

**TOWN OF CANMORE**  
**AGENDA**  
Regular Meeting of Council  
Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, December 6, 2022 at 9:00 a.m.**

Times are estimates only.

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

- 9:00 – 9:05     **A. CALL TO ORDER AND APPROVAL OF AGENDA**
1. Land Acknowledgement
  2. Agenda for the December 6, 2022 Regular Meeting of Council
- B. PUBLIC HEARINGS - None**
- C. DELEGATIONS - None**
- 9:05 – 9:10     **D. APPROVAL OF MINUTES**
1. Minutes of the October 25, 2022 Annual Organization Meeting of Council
  2. Minutes of the November 1, 2022 Regular Meeting of Council
  3. Minutes of the November 8, 2022 Special Meeting of Council
- E. BUSINESS ARISING FROM THE MINUTES - None**
- 9:10 – 9:20     **F. UNFINISHED BUSINESS**
1. **Update on Council Resolution 251-2021 – Election Signage**  
Recommendation: That Council direct administration to return to Council with options for regulating or managing election signage on municipal property by December 2023.
- 9:20 – 10:20     **G. BYLAW APPROVAL**
1. **Building Permit Bylaw 2022-31**  
Recommendations:
    1. That Council give first reading to Building Permit Bylaw 2022-31.
    2. That Council give second reading to Building Permit Bylaw 2022-31.
    3. That Council give leave for third reading of Building Permit Bylaw 2022-31.
    4. That Council give third reading to Building Permit Bylaw 2022-31.
- 10:20 – 10:35     **MEETING BREAK**
- 10:35 – 11:05     **H. NEW BUSINESS**
1. **Alberta Conservation Association Lands – Lower Silvertip Wildlife Corridor**  
Recommendation: That Council receive the report as information.
  2. **Appointment to Marigold Library Board**  
Recommendation: That Council appoint Riley Yeager as the alternate Town of Canmore Library Board representative to the Marigold Library Board for a term ending at the October 2023 annual organizational meeting.

**I. REPORTS FROM ADMINISTRATION - None**

**J. NOTICES OF MOTION - None**

**K. IN CAMERA**

11:10 – 11:40

**1. Three Sisters Mountain Village Properties Ltd. Litigation Update**

Recommendation: that Council take the meeting in camera to prevent disclosure of solicitor-client privilege in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act.

11:40

**L. ADJOURNMENT**



**TOWN OF CANMORE  
MINUTES**

Annual Organizational Meeting of Council  
Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, October 25, 2022 at 9:00 a.m.**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

None

**ADMINISTRATION PRESENT**

- Sally Caudill            Chief Administrative Officer
- Therese Rogers        General Manager of Corporate Services
- Whitney Smithers     General Manager of Municipal Infrastructure
- Scott McKay            General Manager of Municipal Services
- Cheryl Hyde            Municipal Clerk (recorder)
- Sara Jones              Executive Assistant
- Lauren Miller          Manager of Planning and Development

Mayor Krausert called the October 25, 2022 annual organizational meeting to order at 9:00 a.m.

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

**1. Land Acknowledgement**

**2. Agenda for the October 25, 2022 Annual Organizational Meeting**

244-2022            Moved by Councillor Krausert that Council approve the agenda for the October 25, 2022 annual organizational meeting as presented, amended as follows:

- under New Business add item B4 Subdivision and Development Appeal Board Appointments (after in camera) and delete this item from item B3, and
- under In Camera add item C2 Subdivision and Development Appeal Board Applications.

**CARRIED UNANIMOUSLY**

**B. NEW BUSINESS**

**1. Council Meeting Schedule**

245-2022            Moved by Mayor Krausert that Council approve the following meeting schedule effective January 1, 2023 – December 31, 2023:

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

- first Tuesday of each month at 9 a.m. regular council meeting
- third Tuesday of each month at 1 p.m. committee of the whole meeting
- second and fourth Tuesdays of each month at 9 a.m. reserved for special meetings
- notwithstanding the above:
  - in January 2023 the schedule will be as follows:
    - January 10 – regular council meeting at 9 a.m.
    - January 17 – committee of the whole at 1 p.m.
    - January 24 – reserved for special meeting at 9 a.m.
  - in July and August 2023, the only meetings scheduled are regular meetings on July 4 and August 15 at 9 a.m. (no committee of the whole meetings scheduled)
- annual organizational meeting on October 24, 2023 at 9 a.m.

**CARRIED UNANIMOUSLY**

## 2. Deputy Mayor Schedule

246-2022

Moved by Mayor Krausert that Council approve the deputy mayor schedule from November 2022 to October 2023 as follows:

- November and December 2022 – Councillor Marra
- January and February 2023 – Councillor Mah
- March and April 2023 – Councillor Foubert
- May and June 2023 – Councillor Graham
- July and August 2023 – Councillor Hilstad
- September and October 2023 – Councillor McCallum

**CARRIED UNANIMOUSLY**

## 3. Committee Appointments

247-2022

Moved by Mayor Krausert that Council take the meeting in camera at 9:05 a.m. to prevent disclosure of personal information in accordance with section 17(4)(g) of the Freedom of Information and Protection of Privacy Act.

**CARRIED UNANIMOUSLY**

Members of administration present in the closed session: Sally Caudill, Whitney Smithers, Therese Rogers, Scott McKay, Cheryl Hyde, Sara Jones, and Lauren Miller.

### 3.1 Emergent Item

Council unanimously agreed to add Three Sisters Mountain Village Litigation Update as an emergent item to the in camera session. A verbal update was provided in confidence to prevent disclosure of client-solicitor privilege in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act.

Meeting break 10:00 – 10:10 a.m.

248-2022

Moved by Mayor Krausert to return to the public meeting at 10:26 a.m.

**CARRIED UNANIMOUSLY**

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

- 249-2022 Moved by Mayor Krausert that Council:
- 1) appoint the mayor and councillors to internal and external committees for one year in accordance with the schedule attached to these minutes as Attachment 1;
  - 2) appoint Mayor Krausert as the voting representative for Council acting as a shareholder of Canmore Community Housing;
  - 3) direct the Canmore Community Housing shareholder to appoint Lisa de Soto to a two-year term on the Canmore Community Housing board of directors; and
- 250-2022
- 4) appoint public members to committees as follows:
    - a) Riley Yeager to a one-year term and Donna Balmain, Natasha Miles, and Karl Wahl to three-year terms on the Canmore Public Library Board;
    - b) Miranda Spessot and Brian Talbot to one-year terms and Florian Jungen to a two-year term on the Canmore Planning Commission beginning on January 1, 2023 and ending on December 31, 2023 (for the one-year terms) and December 31, 2024 (for the two-year term);
    - c) Leia Cathro, Muriel Davidson, and Suzan Shellian-Frey to one-year terms on the Community Events Committee;
    - d) Paul Blaha and Heather Rae to one-year terms on the Community Grants Selection Committee;
    - e) Courtney King to a two-year term on the Cultural Advisory Committee.

**CARRIED UNANIMOUSLY**

#### **4. Subdivision and Development Appeal Board Appointments**

Councillor Graham declared a pecuniary interest in item B4 because his common law partner has applied for the Subdivision and Development Appeal Board and members of this board receive compensation. He left the meeting at 10:33 a.m.

- 251-2022 Moved by Mayor Krausert that Council take the meeting in camera at 10:33 a.m. to prevent disclosure of personal information in accordance with section 17(4)(g) of the Freedom of Information and Protection of Privacy Act.

**CARRIED UNANIMOUSLY**

Members of administration present in the closed session: Sally Caudill, Whitney Smithers, Therese Rogers, Scott McKay, Cheryl Hyde, Sara Jones, and Lauren Miller.

- 252-2022 Moved by Mayor Krausert that Council return to the public meeting at 11:08 a.m.

**CARRIED UNANIMOUSLY**

- 253-2022 Moved by Mayor Krausert that Council appoint Christoph Braier, Michelle Cooze, Andre Giannandrea, Harold MacIver, and John McClure to one-year terms on the Subdivision and Development Appeal Board, beginning on January 1, 2023 and ending on December 31, 2023.

**CARRIED UNANIMOUSLY**

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

**C. IN CAMERA**

**1. Public Member Committee Applications**

Considered under item B3.

**2. Subdivision and Development Appeal Board Applications**

Considered under item B4.

**D. ADJOURNMENT**

254-2022

Moved by Mayor Krausert that Council adjourn the annual organizational meeting at 11:08 a.m.

**CARRIED UNANIMOUSLY**

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

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

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

Council Appointments 2022-2023

Committee	# required	Krausert	Foubert	Graham	Hilstad	Mah	Marra	McCallum
<b>Internal advisory committees</b>								
1 CAO Performance Review Committee	Mayor + 2							
2 Cultural Advisory Committee	1							
3 Finance Committee	7							
4 Heliport Monitoring Committee	1							
<b>Internal committees required by legislation</b>								
5 Assessment Review Board (ARB)	Up to 3 (certified)							
6 Canmore Planning Commission (CPC)	2							
7 Emergency Advisory Committee	Mayor + 1							
8 Enforcement Appeal Review Committee	2							
9 Subdivision & Development Appeal Board (SDAB)	1 + Alt							ALT
10 Weed & Pest Control Appeal Panel	Mayor							
<b>Town of Canmore governs or is a funding partner</b>								
11 Bow Valley Regional Transit Services Commission	2							
12 Bow Valley Waste Management Commission	2 + Alt			ALT				
13 Community Grants Selection Committee	1							
14 Bow Valley Regional Housing (BVRH)	2							
15 Canmore Community Housing (CCH)	4							
16 Canmore Library Board	1							
17 Canmore Mountain Arts Foundation Board	1							
18 Canmore Museum Society	1							
19 Downtown Canmore Business Improvement Area (BIA)	1							
20 Tourism Canmore Kananaskis (TCK)	Mayor or Alt							
<b>External intermunicipal/interagency groups</b>								
21 Biosphere Institute of the Bow Valley	Mayor or Alt							
22 Bow Valley WildSmart	1							
23 Canmore/MD of Bighorn Intermunicipal Committee	2 + Alt							ALT
24 Rocky Mountain Heritage Foundation*	Mayor							
25 Southern Alberta Municipal Waste Management Association (SAEWA)	1 + Alt		ALT					

\*The Rocky Mountain Heritage Foundation will be removed from this list as soon as more directors are recruited to the RMHF Board from the general public.



**TOWN OF CANMORE  
MINUTES**

Regular Meeting of Council  
Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, November 1, 2022 at 9:00 a.m.**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

None

**ADMINISTRATION PRESENT**

Sally Caudill	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Scott McKay	General Manager of Municipal Services
Adam Driedzic	Town Solicitor
Cheryl Hyde	Municipal Clerk (Recorder)
Lisa Brown	Manager of Community Social Development
Caitlin Miller	Manager of Protective Services
Eleanor Mickette	Manager of Economic Development
Caitlin Van Gaal	Supervisor of Environmental Sustainability
Simon Robins	Supervisor of Solid Waste Services
Lauren Miller	Manager of Planning and Development
Robyn Dinnadge	Manager of Communications
Adam Robertson	Communications Advisor

Mayor Krausert called the November 1, 2022 regular meeting to order at 9:16 a.m.

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

**1. Land Acknowledgement**

**2. Agenda for the November 1, 2022 Regular Meeting of Council**

255-2022

Moved by Mayor Krausert that Council approve the agenda for the November 1, 2022 regular meeting of council as presented: with the following amendments:

- Add Item H.5.1 Appointment of Subdivision and Development Appeal Board Clerk.
- Add Item H.5.2 Appointment of ARB General Chair



**CARRIED UNANIMOUSLY**

**Meeting Break 9:19 – 9:23**

**B. PUBLIC HEARINGS** -None

**C. DELEGATIONS** - None

**D. APPROVAL OF MINUTES**

**1. Minutes of the October 4, 2022 Regular Meeting of Council**

256-2022 Moved by Mayor Krausert that Council approve the minutes of the October 4, 2022 regular meeting as presented.

**CARRIED UNANIMOUSLY**

**E. BUSINESS ARISING FROM THE MINUTES** - None

**F. UNFINISHED BUSINESS**

**1. Homelessness Society of the Bow Valley (HSBV) Request**

257-2022 Moved by Mayor Krausert that Council direct administration to offer the Scout Hall to the Homelessness Society of the Bow Valley as a potential rental location to be used as an emergency overnight shelter from December 1, 2022 to March 15, 2023.

257A-2021 Moved by Mayor Krausert that Council amend motion 257-2022 by adding “with any rental hours between midnight and 6 a.m. being provided for free” after “March 15, 2023”.

**CARRIED UNANIMOUSLY**

257-2022  
VOTE The vote followed on motion 257-2022 as amended: that Council direct administration to offer the Scout Hall to the Homelessness Society of the Bow Valley as a potential rental location to be used as an emergency overnight shelter from December 1, 2022 to March 15, 2023, with any rental hours between midnight and 6 a.m. being provided for free.

**CARRIED UNANIMOUSLY**

9:50  
**2. Bylaws 2022-09 and 2022-10 800 3rd Avenue Municipal Development Plan and Land Use Bylaw Amendments Update**

258-2022 Moved by Mayor Krausert that Council direct administration to return no later than June 2023 with a response from the applicant to Council direction from the May 24, 2022, Council meeting regarding Bylaws 2022-09 and 2022-10.

258A-2021 Moved by Mayor Krausert that Council amend motion 258-2022 by striking out “direction for the May 24, 2022, Council meeting” and “Bylaws 2022-09 and 2022-10” and substituting “motion 125-2022”.

**CARRIED UNANIMOUSLY**

258-2022  
VOTE The vote followed on motion 258-2022 as amended: that Council direct administration to return no later than June 2023 with a response from the applicant regarding motion 125-2022.

**CARRIED UNANIMOUSLY**

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

9:54                                   **3. Paid Parking Revenue Statistics and Business Improvement Area (BIA) Request**

259-2022                               Moved by Mayor Krausert that Council direct administration to create a Town Centre Grant Program to begin in 2023 funded by the Paid Parking Reserve with the annual amount determined as part of the budget process.

259A-2021                               Moved by Councillor Mah that Council amend motion 259-2022 by adding “after consultation with the Downtown Business Improvement Area” after “Grant Program”.

**CARRIED UNANIMOUSLY**

259-2022                               The vote followed on motion 259-2022 as amended: that Council direct  
VOTE                                       administration to create a Town Centre Grant Program after consultation with the BIA to begin in 2023 funded by the Paid Parking Reserve with the annual amount determined as part of the budget process.

**CARRIED UNANIMOUSLY**

**Meeting break 10:25 – 10:35**

**G. BYLAW APPROVAL - None**

10:37                                   **H. NEW BUSINESS**

260-2022                               **1. Non-resident Employee Paid Parking Monthly Passes**

260-2022                               Moved by Mayor Krausert that Council direct administration to implement a non-resident employee paid parking monthly pass option for the off-peak season only.

260A-2021                               Moved by Mayor Krausert that Council amend motion 260-2022 by adding “Town Centre” before “employee.”

**CARRIED UNANIMOUSLY**

260-2022                               The vote followed on motion 260-2022 as amended: that Council direct  
VOTE                                       administration to implement a non-resident Town Centre employee paid parking monthly pass option for the off-peak season only.

**CARRIED UNANIMOUSLY**

**2. 2022 New Municipal Climate Change Action Centre (MCCAC) Grant Funded Project – Extreme Heat and Wildfire Smoke Emergency Response Plans**

261-2022                               Moved by Mayor Krausert that Council approve a new 2022 capital project to create Emergency Response Plans for Extreme Heat and Wildfire Smoke for up to \$80,000, to be funded from the Municipal Climate Change Action Centre Climate Resilience Capacity Building Program.

**CARRIED UNANIMOUSLY**

**3. Commercial Food Waste**

262-2022                               Moved by Mayor Krausert that Council direct administration to prepare a mandatory commercial food waste program, to include a Recyclables and Waste Control Bylaw amendment and implementation plan, by April 2023 for a program start of October 1, 2023.

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

**CARRIED UNANIMOUSLY**

**4. Property Tax Policy Amendment**

263-2022 Moved by Mayor Krausert that Council approve Property Tax Policy FIN-005 as amended.

**CARRIED UNANIMOUSLY**

**5. Land Transaction Policy Amendment**

264-2022 Moved by Mayor Krausert that Council approve Land Transaction Policy EX-007 as amended.

**CARRIED UNANIMOUSLY**

**5.1 Appointment of Subdivision and Development Appeal Board Clerk**

265-2022 Moved by Mayor Krausert that Council appoint Janice Agrios as Clerk to the Subdivision and Development Appeal Board (SDAB).

**CARRIED UNANIMOUSLY**

266-2022 Moved by Mayor Krausert that Council appoint Louise Bates as Clerk to the Subdivision and Development Appeal Board upon completion of the required training program in accordance with the regulations under section 627.3(a) of the Municipal Government Act.

**CARRIED UNANIMOUSLY**

**5.2 Appointment of ARB General Chair**

267-2022 Moved by Mayor Krausert that Council appoint Andrea Williams as the General Chair of the Assessment Review Board until December 31, 2024.

**CARRIED UNANIMOUSLY**

**Lunch break 12:10 – 1:10 p.m.**

**6. Court of King's Bench of Alberta decision re. "Staircase Lands" (Three Sisters Mountain Village Properties Ltd. v. Canmore, 2022 ABQB 511)**

268-2022 Moved by Mayor Krausert that Council take the meeting in camera at 1:23 p.m. to prevent disclosure of solicitor-client privilege in accordance with section 27(1)(a) and to prevent disclosure of information related to the Town's negotiation position in accordance with section 25(1)(a)(iii) of the Freedom of Information and Protection of Privacy Act at.

**CARRIED UNANIMOUSLY**

The following members of administration attended the in camera session: Sally Caudill, Adam Driedzic, Whitney Smithers, Therese Rogers, Scott McKay, Lauren Miller, Robyn Dinnadge, Adam Robertson, and Cheryl Hyde. Gavin Fitch and Marco Baldasaro, the Town's legal counsel from McLennan Ross, were also present.

269-2022 Moved by Mayor Krausert that Council return to the public meeting at 2:41 p.m.

**CARRIED UNANIMOUSLY**

270-2022 Moved by Mayor Krausert that Council direct administration to bring a Land Use Bylaw amendment application to redesignate the upper triangle of the Staircase

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

Lands to Future Development District and that the first reading of the bylaw amendment occur no later than November 29, 2022, and that the public hearing on the bylaw amendment, if required, occur no later than March of 2023.

**CARRIED UNANIMOUSLY**

**Meeting break 2:54 – 3:05**

**I. REPORTS FROM ADMINISTRATION**

**1. Three Sisters Mountain Village Properties Ltd. Litigation – Permission to Appeal and Application for Mandamus**

Administration spoke to a written report updating Council on:

- the Town's receipt of permission to appeal the Land and Property Rights Tribunal decisions to the Court of Appeal of Alberta; and
- a separate court action by Three Sisters Mountain Village Properties Ltd. seeking an order on the Town to adopt the Smith Creek and Three Sisters Area Structure Plan as ordered by the Land and Property Rights Tribunal.

**J. NOTICES OF MOTION - None**

**K. IN CAMERA**

**1. Court of King's Bench of Alberta decision re. "Staircase Lands" (Three Sisters Mountain Village Properties Ltd. v. Canmore, 2022 ABQB 511)**

Item considered during H6.

**2. Three Sisters Mountain Village Properties Ltd. Litigation – Permission to Appeal and Application for Mandamus**

Councillor Hilstad, Councillor Marra, and Councillor McCallum declared a potential pecuniary interest in the item I2 as they are personally named in an existing Court of Kings Bench action involving the same parties and same lands, which may be impacted by discussions scheduled to occur for this item. Councillor Hilstad, Councillor Marra, and Councillor McCallum left the meeting at 3:28 p.m. in order to abstain from discussion or voting on any questions on this matter.

271-2022

Moved by Mayor Krausert that Council take the meeting in camera at 3:28 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 attended the in camera session: Sally Caudill, Adam Driedzic, Whitney Smithers, Therese Rogers, Scott McKay, Lauren Miller, Robyn Dinnadge, and Cheryl Hyde. Gavin Fitch and Marco Baldasaro, the Town's legal counsel from McLennan Ross, were also present.

