

TOWN OF CANMORE

AGENDA

Regular Meeting of Council

Council Chambers at the Civic Centre, 902 – 7 Avenue

Tuesday, February 7, 2023 at 9:00 a.m.

PUBLIC QUESTION PERIOD – Before meeting is called to order

A. CALL TO ORDER AND APPROVAL OF AGENDA

9:00 – 9:05

1. Land Acknowledgement
2. Agenda for the February 7, 2023 Regular Meeting of Council

B. PUBLIC HEARINGS – None

C. DELEGATIONS

9:05 – 9:20

1. The Howl Experience program information

D. APPROVAL OF MINUTES

9:20 – 9:25

1. Minutes of the January 10, 2023 Regular Meeting of Council
2. Minutes of the January 17, 2023 Special Meeting of Council

E. BUSINESS ARISING FROM THE MINUTES – None

F. UNFINISHED BUSINESS – None

G. BYLAW APPROVAL

1. Electronic Transmission Bylaw for Property Assessment and Taxation

9:25 – 9:35

Recommendations:

1. That Council give second reading to Transmission of Electronic Documents Bylaw 2023-01.
2. That Council give third reading to Transmission of Electronic Documents Bylaw 2023-01.

2. 2023 Borrowing Bylaws – Utility Projects 2nd and 3rd Readings

Recommendations:

9:35 – 9:45

1. That Council give second reading to Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
2. That Council give third reading to Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
3. That Council give second reading to Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.
4. That Council give third reading to Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.
5. That Council give second reading to Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.
6. That Council give third reading to Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.

7. That Council give second reading to Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.
8. That Council give third reading to Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.
9. That Council give second reading to Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade.
10. That Council give third reading to Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade
11. That Council give second reading to Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.
12. That Council give third reading to Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.

3. Revised Land Use Bylaw Amendment 2022-24 General Industrial District (IND-2)

9:45 – 10:00

Recommendation: that Council give first reading to Revised Land Use Bylaw Amendments 2022-24 General Industrial District (IND-2) and schedule a public hearing for February 28, 2023.

Meeting Break 10:00 – 10:15

H. NEW BUSINESS - None

I. REPORTS FROM ADMINISTRATION - None

J. NOTICES OF MOTION – None

K. IN CAMERA

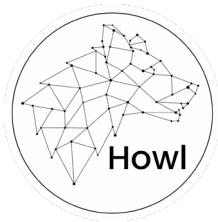
1. Cougar Creek Contract Negotiations (verbal)

10:15 – 10:45

Recommendation: that Council take the meeting in camera to prevent interference with the Town’s contractual negotiations in accordance with section 25(1)(c)(iii) of the *Freedom of Information and Protection of Privacy Act*.

10:45

I. ADJOURNMENT



Delegation Report to the Town of Canmore February 7, 2023

Background

[Howl](#) is a new education-based, non-profit in Canmore. Our programs offer life experience to young adults aged 18-30 years of age and are designed to provide emerging leaders with direction and purpose. We run a variety of programs in multiple locations in Canada, and our program length ranges from 5 days to 4 months. Young adults leave our program with new experiences and skills that fuel their passions and set them up for successful, sustainable careers and lives.

The 2023 Howl program

We have recently expanded into Canmore, and on January 9, 2023 we launched Canmore's first 4-month immersive experience.

Our program has a strong focus on Reconciliation within the Bow Valley and Canada. Approximately half of our participants are Indigenous, and programs include a strong connection to land and the environment. We are partnering with businesses and organizations throughout the Bow Valley to support volunteer initiatives, including the Homelessness Society of the Bow Valley, Spirit North, Rocky Mountain Adaptive, and Guardians of the Ice, among others.

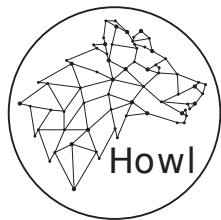
Thank you for the opportunity to present to the Town of Canmore council, and to share with you details about growing non-profit. We would like to invite council to support this semester's participants through:

- 1) **Connection:** We invite council and Town administration to connect with us if there are any initiatives that our program participants could support. Our participants are seeking projects that provide professional experience as well as support our values of Reconciliation and sustainability.
- 2) **Support:** This semester, some of our participants will be supporting the Homelessness Society of the Bow Valley (HSBV) with their Coldest Night of the Year walk and fundraiser. We invite council to create a team and help us spread the word.

We look forward to growing as part of Canmore and the Bow Valley.

Attached:

- 1- Meet Howl Alumni



There are some people we'd like you to meet.

From coast to coast to coast, Howl is providing experiences that give young people a better understanding of themselves, their communities and the natural environment. Here are just a few of the youth we've enjoyed learning alongside over the past year.



Pierrette (she/her/elle)

Fredericton, New Brunswick

Rockies Exploration, March 2022

Having spent most of her childhood exploring the beautiful coastlines around Saint John, Pierrette grew up with a love of nature and a desire to protect New Brunswick's natural spaces. She has long sought out unconventional opportunities for meaningful learning, whether through a volunteer role with a non-profit in Greece or as a participant in Howl's first ever Exploration Program in March 2022.

Pierrette is now a Stewardship Coordinator with the Nature Trust and feels fortunate that she gets to spend her days working outside!

Echo is naturally curious. Unfortunately, her experience with university hasn't always allowed her the flexibility to explore all of those interests. Fortunately, Howl gave her the space to broaden her interests.

"As a social worker, I've learned a lot about the impact of colonization on communities but there is no comparison to being able to experience it and see it with my own eyes. We visited Morley to support the Powwow and I could clearly see some of the challenges that the community faces. The experience has helped to ground me and to recognize the ways that people's lives are really touched by colonization."



Echo (she/her/elle)

Montreal, Quebec

Rockies Exploration, June 2022



Amanda (she/her)

Toronto, Ontario

February 7, 2023 Council 9 a.m.

Rockies Exploration, March 2022

Amanda is a natural problem solver, creative thinker, and lover of creating a vibe. After participating in our March Rockies Exploration, she wanted to amplify Howl's mission and to help us to reach a wider audience. With a background in user experience and web design, she offered to redesign Howl's website in order to better convey our core values and more strongly resonate with youth.

Recently, Amanda has taken her involvement with Howl one step further by joining our Board of Directors. Through this role she will help to guide our programs for future Howlers!



Kiara (she/her)

Sheshegwaning First Nation, Ontario
Rockies Exploration, June 2022

When it comes to bringing cultural revitalization, traditional foods and ceremony to the forefront, Kiara is a young person to watch. Through her work with the Land First Youth Initiative in her home of Sheshegwaning, she has organized traditional hunts, planted a community garden and put on feasts for the whole community.

By volunteering in the Bow Valley during the June Rockies Exploration, Kiara gained experiences and learnings from youth and Elders that she could apply to her own community when she returned home.

The education system hasn't always met Kade's needs as an energetic Métis youth with a passion for skateboarding. However after reflecting on his Howl Experience in the Yukon, Kade decided that he could be a part of shifting how we "do" education in Canada. Now he is pursuing a BEd through the University of Lethbridge.

"I learned that there are countless opportunities out there and that it only takes a little bit of effort to uncover them. I'm excited to explore my newfound interests and honestly, I'm thrilled to continue learning. The Yukon Exploration program gave me a place to be vulnerable and I haven't felt this comfortable in my own skin before."



Kade (he/him)
Calgary, Alberta

Yukon Exploration, August 2022



Édouard (he/him)

Whitehorse, Yukon

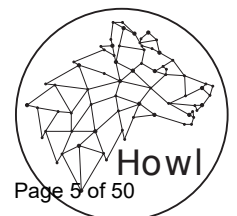
Rockies Exploration, March 2022

With a background in digital strategy, computer science and social media coordination, you might not expect Ed to be the outdoorsy type. But if you thought that you'd be mistaken — he is just as comfortable exploring the snowy Rockies by snowshoes as he is connecting with his peers around conservation policy. And that was just one afternoon during the March 2022 Rockies Exploration.

"Howl brings together youth from all Canada to come together and share a fantastic experience that allows youth to explore their role in society, their future, their connection to nature and the land that surrounds us, and to each other."

Interested in learning more?

Explore our website (www.experiencehowl.com), find us on social media ([@experiencehowl](https://twitter.com/experiencehowl)) or send us an email (adam@experiencehowl.com). We can't wait to hear from you!



