

TOWN OF CANMORE
AGENDA
Regular Meeting of Council
Council Chambers at the Civic Centre, 902 – 7 Avenue
Tuesday, April 5, 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 April 5, 2022 Regular Meeting of Council
 3. Introduction of New Fire Chief
- B. PUBLIC HEARINGS – None**
- 9:05 – 9:25 **C. DELEGATIONS**
1. Downtown Canmore BIA – Beth VanderVoort
- 9:25 **D. APPROVAL OF MINUTES**
1. Minutes of the January 25, 2022 Special Meeting of Council
 2. Minutes of the March 1, 2022 Regular Meeting of Council
 3. Correction to April 27, 2021 Council Special Meeting Minutes
 Recommendation: That Council approve the minutes of the April 27, 2021 special meeting amended to include a missing attachment.
- E. UNFINISHED BUSINESS - None**
- F. BUSINESS ARISING FROM THE MINUTES – None**
- 9:25 – 10:25 **G. BYLAW APPROVAL**
1. **Bow Valley Trail Area Redevelopment Plan Amendments Bylaw 2021-20 & Bylaw 2021-21 Land Use Bylaw Amendment Bylaw 2021-21**
 Recommendations:
 - 1) That Council give first reading to Bow Valley Trail Area Redevelopment Plan Amendment – Community Amenity Housing Bylaw 2021-20
 - 2) That Council give first reading to Land Use Bylaw Amendment – Bow Valley Trail General Commercial District Amendment Bylaw 2021-21 and
 - 3) Schedule a single public hearing for Bylaw 2021-20 and Bylaw 2021-21 for May 3, 2022.
- Meeting Break 10:25 – 10:40**
- 10:40 – 10:55 **2. Emergency Management Bylaw 2022-04**
- Recommendation: That Council give first, second, and third reading to Emergency Management Bylaw 2022-07.

- 10:55 – 11:25 **3. Traffic and Road Use Bylaw Amendments Bylaw 2022-08**
 Recommendation: That Council give first, second, and third reading to the Traffic and Road Use Bylaw Amendments 2022-08.
- 11:25 – 11:55 **4. Procedural Bylaw Amendment 2022-04 Omnibus**
 Recommendation: That Council give first, second, and third reading to Procedural Bylaw Amendment 2022-04 Omnibus
- 11:55 – 12:00 **5. Supplementary Assessment Bylaw 2022-05**
 Recommendation: That Council give first, second, and third reading to Supplementary Assessment Bylaw 2022-05.
- 12:00 – 1:00 **Lunch Break**
- 1:00 – 1:10 **6. Downtown Business Improvement Area (BIA) Tax Rate Bylaw 2022-06**
 Recommendations:
 1) That council approve the Downtown Business Improvement Area (BIA) 2022 budget as presented.
 2) That council give first, second, and third reading to Bylaw 2022-06, the Downtown Business Improvement Area (BIA) Tax Rate Bylaw.
- H. NEW BUSINESS**
- 1:10 – 1:20 **1. Master Fee Schedule – Patio Permit Amendments**
 Recommendation: That Council approve the revised 2022 Master Fee Schedule as presented.
- 1:20 – 1:50 **2. Food Truck Pilot Project**
 Recommendation: That Council approve the Food Truck Pilot Project as presented and direct Administration to report back to Council on learning and any next steps.
- 1:50 – 2:05 **3. Fire Hall Construction Update (verbal)**
 Purpose: To provide Council with an update on the construction of the new Fire Hall.
- 2:05 – 2:35 **4. Development Application Reserve Fund Creation**
 Recommendation: That Council approve Reserve Policy FIN-007 as presented.
- 2:35 – 2:45 **5. Call to Action for Alberta Provincial Police Service**
 Recommendation: That Council direct Mayor Krausert to sign on to the National Police Federation Call to Action to the Government of Alberta to halt the idea of a new provincial police service and to invest the proposed new monies into underfunded critical services within Alberta.

Meeting Break 2:45 – 3:00

I. REPORTS FROM ADMINISTRATION – None

J. NOTICES OF MOTION – None

K. IN CAMERA

3:00 – 3:30

2. Cougar Creek Contract Negotiation Update (verbal)

Recommendation: That Council take the meeting in camera to prevent disclosure of information related to contractual and other negotiations of the Town in accordance with s.25(1)(c)(iii) of the Freedom of Information and Protection of Privacy Act.

3:30 – 3:45

3. Land Transaction (verbal)

Recommendation: That Council take the meeting in camera to prevent disclosure of information related to contractual and other negotiations of the Town in accordance with s.25(1)(c)(iii) and privileged information in accordance with s.27(1)(a) of the Freedom of Information and Protection of Privacy Act.

3:45

L. ADJOURNMENT

DOWNTOWN CANMORE BIA PAID PARKING IMPLEMENTATION

INTRODUCTION:

Thank you to Mayor and Council for hearing our presentation. Introduce new Executive Director and Board Members present.

The BIA Board of Directors appreciated the presentation and information sharing about Paid Parking Implementation on January 26th from Andy Esarte and followed his presentation to Council of the Whole. The work from all departments to make this program is commendable.

After considering the information, members of the Board continue to have concerns in regard to the program. Though we have met with administration a number of times through this roll out, we have not seen the response we had hoped for in the areas we are to speak to in this presentation.

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

1. RELATES TO OUR BYLAWS AND THE PURPOSE OF OUR BOARD

We are sure there are many in administration wondering why we are being so passionate in regard to this subject. In fact, we are mandated by the objects in our bylaws to speak and advocate on behalf of parking, and of course how that relates to the objects in the “Purpose of the Board”

TOWN OF CANMORE BYLAW 21-2005 – Consolidated March 6, 2019 PROVINCE OF ALBERTA

PURPOSE OF THE BOARD

5. The purpose of the Board may include:

- a) improving, beautifying and maintaining property in the zone;
- b) developing, improving and maintaining public parking;
- c) promoting the zone as a business or shopping area;
- d) representing the interests of the Downtown Business Improvement Area to Council;
- e) conducting any studies or preparing any designs that may be necessary for the purpose of this section.

2. DO NOT OBJECT TO PAID PARKING

Since 2015, we have pleased to be part of work with Administration in the development of the Transportation Plan and the Paid Parking plan as it relates to the Town Centre. It has been a journey though the many consultants, re-writes and presentations to members. To be clear, we have consistently introduced concerns regarding the impacts to business, residents in the Town Centre and adjoining the Town Centre, plus our local customers and visitors to the community. The BIA Board felt we had come to an understanding regarding how the funds would be distributed. In November of 2019, Town Administration and the BIA Board held a town hall for the BIA members to explain the roll out as we understood it at that time and spoke to funds coming back to the BIA to be used for improving, beautifying and maintaining property in the zone. This was seen as an appeasement to those who strongly objected to paid parking of any kind.

3. RESERVE

"To fund improvements in areas where parking has been implemented, and/or to fund costs fare free transit services and/or to fund offsite parking related infrastructure such as intercept parking or shuttle services. "

The BIA Board of Directors did understand a reserve would be set up for the funds as recommended by (consultant) and the reserve would be allocated between Free Transit and BIA improvements, vibrancy and beautification. The addition of intercept parking or shuttle services is an important part of dealing with the over parking of the Town Centre. Though we do appreciate the improvement to the reserve policy wording as of the last Town of Canmore budgeting process, The BIA Board would like Mayor and Council go to the next step and consider the following. We are recommending 25% of the net monies from paid parking in the Town Centre be granted to the BIA on an annual basis.

On what basis are we recommending this amount?

I would be remiss in not thanking the Town of Canmore, especially Engineering and Economic Development with the grants they have provided to the BIA. In addition, we have received funds from Travel Alberta, Rotary of Canmore and Tourism Canmore Kananaskis and have been thankful for those monies also. **What has this taught us?** These funds totalled over the 2-year period \$90,000 in combination with our reserves, and allowed beautification and vibrancy, keeping COVID measures in mind. We have had a chance to play with the possibilities and even though we have done the best with funds we received, we still get feedback from our members, who now see the potential, to take it to the next level. The funds from paid parking would allow the BIA to build on what has been started and continuity on a year-to-year basis.

A note, we have increased the levy with Mayor and Council approval by 12% this year but that only makes up for 10 years of no increases, not even cost of living through that time. Though much attention has been given to Main Street, the businesses in the other areas of the BIA zone also require vibrancy and beautification and we do the best we can with the funds we have but we see this as an opportunity to address those areas with this funding to do the placemaking required.

4. MONTHLY PASSES

Since requesting a meeting with Council, we have had business owners in Downtown express their concern of the removal of the ability of business owners and employees buying monthly passes. This was a change introduced in the new iteration of the Paid Parking Plan. Not all business owners have parking adjacent to their building. As one business owner estimated, under the current plan, parking could now add \$650+ per month -- more than \$8,000 per year -- to her personal expenses, before considering her team.

Due to severe labour shortages in the Valley, staff are commuting from as far as Cochrane (as well as Exshaw) in order to keep the business operating. Shaving \$3 from their hourly wage, even with the generous compensation as many of our businesses provide, simply won't make financial sense for them to continue. Without sufficient staff, no business can operate successfully, and many are hanging by a thread after the past two years.

While the parking plan considers the visitors and town's residents, it seems to have overlooked the needs of those who create Canmore's vibrant, engaging downtown core through both their existence and the taxes they pay -- the businesses. It's important to keep in mind that the downtown's attraction is those very shops, cafes, restaurants, and services, and there must be consideration for requirements to operate those entities.

As such the BIA Board of Directors and members strongly encourage the Town of Canmore to reconsider the option of monthly passes.

5. ENFORCEMENT

Paid parking will likely result in spillover issues to private property owners and though it seems the By-Law was updated in May of 2021, there is still confusion as to how long a vehicle can be in a private property signed space before bylaw will act or tow truck companies will attend.

The Board of Directors was pleased to meet with Caitlin Miller and Greg Burt from Town of Canmore's Protective Services on March 23rd at the BIA Board Meeting. The Board was pleased to hear there is currently review of the Traffic and Road Use bylaw. There will be amendments coming to a future council meeting, and they've added some more pieces on how parking on private property can be dealt with. The Board would like to let Mayor and Council members know, we are very appreciative of this review happening so quickly and look forward to reviewing the recommendations.

6. CONCLUSION

Once again, we would like to thank you, Mayor Krausert and Council for the opportunity to bring forward our concerns. We once again would like to express our admiration for the hard work and innovative ideas of administration over the past few years as it has put us on the leading edge of how a downtown business area can look and feel. Our objective this morning is to have you consider the possibilities presented.

TOWN OF CANMORE
MINUTES
Special Meeting of Council
Tuesday, January 25, 2022 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Lisa de Soto	Chief Administrative Officer
Sally Caudill	General Manager of Municipal Services
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Adam Driedzic	Town Solicitor
Robyn Dinnadge	Manager of Communications
Cheryl Hyde	Municipal Clerk
Andrew Kelly	Assistant Municipal Clerk (Recorder)

Mayor Krausert called the January 25, 2022 special meeting to order at 9:02 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA**1. Land Acknowledgement****2. Agenda for the January 25, 2022 Special Meeting of Council**

19-2022

Moved by Mayor Krausert that Council approve the agenda for the January 25, 2022 special meeting as presented.

CARRIED UNANIMOUSLY**B. PUBLIC HEARINGS – None****C. DELEGATIONS – None****D. APPROVAL OF MINUTES – None****E. BUSINESS ARISING FROM THE MINUTES – None****F. UNFINISHED BUSINESS – None**

G. BYLAW APPROVAL – None

H. NEW BUSINESS – None

I. CORRESPONDENCE/INFORMATION – None

J. REPORTS FROM ADMINISTRATION – None

K. NOTICES OF MOTION – None

L. IN CAMERA

1. Three Sisters Mountain Village Properties Limited Litigation

Kelsey Becker Brookes, Partner, RMRF LLP attended the in camera session.

20-2022

Moved by Mayor Krausert that Council take the meeting in camera at 9:04 a.m. to prevent disclosure of information subject to solicitor-client privilege in accordance with section 27(1)(a) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

21-2022

Moved by Mayor Krausert that Council return to the public meeting at 11:00 a.m.

CARRIED UNANIMOUSLY

M. ADJOURNMENT

22-2022

Moved by Mayor Krausert that Council adjourn the January 25, 2022 special meeting at 11:00 a.m.

CARRIED UNANIMOUSLY

Sean Krausert, Mayor

Andrew Kelly, Assistant Municipal Clerk



TOWN OF CANMORE
MINUTES
Regular Meeting of Council
Tuesday, March 1, 2022 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Sally Caudill	Acting Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Municipal Infrastructure
Robyn Dinnadge	Manager of Communications
Cheryl Hyde	Municipal Clerk
Andrew Kelly	Assistant Municipal Clerk (Recorder)
Sara Jones	Executive Assistant
Chelsey Richardson	Manager of Finance
Tracy Woitenko	Development Planner
Lisa Brown	Manager of Community Social Development
Keri Martens	Acting Fire Chief
Alaric Fish	Senior Planner
Adam Driedzic	Town Solicitor

Mayor Krausert called the March 1, 2022 regular 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. Land Acknowledgement**
- 2. Agenda for the March 1, 2022 Regular Meeting of Council**

33-2022

Moved by Mayor Krausert that Council approve the agenda for the March 1, 2022 regular meeting as presented, with one addition: Under In Camera add item K1 TSMV Legal Update. This item will be heard before item H5 and before the afternoon meeting break.

CARRIED UNANIMOUSLY

B. PUBLIC HEARINGS

1. Bylaw 2021-07 Canadian Rockies Public Schools (CRPS) Lawrence Grassi Middle School Area Redevelopment Plan

(1) Introduction

Mayor Krausert opened the public hearing for Bylaw 2021-07 at 9:05 a.m.

(2) Administrative Presentation

Administration provided a verbal overview of Bylaw 2021-07.

Councillor Graham declared a perceived conflict of interest that is not pecuniary: he resides in the same neighbourhood as the proposed area redevelopment plan. Since this is not a pecuniary interest, Councillor Graham will participate in debate and voting.

(3) Public Submissions

In favour

Name	Verbal	Written
Bowes, Dave and Jackie (verbal submission presented by Jackie Bowes)	X	X
Brunet, Linda		X
Brunet, Melissa		X
Corbeil, Michèle		X
Canadian Rockies Public Schools (CRPS)		X
Ali, Mahrukh		
Bailey, James		
Baines-Minty, Katie		
Baker, Paule		
Barker, Steve		
Bailey, Tanya		
Bischoff, Bradley		
Bischoff, Lindsay		
Bischoff, Hayley		
Blackwell, Tina		
Blackwell, Jason		
Bowes, Jackie		
Bowes, Dave		
Bowes, Colin		
Brunet, Linda		
Burke, Jodi		
Cline, Bryna		
Conniff, Dean		
Corbeil, Michele		
Craven, Fumie		
Danco, Taras		
Demers, Jonathan		
Ellis, Rosanna		
Gadon, Grace		
Gadon, Jesse		

Minutes approved by: _____

Go, Yong Goudreau, Rylan Greene, Steve Hipkins, Sheryl HipkinsLM, Ian Howard, Meghan Howard, Dayton Howatt, Sonja Hughes, Beverly Jeffery, Brenda Jeffery, Brant Jeffery, Carly Kang, Jinhyun Keller, Heather Keon, Jody Kowalewski, Nicole Larson, Darin Lavoie, Johanne Layug, Rosemarie Lee, Marilyn Leslie, Michael Leslie, Susie Lewis, Elizabeth Luders, Lee Mackenzie, Mate MacPhee, Chris Mannix, David McDougall, Shannon McKay, Sarah McKay, Chris McKenna, Jodi Mckenzie, Jenny McKibbin, Debbie McPolland, Chelsea Milette, Teagan Mueller, Cindy Mullen, Richard Mullen, Teresa Mulligan, Wendy Mulligan, Richard Nelson, Glenn Nelson, Carol Nelson, Kirstie Nelson, AmyLee O'Toole, Kelly-Ann Ozawa, Yuka Page, Chris Parney, Marc Pasemko, Alexandra Pasemko, Madison		
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Minutes approved by: _____

Pasemko, Rick		
Pasemko, Joanne		
Praught, Bill		
Prescesky, Peter		
Prescesky, Danelle		
Provencher, Renee		
Przibislawsky, Marti		
Purcell, Dave		
Rankin, Andrea		
Ratzke, Lynne		
Reed, Kristen		
Riehle, Chris		
Russell, Maureen		
Sandford, Vi		
Sandford, Bob		
Semeniuk, Taras		
Shoemaker, Mike		
Skwara, Nicole		
Smit, John		
Spencer, Cassie		
Stanton, Wiley		
Sunderland, Elissa		
Swinton, Sonia		
Tetreault-Bergon, Raphael		
Thomson, Nikki		
Trudel, Cassandra		
Tweedle, Jennifer		
Weiner, Linda		
Weiner, Ronald		
Weir, Richard		
Weir, Raine		
Weller, Callahan		
Weller, Kayla		
Western, Allen		
Whittingham, Ed		
Wilson, Jo-Ann		
Wilson, Chris		
Wilson, Dr. Katie		
Wilson, Cam		
Wirth, Ghada		
Wolever, Cayla		
Young, Amy		
Young, Lisa		
Zawada, Pat		
Zawada, Bryce		
Zawada, Quinn		
Zawada, Zack		
Callaghan, Brian (Applicant)	X	
Craig, Dale (Applicant)	X	
Greene, Steve	X	X

Minutes approved by: _____

Grondin, Julie		X
Ham, Simon		X
Holthuis, Hans	X	
Howard, Dayton and Meghan		X
Hrychuk, Anne		X
Kestle, Craig		X
Kitagawa, Kyle and Denise		X
Keon, Jody	X	
Mackenzie, Máté	X	X
MacPhee, Chris (Applicant)	X	
McKibbin, Debbie (Applicant)	X	
Miles, Natasha	X	X
Mueller, Cindy		X
Ong, Edmund		X
Pasemko, Joanne		X
Picard, Carol	X	
Rankin, Andrea		X
Rheume, Arlene (Applicant)	X	
Rogers, Chris	X	X
Sparks, Dan	X	
Sprague, Chad		X
Stenko, Terry	X	
Tippler, Lonnie		X
Trottier, Nadine		X

Neutral, Unstated, or Unsure

Name	Verbal	Written
Bow Valley Connections Centre (verbal submission presented by Micheline Lambert)	X	X
Heuer, Karsten	X	X
MacArthur, Darcey-Lynn		X
Retzer, Hal		X
Smith, Laurie and Jett		X
Wiebe, Kat		X

Opposed

Name	Verbal	Written
Aldis, Phillip and Kathryn		X
Anderson, Kay		X
Baker, Kurtis	X	X
Becker, Ingrid		X
Bernbaum, Harvey (verbal submission presented by Stan Bernbaum)	X	X
Bernbaum, Stan, Manya, Safi and Hawes, Nancy (verbal submission presented by Stan Bernbaum)	X	X
Booth, Melanie		X
Bourbonnais-Spear Natalie		X
Bourgeois, Gillies and Zelenka, Maryanna		X

Minutes approved by: _____

Bow Valley Climate Action Society		X
Brass, Ken	X	X
Brundell, Niclas		X
Caskenette, Jeff		X
Chan, Nathan		X
Chan, Stanley and Minnett, Seana (verbal submission presented by Stan Bernbaum)	X	X
Cook, Valerie		X
Cronin-Chase, Kathryn		X
Dalgas, Gini and Bruce		X
Davies, Martin		X
Davison, Brenda		X
De Spaey, Carrine		X
Downing, Lisa	X	X
Engbloom, Gordon		X
Evans, Linda		X
Ffoulkes-Jones, Marlene		X
Fournier, Gloria		X
Gagnon, Marc		X
Gagnon-Lawson, Danielle		X
Gaillard, Jeff	X	
Graham, Dave		X
Guignon, Marina		X
Henderson, Tracey	X	X
Hobson, Alan		X
Huhn, Karen		X
Hutchinson, Matthew		X
Janes, Priscilla		X
Janes, Robert		X
Jevons, Scott	X	
Jones, Cathy		X
Keach, Linda		X
Keech, Karen		X
King, Barry	X	X
Koenig, Tara		X
Kozak, Skylar		X
Kuczera, Alex		X
Laidlaw, Jeff		X
Lalonde, Vern		X
Lamoureux, Julie		X
Lankhuijzen, Reinira		X
Leblanc, Debra		X
Leblanc, Michel		X
Leblanc, Stefanie		X
Leighton, Jenny		X
Macpherson, Bobbi		X
Martin, Joe		X
McConnery, Doug		X

Minutes approved by: _____

McGillis, Doreen		X
McLaughlin, Reginald		X
McLaughlin, Carolyn		X
Morie, Jeffery		X
Mueller, Martin		X
Omstead, Sue and Tom		X
Palmer, Lisa		X
Pearson, Jane		X
Perry, Charlie		X
Perry, Janice		X
Pertiwi, Dila		X
Pillar, Jo		X
Poland, Carol		X
Poulin, Geneviève	X	
Pyecroft, Jim and Debby		X
Raab, Caroline		X
Roberts, Jeff		X
Roberts, Karling		X
Roozendaal, Patricia		X
Scott, Cate		X
Sharpe, Mitchell		X
Simson, John		X
Smith, Hollie		X
Smith, Hope		X
Smith, Scott		X
Smith, Tamara		X
Soma, Avni	X	
Sovdat, Helen		X
Storey, Eleanora		X
Strand, David		X
Ulan, Julie and Glubish, Sonia		X
Verrall, Jasmine		X
Verrall, Silene		X
Wilding, Derek		X
Young, James		X

Meeting break 10:23 – 10:35 a.m. (during public verbal presentations)

Meeting break 12:07 – 12:20 p.m. (during public verbal presentations)

(4) Public Written Submissions

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

Meeting break 12:42 – 1:30 p.m.