272-2022

Moved by Mayor Krausert that Council return to the public meeting at 4:52 p.m.

**CARRIED UNANIMOUSLY**

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

**L. ADJOURNMENT**

273-2022

Moved by Mayor Krausert that Council adjourn the November 1, 2022 regular meeting at 4:52 p.m.

**CARRIED UNANIMOUSLY**

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Sean Krausert, Mayor

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Cheryl Hyde, Municipal Clerk

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



## TOWN OF CANMORE

### MINUTES

Special Meeting of Council  
 Council Chambers at the Civic Centre, 902 – 7 Avenue  
**Tuesday, November 8, 2022 at 9:00 a.m.**

#### COUNCIL MEMBERS PRESENT

Sean Krausert	Mayor
Tanya Foubert	Councillor (joined virtually)
Wade Graham	Councillor (joined virtually)
Jeff Mah	Councillor

#### COUNCIL MEMBERS ABSENT

Karen Marra	Deputy Mayor
Jeff Hilstad	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
Robyn Dinnadge	Manager of Communications
Adam Robertson	Communications Advisor

Mayor Krausert called the November 8, 2022 special meeting to order at 9:00 a.m.

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

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

##### 1. Agenda for the November 8, 2022 Special Meeting of Council

274-2022

Moved by Mayor Krausert that Council approve the agenda for the November 8, 2022 special meeting of council as presented.

**CARRIED UNANIMOUSLY**

**B. PUBLIC HEARINGS** – None

**C. DELEGATIONS** – None

**D. APPROVAL OF MINUTES** – None

**E. BUSINESS ARISING FROM THE MINUTES** – None

**F. UNFINISHED BUSINESS** – None

**G. BYLAW APPROVAL** – None

**H. NEW BUSINESS** – None

**I. REPORTS FROM ADMINISTRATION** – None

**J. NOTICES OF MOTION** – None

**K. IN CAMERA**

**1. Three Sisters Mountain Village Properties Limited Litigation Update –  
Permission to Appeal the Land and Property Rights Tribunal Decisions**

275-2022

Moved by Mayor Krausert that Council take the meeting in camera at 9:03 a.m. to prevent disclosure client-solicitor privilege in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act.

**CARRIED UNANIMOUSLY**

Kelsey Becker-Brookes, legal counsel from Reynolds, Mirth, Richards, and Farmer was present at the closed session.

Administration present at the closed session: Sally Caudill, Therese Rogers, Whitney Smithers, Scott McKay, Adam Driedzic, Robyn Dinnadge, and Adam Robertson.

276-2022

Moved by Mayor Krausert that Council return to the public meeting at 10:45 a.m.

**CARRIED UNANIMOUSLY**

**L. ADJOURNMENT**

277-2022

Moved by Mayor Krausert that Council adjourn the November 8, 2022 special meeting at 10:45 a.m.

**CARRIED UNANIMOUSLY**

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

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

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



# Request for Decision

**DATE OF MEETING:** December 6, 2022 **Agenda #:** F1

**TO:** Council

**SUBJECT:** Update on Council Resolution 251-2021 – Election Signage

**SUBMITTED BY:** Lauren Miller, Manager of Planning and Development

**RECOMMENDATION:** That Council direct administration to return to Council with options for regulating or managing election signage on municipal property by December 2023.

## EXECUTIVE SUMMARY

Due to staffing challenges and competing priorities, the planning department has not had the capacity to explore options to regulate election signage on municipal property. A report will be brought forward by December 2023.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

December 7, 2021 Council Resolution 251-2021.

## DISCUSSION

At the December 7, 2021 meeting of Council, administration was directed to explore options for regulating or managing election signage on municipal property and to report back by December 31, 2022. Unfortunately, due to staffing challenges and a high permit volume in 2022, resources were not available to dedicate to this work. However, with some recent hires within the department and some highly complex files coming to close in the short-term, some capacity is expected to be freed up and a resource has been identified to lead this work. Administration will bring forward a report on this matter by December 2023.

## ANALYSIS OF ALTERNATIVES

This work could be prioritized to bring options forward sooner. To achieve this, a member of the team would have to be redirected from their current permit review duties to conduct the applicable research to achieve an accelerated timeline.

## FINANCIAL IMPACTS

None.

## STAKEHOLDER ENGAGEMENT

None.

## ATTACHMENTS

None.



**AUTHORIZATION**

Submitted by: Lauren Miller  
Manager of Planning and Development Date: November 10, 2022

Approved by: Whitney Smithers  
General Manager of Municipal Infrastructure Date: November 15, 2022

Approved by: Sally Caudill  
Chief Administrative Officer Date: November 28, 2022



# Request for Decision

**DATE OF MEETING:** December 6, 2022 **Agenda #:** G1

**TO:** Council

**SUBJECT:** Building Permit Bylaw 2022-31

**SUBMITTED BY:** Marcus Henry, Supervisor of Planning and Development

**RECOMMENDATION:** That Council give first reading to Building Permit Bylaw 2022-31.

That Council give second reading to Building Permit Bylaw 2022-31.

That Council give leave for third reading of Building Permit Bylaw 2022-31.

That Council give third reading to Building Permit Bylaw 2022-31.

## EXECUTIVE SUMMARY

This Bylaw proposes to replace the Town of Canmore’s existing Building Permit Bylaw No. 25-2008, which was approved in 2008 and has since become outdated. Bylaw 2022-31 uses the general framework of the existing bylaw, but improves wording, updates regulations, modifies dated sections and introduces new regulations that are better aligned with industry practices, permit requirements and the conditions outlined in the current Quality Management Plan (QMP) approved by the Safety Codes Council (SCC). The changes are significant enough to warrant a rewrite of the Building Permit Bylaw rather than a large-scale amendment.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

In 2019, the SCC conducted an audit of the Town’s building permits as part of maintaining the Town’s Building discipline accreditation with the SCC. The results of the audit identified that the Town’s QMP was not in alignment with the most current template and was therefore not meeting the minimum requirements of the SCC. Through the development and approval of the QMP, it was determined that the Town’s current Building Permit Bylaw would need to be updated in order to align with the requirements of the new QMP, as well as better address current industry practices, and revised permit requirements and processes.

## DISCUSSION

The National Building Code – Alberta Edition, sets the requirements for the construction and inspection standards within the province. To ensure buildings are constructed to a safe standard, they must pass inspections from the four governing disciplines: Building, Plumbing, Electrical and Gas. The Town is only accredited to review and approve building permits as it relates to the Building discipline.

Key changes in Building Permit Bylaw 2022-31:

While Bylaw 2022-31 is a complete overhaul of Bylaw 25-2008, the key changes can be summarized as follows:

**1. Expanded Definition Section:**

A comprehensive definition section (Section 2) has been established which provides for greater clarity throughout the bylaw.

**2. New Application Requirements:**

Section 8 proposes the following changes to how permits are submitted and processed.

Permit Service Report (PSR) Requirements

Section 8.3 proposes the following:

*8.3 The PSRs for all Trade Permit(s) as they relate to the plumbing, electrical and gas disciplines for a project shall be required prior to the occupancy of a building to which the Code applies, and such PSRs must be issued by a qualified and certified tradesperson.*

Currently, when occupancy for a building is issued, this occurs without confirming compliance for the remaining disciplines related to Plumbing, Electrical and Gas, leading occupants to believe the building is code compliant when it may not be. When it comes to code compliance for these disciplines, the Town has no record of inspections being passed, as this is left to the developer to coordinate and complete. In an attempt to reduce the risk/liability associated with the Town granting occupancy for potentially non-code compliant buildings, developers will now need to provide the Permit Service Reports (PSR) for the Building Code disciplines related to Plumbing, Electrical and Gas as part of the Town’s occupancy process. This will ensure buildings are not being granted occupancy by the Town, unless there is confirmation that it has passed all building code discipline inspections.

Permit Submission Requirements

Section 8.4 proposes the following:

*8.4 Where an applicant is seeking a Building Permit for a multi-building development which would not qualify as a Small Scale Development, a separate Building Permit must be submitted for each building.*

*8.4.1 At the Permit Issuer’s discretion, where the timing for occupancy is anticipated to be the same, two (or more) Small Scale Development buildings/ structures may appear on one application and be contained within one Building Permit.*

*8.4.2 Where only one building is granted occupancy by the Development Officer under section 8.4.1, the initial Building Permit shall only be issued for the building granted occupancy. A new Building Permit must be submitted for the remaining buildings that have not been granted occupancy. In this instance, additional fees shall be charged in accordance with the Planning and Development Master Fee Schedule (current version, or as amended from time to time) for a new Building Permit.”*

These requirements are the result of the 2019 audit and subsequent discussions with the SCC, which advised that once occupancy has been granted for a building, the permit must be closed. Historically, the Town has received Building Permits for multi-building/phased developments. These permits include multiple buildings proposed to be constructed on one parcel. Because all of the buildings noted on the permit are not completed at the same time, these permits often remain open for a prolonged amount of time, until all buildings are completed and have received occupancy. This becomes problematic when the Building Code undergoes an update, resulting in changes to various requirements which cannot be applied to existing open permits. This results in newly constructed buildings that were not constructed using current regulations.

Given the above, under the proposed bylaw, when a multi-building/phased development has been approved (through a Development Permit), that each building will be required to be submitted as a separate building permit for review/approval. This will be a shift in how Administration reviews building permits for larger projects and how the industry submits them to the Town, but this is standard practise amongst other municipalities in the province.

**3. Partial Building Permit and Fees**

Section 10 proposes the following:

*10.1 A partial Building Permit may be issued at the discretion of the Permit Issuer for projects which have been issued a Development Permit.*

*10.2 The Permit Issuer may issue a partial Building Permit for:*

- a. Preparation and excavation of a site;*
- b. Footings and foundation;*
- c. The main floor slab of a new building; or*
- d. All of the above*

*in advance of issuing a Building Permit for the entire project.*

The above requirements have been included based on feedback received from the Bow Valley Builders and Developers Association (BOWDA) and regular requests for foundations to be granted at risk, which are deemed to be a partial permit. Foundations at risk are typically requested by the developer prior to the Town completing a full review of their Building Permit. Obtaining this type of permit authorizes the commencement of construction, with the applicant acknowledging that the main permit could still be refused, put on hold or even require a Development Permit. These are typically requested to help accelerate construction timelines and navigate troublesome weather conditions and/or groundwater issues. This new permit process will aim to assist with some of the issues experienced by the building industry.

Based on this new permit type and process, a proposed partial building permit fee of \$560 is proposed for incorporation into the 2023 Master Fee Schedule.

**4. Term of a Permit Limited to One Extension**

Section 13 proposes the following:

*13.3. No more than one permit extension shall be granted for a Building Permit. Should the project not be completed by the granted extension date, the Building Permit will be deemed to have expired. To continue any further work to complete the project, a new Building Permit shall be required with the applicable fees charged to the applicant in accordance with the Planning and Development Master Fee Schedule (current version, or as amended from time to time).*

This requirement has been put in place as a mechanism to ensure projects are completed on time, which has historically been a problem. The existing process does not limit the number of extensions an applicant can apply for, leading to permits being open for years, resulting in construction that may not adhere to the most current building regulations.

**5. Removal Of Schedules**

Bylaw 25-2008 included the following Schedules:

- Schedule A - Review of compliance during construction;
- Schedule B - Building Permit fee schedule; and
- Schedule C - Building Permit Application Form

These schedules are primarily operational in nature and are regularly updated by Administration. In an attempt to avoid excessive bylaw amendments, these documents have been removed from Bylaw 2022-31.

**ANALYSIS OF ALTERNATIVES**

Council could choose not to adopt Building Permit Bylaw 2022-31. This approach is not recommended as the existing bylaw does not fully align with the Town’s newly approved Quality Management Plan.

**FINANCIAL IMPACTS**

There are no direct financial impacts to the Town of Canmore related to the approval of the Building Permit Bylaw 2022-31. However, the adoption of the new Partial Building Permit will provide for a new stream of permit fees collected that does not currently exist.

**STAKEHOLDER ENGAGEMENT**

The public engagement process was completed and consisted of an online survey which was conducted in November 2021, in addition to the circulation of the draft Bylaw to BOWDA for review/feedback in August 2022. Both engagement activities allowed for three weeks to collect responses and feedback. A copy of the survey results and draft feedback from BOWDA can be found in attachments 3 and 4.

Based on the feedback received from BOWDA through the online survey and draft version of the bylaw, there were two areas that were analyzed but ultimately, not pursued:

### **1. Building Permit Not Required:**

The current regulations exclude certain construction types from being required to obtain a building permit based on construction value. If the construction value is less than \$5,000, a building permit is not required. Feedback from BOWDA proposed that the threshold for when a Building Permit is not required be increased from \$5,000 to \$10,000 to account for the current costs of construction materials. The feedback suggests that \$5,000 in construction materials is no longer appropriate given inflation. Section 6.1 of the Building Permit Bylaw proposes the following:

- 6.1 A Building Permit is not required, where, in the opinion of the Permit Issuer, the construction will not affect matters of health and safety, and:*
- (a) The estimated construction does not exceed \$5,000 in value;*
  - (b) The Construction of an accessory building or structure less than 10m<sup>2</sup> in area, located on a temporary foundation, and less than five thousand dollars (\$5,000.00) in total*

This requirement comes directly from the Safety Codes Act, Permit Regulations, Section 6(3). Until such time that a revised number is reflected in the code, Administration is recommending that this amount remain in alignment with the threshold value set out in the Act.

### **2. Application Requirements:**

As previously noted, section 8.4 of the Building Permit Bylaw proposes the following:

- 8.4 Where an applicant is seeking a Building Permit for a multi-building development which would not qualify as a Small Scale Development, a separate Building Permit must be submitted for each building.*

Given the shift in process for submitting building permits for large scale projects, BOWDA has raised concern that this process will incur additional costs and red tape to the development industry. However, this requirement is mandated by the SCC and will be a shift for all parties involved in the permitting process.

The Town's response to all of BOWDA's comments on the draft Building Bylaw are noted in Attachment 6 and were sent to the Executive Director of BOWDA on November 16, 2022.

### **ATTACHMENTS**

- 1) Bylaw 2022-31
- 2) Town of Canmore QMP (January 2022)
- 3) What We Heard Report (November 2021)
- 4) Building Permit Bylaw Feedback Comments From BOWDA
- 5) Building Permit Bylaw 25-2008
- 6) Town Response to BOWDA Feedback on Building Permit Bylaw

**AUTHORIZATION**

Submitted by:	Marcus Henry Supervisor, Planning and Development	Date:	<u>November 14, 2022</u>
Approved by:	Lauren Miller Manager, Planning and Development	Date:	<u>November 14, 2022</u>
Approved by:	Whitney Smithers General Manager of Infrastructure	Date:	<u>November 16, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>November 28, 2022</u>



## BYLAW 2022-31

### A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO REGULATE BUILDING PERMITS ISSUED PURSUANT TO THE SAFETY CODES ACT

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

#### TITLE

- 1 This bylaw shall be known as the “Building Permit Bylaw.”

#### INTERPRETATION

- 2 In this bylaw
- a) *Act* means the *Safety Codes Act, R.S.A. 2000, c. S-1*, as amended or replaced from time to time, and regulations made pursuant to the *Act*;
  - b) Applicant means
    - i) the owner of a building or property who applies for a Building Permit, or
    - ii) the authorized representative of the property owner who applies for a Building Permit in relation to the property;
  - c) Building Permit means a permit in the building discipline issued pursuant to this bylaw;
  - d) Building Permit Placard means an identification card issued to notify the owner and the public that a Building Permit has been approved and issued for a property;
  - e) *Code* means the *National Building Code Alberta Edition*, as amended or replaced from time to time;
  - f) Commencement of Construction means when stripping and grading, demolition, or assembly activity has begun on a property for the purpose of constructing a project;
  - g) Development Permit means a document issued by the development authority pursuant to the Land Use Bylaw (as amended or replaced from time to time), which authorizes a development and includes the plans and conditions of approval; Development Permit means a document issued by the development authority pursuant to the Land Use Bylaw (as amended or replaced from time to time), which authorizes a development and includes the plans and conditions of approval;
  - h) Development Officer means an official of the Town charged with the responsibility of processing and reviewing Building Permits, in addition to issuing Occupancy Certificates as it relates to the Building Permit process;
  - i) *Energy Code* means the *National Energy Code of Canada for Buildings* as amended or replaced from time to time;

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

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- j) Inspection means the review of completed construction by a Safety Codes Officer to determine compliance with the *Code* and the corresponding approved building plans;
- k) New Construction means a building, or a portion of a building, that is newly built, and which may include the repurposing of an existing foundation;
- l) Master Fee Schedule means the master fee schedule approved by Council, as amended or replaced from time to time;
- m) Occupancy Certificate means a certificate issued by the Development Officer which authorizes the applicant to occupy a building;
- n) Permit Issuer means the individual designated as a Safety Codes Officer pursuant to the Act who is employed by the Town and charged with the responsibility of reviewing and issuing Building Permits;
- o) Permit Services Report and PSR mean the documentation issued by the Safety Codes Officer, confirming the final Inspection has been passed and the building/space is safe to occupy in accordance with the requirements of the *Code*;
- p) *Permit Regulation* means the *Permit Regulation 204/2007* as amended or replaced from time to time;
- q) Project means a proposed development that requires a Building Permit to be issued before construction can commence;
- r) Quality Management Plan and QMP mean the terms and conditions approved by the Safety Codes Council of Alberta, which specifies the operational requirements and service delivery standards necessary to maintain the Town's accreditation in the building discipline;
- s) Safety Codes Officer mean a person who has obtained the appropriate credentials and competencies and meets the requirements as a Safety Codes Officer with respect to all or part of the *Act* and is employed by the Town to exercise their authority as provided in the Town's QMP and as provided for in the *Act*;
- t) Small-Scale Development means development consisting of one or a combination of the following: detached dwelling, duplex dwelling, accessory dwelling unit, accessory building, deck, or building addition;
- u) Total Construction Value means the total expense incurred to complete a specific Project for a site which includes costs of labor, material, equipment, and any professional services;
- v) Trade Permit means the documentation issued by a Safety Codes Officer, in accordance with the applicable code, authorizing the commencement of work in the electrical, gas, or plumbing disciplines.

**SCOPE**

- 3 The provisions of this bylaw shall apply to the issuing of Building Permits respecting the use, occupancy, relocation, construction, alteration, repair, or demolition of any building or structure regulated by the *Act*, or by regulations made pursuant to the *Act*, within the town.

**POWERS AND DUTIES OF THE SAFETY CODES OFFICER**

- 4 The Safety Codes Officer is hereby authorized to exercise their authority as provided in the Town’s QMP and as provided for in the *Act*.
- 5 Development Officers are hereby authorized to
  - a) process and review Building Permits, and
  - b) issue Occupancy Certificates as it relates to the Building Permit process.

**BUILDING PERMIT REQUIRED**

- 6 Except as otherwise provided in this bylaw, no person shall demolish, relocate, construct, alter, repair, renovate, or allow a change of occupancy of any building unless a valid Building Permit has been issued in accordance with this bylaw.
- 7 Except as otherwise provided in this bylaw, no person shall
  - a) excavate land for the purpose of erecting or locating any building or structure that is regulated by the *Code*, or
  - b) commence any Project which is regulated by the *Act* and the *Code* and has not been issued a Building Permit in accordance with this bylaw.

**BUILDING PERMIT NOT REQUIRED**

- 8 A Building Permit is not required where, in the opinion of the Permit Issuer, the construction will not affect matters of health and safety, and
  - a) the estimated construction does not exceed \$5,000 in value, and
  - b) the construction of an accessory building or structure less than 10m<sup>2</sup> in area, located on a temporary foundation, and less than \$5,000.00 in total construction value.

- 9 If the Permit Issuer cannot readily issue a Building Permit for any reason and there is
- a) imminent serious danger or imminent serious risk of damage to persons or property because of anything, process, or activity to which this bylaw applies, or
  - b) a fire hazard or risk of an explosion,

a person may, without a Building Permit, commence construction for which a Building Permit is required under this bylaw, but that person must apply for a Building Permit as soon as practically possible.