**TOWN OF CANMORE
MINUTES**

Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, January 10, 2023 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Jeff Mah	Deputy Mayor
Tanya Foubert	Councillor
Wade Graham	Councillor (joined virtually, left the meeting at 10:42 a.m.)
Jeff Hilstad	Councillor
Karen Marra	Councillor
Joanna McCallum	Councillor

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Chief Administrative Officer
Robyn Dinnadge	Acting General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Adam Driedzic	Town Solicitor
Cheryl Hyde	Municipal Clerk
Allyssa Rygersberg	Deputy Municipal Clerk (recorder)
Megan Dalrymple	Property Tax Coordinator
Palki Biswas	Manager of Finance
Geordie Heal	Supervisor of Streets and Roads
Andreas Comeau	Public Works Manager

Mayor Krausert called the January 10, 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 January 10, 2023 Regular Meeting of Council**

1-2023

Moved by Mayor Krausert that Council approve the agenda for the January 10, 2023 meeting as presented with the following amendment:

- Under New Business add item H-2 Information to Allow Land Transfer to the Canadian Rockies Public Schools

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS - none

C. DELEGATIONS - none

D. APPROVAL OF MINUTES

- 2-2023 **1. Minutes of the November 29, 2022 Special Meeting of Council**
Moved by Mayor Krausert that Council approve the minutes of the November 29, 2022 special meeting as presented.
CARRIED UNANIMOUSLY
- 3-2023 **2. Minutes of the December 6, 2022 Regular Meeting of Council**
Moved by Mayor Krausert that Council approve the minutes of the December 6, 2022 regular meeting as presented.
CARRIED UNANIMOUSLY
- 4-2023 **3. Minutes of the December 20, 2022 Special Meeting of Council**
Moved by Mayor Krausert that Council approve the minutes of the December 20, 2022 special meeting as presented.
CARRIED UNANIMOUSLY

E. BUSINESS ARISING FROM THE MINUTES - none

F. UNFINISHED BUSINESS - none

G. BYLAW APPROVAL

- 5-2023 **1. Electronic Transmission Bylaw for Property Assessment and Taxation**
Moved by Mayor Krausert that Council give first reading to Transmission of Electronic Documents Bylaw 2023-01.
CARRIED UNANIMOUSLY
- 6-2023 **2. 2023 Borrowing Bylaws**
Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
CARRIED UNANIMOUSLY
- 7-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.
CARRIED UNANIMOUSLY
- 8-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.
CARRIED UNANIMOUSLY
- 9-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.
CARRIED UNANIMOUSLY

Minutes approved by: _____

10-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-07 for Wastewater Treatment Plant-Odour Control-Construction.
DEFEATED UNANIMOUSLY

11-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade.
CARRIED UNANIMOUSLY

12-2023 Moved by Mayor Krausert that Council give first reading to Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.
CARRIED UNANIMOUSLY

H. NEW BUSINESS

13-2023 **1. Administrative Fleet Vehicle Lifecycle Delay**
Moved by Mayor Krausert that Council approve the delay of sale of a replaced Administrative Fleet Vehicle and allow for it to be used by the Paid Parking program in 2023 and 2024.
CARRIED UNANIMOUSLY

2. Information to Allow Land Transfer to the Canadian Rockies Public Schools

Mayor Krausert spoke to a written report, in satisfaction of Council Motion 232-2022, to inform Council of the number of market units proposed to be purchased in the Canadian Rockies Public Schools – Lawrence Grassi Middle School development to be part of the new Canmore Community Housing residency pilot program.

The written report has been added to the agenda package for this meeting

I. REPORTS FROM ADMINISTRATION

1. 2022 Report to the Community
Administration provided Council with a year-end report on their 2019-2022 strategic priorities to summarize what was accomplished.

J. NOTICES OF MOTION - none

K. IN CAMERA

1. Three Sisters Mountain Village Properties Ltd. Litigation Update
Councillors McCallum, Hilstad and Marra declared a pecuniary interest in item K1 for the reasons stated below, requested that their declarations and abstentions be recorded in the minutes, and left the meeting at 10:03 a.m.

- Each previously declared a potential pecuniary interest under the Municipal Government Act in Council's discussion and decision on appealing the Land and Property Rights Tribunal decisions to the Court of Appeal due to being named in a legal action in the Court of King's Bench.
- Each understands that the in-camera session under item K1 on today's agenda will involve council discussion of the next steps in the Town's appeal.
- Each are abstaining from any discussion of this matter and leaving the room until any discussion and voting are concluded.

Minutes approved by: _____

Meeting Break 10:03 a.m. – 10:15 a.m.

14-2023 Moved by Mayor Krausert that Council take the meeting in-camera at 10:15 a.m. to prevent disclosure of solicitor-client 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: Adam Driedzic, Sally Caudill, Scott McKay, Whitney Smithers, Cheryl Hyde, Adam Robertson, and Allyssa Rygersberg.

15-2023 Moved by Mayor Krausert that Council return to the public meeting at 10:42 a.m.

CARRIED UNANIMOUSLY

Meeting Break 10:42 a.m. – 3:30 p.m.

2. Delegation regarding Calgary Airport to Banff Passenger Rail Update

16-2023 Moved by Mayor Krausert that Council take the meeting in-camera at 3:30 to prevent disclosure harmful to business interest of a third party in accordance with Section 16(1) of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

Members of administration present at the in-camera session: Adam Driedzic, Sally Caudill, Scott McKay, Robyn Dinnadge, Whitney Smithers, Andy Esarte, Cheryl Hyde, and Allyssa Rygersberg.

Members of the public present at the in-camera session: Ed Whittingham, Adam Waterous, and Jan Waterous.

17-2023 Moved by Mayor Krausert that Council return to the public meeting at 5:08 p.m.

L. ADJOURNMENT

18-2023 Moved by Mayor Krausert that Council adjourn the January 10, 2023 regular meeting at 5:08 p.m.

Sean Krausert, Mayor

Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: _____

**TOWN OF CANMORE
MINUTES**

Special Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, January 17, 2023 at 4:30 p.m.

COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Jeff Mah	Deputy Mayor
Tanya Foubert	Councillor
Wade Graham	Councillor

COUNCIL MEMBERS ABSENT

Jeff Hilstad	Councillor
Karen Marra	Councillor
Joanna McCallum	Councillor

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
Adam Driedzic	Town Solicitor
Cheryl Hyde	Municipal Clerk (recorder)
Allyssa Rygersberg	Deputy Municipal Clerk

Mayor Krausert called the January 17, 2023 special meeting to order at 4:33 p.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA

1. Agenda for the January 17, 2023 Special Meeting of Council

4-2023 Moved by Mayor Krausert that Council approve the agenda for the January 17, 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

1. Three Sisters Mountain Village Properties Ltd. Litigation Application for Mandamus

5-2023

Moved by Mayor Krausert that Council take the meeting in-camera at 4:50 p.m. to prevent disclosure of solicitor-client 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, Therese Rogers, Scott McKay, Adam Driedzic, Cheryl Hyde, and Allyssa Rygersberg.

Marco Baldasaro, McLennan Ross LLP, the Town's external legal counsel, was also present for the in-camera session.

6-2023

Moved by Mayor Krausert that Council return to the public meeting at 5:59 p.m.

CARRIED UNANIMOUSLY

7-2023

Moved by Mayor Krausert that Council authorize external litigation counsel to sign an agreement on behalf of the Town with Three Sisters Mountain Village Properties Ltd. to

- a) adjourn the mandamus application to no set date;
- b) not take steps to reschedule the mandamus application until the sooner of the date a decision is issued by the Alberta Court of Appeal in relation to the Land and Property Rights Tribunal (LPRT) appeals or a date as negotiated by legal counsel; and
- c) pay court costs for steps taken to date for the mandamus application to TSMVPL in accordance with column 1 of Schedule C of the Alberta Rules of Court;

On condition that, if the Court of Appeal affirms the decisions and orders the Town to adopt the Area Structure Plans,

- a) the Town will do so within 30 days of the date of the Court of Appeal's decision;
- b) the Town will forego all additional appeals of the LPRT decisions, including seeking leave to appeal from the Supreme Court of Canada;
- c) the Town will adopt the MDP amendments related to the ASPs within 30 days of the pronouncement of the Alberta Court of Appeal's decision by way of issuance of Reasons for Decision, without convening public hearings, their necessity relieved by the Municipal Government Act s. 619(9); and
- d) the Town will not charge any fees to TSMVPL for processing the ASPs and MDP amendments related to the approval of the ASPs.

CARRIED UNANIMOUSLY

Minutes approved by: _____

G. BYLAW APPROVAL – none

H. NEW BUSINESS – none

I. REPORTS FROM ADMINISTRATION – none

J. NOTICES OF MOTION – none

K. IN CAMERA

1. Three Sisters Mountain Village Properties Ltd. Litigation Application for Mandamus

Considered under item F1.

L. ADJOURNMENT

8-2023

Moved by Mayor Krausert that Council adjourn the January 17, 2023 special meeting at 6:05 p.m.

CARRIED UNANIMOUSLY

Sean Krausert, Mayor

Allyssa Rygersberg, Deputy Municipal Clerk

Minutes approved by: _____



Request for Decision

DATE OF MEETING: February 7, 2023 **Agenda #:** G-1

TO: Council

SUBJECT: Electronic Transmissions Bylaw for Property Assessment and Taxation

SUBMITTED BY: Megan Dalrymple, Property Tax Coordinator

RECOMMENDATION:

1. That Council give second reading to Transmission of Electronic Documents Bylaw 2023-01.
2. That Council give third reading to Transmission of Electronic Documents Bylaw 2023-01.

EXECUTIVE SUMMARY

On January 10, 2023, Council gave first reading to the Transmission of Electronic Documents Bylaw 2023-01. This bylaw is associated with property owners being provided with the option to receive their property tax notices, assessment notices, and Canmore Assessment Review Board (ARB) documents electronically, where possible, per the opportunity granted under the *Municipal Government Act* (MGA). Providing property owners with a paperless option for these documents will allow for more timely and accessible retrieval of their notices as well as a more environmentally friendly option of communication and reduce costs.

