habitat inside the patch and wildlife use of it, including quantitative estimates of potential changes in overall patch size, fragmentation level etc.	Sec. 5 Table 5-3	Yes	EARC concurs with MSES's comment that the fencing would need to be reviewed to ensure it does not act as barrier to wildlife.	EARC noted the opportunity to review the cumulative effects study currently underway by Yellowstone-to-Yukon Conservation Initiative. EARC noted the concern that data used for the EIS's cumulative effects analysis is outdated and therefore does not reflect more recent developments in the area.
iv.	Temporal range of the analysis should span from the period when the South Canmore Habitat Patch was first established (~1992-1999) and include analysis of landscape change every 5 to 10 years to existing conditions. It will also include a discussion of predicted Future impacts (i.e.,	Sec. 2.2	Yes	EARC noted the opportunity to include climate scenario analysis to assess/predict future impacts (e.g. 100 year flood impacts - frequency and severity changes).	

with Project and other Reasonably Foreseeable Developments)				
4) Mitigations, Recommendations & Conclusions				
<ul style="list-style-type: none"> Provide recommendations for how to reduce, avoid or mitigate negative impacts or build on positive impacts 	Sec. 3 Table 4-1	Yes		EARC noted the opportunity to consider gates/signage to restrict access to Subdistrict D to reduce incidental uninvited traffic onto the property.
<ul style="list-style-type: none"> Identification of residual impacts and criteria proposed to evaluate their significance 	Sec. 3 Table 3-7	Yes		
<ul style="list-style-type: none"> Wildlife habitat patches are a valid municipal planning issue and the EIS will need to consider how development or any proposed mitigations will impact wildlife use of the adjacent habitat patch as well as how cumulative effects are impacting the South Canmore Local Habitat patch 	Sec. 5.2.2	Yes		

RFD from May 3, 2022

Our File: 2531-52101-00

Attachment 7

TECHNICAL MEMO

To Bernie and Jan McCaffery	From Ron Sadesky, P.Eng. Branch Manager, Canmore
Re 800 3 rd Avenue Conceptual Servicing Report	Date March 4, 2021

1. Introduction

McElhanney Ltd. was retained to provide conceptual servicing design for a proposed development located on South ½ of L.S. 13, Section 28, Township 24, Range 10, west of the 5th meridian also referred to as the 800 3rd Avenue Subdivision. The proposed subdivision will accommodate up to 6 residential lots, and one Palliative Care facility; the remainder of the land will be allocated for agricultural homestead and habitat protection. The proposed 8.3ha subdivision is located south of Spring Creek Mountain Village and north of the Town's Wastewater Treatment Plant (WWTP) with primary access provided through an extension of 3rd Avenue.

Site Servicing

With existing developments completed to the north of the proposed subdivision, site servicing will essentially connect to the existing infrastructure provided along 3rd Avenue. The attached figures; Figure C-100, Figure C-200, Figure C-300, and Figure C-400 show the site location and the general requirements for roads and emergency access, water, sanitary sewer, and storm sewer servicing for the proposed subdivision. The following narrative has been provided to review the conceptual servicing design for the proposed subdivision.

WATER DISTRIBUTION SYSTEM

The existing water distribution system consists of a 150mm diameter watermain that extends down 3rd Avenue, terminating just south of the Rocky Road Estates single family homes. Three options were reviewed for servicing the proposed subdivision as seen in the 300 series figures. All options were modeled using EPANET 2 software and modeling outputs have been included in the Appendices illustrating the results for each of the options.

McElhanney

203 – 502 Bow Valley Trail, Canmore AB Canada T1W 1N9
Tel. 403-609-3992 | Tel. 403-678-6363 (surveying) | Fax. 1-855-407-3895 | www.mcelhanney.com

Page 1

Boundary conditions were provided by the Town of Canmore at the intersection of 1st Street and 3rd Avenue, in Spring Creek Mountain Village (SCMV), and at the future location of the South Bow River Loop at the WWTP. Based on the Town of Canmore's Engineering Design and Construction Guidelines the required fire flows to the development, specifically for the Palliative Care facility, requires a 200L/s fire flow. Since the requirements for fire flow are dramatically larger than the peak hour demand, we focused the modeling included in this report on the Max Day plus Fire Flow Scenario.

Option 1

As seen in Figure 300, Option 1 has been provided as a "bare bones" option for the proposed subdivision where only the seven residential developments would be serviced and not the Palliative Care facility. As part of this scenario, only Buildings B-1 to B-3 and C-1 to C-3 were provided with fire protection. Fire protection was not provided to Building D. A proposed 150mm water main would connect to the existing stub at the south end of 3rd Avenue and extend both south and east to service the development. Since only single-family developments are provided in this scenario, a fire flow of 85l/s was modeled at the onsite hydrant provided. As seen in EPANET modeling outputs, an 85l/s demand is able to be provided while maintaining a minimum pressure of 26.8psi (18.86m of head) in the main.

Option 2

Figure 301 shows Option 2, which includes a connection to the existing 150mm stub on 3rd Avenue and provides a 200mm Loop down to the WWTP at the future South Bow Loop. The proposed watermain extends both to the south and to the east to service the development and provide fire protection. In this scenario all buildings have been provided with fire protection, however, the long service run to Building D would likely require additional investigation and design to ensure sufficient water exchange that water quality parameters are met. A 200l/s fire flow was modeled at the onsite hydrant provided for the Palliative Care facility. As seen in EPANET modeling outputs, a 200l/s demand is able to be provided while maintaining a minimum pressure of 67.9psi (47.77m of head) in the main. Please note that due to the high pressures associated with the connection to the South Bow Loop, a pressure reducing valve may be required to ensure pressures are within acceptable limits.

Option 3

Option 3 shown on Figure 302, includes upgrading the watermain on 3rd Avenue from a 150mm main to 200mm from the Willow Point cul-de-sac south to the stub in the previous options. Option 3 also provides a connection across Spring Creek to an existing 150mm dead end hydrant service in SCMV to provide the required looping for the distribution system. The proposed watermain extends both to the south and to the east to service the development and provide fire protection. In this scenario all buildings have been provided with fire protection, however, the same issues as Option 2 exist for the long service to Building D. A 200l/s fire flow was modeled at the onsite hydrant provided for the Palliative Care facility. As seen in EPANET modeling outputs, a 200l/s demand was able to be provided while maintaining a minimum pressure of 26.3psi (18.52m of head) in the main.



The options provided above illustrate different alternatives for servicing the proposed subdivision, each of which have their own unique benefits and constraints. While all options are feasible, additional discussion will be required with the Town to determine the optimal solution. For additional details pertaining to the water modeling, please refer to the appendices.

SANITARY SEWERS

Sanitary sewers through South Canmore are serviced through a combination of low pressure forcemains and gravity sewers. However, the invert elevations of the existing gravity mains, long and relatively flat grades through the subdivision and surrounding areas, and high ground water, make servicing the subdivision with a gravity system not feasible. As a result, the proposed development will be serviced by a low-pressure sewage system. Our preliminary design assumes that each of the residences will connect to a low pressure main with individual grinder pump units. The proposed 50mm sewer forcemain connects to the existing 75mm forcemain at the south end of 3rd Avenue.

Figure C-200 illustrates the proposed 50mm forcemain network that services the subdivision and its connection to the existing 75mm system. Based on our modeling, the longest service (Zone 2) would experience 22.6m of Total dynamic head, which is less than the 27m of TDH specified in the Town of Canmore's EDCG. Our modeling is E-One design assistant software and although this program was developed by E-One and intended for applications where only E-One pumps are used, the program outputs are based on a maximum number of simultaneous operations, which should be representative of any pumping system and not exclusive to an E-One system.

Pipes and existing grinder pumps downstream of the proposed development are expected to experience marginal increases in total dynamic head due to the additional flows from the 800 3rd Ave subdivision. A summary of the modeling has been provided in Table 1 below. As previously discussed, the additional load on the existing forcemain system is still within the allowable levels provided in the Town of Canmore's EDCG. Additional flows are not expected to exceed the capacity of the existing grinder pump units and the existing 75mm forcemain has the capacity to service the proposed subdivision.

Table 1: Summarizing modeling of the proposed subdivision and its connection to the existing forcemain system.

Zone Number	Maximum Flow (L/s)	Pipe Diameter (mm)	Maximum Velocity (m/s)	Accumulated Friction Loss (m)	Total Dynamic Head (m)
1	0.69	32	0.74	16.04	18.63
2	1.39	50	0.73	19.98	22.57
3	2.08	50	1.09	15.04	17.63
4	1.39	50	0.73	15.78	18.37
5	2.76	75	0.67	13.33	15.43
6	1.39	50	1.09	14.04	16.14
7	4.16	75	1.00	12.35	13.85
8	4.86	75	1.17	10.13	10.64
9	4.86	75	1.17	6.93	7.23
10	4.86	75	1.17	3.81	3.81
11	5.55	75	1.34	2.01	2.01



STORM SEWERS

Designing storm systems in South Canmore has a unique set of design challenges due to the combination of high groundwater elevations and relatively flat grades throughout the area. Typically, drywells are used throughout South Canmore as no piped system is available.

In general, the stormwater system for the subdivision will be designed based on guidelines from the Town of Canmore, Alberta Environment, and based on the City of Calgary Stormwater Management and Design Manual. As required by the City of Calgary and Town of Canmore Standards, the storm system will be designed using a dual drainage concept, which manages runoff from both major and minor events. The dual drainage concept provides a storm system that is able to manage runoff from minor events (low-intensity & more-frequent events) and a major system to manage runoff from more extreme events (high-intensity & less-frequent events).

As outlined by the Town of Canmore's EDCG, the below ground infiltration facilities provided for the minor system will be designed to accommodate a 1:5-year 1-hour storm event without surface ponding. The major system will be designed to accommodate a 1:100-year, 1-hour storm event using a combination of overland drainage, underground storage, and infiltration facilities. Storm events exceeding the 1:100-year event will spill overland into surrounding lands.

Based on the conceptual site plan provided by MTa, a single catchment 0.39 hectare catchment was modeled as seen on sheet C-400. An assumed imperviousness of 0.56 was used for the catchment based on the pervious and impervious areas provided in the site plan. Runoff generated during storm events will shed from the lot frontage to the road where it will be conveyed by curb and gutter to catch basins. The catch basins will route the stormwater through an OGS for treatment and discharge it to a drywell, where the stormwater will be infiltrated into the native gravels. For our conceptual design a drywell with a rectangle of drain rock 8.0m long, 4.0m wide, and 2.0m tall was provided. Based on the assumed infiltration rate of $8 \times 10^{-4} \text{m/s}$ and 80m^2 of infiltration area provided by the drain rock, the drywell will provide an infiltration rate of 64L/s. During the 1:5 year event, the drywell will be able to infiltrate runoff from the catchment without requiring any storage. The 1:100 year event will require 7.6m^3 of storage which will likely be provided through a combination of surface storage around the catch basins and subsurface storage provided in the voids of the drain rock. For more details of the regarding the storm system and its modeling, please refer to the SWMHYMO output file included in the appendices of this report.

ROADS AND EMERGENCY ACCESS

The road access for the development will be a simple extension of 3rd Avenue, terminating in a cul-de-sac. It will meet the Town of Canmore local road standards, given the current designation of the existing road.

In addition, with the primary access for the development being from 1st Street and 3rd Avenue in South Canmore, based on the Town's requirements, an emergency access will be required. This is strictly based on the length of the road from 1st Street to the development, as dictated by the Town in the Pre-Application Review Comments dated June 16, 2020.

While other options have been reviewed for the emergency access location (west, north, and east of the development), the alignment along the existing 3rd Avenue ROW will have the least impact to the surrounding area. It is already disturbed from sewer main construction to the WWTP and is already being used by hikers and cyclists.



In addition, the Province of Alberta has jurisdiction in that area. Correspondence with Brian Allen at Alberta Environment and Parks has been initiated and information has been supplied to him providing justification for the emergency access and the location, as being the least impactful.

2. Conclusion

The intent of this Conceptual Servicing Report is to identify if the existing Town of Canmore infrastructure is sufficient to service the proposed development. It is not intended as preliminary or detailed design. Based on the information reviewed, the proposed subdivision for 800 3rd Avenue is serviceable by the existing Town infrastructure. As the project progresses, discussion will be required with the Town to determine the optimal servicing solution.

This conceptual servicing report has been prepared by McElhanney Ltd. at the request of the Developer. The information and data contained herein represent McElhanney's best professional judgment in light of the knowledge and information available to McElhanney at the time of preparation. Except as required by law, this memo and the information and data contained herein are to be treated as confidential and may be used and relied upon only by the client, its officers, and employees.

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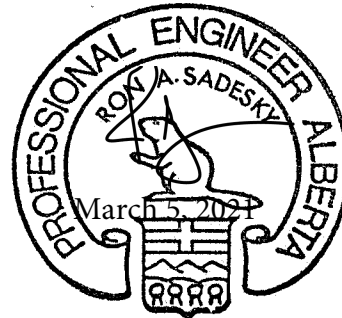
Yours truly,

McELHANNEY LTD.

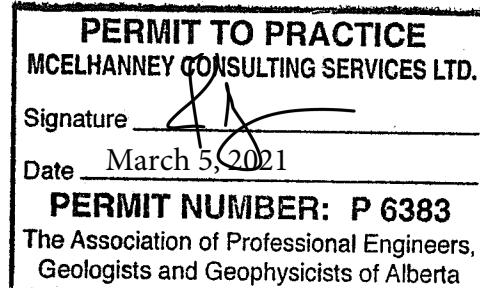
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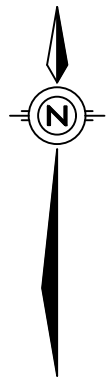
Reviewed by:

Gaven Kramer, P.Eng.
Project Engineer



Ron Sadesky, P.Eng.
Branch Manager, Canmore





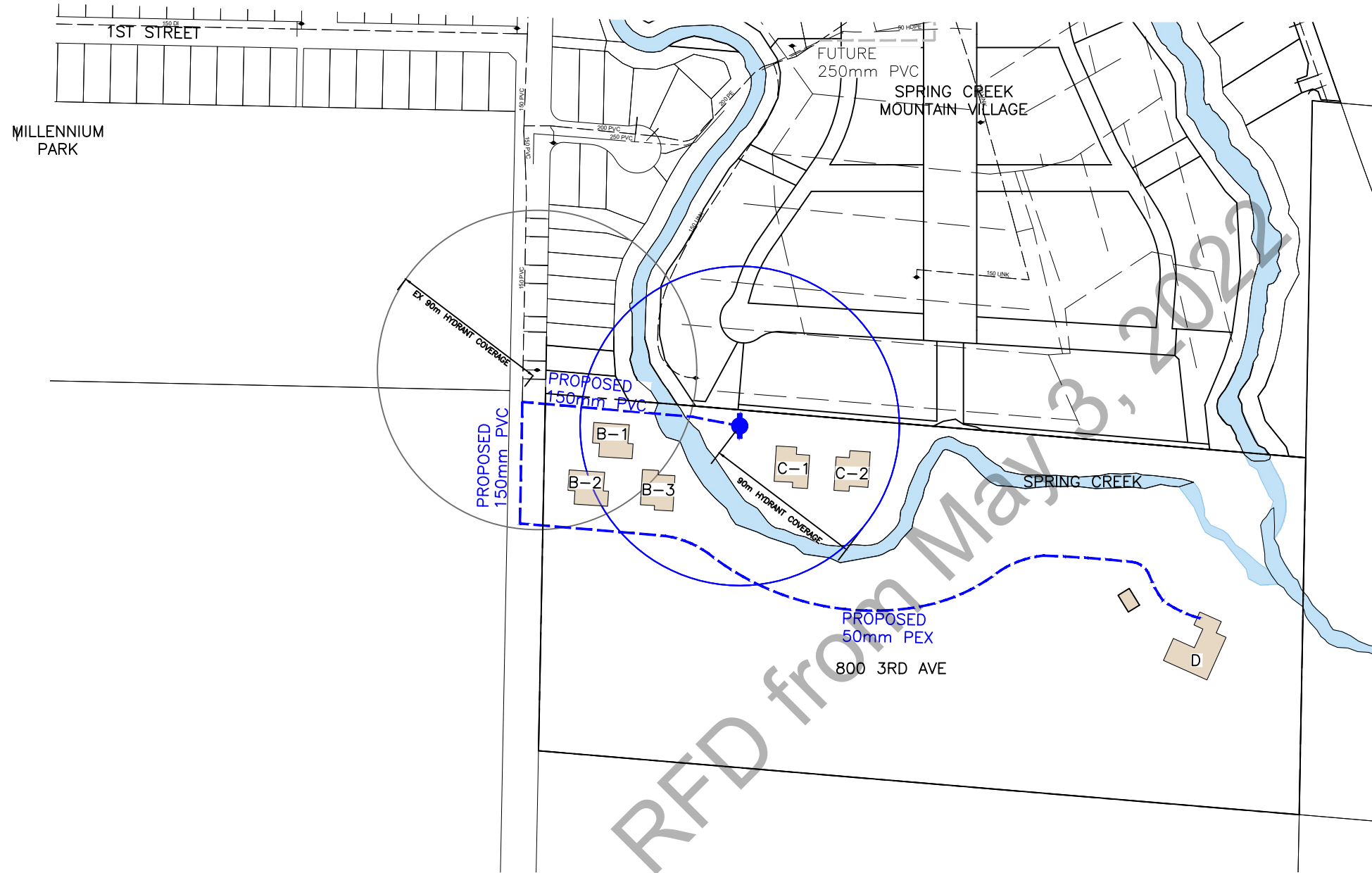
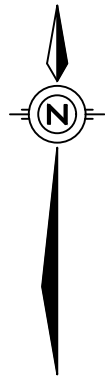
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- SANITARY SEWER CATCHMENTS
- DESIGN SANITARY SEWER FORCEMAIN



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JOB NO: 2531-52101	DWG: C-200	
		800 3RD AVENUE JAN & BERNIE MCAFFERY Page 325 of 569

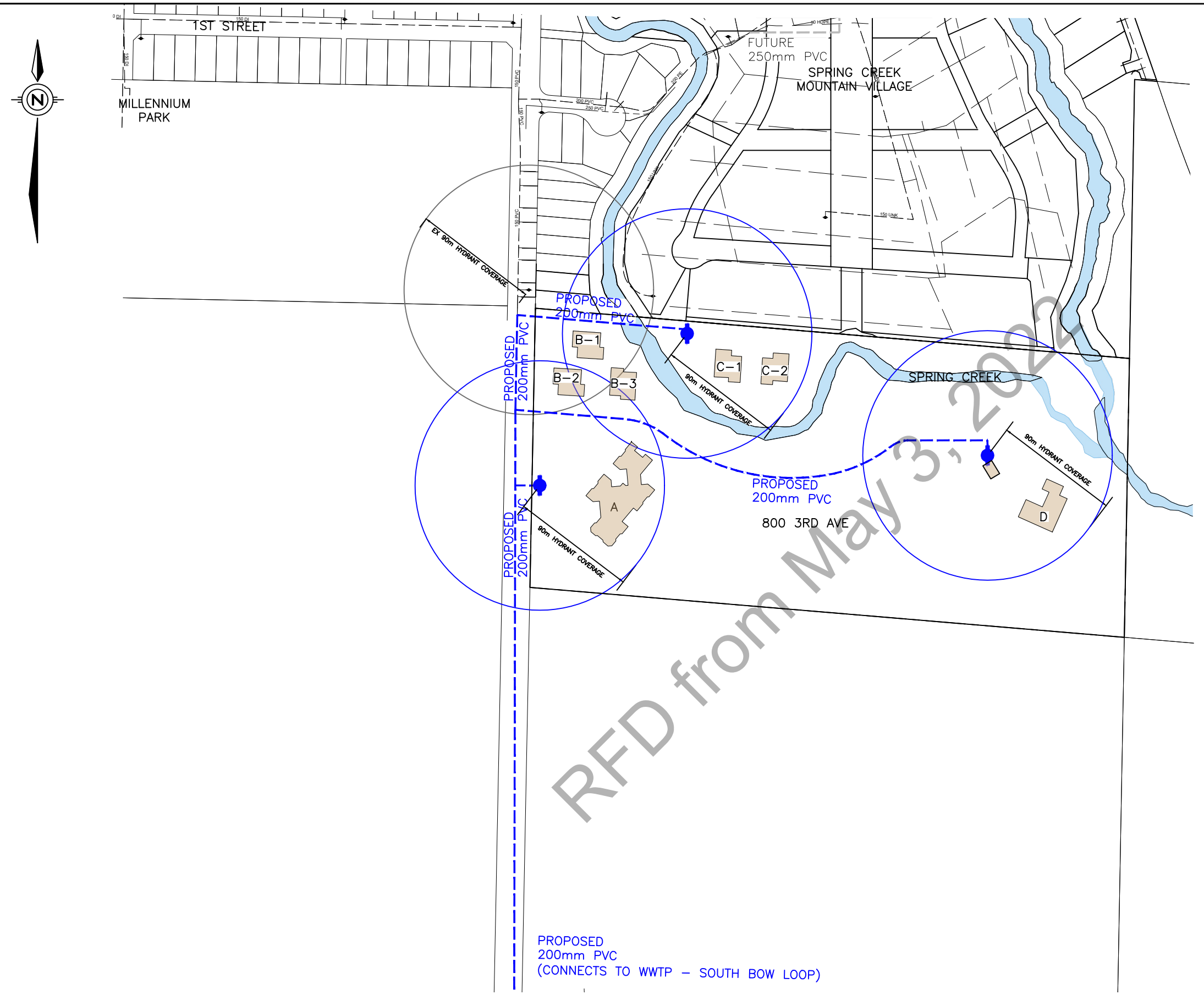
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- DESIGN HYDRANT



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JOB NO: 2531-52101	DWG: C-300	

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- - - ● EXISTING HYDRANT
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- - - - - ● DESIGN HYDRANT



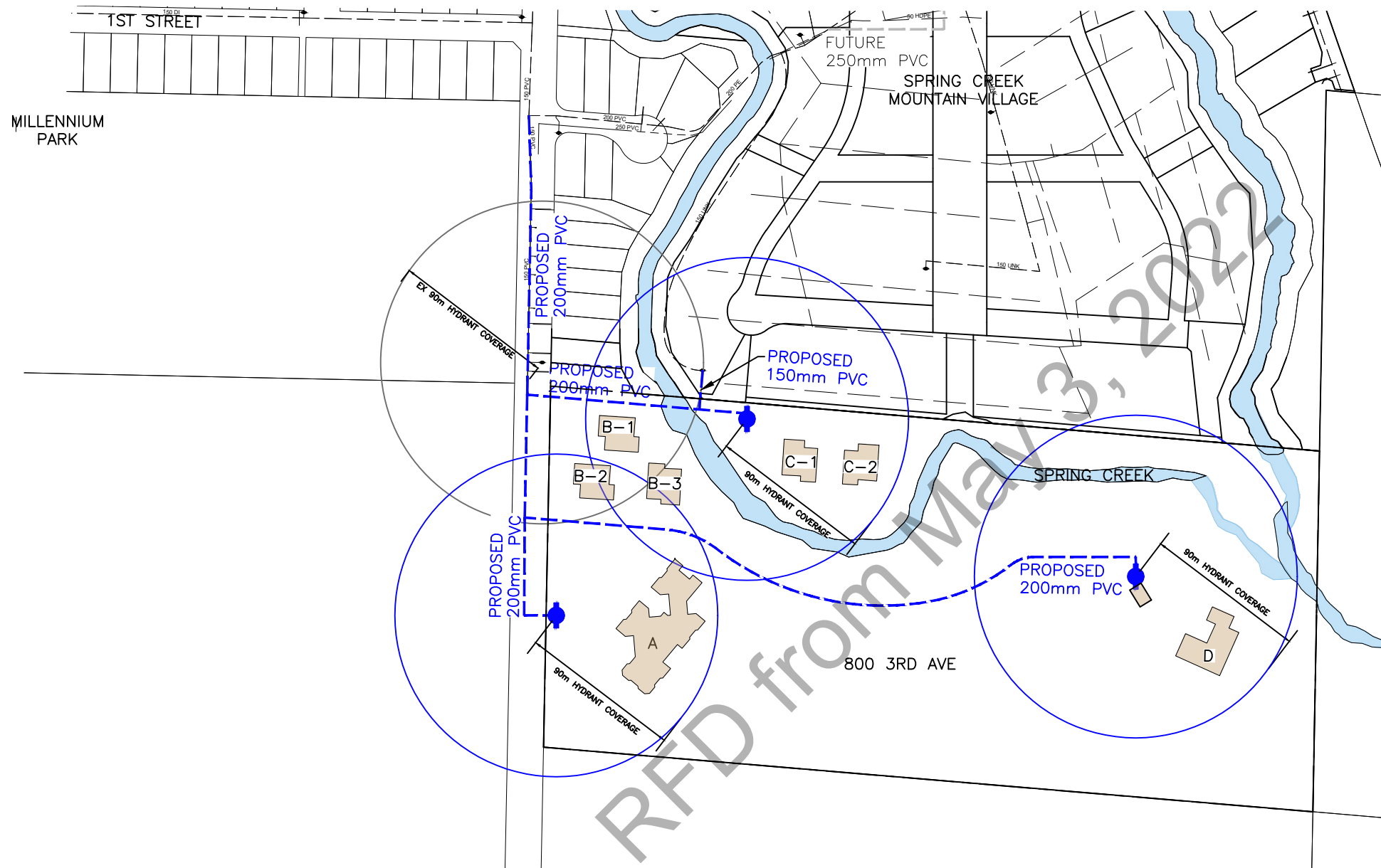
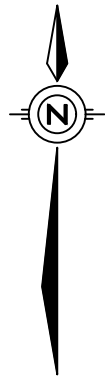
PROPOSED
 200mm PVC
 (CONNECTS TO WWTP - SOUTH BOW LOOP)

RFD from May 3, 2022

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DRAWN BY: AT	CHECKED BY: GK	WATERMAINS OPTION 2 800 3RD AVENUE JAN & BERNIE MCAFFERY Page 327 of 569
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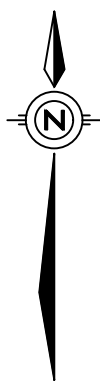
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- - - - - EXISTING HYDRANT
- DESIGN WATERMAIN
- DESIGN HYDRANT



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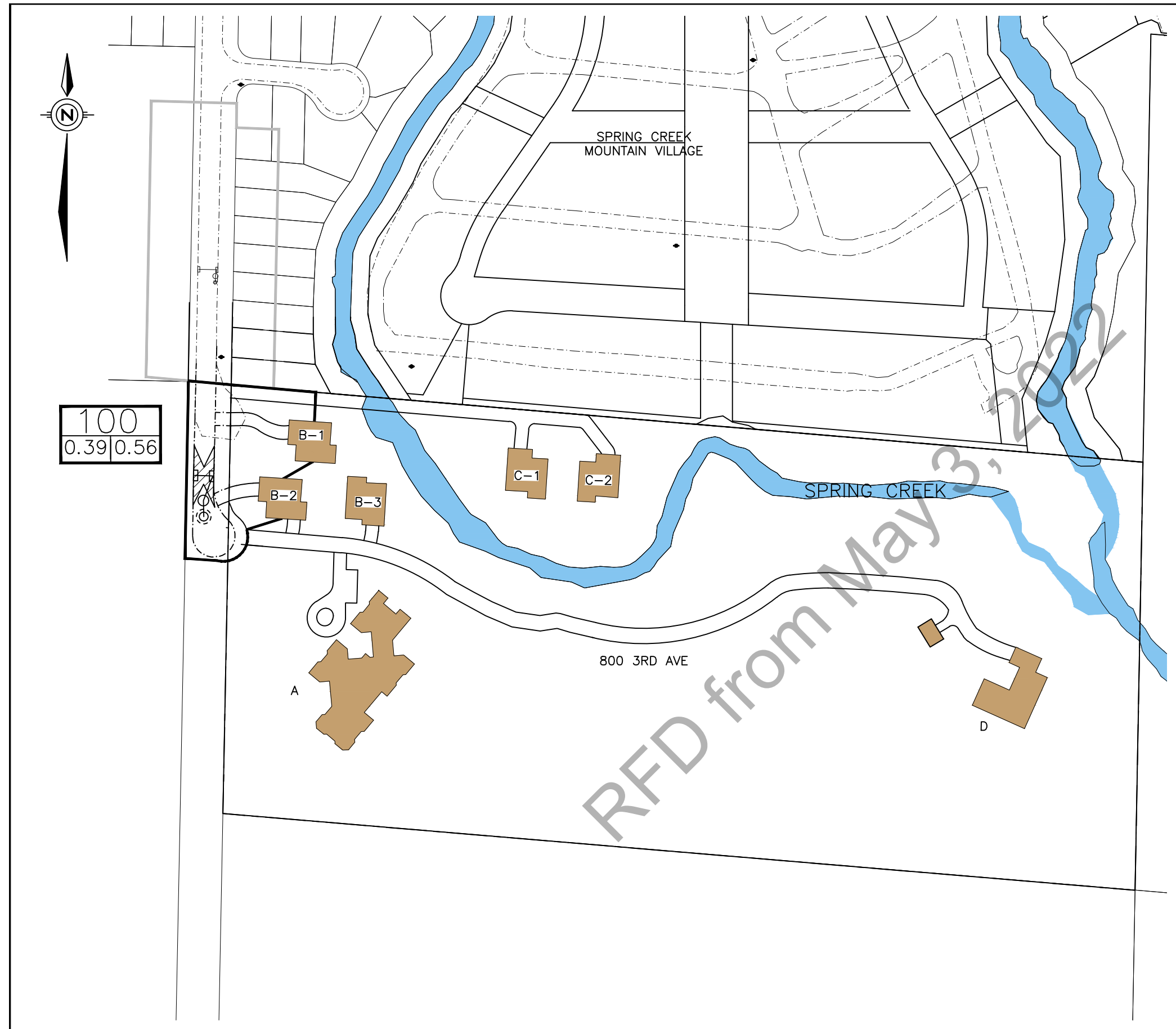
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- AREA IN ha.
- EXISTING STORM CATCHMENT AREA BOUNDARY
- STORM CATCHMENT AREA BOUNDARY
- ⊙ DESIGN DRYWELL
- DESIGN OIL AND GRIT SEPARATOR
- ▭ DESIGN CATCHBASIN
- DESIGN STORM MAIN
- ▨ DESIGN TRAP LOW
- - - EXISTING EDGE OF ASPHALT
- - - DESIGN EDGE OF ASPHALT



RFD from May 3, 2022

DRAWN BY: AT	CHECKED BY: GK	STORM DESIGN
DATE: MARCH 04, 2021	SCALE: 1:2000	800 3RD AVENUE JAN & BERNIE MCAFFERY Page 329 of 569
JOB NO: 2531-52101	DWG: C-400	

Appendix A: Water Modeling

OPTION 1:

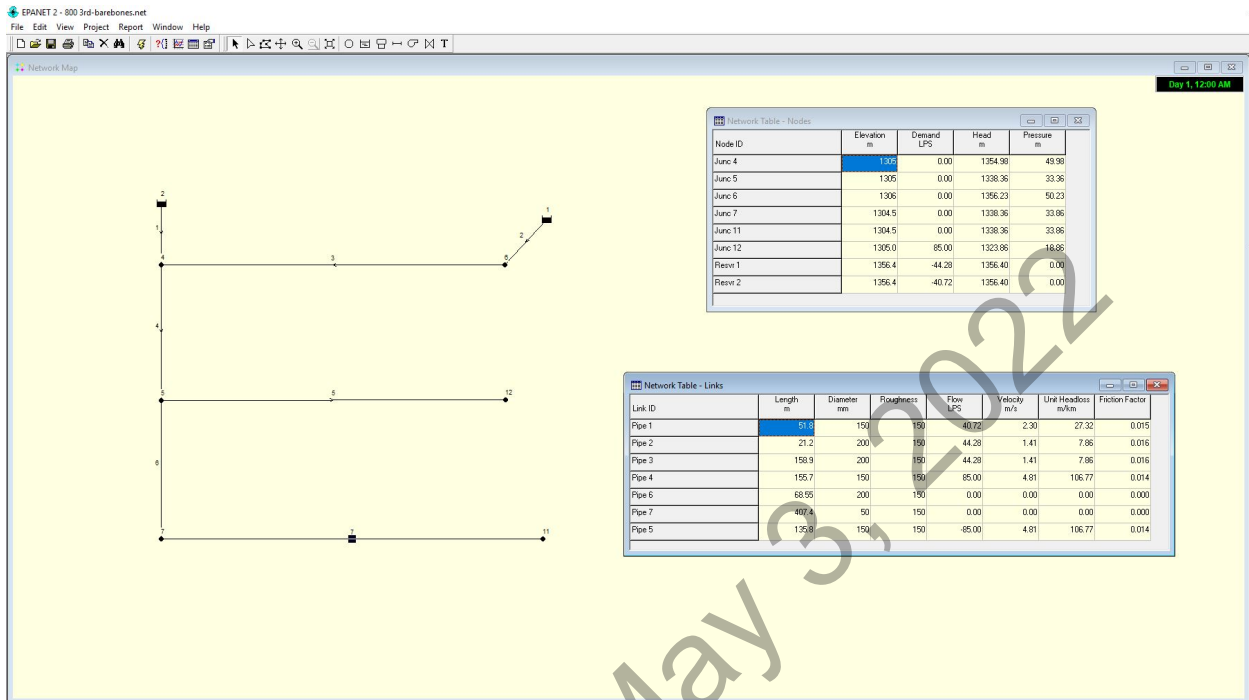


Figure 1: Water model for Option 1 of the distribution network.



Network Table - Links

Link ID	Length m	Diameter mm	Roughness	Flow LPS
Pipe 1	51.8	150	150	40.72
Pipe 2	21.2	200	150	44.28
Pipe 3	158.9	200	150	44.28
Pipe 4	155.7	150	150	85.00
Pipe 6	68.55	200	150	0.00
Pipe 7	407.4	50	150	0.00
Pipe 5	135.8	150	150	-85.00

Network Table - Links

Link ID	Velocity m/s	Unit Headloss m/km	Friction Factor
Pipe 1	2.30	27.32	0.015
Pipe 2	1.41	7.86	0.016
Pipe 3	1.41	7.86	0.016
Pipe 4	4.81	106.77	0.014
Pipe 6	0.00	0.00	0.000
Pipe 7	0.00	0.00	0.000
Pipe 5	4.81	106.77	0.014

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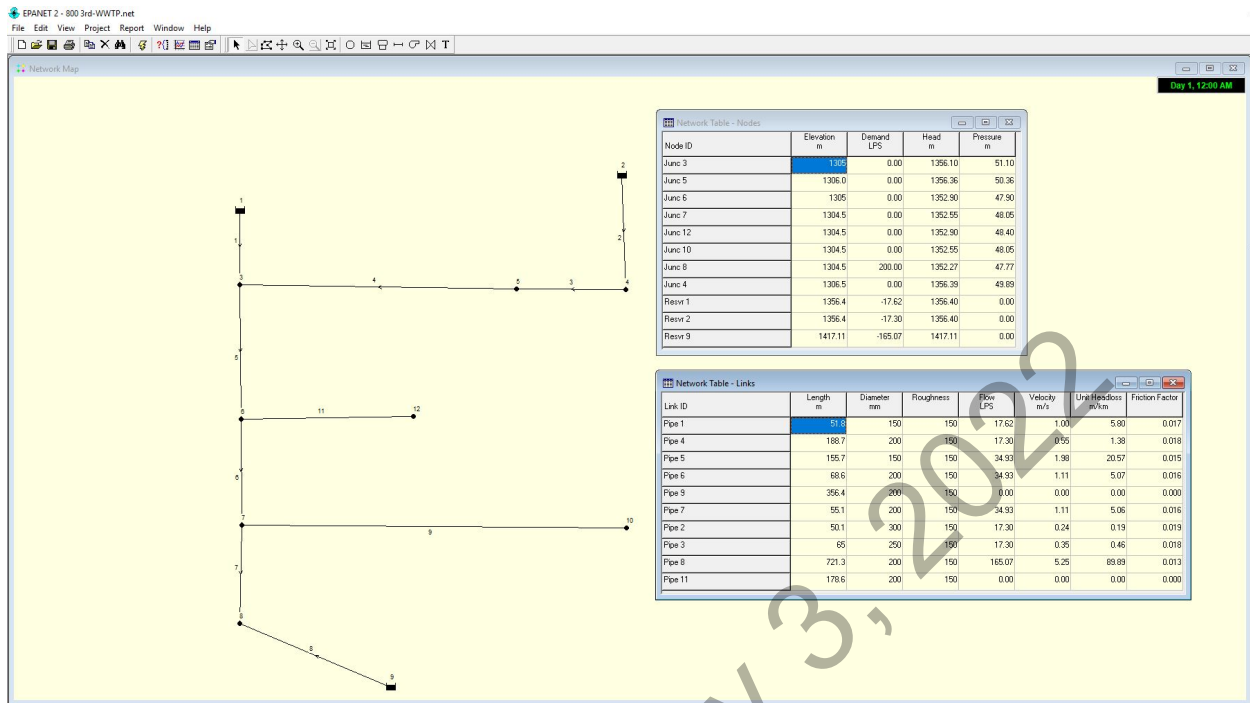


Figure 2: Water model for Option 2 of the distribution network.



Network Table - Links

Link ID	Length m	Diameter mm	Roughness	Flow LPS
Pipe 1	51.8	150	150	17.62
Pipe 4	188.7	200	150	17.30
Pipe 5	155.7	150	150	34.93
Pipe 6	68.6	200	150	34.93
Pipe 9	356.4	200	150	0.00
Pipe 7	55.1	200	150	34.93
Pipe 2	50.1	300	150	17.30
Pipe 3	65	250	150	17.30
Pipe 8	721.3	200	150	165.07
Pipe 11	178.6	200	150	0.00

Network Table - Links

Link ID	Velocity m/s	Unit Headloss m/km	Friction Factor
Pipe 1	1.00	5.80	0.017
Pipe 4	0.55	1.38	0.018
Pipe 5	1.98	20.57	0.015
Pipe 6	1.11	5.07	0.016
Pipe 9	0.00	0.00	0.000
Pipe 7	1.11	5.06	0.016
Pipe 2	0.24	0.19	0.019
Pipe 3	0.35	0.46	0.018
Pipe 8	5.25	89.89	0.013
Pipe 11	0.00	0.00	0.000

OPTION 3:

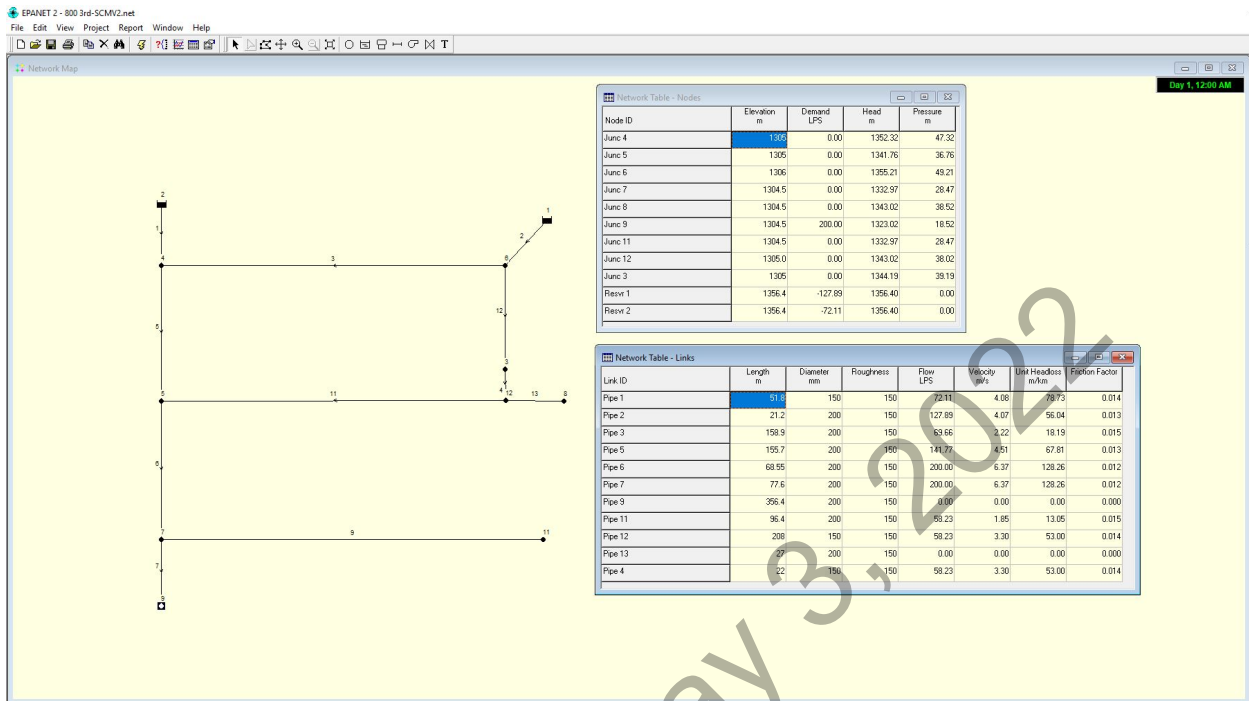


Figure 3: Water model for Option 3 of the distribution network.



Network Table - Links

Link ID	Length m	Diameter mm	Roughness	Flow LPS
Pipe 1	51.8	150	150	72.11
Pipe 2	21.2	200	150	127.89
Pipe 3	158.9	200	150	69.66
Pipe 5	155.7	200	150	141.77
Pipe 6	68.55	200	150	200.00
Pipe 7	77.6	200	150	200.00
Pipe 9	356.4	200	150	0.00
Pipe 11	96.4	200	150	58.23
Pipe 12	208	150	150	58.23
Pipe 13	27	200	150	0.00
Pipe 4	22	150	150	58.23

Network Table - Links

Link ID	Velocity m/s	Unit Headloss m/km	Friction Factor
Pipe 1	4.08	78.73	0.014
Pipe 2	4.07	56.04	0.013
Pipe 3	2.22	18.19	0.015
Pipe 5	4.51	67.81	0.013
Pipe 6	6.37	128.26	0.012
Pipe 7	6.37	128.26	0.012
Pipe 9	0.00	0.00	0.000
Pipe 11	1.85	13.05	0.015
Pipe 12	3.30	53.00	0.014
Pipe 13	0.00	0.00	0.000
Pipe 4	3.30	53.00	0.014

Appendix B: Storm Modeling

RFD from May 3, 2022



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=====
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2 0 0 11 7 # 3733817
StormWater Management HYdrologic Model 222 000 11 7 =====

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***** SWMHYMO Ver4.05.0 *****
***** A single event and continuous hydrologic simulation model *****
***** based on the principles of HYMO and its successors *****
***** OTTHYMO-83 and OTTHYMO-89. *****
***** Distributed by: J.F. Sabourin and Associates Inc. *****
***** Ottawa, Ontario: (613) 836-3884 *****
***** Gatineau, Quebec: (819) 243-6858 *****
***** E-Mail: swmhymo@jfsa.com *****
*****

```

```

+++++
+++++ Licensed user: Mountain Engineering Ltd. +++++
+++++ Canmore SERIAL#:3733817 +++++
+++++

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```

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***** +++++ PROGRAM ARRAY DIMENSIONS +++++ *****
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***** Max. number of rainfall points: 105408 *****
***** Max. number of flow points : 105408 *****
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*****
***** SWMHYMO Ver4.05.0 *****
***** A single event and continuous hydrologic simulation model *****
***** based on the principles of HYMO and its successors *****
***** OTTHYMO-83 and OTTHYMO-89. *****
***** Distributed by: J.F. Sabourin and Associates Inc. *****
***** Ottawa, Ontario: (613) 836-3884 *****
***** Gatineau, Quebec: (819) 243-6858 *****
***** E-Mail: swmhymo@jfsa.com *****
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+++++ Licensed user: Mountain Engineering Ltd. +++++
+++++ Canmore SERIAL#:3733817 +++++
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*****
***** +++++ PROGRAM ARRAY DIMENSIONS +++++ *****
***** Maximum value for ID numbers : 11 *****
***** Max. number of rainfall points: 105408 *****
***** Max. number of flow points : 105408 *****
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*****
* Input file: S:\SWMHY\52101.dat *
* Output file: S:\SWMHY\52101.out *
* Summary file: S:\SWMHY\52101.sum *
* User comments: *
* 1: _____ *
* 2: _____ *

```

* 3: _____ *

R0001:C00001-----

* PROJECT NAME: 800 3RD AVE

* PROJECT NUMBER: 2531 52101

* PROJECT LOCATION: CANMORE AB

* DESIGN STORM USES 1:5YEAR 1-HOUR RAINFALL - CHIGAGO DISTRIBUTION FROM

* CITY OF CALGARY STORMWATER MANAGEMENT & DESIGN MANUAL

* TOTAL RAINFALL = 19.4mm

* USES CHICAGO DISTRIBUTION AND IDF PARAMETER FORMAT

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| START          | Project dir.:S:\SWMHY\
|                | Rainfall dir.:S:\SWMHY\
| TZERO = .00 hrs on 0
| METOUT= 2 (output = METRIC)
| NRUN = 0001
| NSTORM= 1
| # 1=
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R0001:C00002-----

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| CHICAGO STORM | IDF curve parameters: A= 353.500
| Ptotal= 19.35 mm | B= 2.290
|                | C= .703
|                | used in: INTENSITY = A / (t + B)^C
|                | Duration of storm = 1.00 hrs
|                | Storm time step = 5.00 min
|                | Time to peak ratio = .30
```

TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN
hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr
0:05	7.622	0:15	23.029	0:25	30.772	0:35	13.306	0:45	9.040	0:55	7.032
0:10	10.866	0:20	87.477	0:30	18.142	0:40	10.695	0:50	7.887	1:00	6.371

R0001:C00003-----

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* PROPOSED CATCHMENT 100

CALIB STANDHYD | Area (ha)= .39
 01:DA100 DT= 1.00 | Total Imp(%)= 56.00 Dir. Conn.(%)= 56.00

	IMPERVIOUS	PERVIOUS (i)	
Surface Area (ha)=	.22	.17	
Dep. Storage (mm)=	1.60	7.50	
Average Slope (%)=	1.00	2.00	
Length (m)=	50.00	30.00	
Mannings n =	.013	.250	
Max.eff.Inten.(mm/hr)=	87.48	4.29	
over (min)	2.00	23.00	
Storage Coeff. (min)=	1.78 (ii)	22.70 (ii)	
Unit Hyd. Tpeak (min)=	2.00	23.00	
Unit Hyd. peak (cms)=	.60	.06	
			TOTALS
PEAK FLOW (cms)=	.05	.00	.050 (iii)
TIME TO PEAK (hrs)=	.33	1.03	.333
RUNOFF VOLUME (mm)=	17.75	1.27	10.501
TOTAL RAINFALL (mm)=	19.35	19.35	19.353
RUNOFF COEFFICIENT =	.92	.07	.543

- (i) CN PROCEDURE SELECTED FOR PERVIOUS LOSSES:
 CN* = 72.0 Ia = Dep. Storage (Above)
- (ii) TIME STEP (DT) SHOULD BE SMALLER OR EQUAL THAN THE STORAGE COEFFICIENT.
- (iii) PEAK FLOW DOES NOT INCLUDE BASEFLOW IF ANY.

R0001:C00004

*

COMPUTE DUALHYD | Average inlet capacities [CINLET] = .064 (cms)
 TotalHyd 01:DA100 | Number of inlets in system [NINLET] = 1
 Total minor system capacity = .064 (cms)
 Total major system storage [TMJSTO] = 999.(cu.m.)

	ID: NHYD	AREA (ha)	QPEAK (cms)	TPEAK (hrs)	Runoff Volume (RV) (mm) or (cu.m.)	DWF (cms)
INFLOW HYDROGRAPH	> 01: DA100	.393	.050	.33	10.501 .4131E+02	.000
MAJOR SYSTEM FLOWS	> 02: POND	.000	.000	.00	.000 .0000E+00	.000
MINOR SYSTEM FLOWS	> 03: INF	.393	.050	.33	10.501 .4131E+02	.000

NOTE: PEAK FLOWS DO NOT INCLUDE BASEFLOWS IF ANY.

Maximum SYSTEM storage used = .000(cu.m.)

R0001:C00005

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* DESIGN STORM USES 1:100YEAR 1-HOUR RAINFALL - CHIGAGO DISTRIBUTION FROM

* CITY OF CALGARY STORMWATER MANAGEMENT & DESIGN MANUAL

* TOTAL RAINFALL = 35.1mm

* USES CHICAGO DISTRIBUTION AND IDF PARAMETER FORMAT

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| START          | Project dir.:S:\SWMHY\
----- Rainfall dir.:S:\SWMHY\
  TZERO = .00 hrs on 0
  METOUT= 2 (output = METRIC)
  NRUN = 0001
  NSTORM= 1
          # 1=
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R0001:C00002-----

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| CHICAGO STORM | IDF curve parameters: A= 663.100
| Ptotal= 35.15 mm | B= 1.870
                      C= .712
used in: INTENSITY = A / (t + B)^C

Duration of storm = 1.00 hrs
Storm time step = 5.00 min
Time to peak ratio = .30
    
```

TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN	TIME	RAIN
hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr	hh:mm	mm/hr
0:05	13.283	0:15	40.516	0:25	54.372	0:35	23.236	0:45	15.763	0:55	12.251
0:10	18.961	0:20	168.138	0:30	31.748	0:40	18.660	0:50	13.746	1:00	11.093

R0001:C00003-----

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* PROPOSED CATCHMENT 100

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| CALIB STANDHYD | Area (ha)= .39
| 01:DA100 DT= 1.00 | Total Imp(%)= 56.00 Dir. Conn.(%)= 56.00
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```

	IMPERVIOUS	PERVIOUS (i)	
Surface Area (ha)=	.22	.17	
Dep. Storage (mm)=	1.60	7.50	
Average Slope (%)=	1.00	2.00	
Length (m)=	50.00	30.00	
Mannings n =	.013	.250	
Max. eff. Inten. (mm/hr)=	168.14	14.03	
over (min)	1.00	14.00	
Storage Coeff. (min)=	1.37 (ii)	14.40 (ii)	
Unit Hyd. Tpeak (min)=	1.00	14.00	
Unit Hyd. peak (cms)=	.88	.08	
			TOTALS
PEAK FLOW (cms)=	.10	.00	.101 (iii)
TIME TO PEAK (hrs)=	.33	.65	.333
RUNOFF VOLUME (mm)=	33.54	6.05	21.445
TOTAL RAINFALL (mm)=	35.15	35.15	35.147
RUNOFF COEFFICIENT =	.95	.17	.610

- (i) CN PROCEDURE SELECTED FOR PERVIOUS LOSSES:
CN* = 72.0 Ia = Dep. Storage (Above)
- (ii) TIME STEP (DT) SHOULD BE SMALLER OR EQUAL THAN THE STORAGE COEFFICIENT.
- (iii) PEAK FLOW DOES NOT INCLUDE BASEFLOW IF ANY.

 R0001:C00004-----
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| COMPUTE DUALHYD      | Average inlet capacities [CINLET] = .064 (cms)
| TotalHyd 01:DA100   | Number of inlets in system [NINLET] = 1
-----
                        | Total minor system capacity = .064 (cms)
                        | Total major system storage [TMJSTO] = 999.(cu.m.)
  
```

	ID: NHYD	AREA (ha)	QPEAK (cms)	TPEAK (hrs)	Runoff Volume (RV) (mm) or (cu.m.)	DWF (cms)
INFLOW HYDROGRAPH	> 01: DA100	.393	.101	.33	21.445 .8437E+02	.000
MAJOR SYSTEM FLOWS	> 02: POND	.000	.000	.00	.000 .0000E+00	.000
MINOR SYSTEM FLOWS	> 03: INF	.393	.064	.27	22.037 .8670E+02	.000

NOTE: PEAK FLOWS DO NOT INCLUDE BASEFLOWS IF ANY.

Maximum SYSTEM storage used = 7.574(cu.m.)

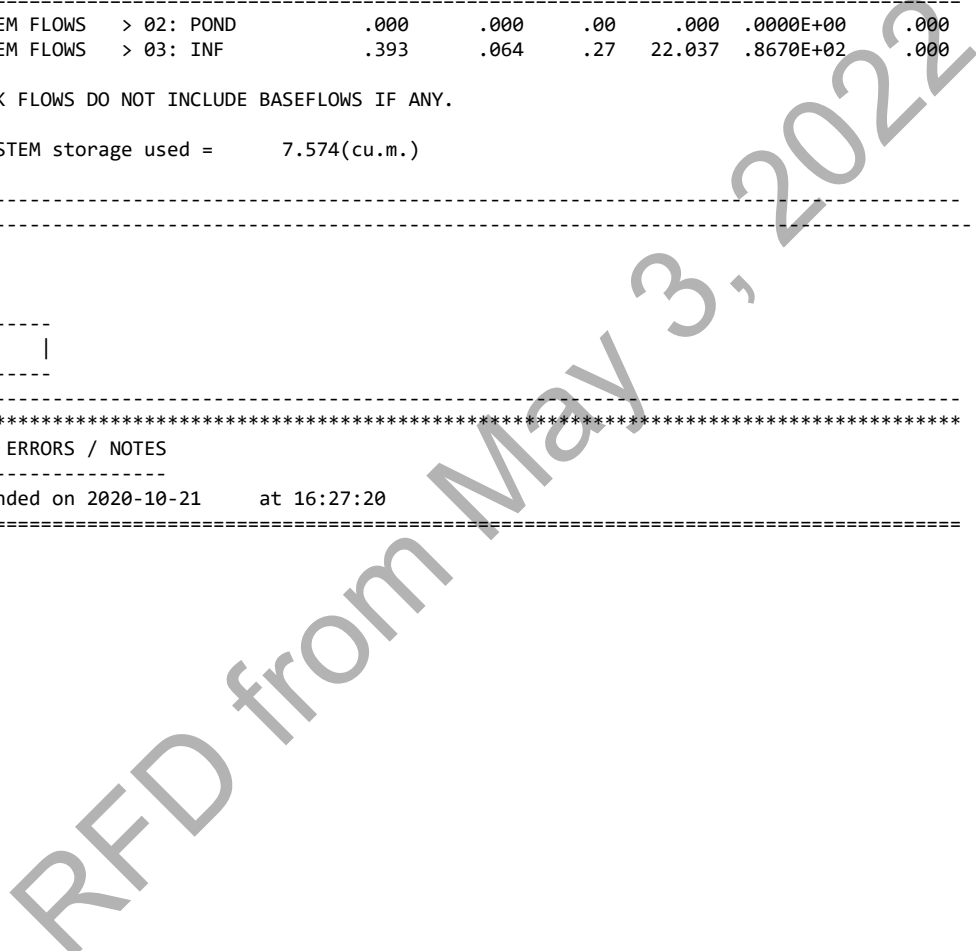
 R0001:C00005-----
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| FINISH              |
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WARNINGS / ERRORS / NOTES
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Simulation ended on 2020-10-21 at 16:27:20
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800 | 3rd Ave Canmore

What We Heard Report

March 2022

The Engagement Process

The landowners launched their website on January 20, 2022 and distributed 250 mail cards to residences in South Canmore inviting residents to attend one of four virtual open houses and/or review the website and answer the survey.

The landowners hosted four virtual open houses February 2 and 3, 2022. The times varied to ensure participants had options to attend. Over 150 distinct emails participated across the four sessions with the break down as follows: Session #1 – 34+ participants, #2 – 35+ participants, #3 – 39+ participants and #4 – 42+ participants. In some cases, there were more than one individual on the zoom screen. The Palliative Care Society of Bow Valley held a virtual open house on February 24, 2022, from 5-6 pm. Eighty-four people attended this session. Over 230 individuals participated in our virtual open houses.