- 10 Where a Project is commenced without a Building Permit in accordance with section 8, the Applicant must apply for a Building Permit as soon as possible after starting the Project.

### **ENERGY CODE COMPLIANCE**

- 11 All necessary reports and tests required to demonstrate compliance with the *Code* or the *Energy Code* shall be completed by a professional qualified to issue such reports and conduct such tests.

### **APPLICATION REQUIREMENTS**

- 12 To obtain a Building Permit, an Applicant must submit an application in a form and manner that is consistent with the requirements of the Town and in alignment with the QMP.
- 13 A Building Permit application must be submitted using the applicable requirements checklist along with the required application form as made available on the Town's Website.
- 14 An Applicant must submit the PSRs for all Trade Permit(s) as they relate to the plumbing, electrical and gas disciplines for a Project prior to the occupancy of a building to which the *Code* applies, and such PSRs must be issued by a qualified and certified tradesperson. An Applicant must submit the PSRs for all Trade Permit(s) as they relate to the plumbing, electrical and gas disciplines for a Project prior to the occupancy of a building to which the *Code* applies, and such PSRs must be issued by a qualified and certified tradesperson.
- 15 Where an Applicant is seeking a Building Permit for a multi-building development which would not qualify as a Small-Scale Development, the Applicant must submit a separate Building Permit for each building.
- 16 At the Permit Issuer's discretion, where the timing for occupancy is anticipated to be the same, two (or more) Small Scale Development buildings/structures may appear on one application and be contained within one Building Permit.

- 17 Where only one building is granted occupancy by the Development Officer under section 16,
  - a) the initial Building Permit shall only be issued for the building granted occupancy,
  - b) the Applicant must apply for a new Building Permit for the remaining building that has not been granted occupancy and pay all applicable fees as per the Master Fee Schedule.

#### **PLANS AND SPECIFICATIONS**

- 18 Unless otherwise directed by the Town in writing, all sets of plans and specifications for the proposed Project shall be submitted electronically with each application.
- 19 At the discretion of the Permit Issuer, the Applicant may be required to submit computations, test results and/or other evidence deemed necessary to show that the work will be completed in accordance with the *Act*, the *Code*, and the *Energy Code*.

#### **PARTIAL BUILDING PERMIT**

- 20 A partial Building Permit may be issued at the discretion of the Permit Issuer, under a separate permit, for Projects which have been issued a Development Permit.
- 21 The Permit Issuer may issue a partial Building Permit for
  - a) preparation and excavation of a site,
  - b) footings and foundation,
  - c) the main floor slab of a new building, or
  - d) all the above,in advance of issuing a Building Permit for the entire Project.

#### **ISSUANCE OF A PERMIT**

- 22 If the Permit Issuer is satisfied that
  - a) the work described in the Building Permit submitted and the plans filed are in accordance with the provisions of the *Act*, the *Code*, and this bylaw,
  - b) all applicable fees have been paid, and
  - c) the Town's administrative departments who reviewed the Building Permit are satisfied that their respective requirements have been met,a Building Permit may be issued to the applicant.
- 23 The Applicant shall post the Building Permit Placard at a conspicuous place on the site of the Project so that it is visible to the general public.

- 24 The issuance of a Building Permit based upon plans and specifications shall not prevent the Permit Issuer from thereafter requiring the correction of work being carried out when that work is performed contrary to any provision of the *Act*, the *Code*, this bylaw, or any other bylaw of the Town.
- 25 A Building Permit shall contain information in accordance with the requirements of the QMP.

#### TERMS AND CONDITIONS OF A PERMIT

- 26 The Permit Issuer may issue a Building Permit for a Project or part of a Project and may, without limiting the generality of the foregoing, impose terms and conditions on the Building Permit including, but not limited to:
- a) the requirement for an Occupancy Certificate to be issued by the Town to the applicant prior to the occupancy or use of a building,
  - b) setting the date by which the Project must be completed as one year from the date of issuance of the Building Permit where the Total Construction Value is documented to be less than \$50,000,
  - c) setting the date by which the Project must be completed as two years from the date of issuance of the Building Permit where the Total Construction Value is documented to be equal to or greater than \$50,000,
  - d) setting the date by which the Project must be completed and expires, for a period more than two years if, in the opinion of the Safety Codes Officer, the Project requires a longer construction time because of its size, complexity, or fire or natural disaster, all of which may slow the Project's progress,
  - e) authorizing the Town to exercise its freedom and authority to expire and terminate a Building Permit when the Project has not been finished by the established expiry date,
  - f) setting out the scope of the Project,
  - g) setting the qualifications of the person(s) responsible for the Project, and
  - h) requiring the Inspection and approval by the Permit Issuer before any part of the building or system is covered or concealed.
- 27 No person shall deviate or authorize a deviation from a Building Permit or terms or conditions of the permit without first obtaining the written permission of the Town.

- 28 In the absence of a term established under section 26, a Building Permit is deemed expired if:
- a) Commencement of Construction has not occurred within 90 days from the date the Building Permit was issued, or
  - b) the Project has been suspended or abandoned for a period of 120 days.
- 29 Despite section 28, when the term of a Building Permit has not yet expired the Town may, in writing and at the request of the applicant, extend the Building Permit for an additional 12 months and subject to the Applicant paying any additional fees set out in the Master Fee Schedule.
- 30 No more than one extension shall be granted for a Building Permit.
- 31 Where a Building Permit has been extended in accordance with section 29, the Building Permit is deemed expired if the Project is not completed by the granted extension date.
- 32 Once a Building Permit or Building Permit extension has expired, no further work shall be undertaken to complete the Project until the Applicant has been issued a new Building Permit and paid any applicable fees charged to the applicant in accordance with the Master Fee Schedule.

#### **PERMIT REFUSAL AND CANCELLATION**

- 33 The Town may refuse to issue or cancel a Building Permit if:
- a) in the case of an addition or alteration, the existing Project is unsafe or will reduce the level of safety of the Project governed by the Building Permit to below that which is required by the *Act*,
  - b) the Building Permit was issued based on incorrect information supplied by the applicant,
  - c) in the opinion of the Permit Issuer, the project for which the Building Permit would be or has been issued would or does contravene the *Act* or another enactment,
  - d) the Building Permit fees have not been paid,
  - e) There is a contravention of any condition under which the Building Permit was issued, or
  - f) the Building Permit was issued in error.
- 34 A PSR is issued when a permit is cancelled.

#### **TRANSFER OF A PERMIT**

- 35 If an Applicant abandons their interest or participation in a Project governed by a Building Permit before it is completed without providing written notice to the Town to transfer the Building Permit to another party, the Building Permit shall be cancelled.

- 36 An Applicant may transfer a Building Permit to another person only if the Applicant submits a written request to the Town and receives written approval from the Town.

**OCCUPANCY CERTIFICATES**

- 37 An Applicant shall obtain an Occupancy Certificate from a Development Officer prior to occupying a building after construction, relocation, alteration, partial demolition, or a change of the existing occupancy classification has occurred.
- 38 The issuance of a PSR from the Permit Issuer shall not be construed as permission to occupy a building.
- 39 A Development Officer shall issue an Occupancy Certificate when the following conditions are met:
- a) all occupancy requirements set by the Town have been satisfied, and
  - b) A copy of a PSR has been provided for each of the Trade Permits issued for the Project from all disciplines involved:
    - i) building,
    - ii) electrical,
    - iii) plumbing, and
    - iv) gas.
- 40 The Development Officer may issue a partial Occupancy Certificate to the Applicant to allow for occupancy of the Project if, in the opinion of the Development Officer, the building or outstanding requirements do not contravene the provisions of the *Act*, the *Code*, or any other applicable act, regulation, or bylaw.

**FEES**

- 41 Fees are charged in accordance with the Master Fee Schedule.
- 42 The Applicant shall submit the fee for each Building Permit upon receiving a request for payment from the Town.
- 43 The Development Officer shall not circulate the Building Permit application and plans until all application fees have been paid in full.
- 44 If no work, including excavation, has been carried out prior to the issuance of a Building Permit, the fee for a Building Permit for relocation, construction, or alterations of any building shall be as specified in the Master Fee Schedule.

- 45 Where construction has commenced (including excavation or demolition), prior to the issuance of a Building Permit, the fee shall be doubled.
- 46 If the documents submitted with an application for a Building Permit contain errors or omissions which warrant a resubmission and comprehensive review, additional fees may be charged.
- 47 When applying for a Building Permit, the Applicant shall include substantiating evidence or a letter from the Project Architect or Engineer stating the Total Construction Value to determine the appropriate application fees.
- 48 The Safety Codes Officer is hereby authorized to exercise their expertise and judgement to correct or adjust the provided Total Construction Value where they have determined it to have not been estimated appropriately.

**REFUND OF PERMIT FEES**

- 49 A person who has paid a fee in accordance with this bylaw may cancel a Building Permit and submit a written request for a refund in accordance with the provisions of sections 50 – 52.
- 50 No refund shall be issued if:
  - a) the Building Permit has been revoked or has expired,
  - b) the use, occupancy, relocation, construction, alteration, repair, or demolition has commenced, or
  - c) an extension to the Building Permit has been granted.
- 51 Despite sections 50 and 51, the Town may, in its sole discretion, authorize a refund of a fee less than 25% of the original fee charged.
- 52 Despite sections 50 and 51, no refund shall be made in respect of any fee charged of less than \$100.00.

**OFFENCES AND PENALTIES**

- 53 A person who contravenes this bylaw, the *Permit Regulation* or the *Act* is guilty of an offence under the *Act* and subject to the penalties set out in the *Act*.

**RECORDS MANAGEMENT**

- 54 One copy of the final approved plans, specifications and computations shall be issued to the Applicant and one copy shall be retained by the Town in accordance with QMP.

**ENACTMENT/TRANSITION**

- 55 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.



56 Building Permit Bylaw 25-2008 is hereby repealed.

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

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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



# Quality Management Plan 2022

QMP Version: June 2020 v1.4

# Town of Canmore

## Quality Management Plan

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This Quality Management Plan has been accepted  
by the Administrator of Accreditation.



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**Peter Thomas**  
**Administrator of Accreditation**

January 26, 2022

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**Date**



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# Schedule A - Scope and Administration

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## 1.0 Scope of Accreditation

The **Town of Canmore**, herein referred to as “The Municipality” will administer the Safety Codes Act (Act) including the pursuant regulations, codes and standards that are in force as amended from time-to-time and applicable in the following technical discipline(s) within their jurisdiction.

### 1.1 Building

- All parts of the:
  - National Building Code – 2019 Alberta Edition; and
  - National Energy Code of Canada for Buildings 2017.

## 2.0 Quality Management Plan Administration

### Town of Canmore

#### 2.1 Overall Administration

The Municipality is responsible for the administration of this accreditation and the delivery of safety codes services in compliance with this Quality Management Plan (QMP).

The Municipality will ensure that its employees, contractors, and contracted accredited agencies follow this QMP.

The Municipality recognizes that failure to follow this QMP could result in the Administrator of Accreditation taking action to bring the Municipality back into compliance. This could include suspension of the Municipality's accreditation. In the event that any actions taken do not achieve the intended outcome of compliance with this QMP, the Administrator of Accreditation may consider the cancellation the Municipality's accreditation.

##### 2.1.1 Delivery of Safety Codes Services

The Municipality will provide the safety code services prescribed in this QMP through its own staff, and accredited agencies. In doing so, it will ensure that sufficient personnel, both technical and administrative, will be available to meet the expectations, obligations and responsibilities inherent to its accreditation. This includes being able to competently deliver the safety codes services required by this QMP in order to effectively administer the Act, its regulations, codes, and standards in force in Alberta. All safety codes services will be performed in compliance with this QMP, in a timely and professional manner, with impartiality and integrity, while working co-operatively with the citizens of the Municipality to ensure compliance with the Act.

The Municipality will maintain an atmosphere that supports objective and unbiased decisions. All Safety Codes Officers (SCOs) working for the Municipality will have the ability and opportunity to make independent decisions relative to compliance monitoring, without undue influence of management, elected officials, or any other party.

##### 2.1.2 Contracted Accredited Agency

The Municipality acknowledges that, should the required safety codes services be provided by an accredited agency, the Municipality will ensure that a formal contract for services is in place. The Municipality understands that it is responsible to effectively manage the contract with the accredited agency to ensure that the accredited agency is adhering to the service delivery standards of this approved QMP. Contracts with accredited agencies will include a statement that ensures that all SCOs will have the right to work in an atmosphere free of undue influence, and hold the discretionary authority to perform their duties as outlined in the Act.

##### 2.1.3 Monitoring and Oversight

The Safety Codes Council (Council) has the responsibility for monitoring and oversight of an accredited municipality's compliance with the terms and conditions of its accreditation as outlined in its QMP, the Act, and the Act's regulations. In becoming accredited, the Municipality recognizes that the Council, or its representative, will complete a review and audit of the Municipality's performance as an accredited organization according to Council policy and procedures. The Municipality will fully cooperate with the



Council on matters that relate to the administration of the QMP and the monitoring and oversight of its accreditation. The Municipality accepts that the Council has full and unfettered access to all records of the Municipality relating to the provision of services under this QMP, which includes the right to enter the Municipality premises at any reasonable time in order to inspect, review, audit, or retrieve such records. The Municipality will implement the recommendations made from the audit process, and the Administrator of Accreditation.

## **2.2 Personnel**

The Municipality will employ, retain, or otherwise engage:

- SCOs who are appropriately certified and designated to carry out the provisions of the QMP; and
- persons knowledgeable with the Act, regulations, codes, standards, Council policies, and other applicable legislation relative to the services to be provided.

### **2.2.1 Appointment of a QMP Manager**

The Municipality will identify a QMP Manager who is responsible for the administration of the QMP. The QMP Manager will be an employee of the Municipality. If the individual fulfilling the role of QMP Manager changes, the Municipality is responsible for informing the Council of this change and providing the name of the person who will assume the role of QMP Manager.

### **2.2.2 SCO Authority**

The Municipality acknowledges the authority and discretion of SCOs as prescribed under the Act, and their freedom to exercise that authority to:

- provide safety codes consultation;
- review plans;
- issue permits;
- carry out an inspection for any thing, process, or activity to which this Act applies for the purpose of ensuring compliance with the Act;
- issue reports and correspondence:
- accept a Verification of Compliance;
- review alternative solution proposals;
- issue variances;
- issue orders;
- engage in enforcement action;
- conduct investigations;
- require professional engagement; and
- re-inspect.

### **2.2.3 Declaration of Status**

The Municipality will ensure that any or all SCOs, staff, or officers, whether employed, retained or otherwise engaged by an accredited agency, will be an unbiased third party in any services provided under this QMP. This includes participation in any design, construction, installation, or investigation activities for projects where they also provide compliance monitoring.

#### **2.2.4 Registry of SCO and Permit Issuers**

The Municipality is responsible for maintaining in Council Connect the list of the SCOs and permit issuers designated under its accreditation to provide safety codes services pursuant to this QMP. This list will be reviewed every six (6) months to ensure it remains current. Upon request by the Council, the Municipality will confirm the validity of its list of designated employees in Council Connect. If there are any employees not listed in Council Connect, the Municipality will submit a request to the Council that they be designated.

#### **2.2.5 Training and Professional Development**

##### **a. SCOs**

The Municipality acknowledges the responsibilities of SCOs to obtain training to maintain SCO certification. It will ensure that SCOs attend updated training and development as required by the Council to maintain current SCO certification and competency including but not limited to changes in:

- the Act;
- regulations under the Act;
- codes and standards mandated by the Act;
- procedures under the Act;
- Council policies and directives;
- directives from an Administrator;
- assigned duties; and
- professional development.

##### **b. Permit Issuers**

The Municipality acknowledges the responsibilities of permit issuers to remain current and up-to-date on:

- the Act;
- regulations under the Act;
- their responsibilities as a permit issuer; and
- the contents of this QMP.

As required and deemed necessary by the Municipality, the Municipality will support permit issuers in obtaining training related to their responsibilities.

##### **c. Other Personnel**

The Municipality acknowledges its responsibilities to ensure that its employees involved in the administration of its accreditation remain current and up-to-date on:

- the Act;
- regulations under the Act;
- their responsibilities in administering the Municipality's accreditation; and
- the contents of this QMP.

As required and deemed necessary by the Municipality, the Municipality will support those employees involved in the administration of its accreditation in obtaining training related to their responsibilities.

### 2.3 QMP Access

The Municipality will ensure that all staff, SCOs, permit issuers, and contract personnel performing duties under the Act are aware of the content of this QMP and any revisions. It will also provide access to a copy of this QMP, the Act, its regulations, and Council policies.

The Municipality will:

- maintain a list of the individuals that have been provided with a copy of its QMP;
- annually review and update this list to ensure it remains current; and
- distribute copies of any approved amendments to this QMP to all individuals on this list in a timely manner.

### 2.4 Training on the Contents of this QMP

The Municipality will train personnel involved in the delivery of safety codes services, the administration of its accreditation, and on the contents and requirements of this QMP. A record of the personnel who have received this training will be reviewed and updated annually.

### 2.5 Freedom of Information and Confidentiality

The Municipality will ensure that all staff, SCOs, permit issuers, and contracted personnel preserve confidentiality with respect to all information and documents that come to their knowledge from their involvement with the administration of this QMP. The *Freedom of Information and Protection of Privacy Act R.S.A. 2000, c F-25* and its regulations apply to all information and records relating to, created, or collected under this QMP.

### 2.6 Records

The Municipality will maintain a file system for all records associated with the administration of the Act and services provisions within the QMP including:

- permit applications and permits;
- plans, specifications, and other related documents;
- new home warranty verification as applicable;
- licensed residential builder verification as applicable;
- plans review reports;
- requests for inspections and services;
- inspection reports;
- investigation reports including supporting documentation;
- Verifications of Compliance (VOC);
- variances including application and supporting documentation;
- orders;
- Permit Services Reports (PSRs);
- related correspondence;
- a list of contracts that relate to the administration of the QMP including any contracts with accredited agencies; and
- any other information that may be related to the administration of the Act, or identified and requested by the Administrator of Accreditation, and the Council.

The Municipality will retain the files and records:

- for a period no less than three (3) years;
- for a period prescribed by Council policy; or
- in accordance with Municipality's records retention policy, whatever period is greater.

All such files and records, electronic or hardcopy, will be available at the Council's request.

All records and other material related to the services provided under the administration of this QMP are the property of the Municipality. Any records where accredited agency(s) were involved will be returned to the Municipality within a reasonable time of completion of the service, or upon request of the Municipality.

## **2.7 Council Levy**

The Municipality will collect the Council levy for each permit or service provided under the Act and remits the levy to the Council in the manner and form prescribed by the Council. If the Municipality has contracted with an accredited agency, the accredited agency can remit the levy on the Municipality's behalf. However, the Municipality remains solely responsible for remittance of the levy. It must also have a process in place to monitor and validate the accredited agency's remittance.

## **2.8 Permit Information and Permissions**

The Municipality will collect all information required by the *Permit Regulation (AR 204/2007)*, and as outlined in this QMP.

For administering the Act, permission is deemed the same as a permit.

## **2.9 QMP Amendments and Revisions**

All revisions or changes to this QMP require the approval of the Administrator of Accreditation and must be submitted to the Administrator of Accreditation before they can be implemented.

Revisions and changes to this QMP must be submitted with the acceptance of the Municipality's QMP Manager, or a "duly authorized" employee of the Municipality. A duly authorized municipal employee is an individual who has been given, or delegated, the authority by the Municipality to sign the QMP on its behalf.

## **2.10 Annual Internal Review**

An Annual Internal Review (AIR) to evaluate the effectiveness of the administration of the Municipality's accreditation and its compliance to its QMP will be completed. The AIR reports on the Municipality's activities from the previous calendar year.

This AIR will be submitted in accordance with the format and requirements established by the Council and the Administrator of Accreditation. Specifically, it will include a summary of all the findings of the review, identified successes, and areas for improvement.

The deadline for the Municipality to provide the AIR to the Council is March 31<sup>st</sup>.