As per the MGA requirements, the proposed bylaw was advertised. This was done on the Town website and the Rocky Mountain Outlook on January 19 and January 26, 2023. The advertising for this bylaw is simply a notice and does not provide a method for collecting feedback.

As such, pursuant to the MGA, Council may now give second and third readings to Bylaw 2023-01.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

January 10, 2023: Council gave first reading to Transmission of Electronic Documents Bylaw 2023-01.

Section 608(1) of the MGA identifies where a document is required to be sent, the document may be sent by electronic means under conditions established in this section.

Section 608.1 of the MGA outlines that Council must establish a bylaw for sending assessment and tax related documents under Part 9 (Assessment of Property), Part 10 (Taxation), or Part 11 (Assessment Review Boards). This section also identifies requirements to be satisfied regarding the advertisement and content of a bylaw.

DISCUSSION

Each year the municipality is required to send property tax and assessment notices and other documents as prescribed under the MGA. The most critical documents sent to property owners are:

- **Property Assessment Notices:** notices providing the owner with the assessed value of the property.

- **Property Tax Notices:** notices providing the owner with a bill or statement to reflect the details of the taxes levied against the property.
- **Supplemental Assessment and Tax Notices** (where applicable): an assessment notice and pro-rated levy for properties that reached completion after the original December 31 assessment date.
- **ARB Complaint Correspondence** (where applicable): includes confirmation of hearing details for complaints against property assessments, the exchange of disclosure evidence and other information related to the complaint.

Over the last number of years, paperless options have been increasingly made available in both private and public-sector organizations. Property owners have requested this service from the Town for more timely access of their notices as well as for ease of accessibility and filing. Electronic notifications also allow recipients to view the documents instantly from anywhere in the world.

At the time of the January 10 presentation to Council, the original timelines outlined an intended launch in May 2023 of the electronic transmission of property tax notices. Since that time, we have identified a few items to be resolved with our software vendor to confidently move forward with the roll out of this project. Administration will keep Council apprised with the updated timelines as we learn more.

In the first year of launch, all owners will continue to receive paper copies of their notices. Moving forward, only those who specifically choose a paperless option by way of enrollment prescribed by the Town will receive their notice by electronic means and a printed copy will not be mailed for these owners. For those who choose not to enroll in paperless notifications, they will continue to receive their notices by hardcopy in the mail as the default.

Registration for owners to receive their property tax and assessment notices electronically will be available via online web form. Those who opt in will be provided with a secure login account to an online portal where they will set their own password. The login is unique to their customer profile. When notifications are issued to the account, the owner will receive an email to alert them to the notice. Notices will be available to the user in this online portal for future reference and reprints, thus allowing them to “self serve” when looking for these documents in the future.

A property owner can unsubscribe at any time from either of these paperless notifications processes and revert to receiving their notices by mail.

The MGA does allow for “sending forms of notice under section 149(2) or (3) of the *Education Act* by electronic means”. Administration understands the ‘form of notice’ to be the “School Support Declaration” where property owners can declare their faith. Administration did not include the declaration of faith in the Transmission of Electronic Documents Bylaw as the Town is not actively requesting/requiring that people declare their faith. However, the form is available on the website and is sent to owners by email upon request.

The MGA requires that Council must be satisfied that this proposed bylaw includes appropriate measures to ensure the security and confidentiality of the documents. The Town’s process for enrollment and issuing of notices will be in accordance with the requirements of the MGA and its associated regulations and any information collected shall be protected in accordance with the provisions of the Freedom of Information and Privacy Protection Act.

ANALYSIS OF ALTERNATIVES

Council could continue to offer tax and assessment correspondence by mail only. This option is not recommended as it does not allow property owners the convenience of paperless notifications and self serve document retrieval. Additionally, it does not support Council’s priority of sustainability.

FINANCIAL IMPACTS

The Town does not expect to see any cost savings in the first year of launch, as the plan is to send notifications both electronically and by email to ensure reliable delivery in the launch year. In 2022, the mailing costs associated with the property tax notices alone were approximately \$17,275 inclusive of paper, printing, packaging, and postage expenses. The costs associated with assessment notices were approximately \$15,030 in that same year.

Estimated future savings will be the range of \$4,320 - \$8,640 for tax notices and \$3,760 - \$7,520 for assessment notices if the enrollment is anywhere between 25% to 50% of property owners.

STAKEHOLDER ENGAGEMENT

Although no formal stakeholder engagement has been completed, the pre-enrollment numbers indicate an appetite from property owners for this service.

ATTACHMENTS

- 1. Transmission of Electronic Documents Bylaw 2023-01

AUTHORIZATION

Submitted by:	Megan Dalrymple Property Tax Coordinator	Date: <u>January 30, 2023</u>
Approved by:	Palki Biswas Manager of Finance	Date: <u>January 30, 2023</u>
Approved by:	Therese Rogers General Manager of Corporate Services	Date: <u>January 30, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>January 26, 2023</u>

BYLAW 2023-01

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
SEND ASSESSMENT, TAX, AND ASSESSMENT REVIEW BOARD NOTICES AND
OTHER DOCUMENTS BY ELECTRONIC MEANS**

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 “Transmission of Electronic Documents Bylaw.”

INTERPRETATION

- 2 In this bylaw:
- a) “Act” means the Municipal Government Act, R.S.A 2000, c. M-26 as amended;
 - b) “Assessed Person” means an assessed person as defined in section 284(1)(a) of the Act or a person acting on behalf of an assessed person;
 - c) “Assessment Review Board” or “ARB” means the Local Assessment Review Board and the Composite Assessment Review Board as established by the Town;
 - d) “Clerk” means clerk of the Assessment Review Board as designated by the Town;
 - e) “Complainant” means an assessed person who has filed a complaint to the ARB in accordance with section 460 of the Act, or the agent of such a person;
 - f) “Electronic Means” means
 - i) electronic mail (email), or
 - ii) any other electronic form of communication which can be addressed to an electronic account to which a person has access and to which notices, documents, and other information may be uploaded and downloaded;
 - g) “Municipal Assessor” means the designated officer appointed by the municipality to carry out the functions, duties and powers of a municipal assessor under the Act;
 - h) “Regulation” means the Matters Relating to Assessment Complaints Regulation, 2018, AR 201/2017 as amended;
 - i) “Undeliverable” means a notification received by the Town indicating that the communication was not received;
 - j) “Web Portal” means the password protected web-based platform accessible through the official Town of Canmore website which allows the Town to provide information to the account holder;

ASSESSMENT OF PROPERTY AND TAXATION NOTICES

- 3 The Town may send assessment notices, tax notices, and other notices, documents and information under Part 9 and Part 10 of the Act or the Regulation under Part 9 and 10 by Electronic Means.
- 4 A notice set out in accordance with section 3 may be sent by Electronic Means if the Assessed Person
 - a) has completed the designated enrollment request form on the Town’s website to create a password protected user account on the Town Web Portal,
 - b) has at least one property linked to their customer profile, and
 - c) has opted to receive notices by Electronic Means by indicating their consent through the enrollment request form on the Town’s website.
- 5 An Assessed Person who has opted to receive notices by Electronic Means in accordance with section 4 is automatically enrolled in Electronic Notifications for all Town accounts linked to their customer account.
- 6 The Town must issue an email to each Assessed Person who has opted to receive notices by Electronic Means in accordance with section 4 whenever a notice set out in accordance with section 3 is available for review and download through their user account on the Web Portal.
- 7 An Assessed Person is solely responsible for managing their Web Portal account profile, including all login information, for ensuring that the email address associated with the Web Portal account is kept secure and that the Web Portal account is regularly monitored by the Assessed Person for any new notices sent thereto by the Town.

ASSESSMENT REVIEW BOARDS NOTICES, DOCUMENTS AND INFORMATION

- 8 The Town may send other notices, documents and information under Part 11 of the Act or the Regulation under Part 11 by Electronic Means.
- 9 The Clerk may send the notices, documents and information set out in section 8 to the Municipal Assessor by Electronic Means.
- 10 The Clerk may send the notices, documents and information set out in section 8 to the Complainant by Electronic Means providing the Complainant has opted to receive notices relating to their complaint by Electronic Means by indicating consent in writing to the Clerk.
- 11 A Complainant may disclose evidence for use in an Assessment Review Board hearing to the Municipal Assessor by Electronic Means.

- 12 The Municipal Assessor may disclose evidence for use in an Assessment Review Board hearing to a Complainant by Electronic Means if the Complainant has:
 - a) opted to receive notices, documents and information from the Clerk by Electronic Means, or
 - b) otherwise expressed his or her consent to the Municipal Assessor in writing.

GENERAL

- 13 In the absence of evidence to the contrary, an Assessed Person who has opted to receive notices by Electronic Means is presumed to have received the notice referred to in the email 7 days after it was sent.
- 14 When opting in to receive notices by Electronic Means, the Assessed Person must ensure that the email address they have provided remains current and secure and is updated with the Town promptly upon any change in such email address.
- 15 Nothing in this bylaw prohibits the Town from allowing an Assessed Person to view and download copies of notices associated with their Web Portal account even if the Assessed Person has opted out of receiving communications by Electronic Means.