The format of the virtual open houses included a presentation from the Project Team followed by a question-and-answer session using the chat or Q & A functions. Given the large number of participants, this allowed the facilitator to ensure that all the questions were answered. The Project Team consisted of:

- Keenan Rudichuk, Registered, Professional Biologist responsible for the EIS.
- Bill Marshal and Chris Sparrow, Registered Professional Architects responsible for the Master Plan and the Conceptual Plan for the Palliative Care Hospice.
- Michelle Ouellette, Registered, Professional Planner responsible for the application.
- Julie Hamilton, Board Chair, Palliative Care Society of Bow Valley,

- Lori Van Rooijen, Owners Representative and Facilitator responsible for oversight of the project.
- McKayla Toews and Catherine Keill, Technical support

Representatives from the Palliative Care Society were available to answer questions. The landowners were also present to listen and learn from the community prior to the formal submission of their application.

The following Report includes four sections.

- Section one includes a description of the proposed Concept and the benefits, the results of the Environmental Impact Statement (EIS) and the impacts, Conceptual Plans for the Palliative Care Hospice and the benefits and the required changes to the MDP and the Land Use Bylaw. This section is based on a question-and-answer format.
- Section Two includes a general summary of What we Heard over the course of the virtual open houses and through the website.
- Section Three includes the responses from the website survey and the web traffic statistics.
- Section Four includes a question matrix which is a summary of the questions and comments asked by participant and the answers provided by the Project Team. This includes the Palliative Care Society open house.

Section One. Frequently Asked Questions

The Proposed Concept



What makes this Concept different from other proposals for this land? In the past there have been many development applications for this site ranging from 39 to 100 residential dwelling units but none of them as environmentally sensitive as what is currently being proposed under this application. The landowners are not developers and wish to live on this land in the future. The Concept proposes to make a different use of a large, private land holding to benefit the community by way of a philanthropic land gift for a new Palliative Care Hospice and a very modest residential development. The landowners will build their own home and provide an additional five homes sites. These home sites will support the larger infrastructure costs for servicing the entire site including the Hospice and any costs associated with planned environmental offsetting.



The proposed Concept is not motivated by the typical measures of land development such as yield, profit and density. It is in fact the opposite. This application is less intrusive, more focused on a true balance between environmental stewardship and the built form and has the potential to act as a transition zone from the highly dense Spring Creek Mountain Village to the natural areas beyond the Town of Canmore facilities.

Who was consulted during the development of the plan? The landowners created the proposed Concept in collaboration with the Town of Canmore planning department. The proposed Concept represents the coordinated efforts and work of Registered Professional Biologists, Engineers, Planners, Architects, and the Palliative Care Society of the Bow Valley. Conversations also occurred with environmental groups. The proposed Concept has evolved through these discussions.

What are the benefits to the proposed Concept? The proposed Concept builds a modest, low impact residential development in one of the only areas in Canmore designated as "Future Development District". The landowners are choosing less density in an area that could support

significantly more development like Spring Creek to the north of its boundaries. It maintains eighty-nine (89) percent of the total land in a natural state with eleven percent (11%) being roads and structures providing a buffer or transition between the proposed Spring Creek Mountain Village and the Tipple Creek Wildlife Corridor and the Bow River. It also proposes to preserve the most sensitive portions of the land as an Environmental Reserve Easement. It brings clarity and certainty of land use to this large, undeveloped tract of private land after over 30 years of grandiose development aspirations. The proposed Concept truly demonstrates the meaning of sustainability and the trades offs required through both stewardship of the environment and the construction of homes that will meet or exceed the Town's stated Climate Action goals of 30% reduction in greenhouse gasses using the 2015 NECB reference building.

Palliative Care Hospice

Why is this Hospice being considered? As Canmore grows there will be increasing need to allow for end-of-life care in the community. The landowners will donate approximately 0.8 ha (2 ac) of serviced land for the construction of the Hospice. The Hospice will provide an exceptional benefit to the community and has significant support.

This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. Currently, those patients for whom residential end-of-life care is appropriate must leave the community of Canmore to receive care in a hospice in the city. The donation to the Palliative Care Society will reduce the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available.



What programs will be offered at the Hospice? The Palliative Care Society's vision is to construct a hospice for the purpose of providing and supporting 'full-spectrum' palliative and end-of-life care for the community of Canmore and the surrounding local Bow Valley communities. The Hospice will also include day hospice programs such as music therapy and physical therapy. Administrative offices for staff and volunteer spaces will also be included within the building.

The Hospice will be grounded in the principles that embody a caring, compassionate, and connected community. It will provide space for community gathering and engagement for people facing terminal illness with their family and friends. It will provide mutual support and palliative care day programming and respite care for families. The Hospice will strengthen the community by providing local, equitable access to all Bow Valley residents requiring hospice care who would otherwise need to leave the Bow Valley for care in other urban locations.

Who was consulted? The Palliative Care Society has invited a diversity of voices into both the design of the building and the programs and services that will be offered within the new Hospice. Alberta Health Services is also aware of the proposal. The Society spoke with many community

stakeholders regarding rural hospice care in the Bow Valley, including health care workers, medical practitioners, and other allied health care professionals to ascertain where the gaps in palliative care lie. Without exception, all spoke of the need for a residential hospice facility to avoid unnecessary hardship on families struggling with end-of-life issues by having to travel to Calgary or other urban centres for hospice care. Having a hospice located in Canmore addresses an enormous gap in services that will only increase as the population ages.



What are the benefits of the Palliative Care Hospice? The proposed Hospice Concept will address a gap in 24/7 provision of services. The Hospice will create permanent, new health related employment opportunities with salary ranges above the traditional rates paid by the hospitality and retail sectors. These employees will contribute significantly to the social fabric and economic activity in the Bow Valley. Over the construction phase of 24-30 months, there will be 50-60 full time jobs which will be contracted positions with local contractors and sub-contractors. Finally, the estimated economic impact is in the range of \$4 million annually.

What about the Indigenous community? The programming and service delivery will be sensitive to diverse cultural practices in end-of-life care. Members of the Society met with Stoney Nakoda First Nations on many occasions since 2016 and discussed general cultural and spiritual observances related to palliative care in the planning process of developing palliative care programs and designing a Palliative Care House. From these conversations, several recommendations in the design of a Palliative Care House, including but not limited to:

- Ability to accommodate a full smudge ceremony in the Palliative Care House (PCH).
- Sacred space in the Hospice to perform various ceremonies.
- One room designed to accommodate up to twenty-five family members with sleeping accommodation for a least one family member to stay overnight.
- Provide education sessions and have protocols available regarding Stoney traditional cultural and spiritual observances for the non-indigenous health care staff and volunteers

Will there be “no idling” within the Palliative Care use? Yes, the Society will post no idling on the property to protect the environment.



Will traffic increase? There will be an increase in traffic, but it is not anticipated to be material or significant. The Town requires a traffic study to be completed when over 100 cars peak hours are anticipated. Even with some drop-in services, the Hospice will not reach that number of vehicles.

The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. Based on other Hospice operations of a similar size, we estimate 25 person trips per day.

The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.

Environmental Impact Statement

What is an Environmental Impact Statement (EIS)? The purpose of the EIS is to provide information to Canmore's Town Council so they can make an informed decision on the proposed land use plan. The EIS:

- Describes the proposed new land use.
- Describes the existing environmental conditions and features on and surrounding the property.
- Identifies significant natural ecological features, describes potential impacts of the project, prior to mitigation.
- Recommends measures to avoid or reduce these impacts and identifies residual impacts and their significance after the implementation of proposed mitigation.
- Recommends if any further studies or monitoring is to be undertaken through the course of mitigation implementation.
- Discusses cumulative effects in reference to existing, approved, and future developments in the area.

- Identifies additional mitigation measures to minimize impacts on ecosystem components and cumulative effects.

What were the results of the EIS? The results of the EIS indicate that the proposed development will have a small impact on a very small, concentrated portion of the site at the northern periphery of the parcel. The authors of the report and those who reviewed the report, concluded through the EIS that the proposed Concept had a negligible impact on six biophysical resources (soils/terrain, fish/fish habitat, water quality/hydrology, land resources use, air quality and cultural resources) and a negligible-to-low impact on two biophysical resources (vegetation/ecosystems and wildlife/wildlife habitat).

Who completed the Environment Impact Statement? The EIS was completed by a team of Registered Professional Biologists from Associated Environmental Consultants Inc. The team was comprised of experts that have dedicated their careers to the needs of wildlife and wildlife habitat, vegetation and ecosystems, fish and fish habitat, and climate change.

Who reviewed the EIS? The Town of Canmore's "third party reviewers" reviewed the EIS. MSES were the third-party reviewers.

How does the proposed concept balance private development with environmental land stewardship? The modest, low scale residential development has been designed to have minimal visual impact on the landscape. All the built forms have been strategically oriented on the northern edges of the property to ensure that the undeveloped portion of the property will serve as an appropriate natural, open space transition from Canmore's emerging south urban edge to the Provincial parklands and the Bow River Valley. The proposed Concept incorporates all the recommendations identified in the Environmental Impact Statement ensuring that the potential residual effects (any effects that remain once all mitigation, restoration and compensation is completed) are negligible to low overall.



What are the plans for environmental mitigation? Mitigation measures are actions taken that are intended to avoid, reduce, restore, or offset for potential effects of a project. Some mitigation is required through the regulatory process (for example protecting water quality) and some mitigation (like offsetting) is being offered as extra work in the spirit of good environmental stewardship. Mitigation measures have been proposed to avoid, reduce, restore, and offset for all potential effects. The proposed Concept will protect environmentally sensitive habitat such as the shrubby swampy area, areas adjacent to the streams, and will include the dedication of Environmental Reserves Easement. The project is anticipated to result in a net positive benefit once offsetting is complete. The proposed Concept has created a balance between wildfire risk, maintenance of aesthetic quality, and preservation of wildlife habitat value.

Trees will be planted in low shrub ecosystems on the southern section of the site and will replace the number of trees removed due to Alberta FireSmart requirements. Riparian areas will be improved by planting native species and establishing an Environmental Reserve Easement amounting to

approximately 3.5 acres. The improvements to the riparian areas will improve flood resiliency, create new wildlife habitat areas, and support the Town of Canmore’s initiative to plan for climate change.

What does offsetting mean on this property? An environmental offset is defined as an activity undertaken to compensate for the residual effects of a project, or effects that are anticipated to remain following mitigation. Offsetting will include flood mitigation, improvements to vegetation along the riparian area along Spring Creek and Policeman’s Creek and planting native shrub species and trees throughout the property to compensate those trees removed to protect against wildfire. The proposed Concept anticipates a net positive benefit once offsetting is complete.

Offsetting in this case will improve the land from its current condition. Offsetting will also improve climate resiliency for all land downstream of the property, improving the flood resiliency of Spring Creek by enhancing the riparian vegetation and reducing erosion potential along the stream bank.



What portion of the South Canmore Local Habitat Patch will the proposed low impact development cover? The northerly edge of the property directly south of the approved Spring Creek Mountain Village development. Structures and Roadways consumes only 0.5 percent (1/2 percent) of the South Canmore Local Habitat Patch.

Are there precedents for development within a Local Habitat Patch? Yes, in fact just south of the land in question, is the Town of Canmore's Waste Transfer Station, Material Handling Facility and Wastewater Treatment Plant have been developed and upgraded since the establishment of the SCLHP.

Who owns most of the identified habitat patches in and around Canmore? Most of the identified regional and local habitat patches are Crown land administered by the province. Private ownership of land is rare within habitat patches and the proposed Concept will seek to steward 89% of the total land mass in its natural state.

What is the condition of the vegetation in the South Canmore Local Habitat Patch? The land is a fire-disturbed landscape currently vegetated with native species that comprise four distinct ecosystem types.

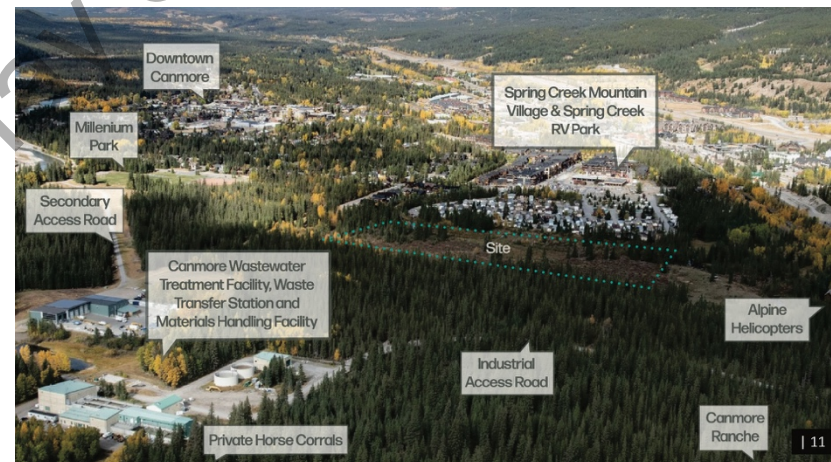
- Coniferous: treed areas dominated by mature spruce trees.
- Tall shrubs: dominated by regenerating balsam poplar and willow.
- Low Shrub-grass: primarily willow and grassy species indicative of a burned area.
- Shrubby swamp: predominately dry, forested swamp comprised of willow and balsam poplar. The proposed Concept was re-designed during planning stages to completely avoid the shrubby swamp.

Is the South Canmore Local Habitat Patch functioning as intended? Studies referenced in the BCEAG Report (updated in 2012) determined that the habitat quality of the SCLHP is compromised, too small to provide the intended habitat, and not functioning as intended. While the SCLHP does not meet the criteria for a Local Habitat Patch, it does provide habitat for species that have adapted to human use, for example, deer, coyote, and elk. The Bow Corridor Ecosystem Advisory Group note that even if it were completely intact, the SCHLP is not large enough to meet the minimum standards set for a functional habitat patch.

What else is contributing to compromising the South Canmore Local Habitat Patch? Since its establishment in 2009, habitat in the SCLHP has been fragmented and continues to be disturbed by frequent and ongoing

incursions by humans. People are walking, hiking, and skiing, dogs are on and off leash, and large trucks are travelling on roads to and from Canmore's Waste Transfer Station, Wastewater Treatment Plant and Materials Handling Facility. The roads fragment the local patch, and the SCLHP is functionally isolated from the larger Regional Habitat Patch (in this instance, the Bow Flats Habitat Patch) by Highway 1 and the CP Railway. Noise originating from CP Railway, Highway 1, a helicopter heliport, and the Town's industrial infrastructure (e.g., the Waste Transfer Station) is a significant, constant disturbance to wildlife that can be detected from all locations within the SCLHP and beyond.

The proposed Concept concentrates any users to a contained area (northwest portion) and will result in a net reduction of human activity after construction is complete.



What other land uses are within the South Canmore Local Habitat Patch? To the south of the property are Canmore's Waste Transfer Station, Materials Handling Facility and Wastewater Treatment Plant and beyond that Nordic Provincial Park and the Bow River. Sanctioned and unsanctioned trails criss-cross the entire SCLHP.

What other Climate Change actions will be taken? In addition to reducing disturbance from flooding from Spring and Policeman's Creek, the small

amount of residential development proposed will pursue the goals of Canmore's Climate Action Plan to further provide mitigative offsets.

What about Steep Creek Hazard? The Steep Creek hazard is avoided because no proposed structures will be located within the mapped hazard area.

What about Flooding? The grade elevation of buildings will be the same as that of the neighbour to the North, which is above the 1:1,00 flood level forecast.

Required Policy and Bylaw Changes

What policy changes are necessary? Two actions are required to develop the modest, low impact project on the current site – Two Municipal Development Plan Amendments and a Land Use Bylaw Amendment.

Why is an amendment to the MDP required? The property is located outside the Town of Canmore Urban Growth Boundary under the 2012 Municipal Development Plan (MDP). The purpose of the MDP amendment application is to amend Map 1 (Growth Boundary) of the Town of Canmore MDP Bylaw 2016-03 (MDP Amendment Application). The Amendment requests the expansion of the Growth Boundary Map to encompass the entire site at 800-3rd Avenue Canmore.

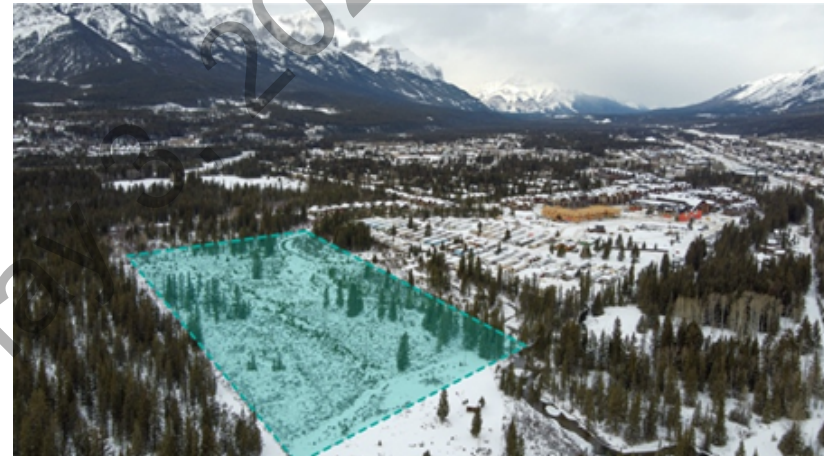
The application also requests a change from Conservation to Neighbourhood Residential on MDP Map 2 (Conceptual Land Use) not unlike the land south of the industrial road.

How is the property taxed? The property is currently taxed as "Residential" for property tax purpose.

Are these changes to the MDP allowed to occur? Yes, if certain conditions are met and Council provides their approval. Under the MDP, the Urban Growth Boundary can be adjusted if the following reasons exist:

- A community benefit is achieved.

- A net positive fiscal or socio- economic impacts are achieved.
- The proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner.
- The proposed development does not result in unacceptable environmental impacts.

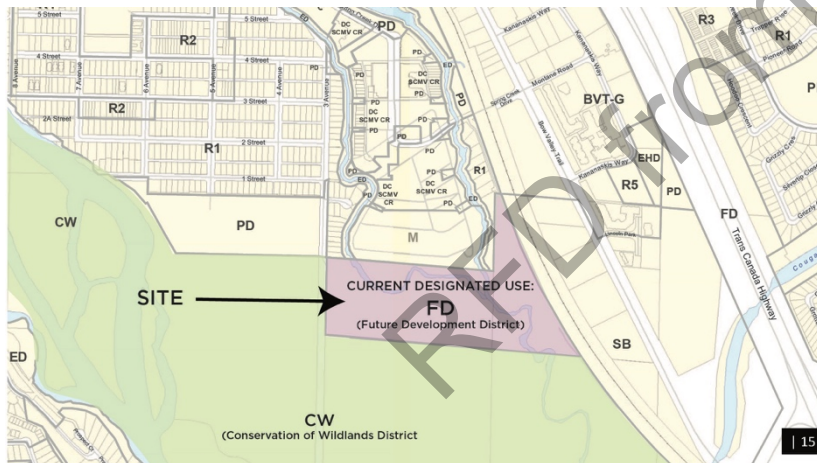


The application provides long-term exceptional community benefit to the Town of Canmore. The Proposed Concept meets all four of the requirements for an adjustment to the Growth Boundary in the following ways:

- Provides for a donation of serviced land to build a much-needed palliative care hospice in the Bow Valley filling a significant gap in the community for end-of-life care. The provision of the Hospice is considered an exceptional community benefit.
- Provides for accessory dwelling units based on a 1:1 ratio and contributes modestly to the housing shortage in Canmore.

- Achieves a very high positive score on the Town’s own Sustainability Screening Report or SSR – a score of +240 has been achieved most developments fall within the 0.1 to 5.0 range.
- Connects to municipal infrastructure in a responsible way at the owner’s cost.
- Ensures a low to negligible affect on the environment and in fact, results in a net positive benefit after offsetting.
- Maintains 89 percent of the land in its natural state.

What is the current land use for the site? The site is currently designated as Future Development District (FD) under the current Bylaw. This did not change when the MDP designated this land as a local habitat patch. It is important to note that the FD land use was in place when the landowners purchased the land. It is rare that a Local Habitat Patch is owned privately. The remainder of the South Canmore Local Habitat Patch is owned by the Crown administered by the province with some portions leased long-term to the Town of Canmore for its Waste Transfer and Wastewater Treatment facilities and to a variety of commercial horse-riding ventures.



What is the purpose of Future Development District? The purpose of the FD is to designate land that is potentially suited for future urban uses including subdivision and development. The FD also has discretionary uses such as agriculture, campgrounds. Uses such as a Wildlife Habitat Patch and Wildlife Corridor are not allowed within the FD but are permitted in other districts such as NP Natural Park District and CW Conservation of Wildlands District. Right now, the LUB and the MDP are in conflict. This change will bring two planning documents into alignment for this specific site and ensure that the landowners can modestly develop land that they purchased in good faith.

What is the change to the land use Bylaw? The purpose of the Land Use Bylaw (LUB) amendment application is to amend the Town of Canmore Land Use Bylaw 2018-22 by adding a new Direct Control District on the site. As the site has unique characteristics, more detailed consideration for the design and impact of the development requires a specific land use Bylaw.

What will be incorporated into the Direct Control District? An amendment to the LUB will facilitate a future application to allow development of a maximum of six homes and a palliative care hospice facility on the site. One single family home is for the landowners’ own use. Eighty-nine (89%) percent of the land mass will be kept in a natural state with only 11% being roads and structures. The following Districts will be captured in the Direct Control District:

- **District A: Palliative Care Facility** - to provide for a care facility and provide for compatible and complimentary uses.
- **Districts B and C: Residential** - to provide for development of low-density Residential Detached Dwellings with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses.
- **District D: Residential and Agricultural** – to provide one Residential Detached Dwelling unit with the provision for one Accessory Dwelling Unit and other compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

The entire Proposed Concept was directly shaped by the outcomes and findings of the Environmental Impact Statement. The orientation of the buildings will be wildlife friendly to avoid or reduce any potential human-wildlife conflict. Accessory dwellings will be allowed to a maximum of 6 or 1:1 ratio. This is a net benefit to the community and will increase the already limited housing stock in Canmore. Finally, it should be noted that Tourist Home is specifically excluded as a Permitted or Discretionary use in the proposed Direct Control District to ensure the housing is available for residents.

Section Two: Summary

Website. The website comments were supportive and positive. There were some questions on wildlife and trails. Below is a selection of comments from members of the community.

This is an impressively thoughtful, sensitive, comprehensive website with a wealth of information. I commend the landowners for their vision and commitment, the Town of Canmore for their openness to such a non-commercial proposal, and the Palliative Care Society for their own volunteer dedication, vision, and hard work. I am in full support of this outstanding proposal. Thank you all for your continuing efforts in making the Bow Valley a wonderful place to live.

I am very supportive to the complete concept and proposal. This is an incredible gift by the owners and their proposal to keep or "better" the environmental impact is outstanding. I also like the consultation they have completed with all parties.

The whole proposed Concept is wonderful, having a hospice/palliative care facility in Canmore for the Bow Valley is long overdue. And to have the land given to the PCSBV is a gift to our whole community, I'm sure Canmore Council can make the by-laws work for the best of the community.

A very well thought out presentation. I still find it hard to believe a low-density proposal with a gift of land is still not met favourably by the townspeople. Good luck.

Excellent concept! It's so refreshing to see a landowner make such a significant and important land contribution for a hospice that will benefit the entire Bow Valley. Hopefully, Town Council and Town Administrators will see the benefit of this generous, timely, and well thought out development plan. It would be helpful if the River Trail could continue past Millennium Park, through this development, over the Creek, and through to the newest part of the Spring Creek development, and then lead easily to the round-about-intersection and thus to the North side of the valley.

More detailed comments are available in Section Three.

Virtual Open Houses. Most individuals who attended the virtual open houses were seeking more information on the proposed Concept. Many raised concerns such as traffic, flooding that the project team was able to address. Of the over 230 participants in the virtual open house sessions, most of the comments came from 30 individuals. The comments have been summarized below at a high-level and Section Three and Four provide additional detail.

Palliative Care and this Location. There were several questions about how many sites the Palliative Care Society looked at and whether this was the right site.

The PCSBV looked at over thirty sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available. Perhaps the

best description of why this is the right location is a quote from Bill, a grief counsellor with the Palliative Care Society.

“Thank you all for being here. I would like to share a connecting thought between what we do with our work on the ground and its relationship to land. We as human beings have beginnings and endings that are quintessentially natural events, and that our birthing mirrors that of our fellow mammals, so does our dying. To be intimately connected to the natural world as we die is perhaps a necessity for us. Hospice buildings in the natural world of trees, grasslands and mountains creates a connection to the creatures we share the Valley with. We do not want to supplant the flora and fauna, and in fact want to be welcomed by this sacred space so that we can have them bear witness to the passing of those under our care. We want the Elk, the deer, the raven, the chickadee, the spruce and roan grasses to share the same path living and dying as we do. A gentle reminder that we are not al one in our journey. Locating a hospice in the heart of a Town is not what our work is about. There is a wildness to death, and it is in the close embrace of the wild world that our death frames its truest voice and I consider this the heart of our work. Thank you for your time and support.”

Expanding the Growth Boundary. Some individuals were concerned that expanding the growth boundary for this property will result in a precedent for other landowners in the future. This could allow unwanted development in sensitive areas of Canmore.

Members of Council must look at each application individually on its own merit, and cannot make a decision on one property based on past decisions or anticipation of other future potential applications. This property is zoned Future District and is unlike any other land holding in Canmore in that it is privately owned, zoned future district and within a Habitat Patch. In this case, the MDP and the Land Use Bylaw are not aligned. This application will align the two documents by proposing a modest residential development, keeping a significant portion of the land in a natural state and offering Environmental Easements on the most

sensitive portions of the land. It supports property rights while minimizing the impact on the environment.

Potential Traffic Increase. There were concerns that the project would create additional traffic into this neighbourhood of Canmore.

The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. Based on other similar Hospice operations, we believe that the Hospice will produce only 25 persons trips during the day.

The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.

Construction Traffic. There were concerns about construction traffic impacting the local neighbourhood.

Detailed construction access plans will be prepared and provided to the Town prior to commencement of the project. Conditions related to construction access will be determined at the subdivision stage. In our case this is the registration of a condominium plan prior to development permits issued.

Access via 3rd Avenue. Many participants asked why we were not considering access via the Spring Creek Property instead of 3rd Avenue.

The legal access to the site is via 3rd Avenue. It is our understanding that the Spring Creek ARP does not allow for a connection between the properties. We are not in support of a road connection that would bring traffic through Spring Creek and South Canmore.

Road to Subdistrict C. There were concerns from neighbours directly adjacent to the site that they would have a road next to their property.

All the driveways on the site are private and meant to access each homestead. The driveway is on the northwest corner of the site because the EIS determined that it had the least impact on the environment. It is the best location to place a clear span bridge over Spring Creek. We looked at that through our options analysis in the EIS process and to reduce the environmental footprint, the best location on that entire stream section is where it is proposed. The best way to get to Subdistrict C is from 3rd Avenue. We looked at all other alternatives and we looked at the bank stability and the vegetation and what that would mean in the future.

Flooding. There were concerns that the project would create conditions for flooding in South Canmore.

All the designed buildings are above a certain flood elevation and will be at the same level as those buildings on 3rd Avenue and the new Spring Creek Development. Improvements to vegetation along Spring Creek will be made. There are intermediate floods that are not as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation along within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.

Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas.

The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is.

Impact on Wildlife. Some participants were specifically interested in the impacts of the project on wildlife.

While the SCLHP does not meet the criteria for a Local Habitat Patch, it does provide habitat for species that have adapted to human use, for example, deer, coyote, and elk. We looked hard at elk. Large mammals, ungulates are a specialty of mine, carnivore species as well or something I feel I have specialized my career in. We know that elk live near humans because humans provide an element of security from predators. And yes, they probably bend down to the west of the property. I've seen beds in Subdistrict D down in the southern corner. I have also seen significant amounts of Elk sign and use in the southern portion of the SCLHP, along the braided floodplain or the Trans Canada at the very southern tip, where the Trans Canada crosses the Bow River. Elk bedding habitat is important for them to sleep but it is not critically important to their survival – it is not limiting on the landscape. The types of habitats that are critically important to elk survival and security from predators are the habitats they use in winter when resources are scarce or during calving when the young are susceptible to predation. Security from getting hit on railways and roadways, but also forage and food availability in the in the winter months are important factors for elk to survive. You can imagine that it is tough for them, especially when temperatures drop well below 0°C. There's not a lot of food out there. Wildlife biologists focus our efforts on those critical seasons and critical habitats that are important to their survival or reproduction, depending on the species, recognizing that bedding habitat is still important habitat, just not critical to their survival. We know that Elk are comfortable with humans. I mean, the South Canmore or local habitat patches is well used by humans for skiing, hiking, biking, all the things and the Elk persist. In our EIS we considered grizzly, cougar, wolf, moose, elk, deer, coyote, and a long list of other species, including the little ones like amphibians and birds.

Results of the EIS. In general, participants were interested in knowing more about the results of the EIS. Who completed it and whether it was peer reviewed?

The results of the EIS indicate that the proposed development will have a small impact on a very small, concentrated portion of the site at the northern periphery of the parcel. The authors of the report and those who reviewed the report, concluded through the EIS that the proposed Concept had a negligible impact on six biophysical resources (soils/terrain, fish/fish habitat, water quality/hydrology, land resources use, air quality and cultural resources) and a negligible-to-low impact on two biophysical resources (vegetation/ecosystems and wildlife/wildlife habitat).

The EIS was completed by a team of Professional Biologists from Associated Environmental Consultants Inc. The team was comprised of experts that have dedicated their careers to the needs of wildlife and wildlife habitat, vegetation and ecosystems, fish and fish habitat, and climate change. The Town of Canmore's "third party reviewers" reviewed the EIS. MSES were the third-party reviewers.

Mitigation Measures. Participants were also interested in what other mitigation measures would be put in place.

Mitigation measures are actions taken that are intended to avoid, reduce, restore, or offset for potential effects of a project. Some mitigation is required through the regulatory process (for example protecting water quality) and some mitigation (like offsetting) is being offered as extra work in the spirit of good environmental stewardship. Mitigation measures have been proposed to avoid, reduce, restore, and offset for all potential effects. The proposed Concept will protect environmentally sensitive habitat such as the shrubby swampy area, areas adjacent to the streams, and will include the dedication of Environmental Reserves Easement. The project is anticipated to result in a net positive benefit once offsetting is complete. The proposed Concept has created a balance between wildfire risk, maintenance of aesthetic quality, and preservation of wildlife habitat

value. Trees will be planted in low shrub ecosystems on the southern section of the site and will replace the number of trees removed due to Alberta FireSmart requirements. Riparian areas will be improved by planting native species and establishing an Environmental Reserve Easement amounting to approximately 3.5 acres. The improvements to the riparian areas will improve flood resiliency, create new wildlife habitat areas, and support the Town of Canmore's initiative to plan for climate change.

Sections Four provides more detailed responses for each question and comment.

Section Three - Website and Individual Comments

Comment	Response
<p>This is an impressively thoughtful, sensitive, comprehensive website with a wealth of information. I commend the landowners for their vision and commitment, the Town of Canmore for their openness to such a non-commercial proposal, and the Palliative Care Society for their own volunteer dedication, vision, and hard work. I am in full support of this outstanding proposal. Thank you all for your continuing efforts in making the Bow Valley a wonderful place to live.</p>	<p>Thank you.</p>
<p>I believe this lot is wonderful for a Hospice building. My hope is that the Elk are being considered as part of the picture as they have always been in the area. We are once again crowding them out of land.</p>	<p>Thank you and we have studied the Elk population here. They will continue to live and feed on this land.</p>
<p>I am fully in support of Subdistrict A and the building of a hospice. There is a real need for this in the Bow Valley. Thank you for your support of the PCSBV.</p>	<p>Thank you.</p>
<p>It would be helpful to know the land jurisdictions of the lands surrounding this parcel. Where does Canmore Nordic Centre PP begin? Is all the land to the west of the parcel privately owned? Also, is it possible to have a 20-metre setback from the swamp, just like with the creeks? Swamp boundaries need margins to move; I am concerned about floodplain issues and the needs of swamps to be swamps!</p>	<p>The land use surrounding the site is Conservation district. The land to the west is publicly owned by the Crown and managed by the province. We do have 20-metre setbacks from the shrubby swamp and the creeks. Here is a comment from our Biologist.</p> <p><u>Floodplain:</u> All the designed buildings are above a certain flood elevation that is the same as those buildings on 3rd Avenue and the new Spring Creek development. I can speak about the improvements to vegetation along Spring Creek. We get intermediate floods that aren't as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood</p>

	<p>events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.</p> <p>Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas. The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is. See below question.</p>
<p>Re trails: there is already lots of recreation use in this part of town. There are also serious wildlife concerns that your proposal would increase. You mention nothing about access ROADS and traffic management. You propose to bring yet more outside development (cf. natural growth) to this community. Canmore is already overwhelmed with problems of crowding, traffic, and imposed housing development. Your idea will not help to resolve these problems: it will only add to them. The postcard you left on my doorstep does not make me trust your proposal: nowhere does it mention your company name or any other supporting information.</p>	<p>Thank you for your comments.</p>
<p>I am very supportive to the complete concept and proposal. This is an incredible gift by the owners and their proposal to keep or "better" the environmental impact is outstanding. I also like the consultation they have completed with all parties. However, the only issue I see is the "optics" of the owners wish to get approval to build their own home tied to this whole plan...so there is a benefit to them. Despite this one and only issue I still support the project.</p>	<p>Thank you. We understand those optics. The landowners approach the Palliative Care Society before they knew they needed land for a new Hospice.</p>
<p>First the disruption that will happen to build a road and bridge makes absolutely no sense. Eventually there will be access through spring creek which would turn 3rd Ave into a freeway out of town. Access to these homes should be only through spring creek. Second, I would like to see copies of all the studies completed. i.e., EIA, wildlife study; traffic impact etc. finally I need to understand what will stop the home's Ancillary building from becoming Airbnb's?</p>	<p>There will be no access to Spring Creek developments. We have completed an EIS, and the results showed a low to negligible affect. Tourist homes are not a permitted use in our proposed Direct Control District.</p>
	<p>We will look at the trail system. Thank you for your comments on the Hospice.</p>

<p>What are the trails used for? To walk a dog(s), for exercise, fresh air, to work and back? Are these trails used to hide unlawful activities? Could the trails be incorporated into the whole concept? The whole proposed Concept is wonderful, having a hospice/palliative care facility in Canmore for the Bow Valley is long overdue. And to have the land given to the PCSBV is a gift to our whole community, I'm sure Canmore Council can make the by-laws work for the best of the community.</p>	
<p>Your concept is an obvious attempt to spin the development of an area that should not be developed. Please don't develop in this environmentally sensitive area. This is a habitat patch within a fragmented area. Canmore should not consider adjusting the urban growth boundary or conservation zoning to accommodate this.</p>	<p>We are sorry you feel this way. This is private land that is zoned Future District. The landowners currently pay residential tax on the property.</p>
<p>Where will the road access for the new area be? I.e., via 3rd Ave, Bow Valley Trail, or both?</p>	<p>The legal access is 3rd Avenue.</p>
<p>There are plant species in that area that do not grow other places that I have seen in the valley. The biodiversity of the proposed area is quite vast, and I believe it would be a shame to lose it.</p>	<p>We have completed an EIS and have identified mitigation measures and offsets for the entire site.</p>
<p>Where will the vehicular access be for the development?</p>	<p>The legal access to the site is 3rd Avenue.</p>
<p>A very well thought out presentation. I still find it hard to believe a low-density proposal with a gift of land is still not met favourably by the townspeople. Good luck.</p>	<p>Thank you.</p>
<p>Wonderful to finally see a development in Canmore that isn't driven by maximizing \$/foot. Great community benefit in the partnership with PCSBV which I strongly support. I applaud the owners for sacrificing a lot of economic benefits in order to promote environmental and social well being in our town. This really looks like it will be a jewel for Canmore and a gem in the Rockies.</p>	<p>Thank you.</p>

I love the idea of a hospice in such a beautiful location to provide a healing space for patients who are dying and their families	Thank you.
There are some well-defined natural trails in that area now but dependent upon ice and water some are more accessible than others for both the wildlife and the walkers. That should be a consideration.	We will be considering the trails.
I fully support your proposed concept.	Thank you.
Who are the principals of this company?	Jan and Bernie McCaffery from Calgary.
The proposed concept for the land use is a wonderful contribution to the community of Canmore. It is well thought out and will suit the environment.	Thank you.
I am concerned about the traffic on the roads. We do not have many sidewalks, nor do we want them. And all the roads in our area have in the spring. A hospice of that size will require a lot of staff. And the construction traffic for all the homes will be substantial. What road access are you planning? Will it come from Bow Valley Trail? It is congested enough to get through downtown Canmore.	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit. There will be no access from Bow Valley Trail.
As I said above. I am sure the developers can create a pathway around the new developments. I am all for the proposed uses of this land, particularly the Hospice development!!!!	We will investigate the trail system.
Excellent!	Thank you.
Very well thought out.	Thank you.
The area/site plan must go through the usual public development process. Consideration for permitted uses should be clearly laid out as the hospice could be sold for non hospice usage in the future.	That is correct. We will go through the Town approval process.

<p>I've spent most of my adult life in Canmore, and as a senior, I hope to end my days here too! A palliative care centre might certainly help me attain that! Regarding trails - the existing trails in this specific habitat of lowland shrubby areas is very popular amongst resident and visiting birdwatchers. Some travel great distances to bird' here. Some thought might be given to consider access to public parking to accommodate this. The existing boardwalk through the 'swampy, Policeman's Creek habitat, starting at Main Street (opposite the Malcolm/Spring Creek development) - is a birding hot-spot with outstanding birding habitat, that's right adjacent to the public boardwalk, but safe from people, dogs and even cats - tromping off-trail. A similar trail (with adjacent habitat protected from trampling) would be most welcome for all users. Especially if it was wide enough to accommodate bikes and walkers, and also included some wide spots with benches for us seniors! There is a very active Bow Valley Birders group based in Canmore, (as well as an extremely large Alberta Bird group) active on Facebook. Our Canmore group was formed and is led by a remarkable young (teenager), who even does weekly birding walks during the summer months (using the existing boardwalk previously mentioned). His name is Ethan Denton, and I highly recommend you seek his perspective on your trail plans. Congratulations on your overall plan! I'm so pleased to see this responsible and sensitive development of these lands, versus more high-density housing that would probably, otherwise' be its fate.</p>	<p>Thank you. We will give some consideration to your comments.</p>
<p>Question, is the access to the development through 3 Ave in south Canmore or through Spring Creek? If 3 Ave, why not Spring Creek?</p>	<p>The legal access is 3rd Avenue. Spring Creek property is privately held.</p>
<p>Excellent concept! It's so refreshing to see a landowner make such a significant and important land contribution for a hospice that will benefit the entire Bow Valley. Hopefully, Town Council and Town Administrators will see the benefit of this generous, timely, and well thought out development plan. It would be helpful if the River Trail could continue past Millennium Park, through this development, over the Creek, and through to the newest part of the Spring Creek development, and then lead easily to the round-about-intersection and thus to the North side of the valley.</p>	<p>Thank you. We are considering the trails.</p>

<p>Fairly often and I think the proposed development concept is wonderful based on the generous and inspiring donation of land to the Palliative Care organization.</p>	<p>Thank you.</p>
<p>This was all public lands, I know my dad and buck kalita had the lease for many years, I think it should all stay as public land and not be Developed and yes. I cross country ski back there.</p>	<p>The land has been privately held for decades. You are correct, the lands surrounding this site are public lands held by the Crown.</p>
<p>The main concern is the interface between the southerly edge of the property with the private access road to Area B. The pedestrian connectivity across the creek connecting with SCMV in particular is a concern as there are numerous pedestrians walking adjacent to the property line. The preference is for these owners is not to develop a multi-use trail connection as there are two other pedestrian connections north of this site.</p>	

Website Traffic

Web statistics are on the following pages. We have had a total of 1,408 sessions with 985 unique visitors to the site since the website launched January 20, 2022.

RFD from May 3, 2022

Traffic Overview

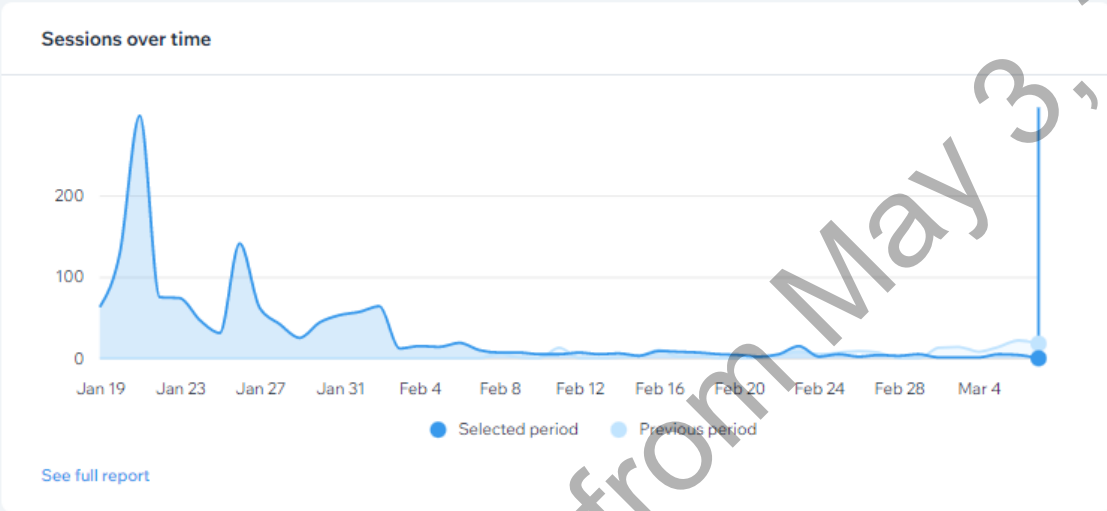
Jan 20 - Today compared to previous period (Dec 3, 2021 - Jan 19, 2022)

Site sessions 1,408 ↑ 733%	Unique visitors 985 ↑ 1,628%	Avg. session duration 8m 7s ↓ 39%
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Top traffic sources by sessions

Direct	↑ 338%	731
Facebook		329
canmore.ca		200
Google		126
online.flippingbook.com		7

[See full report](#)



Top pages by sessions

/ (Homepage)	↑ 1,044%	1,281
/vision-emerging-concept	↑ 432%	351
/community-partnership	↑ 309%	229
/land-use-policy-alignment	↑ 193%	202
/environment	↑ 227%	180

[See full report](#)

New vs returning visitors

Unique visitors: **985**

- New: 982
- Returning: 3

[See full report](#)

Sessions by device

Site sessions: **1,408**

- Desktop: 690
- Mobile: 640
- Tablet: 78

[See full report](#)

Section Four – Summary of Session Questions, Comments and Answers.

Virtual Session #1: 6-7 PM February 2, 2022

The session had 34 participants. Of the 45 direct questions or comments made, the majority of the questions/comments came from five individuals. Questions in this session related to access via 3rd Avenue and specifically why not through Spring Creek property to the north, the potential traffic increase, construction traffic, the driveway to Subdistrict C along the northern boundary of the site, timing of the development and the potential for flooding. While there were some questions on the EIS, this session focused mostly on access to the site and the potential increase in traffic. The following is a summary of the questions asked, comments made, and the answers provided by the Project Team through the session.

#	First Name	Question/Comment	Answer
1	Susan	Has AHS agreed to join with the PCS in the operation of this facility?	The Palliative Care Society has had conversations with AHS and is aware of the project.
		Has the Environmental Assessment been peer reviewed?	Yes, the EIS was reviewed by the Town of Canmore's third-party reviewer. MSES was the third-party reviewer.
		Who are the owners? are they local people?	Jan and Bernie McCaffery. They currently live in Calgary.
		What sort of agricultural pursuits are contemplated?	Animal husbandry as is the case now with the horse grazing operations and is allowable under both Future District and Conservation categories.
		Are you going to include the questions in your report on this exercise?	Yes.
		Please provide a contact email because no one responds to the Gmail provided.	Susan, we looked and have not received an email from you. Please continue to use the Gmail provided.
		Who are the owners? Where from?	Jan and Bernie McCaffery. They live in Calgary.
2	Val	Is there an opportunity to take the patient outside in their bed?	Yes, there will be opportunities to take residents outside.
		Thank you. This was terrific information.	Thank you for attending and providing feedback.
3	Charlene	As the owner of the last home and adjacent vacant lot immediately adjacent to the site, I require more information about expected increases in traffic, parking, wildlife, and environmental impacts (herds of elk and deer live right next to me). Also, would the homes	The Town of Canmore will also engage those residents directly adjacent to the site. Given your location, you will be included. Given that your question was early in the session, we hope that we provided more information on the wildlife and the low to negligible impacts on the environment and that we anticipate positive benefits. The footprint of the

#	First Name	Question/Comment	Answer
		in Subdistrict C be set back as shown on the diagram?	homes in Subdistrict C are in their final location as per the Environmental Impact Statement (EIS)
		I didn't see that they were planning on putting a road right up against our property. I assumed those 2 properties would be accessed from spring creek. Not excited with a proposed road all the way around us	There will be no access to the Spring Creek Development from this site. The Spring Creek ARP does not allow access to this site. Subdistrict C will be access via a driveway from 3 rd Avenue and a clear span bridge over Spring Creek.
		A road like will turn into a "quick way" out of town via spring creek gate and dramatically increase traffic!!	There will be no access to the Spring Creek Development from this site. Subdistrict C will be access via a driveway from 3 rd Avenue and a clear span bridge over Spring Creek. There is no connection planned to Spring Creek as that property is owned privately.
		If more roads are added, more people will "use" the area.	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. Based on other Hospice operations of a similar size, we estimate 25 person trips per day. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.
		I agree with Denise. The homes in subsection C should be accessed through spring creek. Makes no sense to build an entire road and a bridge to access 2 homes.	We are proposing a driveway connection from 3 rd Avenue to the lots in Subdistrict C. We are also proposing a clear span bridge across Spring Creek in this location as per the EIS. 3 rd Avenue is the legal access to the site. There will be no access from Spring Creek Property.
		Far more likely these will be used as Airbnb's	Within our Direct Control District, we have indicated that Tourist Homes are not a permitted use.
		The entire area was under 6 feet of water the year o the flood	<u>Biologist:</u> It is a natural system. I'm not an engineer so this conversation is out of my expertise, but all the designed buildings are above a certain flood elevation that is the same as those buildings on 3 rd Avenue and the new Spring Creek development. I can speak about the improvements to vegetation along Spring Creek. We get intermediate floods that aren't as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is

#	First Name	Question/Comment	Answer
			<p>to improve vegetation within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.</p> <p><u>Architect:</u> Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas. The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is.</p>
		Can you please let us know if all the questions in the chat will be part of the ongoing discussion?	Yes.
		Access to C should be off the road to subsection D not where proposed.	The legal access for this site is 3 rd Avenue, Spring Creek is owned privately. The EIS determined that the best location for the bridge is where we have located it.
		Access through Spring Creek makes the most sense environmentally.	The legal access for this site is 3 rd Avenue, Spring Creek is owned privately. The EIS determined that the best location for the bridge is where we have located it.
		Ever heard of a partnership?? Do what make sense! Not an unnecessary road	We are proposing driveways on the site. 3 rd Avenue is the legal access to the site, and as part of the Town's grid system allows for traffic to feed to 3 rd Avenue from several different routes.
4	Brian	You mentioned affordable housing, can you elaborate. What will the size and pricing of these houses look like?	We will not add affordable housing. Our Direct Control District has accounted for 1 dwelling unit per homestead. While not significant, it will add to the housing stock in Canmore.
5	David	It appears there will be a road connection from 3rd to homes proposed in Subdistrict C - Will these 2 homes (and their associated renters) be connected to Roads in Spring	We are proposing a driveway connection from 3 rd Avenue to the lots in Subdistrict C. We are also proposing a clear span bridge across Spring Creek in this location as per the EIS. 3 rd Avenue is the legal access to the site. There will be no access from Spring Creek Development.

#	First Name	Question/Comment	Answer
		Creek - creating a connection to those roads...	
		The potential to "link" the roadway to the homes in subsection B to Spring Creek is not being ruled out?	We will not access the site from the Spring Creek Development.
		The houses in Subsection "C" will require a roadway to cross the creek - why not use the roadway access that is being provided from for the Palliative Care and Subsection "D" and then "bridge the creek there???"	The bridge over the Spring Creek will have the least impact in the area that we have chosen. This was determined by the EIS.
		The property right now is a natural reservoir in the event of flooding - what is being contemplated to keep this area as a potential "reservoir" or "safety valve" in the event of a flood??	<p><u>Biologist:</u> It is a natural system. I'm not an engineer so this conversation is out of my expertise, but all the designed buildings are above a certain flood elevation that is the same as those buildings on 3rd Avenue and the new Spring Creek development. I can speak about the improvements to vegetation along Spring Creek. We get intermediate floods that aren't as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.</p> <p><u>Architect:</u> Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas. The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is. Development in these areas and Spring Creek is certainly the largest example and of course, what are neighbors on Third Avenue. All these properties as well as some road networks have been raised approximately</p>

#	First Name	Question/Comment	Answer
			<p>five feet and there's incrementally being raised, and anybody driven through Spring Creek see that and it's all been it's a quite a coordinated engineered effort. Third Avenue is also raised and with a longer-range plan of how you how you dissipate and control, flooding, and flood management. I mean, essentially, it's an ongoing process. But the deep the minimal amount of development going on site gives us a lot of flexibility in essentially just raising our sites themselves. It gives us a lot more latitude than for instance, like Spring Creek which is a complete redevelop or every piece of land is raised. That's not the condition here.</p>
		<p>So, the longer-term view is to connect Spring Creek to 3rd Ave ???</p>	<p>No, the legal access for this site is 3rd Avenue.</p>
		<p>As a follow up question to the flooding question - by raising the roadways and building foundations you reduce the reservoir capacity of the property - can you create alternative ideas to mitigate this?</p>	<p><u>Biologist:</u> We have answered this question. It is a natural system. I'm not an engineer so this conversation is out of my expertise, but all the designed buildings are above a certain flood elevation that is the same as those buildings on 3rd Avenue and the new Spring Creek development. I can speak about the improvements to vegetation along Spring Creek. We get intermediate floods that aren't as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.</p> <p><u>Architect:</u> Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas. The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is.</p>

#	First Name	Question/Comment	Answer
6	Tanya	Can you please explain how you plan to direct the traffic to the sites during construction? Do you plan to come through downtown and down 3rd Ave., or a bridge constructed via Spring Creek?	We are looking at some potential options for construction traffic and do not have an answer now. We do not anticipate there to be much traffic with such low density. Construction traffic could access the site via 3 rd Avenue legally or we can look at the industrial road as a potential option. This has not been discussed in detail.
		Is there a designated timeline for construction of all aspects (The 5 homes and the Palliative Care Center)?	No, not at this point in time.
		Who is the Town's 3rd party reviewer?	MSES was the third-party reviewer for the Town of Canmore.
		The ongoing traffic to South Canmore will be significant as I see it	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.
		If no access via Spring Creek, the construction vehicles will the go through downtown, past the school, down what streets then to 3rd Ave.?	We do not know where the construction access will be at this point in time. There are several streets on the grid system that vehicles could take. We do not believe the construction traffic will be high given the low density of the site.
		Will there be an established timeline that construction on both homes and the palliative care unit must adhere to?	No, we do not have a current construction schedule but do commit to follow up once we know.
		What timeline would be established for the homes and for the palliative care center? It is important to know how long the construction vehicles will be going through town and South Canmore? In other areas there is an established timeline	We are scheduled to go to Council for first reading in early May with a public hearing in June. We do not have a schedule for construction of the on-site infrastructure, the Hospice or the any of the homesteads at this point in time but commit to keep you informed.
		There is only one way out off you are using 3rd Ave	3 rd Avenue is the legal access to the site. Based on the expected number of site visits and limited number of private residents, it is not expected 3 rd

#	First Name	Question/Comment	Answer
			Avenue to increase peak hour volume above allowable traffic requirements.
		For homes in Silvertip, I was told they had established timelines and if they properties were not developed, they had to sell.	This is a modest This is something that would be developed at a later date, we have not yet had these discussions.
		Is there an established timeline? Is there a cut off?	There is no established timeline for construction.
7	Denise	You mentioned agricultural uses a few times in relations to Subdistrict D. Is that something that will be detailed to the Town at some point? There are wildlife management implications with raising crops or animals.	Agricultural uses are allowed under the current land use for this property. Currently, there are a number of horse operations where horses graze the lands.
		The 3rd Avenue access is the legal access while the land is outside the Municipal Development Boundary. It seems that if we're considering extending the Municipal Development Boundary, it's a perfect time to reconsider the logical point(s) of access.	3 rd Avenue is the legal access road to this site. There is no other access point.
		A few questions: 1) Is the calculation of the +240 SSR available on your website? I'm specifically interested in how many points are earned by the donation of lands to the Palliative Care Centre. 2) I understand that there's heavy human use of this parcel of land - walkers, dog walkers, bikes, etc. And I understand the intent to upgrade vegetation. What are your thoughts on how "trespassers" will be kept out of this part of the South Canmore Local Habitat patch? 3) One appealing part of the proposal is that the landowner will fund connection utilities to connect to the municipal infrastructure. Once completed, will the Town be responsible for maintenance? What about	1. It is not available on the website. The Palliative Care Hospice did add to our positive score but even if we took out the Hospice, our SSR would still be positive. The SSR tool has been developed by the Town of Canmore to measure the difference between the net impact against the net benefit (or offset) which a given development provides the Town. (Total Net Benefit – Total Net Impact). The weights associated with each component of sustainability – economic, environmental, and social are determined by the Town. In this project, the palliative care component of the proposal earns a 209.89 score out of a total 239.28 score. 2. The concept of wildlife fencing, and wildlife exclusion fencing has come up and the landowners feel that this is a natural landscape and one of the intrinsic values is having wildlife occupy that land as well. We know that does not speak to trespassers, but one option would be, if it were desired, would be to put up split rail fencing or some other wildlife permeable fencing. As someone who enjoys the outdoors, if split rail fencing were in place, it is likely that I would probably not walk there when there are

#	First Name	Question/Comment	Answer
		<p>plowing/road maintenance? And waste/recycling/food waste collection?</p> <p>4) As several others have mentioned, it makes sense to me that the Town look more broadly at streets. A separate road to access two home sites makes no sense to me. Either those homes should be accessed through Spring Creek OR the road should be another Spring Creek access point</p>	<p>other places that I could just walk. There is not an intent to exclude the public from here. There are no gates or exclusionary fencing that's being proposed. It is more about just believing that humans move in a certain way on the landscape, and we understand when we are walking in an area that maybe not public. There has also been discussion of interpretive signage, which would be a benefit to the area. Teaching land users about what is going on the land out there and, what the value of shrubby swamp is.</p> <p>3. The landowners will pay for servicing the site. All the driveways on site will be private and will be the responsibility of the landowners to maintain and plow. We are working through waste/recycling collection at this point in time.</p> <p>4. 3rd Avenue is the legal access for this site and the Town has accommodated this access point with the cul-de-sac. There will be no access to the Spring Creek Developments.</p>
		Optional accessory dwelling units doesn't specifically do anything to address affordable/employee housing needs.	Accessible Dwelling Units do provide homes for families in the Bow Valley. We cannot solve the current housing crunch in the Valley, but we can contribute modestly to it.
		Thanks for the opportunity to hear directly from you before you decide to approach the Town for approval.	Thank you for attending and providing feedback.
8	Simon	Based on this plan, homes in Sub C would NOT have access across the creek, correct?	That is correct.
		Sub C homes will be constructed via spring creek only?	We are proposing a driveway connection from 3 rd Avenue to the lots in Subdistrict C. We are also proposing a clear span bridge across Spring Creek in this location as per the EIS. 3 rd Avenue is the legal access to the site. There will be no access from Spring Creek Property.
		Does anything prevent the additional buildings from being used as Airbnb's?	Yes, within our Direct Control District, we have indicated that Tourist Homes are not a permitted use.
9	Facilitator	What is the intention of Wildlife Fencing	The concept of wildlife fencing, and wildlife exclusion fencing has come up and the landowners feel that this is a natural landscape and one of the intrinsic values is having wildlife occupy that land as well. We know that

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			<p>does not speak to trespassers, but one option would be, if it were desired, would be to put up split rail fencing or some other wildlife permeable fencing. As someone who enjoys the outdoors, if split rail fencing were in place, it is likely that I would probably not walk there when there are other places that I could just walk. There is not an intent to exclude the public from here. There are no gates or exclusionary fencing that's being proposed. It is more about just believing that humans move in a certain way on the landscape, and we understand when we are walking in an area that maybe not public. There has also been discussion of interpretive signage, which would be a benefit to the area. Teaching land users about what is going on the land out there and, what the value of shrubby swamp is.</p>
		<p>Keenan, can you talk a little bit about the process of third-party reviewer, and also who was the third-party reviewer?</p>	<p>The third-party reviewer was MSES out of Calgary, they are an organization of highly academic folk that have history working and conducting environmental assessment in the South Canmore Local Habitat Patch. They developed a similar EA for the expansion of the wastewater treatment facility or waste transfer station there. So, they're familiar with the ecosystems and the habitat types and the species that live there. The process is as follows: Before we began the EIS, the terms of reference was developed. It was written by the third-party reviewer MSES, and we worked together to finalize the scope. We went back and forth with them through phone calls to make sure that we understood exactly what they were asking for. They submit to us the terms of reference, that's our rules of engagement. I go out and complete the assessment in a manner that meets those terms of reference, and we submitted our draft EIS to the Town and MSES for them to review. They provided great feedback, they wanted some clarity on some of the wording and some of the proposed mitigation. In the EIS we were probably a little bit vague about the way we described wildlife habitat use, wildlife fencing, and certain mitigation measures. It is a detailed process, but that's the process back and forth with them through a review-and-refine process. Through the EIS review we refined the conceptual design multiple times, each time adjusting the building siting to reduce potential effects on wildlife and the environment. We ended up moving the Palliative Care center completely away from the shrubby swamp wetland.</p>

#	First Name	Question/Comment	Answer
			This process was unique to the process in many other jurisdictions that I work in. For example, I'm usually provided terms of reference for the kind of report they want. I believe that this one was a little bit more rigorous than I would typically do for this type of development. As a wildlife biologist, this was exactly the type of work I like to do, and I feel like I kept an unbiased perception on it, and I stand behind the findings.
		There were some other questions from participants around what kind of animals will be within a sub district D. There is already a horse grazing that is in the area.	That is a topic of discussion we had early in the process. It comes down to the avoid and reduce discussion through mitigation. Currently, the land is being used for horse grazing by the adjacent landowner and those animals are their horses are impounded by an electric fence. The landowners have not decided whether they want horses, but they want to retain that option in the future. If that were the case, that's where the split rail fence might be in place. We are talking about a couple of horses that would be impounded with wildlife permeable fencing, which would be like a standard split rail fence.
		Can you clarify what you mean by current use of the land	Sure. So, when I use those terms, current use of the land, I would be talking about human users, the existing disturbance on the landscape. I look at what the land is currently being used for in a permanent and temporary sense. There are several roads that criss-cross the South Canmore Local Habitat Patch. There are several people that hike and walk and ski and bike and just enjoy the landscape. So, current use of the land to me means hikers, skiers, bikers, and infrastructure development like roads and buildings, and when I look at land use, all those things are lumped into it. So maybe asking "what is the ongoing disturbance on the land" is another way to describe that.