## 2.11 Cancellation of Accreditation

The Municipality, in the event that it ceases to administer the Act for any new thing, process, or activity to which the Act applies, retains responsibility for the safety codes services provided under the Act while accredited. The Municipality agrees and acknowledges that it is accountable to manage the cancellation of its accreditation in a responsible, orderly, transparent, and co-operative manner.

The Municipality accepts that it is obligated to work proactively with the Safety Codes Council, the Administrator of Accreditation, and the Authority Assuming Jurisdiction (the accredited organization that takes over responsibility for administering the Act) to ensure a smooth transition of jurisdictional authority. The cancellation of the Municipality's accreditation will not become effective until a transition plan approved by the Administrator of Accreditation is in place.

The Municipality will ensure the Council and the Administrator of Accreditation is provided with written notice of its intent to cancel.

The Municipality will resolve and manage the closure of any outstanding orders or permits issued under the municipality's accreditation prior to the effective date of the cancellation. In the event that there are any orders or permits that remain unresolved, the effective date of the cancellation may be delayed by the Administrator of Accreditation. The Administrator of Accreditation may also direct the Municipality to work with the Authority Assuming Jurisdiction to determine the appropriate management of the open orders and permits after the effective date.

## 2.12 Organizational Chart



The above organizational structure, including the use and reporting relationship of accredited agencies, only applies with respect to the administration of this QMP

### 2.13 Municipal Agreement – Update or Scope Change

The Municipality hereby acknowledges agreement, commitment, and adherence to this QMP.



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**Signature of Municipal Employee Duly Authorized  
to Enter Into this Agreement**

January 21, 2022

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**Date**

Lauren Miller

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**Name**

Manager of Planning & Development

---

**Job Title**

403-679-5003

---

**Phone Number**

lauren.miller@canmore.ca

---

**Email Address**

### 2.14 QMP Manager Information

Lauren Miller

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**QMP Manager Name**

Manager of Planning & Development

---

**Job Title**

902 7<sup>th</sup> Avenue, Canmore, AB T1W 3K1

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**Mailing Address**

403-679-5003

---

**Phone Number**

lauren.miller@canmore.ca

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**Email Address**

### 2.15 Notices

Correspondence regarding this QMP will be sent to the QMP Manager of the Municipality. It may also be forwarded to the Senior Administrative Officer, or other secondary QMP contacts as required.

## Schedule B - Operational Requirements

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## 3.0 Operational Requirements

### 3.1 Definitions

The following definitions apply.

#### 3.1.1 Deficiency

A deficiency means any condition where the work is incomplete, or does not comply with the Act, regulation, or an associated code or standard. A deficiency can include an unsafe condition.

#### 3.1.2 Unsafe Condition

An unsafe condition is any condition that, in the opinion of the SCO, could result in injury, death, or property damage or loss, and may include a deficiency or a situation of imminent serious danger.

#### 3.1.3 Final Inspection

A final inspection means an inspection conducted when the project or designated portion of the project is, in the opinion of the SCO, sufficiently complete, safe, and compliant such that the owner can safely occupy or utilize the work for its intended use.

#### 3.1.4 Imminent Serious Danger

Imminent serious danger is a condition that, in the opinion of the SCO, will result in injury, death, or property damage or loss if the condition is not corrected in a timely manner.

### 3.2 Scope of Services

The operational requirements establish responsibilities and processes in order to provide safety codes services under the Act, applicable regulations, and Council policy including, as applicable but not limited to:

- code advice:
  - construction;
  - building upgrade programs;
  - development and implementation of fire safety plans; and
  - storage of dangerous goods.
- plans examinations:
  - new construction;
  - building upgrade programs;
  - residential secondary suites; and
  - fire safety plans with emphasis to addressing all new construction, alterations, renovations, demolition, and removal of structures.
- permit/permission issuance:
  - construction;
  - renovations, alterations, reconstruction, demolition, additions, or other changes;
  - occupancy permit;
  - occupancy load certificates;
  - storage tank systems for flammable liquids and combustible liquids installation, alteration, or removal; and

- storage, purchase, or discharge of fireworks.
- compliance inspections of work and occupancy:
  - construction;
  - renovations, alterations, reconstruction, additions;
  - occupancy loads and changes in occupancy;
  - fire safety plan practices with emphasis on addressing the risk to occupied residential buildings;
  - follow-up inspections of deficiencies and unsafe conditions;
  - post-occupancy of facilities identified; and
  - special or other activities addressed in the codes or at the discretion of the SCO.
- alternative solution proposals, and variances;
- Verification of Compliance;
- collection and remittance of Council levies;
- issuance of Permit Services Reports;
- investigations; and
- maintenance of files and records.

### 3.3 Interdisciplinary Technical Coordination

An effective safety codes system requires cooperation between technical disciplines.

Where possible or appropriate, SCOs from all technical disciplines will discuss and interact in relation to:

- inspections;
- subdivision applications;
- development permits;
- plans reviews;
- occupancy permits;
- occupancy load certificates;
- investigations;
- enforcement;
- closure of files; and
- areas of mutual interest.

### 3.4 Orders

An SCO will issue in a format and serve an order in accordance with the Act, the *Administrative Items Regulation (A.R.16/2004)*, Council policy, and this QMP.

Upon compliance with an Order, a notice will be provided to the person(s) to whom the Order was served as well as to the Council.

An SCO will:

- Prior to issuing an Order, first make every reasonable effort, including consultation with the QMP Manager or designate, to facilitate conformance with the Act.
- Issue an Order if they are of the opinion that all other reasonable efforts to obtain compliance with

have failed.

- Issue an Order in accordance with the Act, and the *Administrative Items Regulation (A.R.16/2004)*.
- On issuance of an Order, provide a copy to the Municipal QMP Manager, or designate.
- Provide a copy of the Order to the Administrator of Accreditation at the Council no later than 10 days after issuance.
- Monitor the Order for compliance.
- Issue written acknowledgement of Order being satisfied to all parties to whom the originating Order was served and to the Council.

Orders may be appealed in accordance with the Part 5 of the Act and Council bylaw, policy, and procedure.

The enforcement of an Order is the responsibility of the SCO and the Municipality. It is the purview of the Municipality to escalate enforcement measures as it deems necessary.

### 3.5 Emergency Situations

An SCO, on reasonable and probable grounds, may take any immediate action they consider necessary if they are of the opinion that a situation of **imminent serious danger** to persons or property exists due to:

- any thing, process or activity to which the Act applies; or
- a fire hazard, or
- risk of explosion.

### 3.6 Alternative Solution Proposals and Variances

An SCO may review an alternative solution proposal and issue a variance for any thing, process, or activity to which the Act applies, if they are of the opinion that it provides approximately equivalent or greater safety performance in regards to persons and property as provided for by the Act.

A variance can be site-specific or for multiple locations within a municipality for a thing, process, or activity with the same conditions. However, an SCO **cannot** issue a variance that:

- removes or relaxes an existing code, standard, or rule; and
- is outside the scope of their designation of powers.

A variance will be issued in writing and in a format consistent with the template published by the Council.

A request for a variance made by an owner, or an owner's representative, must:

- be made in writing;
- be signed by the owner or the owner's representative; and
- include support documentation that demonstrates that the variance requested provides equivalent or greater level of safety that is identified by the code, standard, or regulation.

In making a decision on an alternative solution proposal or variance request, an SCO will ensure that they thoroughly research the subject matter to which it relates.

A copy of an approved variance will be provided, within ten (10) days of issuance, to the:

- owner;
- contractor, if applicable;
- the Council; and

- the Municipality, if issued by their contracted accredited agency.

Registration of the variance with the Council requires only a copy of the approved variance. Submission of background and support documentation is not required.

A copy of the variance will be placed on the permit file.

### **3.7 Permit Administration**

#### **3.7.1 Permit Applications**

An application for a permit and any information required to be included with the application must be submitted in a form and manner satisfactory to the SCO or permit issuer. The application must include the following information:

- State the use or proposed use of the premises.
- Clearly set forth the address or location at or in which the undertaking will take place.
- The owner's name and contact information.
- Any further information as required to enable the permit issuer to determine the permit fee.
- Describe the undertaking, including information satisfactory to the permit issuer, regarding the technical nature and extent of the undertaking.
- The name, complete address, telephone number, and evidence of credentials required of the permit applicant, together with the written or electronic signature of the permit applicant.
- For a permit for the building discipline:
  - state the type of occupancy;
  - set out the prevailing market value of the undertaking; and
  - if a structure is to be installed on a temporary basis, as determined by the permit issuer, state the period for which the structure will be installed.
- Include a method of payment of fees acceptable to the permit issuer.
- Include any further information that the permit issuer considers necessary, including the provision of:
  - a site plan that shows the actual dimensions of the parcel of land and the location of the proposed undertaking in relation to the boundaries of the parcel of land and other buildings on the same parcel of land;
  - copies of plans and specifications for the proposed undertaking; and
  - documentation required to verify information provided by the applicant.
- A collection, use, and disclosure of information statement (FOIPP) that meets the requirements of the Freedom of Information and Protection of Privacy, which are:
  - the purpose for which the information is collected;
  - the specific legal authority for the collection; and
  - the title, business address, and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

### **3.7.2 Permit Information**

Permits will include the following information:

- a permit number or other unique identifier that has been assigned by the permit issuer to the undertaking;
- the date on which the permit is issued;
- the name of the owner, and/or the person to whom the permit has been issued;
- where the undertaking is to take place;
- a description of the undertaking or portion of the undertaking governed by the permit; and
- any other information that the SCO and/or permit issuer considers necessary.

### **3.7.3 Terms and Conditions of Permit**

A permit may contain terms and conditions that include, but are not limited to:

- Requiring:
  - permission be obtained from the SCO before occupancy or use of the construction, process, or activity under the permit;
  - an identification number or label to be affixed to the undertaking; and
  - SCO approval be obtained before any part of the work or system is occupied, covered, or concealed;
- Setting:
  - the date on which the permit expires;
  - a condition that causes the permit to expire;
  - the period of time that the undertaking may be occupied, used or operated;
  - the scope of the undertaking being permitted;
  - the location or locations of the undertaking being permitted;
  - the qualifications of the person responsible for the undertaking and/or doing the work;

### **3.7.4 Annual Permits**

An annual permit may be issued in the electrical, gas, or plumbing discipline allowing the owner, or operator, of the premise to effect minor repairs, alterations or additions on the premises under the following conditions:

- a person who holds a trade certificate in the appropriate trade under the Apprenticeship and Industry Training Act carries out the undertaking;
- the owner or operator does not affect major alternations or additions to the premise; and
- the owner or operator maintains on the premise an accurate record of all repairs for the previous two (2) years and makes the records available to an SCO upon request.

The inspection time frame for an Annual Permit may not be extended.

### 3.7.5 Permit Expiry

A permit will expire according to the expiry date, and terms and conditions set in the permit. In the absence of an expiry date, a permit will expire in conformance with the Act and the *Permit Regulation (AR 2004/2007)*.

The Municipality will upon permit expiry:

- notify the owner, and the permit applicant, as indicated on the permit application by issuing a Permit Services Report; and
- close the permit by recording the reason and date for the expiration within the permit file; and
- maintain the permit file according to its records management system.

### 3.7.6 Permit Extension

On the written request of a permit holder, a permit issuer may extend a permit for a fixed period of time that they consider appropriate. An application for a permit extension must be received prior to the permit expiring.

### 3.7.7 Permit Services Report

A Permit Services Report (PSR) will be:

- Used to complete and close a permit file.
- Issued within 30 days of completing the compliance monitoring services required in this QMP.
  - Completion of compliance monitoring services means:
    - after completion of the final required inspection;
    - acceptance of a Verification of Compliance in lieu of an inspection where allowed; or
    - compliance with the no-entry policy regarding the final required inspection.
- Issued to the owner.
  - Owner, in order of preference, means the owner of the project at the time the:
    - permit was purchased,
    - compliance monitoring services were provided, or
    - PSR was issued.

The Municipality or an SCO may:

- reactivate a permit file at any time, and
- inspect the undertaking authorized by the permit after closure and attach report to the permit.

Where an identified unsafe condition remains uncorrected, the Municipality will **not issue a PSR or close a permit file**.

### 3.7.8 Permit Refusal, Suspension, or Cancellation

An SCO may refuse, suspend, or cancel a permit in accordance with the Act and the *Permit Regulation (AR 2004/2007)*.

The Municipality will upon refusal, suspension or cancellation of a permit:

- serve written notice to the owner and the permit applicant of the reason for the refusal, suspension or cancellation;
- advise the owner of their right to appeal to the Council within 30 days from the date they are

- served the written notice; and
- place the written notice on the permit file.

A PSR will be issued when a permit is refused, suspended, or cancelled.

### 3.8 Site Inspections

Inspections, conducted in accordance with the technical service delivery standards detailed in Schedule C of this QMP, will determine and advise the owner of compliance to applicable codes and standards.

An SCO can conduct as many inspections as required, over and above the mandatory minimum inspections stipulated in Schedule C—Technical Service Delivery Standards (Schedule C) to ensure compliance with the Act.

All safety codes inspections covered under the municipality’s accreditation will:

- be conducted:
  - by a certified and designated SCO;
  - at the stages, and within the time frames, noted in in Schedule C of this QMP; and
  - within 5 working days of the requested inspection date;
- determine if the thing, process, or activity authorized by a permit complies with the Act, regulations, and codes and standards;
- address the status of the work at the stage of inspection, any previously identified deficiencies, and any related work or condition observed.

### 3.9 Site Inspection Reports

An inspection report will be completed following an inspection. The inspection report will include:

- name, signature, and designation number of the SCO conducting the inspection;
- permit number, and the Municipality file number if applicable;
- construction discipline associated with the work being inspected;
- name of the Municipality;
- owner name, address, phone number, and email if applicable;
- contractor name, address, phone number and email if applicable;
- address of the site inspected;
- date of the inspection;
- the stage(s) of work being inspected;
- a description of the applicable work in place at the time of inspection;
- all observed deficiencies including any condition where the work is incomplete, or does not comply with the Act, its regulations, or associated code;
- all outstanding deficiencies from all previous inspection reports, and plan reviews;
- all observed unsafe conditions including any condition that, in the opinion of the SCO, could result in property loss, injury, or death, and is **not** a situation of imminent serious danger;
- documentation of the corrective action taken to resolve unsafe conditions through re-inspection(s), or VOC; and
- all observed situations of imminent serious danger, and the action taken by the SCO to address, mitigate and remove the danger.

Completed inspection reports will be provided either electronically, or by hard copy, to the permit applicant and the contractor. If requested, the inspection report can be provided to the owner, project consultant, architect, or consulting engineer.

A copy of a completed inspection report will be placed on the permit file.

### 3.10 No-Entry Policy

If an SCO is unable to gain entry to a site for a required inspection, a notification will be left on-site. Alternatively, this notification can be provided as appropriate to the owner, or permit applicant, by documented phone call, electronically or by mail. The notification will advise of the inspection attempt, and request that the Municipality be contacted to arrange for a date and time for the site inspection to be completed.

If the Municipality does not receive a response within 30 days of the notification, the Municipality will send the owner, or permit applicant, a second notification requesting that the Municipality be contacted within 30 days to arrange for a date and time for the site inspection to be completed.

If no response is received to the second notification, the inspection stage may be considered a “no-entry,” and counted as the required inspection.

In the case of a final inspection, a “no-entry” will be noted on the PSR to identify that the final inspection was not conducted, and the file will be closed.

### 3.11 Verification of Compliance (VOC)

An SCO, at their discretion, can accept a Verification of Compliance in place of an inspection for an identified deficiency or non-compliance. An SCO is **not required** to accept a VOC.

A VOC may be used:

- as follow-up on noted deficiencies or unsafe conditions on a site inspection report; or
- in lieu of a site inspection when permitted in this QMP.

A valid VOC must include:

- identification of the document as a VOC;
- address of the location where the VOC is being applied;
- permit number and discipline;
- name and title of the person who provided the VOC;
- detail on how the VOC was provided;
  - i.e., written assurance, verbal assurance with written documentation, site visit by designate, photographs, and etc.
- date the VOC was accepted by the SCO; and
- signature and designation number of the SCO.

### 3.12 Investigation and Reporting of an Unsafe Condition, Accident, or Fire

As required by the Act, and the *Administrative Items Regulation (A.R.16/2004)*, an SCO may investigate an unsafe condition, accident, or fire to determine its cause, circumstance, and make recommendations related to safety.



Specific to the fire discipline, an SCO will investigate the cause, origin, and circumstance of every fire in which a person dies, or suffers injury that requires professional medical attention, or where property is damaged or destroyed.

When investigating an unsafe condition, accident, or fire, an SCO will exercise their authority and power as prescribed under the Act. While conducting an investigation to prevent injury, or death, or to preserve property or evidence, an SCO can close all or part of the affected premise for a period of 48 hours, or any extended period of time as authorized by a justice.

No person will remove or interfere with anything in, on, or about the place where the unsafe condition, accident, or fire occurred until permission has been granted by an SCO, unless it is necessary in order to:

- prevent death or injury;
- protect property or evidence;
- restore service.

An SCO who conducts an investigation will submit a copy of the report to the appropriate technical Administrator and provide a summary of the investigation to the Council.

# Schedule C - Technical Discipline Service Delivery Standards

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## 4.0 Technical Discipline Service Delivery Standards

### 4.1 Building

#### 4.1.1 Building Permits

The Municipality will, prior to permit issuance:

- obtain construction documents including plans and specifications as outlined in the *National Building Code – 2019 Alberta Edition*;
- obtain any letters or schedules required to be provided by the *National Building Code – 2019 Alberta Edition*;
- conduct a preliminary review of the construction documents to determine if professional involvement is required or if there are any potentially significant code compliance issues;
- review applicable information on land conditions (e.g., substrata, soil conditions, water table, and etc.);
- obtain documents with the seal and signature of a registered architect and/or professional engineer(s), when required by the *National Building Code – 2019 Alberta Edition*;
- obtain New Home Warranty verification where applicable; and
- obtain a hot works permit, where applicable.

#### 4.1.2 Construction Document Review

The Municipality will, prior to permit issuance:

- complete a review of the construction documents in accordance with the requirements of the *National Building Code – 2019 Alberta Edition*;
- prepare a Plans Review Report;
- provide the Plans Review Report to the permit applicant and/or the contractor, and the Municipality's file and, if requested, to the owner, project consultant, architect, or consulting engineers; and
- provide one set of the examined construction documents to the permit applicant for retention and review at the project site and retain one set on the Municipality's file.

The Municipality will, prior to construction, alteration, or demolition operations, obtain a fire safety plan for the project site in writing.

#### 4.1.3 Compliance Monitoring on Projects Requiring Professional Involvement

The Municipality will:

- collect and maintain on file, required schedules, and/or a letter(s) of compliance from the professional architect or engineer when part(s) of the building require a professional architect or engineer; and
- collect and maintain on file all schedules and letters of compliance required in accordance with the *National Building Code – 2019 Alberta Edition* when registered professional architect or engineer involvement is required for the work covered under a permit.