(5) Council Questions of the Applicant

On behalf of the applicant, the following people addressed questions of clarification from Council:

Minutes approved by: _____

- Chris Sparrow, Architect Consultant
- Brian Callaghan, Vice Chair (Trustee)
- Chris MacPhee, CEO and Superintendent of Schools
- Lori Van Rooijen, Owner's Representative

(6) **Closing Comments from Administration**

None

(7) **Council Questions of Administration**

Administration addressed questions of clarification from Council.

(8) **Closure of Public Hearing**

Mayor Krausert closed the public hearing at 2:33 p.m.

C. DELEGATIONS – None

D. APPROVAL OF MINUTES

1. Minutes of the February 1, 2022 Regular Meeting of Council

34-2022

Moved by Mayor Krausert that Council approve the minutes of the February 1, 2022 regular meeting as presented, with the following amendment: Under “Administration Present” remove Adam Driedzic, Town Solicitor.

CARRIED UNANIMOUSLY

E. BUSINESS ARISING FROM THE MINUTES – None

F. UNFINISHED BUSINESS – None

G. BYLAW APPROVAL

1. Bylaw 2021-07 Canadian Rockies Public Schools (CRPS) Lawrence Grassi Middle School Area Redevelopment Plan

35-2022

Moved by Mayor Krausert that Council give second reading to Bylaw 2021-07.

36-2022

Moved by Councillor Graham that Council postpone second reading to Bylaw 2021-07 until April 5, 2022, and direct administration to work with the applicant on options to include need-to-reside commitments in any future ownership or leasing regimes for the CRPS site.

DEFEATED UNANIMOUSLY

35-2022
VOTE

The vote followed on motion 35-2022 that Council give second reading to Bylaw 2021-07.

CARRIED UNANIMOUSLY

37-2022

Moved by Mayor Krausert that Council give third reading to Bylaw 2021-07.

37A-2022

Moved by Councillor Graham that Council amend motion 37-2022 to restrict the height to that in the R4 district.

DEFEATED

In Favour: Graham

Opposed: Foubert, Hilstad, Krausert, Mah, Marra, McCallum

Minutes approved by: _____

37-2022
VOTE The vote followed on motion 37-2022: that Council give third reading to Bylaw 2021-07.

CARRIED UNANIMOUSLY

Meeting Break 3:30 – 3:41

2. Non-Profit Community Organizations Exemption Bylaws

38-2022 Moved by Mayor Krausert that Council give first reading to Bylaw 2022-02 Non-Profit Community Organizations Exemption Bylaw.

CARRIED UNANIMOUSLY

39-2022 Moved by Mayor Krausert that Council give second reading to Bylaw 2022-02 Non-Profit Community Organizations Exemption Bylaw.

CARRIED UNANIMOUSLY

40-2022 Moved by Mayor Krausert that Council go to third reading of Bylaw 2022-02 Non-Profit Community Organizations Exemption Bylaw.

CARRIED UNANIMOUSLY

41-2022 Moved by Mayor Krausert that Council give third reading to Bylaw 2022-02 Non-Profit Community Organizations Exemption Bylaw.

CARRIED UNANIMOUSLY

42-2022 Moved by Mayor Krausert that Council give first reading to Bylaw 2022-03 Calgary Scope Society 2022 Transitional Property Tax Exemption Bylaw.

CARRIED UNANIMOUSLY

43-2022 Moved by Mayor Krausert that Council give second reading to Bylaw 2022-03 Calgary Scope Society 2022 Transitional Property Tax Exemption Bylaw.

CARRIED UNANIMOUSLY

44-2022 Moved by Mayor Krausert that Council go to third reading of Bylaw 2022-03 Calgary Scope Society 2022 Transitional Property Tax Exemption Bylaw.

CARRIED UNANIMOUSLY

45-2022 Moved by Mayor Krausert that Council give third reading to Bylaw 2022-03 Calgary Scope Society 2022 Transitional Property Tax Exemption Bylaw.

CARRIED UNANIMOUSLY

46-2022 Moved by Mayor Krausert that Council rescind motion 69-2018: that Council direct administration to draft a policy and/or bylaw to guide future Council decision making regarding property tax exemption.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. PL20200429 – Time Extension for Silvertip Block 9

47-2022 Moved by Mayor Krausert that Council grant a one-year extension to the endorsement of PL20200429 to February 17, 2023.

CARRIED UNANIMOUSLY

Minutes approved by: _____

2. Community Grant Policy Amendment

48-2022 Moved by Mayor Krausert that Council approve the Community Grant Policy as presented.

CARRIED UNANIMOUSLY

49-2022 Moved by Mayor Krausert that Council direct administration to return with a recommendation for a Major Event Grant program.

CARRIED UNANIMOUSLY

3. Appointment of Assessment Review Board General Chair

Councillor McCallum corrected the request for decision to reflect her experience on the Assessment Review Board as two years not one year.

50-2022 Moved by Mayor Krausert that Council appoint Mayor Sean Krausert as the General Chair of the Assessment Review Board until December 31, 2024.

CARRIED UNANIMOUSLY

4. FRIAA Grant

51-2022 Moved by Mayor Krausert that Council approve the submission of an Expression of Interest for the 2022 Forest Resource Improvement Association of Alberta (FRIAA) grant.

CARRIED UNANIMOUSLY

I. REPORTS FROM ADMINISTRATION – None

J. NOTICES OF MOTION – None

K. IN CAMERA

1. TSMV Legal Update (verbal update)

52-2022 Moved by Mayor Krausert that the regular meeting of council take the meeting in camera at 4:18 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

53-2022 Moved by Mayor Krausert that the regular meeting of council return to the public meeting at 4:33 p.m.

CARRIED UNANIMOUSLY

Meeting Break 4:35 - 5:00 p.m.

H. NEW BUSINESS (continued)

5. Appointment of Chief Administrative Officer

54-2022 Moved by Mayor Krausert that Council appoint Sally Caudill to the role of Chief Administrative Officer for the Town of Canmore and authorize Mayor Krausert to execute the CAO Contract on behalf of the Town.

CARRIED UNANIMOUSLY

Minutes approved by: _____

L. ADJOURNMENT

55-2022

Moved by Mayor Krausert that Council adjourn the March 1, 2022 regular meeting at 5:07 p.m.

CARRIED UNANIMOUSLY

Sean Krausert, Mayor

Andrew Kelly, Assistant Municipal Clerk

Minutes approved by: _____



Request for Decision

DATE OF MEETING: April 4, 2022 **Agenda #:** D3

TO: Council

SUBJECT: Correction to April 27, 2021 Council Special Meeting Minutes

SUBMITTED BY: Cheryl Hyde, Municipal Clerk

RECOMMENDATION: That Council approve the minutes of the April 27, 2021 special meeting amended to include a missing attachment.

DISCUSSION

Amending motion 97D-2021 refers to a revised Map 22 in appendix 1, however the appendix was not provided in the version of the minutes presented for Council approval. Administration is requesting that Council approve the minutes again with the amendments required to add the missing attachment.

97D-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Schedule A by substituting the revised Map 22 ~~in appendix 1~~ provided in attachment 1 of these minutes, in place of Map 22 as approved at 1st Reading of Bylaw 2021-05.

97F-2021 Moved by Councillor Hilstad that Council amend motion 97-2021 by adding: replace Section 5, Table 1 with the updated table provided in attachment ~~4~~ 2 of these minutes.

97-2021 VOTE – same corrections as above

Add Map 22 as attachment 1.

Re-number Table 1 as attachment 2.

ATTACHMENTS

- 1) Minutes of the April 27, 2021 Special Meeting of Council

AUTHORIZATION

Approved by:	Cheryl Hyde Municipal Clerk	Date	<u>March 25, 2022</u>
Approved by:	Therese Rogers GM of Corporate Services	Date:	<u>March 30, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>March 30, 2022</u>



TOWN OF CANMORE
MINUTES
 Special Meeting of Council
Tuesday, April 27, 2021 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

John Borrowman	Mayor
Rob Seeley	Deputy Mayor
Vi Sandford	Councillor
Joanna McCallum	Councillor
Esmé Comfort	Councillor
Jeff Hilstad	Councillor
Karen Marra	Councillor

COUNCIL MEMBERS ABSENT

None

ADMINISTRATION PRESENT

Lisa de Soto	Chief Administrative Officer
Therese Rogers	General Manager of Corporate Services
Whitney Smithers	General Manager of Infrastructure
Eleanor Miclette	Acting General Manager of Municipal Services/Economic Development Manager
Robyn Dinnadge	Manager of Communications
Cheryl Hyde	Municipal Clerk
Sara Jones	Executive Assistant
Chyenne Shaw	Assistant Municipal Clerk (Recorder)
Lauren Miller	Planning and Development Manager
Josh Welsh	Development Planner

All meeting participants joined this meeting electronically and members of the public were permitted to attend the meeting via livestream on the Town's website.

Mayor Borrowman called the April 27, 2021 special meeting to order at 9:00 a.m.

A. CALL TO ORDER AND APPROVAL OF AGENDA**1. Agenda for the April 27, 2021 Special Meeting of Council**

94-2021

Moved by Mayor Borrowman that Council approve the agenda for the April 27, 2021 special meeting with one amendment:

- Under New Business add H-1 Memorandum of Understanding (MOU) with the Stoney Nakoda Nation.

CARRIED UNANIMOUSLY**B. PUBLIC HEARINGS - None**

Minutes approved by:

Two handwritten signatures in blue ink are present. The first signature is a stylized 'B' and the second is 'C17'.

C. DELEGATIONS - None

D. APPROVAL OF MINUTES

1. Minutes of the March 9, 2021 Special Meeting of Council

95-2021 Moved by Mayor Borrowman that Council approve the minutes of the March 9, 2021 special meeting as presented.

CARRIED UNANIMOUSLY

E. BUSINESS ARISING FROM THE MINUTES - None

F. UNFINISHED BUSINESS - None

G. BYLAW APPROVAL

1. Bylaw 2021-06 Smith Creek Area Structure Plan

96-2021 Moved by Mayor Borrowman to give second reading to Bylaw 2021-06 Smith Creek Area Structure Plan.

DEFEATED UNANIMOUSLY

2. Bylaw 2021-05 Three Sisters Village Area Structure Plan

97-2021 Moved by Mayor Borrowman that Council give second reading to Bylaw 2021-05 Three Sisters Village Area Structure Plan.

97A-2021 Moved by Councillor Comfort that Council amend motion 97-2021 by adding: delete the Land Acknowledgement on page 3 of Schedule A in its entirety and replace it with the following:

- In the spirit of respect, reciprocity and truth, we honour and acknowledge Moh'kinsstis and the traditional Treaty 7 territory and oral practices of the Îyârhe Nakoda (Stoney Nakoda) – comprised of the Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation – as well as the Tsuut'ina nations and the Blackfoot Confederacy: Siksika, Kainai and Pïkani. We acknowledge that this territory is home to the Metis Nation of Alberta, Region 3, within the historical Northwest Metis homeland. We acknowledge all Nations who live, work and play and help us steward this land and honour and celebrate this territory and the lands that make up the Canmore area, known as "Chuwapchipchiyan Kudi Bi" (translated as "shooting at the willows") by the Îyârhe Nakoda.

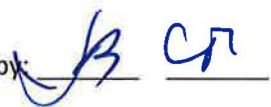
CARRIED UNANIMOUSLY

97B-2021 Moved by Councillor Comfort that Council amend motion 97-2021 by adding: insert the following as clause 11.1.2(f) on page 105 of Schedule A:

- The Stoney Nakoda nations shall be invited to participate throughout the Development of the Monitoring and Adaptive Management Plan to ensure Traditional Ecological Knowledge is incorporated.

CARRIED UNANIMOUSLY

Minutes approved by:



- 97C-2021 Moved by Councillor Comfort that Council amend motion 97-2021 by adding: insert the following as clause 11.1.10 on page 107 of Schedule A:
- Development of all Conceptual Schemes for this plan area shall include involvement from Stoney Nakoda nations as described by future town policy.
- CARRIED UNANIMOUSLY**
- 97D-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Schedule A by substituting the revised Map 22 ~~in appendix 1~~ provided in attachment 1 of these minutes, in place of Map 22 as approved at 1st Reading of Bylaw 2021-05.
- CARRIED UNANIMOUSLY**
- 97E-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Schedule A by deleting all references to “Tourist Home” or “Tourist Homes” in the Area Structure Plan, and replacing these references with “Visitor Accommodation” in Sections 3.2; 5.2.2; 5.2.4; 5.3.4; 5.4 (Intent Section, 1st Bullet); 5.4.2; 5.4.3; 5.4.7; 8.1.1; Map 9; and Table 1.
- CARRIED UNANIMOUSLY**
- 97F-2021 Moved by Councillor Hilstad that Council amend motion 97-2021 by adding: replace Section 5, Table 1 with the updated table provided in attachment 12 of these minutes.
- CARRIED UNANIMOUSLY**
- 97G-2021 Moved by Councillor Hilstad that Council amend motion 97-2021 by adding: amend Section 5.2 item 2 as follows:
- replace 3,000 with 2,100,
 - 2,000 with 1,600
 - 5,000 with 3,700 and
 - Delete the final sentence
- Such that the new 5.2 item 2 reads as follows:
The minimum number of residential units permitted within the Plan Area is 2,100. An additional 1,600 units are permitted to a maximum of 3,700 units, when bonusing is applied.
- CARRIED UNANIMOUSLY**
- 97H-2021 Moved by Councilor McCallum that Council amend motion 97-2021 by adding: delete the text on page 85, Chapter 8, 8.5.1 and insert:
- All semidetached and townhouse development in Three Sisters Village should require ADU’s at the development permit and/or building permit phases.
- CARRIED**
In favor: Borrowman, Seeley, Hilstad, Comfort, Marra, McCallum
Opposed: Sandford

Minutes approved by: 

97I-2021 Moved by Councilor McCallum that Council amend motion 97-2021 by adding: amend section 8.5 preamble by deleting the following text:

- 'Suite ready' refers to a building being constructed to easily accommodate a suite that complies with Land Use Bylaw regulations and Provincial building and safety standards. Encouraging buildings to be built 'suite ready' reduces the cost and time of installing a legal suite at a later date.

CARRIED UNANIMOUSLY

97J-2021 Moved by Councilor McCallum that Council amend motion 97-2021 by adding: delete section 8.5.2 in its entirety (housekeeping).

CARRIED UNANIMOUSLY

97K-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Section 11.1.1(a) within Schedule A of Bylaw 2021-05 by striking the words "The wildlife fence construction shall be initiated at the time of construction of the first Phase of development within the plan area." to be replaced with the words "The wildlife fence shall be fully constructed following the first Conceptual Scheme approval and prior to the first subdivision approval of Phase One of development within the Plan Area."

CARRIED

In favor: Borrowman, Seeley, Hilstad, Comfort, Marra, McCallum

Opposed: Sandford

Meeting Break from 10:58 a.m. to 11:20 a.m.

97L-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Schedule A by adding the words "conference centre" into Section 5.6.3 before the words "meeting rooms".

CARRIED UNANIMOUSLY

97M-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Section 11.3.5 within Schedule A by striking the words "A single Mobility Assessment should be considered for Phase 2a and 2b."

CARRIED UNANIMOUSLY

97N-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Section 11.3.12 within Schedule A by striking the words "Phase 3" and replacing them with the words "Phase 4"

CARRIED UNANIMOUSLY

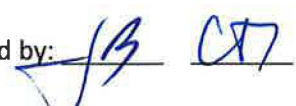
97O-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Section 11.4.1(b) within Schedule A by striking the words "Phase 5" and replacing them with the words "Phase 5A".

CARRIED UNANIMOUSLY

97P-2021 Moved by Mayor Borrowman that Council amend motion 97-2021 by adding: amend Section 11.4.2(b) within Schedule A by striking the words "Phase 5" and replacing them with the words "Phase 5A".

CARRIED UNANIMOUSLY

Minutes approved by:



97Q-2021 Moved by Mayor Borrowman Council amend motion 97-2021 by adding: amend Section 11.6.1 within Schedule A by striking the words "The conceptual phasing plan for Three Sisters Village is identified on Map 22." to be replaced by the words "All development for Three Sisters Village shall follow the phasing plan as identified on Map 22."

CARRIED UNANIMOUSLY

97R-2021 Moved by Mayor Borrowman Council amend motion 97-2021 by adding: amend Section 11.6.2 within Schedule A by striking the words "Phases in this ASP may overlap or commence concurrently with phases in other Three Sisters Mountain Village ASP Plan Areas, if they are in alignment with this policy" and replacing those words with the words "Prior to proceeding with Phase 5A of the Three Sisters Village ASP, all commercial development shall be generally complete."

CARRIED UNANIMOUSLY

97S-2021 Moved by Councillor McCallum that Council amend motion 97-2021 by adding:

- delete the reference to 10% in 8.1.1 and replacing 10% with 20%. The final statement will read as: "A minimum of 20% of all residential units, regardless of tenure, within Three Sisters Village shall be provided as affordable housing. Residential units for the purpose of this policy excludes tourist homes, visitor accommodation and employee housing."
- Amend the following:
 - Page 57, Table 3 the two mentions of affordable housing is changed to 20%,
 - Page 80, Chapter 8 Figure 1 is deleted,
 - Page 81, Chapter 8, TSMV Housing Spectrum Table changed to reflect the change of 10 -20% as well as the change in range of units,
 - Page 82, Figure 2 is deleted.

CARRIED UNANIMOUSLY

97T-2021 Moved by Councillor McCallum Council amend motion 97-2021 by adding:

- insert the following clause:8.1.2 (NEW) In phases that include residential development, the conceptual scheme must demonstrate that a portion of affordable housing units will be developed concurrently with market rate units within the given phase.
- Increase the following policy numbers by one to accommodate the new 8.1.2 policy item 8.1.2 (8.1.3, 8.1.4, 8.1.5, 8.1.6).

CARRIED UNANIMOUSLY

97U-2021 Moved by Councillor McCallum that Council amend motion 97-2021 by adding: insert the following underlined text 8.1.4 (renumbered as 8.1.5)

- Affordable housing units should meet the Town of Canmore's affordable housing guidelines and address housing needs as defined by CCH on unit sizes and finishing standards.

CARRIED UNANIMOUSLY

97V-2021 Moved by Councillor Hilstad that Council amend motion 97-2021 by adding: amend Section 5.8 by adding a new section as follows:

Minutes approved by: JB CT

- 12. To achieve up to 50% of the targeted FAR bonus outlined in Table 2, all development applications shall include 25% of the approved number of residential units as Vital Homes affordable housing (or equivalent), regardless of tenure. To achieve 50-100% of the targeted FAR bonus outlined in Table 2, all development applications shall include 30% of the approved number of units as Vital Homes affordable housing (or equivalent), regardless of tenure. Residential units for the purpose of this policy, visitor accommodation and employee housing. Additional affordable housing units achieved via the 1:1 bonusing incentive shall be considered outside either percentage contribution.

CARRIED UNANIMOUSLY

97-2021
VOTE

The vote followed on motion 97-2021: that Council give second reading to Bylaw 2021-05 Three Sisters Village Area Structure Plan amended as follows:

- delete the Land Acknowledgement on page 3 of Schedule A in its entirety and replace it with the following:
 - In the spirit of respect, reciprocity and truth, we honour and acknowledge Moh'kinsstis and the traditional Treaty 7 territory and oral practices of the Îyârhe Nakoda (Stoney Nakoda) – comprised of the Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation – as well as the Tsuut'ina nations and the Blackfoot Confederacy: Siksika, Kainai and Piikani. We acknowledge that this territory is home to the Metis Nation of Alberta, Region 3, within the historical Northwest Metis homeland. We acknowledge all Nations who live, work and play and help us steward this land and honour and celebrate this territory and the lands that make up the Canmore area, known as “Chuwapchipchiyan Kudi Bi” (translated as “shooting at the willows”) by the Îyârhe Nakoda.
- insert the following as clause 11.1.2(f) on page 105 of Schedule A:
 - The Stoney Nakoda nations shall be invited to participate throughout the Development of the Monitoring and Adaptive Management Plan to ensure Traditional Ecological Knowledge is incorporated.
- insert the following as clause 11.1.10 on page 107 of Schedule A:
 - Development of all Conceptual Schemes for this plan area shall include involvement from Stoney Nakoda nations as described by future town policy.
- amend Schedule A by substituting the revised Map 22 ~~in appendix 1~~ provided in attachment 1 of these minutes, in place of Map 22 as approved at 1st Reading of Bylaw 2021-05
- amend Schedule A by deleting all references to “Tourist Home” or “Tourist Homes” in the Area Structure Plan, and replacing these references with “Visitor Accommodation” in Sections 3.2; 5.2.2; 5.2.4; 5.3.4; 5.4 (Intent Section, 1st Bullet); 5.4.2; 5.4.3; 5.4.7; 8.1.1; Map 9; and Table 1.
- replace Section 5, Table 1 with the updated table provided in attachment ~~1~~ 2 of these minutes.
- amend Section 5.2 item 2 as follows:
 - replace 3,000 with 2,100
 - 2,000 with 1,600
 - 5,000 with 3,700 and
 - Delete the final sentenceSuch that the new 5.2 item 2 reads as follows:

Minutes approved by:



The minimum number of residential units permitted within the Plan Area is 2,100. An additional 1,600 units are permitted to a maximum of 3,700 units, when bonusing is applied.