Virtual Session #2: 8-9pm

The session had 35 participants. Of the 14 direct questions or comments made, the majority of the questions/comments came from five individuals. Questions in this session focused more on the process, flooding, traffic, the donation and why not the nature conservancy. There were very few comments on the EIS other than support for the summary provided. The following is a summary of the questions asked, comments made, and the answers provided by the Project Team.

#	First Name	Question/Comment	Answer
10	Rick	It was a very odd accident of history that this small area of privately owned land so close to the downtown core was designated as a 'habitat patch'. As an environmental activist I see no big problems with this application.	Thank you. You are correct, most of the identified regional and local habitat patches are Crown land administered by the province. Private ownership of land is rare within habitat patches and the proposed Concept will seek to steward 89% of the total land mass in its natural state.
		Good summary Keenan. I was a member of the Town of Canmore's Environmental Advisory Review Committee when this application first came forward and have reviewed the environmental studies in detail. I also walked the perimeter of the area to get a better sense of the land. In my opinion this development is environmentally responsible, and socially desirable.	Thank you.
		Good question Debbie. This is a lowland area, but I think that they have taken that into account. Like all of downtown Canmore we depend on berms!!!	We have taken this into consideration.
11	Meg	Who was the third-party reviewer?	MSES was the third-party reviewer for the Town of Canmore.
		Thanks. Another consideration would be that with the amount of glass, mitigation of window strikes for birds would be an issue I would raise.	As the project develops the architectural team will investigate methods for reducing the potential for bird strikes. Of course, there is a balance that will need to occur to ensure residents/patients of the Hospice are able to enjoy the greatest amount of interaction with nature.
		Also want to offer congratulations on all the work done and gratitude to the owners of this site, incredibly generous. This is a very light use of this land. It could no doubt be developed in the long run in a more disruptive way. So, this is a great use.	Thank you for attending and providing feedback. We appreciate your comments.
12	Chris	How many patient beds are planned for the palliative care facility? And how many staff?	There will be 6 beds for residents. PCSBV is still working through their staffing plan.

#	First Name	Question/Comment	Answer
		Given you are already planning a road over the creek, has the owner fully considered the option of connecting traffic into Spring Creek to avoid adding additional traffic through downtown, playground and school zones, and the residential neighbourhood?	<p>The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. Based on other Hospice operations of a similar size, we estimate 25 person trips per day.</p> <p>The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.</p>
		Has the owner considered donating land to the Palliative Care Society that is not currently under conservation status, outside existing growth boundaries, and located in a difficult-to-access residential area to support a small 6 bed facility?	The landowners do not own land outside the Urban Growth Boundary so cannot donate it.
		How much ambulance traffic should be expected?	We do not know but expect with only 6 residents and we expect it will be very low.
13	Debbie	Is there any risk of flooding?	<p><u>Biologist:</u> It is a natural system. I'm not an engineer so this conversation is out of my expertise, but all the designed buildings are above a certain flood elevation that is the same as those buildings on 3rd Avenue and the new Spring Creek development. I can speak about the improvements to vegetation along Spring Creek. We get intermediate floods that aren't as extreme, and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation within that 20-metre setback along Spring Creek. That improvement would look like planting willows and shrubs that have dense root structures and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it may be now. Currently, it's kind of a low grassy low shrub ecosystem and it probably would not take much for floods to</p>

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			<p>jump that bank but if we were to pump it full of willows, they would shore up the banks and reduce erosion during flood events. It would improve the setback area for nesting birds, wildlife cover, and fish and fish habitat in the stream.</p> <p><u>Architect:</u> Regional local regulatory authorities and requirements are already put in place to essentially restrict and prevent any building into wetland areas. The primary modification that occurs is to raise the lands where the residences are proposed to be built. In this case, we would be raising the land under the building footprints equal to where Spring Creek is.</p>
		<p>Thank you very much for this presentation. Such a great opportunity for Canmore.</p>	<p>Thank you for attending and providing feedback. We appreciate your comments.</p>
14	Dan	<p>3rd avenue must be accessed from 1st and 2nd street which will increase the traffic a fair bit!</p>	<p>The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.</p>
	unknown	<p>Has the palliative care looked at other options? Why this site?</p>	<p>The PCSBV looked at over 30 sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available.</p>

Virtual Session #3: 12-1 pm

The session had 39 participants. Of the 22 direct questions or comments made, questions/comments came from eight individuals. Comment ranged from support for the Indigenous engagement to questions related to the bridge crossing over Spring Creek, to the approval process to the setbacks from creeks to questions related to the expansion of the growth boundary. While there were some questions regarding access from 3rd Avenue, the main questions were on the EIS. The following is a summary of the questions asked, comments made, and the answers provided by the Project Team.

#	First Name	Question/Comment	Answer
15	Tracey	I'm glad to hear you had consultations with first nations. If time permits, could you elaborate on the nature and substance of those consultations/discussions?	<p>The project has not yet consulted with the local First Nations regarding the flora and fauna, but we will seek input from local Indigenous experts as part of the process of the development moving forward, including the site development. With respect to the Hospice facility, we have coordinated with Stoney Nakoda First Nations on many occasions since 2016 and discussed general cultural and spiritual observances related to palliative care in the planning process of developing palliative care programs and designing a Palliative Care House. From these conversations, the PCSBV established several recommendations in the design of a Palliative Care House, including but not limited to:</p> <ul style="list-style-type: none"> • Ability to accommodate a full smudge ceremony in the Palliative Care Hospice • Sacred space in the Hospice to perform various ceremonies • One room designed to accommodate up to 25 family members with sleeping accommodation for at least one family member to stay overnight • Provide education sessions and have protocols available regarding Stoney traditional cultural and spiritual observances for the non-indigenous health care staff and volunteer engagement.
		Can you please explain why you chose 20 m creek setbacks as opposed to 50m setbacks as is encouraged by the provincial government: The Provincial Guideline of 20 m setbacks are for areas with glacial till substrates. However, the EIS notes the Project Area is underlain by fine and coarse	While not my area of expertise, I had regulatory experts support me with this in the preparation of the EIS. Town of Canmore has guidance documents (the Land Use Bylaw) that identify a 20-metre setback as appropriate on Spring Creek. We are also planning more conservatively, and you can see in this image what has previously happened and developments upstream. If you look at the houses on

#	First Name	Question/Comment	Answer
		<p>fluvial materials. For alluvial sediments, the Provincial Guidelines recommend a 50 m setback along streams, as a result the proposed setbacks from Spring Creek are likely insufficient to mitigate impacts</p>	<p>3rd Avenue, the houses are constructed up to within approximately five meters of the stream. In the Spring Creek Development, they are right up against the stream and so this 20-metre setback is a little bit more conservative than what then then what's happening currently to the north. The Town of Canmore, through consultation and discussion, approved this 20-meter setback, recognizing that the provincial guidance documents were 50 meters. We had discussions with the Town's third-party reviewer about the provincial guidance document, and we went through the regulations and determined that this was an appropriate setback given the setting and the regulations that are provided on this site.</p>
		<p>In your EIS you conclude that the site was not used for elk calving. How confident are you that this site has not been used for elk calving given you did all site surveys well outside of calving season?</p>	<p>It is possible that elk may calve here but it is not their preferred calving grounds. Confidence comes from collar data - GPS collar data that tracks the locations of cows during important seasons like calving. A lot of the data showed up on Elk, which is kind of across from cross from Millennial Park and further to the south downward that it becomes a bit of a bladed braided floodplain. That is where the confidence comes from. It is a good question. It is not an easy one to answer and if an Elk were to calve there, it would be opportunistic. The development does not necessarily limit elk calving. We know that species like elk become highly habituated to human use and that is one of the reasons they are so prominent in the south Canmore Local Habitat Patch, they do not seem to mind having humans around. Having said that, we recognize that when a cow has a calf that is a little bit different. But having humans in and around herds and calves is a security tactic for elk. There are papers available that talk about the distribution of elk during counting season.</p>
		<p>In all due respect, elk frequently bed down in Subdistrict C.</p>	<p>Of course, we looked hard at Elk, large mammals, ungulates, in particular, is a specialty of mine, carnivore species as well or something I feel I am a specialist in. We know that elk live near humans because it is a security factor. And yes, they probably bend down to the west of the property. I have seen beds in Subdistrict D down in the southern corner. I have also seen massive Elk in major areas downwards, pulling up a braided floodplain or the Trans</p>

#	First Name	Question/Comment	Answer
		<p>Canada at the very southern tip, where the Trans Canada crosses the Bow River. Bedded down Elk is habitat that helps us, it is important for them to sleep but it is not critically important to their survival. Those types of things are critically important to their survival and security from predators. Security from getting hit on railways and roadways, but also forage and food availability in the in the winter months like right now or if we get a drop to minus 30. You can imagine that it is tough for them. There is not a lot of food out there. We focus our efforts and by we, I mean all wildlife biologists focus our efforts on those critical seasons and critical habitats that are important to their survival, recognizing that it is still valuable habitat. But we know that Elk are comfortable with humans. I mean, the South Canmore or local habitat patches is well used by humans for skiing, hiking, biking, all the things and the Elk persist. We looked at grizzly, we looked at cougar and there is a long list of species that were involved in we included the little ones like amphibians and birds.</p> <p>Has there been any in depth hydrogeological studies done that look at possibility of flooding and infrastructure damage given the inadequacy of 1 in 100-year flood levels in the age of climate change? With bringing roads/driveways and building sites up to grade is there any potential impact on water drainage from flood prone areas of south Canmore</p>	<p>There were some shallow subsurface investigations done during the soils and terrain component of the EIS. Soil pits were dug to the water table. We relied heavily on available mapping by the Town of Canmore and the Province for the flood fringe levels. There will be modifications and improvements to vegetation along Spring Creek. We are building to the provincial standards as we know they exist today. Those are subject to change and at the time of building there may be changes to that and we will have to respond to it because we do know that we are in a time of change out there climatically.</p> <p>Addendum to the original response:</p> <p><i>In an earlier EIS completed for the property geotechnical and hydrogeological investigations were completed throughout the property. Geology, Soils and Terrain, Surface Water, and Groundwater were all components of that investigation.</i></p>

#	First Name	Question/Comment	Answer
		So, am I right in understanding that with ADUs, there could be essentially 12 private dwellings in this development?	Correct. These Accessory Dwelling Units are optional and will be restricted in size. It will provide housing for families in Canmore and will contribute to
		Can there be rental suites in the homes as well as ADU or are suites not allowed?	No, only Accessory Dwelling Units which will be rented.
		Thank you for taking the time to explain your project to us and to answering our questions today!	Thank you for attending and providing feedback.
		Yes, the odours from the plant are significant on many days.	Thank you for the information.
16	Chris	Looks like a well-done development proposal and I would support the change in Land Use to facilitate the development of the site as presented.	Thank you for attending and providing feedback. We appreciate your comments.
		What impacts does the stream road crossing have?	The bridge over the Spring Creek will have the least impact in the area that we have chosen. This was determined by the EIS. Clear span bridges, especially those of smaller spans, are considered environmentally sensitive due to the lack of piers in the water, allowing the water to move freely as it does naturally.
17	Michelle	What is the next step(s) of the approval process?	We understand that the Town of Canmore will conduct its own engagement process seeking feedback from owners within 60 metres of the development. Once we have all the feedback, we will finalize our application. We anticipate that we will go to first reading of Council on May 1 and to a public hearing in early June.
18	Sarah	Can you explain where the property boundary and the Urban Growth Boundary overlap? Is there a portion of the private property that falls outside of that Urban Growth Boundary? What happens to this development if the growth boundary is not amended?	The site is outside of the Growth Boundary however, it is currently zoned as Future Development District which means it has greater consideration for urban development than other sites. The Growth Boundary can be expanded in special cases where a community benefit is achieved, a net positive fiscal or socio-economic impact is achieved, the proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner, and the proposed development does not result in unacceptable environmental impacts.

#	First Name	Question/Comment	Answer
		<p>Did you do any site visits with the Stoney to assess any sites or plants of significance that may be impacted by construction and development?</p>	<p>The project has not yet consulted with the local First Nations regarding the flora and fauna, but we will seek input from local Indigenous experts as part of the process of the development moving forward, including the site development. With respect to the Hospice facility, we have coordinated with Stoney Nakoda First Nations on many occasions since 2016 and discussed general cultural and spiritual observances related to palliative care in the planning process of developing palliative care programs and designing a Palliative Care House. From these conversations, the PCSBV established several recommendations in the design of a Palliative Care House, including but not limited to:</p> <ul style="list-style-type: none"> • Ability to accommodate a full smudge ceremony in the Palliative Care Hospice • Sacred space in the Hospice to perform various ceremonies • One room designed to accommodate up to 25 family members with sleeping accommodation for at least one family member to stay overnight • Provide education sessions and have protocols available regarding Stoney traditional cultural and spiritual observances for the non-indigenous health care staff and volunteer engagement.
		<p>Why is there no affordable housing being proposed?</p>	<p>We will not add affordable housing. Our Direct Control District has accounted for 1 dwelling unit per homestead. While not significant, it will add to the housing stock in Canmore.</p>
19	Priscilla	<p>What work has been done to address flooding?</p>	<p>There were some shallow subsurface investigations done during the soils and terrain component of the EIS. Soil pits were dug to the water table. We relied heavily on available mapping by the Town of Canmore and the Province for the flood fringe levels. There will be modifications and improvements to vegetation along Spring Creek. We are building to the provincial standards as we know they exist today. Those are subject to change and at the time of building there may be changes to that and we will have to respond to it because we do know that we are in a time of change out there climatically.</p> <p>Addendum to the original response:</p>

#	First Name	Question/Comment	Answer
			<i>In an earlier EIS completed for the property geotechnical and hydrogeological investigations were completed throughout the property. Geology, Soils and Terrain, Surface Water, and Groundwater were all components of that investigation.</i>
20	M	With regard to Subdistrict C, it looks like the Spring Creek development will be tied into that access road. As you point out, this is the largest and highest density project in the history of Canmore. To open South Canmore to that level of traffic is a serious concern.	It would be a concern. There is no planned access to the Spring Creek Development. Access to Subdistrict C will be via a driveway and a clear span bridge over Spring Creek from 3 rd Avenue.
		Instead of building that long road and bridge in subdistrict C and impacting the green space, why not just negotiate access with Spring Creek for those two homes?	3 rd Avenue is the legal access to the site and all access to the site can be accommodated from this entry point. There is no reason to negotiate an access agreement. Spring Creek is privately owned.
21	Dan	Has this property been on the market for sale for the last few years? What is the plan for traffic access for this development at completion and during construction? There are significant odors that come from the sewage treatment which would be very offensive to someone who is ill.	The property has not been for sale for the last few years. The landowners have been working with the Town of Canmore over the last few years to finalize a proposed Concept and intend to build their home on the property. In terms of the Town's treatment plant and emanating odours, it is our understanding that any odours coming from the Plant need to be mitigated. The owners were aware of the situations surrounding them.
		Has the school board been approached to put the Hospice on the land available to Lawrence Grassi School?	The Hospice looked at many sites in the Bow Valley and none were appropriate for their use. CRPS has development plans for that site that are now before Council.
		Are the doors from the Sewage Treatment Plant going to be addressed prior to a Hospice being built? There are many days on 2nd street you can't open your windows	Thank you for the information.
22	R	I like to walk on the berm at the end of 3rd Ave. Will I still have access to it?	Yes.
		Good information. Thanks.	Thank you.

Virtual Session #4: 5-6 pm

The session had 34 participants. Of the 66 direct questions or comments made, many of the questions/comments came from six individuals with one individual providing 19 of the 66 questions/comments. Questions and comments in this session focused on access via 3rd Avenue and specifically why not through Spring Creek property to the north, what other locations did the PCSBV look at, mitigation of potential flooding, potential traffic increase, fit with the Municipal Development Plan, and protection of sensitive areas. The following is a summary of the questions asked, comments made, and the answers provided by the Project Team.

#	First Name	Question	Answer
23	Phil	How will flooding issues be dealt with?	<p><u>Biologist:</u> It is a natural system. Again, I am not an engineer, but all the designed buildings are above a certain flood elevation that is the same as those buildings on 3rd Avenue and the new Spring Creek development. I am not quite sure what else to say. We can speak about the improvements to vegetation along Spring Creek. So we get intermediate floods that aren't as extreme and we get some serious floods that are that are very extreme and part of the offsetting that we have discussed for some of this work is to improve vegetation along within that 20 metre setback along Spring Creek, and that would look like planting willows and shrubs that have really dense root wads and would mitigate some of that effect of flooding and would shore up the bank so that erosion or sediment transport is not as great as it is right now. Currently, it is kind of a low grassy low shrub ecosystem, and it probably would not take much to jump that bank but if we were to pump it full of willows, they would shore up that sharp the banks reduce erosion. I think it would really improve if for nesting birds and you know, wildlife cover and all those things as well.</p> <p><u>Architect:</u> Regional local regulatory authorities and requirements are already put in place to restrict and prevent any building into wetland areas. There are no wetland areas on the site. Where we have picked areas that we are building in, which are of a similar elevation to what originally was 3rd Avenue and of course Spring Creek. The primary modification that occurs in the process is to raise the lands where the residences are built. In this case, we would be raising the land equal to where Spring Creek is, which is about a five-foot</p>

#	First Name	Question	Answer
			modification, but with so much green space around the housing, we will very localized raising of the lands.
24	Bruce	What other locations have been considered for the hospice facility? What criteria was used to zero in on this location? Wouldn't it make more sense to locate the facility adjacent to or as part of the Bow River Lodge assisted living facility in Canmore?	The PCSBV looked at over 30 sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available. The PCSBV did meet with the Bow River Lodge group back in 2018/19. We could not come to an agreement and the potential site was dropped as we had received an offer from the landowners for the proposed site.
		Did the owners of the land under consideration approach organizations other than the Land Conservancy of Canada regarding donating the 20-acre parcel of land? The Conservancy only considers land that is either 160 acres in size or a smaller area if it is contiguous with other land managed by the Conservancy.	No. The landowners would like to live on the land and have made a generous donation of 2 acres of service land to the Palliative Care Society to construct a Palliative Care Hospice.
		I think everyone knows what a hospice is and it's great to show what a nice facility would look like, but I believe the issue is - Is that the most appropriate location for the hospice? What criteria was used to selected the site?	The PCSBV looked at over 30 sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available.
		How does the proposed development specifically fit with the Municipal Development Plan for Canmore? Why are high-end private residences included in the proposal when Canmore already has so many high-end homes sitting empty most of the time? Where is the "housing diversity" in the	The Palliative care aspect of the site directly aligns with the Municipal Development Plan for Canmore in providing health related services to citizens. In the past there have been many development applications for this site ranging from 39 to 100 residential dwelling units but none of them as environmentally sensitive as what is currently being proposed under this application. This application is

#	First Name	Question	Answer
		<p>concept? How would the proposed development help address Canmore's affordable housing crisis?</p>	<p>less intrusive, more focused on a true balance between environmental stewardship and the built form and has the potential to act as a transition zone from the high density of Spring Creek Mountain Village to the natural areas beyond the Town of Canmore facilities. Affordable housing has not been included for this site, to keep the footprint low as per our proposed Concept and our EIS. Our Direct Control District has accounted for 1 dwelling unit per homestead. While not significant, it will add to the housing stock in Canmore.</p>
		<p>How would the proposed development ensure preservation of the wetlands and the protection of all the wildlife that use the area (elk heard, bears, coyotes, etc.)? Isn't the area part of a wildlife corridor or at least a refuge destination for wildlife? I know for a fact that several elk frequently overnight exactly in Subdistrict C.</p>	<p>We want to be clear that this is a shrubby swamp ecosystem, so it is not a marsh. It is not a marsh like you might envision waterfowl like ducks living in. The shrubby swamp is dominated by shrubs, willows, red-osier dogwood, and species like that, and the shrubby swamp has been completely avoided. The design has been set back 10 metres from the wetted edge or what may be the wetted to edge in certain times of the year. That captures the vegetation adjacent to what would be contributing to the health and function of the shrubby swamp. As a result of the re-orientation of buildings through peer review process, the shrubby swamp has been completely avoided and mitigated and so there is no anticipated disturbance on the wetland. We recognize that wetlands are extremely important on the landscape, and they are not common in this area. This was a high priority for the landowners to preserve. Given the nature of it, it is not a marsh, it is a swamp, so it has a different value on the landscape than a marsh would have.</p>
		<p>Wouldn't the best location for the hospice be at the Bow River Lodge assisted living facility in order to capture synergies between the operations?</p>	<p>The PCSBV looked at over 30 sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available. The PCSBV did meet with the Bow River Lodge group back in 2018/19. We could not come to an</p>

#	First Name	Question	Answer
			agreement and the potential site was dropped as we had received an offer from the landowners for the proposed site.
		South Canmore is a grid network, but there are only two access points that weave around the school property. Even 50 more person trips per hour is going to be a noticeable impact on the roadways around the school.	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. Based on other Hospice operations of a similar size, we estimate 25 person trips per day. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.
		If this development were to proceed, what if the land between the site and the rail right-of-way (still within the Future Development Area) is put forward for development? How would that land be accessed?	We cannot comment on land outside our property boundary.
		What is the plan for parking for residents, visitors, and staff? Will some of them be forced to park in adjacent residential areas and walk to the new development?	We are still at the conceptual stage of design for the Palliative Care Hospice. We anticipate that we will have enough parking on site to accommodate parking.
		Keenan mentioned that ducks don't live in the site's wetland. I know for a fact that many ducks nest in the wetlands next to Spring Creek on the site.	This is not duck nesting habitat. Harlequin ducks may use Spring Creek if their range overlaps with it, and other species may use habitats around Spring Creek and Policeman's Creek within the property boundary, but the shrubby swamp does not provide suitable nesting habitat for ducks. With any construction in Canada, there is international law that protects ducks and all birds, their nests, and their nesting habitat. Part of the plan is to not disturb any vegetation during the nesting season which is in the spring. We know that some owls get going on their nesting activities about this time of year, but this has absolutely been considered. Nests are of prime importance, and we do not anticipate any disturbance to nests. I just want to reiterate, all these types of mitigation measures and considerations are standard impact assessment items, and they are

#	First Name	Question	Answer
			always addressed in environmental assessment, we covered them in this EIS.
		If no one is allowed to touch the water, creek bottoms and banks around the existing pedestrian bridges to sand and stain those bridges, why is the developer allowed to build a vehicle bridge to access Subdistrict C?	We looked at that through our options analysis (EIS) and to reduce the environmental footprint, the best location on that entire setback is where we put the bridge - on that entire stream section is where it is proposed. The best way to get to Subdistrict C is from 3 rd Avenue. We looked at all other alternatives and we looked at the bank stability and the veggie vegetation and what that would mean in the future.
		Would the purchasers of the residences formally agree to forever refrain from complaining to the Town of Canmore and its contracted operators about any noise, odors and/or health impacts associated with living in close proximity to the facility that handles Canmore's sewage, garbage, and recycling? Would they also agree to refrain from complaining about any noise from the nearby rail right-of-way and heliport?	We cannot comment on this. We assume that future landowners will do their due diligence and make their own decisions on this issue.
		The landowners are certainly aware of the noise, odor and other issues pertaining to the adjacent municipal waste treatment centre. My question is about ensuring that future owners of the five other residences and the hospice don't complain. You avoided answering my question.	We cannot comment on this. We assume that future residents will do their due diligence and make their own decisions on this issue.
		I read that the landowner is not a residential land developer (that was on their website), yet they are developing five residences. They are most certainly proposing to be residential land developers.	The landowners do not own a development company. The landowners would like to live on the land and have made a generous donation of 2 acres of service land to the Palliative Care Society to construct a Palliative Care Hospice. They saw an opportunity to provide a service to the community, while constructing their own home on the land. The other 5 homesites will help pay for the servicing of the land and offsetting.
		Why was the palliative care group turned down for a site at the hospital and at the assisted living facility? Just saying you were turned down isn't really an answer. What was the reason for the rejections?	The PCSBV looked at over 30 sites in the Bow Valley. Some were not appropriate and others too expensive. When the landowners offered to donate land to the Palliative Care Society for the Hospice, it seemed like the ideal location. This large land trust, set in a pastoral green space, at the foot of Three Sisters Mountain, is ideally suited

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			for the Bow Valley Hospice. The donation to the Palliative Care Society also reduced the burden of fundraising for a community-based charity and provide a site in proximity to the Town amenities that would otherwise not be available. The PCSBV did meet with the Bow River Lodge group back in 2018/19. We could not come to an agreement and the potential site was dropped as we had received an offer from the landowners for the proposed site.
		What is the emergency response plan for the proposed development area? Won't emergency vehicles have to weave all the way through downtown and South Canmore after traveling from the other side of the TransCanada highway (after the new fire station is constructed)?	Emergency Services will access the site via 3 rd avenue through South Canmore. In accordance with the Town of Canmore's requirements for secondary emergency access, the use of 3 rd avenue south to the wastewater treatment plan has been proposed. The emergency access has been approved by the province to extend through the water/wastewater treatment (and other) facility. The emergency access plan will also be further reviewed through our subdivision process and become a condition of the subdivision.
		Did the landowners approach organizations other than the Land Conservancy of Canada to donate the land? Why not donate most of the land to the Town of Canmore?	No. The landowners would like to live on the land and have made a generous donation of 2 acres of service land to the Palliative Care Society to construct a Palliative Care Hospice.
		How do you determine who is directly impacted by the development?	The Town determines this, but we believe it is land within 60 metres of the site.
		As we've seen, facilities were built near the heliport and the residents have complained after they move in, even though they surely knew they were purchasing properties next to a heliport. Same for an assisted living facility in Banff where residents have complained about the train horns even though they surely knew the rail right-of-way was next to their home.	We cannot comment on this. We assume that future landowners will do their due diligence and make their own decisions on this issue. The PCSBV has determined that the site meets their needs for a Palliative care facility.
25	Diana	AHS was mentioned being involved in this process - can you elaborate?	AHS is aware of the proposal and the PCSBV is keeping them informed of progress.
26	Taso	What will be the increase in traffic, estimated cars per day?	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the

#	First Name	Question	Answer
			local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.
		What will be the capacity of the Hospice once complete? How many “residents / patients” would it be able to accommodate and what would the staffing levels be?	There will be 6 beds for residents. PCSBV is still working through their staffing plan.
27	Hugh	How have/will the indigenous communities in the Bow Valley been involved in the design/development of the plan and ultimately access and use of the facility?	<p>The project has not yet consulted with the local First Nations regarding the flora and fauna, but we will seek input from local Indigenous experts as part of the process of the development moving forward, including the site development. With respect to the Hospice facility, we have coordinated with Stoney Nakoda First Nations on many occasions since 2016 and discussed general cultural and spiritual observances related to palliative care in the planning process of developing palliative care programs and designing a Palliative Care House. From these conversations, the PCSBV established several recommendations in the design of a Palliative Care House, including but not limited to:</p> <ul style="list-style-type: none"> • Ability to accommodate a full smudge ceremony in the Palliative Care Hospice • Sacred space in the Hospice to perform various ceremonies • One room designed to accommodate up to 25 family members with sleeping accommodation for at least one family member to stay overnight • Provide education sessions and have protocols available regarding Stoney traditional cultural and spiritual observances for the non-indigenous health care staff and volunteer engagement.
		How have you addressed the impact on elk that frequently overnight along the trail immediately west of the west property boundary?	We evaluated the use and selection of habitat by elk on the property. We reviewed academic reports on habitat use and selection by elk in the region (some discussions specific to the SCLHP). We completed 3

#	First Name	Question	Answer
			site investigations and documented relative abundance of elk use based on sign – which to a trained professional is easy when you know what to look for with respect to short- and long-term indications of use.
28	Heather	Who was invited to this initial info session?	We dropped mail cards to 250 homes in South Canmore. Our project has been active on social media and the Town website has a link to our website.
		Was Spring Creek approached for an optional entrance for the 2 homes on the north side of the creek?	The legal access to the site is via 3 rd Avenue. There is no need to find another entrance to the two homes in Subdistrict C.
		Has there been any discussion had regarding entering the parcel of land via the road that leads to the recycling/water treatment road?	No, the legal access to the site is 3 rd Avenue in South Canmore.
29	D	This green site seems to be on map on the other side of the Trans Canada highway ??	Unclear as to what this comment is referring to, our site is on the south side of the TransCanada.
30	Chara & Mark	To be clear the primary goals of the “concept” is to obtain: a) an enormous private home site on what is currently conservation open land b) convert a 3.3 million investment into an investment with total value of roughly 8 million dollars	We are not sure where your numbers are coming from. The land is privately owned. The landowners are making a generous donation to the Palliative Care Society to build a Hospice. The Town in general will benefit from this donation. The landowners have always planned to build their own home and are asking for 5 additional homesites to help pay for the servicing of the land and some of the offsetting. There have been many proposed developments with larger footprints. This is a modest development that will maintain 89% of the land in a natural state.
		The Elk bed down frequently in Subdistricts A, B, C and D.	Of course, we looked hard at elk. Large mammals, ungulates is a specialty of mine, carnivore species as well or something I feel I have specialized my career in. We know that elk live near humans because humans provide an element of security from predators. And yes, they probably bend down to the west of the property. I've seen beds in Subdistrict D down in the southern corner. I have also seen significant amounts of Elk sign and use in the southern portion of the SCLHP, along the braided floodplain or the Trans Canada at the very southern tip, where the Trans Canada crosses the Bow River. Elk bedding habitat is important for them to sleep but it is not critically important to their survival – it is not limiting on the landscape. The

#	First Name	Question	Answer
			<p>types of habitats that are critically important to elk survival and security from predators are the habitats they use in winter when resources are scarce or during calving when the young are susceptible to predation. Security from getting hit on railways and roadways, but also forage and food availability in the in the winter months are important factors for elk to survive. You can imagine that it is tough for them, especially when temperatures drop well below 0°C. There's not a lot of food out there. Wildlife biologists focus our efforts on those critical seasons and critical habitats that are important to their survival or reproduction, depending on the species, recognizing that bedding habitat is still important habitat, just not critical to their survival. We know that Elk are comfortable with humans. I mean, the South Canmore or local habitat patches is well used by humans for skiing, hiking, biking, all the things and the Elk persist. In our EIS we considered grizzly, cougar, wolf, moose, elk, deer, coyote, and a long list of other species, including the little ones like amphibians and birds.</p>
		Who pays for the proposed bridge?	The landowners pay for the clear span bridge.
31	Judy	How can it be designated both future development and conservation?	<p>The land use designation in the Land Use Bylaw governs the land rights provided to the landowner. Council decided at one point in time to designate this land for FD – Future Development in the Land Use Bylaw. The land use designation in the Municipal Development Plan is a high-level strategic view of the future land uses within the Town boundary. In Canmore, Council decided through the MDP (Municipal Development Plan) process in 2016 to designate all land outside of the urban growth boundary for conservation. This set policy to require further study to grow the community requiring a demonstration that a community benefit would be realized by land development. Those policies include environmental, social, and economic benefits. Because both the Land Use Bylaw and the Municipal Development Plan are living documents, there are situations which arise where the overarching strategic document may not align with specific land uses specified to particular sites in the Land Use Bylaw. The MDP recognizes that the generalized land</p>

#	First Name	Question	Answer
			use designations identified will change and be further defined through specific planning applications by landowners. To implement the community benefit measure, the SSR tool was created to attempt to provide this measure through a quantitative approach.
32	Jim	Is it possible to improve the berm from the waste transfer station as a temporary construction access route to avoid traffic flow through a residential area for building? This could be gated to avoid permanent use but would also create and emergency access route later out of south Canmore if there is a natural disaster event in the future such as floods or fires.	Detailed construction access plans will be prepared and provided to the Town prior to commencement of the project. Conditions related to construction access will be determined at the subdivision stage. In our case this is the registration of a condominium plan prior to development permits issued. Emergency Services will access the site via 3 rd avenue through South Canmore. In accordance with the Town of Canmore's requirements for secondary emergency access, the use of 3 rd avenue south to the wastewater treatment plan has been proposed. The emergency access has been approved by the province to extend through the water/wastewater treatment (and other) facility. The emergency access plan will also be further reviewed through our subdivision process and become a condition of the subdivision.
		Has the open land between the hospital and the TransCanada hiway been considered for the palliative care center? Closer to the hospital might be advantageous.	The PCSBV looked at over 30 sites in the Bow Valley. A site next to the TransCanada highway would not be ideal as this is an end-of-life care facility, and the natural setting is more ideal for the comfort of our patients.
33	Unknown (Ipad)	Do I understand this correctly? The site was purchased knowing that it was zoned conservation, that it was identified as the south Canmore habitat patch and now want to develop the land for residential and a healthcare facility plus a vehicle bridge over spring creek to service two residential lots?	The site is outside of the Growth Boundary however, it is currently zoned as Future Development District which means it has greater consideration for urban development than other sites would be. The Growth Boundary can be expanded where a community benefit is achieved, a net positive fiscal or socio-economic impact is achieved, the proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner, and the proposed development does not result in unacceptable environmental impacts. The Proposed Concept meets all four of the requirements for an adjustment of the Growth Boundary. The Proposed Concept:

#	First Name	Question	Answer
			<ul style="list-style-type: none"> • Provides for a donation of serviced land to build a much-needed palliative care hospice in the Bow Valley filling a significant gap in the community for end-of-life care. The provision of the Hospice is an exceptional community benefit. • Provides provision accessory dwelling units based on a 1:1 ratio and contributes modestly to the housing shortages in Canmore. • Achieves a very high positive score on the Town’s own Sustainability Screening Report or SSR – a score of +240 has been achieved. • Connects to municipal infrastructure in a responsible way at the owner’s cost. • An extraordinary sensitivity of design for wildlife and an above average wildlife focus on private land. • Ensures a low to negligible affects on the environment and in fact, results in a net positive benefit after offsetting. • Protects 89 percent of the land as open, natural space including an Environmental Reserve Easement for the swampy shrub ecosystem <p>Essentially, it will be up to the Town to determine if these four requirements are met sufficiently for any final decisions regarding the proposed development.</p>
		<p>How are the two lots on north side of spring creek accessed? It appears from 3rd Ave. Is this correct? That would include a bridge. What approvals are required for that? Did you approach Frank Kernick to have access from spring creek?</p>	<p>Correct, 3rd Avenue is the legal access to the site. The two home sites in Subdistrict C are access via a driveway and clear span bridge over Spring Creek. We have legal access so there is no need to approach the owner of Spring Creek Developments.</p>
		<p>Question to Bill or the landowner but why would you build a bridge and access road to service two lots? Yes, Spring Creek has a separate development plan but the cost of a road, bridge, and federal government approvals (I assume since your</p>	<p>This is the only access that we have to Subdistrict C. This is part of the EIS which placed the bridge here to minimize any impacts.</p>

#	First Name	Question	Answer
		crossing a body of water that contains fish) for 2 lots? How does this make economic sense, without trying to approach spring creek?	
34	Claire	Will the loss of wetlands negatively affect flood mitigation for South Canmore?	We want to be clear that this is a shrubby swamp ecosystem, so it is not a marsh. It is not a marsh like you might envision waterfowl like ducks living in. The shrubby swamp is dominated by shrubs, willows, red-osier dogwood, and species like that, and the shrubby swamp has been completely avoided. The design has been set back 10 metres from the wetted edge or what may be the wetted to edge in certain times of the year. That captures the vegetation adjacent to what would be contributing to the health and function of the shrubby swamp. As a result of the re-orientation of buildings through peer review process, the shrubby swamp has been completely avoided and mitigated and so there is no anticipated disturbance on the wetland. We recognize that wetlands are extremely important on the landscape, and they are not common in this area. This was a high priority for the landowners to preserve. Given the nature of it, it is not a marsh, it is a swamp, so it has a different value on the landscape than a marsh would have.
		Is there an analysis as to how many vehicles a day are likely to be added to traffic flow on 1, 2 and 3 Sts and 3 Ave once the project is complete?	The proposed development will not exceed the 100 person trips in the peak hour threshold that would normally trigger a more comprehensive traffic evaluation and the associated impact on the local road network. The site will generate at most 50 trips during the peak hour which will likely be distributed onto the grid network before proceeding to their destinations. Based on other Hospice operations of a similar size, we estimate 25 person trips per day. The development is located on a grid network which provides multiple routes for traffic to enter and exit. The grid network provides the most capacity given the ability to disperse traffic onto various routes vs concentrating volumes onto a single point of entry/exit.
		Is there offsetting for the loss of the wetlands?	We want to be clear that this is a shrubby swamp ecosystem, so it is not a marsh. It is not a marsh like you might envision waterfowl like ducks living in. The shrubby swamp is dominated by shrubs, willows, red-osier dogwood, and species like that, and the shrubby swamp

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			has been completely avoided. The design has been set back 10 metres from the wetted edge or what may be the wetted to edge in certain times of the year. That captures the vegetation adjacent to what would be contributing to the health and function of the shrubby swamp. As a result of the re-orientation of buildings through peer review process, the shrubby swamp has been completely avoided and mitigated and so there is no anticipated disturbance on the wetland. We recognize that wetlands are extremely important on the landscape, and they are not common in this area. This was a high priority for the landowners to preserve. Given the nature of it, it is not a marsh, it is a swamp, so it has a different value on the landscape than a marsh would have.
		Will the land have to be raised significantly prior to construction?	No, only the home site and the driveways will be raised to the 1:100 flood levels.
		Could someone answer my question about the low-lying area and how much fill will be required? That could be a lot of trucks if fill is needed.	Yes, certain areas will require fill, that amount is not yet clear as we are in the very early stages of development. Only 11% of the site will be used for building development, and this will be the focus for any fill required.
		The area is low lying and has sunk quite a lot. Any idea of how many truckloads of fill will be required to level up the land for construction?	Yes, certain areas will require fill, that amount is not yet clear as we are in the very early stages of development. Only 11% of the site will be used for building development, and this will be the focus for any fill required.
35	Monica	Will the building be LEED Gold Certified?	This has not yet been explored with the PCSBV, but certainly sustainable building strategies will be incorporated. The landowners are interested in working with the SAIT Green Building program.
36	Donna	Did I read that the landowners are already paying residential taxes on this land?	That is correct.
		Elk bed down frequently on our cut de sac and it's not a problem. The hospice residents would enjoy that activity!	Of course, we looked hard at elk. Large mammals, ungulates is a specialty of mine, carnivore species as well or something I feel I have specialized my career in. We know that elk live near humans because humans provide an element of security from predators. And yes, they probably bend down to the west of the property. I've seen beds in Subdistrict D down in the southern corner. I have also seen

#	First Name	Question	Answer
			significant amounts of Elk sign and use in the southern portion of the SCLHP, along the braided floodplain or the Trans Canada at the very southern tip, where the Trans Canada crosses the Bow River. Elk bedding habitat is important for them to sleep but it is not critically important to their survival – it is not limiting on the landscape. The types of habitats that are critically important to elk survival and security from predators are the habitats they use in winter when resources are scarce or during calving when the young are susceptible to predation. Security from getting hit on railways and roadways, but also forage and food availability in the in the winter months are important factors for elk to survive. You can imagine that it is tough for them, especially when temperatures drop well below 0°C. There's not a lot of food out there. Wildlife biologists focus our efforts on those critical seasons and critical habitats that are important to their survival or reproduction, depending on the species, recognizing that bedding habitat is still important habitat, just not critical to their survival. We know that Elk are comfortable with humans. I mean, the South Canmore or local habitat patches is well used by humans for skiing, hiking, biking, all the things and the Elk persist. In our EIS we considered grizzly, cougar, wolf, moose, elk, deer, coyote, and a long list of other species, including the little ones like amphibians and birds.
37	Chuck	Do the owners retain title to all on Subdistrict D?	Yes.
		What are the number of units in the total proposal? How many people will reside here? Aside from Palliative	There will be 6 beds for residents. PCSBV is still working through their staffing plan.
		How many people will reside in units Subdistrict C & B?	Using average household data for Canmore determined during the 2016 census, if all residences and ADU's house 2.4 persons, we anticipate that 24 persons could reside in Subdistricts B&C.
		What roads will become the responsibility of the Town of Canmore for upkeep and replacement if flooding occurs?	All the driveways on the site will be privately owned. The landowners will be responsible for the construction and maintenance of these driveways. If flooding occurs, the owners would be responsible for replacement.

#	First Name	Question	Answer
		3rd avenue would be extended by the Town of Canmore to the access to the Palliative Care??	Yes, that is correct.
38	Judy	Would the owners consider leaving the non-developed land as conservation?	There are some portions of the land – some of the riparian areas along Spring Creek and the shrubby swamp by the Hospice that will be dedicated as an Environmental Reserve Easement.
		What, if anything, would be in effect to prevent additional building in Subdistrict D at some time in the future?	We are suggesting a Direct Control District that outlines permitted and discretionary uses for Subdistrict D.
		What about the optics of consistency for the Town and the community if the MGB are changed and the conservation district is changed to accommodate this development? Other developers want the same changes in different locations.	We cannot comment on this.
39	Kairn	Who is responsible for the driveway to Subdistrict D?	The landowner is responsible for servicing the site.
		What room would there be to expand?	The Direct Control District will outline what are the permitted and discretionary uses for the site.
		I would caution that when you said everyone needed to be consulted on a bridge, I'm guessing the people who live at the end of the street never envisioned a bridge and road beside their house.	The land is privately owned. The bridge will provide access to a part of the land that has no access. Legal access to the site is via 3 rd Avenue. The Town will be doing further consultation with residents directly affected by the development, so there will be further opportunity for input or feedback on the bridge in the future.
		Should need be is there room for increase number of units?	Again, the Direct Control District will outline what are the permitted and discretionary uses for the site.
		Is this limited to a precise number of units or could that number change (increase)?	The Direct Control District clearly outlines the maximum number of units on the site.
40	R	With the 5 houses are there any options for accessory suites?	Yes, the proposed Direct Control District will allow for 1 Accessory Dwelling Unit per homesite.
41	R	Agree. Makes Canmore more of a compassionate community.	Thank you for attending and for your feedback. We appreciate your comment.
42	Micheline	Will the existing closure of 3rd Avenue (west end) be re-opened to allow traffic thru-fair?	This is a public road, and we cannot comment on the future of this roadway.

#	First Name	Question	Answer
43	Micheline	Sorry the other end of 3rd Avenue (end of west end of cul-de-sac (into spring creek)	There will be no connection to the Spring Creek property.
44	Donna	So exciting to see a “win/win” for our community and the generous landowners. I can envision volunteering at the hospice.	Thank you for attending and for your feedback. We appreciate your comment.
45	Marjory	Have you talked to the middle school about the impact of the trucks going by?	There are several ways construction traffic can take through South Canmore.
		Building on swamp land next to a waste treatment plant... I walk it daily, but my point is the smell once the landowners move in Keenan.	Marjorie just made a comment that “it's building on swamp land” and that I don't think that's a correct statement to make. I have walked the property and my work was reviewed by peers that are in the academic field. There is a small shrubby swamp that has been avoided during construction and the remainder of the property cannot be properly classified as a swamp. It may be that the term “swamp” is used figuratively in this sense, however, I think it is critical to use the proper terms if we are discussing ecosystems on the property, especially if they are negative in nature. I am confident in the findings of the EIS, and I stand behind it, and I would be happy to continue this conversation longer.
		Subdistrict C is listed on your website to be divided into a max of two lots and now you are saying 5 for that subdistrict?	Subdistrict C is proposed to have a maximum of 2 homesites. Subdistrict B is proposed to have a maximum of 3 homesites. We checked the website, and it is correct.

Virtual Session #5: 5-6 pm

The session had 84 participants. Many of the questions/comments came from 5 individuals. Comments focused almost exclusively on the donation with half indicating support for the proposal. One individual raised concerns around the environment and that individual was in opposition to the proposal for that reason. Many also wanted to know how to support the application as it moves through the process. The following is a summary of the questions asked, comments made, and the answers provided by the Project Team.

#	First Name	Question	Answer
46	Norm	How does Millennium Park factor into this? Isn't Millennium park recreational? This would support the evolution of land uses.	Millennium Park is designated as a Public Use District, which includes indoor and outdoor recreation, and these are allowed under PD. It is true the Town could put additional recreational facilities on that site eventually. As for evolution – as you would expect, as a community

#	First Name	Question	Answer
			grows the physical morphology does change, due to resident needs etc. This site was designated as FD (future development) as a placeholder (prior to 2016) because it made sense that this could be a potential location to expand the Town when need arose. It makes sense as a logical extension of the adjacent residential district, but it was not designated as such so that a well-formulated thoughtful response could be made for what to do with the site, and to ensure that it was only developed when it made sense to do so.
47	Susan	You were going to send me some information from the 1st open house and I haven't received it yet.	Thank you, Susan, the entire report is posted to the website. I invite you to review and get back to me with any outstanding questions.
		I know AHS is not involved at this time, but have you developed op costs and what they would mean to the families of the dying - in terms of \$\$\$	We do not have an operational plan or agreement with AHS, but we are in dialogue with AHS, and they are aware of our project and our goals. Unfortunately, AHS do not underwrite any capital costs, but if we can demonstrate the benefits and innovative activities that can happen in the Bow Valley as a result of our facility, then there are perhaps some other types of support we can get from AHS. Long-term palliative care is not covered under the Canada Health Act, it falls outside this envelope, especially in rural areas. Some Calgary hospices do have a contract with AHS; however, this is due to their urban nature, unfortunately it's not the same for rural areas. Covid 19 has really affected any fruitful dialogue with them, but we have had conversations with executives and have been directed to other programmatic AHS executives to speak with. As per the recent Throne speech and budget it looks like there is some funding coming to Palliative care, so that could be a great opportunity for us to weigh in and get government support.
		I'm referencing what would be the financial responsibility of the family of the dying if no provincial partnership	Long-term palliative care is not covered under the Canada Health Act, it falls outside this envelope, especially in rural areas. Some Calgary hospices do have a contract with AHS; however, this is due to their urban nature, unfortunately it's not the same for rural areas.
48	Rick	My focus is mostly environmental. I reviewed this project as a former member of the Town's Environmental Advisory Review Committee, and I walked the perimeter of the property to ground	Thank you for your comment.

#	First Name	Question	Answer
		truth my assessment of the consultants' reports. This is a very sound project from an environmental perspective....very close to town centre and very little impact on wildlife movements.	
		I reviewed the EIS in detail and think that it was very sound.	Thank you. (Note: Rick was on the Environmental Review Advisory Committee)
		Really important map here. This development is very central to the Canmore community. Technically it involves an expansion of the Municipal Dev Boundary, but more realistically it is development within what all of us consider to be town footprint.	Correct Rick.
		Stan, (Rick in response to below question by Stan) you are absolutely right, this is low, swampy land. I think that the development proposal addresses that but take a look and let me know if you disagree. Everything in the valley bottom has flooding risk but I think that the developers have recognized it and accept the risk	Thank you, Rick, for answer our question.
		"Climate change was not considered." That is typical of development proposals, and we need to change that. If you agree, please check in with @bowvalleyclimateaction.org	Yes, it is typical of this type of this type of development. The owners drove the inclusion of many of the climate change assessments on the site.
49	Brian	This is a sound proposal that will provide social and health supports required for aging in place. This is of tremendous social benefit to Canmore.	Thank you.
50	Stan	Has the issue of flooding been addressed: overland flooding, groundwater, and storm sewer backup flooding? Also, I've tried to run in the area and it's quite swampy.	<u>Architect</u> : I have worked with many sites in the Bow Valley floor – virtually all sites undergoing any development are required and should take into consideration current flood plane conditions. The lack of development on the site means we do not have to raise much of the site, only where the buildings and roadways are. The development intends to meet and comply with both Provincial and Municipal requirements regarding flooding. The site has and the proposed development has been reviewed with engineers, as

#	First Name	Question	Answer
			<p>flooding was one of the early questions. We all note that 3rd Avenue homes are already raised, so the new homes will be similarly treated. But the remainder of the site will be left as is or remediated as per the environmental team.</p> <p><u>Biologist:</u> Interestingly climate change was not one of the terms of reference for the site that we based our report on, however, the landowners chose to direct their mitigation efforts to address climate change on the site. Our intention is to improve the resiliency of Spring Creek, through strategies such as planting (low shrub/grass types) that will help improve erosion while improving habitat for small mammals.</p>
		Thanks to the McCafferys for this very kind donation.	Thank you.
		Thanks very much for arranging this information session.	You are welcome.
51	Kay	Did the MSES 3rd party review by the Town conclude that they were in full agreement with the EIS findings?	MSES, the third-party reviewer, did agree with the outcome of the EIS which was that there will be low to negligible effect on wildlife and habitat on the site. The issue arose from the way in which our keynoted effects assessment was completed, it was unclear to them whether we were speaking of time zero or the past, which was determined to be 2009.
		I think everyone should read the MSES 4.0 Conclusion statement from the 3rd party review if you don't read the entire report, it states some very concerning information about this particular site location. So, my concerns are strictly about "location...location...location"	Please see above. Ultimately, the 3 rd party reviewers agreed with the results of our analysis. Essentially in verbal follow-up with MSES we realized we were in fact on the same page, but unfortunately that did not make it into their report just based on how the reporting and review timelines work.
		The proposed site is located in the South Canmore Local Habitat Patch and these patches are critical for our wildlife, while my husband and I have financially supported Palliative Care and expect to continue to, we are NOT supportive of this "LOCATION" at all for the facility. What other locations in Town have been looked at and reviewed? Do you have a report of all the other	As for the location aspect of your comment, the search for a location for the Palliative Care centre has been extensive. We did not look at sites in Banff, due to the complications of dealing with the Federal Government and the even more stringent development requirements that would make this cost prohibitive. We looked at over 30 sites were reviewed in Canmore before this site became available. Some sites were just out of our reach financially, and others were not available to us when we enquired. We did have another property with a home on it we thought we could renovate,

#	First Name	Question	Answer
		locations you have or are considering thoroughly for the public or donors to view?	but the building would not suite our needs and the costs were quite high. The donation of the site makes a huge difference here in the potential for our organization to both build and run the facility.
52	Darcey-Lynn	I am so impressed with the kind, generous gift the couple has given to our community for supporting those who will benefit from remaining in our community when they are approaching the end of their life. This is a delicate topic but one that is so necessary and speaks to the quality of life in our community. Thank you to Mr. and Mrs. McCaffery and to the exceptional information provided in this presentation. I continue to be in awe of the talent in our community.	Thank you.
		What does the Palliative Care organization require from those of us attending this presentation on a go forward basis?	We would like your support as we move forward with our application. We will reach out when the timing is right. Thank you.
		Will this recorded presentation be available to others in the community?	The actual recording of these sessions will not be available, but we will be updating our What We Heard Report and including all your questions and the answers provided. We will put the link to the website in the chat, and all the images and slides can be found on there for you to review at any time.
		It seems to me that if we all agree this is a critical need in our community and IF there are no alternative lands available, including AHS making land available, then it seems we need to best understand what will move this forward in the most effective way. I have not heard anything that raises concerns about a negative environmental impact nor impact for the residents currently living nearby - this appears to be a sizable piece of land with low density development.	Thank you.
53	Simon	If I'm not mistaken nearby 1 st Street homes are also built on fill, e.g., raised land.	Yes, this is the case. Our site will treat the home-sites in a similar manner, but the remainder of the site will be left in its natural state or mitigated as required or committed to in the EIS.

