

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

Times are estimates only.

**PUBLIC QUESTION PERIOD – Before meeting is called to order**

- 9:00 – 9:05      **A. CALL TO ORDER AND APPROVAL OF AGENDA**  
                    1. Land Acknowledgement  
                    2. Agenda for the May 2, 2023 Regular Meeting of Council
- 9:05 – 9:35      **B. PUBLIC HEARINGS**  
                    1. Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools  
                        Lawrence Grassi Middle School Direct Control District  
                        (1) Call to Order  
                        (2) Administration Presentation  
                        (3) Public Verbal Submissions  
                        (4) Public Written Submissions  
                        (5) Council Questions of the Applicant  
                        (6) Closing Comments from Administration  
                        (7) Council Questions of Administration  
                        (8) Adjournment of the Public Hearing
- 9:35 – 9:50      **C. DELEGATIONS**  
                    1. Canmore Downtown Business Improvement Area  
                        Purpose: To provide the committee of the whole with a review of the  
                        Downtown Paid Parking Program and suggestions for improvements to the  
                        program.
- 9:50 – 9:55      **D. APPROVAL OF MINUTES**  
                    1. Minutes of the February 21, 2023 Special Meeting of Council  
                    2. Minutes of the April 4, 2023 Regular Meeting of Council
- E. BUSINESS ARISING FROM THE MINUTES – None**
- F. UNFINISHED BUSINESS – None**
- 9:55 – 10:15    **G. BYLAW APPROVAL**  
                    1. Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools  
                        Lawrence Grassi Middle School Direct Control District  
                        Recommendations:  
                            1) That Council give second reading to Land Use Bylaw Amendment  
                                2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle  
                                School Direct Control District.  
                            2) That Council give third reading to Land Use Bylaw Amendment 2022-  
                                25 Canadian Rockies Public Schools Lawrence Grassi Middle School  
                                Direct Control District.

10:15 – 10:35      **2. Land Use Bylaw Amendment 2022-14 Trinity Bible Church Direct Control District**

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.

**Meeting Break 10:35 – 10:50**

10:50 – 11:20      **3. Land Use Bylaw Amendment 231 and 233 Three Sisters Drive**

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

11:20 – 11:45      **4. Property Tax Rate Bylaw 2023-13 and Supplementary Property Tax Rate Bylaw 2023-14**

Recommendations:

- 1) That Council give first reading to Property Tax Rate Bylaw 2023-13.
- 2) That Council give second reading to Property Tax Rate Bylaw 2023-13.
- 3) That Council give leave to go to third reading of Property Tax Rate Bylaw 2023-13.
- 4) That Council give third reading to Property Tax Rate Bylaw 2023-13.
- 5) That Council give first reading to Supplementary Property Tax Rate Bylaw 2023-14.
- 6) That Council give second reading to Supplementary Property Tax Rate Bylaw 2023-14.
- 7) That Council give leave to go to third reading of Supplementary Property Tax Rate Bylaw 2023-14.
- 8) That Council give third reading to Supplementary Property Tax Rate Bylaw 2023-14.

11:45 – 12:15      **5. Council Remuneration Review Committee Bylaw 2023-12**

Recommendations:

- 1) That Council give first reading to Council Remuneration Review Committee Bylaw 2023-12.
- 2) That Council give second reading to Council Remuneration Review Committee Bylaw 2023-12.
- 3) That Council give leave to go to third reading of Council Remuneration Review Committee Bylaw 2023-12.
- 4) That Council give third reading to Council Remuneration Review Committee Bylaw 2023-12.

- 12:15 – 12:20
- H. NEW BUSINESS**
- 1. RCMP Retroactive Pay Advocacy**
- Recommendations:
- 1) 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; and
  - 2) That Council direct Mayor Krausert to convey this support in writing to our local Member of Parliament.
- I. REPORTS FROM ADMINISTRATION - None**
- J. NOTICES OF MOTION - None**
- K. IN CAMERA - None**
- 12:20
- L. ADJOURNMENT**



March 6<sup>th</sup>, 2023

Sally Caudill  
Chief Administrative Officer  
[sally.caudill@canmore.ca](mailto: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 that reads "Tory Kendal".

Tory Kendal  
Chair, Downtown Canmore BIA

CC: Mayor Sean Krausert  
[Sean.krausert@canmore.ca](mailto:Sean.krausert@canmore.ca)



The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the page, framing the central text. The overall aesthetic is modern and clean.

# **DOWNTOWN CANMORE BIA PAID PARKING**

# WHY IS THE DOWNTOWN CANMORE BUSINESS IMPROVEMENT AREA (BIA) PRESENTING TO YOU TODAY ON PAID PARKING?

- ▶ TOWN OF CANMORE
  - ▶ BYLAW 21-2005 – Consolidated March 6, 2019
    - ▶ PROVINCE OF ALBERTA
- ▶ PURPOSE OF THE BOARD
- ▶ 5. The purpose of the Board may include:
  - ▶ a) improving, beautifying and maintaining property in the zone;
  - ▶ b) developing, improving and maintaining public parking;
  - ▶ c) promoting the zone as a business or shopping area;
  - ▶ d) representing the interests of the Downtown Business Improvement Area to Council;
  - ▶ e) conducting any studies or preparing any designs that may be necessary for the purpose of this section.

## Where we have come from

- ▶ The BIA (formerly BRZ) has been involved in discussions related to parking, initially hourly and then paid since June of 2015, with different councils and different BIA boards.
- ▶ We are supportive of the Town of Canmore's ITP as we understand Canmore's challenges, including finite public area. The pedestrianization zone is an example of our commitment to mode shift.
- ▶ BIA recognizes challenges will happen during the start up and first year of operation
- ▶ BIA would like to address issues/concerns members have given over the last couple months

# BIA's understanding of paid parking

- ▶ Use of paid parking model increases turn over of parking spot, allowing this resource to be controlled more effectively
- ▶ Paid parking prioritizes those who are willing to pay and discourages those who will utilize this resource long-term
  - ▶ Staff should not be primary users of this resource
- ▶ Encourages mode shift
  - ▶ Roam, on bike, on foot
- ▶ Uses economics to control (supply vs demand)
- ▶ Free parking exists a 5-10 minute walk away

# What is the purpose of of paid parking without the businesses of the Town Centre?

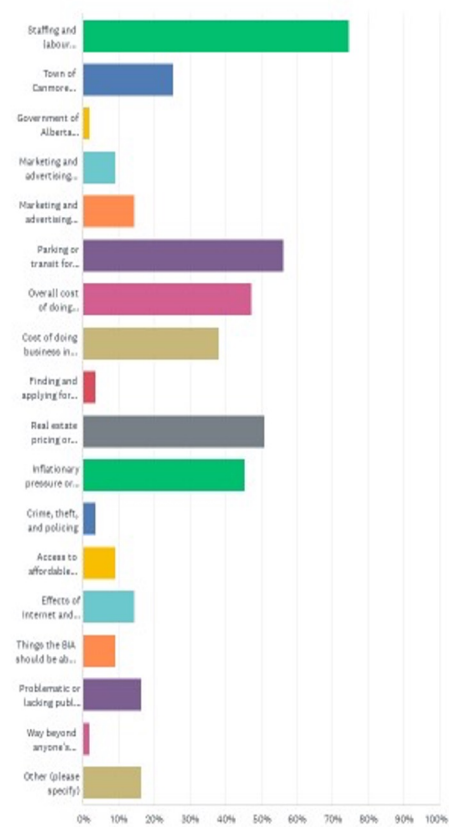
- ▶ The BIA's goal is to be a locals downtown, we do not want to discourage our locals from coming downtown. Our local business community needs both visitor AND local support. Paid parking can be seen as a barrier by some locals
- ▶ Businesses of the Town Centre are the reason people go downtown.
- ▶ Desire to provide the best possible experience to the Town Centre by locals, visitors and business owners
- ▶ BIA is supportive of 3 hour free parking for residents
  - ▶ However for some it creates a burden for going downtown ("the quick grab customer")

# WHERE WE ARE

- ▶ BIA lead member conversations related to paid parking in January/February. Discussions mostly specific **to off season**
- ▶ Two meetings – one informal and the other a Board Meeting
- ▶ Two Surveys - respondents was around 64, representing about 50 businesses. Mixed responses

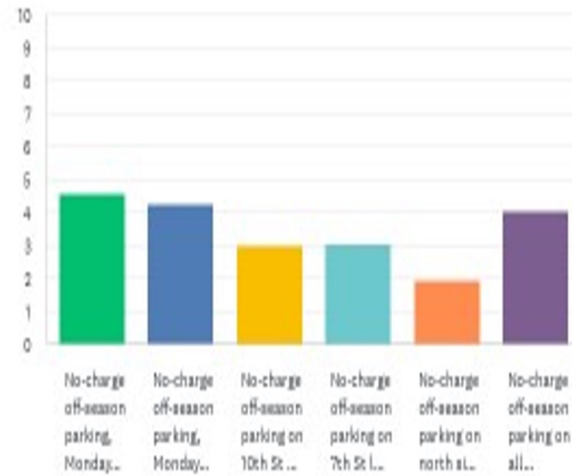
# Survey December

Q16 The TOP FIVE issues YOUR business faces are...



# Survey Feb 2

Q1 Please rank the following BIA asks of Canmore Town Council. See map for clarity.







# THINGS WE HEARD

- ▶ General consensus that paid parking is beneficial during peak season
- ▶ Concerns by businesses related to sales being down due to less locals coming downtown and encourages travel elsewhere
  - ▶ Paid parking discourages the quick visit downtown
- ▶ Business concerns with attracting staff for downtown (“costs to work downtown”)
  - ▶ Not all staff can mode shift (MD, Cochrane)
- ▶ Distance and safety of free parking areas (7<sup>th</sup> after dark)
- ▶ Spots not available when afternoon staff come to work
- ▶ Businesses should receive a free parking pass
- ▶ Swiftness of ticketing results in negative perception of Town Centre and town in general
- ▶ Machines can be difficult to use; can be a burden on seniors; need more machines



# User experience



# Recommendations

- ▶ Free (non-registered) parking Monday - Thursday in off-season
  - ▶ Encourages more traffic on slow days
  - ▶ Maximize use of public parking area. Vehicles do not result in vibrancy, but full parking lot is more “vibrant” than an empty one (supply vs demand)
- ▶ Reduce hours from 8AM - 8PM to 10AM - 6PM
  - ▶ Gives locals who don't want to deal with the free program a time to park downtown for errands
  - ▶ 11AM to 5PM was originally pitched in December 2019
- ▶ Issue a limited number of employee passes for a nominal fee (\$25/month)
  - ▶ Businesses can purchase for staff (ie, hang tag)
  - ▶ Staff are commuting from outside Canmore boundaries
  - ▶ Could be administered by the BIA
  - ▶ Assess and dedicate some under-utilized parking areas closer to the Town Centre (7<sup>th</sup>, area behind JKs) to staff parking
- ▶ Include MD and area in 3 hour program
  - ▶ We are their downtown
- ▶ Grace period before ticketing
- ▶ Allow residents to register their license plates with the town rather than beginning a “session”
  - ▶ May reduce the “barrier” to coming downtown by some locals

**Thank you!**

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the frame, with some extending towards the center. The overall aesthetic is clean and modern.



**TOWN OF CANMORE**  
**MINUTES**  
Special Meeting of Council  
Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, February 21, 2023 at 3:00 p.m.**

**COUNCIL MEMBERS PRESENT**

Sean Krausert            Mayor  
Jeff Mah                 Deputy Mayor  
Tanya Foubert         Councillor  
Wade Graham          Councillor  
Jeff Hilstad             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  
Cheryl Hyde            Municipal Clerk  
Allyssa Rygersberg    Deputy Municipal Clerk (recorder)

Mayor Krausert called the February 21, 2023 special meeting to order at 3:00 p.m.

**A. CALL TO ORDER AND APPROVAL OF AGENDA**

- 1. Land Acknowledgement
- 2. Agenda for the February 21, 2023 Special Meeting of Council

31-2023                      Moved by Mayor Krausert that Council approve the agenda for the February 21, 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. Canmore Local Transit Bus Purchase**

32-2023

Moved by Mayor Krausert that Council approve a capital project in the amount of \$1,417,000 for the purchase of a Proterra electric bus to be funded as follows:

- 80% Rural Transit Solutions Fund Grant, and
- 20% Town of Canmore Capital Reserves held by the Bow Valley Regional Transit Services Commission.

**CARRIED UNANIMOUSLY**

**I. REPORTS FROM ADMINISTRATION**

None

**J. NOTICES OF MOTION**

None

**K. IN CAMERA**

None

**L. ADJOURNMENT**

33-2023

Moved by Mayor Krausert that Council adjourn the February 21, 2023 special meeting at 3:12 p.m.

**CARRIED UNANIMOUSLY**

\_\_\_\_\_  
Sean Krausert, Mayor

\_\_\_\_\_  
Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: \_\_\_\_\_

**TOWN OF CANMORE  
MINUTES**

Regular Meeting of Council  
Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, April 4, 2023 at 9:00 a.m.**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Karen Marra	Councillor
Joanna McCallum	Councillor

**ADMINISTRATION PRESENT**

Sally Caudill	Chief Administrative Officer
Palki Biswas	Acting General Manager of Corporate Services/Manager of Finance
Whitney Smithers	General Manager of Municipal Infrastructure
Margaret Szamosfalvi	Acting General Manager of Municipal Services/Manager of Recreation
Robyn Dinnadge	Manager of Communications
Cheryl Hyde	Municipal Clerk
Allyssa Rygersberg	Deputy Municipal Clerk (recorder)
Nathan Grivell	Development Planner
Simon Robbins	Supervisor of Solid Waste Services
Caitlin Miller	Manager of Protective Services
Geordie Heal	Supervisor of Streets and Roads
Elle West	Community Evaluator
Adam Driedzic	Town Solicitor

Mayor Krausert called the April 4, 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 April 4, 2023 Regular Meeting of Council**

51-2023

Moved by Mayor Krausert that Council approve the agenda for the April 4, 2023 regular meeting as presented.

**CARRIED UNANIMOUSLY**

**B. PUBLIC HEARINGS – None**

**C. DELEGATIONS – None**

**D. APPROVAL OF MINUTES**

- 52-2023      **1. Minutes of the February 28, 2023 Special Meeting of Council**  
Moved by Mayor Krausert that Council approve the minutes of the February 28, 2023 regular meeting as presented.

**CARRIED UNANIMOUSLY**

- 53-2023      **2. Minutes of the March 7, 2023 Regular Meeting of Council**  
Moved by Mayor Krausert that Council approve the minutes of the March 7, 2023 regular meeting as presented with the following amendment:

- under motion 44-2023 strike out “February 7” and substitute “March 7”.

**CARRIED UNANIMOUSLY**

**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 (CRPS) Lawrence Grassi Middle School Direct Control District**

The following people were in attendance to present on behalf of the applicant: Brian Callaghan, Vice Chair (Trustee), Arlene Rheaume, Chair (Trustee), Chris Sparrow, MTA Consultant, Michelle Ouellette, Division Manager, McElhanney, and Lori Van Rooijen, CRPS Representative.

- 54-2023      Moved by Mayor Krausert that Council give first reading to Bylaw 2022-25 and schedule a public hearing for May 2, 2023.

- 54A-2023      Moved by Mayor Krausert that Council amend motion 54-2023 by adding:

- amend section 14.40.5.2 of Schedule B to Bylaw 2022-25 to read as follows:

“Excluding buildings that are located adjacent to the east property line, the Development Authority may grant variances to allow roof areas to exceed the maximum height, either:

a. to allow a total of 10% of the roof areas to exceed the maximum height by up to 10% where it is of the opinion that the architecture of the development would be enhanced, or

b. where the view shed from immediately across the street is not impaired more than would be created by a building of the maximum height as measured at the point of the front setback.”

**CARRIED UNANIMOUSLY**

Minutes approved by: \_\_\_\_\_



54-2023 The vote followed on motion 54-2023: that Council give first reading to Bylaw 2022-25 and schedule a public hearing for May 2, 2023, and amend the bylaw as follows:

- amend section 14.40.5.2 of Schedule B to Bylaw 2022-25 to read as follows:

“Excluding buildings that are located adjacent to the east property line, the Development Authority may grant variances to allow roof areas to exceed the maximum height, either:

a. to allow a total of 10% of the roof areas to exceed the maximum height by up to 10% where it is of the opinion that the architecture of the development would be enhanced, or

b. where the view shed from immediately across the street is not impaired more than would be created by a building of the maximum height as measured at the point of the front setback.”

**CARRIED UNANIMOUSLY**

**Meeting Break 9:33 – 9:42 a.m.**

**2. Supplementary Assessment Bylaw 2023-10**

55-2023 Moved by Mayor Krausert that Council give first reading to Supplementary Assessment Bylaw 2023-10.

**CARRIED UNANIMOUSLY**

56-2023 Moved by Mayor Krausert that Council give second reading to Supplementary Assessment Bylaw 2023-10.

**CARRIED UNANIMOUSLY**

57-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Supplementary Assessment Bylaw 2023-10.

**CARRIED UNANIMOUSLY**

58-2023 Moved by Mayor Krausert that Council give third reading to Supplementary Assessment Bylaw 2023-10.

**CARRIED UNANIMOUSLY**

**3. Downtown Business Improvement Area (BIA) Tax Bylaw 2023-11**

Beth VanderVoort, Interim Executive Director for the BIA, provided Council with a presentation on the BIA’s 2023 budget and answered questions from Council.

59-2023 Moved by Mayor Krausert that Council approve the Downtown Business Improvement Area 2023 budget as presented.

**CARRIED UNANIMOUSLY**

60-2023 Moved by Mayor Krausert that Council give first reading to Bylaw 2023-11, the Downtown Business Improvement Area Tax Rate Bylaw.