- Delete the text on page 85, Chapter 8, 8.5.1 and inserting:
 - All semidetached and townhouse development in Three Sisters Village should require ADU's at the development permit and/or building permit phases.
- amend section 8.5 preamble by deleting the following text:
 - 'Suite ready' refers to a building being constructed to easily accommodate a suite that complies with Land Use Bylaw regulations and Provincial building and safety standards. Encouraging buildings to be built 'suite ready' reduces the cost and time of installing a legal suite at a later date.
- delete 8.5.2 in its entirety (housekeeping).
- amend Section 11.1.1(a) within Schedule A of Bylaw 2021-05 by striking the words "The wildlife fence construction shall be initiated at the time of construction of the first Phase of development within the plan area." to be replaced with the words "The wildlife fence shall be fully constructed following the first Conceptual Scheme approval and prior to the first subdivision approval of Phase One of development within the Plan Area."
- amend Schedule A by adding the words "conference centre" into Section 5.6.3 before the words "meeting rooms."
- amend Section 11.3.5 within Schedule A by striking the words "A single Mobility Assessment should be considered for Phase 2a and 2b."
- amend Section 11.3.12 within Schedule A by striking the words "Phase 3" and replacing them with the words "Phase 4"
- amend Section 11.4.1(b) within Schedule A by striking the words "Phase 5" and replacing them with the words "Phase 5A".
- amend Section 11.4.2(b) within Schedule A by striking the words "Phase 5" and replacing them with the words "Phase 5A".
- amend Section 11.6.1 within Schedule A by striking the words "The conceptual phasing plan for Three Sisters Village is identified on Map 22." to be replaced by the words "All development for Three Sisters Village shall follow the phasing plan as identified on Map 22."
- amend Section 11.6.2 within Schedule A by striking the words "Phases in this ASP may overlap or commence concurrently with phases in other Three Sisters Mountain Village ASP Plan Areas, if they are in alignment with this policy." and replacing those words with the words "Prior to proceeding with Phase 5A of the Three Sisters Village ASP, all commercial development shall be generally complete."
- delete the reference to 10% in 8.1.1 and replacing 10% with 20%. The final statement will read as: "A minimum of 20% of all residential units, regardless of tenure, within Three Sisters Village shall be provided as affordable housing. Residential units for the purpose of this policy excludes tourist homes, visitor accommodation and employee housing."
- amend the following:
 - Page 57, Table 3 the two mentions of affordable housing is changed to 20%,
 - Page 80, Chapter 8 Figure 1 is deleted,
 - Page 81, Chapter 8, TSMV Housing Spectrum Table changed to reflect the change of 10 -20% as well as the change in range of units,
 - Page 82, Figure 2 is deleted.
- insert the following clause:

Minutes approved by:



- 8.1.2 (NEW) In phases that include residential development, the conceptual scheme must demonstrate that a portion of affordable housing units will be developed concurrently with market rate units within the given phase.
- Increase the following policy numbers by one to accommodate the new 8.1.2 policy item 8.1.2 (8.1.3, 8.1.4, 8.1.5, 8.1.6).
- insert the following underlined text 8.1.4 (renumbered as 8.1.5)
 - Affordable housing units should meet the Town of Canmore's affordable housing guidelines and address housing needs as defined by CCH on unit sizes and finishing standards.
- amend Section 5.8 by adding a new section as follows:
 - 12. To achieve up to 50% of the targeted FAR bonus outlined in Table 2, all development applications shall include 20% of the approved number of residential units as Vital Homes affordable housing (or equivalent), regardless of tenure. To achieve 50-100% of the targeted FAR bonus outlined in Table 2, all development applications shall include 30% of the approved number of units as Vital Homes affordable housing (or equivalent), regardless of tenure. Residential units for the purpose of this policy, visitor accommodation and employee housing. Additional affordable housing units achieved via the 1:1 bonusing incentive shall be considered outside either percentage contribution.

CARRIED

In favor: Borrowman, Seeley, Hilstad, Comfort, Sandford, McCallum

Opposed: Marra

98-2021 Moved by Mayor Borrowman that Council give third reading to Bylaw 2021-05 Three Sisters Village Area Structure Plan.

POSTPONED

99-2021 Moved by Mayor Borrowman that Council postpone third reading of Bylaw 2021-05 Three Sisters Village Area Structure Plan to a special meeting scheduled for May 11, 2021 at 9 a.m.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

1. Memorandum of Understanding (MOU) with the Stoney Nakoda Nation

100-2021 Moved by Councillor Comfort that Council direct administration to investigate and report back on the scope, process and resources needed to establish a Memorandum of Understanding (MOU) with the Stoney Nakoda Nation.

CARRIED UNANIMOUSLY

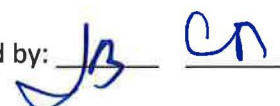
I. CORRESPONDENCE/INFORMATION - None

J. REPORTS FROM ADMINISTRATION - None

K. NOTICES OF MOTION - None

L. IN CAMERA- None

Minutes approved by:



M. ADJOURNMENT

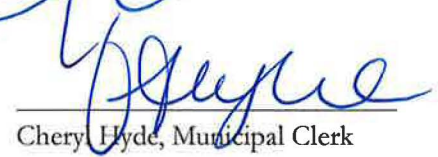
101-2021

Moved by Mayor Borrowman that Council adjourn the April 27, 2021 special council meeting at 12:37 p.m.

CARRIED UNANIMOUSLY



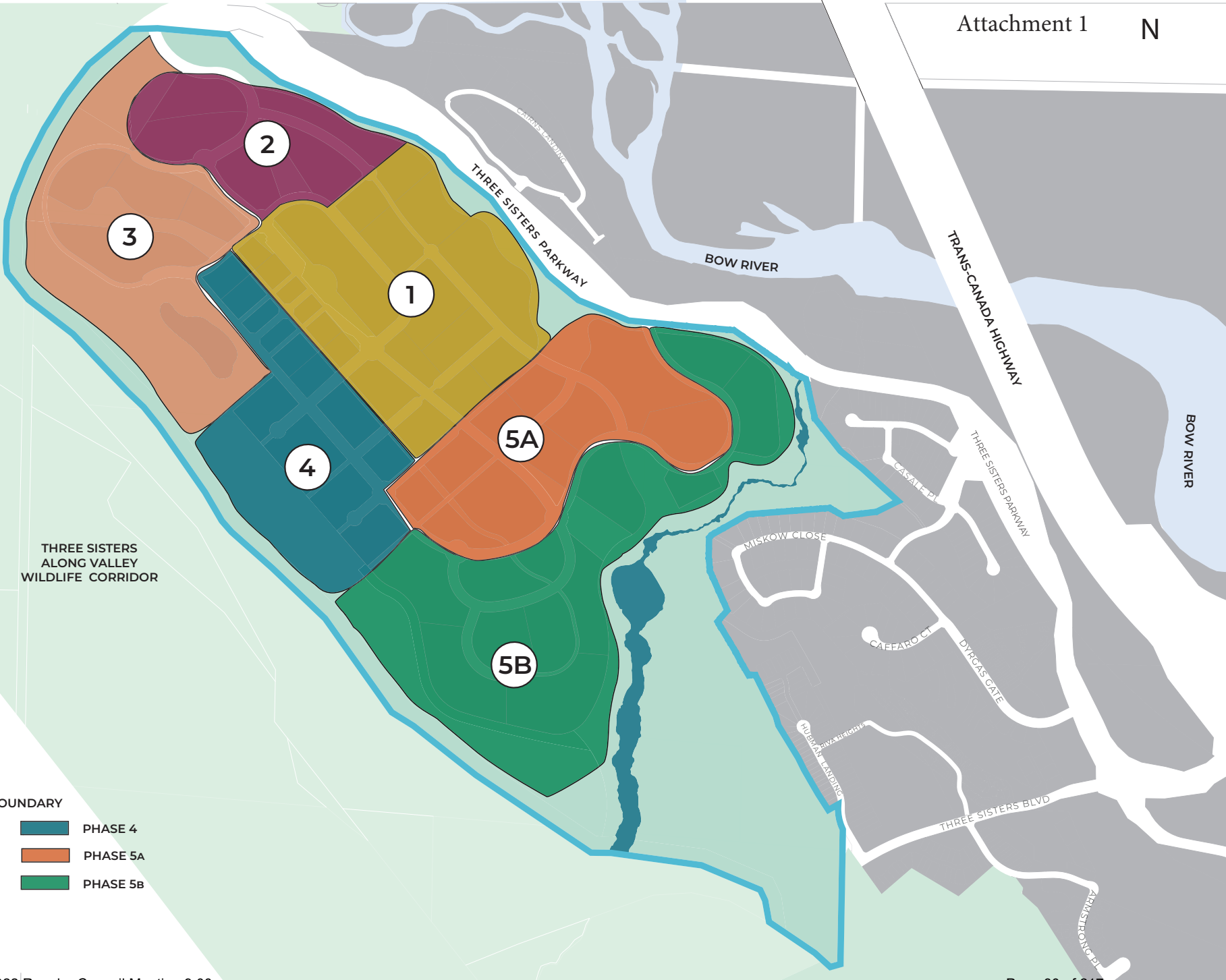
John Borrowman, Mayor



Cheryl Hyde, Municipal Clerk

Minutes approved by:





- LEGEND:**
- PLAN AREA BOUNDARY
 - PHASE 1
 - PHASE 2
 - PHASE 3
 - PHASE 4
 - PHASE 5A
 - PHASE 5B

Table 1 Three Sisters Village Unit and Density Projections

Plan Area: 169 Ha | Plan Area Density: 15 - 30 UPH | Residential Unit Range: 2,100 - 3,700

	Minimum	Maximum	% of Plan Area
Residential District	40 ha	45 ha	25-30 %
	Estimated Range		
Townhouse Units	1,300	2,700	
Apartments Units	800	1,000	
Village Centre	5 ha	10 ha	3-6%
	Estimated Range		
Visitor Accommodation / Hotel Rooms	750	1,250	
Innovation District	2 ha	5 ha	2-3%
Hotel and Spa District	5 ha	10 ha	3-6%
	Estimated Range		
Visitor Accommodation / Hotel Rooms	200	350	
Indoor Recreation	2 ha	3 ha	1-2%
Open Space*	70 ha	85 ha	40-50%
Resort Recreation Amenity Area (RRAA)	20 ha	25 ha	25-35%**

* Open Space includes Resort Recreation Amenity Area, MR, ER, Deferred Reserve Caveats and Steep Creek Mitigation.

** % of Open Space

Ranges within the building form categories are meant to provide an understanding of the proposed unit mix while allowing for flexibility to shift and change how the unit distribution could work over time.

JM
67



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G1

TO: Council

SUBJECT: Bow Valley Trail Area Redevelopment Plan Amendments Bylaw 2021-20 & Bylaw 2021-21 Land Use Bylaw Amendment Bylaw 2021-21

SUBMITTED BY: Nathan Grivell, Development Planner

RECOMMENDATION: That Council

1. give first reading to Bow Valley Trail Area Redevelopment Plan Amendment – Community Amenity Housing Bylaw 2021-20
2. give first reading to Land Use Bylaw Amendment – Bow Valley Trail General Commercial District Amendment Bylaw 2021-21 and
3. schedule a single public hearing for Bylaw 2021-20 and Bylaw 2021-21 for May 3, 2022.

EXECUTIVE SUMMARY

Spring Creek Mountain Village has proposed amendments to the Bow Valley Trail Area Redevelopment Plan (ARP) and the BVT-G Bow Valley Trail General Commercial District (District) of Canmore’s Land Use Bylaw. These amendments include the addition of the use “Wholesale Sales” to the District and the addition of development bonuses and relaxations in exchange for housing in the form of Common Amenity, Employee Housing and Vital Homes.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The ARP as amended (Bylaw 11-2012) is the statutory plan which governs the redevelopment of the Bow Valley Trail Village area.

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

Relevant definitions:

- **Common Amenity Housing** means a building with separate sleeping facilities and common washing, sanitary and kitchen facilities. (Town of Canmore’s Land Use Bylaw).
- **Employee Housing** means one or more Dwelling Units used exclusively for the residence of employees and members of their family. (Town of Canmore’s Land Use Bylaw).

- **Vital Homes means** a range of housing types that shall be made available to eligible persons at below market purchase prices and rental rates, and be maintained as the occupants' primary residence. (Vital Homes Policy).

DISCUSSION

The owner of Spring Creek Mountain Village intends to develop 500 Bow Valley Trail for the purpose of constructing a mixed-use building with a furniture store on the ground floor and housing units above. To make the project feasible, the developer proposes the following amendments to the ARP and the District:

1. Adding Wholesale Sales, a special type of retail use defined in the Land Use Bylaw as “a facility for the wholesale or retail sale of a limited range of bulky goods for storage of materials, products, goods and merchandise”;
2. Allowing for up to 950 m² of Wholesale Sales space, but only if the development provides housing in the form of Common Amenity, Employee Housing and/or Vital Homes at a ratio of 1 bedroom per 20 m² of Wholesales Sales floor area.
3. Allowing for a bonus of 250 m² for a Warehouse use where it is accessory to a Wholesale Sales use and where additional housing is provided at the ratio of 1 bedroom per 10 m²;
4. Relaxations to the design of amenity space required for the housing units, where the intent to provide quality common amenity space is still met; and
5. Relaxations to eaveline heights for developments that include Common Amenity, Employee Housing and Vital Homes, where it will not impact adjacent developments.

One item of note with this application is that it results in medium format Wholesale Sales stores on Bow Valley Trail. Both the ARP and the Town’s Municipal Development Plan (MDP) generally discourage this. For example, the MDP (10.1.6) speaks to the importance of limitations on the size of retail outside of the downtown and the ARP (6.2.3.1) specifies a retail restriction of 150 m² along Bow Valley Trail. The purpose of this is to avoid a large concentration of retail outside of the downtown. However, given the need for housing for those who work in Canmore, there is also support for such changes in the MDP as noted below:

Affordable Housing Goal #4 - “To cooperate with local businesses and the construction and development industry in finding innovative solutions to provide affordable housing for employees.”

and

“private initiatives to create additional seasonal and permanent employee housing opportunities should be supported by the Town” (Policy 5.3.4 of the MDP).

There has been a minimal number of bedrooms voluntarily developed for employees in the Bow Valley Trail area. Most supply has been created through incentives, such as purpose-built rental housing (developments adjacent to the Coast Hotel) and establishing specific employee districts (Employee Housing District - Montane Village and Whisky Jack). Much of the land within the Bow Valley Trail General Commercial District has been redeveloped, therefore, it is not anticipated that the uptake of this incentive will be substantial. Furthermore, although it results in medium format Wholesale Sales businesses, it helps to address the Town’s critical housing needs on sites where the potential for significant conflict would be minimal.

Regarding the evaluation of the incentives and relaxations, outside of the MDP, there is no additional policy direction on this matter. The ability to evaluate the appropriateness of the incentives, such as the ratios, is therefore limited. The Town of Banff has required employee housing provisions in their Land Use Bylaw. For example, they require 1 bedroom for 100 m² of retail floor area and 1 bedroom for 200 m² of warehouse floor area. Although this housing is required in Banff and therefore does not offer a direct comparison, it does at least provide a baseline comparison of the ratios. In Administration's opinion, the ratios are reasonable given the amount of housing it can generate. The incentives for amenity space and eaveline height will be evaluated at the development permit stage for appropriateness, based on the context of a given site.

ANALYSIS OF ALTERNATIVES

A Direct Control District could be established to limit the medium format Wholesale Sales to the subject site. Since the subject site is not constrained and there is no rationale to limit access to the bonusing structure to this site only, establishing a Direct Control District is discouraged.

Although Administration supports the proposed amendments, Administration would recommend the following additional amendments:

1. Town of Canmore Land Use Bylaw 2018-22

An eligibility clause that excludes awarding development bonuses or relaxations for housing (i.e. bedrooms) already required to be constructed as part of a statutory plan or development permit approval. The proponent believes this is redundant, as this can be assessed at the development permit stage as part of a review of a statutory plan. However, Administration believes this clause will add greater clarity around eligibility and limit any unintended bonusing or outcomes. The suggested wording is as follows:

Section 4.6.4.19 Employee Housing, Common Amenity Housing, or Perpetually Affordable Housing required to be constructed as part of a statutory plan, condition of development permit approval, or other forms of commitment, are not eligible for the development bonuses outlined in 4.6.4.5, 4.6.4.6, and 4.6.9.1c

2. That proposed amendment to Section 4.6.4.11:

*A maximum of 50% of the total GFA of the building(s) on-site may be used for residential units, including Tourist Home units. The development authority may consider relaxation of this limit where Dwelling Units are designed into the attic space under pitched roofs. **Except as allowed in 4.6.4.5, and 4.6.4.6.***

be revised for clarity to:

Except as allowed in 4.6.4.5, and 4.6.4.6, a ~~A~~ maximum of 50% of the total GFA of the building(s) on-site may be used for residential units, including Tourist Home units. The development authority may consider relaxation of this limit where Dwelling Units are designed into the attic space under pitched roofs.

3. That proposed amendment to Section 4.6.4.18:

Notwithstanding the above, where Common Amenity Housing or Employee Housing is developed, with the exception of 8.7.0.3, compliance with 8.7 is not required.

be revised for clarity to:

Where Common Amenity Housing or Employee Housing is developed, Section 8.7 shall not be required, except that the development authority may require the amenities listed in Section 8.7.0.3.

4. That the definition for Wholesale Sales found in section 13 of the LUB be updated to provide greater clarity. The suggested wording is as follows:

Wholesale Sales - a facility for the wholesale or retail sale of a limited range of bulky goods. ~~for storage of materials, products, goods and merchandise~~;

FINANCIAL IMPACTS

No financial impacts are anticipated.

STAKEHOLDER ENGAGEMENT

The proponent held a virtual open house on May 12, 2021. The open house was advertised for two weeks prior to the event in the Rocky Mountain Outlook, with information on how to register. Following the open house, anyone who the applicant had communicated with on this proposal was sent a link to the recording of the meeting. Feedback forms were also circulated, and comments requested.

Administration completed a mailout to landowners within the BVT-G District and allowed a month for comment. Most respondents simply wanted more information about how it would affect them. One respondent felt the approach sounded reasonable and one respondent had concerns about detailed design (height, parking, access, landscaping, etc.) of future buildings.

ATTACHMENTS

- 1) Applicant's Submission
- 2) Applicant's SSR
- 3) Bylaw 2021-20
- 4) Bow Valley Trail Area Redevelopment Plan Redline
- 5) Bylaw 2021-21
- 6) Land Use Bylaw BVT-G Redline

AUTHORIZATION

Submitted by:	Nathan Grivell Development Planner	Date:	<u>March 16, 2022</u>
Approved by:	Lauren Miller Manager, Planning and Development	Date:	<u>March 16, 2022</u>
Approved by:	Whitney Smithers General Manager of Municipal Infrastructure	Date:	<u>March 17, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>March 28, 2022</u>



Supporting Report for Bow Valley Trail General Commercial District Amendments

January 26, 2022



Submitted to: Town of Canmore
Prepared by McElhanney

Spring Creek Mountain Village Employee/Perpetually Affordable/Common Area Housing and Retail Development

Contact

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Our file: 2531-115-2400

McElhanney Ltd.

203 – 502 Bow Valley Trail,
Canmore AB Canada T1W 1N9

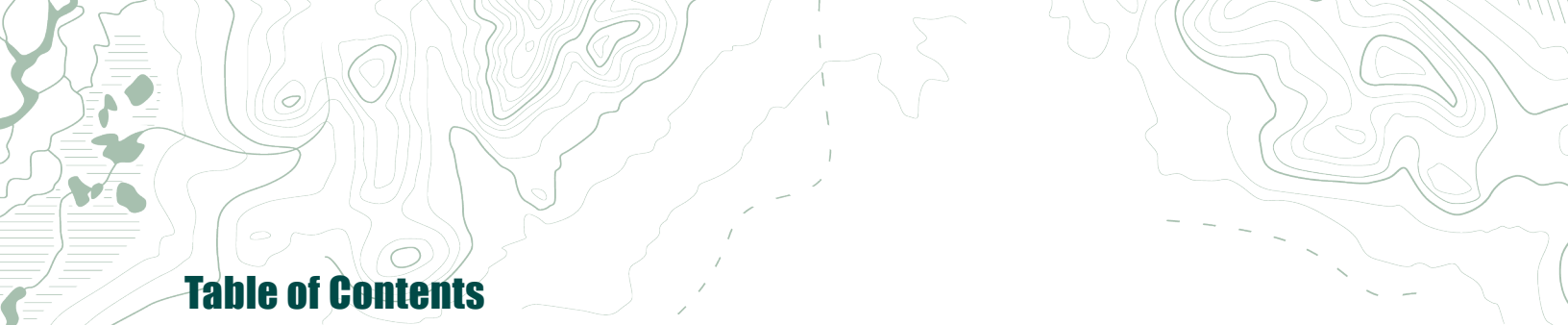


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- Appendix C** Conceptual Architectural Sketches
- Appendix D** Open House Material and Feedback
- Appendix E** Sustainability Screening Report

1. Introduction

1.1. SUMMARY OF PROPOSAL

This report has been developed to provide further detail and analysis in support of the application to amend the Town of Canmore Land Use Bylaw Bow Valley Trail General Commercial District (BVT-G). The proposed amendments are intended to encourage increased Common Amenity Housing, Employee Housing and/or Perpetually Affordable Housing supply by introducing wholesale sales use to the district, and relaxing associated warehouse GFA limits. The parcel which is the object and instigation for these amendments presents an ideal opportunity to create affordable accommodation, within a walkable catchment to retail, employment, schools, childcare, transit, recreation, and many other essential services. The proposal creates an important transitional space, similar to TBD-Transitional Business District and TID-Transitional Industrial District within the Land Use Bylaw. This report will assess the relevant existing policies, provide recommendation for amendments, and lay out the rationale for the proposal.

1.2. PROJECT LOCATION

The subject parcel which has prompted this application is Lot 1, Block 7, Plan 0512461 in the Town of Canmore, and is an undeveloped 3,754 m² site on the east entrance to Spring Creek Mountain Village. The parcel is a corner lot, bordered on the south by Spring Creek Drive and on the east by Bow Valley Trail. The west boundary of the site backs on to CP Rail right of way, while the north boundary is adjacent to a developed lot with an office and veterinary service building. The Bow Valley Trail Roundabout is located adjacent to the south-east corner of the site. Figure 1 identifies the location of the subject lands with the Town of Canmore context, while Figure 2 gives a local representation.