REVOCAION OF CONSENT / OPTING OUT

- 16 A person who has opted to receive notices from the Town by Electronic Means pursuant to section 4 may opt out by revoking their consent in writing by contacting the Town of Canmore Property Tax Department.
- 17 A Complainant who has opted to receive notices, documents and information from the Clerk by Electronic Means pursuant to section 10 may opt out by revoking their consent in writing by contacting the Clerk.
- 18 An Assessed Person shall be deemed to have opted out if the Town becomes aware that notices delivered by Electronic Means are being returned as Undeliverable or are otherwise rejected.
- 19 An Assessed Person shall be deemed to have opted out for a specific property if the Town becomes aware that the specific property has transferred ownership.
- 20 Once an Assessed Person has opted out or as been deemed to have opted out, the Town will no longer send documents through Electronic Means and will send future documents to the mailing address of the Assessed Person as listed at Alberta Land Titles or last provided by the Assessed Person.

ENACTMENT/TRANSITION

- 21 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.

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Request for Decision

DATE OF MEETING: February 7, 2023 **Agenda #:** G-2

TO: Council

SUBJECT: 2023 Borrowing Bylaws

SUBMITTED BY: Palki Biswas, Manager of Finance

- RECOMMENDATIONS:**
1. That Council give second reading to Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
 2. That Council give third reading to Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
 3. That Council give second reading to Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.
 4. That Council give third reading to Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.
 5. That Council give second reading to Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.
 6. That Council give third reading to Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.
 7. That Council give second reading to Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.
 8. That Council give third reading to Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.
 9. That Council give second reading to Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade.
 10. That Council give third reading to Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade.
 11. That Council give second reading to Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.
 12. That Council give third reading to Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.

EXECUTIVE SUMMARY

On January 10, 2023, Council gave first reading to the Borrowing Bylaws 2023-03, 2023-04, 2023-05, 2023-06, 2023-08 and 2023-09. These borrowing bylaws are associated with a number of 2023 and 2024 Council approved utility capital projects that have debt financing as a source of funding.

As per the Municipal Government Act's (MGA) borrowing requirements, the proposed bylaw was advertised. This was done on the Town website and the Rocky Mountain Outlook on January 12 and January 19, 2023. No petition or comments have been received; the deadline to provide either of these was February 3. Pursuant to the MGA, Council may now give second and third readings to these 2023 Borrowing Bylaws.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

January 10, 2023: Council gave first reading to the following bylaws:

Motion 06-2023 - Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.

Motion 07-2023 - Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2.

Motion 08-2023 - Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3.

Motion 09-2023 - Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2.

Motion 11-2023 - Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade.

Motion 12-2023 - Borrowing Bylaw 2023-09 Wastewater Treatment Plant-Influent Screen Capacity Upgrade.

December 20, 2022: Council gave approval to the 2023 and 2024 capital budget – Motion 315-2022.

DISCUSSION

Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction project was approved by Council in the amount of \$20,000,000 with **\$14,132,830** debenture, \$3,687,170 grant, \$680,000 offsite levy reserve and \$1,500,000 water utility reserve funded. The project is to replace the pumphouse 2 with a water treatment plant and decommission the current facility. The new facility will have three direct filtration trains with a total capacity of 170 l/s installed. Auxiliary systems will include raw water intake upgrades, chemical injection system, backwash pumps and blowers, electrical and control systems.

Bow Valley Trail Wastewater Upgrade-Phase 2 project was approved by Council in the amount of \$3,100,000 with **\$1,550,000** being debenture and \$1,550,000 wastewater utility reserve funded. The project is to complete the remainder of the wastewater upgrade not completed as part of TIP20. The project is to upgrade the wastewater mains along Bow Valley Trail and 2nd Avenue, per the 2016 Utility Master Plan update.

Bow Valley Trail Wastewater Upgrade-Phase 3 project was approved by Council in the amount of \$600,000 with **\$342,000** being debenture and \$258,000 wastewater utility reserve funded. The project is to complete this phase 3 upgrade in 2024, to upsize the sewer line along Bow Valley Trail, beginning at 13th Street and finishing at 17th Street. The upgrade will include upsizing 430 meters of wastewater pipe from a 250 mm line to 300mm line.

Bow Valley Trail Water Upgrade-Phase 2 project was approved by Council in the amount of \$1,750,000 with **\$875,000** being debenture and \$875,000 water utility reserve funded. The project is to complete the remainder of the water upgrade not completed as part of TIP20. The work will be along Bow Valley Trail adjacent to Teepee Town. The project is to improve water pressure along Bow Valley Trail to meet fire flow

requirements by increasing the size of approximately 200 meters of watermain from 200 mm to 250mm to reach 300 l/s fire flow.

Railway Avenue Wastewater Upgrade project was approved by Council in the amount of \$2,400,000 with **\$1,200,000** being debenture and \$1,200,000 wastewater utility reserve funded. The project is to upsize the wastewater main along Railway Avenue between the edge of the TIP20 work (by the CPR railway line) and finish 100m north of 10th Street.

Wastewater Treatment Plant-Influent Screen Capacity Upgrade project was approved by Council in the amount of \$900,000 with **\$300,000** being debenture and \$600,000 offsite levy reserve funded. The project is to upgrade and replace the current/redundant 15 mm bypass screen with a 6 mm bypass screen.

When a borrowing bylaw is approved, it ensures compliance with the Municipal Government Act and the Government of Alberta's lending policy, thus allowing the debenture borrowing to proceed. For the projects to start administration must bring the bylaw to Council. The debenture is not drawn until actual expenditures warrant the need for debt funding. Depending on the timing of projects, the actual debenture could be drawn in a subsequent year.

ANALYSIS OF ALTERNATIVES

Council could amend the proposed borrowing bylaws. This is not recommended until Administration has had the opportunity to review any revisions, since the requirements surround the wording of borrowing bylaws are very specific.

Council could choose not to give second and third reading to the borrowing bylaws. If borrowing bylaws are not approved, Council would need to provide Administration with direction to amend the related projects, as they have already been approved in the budget, and provide a recommendation for an alternate funding source.

FINANCIAL IMPACTS

The Government of Alberta provides eligible local authorities with financing for capital projects and the loan terms allow for 3 – 30-year amortization, depending on asset life. While the asset useful life of these utility projects is expected to be longer, administration does not recommend borrowing to the maximum allowable term and is instead recommending a term of 15 years for all projects with the exception of the Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction project. Administration is recommending the borrowing term of 20 years for this project.

As of January 15, 2023, the 15-year Government of Alberta Indicative Interest Rate for Loans to Local Authorities is 4.65% and that of a 20-year term is 4.80%, which may change depending on market rates at the time of the actual debenture draw.

STAKEHOLDER ENGAGEMENT

1. 2023-2024 Budget Process and Approval
2. Government of Alberta Loan to Local Authorities Debenture Approval Process
3. Advertising in the Rocky Mountain Outlook and on the Town's website

ATTACHMENTS

- 1) Borrowing Bylaw 2023-03 for Water Treatment Plant 2-Replacement and Capacity Upgrade-Construction.
- 2) Borrowing Bylaw 2023-04 for Bow Valley Trail Wastewater Upgrade-Phase 2
- 3) Borrowing Bylaw 2023-05 for Bow Valley Trail Wastewater Upgrade-Phase 3
- 4) Borrowing Bylaw 2023-06 for Bow Valley Trail Water Upgrade-Phase 2
- 5) Borrowing Bylaw 2023-08 for Railway Avenue Wastewater Upgrade
- 6) Borrowing Bylaw 2023-09 for Wastewater Treatment Plant-Influent Screen Capacity Upgrade

AUTHORIZATION

Submitted by:	Palki Biswas Manager of Finance	Date: <u>January 16, 2023</u>
Approved by:	Therese Rogers General Manager of Corporate Services	Date: <u>January 18, 2023</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>January 26, 2023</u>

BYLAW 2023-03

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$14,132,830 FOR THE PURPOSE OF FINANCING WATER TREATMENT PLANT 2 - REPLACEMENT AND CAPACITY UPGRADE - CONSTRUCTION

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project - Water Treatment Plant 2 – Replacement and Capacity Upgrade – Construction;

Plans and project details have been prepared and the total budget of the project is \$20,000,000. The project will be funded through a combination of debentures, grant, and reserves. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$14,132,830
Grant	3,687,170
Offsite Levy Reserve	680,000
Water Utility Reserve	1,500,000
 Total Cost	 \$20,000,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of fourteen million one hundred thirty-two thousand eight hundred thirty (\$14,132,830) dollars for a period not to exceed twenty (20) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the twenty (20) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-03 Water Treatment Plant 2 – Replacement and Capacity Upgrade – Construction.”