**CARRIED UNANIMOUSLY**

Minutes approved by: \_\_\_\_\_

61-2023 Moved by Mayor Krausert that Council give second reading to Bylaw 2023-11, the Downtown Business Improvement Area Tax Rate Bylaw.

**CARRIED UNANIMOUSLY**

62-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Bylaw 2023-11, the Downtown Business Improvement Area Tax Rate Bylaw.

**CARRIED UNANIMOUSLY**

63-2023 Moved by Mayor Krausert that Council give third reading to Bylaw 2023-11, the Downtown Business Improvement Area Tax Rate Bylaw.

**CARRIED UNANIMOUSLY**

#### **4. Mandatory Commercial Food Waste Diversion**

64-2023 Moved by Mayor Krausert that Council give first reading to Recyclables and Waste Disposal Amendment 2023-15 Food Waste.

64A-2023 Moved by Mayor Krausert that Council amend motion 64-2023 by adding:

- strike out section 25. (The numbering of the bylaw is amended by removing numbers in the headers and numbering all sections chronologically.)

**CARRIED UNANIMOUSLY**

64B-2023 Moved by Councillor Graham that Council amend motion 64-2023 by amending the specified fines in the bylaw, except for section 4.7.(a) and 7.1, starting at \$2,000 for the first offence, \$5,000 for the second offence and \$10,000 for the third offence.

64B1-2023 Moved by Mayor Krausert that Council amend motion 64B-2023 by striking out \$2,000 and substituting \$1,000 for the first offence.

**CARRIED UNANIMOUSLY**

64B-2023 The vote followed on motion 64B-2023 as amended: that Council amend the specified fines in the bylaw, except for section 4.7.(a) and 7.1, starting at \$1,000 for the first offence, \$5,000 for the second offence and \$10,000 for the third offence.

**CARRIED UNANIMOUSLY**

64-2023 The vote followed on motion 64-2023 as amended: that Council give first reading to Bylaw 2022-25 amended as follows:

- delete section 25 (The numbering of the bylaw is amended by removing numbers in the headers and numbering all sections chronologically.) and
- amend the specified fines in the bylaw, except for section 4.7.(a) and 7.1, starting at \$1,000 for the first offence, \$5,000 for the second offence and \$10,000 for the third offence.

**CARRIED UNANIMOUSLY**

65-2023 Moved by Mayor Krausert that Council give second reading to Recyclables and Waste Disposal Amendment 2023-15 Food Waste Bylaw.

**CARRIED UNANIMOUSLY**

Minutes approved by: \_\_\_\_\_

66-2023 Moved by Mayor Krausert that Council give leave to go to third reading of Recyclables and Waste Disposal Amendment 2023-15 Food Waste Bylaw.  
**CARRIED UNANIMOUSLY**

67-2023 Moved by Mayor Krausert that Council give third reading to Recyclables and Waste Disposal Amendment 2023-15 Food Waste Bylaw.  
**CARRIED UNANIMOUSLY**

68-2023 Moved by Mayor Krausert that Council approve \$10,000 to fund implementation of the mandatory commercial food waste diversion program, to be funded from the Solid Waste Services Reserve.  
**CARRIED UNANIMOUSLY**

69-2023 Moved by Councillor Graham that Council direct administration to return with a process and recommendations for directing revenue resulting from enforcement from the specified fines except for sections 4.7(a) and 7.1 in Bylaw 2023-15 to the Wildsmart Program.  
**CARRIED UNANIMOUSLY**

11:07 – 11:20 **Meeting Break**

**5. Procedural Bylaw Amendment 2023-16 Omnibus**

70-2023 Moved by Mayor Krausert 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.

70A-2023 Moved by Councillor Foubert that Council amend motion 70-2023 by adding: 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.  
**CARRIED UNANIMOUSLY**

70-2023 The vote followed on motion 70-2023 as amended: 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.  
**CARRIED UNANIMOUSLY**

Minutes approved by: \_\_\_\_\_

**H. NEW BUSINESS**

**1. Funding Increase to 2020 Light Fleet Replacement (#7140) to Accommodate External Funding**

71-2023 Moved by Mayor Krausert that Council approve an increase to the budget for the 2020 Light Fleet Replacement capital project (#7140) from \$123,000 to \$155,500 with the \$32,500 increase to be funded from the Municipal Climate Change Action Centre's Electric Vehicles for Municipalities program.

**CARRIED UNANIMOUSLY**

**2. Appointment of Clerks to the Subdivision and Development Appeal Board**

72-2023 Moved by Mayor Krausert that Council appoint Cheryl Hyde, Allyssa Rygersberg, and Sara Jones as clerks to the Subdivision and Development Appeal Board for terms to end upon expiry of training certification.

**CARRIED UNANIMOUSLY**

**3. Canmore Library Board Appointment**

73-2023 Moved by Mayor Krausert that Council appoint Doreen Saunderson to the Canmore Library Board for a term ending at the October 2025 annual organizational meeting.

**CARRIED UNANIMOUSLY**

**I. REPORTS FROM ADMINISTRATION**

**1. 2023 Safe Park Program Overview**

Elle West, Community Evaluator, provided Council with recommendations to change the Safe Park Program and asked for Council's input on success measures.

**J. NOTICES OF MOTION – None**

**K. IN CAMERA**

**1. Three Sisters Mountain Village Properties Ltd. Litigation Update (verbal)**

74-2023 Moved by Mayor Krausert that Council take the meeting in camera to prevent disclosure of information subject to legal privilege in accordance with section 27(1)(a) of the *Freedom of Information and Protection of Privacy Act*.

**CARRIED UNANIMOUSLY**

The following members of administration were present for the in camera session: Sally Caudill, Whitney Smithers, Cheryl Hyde, Robyn Dinnadge, Adam Driedzic, and Allyssa Rygersberg.

75-2023 Moved by Mayor Krausert that Council return to the public meeting at 12:54 a.m.

**CARRIED UNANIMOUSLY**

Minutes approved by: \_\_\_\_\_

**L. ADJOURNMENT**

76-2023

Moved by Mayor Krausert that Council adjourn the April 4, 2023 regular meeting at 12:55 a.m.

**CARRIED UNANIMOUSLY**

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Sean Krausert, Mayor

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Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: \_\_\_\_\_



# Request for Decision

**DATE OF MEETING:** May 2, 2023 **Agenda #:** G-1

**TO:** Council

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

**SUBMITTED BY:** Nathan Grivell, Development Planner

**RECOMMENDATION:** That Council give second reading to Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District.

That Council give third reading to Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District.

## EXECUTIVE SUMMARY

Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District received first reading April 4, 2023 and is the subject of a public hearing on May 2, 2023.

Administration's analysis and position on this matter, presented at first reading of this bylaw, remains unchanged. Please see Attachment 1 for the Request for Decision submitted on April 4, 2023 and Attachment 2 for Bylaw 2022-25 as amended at first reading.

## ATTACHMENTS

- 1) RFD from the April 4, 2023 council meeting
- 2) Land Use Bylaw Amendment 2022-25 Canadian Rockies Public Schools Lawrence Grassi Middle School Direct Control District

## AUTHORIZATION

Approved by: Sally Caudill  
Chief Administrative Officer

Date April 25, 2023



# Request for Decision

**DATE OF MEETING:** April 4, 2023 **Agenda #:** G-1

**TO:** Council

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

**SUBMITTED BY:** Nathan Grivell, Development Planner

**RECOMMENDATION:** That Council give first reading to Bylaw 2022-25 and schedule a public hearing for May 2, 2023.

## EXECUTIVE SUMMARY

The Canadian Rockies Public Schools (CRPS) is applying to redesignate a portion of their site that is currently designated as PD – Public Use District to a direct control district (DC District). The purpose of the redesignation is to achieve the goals and objectives of the CRPS Lawrence Grassi Middle School Area Redevelopment Plan.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The recently approved CRPS Lawrence Grassi Middle School Area Redevelopment Plan, Bylaw 2021-07, has directed the creation of the DC District.

## DISCUSSION

CRPS is proposing a land use redesignation to be consistent with the recently approved CRPS Lawrence Grassi Middle School Area Redevelopment Plan (the ARP). Generally, the Land Use Bylaw (the LUB) regulations provide the “how we get there”, in response to the goals and objectives, “where we want to go”, of an Area Redevelopment Plan. The ARP contains eight goals: pedestrian focused design, affordable housing, employee housing, housing diversity, neighbourhood character, energy and green building principles, community amenities, and public-school sustainability. In this report, the proposed DC District regulations are organized under these goals.

### 1. Pedestrian Focused Design

The CRPS ARP contains the goal to:

*“Enhance the pedestrian realm by prioritizing pedestrian safety and movement, encouraging non-motorized modes of travel, while accommodating vehicle access to the site.”*

To provide further guidance to this goal, the ARP includes a pedestrian circulation concept (Map 3), a cross section for the internal road showing it as a shared street (Figure 6), and requirements for off-site pathway development and road improvements to 4<sup>th</sup> Street. The details of these concepts are sufficient such that no further direction is required to be added to the DC District. However, to ensure orderly development through the phased development of this area, the DC District includes a

requirement (see 14.40.5.7a) for a comprehensive site plan to be provided with the first development permit application. The plan will show the location of all site elements in greater detail, as the developer will have reached the detailed design stage of their project by then. The plan must demonstrate compliance with the ARP. As well, it will establish a logical phasing of these elements, including pedestrian elements, to support occupants as the site develops.

Administration considers this goal to be achieved through the proposed DC District.

## **2. Affordable Housing & 3. Employee Housing**

The ARP contains goals to:

*“Dedicate a portion of the housing stock to align with the Canmore Community Housing program”*

*“Dedicate a portion of the housing stock and build suitable employee housing.”*

To provide further guidance, ARP policy statement 5.3 directs that 20 units be part of the Canmore Community Housing (CCH) program and 20 units be of purpose-built employee housing, to help recruit and retain staff. In response to this, the DC District includes Perpetually Affordable Housing and Employee Housing as permitted uses. The commitment for these units is not reflected in the DC District as these commitments will be secured outside of the land use process.

Administration considers this goal to be achieved through the proposed DC District.

## **4. Housing Diversity**

The ARP contains the goals to:

*“Provide a range of dwelling sizes and configurations to increase available housing choice for local residents to allow people of all ages to live in the area.”*

*“Incorporate a diversity of housing choices to assist in achieving housing affordability through the provision of townhouses, stacked townhouses and a variety in unit sizes.”*

In response to these goals, the DC District enables a range of housing choices by including various housing types through permitted and discretionary uses. For example, Apartment Building, Townhouse, and Townhouse, Stacked are listed as permitted uses, while Accessory Dwelling Unit, Attached is listed as a discretionary use. At the development permit stage, the developer will be required to provide a comprehensive site plan with the first development permit that demonstrates a range of unit sizes and types in compliance with the policy of the ARP.

ARP policy statement 5.1.3 prescribes the maximum density (120 units) for the site. The DC District complies with this policy (see 14.40.4.12) and duplicates this maximum density.

Administration considers this goal to be achieved through the proposed DC District.



## 5. Neighbourhood Character

The ARP contains the goal to:

*“Establish neighbourhood design requirements that result in a sense of place”.*

There are several policy statements captured under Section 5.2 that provide detailed direction on design, such as, required building setbacks, maximum height, and massing strategies.

With regards to building setbacks, the ARP contains detailed and specific minimum building setbacks (Section 5.2.1). The DC District complies with this, as it includes and duplicates these setbacks (see 14.40.4.2 to s14.40.4.5).

With regard to building massing, the ARP (Section 5.2.2) contains a requirement for taller buildings to be located internal to the site to control building massing. The DC District complies with Section 5.2.2 as it includes and duplicates this requirement (see 14.40.4.6 and 14.40.4.7).

With regard to building height, the ARP contains requirements on the number of building storeys, limiting these as 2 ½ storeys in Area A and 3 ½ storeys in Area B (Section 5.2.3). The DC District includes these regulations, as well as prescribes absolute building heights of 10 m for Area A and 14 m for Area B. Although there is no specific mention of the 10 m and 14 m height limits in the ARP policy statements, these heights were clearly used in Appendix E of the ARP in the Comparative Massing and Setback Cross Section to demonstrate the appropriateness of the number of storeys.

Related to maximum height, the DC District includes an opportunity for a variance to maximum height where the architecture of the building is further enhanced (see 14.40.5.2). The applicant has taken this regulation from the Old Daycare Lands DC District, although they have increased the maximum roof area from 10% of roof area to 20%. The applicant believes the flexibility will result in more attractive looking buildings (adding to a sense of place).

Administration considers this goal to be achieved through the proposed DC District.

## 6. Energy and Green Building Principles

The ARP contains the goal to:

*“Promote the development and use [of] energy saving technologies and green building design.”*

To provide further guidance, ARP policy statement 5.7.4 directs that a portion of vehicle parking stalls shall be equipped for future Level 2 charging. In response to this, the DC District includes a commitment that all parking stalls be EV Capable (14.40.5.4). A definition of this term has been provided as well for clarity.

Furthermore, ARP policy statement 5.6 includes a commitment to “explore opportunities” to help meet the GHG reduction targets set out in the Town Climate Action Plan. In response to this, the DC District includes a reiteration of this commitment (14.40.5.3). As the regulation does not prescribe any mandatory requirements, its inclusion is more symbolic to emphasize CRPS’s intention to explore this at the detailed design stage. At a minimum, any new development will be required to

comply with the Town's Green Building regulations as outlined in the LUB.

Administration considers this goal to be achieved through the proposed DC District.

## 7. Community Amenities

The ARP contains the goal to:

*"Provide a variety of community amenities for residents and visitors to the Town of Canmore."*

Examples of amenities include the school garden, off-site improvements, open space, and a public pathway. In response, the DC District includes:

- a. A reiteration of the requirements of policy statement 5.2.6 in the ARP, that the school garden is to be relocated within the site and remain the same size in area. However, the DC District regulation (14.40.5.5) provides the current area of 960m<sup>2</sup> for ease of review at the DP stage;
- b. Requirements for the developer, prior to or concurrent with the issuance of the first development permit, to build and secure the public multi-use pathway that transects the site (14.40.5.7b, c);
- c. A requirement for a comprehensive site plan to be provided with the first development permit application (14.40.5.7a). The plan will show the location of all site elements in detail, as the developer will have reached the detail design stage of their project, including the new location for the school garden, open space, and pathways, and demonstrate compliance with the ARP. As well, it will establish a logical phasing of these elements to support occupants as the site develops.
- d. A requirement that 37% of the district's land area be landscaped. This aligns with the requirements of the R4 District. However, given the design of the sites - with buildings internal to the site, some building areas may have less than this amount and some may have more.

Administration considers this goal to be achieved through the proposed DC District.

## 8. Public-School Sustainability

The ARP contains the goal to

*"Place proceeds from residential development into a CRPS Legacy Fund to help sustain future operations of the public-school board so that CRPS can continue to provide quality education for the Bow Valley community."*

The DC District does not respond to this goal, as this is a financial sustainability goal of the proponent and not a land use matter.

There are additional matters outside of the ARP goals that are also included in the DC District, such as parking, bus drop-off area, and the development authority for applications under this DC District.

### **Parking**

The ARP does not provide direction on minimum parking requirements for the site other than that it needs to be accommodated on-site. As the DC District does not establish any special requirements, the town-wide minimum parking requirements will apply. The applicant has confirmed that they can meet these requirements for 120 units on the site without the need for a variance to these regulations. Administration is therefore satisfied that there will be adequate on-site parking.

### **Bus Drop-off Area**

The ARP shows development within the existing bus drop-off area (south-east of the school, at the west-end of 5<sup>th</sup> Street). As this is within the development area, this bus drop-off spot will need to be relocated. The ARP does not identify a new location, and the applicant has not included one in the DC District. However, the DC District includes a requirement (14.40.5.6) for the applicant to propose and receive approval for a new location, as part of any development permit application that includes development within the DC lands, that affects the current bus drop-off area. Administration is satisfied that there are options around or near the school for relocation and that a new location does not need to be established at this stage.

## **ANALYSIS OF ALTERNATIVES**

1. Council has the option through the DC District to prohibit the use of the 5<sup>th</sup> Avenue laneway (adjacent to the north side of the LGMS) for future school bus drop-off and access. It is recommended, however, that the evaluation of the future school bus drop-off and access be at the discretion of Administration, based on the merits of the proposed location, later in the development process.
2. Administration recommends that Council amend 14.40.5.2, which allows for a roof height variance, as follows:

***Excluding buildings that are located adjacent to the east property line, ~~the~~ the Development Authority may grant variances to allow roof areas to exceed the maximum height, either:***

- a. *to allow a total of ~~10%~~ 20% of the roof areas to exceed the maximum height by up to 10% where it is of the opinion that the architecture of the development would be enhanced, or*
- b. *where the view shed from immediately across the street is not impaired more than would be created by a building of the maximum height as measured at the point of the front setback.*

The rationale for these recommended changes are as follows:

- This relaxation is not present in the R4 District, which is the district that the DC District is broadly modeled after.
- Although not directly out of alignment, the opportunity for a variance for buildings on the east side of the property would not complement Section 5.2.1 of the ARP which states:  
*“Provide a setback from the neighbouring residential multi-family development called Caffaro Fusion and Encore developments to the East.”*
- Building height was consistently identified as a concern in the feedback received from the community.

- A reduction of the permitted roof area from 20% to 10% would be consistent with the limits allowed in the Old Daycare Lands and the Peaks Landing DC Districts.

### **FINANCIAL IMPACTS**

There are no associated financial implications.

### **STAKEHOLDER ENGAGEMENT**

The applicant has not completed any public engagement post approval of the ARP. In their opinion, a rigorous public engagement process was undertaken as part of the development of the ARP and as this application conforms with the ARP, no further engagement is required.