#	First Name	Question	Answer
		Might be worth mentioning where the potential users of the proposed hospice are currently getting their needs met. Many thanks to Jan and Bernie for their very generous proposal!	Those requiring hospice care must leave the Bow Valley for more urban areas like Calgary.
54	Elaine	Thank you so much for your generous donations of land, time and sharing your expertise regarding this essential project for our Bow Valley community. 🙏	Thank you.
55	Alice	Thanks for another informative session and to the McCafferys!	Thank you.
56	Edward	Thank you to the generous property donors and to all engaged in PCSBV!	Thank you.
57	Doreen	Thank you to McCafferys, PCSBV and all presenters.	Thank you.
58	Kristen	Has affordable housing been considered for Districts E and C?	Affordable housing is generally considered an intensification – a greater number of units allows for a decrease in the cost for each unit – and is generally considered a highest and best use of urban lands. The intention on this site, based on its environmental conditions and its location on the outskirts of the town was to decrease the impact of human use and keep the number of people on the site low. This includes the number of people driving to the site. The auxiliary suites will be available to the rental public however that will look if they are even built. But the Town essentially was encouraging single family homes at this location.
		Single family affordable homes would be preferable too.	This is not feasible financially.
59	Priscilla	Have other building sites been considered?	The PCSBV looked at over 30 sites in the Bow Valley. A site next to the TransCanada highway would not be ideal as this is an end-of-life care facility, and the natural setting is more ideal for the comfort of our patients.
60	Karin	Could the hospice be moved away from the Riparian area for environmental concerns and also give you the ability to increase from 6 beds to more given our Town's rapid growth?	<u>Biologist</u> : The hospice has already been moved over from the western edge of the site, as it was originally right up against the boundary before we did our environmental assessments. It is now setback 10m from the vegetation we consider to be the beginning of the swampy area, which is enough to maintain the form and function

#	First Name	Question	Answer
			<p>of the area. The parking lot and roadway have also been located to ensure the least impact. We believe its location is enough to satisfy the requirements.</p> <p><u>Architect:</u> There are physical limitations placed on the operational sizing on the site, which is around 6 beds anyways. Any expansion would be modest.</p> <p><u>Palliative Care:</u> 6 beds for our organization is manageable. It allows us to provide higher quality care and maintain a more intimate setting. Most small facilities in Calgary are around that 6 bed mark for this reason, to ensure a home-like setting can be maintained. This also is a factor of how our facility will be funded, as we are not fundraising for this facility. Any expansion would not be major.</p>
61	Katherine	How can folks help the palliative care society?	<p>We already appreciate you all as donors, members of the society and other supporters. But beyond supporting our society, to help with this project moving forward, we'd like to call you to action.</p> <p>Community projects such as ours need your support – emails and letters of support written in your own words sent to the mayor, councillors, and other members of our community with influence will go a long way. We are currently formulating key messages (Palliative care society website) and we will have that available to you soon.</p>
62	Charlene	I know we will have an opportunity to chat later, but our primary concern is about a road being build right against our fence and removal of all the trees. We would appreciate consideration of a green barrier (e.g., leaving some trees or planting new ones) between us and the road.	Thank you, Charlene, we can discuss this when we meet with you.
63	Julie	We really hope that from what you have heard today has helped you better understand our proposal, the facts, and the science behind our concept. Some of the key messages we ask you to consider are these: this project will have a negligible effect on the site; it will create jobs; it is close to existing services and utilities which makes it easier for us to build; and it will have a huge benefit to our community. It will be a legacy to why we all live and chose to live in Canmore. For caregivers, their families, and visitors it will be an uncongested and tranquil location minutes from town that provides opportunities for transition and reflection. It is a special way for those we care for to celebrate their lives and the magnificent place we call home. I would like to ask Bill, our palliative and grief support navigator to say a few words about the project.	
64	Bill	Thank you all for being here. I would like to share a connecting thought between what we do with our work on the ground and its relationship to land. We as human beings have beginnings and endings that are quintessentially natural events, and	

#	First Name	Question	Answer
			<p>that our birthing mirrors that of our fellow mammals, so does our dying. To be intimately connected to the natural world as we die is perhaps a necessity for us. Hospice buildings in the natural world of trees, grasslands and mountains creates a connection to the creatures we share the Valley with. We do not want to supplant the flora and fauna, and in fact want to be welcomed by this sacred space so that we can have them bear witness to the passing of those under our care. We want the Elk, the deer, the raven, the chickadee, the spruce and roan grasses to share the same path living and dying as we do. A gentle reminder that we are not al one in our journey. Locating a hospice in the heart of a Town is not what our work is about. There is a wildness to death, and it is in the close embrace of the wild world that our death frames its truest voice and I consider this the heart of our work. Thank you for your time and support.</p>

RFD from May 3, 2022

Town Canmore Administration Proposed Amendments to Bylaw 2022-10

1. That the words “with provisions to allow for Accessory Dwelling units” be removed from 14.40.1.

Sub-district B

2. That the words “with provision for Accessory Dwelling units” be removed from 14.40.8.
3. That the uses “Accessory Dwelling Unit” and “Attached Accessory Dwelling Unit, Detached” be removed from 14.40.9.
4. That section 14.40.10.2 be removed and the following sections renumbered.
5. That sections 14.40.10.10 and 14.40.10.11 be removed.

Sub-district C

6. That the words “with provision for Accessory Dwelling units” be removed from 14.40.12.
7. That the uses “Accessory Dwelling Unit” and “Attached Accessory Dwelling Unit, Detached” be removed from 14.40.13.
8. That section 14.40.14.2 be removed and the following sections renumbered.
9. That sections 14.40.14.10, 14.40.14.11, and 14.40.14.12 be removed and the following sections renumbered.

Sub-district D

10. That the words “with provision for one Accessory Dwelling unit” be removed from 14.40.16.
11. That the uses “Accessory Dwelling Unit” and “Attached Accessory Dwelling Unit, Detached” be removed from 14.40.17.
12. That 14.40.19.5 remove 12 m and replace it with 9.5 m.
13. That sections 14.40.19.8 and 14.40.19.9 be removed and the following sections renumbered.

Additional Requirements

14. That the title be changed to “Additional Requirements for All Sub-districts”.
15. That section 14.40.25 and 14.40.26 be removed and the following sections renumbered.

14.40 3rd AVENUE SOUTH LAND DIRECT CONTROL DISTRICT [2022-10]

14.40.1 Purpose

To provide for a Care Facility and low-density Residential Detached Dwellings on wider lots ~~with provisions to allow for Accessory Dwelling units~~ and other compatible residential neighbourhood uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

RFD from May 3, 2022

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a care facility and provide for compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility

Accessory Building

14.40.5 Discretionary Uses

Amenity Space

Day Care

Public Building

Public Utility

Parking Area

Sign

Staff Accommodation

14.40.6 Sub-district A Regulations

14.40.6.1 The minimum yard setbacks are:

- a. Front Yard (north): 6.0 m
- b. Rear Yard (south): 1.5 m
- c. Side Yard (east): 1.5 m
- d. Side Yard (west): 1.5 m

14.40.6.2 The minimum lot area shall be 5400 m²

14.40.6.3 The maximum site coverage for all buildings shall be 2,000 m²

14.40.6.4 Maximum Gross Floor Area

- a. Care Facility buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13, excepting there is no limit to square meters and height is limited to 2.0 m. where parking is in a basement area.

14.40.6.5 The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential**14.40.8 Purpose**

To provide for development of low-density Residential Detached Dwellings on wider lots ~~with provision for Accessory Dwelling units~~ and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building

~~Accessory Dwelling Unit, Attached~~

~~Accessory Dwelling Unit, Detached~~

Detached Dwelling

Home Occupation – Class 1

14.40.10 Sub-district B Regulations

14.40.10.1 The maximum number of residential lots shall be 3

~~14.40.10.2 The maximum number of Accessory Dwelling units on each lot shall be 1.~~

14.40.10.3 The minimum lot area shall be 1000 m²

14.40.10.4 The minimum yard setbacks are:

- a. Front Yard : 6.0 m
- b. Rear Yard : 7.5 m
- c. Side Yard : 1.5 m
- d. Side Yard: 1.5 m

14.40.10.5 The maximum building height shall be 9.5 m., and there is no maximum number of storeys.

14.40.10.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.

14.40.10.7 The maximum site coverage for all buildings on each lot shall be 372 m².

14.40.10.8 Maximum Gross Floor Area

- a. Residential buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.

14.40.10.9 Accessory Buildings

- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
- b. Maximum Height shall be 5 m.

~~14.40.10.10 Accessory Dwelling Unit, Attached~~

- ~~a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²~~
- ~~b. Shall have an entrance that is secondary to and separate from the principal residential use, wither from a common landing or directly from the exterior of the structure.~~

~~14.40.10.11 Accessory Dwelling Unit, Detached~~

- ~~a. May be provided in a one storey or one storey plus loft form and may be located above a detached garage.~~
- ~~b. Shall have a maximum total GFA of 110 m²~~
- ~~c. Shall have a minimum rear yard setback of 1.5 m.~~
- ~~d. Shall have a minimum side yard setback of 1.0 m.~~
- ~~e. Shall have a maximum height of 9.5 m.~~
- ~~f. May have a private outdoor amenity space~~
- ~~g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - ~~i. Shall not exceed a maximum GFA of 110 m²~~
 - ~~ii. Shall not be larger than 80% of the GFA of the lower storey; and~~
 - ~~iii. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.~~~~

14.40.11 Sub-district C Provisions | Residential**14.40.12 Purpose**

To provide for development of low-density Residential Detached Dwellings on wider lots ~~with provision for Accessory Dwelling units~~ and other compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area.

14.40.13 Permitted Uses

Accessory Building
~~Accessory Dwelling Unit, Attached~~
~~Accessory Dwelling Unit, Detached~~
Detached Dwelling
Home Occupation – Class 1

14.40.14 Sub-district C Regulations

- 14.40.14.1 The maximum number of residential lots shall be 2.
- ~~14.40.14.2 The maximum number of Accessory Dwelling units on a lot shall be 1.~~
- 14.40.14.3 The minimum lot area shall be 1000 m²
- 14.40.14.4 The minimum yard setbacks are:
- a. Front Yard (north): 6.0 m
 - b. Rear Yard (south): 7.5 m
 - c. Side Yard (east): 1.5 m
 - d. Side Yard (west): 1.5 m
- 14.40.14.5 The maximum building height shall be 9.5 m., and there is no maximum number of stories.
- 14.40.14.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.14.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.14.8 Maximum Gross Floor Area
- a. Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.14.9 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 5 m.
- ~~14.40.14.10 Accessory Dwelling Unit, Attached~~
- a. ~~Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²~~

- ~~b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.~~

~~14.40.14.11~~ ~~Accessory Dwelling Unit, Detached~~

- ~~a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.~~
- ~~b. Shall have a maximum total GFA of 110 m²~~
- ~~c. Shall have a minimum rear yard setback of 1.5 m.~~
- ~~d. Shall have a minimum side yard setback of 1.0 m.~~
- ~~e. Shall have a maximum height of 9.5 m.~~
- ~~f. May have a private outdoor amenity space~~
- ~~g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:~~
 - ~~i. Shall not exceed a maximum GFA of 110 m²~~
 - ~~ii. Shall not be larger than 80% of the GFA of the lower storey; and~~
 - ~~iii. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.~~

~~14.40.14.12~~ ~~Shared Bridge~~

~~The bridge will be a clear span design across Spring Creek that will adhere to environmental best management practices to avoid effects on Spring Creek.~~

~~14.40.14.13~~ ~~Shared Driveway~~

~~The maximum width of a shared driveway at the property line shall be 5 m, and no maximum length.~~

14.40.15 Sub-district D Provisions | Residential and Agriculture**14.40.16 Purpose**

To provide for one Residential Detached Dwelling unit ~~with provision for one Accessory Dwelling unit~~ and other compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

14.40.17 Permitted Uses

Accessory Building
~~Accessory Dwelling Unit, Attached~~
~~Accessory Dwelling Unit, Detached~~
Detached Dwelling
Agriculture, Extensive
Home Occupation – Class 1
Public Utility

14.40.18 Discretionary Uses

Agricultural, Intensive
Public Building

14.40.19 Sub-district D Regulations

- 14.40.19.1 The minimum lot area shall be 3.9 hectares.
- 14.40.19.2 The minimum site width shall be 91.0 m.
- 14.40.19.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.19.4 The maximum site coverage for all buildings and structures shall be 900 m²
- 14.40.19.5 The maximum building height shall be ~~12~~^{9.5} m., and there is no maximum number of stories.
- 14.40.19.6 The minimum setback for buildings and structures backing onto Spring Creek or Policeman Creek shall be 20 m. from top of bank.
- 14.40.19.7 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 7 m.
- ~~14.40.19.8 Accessory Dwelling Unit, Attached~~
- ~~a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m²~~
 - ~~b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.~~
- ~~14.40.19.9 Accessory Dwelling Unit, Detached~~
- ~~a. May be provided in a one storey or one storey plus loft form and may be located above a detached garage.~~

- ~~b. Shall have a maximum total GFA of 140 m²~~
- ~~e. Shall have a minimum rear yard setback of 1.5 m~~
- ~~d. Shall have a minimum side yard setback of 1.0 m;~~
- ~~e. Shall have a maximum height of 9.5 m;~~
- ~~f. May have a private outdoor amenity space~~
- ~~g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:~~
 - ~~i. Shall not exceed a maximum GFA of 140 m²~~
 - ~~ii. Shall not be larger than 80% of the GFA of the lower storey; and~~
 - ~~iii. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.~~

14.40.19.10

Special Amenity

The principal Dwelling unit in Sub-district D is permitted to have two (2) kitchens. A second kitchen is permitted where the occupants of the dwelling unit live as part of the same tenancy and have freedom of access throughout the dwelling unit.

14.40.20 Additional Requirements for All Sub-districts

14.40.21 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this DC District.

14.40.22 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.23 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.24 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

~~**14.40.25 Construction Environmental Management Plan**~~

~~All construction shall be proceeded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.~~

~~**14.40.26 Environmental Reserve Easement**~~

~~An environmental reserve easement will be provided at the time of subdivision and will include the following:~~

- ~~- 6m minimum along the top of bank along the creeks~~
- ~~- Shrubby swamp as identified in the EIS~~
- ~~- 10m minimum buffer along the shrubby swamp edge~~
- ~~- Pockets of land in the north and northeast section of the site~~

14.40.27 Development Authority

The approving authority shall be designated as the Development Officer for the Municipality.

14.40.28 Schedules

Schedule "A" shows the location of the District.

Schedule A: 3rd Ave South Land Direct Control District

Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore

Municipal Address: 800 3rd Avenue Town of Canmore



BYLAW 2022-09

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND MUNICIPAL DEVELOPMENT PLAN BYLAW 2016-03**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

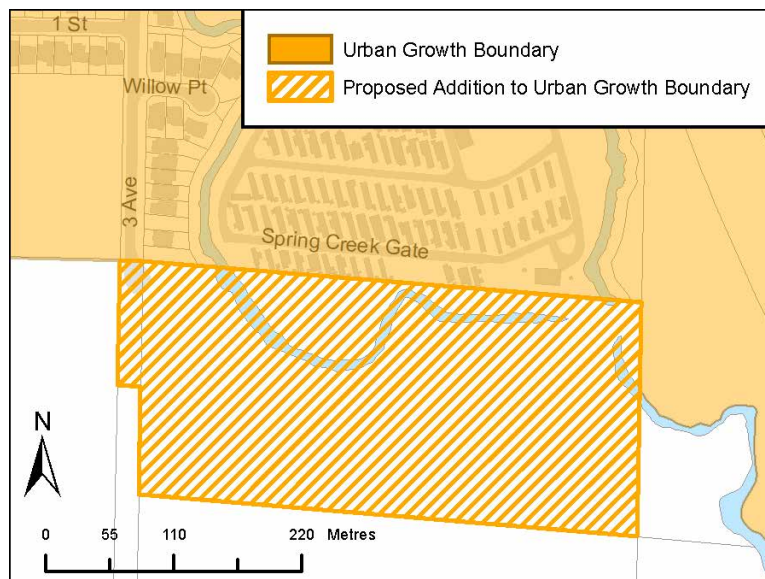
1. This bylaw shall be known as the “Bylaw 2022-09 Municipal Development Plan Amendments 3rd Avenue South.”

INTERPRETATION

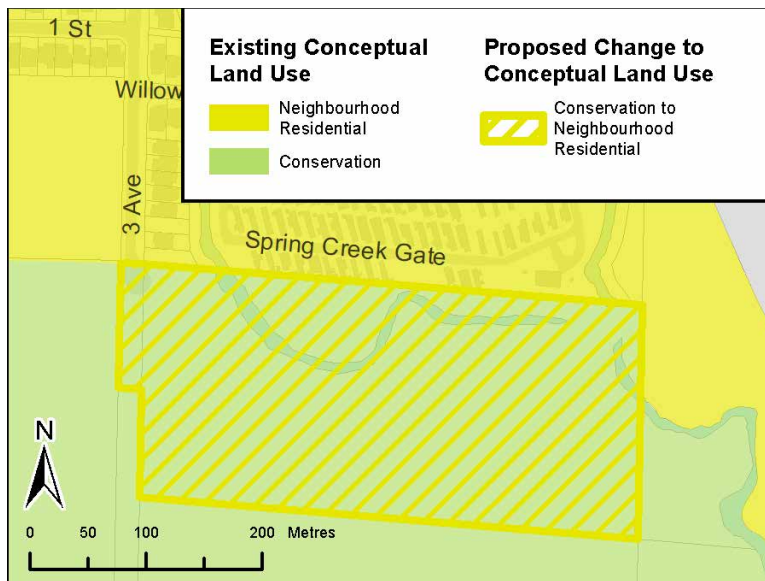
2. Words defined in Municipal Development Plan Bylaw 2016-03 shall have the same meaning when used in this bylaw.

PROVISIONS

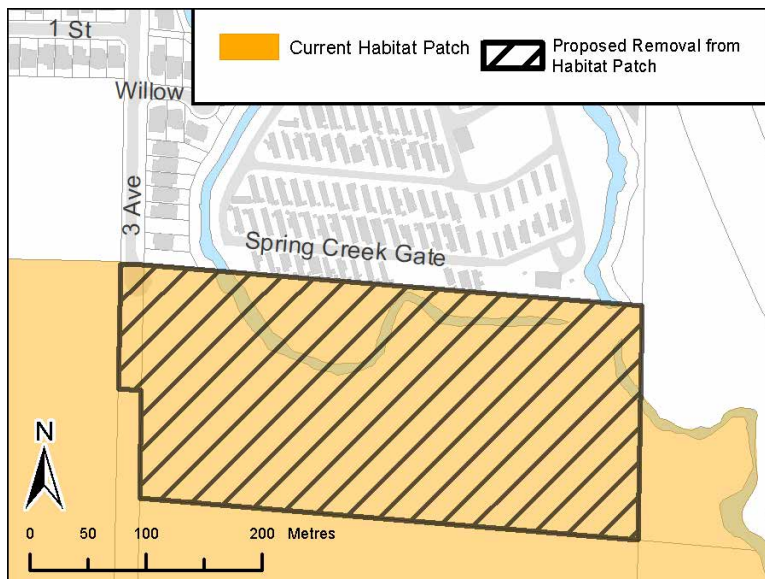
3. Municipal Development Plan Bylaw 2018-16 is amended by this bylaw.
4. Meridian 5 Range 10 Township 24 Section 28, the South Half of Legal Subdivision 13 in the Northwest Quarter, as shown on a Township Plan dated 02 March 1889, with a Municipal Address of 800 3rd Avenue, and as shown on the maps below, is redesignated as follows:
 - a) Map 1. The Growth Boundary is amended to include this site within the Growth Boundary as shown on the map below and in Schedule A.



- b) Map 2. The Conceptual Land Use for this site is changed from “Conservation” to “Neighbourhood Residential” as shown on the map below and in Schedule B.



- c) Map 4. The Wildlife Corridors and Habitat Patches boundary is changed to remove this site from the area designated as Habitat Patch as in Schedule C.



ENACTMENT/TRANSITION

5. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

6. Schedules A, B, and C form part of this bylaw.

7. This bylaw comes into force on the date it is passed.

FIRST READING: May 3, 2022

PUBLIC HEARING: May 23, 2022

SECOND READING:

THIRD READING:

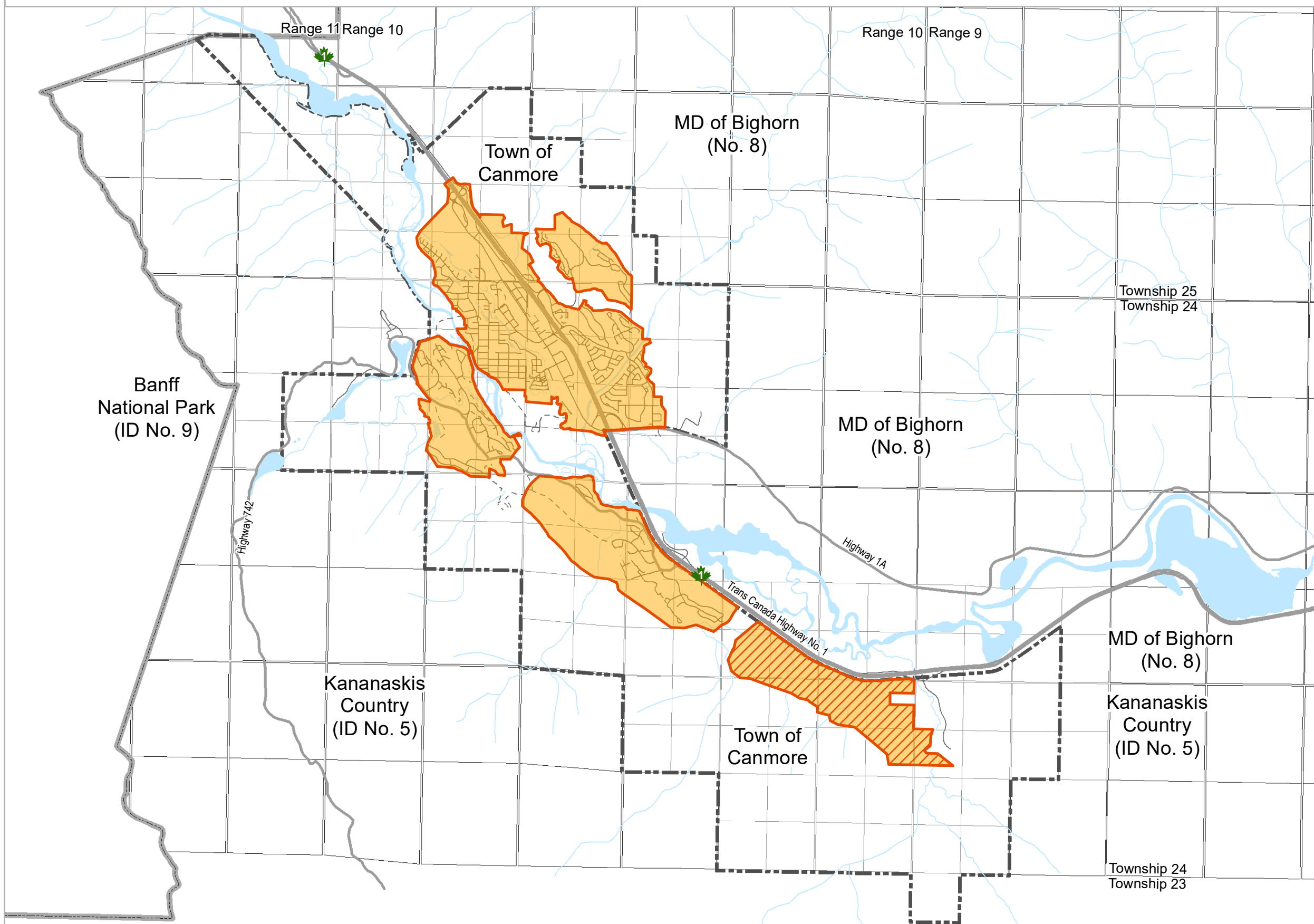
Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

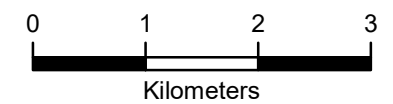


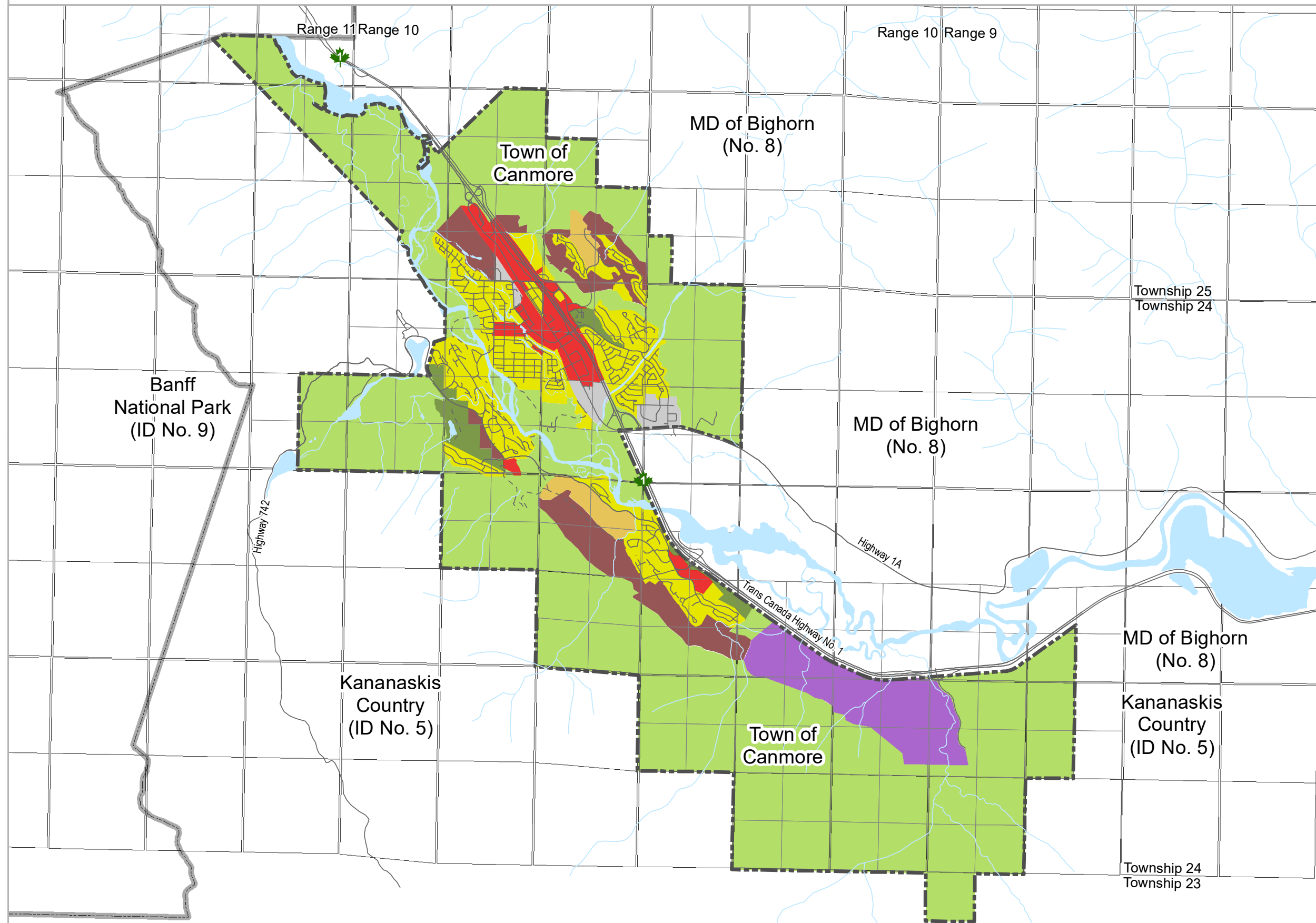
Legend

- Growth Boundary
- Area To Be Determined
- Town Boundary

Disclaimer:

The Town of Canmore provides this information in good faith but it provides no warranty, nor accepts any liability arising from any incorrect, incomplete or misleading information or its improper use. Unless otherwise specified within the MDP, the boundaries or locations of any symbols or areas shown on a map are approximate only, not absolute and will be interpreted as such. They are not intended to define exact locations or the extent of areas or influences. Precise location of areas, influences or boundaries, for the purpose of evaluating development proposals, will need to be confirmed before any development decisions are made or will be determined by Town Administration at the time of application.

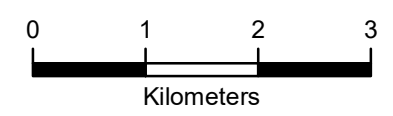


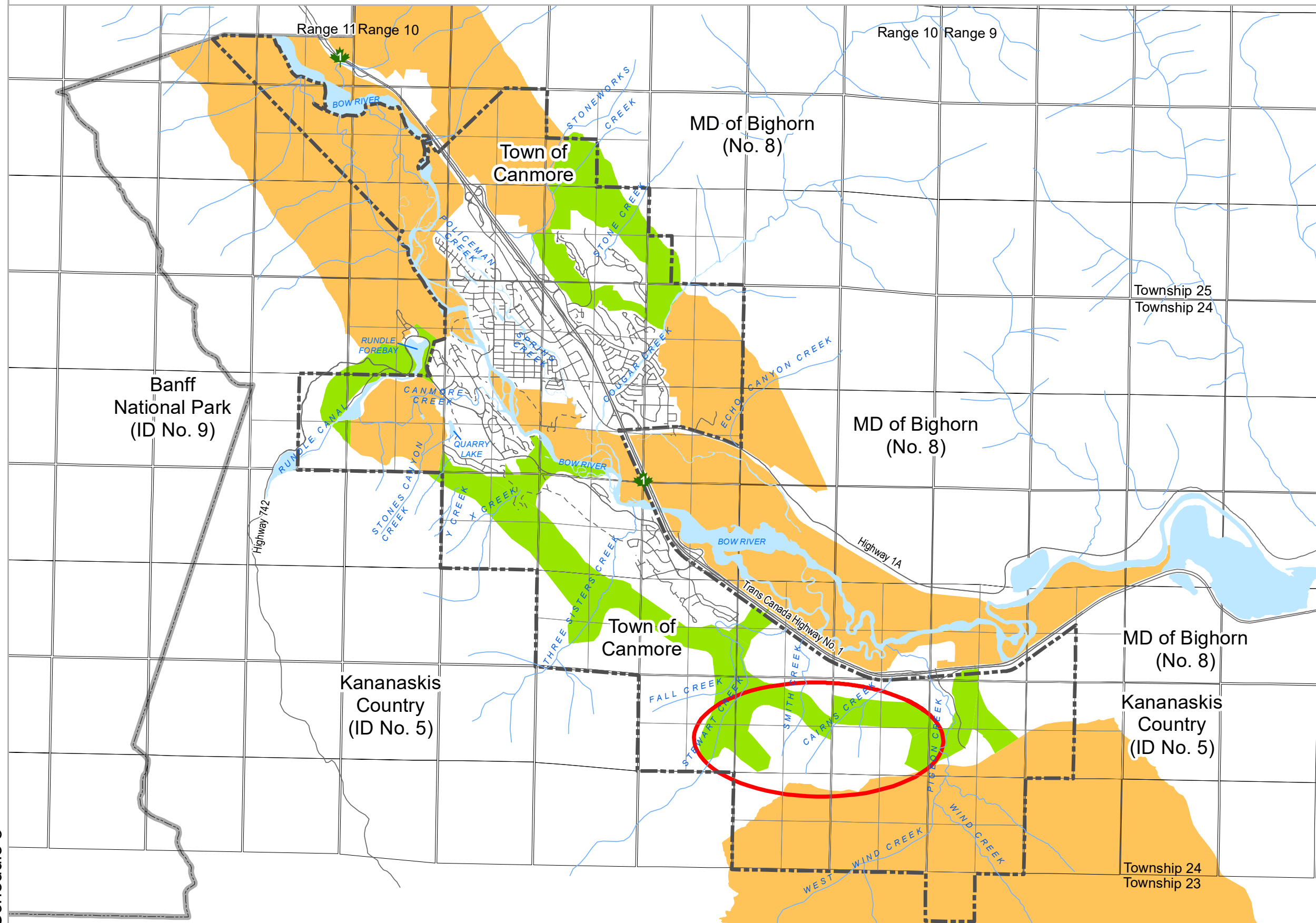


Legend

- Neighbourhood Residential
- Commercial and Mixed Use
- Industrial
- Resort Centre
- Future Planning
(Area To Be Determined)
- Conservation
- Community Open Space
And Recreation
- Private Recreation
- Town Boundary

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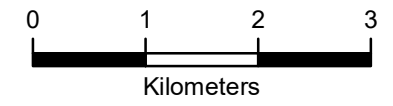


Legend

- Habitat Patch
- Wildlife Corridor
- Town Boundary
- Area Under Review

Disclaimer:

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BYLAW 2022-10

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO AMEND REVISED LAND USE BYLAW 2018-22

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This bylaw shall be known as the “Bylaw 2022-10 800 3rd Avenue Direct Control District.”

INTERPRETATION

2. Words defined in revised Land Use Bylaw 2018-22 shall have the same meaning when used in this bylaw.

PROVISIONS

3. Revised Land Use Bylaw 2018-22 is amended by this bylaw.
4. Section 14 is amended to include section 14.40 as described in Schedule A of this bylaw.
5. Section 15, Map #3 of Bylaw 2018-22 is amended to re-designate the land identified in schedule A of this bylaw from FD Future Development District to 3rd Avenue South Land Direct Control District [2022-10]

ENACTMENT/TRANSITION

6. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
7. Schedule A forms part of this bylaw.
8. This bylaw comes into force on the date it is passed.

FIRST READING: May 3, 2022

PUBLIC HEARING: May 23, 2022

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

14.40 3rd AVENUE SOUTH LAND DIRECT CONTROL DISTRICT [2022-10]

14.40.1 Purpose

To provide for a Care Facility and low-density Residential Detached Dwellings on wider lots with provisions to allow for Accessory Dwelling units and other compatible residential neighbourhood uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a care facility and provide for compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility

Accessory Building

14.40.5 Discretionary Uses

Amenity Space

Day Care

Public Building

Public Utility

Parking Area

Sign

Staff Accommodation

14.40.6 Sub-district A Regulations

14.40.6.1 The minimum yard setbacks are:

- a. Front Yard (north): 6.0 m
- b. Rear Yard (south): 1.5 m
- c. Side Yard (east): 1.5 m
- d. Side Yard (west): 1.5 m

14.40.6.2 The minimum lot area shall be 5400 m²

14.40.6.3 The maximum site coverage for all buildings shall be 2,000 m²

14.40.6.4 Maximum Gross Floor Area

- a. Care Facility buildings shall not exceed .35 FAR.

For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13, excepting there is no limit to square meters and height is limited to 2.0 m. where parking is in a basement area.

14.40.6.5 The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential

14.40.8 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building

Accessory Dwelling Unit, Attached

Accessory Dwelling Unit, Detached

Detached Dwelling

Home Occupation – Class 1

14.40.10 Sub-district B Regulations

- 14.40.10.1 The maximum number of residential lots shall be 3
- 14.40.10.2 The maximum number of Accessory Dwelling units on each lot shall be 1.
- 14.40.10.3 The minimum lot area shall be 1000 m²
- 14.40.10.4 The minimum yard setbacks are:
- a. Front Yard : 6.0 m
 - b. Rear Yard : 7.5 m
 - c. Side Yard : 1.5 m
 - d. Side Yard: 1.5 m
- 14.40.10.5 The maximum building height shall be 9.5 m., and there is no maximum number of storeys.
- 14.40.10.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.10.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.10.8 Maximum Gross Floor Area
- a. Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.10.9 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 5 m.
- 14.40.10.10 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²
 - b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.10.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.11 Sub-district C Provisions | Residential

14.40.12 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area.

14.40.13 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Home Occupation – Class 1

14.40.14 Sub-district C Regulations

- 14.40.14.1 The maximum number of residential lots shall be 2.
- 14.40.14.2 The maximum number of Accessory Dwelling units on a lot shall be 1.
- 14.40.14.3 The minimum lot area shall be 1000 m²
- 14.40.14.4 The minimum yard setbacks are:
- a. Front Yard (north): 6.0 m
 - b. Rear Yard (south): 7.5 m
 - c. Side Yard (east): 1.5 m
 - d. Side Yard (west): 1.5 m
- 14.40.14.5 The maximum building height shall be 9.5 m., and there is no maximum number of stories.
- 14.40.14.6 The minimum setback for buildings backing onto Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.14.7 The maximum site coverage for all buildings on each lot shall be 372 m².
- 14.40.14.8 Maximum Gross Floor Area
- a. Residential buildings shall not exceed .35 FAR.
- For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.14.9 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 5 m.
- 14.40.14.10 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m²

- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.14.11 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. Shall have a maximum total GFA of 110 m²
- c. Shall have a minimum rear yard setback of 1.5 m.
- d. Shall have a minimum side yard setback of 1.0 m.
- e. Shall have a maximum height of 9.5 m.
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 110 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.14.12 **Shared Bridge**

The bridge will be a clear span design across Spring Creek that will adhere to environmental best management practices to avoid effects on Spring Creek.

14.40.14.13 **Shared Driveway**

The maximum width of a shared driveway at the property line shall be 5 m, and no maximum length.

14.40.15 Sub-district D Provisions | Residential and Agriculture

14.40.16 Purpose

To provide for one Residential Detached Dwelling unit with provision for one Accessory Dwelling unit and other compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.

14.40.17 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Agriculture, Extensive
Home Occupation – Class 1
Public Utility

14.40.18 Discretionary Uses

Agricultural, Intensive
Public Building

14.40.19 Sub-district D Regulations

- 14.40.19.1 The minimum lot area shall be 3.9 hectares.
- 14.40.19.2 The minimum site width shall be 91.0 m.
- 14.40.19.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.19.4 The maximum site coverage for all buildings and structures shall be 900 m²
- 14.40.19.5 The maximum building height shall be 12 m., and there is no maximum number of stories.
- 14.40.19.6 The minimum setback for buildings and structures backing onto Spring Creek or Policeman Creek shall be 20 m. from top of bank.
- 14.40.19.7 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 7 m.
- 14.40.19.8 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m²
 - b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.
- 14.40.19.9 Accessory Dwelling Unit, Detached
- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.

- b. Shall have a maximum total GFA of 140 m²
- c. Shall have a minimum rear yard setback of 1.5 m
- d. Shall have a minimum side yard setback of 1.0 m;
- e. Shall have a maximum height of 9.5 m;
- f. May have a private outdoor amenity space
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 140 m²
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.19.10 **Special Amenity**

The principal Dwelling unit in Sub-district D is permitted to have two (2) kitchens. A second kitchen is permitted where the occupants of the dwelling unit live as part of the same tenancy and have freedom of access throughout the dwelling unit.

14.40.20 Additional Requirements

14.40.21 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this DC District.

14.40.22 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.23 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.24 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

14.40.25 Construction Environmental Management Plan

All construction shall be proceeded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.

14.40.26 Environmental Reserve Easement

An environmental reserve easement will be provided at the time of subdivision and will include the following:

- 6m minimum along the top of bank along the creeks
- Shrubby swamp as identified in the EIS
- 10m minimum buffer along the shrubby swamp edge
- Pockets of land in the north and northeast section of the site

14.40.27 Development Authority

The approving authority shall be designated as the Development Officer for the Municipality.

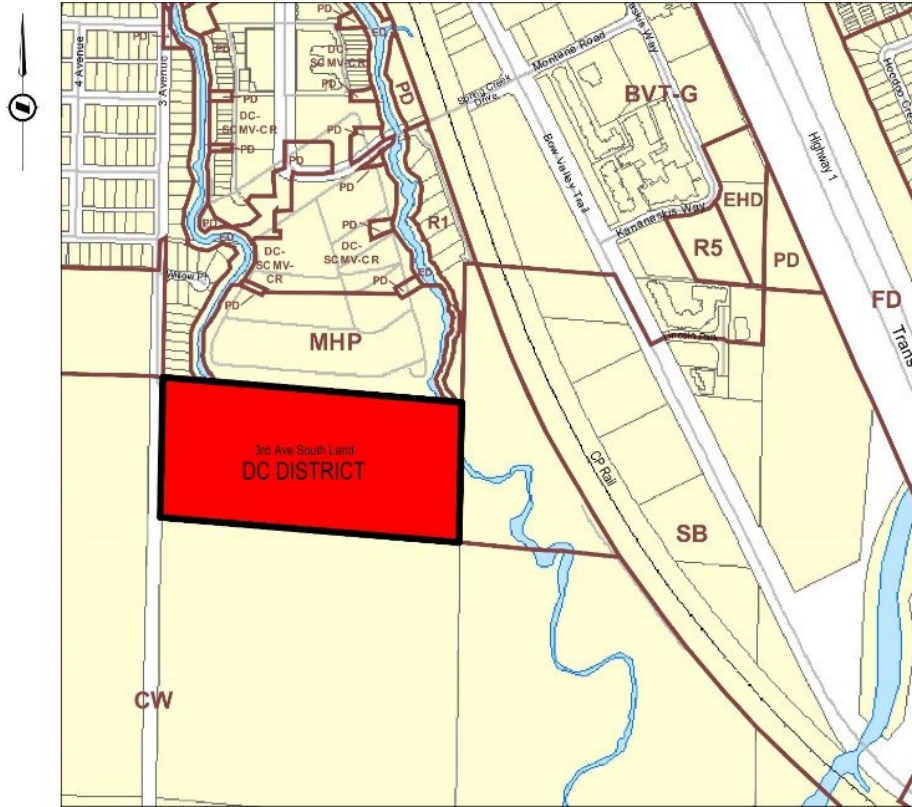
14.40.28 Schedules

Schedule "A" shows the location of the District.

Schedule A: 3rd Ave South Land Direct Control District

Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore

Municipal Address: 800 3rd Avenue Town of Canmore



14.40 3rd AVENUE SOUTH DIRECT CONTROL DISTRICT

14.40.1 Purpose

To provide for a Care Facility, low-density residential Detached Dwellings on wider lots with provisions to allow for Accessory Dwelling Units and for agricultural pursuits and other residential neighbourhood.

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a Care Facility and provide for other compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility
Accessory Building
Public Utility

14.40.5 Discretionary Uses

Day Care
Public Building
Parking Area
Sign
Staff Accommodation

14.40.6 Sub-district A Regulations | Care Facility

- 14.40.6.1 The minimum front yard setback (north) shall be 6.0 m.
- 14.40.6.2 The minimum rear yard setback (south) shall be 1.5 m.
- 14.40.6.3 The minimum side yard setback (east) shall be 1.5 m.
- 14.40.6.4 The minimum side yard setback (west) shall be 1.5 m.
- 14.40.6.5 The minimum lot area shall be 4,900 m².
- 14.40.6.6 The maximum site coverage for all buildings shall be 2,000 m².
- 14.40.6.7 Maximum Gross Floor Area
- a. Care Facility buildings shall not exceed .35 FAR.
 - b. For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 2 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.6.8 The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential

14.40.8 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Home Occupation – Class 1
 Public Utility

14.40.10 Sub-district B Regulations | Residential

- 14.40.10.1 The maximum number of residential lots shall be 4.
- 14.40.10.2 The maximum number of Accessory Dwelling Units on each lot shall be 1.
- 14.40.10.3 The minimum lot area shall be 460 m².
- 14.40.10.4 The minimum front yard setback shall be 6.0 m.
- 14.40.10.5 The minimum rear yard setback shall be 7.5 m.
- 14.40.10.6 The minimum side yard setback shall be 1.5 m.
- 14.40.10.7 The maximum building height shall be 9.5 m.
- 14.40.10.8 The minimum setback for buildings from Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.
- 14.40.10.9 The maximum site coverage for all buildings shall be 40%.
- 14.40.10.10 A minimum of 3 trees shall be planted for each residential lot.
- 14.40.10.11 Maximum Gross Floor Area
- a. Residential buildings shall not exceed:
 - i. 325 m² for lots smaller than 930 m²; or
 - ii. 0.35 FAR for lots greater or equal to 930 m² to a maximum of 550 m².
- 14.40.10.12 For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.10.13 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. The maximum Height shall be 5 m.

14.40.10.14 Accessory Dwelling Unit, Attached

- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m².
- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.10.15 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. The maximum gross floor areas shall be 110 m².
- c. The minimum rear yard setback shall be 1.5 m.
- d. The minimum side yard setback shall be 1.0 m.
- e. The maximum height shall be 9.5 m.
- f. May have a private outdoor amenity space.
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - i. Shall not be larger than 80% of the GFA of the lower storey; and
 - ii. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.11 Sub-district C Provisions | Environmental Area**14.40.12 Purpose**

To provide for an area of land that has limited development potential.

14.40.13 Permitted Uses

Agriculture, Extensive
Public Utility

14.40.14 Sub-district D Provisions | Residential and Agriculture**14.40.15 Purpose**

To provide for one Residential Detached Dwelling Unit with provision for one Accessory Dwelling Unit and other compatible residential uses and to provide for agricultural pursuits consistent with the permitted and discretionary uses outlined within this District.

14.40.16 Permitted Uses

Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Agriculture, Extensive
Home Occupation – Class 1

Public Utility**14.40.17 Discretionary Uses**Agricultural, IntensivePublic Building**14.40.18 Sub-district D Regulations**

- 14.40.18.1 The minimum lot area shall be 3.9 hectares.
- 14.40.18.2 The minimum site width shall be 91.0 m.
- 14.40.18.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.18.4 The maximum site coverage for all buildings and structures shall be 800 m².
- 14.40.18.5 Maximum Gross Floor Area
- a. Residential buildings shall not exceed:
 - i. 325 m² for lots smaller than 930 m²; or
 - ii. 0.35 FAR for lots greater or equal to 930 m² to a maximum of 750 m².
 - b. For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.
- 14.40.18.6 The maximum height shall be 9.5 m.
- 14.40.18.7 The minimum setback for buildings and structures from Spring Creek or Policeman Creek shall be 20 m from top of bank.
- 14.40.18.8 Accessory Buildings
- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 - b. Maximum Height shall be 7 m.
- 14.40.18.9 Accessory Dwelling Unit, Attached
- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m².
 - b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.
- 14.40.18.10 Accessory Dwelling Unit, Detached
- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
 - b. The maximum gross floor area shall be 140 m².
 - c. The minimum rear yard setback shall be 1.5 m.
 - d. The minimum side yard setback shall be 1.0 m.
 - e. The maximum height of 9.5 m.
 - f. May have a private outdoor amenity space.

- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - i. Shall not exceed a maximum GFA of 140 m²;
 - ii. Shall not be larger than 80% of the GFA of the lower storey; and
 - iii. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.18.11 A minimum of 3 trees shall be planted for each residential lot.

14.40.18.12 Special Amenity

The principal Dwelling Unit in Sub-district D is permitted to have two (2) kitchens.

14.40.19 Additional Requirements

14.40.19.1 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this District.

14.40.19.2 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.19.3 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.19.4 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

14.40.19.5 Construction Environmental Management Plan

All construction shall be proceeded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.

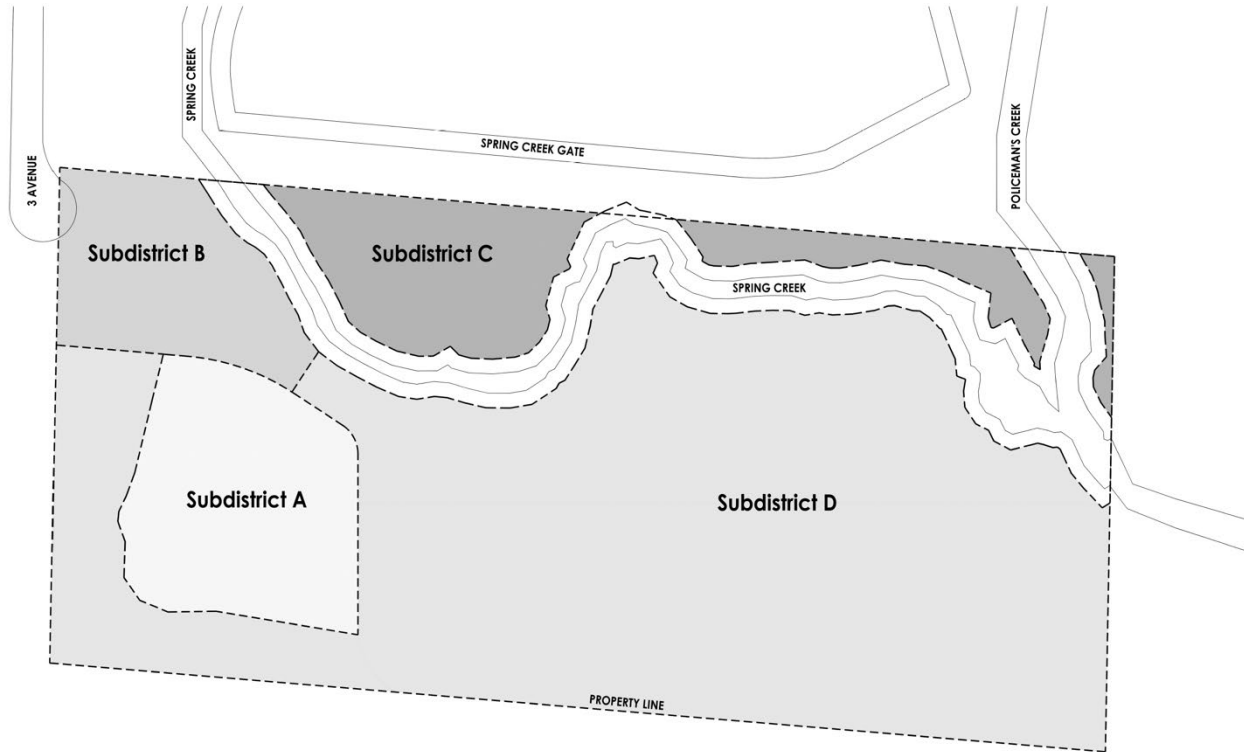
14.40.19.6 Development Authority

- a) The Development Authority for this District shall be the Development Officer.
- b) The Development Authority may relax the rules contained in this District in accordance with Section 1.4 of the Canmore Land Use Bylaw.

14.40.19.7 Schedules

The following Schedule "A" forms part of this Direct Control District.

Schedule A: 3rd Avenue South Direct Control District



Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore
Municipal Address: 800 3rd Avenue Town of Canmore

14.40 3rd AVENUE SOUTH LAND DIRECT CONTROL DISTRICT [~~Town to insert #~~]

14.40.1 Purpose

To provide for a Care Facility ~~and~~ low-density ~~r~~Residential Detached Dwellings on wider lots with provisions to allow for Accessory Dwelling ~~u~~Units ~~and~~ ~~and other compatible residential neighbourhood uses and to provide~~ for agricultural pursuits ~~consistent with single family use and other compatible agricultural uses and other residential neighbourhood.~~

The District is allocated into four sub-districts, A through D, with each sub-district having distinct uses and development standards.

14.40.2 Sub-district A Provisions | Care Facility

14.40.3 Purpose

To provide for a ~~C~~are ~~F~~facility and provide for ~~other~~ compatible and complementary uses.

14.40.4 Permitted Uses

Care Facility
Accessory Building
Public Utility

14.40.5 Discretionary Uses

Amenity Space
Day Care
Public Building
Public Utility
Parking Area
Sign
Staff Accommodation

14.40.6 Sub-district A Regulations | Care Facility

14.40.6.1 ~~—~~The minimum front yard setback (north) shall be 6.0 m ~~s are:~~

14.40.6.2 The minimum rear yard setback (south) shall be 1.5 m.

14.40.6.3 The minimum side yard setback (east) shall be 1.5 m.

14.40.6.4 The minimum side yard setback (west) shall be 1.5 m.

~~a.—~~Front Yard (north): 6.0 m

~~b.—~~Rear Yard (south): 1.5 m

~~c.—~~Side Yard (east): 1.5 m

~~d.—~~Side Yard (west): 1.5 m

14.40.6.~~25~~ The minimum lot area shall be ~~4,900~~5400 m²

14.40.6.~~63~~ The maximum site coverage for all buildings shall be 2,000 m²

14.40.6.~~74~~ Maximum Gross Floor Area

a. Care Facility buildings shall not exceed .35 FAR.

~~ib.~~ For the purpose of this regulation only, habitable space in basement areas with a ceiling less than ~~21.5~~ m above grade are excluded from the calculation of GFA as defined in Section 13.7, ~~excepting there is no limit to square meters and height is limited to 2.0 m. where parking is in a basement area.~~

14.40.6.~~85~~ The maximum building height shall be 12 m.

14.40.7 Sub-district B Provisions | Residential

14.40.8 Purpose

To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses.

14.40.9 Permitted Uses

Accessory Building

Accessory Dwelling Unit, Attached

Accessory Dwelling Unit, Detached

Detached Dwelling

Home Occupation – Class 1

Public Utility

14.40.10 Sub-district B Regulations | Residential

14.40.10.1 The maximum number of residential lots shall be ~~43~~.

14.40.10.2 The maximum number of Accessory Dwelling Units on each lot shall be 1.

14.40.10.3 The minimum lot area shall be ~~4601000~~ m²

14.40.10.4 The minimum front yard setbacks ~~shall be 6.0 m.~~

~~are:~~

~~14.40.10.5 The minimum rear yard setback shall be 7.5 m.~~

~~14.40.10.6 The minimum side yard setback shall be 1.5 m.~~

~~Front Yard : 6.0 m~~

~~Rear Yard : 7.5 m~~

~~Side Yard : 1.5 m~~

~~Side Yard: 1.5 m~~

14.40.10.~~75~~ The maximum building height shall be 9.5 m., ~~and there is no maximum number of storeys.~~

14.40.10.~~86~~ The minimum setback for buildings ~~from backing onto~~ Spring Creek or Policeman Creek shall be 20.0 m. from top of bank.

14.40.10.~~97~~ The maximum site coverage for all buildings ~~on each lot~~ shall be ~~40%372~~ m².

~~14.40.10.10 A minimum of 3 trees shall be planted for each residential lot.~~

14.40.10.~~118~~ Maximum Gross Floor Area

a. Residential buildings shall not exceed:

- ~~i. a. 325 m² for lots smaller than 930 m²; Residential buildings shall not exceed .35 FAR. oOr~~
~~ii. b. 0.35 FAR for lots greater or equal to 930 m² to a maximum of 550 m².~~

~~14.40.10.12 For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.~~

~~For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.~~

14.40.10.13 Accessory Buildings

- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
 b. ~~The m~~Maximum Height shall be 5 m.

14.40.10.14 Accessory Dwelling Unit, Attached

- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 110 m².
 b. Shall have an entrance that is secondary to and separate from the principal residential use, ~~ew~~ither from a common landing or directly from the exterior of the structure.

14.40.10.15 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
 b. ~~Shall have a maximum total GFA of~~The maximum gross floor areas shall be 110 m².
 c. ~~Shall have a~~The minimum rear yard setback ~~shall be~~ 1.5 m.
 d. ~~Shall have a~~The minimum side yard setback ~~shall be~~ 1.0 m.
 e. ~~The Shall have a~~ maximum height ~~of shall be~~ 9.5 m.
 f. May have a private outdoor amenity space.
 g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:

~~i. _____ Shall not exceed a maximum GFA of 110 m²~~

~~ii. _____~~ Shall not be larger than 80% of the GFA of the lower storey; and

~~iii. _____~~ Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.11 Sub-district C Provisions | Residential-Environmental Area

14.40.12 Purpose

~~To provide for an area of land that has limited development potential. To provide for development of low-density Residential Detached Dwellings on wider lots with provision for Accessory Dwelling units and other~~

~~compatible residential neighbourhood uses, and development for a shared private road and bridge to the sub-district area.~~

14.40.13 Permitted Uses

~~Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Agriculture, Extensive
Detached Dwelling
Home Occupation – Class 1
Public Utility~~

14.40.145 Sub-district D Provisions | Residential and Agriculture

14.40.156 Purpose

To provide for one Residential Detached Dwelling ~~U~~nit with provision for one Accessory Dwelling ~~u~~nit and other compatible residential uses and to provide for agricultural pursuits consistent with [the permitted and discretionary uses outlined within this District. single family use and other compatible agricultural uses.](#)

14.40.167 Permitted Uses

~~Accessory Building
Accessory Dwelling Unit, Attached
Accessory Dwelling Unit, Detached
Detached Dwelling
Extensive Agriculture, Extensive
Home Occupation – Class 1
Public Utility~~

14.40.178 Discretionary Uses

~~Agricultural, Intensive
Public Building~~

14.40.189 Sub-district D Regulations

- 14.40.189.1 The minimum lot area shall be 3.9 hectares.
- 14.40.189.2 The minimum site width shall be 91.0 m.
- 14.40.189.3 The minimum setbacks for all yards shall be 15 m.
- 14.40.189.4 The maximum site coverage for all buildings and structures shall be ~~89~~00 m²
- 14.40.189.5 ~~The maximum building height shall be 12 m., and there is no maximum number of stories.~~
[Maximum Gross Floor Area](#)
- [a. Residential buildings shall not exceed:](#)
- [i. 325 m² for lots smaller than 930 m²; or](#)

ii. 0.35 FAR for lots greater or equal to 930 m² to a maximum of 750 m².

b. For the purpose of this regulation only, habitable space in basement areas with a ceiling less than 1.5 m above grade are excluded from the calculation of GFA as defined in Section 13.

14.40.18.6 The maximum height shall be 9.5 m.

14.40.189.76 The minimum setback for buildings and structures ~~backing onto~~from Spring Creek or Policeman Creek —shall be 20 m₂ from top of bank.

14.40.189.87 Accessory Buildings

- a. Up to two (2) Accessory Buildings shall be permitted on a lot.
- b. Maximum Height shall be 7 m.