PROVISIONS

- 1 That for the purpose of construction the Water Treatment Plant 2 – Replacement and Capacity Upgrade, the sum of fourteen million one hundred thirty-two thousand eight hundred thirty (\$14,132,830) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security of the Town of Canmore at large, of which amount the full sum of \$14,132,830, is to be paid by the Town of Canmore at large.
- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Water Treatment Plant 2 – Replacement and Capacity Upgrade – Construction.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed twenty (20) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

BYLAW 2023-04

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$1,550,000 FOR THE PURPOSE OF FINANCING BOW VALLEY TRAIL WASTEWATER UPGRADE - PHASE 2

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project – Bow Valley Trail Wastewater Upgrade – Phase 2;

Plans and project details have been prepared and the total budget of the project is \$3,100,000. The project will be funded through a combination of debentures and reserve. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$1,550,000
Wastewater Utility Reserve	1,550,000
 Total Cost	 \$3,100,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of one million five hundred fifty thousand (\$1,550,000) dollars for a period not to exceed fifteen (15) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the fifteen (15) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-04 Bow Valley Trail Wastewater Upgrade – Phase 2.”

PROVISIONS

- 1 That for the purpose of construction the Bow Valley Trail Wastewater Upgrade – Phase 2, the sum of one million five hundred fifty thousand (\$1,550,000) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security

of the Town of Canmore at large, of which amount the full sum of \$1,550,000 is to be paid by the Town of Canmore at large.

- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Bow Valley Trail Wastewater Upgrade – Phase 2.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed fifteen (15) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

BYLAW 2023-05

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$342,000 FOR THE PURPOSE OF FINANCING BOW VALLEY TRAIL WASTEWATER UPGRADE - PHASE 3

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project – Bow Valley Trail Wastewater Upgrade – Phase 3;

Plans and project details have been prepared and the total budget of the project is \$600,000. The project will be funded through a combination of debentures and reserve. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$342,000
Wastewater Utility Reserve	258,000
 Total Cost	 \$600,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of three hundred forty-two thousand (\$342,000) dollars for a period not to exceed fifteen (15) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the fifteen (15) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-05 Bow Valley Trail Wastewater Upgrade – Phase 3.”

PROVISIONS

- 1 That for the purpose of construction the Bow Valley Trail Wastewater Upgrade – Phase 3, the sum of three hundred forty-two thousand (\$342,000) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security of

the Town of Canmore at large, of which amount the full sum of \$342,000 is to be paid by the Town of Canmore at large.

- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Bow Valley Trail Wastewater Upgrade – Phase 3.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed fifteen (15) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

BYLAW 2023-06

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$875,000 FOR THE PURPOSE OF FINANCING BOW VALLEY TRAIL WATER UPGRADE - PHASE 2

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project – Bow Valley Trail Water Upgrade – Phase 2;

Plans and project details have been prepared and the total budget of the project is \$1,750,000. The project will be funded through a combination of debentures and reserve. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$875,000
Water Utility Reserve	875,000
 Total Cost	 \$1,750,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of eight hundred seventy-five thousand (\$875,000) dollars for a period not to exceed fifteen (15) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the fifteen (15) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-06 Bow Valley Trail Water Upgrade – Phase 2.”

PROVISIONS

- 1 That for the purpose of construction the Bow Valley Trail Water Upgrade – Phase 2, the sum of eight hundred seventy-five thousand (\$875,000) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security of

the Town of Canmore at large, of which amount the full sum of \$875,000 is to be paid by the Town of Canmore at large.

- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Bow Valley Trail Water Upgrade – Phase 2.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed fifteen (15) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

BYLAW 2023-08

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$1,200,000 FOR THE PURPOSE OF FINANCING RAILWAY AVENUE WASTEWATER UPGRADE

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project – Railway Avenue Wastewater Upgrade;

Plans and project details have been prepared and the total budget of the project is \$2,400,000. The project will be funded through a combination of debentures and reserve. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$1,200,000
Wastewater Utility Reserve	1,200,000
 Total Cost	 \$2,400,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of one million two hundred thousand (\$1,200,000) dollars for a period not to exceed fifteen (15) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the fifteen (15) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-08 Railway Avenue Wastewater Upgrade.”

PROVISIONS

- 1 That for the purpose of construction the Railway Avenue Wastewater Upgrade, the sum of one million two hundred thousand (\$1,200,000) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security of the

Town of Canmore at large, of which amount the full sum of \$1,200,000 is to be paid by the Town of Canmore at large.

- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Railway Avenue Wastewater Upgrade.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed fifteen (15) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date

BYLAW 2023-09

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF UP TO \$300,000 FOR THE PURPOSE OF FINANCING WASTEWATER TREATMENT PLANT – INFLUENT SCREEN CAPACITY UPGRADE

WHEREAS

The Council of the Town of Canmore has decided to issue a bylaw pursuant to the *Municipal Government Act* to authorize the financing, undertaking and completion of the capital project – Wastewater Treatment Plant – Influent Screen Capacity Upgrade;

Plans and project details have been prepared and the total budget of the project is \$900,000. The project will be funded through a combination of debentures and reserve. The Town of Canmore estimates the following contributions will be applied to the project:

Debentures	\$300,000
Offsite Levy Reserve	600,000
 Total Cost	 \$900,000

In order to complete the project, it will be necessary for the Town of Canmore to borrow the sum of three hundred thousand (\$300,000) dollars for a period not to exceed fifteen (15) years, from the Government of Alberta, or another authorized financial institution by the issuance of debentures and on the terms and conditions referred to in this bylaw;

The estimated lifetime of the project financed under this bylaw is equal to or in excess of the fifteen (15) years;

The principal amount of the outstanding debt (unaudited) of the Town of Canmore on December 31, 2022, is \$36,764,371 and no part of the principal or interest is in arrears;

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Alberta;

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

TITLE This bylaw shall be known as “Borrowing Bylaw 2023-09 Wastewater Treatment Plant – Influent Screen Capacity Upgrade.”

PROVISIONS

- 1 That for the purpose of construction the Wastewater Treatment Plant – Influent Screen Capacity Upgrade, the sum of three hundred thousand (\$300,000) dollars be borrowed from the Government of Alberta or another authorized financial institution by way of debenture on the credit and security

of the Town of Canmore at large, of which amount the full sum of \$300,000 is to be paid by the Town of Canmore at large.

- 2 The proper officers of the Town of Canmore are hereby authorized to issue debenture on behalf of the Town of Canmore for the amount and purpose as authorized by this bylaw, namely the Wastewater Treatment Plant – Influent Screen Capacity Upgrade.
- 3 The Town of Canmore shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed fifteen (15) years calculated at a rate not exceeding the interest rate fixed by the Government of Alberta or another authorized financial institution on the date of borrowing and not to exceed ten (10.0) percent.
- 4 The Town of Canmore shall levy and raise municipal taxes, user fees and/or utility rates sufficiently to pay the indebtedness.
- 5 The indebtedness shall be contracted on the credit and security of the Town of Canmore.
- 6 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

ENACTMENT/TRANSITION

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

FIRST READING: January 10, 2023

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

 Sean Krausert
 Mayor

 Date

 Cheryl Hyde
 Municipal Clerk

 Date



Request for Decision

DATE OF MEETING: February 7, 2023 **Agenda #:** G-3

TO: Council

SUBJECT: Revised Land Use Bylaw Amendment 2022-24 General Industrial District (IND-2)

SUBMITTED BY: Riley Welden, Development Planner

RECOMMENDATION: That Council give first reading to Revised Land Use Bylaw Amendment 2022-24 General Industrial District (IND-2) and schedule a public hearing for February 28, 2023.

EXECUTIVE SUMMARY

Town administration received an application to amend the Town of Canmore Land Use Bylaw to expand the consideration of office developments within the General Industrial District (IND 2 District). Currently, the IND 2 District limits the consideration of Offices (above the ground floor) to those properties located east of Elk Run Boulevard. Bylaw 2022-24 proposes to amend the Land Use Bylaw to allow for the consideration of Offices (above the ground floor) on all IND 2 District properties.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The Town of Canmore Municipal Development Plan (MDP) as amended (Bylaw 2016-03) is the statutory plan which establishes overall policy direction for the community, including industrial land use and development.

The Land Use Bylaw (Bylaw 2018-22) regulates and controls the use and development of land and buildings within the municipality.

DISCUSSION

Town administration received a Land Use Bylaw amendment application to expand the consideration of office developments within the IND 2 District. The IND 2 District only allows for office developments to be considered east of Elk Run Boulevard. The applicant owns an IND 2 District property west of Elk Run Boulevard and would like the opportunity to develop an office within their existing building. To accommodate this, an amendment to the “Office” use listed in the IND 2 District is required.

It is important to note that although the amendment is initiated by the applicant with the purpose of providing the opportunity to develop an office on their property, the change will be applied to and affect all properties with the IND 2 land use designation (zoning). This is because the amendment is for a listed use within the district, which applies to all designated properties. As such, both the applicant and administration sought feedback from other property owners potentially affected by the proposed amendment to confirm their support. The IND 2 district is only found in Elk Run, and lands within the district are shown in Figure 1.

The IND 2 District currently lists “Office (above the ground floor, east of Elk Run Boulevard only)” as a discretionary use. This means offices can only be considered above the ground floor of a building on IND 2 District properties located east of Elk Run Boulevard. The IND 2 District is applied to lands located both east and west of Elk Run Boulevard (see Figure 1).