Administration completed a circulation to landowners within, and adjacent to the boundary of the ARP and allowed a month for comment. Approximately 40 letters were received, and these were reviewed and also provided to the applicant for their consideration for making changes. No changes were made by the applicant as a result of this feedback. The concerns highlighted by the public are grouped and summarized below. Many of the concerns were to aspects of the development already approved by the ARP. As the applicant is not proposing to amend the ARP, their DC District is required to comply with the requirements of the ARP.

A summary of the feedback includes:

- Density and building height are too high and negatively impact adjacent properties
  - As noted above, the review and appropriateness of the maximum density and building heights for the site occurred as part of the ARP. The maximum building height and density proposed in the DC District are consistent with the ARP.
- Loss of views
  - The impact on views on adjacent properties was assessed as part of the approval of the ARP, including the review of cross sections and establishing minimum building setbacks. The DC District is consistent with the ARP.
- Diminishment of neighbourhood character
  - The appropriateness of the development itself was assessed as part of the approval of the ARP. Future development is required to conform with the Community Architectural and Urban Design Standards of the LUB, so from an architectural perspective, the site should be consistent and even enhance the look of the street.
- Loss of greenspace and play area for children and removal of trees
  - The appropriateness of the development itself was assessed as part of the approval of the ARP. The DC District requires that 37% of the site be landscaped, which is in line with the R4 District. It also requires that the school garden be maintained.
  - On-site trees and shrubs will be required in accordance with Section 11 of the LUB.

- Vehicle parking challenges
  - As noted above, Administration is satisfied that the town-wide LUB parking requirements will provide adequate parking for the development.
- Traffic congestion and pedestrian safety
  - The proposed development will make existing roads in South Canmore busier, but is not expected to have a significant impact on road capacity in the area. The Town’s Engineering department requires a Traffic Impact Assessment (TIA) when a threshold of 100 person trips per hour is reached at peak times. The proposed development was assessed by a Transportation Engineer and does not meet this threshold; therefore, no TIA was required. The additional traffic generated by the proposed development is not anticipated to result in unacceptable delays or safety concerns.
- Street vehicle access to development inadequate
  - The conceptual design and location of the 4<sup>th</sup> Street vehicle access was reviewed and accepted by the Engineering Department as part of the approval of the ARP.
- Inadequate servicing capacity in the area
  - The ability to service the site was reviewed and deemed feasible by the Engineering Department at the ARP stage. Any infrastructure improvements required as a result of the proposed development, will be undertaken and paid for by the developer, and could benefit the surrounding area.
- A bus drop-off area located adjacent to the lane on the north side of the school is not appropriate
  - As noted above, the review and appropriateness of a new location will be assessed by the Engineering Department at the time of development permit.
- Town Council should have delayed 2<sup>nd</sup> and 3<sup>rd</sup> reading of the ARP to further consider the feedback provided at the public hearing.
  - The approval of the ARP was completed in accordance with the MGA requirements for passing a bylaw. Town Council, at its discretion, may proceed with 2<sup>nd</sup> and 3<sup>rd</sup> reading at anytime following a public hearing.

**ATTACHMENTS**

1. Bylaw 2022-25

**AUTHORIZATION**

Submitted by:	Nathan Grivell Development Planner	Date:	<u>March 6, 2023</u>
Approved by:	Lauren Miller Manager of Planning and Development	Date	<u>March 8, 2023</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date:	<u>March 20, 2023</u>
Approved by:	Therese Rogers Acting Chief Administrative Officer	Date:	<u>March 27, 2023</u>



**BYLAW 2022-25**

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

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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 Canadian Rockies Public Schools Lawrence Grassi Middle School 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 0715292, Block 60, Lot 21 from PD - Public Use District to DC2022-25 CRPS Lawrence Grassi Middle School Direct Control District and PD - Public Use District as shown in Schedule A of this bylaw.
- 4 That Section 14 of Land Use Bylaw 2018-22 be amended to include Section 14.40 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: April 4, 2023

PUBLIC HEARING:

SECOND READING:

THIRD READING:

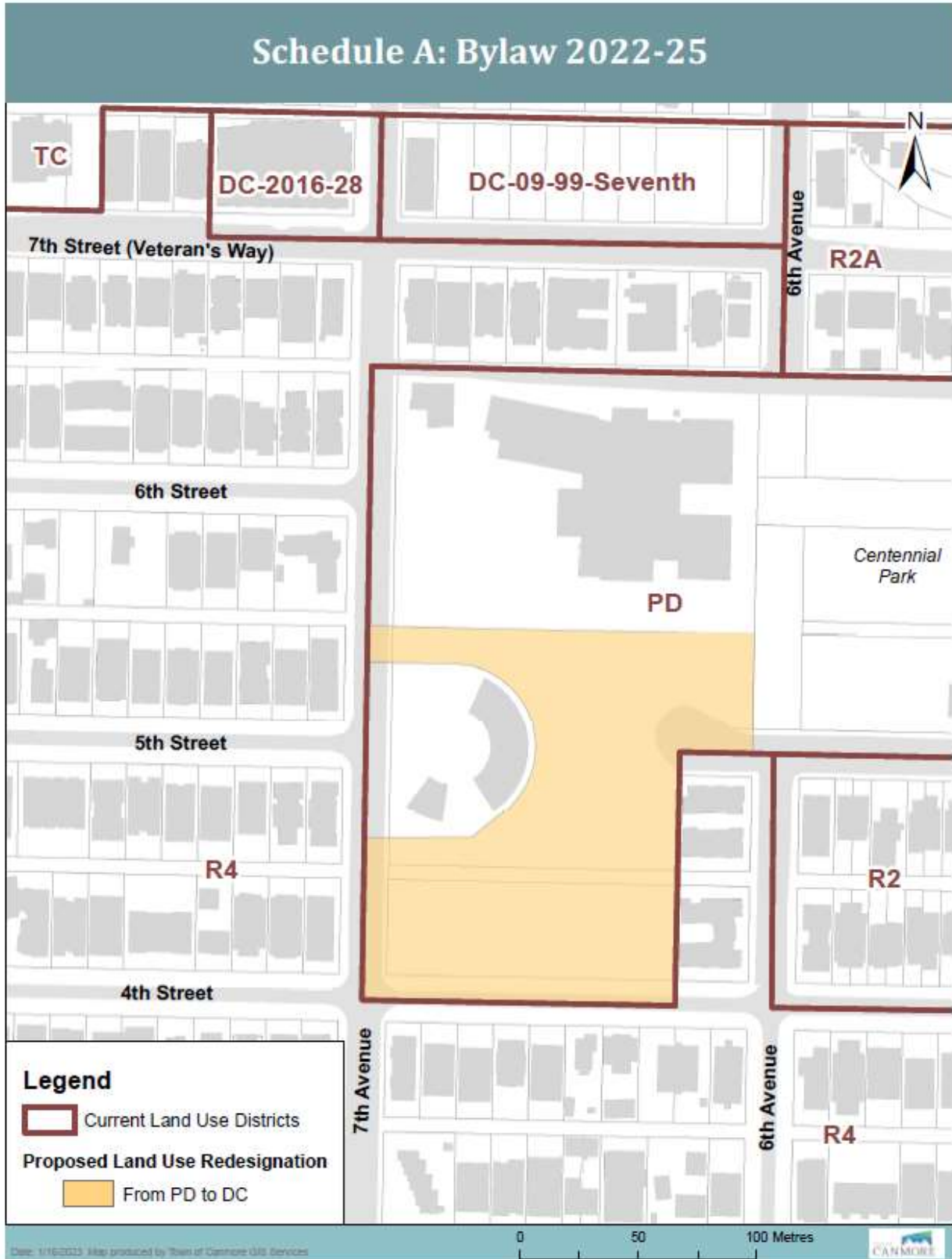
Approved on behalf of the Town of Canmore:

\_\_\_\_\_  
Sean Krausert  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cheryl Hyde  
Municipal Clerk

\_\_\_\_\_  
Date



**SCHEDULE B**

**14.40 CRPS LAWRENCE GRASSI MIDDLE SCHOOL DIRECT CONTROL DISTRICT [BYLAW 2022-25]**

**14.40.1 Purpose**

To provide for medium density multi-unit residential housing with complementary uses that are compatible with the surrounding neighbourhood.

**14.40.2 Permitted Uses**

- Accessory Building
- Apartment Building
- Employee Housing
- Home Occupation – Class 1
- Open Space
- Perpetually Affordable Housing
- Public Utility
- Townhouse
- Townhouse, Stacked

**14.40.3 Discretionary Uses**

- Accessory Dwelling Unit, Attached
- Accessory Dwelling Unit, Detached
- Administrative/Sales Office
- Care Facility
- Common Amenity Housing
- Cultural Establishment
- Day Care
- Home Occupation – Class 2
- Public Building
- Signs

**14.40.4 Regulations**

- 14.40.4.1 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.
- 14.40.4.2 The location of yard setbacks and building heights shall be in accordance with Schedule “B”.
- 14.40.4.3 The minimum front yard setback shall be 3.0 m.
- 14.40.4.4 The minimum side yard setback shall be 6.0 m.
- 14.40.4.5 A minimum 12.0 m setback from the east property boundary shall apply for buildings located in the northernmost 75 m of the site as measured from the northern most property line (as identified on Schedule “B”).
- 14.40.4.6 The maximum building height for perimeter buildings (as identified in “Area A” in Schedule “B”) shall be 10.0 m.
- 14.40.4.7 The maximum building height for internal buildings (as identified in “Area B” in Schedule “B”) shall be 14.0 m.
- 14.40.4.8 Perimeter buildings (as identified in “Area A” in Schedule “B”) shall be a maximum of 2.5 storeys.
- 14.40.4.9 Internal buildings (as identified in “Area B” in Schedule “B”) shall be a maximum of 3.5 storeys.
- 14.40.4.10 A minimum of 37% of the land within the District shall be landscaped. Each individual development may vary from 37% while achieving a minimum 37% across the District.

Bylaw approved by: \_\_\_\_\_



- 14.40.4.11 The minimum density shall be 49 units per gross hectare.
- 14.40.4.12 The maximum number of dwelling units for the development in this District shall not exceed 120 units.

**14.40.5 Additional Regulations**

- 14.40.5.1 Contemporary architectural forms are permitted in this district and are not required to adhere to the requirements for green building initiatives outlined in Section 11.6.2.2 of Bylaw 2018-22 or the roof pitch requirements of Section 11.6.4.1 of Bylaw 2018-22 should the Development Authority be satisfied that the development does not impact the access to light and privacy of the neighboring properties.
- 14.40.5.2 Excluding buildings that are located adjacent to the east property line, the Development Authority may grant variances to allow roof areas to exceed the maximum height, either:
  - a. to allow a total of 10% of the roof areas to exceed the maximum height by up to 10% where it is of the opinion that the architecture of the development would be enhanced, or
  - b. where the view shed from immediately across the street is not impaired more than would be created by a building of the maximum height as measured at the point of the front setback.
- 14.40.5.3 Building and site design should incorporate the use of technologies and techniques which support the policies set out in the Town’s Climate Action Plan.
- 14.40.5.4 100% of parking stalls shall be EV Capable which means that sufficient electrical capacity is available for future EV charging load and infrastructure rough-ins are in place to allow EV Charging units to be installed with ease. This requires that electrical equipment, e.g., distribution panels, outlets, or junction boxes, be installed and wall and floor penetrations, or conduit, be completed as required to accommodate future EV charging.
- 14.40.5.5 The existing garden north of the day care site shall be relocated into the amenity area within the District. The minimum area of the garden shall be 960m<sup>2</sup>.
- 14.40.5.6 Prior to, or concurrent with, the issuance of a Development Permit that approves development in the existing bus staging area, the developer shall apply for and receive approval from the Town of Canmore for a new location for a bus staging area.
- 14.40.5.7 Prior to, or concurrent with, the endorsement of the first subdivision application, or issuance of the first Development Permit, the landowner shall:
  - a. Provide a concept plan to include staging of development and timing for any offsite improvements as shown in the approved Area Redevelopment Plan. The site plan shall include location of mews road, pedestrian pathways, amenity areas, relocated garden, the number of units proposed per building, and confirm the location of the underground shallow and deep utilities.
  - b. Dedicate and construct a public pathway across the northerly boundary of the site to connect 7th Avenue with Centennial Park.
  - c. Register and enter into an agreement, or agreements, with the Town of Canmore for an Access Right of Way to allow for public access through the site, to the satisfaction of the Town. The Town will be responsible for the operations and maintenance of this public access.
  - d. Register and enter into an agreement, or agreements, with the Town of Canmore for an Emergency Access Right of Way through the site, to the satisfaction of the Town. The landowner(s) will be responsible for the operations and maintenance of this emergency access.
  - e. The portion of laneway, as shown on Schedule “A”, that runs through the District shall be consolidated with the adjacent parcels.

**14.40.6 Development Authority**

- 14.40.6.1 The Development Authority for this District shall be the Development Officer.

**14.40.7 Schedules**

14.40.7.1 The following Schedules form part of this District.

Bylaw approved by: \_\_\_\_\_

May 2, 2023 Regular Council Meeting 9 a.m.

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**Schedule A:** Location of CRPS Lawrence Grassi Middle School Direct Control District

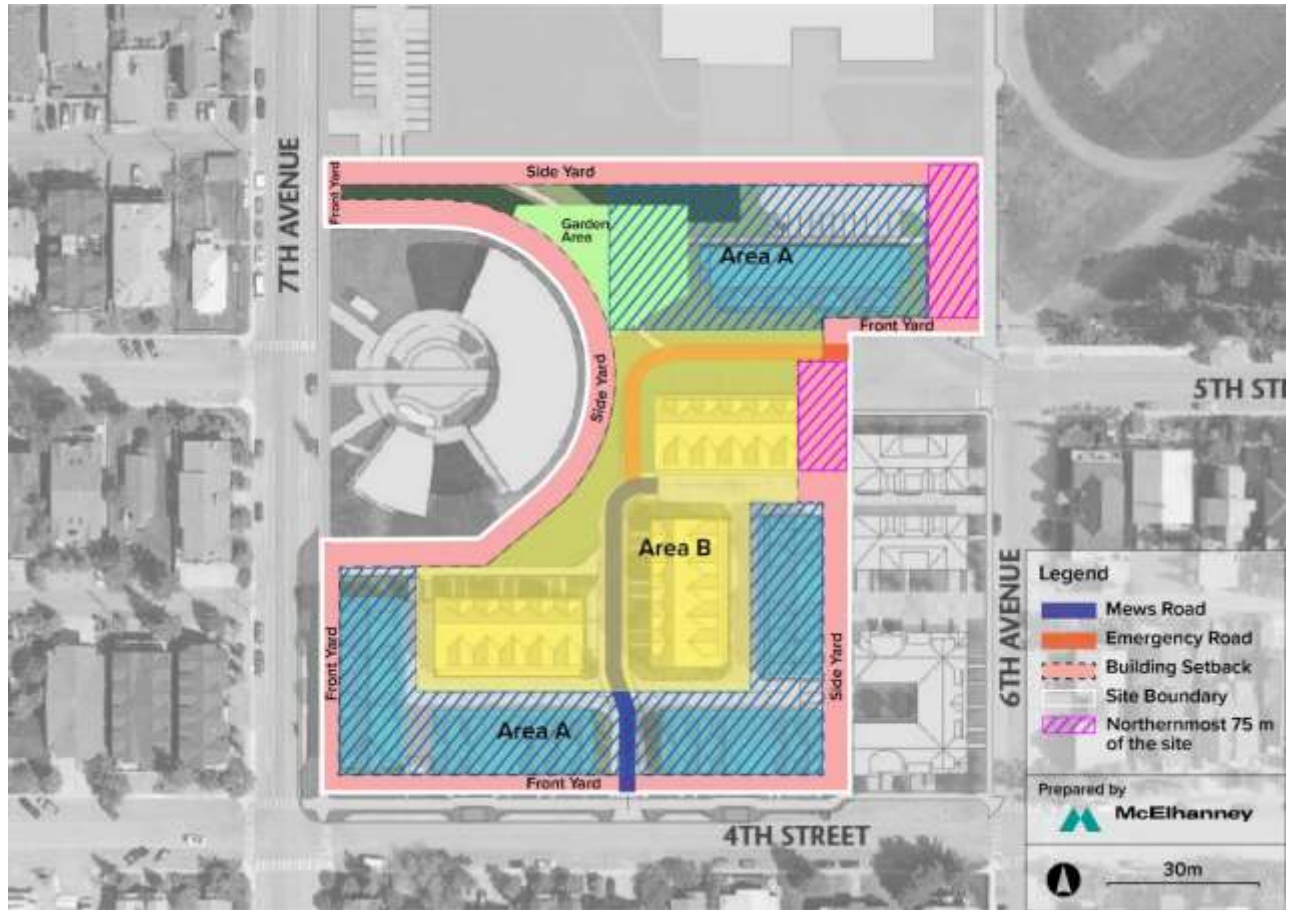
Legal Description: Plan 0715292, Block 60, Lot 21

Municipal Address: 618, 7 Avenue



Bylaw approved by: \_\_\_\_\_

**Schedule B:** Conceptual Site Plan Showing Location of Yards and Height Areas



Bylaw approved by: \_\_\_\_\_



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

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 m<sup>2</sup>. 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>
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Approved by:	Lauren Miller Manager of Planning and Development	Date:	<u>April 5, 2023</u>
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Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date:	<u>April 14, 2023</u>
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Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>April 25, 2023</u>
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**BYLAW 2022-14**

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

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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:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