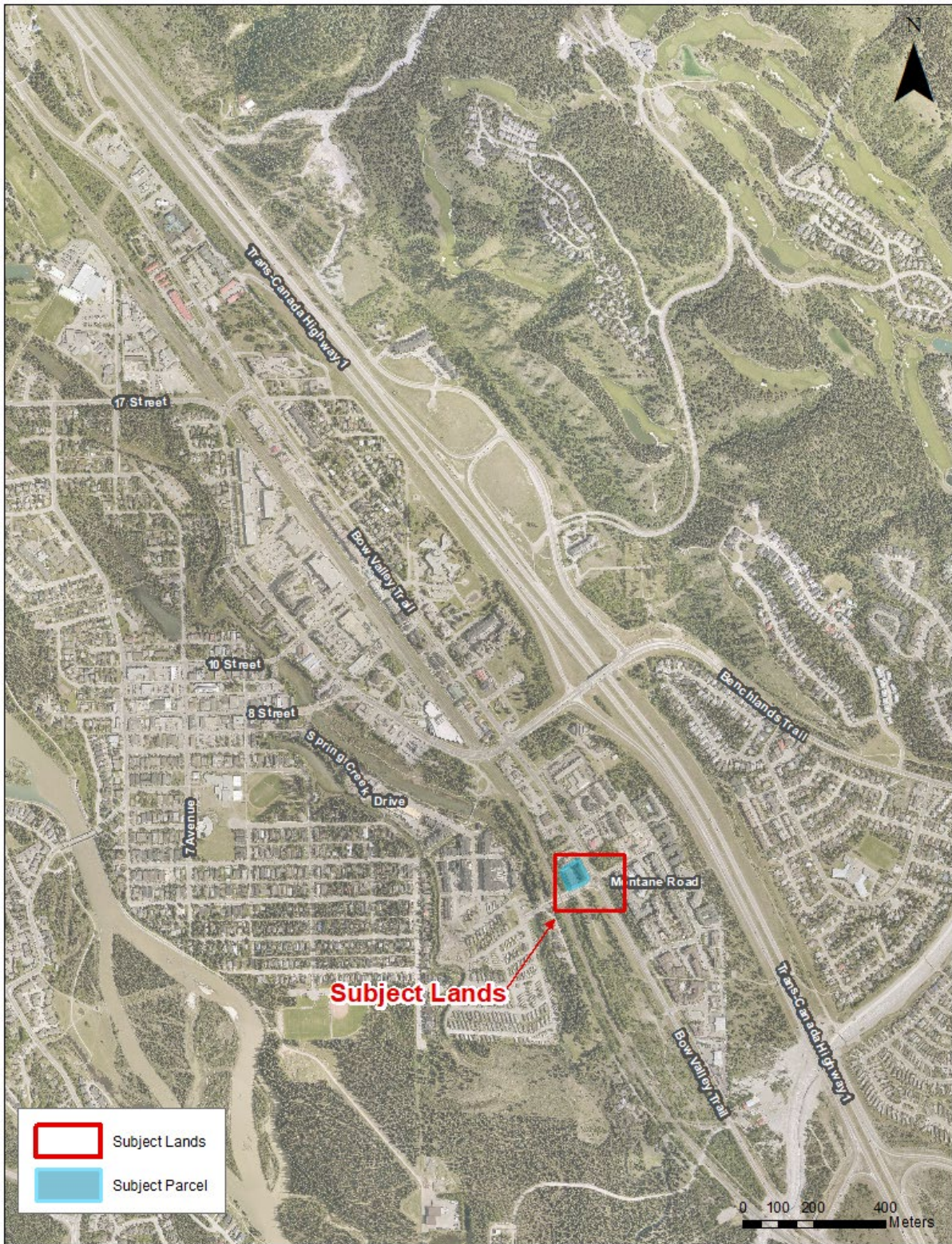


Figure 1: Area Context



Figure 2: Subject Site

2. Proposed Development

The proposed development of the subject parcel will create a 4 storey building with upper levels dedicated to much needed housing for Spring Creek employees and Bow Valley locals, and a ground floor for wholesale sales use. The ground floor space will include an important local wholesale furniture store and accessory warehouse. To facilitate approximately 20-40 units of common amenity, employee housing and/or perpetually affordable housing (approximately 60-80 bedrooms). The wholesale furniture sales will have a GFA of up to 10,000 sq. ft., while the accessory warehouse will be no more than 5,000 sq. ft.

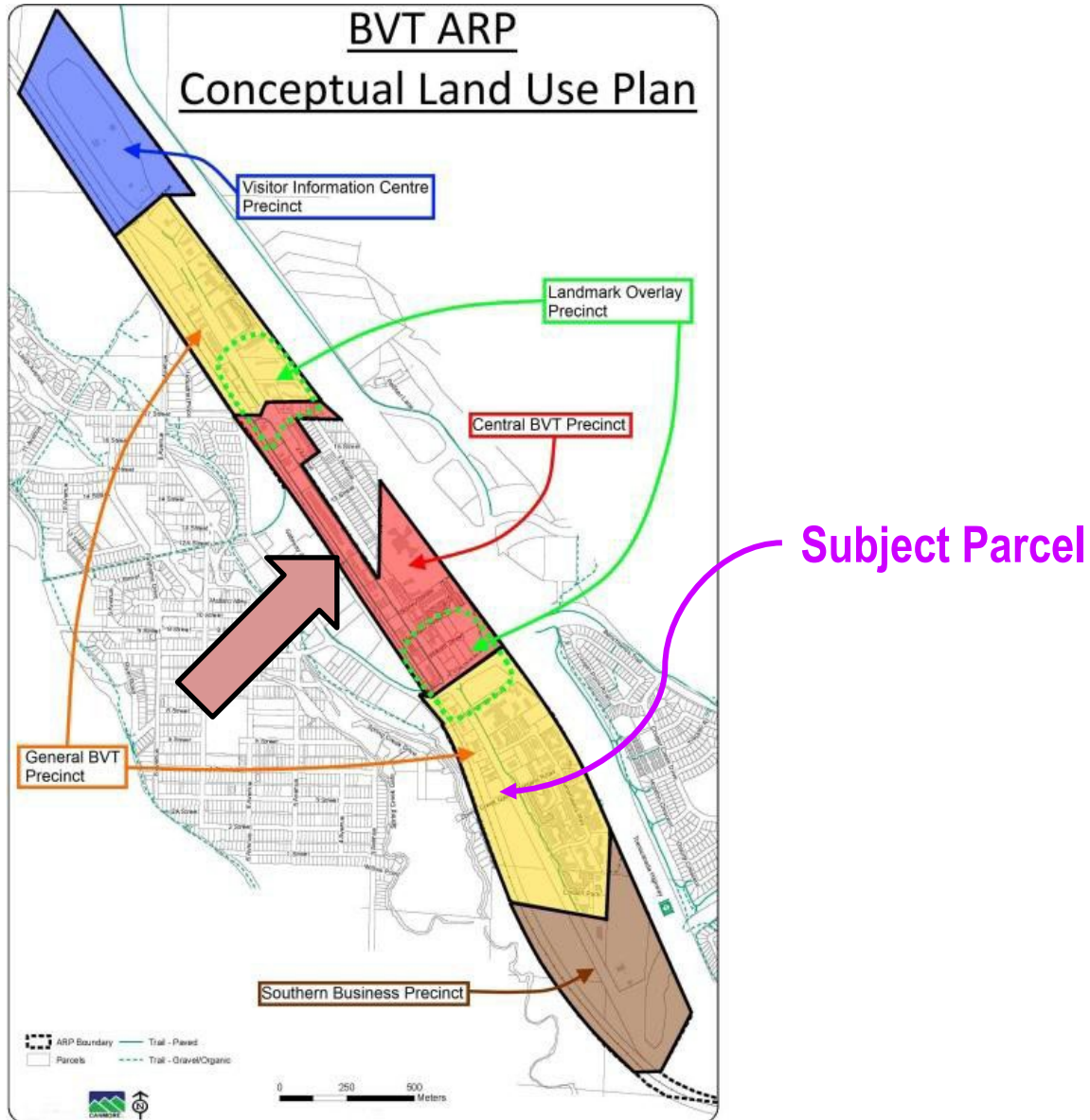
The development will be designed and oriented in a way which provides an improved public realm at a pedestrian scale on Bow Valley Trail. Parking and storage will be located towards the rear of the lot, screened from public view. See conceptual architectural sketches provided in appendix C.

3. Existing Policy Analysis

3.1. BOW VALLEY TRAIL AREA REDEVELOPMENT PLAN

Location: the parcel is located within the BVT ARP. Within the ARP, distinct precincts have been created. The parcel is within the General BVT Precinct (Figure 3). This precinct is intended as a commercial area primarily focused on serving visitors.

Figure 3: Bow Valley Trail ARP Precincts



Retail: Policy for the precinct restricts General Retail use to 150 m² and Visitor Oriented Retail to 300 m² (Policy 6.2.3.1). Additionally, policy directs that the main floor of buildings should be reserved for interactive uses such as retail stores or eating establishments (Policy 6.2.3).

The ARP is silent on policies for the provision of Wholesale Sales in the area.

PAH & EH: The ARP sets out comprehensive Perpetually Affordable (5.1.2) and Employee Housing (5.1.3) policies which are consistent with the Town's Land Use Bylaw (LUB) regulation. The ARP is supportive of Perpetually Affordable and Employee Housing throughout the BVT area, as identified during the ARP development.

Streetscape: The Development Standards of the precinct identifies the importance of improving streetscape and appropriate built form:

6.1.4.1 The efficient and aesthetic development of properties within the BVT area is important to maximize the use of limited commercial lands, to promote the desired streetscape, and to generate a critical mass of businesses, visitors, and residents that create synergies with each other.

Analysis: Although ARP intent guides development in this area to “primarily” focus on serving visitors, it does not explicitly direct this. With the above Development Standard policy in mind, it may be considered counterintuitive for commercial use to be constrained so stringently, particularly when there is an excellent opportunity for the built form to play a beneficial role in achieving the desired public realm on Bow Valley Trail.

There has recently been a significant increase in the provision of retail stores in the Bow Valley Trail area. The subject lands are located less than 300 m from the new Shops of Canmore, which includes a convenience store, restaurants and cafes, a hostel, recreation facilities and other retail outlets. Further retail developments in the central Bow Valley Trail area between Benchlands and 17th Avenue also deliver a variety of retail stores, personal services, food outlets and recreation oriented stores. Adding to this, future development along Spring Creek Drive is also planned to accommodate visitor oriented / neighbourhood scaled retail. Therefore, it appears the area is, or is planned to be, well serviced with the desired smaller retail nodes. It is deemed that the subject lands therefore may not be an essential location for additional services of this nature.

It should be highlighted that many of the historical policies developed for the Bow Valley Trail were in place prior to the 2004 adoption of the Spring Creek Mountain Village ARP as a way to protect retail trade in Downtown Canmore. This is also stated in ARP policy 6.2.3.1.1., which references their existence from the 1990's. Significant changes have occurred on Bow Valley Trail since then, including the access point from Bow Valley Trail in to Spring Creek Mountain Village – an entirely new neighbourhood with 1000 residential units and 240 visitor accommodation units. While statutory planning documents such as this ARP are vital tools for guiding development in a long-range strategic manner, shifts in development patterns outside the plan area often fundamentally change the context for individual sites.

3.2. MUNICIPAL DEVELOPMENT PLAN

Location: The subject lands fall within the *Commercial and Mixed Use* area, as described by the Town of Canmore Municipal Development Plan (MDP) Conceptual Land Use Map. The site is further identified

as a Tourist/Service area in the Commercial and Industrial Land Use Map, to function “*primarily as tourism and service-oriented areas and provide hotel developments and a variety of retail and service uses.*”

Local Services: Under the Economic Development Strategy section, the following policy provides encouragement for essential retail provision within Canmore:

Essential Commercial Services

9.1.10 The provision of essential commercial services shall be supported by the Town, with a focus on the Town Centre and mixed-use areas, to strengthen local retail opportunities, encouraging local retail purchases of products and services, while reducing leakage of local and visitor dollars into surrounding economies.

This policy is in alignment with the Town of Canmore’s Economic Development department’s core functions to:

“Support Business Retention and Expansion

- *Help to streamline processes and systems to make it easy to do business in Canmore*
- *Provide mentoring and support for new start-ups and businesses wishing to grow*
- *Support Business Innovation and Diversification*

Understand local economic sectors and barriers to growth and expansion

- *Work with businesses in each sector to create sector-specific development plans*
- *Attract new businesses aligned with sector targets*
- *Lead a discussion with Council and community leaders regarding the role of growth in tourism and destination marketing in relation to economic development”*

There are currently a very limited number of furniture stores offering larger household products within Canmore, therefore this proposal will meet the MDP’s desire to offer retail at a local level which otherwise may be sought further afield. The proposed furniture store operators are partners on this application, Castle Mountain Home Furnishings, and have been running their business in Canmore for over 40 years. This development provides them with the opportunity to invest in the long term future of the business within Canmore by owning their own space. They would be relocating their furniture store, of a comparable size, to this site from an existing location closer to Downtown.

Tourist Services: The following policy focuses on the tourism and service oriented areas, and is important in relation to this application:

10.4.1 Tourist/Service commercial areas should provide commercial accommodation developments and a variety of limited size retail and service uses that serve visitors and residents.

Significantly, there is no definition in the MDP of “limited size”, therefore it is an ambiguous policy. There is no explicit direction if this policy is to discourage large format stores, or if it stringently refers to anything over 150m². It is interpreted that subsequent ARP policies and LUB regulations will set the parameters for this guidance, therefore there is no concern that the proposed amendments to the BVT-G district would be in contravention of this MDP policy.

Retail Size: The below policy within the MDP also speaks towards retail size:

General Commercial Policies:

10.1.7 Large format retail stores, internally-oriented shopping malls and large multi-store retail centres designed primarily to provide convenient automobile access will be discouraged within commercial areas.

Again, there is no specific definition of “Large Format”, however a cross reference with the Land Use Bylaw provides some clarification of what this might be. The Three Sisters Resort Core DC district specifies that the district is not intended for large retail and that over 1,000m² (10,763 sq ft) would require a retail impact study. By way of this regulation, under 1,000 m² would not be considered large format and the proposed amendments would therefore not be contradictory to the MDP.

The MDP provides little direction on Wholesale sales, except for the following Light Industrial policy:

Light Industrial Policies:

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

There is no indication of what a small portion of the overall floor area relates to, and how this is established for varying sizes of buildings. However, it would appear that proposals such as this one may not be considered suitable for light industrial areas due to their commercial nature, albeit wholesale.

With this collective assessment of MDP policies it is unclear where a wholesale furniture store may be unmistakably acceptable within the Town of Canmore. Furniture stores inherently require a larger floor area than general retail, and although MDP policy is unclear, it is not prohibitive. The following section will assess how Land Use Bylaw regulation may provide clearer direction, and offer an opportunity for transitional development between commercial and industrial areas.

4. Proposed Amendments

4.1. TOWN OF CANMORE LAND USE BYLAW

The subject lands are currently zoned BVT-G Bow Valley Trail General Commercial District (BVT-G) within the Town of Canmore Land Use Bylaw. The intent of the BVT-G district is to form the core of Canmore’s Visitor Accommodation outside the resorts and provide a variety of commercial uses including

visitor-oriented services and activities, and small retail outlets that serve both residents and visitors. The following is an excerpt of noteworthy regulation from the district:

4.6.4.4 The maximum GFA of a Retail Sales development is 150 m². Where an application is made for Retail Sales and its primary purpose is to provide a service to visitors (i.e. tour sales and bookings, recreation equipment rental, or alike), a total GFA may be permitted up to a maximum of 300 m².

4.6.4.5 The maximum GFA of a Warehouse development is 250 m².

The following definitions from the Town of Canmore LUB helps to provide clarity on the differences between “Retail Sales” and “Wholesale Sales”:

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

***Wholesale Sales** means a facility for the wholesale or retail sale of a limited range of bulky goods for storage of materials, products, goods and merchandise.*

Wholesale Sales are currently only permissible within three districts in Canmore: Transitional Business District (TBD), Transitional Industrial District (TID) and Light Industrial District (IND1). The TBD and TID districts are classified by the following purpose statements:

***Transitional Business District (TBD)** - To provide for development in the Aspen Park area that provides a transition between industrial and business uses and is compatible with the adjacent commercial and residential areas.*

***Transitional Industrial District (TID)** - To provide for a range of commercial, business and industrial uses to reflect the transitional nature of the “Industrial Triangle” described in the commercial policies of the Municipal Development Plan.*

4.2. PROPOSED BYLAW AMENDMENTS

Although generally in conformance with the existing BVT-G district, the proposed wholesale sales use is not listed as a Permitted or Discretionary use within the district, and the proposed Warehouse exceeds the 250 m² size limit.

To facilitate this development the proposal is to amend the BVT-G District which will accommodate Wholesale Sales and increased Warehouse GFA, and increased Retail GFA with provisions for Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing units. Minor changes to development regulations are also added specifically for these three uses.

With dwelling units provided with the existing BVT-G District, private outdoor amenity space is commonly provided as minimum 4.5 m² balconies under Section 8.7. With the additional opportunities for Employee Housing and Common Amenity Housing, we propose that a common indoor or outdoor amenity space is encouraged under 8.7.03, such that unsightly storage on balconies or noise generating activity is minimized on the exterior of the development.

The height of the eave line for proposed development under the BVT-G District may be varied up to 2 metres in the existing section 4.6.9 to 9.0m. To accommodate a larger development envelope for Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing units, an additional paragraph is added to vary the eave line an additional 2 m to 11 m in height.

Change: Under the list of Discretionary uses within the BVT-G District (section 4.6.2), the following shall be added:

Wholesale Sales

Change: The following regulations shall be added

4.6.3.15 Any required employee housing (units or bedrooms) as part of a statutory plan, or other commitments by a developer as part of another development approval, will only be eligible for a bonus beyond their required provision of housing.

4.6.9.1.c. The required eave line height of a proposed development for Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing may be raised to 11.0 m where the development authority is satisfied that the intent of the “Massing and Scale Guidelines” in Section 11: Community Architectural and Urban Design Standards, are still met.

Change: The following use-specific regulations shall be amended as:

4.6.4.4 The maximum GFA of a Retail Sales development is 150 m². Where an application is made for Retail Sales and its primary purpose is to provide a service to visitors (i.e. tour sales and bookings, recreation equipment rental, or alike), and where a mixed-use application dedicates at least 60% of the development to Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing, a Retail Sales shall be permitted up to a maximum of 300 m².

4.6.4.5 The maximum GFA of a Warehouse development is 250 m². Where a mixed-use application dedicates at least 60% of the development to Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing, a Warehouse that is accessory to Wholesale Sales may be permitted up to a maximum GFA of 500 m².

4.6.4.10 A maximum of 50% of the total GFA of the building(s) on-site may be used for residential units, including Tourist Home units. The development authority may consider relaxation of this limit where Dwelling Units are designed into the attic space under pitched roofs. Except as allowed in 4.6.4.4, 4.6.4.5, and 4.6.4.17.

4.6.4.17 Wholesale Sales shall have a maximum GFA of 950m² and shall only be permitted as part of a mixed-use application where at least 60% of the development is Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing.

1.6.4.16 Where Tourist Home or other Dwelling Units are proposed, the development authority shall require private outdoor Amenity Space in accordance with subsection 8.7, except where Common Amenity Housing, or Employee Housing is developed, common amenity space as

listed under 8.7.0.3 may be provided.

4.3. RATIONALE

South of the subject site, the uses within the General BVT Precinct area shift from visitor/service oriented commercial to business/industrial. This proposal intends to adopt a similar approach as is offered within Canmore's Aspen Park (TBD) and Industrial Triangle (TID). These amendments will benefit the area by providing a transitional zone from industrial and business uses, creating a space which is compatible and complimentary to both nearby and Town Centre commercial uses.

The net benefit to the community from the proposal is also substantial, adding further justification to the proposed amendments. The local hospitality and retail labour force, among many others, are hugely disadvantaged when it comes to housing affordability in Canmore. The provision of employee and/or perpetually affordable housing in such an ideal location could be significantly impactful in supporting the local community. Proximity to the above-mentioned neighbourhood stores, public transit, employment, and network of trails are all incredibly valuable resources to have, making this site ideal for such a proposal, all while improving underutilised lands and offering an important local retail service.

5. Sustainability Screening Report

As part of the land use bylaw amendment process a Sustainability Screening Report is required by the Town of Canmore. As such a Sustainability Screening report has been prepared for the above amendments and included in this submission under Appendix E.

6. Public Engagement

Spring Creek Mountain Village is committed to carrying out thorough and meaningful public engagement as part of any development proposal. A virtual Open House was held on May 12, 2021, via Zoom. The Open House was advertised for 2 weeks prior to the event in the Rocky Mountain Outlook, with information on how to register. Anyone who made contact in response to the advert were emailed details of the event and a link to the meeting. Following the Open House, anyone who had been communicated with, whether they attended or not, was sent a link to the recording of the meeting. Feedback forms were also circulated, and comments requested.

The Open House provided an opportunity to present the project to the public and inform of the proposed amendments to the LUB. As with all SCMV developments, public participation is regarded extremely important and helps to shape the outcome of the project. There were a total of 26 attendees on the Zoom meeting, and 16 questions or comments were received.

All feedback was positive, including that of design, community consultation, and the proposal's desire to address housing affordability in the Bow Valley Trail. Verbatim responses are provided in Appendix D, along with the Virtual Open House presentation slides.

7. Conclusion

The built form of the proposed development will be designed to interact with the public realm and provide for an improved pedestrian environment. Additional improvements to the existing pedestrian infrastructure and wider trail connectivity will also be developed. As with previous developments in Canmore, Spring Creek Mountain Village is dedicated to creating well designed, well planned, functioning spaces for the community.

Some GFA constraints from existing regulation and policy have been identified, however appear to be over restrictive and unnecessary for all areas of today's Bow Valley Trail "General" area. A subsequent holistic update of the BVT ARP may be necessary considering the changes on Bow Valley Trail and wider area since its adoption, however in the interim this proposal aims to tackle limitations which are detrimental to an exceptional opportunity for providing essential Perpetually Affordable and/or Employee Housing, and Common Amenity Housing. In assessing the suitability of this proposal, it is important to consider the context of the development in relation to these limitations:

1. **What is the purpose of the limited retail and warehouse GFA?**
 - a. To avoid big-box stores and auto-centric malls, with no value to a sustainable walkable community, and which may draw footfall away from Canmore's Town Centre.
 - b. To avoid unattractive, large-scale buildings with no transparency or interaction with the public realm.