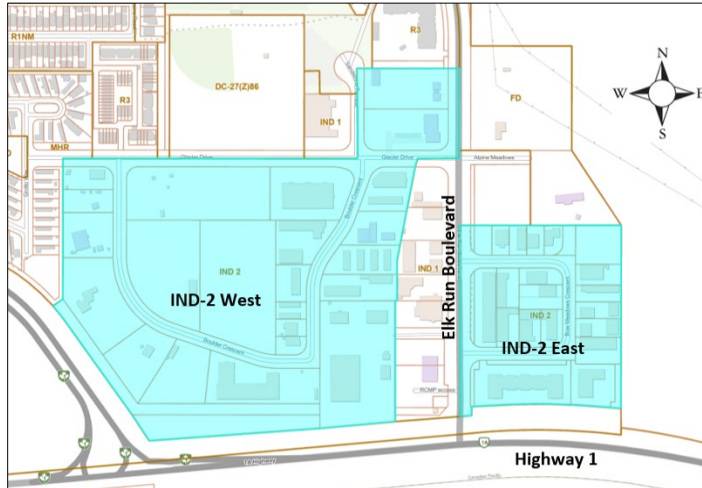


Figure 1: General Industrial District (IND 2) Designated Properties

The applicant is proposing to amend the IND 2 District to allow “Offices (above the ground floor)” to also be considered west of Elk Run Boulevard.

To facilitate this change, Bylaw 2022-24 proposes to amend the Land Use Bylaw to allow Offices (above the ground floor) to be considered as a discretionary use on all IND 2 District designated properties. To do this, the following IND 2 District sections are proposed to be changed:

1. *Section 5.3.2 Discretionary Uses*
 “Office (above the ground floor, east of Elk Run Boulevard only)” is changed to “Office (above the ground floor)”;
2. *Section 5.3.5 Additional Regulations*
 Sub-section 5.3.5.4 “An Office development shall only be located above the ground floor of a building and shall be located east of Elk Run Boulevard only” is changed to “An Office development shall only be located above the ground floor”

Office is defined in the Land Use Bylaw as follows:

“Office means a facility primarily for the provision of professional, management, administrative or consulting services.”

Alignment with Municipal Development Plan Policy Direction

1. *Business Attraction and Retention:*

“Section 9.1.8: The Town will regularly review the commercial and industrial land use districts of the Land Use Bylaw to ensure the district continue to provide an appropriate range of uses to support economic development.”

This application triggered a review of the IND 2 district by administration. This review included ensuring an appropriate range of uses are included to support continued economic development and the impacts

expanding the office use could have. The review confirmed an inconsistency in the consideration of “Office (above the ground floor)” in the IND-2 District, which this amendment will address. This change will expand the applicability of this use within this District, providing further economic development support through greater business options.

2. *Industrial:*

Section 12.2.1: The focus of industrial activity will be directed to light industrial areas which will support businesses that directly related to manufacturing, contractor services and similar light industrial operations. Ground floors of light industrial developments should be retained for industrial uses.

Section 12.2.3: Offices and similar uses that are consistent with the industrial nature of the area may be allowed to be located on upper floors of light industrial developments.

The proposed amendment ensures offices will only be developed above the ground floor of a building within the IND 2 District, which preserves ground floors for industrial uses/developments.

Based on the conclusions noted above, administration is supportive of the proposed amendment.

ANALYSIS OF ALTERNATIVES

Council could defeat Bylaw 2022-24. This would result in the consideration of Office (above the ground floor) remaining limited to properties east of Elk Run Boulevard. Offices (above the ground floor) on IND 2 District properties west of Elk Run Boulevard would not be considered. Administration does not support this option as it is not consistent with the MDP policy direction, limits the application of this use within this district, and does not respond to the changes in market and needs of the community.

FINANCIAL IMPACTS

None

STAKEHOLDER ENGAGEMENT

The applicant canvassed IND 2 District property owners west of Elk Run Boulevard and submitted nine letters of support for the amendment.

Administration completed a circulation of the application consisting of a mailout to landowners within, and adjacent to, the boundary of the IND 2 District. Landowners were provided one month to submit comments to administration. Eleven landowners provided feedback outlining support for the amendment, which included those canvassed by the applicant. One landowner expressed support provided the amendment does not allow for any residential component in the area.

ATTACHMENTS

- 1) Applicant’s submission
- 2) Bylaw 2022-24
- 3) IND-2 District - Redline

AUTHORIZATION

Submitted by: Riley Welden
Development Planner Date: January 16, 2023

Approved by: Lauren Miller
Manager of Planning and Development Date: January 18, 2023

Approved by: Whitney Smithers
General Manager of Municipal Infrastructure Date: January 19, 2023

Approved by: Sally Caudill
Chief Administrative Officer Date: January 26, 2023

Attachment 1: Applicant Submission

REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT: attached to application

The IND 2, GENERAL INDUSTRIAL DISTRICT, is the only land use district in the Land Use Bylaw that has a subdistrict within the district. The requested amendment retains the “discretionary” status of offices in the district, while eliminating the seemingly arbitrary sub-district “east of Elk Run Boulevard”.

The town was petitioned by several owners on Bow Meadows Crescent in 2003-2004, to allow offices as a discretionary use, which resulted in the present-day wording. Property owners west of Elk Run were not consulted at that time.

The applicant originally had office tenants, with town business licences, in the second-floor units from 1995 until approximately 2016.

The applicant now has a prospective tenant, who has been unable to find alternative suitable office space in Canmore.

Pursuant to the MDP, IND 1 & IND 2 are both classified as LIGHT INDUSTRIAL, as referenced by on Map 5 of the MDP

MDP section 12.2.3 states that “Offices and similar uses that are consistent with the industrial nature of the area may be allowed to be located on upper floors of light industrial developments.”

MDP Section 12.1 General Industrial Policies 12.1.2 states that “the Town will accommodate and regulate a variety of light industrial and business industrial areas as shown on Map 5 - Commercial and Industrial Land Use.”

Uses defined under IND 1 and IND2 are identical, save for two uses in each sector. It is reasonable that the two districts could easily be served as one, given that the differences are already discretionary.

The requested amendment is, therefore, well supported by both the MDP and the Land Use bylaw. The MDP defines the area as Light Industrial:

“12.2 LIGHT INDUSTRIAL (which includes all Elk Run Industrial areas, both IND 1 & IND 2)

12.2.1 The focus of general industrial activity will be directed to light industrial areas which will support businesses that directly relate to manufacturing, contractor services and similar light industrial operations. Ground floors of light industrial developments should be retained for industrial uses.

12.2.2 Retail and similar commercial uses will not be allowed in light industrial areas, except where, as an accessory to the primary industrial use or where wholesale in nature and must comprise only a small portion of the overall floor area.

12.2.3 Offices and similar uses that are consistent with the industrial nature of the area may be allowed to be located on upper floors of light industrial developments.

12.2.4 Buildings in high visibility locations may be required to be designed consistent with the mountain town architectural character.”

Land Uses and definitions for IND 1 compared to IND2 & further supporting information

Rules:

5.3.4 Restrictions on Non-Industrial Uses and Developments 5.3.4.1 In order to ensure that this District meets its purpose as a general industrial area, non-industrial uses will only be approved where such uses do not displace current industrial uses nor utilize land or buildings with potential development for general industrial purposes.

5.3.5.4 An Office development shall only be located above the ground floor of a building and shall be located east of Elk Run Boulevard only.

DEFINITIONS OF PERMITTED AND DISCRETIONARY USES IN IND 2

Accessory Building means a building which is subordinate or incidental to the principal building on a site that is not a Dwelling Unit. It must be located on the same site as the principal use and shall not precede the development of the principal building.

Arts and Crafts Studio means development used for the purpose of small scale, on-site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, toy manufacturing, and sculpture and artist studios.

Administrative/Sales Office means a temporary use which is incidental to the subdivision or development of a parcel of land which has received or is under consideration of subdivision, land use or development permit approval.

Agriculture, Intensive means a place that employs a concentrated method used to raise crops or to rear or keep livestock, or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, animal sanctuaries, tree farms, sod farms, nurseries and similar specialty uses conducted as the principal use of a building or site.

Athletic and Recreational Facility, Indoor means a facility for the purpose of indoor active recreation or athletic activities where patrons are predominantly participants, and any spectators are incidental. This includes but is not limited to gyms, athletic studios, skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

Automotive and Equipment Repair means a facility for the servicing and/or repair of motor vehicles, motorcycles, snowmobiles, or similar vehicles and includes the sale, installation and servicing of related accessories and parts. [2020-16]

Automotive Sales and Rentals means a facility for the retail sale or rental of new or used automobiles and recreational vehicles together with incidental maintenance services and sale of parts. This includes automobile dealerships and car rental agencies.

Bulk Fuel Station means a facility for the purpose of storing fuel for distribution to customers and does not include a service station.