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Sean Krausert  
Mayor

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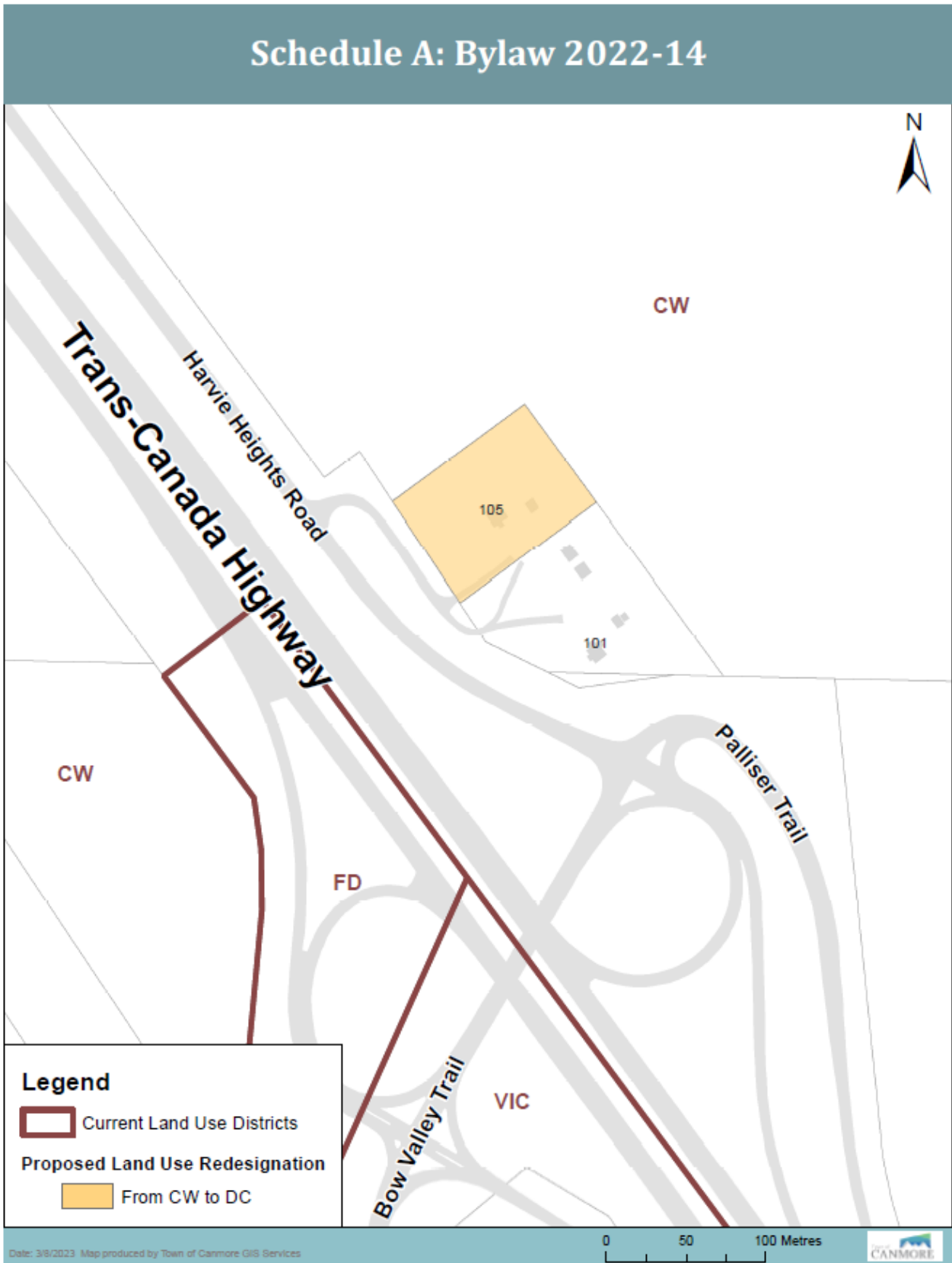
Date

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Cheryl Hyde  
Municipal Clerk

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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**

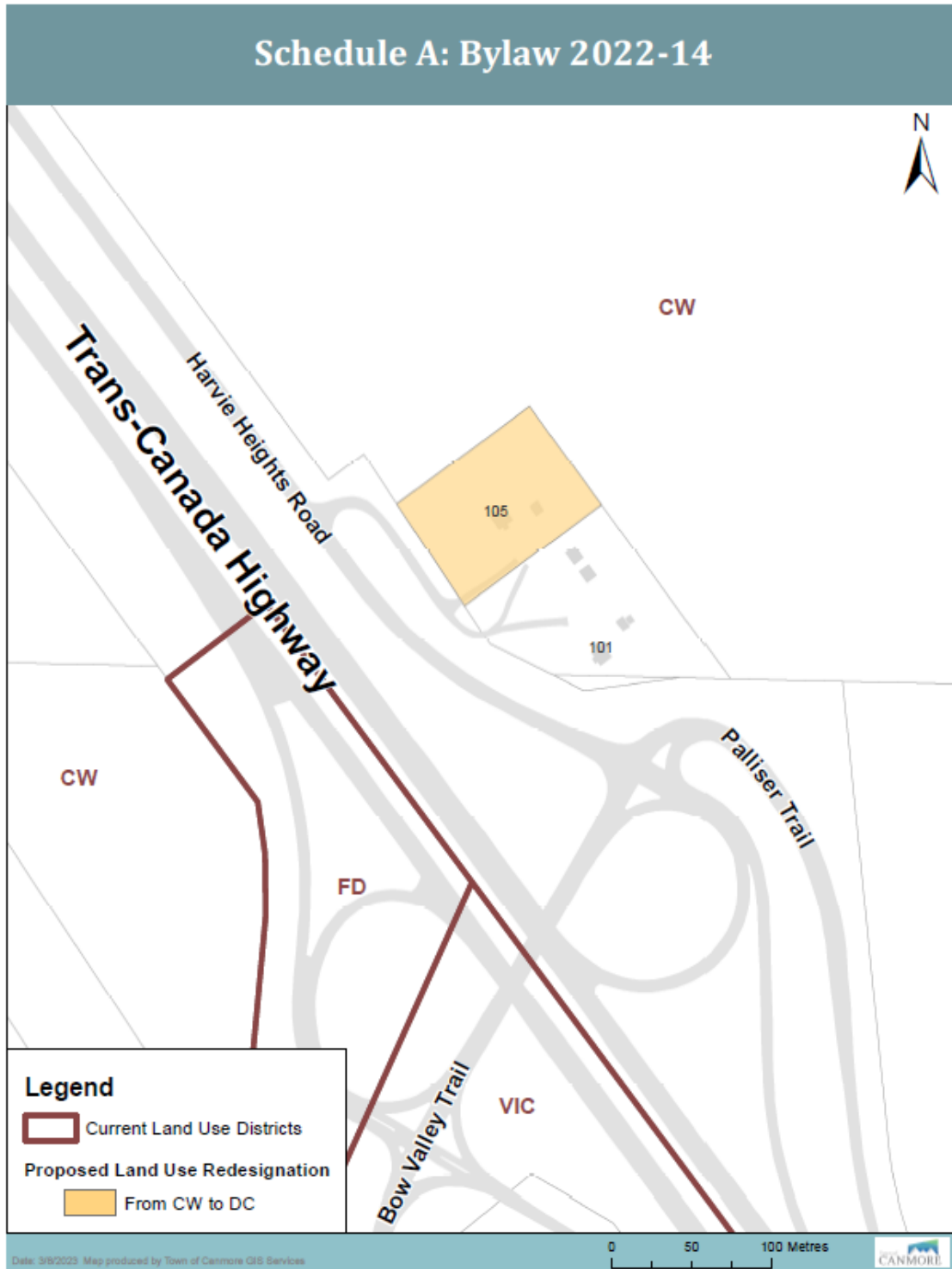
Schedule “A” shows the location of the District and forms a part of this Bylaw.



**Schedule A:** Trinity Bible Church Direct Control District

Legal Description: Plan 8610642, Lot A

Municipal Address: 105 Harvie Heights Road



Bylaw approved by: \_\_\_\_\_

May 2, 2023 Regular Council Meeting 9 a.m.



# 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.

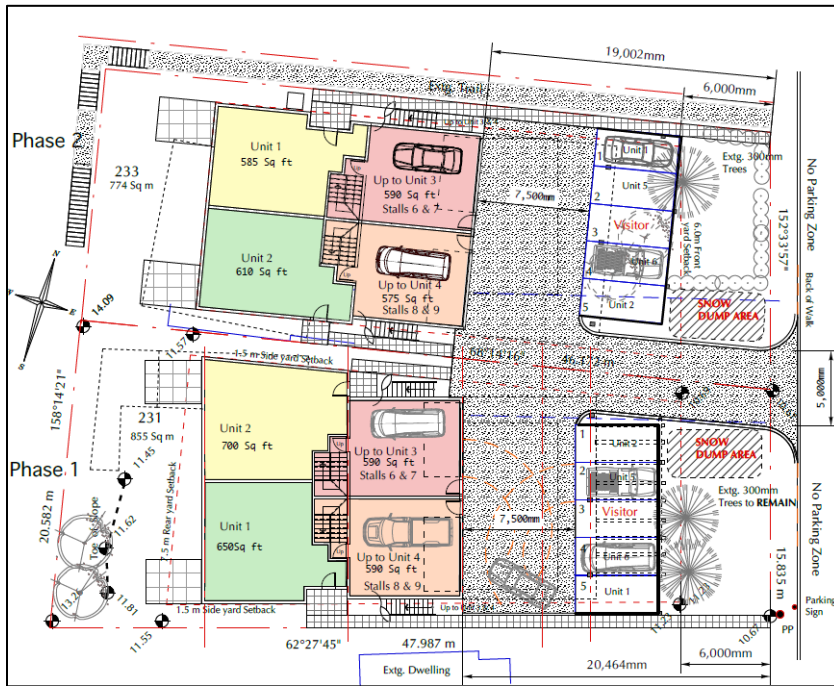


Figure 1: Proposed Townhouse Development

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**

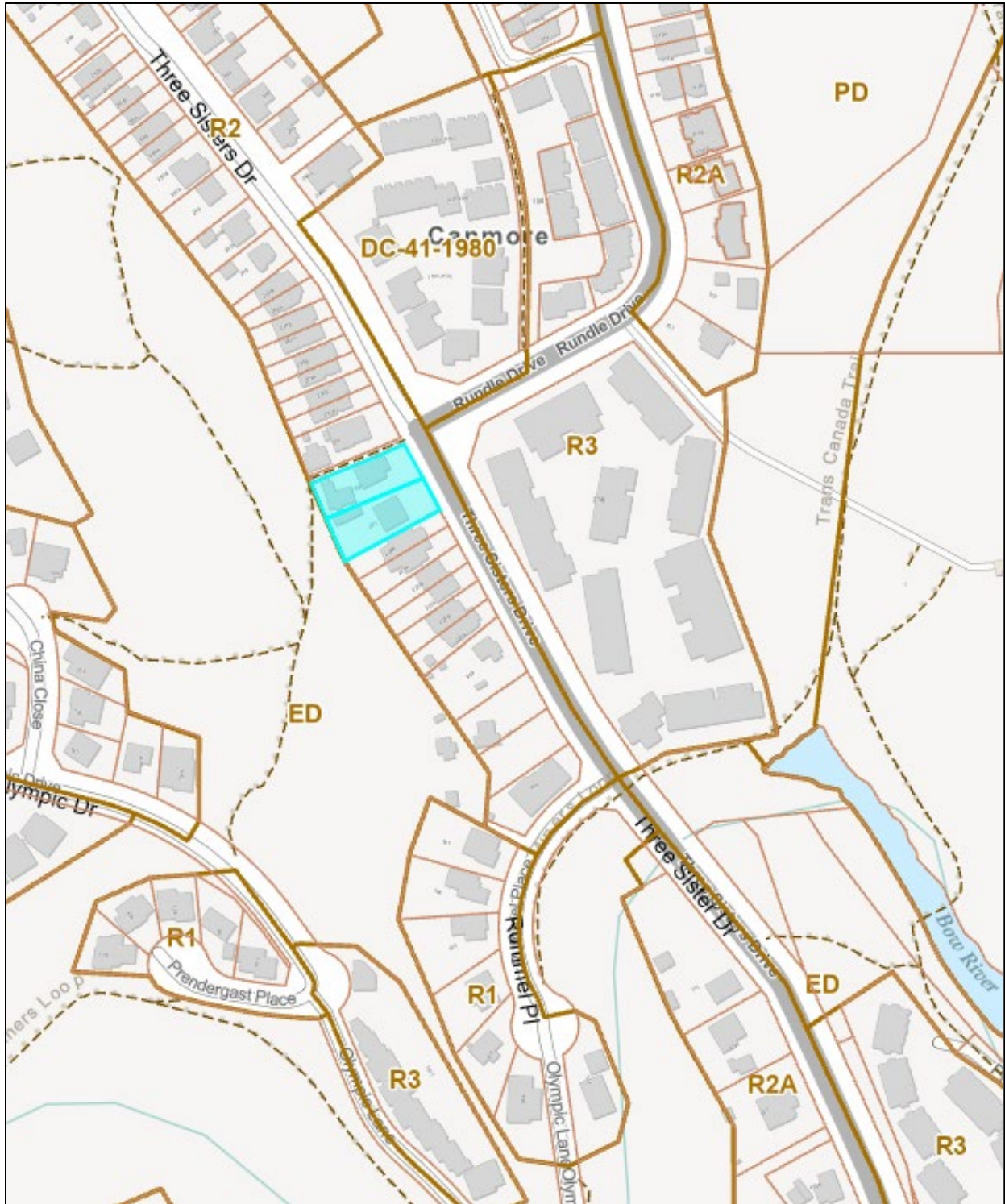
- 1) Current Land Use Map
- 2) Aerial Site Map
- 3) Land Use Bylaw Amendment 2023-02

**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>



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**

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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:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

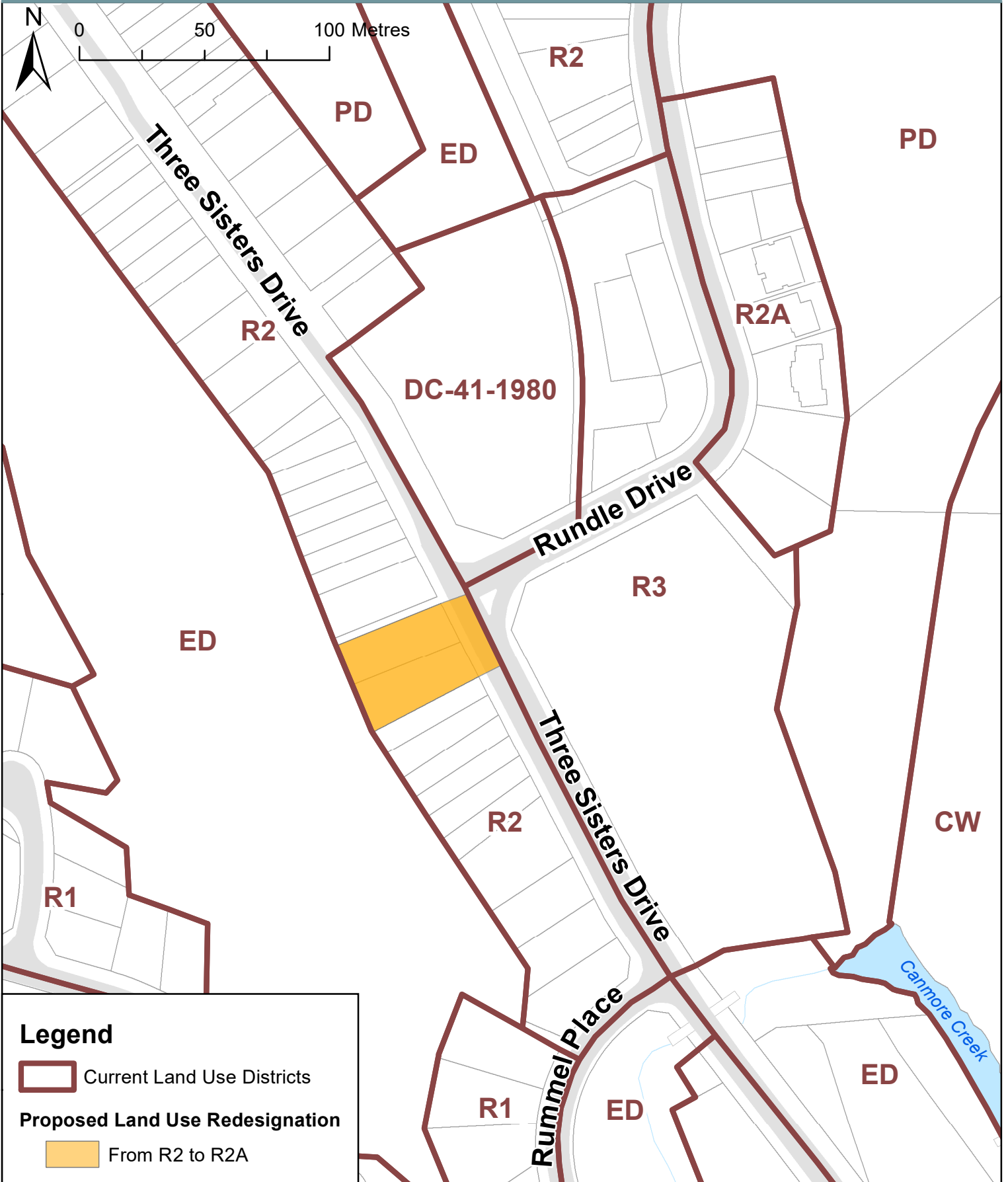
\_\_\_\_\_  
Sean Krausert  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cheryl Hyde  
Municipal Clerk

\_\_\_\_\_  
Date

# Schedule A: Bylaw 2023-02



## Legend

 Current Land Use Districts

## Proposed Land Use Redesignation

 From R2 to R2A



# Request for Decision

**DATE OF MEETING:** May 2, 2023 **Agenda #:** G-4

**TO:** Council

**SUBJECT:** **2023 Property Tax Rates:** Property Tax Rate Bylaw 2023-13 and Supplementary Property Tax Rate Bylaw 2023-14

**SUBMITTED BY:** Palki Biswas, Manager of Finance

**RECOMMENDATION:** That Council give first, second and third reading to Property Tax Rate Bylaw 2023-13; and  
Council gives first, second and third reading to Supplementary Property Tax Rate Bylaw 2023-14.