2. **Will this proposal result in any of the above?**
 - a. The amendments will not allow for large format retail and will not be in competition with Canmore's downtown. The intent is to provide a local service which is limited within Canmore, while also creating affordable accommodation within a mixed-use, walkable, sustainable, attractive space. To achieve this, regulation shall require 60% of the development be dedicated to Employee Housing or Perpetually Affordable Housing.
 - b. Best practice shows that built form is just as significant, if not more, than use specific regulations. In committing to provide an aesthetically pleasing streetscape on improved vacant sites, this proposal paves the way for the BVT south area, as it is believed the ARP originally intended.

3. **What benefits are there to adopting these amendments?**
 - a. Significant increase to Employee Housing and/or Perpetually Affordable Housing stock.
 - b. Supporting a local Canmore business.
 - c. Essential retail service for locals, particularly as more people shift to working from home.
 - d. Efficient use of an undeveloped, underutilised area of Canmore.
 - e. Creating a new mixed-use development, bringing vitality to this area of Bow Valley Trail.
 - f. Public realm improvements, pedestrian scale aesthetics, excellent architecture and building interaction with the street.
 - g. Providing a transition zone between visitor/service-oriented retail to business/industrial developments.

In closing, fostering a cohesive self-contained and self-supporting town prevents the outward migration of critical revenue dollars. Essential services such as household furnishings typically require a larger floorspace to showcase and house stock, otherwise this revenue is lost to Calgary and directly detracts from the ARP and MDP's objectives to create a "synergy" with commercial businesses in Canmore and to avoid "leakage" to surrounding economies. This proposal provides significant benefit to the provision of employee housing, perpetually affordable housing, and common amenity housing, supports an enhanced built form on Bow Valley Trail and provides an essential retail service for residents of Canmore. Current regulation and policy do not guide improvements on these lands in an updated efficient and sustainable manner, we ask you consider the proposed amendment to the transitional zone and prospective mixed-use development for the betterment of economic, social, and environmental development on Bow Valley Trail and for the wider Bow Valley community.

Contact

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403-621-1446

mouellette@mcelhanney.com

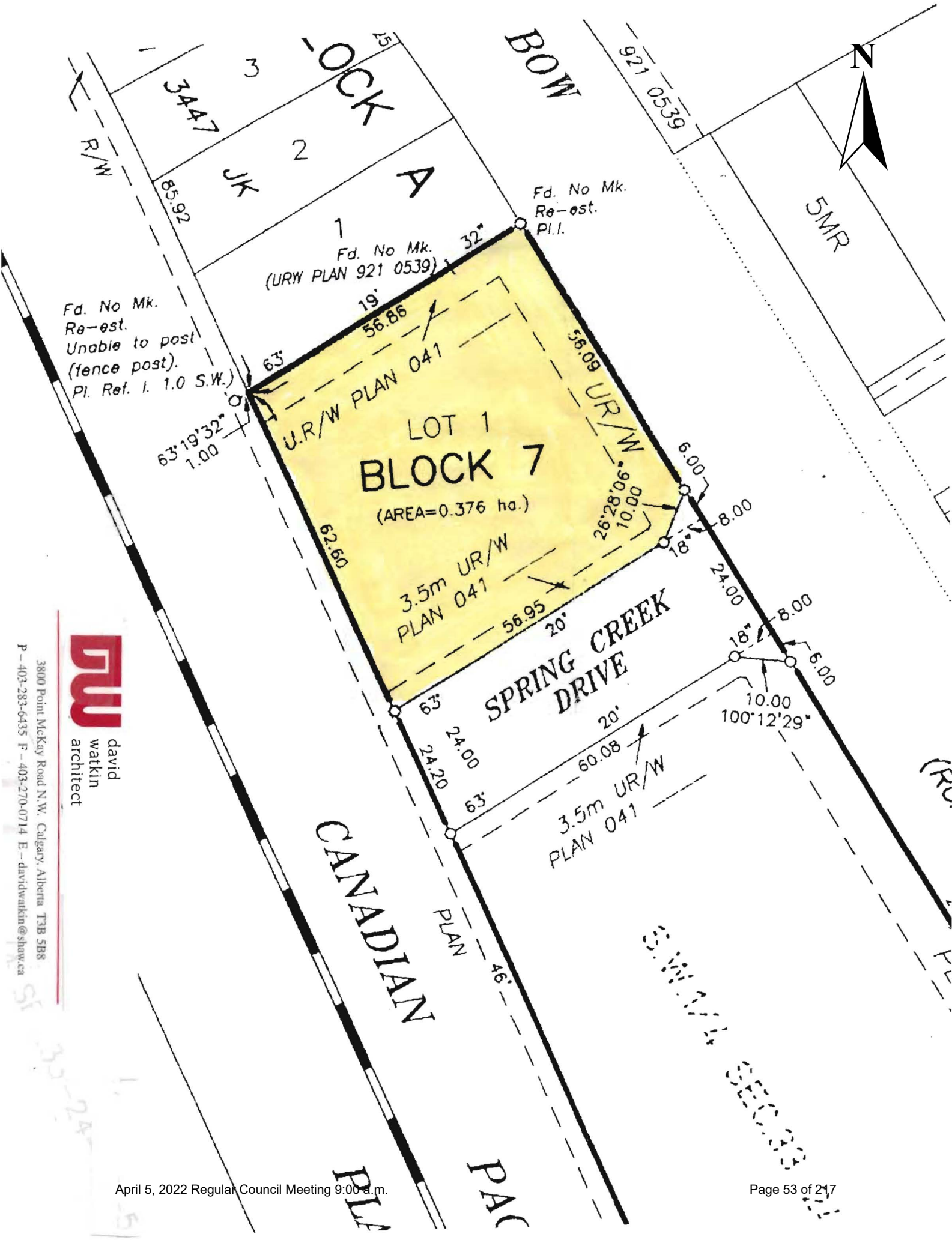


McElhanney



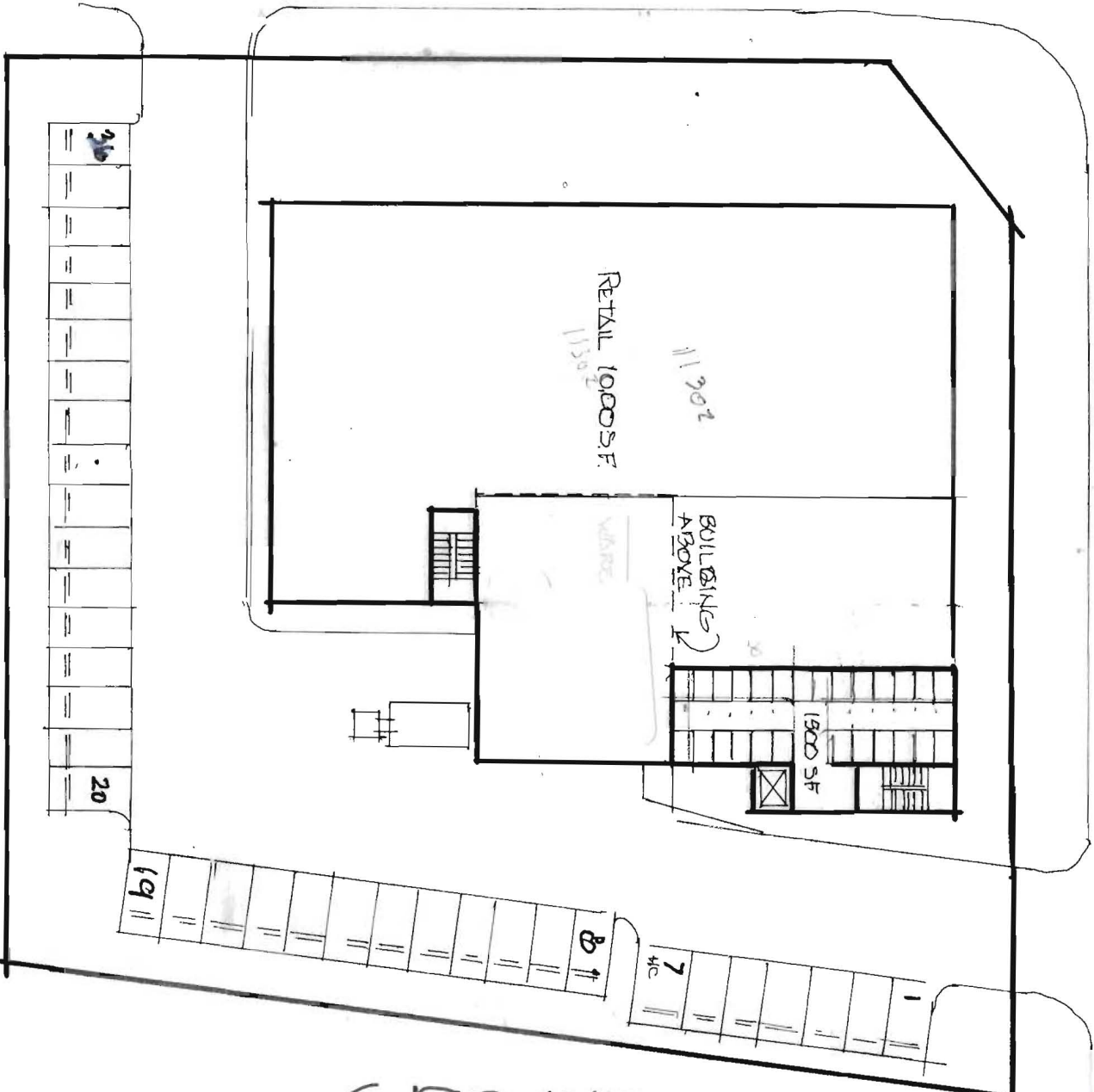
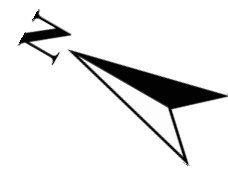
APPENDIX C

Conceptual Architectural Sketches



3800 Point McKay Road N.W., Calgary, Alberta T3B 5B8
 P - 403-283-6435 F - 403-270-0714 E - david@walkinshaw.ca

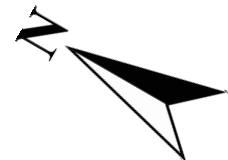
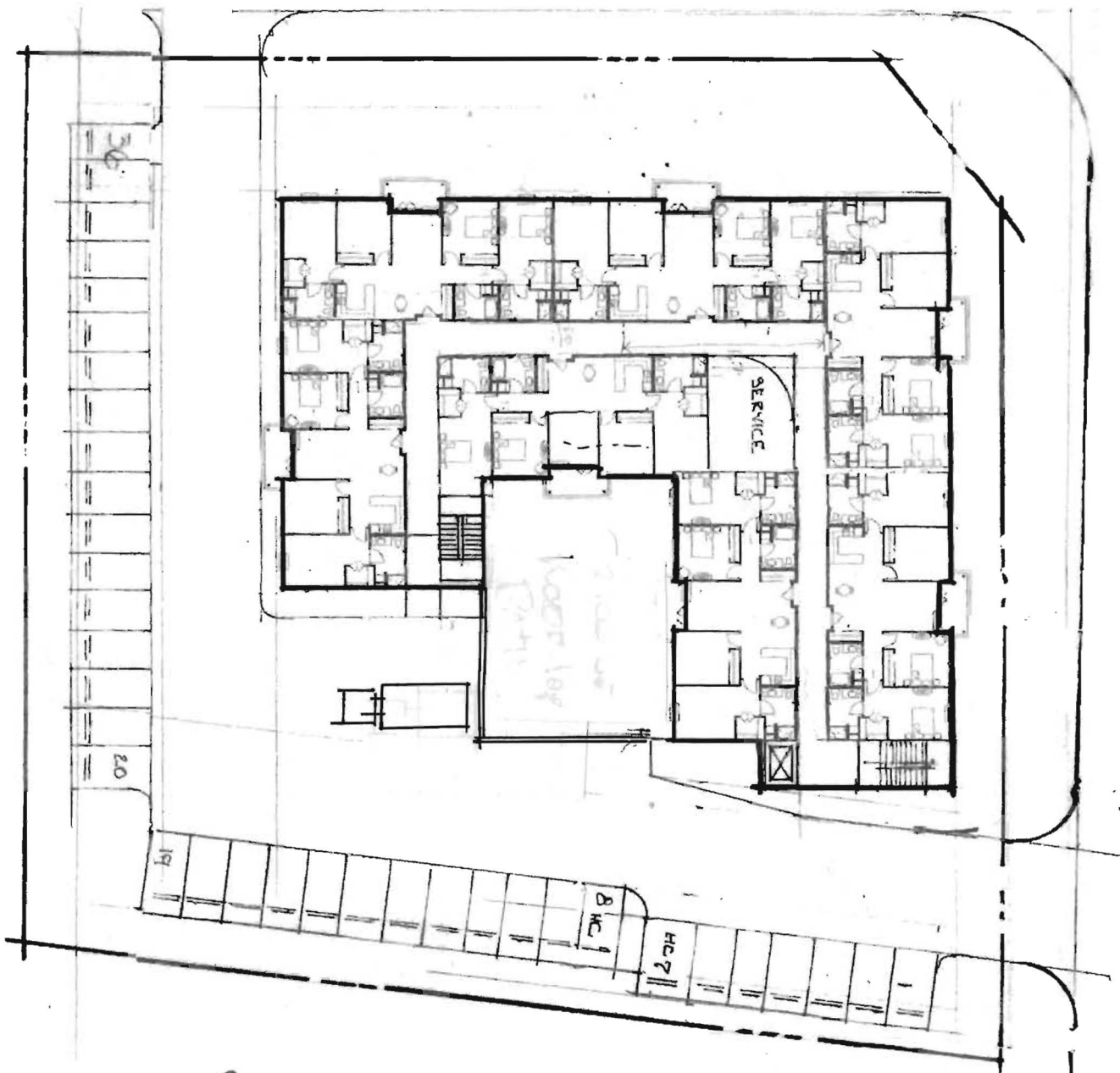
DW
 david
 walkin
 architect



GROUND FLOOR

Conceptual - For Discussion Only





Conceptual - For Discussion Only

2ND, 3RD & FOURTH FLOORS
(ALL SIMILAR TO EACH OTHER)



david
watkin
architect

Conceptual - For Discussion Only



APPENDIX D

May 2021
Open House Material and Feedback



Spring Creek Mountain Village

The Alexander Hotel and Kernick Place Updates

&

BVT Employee/Perpetually Affordable Housing and Furniture Sales Proposal

Land Use Bylaw and Area Redevelopment Plan Amendments

The Alexander and Kernick Place Hotels

- Land Use Map Amendments
- Creek Setback & Environmental Reserve
- Roof Height Amendments
- Visitor Unit Count and Traffic Generation Update.
- Parking Updates
- ARP Boundary Amendment

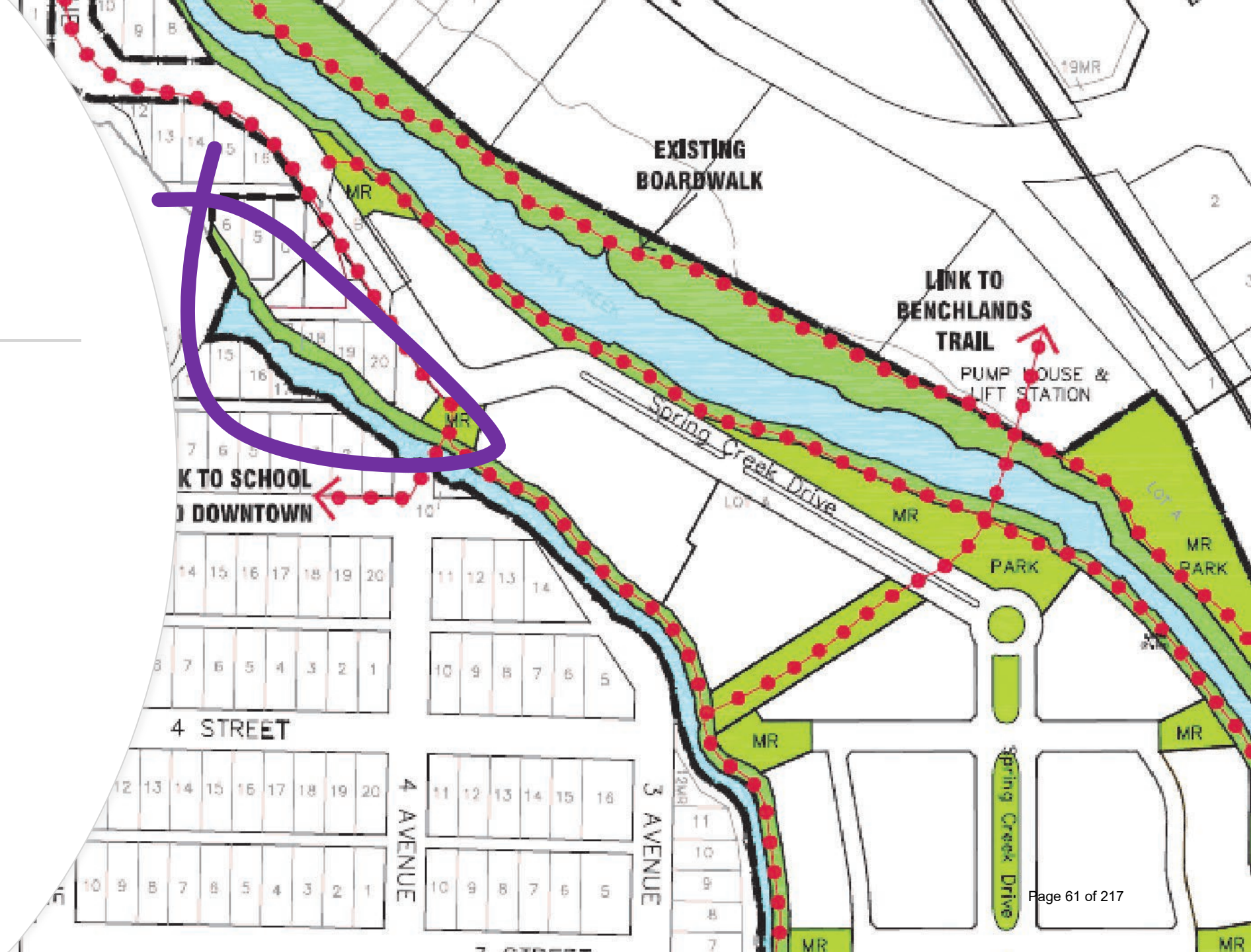


You Said We Heard



You Said We Heard

- No trails behind Alexander Hotel



You Said We Heard

- No trails behind Alexander Hotel
- **Roof heights reduced**



You Said We Heard

- No trails behind Alexander Hotel
- **Roof heights reduced**

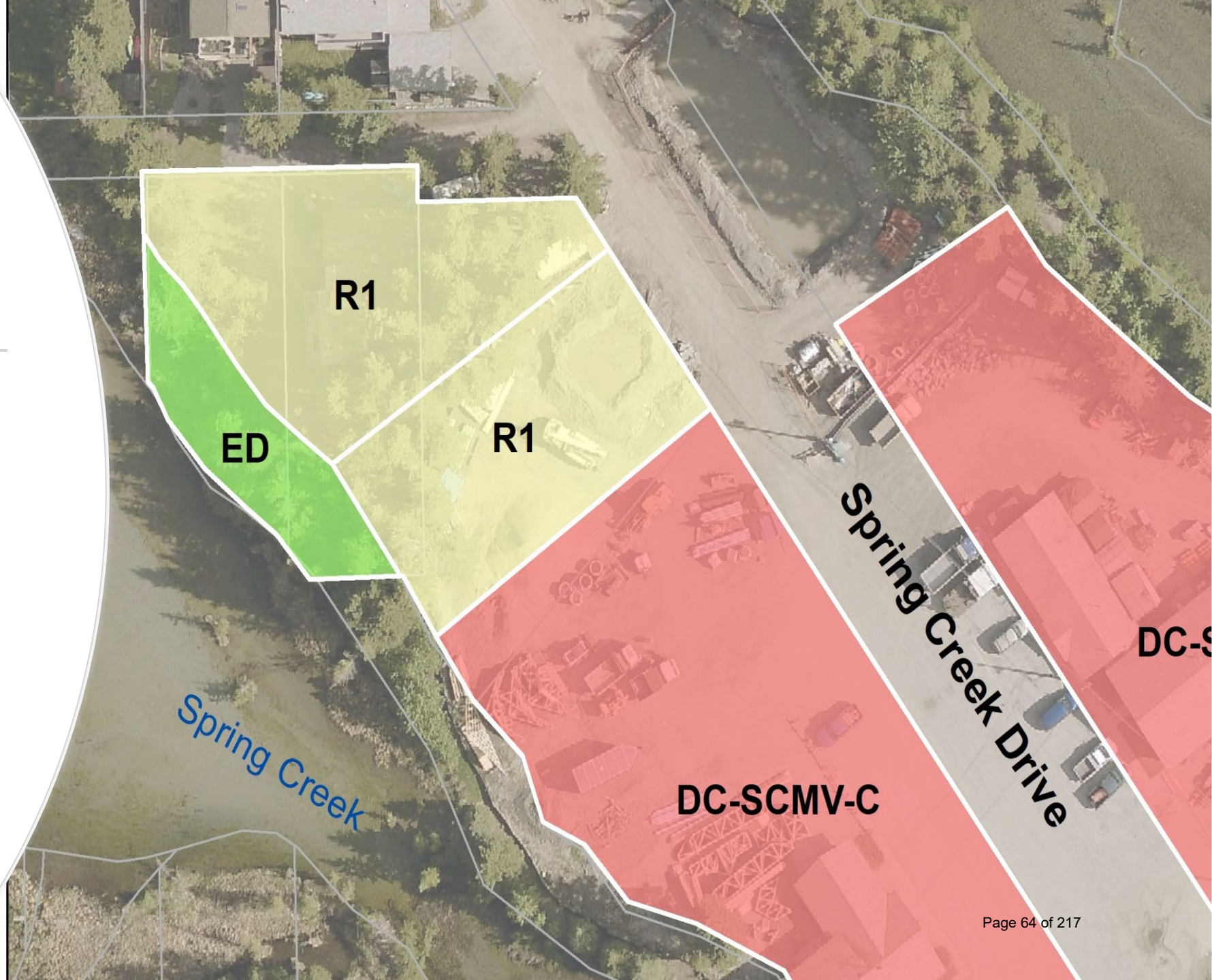


You Said We Heard

- No trails behind Alexander Hotel
- Roof heights reduced
- **Certainty for residential lots:**

“An area of existing single detached housing located north of the Hotel sites and west of Spring Creek Drive shall remain as low density as shown on the Concept Plan Figure 3. Further subdivision may occur, however future lots shall retain the R1 – Residential Detached District designation.”