Brewery/Distillery means a facility licensed by the Alberta Gaming and Liquor Commission where beer, spirits and other alcoholic beverages are manufactured and may include the retail sale of products made on the premises for consumption off the premises. A Brewery/Distillery may include an area where products made on the premises are sold or provided to the public for consumption on the premises but are not considered an Eating and Drinking Establishment.

Land Uses and definitions for IND 1 compared to IND2 & further supporting information

Car Wash means a facility for the washing, cleaning, or polishing of motor vehicles.

Contractor Service and Repair means a facility for the provision of contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated primary manufacturing activities.

Crematorium means an establishment with one or more cremation chambers used for the reduction of the human body by heat.

Eating and Drinking Establishment means a facility where food is prepared and served on the premises for sale to the general public and includes restaurants, delicatessens, and cafeterias but excludes Drive-in/Drive-through Food Services. This facility may be licensed by the Alberta Gaming and Liquor Commission such that alcoholic beverages may be served to the general public for consumption on the premises

Educational Institution means a place of instruction operated with public or private funds. Can be a private, public, separate, commercial, or post secondary school.

Employee Housing means one or more Dwelling Units used exclusively for the residence of employees and members of their family. **Employee** means a person who is primarily employed by an employer within the municipal boundaries of the Town of Canmore. For the purpose of this definition, a person is primarily employed if that person is performing, or is reasonably expected to perform, the services of an employee for an employer, for a minimum of an average of twenty (20) hours per week. The employee shall not be the same person as the employer. This provision may be varied at the discretion of the Development Authority where a proposed development meets the purpose of the applicable land use district and/or meets the intent of the Town's employee housing policies (e.g., in a building designed for a Live/Work Studio where a person is self-employed and living adjacent to their place of employment). In addition to the above, those individuals who can provide written proof (through such means as lease or rental agreements) of continuous residency within the Town of Canmore for a minimum of twenty-four (24) continuous months and who are primarily employed by an employer within the boundaries of the M.D. of Bighorn west of and including the hamlet of Seebe, or within the Town of Banff or Banff National Park, shall be considered an "employee" for the purposes of this Bylaw and shall be eligible to occupy a unit in an approved employee housing project.

Industrial Operation means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, cleaning, servicing, testing, storing and distribution of materials, goods, products, or equipment.

Industrial Sales and Rental means a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This includes development used for the sale or rental of new or used heavy trucks, motorhomes, and manufactured homes, together with incidental maintenance services and the sale of parts and accessories. Typical uses include heavy truck dealerships, recreation vehicle sales and manufactured home dealerships.

Kennel means a facility where dogs or cats or other domestic pets may be maintained, boarded, bred, trained, or cared for or kept for the purposes of sale but excludes a Veterinary Clinic

Laboratory means a facility for the purpose of scientific or technical research, investigations or experimentation

Land Uses and definitions for IND 1 compared to IND2 & further supporting information

Laundry Facility, Industrial means a non-retail laundry facility serving business establishments, usually on a contract basis.

Light Manufacturing means a business engaged in secondary manufacturing which involves no Outdoor Storage, and which causes no environmental disturbances such as the creation of smoke, noise, dust or odors. [2020-16]

Logging or Logging Operation means the cutting of trees where the total area subject to cutting is greater than 500 m² or where the merchantable timber being cut on the parcel contains over 25 m³ of gross wood volume.

Lumber Yard means a facility where bulk supplies of lumber and other building materials are stored, offered, or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

Office means a facility primarily for the provision of professional, management, administrative or consulting services.

Open Space means land designated or reserved for active or passive recreational use by the general public, or to be left in a natural state, and includes all natural and man-made landscaping, facilities, playing fields, gardens, buildings and other structures that are consistent with the general purpose of parks and open space. Uses may include tot lots, picnic grounds, pedestrian pathways and trails, landscaped buffers, and playgrounds.

Outdoor Storage means the storing, stockpiling, or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements, and includes vehicles, automobiles, recreational vehicles and boats, waste materials, debris, or garbage

Pet Care Facility means a facility for the cleaning, grooming and care of domestic pets where no overnight kenneling or keeping of any animals occurs.

Printing Establishment means a retail business providing photocopying and/or commercial offset printing and retail services, or a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

Public Building means a facility owned or operated by or for the Municipality, the Provincial Government, the Federal Government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality

Recycling Depot means an indoor facility for the buying and/or temporary storage of household items for reuse where all storage is contained within an enclosed building.

Retail Sales means the use of a building in which the primary function is for the sale of finished goods or products to customers, and also includes rental services.

Storage Facility means a building or group of buildings used for internal storage of materials and goods that are not considered hazardous or toxic.

Transportation Terminal means a facility utilizing a building, structure, land, or any or all of them for the processing and loading and unloading of passengers and baggage to and from buses, vans, trains, or similar conveyances available for use by the general public.

Land Uses and definitions for IND 1 compared to IND2 & further supporting information

Trucking establishment means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

Warehouse means a building for the storage of materials or commercial goods.

Wholesale Sales means a facility for the wholesale or retail sale of a limited range of bulky goods.

USES for EXISTING TENANTS OF 102 BOULDER:

Main floor

Bays 1, 2, 3, 5, 6: Canmore Woodcrafters – **light manufacturing**

Bay 4: Epi – **Light manufacturing & eating**

Bay 7 & 8a: Fairmont - **Laundry facility industrial**

Bay 8b & 9: Woseley - **contractor services/ wholesale sales**

Upper Level

201&202: Athletic facility

203 & 204: VACANT

205 & 206: woodcrafters- **storage for light manufacturing**

207: Athletic facility

208: Canmore woodcrafters ; **storage for light manufacturing**

209: **art studio - light manufacturing**

Land Uses and definitions for IND 1 compared to IND2 & further supporting information

IND 1 VS IND 2 differences:

IND 1 LIGHT INDUSTRIAL DISTRICT

The purpose of this district is to provide for a limited range of industrial uses which are located adjacent to arterial roads or residential areas and have a high standard of architectural appearance. Non-industrial uses are appropriate only in the limited circumstances and locations where such uses do not displace industrial uses or utilize land or buildings with potential for light industrial development.

5.2.1 Permitted Uses

Accessory Building
Arts and Craft Studio [2020-16]
Brewery/Distillery
Contractor Service and Repair
Industrial Operation* IND 1 only

Laboratory
Laundry Facility, Industrial
Light Manufacturing
Open Space---(discretionary in 2)
Public Building

5.2.2 Discretionary Uses

Administrative/Sales Office
Agriculture, Intensive
Athletic and Recreation Facility, Indoor
Automotive and Equipment Repair
Automotive Sales and Rentals
Car Wash
Eating and Drinking Establishment
Educational Institution
Employee Housing (above the ground floor)
Industrial Sale and Rental
Kennel
Logging Operation
Lumber Yard-(permitted in 2)
Office (above ground floor GFA up to 250m2)
Outdoor Storage
Pet Care Facility
Printing Establishment
Recycling Depot
Retail Sales
Storage Facility
Transportation Terminal
Trucking Establishment
Warehouse-(permitted in 2)

Wholesale Sales* IND 1 only*

IND 2 GENERAL INDUSTRIAL DISTRICT

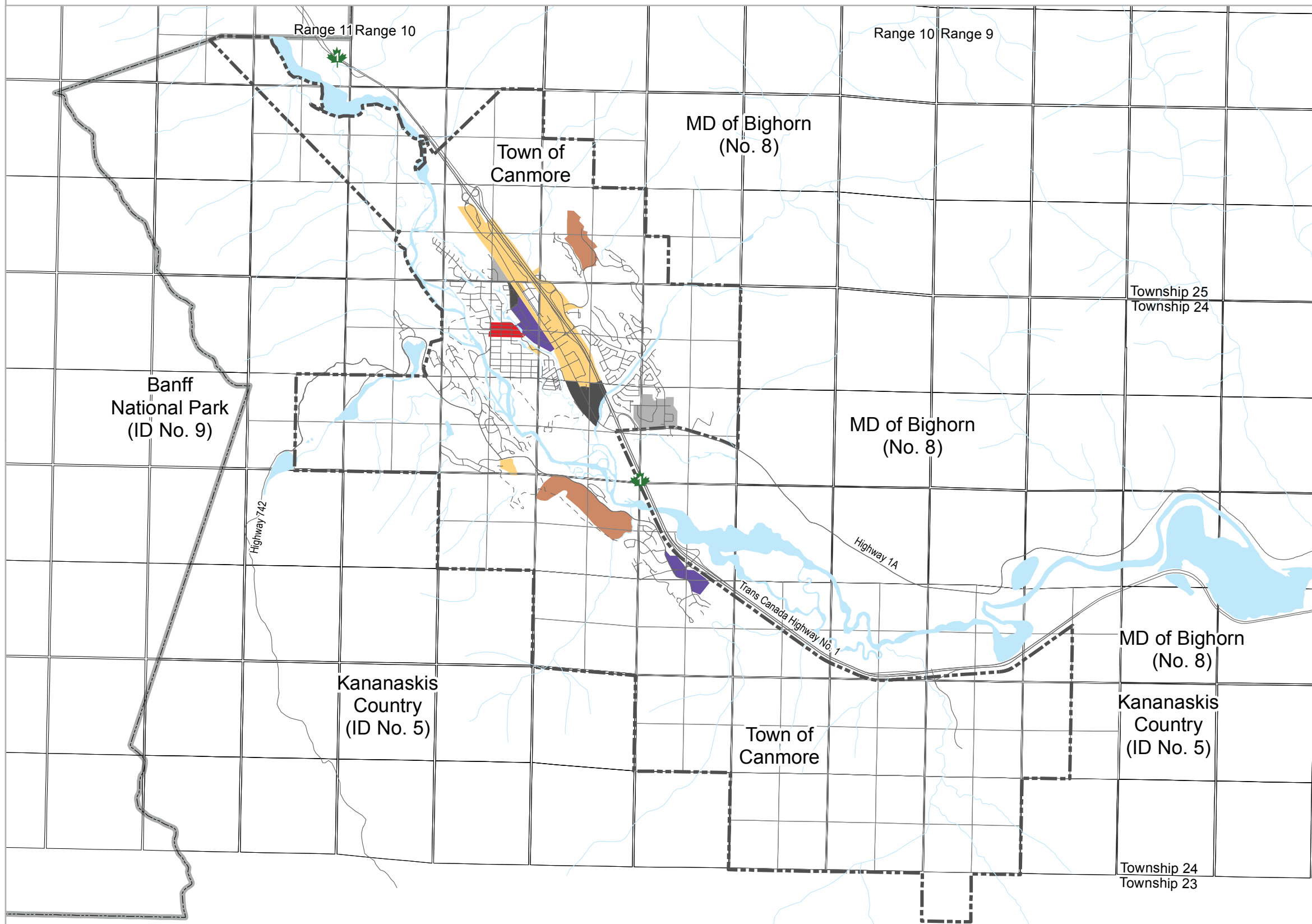
The purpose of this District is to provide for a range of industrial uses which allow for intensive & efficient use of Canmore's industrial land base in accordance with policies in the Municipal Development Plan. Non-industrial uses are appropriate only in the limited circumstances & locations where such uses do not displace current industrial uses or utilize land or buildings with potential for general industrial development.