## EXECUTIVE SUMMARY

Each year administration recommends municipal tax rates for the various residential sub-classes and non-residential class properties based upon assessed property values, the budgeted tax requirement, Council approved Property Tax Policy, and other direction provided by Council. The Property Tax Rate Bylaw must be passed before the tax notices can be mailed (mailing date of May 15, 2023, which is consistent with prior years).

The proposed supplementary property tax rate bylaw authorizes administration to use the same mill rates for supplementary tax assessments starting in 2023 and subsequent years thereafter as are used for property tax calculations in each year.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

*The Municipal Government Act* (MGA) section 353 requires a Council to pass a Property Tax Rate Bylaw annually. Sections 354, 355 and 356 speak to the tax rates set by the Property Tax Rate Bylaw, how the tax rates are calculated and the amount of taxes that can be imposed. Subsection 203(2) stipulates that a Council may not delegate its power or duty to pass bylaws. Section 369 requires that if in any year a Council passes a bylaw authorizing supplementary assessments to be prepared in respect of property, the Council must, in the same year, pass a bylaw authorizing it to impose a supplementary tax in respect of that property. Continuous tax bylaws enacted under section 369 remain in force after the year in which they are enacted and apply in respect of subsequent years until they are repealed.

At the December 15, 2015, meeting, Council approved the Property Tax Policy via Resolution 364-2015. At the November 1, 2022, meeting, Council approved an amendment to the Property Tax Policy to increase the tourist home class mill rate to equal the non-residential class mill rate via Resolution 263-2022.

On December 20, 2022, Council approved the 2023 Operating Budget for \$68,302,946 via Resolution 314-2022. The 2023 municipal tax requirement to satisfy this budget is a total of \$32,040,636 in municipal tax

revenue which includes \$450,000 budgeted for Vital Homes and \$25,000 budgeted in Supplementary Property Taxes.

On April 18, 2023, Council was provided with the preliminary 2023 assessment information and tax rates at their Committee of the Whole meeting.

## DISCUSSION

In accordance with the MGA, the Town is required to pass a tax rate bylaw annually. This bylaw enables a municipal Council to levy property taxes to raise funds for operating the municipality in accordance with the annual approved budget and to meet provincial obligations to collect and remit education tax. Property taxes paid by the property owners in the Town of Canmore are based upon the tax rates set by bylaw, multiplied by the assessed value of each property. To calculate taxes, a tax rate is established which reflects the amount of taxes to be paid for every \$1,000 of assessed property value (also known as the mill rate).

The Town of Canmore collects only enough property taxes to satisfy the annual approved budget requirements. This is done by first calculating how much of the total taxes are to be collected from residential property owners and how much from non-residential ones. This is referred to as the tax split, and is currently at **65% residential** and **35% non-residential**, which is in alignment with the competitor and neighbouring municipalities in Alberta and British Columbia and in compliance with the Council approved Property Tax Policy. These amounts are then divided by the total assessed value for each property classification to determine the rate of tax for each \$1,000 of assessed value. This tax rate or mill rate is applied to each property's assessment to determine the municipal taxes to be charged for that particular property.

## ASSESSMENT

The Town's Assessor, Benchmark Assessment Consultants Inc., has provided the assessment values used to calculate the proposed tax rates for 2023. While the Town appoints the designated assessors, the work of the assessors is outside the control of the Town and proceeds in accordance with the assessment process and the related provincial legislation and regulations. An overview of the 2023 assessment data including market changes and growth was provided to Council in a workshop on February 14, 2023.

The assessment notices were mailed out on February 13 with a final complaint deadline of April 24. Property owners could question their assessments and file a formal assessment appeal until that date. The Canmore Assessment Review Board (ARB) has received a total of 63 appeals of which 52 are for residential properties and 11 are for non-residential properties. One (residential) appeal has been withdrawn. This number is on par with the number of appeals received last year by the deadline (in 2022, there were 54 appeals received of which 45 were resolved prior to hearings). The 62 outstanding appeals represent a total potential loss of up to \$82,200 municipal tax dollars if all complaints were to be awarded their requested assessed values. This equates to 0.26% of the 2023 municipal tax requirement. In the prior years, the assessors have been successful in defending most of the assessment values that been taken forward to the appeal board.

The total taxable assessment base in 2023 is **\$10.68 billion**, an increase of \$2.0 billion (22.60%) over the previous year: \$9.03 billion residential (84.55%) and \$1.65 billion non-residential (15.45%) broken down as follows:

*Real Growth* (assessed values of new properties that did not previously exist):  
+\$127.70 million (+\$85.13 million residential, +\$42.56 million non-residential)

*Market Inflation* (net increase in the assessed values of existing properties):  
 +\$1.84 billion (+\$1.61 billion residential, +\$231.0 million non-residential)

This is net of \$640.28 million (2022: \$556.0 million) in exempt property assessed values. The table below outlines the total year over year assessment increase per property class. An increase in the overall assessment does not automatically mean more taxes are collected, since the total amount of taxes collected is determined based on the cost of services, as approved in the annual budget.

Classification	2023	2022	Change in Assessment	2023 Rolls
Residential	\$8,462,188,820	\$6,931,738,140	22.1%	9,124
Tourist Home*	428,620,740	290,571,240	47.5%	603
Tourist Home – Personal Use*	70,915,000	62,488,000	13.5%	97
Vacant, Serviced	67,718,000	53,190,000	27.3%	78
Non-Residential	1,595,420,930	1,327,574,460	20.2%	2,334
Machinery and Equipment (incl. Linear)	54,806,650	51,520,120	6.4%	23
<b>Total</b>	<b>\$10,679,670,140</b>	<b>\$8,717,081,960</b>	<b>22.5%</b>	<b>12,259</b>

\* The difference between the Tourist Home and Tourist Home – Personal Use assessment categories as shown above are determined by filing of the appropriate declaration form for the 2023 year.

**MEDIAN ASSESSMENT COMPARISON**

The changes in median assessed value from 2022 to 2023 for the residential property types are listed below. It is important to note that those properties with assessment changes above or below the *median* will see higher or lower taxation increases/decreases.

Classification	Median Assessment		Change in Median Assessment
	2023	2022	
Residential	\$969,000	\$800,000	21.1%
Tourist Home	670,000	534,000	25.5%
Tourist Home – Personal Use	686,000	534,000	28.5%
Vacant, Serviced	\$874,000	\$691,000	26.5%

The residential classifications can also be broken down by property type for more meaningful comparative purposes:

Classification	Median Assessment		Change in Median Assessment
	2023	2022	
Single Detached Units*	\$1,211,000	\$997,000	21.5%
Residential Condominiums	756,000	720,000	5.0%

\*Includes non-condo duplex, triplex, and fourplexes

It is much more difficult to state the effect for the average or median non-residential property due to the large discrepancy between property types and values. Also, there are substantially less properties compared to residential. This can greatly affect the average or median value in each category when a large value property is added to the pool.

**MUNICIPAL TAX**

Council approved a 12.5% revenue increase with the 2023 budget. As the overall assessment value has increased year over year, the municipal tax rate decreased to bring in the same amount of revenue. The median single-family homeowner with a change in assessed value from \$997,000 to \$1,211,000 will see an increase in municipal taxes of approximately \$19.06 per month. If a property value has increased or decreased more or less than this, there will be a corresponding effect on taxes.

The 2023 municipal tax requirement is a total of **\$32,040,636** in revenue which includes \$450,000 for Vital Homes and \$25,000 in Supplementary Property Taxes. A total of \$20.76 million is proposed to be collected from residential properties and \$11.28 million from non-residential ones. In addition, the Town is required to collect provincial education tax, seniors housing requisition, as well as linear and industrial assessment requisitions on behalf of the Province and the Bow Valley Regional Housing Authority (BVRH).

## EDUCATION TAX

Every year, the province calculates the amount each municipality must contribute towards the public education system based on its total assessment value. Municipalities then collect the education property tax and send it to the province for the Alberta School Foundation Fund (ASFF).

The Town of Canmore's share of the provincial education tax requisition is determined by applying the provincial uniform tax rates to the Town's 2023 equalized assessment (equalized assessments have a one-year time lag when compared to municipalities' assessment; for e.g., equalized assessment for 2023 is based on 2021 assessment year). Although the provincial education tax amount remained the same as the previous year, the Town will see an overall increase of 3% or \$815,800 in 2023 due to the increase in assessment values for a total of \$24,743,442. Additionally, there is an adjustment of \$42,331, under collected from prior year (2022), bringing the total education requisition to be collected to **\$24,785,773**. Each year, the province sends a preliminary education property tax requisition for use when setting the annual tax rates. Later in the year, a final requisition is received that is often different from the preliminary one, resulting in under or over levies that are to be adjusted for in the subsequent year. The 2022 under collections are a result of assessment and school tax requisition adjustments after the 2022 tax rates were set.

## SENIORS REQUISITION (BVRH)

The Seniors Requisition for 2023 is determined by BVRH who provide affordable housing options to seniors and other residents within the Bow Valley. For the Town of Canmore, the 2023 net requisition (including over levy from prior year) is at **\$1,540,394** to help fund these services. This is an increase of \$55,634 from the 2022 net requisition. As with education taxes, over and under levies of the Seniors Requisition are due to assessment changes made after the tax rates are set and are corrected in the following year.

## DESIGNATED INDUSTRIAL PROPERTY TAX REQUISITION

As specified in the MGA, the province assesses Canmore's linear and designated industrial property. As a result, the Town is expected to collect a provincial requisition for these assessment costs from industrial and linear properties. The 2023 provincial uniform tax rate for all designated industrial property assessment is set at **\$0.0746** per \$1,000 of the designated industrial property assessment as per ministerial order. The total revenue collected and remitted to the government in 2023 will be **\$4,192**.

## COMBINED TAX RATES

In compliance with the policy, the 2023 proposed property tax rates are calculated on the following basis:

- the residential/non-residential tax split will be 65/35 respectively; the split used last year and one that is still in line with competitor and neighbouring communities.

- Class 1 property is divided into subclasses for property assessment purposes while visitor accommodation units are classified as non-residential properties. Two class 1 subclasses are “Tourist Home” and “Tourist Home - Personal Use”.
  - A tourist home property will be taxed at a rate equivalent to that of non-residential properties for Municipal and Vital Homes taxes in recognition of the fact that it can be used as a non-residential visitor accommodation unit and can be rented out for short-term and long-term accommodation purposes.
  - A tourist home property shall be placed in the Tourist Home – Personal Use subclass for any given taxation year if all owners registered on title, on or before January 31 of each fiscal year, sign a statutory declaration declaring that the property will be used only for personal purposes, and will not be advertised or operated for short-term or long-term rental during the current taxation year. The tax rate for the Tourist Home - Personal Use subclass shall be the same as the Municipal tax rate for the residential subclass.
- properties classified as “Vacant Land – Residential” will be taxed at a rate equal to the residential rate.

Section 6 of the Property Tax policy requires that *“indicators of tax rate ratios and residential taxes per capita in neighbouring and comparator municipalities will be monitored on an ongoing basis, with an intention to target a residential/ non-residential tax share split in line with the average of these findings.”* Administration provides per dwelling figures rather than per capita, as with Canmore’s non-permanent population and the challenges of determining their numbers, the per capita calculation is difficult and does not result in a clear comparison.

It is important to note that these ratios and per dwelling amounts fluctuate annually and the Property Tax Task Force report recommended that annual taxes be set with a split in line with the averages and not at the exact averages. Given that the averages are in line with the 65/35 residential/non-residential split used in prior years, the same split was also used to calculate the 2023 rates. Canmore’s 2022 taxes per dwelling unit is in line with both competitor and neighbouring communities as per attachment # 3. The 2023 mill rates are calculated in accordance with the policy and the chart below details the Municipal, Vital Homes Requisition and Senior Requisition rates for residential and non-residential properties.

	<b>Municipal Tax Rate</b>	<b>Municipal Tax Ratio (Class: Residential)</b>	<b>Vital Homes Requisition Rate</b>	<b>Senior Requisition Rate</b>
<b>Residential</b>				
Residential	2.05063	1:1	0.01937	0.14440
Tourist Home	6.72057	3.28:1	0.13619	0.14440
Tourist Home – Personal Use	2.05063	1:1	0.01937	0.14440
Vacant, Serviced	2.05063	1:1	0.01937	0.14440
<b>Non-Residential</b>				
Non-Residential	6.72057	3.28:1	0.13619	0.14440
Machinery and Equipment (incl. Linear)	6.72057	3.28:1	0.13619	0.14440

Canmore has stayed constant over the last number of years, with residential properties comprising about 85% of the Town’s total assessment value and generating 65% of the municipal tax levy while non-residential properties comprising of 15% of the Town’s total assessment value and generating 35% of the municipal tax levy. This is in-line with the comparisons of the Town’s competitors and neighbours (see attachment # 3).



## SUPPLEMENTARY TAX RATES

Properties are assessed and subsequently taxed based on economic conditions on July 1 and their condition as at December 31, 2022. During the tax year some properties under construction are completed, thus increasing their value. To collect property taxes on the improved value of these properties, the Town issues supplementary assessment and tax notices to those properties completed before October 1. Attachment #2 contains the proposed 2023-14 Supplementary Property Tax Rate Bylaw, which sets supplementary tax mill rates equal to the 2023-13 Property Tax Rate Bylaw rates (Attachment # 1).

The 2023 budget includes \$25,000 in supplementary taxes, which can only be collected if a Supplementary Assessment and then Supplementary Property Tax Rate Bylaw is passed. Council passed the Supplementary Assessment Bylaw 2023-10 at its April 4<sup>th</sup> regular business meeting. Previously, Council would pass a bylaw each year authorizing the supplementary property taxes to be prepared. On December 5, 2019, Bill 25: the *Red Tape Reduction Implementation Act*, came into force. Notably, Bill 25 amended the MGA, by adding Section 369.1 which allows a supplementary bylaw to be enacted and remain in force for subsequent years unless it is repealed.

## FINANCIAL IMPACTS

A total of \$32,040,636 in municipal tax revenue needs to be collected for 2023. Overall, this represents a \$3.91 million or 13.9% increase over 2022 (including growth) and 12.5% increase over 2022 (not including growth).

If a property in Canmore is going up by the average assessment increase, and using these mill rates, the anticipated impact on **municipal taxes only** is:

Classification	Change in Average Assessment	Increase per \$100,000 Assessed Value*
Residential	21.3%	\$18.64
Tourist Home	22.1%	\$97.09
Tourist Home – Personal Use	26.4%	\$26.10
Vacant, Serviced	35.5%	\$38.14
Non-Residential	13.7%	\$54.70
Machinery and Equipment (incl. Linear)	6.4%	\$12.28

*\* Individual tax increases/ decreases are dependent on the individual property*

The impact of market growth and the addition of more taxable properties (real growth) will impact properties in different ways. Thus, it is important to note that the calculated impact is for illustration purposes only and may not reflect the actual impact on any one particular property.

## STAKEHOLDER ENGAGEMENT

None.

## ATTACHMENTS

1. 2023-23 Property Tax Rate Bylaw
2. 2023-14 Supplementary Property Tax Rate Bylaw
3. 2022 Assessment and Tax Split Comparisons (Competitors and Neighbours)



**AUTHORIZATION**

Submitted by: Palki Biswas  
Manager of Finance Date: April 25, 2023

Approved by: Therese Rogers  
General Manager of Corporate Services Date: April 25, 2023

Approved by: Sally Caudill  
Chief Administrative Officer Date: April 25, 2023

**BYLAW 2023-13**

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,  
TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE  
PROPERTY WITHIN THE TOWN OF CANMORE FOR THE 2023 TAXATION YEAR**

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**WHEREAS** the Town of Canmore has prepared the adopted detailed estimates of the municipal revenues and expenditures as required, at the Council meeting held on **December 20, 2022**; and

**WHEREAS** the estimated municipal expenditures and transfers set out in the annual budget for the Town of Canmore for 2023 total **\$68,302,946**; and

**WHEREAS** the estimated municipal revenues and transfers from all sources other than property taxation is estimated at \$36,262,310 and the balance of \$32,040,636, which includes \$31,565,636 for General Municipal, \$450,000 for Vital Homes and \$25,000 for Supplementary Property Taxes is to be raised by general municipal taxation; and

**WHEREAS** the requisitions including adjustments for over/under levies are:

<b>Alberta School Foundation Fund (ASFF)</b>	<b>\$24,020,107</b>
Residential	18,789,731
Non-Residential	5,230,376
<b>Christ the Redeemer Catholic School Division (CRCSD)</b>	<b>\$765,666</b>
Residential	701,666
Non-Residential	64,000
<b>Total School Requisitions</b>	<b>\$24,785,773</b>
<b>Senior Requisition (Bow Valley Regional Housing)</b>	<b>\$1,540,394</b>
<b>Designated Industrial Property Tax Requisition</b>	<b>\$4,192</b>

**WHEREAS** the Council of the Town of Canmore is required each year to levy on the assessed value of all property tax rates sufficient to meet the estimated expenditures and requisitions; and

**WHEREAS** the Council is authorized to classify assessed property, and to establish different rates of taxation in respect of each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000; and

**WHEREAS** the assessed value of all property in the Town of Canmore as shown on the assessment roll is:

Residential	\$8,462,188,820
Tourist Home – Personal Use	70,915,000
Tourist Home	428,620,740
Vacant, Serviced	67,718,000
Non-Residential	1,595,420,930
Machinery and Equipment	411,370

Linear (not incl. Electrical Generation)	42,632,910
Electrical Generation	11,762,370
<b>Total</b>	<b>\$10,679,670,140</b>

**NOW THEREFORE**, under the authority of the Municipal Government Act, 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 2023 Property Tax Rate Bylaw.