#### 4.1.4 Building Site-Inspections

A building SCO will conduct site inspections at the stages indicated in the following tables:

**Table 1. Site Inspection Stages for Part 9 Buildings Not Requiring Overall Professional Involvement**

Type of Project	Type of Building and Major Occupancy	Minimum Inspections	Inspection Stage
Demolition	All	1	<ul style="list-style-type: none"> <li>○ at any stage within one (1) year from permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, minor work, with a value of <b>less than</b> \$50,000	All	1	<ul style="list-style-type: none"> <li>○ at any stage</li> <li><b>OR</b></li> <li>○ within one (1) year from permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work of <b>over</b> \$50,000	Single and Two Family Dwellings (Group C)	3	<ul style="list-style-type: none"> <li>○ complete foundation prior to backfill <b>AND</b> solid or liquid fuelled appliance(s), building envelop, and framing prior to covering up with insulation and vapour barrier</li> <li><b>OR</b></li> <li>○ building envelope including insulation and vapour barrier prior to drywall <b>AND</b> final inspection, including HVAC completion within two (2) years of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work of <b>over</b> \$50,000	Multi-family Residential, Townhouses, and Small Apartments (Group C)	3	<ul style="list-style-type: none"> <li>○ complete foundation prior to backfill <b>AND</b> solid or liquid fuelled appliance(s), building envelop, and framing prior to covering up with insulation and vapour barrier</li> <li><b>OR</b></li> <li>○ building envelope including insulation and vapour barrier prior to drywall <b>AND</b> final inspection, including fire alarm and HVAC completion within two (2) years of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work <b>over</b> \$50,000	Business, Personal Services, Mercantile, Medical, and Low Hazard Industrial (Group D, E, F2, F3)	3	<ul style="list-style-type: none"> <li>○ complete foundation prior to backfill <b>AND</b> building envelope and HVAC rough-in</li> <li><b>OR</b></li> <li>○ framing, structure, and building envelope prior to insulation and vapour barrier <b>AND</b> final inspection, including HVAC completion within two (2) years of permit issuance</li> </ul>

**Table 2. Site Inspection Stages, Part 3 Buildings Not Requiring Overall Professional Involvement**

Type of Project	Major Occupancy	Minimum Inspections	Inspection Stages
Demolition	All	1	<ul style="list-style-type: none"> <li>○ at any stage within one (1) year of permit issuance</li> </ul>
Alteration, addition, renovation, reconstruction, change in occupancy, minor work, with a value of <b>less than</b> \$50,000	All	1	<ul style="list-style-type: none"> <li>○ at any stage</li> <li style="text-align: center;"><b>OR</b></li> <li>○ within one (1) year of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work <b>over \$50,000 and less than \$200,000</b>	All	2	<ul style="list-style-type: none"> <li>○ *foundation</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *framing, structure</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC rough-in</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire suppression systems</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire alarm system</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC completion</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *interior partitioning</li> <li style="text-align: center;"><b>OR</b></li> <li>○ Medical Gas rough-in</li> <li style="text-align: center;"><b>AND</b></li> <li>*final inspection within one (1) year of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy with a value of work over \$200,000	All	3	<ul style="list-style-type: none"> <li>○ *foundation</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *framing, structure</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC rough-in</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire suppression systems</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire alarm system</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC completion</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *interior partitioning</li> <li style="text-align: center;"><b>OR</b></li> <li>○ Medical Gas rough-in</li> <li style="text-align: center;"><b>AND</b></li> <li>*final inspection within two (2) years of permit issuance</li> </ul>

\* **NOTE:** Any of these site inspections may be combined when it is reasonable to do so, and if site conditions permit.

Table 3. Site Inspection Stages, Part 3 or 9 Buildings Requiring Overall Professional Involvement

Type of Project	Major Occupancy	Minimum Inspections	Inspection Stages
Demolition	All	1	<ul style="list-style-type: none"> <li>○ at any stage within one (1) year of permit issuance</li> </ul>
Alteration, addition, renovation, reconstruction, change in occupancy, minor work, with a value of less than \$50,000	All	1	<ul style="list-style-type: none"> <li>○ at any stage</li> <li style="text-align: center;"><b>OR</b></li> <li>○ within one (1) year of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work over \$50,000 and less than \$200,000	All	2	<ul style="list-style-type: none"> <li>○ interim inspection at approximately the mid-term of the work</li> <li style="text-align: center;"><b>AND</b></li> <li>final inspection within two (2) years of permit issuance</li> </ul>
New Construction <b>OR</b> Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work over \$200,000	All	3	<ul style="list-style-type: none"> <li>○ *foundation</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *framing, structure</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC rough-in</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire suppression systems</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *fire alarm system</li> <li style="text-align: center;"><b>OR</b></li> <li>○ *HVAC completion</li> <li style="text-align: center;"><b>OR</b></li> <li>○ Interior Partitioning</li> <li style="text-align: center;"><b>OR</b></li> <li>○ Medical Gas rough-in</li> <li style="text-align: center;"><b>AND</b></li> <li>*final inspection within two (2) years of permit issuance</li> </ul>

\* **NOTE:** Any of these site inspections may be combined, when it is reasonable to do so and if site conditions permit.

#### 4.1.5 Miscellaneous Building Site Inspections

In addition to the three tables above, the following inspection frequency will be adhered to in relation to the thing, process or activity identified below:

1. **Accessory Buildings**, including detached garages, or sheds, will be inspected within 180 days of permit issuance.
2. **Single Family Manufactured Home, Ready-to-Move; or Mobile Home** siting will consist of a foundation **AND** final inspection within 180 days of permit issuance.
3. **Site Inspection of Part 10 buildings (Industrial Relocatable)** will consist of at least one on-site inspection within 90 days of final set-up stage.
4. **Site Inspection of Solid or Liquid Fuelled Heating Appliances** (under separate Permit) will consist of at least one (1) on-site inspection within 180 days of permit issuance.
5. **Site Inspection of Mechanical, Heating, or Ventilation Systems** (under separate permit) will consist of at least one (1) on-site inspection at the completion stage, prior to covering, within 180 days of permit issuance.
6. **Non-Flammable Medical Gas Piping Systems** will, at the discretion of SCO, consist of one (1) inspection, or acceptance of Verification of Compliance, within 180 days of permit issuance.
7. **Site Inspection of Vendors** that advertise, display, or offer for sale, things to which the Act applies will be inspected upon complaint or concern at the discretion of the Municipality.
8. **Site Inspection of Manufacturers** will be conducted at the discretion of the Municipality as per the permit inspection schedule for permitted work; or the compliance and enforcement process will be initiated for work not permitted or under other safety codes administration such as accredited corporation monitoring, a Standards Council of Canada program, a provincial government manufacturing program, or an international agreement, where the work is within scope of safety codes requirements.

**Building Permit Bylaw Update Summary of Community  
Engagement  
Nov. 23, 2021**



## Executive Summary

We are undertaking a review of Building Permit Bylaw 25-2008, which was last updated in 2008. The review of this bylaw will consist of the following:

- An analysis of the current Building Permit Bylaw to determine areas for improvement.
- Identifying sections of the current Bylaw that are missing.
- Removal of irrelevant and/or dated sections.
- Areas which require improvement.
- Identification of new sections and content required.

The development community was asked for their feedback on the proposed plan. Statistics show that 54 participants were aware of this opportunity to provide input, with 22 of the participants being informed through visiting multiple project pages or providing input. Of those, 11 people provided input in the survey.

The following is a summary of the poll questions and themes heard from the open-ended questions and Q&A.

### Question 1

Q1 Section 10 - Terms and Conditions of Permit What would you consider to be an appropriate timeline for the completion of construction as it relates to a project valued at less than \$50,000 in total construction value such as a shed, deck, etc.?



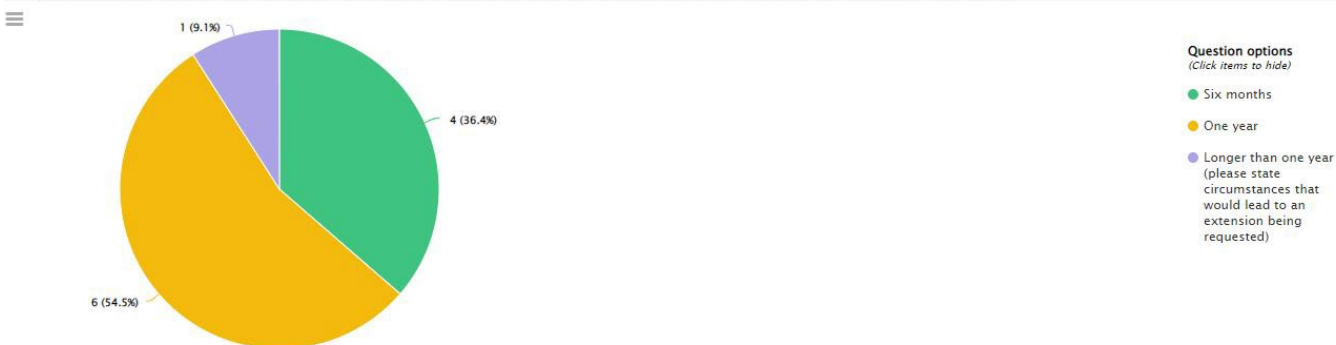
### Question 2

Q2 Section 10 - Terms and Conditions of Permit What would you consider to be an appropriate timeline for the completion of construction as it relates to a development estimated at over \$50,000, (i.e., Detached Dwelling, Duplex, Multi-Residential, Commercial, Industrial, Institutional, etc.)?

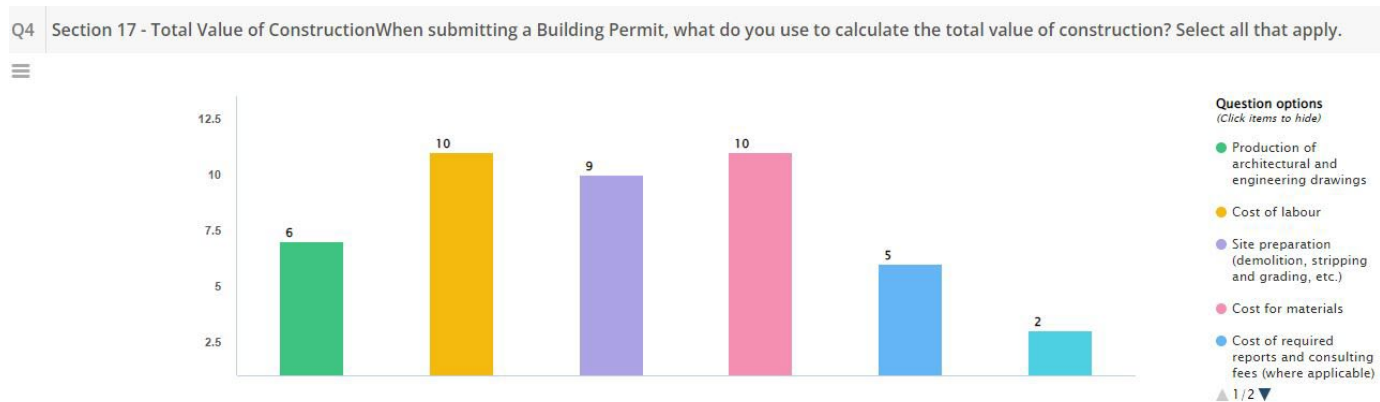


### Question 3

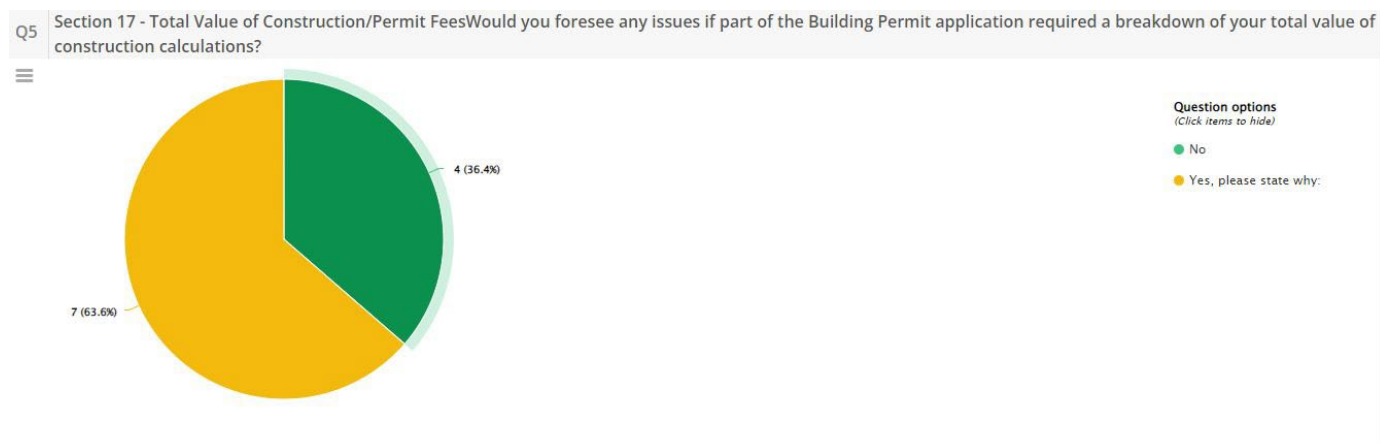
Q3 Section 12 - Permit Extensions The Town's new QMP sets a standard for two years to complete construction for all development over \$50,000 of total construction value. If permit extensions were to be granted on a one-time basis, what would you consider to be an appropriate time?



### Question 4



### Question 5

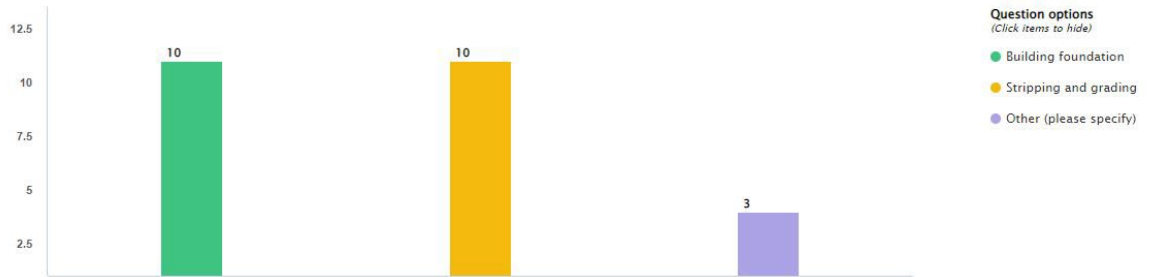


Summary of themes received under “Yes, please state why”:

- Cost breakdown should be between builder and customer.
- Would lead to more red tape in the process.
- A more simplified breakdown, such as cost per square foot would be a better process.

## Question 6

Q6 New Section - Partial Permits The Town will occasionally receive requests for a partial permit (for foundation) prior to the full permit being issued, which is not currently part of the standard review process. Please identify in what circumstances a partial permit may be requested:



*Summary of themes received under "Other (please specify)":*

- For seasonally specific work.
- If delays to Building Permit are anticipated, provided compliant documents have been submitted.



September 5, 2022

Marcus Henry  
Town of Canmore  
Supervisor of Planning and Development  
902 - 7 Avenue  
Canmore, Alberta  
T1W 3K1

RE: Building Permit Bylaw Update – feedback on proposed changes

As requested, we have reviewed the draft 2022 BP Bylaw; we appreciate the continued opportunity to be an active participant in the process.

1. Section 2.1 L & M – clarification required as to authority in issuing a permit ie. SCO versus DO.
2. Section 2.1 N – consider revision to better clarify the SCO’s engagement by the Town ie ‘individual designated as a SCO pursuant to the Act and authorized by the Town to issue Building Permits’.
3. Section 2.1 T – consider including a clarification within this section to mention that these definitions are found within the LUB; clarification required as to whether these are ‘evergreen’ or do changes in the LUB automatically roll into this bylaw?
4. Section 4.1 – clarification required on what is the extent of the jurisdiction of the Safety Codes Officer as outlined by the Safety Codes Act. Does this section comply or is this an expansion of their authority?
5. Section 5.2 – Is this more appropriately covered under the LUB versus in this location?
6. Section 6.2.1 – was the intent of this to be related to Section 3(2) of the AR2004/2007 which expands on this and would be helpful to include?
7. Section 7 – Green Building regulations (as a code requirement) – this is contradictory to the Safety Codes Act and would be effectively rewriting the Alberta Building Code which is not permitted under the MGA. We would like clarification on whether or not this is legally permissible under the Act; relating to section 66(1) in particular.

8. Occupancy permits/certificates: With ever increasing documentation requirements, there needs to be continued flexibility and consideration at the occupancy stages to reflect the complex environment and multiple parties involved that require considerable coordination.
9. There needs to be an expanded definition of '**Construction**', for it could lead to confusion and misinterpretation around some types of work.
10. \$5000.00 limit: this should have consideration for an increase as it has been the same amount for around 20 years. That value in today's dollars is approximately \$8000.00. We would recommend this value be raised to a minimum of \$8000.00 - 10,000.00 to better reflect change over time.
11. Restarting the BP process and pay fees again due to unforeseen delays/timelines resulting from Utility providers schedules, pandemic related issues, etc. is punitive. Could the 90 days be extended to 120 or 150? In addition to this, two (2) years to complete projects can be tight depending on the type/size of project. While there are accommodations and exemptions in this draft, there should be consideration for various types of projects and not 'one size fits all'.
12. Under the Partial Building permit there should be consideration to allow for the main floor slab to be poured/built and not just the foundation walls.
13. Section 8.4 – recommended clarification – 'an applicant seeking a Building Permit for a multi-building development must apply for a separate building permit for each building. Also, having separate BPs for each adds costs, time and red tape for all.
14. Section 8.4.0 and 8.4.1 – clarification required as these appear to be in conflict with one another. Should 'development officer' be replaced by 'permit issuer'? Finally, what if the two buildings end up on different schedules, could cause complexity or confusion.
15. Section 8.4.2 – clarification regarding permitting and requirements for new permits, partial occupancies, shared firewalls with intent to occupy a portion of the building and when this would or would not result in paying for a new or incomplete portion. Would this not be solved by getting a fee for partial occupancy rather than a new permit process?
16. Section 8.3 – clarification required as it relates to a PSR or not and how this would apply to BPs or beyond BPs as the Town is the only authority having jurisdiction for those disciplines.
17. Section 9.2 – recommend that 'Energy Code' be inserted after 'code' or in addition to it.

18. Section 10 – consideration for the sake of clarity:  
“The Permit Issuer may issue a building permit for:  
a. Preparation and excavation of site; or  
b. Footings and foundation; or  
c. Both  
In advance of issuing a building permit for the balance of the building.”
19. In advance of issuing a building permit for the balance of the building.”
20. Section 12.1 (d & e) – recommendation to consider a mechanism for extension to be included to ensure desired outcomes for all parties;
21. Section 12.1 (f) – clarification required for why the Town would include ‘scope of the project’. What is the intent with this?
22. Section 12.1 (g) – clarification required for if why this would be included and how it would be determined who is ‘qualified’ and who is not, if legislation and codes are followed;
23. Section 12 – consideration to replace ‘the Town’ with ‘permit issuer’ in all areas it is found;
24. Section 13.2 – clarification for the rational of potentially charging additional fees if this permit is extended?
25. Section 13.3 – for consideration – two extensions would be more reasonable;
26. Section 14.1 (f) – recommend additional language to expand on ‘in error’;
27. Section 14.2 – clarification required as a PSR indicates that a final inspection is passed and the space is safe to occupy; so if the permit is cancelled how can this be prepared?
28. Section 15.1 – clarification recommendation on how one establishes ‘intent’;
29. Section 16.1 – clarification recommendation for consistency with section 5.1(h);
30. Section 16.3 – recommend clarification (for all parties) on how to best define ‘partial occupancy’;
31. Section 17.4 – clarification required – what warrants ‘substantial’?
32. Section 17.6 – clarification required for how to achieve mutual agreement on TCV and what options there are for both parties should a disagreement arise;

33. Section 18.3 – clarification required for the rational of retaining 25% of original fees?

34. In addition to the above, there are certain Building Permit Fees that are not related to construction costs and are base fees. These fees need to be evaluated for fairness as it is essentially duplication costs/fees with little, if no additional municipal costs. This 'layering' of costs to our industry and its partners continue to lead to inflation of costs that are passed on to consumers. directly impacting affordability goals.

Members who provided feedback or commentary include:

- Brian Talbot – Devonian Group
- Don Dessario – Norr (Architecture)
- Robert Findlay – Findlay Group
- Chris Ollenberger – QuantumPlace Developments
- Drew Steinhauer – Spring Creek Developments
- Shawn Birch – Banff Caribou Properties
- James Fisher – Distinctive Homes/Polaris Builders
- Dale Hildebrand – Arbus Mountain Homes

Thank you for reaching out to us and permitting our organization and a variety of members to be able to share their feedback for consideration.

Sincerely,



Ian O'Donnell  
Executive Director  
Bow Valley Builders and Developers Association

cc.