5.3.1 Permitted Uses

Accessory Building
Arts and Craft Studio [2020-16]
Brewery/Distillery
Contractor Service and Repair
Laboratory
Laundry Facility, Industrial
Light Manufacturing
Lumber Yard --(discretionary in 1)
Public Building
Warehouse -(discretionary in 1)

5.3.2 Discretionary Uses

Administrative/Sales Office
Agriculture, Intensive
Athletic and Recreational Facility, Indoor
Automotive and Equipment Repair
Automotive Sales and Rentals
Bulk Fuel Station* IND 2 only
Car Wash
Crematorium* IND2 only
Eating and Drinking Establishment
Educational Institution
Employee Housing
Industrial Sales and Rentals
Kennel
Logging Operation
Office (above ground floor, **east of Elk Run only**)
Open Space--(Permitted in 1)
Outdoor Storage
Pet Care Facility
Printing Establishment
Recycling Depot
Retail Sales
Storage Facility
Transportation Terminal
Trucking Establishment

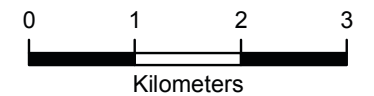


Legend

- Commercial and Mixed Use
 - Gateway Mixed Use
 - Tourist Service
 - Town Centre
- Resort Centre
 - Resort Centre
- Industrial
 - Light Industrial
 - Business Industrial
- Town Boundary

Disclaimer:

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



BYLAW 2022-24

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

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

TITLE

- 1 This bylaw shall be known as the “Revised Land Use Bylaw Amendment – General Industrial District Office Amendment.”

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 5.3.2 is amended by striking out “Office (above the ground floor, east of Elk Run Boulevard)” and substituting “Office (above the ground floor)”.
- 5 Section 5.3.5.4 is amended by striking out “and shall be located east of Elk Run Boulevard only”.

ENACTMENT/TRANSITION

- 6 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 7 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

05 INDUSTRIAL LAND USE DISTRICTS

5.3 IND 2 GENERAL INDUSTRIAL DISTRICT

Purpose

The purpose of this District is to provide for a range of industrial uses which allow for intensive and efficient use of Canmore's industrial land base in accordance with policies in the Municipal Development Plan. Non-industrial uses are appropriate only in the limited circumstances and locations where such uses do not displace current industrial uses or utilize land or buildings with potential for general industrial development.

5.3.1 Permitted Uses

Accessory Building
Arts and Craft Studio [2020-16]
Brewery/Distillery
Contractor Service and Repair
Laboratory
Laundry Facility, Industrial
Light Manufacturing
Lumber Yard
Public Building
Warehouse

5.3.2 Discretionary Uses

Administrative/Sales Office
Agriculture, Intensive
Athletic and Recreational Facility, Indoor
Automotive and Equipment Repair
Automotive Sales and Rentals
Bulk Fuel Station
Car Wash
Crematorium
Eating and Drinking Establishment
Educational Institution
Employee Housing
Industrial Sales and Rentals
Kennel
Logging Operation
Office (above the ground floor, ~~east of Elk Run Boulevard only~~)
Open Space
Outdoor Storage
Pet Care Facility
Printing Establishment
Recycling Depot
Retail Sales
Storage Facility
Transportation Terminal
Trucking Establishment

5.3.3 Regulations

- 5.3.3.1 The minimum lot area shall be 557 m².
- 5.3.3.2 The minimum lot width shall be 15.0 m.
- 5.3.3.3 The minimum front yard setback shall be 15.0 m adjacent to Bow Valley Trail and 7.5 m on all other sites.
- 5.3.3.4 The minimum side yard setback shall be 3.0 m abutting any residential district; 3.0 m on the street side of a corner site; and zero at other locations,
- 5.3.3.5 The minimum rear yard setback shall be zero except where the site abuts a residential district, in which the minimum rear yard setback shall be 6.0 m.
- 5.3.3.6 The maximum building height shall be 11.0 m.

5.3.4 Restrictions on Non-Industrial Uses and Developments

- 5.3.4.1 In order to ensure that this District meets its purpose as a general industrial area, non-industrial uses will only be approved where such uses do not displace current industrial uses nor utilize land or buildings with potential development for general industrial purposes.

5.3.5 Additional Regulations

- 5.3.5.1 The maximum GFA of an Automotive Sales and Rentals development shall be 4,000 m².
- 5.3.5.2 An Eating and Drinking Establishment may be considered and approved in this District only where the proposed location is not generally suitable for industrial uses.
- 5.3.5.3 The maximum GFA of an Eating and Drinking Establishment shall be 93.0 m².
- 5.3.5.4 An Office development shall only be located above the ground floor ~~of a building and shall be located east of Elk Run Boulevard only.~~
- 5.3.5.5 Environmental Issues
- a. At the discretion of the Development Authority, uses which involve the storage of hazardous materials may be considered where the Authority is satisfied contaminants can be safely contained on site.
 - b. Industrial uses which emit airborne pollutants or noxious odours or which have unacceptable fire or explosive risks shall not be allowed within this District.
 - c. An application for approval of a use employing flammable chemical materials must be accompanied by the plan approved by the Provincial Fire Marshall.
 - d. A storage vessel with a volume exceeding 7,570 litres and which contains liquefied petroleum products shall:
 - i. Meet all applicable Federal or Provincial safety standards;
 - ii. Be set back at least 15.0 m from all property lines; and
 - iii. Be at least 121 m from any place used or which may be used for public assembly such as schools, Hospitals, theatres, and residential areas.

5.3.5.6 Landscaping and Screening

- a. Outdoor Storage shall be screened and fenced to the satisfaction of the Development Authority.
- b. A Kenel or Pet Care Facility shall have adequate separation from residential areas and must be designed, constructed and operated in a manner to prevent a nuisance to any residential area in regard to such factors as noise, odours and waste.
- c. The front yard setbacks shall not apply to freestanding or projecting Signs.
- d. All outdoor areas for the purpose of conducting Industrial Operations, storage areas, and waste handling areas shall be screened from view from roadways and park reserves, to the satisfaction of the Development Authority.
- e. Development on all sites adjacent to a residential district shall be screened from the view of the residential district, to the satisfaction of the Development Authority.
- f. All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

5.3.6 Employee Housing Provisions

5.3.6.1 Employee Housing may be considered and approved in this District, only when located above the ground floor of a building and when the following issues can be addressed to the satisfaction of the Development Authority:

- a. Adequate long-term and legally-binding provisions are in place to ensure the units remain as bona fide Employee Housing and are demonstrably subordinate in terms of area and intensity to other uses in the building.
- b. The space proposed for Employee Housing would not be reasonably used for commercial or industrial purposes.
- c. The Employee Housing units are appropriate in design for Employee Housing, particularly with respect to the unit size.
- d. Employee Housing units would not constrain any future permitted or discretionary, commercial or industrial uses from developing on the site or on surrounding areas.
- e. Employee Housing would not unduly interfere with existing and any potential industrial development in the area.
- f. Outdoor Amenity Space such as balconies may be provided as part of the Employee Housing while meeting all of the above-described requirements in regard to impacts to or from adjacent industrial uses.