

**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

Minutes approved by: AK [Signature]

D. APPROVAL OF MINUTES

1. Minutes of the February 28, 2023 Special Meeting of Council

52-2023

Moved by Mayor Krausert that Council approve the minutes of the February 28, 2023 regular meeting as presented.

CARRIED UNANIMOUSLY

2. Minutes of the March 7, 2023 Regular Meeting of Council

53-2023

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 Rheume, 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: AR SK

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: AK SK

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: AR SK

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: ar SK

H. NEW BUSINESS

- 71-2023 **1. Funding Increase to 2020 Light Fleet Replacement (#7140) to Accommodate External Funding**
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
- 72-2023 **2. Appointment of Clerks to the Subdivision and Development Appeal Board**
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
- 73-2023 **3. Canmore Library Board Appointment**
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

- 74-2023 **1. Three Sisters Mountain Village Properties Ltd. Litigation Update (verbal)**
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 p.m.
CARRIED UNANIMOUSLY

Minutes approved by: AR S

L. ADJOURNMENT

76-2023

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

CARRIED UNANIMOUSLY



Sean Krausert, Mayor



Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: AR SK