April 15, 2022 Regular Council Meeting 9:00 a.m.



You Said We Heard

- No trails behind Alexander Hotel
- Roof heights reduced
- Certainty for residential lots
- **More employee housing**

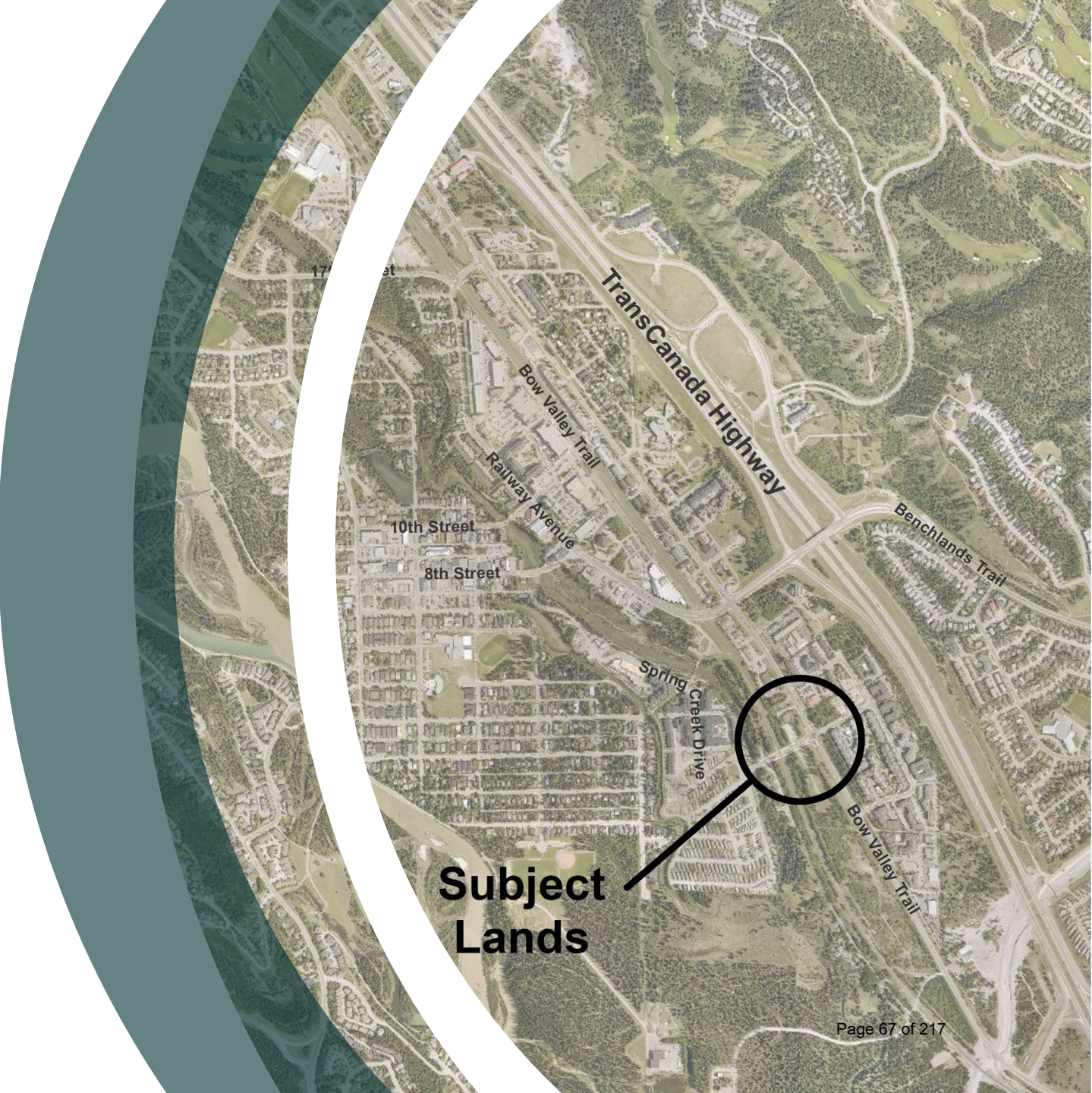




Additional Amendments

- Increase Hotel unit count from 200 to 250.
- Tourist Homes in designated apartment buildings and townhomes.
- Increase Tourist Homes from 300 to 325.

Bow Valley Trail Employee and Affordable Housing, and Furniture Sales Proposal





Transition Zone

- Blend from Commercial to Business Industrial
- Subject lands plus lands to south
- No proposed development on Parcel B

 **Subject Parcel (Parcel A)**
 April 5, 2022 Regular Council Meeting 9:00 a.m.
 **Additional Lands (Parcel B)**



BVT Proposal Summary

- Mixed use 4-storey building
- Ground floor local business furniture sales
- Upper floor Employee and/or Perpetually Affordable Housing

Town of Canmore Municipal Development Plan

9.1.10

*The provision of essential commercial services shall be supported by the Town, with a focus on the Town Centre and mixed-use areas, to strengthen local retail opportunities, **encouraging local retail purchases** of products and services, **while reducing leakage** of local and visitor dollars **into surrounding economies.***

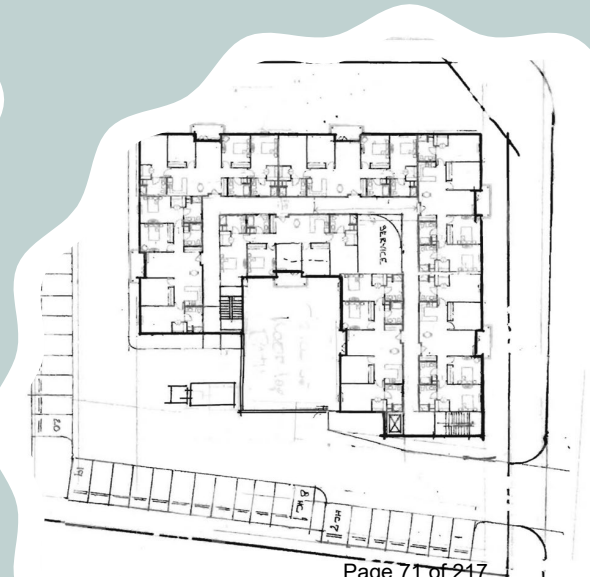
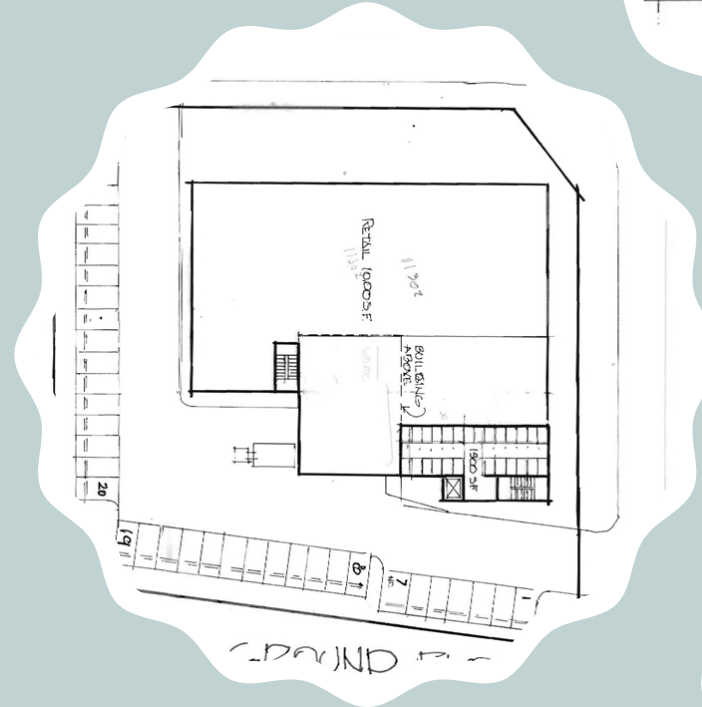
Preliminary Concepts

- High Quality Design
- Parking to rear
- Building oriented to the street
- Efficient use of site
- Ground floor interactive design, transparency



daw david
watkin
architect

3800 Point McKay Road N.W. Calgary, A
403-283-6435 F



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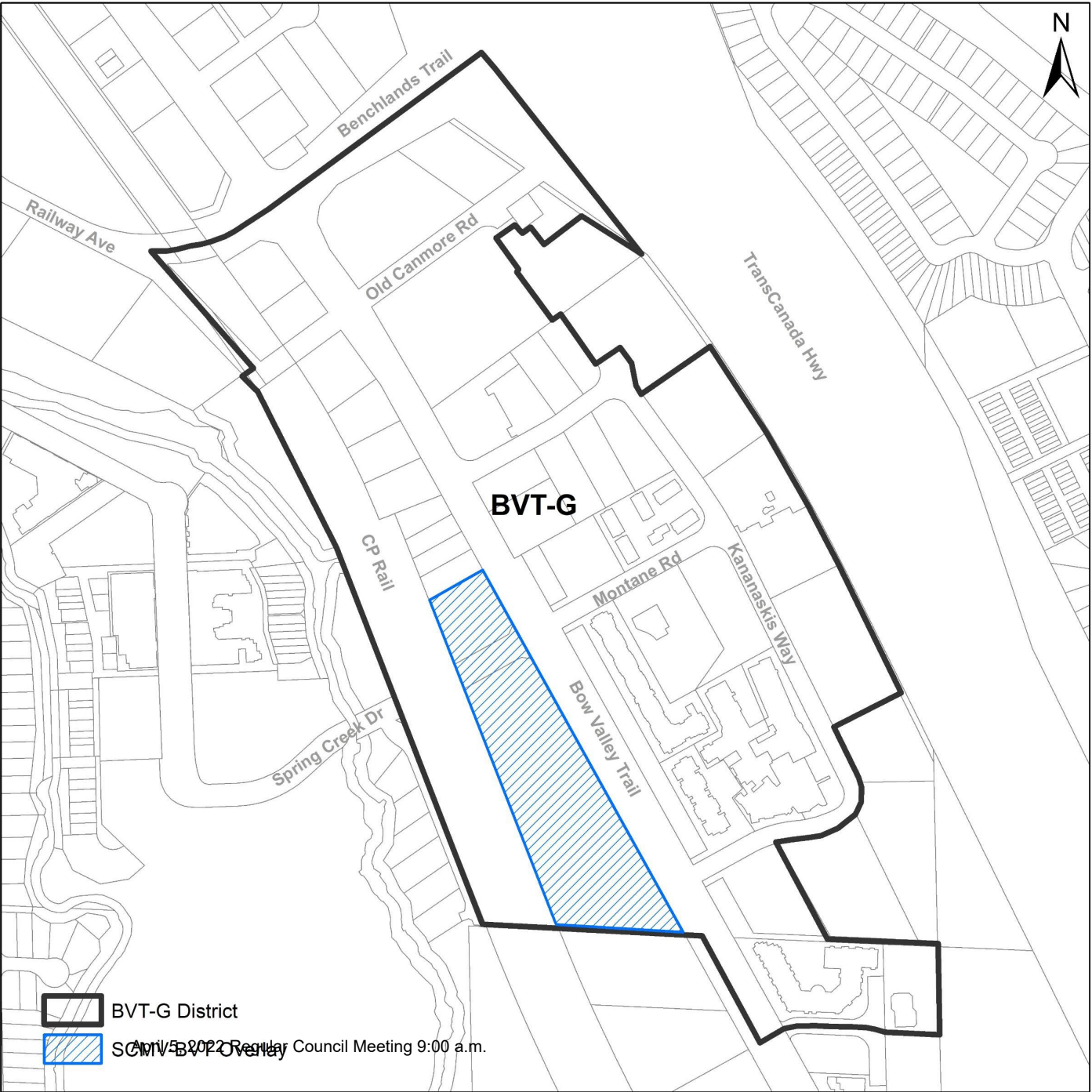
2ND, 3RD & FOURTH FLOORS
(ALL SIMILAR TO EACH OTHER)

daw david
watkin
architect



SCMV-BVT District Overlay

- Within this area we proposed:
- Wholesale Sales as a Discretionary Use
- The maximum GFA of the Wholesales Sales shall be 950m²
- Accessory warehouses may have a GFA of 450m².
- **Must be at least 60% EH or PAH to be allowed.**



Summary of Benefits

- Significant increase to Employee Housing and Perpetually Affordable Housing stock.
- Supporting a local Canmore business.
- Essential retail service for locals, particularly as more people shift to working from home.
- Efficient use of an undeveloped, underutilised area of Canmore.
- Creating a new mixed-use development, bringing vitality to this area of Bow Valley Trail.
- Public realm improvements, pedestrian scale aesthetics, excellent architecture and building interaction with the street.
- Providing a transition zone between visitor/service oriented retail to business/industrial developments.



An architectural rendering of a waterfront development. The scene features a river or canal flowing through the center. On the left bank, there are several large, multi-story buildings with reddish-brown roofs and facades. A road with a dashed center line runs parallel to the water. The right bank is dominated by lush green trees and vegetation. In the background, more buildings and a parking lot are visible. The overall style is a detailed architectural drawing with a watercolor-like texture.

**Thank you
for listening**

Questions?



springcreekarp.com

mmcnamee@mcelhanney.com

May 12, 2021 Open House – Chat Window Transcript.

1. Great presentation and proposal.
2. Great presentation. Fully support the direction.
3. You mentioned R1 will have further subdivision amendments, can you speak to what those amendments might be. Thanks
4. Does this last slide show the expected footprint for the Alexander Hotel?
5. First class design alllllllllll the waaaaaaaaaayyyyyyyy
6. Is the 15 m setback measured from the centre of the creek or the edge of the creek.
7. In terms of use and discretionary use that backs onto Spring Creek, can you elaborate on what sort of use you are thinking. Concerned about noise similar to the Drake and Rose and Crown travelling down the Spring Creek.
8. Good presentation Maire & Frank ! Thanks John Greer
9. Great presentation. I am very excited about the new BVT development and addressing some of the town's goals. Kudos for addressing all the feedback from the previous open house as well. I just wanted to let you know that I actually found the towers on the new hotel developments esthetically more pleasing than the shorter version without the variance but appreciate that you are listening to feedback.
10. So, just for clarity, its 15 m from water edge to construction, right?
11. Yes, and nice presentation! Appreciated!
12. the first class design all the waaaaaaay
13. Great job presenting Maire
14. Can you explain the tourist homes and where they are located?
15. Thank you for for sharing. Have a good night. 👍
16. Thank you
17. Thank you, Maire and Frank!
18. Thanks

APPENDIX E

Sustainability Screening Report



Sustainability Screening Report

Proposed Land Use Bylaw BVT-G District Amendments

April 14, 2021

Submitted to: Town of Canmore
Prepared by McElhanney

Contact

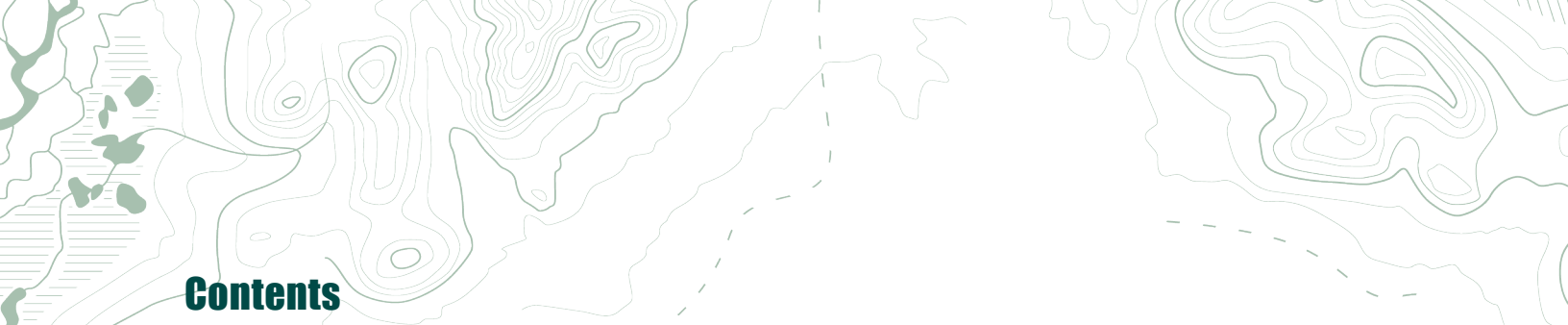
Máire McNamee
Planner
403-621-4078

mmcnamee@mcelhanney.com

Address

203 – 502 Bow Valley Trail,
Canmore AB T1W 1N9

Our file: 2531-1152400



Contents

- 1. Overview 1**
- 2. Sustainability Screening Analysis 1**
 - 2.1. Building Economic Sustainability 1
 - 2.2. Enhancing Environmental Stewardship 2
 - 2.3. Strengthening the Social Fabric 3
- 3. Closing 4**

Appendix D - 1

SSR Matrix

1. Overview

Spring Creek Mountain Village Inc. is proposing a mixed-use 4-storey development which will create 20-40 Employee Housing (EH) and/or Perpetually Affordable Housing (PAH) units. The ground floor will comprise of a 950m² (max) wholesale furniture store and a 450m² (max) associated warehouse, for the sale of larger item furniture. The development site is an undeveloped parcel located on the north west corner of Bow Valley Trail and Spring Creek Drive, adjacent to the Bow Valley Trail roundabout.

The existing property is underutilised and provides an excellent opportunity for an infill development that will provide benefit to the overall community by addressing the current demand for affordable housing. The site is ideally located to encourage walking and cycling, being close to downtown, commercial services, public transit, and facilities. The proposed development will be designed to efficiently utilise the available space, while respecting the existing scale and nature of the surrounding neighbourhood. The project will be crafted to meet the desired built-out street scape as directed in the Bow Valley Trail ARP and designed with massing and materials that respect the existing scale of the surrounding context.

The SSR Outline below provides brief commentary on the proposed offsets identified within the SSR Matrix. We have identified and addressed these offsets at this stage to help in the preparation of a sustainability roadmap for this project. The checklist and proposed offsets will be revisited, reviewed, and updated at key milestones during the design phase to ensure the project is in keeping with the Town of Canmore's environmental, economic, and cultural goals.

2. Sustainability Screening Analysis

2.1. BUILDING ECONOMIC SUSTAINABILITY

How does the project contribute to the priorities contained in the Economic Development and Tourism Strategy?

The top Strategic Action within the Economic Development Strategy states that over the next 5 years (2020-2025) the Town of Canmore will be:

Continuing to work closely and collaboratively with stakeholders to investigate how best to support the development of housing that meets of the needs of the workforce required by Canmore industries.

The strategy has identified that economic and business success are currently being impeded by a lack of "housing for all types". Fundamentally, the retention and attraction of a diverse and talented workforce is challenged by the availability of houses for all workforce levels. This application proposes the

development of approximately 20-40 affordable housing units (EH & PAH) creating a huge boost to attainable housing in close proximity to Spring Creek Mountain Village and Downtown Canmore. It is envisaged that the development will greatly support the local workforce and the wider Canmore community.

In addition, the project intends to source approximately 85% of the construction labour locally. Spring Creek has maintained its commitment to sourcing local labour throughout each stage of the project.

Combined, these attributes go a long way to supporting the three strategic pillars of the Town of Canmore's Economic Development Strategy:

- Nurturing an inclusive and sustainable local economy.
- Continuing to diversify Canmore's economy.
- Retaining and attracting a talented workforce.

2.2. ENHANCING ENVIRONMENTAL STEWARDSHIP

Does the project efficiently use developable land and resources?

Does the project move the Town towards more efficient land use by increasing density compared to existing densities?

Does the project provide reasonable access to basic community services from residences?

This project proposes a high density mix of commercial and residential development on an underutilised property with readily available utilities and resources. The location for this type of development is ideal, with its proximity to services. As with all residential development in this part of the Bow Valley Trail and neighbouring Spring Creek, there is excellent walkable and bikeable access to shops, restaurants, employment, cultural and civic amenities as well as local and regional public transit. The existing trail adjoining the property is directly linked to Spring Creek, Cougar Creek, Downtown and to further Canmore neighbourhoods. This project proposes further improvements to pedestrian infrastructure on Bow Valley Trail and Spring Creek Drive increasing accessibility to the existing network.

What water saving measures does the project propose (demonstrable improvement over average)?

It is intended that high efficiency fixtures and systems will be incorporated. These will be explored in greater detail during detailed design.

Does the project utilize a rain water harvesting system or use 100% infiltration for storm water?

The project proposes 100% storm water infiltration.

What construction waste diversion rate will be achieved?

As is consistent with other SCMV developments, it is anticipated that the percentage of diverted construction waste as a means of environmental stewardship and responsible development will be 80% or more.

What long-term, operating waste diversion flows does the project propose?

Waste, recycling, and organics collection will comply with the requirements of the Town of Canmore's Engineering Design and Construction guidelines. Locations will be coordinated with Town of Canmore's input during design

Does the project encourage people to use bicycles or walking as a means of transportation?