Lauren Miller, Town of Canmore, Manager of Planning and Development  
Whitney Smithers, Town of Canmore, General Manager, Municipal Infrastructure  
Douglas Stewart, Superior Safety Codes, Building Safety Codes Officer BOWDA,  
Board of Directors



**TOWN OF CANMORE**

**BYLAW NUMBER 25-2008  
PROVINCE OF ALBERTA**

THE TOWN OF CANMORE BUILDING PERMIT BYLAW,  
REGULATING THE FORM, CONTENT AND COST OF PERMITS FOR  
THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION,  
ALTERATION, REPAIR OR DEMOLITION OF BUILDINGS.

**WHEREAS**

The Town of Canmore has been authorized by Section 66 of the Safety Codes Act to make a bylaw;

- (a) respecting fees for Building Permits issued pursuant to this Act, and
- (b) respecting the carrying out of its powers and duties as an accredited municipality; and

**WHEREAS**

Alberta Regulation (204/2007) allows the Town to administer and regulate the issuance of permits; and

**NOW THEREFORE**

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

**SECTION 1 TITLE**

- 1. This bylaw shall be known as the Town of Canmore Building Permit Bylaw, may be cited as such and will be referred to herein and "this Bylaw".

**SECTION 2 DEFINITIONS**

- 1. In this Bylaw:
  - (a) "Act" means the Safety Codes Act Chapter/Regulation: S-1 RSA 2000, as amended from time to time.
  - (b) "Regulation" means the "Permit Regulation" (Alberta Regulation (204/2007)).
  - (c) "Safety Codes Officer" means an individual designated as a Safety Codes Officer under Section 31 of the Act.

All definitions contained in the Act or the Regulation shall apply to this Bylaw.

**SECTION 3 SCOPE**

- 1. The provisions of this Bylaw shall apply to the issuing of permits respecting the use, occupancy, relocation, construction, alteration, repair or demolition of any building regulated by the Act, or by regulations made pursuant to the Act, within the Town of Canmore.

**SECTION 4 POWER AND DUTIES OF THE SAFETY CODES OFFICER**

- 1. The Safety Codes Officer is hereby authorized and directed to enforce all provisions of this Bylaw, the Act, the Regulation and the Alberta Building Code.

2. The Safety Codes Officer shall perform all responsibilities outlined in the Town's Quality Management Plan signed by the Town and the Administrator of Accreditation for the Alberta Safety Codes Council.
3. The Safety Codes Officer shall perform, in addition to the responsibilities and inspections contained in the Town's Quality Management Plan, those inspections contained in Schedule A of this Bylaw.
4. The Safety Codes Officer shall ensure that all roofing materials on residential projects shall have a minimum Class "C" U.L.C. rating.

#### **SECTION 5 PROHIBITION**

1. (a) No person shall:
  - (i) use;
  - (ii) demolish;
  - (iii) relocate;
  - (iv) construct;
  - (v) alter;
  - (vi) repair;
  - (vii) renovate; or
  - (viii) occupy or allow a change in occupancy of; any building unless there is a valid and subsisting Permit issued under this Bylaw.
- (b) No person shall commence or cause the commencement of:
  - (i) the excavation of any land for the purpose of erecting or locating any building; and
  - (ii) any work or undertaking which is regulated by the Act;
 for which a Permit under the Regulation or this Bylaw, or the Act has not been issued.
2. A Permit is not required for:
  - (a) Painting, decorating, re-roofing or re-siding if;
    - (i) Matters affecting health and safety are not at risk; and
    - (ii) There is no structural change to the building; nor
  - (b) Construction that does not exceed five thousand dollars (\$5,000.00) in total prevailing market value, if matters of health and safety are not at risk, and is not of a structural nature, in the opinion of the Safety Codes Officer; nor
  - (c) Construction of an accessory building or structure less than 10m<sup>2</sup> (square metres) in area and located on a temporary foundation, and less than five thousand dollars (\$5,000.00) in total prevailing market value; nor
  - (d) The replacement or alteration of ducting serving a space heating appliance if;
    - (i) it is located in a single family residential dwelling, and
    - (ii) there is no design change required to the heating and ventilation system.

3. If the Town cannot readily issue a Permit and there is imminent serious danger to, or imminent serious danger of damage to, persons or property because of any thing, process or activity to which this Bylaw applies or because of a fire hazard or risk of an explosion, a person may, without a Permit, start an undertaking for which a permit is required under the Regulation or this Bylaw but that person must apply for a Permit as soon as the Town is available.

## **SECTION 6 APPLICATIONS**

1. To obtain a Permit an applicant shall file an application in writing on the prescribed form attached as Schedule "C" to this Bylaw; and each application shall:
  - (a) state the use or proposed use of the premises; and
  - (b) identify and fully describe the work to be covered by the permit for which the application is made; and
  - (c) clearly set forth the address or location and legal description of the land at or in which the undertaking will take place; and
  - (d) include the owner's name and mailing address; and
  - (e) include information indicating the prevailing market value of the undertaking to enable the Town to determine the permit fee; and
  - (f) describe the undertaking, including information, satisfactory to the permit issuer, regarding the technical nature and extent of the undertaking; and
  - (g) set out the name, complete address, telephone number and evidence of credentials required of the applicant, together with the written or electronic signature of the applicant; and
  - (h) state the type of occupancy; and
  - (i) be signed by the owner of the land or his authorized agent showing or providing evidence of authorization; and
  - (j) include site plans as required in Section 7 of this Bylaw; and
  - (k) include copies of plans and specifications for the proposed undertaking; and
  - (l) include documentation required to verify information provided by the applicant; and
  - (m) include any further information that the permit issuer considers necessary; and
  - (n) give such other information as may be required by the Act.
2. The Town may require a separate Permit for specific parts of the undertaking to which the Alberta Building Code applies if the specific parts involve a compulsory certification trade under the Apprenticeship and Industry Training Act.

## **SECTION 7 PLANS AND SPECIFICATIONS**

1. Unless otherwise directed by the Safety Codes Officer in writing, two sets of plans and specifications for the work shall be submitted with each application.
2. Plans and specifications shall be drawn to scale upon substantial paper or in acceptable digital media to the Town, and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the Act and this Bylaw.
3. Each set of plans shall include a site plan showing the actual dimensions of the lot or property containing the building or buildings where the work is to be performed and the location of the proposed work in relation to the lot or property lines, as well as an approved drainage plan.

4. The applicant shall include with each set of plans a plan, certified by an Alberta Land Surveyor, showing the information required by Section 7.3 if required by the Safety Codes Officer.
5. If required by the Safety Codes Officer, the applicant shall submit computations, test results and all other evidence deemed necessary to show that the work will be in accordance with the Act.

#### **SECTION 8 ISSUANCE OF PERMIT**

1. Plans and specifications may be submitted for examination to other departments of the Town of Canmore and the Province to check for compliance with orders, regulations or bylaws under their jurisdiction.
2. If the Safety Codes Officer is satisfied that the work described in an application for permit and the plans filed therewith are in accordance with the provisions of the Act and of this Bylaw, and that the fees specified in Section 17 have been paid, he may issue a Permit.
3. A permit issuer may issue a Permit to an applicant that is the owner of the building or to the owner's agent.
4. If the Safety Codes Officer issues a Permit under Subsection 1(b) of this Bylaw, the Permit shall be released to the applicant only upon the Town being satisfied that the applicant has complied with all engineering and other requirements specified under the Land Use Bylaw.
5. Upon the applicant satisfying the Town that all engineering and other requirements specified under the Town's Land Use Bylaw have been complied with, the Town shall release the Permit to the applicant.
6. The Town may issue a permit for an undertaking referred to in section 6(2) to the following:
  - (a) a person having the appropriate certification to carry out the undertaking as required by the *Apprenticeship and Industry Training Act*;
  - (b) an owner who resides in a single family residential dwelling for the installation of building systems in the dwelling.
7. Without limiting the generality of Section 44(2) of the Act, for the purpose of achieving the level of safety intended by the Act and the regulations, the Town may limit the type and scope of the undertaking for which a Permit is issued under subsection 8(6)(b).
8. One set of examined plans, specifications and computations shall be retained as outlined in the Quality Management Plan, and one set of examined plans and specifications shall be returned to the applicant.
9. Plans, submitted for checking, for which no Permit is issued, and on which no appeal is made by the applicant or no action is taken by the Safety Codes Officer for 90 days, may be destroyed by the Safety Codes Officer.
10. The issuance of a Permit or examination of plans and specifications shall not be construed to be a Permit for, an approval of a contravention of any provision or any other Act, Bylaw or regulation.
11. The issuance of a Permit based upon plans and specifications shall not prevent the Safety Codes Officer from thereafter requiring the correction of work being carried on when in contradiction of any provision of the Act, this Bylaw, or any other bylaw of the Town of Canmore.

#### **SECTION 9 PERMIT**

1. A Permit issued under this Bylaw:
  - (a) must include a permit number assigned by the Town to the undertaking; and
  - (b) must state the date on which the Permit is issued; and
  - (c) must state the name of the owner and the owner's agent to whom the permit has been issued; and
  - (d) must state where the undertaking is to take place; and

- (e) must describe the undertaking or portion of the undertaking governed by the Permit; and
- (f) may contain any other information that the Town considers necessary.

#### **SECTION 10. TERMS AND CONDITIONS OF PERMIT**

1. The Town may issue a Permit for an undertaking, or part of the undertaking, and may, without limiting the generality of section 44(2) of the Act, impose terms and conditions on the permit that are consistent with the purpose and intent of the Regulation, including, but not limited to:
  - (a) requiring that permission be obtained from the Town before the occupancy or use of the construction, process or activity under the Permit; and
  - (b) setting the date by which the undertaking must be completed as one (1) year from the date of issuance of the Permit; or
  - (c) setting the date by which the undertaking must be completed and on which the Permit expires, for a period in excess of one (1) year if, in the opinion of the Safety Codes Officer, the project requires a longer construction time because of size or complexity of the undertaking; and
  - (d) setting a condition that causes the Permit to expire; and
  - (e) setting the period of time that the undertaking may be occupied, used or operated; and
  - (f) setting out the scope of the undertaking being permitted; and
  - (g) setting the location or locations of the undertaking being permitted; and
  - (h) setting the qualifications of the person responsible for the undertaking; and
  - (i) requiring the approval of the Safety Codes Officer before any part of the building or system is covered or concealed.

#### **SECTION 11 RESPONSIBILITIES OF THE PERMIT HOLDER**

1. On the issuance of a Permit, the permit holder must:
  - (a) comply with the terms and conditions of the Permit; and
  - (b) undertake the construction, process or activity in accordance with the Act and applicable codes and standards; and
  - (c) notify the Town:
    - (i) if the permit holder does not intend to complete the undertaking, or
    - (ii) if there is a change in ownership from the owner as stated on the Permit application,
  - (d) ensure that all plans and specifications required to apply for the Permit are available at the construction site at all reasonable times for inspection by a Safety Codes Officer, and
  - (e) ensure that the Permit is posted, or otherwise identified, at the construction site.

#### **SECTION 12 TERM OF A PERMIT**

1. In the absence of a different term set under Section 10, a permit expires if the undertaking to which it applies
  - (a) is not commenced within 90 days from the date of issue of the permit, or
  - (b) is suspended or abandoned for a period of 120 days, or
  - (c) is in respect of a seasonal use residence and the undertaking is suspended or abandoned for a period of

- 240 days after the undertaking is started.
2. Despite subsection (1), when the term of a Permit has not expired, the Town may, in writing, and on the request of the Permit holder, extend the permit for an additional fixed period of time that the Town considers appropriate.

**SECTION 13. REFUSAL TO ISSUE, SUSPENSION OR CANCELLATION**

- 1 Without restricting the generality of Section 46 of the Act, the Town may refuse to issue a Permit and, without restricting the generality of Section 44 of the Act, a Safety Codes Officer may suspend or cancel a permit that has been issued if:
  - (a) in the case of an addition or alteration, the existing undertaking is unsafe or will reduce the level of safety of the undertaking governed by the Permit to below that which is intended by the Act and regulations, codes, standards or body of rules declared to be in force pursuant to the Act; or
  - (b) incorrect or insufficient information is submitted with respect to the permit or the undertaking to be governed by the permit; or
  - (c) in the opinion of the Town, the undertaking for which the permit would be or has been issued would or does contravene the Act or another enactment; or
  - (d) the Permit fee has not been paid; or
  - (e) there is a contravention of any condition under which the Permit was issued; or
  - (f) the Permit was issued on the basis of incorrect information supplied; or
  - (g) the Permit was issued in error.

**SECTION 14. DEVIATION FROM PERMIT CONDITIONS**

1. No person shall deviate or authorize a deviation from a Permit or terms or conditions of a Permit without first obtaining the written permission of the Town.

**SECTION 15 PERMIT TRANSFER, TERMINATION**

1. If a holder of a Permit relinquishes the holder's interest or participation in the undertaking governed by the Permit before the undertaking is completed, the Permit or any label or identification number issued as part of a Permit:
  - (a) is terminated, and
  - (b) applies only to the part of the undertaking completed before the termination unless the Town authorizes the Permit or label or identification number to be transferred.
2. A Permit is not transferable to any other person unless the transfer is authorized in writing by the Town.

**SECTION 16 OCCUPANCY PERMISSION**

1. An permit holder shall obtain permission to occupy in writing from the Safety Codes Officer and the Town prior to the occupancy of a building after construction, relocation, alteration, partial demolition or a change of the existing occupancy classification has taken place.

**SECTION 17 FEES**

1. The fee for each permit shall be submitted at the time of application.
2. When applying for a Building Permit, substantiating evidence or a letter from the architect or engineer stating the total construction cost including mechanical, plumbing and electrical should accompany the application. In the absence of such evidence, the Safety Codes Officer may place a value on the cost of relocation, construction and additions.
3. If no work, including excavating, has been carried out prior to the issuance of a permit, the fee for a permit for relocation, construction, or alterations of any building shall be as specified in the attached Schedule B, forming part of this Bylaw, which may be amended by

resolution of Council from time to time.

- 4. If the documents submitted with an application for a permit contain substantial errors or omissions and the documents have to be submitted again for further examination, a fee equal to one-quarter of the amount required under this Section shall be charged for each and every re-examination.
- 5. If any work, including excavation, has been started before the issuance of a permit, the permit fee shall be doubled.

**SECTION 18 REFUND OF PERMIT FEES**

- 1. A person who has paid a permit fee pursuant to Section 17 may surrender the Permit to the Town of Canmore and make application in writing for a refund in accordance with the provisions of this section.
- 2. No refund shall be made:
  - (a) If the Permit has been revoked or has expired.
  - (b) If use, occupancy, relocation, construction, alteration, repair or demolition has commenced; or
  - (c) An extension of the Permit has been granted.
- 3. Pursuant to Subsection 17(1) and further subject to the provisions of Subsection 17(2), a Safety Codes Officer may authorize a refund of a permit fee less twenty-five percent (25%).
- 4. Notwithstanding anything elsewhere contained in this Section, no refund whatsoever shall be made in respect of any permit fee of less than one hundred dollars (\$100.00).

**SECTION 18 OFFENSES AND PENALTIES**

- 1. Any person who contravenes this bylaw is guilty of an offense under Section 67 of the Act.
- 2. A person who is guilty of an offense is liable to a penalty under Section 68 of the Act.

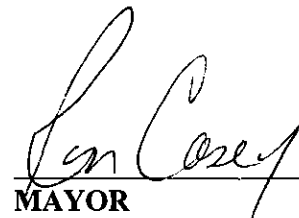
**SECTION 19 APPEALS**

- 1. Any person may appeal a decision of the Safety Codes Officer, pursuant to Section 51 of the Act and Section 1.2.8 of the Alberta Building Code (1997) as amended.
- 2. Appeals must be made to the Safety Codes Council.

**SECTION 20 COMMENCEMENT AND REPEAL**

- 1. This Bylaw comes into full force and effect on the date of the Third and Final Reading.
- 2. Bylaw No. 10-2006 of the Town of Canmore are hereby repealed upon this Bylaw coming into force.

**FIRST READING:** October 7, 2008  
**SECOND READING:** November 4, 2008  
**THIRD READING:** November 4, 2008

  
 \_\_\_\_\_  
**MAYOR**

  
 \_\_\_\_\_  
**DESIGNATED OFFICER**

**SCHEDULE A**

**REVIEW OF COMPLIANCE DURING CONSTRUCTION**

**PART 9: Housing & Small Buildings**

Type of Project	Major Occupancy	Items Requiring Assurance of Compliance
<b>Single &amp; Two Family Dwellings</b>	C	<ul style="list-style-type: none"> <li>▪ Foundation before backfilling</li> <li>▪ Framing / fireplace before covering with insulation and vapour barrier, HVAC rough-in, underground portion</li> <li>▪ Insulation and vapour barrier before covering, HVAC rough-in, above ground portion</li> <li>▪ Final before occupancy</li> </ul>
<b>Multi Family Residential</b> (Townhouses, small Apartments)	C	<ul style="list-style-type: none"> <li>▪ Foundation before backfilling</li> <li>▪ Framing / fireplace before covering with insulation and vapour barrier, HVAC rough-in, underground portion</li> <li>▪ Insulation and vapour barrier before covering, HVAC rough-in, above ground portion</li> <li>▪ Final before occupancy</li> </ul>
<b>Residential Improvements</b> (Garages, Decks, Basement Renovations, Retaining Walls, Miscellaneous)	C	<ul style="list-style-type: none"> <li>▪ Before occupancy / use</li> </ul>
<b>Business &amp; Personal Services</b>  <b>Mercantile</b>  <b>Medium &amp; Low Hazard Industrial</b>	D  E  F2, F3	<ul style="list-style-type: none"> <li>▪ Foundation before backfilling</li> <li>▪ HVAC rough-in, underground portion</li> <li>▪ Framing, structure before covering with insulation and vapour barrier</li> <li>▪ Insulation and vapour barrier before covering, HVAC rough-in, above ground portion</li> <li>▪ Final before occupancy</li> </ul>
<b>Interior Partitioning</b> Business & Personal Services  Mercantile  Medium & Low Hazard Industrial	D  E  F2, F3	<ul style="list-style-type: none"> <li>▪ Partitioning</li> <li>▪ Final before occupancy</li> </ul>



**SCHEDULE A**

**REVIEW OF COMPLIANCE DURING CONSTRUCTION**

Part 3: Use & Occupancy

Type of Project	Major Occupancy	Items Requiring Assurance of Compliance
<b>Non - Residential New Buildings</b> Assembly Institutional Business Mercantile Industrial	A B D E F	<ul style="list-style-type: none"> <li>▪ Foundation before backfilling</li> <li>▪ HVAC rough-in, underground portion</li> <li>▪ Framing, structure before covering with insulation and vapour barrier</li> <li>▪ Insulation and vapour barrier before covering, HVAC rough-in, above ground portion</li> <li>▪ Partitioning</li> <li>▪ Final before occupancy</li> </ul>
<b>Multi Family Residential New Buildings</b> (High Rise Apartments)	C	<ul style="list-style-type: none"> <li>▪ Foundation before backfilling</li> <li>▪ HVAC rough-in, underground portion</li> <li>▪ Framing, structure before covering with insulation and vapour barrier</li> <li>▪ Insulation and vapour barrier before covering, HVAC rough-in, above ground portion</li> <li>▪ Partitioning</li> <li>▪ Final before occupancy</li> </ul>
<b>Interior Partitioning</b> Assembly Institutional High Hazard Industrial	A B F1	<ul style="list-style-type: none"> <li>▪ Partitioning</li> <li>▪ Final before occupancy</li> </ul>
<b>Interior Partitioning</b> Business & Personal Service Mercantile Medium & Low Hazard Industrial	D E F2, F3	<ul style="list-style-type: none"> <li>▪ Partitioning</li> <li>▪ Final before occupancy</li> </ul>

**SCHEDULE B  
BUILDING PERMIT FEE SCHEDULE**  
(Subject to amendment by resolution of Council from time to time.)

<b>Building Permit Fees and Requests</b>	<b>Application Fee</b>
<b>Safety Codes Council Fees</b>	<b>ALSC Fee 3.5% of permit fee, minimum fee \$4.00, maximum fee \$500.00</b>
	<b>Basic Fee</b>
<b>Residential</b>	Building permit fee \$8.25 per \$1,000 of Cost of Construction
	Residential minimum fee \$50.00
<b>Commercial/Industrial/ Institutional</b>	\$8.25 per \$1,000 cost of work Minimum \$100.00
<b>Fireplace Installation</b>	\$8.25 per \$1,000 cost of work Minimum \$100.00
<b>Accessory Building</b>	\$8.25 per \$1,000 cost of work Minimum Fee \$50.00
<b>Occupancy Permission</b>	Flat Fee \$50.00
<b>Demolition Permit</b>	Flat Fee \$50.00
<b>Miscellaneous (Deck, Basement Development etc.)</b>	\$8.25 per \$1,000 cost of work Minimum Fee \$50.00
<b>Accessory Suite Legalization - Post Construction (Garden, Garage, Basement)</b>	\$500
<b>Re-inspection Fee</b> (Note: A re-inspection may be levied if deficiencies noted in the initial inspection and the 1 <sup>st</sup> . re-inspection have not been corrected.)	Initial inspection included in application fee 1 <sup>st</sup> . Re-inspection - No Charge 2 <sup>nd</sup> . Re-inspection - \$100.00

**SCHEDULE C  
BUILDING PERMIT APPLICATION FORM**

**TOWN OF CANMORE**

Phone (403) 678-1543 Fax (403) 678-1534

**BUILDING PERMIT APPLICATION  
FOR NEW CONSTRUCTION**

**FOIP Notification:** The personal information you provide on this form is being collected under the authority of Section 1.2.1.4 of the *Alberta Building Code 1997* and Sections 33(b) and 33(c) of the *Freedom of Information and Protection of Privacy Act*. This information will be used to determine eligibility for a building permit, ensure compliance with the *Safety Codes Act* and the *Land Use Bylaw*, for purposes of tax assessment and provision of utility services and for the enforcement of the *Business Registry Bylaw*. Your personal information is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this information please contact the FOIP Coordinator, 902 7<sup>th</sup> Avenue, Canmore, AB., T1W 3K1, (403)678-1500.