14.40.189.98 Accessory Dwelling Unit, Attached

- a. Shall be lessor of 40% of the total GFA of the building within which it is contained and a maximum GFA of 140 m².
- b. Shall have an entrance that is secondary to and separate from the principal residential use, either from a common landing or directly from the exterior of the structure.

14.40.189.109 Accessory Dwelling Unit, Detached

- a. May be provided in a one-storey or one-storey plus loft form and may be located above a detached garage.
- b. ~~Shall have a maximum total GFA of~~The maximum gross floor area shall be 140 m².
- c. ~~Shall have a~~The minimum rear yard setback shall be 1.5 m.
- d. ~~Shall have a~~The minimum side yard setback shall be 1.0 m.
- e. ~~Shall have a~~The maximum height of 9.5 m.
- f. May have a private outdoor amenity space.
- g. The upper (loft) storey of an Accessory Dwelling Unit, Detached:
 - I. Shall not exceed a maximum GFA of 140 m²;
 - II. Shall not be larger than 80% of the GFA of the lower storey; and
 - III. Shall have a maximum loft floor height of 2.5 m as measured from the floor to the lowest point of the ceiling of the top floor.

14.40.18.11 A minimum of 3 trees shall be planted for each residential lot.

14.40.189.120 **Special Amenity**

The principal Dwelling Unit in Sub-district D is permitted to have two (2) kitchens. ~~A second kitchen is permitted where the occupants of the dwelling unit live as part of the same tenancy and have freedom of access throughout the dwelling unit.~~

14.40.1920 Additional Requirements

14.40.1924.1 General Regulations and Design Standards

All developments shall conform to Section 2, General Regulations and Section 11, Community Architectural and Urban Design Standards unless otherwise stated in this ~~DC~~ District.

14.40.1922.2 Valley Bottom Flood Hazard Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.2 Valley Bottom Flood Hazard Overlay of this bylaw.

14.40.1923.3 High Groundwater Area Protection

Developments in this District shall conform to the regulations and use prohibitions described in Section 7.3 High Groundwater Area Overlay of this bylaw.

14.40.1924.4 Sustainable Screening Report

A Sustainability Screening Report (SSR) is required by the Town as part of the Development Permit application process for developments with a GFA of 500m² or more in accordance with Section 1, Administration, and the Town of Canmore Sustainability Screening Process.

14.40.1925.5 Construction Environmental Management Plan

All construction shall be preceded by a Construction Environmental Management Plan (CEMP) that is based on information provided in the Environmental Impact Statement (EIS). At a minimum the CEMP shall include the construction management mitigation measures (including an erosion and sediment control plan, spill response plan, and wildlife management plan) as described in the EIS for the site. Specifically, the CEMP should include the recommended mitigation measures presented in the EIS.

~~14.40.26 Environmental Reserve Easement~~

~~An environmental reserve easement will be provided at the time of subdivision and will include the following:~~

- ~~— 6m minimum along the top of bank along the creeks~~
- ~~— Shrubby swamp as identified in the EIS~~
- ~~— 10m minimum buffer along the shrubby swamp edge~~
- ~~— Pockets of land in the north and northeast section of the site~~

14.40.1927.6 Development Authority

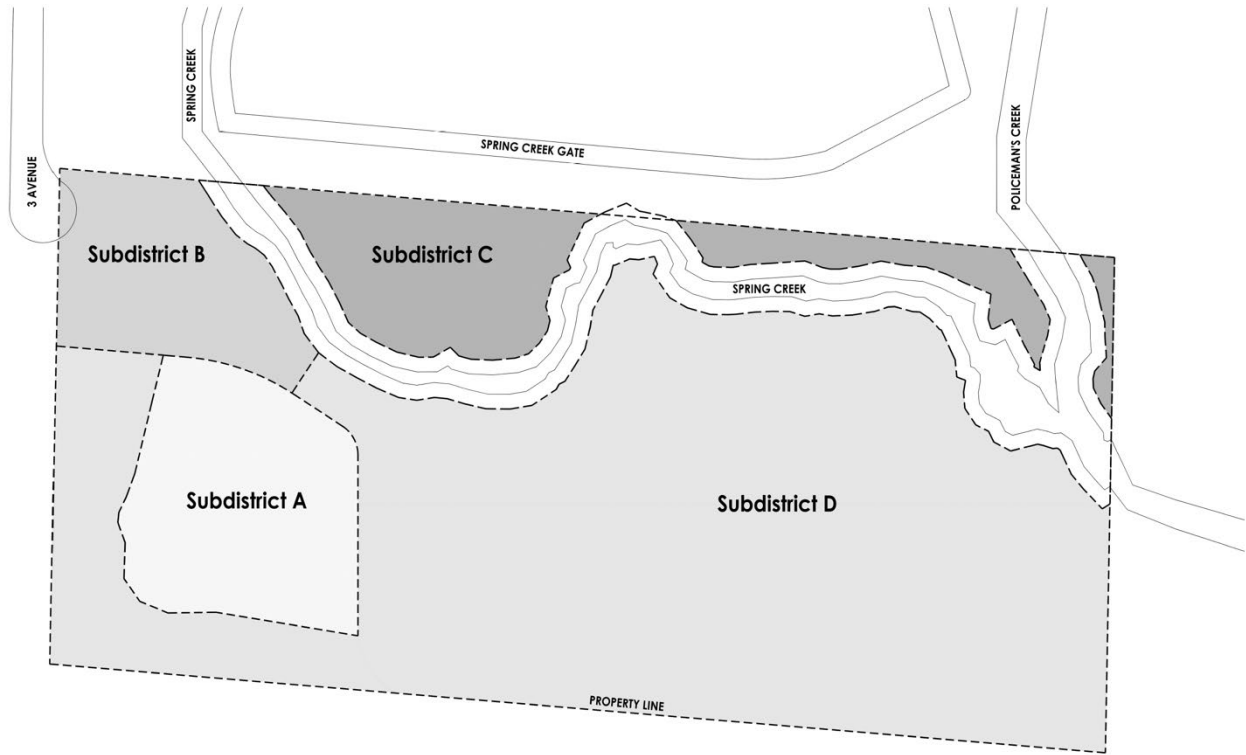
~~a) The Development Authority for this District shall be the Development Officer. approving authority shall be designated as the Development Officer for the Municipality.~~

~~b) The Development Authority may relax the rules contained in this District in accordance with Section 1.4 of the Canmore Land Use Bylaw.~~

14.40.1928.7 Schedules

~~The following Schedule "A" forms part of this Direct Control District. shows the location of the District.~~

Schedule A: 3rd Avenue South Land Direct Control District



Legal Description: S. ½ of L.S.D. 13, QTR NW, Sec 28, TWP 24, Range 10 Town of Canmore

Municipal Address: 800 3rd Avenue Town of Canmore

BERNIE AND JAN MCCAFFERY
800 Third Avenue, Canmore, Alberta

CONFIDENTIAL

May 11, 2023

By Email Only

Town of Canmore
Planning & Development
Canmore Civic Centre
902-7 Ave.
Canmore AB T1W 3K1

Attention: Lauren Miller

Dear Ms. Miller:

**Re: Town of Canmore Bylaws 2022-09 and 2022-10 (the "Bylaws")
Application for Land Use Redesignation, Subdivision and Development of 800 Third Avenue,
Canmore (Legally Described as: That portion of the South Half of Legal Subdivision 13, Section
28, Township, 24, Range 10, West of the 5th Meridian, as Shown on Township Plan Dated 02
March 1889, containing 9.36 Hectares (23.13 Acres), More or Less) (the "Lands")**

Letter of Intent

As you are aware, it is our hope and intention to obtain a land use redesignation and thereafter to subdivide and develop the Lands. Attached is a conceptual plan (the "**Sketch**") identifying the approximate proposed subdivision boundaries and the proposed land uses applicable to each parcel.

In its deliberations on May 24, 2022 at first reading of the Bylaws, Council ("**Council**") for the Town of Canmore (the "**Town**") suggested that we (the "**Owners**"), as owners of the Lands, should among other things consider conserving the Lands in perpetuity.

1. **Purpose.** The purpose of this letter is to outline the terms on which the Owners may be prepared to enter into a conservation easement (the "**Conservation Easement**") with a qualified organization (the "**Grantee**") affecting a portion of the Land in furtherance to assurances by the Town and the Bow Corridor Ecosystem Advisory Group ("**BCEAG**") that the South Canmore Local Habitat Patch (the "**SCLHP**") is a functioning component of the wildlife corridors and habitat patches for the Bow Valley as described in the Wildlife Corridor and Habitat Patch Guidelines for the Bow Valley, updated 2012, (the "**BCEAG Report**") and to form the basis on which a formal Conservation Easement could be prepared.
2. **Key Terms.**
 - (a) The purpose of the Conservation Easement is wildlife conservation. That purpose will be achieved by restricting development of that portion of the Lands identified as subdistrict C and subdistrict D (the "**Easement Area**"), forming part of the SCLHP.

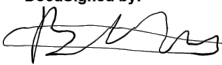
- (b) The Conservation Easement will permit one single family residence with accessory buildings and agricultural uses as currently contemplated in the Bylaws.
 - (c) Public access to the Easement Lands will be forbidden, excepting reasonable access for grade school children as part of school sponsored educational activities where the school group has obtained prior written consent of the Owners in respect of each activity and has agreed to abide by the reasonable rules and regulations of the Owners, including but not limited to providing evidence of appropriate insurance and a commitment to abide by the Owners' reasonable rules and regulations with respect to safety, environmental protection or agricultural operations.
 - (d) The Owners will be solely responsible for monitoring and enforcing public use restrictions because:
 - (i) setback areas adjacent to the creek are to be protected by an environmental reserve easement rather than through dedication as environmental reserve land; and
 - (ii) no part of the Lands will be dedicated as municipal reserve land.
 - (e) The Conservation Easement will be a comprehensive scheme for the conservation of the Easement Area so that none of the Owners, the Grantee or the Town will have rights or obligations regarding conservation of the Lands outside the specific provisions of the Conservation Easement.
 - (f) The functionality of the SCLHP is dependent on compatible adjacent land uses, and management of those uses, as well as on linkages to the contiguous Bow Valley wildlife network as set out in the BCEAG Report.
 - (g) The Conservation Easement will remain in perpetuity unless existing conditions of the SCLHP change, including but not limited to as a result of changes on the adjacent lands. The Conservation Easement will be reviewed on a periodic basis to ensure that it remains effective and may be terminated if it no longer serves its intended purpose.
3. **Formal Agreement.** A formal Conservation Easement satisfactory to the Owners and the Grantee will be negotiated and entered into between the Owners and the Grantee within one (1) year of the date of this letter. It is anticipated that the Town will be the Grantee.
4. **Termination.** If a land use redesignation of the Lands acceptable to the Owners has not been approved by July 31, 2023 or the Conservation Easement has not been entered into within one (1) year of the date of this letter either party may terminate this letter on thirty (30) day's notice to the other of them, at which time all rights and obligations set forth herein shall be at an end.
5. **Non-Binding and Binding Provisions.** This letter, when executed and delivered by the Town to the Owners (email acceptable), shall set forth the parties' mutual understanding and intention with respect to the subject matter hereof. The parties each acknowledge that this letter does not contain all matters upon which agreement must be reached in order for a Conservation Easement to be granted, and therefore does not constitute a binding commitment with respect


to the granting of a Conservation Easement or future use of the Lands. Binding obligations will result only from the execution and delivery of a Conservation Easement.

- 6. **No Fettering of Discretion.** Endorsement or approval of this letter of intent by the Town does not and shall not in any way be deemed or construed to be an approval or permit and shall not limit, circumscribe or otherwise restrict the discretion of the Town in any manner whatsoever, including without limitation in its capacity as subdivision and development authority under the *Municipal Government Act* (Alberta).
- 7. **Governing Law.** This letter of intent shall be governed by and construed in accordance with the laws of the Province of Alberta. Each of the Owners and the Town hereby attorn to the exclusive jurisdiction of the Court of King’s Bench of Alberta sitting in Calgary in relation to any dispute arising under this letter or with respect to the validity or enforceability hereof.

If the foregoing is acceptable, please so confirm by countersigning and returning to the undersigned a copy hereof (email acceptable).

Yours truly,

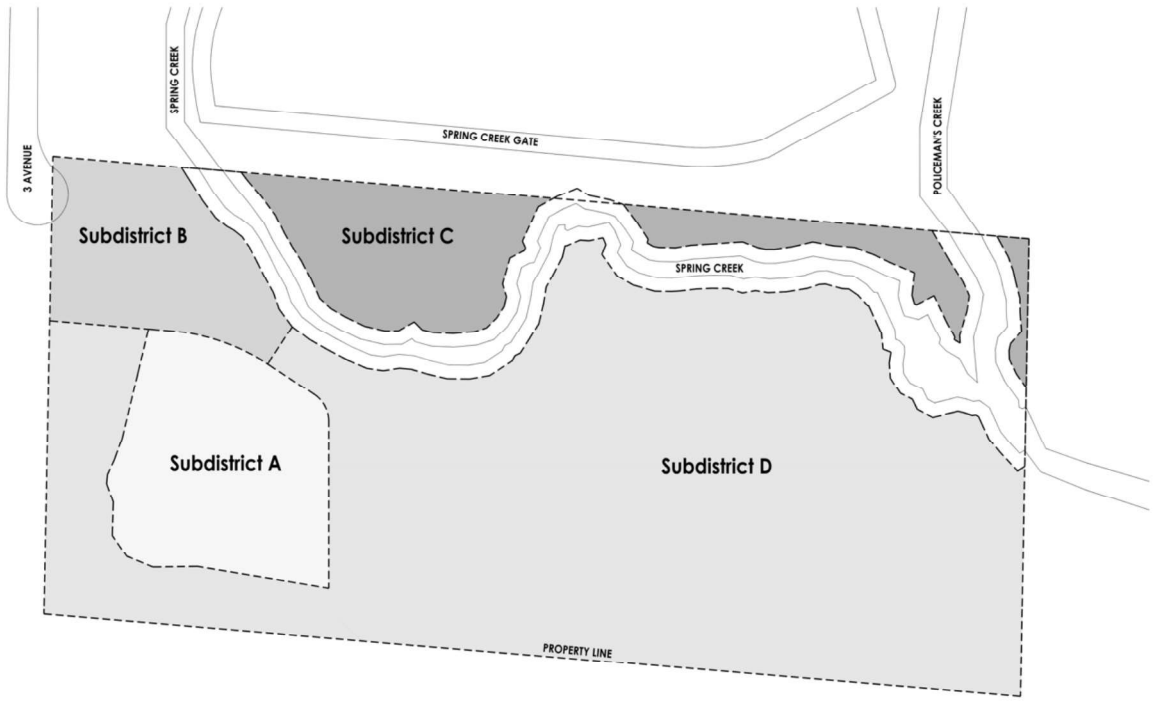
DocuSigned by:

 5/11/2023
 C5482E646D6146E...
 Bernie McCaffery

DocuSigned by:

 5/11/2023
 A0A6F9630A42440...
 Jan McCaffery

Agreed and accepted on the ___ day of _____, 2023.

TOWN OF CANMORE

Per:



Date: May 11, 2023
To: Lauren Miller, Manager Planning, Town of Canmore
From: Bernie and Jan McCaffery, The Applicants
RE: 800-3rd Avenue, Canmore (3rd Avenue South Lands)

Please find a comprehensive submission and response to Council’s request for amendments and direction to investigate other opportunities for this parcel. This response is organized into key sections as follows:

- Previous Council Direction
- Background
- MDP Amendments and Community Benefit
- Environmental Impact Statement’s Influence of Conceptual Design
- Response to Council Requests

Previous Council Direction

The Applicants have given thoughtful consideration to Council’s request for amendments of the proposed land use bylaw as well as requests for the Applicants to investigate other opportunities discussed by Council at the public hearing in May of 2022. A detailed response to each of the requests can be found in the “Response to Council Requests” section of this document. A summary of how the requests have been incorporated into the proposed land use bylaw is summarized in Table 1. The initial concept was evaluated against the recommendations within the Environmental Impact Study (EIS) completed by a Registered Professional Biologist¹ and the Town’s third-party reviewers, also a Registered Professional Biologist.²

All proposed changes to the initial Concept plan that were initiated by Council have been measured against the EIS given the Applicant’s desire to tread lightly on the land. At a high level, the following changes are being proposed:

	Applicants Proposal at First Reading	Council Requests at First Reading	Applicants Proposed Changes
District D: Residential and Agricultural	To provide one Residential Detached Dwelling unit with the provision for one Accessory Dwelling Unit and other	Clarify house size and height.	Limit to the size and height of the Applicants Home.

¹ The EIS was completed by a team of Registered Professional Biologists from Associated Environmental Consultants Inc. The team was comprised of experts that have dedicated their careers to the needs of wildlife and wildlife habitat, vegetation and ecosystems, fish and fish habitat, and climate change.

² The Town of Canmore’s “third party reviewers” reviewed the EIS. MSES were the third-party reviewers.

	Applicants Proposal at First Reading	Council Requests at First Reading	Applicants Proposed Changes
	compatible residential uses and to provide for agricultural pursuits consistent with single-family use and other compatible agricultural uses.	Protect undeveloped land from further development.	Maximum of one ADUs with limits to the size of the ADU and the entry configuration. Maximum height 9.5 metres for all buildings except for agricultural at 7 metres. Development in Subdistrict D will be limited by the land use district as described in the DC Bylaw, and the Conservation Easement which will be registered prior to subdivision.
District C: Residential	To provide for development of low-density Residential Detached Dwellings with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses.	Limit development to no homes and make a park for public use.	Propose removal of homes and no development in Subdistrict C. Placement of a Conservation Easement to protect the land from human use and limiting uses including trails, parks, or any public use except school use. Conservation Easement to be placed at subdivision.
Districts B: Residential	To provide for development of low-density Residential Detached Dwellings with provision for Accessory Dwelling Units and other compatible residential neighbourhood uses.	Minimize distance between lots to reduce impact on lands (like 3 rd Avenue) Limit house sizes and number of houses	No changes proposed. Lots will be created in a non-linear pattern consistent with the concept evaluated within the EIS and MDP. Addition of one additional home site but a reduction in the total number of homes from 6 to 5 over the entire site. Limited the size of the homes.

	Applicants Proposal at First Reading	Council Requests at First Reading	Applicants Proposed Changes
		Limit maximum building height	Limit on the size of the lots which limits the size of the homes and a maximum GFA. Maximum building height of 9.5 metres.
District A: Palliative Care Facility	To provide for a care facility and provide for compatible and complimentary uses.	If Hospice not built, land reverts to natural state.	No changes proposed to Proposal at first reading. See detailed explanation.
Environmental Reserve	To conserve the riparian areas of the Creek beds from the creek across the site.		Propose an Environmental Reserve Easement be placed on lands adjacent to the creek beds in Area B, C, and D. This will protect the creek beds from increased human use.

Table 1- Summary of Council amendments incorporated into the proposed land use bylaw.

Background

The property is located outside the Town of Canmore Urban Growth Boundary under the 2012 Municipal Development Plan (MDP). The site is designated as Future Development District (FD) under the current Land Use Bylaw. The land use did not change when the MDP designated this land as a Local Habitat Patch as defined in the BCEAG report. This is the only piece of privately owned land within the designated South Canmore Local Habitat Patch. The remainder of the South Canmore Local Habitat Patch (SCLHP) is owned by the Crown administered by the province with some portions leased long-term to the Town of Canmore for its Waste Transfer and Wastewater Treatment facilities and to a variety of commercial horse-riding ventures.

Prior to the public hearing in May of 2022, the Applicants launched a publicly accessible website and held five virtual open houses. There was significant interest in the development with most participants seeking more information. Over the course of a couple of months, the website saw 985 unique visits. Of the over 230 participants in the open houses, the majority of comments came from 30 individuals. A What We Heard Report was tabled in March of 2022. **The Public Hearing in May of 2022 saw significant support for the Palliative Care Facility and the proposed low impact Concept.**

Municipal Development Plan Amendments

Two actions are required to develop this modest, low impact project on the current site – two Municipal Development Plan Amendments and a Land Use Bylaw Amendment. The purpose of the MDP amendment application is to amend Map 1 (Growth Boundary) of the Town of Canmore MDP Bylaw 2016-03 (MDP Amendment Application). The Amendment requests the expansion of the Growth Boundary Map to encompass the entire site at 800-3rd Avenue Canmore. The application also requests a change from Conservation to Neighbourhood Residential on MDP Map 2 (Conceptual Land Use) not unlike the land south of the industrial road. It should be noted that the property is currently taxed as “Residential” for property tax purposes.

Community Benefit

Under the MDP (Section 2.1.5), the Urban Growth Boundary can be adjusted under the following circumstances:

- A community benefit is achieved.
- A net positive fiscal or socio- economic impacts are achieved.
- The proposed development can be connected to municipal infrastructure in a fiscally and environmentally responsible manner; and
- The proposed development does not result in unacceptable environmental impacts.

The Applicants believe that the proposed Concept now provides two long-term exceptional community benefit to the Town of Canmore and its citizens: a site for a hospice and a Conservation Easement over 75 percent of the lands to limit development, reduce human use, and protect wildlife and the environment. The proposed Concept meets all four of the requirements for an adjustment to the Growth Boundary including:

- Provides for a donation of serviced land to build a much-needed palliative care hospice in the Bow Valley filling a significant gap in the community for end-of-life care. The provision of the Hospice is considered an exceptional community benefit.
- Provides long-term protection of over 75 percent of the lands under a Conservation Easement ensuring the proposed development will tread lightly on the environment now and into the future. This is considered an exceptional community benefit.
- Maintains over 90 percent of the land in its natural state (exclusive of home sites, structures, and roads) and does not raise the level of the land in natural areas.
- Achieves a very high positive score on the Town’s own Sustainability Screening Report or SSR – a score of **+308** has been achieved most developments fall within the 0.1 to 5.0 range.
- Connects to municipal infrastructure in a responsible way at the owner’s cost.
- Ensures a low to negligible affect on the environment and in fact, results in a net positive benefit after offsetting.

In the past there have been many development applications for this site ranging from 39 to 100 residential dwelling units but none of them are as environmentally sensitive as what is currently being proposed under this Application. The Concept proposes to make a different use of a large, private land holding to benefit the

community by way of a philanthropic land gift for a new Palliative Care Hospice. The Applicants has said from the beginning, the proposed Concept is not motivated by the typical measures of land development such as yield, profit and density. The proposed Concept is less intrusive, more focussed on a true balance between environmental stewardship and the built form and has the potential to act as a transition zone from the highly dense Spring Creek Mountain Village to the natural areas beyond the Town of Canmore facilities.

The Applicants propose to build their own home and provide up to four homes sites, one less than initially proposed at First Reading. Four of these home sites will support the larger infrastructure costs for servicing the entire site and any costs associated with planned environmental offsetting. The proposed low impact development covers the westerly edge of the property.

The Palliative Care Society has invited a diversity of voices including Indigenous peoples into both the design of the building and the programs and services that will be offered within the new Hospice. The Society spoke with many community stakeholders regarding rural hospice care in the Bow Valley, including health care workers, medical practitioners, and other allied health care professionals to ascertain where the gaps in palliative care lie. Without exception, all spoke of the need for a residential hospice facility to avoid unnecessary hardship on families struggling with end-of-life issues by having to travel to Calgary or other urban centres for hospice care. Having a hospice located in Canmore addresses an enormous gap in services that will only increase as the population ages. **There was significant public support at the public hearing for this small-scale, low impact development and the Hospice proposed by the Society.**

Environmental Impact Statement's Influence on the Proposed Concept

Because EIS is foundational to the proposed Concept, it warrants repeating some of the key features and benefits identified in the EIS. The results of the EIS indicate that the proposed development will have a small impact on a very small, concentrated portion of the site at the western periphery of the parcel. The authors of the report and those who reviewed the report, concluded through the EIS that the proposed Concept had a negligible impact on six biophysical resources (soils/terrain, fish/fish habitat, water quality/hydrology, land resources use, air quality and cultural resources) and a negligible-to-low impact on two biophysical resources (vegetation/ecosystems and wildlife/wildlife habitat).

Some mitigation is required through the regulatory process (for example protecting water quality) and some mitigation (like offsetting) is being offered as extra work in the spirit of good environmental stewardship by the Applicants. Mitigation measures have been proposed to avoid, reduce, restore, and offset for all potential effects. **The proposed Concept will protect environmentally sensitive habitat such as the areas adjacent to the streams through a proposed Environmental Reserve Easement and will now include the dedication of large portion of the property (75%) as a proposed Conservation Easement.** The proposed Concept has created a balance between wildfire risk, maintenance of aesthetic quality, and preservation of wildlife habitat value and will result in a net positive benefit once offsetting is complete.

Finally, as it relates to the EIS, the proposed Concept concentrates any users to a contained area (westerly portion) and will result in a net reduction of human activity after construction is complete. This is important since habitat in the SCLHP has been fragmented and continues to be disturbed by frequent and ongoing

incursions by humans. People are walking, hiking, and skiing, dogs are on and off leash, and large trucks are travelling on roads to and from Canmore's Waste Transfer Station, Wastewater Treatment Plant and Materials Handling Facility. The roads fragment the local patch, and the SCLHP is functionally isolated from the larger Regional Habitat Patch (in this instance, the Bow Flats Habitat Patch) by Highway 1 and the CP Railway. Noise originating from CP Railway, Highway 1, a helicopter heliport, and the Town's industrial infrastructure (e.g., the Waste Transfer Station) is a significant, constant disturbance to wildlife that can be detected from all locations within the SCLHP and beyond.

Specific Applicants Responses

125A-2022 Moved by Mayor Krausert that Council direct administration to work with the Applicants to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 ("the Bylaws") regarding **limiting house sizes** and provide the said recommendation and/or wording to Council prior to the 2nd reading of the Bylaws.

CARRIED UNANIMOUSLY

Applicants Response:

Canmore's Land Use Bylaw has limits set within existing residential districts to limit home sizes. **It would be fair and consistent for these same rules to be applied to the proposed residential lots.** Further, the Applicants have agreed to limit the size of the lots in Subdistrict B and therefore the homes in alignment with the current wording within the Canmore Land Use Bylaw. And, to provide Council with increased certainty, the Applicants have also agreed to limit the size of the homes within Subdistrict D. Below is an excerpt from Canmore's Land Use Bylaw.

Maximum Gross Floor Area

Residential buildings shall not exceed:

- a. 325 m² for lots smaller than 930 m²
- b. 0.35 FAR for lots greater than or equal to 930 m²

For the purpose of this regulation only, Accessory Dwelling Unit, Attached and habitable space in basement areas with a ceiling less than 1.2 m above grade are excluded from the calculation of GFA as defined in Section 13. **[2020-16]**

At 1st reading, there was no limit on the size of residential buildings within the Direct Control Bylaw. The Canmore Land Use Bylaw allows for .35 FAR on lots greater than or equal to 930 m² and the Applicants are being far more restrictive than this Bylaw. In

Subdistrict B where lots are greater than or equal to 930 m² the proposed house size is up to a maximum of 550 m². In Subdistrict D, which is 51,574 m² in area, the Applicants have limited house size to up to a maximum of 750 m². Further, the Applicants have responded positively to almost all requests from Council including the placement of a conservation easement over 2/3 of their land limiting development in perpetuity, removing all proposed homes on Subdistrict C, and reducing the total number of homes overall as will be outlined in the sections below.

125B-2022

Moved by Mayor Krausert that Council direct administration to work with the Applicants to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 (“the Bylaws”) regarding a legal instrument upon all parcels of the subject lands, which will include the following elements: (i) **if a palliative care facility is not constructed in Area A then Area A will revert to the owner and the land in Area A will remain in a natural state;** (ii) **there is to be no trail or road connection between the Spring Creek development and 3rd Avenue through the subject lands;** and (iii) **the lands shall be protected in perpetuity from any further development except as described in the application** and provide the said recommendation and/or wording to Council prior to the 2nd reading of the Bylaws.

CARRIED UNANIMOUSLY

Applicants Response:

Part 1:) **if a palliative care facility is not constructed in Area A, then Area A will revert to the owner and the land in Area A will remain in a natural state.**

The Applicants have full confidence that the hospice care facility will proceed noting that as Canmore grows there will be increasing need to allow for end-of-life care in the community. This land is well suited for a hospice. Currently, patients for whom residential end-of-life care is appropriate must leave the community of Canmore to receive care in a hospice. The land donation will reduce the burden of fundraising for a community-based charity and provide a site in proximity to town amenities that would otherwise not be available. The Applicants are donating the land for this purpose and believes that this is an exceptional community benefit as did the community at the public hearing in March of 2022.

The Applicants are not supportive of this request of Council. The land will be donated to the Palliative Care Society of the Bow Valley once subdivision occurs. On the remote chance that the specific Palliative Care facility discussed cannot proceed on the lands for whatever reason, the appropriate zoning will remain on the land for such a use and the Society, as owners of the land, will retain the ability to work with another organization in

need within the Bow Valley that would fit the zoning. The Applicants cannot encumber the donation of land.

ii) there is to be no trail or road connection between the Spring Creek development and 3rd Avenue through the subject lands; and

The Applicants agrees. This should also be enacted via a registration on title indicating the same.

(iii) the lands shall be protected in perpetuity from any further development except as described in the application

There is no legal mechanism for Council to implement this within the construct or jurisdiction of Part 17 of the MGA, and a Direct Control Bylaw should be sufficient given that Council and only Council can approve a change of use. However, in the spirit of the Applicants commitment to protecting the environment, and to providing a land donation to the Palliative Care Society, the Applicants will agree to place a Conservation Easement agreement on title for Subdistricts C and D honouring Council's request that the land be protected from any further development. Use will be limited in Subdistrict C and D to those described in the proposed Direct Control Bylaw and the Conservation Easement. No other public use will be allowed in these districts. A Conservation Easement will be dedicated at subdivision approval. A copy of the Applicant's Letter of Intent was provided to and reviewed by Town Administration.

The Applicants also agree to place an Environmental Reserve Easement on the lands adjacent to the creek bed in all districts. Environmental Reserves do not protect wildlife. The Town can accept the offer of an ERE in place of an ER if the land adjacent to the creek is not suitable for human use. Given the proximity to a high-density residential land development, and given Councils desire for protection of wildlife, the Applicants believe that an ERE is best suited to protect sensitive natural features. Like the Conservation Easement, the Applicants request that the ERE be dedicated at subdivision.

125C-2022

Moved by Mayor Krausert that Council direct administration to work with the Applicants to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 ("the Bylaws") regarding **minimizing the distance between the buildings in area B and 3rd Avenue in order to minimize the disruption to the undeveloped areas of the lands** and provide the said recommendation and/or wording to Council prior to the 2nd reading of the Bylaws.

CARRIED

In Favour: Krausert, Graham, Hilstad, Mah, Marra, McCallum

Opposed: Foubert

Applicants Response:

The Applicants did review Council's request to develop a similar grid pattern to that seen along 3rd Avenue, however, this was not supported by our Registered Professional Biologist who indicated that a straight line along the street would be a problem for wildlife. Creating a linear pattern would create a cul-de-sac or a dead-end and a fragmented line of sight for wildlife. A non-linear pattern, like that seen in the original concept plan, allows for permeability between homes that would allow line of sight for wildlife to move through freely. This is also supported by the MDP 4.2.16 Wildlife Sensitive Design.

125D-2022

Moved by Mayor Krausert that Council direct administration to work with the Applicants to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 ("the Bylaws") regarding **removing the buildings in Area C, subject to an agreement between the Spring Creek development and the Applicants whereby the Spring Creek development provides at its own cost water servicing to the palliative care facility (if such is determined to be needed) and provides at its own cost fill, landscaping, and a trail for Area C to become a park** and provide the said recommendation and/or wording to Council prior to the 2nd reading of the Bylaws.

CARRIED UNANIMOUSLY

Applicants Response:

On one hand it appears that Council provided direction in one motion to protect the entire area, but in a separate motion has a desire to see more trails and recreation development. It was difficult to find a way to reconcile these two opposing directions of Council. The Applicants do not agree that this area should be a park given the sensitivities of the land in particular the riparian areas by the creek beds. The initial proposition allowed for two home sites to be privately held, thereby preventing any large-scale public use in the site. The Applicants intention has always been to limit human activity on the site by restoring its status as private property. Right now, many of those living and visiting Canmore do not respect that the property is private and treat it as a public recreation area.

Instead, the Applicants are proposing to place a conservation easement on Subdistrict C (and Subdistrict D) with no development or public use activity allowed except those outlined in the Direct Control Bylaw and the Conservation Easement. The Applicants have provided a legal letter of their commitment to work with the Town to develop a fulsome Conservation Easement (see attached). The Applicants are providing a cost-effective mechanism to protect and conserve land. A Conservation Easement does not require compensation to the landowner. The Conservation Easement will cover over 75% of the land. Municipal Reserve is not perpetual, is not consistent with protecting the needs of wildlife, and does not protect the land from a larger development as this may be changed by future councils.

At the Public Hearing held in May, Spring Creek Development indicated that they may be willing to provide access to servicing for the Palliative Care Facility at their cost. We have confirmed through a conversation with the developer that they will not pay for servicing. The Applicants will pay for the servicing and the sale of home sites in Subdistrict B will support the larger infrastructure costs for servicing the entire site and any costs associated with planned environmental offsetting. Servicing for the site can be readily access from other areas.

Given there will be no homes built on Subdistrict C, the Applicants have requested to increase the number of homes in Subdistrict B from three to up to four reducing the total number of homes by one over the entire site from the initial application. While not directed through a formal motion, several Council members ask for a reduction in the number of homes on the site and the Applicants hope this will be acceptable noting that this now reduces the planned revenue that would have been used to support the infrastructure needed for a serviced site for the Palliative Care Facility.

125F-2022

Moved by Mayor Krausert that Council direct administration to work with the Applicants to prepare a recommendation and/or wording for a potential amendment with respect to Bylaws 2022-09 and 2022-10 (“the Bylaws”) regarding **limiting maximum building height** and provide the said recommendation and/or wording to Council prior to the 2nd reading of the Bylaws.

CARRIED UNANIMOUSLY

Applicants Response:

Applicants have agreed to a maximum building height as per 3.4.3.7 of LUB: “The maximum building height shall be as indicated on a development grading plan approved as

part of a subdivision plan. In the absence of an approved development grading plan, the maximum building height shall be 9.5 metres, determined in accordance with Section 2: General Regulations. When the Hmax formula is used, a building shall be a maximum of two (2) stories plus a loft. When the envelope model is used, there is no maximum number of stories, and this is consistent with how most other developments are treated.” The wording has been imbedded in the Direct Control Bylaw.



Request for Decision

DATE OF MEETING: Date of Meeting Agenda #: G-4

TO: Council

SUBJECT: Fireworks Ban Bylaw 2023-23

SUBMITTED BY: Sean Krausert, Mayor

- RECOMMENDATION:**
- (1) That Council give first reading to Fireworks Ban Bylaw 2023-23.
 - (2) That Council give second reading to Fireworks Ban Bylaw 2023-23.
 - (3) That Council give leave to proceed to third reading of Fireworks Ban Bylaw 2023-23.
 - (4) That Council give third reading to Bylaw 2023-23.

EXECUTIVE SUMMARY

Firework displays are appreciated by people around the world, including many residents and visitors in Canmore, and have been part local community celebrations for many years, especially Canada Day and New Year's Eve. However, fireworks are not appropriate in all circumstances and every location. Fireworks cause noise and flashes that can be traumatizing to wildlife as well as being a potential fire hazard. As Council has a strategic goal of being an environmental leader and an obligation to keep the community safe, fireworks should be banned in Canmore at minimum from April 1st through November 30th each year.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The Municipal Government Act, RSA 2000, Chapter M-26, states:

3 The purposes of a municipality are

...

(c) to develop and maintain safe and viable communities,

7 Subject to section 7.1, a council may pass bylaws for municipal purposes respecting the following matters:

(a) the safety, health and welfare of people and the protection of people and property;

...

(i) the enforcement of bylaws made under this or any other enactment, including any or all of the following:

(i) the creation of offences;

(ii) for each offence, imposing a fine not exceeding \$10 000 or imprisonment for not more than one year, or both;

8(1) Subject to section 7.1, without restricting section 7, a council may in a bylaw passed under this Division

- (a) regulate or prohibit;
- (b) deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways;
- (c) provide for a system of licences, permits or approvals, including any or all of the following:
 - ...
 - (iii) prohibiting any development, activity, industry, business or thing until a licence, permit or approval has been granted;

9 The power to pass bylaws under this Division is stated in general terms to

- (a) give broad authority to councils and to respect their right to govern municipalities in whatever way the councils consider appropriate, within the jurisdiction given to them under this or any other enactment, and
- (b) enhance the ability of councils to respond to present and future issues in their municipalities.

Council’s 2023 – 2026 Strategic Plan states:

Environment Goal - Canmore is a recognized leader in managing human impact on our environment.
 ...
 As a community known for its scenery, outdoor activities, and wildlife, the promotion and protection of our natural environment is integrated into every aspect of civic life, guiding our decisions and policy. We recognize that being good stewards of our land and natural resources is a shared responsibility, and we will work tirelessly in our stewardship efforts.

Canmore’s Fire Bylaw, Bylaw 2013-08, states:

4: FIREWORKS

- 4.1. No person shall offer fireworks for sale.
- 4.2. No person shall discharge fireworks unless the person has been issued a permit in accordance with this bylaw.

10: ENFORCEMENT AND PENALTIES

10.2. Any person who contravenes any provision of this bylaw for which a penalty is not set out in Schedule A of if this bylaw is liable to a minimum penalty of \$250.00.

Schedule A – Minimum Penalties

Section Offence Minimum Penalty

- 6.3 Fail to comply with fire ban \$2,000.00
- 8.1 Impede, obstruct, or hinder a member performing duties at an incident \$600.00
- 8.2 Damage or destroy apparatus or equipment \$2000.00
- 8.6 Obstruct access or connections to fire alarms and water supplies \$600.00

DISCUSSION

Boom! Flash!

The Bow Valley through the Town of Canmore is a key corridor for wildlife connectivity and a habitat for many species. The sounds and light from fireworks can at the very least frighten wildlife or potentially traumatize them to the point of greatly disturbing their natural patterns, and in certain circumstances could

result in premature death of an animal. For a good description of the potential impact on wildlife from fireworks, please see the attached article from December 2022 entitled “Do Fireworks Harm Animals? We Ask an Expert”.

Pursuant to Town Council’s Strategic Plan, it is a priority for the Town of Canmore to be an environmental leader. To continue a practice such as fireworks, despite being a beloved local tradition by many residents and visitors, is not co-existing with wildlife and is not being an environmental leader. Further, the presence of active and plentiful wildlife in the Bow Valley corridor is valued by residents on a daily basis throughout the year. The presence of wildlife is also a significant draw for visitors and, therefore, integral to a healthy tourism industry, which is a significant driver of our local economy. Enjoying fireworks on a couple of occasions during the year must take a back seat to the potential impact of such on wildlife, with whom we must co-exist, protect, and value every day of the year.

Spark!!

Living in a valley full of trees, especially as we experience changing climate conditions that have created heatwaves, increased and earlier dry conditions, and higher risk of wildfire, means that as a community we must take whatever reasonable precautions are available to us to mitigate these conditions. As Town Council, it is one of our primary obligations to keep the community safe, and such is clearly captured in the Municipal Government Act as a reason for creating bylaws.

Fireworks, as suggested by their name, necessarily include some form of combustion or explosion. Said combustion or explosion then creates sparks and heated materials that create a brilliant display in the sky, but what goes up must come down. There can be no guarantee that the ash and chemical debris will be extinguished by the time it hits the ground, especially if it were to misfire, explode, and never get off of the ground.

As one extremely disastrous example, a California wildfire burned over 7,000 acres because of a firework set off for a gender reveal party (see attached article). Fires from fireworks is not a rare incident. The National Fire Protection Association (USA) reports that “an estimated 19,500 fires started by fireworks were reported to local US fire departments in 2018. These fires caused five civilian deaths, 46 civilian injuries, and \$105 million in direct property damage” (see attached summary of the 2018 report).

The Proposed Bylaw

The conditions are perfect for the Town of Canmore to have a bylaw to ban fireworks for at least the non-winter months of the year. Recently, the Canada Day organization has disbanded, which means that there will be no fireworks on Canada Day; and, therefore, the tradition of fireworks is already disrupted. Further, Alberta is seeing an early and record setting start to the wildfire season due to low snowpacks, little precipitation, and higher than normal seasonal temperatures. Due to the former, and despite the latter, there may be some people that take it upon themselves to use fireworks on Canada Day or another time without a permit as required by the Fire Bylaw. With these conditions, an increased hazard, and the potential risk of “rogue” fireworks, Canmore needs a stronger response to fireworks – a complete ban for at least part of the year and a severe penalty.

Given the adverse impact of fireworks on wildlife at all times of the year, it is arguable that a complete ban on fireworks throughout the year is what is needed. However, with the added risk of fire in non-winter months, the bylaw stipulates the ban would at least be in place from April 1 through November 30 every year. Should Council wish to consider a complete ban throughout the year, please see *Analysis of Alternatives* (below).

The proposed penalty is a fine of \$5,000.00 per occurrence. This is a severe penalty because of the potentially severe consequences. Disruption of wildlife can be lethal to animals as well as contravening our community values and potentially harming our local economy. Even worse, wildfire can endanger the lives of people and wildlife, ruin property and livelihoods, and potentially completely destroy our community. With these potential consequences, the penalty must be of the nature that will deter contravention of the bylaw.

Currently, under the Fire Bylaw, fireworks are allowed upon a permit being issued by the fire chief. The effect of the proposed bylaw, should it be approved by Council, is that the fire chief will not be allowed to issue permits during the period of the fireworks ban stated in the bylaw. At some point, no later than when the Fire Bylaw returns to Council for its periodic review, the Fire Bylaw should be amended to remove the contradiction between it and the proposed bylaw (if passed), which at that point the proposed bylaw can be rescinded due to being redundant. While an alternative way to proceed with banning fireworks would have been to amend the Fire Bylaw, the time and resources needed to make sure such was done without any unintended consequences would not allow this matter to be before Council in time to take effect prior to Canada Day and during this wildfire season.

We're Not Alone

It's interesting to note that the Town of Banff, our neighbour and valued partner in so many municipal initiatives in the Bow Valley, is also looking to ban any form of pyrotechnic displays given that such would not likely be approved by Parks Canada in Banff National Park. Please see the attached article from the Rocky Mountain Outlook entitled "Pyrotechnic Displays Under Review in Banff National Park".

In a recent meeting of Banff Town Council on May 8, 2023, Banff administration provided a report (Agenda Item #7.1 - attached) that states on page 3:

The \$9,000 historically allocated to the Banff Fire Fighters Association for fireworks has not been included in the Community Events annual operating budget since 2020. Should there be a desire from council to host an evening bonfire, BBQ and adult activities, an additional \$6,000 would need to be budgeted to support food and supplies, staffing and contractor costs. It is not recommended that low level pyrotechnics be considered for the event due to human and environmental health effects that could result, especially with it being the end of rutting season for elk. Should this be pursued, a Parks Canada impact assessment process would be required and most likely not approved.

ANALYSIS OF ALTERNATIVES

Council could decide that a complete ban on fireworks throughout the year is a better option than a ban on fireworks only in the non-winter months. If a Council member wished to pursue this option, the following amending motion could be put forward:

That Council amend s. 3 of Bylaw 2023-22 by striking out "between the dates of April 1 and November 1 of each year".

FINANCIAL IMPACTS

There are no significant financial impacts associated with approving this bylaw, i.e., the Town would simply not collect the very small quantity of fireworks permit fees during the time of the ban. The far greater, and incalculable, costs are the potential damages from disruption to wildlife and the risk of wildfire if this bylaw is not approved.

STAKEHOLDER ENGAGEMENT

There has been no formal stakeholder engagement, although requests for considering a ban on fireworks and/or concerns about the potential adverse impact of fireworks have been raised by residents to this and previous Councils as well as administration at various times in the past.

ATTACHMENTS

- 1) Article - “Do fireworks harm animals? We ask an expert”
- 2) Article – “California blaze caused by firework at gender reveal party”
- 3) NFPA’s “Fireworks Fires and Injuries” Report (2018)
- 4) RMO Article – “Pyrotechnic Displays Under Review in Banff National Park”
- 5) Town of Banff – Request for Decision Agenda 7.1 (May 8, 2023 Council Meeting)
- 6) Fireworks Ban Bylaw 2023-23

AUTHORIZATION

Submitted by: Sean Krausert
Mayor

Date: May 29, 2023



Conversations with experts

Do fireworks harm animals? We ask an expert

Pyrotechnics send animals' heart rates soaring, triggering a panic response and a desire to flee, says Prof Claudia Wascher



Coco Khan

@cocobyname

Fri 30 Dec 2022 15:00 GMT

They're a staple of our New Year's Eve celebrations, but do firework displays harm wildlife - and should they be cancelled? I asked Prof Claudia Wascher, whose [research](#) explored the impact of 31 December on birds.

Arguments about fireworks have been raging for years, usually between someone whose pet is upset and someone who thinks that person is a killjoy. Yet there's little science. Why?

I assume it's because fireworks happen at night, so it is difficult to study wild animals then. Also, researchers are off enjoying New Year's Eve, too.

Fair play - researchers deserve a night off.

There have been a couple of nice studies, though. One used weather radar images to [observe birds](#) fleeing during fireworks. Another used tracking data to show there is a [long-term effect](#) on migratory birds.

The lack of "official" data hinders action. Or maybe we see wild animals as more resilient.

Interesting, though my feeling is it's just not in people's minds. We don't have the wild animals in front of us, and often they're hiding anyway.

So how did you observe the wildlife?

We didn't observe. We implanted sensor/transmitter packages into geese, which recorded heart rate and body temperature every two minutes, over roughly 18 months. The mean heart rate over the first hour of the new year was *massively* increased. That means the animal is using *a lot* of energy.

They'll just collapse, exhausted?

Geese normally sleep on water, but they all took flight - it was a panic response. They wanted to get away from the fireworks, but

June 6, 2023 Regular Council Meeting 9 a.m.

Page 470 of 569

couldn't, because fireworks were everywhere. Also geese are not massively equipped to fly during the night, so there's the risk of injury, getting lost, etc.

This reminds me of a story from last year, where hundreds of birds were found dead on New Year's Day. What is it specifically about fireworks - sound or light?

Light disturbances have an effect. One study found that a light installation to commemorate 9/11 impacted migrating birds - they ended up changing their route. But I have a strong gut feeling it's more the noise.


Exploding chemicals in the sky probably isn't a great idea. Research shows that microplastics from the fireworks enter the water system.

We need to understand the whole impact - economic, animal welfare, human welfare. Figure that out, and maybe it won't be about cancelling everything, but just giving it more thought. Do we need fireworks in every garden? Maybe there are alternatives.

Drone light display! Well, once the technology is good enough. Apparently they gave it a go in Australia and all the AI drones got confused and fell into the river. Womp womp.

I'm all for new ideas.

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What could readers be doing to help wildlife during this time?

Aside from not having fireworks, create shelters by not clearing dead wood and leaves so animals can hide. Because you can't bring wildlife inside for the day and play them classical music.

Trying would certainly make for a memorable New Year's Eve.

Nooo, don't say it, or someone will!

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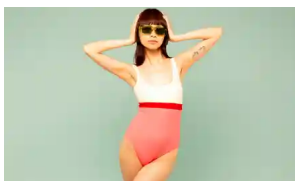
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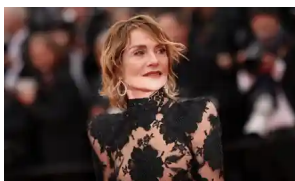
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Pyrotechnic device at gender-reveal party causes California wildfire - video

California

This article is more than **2 years old**

California blaze caused by firework at gender-reveal party

El Dorado fire, which has burned 7,000 acres, was caused by 'smoke-generating pyrotechnic device', fire department says

Helen Sullivan and agencies

Mon 7 Sep 2020 05.32 BST

A fire in California that has burned more than 7,000 acres (2,800 hectares) was caused by a firework set off at a “gender-reveal party”, the California Department of Forestry and Fire Protection (Cal Fire) has found.

In a statement released late on Sunday, the department said: “The fire began at 10.23am on September 5, 2020 in the El Dorado Ranch Park in Yucaipa,” before spreading north.

The agency said the fire was caused by a smoke-generating pyrotechnic device, used during “a gender-reveal party”. The fire started on Saturday morning.

“With the dry conditions and critical fire weather, it doesn’t take much to start a wildfire. Those responsible for starting fires due to negligence or illegal activity can be held financially and criminally responsible,” the statement said.

The fire has since destroyed 7,050 acres. It has prompted the evacuation of 3,000 residents, [CBS reported](#).

Almost 12,500 firefighters are currently battling 22 major fires across the state, according to Cal Fire. Earlier on Sunday, Cal Fire said [nearly 12,500 firefighters were battling 22 major fires in the state](#).

[Gender-reveal parties](#), at which expectant parents announce the genders of their soon-to-be-born infants, often feature elaborate ways of saying whether the baby is a boy or girl. They are a 21st-century invention, dating back to 2008, whose popularity has spread in the last decade through social media.

In July 2019, one of the pioneers of the gender-reveal movement - Jenna Karvunidis - said it was [time to “re-evaluate” the practice](#), and that her own daughter, announced to friends via a cake with pink icing inside, had begun to explore her gender and defy gender norms.

The El Dorado blaze is just the latest in a series of accidents that have been caused by gender reveal parties. In April 2017, an off-duty US border patrol agent, Dennis Dickey, caused \$8m of damage to 19,000 hectares (47,000 acres) of Arizona forest when he [shot at a target full of blue-coloured explosive](#) as a means of announcing the gender of his unborn child.

In October 2019, a [woman was killed](#) when a home-made device that was meant to discharge coloured powder exploded at a gender-reveal party in Iowa. And last year an airplane crash in Texas was also attributed to a gender-reveal party, as a plan to dump 350 gallons (1,300 litres) of pink water went awry.

Social media users have not been slow to criticise those responsible for the fire outbreak, which comes as California has been dealing with weeks-long wildfires and faced record-high temperatures over the Labor Day holiday weekend.



NATIONAL FIRE PROTECTION ASSOCIATION

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NEWS & RESEARCH

News & Research / Data, research, and tools / US fire problem / Fireworks fires and injuries

Fireworks fires and injuries

Report: NFPA's "Fireworks Fires and Injuries"

Author: Marty Ahrens

Issued: June 2020

Report



Fireworks Fires and Injuries

Each year, fireworks injure thousands and cause thousands of fires.

Download the report.

Tables

These tables support the Fireworks Fires and Injuries report.

Download the tables.

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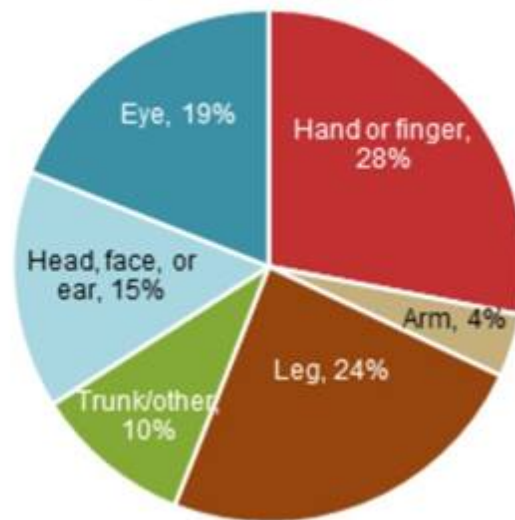
Highlights

An estimated 19,500 fires started by fireworks were reported to local US fire departments in 2018. These fires caused five civilian deaths, 46 civilian injuries, and \$105 million in direct property damage.

Based on 2014-2018 annual averages:

- Brush, grass, or forest fires accounted for three of every five (59 percent) of fireworks fires.
- Only nine percent of the fireworks fires were structure fires; but, these incidents accounted for almost all of the fire deaths, three-quarters (74 percent) of the fire injuries, and 45 percent of the fire property damage.
- More than one-quarter (28 percent) of fires started by fireworks in 2014–2018 were reported on the Fourth of July.
- The Consumer Product Safety Commission (CPSC) estimates that 9,100 consumer fireworks-related injuries were seen in US hospital emergency departments in 2018.*
- Burns accounted for 44 percent of the fireworks-related injuries seen in the month around July 4.
- Many fireworks-related injuries were caused by fireworks that are legal in most states.

**2018 Fireworks-Related Injuries*
by Part of Body Injured**



*Based on injuries during the month around July 4.

Source: CPSC's 2018 Fireworks Annual Report by Tu and Ng.

Pyrotechnic displays under review in Banff National Park



[Cathy Ellis](#)

May 19, 2023 3:15 PM



Firework displays, such as this one above the skies of Canmore, in 2021 have been banned in Banff since 2018 in favour of pyrotechnic displays, known as quiet fireworks. However, these pyrotechnic shows are now also under review in Banff. RMO FILE PHOTO

[Listen to this article](#)

00:05:28

BANFF – Pyrotechnic displays for Banff’s Canada Day and Halloween celebrations are fizzling out amid concern for impacts on treasured wildlife in Canada’s flagship national park.

Town of Banff officials say a pyrotechnics show won’t go ahead this year on Canada Day as Parks Canada reviews the impacts of noise and light flashes on wildlife, and the municipality assesses the secondary impacts on pets and people in the community. There is also no pyrotechnics display for Halloween.

In a briefing to council on May 8 on Halloween celebrations, Town administrators recommended against pyrotechnics given Parks Canada requires an impact assessment and preliminary discussions with the federal agency suggest they would unlikely get approval.

Amanda Arbuckle, manager of recreation services for the Town of Banff, said she couldn’t speak for Parks Canada, but ongoing research has indicated the impact of pyrotechnics, whether high level or low level, does have a “significant impact on wildlife.”

“It is not recommended that low-level pyrotechnics be considered for the event due to human and environmental health effects that could result, especially with it being the end of rutting season for elk,” she said of the Halloween celebration.

In 2018, Banff town council banned traditional loud fireworks for Canada Day, Halloween and New Year’s Eve celebrations in favour of special effects pyrotechnics, commonly referred to as silent or quiet fireworks, to lessen stress on wildlife.

The explosive noise from fireworks can cause fear, stress, disorientation and anxiety in wild animals and Parks Canada had reported observing a range of effects on wildlife, from summer nesting birds to wintering elk already distressed by the fall rut.

Even though pyrotechnics have reduced noise because there is no secondary explosion and the low altitude reduces the distance of sound travel, the shows still produced noise, bright flashes, smoke at crowd level and litter that had to be carefully recovered.

In 2018, 2019 and 2022, the Town of Banff provided a pyrotechnics display on Canada Day in place of loud fireworks. Pyrotechnics have also been used on New Year’s Eve in 2019 and 2022, while the last time a quiet fireworks display was held on Halloween was in 2019.

The Bow Valley Naturalists, which had lobbied Parks Canada for about 20 years to say no to fireworks, and believed pyrotechnics was a reasonable compromise back in 2018, welcomed the news.

"Certainly we're really pleased that Parks Canada is finally taking our concerns seriously and we are pleased with the direction the Town is going on this," said Reg Bunyan, the group's past president.

Coun. Hugh Pettigrew considered pushing for a pyrotechnics show for Halloween, but in the end, realized it might not go anywhere with Parks Canada.

"I hope you can appreciate my difficulty having heard from so many residents that are going to be disappointed," he said.

The Town is still planning a major celebration for Canada Day for residents and businesses alike and a community event for Halloween in October.

On July 1, a parade of non-motorized wheeled transport, such as bikes and skateboards, will be hosted by the Community Commuters. A main stage in Central Park will host live music and performances. The Canada Day Market is also a returning mainstay in Central Park.

In the heart of the downtown pedestrian zone, at the corner of Banff Avenue and Caribou Street, marching bands, dancers and performers will entertain the crowds throughout the day, while RCMP in full Red Serge will appear in various locations in town, along with roaming performers.

Bear Street will feature a cooling area with picnic tables and amenities in the central part of the street closed to vehicle traffic.

New this year on Banff Avenue, near Wolf Street, will be an art lane, with activities such as chalk art and live painting.

At the Banff Community High School field, a Family Fun Zone will feature a family-friendly stage, Canadian games and activities, and an Indigenous people's cultural area.