Thanks to the location of the project, and as previously highlighted, it is anticipated that cycling or walking will be a desirable mode of travel for residents. The number of bicycle parking stalls, location, and quality, along with best practice parking standards, will be determined during design and will meet the minimum requirements of the Land Use Bylaw.

Does the project minimize the use of energy and resources both in building construction and operation?

It is anticipated that this project will be constructed to Built Green Gold standards and will strive to achieve a reduction in energy level consumption similar to development in Spring Creek Mountain Village. This includes sustainable practices such as geothermal heating and cooling.

2.3. STRENGTHENING THE SOCIAL FABRIC

What access to basic levels of appropriate shelter does the project propose?

What availability of Employee Housing does the project propose?

Spring Creek Mountain Village as a whole is committed to providing appropriate and affordable shelter to employees and the wider community. The project proposes 20-40 units for Employee Housing and/or Perpetually affordable housing, providing an approximate 70-80 bedrooms of truly affordable accommodation.

Does the project create growth that retains/enhances the Town's identity?

The proposed development shall be designed with the pedestrian in mind, improving the public realm with animated streetscapes including a street front commercial use and higher density residential building with reduced frontage setbacks. The project will create some much-needed built form on this section of Bow Valley Trail and create a gateway feature at the entrance of Spring Creek.

Does the project support the social fabric through cultural assistance?

This proposal, along with other Spring Creek developments, encourages a walkable community by creating a higher density mix of land uses, connected to an interspersed network of trails and open spaces in proximity to downtown and recreational facilities.

Spring Creek is an ongoing supporter of local non-profit organizations, including:

- Annual Highland Games
- Canada Day
- Annual Creek Cleaning (removes approx. 500 lbs garbage per year)

- Food Drive
- Two Condos per year for the Foothills Home Hospital Lottery
- Canmore Community Daycare

Does the projects public consultation program exceed statutory requirements?

Engaging the public in the evolution of their community is important to us. As the development process progresses, the statutory requirements for public consultation will be exceeded. Due to the current COVID-19 pandemic, in person engagement is not being considered. In order to ensure that everyone has an opportunity to review the proposed development, virtual engagement tools have been utilized. A virtual open house will be held prior to the final submission of this application and feedback from the community requested. Awareness of the open house will be made through the local newspaper, mail drops to surrounding households, emails to Town administration, Council and other interested/affected parties.

3. Closing

To summarise, the proposed development generates a significant community benefit, evident from the notable Offset Net Score of 192.65. This impressive score has been generated through the provision of the following sustainable characteristics:

- Mixed-use development
- Higher density
- Perpetually Affordable Housing
- Employee Housing
- Access to community services
- Environmental building design

The positive sustainability screening of this proposal supports the accompanying application for an amendment to the Town of Canmore LUB.

APPENDIX D - 1

SSR Matrix

Sustainability Screening Report Process

Impact - Offset Matrix

Summary Page

Overall Results	Impact	
		%
Economic Sustainability	0.00	0.00
Environmental Stewardship	-7.45	41.19
Social Fabric	-10.64	58.81

Offset	%
0.00	0.00
25.82	12.25
184.93	87.75

Total Impact -18.09

Total Offset 210.74

Net Score **192.65**

Economic Sustainability	
Income and Wages	0.00
Non-Residential Tax Assessment	0.00

Economic Sustainability	
0.00	InfraCycle Assessment
0.00	Increasing commercial assessment
0.00	New employment above median salary
0.00	New employment outside of 4 significant sectors
0.00	Floor space for Economic Development & Tourism
0.00	Percentage of local construction labour value
0.00	Economic leadership or innovation

Environmental Stewardship	
Residential Water Consumption	-1.08
Commercial Water Consumption	-0.39
Residential Solid Waste Generation	-0.77
Commercial Solid Waste Generation	-0.79
All Building Energy use and GHG emissions	-3.34
Transportation	0.00
Infrastructure (sanitary-gravity)	0.00
Infrastructure (sanitary-pressure)	0.00
Environmentally Sensitive Lands	0.00
Land Consumption	-0.07
Efficient Residential Land Use	0.00
Efficient Commercial Land Use	0.00
Efficient Industrial Land Use	0.00
Efficient Mixed Use Residential Land Use	0.00
Efficient Mixed Use Commercial Land Use	0.00
Metres of trails / capita	-1.00
Metres of new roads to service development	0.00

Environmental Stewardship	
2.00	Residential / commercial mix of uses
3.12	Higher density than current levels
3.00	Access to community services from residences
0.00	Access to services from the commercial site
0.00	Water saving measures
0.00	Rain water harvesting system or infiltration
1.50	Construction waste diversion rate
0.00	Long-term, operating waste diversion
0.20	Parking stalls are un-assigned
0.50	Bike parking of adequate quality
1.50	Average size of the dwellings
0.00	LEED Certified
6.00	Built Green Certified
0.00	Other green building certification programs
3.00	Commercial energy consumption reduction
4.00	Residential energy consumption reduction
1.00	Environmentally sensitive land protection
0.00	Minimize density adjacent to sensitive lands
0.00	Reuse an existing contaminated site
0.00	Environmental leadership or innovation

Social Fabric	
Affordability of Market housing (in relation to median income)	0.00
PAH Housing	-2.09
Seniors Housing	-1.67
Employee Housing	-1.25
Childcare spaces	-1.66
Library	-0.66
Food Bank Usage	-1.33
Social Assistance Payments	-1.31
Crimes Against Persons and Property	-0.66

Social Fabric	
80.88	Units of perpetually affordable housing
0.00	Cash contribution towards PAH
97.05	Bedrooms of employee housing
2.00	Bedrooms for employees earning < median income
0.00	Cash contribution towards employee housing
0.00	Units of seniors housing
4.00	Percentage of the employees housed
0.00	Employees rental assistance 10% below market levels
0.00	Percentage of site ares for social interaction
0.00	Reuse an existing historic property or building
0.00	Exceed minimum municipal reserve requirements
0.00	Accessible recreation or cultural facilities or programs
0.00	Contribution to recreation facilities
0.00	Support school enrollment
0.00	Support for current childcare facilities
0.00	Support for cultural establishments
0.00	Support for other non-profit community organizations
0.00	Unique supports for community programming
0.00	Support for special events
0.00	Public art component
1.00	Public consultation program
0.00	Social leadership or innovation

Sustainability Screening Report Process

OFFSETS CHECKLIST	Proposed Offset		Importance Rating	Score
Building Economic Sustainability				
<i>"Economic sustainability requires a diversity of income sources and the participation of a diverse, local, workforce."</i>				
What is the long-term fiscal impact to the Town?				
OBJECTIVE: To ensure the long term financial sustainability of the Town.				
Was the InfraCycle assessment tool used? What was the result of the assessment / fiscal impact study?	1	None or Neutral	Scale of Development Multiplier	
Enter "1" in appropriate box		Weakly Positive	2	0.5
		Moderately Positive	2	1
		Strongly Positive	2	1.5
Does the project move the Town towards increasing the amount of commercial assessment?				
What is the change to the ratio of non-residential to residential assessment?	0.0000		1	0.00
Does the project create above median paying employment?				
What is the change to the ratio of jobs above median income?	0.0000	0	3	0.00
Does the project contribute to economic diversification?				
OBJECTIVE: To diversify employment opportunities outside of the existing principle sectors: Accommodation & Food, Construction, Personal Services, and Retail and Wholesale				
How much of the new employment is outside of the 4 most significant current sectors?	1	None	Scale of Development Multiplier	
Enter "1" in appropriate box		< 25%	2	0.5
What is the sectoral breakdown of employment in the proposed project?		25% - 50%	2	1
How much of the projects floor space is proposed for uses outside of the three main existing business sectors?		> 50%	2	1.5
How does the project contribute to the priorities contained in the Economic Development and Tourism Strategy?				
OBJECTIVE: To support the objectives of the Economic Development & Tourism Strategy.				
How much of the project floor space is for uses outlined as Strategic Priorities?	1	None	Scale of Development Multiplier	
Enter "1" in appropriate box		< 25%	2	0.5
Tourism & Events		25% - 50%	2	1
Small & Home Based Businesses		> 50%	2	1.5
Knowledge Based Businesses				
Health & Wellness				
What percentage of the construction labour value will be sourced to Canmore businesses?	85			
Enter percent				
(33% of assessed value) Construction Labour Value	\$ -	1 point per \$1,000,000		
Resulting Local Effect		\$ -	0	0.75
What additional economic leadership or innovation is demonstrated by the project?				
OBJECTIVE: To lead through innovation.				
What other process or program innovations does this project propose?				
Describe and rate the other innovations:		Scoring Contingent on Value of Innovation	2	0
Enhancing Environmental Stewardship				
<i>"Environmental Stewardship means that we must work towards our future without squandering either our cultural or our natural capital."</i>				
Does the project efficiently use developable land and resources?				
OBJECTIVE: To effectively use land while minimizing the use of ecological and energy resources.				
Does the project propose a residential / commercial mix of uses on site?		No mix of uses	Scale of Development Multiplier	
Enter "1" in appropriate box		Some mix of uses	2	0.25
	1	Commercial development: Is at least 25% of the GFA residential?	2	0.5
	1	Residential development: Is at least 25% of the GFA commercial?	2	0.5
Does the project move the Town towards more efficient land use by increasing density compared to existing densities?				
Does the development increase the residential density compared to current levels?	0.00		1	0.00
Does the development increase the commercial density compared to current levels?	0.00		1	0.00
Does the development increase the industrial density compared to current levels?	0.00		1	0.00
Does the residential portion of the mixed use development increase the residential density compared to current levels?	3.12		1	3.12
Does the commercial portion of the mixed use development increase the commercial density compared to current levels?	0.00		1	0.00
FOR RESIDENTIAL AND MIXED USE PROJECTS WITH A RESIDENTIAL COMPONENT ONLY:				
Does the project provide reasonable access to basic community services from residences?				
Enter "1" in appropriate box		None	Scale of Development Multiplier	
How many services are in close proximity?		4-6 within 400 metres or 7-10 within 800 metres	2	0.5
Bank / Community or civic centre / Convenience store / Daycare centre / Laundry or dry cleaner / Library / Medical or dental office / Pharmacy / Post office / Place of worship /		7-10 within 400 metres or 11-13 within 800 metres	2	1

Restaurant/ Cafe / School / Supermarket / Other neighbourhood-serving retail / Other building with office space	1	11 or more within 400 metres or 14 or more within 800 metres	2	1.5	3
---	---	--	---	-----	---

FOR NON-RESIDENTIAL PROJECTS ONLY:

Does the project provide reasonable access to basic community services from the site?

Enter "1" if all the following criteria are satisfied:

		2	1	0
--	--	---	---	---

Is located on a previously developed site

Is within 800 metres (½ mile) of a residential area or neighbourhood with an average density of 25 units per hectare (10 units per acre)

Is within 800 metres (½ mile) of at least 10 basic services (below)

- Bank / Community or civic centre / Convenience store / Daycare centre / Laundry or dry cleaner / Library / Medical or dental office / Pharmacy / Post office / Place of worship / Restaurant/ Cafe / School / Supermarket / Other neighbourhood-serving retail / Other building with office space

What water saving measures does the project propose (demonstrable improvement over average)?		Scale of Development Multiplier		
Commercial Applications Enter "1" in appropriate box	None			
	Reduction in water use 20% from baseline	2	0.5	0
	or			
Residential Applications	Use of High Efficiency Fixtures (LEED)	2	0.25	0
Residential Applications	Use of Very High Efficiency Fixtures (LEED)	2	0.5	0

Does the project utilize a rain water harvesting system or use 100% infiltration for storm water?

Enter "1" in one box only

		Scale of Development Multiplier		
Water used in "re-use systems" must be used in place of potable water. For 100% infiltration, there can be no connections to a piped storm water system (except for major events).	None			
	100% storm water (10 year event and above) infiltration on site (3 units and above only and where a pipe system exists)	2	0.25	0
	Pervious treatments (10% of manufactured surfaces)	2	0.5	0
	Storm water re-use - 50% or more of roof area	2	0.5	0
	Storm water re-use - 75% or more of roof area	2	1	0

What construction waste diversion rate is achieved?

Enter "1" in appropriate box

		Scale of Development Multiplier		
1	Less than 50%	2	0.25	0
	> 50%	2	0.75	1.5
	> 75%	2	0.75	1.5

What long-term, operating waste diversion flows does the project propose?

Enter "1" in appropriate box

Does the project propose on site recycling or waste processing?

		Scale of Development Multiplier		
1	No diversion			
	Diversion of waste flow (1-3 streams)	2	0.5	0
	Diversion of waste flow (>3 streams)	2	1	0

Does the project encourage people to use bicycles or walking as a means of transportation?

OBJECTIVE: To encourage the use of alternate means of transportation in the community.

Does the project propose new public trail?

Length of designated public trail (m)	0.00000		1.5	0.00
---------------------------------------	---------	--	-----	------

How many of the parking stalls are un-assigned, not reserved or first come first served?

		Scale of Development Multiplier		
1	None or less than 25%	2	0.1	0.2
	25-50%	2	0.25	0
	> 50%	2	0.33	0
	100%	2	0.33	0

Does the project facilitate the use of bicycles for transportation? Bike parking proposed must be of adequate quality and be appropriately located. (For residential applications, this offset only applies to developments without garages)

Enter "1" in the appropriate box

Commercial applications only.

Commercial applications only.

Commercial applications only.

		Scale of Development Multiplier		
1	None			
	1 bike stall or more per residential unit	2	0.25	0.5
	1 bike stall or more per 5 required vehicle stalls	2	0.25	0
	1 covered bike stall or more per 5 required vehicle stalls	2	0.5	0
	Covered bike parking (as above) and shower facilities for employees	2	0.75	0

Does the project minimize the use of energy and resources both in building construction and operation?

OBJECTIVE: To minimize the use of resources in the construction and operation of buildings.

What is the average size of the dwelling or accommodation units? (Square metres)

Enter "1" in appropriate box
Calculate using residential GFA divided by the number of units.

		Scale of Development Multiplier		
1	Not Applicable			
	<100	2	1	0
	100-150	2	0.75	1.5
	151-200	2	0.5	0
	201-250	2	0.1	0
	251 and above	2	0	0

What level of green building initiatives does the project include?

Is the development LEED or Built Green Certified?

Enter "1" in appropriate box

		Scale of Development Multiplier		
1	LEED			
	None			
	Shadow	2	1	0
	Certified	2	2	0
	Silver	2	3	0

	Gold	2	4	0
	Platinum	2	5	0

Built Green		Scale of Development Multiplier		
Enter "1" in appropriate box	None			
	Bronze	2	0.5	0
	Silver	2	1.5	0
	Gold	2	3	6
	Platinum	2	4	0

Does the project propose to use any of the following green building certification programs?		Scale of Development Multiplier		
Green Globes?	Built Green Certification Equivalent	2	0	0
BOMA?		2	0	0
BREEAM?		2	0	0

What level of energy consumption reduction does a commercial building achieve?		Scale of Development Multiplier		
Enter "1" in appropriate box (compared to MNECB)	Less than 15% improvement			
	>25% improvement	2	0.25	0
	>33% improvement	2	0.75	0
	>42% improvement	2	1.1	0
1	>50% improvement	2	1.5	3

What level of energy consumption reduction does a residential building achieve?		Scale of Development Multiplier		
Enter "1" in appropriate box	EnerGuide of <80			
	EnerGuide score of 80 or more	2	1	0
	EnerGuide score of 82 or more	2	1.5	0
1	EnerGuide score of 84 or more	2	2	4

Does the project minimize its impact on the natural environment?
OBJECTIVE: To maintain the ecological integrity of the Bow Valley.

If there are environmentally sensitive lands within or adjacent to the site, what mitigations or protection are proposed?		Scale of Development Multiplier		
Enter "1" in appropriate box Are mitigations possible / achievable? Limited building envelope? Dedication of lands in excess of minimal municipal reserve requirements? Conservation offsets? Habitat improvements? Dedication of new conservation easements? Dedication of conservation easements on residual lands?	No mitigations	2	0.5	1
	1 Not located in ESA	2	0.25	0
	Average mitigations	2	0.5	0
	Good mitigations	2	1	0
	High quality mitigations	2	1	0

Does the project minimize its impact on any adjacent Wildlife Corridors or Habitat Patch?
OBJECTIVE: To maintain the ecological integrity of the Bow Valley.

Does the project decrease or minimize residential density adjacent to environmentally sensitive lands adjacent or proximate to the site?		Scale of Development Multiplier		
Enter "1" in appropriate box	Average lot area less than 630 m ² . (no mitigation)			
	Average lot area greater than 630 m ² .	2	0.0000	0.5
	Average lot area greater than 4,000 m ² .	2	0.0000	1
	Average lot area greater than 8,000 m ² .	2	0.0000	1.5
	Average lot area greater than 16,000 m ² .	2	0.0000	2

Does the project reuse an existing contaminated brownfield site?		Scale of Development Multiplier		
Enter "1" in appropriate box Geophysical and geotechnical issues not included.	1 No remediation proposed?			
	In-situ management of contaminants?	2	0.25	0
	Removal and disposal of contaminants?	2	1	0

What additional environmental leadership or innovation is demonstrated by the project?
OBJECTIVE: To lead through innovation.

What other process or program innovations does this project propose?	Scoring Contingent on Value of Innovation	2		0
--	---	---	--	---

Describe and rate the other innovations:

Strengthening the Social Fabric
 "... embracing diversity and managing our community in ways that support diversity are the means to creating and maintaining a strong social fabric"
What access to basic levels of appropriate shelter does the project propose?
OBJECTIVE: Increasing the supply of truly affordable housing (PAH).

How many units of perpetually affordable housing are in the project?	10	Number of units required to maintain current PAH ratio 0.62	1617.521%	5	80.876
--	----	--	-----------	---	--------

Does the project proposed a cash contribution towards PAH in lieu of providing affordable housing units? Unit equivalency by cash contribution (where \$275,000 equals 1 unit)		Number of units required to maintain current PAH ratio 0.62	0.000%	4	0.000
---	--	--	--------	---	-------

How many bedrooms of employee housing are in the project?	50	Number of bedrooms required to maintain current EH ratio	3235.042%	3	97.051
---	----	--	-----------	---	--------

1.546

		Scale of Development Multiplier		
Are 100% of the employee housing bedrooms being occupied by employees earning less than the community median income?	1	Enter '1' if Yes	2	1 2

Does the project proposed a cash contribution towards employee housing in lieu of providing employee housing bedrooms? <i>Unit equivalency by cash contribution (where \$115,000 equals 1 bedroom)</i>		Number of bedrooms required to maintain current EH ratio	0.000%	4	0.000
			1.546		

How many units of seniors housing (SH) are in the project?		Number of units required to maintain current SH ratio	0.000%	4	0.000
			0.359		

What availability of Employee Housing does the project propose?					
OBJECTIVE: Increasing the supply of employee housing units to ensure that businesses have enough staff to meet community demands.					
What percentage of the employees will be provided housing?	Enter "1" in appropriate box	None	Scale of Development Multiplier		
		1 to <25%	2	1	0
		25% to <50%	2	2	4
		50% to <75%	2	3	0
		75% to 100%	2	4	0

What percentage of the employees will be provided rental assistance resulting in rents 10% below market levels?	Enter "1" in appropriate box	None	Scale of Development Multiplier		
		<25%	2	0.5	0
		25% to <50%	2	1	0
		50% to <75%	2	1.5	0
		75% to 100%	2	2	0

Does the project create growth that retains/enhances the Town's identity?					
OBJECTIVE: Canmore retains its small town character of being an open, friendly, and easily accessible place that is a visually pleasing community.					
What percentage of the site area is set aside and is effective for accommodating meeting and social interaction?	Enter "1" in appropriate box	None	Scale of Development Multiplier		
		< 5%	2	0.25	0
		5% to < 10%	2	0.5	0
		10% to < 15%	2	0.75	0
		15% and above	2	1	0

Does the proposal retain or reuse an existing historic property or building?	1	Not Applicable			
		No			
<i>Has the project been designed with adjacent heritage buildings in mind?</i>		Building envelope adjusted to respect adjacent historic building		0.25	0
		Reuse / adaptation with partial retention of exterior historic details		0.5	0
		Reuse / adaptation with full retention of exterior historic details		0.75	0
		Restoration of historic structure		1	0

Does the project exceed minimum municipal reserve requirements (including cash in lieu)? (what percent is above or below requirements)	1	None or less than required level	Scale of Development Multiplier		
		< 5%	2	0.25	0
		5% to < 10%	2	0.5	0
		10% to < 15%	2	0.75	0
		15% and above	2	1	0

Does the project support the social fabric through cultural assistance?					
OBJECTIVE: To support and assist existing community groups and programs.					
Does the project provide accessible (physically and cost) recreation or cultural facilities or programs?	Enter "1" in appropriate box	No facilities	Scale of Development Multiplier		
		Restricted public access	2		0
		Good public access	2		0
		Superior public access	2		0

Does the project make a contribution to recreation facilities ?	Enter "1" in appropriate box	None or Minimal	Scale of Development Multiplier		
<i>How big is the contribution relative to the proposed project budget? (1% of total construction budget?)</i>		Equivalent to Voluntary Policy (per unit)	2	0.25	0
		Exceeds Voluntary Policy	2	0.5	0

Does the project support school enrollment? Provide evidence of support, please.	Enter "1" in appropriate box	None or Minimal	Scale of Development Multiplier		
		Sustains current school enrollment	2		0
	1	Increases school enrollment	2		0

What level of support for current childcare facilities does the project propose?	Enter "1" in appropriate box	None or Minimal	Scale of Development Multiplier		
		Sustains the current spaces available	2		0
		Increases the number of spaces available	2		0

What level of support for cultural establishments (library, museum, church) does the project propose? Enter "1" in appropriate box How many people are served by the receiving organization? How big is the contribution relative to the proposed project budget? Significance of contribution to the recipient organization budget? Significance of contribution to the recipient project? Significance of contribution to the recipient organization?	None or Minimal	Scale of Development Multiplier		
	Medium	2		0
	High	2		0
			Scoring Contingent on Value of Proposal	

What level of support for other non-profit community organizations does the project propose? Enter "1" in appropriate box How many people are served by the receiving organization? How big is the contribution relative to the proposed project budget? Significance of contribution to the recipient organization budget? Significance of contribution to the recipient project? Significance of contribution to the recipient organization?	None or Minimal	Scale of Development Multiplier		
	Medium	2		0
	High	2		0
			Scoring Contingent on Value of Proposal	

What unique supports for community programming does the project propose? Enter "1" in appropriate box How many people are served by the receiving organization? How big is the contribution relative to the proposed project budget? Significance of contribution to the recipient organization budget? Significance of contribution to the recipient project? Significance of contribution to the recipient organization?	None or Minimal	Scale of Development Multiplier		
	Medium	2		0
	High	2		0
			Scoring Contingent on Value of Proposal	

What level of support for special events does the project propose? Enter "1" in appropriate box How many people are served by the receiving organization? How big is the contribution relative to the proposed project budget? Significance of contribution to the recipient special event budget? Significance of contribution to the recipient special event project? Significance of contribution to the recipient special event organization?	None or Minimal	Scale of Development Multiplier		
	Medium	2		0
	High	2		0
			Scoring Contingent on Value of Proposal	

Does the project propose to include a public art component? Enter "1" in appropriate box	No public art provided	Scale of Development Multiplier		
	Public art provided	2	0.25	0
	Public art exceeds 1% of the project budget	2	0.5	0

What civic engagement, community participation or leadership and innovation is demonstrated by the project? OBJECTIVE: Residents have options to receive effective information and provide input which is incorporated into decision making.		Meets statutory requirements	Scale of Development Multiplier		
Does the project's public consultation program exceed statutory requirements? Enter "1" in appropriate box		Notification	2	0.25	0
	1	Consultation with community/neighbours	2	0.5	1
		Collaboration	2	1	0

What additional social leadership or innovation is demonstrated by the project? OBJECTIVE: To lead through innovation.		Scoring Contingent on Value of Innovation	2		0
What other process or program innovations does this project propose? Describe and rate the other innovations:					

Total Offsets

210.744

Total Resulting Score

192.653

BYLAW 2021-20

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
AMEND BOW VALLEY TRAIL AREA REDEVELOPMENT PLAN BYLAW 11-2012**

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 “Bow Valley Trail Area Redevelopment Plan Amending Bylaw – Common Amenity Housing.”