**OFFICE USE ONLY**

BUILDING PERMIT NO.: \_\_\_\_\_  
 ROLL NO.: \_\_\_\_\_  
 PERMIT FEE: \_\_\_\_\_  
 UTILITIES FEE: \_\_\_\_\_  
 RECREATION CONTRIBUTION: \_\_\_\_\_  
 ALSC FEE-3.5% OF PERMIT FEE/MAX \$500: \_\_\_\_\_  
 CZ/BP CONFORMITY REVIEW FEE: \$ 75.00  
 TOTAL:\$ \_\_\_\_\_

PERMIT TO <input type="checkbox"/>	Construct <input type="checkbox"/>	Demolish <input type="checkbox"/>	DESCRIPTION OF WORK <input type="checkbox"/>
	Alter/Repair <input type="checkbox"/>		TYPE OF DEVELOPMENT <input type="checkbox"/>
CIVIC ADDRESS <input type="checkbox"/>			Floor Joist Type <input type="checkbox"/>
LEGAL DESCRIPTION <input type="checkbox"/>	Lot	Block	Plan
Foundation: <input type="checkbox"/>	Concrete/PWF/Foam Block		
Cost of Work \$	Evaluation for Permit \$	P.Eng. Trusses: <input type="checkbox"/>	Yes/No
Existing use of Land/Building <input type="checkbox"/> New Water Service Required : YES <input type="checkbox"/> NO <input type="checkbox"/>			Roofing Material: <input type="checkbox"/>
			Asphalt/Shakes/Clay/ Metal/Concrete
DEVELOPMENT PERMIT <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	DEVELOPMENT PERMIT NO:	
Fireplace: <input type="checkbox"/>			Wood/Gas
Registered Owner: _____ E-Mail _____			Primary Heating System
Mailing Address: _____			Natural Gas Forced Air
Phone Number ::::	Fax Number :::	Fan Coil Forced Air <input type="checkbox"/>	
General Contractor: _____			Radiant Hydronic
Mailing Address: _____			Other (Specify)
Phone Number (work)::::	Fax Number :::		
Designer: _____			

Mailing Address:						
Phone Number (work)::::□		Fax Number ::□				
I/We hereby make application for a Building Permit pursuant to the Building Permit Bylaw # 25-2008 of The Town of Canmore. I certify that I am the named Owner/or the Owner's Agent in this application:						
DATE:	PRINT NAME:	SIGNATURE:	OWNER'S NAME:	OWNER'S SIGNATURE:		
DATE:	SAFETY CODES OFFICER:					



## BUILDING PERMIT BYLAW DRAFT - BOWDA FEEDBACK TOWN OF CANMORE RESPONSE

The following responses are provided on behalf of the Town of Canmore's Planning and Development Department and are based on the draft Building Permit Bylaw feedback received from BOWDA, dated September 5, 2022.

<b>SECTION 2: DEFINITIONS</b>
<p><b>BOWDA Feedback #1:</b></p> <p>Section 2.1 L &amp; M - clarification required as to authority in issuing a permit ie. SCO versus DO.</p> <p><b>Town Response:</b></p> <p><i>Items L &amp; M remain unchanged. However, the definitions of <b>Development Officer</b> and <b>Permit Issuer</b> and <b>Safety Codes Officer</b> have been revised as follows:</i></p> <ul style="list-style-type: none"> <li>h) Development Officer means an official of the Town charged with the responsibility of processing and reviewing Building Permits, in addition to issuing Occupancy Certificates as it relates to the Building Permit process;</li> <li>l) Permit Issuer means the Safety Codes Officer.;</li> <li>q) Safety Codes Officer mean a person who has obtained the appropriate credentials and competencies and meets the requirements of the regulations as a Safety Codes Officer with respect to all or part of the <i>Act</i>;</li> </ul>
<p><b>BOWDA Feedback #2:</b></p> <p>Section 2.1 N - consider revision to better clarify the SCO's engagement by the Town ie. 'individual designated as a SCO pursuant to the Act and authorized by the Town to issue Building Permits'.</p> <p><b>Town Response:</b></p> <p><i>See above response to feedback item #1.</i></p>
<p><b>BOWDA Feedback #3:</b></p> <p>Section 2.1 - consider including a clarification within this section to mention that these definitions are found within the LUB; clarification required as to whether these are 'evergreen' or do changes in the LUB automatically roll into this bylaw?</p> <p><b>Town Response:</b></p> <p><i>The term "<b>small scale development</b>" is not a defined use in the LUB, but was derived from how the Town has established development scale on the basis of permit submissions and checklist requirements. For reference, see the Development Permit checklist requirements on the <a href="#">Town's Website</a>.</i></p> <p><i>The BP Bylaw has been drafted in a way that only refers to the LUB as a whole, rather than referencing specific sections. In doing this, it ensures that the BP Bylaw does not need to be</i></p>

*updated every time the LUB is updated, and that all LUB updates automatically come into force in this bylaw (where applicable).*

**SECTION 2: DEFINITIONS (cont'd)**

**BOWDA Feedback #9:**

There needs to be an expanded definition of 'Construction', for it could lead to confusion and misinterpretation around some types of work.

**Additional info received:**

There were a few parties who asked if an expanded definition could be included to clarify and better differentiate new construction, from renovation, from 'construction'. After circling back, it seems this mostly relates to what 'construction' encompasses and when it is determined to commence. Examples may be beneficial? These are smaller firms who are sharing this and so less sophisticated with permitting (as per email 9/14/2022).

**Town Response:**

*The definition of "New Construction" speaks to the issues that have been raised. The wording is as noted below:*

- k) New Construction means a building, or a portion of a building, that is newly built, and which may include the repurposing of an existing foundation;

**SECTION 4: POWERS AND DUTIES OF THE SAFETY CODES OFFICER**

**BOWDA Feedback #4:**

Section 4.1 - clarification required on what is the extent of the jurisdiction of the Safety Codes Officer as outlined by the Safety Codes Act. Does this section comply or is this an expansion of their authority?

**Town Response:**

*No change is proposed. Section 4.1 has been drafted in accordance with the Town's recently approved Quality Management Plan (QMP), which delegates the SCO the authority to review building permits as it relates to the "Building" discipline. This document was reviewed and approved by the by the Safety Codes Council. See Section 1.0 from the Town's current QMP as noted below.*

**1.0 Scope of Accreditation**

The **Town of Canmore**, herein referred to as "The Municipality" will administer the Safety Codes Act (Act) including the pursuant regulations, codes and standards that are in force as amended from time-to-time and applicable in the following technical discipline(s) within their jurisdiction.

**1.1 Building**

- All parts of the:
  - National Building Code – 2019 Alberta Edition; and
  - National Energy Code of Canada for Buildings 2017.

**SECTION 5: BUILDING PERMIT REQUIRED**

**BOWDA Feedback #5:**

Section 5.2 - Is this more appropriately covered under the LUB versus in this location?

**Town Response:**

*The LUB is in place to regulate matters related to Development Permits, Land Use and Subdivision. Building Permit requirements are regulated by the Building Code and thus need to be noted in the Building Permit Bylaw.*

**SECTION 6: BUILDING PERMIT NOT REQUIRED**

**BOWDA Feedback #6:**

Section 6.2.1 - was the intent of this to be related to Section 3(2) of the AR2004/2007 which expands on this and would be helpful to include?

**Town Response:**

*That is correct. We have reviewed this section in 3(2) in AR204/2007 and additional wording has been added for clarification and reads as follows:*

- 9 If the Permit Issuer cannot readily issue a Building Permit for any reason and there is
- a) imminent serious danger or imminent serious risk of damage to persons or property because of any thing, process, or activity to which this bylaw applies, or
  - b) a fire hazard or risk of an explosion,
- a person may, without a Building Permit, commence construction for which a Building Permit is required under this bylaw, but that person must apply for a Building Permit as soon as practically possible.

**BOWDA Feedback #10:**

\$5000.00 limit: this should have consideration for an increase as it has been the same amount for around 20 years. That value in today's dollars is approximately \$8000.00. We would recommend this value be raised to a minimum of \$8000.00 - 10,000.00 to better reflect change over time.

**Town Response:**

*This requirement comes directly from the Safety Codes Act, Permit Regulations, Section 6(3). Until such time that a revised number is reflected in the code, we will need to be in alignment with this threshold value.*

**SECTION 7: ENERGY CODE COMPLIANCE**

**BOWDA Feedback #7:**

Section 7 - Green Building regulations (as a code requirement) - this is contradictory to the Safety Codes Act and would be effectively rewriting the Alberta Building Code which is not permitted under the MGA. We would like clarification on whether or not this is legally permissible under the Act; relating to section 66(1) in particular.

**Town Response:**

*We have removed references to the green building regs from within the BP Bylaw. The green building regs will still be applicable as prescribed under the LUB, but we are choosing to leave those requirements in the LUB for now. It should be noted, this will likely be re-assessed once the requirements of the new Step Code are put into effect and the Town determines what their approach will be to new construction.*

**SECTION 8: APPLICATION REQUIREMENTS**

**BOWDA Feedback #13:**

Section 8.4 – recommended clarification – ‘an applicant seeking a Building Permit for a multi-building development must apply for a separate building permit for each building. Also, having separate BPs for each adds costs, time and red tape for all.

**Town Response:**

*Please see the below revisions made to Section 8.4 (re-numbered to 15):*

- 15 Where an Applicant is seeking a Building Permit for a multi-building development which would not qualify as a Small-Scale Development, the Applicant must submit a separate Building Permit for each building.

*It is acknowledged that this will incur a new approach to submitting permits to the Town than what has historically been done. Standard review and permit fees will apply and will treat such applications as a new permit. Important to note, is that this is a requirement derived from the 2019 building audit conducted with the Town, and is being mandated by the Safety Codes Council.*

**BOWDA Feedback #14:**

Section 8.4.0 and 8.4.1 - clarification required as these appear to be in conflict with one another. Should ‘development officer’ be replaced by ‘permit issuer’? Finally, what if the two buildings end up on different schedules, could cause complexity or confusion.

**Town Response:**

*Sections 8.4 and 8.4.1 (now renumbered to 15 and 16) have been revised to provide greater clarity as follows:*



- 15 Where an Applicant is seeking a Building Permit for a multi-building development which would not qualify as a Small-Scale Development, the Applicant must submit a separate Building Permit for each building.
- 16 At the Permit Issuer's discretion, where the timing for occupancy is anticipated to be the same, two (or more) Small Scale Development buildings/structures may appear on one application and be contained within one Building Permit.

*The Safety Codes Council has advised that once occupancy has been granted, the permit must be closed. If the two buildings end up on separate schedules and occupancy is granted at different times, that is when Section 8.4.2 (now re-numbered to 17) comes into effect and a new application is required (see below). This is less likely to occur for small scale developments, which is why the exception has been made for development of this size.*

- 17 Where only one building is granted occupancy by the Development Officer under section 16,
- a) the initial Building Permit shall only be issued for the building granted occupancy,
  - b) the Applicant must apply for a new Building Permit for the remaining building that has not been granted occupancy and pay all applicable fees as per the Master Fee Schedule.

**BOWDA Feedback #15:**

Section 8.4.2 - clarification regarding permitting and requirements for new permits, partial occupancies, shared firewalls with intent to occupy a portion of the building and when this would or would not result in paying for a new or incomplete portion. Would this not be solved by getting a fee for partial occupancy rather than a new permit process?

**Town Response:**

*Partial occupancy will still be possible under the new permitting requirements, where only a portion of a building is ready (e.g. 10 units completed out of 20). The key change here, is that it's only in relation to a single building and not multiple buildings. The Town has been specifically directed by the Safety Codes Council to ensure that only one building is shown on a permit. Historically multi-building developments have been approved under one building permit, but not all of the buildings are completed at the same time, resulting in permits remaining open for years on end and are reflective of code requirements that are no longer current.*

*The one building one permit requirement, ensures that buildings are inspected and approved under the most current code, in addition to simplified tracking for occupancy. It is important to note, that all municipalities in Alberta are expected to operate under these requirements.*

**BOWDA Feedback #16:**

Section 8.3 - clarification required as it relates to a PSR or not and how this would apply to BPs or beyond BPs as the Town is the only authority having jurisdiction for those disciplines.

**Town Response:**

*As per the Town's QMP, the designated SCO is only accredited under the "Building" discipline. Therefore, Plumbing, Electrical and Gas disciplines including final inspections and PSRs must be issued by a qualified third party which is the responsibility of the Developer/Applicant. Section 16.2 (re-numbered to 39) outlines the requirements for BPs stating:*

39 A Development Officer shall issue an Occupancy Certificate when the following conditions are met:

- a) all occupancy requirements set by the Town have been satisfied, and
- b) A copy of a PSR has been provided for each of the Trade Permits issued for the Project from all disciplines involved:
  - i) building,
  - ii) electrical,
  - iii) plumbing, and
  - iv) gas.

**SECTION 9: PLANS AND SPECIFICATIONS**

**BOWDA Feedback #17:**

Section 9.2 - recommend that 'Energy Code' be inserted after 'code' or in addition to it.

**Town Response:**

*Noted. Section 9.2 has been revised as follows:*

- 19 At the discretion of the Permit Issuer, the Applicant may be required to submit computations, test results and/or other evidence deemed necessary to show that the work will be completed in accordance with the *Act*, the *Code*, and the *Energy Code*.

<b>SECTION 10: PARTIAL BUILDING PERMIT</b>
<b>BOWDA Feedback #12:</b>
Under the Partial Building permit there should be consideration to allow for the main floor slab to be poured/built and not just the foundation walls.
<b>Town Response:</b> Revision accepted. Section 10.2 (re-numbered to 21) now reads as follows:
<p>21 The Permit Issuer may issue a partial Building Permit for</p> <ul style="list-style-type: none"> <li>a) preparation and excavation of a site,</li> <li>b) footings and foundation,</li> <li>c) the main floor slab of a new building, or</li> <li>d) all the above,</li> </ul> <p>in advance of issuing a Building Permit for the entire Project.</p>

<b>SECTION 10: PARTIAL BUILDING PERMIT (cont'd)</b>
<b>BOWDA Feedback #18:</b>
Section 10 - consideration for the sake of clarity: "The Permit Issuer may issue a building permit for: a. Preparation and excavation of site; or b. Footings and foundation; or c. Both In advance of issuing a building permit for the balance of the building."
<b>Town Response:</b> Revision accepted. Section 10.2 (re-numbered to 21) now reads as follows:
<p>21 The Permit Issuer may issue a partial Building Permit for</p> <ul style="list-style-type: none"> <li>a) preparation and excavation of a site,</li> <li>b) footings and foundation,</li> <li>c) the main floor slab of a new building, or</li> <li>d) all the above,</li> </ul> <p>in advance of issuing a Building Permit for the entire Project.</p>

<p><b>BOWDA Feedback #19:</b></p> <p>In advance of issuing a building permit for the balance of the building.</p> <p><b>Town Response:</b>  <i>Revision accepted. Revisions to Section 10.2 have been made as noted above.</i></p>
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**SECTION 12: TERMS AND CONDITIONS OF A PERMIT**

<p><b>BOWDA Feedback #20:</b></p> <p>Section 12.1 (d &amp; e) - recommendation to consider a mechanism for extension to be included to ensure desired outcomes for all parties;</p> <p><b>Town Response:</b>  <i>This is already captured, as extensions may be granted by the SCO when there is just cause as outlined under Section 12.1 (d).</i></p> <p><i>Section 12.1 (e) relates to the Towns authority to close a permit when it has lapsed or has not been completed by the expiration date established. Extensions should be sought prior to this happening as per section 12.1 (d). However, if no action has been taken to obtain an extension on behalf of the applicant, the Town will terminate the permit as per this section. The onus is on the applicant to ensure development is completed on time or that extensions are requested when needed.</i></p>
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**SECTION 12: TERMS AND CONDITIONS OF A PERMIT (cont'd)**

<p><b>BOWDA Feedback #21:</b></p> <p>Section 12.1 (f) - clarification required for why the Town would include 'scope of the project'. What is the intent with this?</p> <p><b>Town Response:</b>  <i>This has been corrected. This would actually rest with the SCO (permit issuer) and has been revised to read as follows.</i></p> <p>26 The Permit Issuer may issue a Building Permit for a Project or part of a Project and may, without limiting the generality of the foregoing, impose terms and conditions on the Building Permit including, but not limited to:</p> <p><i>Once the SCO has approved the permit, the scope of the project is set. If the applicant desires to do work outside of the scope approved, that would trigger a new permit.</i></p>
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**BOWDA Feedback #22:**

Section 12.1 (g) - clarification required for why this would be included and how it would be determined who is 'qualified' and who is not, if legislation and codes are followed;

**Town Response:**

*A minor clarification has been made given there could be multiple people responsible from varying professions. See below.*

g) setting the qualifications of the person(s) responsible for the Project,

*This clause is in place to ensure the following:*

- 1. That the individuals producing the work necessary are held accountable; and*
- 2. That the work being produced is being done by qualified individuals.*

**BOWDA Feedback #23:**

Section 12 - consideration to replace 'the Town' with 'permit issuer' in all areas it is

**Town Response:**

*Revision made. See feedback comment #21 for details.*

**SECTION 13: TERM OF A PERMIT**

**BOWDA Feedback #11:**

Restarting the BP process and pay fees again due to unforeseen delays/timelines resulting from Utility providers schedules, pandemic related issues, etc. is punitive. Could the 90 days be extended to 120 or 150?

In addition to this, two (2) years to complete projects can be tight depending on the type/size of project. While there are accommodations and exemptions in this draft, there should be consideration for various types of projects and not 'one size fits all'

**Town Response:**

*No change is proposed. The 90 day requirement for commencement of construction comes directly from the Safety Codes Act, Permit Regulations, Section 25(1). Until such time that a revised timeline is reflected in the Code, the Town will align its processes with these regulations.*

*With respect to the two year requirement to complete projects, this comes directly from the Quality Management Plan (QMP) approved by the Safety Codes Council and is part of their standard template requirements. The SCO does have the ability to adjust this timeline as per section 12.1-d (re-numbered to 26), which states:*

- d) setting the date by which the Project must be completed and expires, for a period more than two years if, in the opinion of the Safety Codes Officer, the Project requires a longer construction time because of its size, complexity, or fire or natural disaster, all of which may slow the Project's progress,

*Additionally, there is also the option to apply for a 1 year extension as per section 13.2 (re-numbered to 29) of the bylaw which states:*

- 29 Despite section 28, when the term of a Building Permit has not yet expired the Town may, in writing and at the request of the applicant, extend the Building Permit for an additional 12 months and subject to the Applicant paying any additional fees set out in the Master Fee Schedule.