As for Halloween, in addition to \$3,000 already earmarked for family-friendly activities the Sunday before Halloween, town council has decided to spend another \$6,000 in order to host a Halloween bonfire, barbecue and adult activities this October.

For more than 25 years, there has been a community Halloween event in the Banff townsite.

Mayor Corrie DiManno expressed strong support for a community event that attracts all different ages around this holiday.

She said events for younger kids have been successful, but she likes the idea of also having a community Halloween event that caters to older teenagers and people not into the bar scene.

“We used to take for granted the simple act of being able to celebrate ... but being on the other side of the pandemic I think there’s a real thirst for wanting to gather,” she said.

“I am supportive of seeing how this goes in 2023 and then re-evaluating at service review to talk about it moving forward.”

Parks Canada did not get back to the *Outlook*.



About the Author: Cathy Ellis

[Read more](#)

Comments (0)

REQUEST FOR DECISION**Subject: Halloween in Banff**

Presented to: Council

Date: May 08, 2023

Submitted by: Amanda Arbuckle, Manager of
Recreation Services & Christine LaRocque,
Recreation Programmer

Item #: 7.1

**ADMINISTRATIVE RECOMMENDATION**

That Council receive this Report for the Corporate Record and take no further action.

BACKGROUND**Reason for Report**

At the December 19, 2022 Community Services Service Review, the following motion was passed:

FIN22-499 - Moved by Councillor Pettigrew

With respect to Item 6.2.1.8, Recreation Program, Events & Services, the following be approved:

That the Governance and Finance Committee recommend that Council direct Administration return to Council, no later than 2023 Q2, with a report outlining potential new Halloween activities, including a bonfire, that could be hosted within the community.

For: (6): Mayor DiManno, Councillor Canning, Councillor Christensen, Councillor Olver, Councillor Pettigrew, and Councillor Ram Against: (1): Councillor Pelham.

MOTION CARRIED**Summary of Issue**

There has been a community Halloween event for over 25 years in the Banff town site. With funding from local businesses, the Banff Fellowship for Community Spirit started hosting an event featuring a firework display in efforts to provide a safe activity for children and youth in the community. In 2003, the Banff Fire Fighters Association took over hosting the annual bonfire, hotdog feast and fireworks display with \$9,000 in funding provided through the Town's community event budget.

The Fire Fighters Association noted a reduction in both volunteers and public attendance in the last year in which the event was held (2019), in part due to the change to low level pyrotechnics which was undertaken to reduce potential human-wildlife conflicts in the park. Since 2019, the Town's community events team has hosted a family friendly one day event (Echoes of the Forest) on the weekend closest to Halloween at the Banff Recreation Grounds.



In 2020, under Covid-19 public health measures, all 60 registration spots for children aged 0 – 6 were filled for the activities held at The Fenlands. Activities included, skating, outdoor forest play, spooky story time and creative arts and crafts. Two free movie screenings with popcorn were also held in the evening at the LUX Theatre for youth in grades 7 – 12 but these had extremely low turnout (4 participants).



In 2021, with grant funding from the Banff Canmore Community Foundation, The Echoes of the Forest Halloween event was able to add additional activities including an evening adult story time and

fire at the recreation grounds on the weekend closest to Halloween night, which saw approximately 20 participants. The additional funding for this adult activity was not pursued for the 2022 line up of activities.



In 2022, the following activities were undertaken with funding being used from the approved Town of Banff community events budget with a total of **390 + participants**:

- ❖ Spooky Art in the Park with Mindy Johnstone: **20 registered participants**
- ❖ Non-registered activities including, healthy and sugary treats and hot beverages, Mud Monsters, Forest Play and Creepy Crafts with recreation leaders, Scary Harvest Crown Making with Jenn Fenn and a Fireside Frightening Sing Along with local musician Gary Gonis: **250+ participants**
- ❖ Children’s Story Time with the Library: **120 participants**

Feedback from parents and other event participants over the last two years has indicated support for activities outside of Halloween night. Parents and guardians have noted that it can be a bit too much on top of trick-or-treating and handing out candy. Further, from a program coordination perspective, it is admittedly more difficult to find volunteers/contractors to help host Halloween evening events with parents and families engaged in trick or treating, and with so many young adults working the evening in the service sector.

Halloween 2023

The Community Events team has again allocated funding from the existing events budget to host family friendly activities during the day on the Sunday prior to Halloween in 2023. Additionally, the Town of Banff has, and will continue to share safety related messaging and resources leading up to Halloween to help keep animals and trick-or-treaters stay safe (2022 Facebook post reach was 1,882). Based on the previous year attendance, we expect to see approximately 400 participants in these activities.

The \$9,000 historically allocated to the Banff Fire Fighters Association for fireworks has not been included in the Community Events annual operating budget since 2020. Should there be a desire from council to host an evening bonfire, BBQ and adult activities, an additional \$6,000 would need to be budgeted to support food and supplies, staffing and contractor costs.

It is not recommended that low level pyrotechnics be considered for the event due to human and environmental health effects that could result, especially with it being the end of rutting season for elk. Should this be pursued, a Parks Canada impact assessment process would be required and most likely not approved.

Response Options

Council may:

1. Receive this Report as information and take no further action; or
2. Increase the Community Events Budget by \$6,000 for a Halloween bonfire, activities and BBQ.

OTHER INFORMATION

Budget

2023 existing budget

Community Events Budget for Echoes of the Forest Family Halloween: \$3,000

Family Halloween*

Supplies (i.e. snacks, craft materials)	\$1000
Contractors (i.e. art class leader & musician)	\$1000
Staffing (i.e. Forest Play, crafts, etc.)	\$1000

* Includes existing capacity from programmer for coordination, use of previous years decorations, volunteers for crafts and story time, etc.)

2023 budget for response option 2

Halloween Night Celebration

Supplies (i.e. bbq materials, fire safety equip, decorations, etc.)	\$3000
Contractors (i.e. musicians & storytime reader)	\$1500
Staffing (i.e. coordination, setup & takedown, bbq, etc.)	\$1500



Internal Resources

Staff from the Community Services, Communications Municipal Parks, Facilities and Protective Services teams work closely together to deliver the annual Halloween activities.

Communication

Halloween activity and safety information are hosted on the www.banff.ca/events pages each year.

Banff Community Plan

Social

Facilities, programs and services goals:

- Offer a wide range of quality recreation and active living programs.
- Access to programs and services that are affordable for all segments of the community.

Objectives:

- Improve the quality, quantity and access to social programs, recreation, education and cultural facilities.
- Increase access to programs for low-income individuals and families.

Attachments

None

Circulation date: March 21, 2023

Submitted By: On Original
Amanda Arbuckle, Manager, Recreation

Reviewed By: On Original
Kelly Gibson, Town Manager

BYLAW 2023-23

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
BAN FIREWORKS**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as the Fireworks Ban Bylaw.

INTERPRETATION

- 2 In this bylaw:
 - a) “Fireworks means and includes any combustible or explosive composition or substance or combination of substances, or except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, pyrotechnics and any devices containing any explosives or flammable compound or any tablets or other device containing any explosive substance. The term “fireworks” does not include sparklers, toy pistols, toy canes, and toy guns;
 - b) “Person” means any individual, firm, partnership, association, corporation, or other legal entity.

GENERAL PROHIBITION

- 3 No Person shall set off, light, discharge, fire, or otherwise use Fireworks within the town of Canmore between the dates of April 1 and November 30 of each year.

ENFORCEMENT AND PENALTIES

- 4 Any person who contravenes any provision of this bylaw is guilty of an offence and upon conviction shall be liable for a minimum penalty of \$5,000 per occurrence.
- 5 A peace officer is hereby authorized and empowered to issue a violation tag to any person, who a peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 6 A violation tag may be issued to such person:
 - a) either personally; or
 - b) by mailing a copy to such person at their last known address.
- 7 The person to whom a violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the violation tag.

Bylaw approved by: _____

Page 1 of 2

- 8 If the penalty specified on a violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized and empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended.
- 9 Notwithstanding section 8 of this bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a peace officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 10 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

ENACTMENT/TRANSITION

- 11 If any clause in this bylaw contradicts a provision of any other Town of Canmore bylaw, then the clause in this bylaw shall prevail to the extent of the contradiction.
- 12 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 13 This bylaw comes into force on the date it is passed.

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

Bylaw approved by: _____



Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #:** H-1

TO: Council

SUBJECT: Housing Accelerator Fund – Action Plan

SUBMITTED BY: Whitney Smithers, GM of Municipal Infrastructure
Therese Rogers, GM of Corporate Services

RECOMMENDATION: That Council:

1. approve the Housing Accelerator Fund Action Plan as contained in Attachment 2;
2. direct administration to explore proposed amendments to the Land Use Bylaw and policy amendments that phase out “Tourist Home” as a use and report back to Council with findings and options;
3. direct administration to return to Council with a report on property tax policy options to incentivize purpose-built rentals and full-time/long-term occupancy of residential units;
4. direct administration to investigate and report back on changes to residential districts in the Land Use Bylaw that can facilitate provision of additional housing supply; and
5. approve a new 2023 capital project for \$200,000 for consulting and legal fees to support bylaw and policy initiatives to positively impact housing affordability and supply, to be funded \$50,000 from the General Capital Reserve and \$150,000 from the Development Application Reserve.

EXECUTIVE SUMMARY

Appropriate, quality housing directly impacts overall health and well being as well as people’s sense of belonging and security. Ensuring a community has the appropriate range and type of housing is an equity, justice, and inclusion issue. Council has identified Livability as one of the three goals for their current term with a specific focus on increasing affordability. Council has also held several workshops with Administration to understand what options the Town has at our disposal to address the current housing crisis that is impacting Canmore.

The Housing Accelerator Fund (HAF) was launched by the Government of Canada and the Canada Mortgage and Housing Corporation (CMHC) in spring of 2023. The objective of the HAF program is to create more supply of housing at an accelerated pace; enhance certainty in the development process; support the development of complete, affordable, inclusive, equitable and diverse communities; and support the development of low-carbon and climate-resilient communities. Nation-wide, four billion dollars is available through the program. An application for the program must be supported by a Council-approved Action Plan

that includes initiatives intended to increase the supply of housing units and to improve the systems in place to achieve the community objectives stated above.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

- Town of Canmore Strategic Plan 2023-2026
- Town of Canmore Budget and Business Plan 2023-2028

DISCUSSION

Successive Council Strategic Plans have consistently prioritized affordability, climate action, mode shift, and complete communities. The current Council Strategic Plan has the following goals:

1. *Livability*: Canmore is a place where all residents can thrive.
2. *Environment*: Canmore is a recognized leader in managing human impact on our environment.
3. *Relationships*: Respectful, authentic relationships are the foundation on which our future success is built.

The objectives of the HAF program are to increase supply of housing at an accelerated pace and enhance certainty in the approvals and building process, while also supporting the following priorities:

- Complete communities that are walkable, consisting of appropriate residential density and a diverse mix of land uses, providing access to a wide variety of amenities and services through public and active transportation.
- Affordable, inclusive, equitable, and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum.
- Low-carbon and climate-resilient communities.

In alignment with current and previous Council objectives, the Town has regularly included projects and programs aligned with the HAF objectives in its capital and operating budgets. These include:

- Process improvements and staffing increases in development planning and engineering
- Pilot projects, incentive programs, facility improvements and staffing increases to support climate action and adaptation work.
- On-going support of Canmore Community Housing through land transfers and funding.
- Investment in transit services and related infrastructure.
- Investment in municipal infrastructure designed to foster complete communities, promote active transportation, and reduce waste.

Nonetheless, the community continues to struggle with housing accessibility and affordability for the local population. Canmore is on the frontlines of finding solutions to the housing crisis faced by many Canadian and North American communities. According to the 2021 census, Canmore has the highest wealth inequality level in the country. Due to its location within the same valley as the entrance to Banff National Park, there is extremely high cost for housing - driven by high demand and low availability. The development footprint of the Canmore community is further limited by the location in the Bow Valley, nestled amongst the Rocky Mountains. Responsibility for stewardship of this special place also demands that growth is restricted so as to not jeopardize vital environmentally sensitive areas. Taken as a whole, Canmore has a restricted footprint,

highly sought-after housing, and prices that rival Toronto and Vancouver for rental and ownership opportunities.

To quantify the above, key factors impacting Canmore include:

- A growing proportion of non-owner-occupied dwellings – substantially higher than provincial average. Statistics Canada data indicates 8% of homes in Alberta are non-owner occupied compared to 26% of homes in Canmore being non-owner occupied.
- An increased proportion of households renting versus owning from 29% in 2011 to 34% in 2021.
- An increased proportion of households spending more than 30% of income on shelter costs.
- Monthly shelter costs have increased by 65% since 2006 and are 37% higher than the Alberta average. Shelter costs for owners include mortgage payments, property tax, and utilities and for renters include rent and utilities.
- Average property values have increased by 80% since 2006 and are twice as high as the Alberta average.

The HAF program provides incentives for municipalities to increase the supply of housing and the rate at which it is provided. Funding from the program is calculated based on the number of residential units estimated to be provided over a four-year time frame, provision of affordable units, proximity of new units to rapid transit, and delivery of ‘missing middle’ housing – typically this includes low-rise apartments, townhouses and fourplexes.

Uses of HAF funding can include, but are not limited to, e-permitting systems, construction of affordable housing, construction of housing-related infrastructure (water and wastewater utilities, transit, disaster mitigation, sitework), and community related infrastructure (roads, bridges, sidewalks and bike lanes, green space). While funding of process improvements like e-permitting would come from the Town’s Development Application Reserve, the HAF funding could likely contribute to infrastructure that supports development of lands in the Palliser area.

Background information on the HAF and its related requirements can be found in Attachment 1. Generally, applications to the HAF must include:

Action Plan (Attachment 2)

The Action Plan requires the municipality to specify a housing supply growth rate target and an estimated growth rate increase if successful in accessing the HAF. The overall housing supply growth rate target must be at least 10% over three years, and the annual growth rate attributable to the HAF must be at least 1.1%. For reference, Canmore’s growth rate for households from 2016-2021 averaged 3.5% annually. The housing supply growth rate is used in the calculation of funding. Additional targets, such as multi-unit specific and affordable housing, will also be considered and may increase eligible funding.

The Council approved Action Plan must also identify a minimum number of initiatives (in the case of Canmore, seven) that will help achieve the committed housing supply growth target or help achieve the substantive goals related to development application processing improvements, complete communities, diversity equity and inclusion, and climate resilient communities. A municipality may not include completed initiatives, or initiatives that started prior to April 2022. Many of the suggested initiatives listed on pages five

and six of Attachment 1 that could be included in an Action Plan have already been completed by the Town. For example:

- 1) Accessory dwelling units have been incentivized in the Land Use Bylaw since 2019 – applications for a single detached dwelling that include an ADU do not require a development permit.
- 2) Vehicle parking requirements for many types of residential and commercial development were reduced in 2019 – with an increase in requirements for bicycle parking.
- 3) Infill development in some parts of town encourages intensification.
- 4) Local transit service in Canmore has been free since 2018, supporting public transportation and the development of complete communities.
- 5) In 2024, the Town, the Province of Alberta, and the Bow Valley Regional Transit Services Commission are launching a new free seasonal transit route running between Quarry Lake Park and Grassi Lakes through downtown to the Palliser area, in support of mode shift and creation of complete communities.
- 6) Launched Happipad – a program intended to increase the utilization of existing housing stock by matching landlords or those with spare rooms with tenants.
- 7) Launched an electronic application submission process for planning applications.
- 8) User guides, FAQs, and checklists for planning and development applications, to improve clarity and consistency, and encourage submission of complete applications in development permitting systems.
- 9) The use of committees in the application review and approval process has been streamlined.
- 10) Off-site levy regulation requires clear, transparent assignment of costs for new infrastructure.
- 11) The Town has recently updated its Utility Master Plan.
- 12) The Town has been implementing measures to address climate change risk, including flood mitigation at Cougar Creek, emergency response plans, and regional emergency preparedness.

As stated above, however, despite ongoing efforts to address cost of living and access to housing in the community, Canmore is presented with unique challenges that, taken together, limit the effectiveness of municipal efforts to date.

Other suggested initiatives listed in Attachment 1 are not available to the Town under the provincial enabling legislation. For example, rental-only zoning, land use changes mandating ‘family units’, waiving public hearings, and inclusionary zoning are not available in Alberta given the existing provincial regulatory framework. Canmore Town Council has been, and continues to, work with partner municipalities on achieving Tourism Based Community designation with the Province. This status could potentially provide the Town with some of the tools mentioned above, as the housing crisis in the community is exacerbated by our attractiveness as a resort and second home destination.

Currently the Town has approved projects in capital and operating budgets that directly align with Action Plan initiatives. Additionally, administration has identified existing programs that would benefit from review and potential revisions. These items are included the Action Plan (Attachment 2), and in summary (numbering aligns with Action Plan reference) include:

- C-1 Palliser Trail Area Structure Plan (ASP)
- C-2 Development of recently acquired provincial lands in the Palliser area
- C-3 Improving e-permitting with a dynamic portal
- C-4 Updating the Engineering Design and Construction Guidelines (EDCG)
- C-5 Reviewing vacant Town land holdings

- C-6 Creating a Canmore Community Housing (CCH) residency program
- C-7 Development of CCH-owned lands at Stewart Creek and Palliser
- P-1 Update the Climate Action Plan
- P-2 Downtown Area Redevelopment Plan (ARP)
- P-3 Increased requisition to Canmore Community Housing (CCH)
- P-4 Stoneworks Flood Mitigation Construction
- P-5 Refresh Canmore Community Housing (CCH) Accessory Dwelling Unit (ADU) Grant Program
- P-6 Revise the CCH Vital Homes bonusing structure in the Land Use Bylaw

Lastly, Council has committed to some bold actions to address their livability, environment, and relationship goals. This includes an interest in furthering new initiatives. To this end, administration is recommending four initiatives intended to incentivize the availability and encourage additional supply of residential units for permanent and long-term residential use, and to discourage short-term rental of residential units, vacant and underused residential units, and vacant lots/land.

The enabling regulatory framework in Alberta is constrained relative to other provinces, largely because the Municipal Government Act allows municipalities to regulate a use (i.e., a dwelling unit) but not a user (who gets to live in that unit, or whether they own or rent). For this reason, while LUB changes may impact supply, they are not necessarily impactful regarding addressing issues of community equity, affordability, or availability of housing for the local population. This is supported by emerging research into ‘missing middle’ housing initiatives focused on land use bylaw changes, which suggests that while changing bylaws may increase supply and bring down rental prices, the increase in land values associated with these changes do not typically translate to more affordable housing stock. Such efforts should, therefore, be accompanied by significant spending on below- and near-market housing, provided by housing providers that can ensure the units remain affordable over time.

Given the recognized need for affordable housing units geared to a local population, and the limitations presented by our provincial regulatory framework, the new initiatives being proposed focus on levers other than the land use bylaw. The initiatives are intended to incentivize purpose-built rentals and housing for permanent residents, while at the same time creating a sustainable revenue stream for the creation of affordable and attainable units provided through local housing agencies such as Canmore Community Housing. These new initiatives are being put forward as a result of ongoing discussions with Council and administration, and they are recommended as worth pursuing regardless of the HAF application. The items are also included in Attachment 2 and are as follows:

N-1 Develop a plan to phase out the Tourist Home Designation: Although tourist homes have been permitted in certain residential areas of Canmore, their use as short-term rentals erodes the community’s inventory of housing stock that might otherwise be available for long-term residential purposes. Therefore, administration is recommending that Council consider the removal of Tourist Home as a use in the Land Use Bylaw. Existing tourist homes would become legally non-conforming – meaning they could continue to operate as a Tourist Home, unless the use ceased for six consecutive months, at which point they would revert to a residential use.

In terms of taxation, Tourist Homes used for non-personal use could retain the tourist home status and their reclassification to commercial properties would be explored. Tourist homes used for personal use would be reclassified as residential and lose their tourist home status. This change would be in perpetuity so future owners would not be able to revert to a Tourist Home. No new Tourist Homes would be approved moving

forward. In addition to this initiative serving to ensure more availability of residential properties for residences, it also could improve the Town's enforcement abilities, and could be accompanied by an increase in fines for property owners who choose to rent their units as short-term rentals without the requisite approval.

N-2 Investigate a tax structure to incentivize purpose-built rental accommodation: To help address the lack of long-term rental stock in the community, the investigation of tax policy to incentivize landowners to build purpose-built rentals is being recommended. While under provincial regulation, the municipal land use framework generally prohibits regulation of user (i.e., form of tenure) versus the use itself, the tax policy framework does allow the Town to take the approach of incentivizing certain forms of tenure. Tax incentives can be linked to tenure – in this case, long term rentals – and if a building were to convert to ownership, tax incentives would cease to apply.

N-3 Investigate tax structures to incentivize full-time/long-term occupancy of residential units:

Canmore has some of the highest housing costs in Canada. Increasing property values are contributing to rental housing demand as fewer full-time households can afford to purchase a home and turn to the rental market. Empty homes and homes that are infrequently occupied further contribute to the housing crisis by removing market opportunities for local residents. Incentives to occupy housing units long-term rather than keep them vacant can help with our housing crisis directly, by encouraging full-time occupancy. Administration is recommending that property tax structures that would create a surcharge for vacant or underoccupied properties should be investigated. Such a program would support provision of housing as it is recommended that additional taxes levied on those who choose to keep their homes vacant or under-occupied would be directed to the provision of affordable/attainable housing for long-term occupancy. This approach could include incentivizing the development of vacant lots/land.

N-4 – Land Use Bylaw changes: The above new projects are recommended by Administration as they are likely to have the most impact on improving the availability of housing for the local population. It is also recognized, however, that there are additional initiatives that could potentially support the provision of more housing units, which may impact availability of housing for town residents. This could include Land Use Bylaw changes, most notably related to residential building heights and parking requirements. Administration intends to consider such changes, and potentially pilot them in the land use districts in the Palliser and downtown local area plans.

Housing Needs Assessment (Attachment 3)

The application to HAF also requires the submission of a Housing Needs Assessment. Administration intends to re-use the assessment recently submitted to the province, with the commitment to add a reoccurring scheduled review date as required by the HAF. This assessment was provided in the May Committee of the Whole (COW) agenda; however, since then the province has updated the assessment to include 2021 Statistics Canada data (Attachment 3 is the updated version). The assessment will be publicly available on the Town's website. Administration is currently exploring the possibility of adding a templated Housing Needs Assessment to the Town website, so that community partners can use the data as required, and key stakeholders including CCH and the Bow Valley Regional Housing Association are able to share information to upgrade the data where possible.

ANALYSIS OF ALTERNATIVES

Council could choose to amend the Action Plan. Although many initiatives are underway or previously approved, Council could choose to amend the new initiatives by removing or adding projects or scope. For information, potential new projects considered for the Action Plan by Administration but not brought forward at this time include:

- Tax structures to discourage low density housing
- Reducing maximum house sizes allowed in the Land Use Bylaw
- Eliminate detached dwellings as a use in the Land Use Bylaw
- Fast-tracking affordable housing applications that include a minimum number of units dedicated to CCH
- Eliminate architectural guidelines

FINANCIAL IMPACTS

A new 2023 capital project for \$200,000 is included in the recommendations for Council’s consideration. The new initiatives will require resources, including legal and tax expertise, and potentially some land use planning resources that Administration does not have. This capital project is being brought forward to support the work needed to advance these recommendations.

It is recommended that the project be funded \$50,000 through the General Capital Reserve, and \$150,000 through the Development Application Reserve. The General Capital Reserve has a projected 2023 ending balance of approximately \$6.6 million and the Development Application Reserve has a projected 2023 ending balance of approximately \$942,000.

The Development Application Reserve is used to stabilize the operating budget, fund one-time operating expenditures, and fund capital expenditures related to business enhancements that support the processing of development related applications. While the tax policy work is not directly related to planning and development applications, Administration is taking on this work to address the gaps in housing stock provided by the private development industry and is exploring land use bylaw options that could potentially impact supply of housing.

STAKEHOLDER ENGAGEMENT

Information and recommendations contained in this report are the result of engagement and discussion among Council, executive staff, and multiple Town departments.

ATTACHMENTS

- 1) Housing Accelerator Fund Pre-Application Reference Material
- 2) Housing Accelerator Fund Action Plan
- 3) Housing Needs Assessment (updated version)

AUTHORIZATION

Submitted by:	Whitney Smithers GM of Municipal Infrastructure	Date: <u>May 25, 2023</u>
Submitted by:	Therese Rogers GM of Corporate Services	Date: <u>May 25, 2023</u>

Approved by: Palki Biswas
Manager of Finance

Date: May 25, 2023

Approved by: Sally Caudill
Chief Administrative Officer

Date: May 30, 2023

Pre-application Reference Material



TABLE OF CONTENTS

- 1. Purpose of this guide3
- 2. Program budget3
- 3. Objectives.....3
- 4. Eligible applicants3
- 5. Application streams3
- 6. Minimum requirements4
- 7. Action plans4
 - Housing supply growth target.....4
 - Additional targets5
 - Action plan initiatives.....5
- 8. Incentive funding and permitted uses6
- 9. Evaluation criteria.....7
- 10. Funding methodology9
- 11. Minimum documentation requirements 11
- 12. Reporting requirements..... 11
- 13. Advancing and reporting schedules..... 12
- 14. Contribution agreement 15
- 15. Application process..... 15
- 16. Important dates..... 15
- Appendix A: Application details 16

1. PURPOSE OF THIS GUIDE

This reference document will help applicants to get ready to apply to the Housing Accelerator Fund (the HAF) administered by the Canada Mortgage and Housing Corporation (CMHC). It informs applicants about program requirements and information that they will need to submit as part of their application. Potential applicants are local authorities as described in section four (4).

Through the provision of incentive funding, the HAF is intended to drive transformational change within the sphere of control of the local government regarding land use planning and development approvals with the overall objective to “accelerate supply” of housing.

As part of the application process, applicants must outline the actions that they will take to increase housing supply and reflect these initiatives in an action plan. Given the time that it may take to prepare the application, including the mandatory action plan and to obtain the necessary local approvals, CMHC is providing this document well in advance of the application intake portal opening.

For greater certainty, the formal application form for the HAF will be made available later in 2023 in support of the launch of the initiative when CMHC is ready to accept applications. It is possible that certain information will be requested within the application form that is not referenced in or that differs from this document.

2. PROGRAM BUDGET

With the launch of the HAF, \$4 billion in funds may be available to local authorities (see definition in section four (4)) to incentivize the implementation of local actions that remove barriers to housing supply, accelerate the growth of supply, and support the development of communities that are aligned with several priorities as described in section three (3).

3. OBJECTIVES

The primary objectives of the program are to create more supply of housing at an accelerated pace and enhance

certainty in the approvals and building process, while also supporting the following priorities:

- Supporting the development of complete communities that are walkable, consisting of appropriate residential density and a diverse mix of land uses, providing access to a wide variety of amenities and services through public and active transportation.
- Supporting the development of affordable, inclusive, equitable and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum.
- Supporting the development of low-carbon and climate-resilient communities.

As a result of investments towards these objectives and priorities, the HAF is expected to result in permits being issued for 100,000 more housing units than would have occurred without the HAF.

4. ELIGIBLE APPLICANTS

Local governments within Canada, including First Nations, Métis and Inuit governments who have delegated authority over land use planning and development approvals are eligible to apply to the HAF.

In the absence of a municipal-level authority, a regional district or province or territory that has authority for land use planning and development approvals may also apply to the HAF.

5. APPLICATION STREAMS

There are two application streams, as follows:

- **Large/Urban:** A jurisdiction located anywhere in Canada with a population* equal to or greater than 10,000, excluding those within a territory or an Indigenous community.
- **Small/Rural/North/Indigenous:** A jurisdiction located anywhere in Canada with a population* less than 10,000 or within one of the territories or an Indigenous community.

*Population based on 2021 census data.

6. MINIMUM REQUIREMENTS

To be eligible for incentive funding, the applicant must:

- Develop an action plan as part of their HAF application, including satisfying the prescribed minimum number of initiatives as outlined in section seven (7). The purpose of the action plan is to outline a housing supply growth target and the specific initiatives that the applicant will undertake to grow housing supply and speed up housing approvals.
- Commit to a housing supply growth target within their action plan that increases their average annual rate of growth by at least 10%. The growth rate must also exceed 1.1%*.
- Complete or update a housing needs assessment report** and include a reoccurring scheduled review date within the report to ensure that the needs assessment is kept current.
 - The requirement to complete or update a housing needs assessment report may be waived if the applicant recently completed or updated their housing needs assessment. Applicants that have completed or updated their housing needs assessment within two years of the 2022 federal budget announcement (April 7, 2022) can request that this requirement be waived. If there is no reoccurring scheduled review date on this existing housing needs assessment report, there remains a requirement to add a reoccurring scheduled review date.
- Submit periodic reports to CMHC in the form and timelines prescribed. See section 12 for additional details. This includes:
 - Progress reporting on the initiatives and commitments within the action plan.
 - Micro-level permit data for residential buildings for all permitted units.
 - Details that support that HAF funding was used for a permitted purpose.

*CMHC may consider growth targets that fall outside these program guidelines on a case-by-case basis considering actual applications received. Applicants are encouraged to put forward the strongest application possible. Refer to section nine (9) for details on the evaluation criteria.

**For those that need to complete or update their housing needs assessment, resources are available on [CMHC's website](#). The report is not required to be completed at the time of application submission, but it must be completed within the prescribed timeframe (i.e., the third reporting period). See section 13 for details on the reporting schedule.

7. ACTION PLANS

Applicants must provide an action plan as part of their application, which will assist CMHC in selecting applicants. If selected by CMHC, the action plan will form part of the contribution agreement. Refer to Appendix A for details on the type of information required as part of the application, including the action plan.

Each applicant must assess its own housing needs, challenges, and opportunities in considering whether to apply under the HAF. Applicants are encouraged to consider regional matters in developing their action plans. Applicants may wish to consult the information available on the Statistics Canada website as part of its assessment. [Table 98-10-0002-02](#) provides information on population and dwelling counts for provinces, territories, and census subdivisions.

Housing supply growth target

Within the action plan submitted as part of the application for HAF, the applicant will be required to provide two projections to CMHC as outlined below. The applicant must calculate their own projections based on reasonable assumptions and data sources, including Statistics Canada and/or its own administrative data. There is no prescribed formula; however, projections should be based on a three-year period ending September 1, 2026.

- The total number of permitted housing units projected **without** HAF.
- The total number of permitted housing units projected **with** HAF. This second projection is what is referred to as the "housing supply growth target."

For the purpose of determining if the committed growth rate satisfies the minimum 10% increase and exceeds 1.1%, the following formulas will be used by CMHC:

- The annual projected growth rate without HAF: $\frac{\text{total number of permitted housing units projected without HAF/3 years}}{\text{current total number of dwellings}} * 100\%$.
- The annual projected growth rate with HAF: $\frac{\text{total number of permitted housing units projected with HAF/3 years}}{\text{current total number of dwellings}} * 100\%$.

The current total number of dwellings should be consistent with the applicant's 2021 census data adjusted for additional dwellings built since that reporting period.

Additional targets

Applicants will also be able to set targets based on the type of housing supply that is projected to be permitted with the support afforded by the HAF program. These additional targets will increase the amount of funding available to the proponent if selected to participate in the program. The targets can be set for housing types that align with the priorities of the HAF program, which include:

- Multi-unit housing (in close proximity to rapid transit)
- Multi-unit housing (missing middle)
- Multi-unit housing (other)
- Affordable housing units.

Refer to section 10 for an overview of the funding methodology and definitions for each type of housing.

Action plan initiatives

The action plan must include initiatives that will help the applicant achieve their committed housing supply growth target and any additional targets. The action plan items must support enhancements achievable within the program's timeframe, but the intent is for changes to outlive the HAF.

The minimum number of initiatives depends on the application stream, as follows:

- **Large/Urban:** A minimum of seven initiatives.
- **Small/Rural/North/Indigenous:** A minimum of five initiatives.

All initiatives included within the action plan should be new initiatives that have not yet started. In exceptional circumstances, CMHC may be willing to consider initiatives that started after the 2022 federal budget (April 7, 2022), which announced the Housing Accelerator Fund, in cases where an applicant may be challenged to meet the prescribed minimum number of initiatives.

The applicant must indicate how each initiative will increase the supply of housing and associated timelines, as well as any other expected results.

The applicant must identify and explain how each proposed initiative supports at least one of the objectives of the program (see section three (3)).

The following list of initiatives are aligned with the objectives of the HAF program and reflect common practices in urban planning, contributing to more housing supply. Applicants are encouraged to select from this list where it makes sense to do so given the local context. There is flexibility for CMHC to consider alternative initiatives proposed by applicants. Actions that do not support the objectives of the program will not be considered.

- Promoting high-density development without the need for rezoning (as-of-right zoning), e.g., for housing developments up to 10 stories that are in proximity (within 1.5km) of rapid transit stations and reducing car dependency
- Allowing increased housing density (increased number of units and number of storeys) on a single lot including promoting "missing middle" housing forms typically buildings less than 4 stories
- Encouraging Accessory Dwelling Units—a second smaller unit on the same property as a primary unit
- Enable mixed-use redevelopment of city-owned properties, while where appropriate maintaining the current government use, e.g., building housing on top of a library or office space
- Promoting infill developments (adding new units to existing communities) with increased housing density and a variety of unit types (e.g., duplexes or secondary suites)
- Implementing rental only zoning
- Implementing land use changes mandating a minimum number of family units (units with more than two bedrooms) or allowing for office conversions to residential with minimum family unit requirements
- Implementing revised parking requirements such as reduced or eliminated parking spaces for new developments
- Implementing disincentives, costing or fee structures to discourage such things as unit vacancy, underdeveloped/ idle land, and low-density forms of housing
- Ensuring that development and amenity charges – fees that cover necessary infrastructure to support new housing and amenities such as libraries and recreation centres in and adjacent to the communities where development is occurring – are clear, transparent and pre-determined (not subject to negotiation)

- Aligning development charges with the costs of infrastructure and servicing
- Implementing incentives, costing or fee structures, for example density bonusing, to encourage such things as affordable housing and conversions from non-residential to residential
- Waiving public hearings on all affordable housing projects that conform to the official community plan
- Implementing measures to address or prevent flood plain or climate change risk for example making flood plains park land and/or creating relocation programs to move housing units out of at-risk areas
- Incorporating a climate adaptability plan into Official Community Plan
- Promoting and allowing more housing types that serve vulnerable populations
- Promoting regulated multi-tenanted housing forms (e.g., boarding houses or single room occupancy)
- Implementing inclusionary zoning (the requirement that a developer builds a certain percentage of their units at affordable (below market) prices or rents) in ways that foster development
- Encouraging alternative forms of housing construction such as modular housing, manufactured housing, and prefabricated housing
- Create a process for the disposal of city-owned land assets for the development of affordable housing as-of-right (not requiring rezoning)
- Implementing new/enhanced processes or systems such as case management, e-permitting, land and building modelling
- Implementing changes to decision making such as delegating development approval authority to municipal staff based on established thresholds or parameters
- Partnering with non-profit housing providers to preserve and increase the stock of affordable housing
- Updating infrastructure planning to align with official community plans, growth targets, and housing needs assessment

- Reducing and streamlining urban design and character guidelines, i.e., elimination of height restrictions, visual character requirements, view cones, setbacks, etc.

It is the responsibility of the applicant to determine and confirm that it has the requisite authority, expertise, capacity, and resources to implement any and all chosen initiatives. The contribution agreement shall include a representation and warranty by the applicant confirming the above and CMHC will be relying on the representation and warranty without any independent investigation. All action plans must be approved by elected Council (or equivalent, including delegated authority) and include an attestation of the applicant's Chief Financial Officer (or equivalent) on the viability of the plan using the prescribed form. The attestation must be obtained by the applicant before applying to the HAF. The approval may be obtained by the applicant before applying to the HAF and is required before the contribution agreement is signed.

Note: CMHC may provide successful applicants with an opportunity to propose additional initiatives and increase their housing supply growth target in the event there is unused funding in the later years of the program.

8. INCENTIVE FUNDING AND PERMITTED USES

The HAF is about driving transformational change and creating the conditions for more housing supply over the short and longer term. The HAF is intended to incent applicants to commit to change, show progress and be provided with funding in return.

For clarity, HAF is not directly underwriting specific housing projects or reimbursing proponents for specific costs incurred. Rather, HAF funding can be used in support of housing under any of the following four categories. For further details on how HAF funding would be advanced refer to section 13.

Permitted uses of HAF funding:

- Investments in Housing Accelerator Fund Action Plans
 - any initiative included in the proponent’s action plan and approved by CMHC.
- Investments in Affordable Housing
 - construction of affordable housing
 - repair or modernization of affordable housing
 - land or building acquisition for affordable housing.
- Investments in Housing-related Infrastructure
 - drinking water infrastructure that supports housing
 - wastewater infrastructure that supports housing
 - solid waste management that supports housing
 - public transit that supports housing
 - community energy systems that support housing
 - disaster mitigation that supports housing
 - brownfield redevelopment that supports housing
 - broadband and connectivity that supports housing
 - capacity building that supports housing
 - site preparation for housing developments.
- Investments in Community-related Infrastructure that supports housing
 - local roads and bridges
 - sidewalks, lighting, bicycle lanes
 - firehalls
 - landscaping and green space.

Proponents will be asked to estimate how much of their funding will be allocated to each category as part of their application (% of total estimated funding). If approved to participate in the program, proponents must report on how HAF funding was used in the form and timelines prescribed. Additional information on reporting requirements can be found in section 12.

Subject to the permitted uses outlined above, HAF funding can be used in conjunction with other CMHC or federal government programs, unless expressly prohibited under the terms of such initiatives. Please note that funding from the HAF will not be considered as local or PT (Provinces & Territories) cost-matching under the existing CMHC-PT NHS bilateral agreements, which exclude contributions from Government of Canada sources or from CMHC.

9. EVALUATION CRITERIA

CMHC will review all applications to determine if they meet program requirements of the HAF. The evaluation of the application will be based on the criteria listed in Table 1. All applications will be assessed and scored.

All initiatives outlined in the action plan will be individually assessed and scored; however, for prioritization purposes only the top five initiatives under the Small/Rural/North/Indigenous stream or top seven initiatives under the Large/Urban stream will be considered. While only the top five or seven initiatives will be used for prioritization purposes, additional initiatives should still be put forward within the action plan as required to support the committed housing supply growth target and alignment with HAF priorities.

The evaluation criteria are used to assess the application and to determine which applicants are selected to participate in the HAF. It will **not** dictate funding amounts. There is a separate funding framework for those that are selected to participate in the program. Refer to section 10 for the funding methodology.

Table 1: Evaluation criteria

Criteria	Assessment and Prioritization
<p>The commitment to increase housing supply</p> <p>Total available points: 10</p>	<p>Strong proposals will demonstrate a commitment to increase the supply of housing above the minimum requirements of the program.</p> <ul style="list-style-type: none"> • Annual growth rate: <ul style="list-style-type: none"> – over 2.5% - 5 points – 1.5% to 2.5% - 3 points – 1.1% to 1.4% - 1 point. • Annual growth rate percentage change: <ul style="list-style-type: none"> – over 20% - 5 points – 15% to 20% - 3 points – 10% to 14% - 1 point.
<p>The relevance of the initiative outcome(s) to one or more of the objectives of the HAF</p> <p>Total available points: NA (pass/fail)</p>	<p>Proposed initiatives within the action plan will be assessed to confirm if they support one or more of the following objectives, including priority areas:</p> <ul style="list-style-type: none"> • Creating more supply of housing at an accelerated pace and/or enhancing certainty in the approvals and building process. • Supporting the development of complete communities that are walkable consisting of appropriate residential density and a diverse mix of land uses providing access to a wide variety of amenities and services through public and active transportation. • Supporting the development of affordable, inclusive, equitable and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum. • Supporting the development of low-carbon and climate-resilient communities.
<p>The effectiveness of the initiative on increasing the supply of housing</p> <p>Total available points: 20</p>	<p>Proposed initiatives within the action plan will be assessed based on:</p> <ul style="list-style-type: none"> • Implementation: The time it will take to complete the initiative. <ul style="list-style-type: none"> – within 1 year - 5 points – within 2 years - 3 points – over 2 years - 1 point. • Supply Impact: The extent to which the initiative will improve housing and community outcomes. <ul style="list-style-type: none"> – high degree of improvement - 5 points – medium degree of improvement - 3 points – low degree of improvement - 1 point. • Timeliness: The time it will take to start to achieve additional permitted units as a result of the initiative. <ul style="list-style-type: none"> – within 1 year - 5 points – within 2 years - 3 points – over 2 years - 1 point. • System Impact: The extent to which the initiative increases stability and predictability in the housing system. <ul style="list-style-type: none"> – high degree of stability and predictability - 5 points – medium degree of stability and predictability - 3 points – low degree of stability and predictability - 1 point.
<p>The need for increased housing supply</p> <p>Total available points: 5</p>	<p>While not a mandatory requirement at the time of application submission, strong proposals will demonstrate housing needs as evidenced by a current housing needs assessment report.</p> <ul style="list-style-type: none"> • Yes, a current report is available - 5 points • No, a current report is not available - 0 points.

There is only one planned intake window. CMHC will consider take-up across jurisdictions and may adjust application rankings to support a national distribution. CMHC will make formal recommendations to the Minister of Housing and Diversity and Inclusion. Once approvals and final funding decisions are made, CMHC will advise applicants of the outcome.

10. FUNDING METHODOLOGY

For those applicants that are selected for participation in the HAF program (see section nine (9)), a funding framework will be used to determine the amount of funding per successful applicant.

There are three components of the funding framework: (1) base funding, (2) top-up funding and (3) an affordable housing bonus. For the base funding, the per unit amount will be higher for applications pertaining to the territories or Indigenous communities.

While the funding envelope is determined on the basis of per unit amounts, the HAF incentive funding is designed to support the costs associated with the initiatives within the action plan, as well as any other permitted use of funds in order to accelerate the supply of housing in Canada (see section eight (8) for permitted uses of funds). The proponent will have flexibility in how HAF funding is used provided it is for a permitted use.

Components of the funding framework:

- 1. Base funding** is designed to incent all types of supply across the housing spectrum. Base funding is estimated at \$20K* per HAF incented unit (\$40K* per HAF incented unit for applications pertaining to the territories or an Indigenous community). The per unit amount will be multiplied by the number of HAF incented units. HAF incented units refers to the difference between two

projections: (1) the number of permitted units that are anticipated **without** the support afforded by the HAF program and (2) the number of permitted units that are anticipated **with** the support afforded by the HAF program. The latter would establish the housing supply growth target, which would be included in the action plan and reflected in the contribution agreement.

- 2. Top up funding** is designed to incent certain types of housing supply. Top up funding will depend on the type of housing and the associated projected increase in the number of permitted units. There is no top up funding available for single detached homes. The value ascribed to each category will be multiplied by the associated projected increase in the number of permitted units. The targets established for each unit type would be included in the action plan and reflected in the contribution agreement.
- 3. Affordable housing bonus** is designed to reward an applicant that can increase its share of affordable housing units relative to the total projected permitted units with the support afforded by the HAF. The percentage growth will be multiplied by the ascribed value and then by the total projected permitted units with the support afforded by the HAF. The target would be included in the action plan and reflected in the contribution agreement.

*All per unit amounts for the base funding, top up funding and affordable housing bonus are estimated amounts that may assist potential applicants for budgeting purposes. CMHC may adjust these amounts and this flexibility is to help ensure that CMHC can support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding.

The following tables provide an illustrative example of the funding framework.

Table 2: Base Funding

	Total projected permitted units without HAF	Total projected permitted units with HAF	HAF incented units	Per unit amount	Base funding amount
Base funding	5,500	6,000	500	\$20,000*	\$10,000,000

A total of 500 HAF incented units * \$20K per unit = \$10M.

*All per unit amounts for the base funding, top up funding and affordable housing bonus are estimated amounts that may assist potential applicants for budgeting purposes. CMHC may adjust these amounts and this flexibility is to help ensure that CMHC can support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding.

Table 3: Top-up Funding

	Total projected permitted units without HAF by type of housing	Total projected permitted units with HAF by type of housing	Increase in housing type (#)	Per unit amount	Top-up funding amount
Single detached homes	2,000	2,100	100	\$0	\$0
Multi-unit housing (in close proximity to rapid transit)	400	450	50	\$15,000*	\$750,000
Multi-unit housing (missing middle)	1,000	1,250	250	\$12,000*	\$3,000,000
Multi-unit housing (other)	2,100	2,200	100	\$7,000*	\$700,000
Total units	5,500	6,000	500		
Top up funding					\$4,450,000

For example, an increase of 250 missing middle housing units * \$12K per unit = \$3M.

*All per unit amounts for the base funding, top up funding and affordable housing bonus are estimated amounts that may assist potential applicants for budgeting purposes. CMHC may adjust these amounts and this flexibility is to help ensure that CMHC can support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding.

Table 4: Affordable Housing Bonus

	Total projected affordable units permitted without HAF (%)	Total projected affordable units permitted with HAF (%)	Increase in the share of affordable housing units (%)	Per unit amount	Affordable housing bonus amount
Affordable housing bonus	2.00%	3.50%	1.50%	\$19,000*	\$1,710,000

An increase in the share of affordable housing units of 1.50% * 6,000 total projected permitted units with HAF * \$19K per unit = \$1.71M.

*All per unit amounts for the base funding, top up funding and affordable housing bonus are estimated amounts that may assist potential applicants for budgeting purposes. CMHC may adjust these amounts and this flexibility is to help ensure that CMHC can support higher than anticipated housing supply growth targets and outcomes across Canada within the overall program funding.

Total Incentive Funding: \$16,160,000

Base funding (\$10M) + top up funding (\$4.45M) + affordable housing bonus (\$1.71M) = \$16.16M

The average amount for each HAF incented unit is: \$32,320

Total incentive funding of \$16.16M / the number of HAF incented units of 500 = \$32,320

Definitions

- Single-detached homes refers to a building containing 1 dwelling unit, which is completely separated on all sides from any other dwelling or structure. This includes link homes, where 2 units may share a common basement wall but are separated above grade. It also includes cluster-single developments.
- Multi-unit housing in close proximity to rapid transit refers to any form of multi-unit housing in close proximity (1500m) to rapid transit, which operates frequent service with high capacity and priority over other modes of transportation typically achieved through an exclusive right-of-way.
- Multi-unit housing characterized as missing middle refers to ground-oriented housing types that exist between single-detached and mid-rise apartments. This includes garden suites, secondary suites, duplexes, triplexes, fourplexes, row houses, courtyard housing, low-rise apartments (less than 4 stories).
- Other multi-unit housing refers to all multi-unit housing excluding missing middle and multi-unit housing in close proximity to rapid transit.
- Affordable housing refers to housing units that are intended for households whose needs are not met by the marketplace. The local definition will be used for the purposes of HAF or in the absence thereof the provincial/territorial definition.

11. MINIMUM DOCUMENTATION REQUIREMENTS

To support their application, applicants will be asked to submit the following minimum documentation:

- Completed application form, including action plan
- Signed integrity declaration
- Most recent audited financial statements (if not available publicly)
- Current housing needs assessment report (if available at time of application)

- Attestation letter signed by the applicant’s Chief Financial Officer (or equivalent) using the prescribed form on viability of the action plan.

The action plan template will provide applicants with an opportunity to outline stated goals, objectives, and expected results. The applicant should be able to provide analysis or statistics to support the initiatives put forward in the action plan. This supporting information could be referenced directly in the application or be submitted as supporting documentation, for example, the applicant may wish to refer to a recent housing needs assessment, or other report outlining needs or opportunities for increased housing supply growth.

12. REPORTING REQUIREMENTS

There are three main reporting obligations under the HAF. The proponent will be required to adhere to specific reporting requirements, which include:

- Progress on the initiatives and commitments outlined in the action plan.
 - Actual start and completion date of each initiative
 - Percentage complete for each initiative
 - Overall status for each approved initiative (i.e., Completed, On Track, Delayed, Not Started)
 - Start and completion date of the milestone(s) for each initiative
 - Overall status for the milestone(s) for each initiative (i.e., Completed, On Track, Delayed, Not Started)
 - Rationale for the status of each initiative and/or milestone. Where there are delays and/or milestones have not been met, the applicant must provide a detailed rationale, including a proposed plan to get the initiative back on track
 - Number of net new units permitted for residential buildings during the reporting period*.

*Permitted unit refers to units for which building permits for new housing construction were issued during the reporting period for residential buildings. The reference to “net” is to consider any demolitions or conversions that may have also taken place during that period.

- Permit data for all housing units permitted during the reporting period. CMHC plans to leverage the data points consistent with Statistics Canada Building Permits Survey for consistency purposes.
 - Permit number
 - Submission date of permit request
 - Issue date of permit
 - Construction/demolition location (site address)
 - Type of building code
 - Type of work code
 - Dwelling units created (if applicable)
 - Dwelling units lost (if applicable)
 - Units demolished (if applicable)
 - Secondary suite
 - Number of stories.
- Details on how HAF funding was used during the reporting period.
 - Category and sub-category of incentive funding (see section eight (8) of this document)
 - Annual dollar amount per category and sub-category
 - Cumulative dollar amount per category and sub-category.
 - Details on capital projects facilitated with HAF funding.

There may be additional data points required as part of the reporting requirements listed above. Explanations for the data points will be made available for each reporting requirement in support of the HAF application intake opening later in 2023.

Proponents will be required to make progress reports and how funds were used public through normal governance mechanisms or other means deemed appropriate by the proponent.

13. ADVANCING AND REPORTING SCHEDULES

There will be a total of four advances to successful applicants (referred to herein as proponents), with one advance planned for each year of the program. Each advance will be subject to conditions including those noted below.

The reporting obligations for proponents will be outlined in the contribution agreement. Reporting will be required at the following intervals: (i) a report on a prescribed form due no later than 6 months following the date the agreement is signed; and (ii) for each subsequent advance, reports on a prescribed form due within 60 days of the anniversary of the agreement. A final report on the use of the HAF funds will be due within 90 days of the fourth anniversary of the agreement.

The reports provided below must be accompanied by an attestation of the applicant's Chief Financial Officer or equivalent (on a prescribed form), which confirms that the proponent remains in compliance with the terms and conditions of the contribution agreement and that the proponent's representations and warranties remain true. Requests for annual payments are dependent on meeting applicable reporting obligations.

Advance	Conditions
<p>Year 1 First advance: 25% of total approved funding*</p>	<p>An upfront advance will be provided to the proponent. The upfront advance is intended to enable the proponent to start the initiatives outlined in their action plan and to pursue other investments in housing provided the funds are used for a permitted use(s).</p> <p>First reporting period (first 6 months of agreement): No later than 6 months following the agreement date the proponent must submit to CMHC a letter (in a prescribed form) attesting that it is on track to undertake items outlined in its action plan and otherwise fulfil its reporting obligations under HAF. No supporting details are required to be submitted unless expressly requested by CMHC at that time.</p>
<p>Year 2 Second advance: 25% of total approved funding</p>	<p>Second reporting period (first year of agreement): Within 60 days of the first anniversary of the agreement the proponent must submit to CMHC the following:</p> <ul style="list-style-type: none"> • A progress report on the action plan initiatives and commitments. This report will be on a prescribed form. • A report that includes micro-level permit data for residential buildings for all permitted units issued during the annual reporting period. This report will be on a prescribed form. • A report that outlines how HAF funds were spent by the proponent during the annual reporting period. This report will be on a prescribed form. • A letter attesting that the proponent is on track to completing the items outlined in their action plan and has fulfilled its annual reporting obligations. This letter will be on a prescribed form.
<p>Year 3 Third advance: 25% of total approved funding</p>	<p>Third reporting period (second year of agreement): Within 60 days of the second anniversary of the agreement the proponent must submit to CMHC the following:</p> <ul style="list-style-type: none"> • A progress report on the action plan initiatives and commitments. This report will be on a prescribed form. All initiatives are required to be completed in support of the request for the third annual advance, including the housing needs assessment, as applicable. • A report that includes micro-level permit data for residential buildings for all permitted units issued during the annual reporting period. This report will be on a prescribed form. • A report that outlines how HAF funds were spent by the proponent during the annual reporting period. This report will be on a prescribed form. • A letter attesting that the proponent has completed the initiatives outlined in their action plan, is on track to achieving growth targets and has fulfilled its annual reporting obligations. This letter will be on a prescribed form.

*CMHC may on a case-by-case basis consider a higher first advance.

(Continued)

Advance	Conditions
<p>Year 4 Fourth advance: 25% of total approved funding</p>	<p>Fourth reporting period (third year of agreement): Within 60 days of the third anniversary of the agreement the proponent must submit to CMHC the following:</p> <ul style="list-style-type: none"> • A report confirming achievement of the housing supply growth target and any other targets established in the action plan. This report will be on a prescribed form. • A report that includes micro-level permit data for residential buildings for all permitted units issued during the annual reporting period. This report will be on a prescribed form. • A report that outlines how HAF funds were spent by the proponent during the annual reporting period. This report will be on a prescribed form. • A letter attesting that the proponent has achieved the housing supply growth target and any other targets outlined in the action plan and has fulfilled its annual reporting obligations. This letter will be on a prescribed form.
<p>NA</p>	<p>Fifth reporting period (fourth year of agreement): Within 90 days of the fourth anniversary of the agreement the proponent must submit to CMHC the following:</p> <ul style="list-style-type: none"> • A report that outlines how HAF funds were spent by the proponent during the annual reporting period. It is expected that all funds be spent before this final report is submitted and fully accounted for in the report. This report will be on a prescribed form.

CMHC will consider all relevant circumstances when determining whether to approve a request for advance during the prescribed timelines. CMHC will work with the proponent to address situations where achievement is delayed or not progressing as planned. If satisfactory arrangements to rectify the situation are not implemented, then CMHC may reduce or withhold payment of advances. CMHC will communicate funding decisions in writing.

14. CONTRIBUTION AGREEMENT

To participate in the program, approved applicants will be required to enter into a contribution agreement with CMHC in which it agrees to the commitments and to undertake the initiatives set out in the action plan. The form of contribution agreement will be made available closer to when the portal will be opening later in 2023.

15. APPLICATION PROCESS

The following provides a high-level overview of the application process:

- CMHC publishes program parameters and pre-application reference material, including an action plan template on its [website](#)
- Applicants assess their own local context, including housing challenges and opportunities
- Applicants develop an action plan unique to their needs in support of HAF, aligned with the prescribed action plan template
- Applicants obtain appropriate approvals
- CMHC invites applicants to apply/portal opens for application submissions
- Applicants submit their application to CMHC, including their action plan
- CMHC will evaluate and prioritize applications
- CMHC will advise the applicant on the status of their application
- For approved applications, CMHC will confirm the total amount of funding available to incent new housing supply, expectations on progress reports, and the planned schedule of payments
- If approved, the proponent signs the contribution agreement. If not already obtained, Council approval (or equivalent) of the action plan is required before the proponent enters into the contribution agreement
- The action plan will form part of the contribution agreement between CMHC and the proponent.

16. IMPORTANT DATES

The following provides an overview of planned activities. Some modifications may be required as CMHC prepares for implementation. CMHC will provide further details as they become available.

- Detailed program parameters published by CMHC
March 2023
- Potential applicants consider the program and develop their action plans if interested in applying
- Launch and opening of the application intake portal
Summer 2023
- All HAF participants selected Summer/Fall 2023
- First advances processed Summer/Fall 2023
- First reporting period is 6 months following the date the agreement is signed
- Second reporting period is the first anniversary of the agreement, reports due within 60 days
- Second advances processed Summer/Fall 2024
- Third reporting period is the second anniversary of the agreement, reports due within 60 days
- Third advances processed Summer/Fall 2025
- Fourth reporting period is the third anniversary of the agreement, reports due within 60 days
- Fourth advances processed Summer/Fall 2026
- Fifth reporting period is the fourth anniversary of the agreement, final use of funds report due within 90 days.

APPENDIX A: APPLICATION DETAILS

CMHC anticipates that the following information will be required in the HAF application form, but applicants should be aware that additional information may be requested in CMHC’s sole discretion.