#### AUTHORIZATION

2. Council is authorized to impose a tax in respect of the property in Canmore to raise revenue toward the payment of:
  - (a) the expenditures and transfers set out in the Town of Canmore budget, and
  - (b) the requisitions.
3. Council is hereby authorized and required to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll and supplementary assessment roll of the Town of Canmore:

	<b>Tax Levy</b>	<b>Assessment</b>	<b>Tax Rate (in mills)</b>
<b>General Municipal</b>	<b>31,565,636</b>	<b>10,679,670,140</b>	
Residential/Tourist Home – Personal Use	17,498,222	8,533,103,820	2.05063
Tourist Home	2,880,576	428,620,740	6.72057
Vacant, Serviced	138,864	67,718,000	2.05063
Non-Residential	11,008,659	1,638,053,840	6.72057
Machinery and Equipment (incl. Electrical Generation)	81,814	12,173,740	6.27057
<b>Alberta School Foundation Fund (ASFF)</b>	<b>24,020,107</b>	<b>10,310,565,040</b>	
Residential	18,789,731	8,704,393,760	2.15865
Non-Residential	5,230,376	1,606,171,280	3.25642
<b>Christ the Redeemer Catholic School Division (CRCSD)</b>	<b>765,666</b>	<b>344,702,400</b>	
Residential	701,666	325,048,800	2.15865
Non-Residential	64,000	19,653,600	3.25642
<b>Vital Homes</b>	<b>450,000</b>	<b>10,681,606,640</b>	
Residential	166,628	8,600,821,820	0.01937
Tourist Home	58,372	428,620,740	0.13619
Non-Residential	225,000	1,652,164,080	0.13619
<b>Bow Valley Regional Housing</b>	<b>1,540,394</b>	<b>10,667,441,180</b>	0.14440
<b>Designated Industrial Properties</b>	<b>4,192</b>	<b>56,188,970</b>	0.07460

**ENACTMENT/TRANSITION**

- 4. 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.
- 5. Bylaw 2022-12 is repealed.
- 6. 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 2023-14**

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,  
TO IMPOSE SUPPLEMENTARY PROPERTY TAXES FOR ALL IMPROVEMENTS IN  
THE TOWN OF CANMORE**

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The Municipal 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 Supplementary Property Tax Rate Bylaw.

**SUPPLEMENTARY TAXES**

2. The supplementary property tax rates for each year must use the tax rates set by its Property Tax Rate Bylaw of that particular year.

**ENACTMENT/TRANSITION**

3. 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.
4. Bylaw 2022-13 is repealed.
5. 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

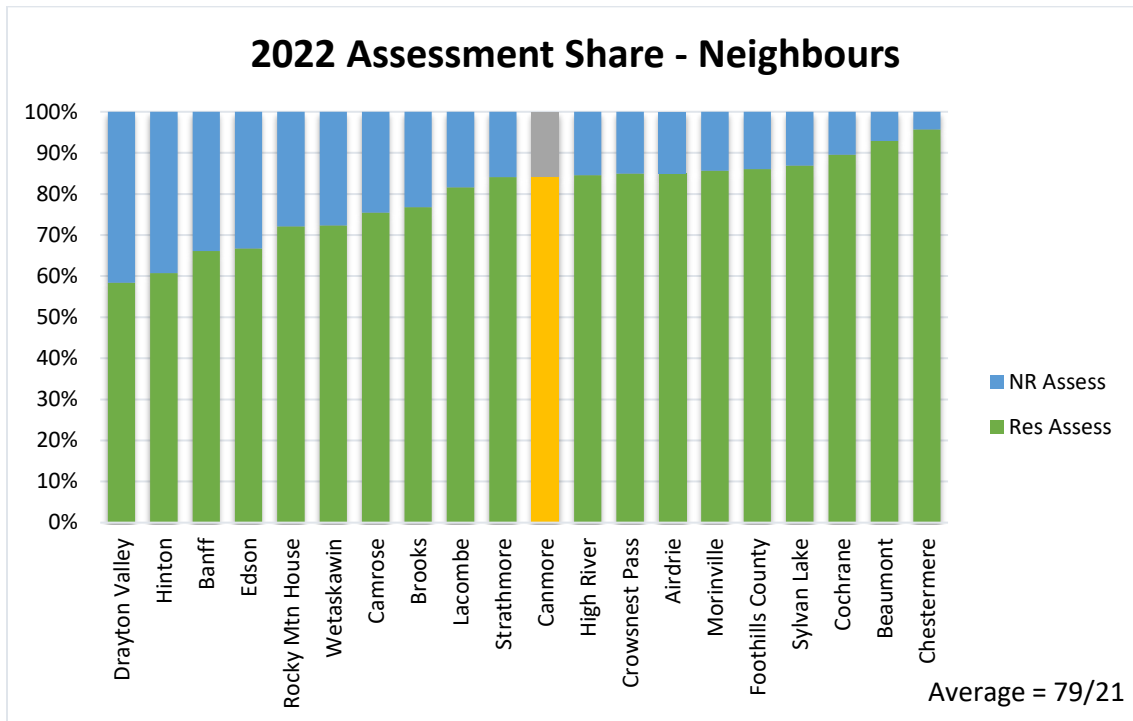
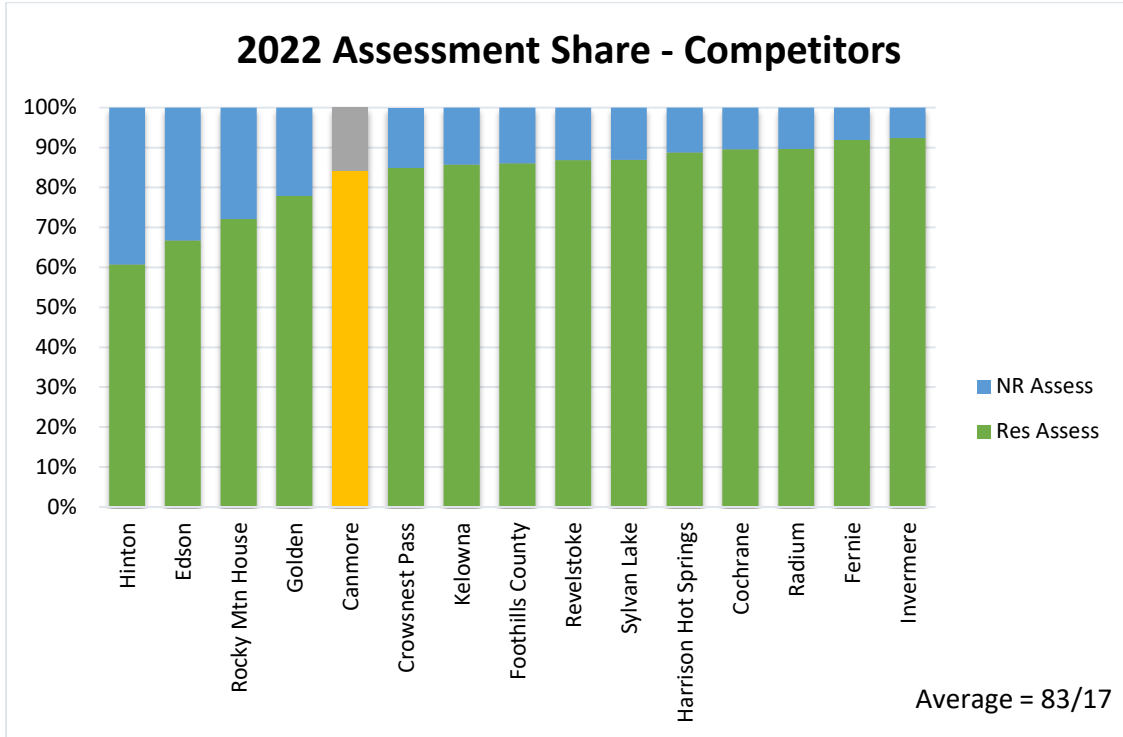
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Cheryl Hyde  
Municipal Clerk

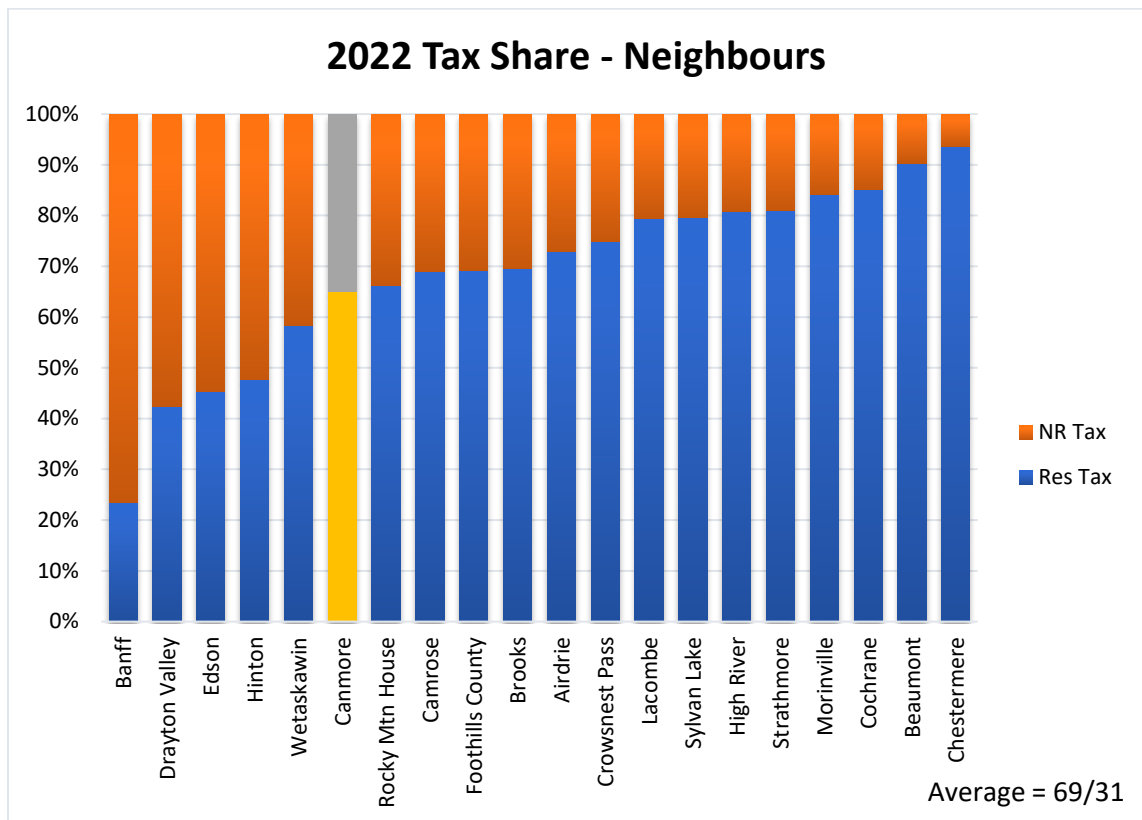
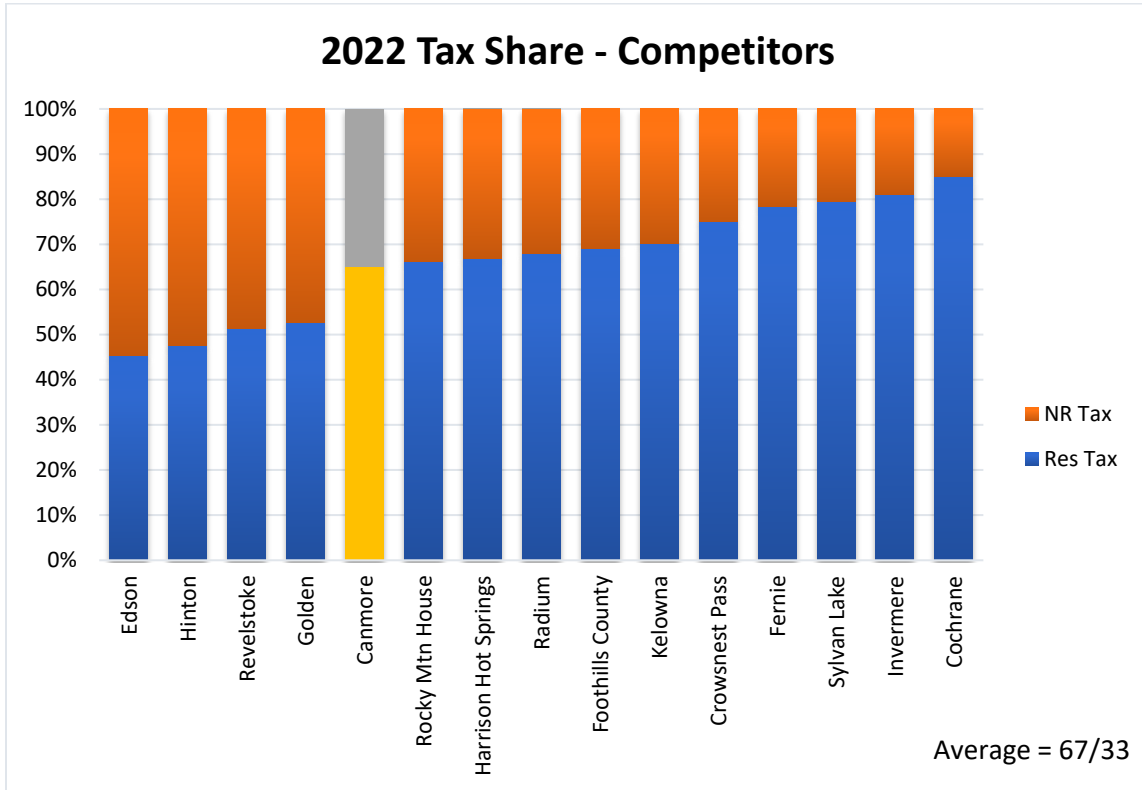
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## How Does Canmore Compare to Neighbours and Competitors in Alberta and British Columbia?

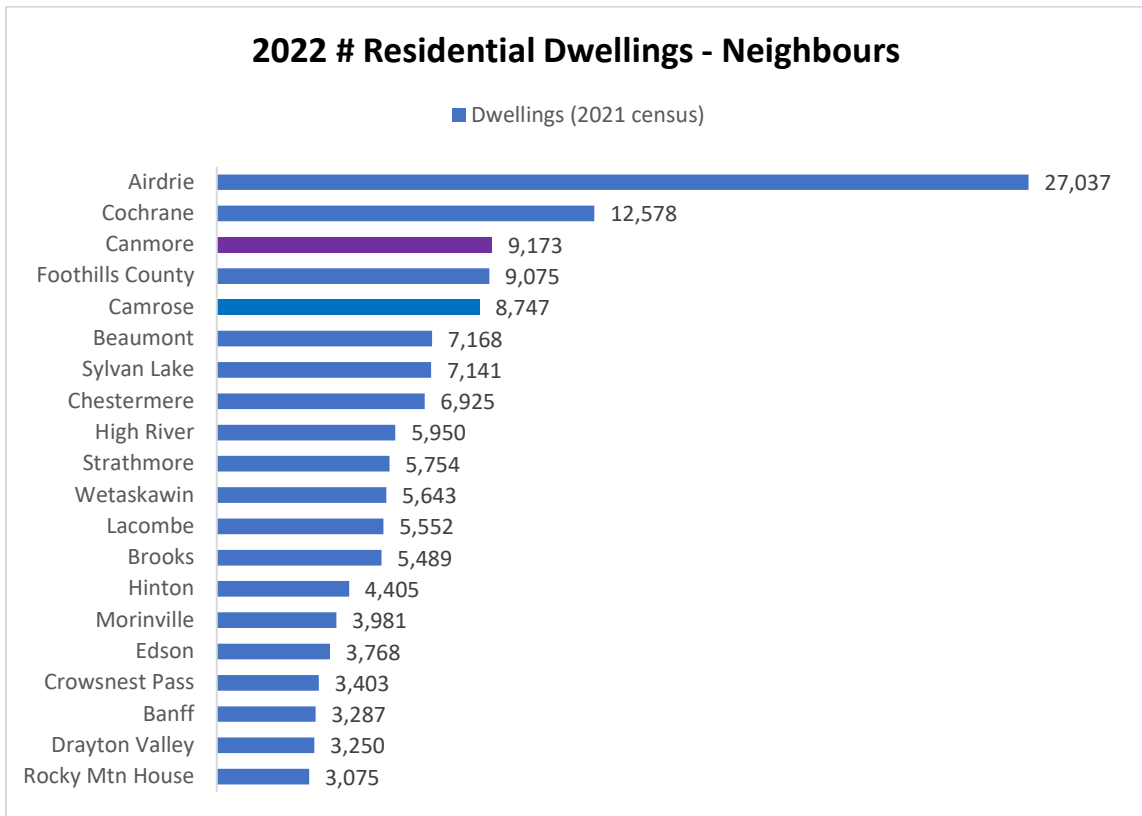
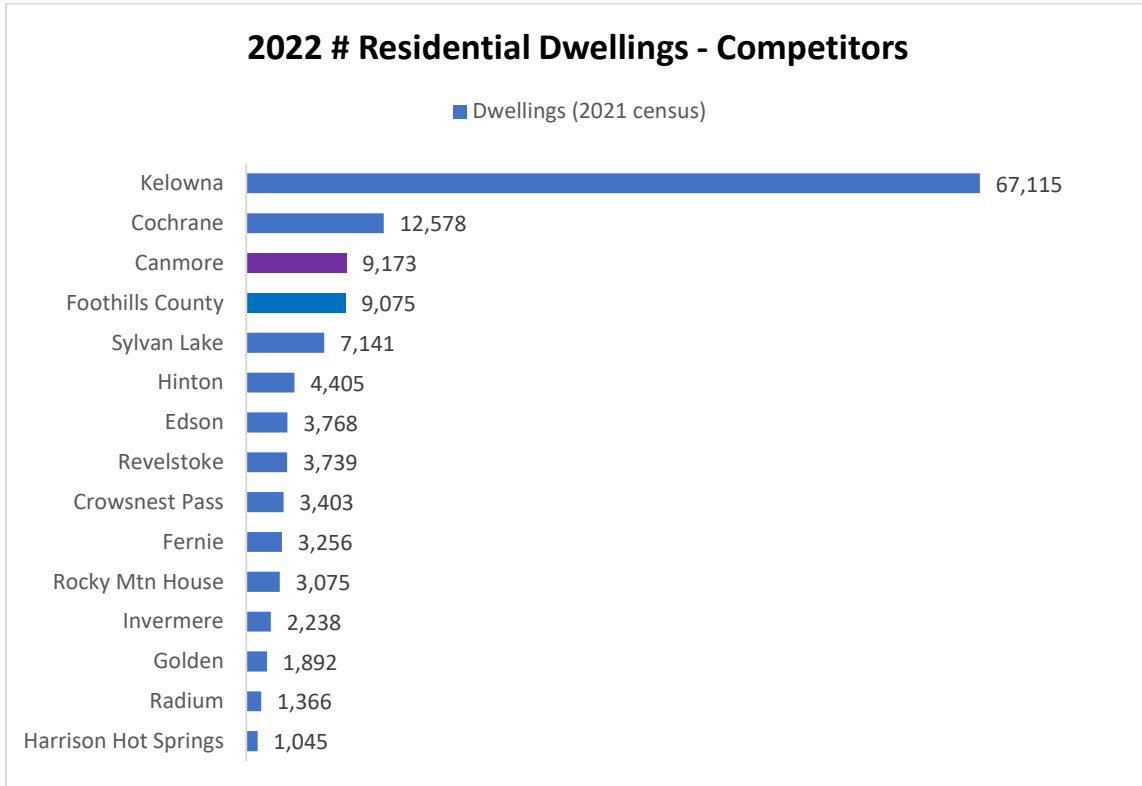
### ASSESSMENT