**BOWDA Feedback #24:**

Section 13.2 - clarification for the rational of potentially charging additional fees if this permit is extended?

**Town Response:**

*This has been put in place as a mechanism to encourage projects to be completed on time, which has historically been a problem.*

**SECTION 13: TERM OF A PERMIT**

**BOWDA Feedback #25:**

Section 13.3 - for consideration - two extensions would be more reasonable;

**Town Response:**

*No change is proposed. This requirement was derived based on feedback received from the online survey conducted in November 2021, where the majority of responds said 12 months is appropriate.*

*There is also the option for the SCO to issue an initial expiry date longer than two years as per 12.1-d (re-numbered to 26) which states:*

- d) setting the date by which the Project must be completed and expires, for a period more than two years if, in the opinion of the Safety Codes Officer, the Project requires a longer construction time because of its size, complexity, or fire or natural disaster, all of which may slow the Project's progress,

**SECTION 14: PERMIT REFUSAL AND CANCELLATION**

**BOWDA Feedback #26:**

Section 14.1 (f) - recommend additional language to expand on 'in error';

**Town Response:**

*No change is proposed. The term "in error" has been used to capture the multitude of scenarios in which this could occur. While it doesn't happen often, it is recommended that each scenario not be spelt out as it would be hard to capture all possible situations in which this might happen and limit the Town to only those described.*

**BOWDA Feedback #27:**

Section 14.2 - clarification required as a PSR indicates that a final inspection is passed and the space is safe to occupy; so if the permit is cancelled how can this be prepared?

**Town Response:**

A PSR is also issued when a permit has been cancelled as it's the official document which closes the permit and says no inspections have been conducted. This is a requirement directly from the Code and Safety Codes Council.

**SECTION 15: TRANSFER OF A PERMIT**

**BOWDA Feedback #28:**

Section 15.1 - clarification recommendation on how one establishes 'intent';

**Town Response:**

*This would come in the form of a written notice. Section 15.1(re-numbered to 35) has been revised to read as follows:*

- 35 If an Applicant abandons their interest or participation in a Project governed by a Building Permit before it is completed without providing written notice to the Town to transfer the Building Permit to another party, the Building Permit shall be cancelled.

**SECTION 16: OCCUPANCY CERTIFICATE/PERMISSION**

**BOWDA Feedback #8:**

Occupancy permits/certificates: With ever increasing documentation requirements, there needs to be continued flexibility and consideration at the occupancy stages to reflect the complex environment and multiple parties involved that require considerable coordination.

**Town Response:**

Noted. This will continue to be reflected in the occupancy process.

**BOWDA Feedback #29:**

Section 16.1 - clarification recommendation for consistency with section 5.1(h);

**Town Response:**

*Upon review of section 5.1(h), it speaks to what requires a Building Permit. The occupancy certificate is a requirement associated with the building permit process. The wording in 16.1 (re-numbered to 37) has been revised as follows:*

- 37 An Applicant shall obtain an Occupancy Certificate from a Development Officer prior to occupying a building after construction, relocation, alteration, partial demolition, or a change of the existing occupancy classification has occurred.

**SECTION 16: OCCUPANCY CERTIFICATE/PERMISSION (cont'd)**

**BOWDA Feedback #30:**

Section 16.3 - recommend clarification (for all parties) on how to best define 'partial occupancy';

**Town Response:**

*The wording in 16.3 (re-numbered to 40) has been revised as follows:*

- 40 The Development Officer may issue a partial Occupancy Certificate to the Applicant to allow for occupancy of the Project if, in the opinion of the Development Officer, the building or outstanding requirements do not contravene the provisions of the *Act*, the *Code*, or any other applicable act, regulation, or bylaw.

**SECTION 17: FEES**

**BOWDA Feedback #31:**

Section 17.4 - clarification required - what warrants 'substantial'?

**Town Response:**

*The wording in 17.4 (re-numbered to 46) has been revised as follows:*

- 46 If the documents submitted with an application for a Building Permit contain errors or omissions which warrant a resubmission and comprehensive review, additional fees may be charged .

**BOWDA Feedback #32:**

Section 17.6 - clarification required for how to achieve mutual agreement on TCV and what options there are for both parties should a disagreement arise;

**Town Response:**

*This would ultimately need to be a discussion amongst the applicant and the SCO, but not a process we would spell out in the Building Permit Bylaw. If there is disagreement between the SCO and the applicant regarding Total Construction Value (TCV), the onus will be on the*



*applicant to demonstrate how they came to the number they did, so that the SCO can see the cost estimates and validate the numbers shown.*

**\*NEW FEE ESTABLISHED\***

It should also be noted that the introduction of the new "Partial Building Permit" type will incur a new process and fee in the Planning fee schedule.

Partial Building Permits will be required to be submitted and reviewed as a separate permit type. Based on an assessment of staff time, the fee applied to this type of permit will incur a cost of **\$560.00**.

**SECTION 18: REFUND OF PERMIT FEES**

**BOWDA Feedback #33:**

Section 18.3 - clarification required for the rational of retaining 25% of original fees?

**Town Response:**

*The 25% accounts for:*

- 1. Staff time dedicated to processing and reviewing the file;*
- 2. The SCO time dedicated to working on the file; and*
- 3. Is in place as a deterrent for applicants to follow through on the projects they submit.*

**BOWDA Feedback #34:**

In addition to the above, there are certain Building Permit Fees that are not related to construction costs and are base fees. These fees need to be evaluated for fairness as it is essentially duplication costs/fees with little, if no additional municipal costs. This 'layering' of costs to our industry and its partners continue to lead to inflation of costs that are passed on to consumers, directly impacting affordability goals.

**Additional information received:**

*This feedback related to multiple permits and risk of layering of fees, where a single applicant may be paying for various fees 2, 3, 4 times in the future (versus the current system). The comment back was to see if fees are rationalized and justified if multiple permits are required now and primarily related to administrative type fees. The concern from most respondents was that some of these changes could 'layer' duplicative fees on, even though there was no additional actual work or time spent on things (as per email 9/14/2022).*

**Town Response:**

*Important to note, is that the submission for separate permits for multi-building developments is a requirement mandated from the Safety Codes Council, and is consistent with how other municipalities in the province operate. This will also have an impact on how the Town operates as well, and each Building Permit will need to be assessed on its own merit, with fees applied that are appropriate for the amount of time required for staff to review the plans.*



# Request for Decision

**DATE OF MEETING:** December 6, 2022 **Agenda #:** H-1

**TO:** Council

**SUBJECT:** Alberta Conservation Association Lands - Lower Silvertip Wildlife Corridor

**SUBMITTED BY:** Whitney Smithers, General Manager of Municipal Infrastructure

**RECOMMENDATION:** That Council receive the report for information.

## EXECUTIVE SUMMARY

The Lower Silvertip Wildlife Corridor (shown in Attachment 1) is comprised of multiple parcels of land owned by multiple parties, including the Alberta Conservation Association (ACA). The ACA has approached the Town requesting to transfer one of the two parcels currently under their ownership to the Town. Given that the Town has limited expertise and no real authority when it comes to management of wildlife habitat, limited enforcement capacity to monitor unsanctioned trails, and no clear mandate to own or manage wildlife corridors, administration is proposing Council receive this request for information, rather than direct administration to proceed with a land transfer.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Council's Land Transaction Policy EX-007 stipulates that any offer from a third party to sell land to the Town will be brought to Council for a decision.

The Town's Municipal Development Plan (MDP) Bylaw 2016-03 recognizes the ACA land (shown in Attachment 2) as part of the Lower Silvertip Wildlife Corridor. The MDP (4.2.8) states that "where it has jurisdiction, the Town will work with landowners in the protection of wildlife corridor and habitat patches through land use districts, reserve designations where appropriate, or conservation easements".

The Town's Open Space and Trails Plan, approved in 2015, did not contain policy related to wildlife corridors. It did confirm the Town would work with the Alberta Conservation Association and relevant landowners to consolidate trails in the Eagle Terrace and Silvertip areas. The Town's commitment is to ensure human use signage is installed to clearly mark boundaries of wildlife corridors and habitat patches where trails pass through them, and to provide appropriate information regarding wildlife corridors and habitat patches.

## DISCUSSION

### History of the Lower Silvertip Wildlife Corridor

The Lower Silvertip Wildlife Corridor was first identified in 1992, as part of Banff National Park's publication *The Preservation of Wildlife Populations in the Bow Valley, Alberta: A Banff National Park Proposal to Neighbouring Municipalities*. It runs from the Harvie Heights Habitat Patch in the west to the eastern edge of the Silvertip property near Cougar Creek in the east (Attachment 1).

In 1998, what is now the ACA accepted a donation of two parcels of land totaling 74.7 acres within the Town of Canmore between the Silvertip and Eagle Terrace subdivisions from a Canmore developer as part of a development approval (Attachment 2). There is a conservation easement on those lands, owned by The Nature Conservancy of Canada (NCC). The purpose of the easement was to protect in perpetuity portions of wildlife corridors just west of Cougar Creek, running towards Silvertip Trail. A management plan attached to the parcels owned by the ACA described how the lands were to be maintained as part of the Lower Silvertip Wildlife Corridor.

Other lands within the corridor are owned by Stone Creek Developments, the Town of Canmore, The Province of Alberta, and Canmore Community Housing (Attachment 2). Some of the Provincially owned land within the corridor is part of the Bow Valley Wildlands Provincial Park.

Since the time the corridor was established, residential and recreational development has occurred adjacent to the corridor, and human use patterns have intensified. The corridor has seen a corresponding increase in human activity, with numerous authorized and unauthorized trails. In 2016, the Town collaborated with the ACA to conduct trail improvements and signage in their Eagle Terrace Conservation Easement. These efforts have had limited success and have highlighted how housing development and subsequent human use can diminished the viability of the wildlife corridor and the conservation potential for the site, and throughout the whole of the corridor.

In 2017, representatives of the Town, the ACA and the NCC met with representatives of Alberta Environment and Parks. At that time, the ACA and NCC shared their opinion that their property within the corridor no longer had conservation value for their purposes and was not suitable for their management. As a result, they requested to transfer the west parcel to the Town of Canmore to be managed as park or open space by the Town. The east parcel would be transferred to Alberta Environment and Parks (AEP) to add to their existing protected areas and wildlife corridors within Bow Valley Wildland Provincial Park. Given the implications of such a transfer for both the Town and the Province (consideration for the adjacent communities, impact of the conservation easement, cost and liability for management of the lands), these transfers did not occur.

In 2018, the ACA again approached the Town to discuss the transfer of their two titled parcels in the Lower Silvertip Wildlife Corridor to the Town of Canmore. Administration brought forward a capital project considering the transfer for Finance Committee's 2019/2020 capital budget deliberations. The capital project was valued at \$50,000, assumed the land would be gifted, and included costs associated with the land transfer, cost of installing fencing and signage, and other improvements required to bring the land to Parks operating standards. The capital project also acknowledged that assuming the land would have ongoing operating impacts. It did not account for ongoing education and enforcement needs of the Town related to discouraging use of unsanctioned trails. Finance Committee removed the project from the proposed budget.

In 2022, the ACA approached the Province of Alberta to discuss the transfer of their two titled parcels in the Lower Silvertip Wildlife Corridor. While the Province has indicated interest in assuming ownership of the easternmost ACA parcel for inclusion in the Bow Valley Wildlands Provincial Park, their preference is for the Town to assume ownership of the westernmost parcel. Reasons include the relative segmentation of the western parcel from the Park, and the high level of disturbance to the land (primarily due to unsanctioned trails) on that parcel.

**Key Considerations**

Consideration of the potential for assuming the westernmost ACA parcel included:

1. Responsibility for wildlife corridors - the Town has limited expertise and no real authority when it comes to management of wildlife habitat. As such, assuming ownership of the land would create an obligation we do not have the authority to effectively address.
2. Competing recreation and habitat functions - management of this corridor continues to be problematic. The intensity of human use and resulting unauthorized trail network impede viability of the corridor, to the point where the ACA no longer sees a conservation value in the lands. Similarly, the Province has concern with accepting land that has become fairly disturbed by considerable human use for inclusion in Bow Valley Wildlands Provincial Park. From a resource and regulatory perspective, the Town is limited in ability to affect change or take enforcement actions in response to unsanctioned use.

For the above reasons, administration is not recommending that the Town acquire the ACA lands.

**ANALYSIS OF ALTERNATIVES**

Council could direct administration to proceed with the land transfer. This would require an increase to operating budgets in both Parks and Municipal Enforcement.

**FINANCIAL IMPACTS**

There are no financial impacts associated with receiving the report for information.

**STAKEHOLDER ENGAGEMENT**

This report is the result of conversations between Town administration and Alberta Parks related to potential transfer of lands from the ACA.

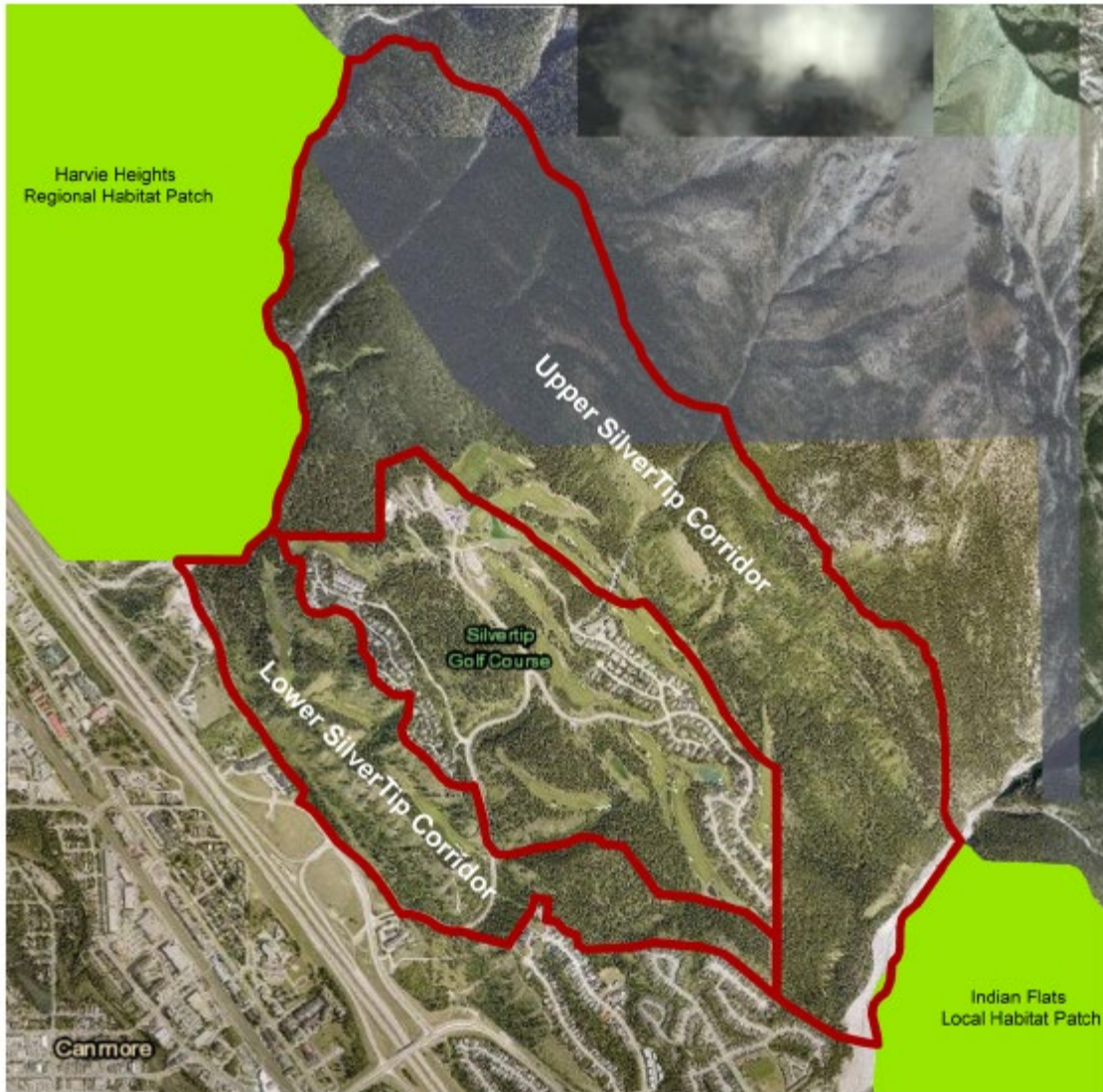
**ATTACHMENTS**

1. Lower Silvertip Wildlife Corridor
2. Land Ownership within the Lower Silvertip Wildlife Corridor

**AUTHORIZATION**

Submitted by:	Whitney Smithers GM Municipal Infrastructure	Date: <u>November 17, 2022</u>
Approved by:	Palki Biswas Manager of Finance	Date: <u>November 17, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>November 28, 2022</u>

Attachment 1 – Lower Silvertip Wildlife Corridor



Attachment 2 – Land Ownership





# Request for Decision

**DATE OF MEETING:** December 6, 2022 **Agenda #:** H2

**TO:** Council

**SUBJECT:** Appointment to Marigold Library Board

**SUBMITTED BY:** Sara Jones, Executive Assistant

**RECOMMENDATION:** That Council appoint Riley Yeager as the alternate Town of Canmore Library Board representative to the Marigold Library Board for a term ending at the October 2023 annual organizational meeting.

## EXECUTIVE SUMMARY

Council has received a request from the Canmore Library Board to appoint a new alternate representative to the Marigold Library Board.

## RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The Libraries Act requires Marigold library board members to be appointed by Council. Canmore library board members choose Marigold representatives from amongst themselves and submit a request to Council for a formal appointment.

## DISCUSSION

The term being recommended aligns with the expiry of the member's term on the Canmore Library Board.

**ANALYSIS OF ALTERNATIVES** - None.

**FINANCIAL IMPACTS** - None.

**STAKEHOLDER ENGAGEMENT** - None.

## ATTACHMENTS

- 1) Canmore Library Board Marigold appointment request

## AUTHORIZATION

Submitted by:	Sara Jones Executive Assistant	Date:	<u>November 23, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>November 28, 2022</u>



Town of Canmore  
902 7 Avenue  
Canmore, Alberta T1W 3K1

November 23, 2022

Dear Mayor Krausert and Councillors,

As part of the Marigold Agreement, each member municipality is to appoint a member of the municipal Library Board to serve as a Trustee on the Marigold Board and may also appoint an alternate to attend when the Trustee is unavailable.

Jennifer MacAulay will continue as the main Marigold Board representative until her term expires in October 2023. However, the term of the previous Marigold alternate expired in October of this year so the Town of Canmore Library Board would like to recommend that Council appoint **Riley Yeager** to serve as the new alternate Marigold representative.

Once the appointment is made, Marigold is requesting an official letter from Council stating the name of the appointed representative alternate from the Town of Canmore to the Marigold Library System Board. The letter is to include the length of appointment (1-3 years), date of appointment and contact information for the appointee.

Marigold would be happy to accept the letter via mail at Unit B 1000 Pine Street Strathmore, AB T1P 1C1 or via email at [admin@marigold.ab.ca](mailto:admin@marigold.ab.ca)

Thank you for your ongoing support of Canmore's membership in the Marigold Library System, which provides benefits to Canmore through resource sharing and the collective provision of services.

Sincerely,

A handwritten signature in cursive script that reads "Glynis Carling".

Glynis Carling, Chair  
Town of Canmore Library Board

**CANMORE PUBLIC LIBRARY**

101-700 RAILWAY AVENUE, CANMORE, ALBERTA T1W 1P4 -PHONE (403) 678-2468  
-EMAIL [staff@canmorelibrary.ab.ca](mailto:staff@canmorelibrary.ab.ca)