1. GENERAL					
Section A: Applicant Information					
1.1. Organization Name (English)					
1.2. Organization Name (French)					
1.3. Organization Legal Name					
1.4. Organization Office Address	Street Number	Street Name	Street Type	Street Direction	Unit
	City		Province/Territory	Postal Code	
1.5. Applicant Contact Name (First and Last Name)					
1.6. Contact Email					
1.7. Contact Business Phone					
1.8. Contact Office Address	Street Number	Street Name	Street Type	Street Direction	Unit
	City		Province/Territory	Postal Code	
1.9. Primary Contact Preferred Language	English	French			
1.10. Applicant Stream	Large/Urban	Small/Rural/North/Indigenous			
1.11. Applicant Type	Local government Indigenous government Regional district Provincial or territory				
1.12. Council Approval	Indicate if Council approval (or equivalent) of the application has been obtained at the time of application submission. Yes No				

2. ACTION PLAN

Section B: Targets and Other Estimates

Projections should be based on a three-year period ending no later than September 1, 2026.

1. Total number of housing units projected to be permitted without any support afforded by HAF. If this projection does not align with historical trends, use the comment box below to explain and provide supporting details or analysis.	[insert number]
Provide a breakdown by type of housing:	
1.1 Single detached homes	[insert number]
1.2 Multi-unit housing (in close proximity to rapid transit)	[insert number]
1.3 Multi-unit housing (missing middle)	[insert number]
1.4 Multi-unit housing (other)	[insert number]
Total:	[calculated field: row 1.1 + row 1.2 + row 1.3 + row 1.4 must equal row 1]
2. Total number of housing units projected to be permitted with the support afforded by the HAF. This is referred to as the "HAF housing supply growth target."	[insert number]
Provide a breakdown by type of housing:	
2.1 Single detached homes	[insert number]
2.2 Multi-unit housing (in close proximity to rapid transit)	[insert number]
2.3 Multi-unit housing (missing middle)	[insert number]
2.4 Multi-unit housing (other)	[insert number]
Total:	[calculated field: row 2.1 + row 2.2 + row 2.3 + row 2.4 must equal row 2]
Provide a breakdown by year of the HAF program:	
2.5 For the year ending September 1, 2024	[insert number]
2.6 For the year ending September 1, 2025	[insert number]
2.7 For the year ending September 1, 2026	[insert number]
Total:	[calculated field: row 2.5 + row 2.6 + row 2.7 must equal row 2]
3. Total number of "HAF incented units" (units projected with HAF minus units projected without HAF).	[calculated field: row 2 minus row 1]
4. Percentage of affordable units projected to be permitted without any support afforded by HAF.	[insert percentage] %
5. Percentage of affordable units projected to be permitted with the support afforded by HAF.	[insert percentage] %
6. Total number of dwellings (i.e., current housing stock)	[insert number]
7. Projected average annual housing supply growth rate without HAF	[calculated field: row 1 / 3 years / row 6 * 100] %
8. Projected average annual housing supply growth rate with HAF	[calculated field: row 2 / 3 years / row 6 * 100] %
9. Projected increase in the housing supply growth rate	[calculated field: (row 8 minus row 7) / row 7]

Comments

Section C: Initiatives	
Initiative 1	[name the initiative]
Initiative Type	[select initiative from drop down – select the best one that applies]
Description	[provide a brief description of the initiative, including its goals and objectives]
Start Date	[start date or estimated start date yyyy/mm/dd]
Completion Date	[estimated completion date yyyy/mm/dd]
Estimated Costs	[estimated costs for implementing the initiative \$0.00]
Expected Results	[estimated number of permitted units the initiative will incent] [estimated number of permitted units the initiative will incent within the 3-year projection period] [other expected results]
Evaluation Criteria	<p>The following evaluation criteria will be used to assess the application.</p> <ul style="list-style-type: none"> - The committed housing supply growth rate will be used as part of the assessment criteria. <p>This initiative supports the following objectives (select all that apply):</p> <p>Creating more supply of housing at an accelerated pace and enhancing certainty in the approvals and building process. [explain how the initiative supports the area selected]</p> <p>Supporting the development of complete communities that are walkable consisting of appropriate residential density and a diverse mix of land uses providing access to a wide variety of amenities and services through public and active transportation. [explain how the initiative supports the area selected]</p> <p>Supporting the development of affordable, inclusive, equitable and diverse communities that encourage clear pathways to achieving greater socio-economic inclusion largely achieved through the equitable provision of housing across the entire housing spectrum. [explain how the initiative supports the area selected]</p> <p>Supporting the development of low-carbon and climate-resilient communities. [explain how the initiative supports the area selected]</p> <p>Answer the following questions in relation to the proposed initiative:</p> <ul style="list-style-type: none"> - Duration: How long will it take to complete/implement the initiative? [options include: within 1 year, within 2 years, over 2 years] [explain] - Timeliness: How long will it take to start to achieve additional permitted units as a result of the initiative? [options include: within 1 year, within 2 years, over 2 years] [explain] - Supply Impact: The extent to which the initiative will improve housing and community outcomes. [options include: high degree of improvement, medium degree of improvement, low degree of improvement] [explain] - System Impact: The extent to which the initiative increases stability and predictability in the housing system. [options include: high degree of stability and predictability, medium degree of stability and predictability, low degree of stability and predictability] [explain] - While not a mandatory requirement at the time of application submission, the presence of a current housing needs assessment will be considered as part of the assessment criteria.
Milestone 1	[name of milestone]
Description	[provide a brief description of the milestone]
Start Date	[estimated start date yyyy/mm/dd]
Completion Date	[estimated completion date yyyy/mm/dd]
+ADD Milestone	
+ADD Initiative	

Section D: Housing Needs Assessment

The applicant is expected to complete or update a housing needs assessment report to support its efforts to accelerate the supply of housing. This report is required in support of the request for the third annual advance. Applicants that have recently, within two years of the 2022 federal budget announcement (April 7, 2022), completed or updated their housing needs assessment can request that this requirement be waived. If there is no reoccurring scheduled review date on this existing housing needs assessment report, there remains a requirement to add a reoccurring scheduled review date in support of the request for the third annual advance.

Select the appropriate option below:

The applicant has recently, within two years of the 2022 federal budget announcement (April 7, 2022), completed a housing needs assessment report and there is a reoccurring scheduled review date already included in the report. The applicant is requesting that the housing needs assessment requirement be waived. If this option is selected, please submit the most recent housing needs assessment report with the application.

The applicant has recently, within two years of the 2022 federal budget announcement (April 7, 2022), completed a housing needs assessment report, but it will need to be updated to include a reoccurring scheduled review date. The applicant will add a reoccurring scheduled review date in support of the request for the third annual advance.

The applicant does not have a housing needs assessment report. The applicant will complete one and include a reoccurring scheduled review date in the report. This will be completed in support of the request for the third annual advance.

3. OTHER INFORMATION

Section E: Historical Building Permit Issuances

Summarize the number of net new units permitted for residential buildings over the prescribed reporting period and associated number of permits issued (i.e., the new construction permit/first permit issued only).

	Number of Units Permitted	Associated Number of Permits Issued
For the year ending December 31, 2022		
For the year ending December 31, 2021		
For the year ending December 31, 2020		
For the year ending December 31, 2019		
For the year ending December 31, 2018		

Section F: Permitted Use of Funds

For information purposes only. Using the illustrative examples provided by CMHC in its published program material, the applicant estimates that they may be eligible for a total of \$_____ under HAF. Based on this assumption, it is estimated that HAF funding will be used for the following purposes:

Permitted Uses	Applicant's Estimate %	Applicant's Estimate \$
Investments in HAF action plan items (include estimates by year of program)	YR1 _____%	YR1 \$ _____
	YR2 _____%	YR2 \$ _____
	YR3 _____%	YR3 \$ _____
	Total _____%	Total \$ _____
Investments in affordable housing	_____%	\$ _____
Investments in housing-related infrastructure	_____%	\$ _____
Investments in community-related infrastructure that supports housing	_____%	\$ _____

Supplementary information if available. Describe all known capital projects that HAF funding could help facilitate.

Comments

Section G: Infrastructure Needs

For information purposes only. To ensure better alignment and integrated planning of housing and infrastructure investments, CMHC is collecting the following information. The applicant consents to CMHC sharing this information and other information pertaining to its application under the Housing Accelerator Fund with Infrastructure Canada, other federal departments and agencies and provincial and territorial governments to support coordination.

Describe how the local authority will ensure that new housing supply adequately aligns with local or regional infrastructure plans, if applicable.

Describe how the local authority will ensure that new housing supply will be timely supported by infrastructure, such as public transit, drinking water and wastewater connections, as well as parks and green spaces and other vital community amenities.

Comments

4. APPLICATION TERMS AND CONDITIONS

By creating, or attempting to create an application to Canada Mortgage and Housing Corporation (“CMHC”) for funding, transfer of real property or any other Initiative or a Program under the *National Housing Strategy* (the “NHS”) or the *National Housing Act* (Canada) (the “NHA”), (each individually, an “Initiative” or a “Program”, and collectively, the “Initiatives” or the “Programs”), the Applicant hereby acknowledges and agrees to the following terms and conditions:

1. **Collection of Corporate Information and Personal Information (collectively, the “Information”).** CMHC (and parties working on its behalf or collaborating with CMHC to administer the Initiatives and the Programs, where applicable) may collect information about the Applicant, including information about the organization/corporation (“Corporate Information”) and Personal Information (meaning any information about an identifiable individual that is recorded in any form), from or through: (i) discussions with the Applicant; (ii) the online application form and its attachments (whether upon the saving of inputted Information into the form prior to submission of the application, or upon submission of the application) and supplementary Information provided by or on behalf of the Applicant; or (iii) other sources such as references, credit reporting agencies, provinces, territories, municipalities or Indigenous groups as will be specified in the Initiative. In addition, CMHC may collect Corporate Information that is presently in CMHC’s possession arising out of, or in connection with, the Applicant’s prior or existing relationship(s) with CMHC, such as from CMHC Initiatives, Programs or products. Completion of the application for funding, transfer of real property or any other purposes of an Initiative or a Program under the Initiatives or the Programs and the delivery to CMHC of signed consents referred to in Section 9 is voluntary; however, failure of the Applicant to provide such signed consents and any required Information in connection with its application (including within stated deadlines that may be specified in writing by or on behalf of CMHC) may result in the elimination of the application from consideration. If any of the collected Information changes or becomes inaccurate, the Applicant must promptly notify CMHC in writing of the change.
2. **Use and Disclosure of Information.**
 - a) The Applicant agrees that the Information collected in connection with an application may be used or disclosed for the following purposes:
 - (i) to assess the Applicant’s eligibility under the applicable Initiative(s) and/or Program(s);
 - (ii) to assess the application, including for prioritization of applications received;
 - (iii) to communicate to the Applicant possible opportunities under other Initiative(s) and /or Program(s);
 - (iv) to communicate to the Applicant possible collaboration opportunities with external parties;
 - (v) for Information verification and due diligence purposes, including to detect and protect CMHC from errors and fraud;
 - (vi) for any purpose related to the provision of mortgage loan insurance generally, where applicable;
 - (vii) for analytics, policy analysis, data analysis, auditing and research by CMHC;
 - (viii) for evaluation and efficient administration of the Initiatives and/or Programs; and
 - (ix) for use by CMHC and the Government of Canada for any purpose related to the *National Housing Act* (Canada) and/or the *National Housing Strategy*.

- b) Prior to submission of the application, any Information collected through the online application process may only be used by CMHC for internal administration and planning purposes in respect of initiatives and/or programs under the National Housing Strategy and/or the *National Housing Act* (Canada), unless the Applicant's prior written consent to the disclosure of such Information to parties external to CMHC, for the purposes outlined in subsection 2(a) above, has been obtained.
 - c) Upon submission of the application, CMHC and parties working on its behalf or collaborating with CMHC to administer the Initiatives and/or Programs, where applicable, are authorized to process and store the Information and disclose it, on a need to know basis, for the purposes outlined in subsection 2(a) above, to:
 - (i) the office of the Minister responsible for CMHC;
 - (ii) Employment and Social Development Canada ("ESDC"), the office of the Minister responsible for ESDC, Public Services and Procurement Canada ("PSPC"), the office of the Minister responsible for PSPC, Canada Lands Company CLC Limited ("CLC"), the office of the Minister responsible for CLC and the municipality in which the project is located, Indigenous Services Canada ("ISC"), the office of the Minister responsible for ISC, Crown-Indigenous Relations and Northern Affairs Canada ("CIRNAC"), the office of the Minister responsible for CIRNAC, the municipality or reserve in which the project is located, Infrastructure Canada ("IC"), the office of the Minister responsible for IC, and to any other successor organization of the organizations listed herein.
 - (iii) the Government of Canada; and
 - (iv) provinces, territories, municipalities or Indigenous groups that may invest in or provide support for the Applicant's project or otherwise collaborate with CMHC as will be specified in the Initiative.
3. **Agreements.** If the Applicant is selected by CMHC to receive funding and/or a transfer of real property, then the Applicant will enter into (and will cause related parties including guarantors, if any, to enter into) agreements that set out the terms and conditions of such funding and/or transfer of real property. Where CMHC is providing funding, the agreements may specify, among other things, the amount to be advanced to the Applicant as well as any terms and conditions of repayment, where applicable. The granting of loan or contribution funding or any part thereof or approval for mortgage loan insurance by CMHC is not to be construed or relied on by the Applicant or any other party as representing a confirmation of the value or condition of the underlying property, whether or not appraisals or inspections are carried out by or for CMHC; nor is it to be construed or relied on by the Applicant or any other party as representing a confirmation of the ability of the borrower(s) and any guarantor(s) to repay the loan, where applicable.
 4. **Intellectual Property Rights.** The Applicant owns and holds all rights, title and interests in, or has a valid right to use, all intellectual property in and to all information and materials produced in connection with the Applicant's project and the application (including, without limitation, all patents, industrial designs, trademarks, trade names, service marks, copyrights, trade secrets, inventions, know-how, domestic or foreign, and any registrations and applications for registration for any of the foregoing) to the extent it is neither published nor otherwise in the public domain. Subject to the terms and conditions of this application, the Applicant hereby grants to CMHC a non-exclusive, perpetual, irrevocable, assignable, royalty-free sub-licensable license to use, make, have made, sell, offer for sale, and import the intellectual property worldwide, with the right to make such modifications as may be desirable for any purpose related to the current or future operation of CMHC. Where an Applicant's intellectual property, in connection with its project under the Affordable Housing Innovation Fund, is modified by or on behalf of CMHC, CMHC shall own and hold all right, title and interests in and to the intellectual property as modified by or on behalf of CMHC. This provision, including the license so granted, shall survive the application.
 5. **Proprietary and/or Confidential Information.** All Information regarding the terms and conditions and financial and/or technical aspects of the Applicant's proposal that are proprietary or confidential in nature have been and will be marked "PROPRIETARY" or "CONFIDENTIAL" when submitted to CMHC. Proprietary and confidential markings shall be included beside each item or at the top of each page containing Information that the Applicant wishes to protect from disclosure. CMHC will make all reasonable efforts to protect the Applicant's documents and Information so marked from disclosure. Notwithstanding the foregoing, (i) CMHC shall have no liability of any kind to the Applicant, or any other party, based on inadvertent or unintentional disclosure of proprietary or confidential Information; and (ii) CMHC is authorized to disclose proprietary or confidential Information, on a need to know basis, to the parties listed in subsection 2(c). The Applicant has been advised that as a Crown corporation, CMHC is subject to federal legislation including the *Access to Information Act* and the *Privacy Act*. In certain specific circumstances, Information submitted to CMHC by the Applicant may be required to be disclosed pursuant to federal legislation. In such cases, to the extent reasonably possible and permitted under the law, CMHC will make efforts to advise the Applicant of the required disclosure prior to releasing the Information.
 6. **Publicity.** If the Applicant is selected by CMHC to receive funding and/or a transfer of real property, CMHC, the Government of Canada and any other province, territory, municipality or Indigenous group that invests in or provides support for the Applicant's project shall have the right to publicize details of the project, the funding assistance and the name of the successful Applicant. By submitting its application, the Applicant confirms its consent to the disclosure of this information. The Applicant is not permitted to make any announcement regarding any of the Initiatives and/or Programs, including without limitation, any funding or transfer of real property without the express written consent of CMHC.

7. **Contact.** CMHC and parties working on its behalf are each authorized to contact any person listed in this application (including any agent of the Applicant) to consider the Applicant's eligibility for the funding or transfer of real property requested or in connection with the administration of the Initiatives and /or Programs and may send such person(s) program information by email or other means of communication.
8. **Verification and Credit Inquiries.** Where applicable to determine creditworthiness for funding in the form of a loan, the Applicant authorizes CMHC and parties working on its behalf to: (i) obtain business credit reports or individual credit reports or both, where applicable (for example, on sole proprietors, surety/guarantors, for-profit corporate entities, not-for-profit organizations) to perform a credit check and verify information provided by or on behalf of an Applicant and to assess the Applicant's application; and (ii) make any other inquiries required, including without limitation, obtaining corporate and business information, to assess the Applicant's application.
9. **Integrity Checks.** The Applicant authorizes CMHC (and parties working on its behalf or collaborating with CMHC to administer the Initiatives and/or Programs, where applicable) to conduct general integrity and criminal record checks and other similar screening ("Integrity Screening") of the Applicant to assess the Applicant's eligibility for receipt of funding or transfer of real property under an Initiative and/or Program. CMHC may additionally require Integrity Screening to be performed on any parties affiliated with the Applicant, including without limitation, its directors, shareholders and beneficial owners, and the Applicant shall cause to be delivered to CMHC, consents to such Integrity Screening being performed duly signed by such affiliated parties.
10. **Acknowledgement.** The Applicant acknowledges that: (i) any acknowledgement of receipt of the submitted application shall not constitute an approval of the application or a guarantee that the Applicant will receive any funding and/or transfer of real property; (ii) the application and any other submitted materials will not be returned to the Applicant; and (iii) the Applicant is not entitled to any compensation for any work related to, or materials supplied in connection with, the application.
11. **Release and Indemnity.** By creating or attempting to create an application to CMHC under any of the Initiatives and/or Programs, and upon submission of an application, each Applicant and purported Applicant agrees to indemnify, release and forever hold harmless CMHC, its officers, directors, employees, agents and any other parties working for or engaged by or collaborating with CMHC or otherwise involved in connection with the administration of the Initiatives and /or Programs (including without limitation, provinces, territories, municipalities, and Indigenous groups) from any and all claims, actions, demands, causes of action, suits, debts, damages (including without limitation, direct, indirect, special, incidental, punitive, third party or consequential damages) or any other losses, expenses or liabilities of whatever nature or kind sustained by the Applicant or any other person arising out of, or in connection with, the Applicant's application or attempted application made to any of the Initiatives and/or Programs, including the assessment, evaluation and any selection process and any use of this website. CMHC is not responsible for applications that are lost, late, misdirected or delayed for any reason, including for any failure of the website or technical malfunctions related thereto.
12. **Access to Information and Privacy Statement.**
 CMHC is committed to protecting the privacy, confidentiality and security of the personal information that it holds by adhering to the requirements of the *Privacy Act* with respect to the management of personal information. By providing CMHC with your personal information for the purposes of one of the Programs, you are consenting to CMHC's collection, use and disclosure of your personal information in strict accordance with the *Privacy Act*. Personal Information collected by CMHC for the purposes of one of the Programs, can be found in their [Info Source Publication on their website](#) under the following Personal Information Bank:
 - CMHC PPU 220, National Housing Strategy Program and
 - CMHC PPU 180, Shared Equity Mortgage Providers Fund
 The *Privacy Act* provides individuals with a right to access their personal information that is under the control of CMHC, to request corrections of their personal information and to file a complaint to the Privacy Commissioner of Canada regarding CMHC's handling of personal information. Any questions, comments, concerns, requests for personal information or complaints may be directed to CMHC's Access to Information and Privacy Office at ATIP-AIPRP@cmhc-schl.gc.ca or you may also visit their [website](#).
13. **Headings for Convenience Only.** The headings used in these terms and conditions are intended for convenience or reference only and do not affect the interpretation of the provisions of these terms and conditions.
14. **Paramourty.** To the extent of any conflict, ambiguity or inconsistency between the provisions of these terms and conditions and any other documents provided to the Applicant, the provisions of these terms and conditions shall prevail and replace any existing terms and conditions in place with the Applicant, with regard to the subject-matters set forth herein.

If you have any questions or concerns regarding these Terms and Conditions, please [email CMHC](#).

5. ACKNOWLEDGMENT AND SIGNATURE

By signing below, I certify that I am authorized to agree to the Terms and Conditions described above and to complete and submit this application for and on behalf of the Applicant. I certify that the information provided is, to the best of my knowledge and ability, complete, accurate and correct and that if any of the information changes or becomes inaccurate, I shall promptly notify CMHC. I have read and understood the Terms and Conditions described above and acknowledge that they shall continue to apply upon my submission of this application. I confirm the Applicant has voluntarily consented to the collection, use and disclosure of information as set forth in these terms and conditions.

This application may be executed by electronic signature and such electronic signature shall be deemed to be an original signature for the purpose of this application with the same legal effect as a manual signature.

Full legal name of Applicant

Date Signed

Signature of Applicant authorized signatory

Name of Applicant Authorized signatory

Title of Applicant Authorized Signatory

Action Plan		
Current Initiatives		HAF Objective Alignment
C-1	<p>Palliser Trail Area Structure Plan (ASP)</p> <p>The Palliser Trail Area Structure Plan will provide the vision and policy direction for the future development of 9 hectares of Provincially and Town owned land into a diverse, affordable, and attainable community. The plan outlines the creation of a complete, mixed-use neighborhoods with opportunities for local-serving retail, services, pedestrian connections, and enhanced parks and public spaces where residents can gather. The plan also identifies ways to improve transportation and multi-modal connections to the rest of Canmore, including a pedestrian crossing across the Trans-Canada Highway. The plan area will accommodate a projected 1,200 residential units, with a significant portion of these being affordable.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
C-2	<p>Development of recently acquired provincial lands in the Palliser area</p> <p>In February 2023, the Town of Canmore requested the Province of Alberta advance the use of a 2.3 hectare parcel of provincially owned land for affordable and other non-market housing needs. The province has, through a reservation letter, consented to a transfer of the land to the Town for uses the support community livability and affordability. The agreement with Alberta Seniors, Community, and Social Services gives the Town three years to prepare an affordable housing project proposal that aligns with the community's affordable housing needs assessment; ensure provision of services that support complete communities; pursue adequate funding commitments for construction; and secure required permits and approvals. Once the Palliser ASP is approved, Administration will begin working on next steps for these lands.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
C-3	<p>Improving e-permitting with dynamic portal</p> <p>The Town will be launching an online application portal for all building and development permits. This portal will support a completely digital application process, where applications are uploaded and paid for by applicants online, and subsequent reviewed by staff, all within the same system. Applicants will have user accounts that will allow them to obtain up to the minute status updates on their applications. The improved system will also track review times more accurately, by capturing staff time and applicant resubmission time. The portal will streamline application submissions by only allowing complete applications to be submitted, which allow staff to focus their efforts on applications that are ready for review, which will support timelier review and decision timelines.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Speed up approvals and building processes

C-4	<p>Updating the Engineering Design and Construction Guidelines (EDCG)</p> <p>The 2023 EDCG update eliminated security requirements and construction completion process for on-site infrastructure; introduced a Lot Grading Certificate to eliminate inspections and approvals; and supports low-carbon community goals for travel by foot, bicycle, and transit by incorporating new design standards for complete streets to make travel safer, more affordable, and to reduce travel emissions. The EDCG update includes new Low Impact Development details for reduced stormwater runoff, air purification, and reduction of heat-island effect; new requirements for the use of tactile plates, and raised intersections and crossings improve inclusivity, accessibility and comfort for all road and pathway users.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Speed up approvals and building processes • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
C-5	<p>Reviewing vacant Town land holdings</p> <p>The goal of this project is to study the development potential of selected Town-owned sites within Canmore. Design options will be produced for each site, and analysis of each site will consider massing and form of adjacent development; existing policies; site conditions/developability, and off-site considerations. The study will provide sufficient information to understand the viability and feasibility of development on each site, to support decision making regarding future investments in housing. It will be used to inform decisions on future investments in housing on Town owned land.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities
C-6	<p>Creating a Canmore Community Housing (CCH) residency program</p> <p>The goal of this program is to create an inventory of non-market housing for purchase and sale to qualified residents of Canmore who occupy the unit as their permanent residence. In so doing we will help to create affordable, secure housing options for Canmore's resident workforce. Residency programs would be distinguishable from affordable housing programs by the absence of a household income threshold. One pilot program is underway regarding the provision of new units to CCH in exchange for a transfer of Town land to enable an Area Redevelopment Plan. Other options include incentivizing existing homeowners to restrict resales to eligible residents and the involvement of CCH in the monitoring and enforcement of employee housing caveats.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities
C-7	<p>Development of CCH-owned lands at Stewart Creek and Palliser</p> <p>CCH recently acquired Town owned land in the Stewart Creek subdivision that is adjacent to a CCH owned parcel. The two parcels have now been consolidated into one and CCH is now in the process of seeking rezoning on the property to maximize the affordable housing development potential.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities

Previously Approved Initiatives		HAF Objective Alignment
P-1	<p>Update the Climate Action Plan</p> <p>The Town currently operates under three environmental governing documents; the Environmental Sustainability Action Plan (developed in 2010), the Climate Change Adaptation Background Report and Resilience Plan (developed in 2016, expired in 2021), and the Climate Action Plan (developed in 2018). This project will bring these three documents into one overarching guiding document entitled the Climate Emergency Action Plan. This project will develop a new and updated mandate that builds on the work of the past 13 years, while taking into consideration the scientific advances in climate change projections and modelling. It will ensure that the Town’s efforts on environment and climate change are inclusive and equitable, and align with and support international, national, and provincial climate change initiatives, targets, or goals. It will define the cost, require resources, and expect outcomes of a set of specific, time-bound actions.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
P-2	<p>Downtown Area Redevelopment Plan (ARP)</p> <p>The Downtown Area Redevelopment Plan will investigate the possibility of the pedestrianization of a portion of Main Street; a key thoroughfare in heart of Canmore, and identify the potential impacts this closure could have on land use and public spaces in and around the area. This review of land uses will also include the review of key development standards, such as height and parking minimums, to maximize densification and diversification within the area. The review will also evaluate underutilized sites within the area to explore opportunities for expanded residential opportunities, where feasible.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
P-3	<p>Increased requisition to Canmore Community Housing (CCH)</p> <p>CCH is a not-for profit corporation wholly owned by the Town of Canmore. Administration costs are covered through municipal taxes and have not increased over the last three years due to budget constraints related to the Covid-19 pandemic. Access to affordable housing has emerged as the most pressing issue post pandemic, resulting in the Town’s Finance Committee providing direction to “Reassess the Canmore Community Housing requisition in the fall of 2023 for the 2024 budget amendment to ensure alignment with any new programs or priorities.”</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities
P-4	<p>Stoneworks Flood Mitigation Construction</p> <p>Flood mitigation project to sufficiently reduce flood hazards to lands planned for housing. This mitigation is a pre-requisite for development and is in the design stage. Funding has been secured through provincial and federal grant programs, and construction is planned for 2024/2025. Once completed, a large area of lands in the Silvertip and Palliser Area Structure Plan areas can be safely and sustainably developed.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities

<p>P-5</p>	<p>Refresh Canmore Community Housing (CCH) Accessory Dwelling Unit (ADU) Grant Program In 2022, CCH concluded a 3-year pilot program that provided grants of up to \$20,000 to homeowners for costs to construct an ADU at their property. Upon completion, the unit was required to be rented to CCH eligible renters at a minimum of 10% below market rental rates. An evaluation of the program revealed that the Covid-19 pandemic, homeowner difficulty in navigating the development permit process, and lack of adequate marketing were contributors to the low participation rate. The Town created an information guide to assist homeowners with navigating the process. CCH recently engaged a social media contractor to assist with marketing and brand awareness and will be launching a refresh of the ADU Grant program in 2024.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities
<p>P-6</p>	<p>Revise the CCH Vital Homes bonusing structure in the Land Use Bylaw The current approach to provision of CCH-managed housing through the bonusing provisions in the Land Use Bylaw does not serve the Town, CCH, or the building industry as well as it could. Administration intends to work with CCH and BOWDA to review the current system with the goal of finding ways to improve it.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities

<p>New Initiatives – no prior Council approval</p>		<p>HAF Objective Alignment</p>
<p>N-1</p>	<p>Develop a plan to phase out the Tourist Home Designation This project involves exploring the removal of the Tourist Home designation from the Land Use Bylaw, to encourage property owners to rent their properties long-term instead of as short-term rentals. In terms of taxation, Tourist Homes used for non-personal use could retain the tourist home status and their reclassification as commercial properties should be explored. Tourist homes used for personal use would potentially be reclassified as residential uses and lose their tourist home status. This change would be in perpetuity so future owners would not be able to revert to a Tourist Home. No new Tourist Homes would be approved moving forward. This could also improve the Town’s enforcement abilities and could be accompanied by an increase in fines for property owners who choose to rent their units as short-term rentals without the requisite approval.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities
<p>N-2</p>	<p>Investigate a tax structure to incentivize purpose-built rental accommodation: To help address the lack of long-term rental stock in the community, the investigation of tax policy to incentivize landowners to build purpose-built rentals is being recommended. While under provincial regulation, the municipal land use framework generally prohibits regulation of user (i.e., form of tenure) versus the use itself, the tax policy framework does allow the Town to take the approach of incentivizing certain forms of tenure. Tax incentives can be linked to tenure – in this case, long term rentals – and if a building were to convert to ownership, tax incentives would cease to apply.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities

<p>N-3</p>	<p>Investigate tax structures to incentivize full-time/long-term occupancy of residential units: Canmore has some of the highest housing costs in Canada. Increasing property values are contributing to rental housing demand as fewer full-time households can afford to purchase a home and turn to the rental market. Empty homes and homes that are infrequently occupied further contribute to the housing crisis by removing market opportunities for local residents. Incentives to occupy housing units long-term rather than keep them vacant can help with our housing crisis directly, by encouraging full-time occupancy. Administration is recommending that property tax structures that would create a surcharge for vacant or underoccupied properties should be investigated. Such a program would support provision of housing as it is recommended that additional taxes levied on those who choose to keep their homes vacant or under-occupied would be directed to the provision of affordable/attainable housing for long-term occupancy. This approach could include incentivizing the development of vacant lots/land.</p>	<ul style="list-style-type: none"> • Get more homes built faster • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities
<p>N-4</p>	<p>Land Use Bylaw changes Land Use Bylaw changes, most notably related to residential building heights and parking requirements, could potentially support the provision of more housing units. This may impact availability of housing for town residents. Administration intends to consider such changes, and potentially pilot them in the land use districts in the Palliser and downtown local area plans.</p>	<ul style="list-style-type: none"> • Development of complete communities • Development of affordable, inclusive, equitable and diverse communities • Development of low-carbon and climate-resilient communities



Housing needs assessment

Assessment: HNA-0011
Date of completion: 03/2023

For details on the meaning of each field and how to enter information, please refer to the [Affordable housing needs assessment guidebook](#).

Get started

Submission contact

Name: Sara Jones
Title: Executive Assistant
E-mail address: sara.jones@canmore.ca
Organization type: Municipal government
Name of municipal government: Canmore
Municipality(ies) in assessment: Canmore

Population

When entering information into fields, enter all the data for the municipalities you are completing the needs assessment on behalf of. All fields are required, unless otherwise noted. Information, where available from Statistics Canada for the municipality(ies) noted above is included in the grey boxes below.

Data for the municipality(ies) you have selected is not available due to data suppression from Statistics Canada to protect individual privacy. Please upload any municipal census report/dataset to support your Housing Needs Assessment submission.

	2016	2021	Compound annual growth (2016 - 2021)	2028 (projected)	Compound annual growth (2021 - 2028)
Total population	13,992	15,990	2.71%	18,095	1.78%
Household count	5,705	6,775	3.5%	7,552	1.56%

	2016	2021	2028 (projected)
Average household size (max 10)	2.4	2.3	2.3
Median age (max 99)	41.4	42.8	43
Percentage of population age 65 or greater (max 100)	13.1%	17.4%	19.2%

	Own home	Rent home	Rent home (subsidized)
Percentage of households 2021	66.27%	33.8%	12.2%

Comments on population, household projections and other population considerations (optional):

Source data for projected Average Household size (2.3)/Median Age (43)/percentage of population over 65 (17.4+1.4) taken from 2021 Statistics Canada Census and assumes comparable figures in 2027 from 2021 census data

Source data for projected population is Bow Valley Housing Needs Assessment (BVHNA) Section 5.1 (pg.45 in pdf). Source data for Household count is 2021 Stats Canada Census (6805) + (747) BVHNA (Table pg. 48 in pdf)(2023-2027: 75 SF+ 336 Row/TH +336 APT/Condo)

Canmore's estimated permanent population in 2022 is 16,417 people and the total population is estimated at 20,292 people.

Canmore's actual permanent population growth from 2016 to 2021 was 18% and the community population grew during that time by about 2,000 people.

Canmore's median age is 42.8 years old and these 2021 results continue the recent and ongoing aging trend.

Age categories at the upper range (65+ years) made up 18% of Canmore's population in 2021 compared to 13% 2016.

Comment: This stat may show a need for additional seniors housing but may not show a need for additional low-income seniors housing. This trend may be because Canmore attracts individuals with significant financial assets and these individuals tend to be older adults

Age categories at the lower range (below 15 years) made up 13% of Canmore's population in 2021 compared to 15% 2016.

Age categories at the middle range (15 years-64) made up 72% of Canmore's population in 2021 compared to 70% 2016.

Canmore had 6,800 households in 2021 representing an increase of 865 households from 2016.

Families without children make up 36% of all households, and those with children decreased from 33% in 2016 to 30% in 2021.

Comment: this stat may indicate a need for additional affordable housing for families with children

One person households increased from 24% to 27% of all household types.

The median total individual income in 2019 was \$47,010 which was 1% higher than in 2018 (\$46,590). This median income is \$4,500 more than the Alberta median individual income (Employment income and all other forms of income, including investment income). In 2019, the median individual employment income was just over \$39,000 or 83% of the median individual total income. The Alberta individual employment income during the same year was \$43,050 and this represents 92% of the median total individual income.

Comment: This stat highlights the need for housing that is affordable and accessible to local employees

The employment rate in 2016 was 71%, 1% less than in 2011 and 4% points greater than the Alberta rate.

Income/Economy

Information from Statistics Canada, where available for the municipality(ies) for which the assessment is being done, is included below. If you have more recent or relevant data, you may select the checkbox below and enter the relevant/updated information.

Median household income (2021.0)

	From Stats CAN
All households	\$107,000.00
Owner households	\$124,000.00
Renter households	\$79,500.00
Year of data provided	2021.0

Labour force data

The economic region has been determined based on the census subdivision(s) you have selected. For more information on economic regions, please visit the [Statistics Canada website](#). You may enter your own information instead of using the data from the economic region.

Reporting region:	Banff--Jasper--Rocky Mountain House
Labour participation rate:	70.4%
Unemployment rate:	5.3%
Month/year of data provided:	Mar-2022

Major local industries

Select from the National Occupation Classification (NOC) industries. Please include top ten employer/industries, including those that employ a majority of lower income households. Also highlight if the workforce is seasonal or temporary (e.g. construction projects).

Industry 1

Health care and social assistance

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 11% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy
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Industry 2

Construction

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 9% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 3

Professional, scientific and technical services

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 8% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 4

Retail trade

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Predominantly low income employment opportunities. No buffer through tipping structures. Making up 10% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 5

Educational services

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 7% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 6

Public administration

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 6% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 7

Administrative and support, waste management and remediation services

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 4% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 8

Other services (except public administration)

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

make up 5% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 9

Transportation and warehousing

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Making up 4% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Industry 10

Accommodation and food services

Top employers in industry (optional)

NA

Unique characteristics impacting housing demand (optional)

Generally lower income service industry jobs. Making up 15% of Canmore's top employment industries as the the 2019 Situational Analysis completed as part of the Economic Development Strategy

Housing

The housing data below is derived from the 2016 Statistics Canada Census. No entry is required. You can use this information to estimate housing need in the Housing Supply section of the Housing Needs Assessment.

A household is considered in “Core Housing Need” if its housing does not meet one or more of the adequacy, suitability or affordability standards, and it would have to spend 30 percent or more of its before tax income to access acceptable local housing. Acceptable housing is adequate in condition, suitable in size, and affordable. Adequate housing does not require any major repairs, according to residents. Suitable housing has enough bedrooms for the size (number of people) and makeup (gender, single/couple, etc.) of the needs of the households, according to National Occupancy Standard (NOS) requirements.

			Bachelor	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
Owner households							
In core housing need	Units		0	0	90	65	0
	%Total		0%	0%	7.53%	3.59%	0%
Spending more than 30% of household income on shelter costs	Units		0	25	345	280	135
	%Total		0%	18.52%	28.87%	15.47%	13.22%
Spending more than 50% of household income on shelter costs	Units		0	0	70	90	30
	%Total		0%	0%	5.86%	4.97%	2.94%
Renter households							
In core housing need	Units		0	50	40	0	0
	%Total		0%	9.62%	3.67%	0%	0%
Spending more than 30% of household income on shelter costs	Units		0	210	420	165	30
	%Total		0%	40.38%	38.53%	31.43%	27.27%
Spending more than 50% of household income on shelter costs	Units		0	70	135	70	15
	%Total		0%	13.46%	12.39%	13.33%	13.64%
All households							
In core housing need	Units		0	60	125	80	15
	%Total		0%	9.22%	5.48%	3.43%	1.32%
Spending more than 30% of household income on shelter costs	Units		0	235	765	440	165
	%Total		0%	36.15%	33.55%	18.84%	14.54%
Spending more than 50% of household income on shelter costs	Units		0	70	200	160	55
	%Total		0%	10.77%	8.77%	6.85%	4.85%

Additional information

Information on rents and vacancies is provided for your reference from CMHC and/or the Government of Alberta as of 2016.

		Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Canmore					
Average rent		\$	\$ 1,345	\$ 1,888	\$
Vacancy rate		0%	0%	4%	0%

Provide some context on the average rent or vacancy rates if the information above do not accurately capture the current market housing situation (e.g. variable housing demand due to seasonal/temporary fluctuations in population, vacancy mostly in high-end market units, and data inaccuracies due to survey methodology). (optional)

This section has been completed by Government of Alberta and the figures provided do not reflect the current rental market status. CCH gathers local rental listing rates monthly (document attached), for 2022 the Median rental market listing rates were : Bachelor:\$1,250/ 1-BDRM:\$1,880.50/ 2-BDRM:\$2,698.75 / 3-BDRM: \$3,475 . Vacancy rates in Canmore are 0% across the board.

We have a lack of available developable land and the cost to acquire the same.

Post COVID: a high volume of remote workers have moved to Canmore and absorbed rental units that were previously available to local workers. Their income is derived outside of Canmore and is higher than the local economy provides, by extension they have the ability to pay higher rents and this has driven the overall rental market prices up. A high volume of both retirees and remote workers have entered the local housing market, their wealth earned from outside of Canmore has been brought into the local market and they have absorbed previously available homeownership and rental units at price points that local workers can't afford. The cumulative affect of this wealth earned outside of Canmore entering the housing market has driven both rental and homeownership prices up significantly over the last 2 years.

Policies and key initiatives

Please provide current municipal/regional housing policies and key initiatives that enable affordable housing (e.g. tax exemptions, inclusionary zoning), as well as any current local community plans and regional growth strategies established within the last five years.

- Changed LUB to incentivize ADUs
- Exploring tax policies within the limits of the MGA
- Continue to enforce short term rental restrictions in residential areas
- Inclusionary zoning is not a tool available to us
- Currently doing local area planning with a focus on employee housing and affordable housing provide through our housing provider (CCH)
- Happipad - promoting tools to share availability of rental units in town - increase utilization of existing housing stocks

Files added: 0. Canmore Rental Summary 2022.pdf;BVR HNA May 2019 Final.pdf;Town of Canmore Situational Analysis Final Draft Feb 2020 (3).pdf;2023-2026 Council Strategic Plan.pdf;MDP-2016-03-amended Jan 2020.pdf

Community consultations

Please provide findings from community consultations undertaken on housing needs with persons, organizations, authorities, or community groups (including Indigenous groups) serving the priority low- to moderate-income populations* selected for the municipality(ies).

Who did you consult with?

Business community, not-for-profits, housing providers (BVRH, CCH), developers and builders, community at large

What was the consultation process?

Ongoing formal and informal conversations

What were the results of these consultations?

Resounding consensus on the overwhelming need for supports for affordable housing and housing supply overall

What target populations were the consultations related to?

People at risk of homelessness or transitioning out of homelessness supports

Other

Files added: NA

Housing supply

Please provide the number of non-market housing units currently in the municipality(ies), as well as the number of units currently needed.

2023 current state

	Existing units	Current unit deficit (need)	Current accessible unit deficit (need)	Number of households on waitlist
Community housing	58	145		29
Seniors self contained	62	40		38
Seniors lodge	85	0		24
Other seniors housing				
Non-market affordable housing	275			255
Permanent supportive housing	0	45		
Special needs				
Indigenous housing				
Rent supplement	46	340		8
Other				

2028 projections

	Current unit deficit (need)	Anticipated new units	Committed or under development	Projected new demand	Unit loss to expiry, condition or age	Total projected unit deficit
Community housing	145	0	0	34	0	179
Seniors self contained	40	0	0	27	0	67
Seniors lodge	0	0	0	67	0	67
Other seniors housing						
Non-market affordable housing				360		360
Permanent supportive housing	45	0	0	19	0	64
Special needs						0
Indigenous housing						
Rent supplement	340	0	0	43		383
Other						

If applicable, provide information on the number of emergency shelter spaces available, usage and trends associated with these spaces. (optional)

As per the attached 2020 Rural Housing and Services Needs Estimation project report (Bow Valley Report): "In total, there are 145 individuals within the Bow Valley that are either living in insecure housing conditions, or sharing these conditions with [housing needs estimation] survey respondents"

As per the 2022 Canmore Winter Emergency Shelter program review (HSBV program review): "During the 116 nights that the outreach and shelter programs operated, 28 unique individuals accessed a combined total of 366 bed nights."

As per the 2022 Living Wage Report, Canmore has the highest living wage in all of Alberta. This means that an individual in Canmore must earn more income to cover expenses related to a conservative, yet decent standard of living.

Files added: BVR HNA May 2019 Final.pdf; Bow Valley Report VFinal.pdf; HSBV Program Review 2022.pdf; 2022 Final LW report.pdf

Municipal priorities

Please list the top three (3) priority housing types for the municipality and the number of units needed. Provide rationale / key findings to support the top housing priorities.

Priority 1

Housing type: Non-market affordable housing

Current units available:

Current units deficit:

Projected unit deficit in 5 years:

Current vacancy rate:

Current waitlist count:

Key findings/comments

- Very low vacancy rates
- Attraction of housing for second home owners have substantially reduced available income appropriate housing for the local community
- High living wage - Canmore's 2022 Living Wage for various scenarios (see attached Living Wage Report)
 - o Family of four: \$131,586 household/year
 - o Lone parent: \$85,813/year
 - o Single individual: \$52,780/year

Please upload any documentation you may have to support this priority. (optional)

Files added: 2022 Canmore Living Wage Report.pdf

Priority 2

Housing type: Rent supplement

Current units available:

Current units deficit:

Projected unit deficit in 5 years:

Current vacancy rate:

Current waitlist count:

Key findings/comments

See previous submissions

Please upload any documentation you may have to support this priority. (optional)

Files added: NA

Priority 3

Housing type: Other

Current units available:

Current units deficit:

Projected unit deficit in 5 years:

Current vacancy rate:

Current waitlist count:

Key findings/comments

- Tools for work to reside housing
- Housing protected for local residents/workers

Please upload any documentation you may have to support this priority. (optional)
Files added: NA

Municipal endorsement

Have you received a municipal endorsement for each municipal government this submission is for?

Please upload copies of supporting documentation of your municipality's endorsement(s) for this Housing Needs Assessment.

The municipal endorsement may consist of: approval by council, council committee, or municipal general manager.

For questions about municipal endorsements, please contact SH.HousingNeedsAssessment@gov.ab.ca.

Files added: Housing Needs Assessment - Municipal Endorsement.pdf



Request for Decision

DATE OF MEETING: June 6, 2023 **Agenda #** H-2

TO: Council

SUBJECT: Retail Gap Analysis and Light Industrial and Commercial Land Review

SUBMITTED BY: Eleanor Milette, Manager of Economic Development

RECOMMENDATION: That Council direct administration to return with recommended amendments to the Land Use Bylaw and Municipal Development Plan to discourage the provision of employee housing in industrial districts.

EXECUTIVE SUMMARY

As part of the 2021 budget and as a recommendation in the Economic Development Strategy, and the Business Recovery Taskforce, a Retail Gap Analysis and Light Industrial and Commercial Land Review (herein referred to as “the study”) began in February of 2022. Administration is now providing the final report to Council for information.

The study focused in on two elements. The first is the Retail Gap Analysis, which looks to understand our retail profile, consumer demands, gaps, and opportunities. The second was a Commercial and Industrial Land supply-and-demand inventory and analysis, which provides guidance and recommendations on a strategic approach related to industrial and commercial lands.

While housing was not the primary area of focus for the study, the authors did recommend against repurposing light industrial space and land for employee housing. This recommendation, combined with an increasing number of development permit applications related to the provision of employee housing in light industrial districts, and the applicable language in the Land Use Bylaw, has informed administration’s recommended motion.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAW

Council Motions:

- 58-2020: Council accepted the Economic Development Strategy as presented for planning purposes.
- 257-2021: Council accepted the Business Recovery Taskforce Report for planning purposes.

Alignment with Council’s 2023-2026 Strategic Plan:

- Livability – Result 4 - Employment opportunities that provide residents with a dignified and reasonable standard of living are widely available.
- Relationships – Result 2 – Intergovernmental, business, and non-profit relationships result in mutually beneficial outcomes.

DISCUSSION

The study sets out to equip the Town with the tools to sustain and enhance the economic health and diversity of the community. The report will also support various industry segments including developers, real estate agents, building owners, and commercial businesses by providing data to inform business decisions and identify potential diversification opportunities. Attached to this report is the Council Summary. The full report will be posted online on the Town's website at: <https://www.mycanmore.ca/retailgap>

The analysis offers a snapshot of the relative strengths and weaknesses in Canmore's retail offerings, as well as supply and demand overviews for commercial and industrial lands. The study is intended to empower stakeholders with data that can be used to inform decisions for both existing and new business ventures.

Data Gathering & Fact Finding

Based on the data collected, the study:

1. Provides a regional and local context in terms of geographic location, regional access, traffic counts and review of relevant plans and studies,
2. Identifies trends that might impact the business community,
3. Identifies the trade area that accesses Canmore's businesses,
4. Reviews and reports on the 10 non-residential nodes in Canmore and documents market factors such as industry make-up, vacancy etc.,
5. Identifies consumer trends through consumer survey,
6. Outlines a demand and gap analysis of current retail, commercial and industrial business, and
7. Outlines a business targeting action plan.

The study identified a retail trade area population of 34,551 (Figure 4-1 on page 5 of the Council Summary Report), and while tourism is a key part of the Town's identity and retail positioning, Canmore residents still account for most of the spending in the trade area.

The town has approximately 2.33 million square feet (sf) or 216,464 square meters (sq m) of total ground floor business space, of which 37% is retail, and 11.6% is industrial floorspace. The remainder of business space is commercial in nature such as office space, warehouse/storage, professional services, banking, restaurants, etc.

The Town has a very low commercial vacancy rate; less than 1% of total inventory, or 2.2% when based upon only retail floor space. Business consultation through this project and the ongoing monitoring of commercial and industrial lease rates by Economic Development confirms that these costs continue to increase with sustained low vacancy rates believed to be a key contributing factor.

Based on the research conducted, the forecasted demand* by 2032 is estimated at:

- Retail: 221,237sf (20,553 sq m) of new gross floor area
- Office: 51,474 sf (4,782 sq m) of new gross office floor area
- Industrial: 98,434 sf (9,144 sq m) of new gross industrial floor area

**Based on the current projected population growth of 2.16% per year.*

Recommended Strategy & Objectives

The recommendations in the report are centered around four core objectives (pages 13-19 of the Council Summary Report):

1. Collaborate with the business community on shared priorities (e.g., Enable inclusive growth aligned with Canmore's values, define a shared vision for business within Canmore, and clarify land use plans and policies for businesses)
2. Continue to implement measures to increase livability in the community and address housing challenges (e.g., workforce housing strategy, mixed use commercial development, and integrated transportation plans)
3. Encourage vibrant commercial nodes with a variety of resident-oriented goods and services (e.g., Attract value-oriented merchandisers, store front improvements, and activation of vacant spaces)
4. Retain and encourage efficient use of the industrial lands (e.g., clearly define a vision for industrial in land in Canmore, business incubation, and industrial infill opportunities)

Given that the study provided recommendations related to specific land uses, it is important for Council and the community to have a clear understanding of land use definitions in order to paint an accurate picture of what implementation of these recommendations could look like. The allowable uses within the different land use districts that were analyzed in the study, are defined uses in Land Use Bylaw 2018-22 as follows:

Commercial generally means the provision of finished goods for sale and/or a personal/professional service e.g., eating and drinking establishments, office, medical clinic, clothing store, grocery store, financial institution, convention centre, personal service businesses etc.

Industrial generally means the manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products or equipment; the cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment and; the offices or workshops of contractors engaged in either building trades and services; e.g., Laundry Facility, Light Manufacturing, Contractor Service and Repair.

Some of the key recommendations are:

- **Commercial/Retail:**
 - Given the current lack of land available within Canmore's development areas, any new standalone commercial developments should have vertical mixed-uses, including residential above commercial to accommodate a range of uses.
 - There is an opportunity to increase Canmore's current retail market share, by prioritizing identified gaps in value-oriented convenience and day-to-day goods and service categories. Descriptions and examples of such retailers can be found on pages 15-17 of the Council Summary Report.
- **Light Industrial:**
 - In some compatible communities, where physical land constraints like we have in Canmore are not an issue, Accessory Dwelling Units (ADUs) in industrial zones present unique

opportunities to enable additional housing and maximize available land, while maintaining light industrial as the primary use. In Canmore's case however, ADUs are not appropriate or compatible because of the current limited nature of industrial lands and the resulting potential for conflicts between uses to arise, which could indirectly limit new business opportunities in the community and/or present challenges for residents trying to live in the area.

- Industrial lands should focus on intensification and densifying of under-utilized lands through infill and redevelopment with an eye towards finding synergies between industries and supporting local employment opportunities. The study recommends a focus on encouraging high yield, compact, local, small industrial businesses and creating opportunities for home-based businesses to transition into commercial spaces.
- When considering which types of businesses Canmore should target, consideration should be given to encouraging businesses that align with Canmore's values of sustainability and climate action.

Housing

While not the primary focus of the study, the authors provided some commentary related to housing availability and affordability challenges and associated pressures on commercial and industrial uses. Given the generally lower cost of land zoned for light industrial activities and the high need for employee housing both for businesses and for staff, it is not surprising that administration has received an increasing number of applications to provide second floor employee housing in these areas. Given varying interpretations of language in the Municipal Development Plan (MDP) and the Land Use Bylaw (LUB) regarding Employee Housing in industrial districts, some applications are denied by administration, resulting in confusion and frustration in the development community and appeals to the Subdivision and Development Appeal Board (SDAB).

The authors of the study recommend against allocating any of Canmore's limited supply of light industrial land for residential use. While there may be short-term benefits in terms of easing housing constraints to allow residential use in these areas, administration is concerned with potential unintended consequences on community equity. Primary concerns are around the livability of the spaces and neighbourhoods for residents, the potential for precarious housing circumstances to exist for employees whose shelter is controlled their employer, and the possibility that inequitable neighbourhoods will be created. In addition, the Town has such limited industrial lands that the potential for long term negative consequences for small business owners to open and run businesses here could be significant. This will severely limit the Town's ability to advance economic development growth and diversification.

Additionally, at the same meeting Council will receive a report on the Housing Accelerator Fund (HAF) and all the work the Town is undertaking to advance initiatives that will have a positive and significant impact on housing in Canmore. Given the other housing initiatives underway and because of these long-term consequences, administration recommends that the LUB and MDP be amended to provide greater clarity and clearer language on this matter.

ANALYSIS OF ALTERNATIVES

If Council desires for residential units to be approved in industrial districts, Council could direct administration to bring forward LUB and MDP changes that provide greater clarity to clearly allow residential units in industrial areas. The alternative motion would be:

That Council direct administration to return with recommended amendments to the Land Use Bylaw and Municipal Development Plan to clear up restrictions and conflicting statements and interpretations to allow the provision of employee housing in industrial districts.

FINANCIAL IMPACTS

Adoption of the plan does not have immediate financial impacts. Recommendations will be reviewed as part of normal budget and planning processes.

STAKEHOLDER ENGAGEMENT

Retail Gap Analysis and Light Industrial Land Review RFP was developed in partnership with Economic Development, Communications, Planning, and designate members from the Recovery Taskforce.

Stakeholder Interviews conducted across industry sectors in Food and Beverage manufacturing, industrial, and retail as well as Downtown Canmore BIA.

The Planning and Development and Economic Development departments participated in internal interviews.

249 community survey responses were received.

ATTACHMENTS

- 1) Retail Gap Analysis and Light Industrial Land Review Report – Council Summary

AUTHORIZATION

Submitted by:	Eleanor Milette Manager of Economic Development	Date: <u>May 16, 2023</u>
Approved by:	Lauren Miller Manager of Planning	Date: <u>May 19, 2023</u>
Approved by:	Scott McKay General Manager Municipal Services	Date: <u>May 19, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>May 30, 2023</u>

COUNCIL SUMMARY

Canmore Retail Gap Analysis and Light Industrial & Commercial Land Review



APRIL 2023

LAND ACKNOWLEDGMENT

The Town of Canmore is located within Treaty 7 region of Southern Alberta, the traditional Treaty 7 territory and oral practices of the Îyârhe Nakoda (Stoney Nakoda) – comprised of the Bearspaw First Nation, Chiniki First Nation, and Goodstoney First Nation – as well as the Tsuut’ina First Nation and the Blackfoot Confederacy comprised of the Siksika, Piikani, and Kainai.

We acknowledge that this territory is home to the Métis Nation of Alberta, Region 3, within the historical Northwest Métis homeland. We acknowledge all Nations who live, work, and play and help us steward this land and honour and celebrate this territory. We commit to working to live in right relations and to advance Truth and Reconciliation.

INTRODUCTION

Scope of Study

The **objective** of this study is to conduct a gap analysis of the light industrial and retail uses in the Town of Canmore with the **goal** of providing the Town with a tool to assist administration in propelling the economic health of the community over the next 10 years. This analysis offers a snapshot of the relative strengths and weaknesses in Canmore's retail and industrial sectors that can be used by entrepreneurs as well as existing and new businesses. The study will also assist the Town's Economic Development Department in retention and attraction initiatives as well as business outreach. The study is intended to play a key role in Canmore's Economic Development Diversification Strategy.

While workforce housing is beyond the scope of this project, effort has been made to highlight this theme throughout the analysis as it is crucial to supporting Canmore's businesses and residents.

Methods

Taking a collaborative approach, we analyzed the business inventory and retail sales patterns by quantifying voids and gaps, and determining sectors exhibiting "leakage" and "surplus". We used the findings of GP Rollo & Associates and Reurbanist's Commercial Needs Assessment from 2014/2015 as baseline data for our process. Furthermore, we used geographic information systems (GIS) and business licensing data courtesy of the Town of Canmore in addition to fieldwork data and interviews to generate a robust and up-to-date database of predominantly ground floor businesses. As part of the research, the Consulting Team held one-on-one meetings in-person and virtually with a cross section of developers, business owners, and real estate professionals for their perspectives on the retail and industrial sectors in Canmore. We also assessed current trends affecting retail and light industrial markets.