## TAXES

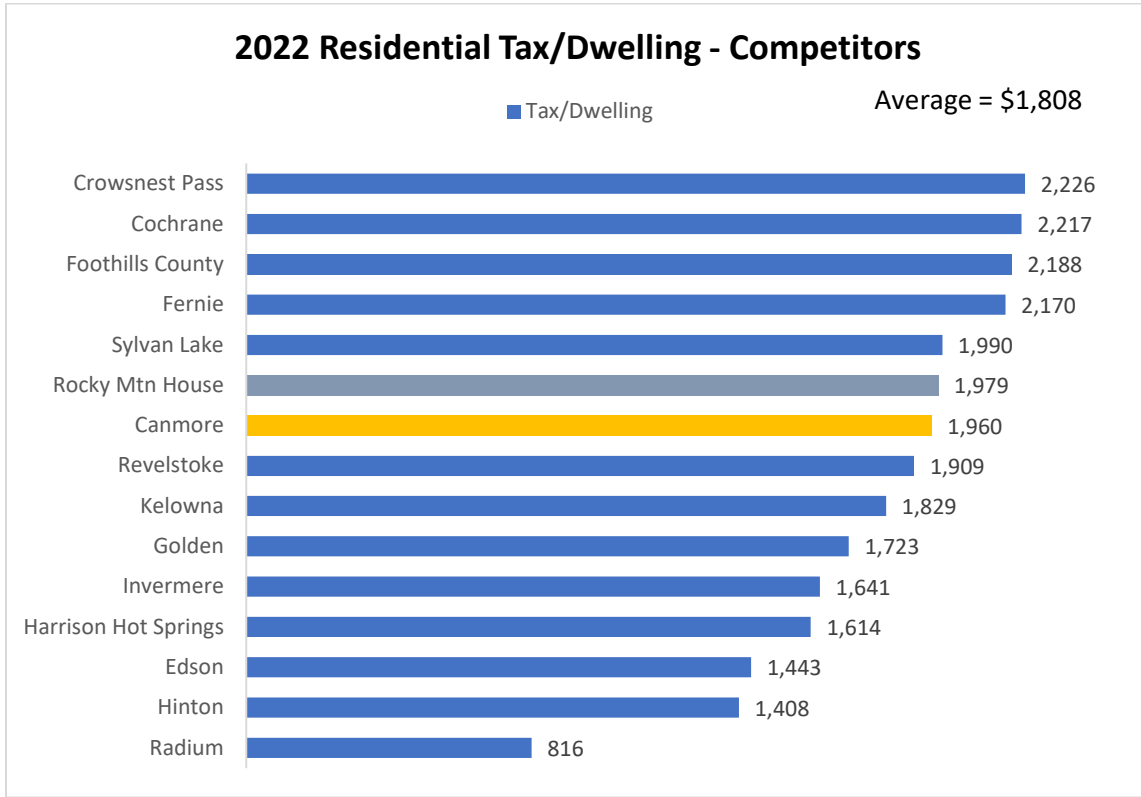


## NUMBER OF RESIDENTIAL DWELLINGS





## RESIDENTIAL TAX PER DWELLING





# Request for Decision

**DATE OF MEETING:** May 2, 2023 **Agenda #:** G-5

**TO:** Council

**SUBJECT:** Council Remuneration Review Committee Terms of Reference

**SUBMITTED BY:** Therese Rogers, General Manager Corporate Services

**RECOMMENDATION:** That Council give first, second, and third reading to Council Remuneration Review Committee Bylaw 2023-12.

## EXECUTIVE SUMMARY

Council has directed Administration to develop terms of reference for a public committee to review Council remuneration. A committee made up of experienced members of the public will increase transparency and awareness of the process used to determine remuneration for elected officials and make recommendations for updates to the Council Remuneration Policy.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

March 7, 2023 – Council directed Administration with terms of reference to establish a new committee to review council remuneration.

Section 145 of the MGA requires committees of Council to be established by bylaw.

## DISCUSSION

The work of elected officials deserves fair and reasonable compensation and the process to determine that compensation should also be fair, transparent, and accountable. The goal of the Council Remuneration Review Committee is to make recommendations to the Council Remuneration Policy and a remuneration plan that is fair and reasonable and will attract a diverse and representative pool of candidates from Canmore residents. Council's remuneration should recognize that the work of the Mayor and Council is demanding and important, and should address the complexity, responsibilities and time commitments associated with these roles.

For the last three terms of Council, Canmore's practice has been for Administration to review both Council compensation and the Council Remuneration Policy in the last year of Council's term, prior to the election. Compensation data from comparable municipalities has been gathered, following the same market and salary review methodology used to review employee pay. Given the sensitive and political nature of Council remuneration, an independent committee allows for an unbiased analysis of the total compensation package for elected officials.

In preparing these terms of reference, Administration researched Council compensation/remuneration review committees in municipalities in Alberta and across Canada. There is much consistency in the approach for committees made up of public members to review elected official compensation, and the terms of reference being recommended incorporate these common approaches and have been developed to be

sufficiently specific to provide clear expectations for the Committee and sufficiently broad to span multiple terms of Council.

**Purpose:**

- Establish guiding principles for Council remuneration including per diems and benefits, methodology, comparators, and survey frequency.
- Recommend options for periodic adjustments to established remuneration.
- Recommend full-time equivalent status.
- Prepare remuneration recommendations for Council, with Council as the decision maker.

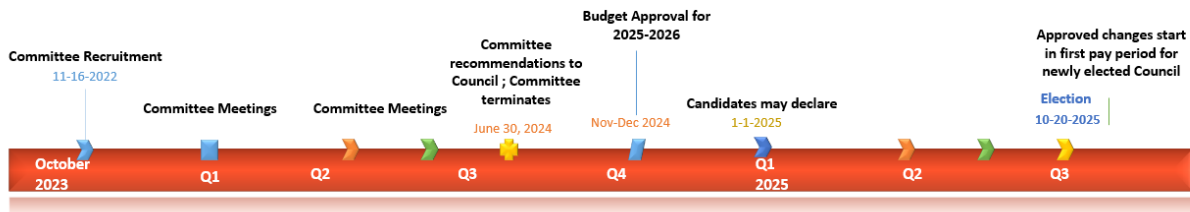
**Committee Composition:**

- Committees typically range in size from 3 – 5 public members.
- Public members need to have knowledge and experience in human resources, financial services, or business/economics.
- An administrative liaison, usually the Manager of Human Resources or General Manager of Corporate Services is assigned to serve in a non-voting advisory capacity.

Upon approval of these terms of reference, the Council Remuneration Committee will be included in Administration's recruitment campaign for committees and boards in the fall of 2023, with committee members being appointed at the annual organizational meeting in October 2023.

**Terms and timing:**

- Committees terminate upon acceptance of the committee’s final report to Council with new recruitment taking place prior to the next election.
- Committees are typically struck in the year prior to an election with committee recommendations coming to the current Council for review and approval. As municipal candidates in Alberta may file nomination papers as early as January 1 of the election year, timing of the committee’s establishment and recommendations is critical. To provide potential candidates with as much information as possible prior to January 1 of the election year, these terms of reference propose the committee deliver recommendations for Council's consideration by June 30, 2024, to allow approved recommendations to be available for potential candidates’ consideration and to be incorporated in 2024 for the 2025-2026 budget cycle. Approved changes to remuneration would be effective with the new Council’s first pay in 2025.



**ANALYSIS OF ALTERNATIVES**

N/A

**FINANCIAL IMPACTS**

Most municipalities are on the same cycle to review Council remuneration and Administration currently works collaboratively with other municipalities to share comparative remuneration data. If the Committee determines they need to solicit external expertise or complex salary survey data, some professional fees may be incurred.

Committee recommendations approved by Council would be incorporated in 2024. As noted above, the Committee’s recommendations would apply to the 2025-2027 three-year operational budget, with the first financial impact occurring with the first pay period for the newly elected Council.

**STAKEHOLDER ENGAGEMENT**

N/A

**ATTACHMENTS**

- 1) Council Remuneration Review Committee Bylaw 2023-12
- 2) Council Remuneration Policy – EX002
- 3) Town of Banff Council Remuneration Committee Terms of Reference

**AUTHORIZATION**

Submitted by:	Therese Rogers General Manager, Corporate Services	Date: <u>April 12, 2023</u>
Approved by:	Palki Biswas Manager of Finance	Date: <u>April 13, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>April 25, 2023</u>



## BYLAW 2023-12

### A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A COUNCIL REMUNERATION REVIEW COMMITTEE

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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 Council Remuneration Review Committee.

#### ESTABLISHMENT

- 2 The Council Remuneration Review Committee is hereby established.
- 3 The purpose of the committee is to make recommendations to Council with respect to approval of the Council Remuneration Policy to develop a plan that
  - a) is fair and reasonable,
  - b) attracts a diverse and representative pool of candidates from Canmore residents, and
  - c) recognizes the complexity, responsibilities, and time commitments associated with the role of elected officials.
- 4 The committee's scope includes but is not limited to
  - a) establishing a set of guiding principles for council remuneration,
  - b) establishing the appropriate remuneration paid to council members, including specific recommendations on
    - (i) base salary and per diem amounts,
    - (ii) benefits,
    - (iii) allowances and expenses,
    - (iv) full-time equivalent status,
    - (v) options for making periodic adjustments to established remuneration,
 and
  - c) establishing standards for remuneration review.

**POWERS AND DUTIES**

- 5 The Committee is advisory in nature.
- 6 The chair (or a member chosen by the committee if the admin member is the chair) shall present the Committee’s recommendations to Council on or before June 30 the year before a general municipal election.
- 7 The Committee shall review relevant survey data and practices of comparable markets and may conduct other reviews as required.
- 8 The Committee may solicit external submissions and expertise.
- 9 Committee members shall not be compensated for their services.

**MEMBERSHIP AND TERM**

- 10 The committee shall be comprised of
  - a) three or five public members, and
  - b) the general manager of corporate services or designate (non-voting).
- 11 Council shall appoint public members at Council’s annual organizational meeting.
- 12 The Committee term will commence two years before a general municipal election and end no later than June 30 the year before a general municipal election.

**ELIGIBILITY**

- 13 To be eligible for public membership on the Committee, a person must
  - a) be a resident of Canmore,
  - b) be at least eighteen years of age, and
  - c) have education or experience in finance, human resources, or business.
- 14 Town employees are not eligible to be public members.
- 15 A public member is not eligible for continuing a term on the Committee and/or for reapplying for the next subsequent term on that committee if the public member
  - a) fails to attend three consecutive meetings of the committee, unless that absence is caused through illness or is authorized in advance by resolution of the Committee, or
  - b) ceases to meet the eligibility requirements set out in this bylaw.

**RESIGNATIONS AND REMOVALS**

- 16 Any public member may resign from the Committee at any time by sending written notice to the committee chair.

**MEETING SCHEDULE AND PROCEDURES**

- 17 Quorum is three voting members.
- 18 The committee shall determine their own meeting schedule.
- 19 Public notice of a meeting is provided on the Town’s website at least 24 hours prior to a meeting.
- 20 The committee conducts its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.
- 21 The committee chair is selected by a majority vote of committee members.
- 22 Matters are decided by majority vote.

**MEETING RECORDS**

- 23 Agendas are 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.
- 24 Minutes are 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.
- 25 Questions and debate are not recorded in the minutes.
- 26 Minutes may, at the discretion of the members, include action items agreed upon by unanimous consent, including, but not limited to, action items accepted by individual committee members.
- 27 Minutes of a meeting are adopted by motion at the next meeting.
- 28 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.
- 29 Approved minutes are signed by the chairperson and the recorder 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.

**ENACTMENT/TRANSITION**

30 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.

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

FIRST READING:

SECOND READING:

THIRD READING:

DATE IN FORCE:

Approved on behalf of the Town of Canmore:


\_\_\_\_\_  
Sean Krausert  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cheryl Hyde  
Municipal Clerk

\_\_\_\_\_  
Date



 Town of <b>CANMORE</b>	<b>Council Policy</b>
<b>Policy Title:</b>	<b>Council Remuneration</b>
<b>Policy Number:</b>	EX-002
<b>Date in Effect:</b>	January 1, 2018
<b>Current as of:</b>	January 11, 2022

**POLICY STATEMENT**

1. Council will be provided with fair and reasonable remuneration for performing the duties of their office and reimbursement for approved expenses incurred while fulfilling their responsibilities.

212-2018; 176-2021

**PURPOSE**

2. This policy provides guidelines and procedures for the remuneration of council.

**DEFINITIONS**

3. "Automobile allowance" means any payment that Council receives from the Town for using their own vehicle while fulfilling their responsibilities.

176-2021

4. "Council" includes the mayor and all councillors.

5. "Councillor" is a member of council, excluding the mayor, and is considered a part-time position.

6. "Mayor" is a member of council and is considered a full-time position.

7. "Deputy mayor" is a councillor appointed to fill the position of deputy mayor on a rotational basis and may act as mayor in the mayor's absence.

8. "Per diems" are the rates paid to councillors Council for attending to municipal business in accordance with this policy.

212-2018

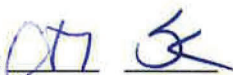
**RESPONSIBILITIES**

9. Council is responsible for reviewing and approving this policy once each term in the year leading up to the general election.