The process of inventory tabulation and reconciling takes into account the primary building use as the key metric for determining whether the uses are classified as retail, industrial or office. For example, a building in an industrial or business park that is designed for office uses would be classified as office. Similarly, in a retail environment, there may be some uses that are office centric but overall business classification would be based on the predominant use, which in this case would be retail.

Report Structure

The full report contains the following sections, which are highlighted in this summary:

Section 1 – Introduction: Introduces the study process and structure.

Section 2 - Regional and Local Context: Lays out the important regional and local context of Alberta and Canmore in terms of geographic location, regional access and traffic counts, including relevant plans, studies and initiatives.

Section 3 - Trends and Case Studies: Provides an overview of retail and commercial trends that are shaping consumer, tenant and investor sentiment and actions.

Section 4 - Trade Area: Identifies and defines Canmore's Retail Trade Area and demographics including retail spending patterns for various consumer segments (full time and seasonal residents, and visitors).

Section 5 - Nodal Profiles: Identifies and defines Canmore's ten defined non-residential nodes documenting the critical market figures ranging from inventory, vacancy, employment, business counts and NAICS business classifications, as well as lease rate ranges by non-residential typology.

Section 6 - Resident and Consumer Survey: Introduces and analyzes the results of the resident and non-resident consumer survey.

Section 7 - Demand & Gap Analysis: Based on an extensive assessment of the current "supply" and future demand drivers for retail, office and industrial is estimated over the next 10 years.

Section 8 - Business Targeting & Action Plan: Provides an outline of where forecasted demand could be most compatible and allocated by land use, and in which respective node. Sheds light on gaps and opportunities for the retail and commercial market, and identifies strategic action steps could be undertaken to strengthen existing businesses, while cultivating new businesses and investment activity.

This Council Summary contains the blue Takeaways pages from Sections 2 through 7 of the full report. These pages provide a summary of the core messages in each section as they relate to the Action Plan presented in Section 8 at the end of the Summary.

2.0 REGIONAL AND LOCAL CONTEXT

Canmore faces a complex social, environmental, economic, and political context which necessitates careful and intentional consideration of the location factors from a variety of data sources.

Each **Takeaways** page provides a summary of the core messages in each section. These takeaways are organized under reoccurring themes drawn from the Town of Canmore's plans and policies. By summarizing the data and analysis in each section by Town themes, the origin of the final recommendations presented in Section 8 becomes clear.



Environmental & Social Sustainability

- Protection of the natural environment, climate action, and sustainable design feature prominently in the Town's Strategic Plan and other recent plans.
- Extreme environmental events are becoming more frequent and impact permanent and seasonal residents as well as visitors.
- The Town's land growth potential is geographically limited by the surrounding physical environment; therefore, efficient land use and appropriately-scaled development is crucial.



Local Economy

- The Town has seen strong **commercial** growth over the past decade, while **Industrial** development has been slower.
- Along the Bow Valley Trail, smaller **retail** store sizes and uses geared to visitors are encouraged.
- Historically there has been an under-supply of grocery and specialty foods, pharmacy, alcohol/tobacco, and department-store type merchandise (including apparel and footwear/fashion).
- Economic diversification is envisioned to build resilience, support partnership and investment, and attract workers.
- Limited supply of strategically located and appropriately sized **commercial** and **industrial** lands is a hindrance to investment.



Housing & Workforce

- Having a diverse and attainable housing stock is important for retaining workers.
- Second home ownership is exacerbating an already hot, escalating residential real estate market.
- Workers are needed to support businesses.
- Livability for all residents is one of three elements of Council's Strategic Plan Vision.



Tourism

- Visitors and second home owners are a key factor shaping Canmore's **commercial, industrial** and **residential** offerings.
- The surrounding natural environment and experiential activities are key draws for visitors.
- The cost of providing high quality infrastructure and services is a burden on a small residential tax base.
- Tourism in Canmore presents a number of positives (including jobs and businesses diversity) and challenges (including environmental impacts, human-wildlife interactions, affordability, and competing interests).



Quality of Life

- Active living is an important element of Canmore's identity which is supported by Canmore's free transit program (which saw record high ridership in 2022).
- Connectivity between **residential** and **commercial** destinations is desirable and can support live/work balance.
- Building respectful and authentic relationships is one of three elements of Council's Strategic Plan Vision
- An Economic Development Strategy objective was to create a unifying community vision for Canmore.

Canmore is a desirable place to live and visit, but with success comes challenges for development, housing, and affordability. The community struggles to define a unifying desired future in the face of competing needs and interests.

3.0 TRENDS & CASE STUDIES

This section provides an overview of trends affecting retail and light industrial sectors, including COVID-19 impacts, resort community retail, e-commerce/omni-channel retail, light industrial case studies, sustainability requirements for businesses and residential-industrial precedents.



Environmental & Social Sustainability

- Authentic Indigenous-led tourism is growing in prominence, especially in Western Canada.
- Regenerative Tourism offers a more socially-sustainable approach for communities with high levels of tourist activity.
- Consumers show increasing interest in carbon conscious travel and sustainable products.
- Businesses face mounting pressure from governments, investors, shareholders and the general public for transparency around environmental and social risks. Environmental Sustainability Goals (ESG) reporting and net zero (emissions) plans are becoming increasingly mainstream.



Local Economy

- Sustainable manufacturing, eco-industrial parks and industrial land densification and intensification present opportunities for businesses to apply their sustainability principles and reduce their footprints.
- Canmore has an opportunity to develop an investment attraction program targeting businesses that align with the Town's sustainability principles while providing for meaningful local employment opportunities
- E-commerce and omni-channel **retail** is a growing trend that is expected to continue.
- A trend toward retailers choosing smaller floorspace and more flexible spaces may complement Canmore's limited land supply by more efficiently using space.



Housing & Workforce

- The COVID-19 pandemic contributed to worsening labour shortages in resort communities like Canmore. Businesses struggle to retain and house employees.
- Employer-assisted housing is gaining popularity as a way to address labour shortages, but caution must be taken to protect the autonomy of resident workers.
- In some compatible communities, where land constraints are not a prevailing issue, Accessory Dwelling Units (ADUs) in industrial zones present unique opportunities to enable additional housing and maximize available land, while maintaining light industrial as the primary use. In Canmore's case however, ADUs are not appropriate or compatible because of the current limited nature of industrial lands and the resulting potential for conflicts to arise, which could indirectly limit new business opportunities.



Tourism

- Travelers are increasingly emphasizing responsible travel and prioritizing the wellbeing of the host community, as seen with the rise of Indigenous-led tourism, sustainable tourism, and regenerative tourism. These trends have the potential to improve the impact of visitors on the Canmore community.
- As travel has become more costly, longer trips are becoming more popular than weekend excursions for visitors from away, while day trips to destinations near one's place of residence are also gaining popularity.



Quality of Life

- COVID-19 served as a societal reset, forcing many to re-think lifestyle choices including shopping preferences and where they live.
- The rising cost of living and of goods and services is connected to rising interest rates and inflation, challenging quality of life across Canada but especially in resort communities like Canmore.

Emerging smaller-footprint retail trends and responsible tourism trends have the potential to positively impact Canmore, while rising labour and housing shortages along with increased cost-of-living are likely to continue to challenge the community.

4.0 TRADE AREA

This section profiles Canmore's Trade Area boundaries, resident demographics and spending patterns.



Local Economy

- Canmore's Trade Area population is 34,551, with the majority of customers living in the Bow Valley.
- Trade Area residents tend to be older with a higher average household income compared to the province, yet 19.2% of Canmore households still earn less than \$50,000 a year.
- Total retail spending across all consumer segments is estimated at \$1.17 billion (2022 year-end estimate).
- Top spending categories include Grocery & Specialty Foods (\$167.5 million), Auto/RV/Motorsports Dealerships (\$144 million), Home Improvement & Gardening (\$62 million), Fashion & Accessories (\$45.6 million), and Full Service Restaurants & Pubs (\$44 million).
- Full time residents account for the majority of retail spending when compared to non-permanent resident (i.e. seasonal resident) categories: 12,973 full time resident households account for approximately \$821 million or 71% while an estimated 2,370 seasonal resident households account for approximately \$25 million or 2% (2022 year-end estimate).



Housing & Workforce

- Accommodation and Food Service, Retail Trade, and Health Care and Social Assistance are prominent employment sectors.



Tourism

- Visitors within the Canmore Trade Area account for \$256 million or 22% of total retail spending (2022 year-end estimate).
- Visitor spending is concentrated in leisure, recreation, and entertainment goods/services categories. Spending on auto fuel and specialty retail is also notably high.
- Most visitor volume to Canmore originates from within Alberta, but this does not discount the high value international tourist market that is drawn to the Rocky Mountains.
- Tourism is a well-established part of Canmore's reality that will continue to impact the community.



Quality of Life

- Canmore is expected to grow 2.16% per annum over the next five years, while the Trade Area overall is expected to grow 1.5% per annum over the next five years.
- Walking, cycling and using transit are popular commuting methods for workers in the Trade Area. The majority of commutes are under 15 minutes.

Tourism is a key part of the Town's identity and retail positioning, yet Canmore residents account for the majority of day-to-day spending in the trade area (71%). As the Town continues to grow, residents will continue to be the backbone of the community.

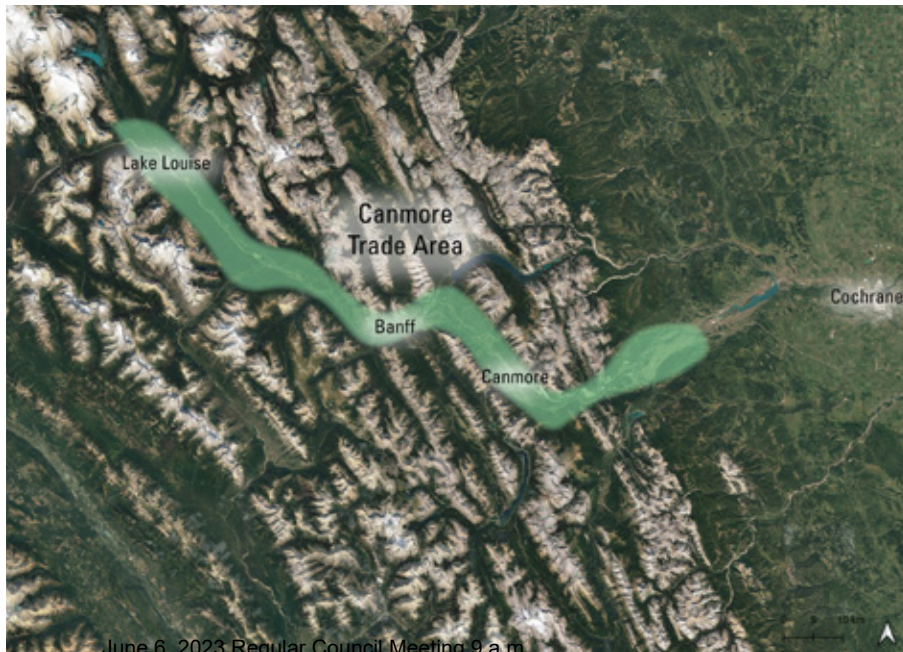
Trade Area Overview

Estimated for the end of year 2022, the full-time resident population of Canmore's Trade Area is 34,551. Using the province as a benchmark, the population in the Trade Areas tends to be younger in the 20-49 years of age cohort. Household income is higher (\$184,694) than the provincial average (\$153,772) though it is on par with the provincial median (\$112,790 Province compared to \$111,551 Trade Area).

Trade Area population growth over the next three years is forecast to be 0.95% per annum, which is slightly lower than the provincial average (1.0%). While this seems low on the surface it is worth observing that this is the Trade Area growth rate which includes Canmore, but is not solely Canmore. In the case specifically of Canmore, 5-year forecasted population growth is estimated to be 2.16% per annum which is very high compared to the provincial (0.98%) and trade area (1.5%) averages. Canmore is the centroid of the Trade Area while areas surrounding like Banff are expected to be much slower. Another factor in Canmore is the non-permanent resident base which is also not factored into traditional census forecasts other than loosely be considered as dwellings "not occupied by the usual residents").

Figure 4-1. Canmore Trade Area

(Source: FBM. Basemap courtesy of Google)



Detailed information on retail spending within the Trade Area was collected from Manifold Data Mining using 2022 year end data. The data was further consolidated into 22 specific spending categories in order to build a spending profile for Canmore's Trade Area, which has been indexed against the Alberta average for the same. Total annual retail spending across all consumer segments is estimated at \$1.17 billion.

Within Canmore's Trade Area, retail spending by **full time residents** (currently estimated at 12,973 households or 34,551 residents) accounts for approximately \$822 million or 71% of total retail spending (2022 year-end estimate). Household spending is highest on grocery and convenience (\$12,915) and Auto/RV/Motorsports dealership (\$11,106) categories.

Seasonal residents, estimated to number 2,370 households or an estimated 6,000 residents and who average approximately 9 weeks per year in Canmore account for approximately \$25 million or 2% of total retail spending (2022 year-end estimate). Seasonal residents refers to second-home owners, profiled earlier in this report.

Visitors within the Canmore Trade Area account for \$256 million or 22% of total retail spending (2022 year-end estimate). Spending is concentrated in leisure, recreation and entertainment goods/services. Spending on auto fuel and specialty retail is also notably high.

Miscellaneous inflow from passing motorists, transient temporary seasonal workers accounts for \$55 million or 5% of total retail spending (2022 year-end estimate).

The top retail spending categories from all Trade Area segments as of year end 2022 include the following:

- Grocery & Specialty Foods - \$168 million
- Auto/RV/Motorsports Dealerships - \$144 million
- Home Improvement & Gardening - \$62 million
- Fashion & Accessories - \$46 million
- Full Service Restaurants & Pubs - \$44 million
- Quick Service Food & Beverage - \$38 million

The overall spending pattern reveals that first and foremost, Canmore is a retail destination that is dominated by its full time residents and secondarily by visitor spending, while the impact of seasonal residents and other miscellaneous inflow are less influential in overall spending. Therefore, **while Canmore may strive to be everything for everyone and the retail inventory responds to the needs of visitors, the local full time residents are the backbone of the community.**

5.0 NODAL PROFILE

This section details Canmore's non-residential business inventory by the Town's seven commercial and two light industrial nodes.



Environment & Social Sustainability

- There is limited land available in Canmore for commercial or industrial greenfield development at large scales.
- Retail store size restrictions have allowed a greater number of small businesses into the market, supporting denser, more efficient commercial nodes.
- Redevelopment and infill are beginning to occur in and around established nodes.



Local Economy

- The Town has approximately 2.33 million sq.ft (217,000 sq.m) of total ground floor business floorspace of which 868,583 sq.ft (80,694 sq.m / 37%) is retail floorspace and an additional 270,272 sq.ft (25,109 sq.m / 11.6%) is industrial floorspace.
- The Town has a very low retail vacancy rate at less than 1% of the total inventory or 2.2% when based on retail-only floorspace.
- Retail Trade and Accommodations & Food Services dominate Canmore's business mix (by NAICS code).
- Local businesses represent the greatest share of businesses in Canmore when compared to branded businesses. The **Town Centre** and **Central Commercial** nodes are home to the majority of local businesses.
- The **Town Centre** is the densest commercial node with the highest number of total businesses and smaller average store size, creating high value retail.
- The **Central Commercial** node has a wide merchandise offering with Safeway, Canadian Tire, and Save-On-Foods acting as the primary grocery and general merchandise stores for the trade area.
- **Bow Valley Trail South** is home to a diverse range of retail uses alongside accommodations and light industrial uses. The recent addition of Moose Meadows provides flexible spaces where commercial and industrial uses mix.

- **Three Sisters Mountain Village** currently consists of a neighbourhood retail development and a golf course. Commercial development is supportable by the market and set to expand over the next 5-7 years with The Gateway at Three Sisters.
- **Elk Run** has a concentration of light industrial uses including construction and manufacturing, with supportive retail and administration uses. The node would be more appropriately positioned as a Mixed-Commercial Business Park instead of Industrial Park.
- **North Industrial** has a fairly even split of light industrial and retail uses, and similar to Elk Run, there is an opportunity to reconsider its positioning.



Housing & Workforce

- **Spring Creek** is a high value compact neighbourhood commercial node offering live/work units, visitor accommodations, and small-scale, locally-owned retail.
- **Benchlands Trail** is a neighbourhood node providing nearby residents access to goods and services, including food and beverage retail.



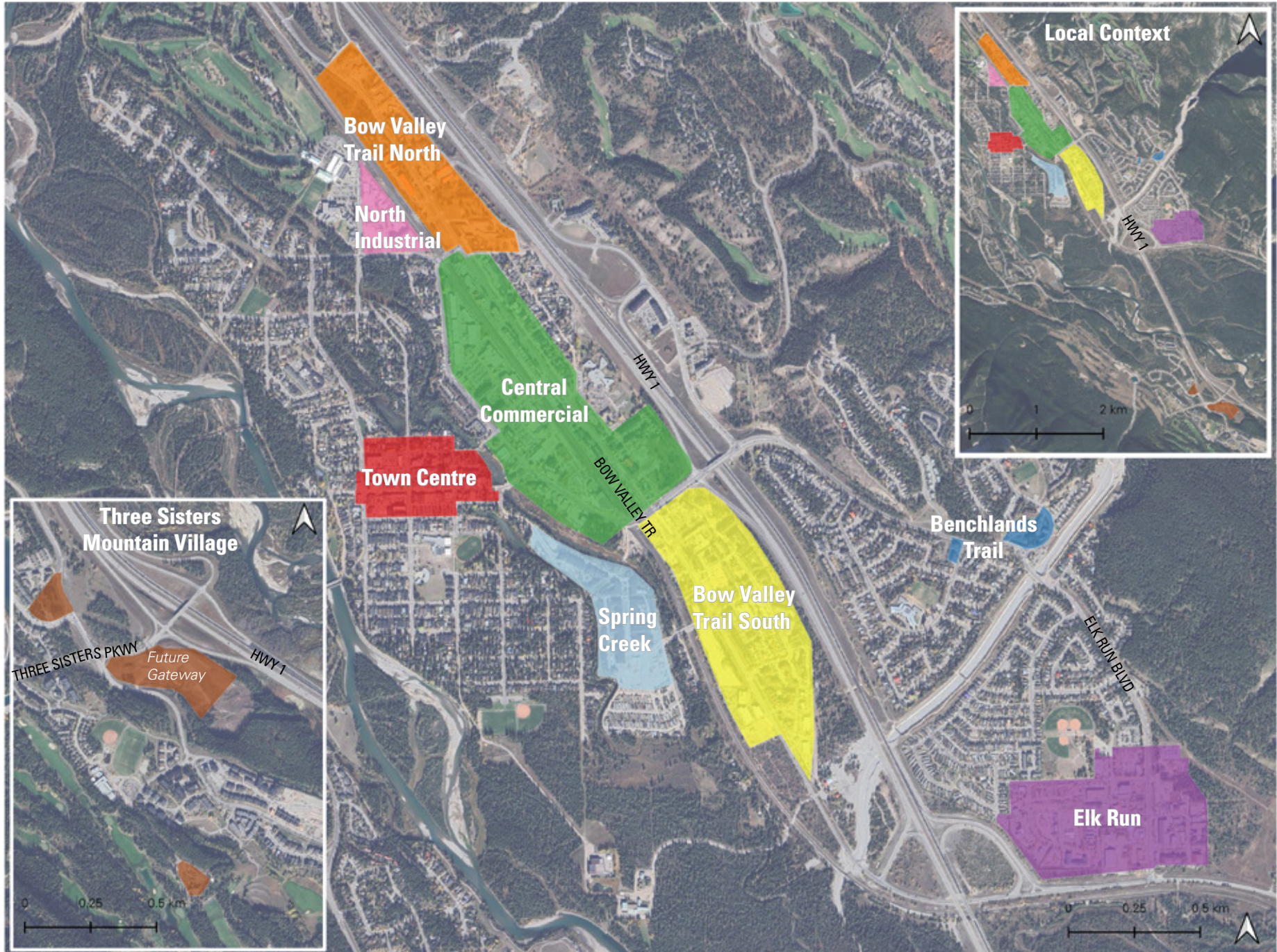
Tourism

- Canmore's retail offering has a propensity to be geared toward visitors and goods tend to be offered at a higher price point.
- **Bow Valley Trail North** is especially geared toward visitors with a strong concentration of accommodations, quick service, and convenience store brands.

As a resort community, Canmore continues to exhibit retail resilience and balance. Existing Land Use Bylaws, combined with limited developable land has created an environment of retail equity allowing for a strong town centre and local business culture. Success and high costs of living have however created a need for more price point balance. TSMV's Gateway is an important future development node for filling category and price point voids, while maintaining an overall balance.

Figure 5-1. Canmore's Commercial and Industrial Nodes

(Source: FBM. Basemap courtesy of Google)



Nodal Profile Overview

The Town has approximately 2.33 million sq.ft (217,221 sq.m) of total ground floor business floorspace of which 868,583 sq.ft (80,694 sq.m / 37%) is retail floorspace and an additional 270,272 sq.ft (25,109 sq.m / 11.6%) is industrial floorspace. Of Canmore's 497 total ground floor businesses, 271 or 54% are retail oriented. Of the retail businesses, 83% are local businesses which accounts for 491,162 sq.ft (45,630 sq.m / 61%) of the total retail floorspace. The majority of these locally owned businesses are located within the Town Centre and Central Commercial nodes, both of which have the highest estimated retail sales and total retail floorspace.

The overall estimated retail sales productivity for Canmore is \$333 psf which is considered very healthy; a figure supported by a low overall vacancy rate at less than 1% of the total inventory or 2.2% when based on retail-only floorspace, and average asking lease rates that can range from \$20 psf to over \$40 psf.

An analysis of NAICS codes clearly illustrate the dominance of Retail Trade and Accommodations & Food Services to Canmore's business mix, followed by Construction services and small scale manufacturing. Among other broad NAICS categories, there is a relative equal distribution among most, with a somewhat prominent number of Real Estate and Rental and Leasing firms, which is indicative of the seasonal resident demand and resulting non-traditional rental accommodations.

The resulting findings reveal that Canmore has a mix of 83% local businesses to 17% branded in terms of the number of stores, and 61% to 39% when applied to the floorspace of the local versus branded mix. The distinction of number of stores to the floorspace is indicative of the fact that most brands that have been or may be interested in Canmore are larger stores. To-date, limitations for land and more importantly store size through existing Bylaws have restricted their ability to enter the market and prevented a shift away from being a successful local business community. **Caution** should be taken when considering lifting store size restrictions as the introduction of larger retailers into established, existing local businesses nodes may have a negative impact. Any larger retailers that specifically address category and price point gaps while still representing compatibility with Canmore's goals and ethos should be considered for TSMV Gateway so long as they meet the Bylaw requirements for maximum floor area.

Table 5-1. Town-wide Ground Floor Commercial and Industrial Inventory Summary
(Source: FBM)

MERCHANDISE CATEGORY	TOTAL FLOORSPACE (sq. ft.)	TOTAL FLOORSPACE (m2)	TOTAL MIX (%)
ACCOMMODATIONS	850,937	79,055	36.4%
MEDICAL & WELLNESS SERVICE	92,452	8,589	4.0%
GROCERY, CONVENIENCE & SPECIALTY FOODS	156,062	14,499	6.7%
FULL SERVICE F&B	122,096	11,343	5.2%
PERSONAL SERVICE	21,320	1,981	0.9%
ALCOHOL & TOBACCO	52,970	4,921	2.3%
HOME FURNISHINGS & DÉCOR	44,587	4,142	1.9%
LIGHT INDUSTRIAL	270,272	25,109	11.6%
PROFESSIONAL & FINANCIAL SERVICE	104,833	9,739	4.5%
LIMITED SERVICE F&B	104,402	9,699	4.5%
SPECIALTY RETAIL	68,303	6,346	2.9%
AUTO/RV/MOTORSPORTS DEALERSHIP	66,456	6,174	2.8%
AUTO SERVICE	56,341	5,234	2.4%
HOME IMPROVEMENT & GARDENING	55,023	5,112	2.4%
SPORTING GOODS & OUTDOOR RECREATION	53,355	4,957	2.3%
FASHION & FOOTWEAR	38,410	3,568	1.6%
FITNESS & LEISURE	20,024	1,860	0.9%
VACANT	19,118	1,776	0.8%
ARTS & ENTERTAINMENT	18,020	1,674	0.8%
TOURISM SERVICE	15,295	1,421	0.7%
AUTO PARTS & ACCESSORIES	14,010	1,302	0.6%
PHARMACY	10,218	949	0.4%
TOYS & HOBBIES	7,045	655	0.3%
JEWELRY	4,930	458	0.2%
BEAUTY & PERSONAL CARE	4,796	446	0.2%
HOME ELECTRONICS & APPLIANCES	3,567	331	0.2%
BOOKS, MEDIA & VIDEO GAMES	2,989	278	0.1%
TOTAL	2,338,145	217,221	100.0%
Retail Floorspace Excluding Non-Retail (Professional/Medical/Tourism/Light Industrial/Auto Service/VACANT)	868,583	80,694	37%
Total Estimated Retail Sales Excluding Non-Retail (Professional/Medical/Tourism/Light Industrial/Auto Service/VACANT)	\$289,307,369		

Estimated Retail Sales Productivity (\$/sf)

\$333

6.0 CONSUMER SURVEY

This section summarizes key findings from the Retail & Industrial Gap Analysis Community Survey which informed this report.



Environment & Social Sustainability

- The desire for sustainable and appropriate growth was evident in the survey responses. Perspectives were divided on what specifically that looks like in Canmore and where that growth could reasonably occur.
- Few comments were received on **industrial** development, though the desire to have carefully planned and locally owned businesses that do not negatively impact the environment was noted. **Eco-industrial**/sustainable business facilities, research & development, and small warehouse/ distribution facilities were noted as gaps in the current inventory.



Local Economy

- Among residents, Canmore is the preferred place for shopping for day-to-day conveniences (85.0%). For bigger ticket items, Calgary was preferred (57.7%), with shopping in Canmore (18.7%) and Online (18.7%) considered less preferable.
- Railway Avenue (60.6%) and the Town Centre (30.7%) are primary **retail** locations with the majority of respondents using services in Canmore weekly (52.5%) or daily (36.8%). When asked their primary reason for visiting Canmore's shops and services, 59.4% of respondents cited the presence of a specific retailer or businesses as a key draw.



Tourism

- The vast majority (99%) of survey respondents were full time or seasonal residents. The few non-resident/ visitor responses were integrated into the overall results for anonymity and were found to generally align with the majority.
- Canmore's **retail** offering was consistently viewed as visitor/tourism-centric with high-price points for goods and services.



Quality of Life

- Canmorites are very interested and invested in what types of development happen in their community, as evidenced by the 249 survey responses collected.
- The view that Canmore's "**retail** needs to cater to locals" was a consistent theme throughout the survey; however, respondent perspectives were mixed on how Canmore should position itself commercially.
- Among all respondents, the most common reason for not visiting Canmore's shops and services was missing specific merchandise (71.4%) and the cost of goods and services (65.7%).
- When asked which types of goods and services were missing in Canmore, 67.2% of total respondents highlighted the need for affordable clothing & footwear for a range of ages as a major retail gap. House & home decor (35.8%), grocery & specialty foods (31.0%), and arts & entertainment (29.7%) were also commonly cited gaps.
- Respondents stressed the need for resident-oriented **retail** in the form of a discount or dollar stores, a store offering affordable everyday clothing and footwear for a range of ages and abilities, and a discount grocer.
- To accommodate value merchandise in the community, land for larger format **retail** stores in the range of 2,000 sq.m will need to be made available.

The survey made it clear that residents care deeply about how their community's future, though a unifying vision for sustainable development remains undefined. The need for more affordable retail that caters to permanent residents was a unifying theme amongst survey respondents. To provide such value-oriented merchandise the Town must add at least a small number of retail stores ≥2000 sq.m.

7.0 DEMAND FORECAST

The following determined the amount of supportable retail, office and industrial floorspace in Canmore justified by the present Trade Area segments, population growth and employment forecasts.



Environmental & Social Sustainability

- Greenfield development lands are limited to Three Sisters Mountain Village (The Gateway) which is well-positioned to reasonably absorb a large share of Canmore's 10-year **retail** and **office** demand. Smaller lands along the Bow Valley Trail (such as Palliser Lands or Bow Valley Trail South node) may also accommodate new, smaller **retail** developments.
- Continued infill and redevelopment of existing **commercial** and **industrial** lots within established nodes is encouraged.
- Existing **retail** store size limitations in established nodes can continue to reinforce a strong local business presence through smaller formats, while mitigating negative impacts from larger users.



Local Economy

- **Retail demand** is forecast to be 221,237 sq.ft (20,554 sq.m) requiring 10.2 acres over the next 10 years. Merchandise categories of restaurants & pubs, grocery & specialty foods, and arts & entertainment are anticipated to account for the largest share of demand.
- **Office demand** is forecast to be 51,474 sq.ft (4,782 sq.m) requiring 2.4 acres over the next 10 years. This demand will likely be captured spread amongst multiple developments instead of a traditional office-only development or in spaces above commercial or industrial where appropriate and compatible.
- **Industrial demand** is forecast to be 98,434 sq.ft (9,145 sq.m) requiring 5.6 acres over the next 10 years. This demand would be difficult to absorb within Canmore's existing industrial nodes. Therefore, intensifying and densifying existing industrial land with more smaller, high value, compact forms of industrial development would maximize potential of the lands.



Housing & Workforce

- Canmore currently has a workforce crisis whereby many retailers struggle to attract employees able to work AND live in Canmore. Options for affordable housing or employer provided housing are limited, which results in them having to live in Cochrane and commute to Canmore. Moreover, it will be hard to accommodate future demand for retail, office or industrial if employees cannot find the financial balance between housing costs and wages.
- Remote workers are increasingly attracted to Canmore leading to more home-based businesses for the "lifestyle chasers" rather than new organized **commercial** areas. This presents a challenge of Town staff seeking to manage and guide commercial growth.



Tourism

- Canmore currently meets the retail needs of the visitor segment and should transition to meeting more of the **retail** needs of residents.



Quality of Life

- Given the high price point of goods and services, opportunities exist to attract value merchandisers and lower price-point **retail** to better serve Canmore residents and visitors.

Retail and office demand should allow Canmore to grow sustainably by allowing for targeted growth and business attraction within the existing built areas, and creating opportunities for new appropriately sized growth in new areas, most notably at TSMV's Gateway.

Industrial demand, should be predicated on intensification and incubation of local high value industries that can be realistically employable. While live-work industrial is a consideration, this trend tends to only work when there is surplus industrial land, which Canmore does not have. Where there is limited industrial land, conflict can occur that can indirectly limit industrial opportunities.

8.0 BUSINESS TARGETING & ACTION PLAN

Introduction

This section highlights the key findings of the Gap Analysis and Light Industrial & Commercial Land Review deemed noteworthy and relevant to Canmore's locational, demographic and economic contexts.

Recognizing that affordability, sustainability, tourism and economic diversification are top of mind for the Town and its residents, the following action plan prioritizes filling gaps in lower cost goods and services for Canmore residents and visitors, while encouraging efficient use of land and connectivity between residential and commercial and industrial areas.

When considering which types of businesses Canmore should target, consideration should be given to encouraging businesses that align with Canmore's values of sustainability and climate action. In a market where consumers increasingly care about sustainability and are willing to pay more for products with ESG-related claims, businesses are increasing realizing the importance of having publicly available ESG strategies with tangible and meaningful impacts¹. While definitions of sustainability will differ by industry and business, ESG and net-zero action plans can provide valuable insight for the Town into a companies values, climate risks, and action plan for reducing their impacts.

Town Wide Summary

Allocation

Having identified demand forecasts of 221,237 sq.ft (20,554 sq.m) for retail, 51,474 sq.ft (4,782 sq.m) for office and 98,434 sq.ft (9,145 sq.m) for industrial, the following provides some considerations for how the demand could be allocated throughout the community in the various nodes.

Factors contributing to retail, office and industrial demand in Canmore include residential development, market shares, high cost of living, employment, and limited space for commercial and industrial growth. While employee housing is a real and immediate concern for the Town and its residents, this was beyond the scope of the current study and therefore it is discussed at a high level as essential to meeting the demand forecasts and attracting the business thereof.

Retail - 221,237 sq.ft / 20,554 sq.m

TSMV (Gateway) -	154,866 sq.ft / 12,388 sq.m (70%)
South Bow Valley Trail -	22,124 sq.ft / 2,055 sq.m (10%)
Spring Creek -	22,124 sq.ft / 2,055 sq.m (10%)
Palliser Lands -	11,062 sq.ft / 1,028 sq.m (5%)
North Bow Valley Trail -	11,062 sq.ft / 1,028 sq.m (5%)

Light Industrial - 98,434 sq.ft / 9,145 sq.m

Elk Run	88,591 sq.ft / 8,230 sq.m (90%)
North Industrial	9,843 sq.ft / 914 sq.m (10%)

Office - 51,474sq.ft / 4,782 sq.m

TSMV (Gateway) -	23,163 sq.ft / 2,152 sq.m (45%)
Elk Run -	12,869 sq.ft / 1,196 sq.m (25%)
South Bow Valley Trail -	7,721 sq.ft / 717 sq.m (15%)
Spring Creek -	5,147 sq.ft / 478 sq.m (10%)
Palliser Lands -	2,574 sq.ft / 239 sq.m (5%)

See **Figure 8-1** for a Town-wide summary of demand and allocation.

¹ McKinsey & Co., Consumers care about sustainability—and back it up with their wallets, 2023 June 6, 2023 Regular Council Meeting 9 a.m.

Figure 8-1. Canmore Market Demand and Allocation Summary Map

(Source: FBM). Interpretation: Each commercial and industrial node is shown as a dashed shape. The circles represent how much retail (orange), office (green) and industrial (mauve) demand each area is expected to absorb. The sizes of the circles represent the total amount of allocated demand per use and do not represent the scope of any proposed or future development.

Market Demand

Retail

+/- 221,237 sq.ft / 20,554 sq.m

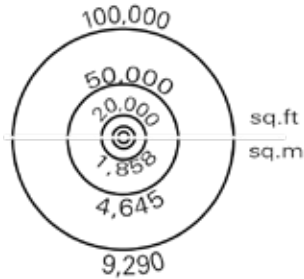
Office

+/- 51,474 sq.ft / 4,782 sq.m

Industrial

+/- 98,434 sq.ft / 9,145 sq.m

Allocation per node



Community Positioning

Currently, Canmore has a strong retail offering with low vacancy rates and a focus on serving visitors. Meanwhile, the Town's industrial lands house a range of industrial and commercial businesses and are facing mounting redevelopment pressure. Both Canmore's commercial and industrial sectors have the potential to grow and evolve over the next 10 years as trends shape the formats and needs for commercial and industrial users.

This action plan represents a transition and shift in economic positioning to support growth aligned with Canmore's values and to address potential land use conflicts. The intent is to attract resident-oriented lower price point goods and services to Canmore's commercial areas, and to encourage smaller footprint and higher value light industrial users in Elk Run. The respective positioning for commercial and industrial lands, including objectives and actions that can be taken by the Town to further these directions is summarized in the following Action Plan. Each

action is supported by data and analysis presented throughout the full report, as noted by the themes icons and supporting sections column. Collaboration and communication amongst actors is crucial to success, and further review by the Town to identify specific actors is encouraged.

Recognizing that the Town plays a central role in bringing together community stakeholders, the first objective (presented below) is to collaborate with Canmore's business community on shared priorities. The actions highlight opportunities for the Town to engage in meaningful dialog with business owners, developers, real estate professionals and others with the intent of building buy-in for Town initiatives, and increasing trust and transparency. These conversations in tandem with broader community engagement can support the Town in defining Canmore's vision for equitable and sustainable economic growth. This work could be undertaken as part of the Town's Economic Development Diversification Strategy which this Gap Analysis informs.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 1: Collaborate with the Business Community on Shared Priorities			
Define Canmore's vision for equitable and sustainable economic growth based on past Town plans, this Gap Analysis and community engagement. Define the role of industrial and commercial development to Canmore's identity and strive for a unifying vision with business and resident buy-in.		Economic Development; Planning & Development; Communications & Media Relations; Executive Office	2, 3, 5, 6, 7, 8
Share the key findings of this report with the public and business community including Canmore's existing inventory, where demand is forecasted, and the targeted merchandise categories.		Communications & Media Relations; Economic Development	5, 7, 8
Identify opportunities to clarify land use plans and policies for businesses including road maps for new development, redevelopment and infill in commercial and industrial zones, respectively. Longer term, consolidating and reducing the overall number of commercial land use districts, and centralizing commercial policies within the MDP and LUB should be considered.		Planning & Development; Economic Development; Communications & Media Relations	7
Raise awareness of sustainability opportunities for businesses including the commercial compost program, green building retrofits, and energy and water efficiency programs.		Environment & Sustainability; Economic Development; Planning & Development	2
Consider energy reduction incentives for businesses and tie into the Town's climate plans (see FCM Municipal Energy Road map and Factsheets, 2020)		Environment & Sustainability; Economic Development; Planning & Development	2

The Role of Housing

Affordable and attainable housing for workers is crucial to supporting Canmore's businesses and residents. While housing is beyond the scope of this Commercial Gap Analysis and Light Industrial Land Review, high level consideration has been given to the impact of integrating residential development into commercial and industrial development.

Locating residential above ground floor commercial units is commonly encouraged in communities where land is at a premium. This type of development has the added benefit of encouraging an active streetfront with shops and services. This mixing of uses is seen prominently in Canmore's Central Commercial node and to varying degrees throughout the other commercial nodes (e.g. Spring Creek). New commercial development throughout Canmore should have mixed-use with residential and/or office above with consideration for height maximums in different zones. This approach can help increase the availability of specific housing types (typically apartment or condo units) however additional approaches are needed across the Town to address housing

affordability and availability for a range of ages, abilities, preferences and family structures.

Industrial live/work units were also considered. As profiled in Section 3, accessory dwelling units above light industrial bays can provide housing for entrepreneurs and small business owners above their work space while maintaining the light industrial use, which serves to maximize the available space and mitigate land use conflicts. However, wide spread integration of **live/work in Canmore's industrial lands is not recommended given the limited amount of land available and potential for residential to restrict and conflict with targeted industrial business.** The goal of industrial is to generate another source of property tax revenue while providing high value employment not premised solely on the commercial sector.

The actions below reflect these preliminary housing and livability directions which should be considered in the new Labour Market Recruitment and Retention Strategy and can inform any future Workforce Housing Strategy.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 2: Continue to implement measures to increase livability in the community and address housing challenges.			
Where compatible with existing uses and built form, mixed-use residential should be considered above new commercial development in the Town	\$ 🏠	Planning & Development	3, 8
As part of future Plan reviews, research live/work trends and consider if there are compatible residential uses which still prioritize light industrial uses	\$ 🏠	Economic Development; Planning & Development	2, 3
Strive to align the local talent pool within the community to fill employment opportunities of potential investors considering operating in Canmore.	\$ 🏠	Economic Development	3, 4, 7, 8
Create an implementable Workforce Housing Strategy as part of, or in conjunction with, an employer-assisted housing strategy. Continue to monitor the impact of maintaining the status quo through Business Registry tracking and other outreach. Explore CMHC and provincial funding opportunities, and consider how the new Labour Market Recruitment and Retention Strategy may support this work.	\$ 🏠	Community Social Development; Economic Development; Environment & Sustainability	2, 3, 8
Ensure frequent and convenient transit and active transportation connectivity of Canmore to TSMV for workers and consumers.	🏔️ \$ 🏠 😊	Planning & Development; Streets & Roads; Recreation Department; Public Works Department; Environment & Sustainability	4, 6
Expand cycling routes to commercial nodes as outlined in the Integrated Transportation Plan (2018) and extending to the Gateway. Support bicycle parking and repair stations at commercial nodes.	🏔️ \$ 😊	Streets & Roads; Parks; Public Works; Economic Development; Planning & Development	2

Commercial (Retail & Office) Action Plan

Retail Allocation

There is an opportunity to increase Canmore's current retail market share, especially in value-oriented convenience and day-to-day goods and services categories by increasing the current offering.

- Within Canmore, opportunities for greenfield development is largely limited to the **North and South Bow Valley Trail (BVT)** nodes, with a small portion available in the **Central Commercial** Node. As per the BVT Area Redevelopment Plan, the central BVT precinct (within which a portion of the Central Commercial Node falls) and the General BVT precinct (within which the North BVT and a portion of the South BVT fall) restrict retail store sizes to 150 sq.m or up to 300 sq.m in certain situations (See Section 2.2).
- Specific greenfield infill locations include: lands north of Rocky Mountain Ski Lodge (**North BVT**), lands north of Cam Clark Ford Canmore (**South BVT**), lands south of Moose Meadows (**South BVT** - a portion may be attributed to Wolfe Auto), and lands at the end of William Street (**Central Commercial** - near hospital and the Shops of Canmore).
- Adaptive reuse of existing buildings include Wolfe Auto building (**Central Commercial**) and potentially Home Hardware (**Central Commercial**) if it were to consolidate with the **North Industrial** location. These spaces could prioritize targeting a dollar store and/or value-oriented clothing or smaller general merchandiser.
- Infill, intensification and redevelopment of older buildings are the primary opportunities for commercial growth within the **Town Centre, Central Commercial**, and to a lesser extent, **North and South BVT**. Consideration should also be given for sight lines and parking.
- **Spring Creek and Benchlands** as neighbourhood nodes will continue to provide local goods and services. Potential for small growth in personal and medical services, especially family doctors (See Section 6.0).
- The **Palliser** Lands could accommodate a small component of supportive retail shops or personal services to accommodate the on-site segments as well as those up slope at the Silvertip Resort Community.

Given the current land available within Canmore's development areas, any new standalone commercial developments should have vertical mixed-use residential above commercial to accommodate a range of

uses where the building footprints allow (e.g. not above large floorplate retail anchors or junior box retailers). However, additional space is needed to accommodate demand and provide day-to-day services Canmore residents.

The **Gateway at Three Sister's Mountain Village (TSMV)** is uniquely positioned to capture a significant portion of the Towns 10-year commercial demand, particularly in the value merchandise segment for convenience and day-to-day goods and services categories for Town residents and highway travelers. Over time, this node should be the focus for compact retail shops and services with larger store size minimums than currently allotted elsewhere in the community (as currently permitted in the Town's Land Use Bylaw). the **Gateway** will provide much-needed shops and services to maintain the necessary balance for the community over the next 10 years. Doing so would create an environment for a continued balance and mix of local and branded retail businesses.

By increasing the local offering of value oriented merchandise, there would be a reduced need for travel to Cochrane or Calgary for goods and services, which would in turn reduce GHG emissions. However given the distance between the bulk of the Town and the **Gateway**, intentional connectivity supports will be needed to ensure all residents (workers and consumers alike) will be able to access these goods and services. Residential development for employees or other housing either above or immediately adjacent to **Gateway's** commercial offering is critical to creating a walkable and economically supportive environment. Opportunities include extending transit service to the **Gateway** and increasing the frequency throughout the week, and enabling active transportation opportunities between the **Gateway**, TSMV and the Town.

Furthermore, allocation of demand to the TSMV **Gateway** does not document demand for other TSMV lands beyond the 10 year time frame of this study. Any retail development in TSMV outside of The **Gateway**, such as the Resort Core, would be feasible as long as the residential and tourist market continues to provide strong economics and demand principles.

Office Allocation

- Continue to encourage office uses throughout Canmore to compliment to existing retail and light industrial/business uses.
- Continue to support office uses on second level (as per existing Bylaws) to limit the amount of pure office at ground level.

Commercial Positioning & Business Targeting

Targeting of businesses is most applicable to the retail sector, while the nuances of Canmore's retail market must be considered for whom future demand could be deemed compatible, complementary and beneficial for Canmore as a community.

Aim to reinforce the small/local/independent/unique nature of the **Town Centre** as the heart of the community, while also encouraging other independent goods and services throughout Town. If adaptive reuse opportunities arise within the **Central Commercial** or **South BVT** nodes, these spaces should prioritize targeting a dollar store and/or value-driven clothing merchandiser in place of, or in addition to those offered in the **Gateway**.

With most demand being allocated towards the **TSMV** and its **Gateway** development, discussion is required on the potential to both promote and limit the optimal store sizes in the Gateway development. The purpose would be to encourage and give the developer that means for which to attract retailers that the residents seek and which will benefit the TSMV full and part time residents, as well as visitors. Consideration should be given to Land Use Bylaw changes which would allow for:

- Eating and Drinking Establishments (restaurants) to a maximum of 300 sq.m excluding patio space;
- Alcohol & Cannabis to a maximum of 300 sq.m if combined into one continuous retail space or 150 sq.m if individually operated.

The intent is to fill gaps in current offering that serve residents first and foremost, though visitors will also benefit from retail opportunities. It is also desired to align the offerings with Canmore's branding and culture as an active living destination. Consideration should be given to encouraging compatible development which is able to provide the clear value orientation that residents need to offset rising costs.

Independent store types are encouraged as the dominant form in the **Town Centre, Central Commercial, Bow Valley Trail South** and **Spring Creek**. In these areas as well as possible new nodes in **Palliser** should allow for store type concepts like:

- Personal & Medical Services
- Boardgames Café
- Pottery Store
- Axe Throwing
- Community Kitchen
- Bicycle Accessories & Repairs

In nodes like the **Gateway at Three Sisters**, or the **Central Commercial**, as appropriate smaller format "box" retailers could include the following:

Within next 5 years or sooner

- Lower price point grocer – 12,000 to 30,000 sq.ft (1,115 to 2,787 sq.m)
- Dollar store – 8,000 to 15,000 sq.ft (743 to 1,394 sq.m)
- Second hand clothing merchandiser – 25,000 to 35,000 sq.ft (2,323 to 3,252 sq.m)

Within next 5 years or later

- Off-price home decor and apparel retailer – 18,000 to 25,000 sq.ft (1,672 to 2,322 sq.m)
- Lower price point clothing merchandiser – 12,500 to 17,000 sq.ft (1,161 to 1,579 sq.m)
- Low cost fitness provider – 4,000 to 8,000 sq.ft (371 to 743 sq.m)
- Restaurants – <3,000 sq.ft (<279 sq.m)

One of the imperatives for Canmore's future retail success will also lie with attracting retailers that are compatible with the goals of the community towards environmental and social responsibility.

Examples of retailers that might be considered appropriate and much-needed in the community could be the following, each of which has a responsible ethos that would benefit Canmore.

Dollar Tree

As a smaller value-oriented retailer Dollar Tree's 2022 Corporate Sustainability Report recognizes that the majority of their emissions come from their products and that the increased demand for sustainable products presents a climate change risk to their businesses. In addition to energy efficiency initiatives in their stores and distributions centres, Dollar Tree is also committed to having 75% of their supplier spend to be with companies with measurable GHG reduction or renewable energy targets by 2031 (compared to 38% in 2021).





Value Village

As a larger mid-box retailer, Value Village's purpose is to "*serve the environment by inspiring a future where secondhand is second nature*". For almost 70 years, Value Village's business model has focused on positively impacting the environment, communities and local non-profit organizations. They are committed to keeping one-of-a-kind finds out of landfills by operating one of the most robust recycling and upcycling "*circular economy*" programs in the world. Just one thrifted T-shirt can save 700 gallons of water. On average, Value Village diverts 700 million pounds of clothing and textiles from landfills each year¹.

¹ Value Village. The State of Thrift: 2020 Impact Report. 2020

Commercial Objective

Canmore has successfully established itself as a tourism and recreation hub, and it has blurred the lines between goods and services for residents and visitors. Therefore, policies geared toward attracting visitor commercial, particularly in the Bow Valley Trail area (BVT ARP 6.1.3.1 & 6.2.3.1), are no longer necessary and may hinder commercial development geared toward both residents and visitors. Focus on welcoming shops and services for all in upcoming plan revisions including the Bow Valley Trail ARP and future Municipal Development Plan updates. As Canmore's existing nodes continue to evolve, and future nodes like Palliser or TSMV's Gateway enter the market, they will be desirable and well-used by local residents first and foremost, yet visitors will continue to seek these areas out as part of the overall Canmore experience. Canmore's value proposition should be that it is a community for ALL.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 3: Encourage vibrant commercial nodes with a variety of resident-oriented goods and services			
Work collaboratively with businesses and developers to attract value oriented merchandisers and businesses that align with Canmore's values.	 \$	 Economic Development	6, 7, 8
Continue to monitor store size maximums for TSMV Gateway and any future development to ensure a balanced mix of price points and offerings.	\$	 Planning & Development; Economic Development	2, 5, 6, 7
As part of future Plan reviews, consider removing the store size distinction between visitor-oriented and general retail (resident focused), particularly in the BVT ARP (Section 6.1.3.1 Retail Uses).	\$ 	Planning & Development	2, 6
Support storefront improvement, accessibility and patio programs focused on the Town Centre, with the option to expand into other nodes for older or heritage commercial buildings.	\$	Economic Development; Planning & Development	5
Continue to encourage the activation of vacant spaces through events and pop-up retail as supported in the MDP.	\$	Economic Development; Communications & Media Relations	2, 3
Encourage businesses to explore experiential retail programs.	\$	Economic Development; Communications & Media Relations	2, 3

Industrial Action Plan

Canmore's industrial action plan reinforces the intent of the Town's Municipal Development Plan to continue to prioritize industrial uses in Canmore's industrial lands while shifting how the Town positions itself to attract additional business and employment growth.

Allocation

Recognizing that there is presently under-developed and vacant lands within both the Elk Run and North Industrial nodes, there is an opportunity to focus on these areas for future growth and repositioning while maintaining the industrial uses.

- While the **North Industrial** node is largely built out, a few underdeveloped parcels exist which could accommodate a small portion of forecasted industrial demand.
- As Canmore's largest industrial area, **Elk Run** can absorb the majority of industrial demand by intensifying and densifying underutilized lands in the western portion of the node. Infill and redevelopment with an eye toward finding synergies between industries and supporting local employment opportunities will play a key role in this strategy.

The **Elk Run** node has an opportunity to reposition itself as a small business incubator with smaller footprint and higher value light industrial users and other compatible accessory supporting uses.

Positioning

Industrial considerations are intended to illustrate how Canmore can work with its existing industrial landscape to redefine a more environmentally-friendly, economically stable and higher value land use, while preserving existing industrial lands and considering integrating other necessary community components, such as affordable or employee housing. Canmore can become the community of choice for start-ups and as they outgrow their space, they can move to either Dead Man's Flats or beyond; A successful business whose origins are in Canmore will always be from Canmore!

Considerations for targeting industrial businesses include:

- Specifically focus on built form similar to retail size restrictions to encourage higher value, compact, local, and small light industrial businesses. This could include smaller lot compact single user industrial formats or higher quality single user mixed businesses formats.
- An opportunity exists to support home-based businesses to transition to small startup locations within Elk Run. This may involve consolidating/ amalgamating similar uses to share costs (for example: The Co+Kitchen in Moose Meadows which is a 2,500 sq.ft / 250 sq.m shared-use commercial kitchen). This would support entrepreneurs in growing their businesses by providing smaller scale, more affordable spaces and creating employment transition opportunities.
- It is commonplace for communities with limited industrial land supply to actively work to ensure that the industrial lands within the community are optimized, particularly if the lands in question have full municipal servicing. As communities evolve over time, the mix of businesses begin to shift and larger, more intensive uses tend to seek alternative locations. In the case of Canmore, it is possible that some existing businesses may determine that their operations would be better suited outside of municipal boundaries. This is not always the case however, there may be other market forces that are appealing for some existing businesses to relocate to nearby municipal industrial areas.

Broadly speaking there is an opportunity for Canmore to focus its industrial attraction efforts on businesses with sustainability or corporate social responsibility (CSR)/ Environmental Social and Corporate Governance (ESG) policies and practices. This aligns with the Town's goals of fostering a sustainable community and may also align with the ideological approaches of the local workforce. The town could consider a campaign to identify local businesses with sustainability or CSR practices and policies. Testimonials and examples of local businesses focused on sustainability and CSR could be included in investment attraction initiatives (for example, targeting outdoor apparel and gear manufacturing businesses). **Figure 8-2** is an example of how sustainability values can be incorporated into marketing materials. Consideration should be given to the overall positioning of Canmore's industrial vision and each industrial node to accurately reflect their industrial composition.

Industrial Objective

As Canmore's population continues to grow and land becomes increasingly limited, it is crucial that industrial land be used as efficiently as possible. Enabling compatible business uses and encouraging smaller scale businesses can support this objective while maintaining the light industrial as the primary use over the next 10 years. This aligns well with the existing industrial composition of the Elk Run node, and presents an opportunity for Canmore to reposition and re-market itself as a sustainability business incubator.

Bearing in mind that these transitions tend to happen gradually over time, consideration should be given to supporting the current larger users and their potential future growth. It is foreseeable that these larger footprint businesses may desire to relocate to another area dependent on their business needs and operational costs. Partnering with the Municipal District of Bighorn on joint development (in particular in Dead Man's Flats) has the potential to smooth the transition for larger businesses while making space for new users and benefiting the Town.

Foremost, it is critical to protect existing employment lands within the industrial areas so as to grow the economic base of the community and create employment opportunities. In addition, there is a greater likelihood of retaining local businesses and attracting new businesses by retaining industrial lands within the Town.

Figure 8-2. Example Investor Profile with Sustainability Vision

(Source: Town of Ladysmith, BC - Page 4 of 8).

The screenshot shows the website for the Cowichan Region - Ladysmith. It features four main sections:

- SUSTAINABILITY AND GREEN VISION:** Ladysmith is a green community, recognized as a leader in sustainability. The Town achieved Canada's Top 100 Greenest Employer in 2012, 2013, 2014 and 2015. In 2010, we received a Canadian Institute of Planners Award of Excellence for our Community Sustainability Vision. This vision is about:
 - 1) improving the quality of life for all residents
 - 2) protecting and enhancing the natural environment
 - 3) strengthening the local economy
 - 4) enriching and celebrating the town's uniqueness
- TOURISM / COMMUNITY EVENTS:** Ladysmith is at the doorstep of some of the best tourism and recreational opportunities on Vancouver Island. The town is renowned for its annual events that showcase the community's tremendous sense of pride. Some of the most popular include:
 - Festival of Lights
 - Arts on the Avenue
 - Ladysmith Days
 - Brits on the Beach
 - Kid's Pirate Day
 - Home, Garden and Business Show
- GOVERNMENT:** An elected Council made up of a Mayor and six Councillors govern Ladysmith. Municipal elections are held every four years. Ladysmith is represented on the Cowichan Valley Regional Board by one Director. In 2007, Council members of the Stz'uminus First Nation and the Town of Ladysmith signed a Community Accord. In 2012, the Councils renewed an updated Accord, which reaffirms and strengthens the communities' commitment to build our relationship through increased cooperation and partnerships.
- STZ'UMINUS FIRST NATION:** The Stz'uminus First Nation are a Coast Salish people with a growing population of 1,300. Economic Development is managed by the Coast Salish Development Corporation (CSDC). With more than 1,200 hectares of land, including 11 kilometers of waterfront, and sizeable forest industry and aquaculture holdings, the CSDC can offer attractive investment and partnership opportunities. The corporation's mandate is to build a \$100 million local economy over the next 20 years.

At the bottom of the page, there is a photograph of a street scene in Ladysmith at night, with a small '4' in a circle in the bottom right corner.

Action	Themes	Suggested Town Actors	Supporting Sections
Objective 4: Retain and encourage efficient use of industrial lands			
Connect with economic development stakeholders in the region to facilitate the expansion and attraction of businesses to the industrial areas in tandem with defining Canmore's industrial vision and setting a path for Canmore to position itself as a sustainability business incubator.	▲ \$	Economic Development; Communications & Media Relations	5, 7
Review industrial built form guidelines to consider how small and medium scale light industrial infill can be enabled and encouraged.	\$	Planning & Development; Economic Development	5, 7
Continue building out the current Business Visitation Program with a focus on Elk Run Industrial Park and addressing needs and barriers to business success	\$	Communications & Media Relations; Economic Development	8
Consider joint development partnerships with the MD of Bighorn as one potential approach to revenue sharing of industrial development	\$	Communications & Media Relations; Economic Development	5, 7



June 6, 2023 Regular Council Meeting 9 a.m.



Page 569 of 569