10. Councillors are responsible for submitting per diem expense claims.

11. The mayor is responsible for approving per diem expense claims.

Policy approved by:



**BASIC RATE**

12. Council will be remunerated at the basic rates as set out below and as increased annually with the cost of living adjustment approved in the annual budget for the Town of Canmore. Basic rates for 2021 are:

- a) Councillor: \$28,772
- b) Mayor: \$101,388

212-2018; 176-2021

13. The basic rate is paid to councillors for the following:

- a) Up to four council meetings per month, including: regularly scheduled council meetings, committee of the whole meetings, and special council meetings (including public hearings), up to a maximum of 16 hours per month, 212-2018; 271-2018
- b) Informal meetings with the CAO, staff and council, 212-2018
- c) Staff social functions such as employee service awards, annual holiday party, farewell events for staff and council, 212-2018
- d) Informal meetings with other municipal councils such as dinners and socials, 212-2018
- e) Evening networking events while at conferences and conventions, 212-2018
- f) Preparation for council and committee meetings, 212-2018
- g) Independent work with residents, businesses, and other organizations undertaken to be more familiar with an issue, program, or Town of Canmore initiative or facility, 212-2018
- h) Public workshops, open houses and other public input sessions, and 212-2018
- i) Meetings and social functions held within the municipal boundary when attending as dignitaries representing council such as Remembrance Day ceremonies, Canada Day events, Bow Valley Builders and Developers Association (BOWDA) meetings, service club meetings, Miner’s Day events, Winter Carnival events, Folk Festival events, and grand openings. 212-2018

14. The basic rate will be paid biweekly with the regular Town of Canmore pay cycle.

**PER DIEMS**

15. Councillors are eligible to claim per diems for attending to the following municipal business:

- a) Council orientation sessions,
- b) Council planning sessions and working sessions, as required or requested to attend,
- c) Board and committee meetings and meetings of commissions to which councillors are appointed and for which no other per diem is paid,

Policy approved by: 

- d) Canmore Community Housing Corporation (CCHC) shareholder meetings,
- e) Two Council-CAO meetings per month,
- f) Special council meetings over and above the four meetings, or maximum 16 hours of regularly scheduled council meetings covered by the basic rate, including but not limited to public hearings, Canmore Planning Commission meetings; Subdivision and Development Appeal Board hearings, and Assessment Review Board hearings, 271-2018
- g) Town Hall meetings,
- h) Conferences and conventions (including but not limited to the Alberta Association of Urban Municipalities (AUMA) and Federation of Canadian Municipalities (FCM)),
- i) On-line or in-person educational and training course including time to complete exams and tests,
- j) Business meetings with other municipal councils,
- k) Meetings with other government agencies and businesses on behalf of the Town of Canmore,
- l) Grand openings or meetings outside Canmore, if formally invited to present a verbal or written presentation,
- m) *Repealed 212-2018,*
- n) Functions and activities related to the duties of the deputy mayor appointment including attendance at the agenda setting meeting,
- o) All other meetings or public appearances approved by council or made at the request of the mayor,
- p) Meetings to complete the CAO performance review, 212-2018
- q) Finance Committee meetings, and 17-2022
- r) Agenda setting meetings or other required meetings with executive directors of external boards or commissions when acting in the position of chair of the board or commission. 17-2022

16. Per diem rates in effect upon approval of this policy are set out below and may be adjusted annually by council during the budget process:

Up to 4 hours:	\$125
Over 4 hours and up to 8 hours:	\$225
Over 8 hours:	\$350

Policy approved by: CTT [Signature]



- 17. On days when councillors attend more than one meeting consecutively, time for all meetings should be added together and the amount for the cumulative time should be claimed. 212-2018
- 18. On days when councillors attend non-consecutive meetings, separate per diems may be claimed to a maximum equivalent to the “over 8 hours” per diem rate. 212-2018; 271-2018
- 19. Time calculated for per diem claims includes travel time to and from the activity. 212-2018; 271-2018
- 20. Per diem expense claims should be submitted and approved on the biweekly Town of Canmore pay cycle. 212-2018
- 21. Remuneration for per diems must be reviewed and approved by the mayor or deputy mayor to ensure compliance with this policy. 212-2018

**VEHICLE USE EXPENSES**

- 22. Council shall use Town vehicles for travel whenever possible. If no Town vehicle is available for use, an automobile allowance for the use of personally owned vehicles will be reimbursed at the reasonable per-kilometre allowance rate set by the Canada Revenue Agency (CRA). If council chooses to use a personally owned vehicle when a Town vehicle is available, the reimbursement rate is 20% of the CRA’s rate. 176-2021
- 23. When automobile allowance claims are submitted, there is no further reimbursement for any other vehicle related expenses, including fuel. 176-2021
- 24. When using a personally owned vehicle for Town business Council shall carry adequate personal vehicle insurance. In the event of an accident, council shall be responsible for all costs, including any insurance deductibles. 176-2021

**ELIGIBLE REIMBURSABLE EXPENSES**

- 25. Reasonable accommodation costs and associated gratuities, 176-2021
- 26. Reasonable meal costs and associated gratuities, 176-2021
- 27. Reasonable transportation costs, including economy class air, train or bus fares (and any associated fees) required for travel to and from the destination, or, if estimated costs are expected to be less, a rental car for travel to, from, and within the destination, 176-2021
- 28. Taxi fares and associated gratuities, or other public transportation costs, and 176-2021
- 29. Parking. 176-2021
- 30. Wherever possible, the Mayor shall use the Town purchasing card to pay for other eligible travel expenses. 176-2021

**RESTRICTIONS**

Policy approved by: AD SE

31. In general, the following are not eligible expenses and the Town will not provide reimbursement for costs associated with:
- a) Use of a personal vehicle within Canmore,
  - b) Charges for alcoholic beverages,
  - c) Entertainment costs,
  - d) Upgrades to higher classes travel,
  - e) Fines for traffic or parking violations,
  - f) Personal items, such as clothing and toiletries,
  - g) Additional expenses resulting from travelling with a spouse or other guests, and
  - h) Expense related to a home office.

176-2021


**BENEFITS**

32. Members of Council will be provided with benefits in accordance with the Town of Canmore Benefits Policy. In addition, council members will be entitled to any and all benefits offered to elected officials through AUMA.

176-2021

33. The following tables outline the benefit types and cost share ratio provided under the Town's group benefits plan. Participation in the plan is mandatory for all employee groups identified herein and elected officials, except those benefit types listed as "Optional" or "Voluntary" under this section of this policy.

Benefit Type	Cost Sharing	
	Plan Member	Town
Extended Health Care premium	N/A	100%
Dental Care premium	N/A	100%
Non-Taxable Healthcare Spending Account/ Taxable Wellness Spending Account	N/A	100%
Life Insurance premium	30%	70%
Dependent Life Insurance premium	30%	70%
Accidental Death & Dismemberment (AD&D) premium	30%	70%
Optional Life Insurance premium	100%	N/A
Voluntary AD&D premium	100%	N/A
Group Retirement Savings Plan contribution (on regular base pay)	5.5%	8.65%

Policy approved by: 

176-2021

**EMPLOYEE AND FAMILY ASSISTANCE PROGRAM**

34. The Town will provide council, and their dependents (spouse and children) with access to a confidential, third-party employee and family assistance program at no cost to the council member.

176-2021

35. Elevation Place Membership

a) The Town will provide all of council with the option to purchase an individual Elevation Place membership at rates equivalent to those set out in the Corporate Wellness Membership Program offered to our local businesses.

b) Elected Officials are responsible for 100% of the cost of the corporate membership.

176-2021

**GENERAL**

36. *Repealed 212-2018*

37. *Repealed 176-2021*

38. *Repealed 176-2021*

39. Upon submission of receipts, and where alternate arrangements could not be made, Council shall be reimbursed for reasonable child or family care expenses up to a maximum of \$2000 per annum if incurred while attending meetings, conferences, conventions, education or training courses, in an official capacity.

**EXCEPTIONS**

40. Exceptions to this policy may be made by majority vote of council

**POLICY REVIEW**

41. This policy will be reviewed by Council on or before July 30, 2025.

**RELATED DOCUMENTS**

42. Procedural Bylaw 2018-01

271-2018

**REPEALS POLICY: 509-2012**


**AUTHORIZATION:**



Sean Krausert  
Mayor



Cheryl Hyde  
Municipal Clerk

Policy approved by: 

**REVISION HISTORY**

<b>Action</b>	<b>Date</b>	<b>Council Motion</b>	<b>Notes</b>
Approved	2017-03-21	93-2017	Policy in effect 2018-01-01
Amended	2018-10-02	212-2018	Address changes in federal tax legislation
Amended	2018-12-04	271-2018	Adjust basic rate of pay to reflect meeting schedule change; amendment in effect 2018-12-16.
Amended	2021-07-06	176-2021	Update basic rate of pay for 2021; include travel expenses and reimbursement.
Amended	2022-01-11	17-2022	Update per diem eligibility.

Policy approved by:  

# TOWN OF BANFF

## Terms of Reference

### Council Remuneration Review Committee

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#### 1.0 COMPOSITION OF COMMITTEE

- 1.1 The Council Remuneration Review Committee (the “Committee”) is comprised of three (3) members of the public eligible in accordance with the Town of Banff Committee Appointments Policy.
- 1.2 The Committee shall elect a chairperson at their first meeting.
- 1.3 Members of the Committee will be appointed by Council directly, according to the Town of Banff Committee Appointments Policy.
- 1.4 If a member resigns or is unable to serve, a replacement may be appointed from the original list of applicants.

#### 2.0 TERM OF OFFICE

- 2.1 In the year prior to a general municipal election, the Committee is established as a temporary Council committee.
- 2.2 The Committee shall terminate upon acceptance of the Committee’s final report by Council, which shall be completed on or before June 30<sup>th</sup> of the year of a general municipal election.

#### 3.0 STATEMENT OF PURPOSE

- 3.1 The purpose of the Committee shall be to review and provide recommendation to the Town of Banff Council (the “Council”) with respect to the Town of Banff Council Remuneration Policy for the next term of office.
- 3.2 The report may include, but is not limited to, recommendations with respect to:
  - i) establishing a set of guiding principles for council remuneration;
  - ii) establishing the appropriate remuneration to be paid to the Council including specific recommendations on base salary and per diem amounts;
  - iii) benefits offered;



- iv) allowances and expenses;
- v) full time equivalent status;
- vi) options for making periodic adjustments to established remuneration; and
- vii) the establishment of standards for remuneration review.

#### 4.0 DUTIES AND POWERS

- 4.1 The Committee is advisory in nature, making recommendations to Council by way of report.
- 4.2 The chairperson and/or another Committee member shall present the Committee's recommendation to the Governance and Finance Committee prior to a public Council meeting to ensure comprehensiveness and completeness.
- 4.3 All decisions and recommendations of the Committee will be made through a consensus based approach. Consensus does not mean a decision that is perfect for all participants. It does mean a decision that all participants can live with, and that all participants agree to support the decision. For issues where consensus cannot be reached, the majority vote will determine the final decision.
- 4.4 The Committee will review relevant survey data and practices of other comparable markets (such as the Small Municipalities Human Resources Team – SMHRT) and the Alberta Municipal Services Corporation/Alberta Urban Municipalities Association – AUMA/AMSC. The Committee may conduct other reviews it feels are necessary to enable it to make recommendations.
- 4.5 The Committee is permitted to solicit external submissions and expertise as required.
- 4.6 Committee members will receive no honorarium for their volunteer services.

#### 5.0 MEETINGS

- 5.1 The Committee will determine the meeting schedule they require to complete their mandate.
- 5.2 All Committee meetings shall be open to the public, with item protected by the Freedom of Information and Protection of Privacy Act discussed in camera in accordance with usual procedures.
- 5.3 The Committee meeting is to comply with the requirements of the *Municipal Government Act*, as amended, and the Procedural Bylaw of the Town of Banff, as amended or repealed and replaced from time to time.

## 6.0 LIAISON

- 6.1 The Manager of Human Resources, or designate, shall attend Committee meetings to act in an advisory capacity as a non-voting member.
- 6.2 The Municipal Clerk, or designate, shall provide administrative support to the Committee.

## 7.0 REVIEW

- 7.1 The Committee Terms of Reference shall be reviewed in the year preceding a general election to ensure that they reflect the current mandate of the Committee.



# Request for Decision

**DATE OF MEETING:** May 2, 2023 **Agenda #:** H-1

**TO:** Council

**SUBJECT:** RCMP Retroactive Pay Advocacy

**SUBMITTED BY:** Sally Caudill, Chief Administrative Officer

**RECOMMENDATION:** 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; and

That Council direct Mayor Krausert to convey this support in writing to our local Member of Parliament.

## EXECUTIVE SUMMARY

Administration is providing Council with information regarding the Government of Canada's decision on the matter of payment of the RCMP prior years retroactive costs for their regular members and reservists and support the advocacy in calling for a more inclusive process in the future.

In August of 2021, the first collective agreement was reached between the federal government and the National Police Federation which resulted in a pay increase that brought RCMP salaries in-line with those of other police services across Canada, a fair and competitive wage for RCMP officers. The Police Services Agreements required contract jurisdictions to pay their share of retroactive salary costs from April 1, 2017, to March 31, 2021. RCMP members accepted this deal, which includes a 23.78% pay increase for RCMP members.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

N/A

## DISCUSSION

The Government of Canada has made the decision in their Budget 2023 to make municipalities responsible for all retroactive costs stemming from the RCMP collective bargaining agreement. Despite months of municipal advocacy led by the Federation of Canadian Municipalities (FCM), Alberta Municipalities (AB Munis), other provincial-territorial associations and local leaders across Canada, the federal government has indicated in their most recent budget that it will not be meeting the request to reduce or absorb the retroactive costs.

Communities across Canada that are dependent on RCMP services for local policing, including the Town of Canmore, are expected to cover these costs; a decision falling well short of the call from municipalities for the federal government to fully absorb the costs. This decision is an example of a federal commitment that deeply

impacts municipalities, without them being properly consulted or involved. Municipal governments are already paying a growing share of policing costs, but unlike other orders of government, cannot run deficits to spread out the impact of these extraordinary one-time sums, and have limited revenue tools.

These extraordinary one-time costs, which in some jurisdictions amount to millions of dollars, will cause significant hardship for many communities and residents across the country, and were negotiated without meaningful consultation or a seat at the table for the municipalities responsible for paying the bill. Local governments may be forced to make difficult decisions that will impact residents, such as cutting essential services, reducing policing levels, raising property taxes significantly, and/or cancelling work on local infrastructure, at a time when Canadians' concerns about community safety and the cost of living are already rising.

Going forward, it is critical that municipalities be proactively engaged in any forthcoming processes related to contract policing to prevent this occurring again. Administration is recommending that the Town of Canmore join these efforts and support the advocacy being led by FCM and AB Munis in calling for a more inclusive process in the future.

#### **ANALYSIS OF ALTERNATIVES**

N/A

#### **FINANCIAL IMPACTS**

The Town of Canmore received an invoice for \$520,789 for the retroactive pay raise costs. Knowing that municipal downloading was a possibility, the Town accrued \$556,000 over the last several years based on estimates provided to avoid a significant tax increase.

The Government of Canada offered all contract jurisdictions with an option to pay over the next two years and asked all municipalities to indicate which approach they intended to take. Because the Town has accrued enough to cover the invoice, administration has decided to make this one time payment.

All of this is coming at the same time as Canmore transitions from the 70-30 cost sharing split to 90-10 cost sharing split, due to the town population increasing over 15,000 so the accrual surplus will be used for increased policing costs.

#### **STAKEHOLDER ENGAGEMENT**

Both FCM and AB Munis have been advocating that these retroactive pay raise amounts be covered by the federal government and that any future process involve municipalities directly in the negotiations (see Attachments 1 and 2 for FCM advocacy documents). The CAOs from the Mid-sized Cities Mayors Caucus (MCMC) group have had an email discussion about how they are responding to the decision to download costs to municipalities. The general agreement is that the downloading decision will not be changed, but advocacy around any future process is worthwhile and necessary.

#### **ATTACHMENTS**

- 1) Official FCM Statement
- 2) FCM resolution template

**AUTHORIZATION**

Approved by: Palki Biswas  
Manager of Finance Date: April 6, 2023

Approved by: Sally Caudill  
Chief Administrative Officer Date: April 6, 2023

[HOME](#) > [NEWS & MEDIA](#) > [FCM RESPONDS UPDATE THE GOVERNMENT CANADA THE ISSUE  
RETROACTIVE RCMP COSTS](#)

# FCM responds to update from the Government of Canada on the issue of retroactive RCMP costs



March 29, 2023

The Federation of Canadian Municipalities (FCM) responded today to the federal government's disappointing decision to pass unbudgeted and unaccounted for RCMP costs on to municipalities.

Despite months of municipal advocacy led by the FCM, provincial-territorial associations, and local leaders across Canada, the federal government has indicated in the 2023 Budget that it will not be meeting the request to absorb the retroactive costs associated with the latest RCMP collective bargaining agreement.

Yesterday's budget further confirmed that communities across Canada that are dependent on RCMP services for local policing are expected to cover these costs, and offered details on a repayment period for

municipalities. This falls well short of the call from municipalities to fully absorb the costs.

“Municipalities have been crystal clear,” said FCM president Taneen Rudyk. “Local governments were not at the table for these negotiations. And while cost estimates were provided to some municipalities, these turned out to be far below the final agreement’s increase over six years, with retroactive pay going back to 2017.”

“The federal government’s refusal to absorb these costs – which were essentially negotiated with municipal money but not with municipal input – is not acceptable. Municipal councils will be forced to make incredibly tough decisions, such as making cuts to essential services or passing the bill along to residents, at a time when Canadians’ concerns about local safety and the cost of living are already rising.”

This decision is an example of a federal commitment that deeply impacts municipalities without municipalities being properly consulted or involved. Municipal governments are paying a growing share of policing costs, but they cannot run deficits and have limited revenue tools.

Communities across the country are facing significant costs associated with this decision of the federal government. Outlined below are cost **estimates** shared by some:

- City of Moncton, NB: \$5.7 million, population 79,470
- Town of Hinton, AB: \$750,000, population 9,882
- City of Portage la Prairie, MB: \$800,000, population 13,270
- City of Vernon, BC: \$3.4 million, population 44,519

FCM is clearly reiterating the need for municipalities to be actively involved in any future processes regarding contract policing.

“This situation cannot occur again,” said Rudyk. “Going forward, municipalities must be properly consulted on issues related to policing costs given the municipal responsibility to keep our communities safe.”

*The Federation of Canadian Municipalities (FCM) unites more than 2,100 local governments at the national level, representing more than 92 per cent of Canadians in every province and territory.*

**For more information:** FCM Media Relations, (613) 907-6395,  
[media@fcm.ca](mailto:media@fcm.ca)

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## **Template Resolution – Prioritizing Municipal Input in Future RCMP Contract Policing Decisions**

**WHEREAS**, The Government of Canada has made the decision in Budget 2023 to make municipalities responsible for all retroactive costs stemming from the latest RCMP collective bargaining agreement; and

**WHEREAS**, These extraordinary one-time costs, which in some jurisdictions amount to millions of dollars, will cause significant hardship for communities and residents across the country, and were negotiated without meaningful consultation or a seat at the table for the municipalities responsible for paying the bill; and

**WHEREAS**, Municipal governments are already paying a growing share of policing costs, but unlike other orders of government, cannot run deficits to spread out the impact of these extraordinary one-time sums, and have limited revenue tools; and

**WHEREAS**, Local governments will now be forced to make difficult decisions that will impact residents, such as cutting essential services, reducing policing levels, raising property taxes significantly, and/or cancelling work on local infrastructure, at a time when Canadians' concerns about community safety and the cost of living are already rising; and

**WHEREAS**, Going forward, it is critical that municipalities be proactively engaged in any forthcoming processes related to contract policing to prevent this occurring again; therefore be it

**RESOLVED**, That [insert municipality's name] joins the Federation of Canadian Municipalities in calling on the federal government to commit to ensuring that 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; and be it further

**RESOLVED**, That [insert municipality's name] conveys this support in writing to local Members of Parliament.