INTERPRETATION

2. Words defined in Bylaw 11-2012 shall have the same meaning when used in this bylaw.

AMENDS BYLAW 11-2012

3. Schedule A of Bow Valley Trail Area Redevelopment Plan Bylaw 11-2012 is amended by this bylaw.
4. Section 6.2.3 subsection 3. Employee Housing is amended by changing the subsection number to “4”, and renumbering the subsequent subsections accordingly, and adding the following new section after “2. Visitor Accommodation”:

3. Common Amenity Housing
5. Section 6.2.3.1 subsection 1 is amended by adding “except where development incentives are provided, including to use limitations in the ARP to encourage common amenity housing, employee housing, or perpetually affordable housing. The specific incentives are specified in the Land Use Bylaw District for BVT-G” after “Retail store size will continue to be restricted to less than 150m².”

ENACTMENT/TRANSITION

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

FIRST READING:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

6.2 General BVT Precinct

6.2.1 Purpose

The General BVT Precinct is intended as a commercial area primarily focused on serving visitors. Historical development patterns have resulted in this area having a large number of visitor accommodation units. The main floor of buildings should be reserved for uses that require and facilitate strong interaction with people on the street, such as hotel entrances, small retail stores, or eating establishments. Particular emphasis should be placed on the BVT frontage of properties. Uses that are predominantly focused on serving visitors are encouraged in this precinct.

6.2.2 Objective

This precinct should accommodate much of Canmore's capacity to provide accommodation to visitors outside of the resort centre areas identified in the Municipal Development Plan (MDP). The maintenance of a good mix of visitor accommodation unit types and the number of visitor accommodation units will help to support the tourism sector of the local economy, as well as provide spin-off support to other sectors of the local economy.

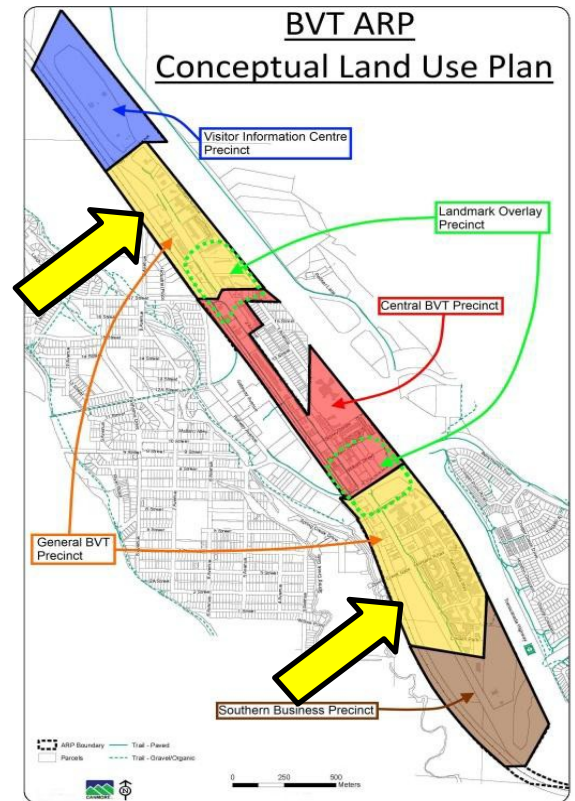


Figure 4: General BVT Precinct

6.2.3 Land Uses

The following uses do not represent a comprehensive list of all appropriate uses for the precinct but are intended to provide examples of appropriate types of uses and to form the basis for the creation of new land use district(s) through the Land Use Bylaw. Uses that are fundamentally different from those listed are not considered to be appropriate in this precinct.

The following are examples of uses that are appropriate within the General BVT Precinct. This is not an exhaustive list:

1. Athletic and Recreation Facilities
2. Visitor Accommodation
3. **Common Amenity Housing**
4. Employee Housing
5. Perpetually Affordable Housing
6. Services such as Tourist Sales/Booking Offices, Laundromats and Convenience Stores
7. Health and Wellness businesses such as Medical Clinics and Personal Service Businesses
8. Small Retail Stores (<150m² GFA)
9. Small Grocery/ Convenience Stores (<300m² GFA)
10. Convention Facilities
11. Community Amenities such as Parks and Playgrounds
12. Public and Quasi Public Buildings and Uses
13. Eating Establishments
14. Entertainment Establishments
15. Home Occupations

The following are examples of uses that may be appropriate in the General BVT Precinct.

Determination of appropriateness should be made on a case by case basis. This is not an exhaustive list:

1. Residential Dwelling Units and Tourist Homes (above the ground floor)
2. Liquor Stores
3. Drinking Establishments
4. Light Manufacturing Operations
5. Long Term Care Facilities
6. Seniors Housing/Supportive Living Facility

6.2.3.1 Retail Uses

1. General Retail

Retail store size will continue to be restricted to less than 150m², except where development incentives are provided including to use limitations in the ARP to encourage common amenity housing, employee housing, or perpetually affordable housing. The specific incentives are specified in the Land Use Bylaw District for BVT-G. This restriction has been in place since the late 1990s and meant to focus larger retail stores in the Town Centre and Gateway Commercial districts, in accordance with the Municipal Development Plan.

2. Visitor Oriented Retail

One of the primary foci of this precinct is to provide services to visitors. Retail uses where the primary purpose is to provide services to visitors may be permitted to be larger than 150m² but no larger than 300m² (e.g.: tour sales and bookings, recreational equipment rentals). Such uses will be clearly defined in any proposed amendment to the Land Use Bylaw.

3. Retail Associated with Other Uses

Unless otherwise noted or exempted, where retail is associated with other uses, up to 150m² of the total space may be used for retail purposes. (e.g. A 225m² optometry clinic could comprise of 75m² of medical clinic and 150m² of retail space for sales of glasses and related products)

6.2.4 Development Standards

The built form in the General BVT Precinct is intended to be similar to those developments that were built between 2000 and 2010, with the intent of bringing buildings closer to the street to make the area feel more like a street and less like a highway. Major changes to pre-existing development regulations are not intended.

16. Due to the varying widths of the road right-of-way for the Bow Valley Trail (23-43m), front yard setbacks may need to be decreased in some areas to reduce the distance of some developments from the street.
17. The maximum height of buildings should remain similar to current height limits.
18. All properties that are addressed off Bow Valley Trail should maintain a frontage and main entry from Bow Valley Trail.

6.2.4.1 Efficient Use of Land

The efficient and aesthetic development of properties within the BVT area is important to maximize the use of limited commercial lands, to promote the desired streetscape and to generate a critical mass of residents, businesses and visitors that create synergies with each other. To this end, single storey buildings, with the exception of institutional buildings such as hospitals or convention centres, are not appropriate within General BVT Precinct.

1. The minimum floor area ratio for developments within this precinct should be increased slightly to encourage multi-storey buildings and more efficient use of land.

6.2.4.2 Community Architectural and Urban Design Standards

The CAUDS contained within the Land Use Bylaw 22-2010 are appropriate, and should be applied to the General BVT Precinct:

1. The CAUDS should be modified to allow alpine/industrial architectural design. Alpine/industrial design is defined a hybrid of the use of traditional alpine materials including heavy timbers and stone with lower pitched roofs, higher amounts of glazing, and general passive solar and green design. The Town of Canmore Civic Centre is an example of this design style.
2. Where lower pitched roofs are proposed as part of a development, the maximum height of a

building may be reduced to ensure building massing is similar to alpine buildings with minimum 6:12 roof pitches.

BYLAW 2021-21

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

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

TITLE

1. This bylaw shall be known as “Land Use Bylaw Amendment – Bow Valley Trail General Commercial District.”

INTERPRETATION

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

AMENDS BYLAW 2018-22

3. Land Use Bylaw 2018-22 is amended by this bylaw.
4. Section 4.6.2 is amended by adding “Wholesale Sales” after “Transportation Terminal”.
5. Section 4.6.4.5 is amended by changing the section number to 4.6.4.6 and renumbering the subsequent sections accordingly, then adding the following new section after section 4.6.4.4:

4.6.4.5 Wholesale Sales shall only be permitted when as part of a mixed-use development that includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing at a ratio of 1 Bedroom per 20 m² of Wholesales Sales area, rounded up to the nearest full bedroom. The maximum GFA of a Wholesale Sales is 950m².
6. Section 4.6.4.6 is amended by adding “An increase of up to 250 m² is permitted where the Warehouse is accessory to a Wholesale Sales development, and the development includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing at a ratio of 1 Bedroom per 10 m² of Warehouse area, rounded up to the nearest full bedroom” after “The maximum GFA of a Warehouse development is 250 m².”
7. Section 4.6.4.11 is amended by adding “except as allowed in sections 4.6.4.5 and 4.6.4.6” after “pitched roofs”.
8. Section 4.6.4 is amended by adding the following after section 4.6.4.17:

4.6.4.18 Notwithstanding the above, where Common Amenity Housing or Employee Housing is developed, with the exception of section 8.7.0.3, compliance with section 8.7 is not required.
9. Section 4.6.9.1 is amended by adding the following after subsection “b”:

- c. The required eave line height of a proposed mixed-use development which includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing above the main floor, may be raised to 11.0 m where:
 - (i) the development includes a full story dedicated to Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing above the main floor,
 - (ii) where the Development Authority is satisfied that the intent of the “Massing and Scale Guidelines” in Section 11: Community Architectural and Urban Design Standards are met, and
 - (iii) where the Development Authority is satisfied that there is no impact on access to light for neighbouring properties, the protection of views from neighbouring properties and the privacy for neighbouring properties.

ENACTMENT/TRANSITION

- 10. 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.
- 11. This bylaw comes into force on the date it is passed.

FIRST READING:

PUBLIC HEARING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

Schedule A

4.6 BVT-G BOW VALLEY TRAIL GENERAL COMMERCIAL DISTRICT

Purpose

This district is intended to form the core of Canmore's Visitor Accommodation outside the resorts and provide a variety of commercial uses including visitor-oriented services and activities, and small retail outlets that serve both residents and visitors.

4.6.1 Permitted Uses

Amusement Arcade
Arts and Crafts Studio
Athletic and Recreation Facility, Indoor
Convention Facility
Eating and Drinking Establishment
Entertainment Establishment
Home Occupation – Class 1
Hostel
Medical Clinic
Open Space
Perpetually Affordable Housing
Personal Service Business
Public Building
Public Utility
Retail Sales
Veterinary Clinic
Visitor Accommodation

4.6.2 Discretionary Uses

Accessory Building
Administrative/Sales Office
Automotive Sales and Rentals
Brewery/Distillery
Campground
Cannabis Retail Store
Care Facility
Common Amenity Housing
Cultural Establishment
Day Care
Drive-in/Drive-Through Food Service
Dwelling Unit (above the ground floor) [2020-16]
Employee Housing
Essential Public Service
Funeral Home
Gas Bar and Service Station
Home Occupation - Class 2
Kennel
Laundry Facility

Light Manufacturing
Liquor Store
Logging operation
Office
Pet Care Facility
Printing Establishment
Staff Accommodation
Taxi Stand
Temporary Business
Temporary Staff Housing
Tourist Home
Transportation Terminal
Wholesale Sales
Warehouse

4.6.3 Regulations

- 4.6.3.1 The minimum site area shall be 1000 m².
- 4.6.3.2 The minimum site width shall be 30 m.
- 4.6.3.3 The minimum FAR shall be 0.75.
- 4.6.3.4 The maximum FAR shall be 1.5.
- 4.6.3.5 The maximum site coverage of all buildings shall be 55%.
- 4.6.3.6 The minimum front yard setback shall be as follows:
 - a. Fronting on to Bow Valley Trail: to be characterized by a street-oriented building design located no more than 2.0 m from the property line
 - b. All other locations: 3.0 m
- 4.6.3.7 Buildings must be constructed to the front yard setback for a minimum 20% of the building, except where pedestrian infrastructure or hardscaping (e.g. plaza, seating) is provided.
- 4.6.3.8 The minimum rear yard setback shall be 6.0 m.
- 4.6.3.9 The minimum side yard setback shall be 3.0 m.
- 4.6.3.10 Notwithstanding the yard setbacks above, all development shall be set back from the TransCanada right of way by a minimum 15.0 m.
- 4.6.3.11 The maximum building height is 16.0 m.
- 4.6.3.12 The maximum eave line height is 7.0 m.
- 4.6.3.13 Floor area above the eave line shall be incorporated into the roof structure and step back from the front building face for a minimum of 70% of the elevation.
- 4.6.3.14 Developments shall conform to Section 11: Community Architectural and Urban Design Standards and the regulations of this section. Where there is a conflict between Section 11 and this section, this section shall prevail.

4.6.4 Use-Specific Regulations

- 4.6.4.1 The maximum GFA of a Cannabis Retail Store is 150 m².
- 4.6.4.2 The maximum GFA of a Liquor Store is 150 m².
- 4.6.4.3 The maximum size of an Office development when located on the ground floor is 250 m². Additional GFA for this use shall only be provided above the ground floor.
- 4.6.4.4 The maximum GFA of a Retail Sales development shall be 150 m². Where an application is made for Retail Sales and its primary purpose is to provide a service to visitors, a total GFA may be permitted up to a maximum of 300 m². [2021-24]
- 4.6.4.5 Wholesale Sales shall only be permitted when as part of a mixed-use development that includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing at a ratio of 1 Bedroom per 20 m² of Wholesales Sales area, rounded up to the nearest full bedroom. The maximum GFA of a Wholesale Sales is 950m².
- 4.6.4.6 The maximum GFA of a Warehouse development is 250 m². An increase of up to 250 m² is permitted where the Warehouse is accessory to a Wholesale Sales development, and the development includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing at a ratio of 1 Bedroom per 10 m² of Warehouse area, rounded up to the nearest full bedroom.
- 4.6.4.7 A Light Manufacturing development may include up to 200 m² of Retail Sales as an accessory use.
- 4.6.4.8 A Gas Bar and Service Station shall be located south of Benchlands trail only.
- 4.6.4.9 A Drive-in/Drive-Through Food Service development shall be located north of 17th street only.
- 4.6.4.10 A Dwelling Unit, including Employee Housing or Tourist Home unit(s), shall be located above the ground floor and outside the 30 NEF contour only.
- 4.6.4.11 A maximum of 50% of the total GFA of the building(s) on-site may be used for residential units, including Tourist Home units. The development authority may consider relaxation of this limit where Dwelling Units are designed into the attic space under pitched roofs. Except as allowed in 4.6.4.5, and 4.6.4.6.
- 4.6.4.12 Notwithstanding 4.6.4.10, a Care Facility and/or a Perpetually Affordable-development may occupy 100% of the GFA of a development, may be permitted on the mainfloor, and is not subject to any size restriction.
- 4.6.4.13 The maximum size of a Tourist Home or other Dwelling Unit shall be 75.0 m².
- 4.6.4.14 Tourist Home units shall not be located on the main floor of a mixed-use building.
- 4.6.4.15 Tourist Home and Visitor Accommodation units may occupy the same as other Dwelling Units; however, all must have separate and distinct entrances and circulation areas.
- 4.6.4.16 Tourist Home units and other Dwelling Units must be separated from any commercial use of a building.
- 4.6.4.17 Where Tourist Home or other Dwelling Units are proposed, the development authority shall require private outdoor Amenity Space in accordance with subsection 8.7.

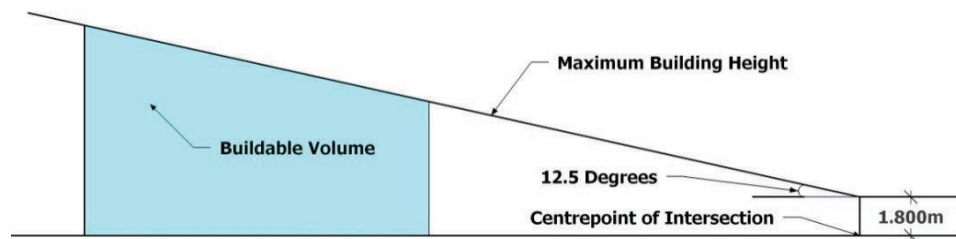
4.6.4.18 Notwithstanding the above, where Common Amenity Housing or Employee Housing is developed, with the exception of 8.7.0.3, compliance with 8.7 is not required.

4.6.5 Design Requirements

4.6.5.1 A pedestrian-oriented streetscape shall be established to allow for or encourage pedestrian traffic. The streetscape shall incorporate design elements such as: wide sidewalks/paths (minimum width of 2.0 m), separation of pedestrian use areas from motor vehicle use areas, outdoor furniture, patios, pedestrian scale street lighting, bicycle parking, canopies, vestibules, formal trail connections, façade treatments that are sensitive to sidewalk location on a site specific basis, and permeability of facades by the use of glass and doors subject to Section 11: Community and Architectural Design Standards.

4.6.5.2 Notwithstanding 4.6.3.11, mountain vistas shall be preserved at the intersections of Bow Valley Trail with Benchlands Trail and Bow Valley Trail with 17th Street by retaining a minimum sight angle of 12.5° over all buildings on lots adjacent to the intersections. The sight angle shall be measured from a horizontal plane established from a point 1.8 m above the centre-point of these intersections.

Figure 4.6-1. Minimum sight angle



4.6.5.3 Signage shall not be oriented to or be legible from the Trans-Canada Highway.

4.6.5.4 Where a development is adjacent to the CP Rail right of way or adjacent to a portion of a public pathway system which is adjacent to that right of way, the developer shall construct a fence adjacent to the CP Rail right of way to restrict pedestrian access to the satisfaction of the Development Authority.

4.6.5.5 When along Bow Valley Trail, the ground floor of developments for sites lower than the crown of road should be raised to be closer to the elevation of the crown of the road. Where sites are raised to bring the ground floor of the building closer to the elevation of the crown of Bow Valley Trail, the Development Authority shall use this new grade as the basis for calculating height.

4.6.6 Landscaping

4.6.6.1 A minimum of 25% of the site shall be landscaped in accordance with Section 11: Community and Architectural Design Standards.

4.6.6.2 Outdoor Amenity Space including, but not limited to, plazas, patios, and other pedestrian gathering places may be substituted for some natural landscaping to the extent that it achieves a blend of natural environment and value as a people place. Outdoor Amenity Space must be located adjacent to a sidewalk or public trail in order to be considered as landscaping.

4.6.6.3 Areas devoted to the parking or circulation of motor vehicles shall not be counted towards the minimum 25% landscaped area.

- 4.6.6.4 Areas devoted to the parking of bicycles may, at the discretion of the Development Authority, be counted towards the minimum 25% landscaped area.
- 4.6.6.5 Where the front yard is provided, it shall be landscaped in accordance with the provisions of Section 11: Community Architectural and Urban Design Standards.
- 4.6.6.6 The Town may permit landscaping within the road right of way.
- 4.6.6.7 Landscaping within the road right of way shall not count towards the minimum 25% landscaped area; however, the plantings may be counted towards the total required trees and shrubs at the discretion of the Development Authority.

4.6.7 Parking, Loading, Storage, Waste and Recycling

- 4.6.7.1 All parking and loading areas not incorporated into the building or a Parking Structure shall be visually screened with fencing or landscaping so as to screen it from view from the street to the satisfaction of the Development Authority.
- 4.6.7.2 Except for Dwelling Units and Tourist Home developments, the development authority may allow a portion of the parking required by a development to be provided in an off-site location within the BVT-C, BVT-G, or BVT-T districts.
- 4.6.7.3 For Visitor Accommodation uses, on-site surface parking must be provided for anticipated over-sized vehicles or vehicle powered by propane.
- 4.6.7.4 Solid waste containers, grease containers, recycling containers, and waste material shall be stored either inside a principal building or, at the discretion of the Development Authority, in a weatherproof and animal-proof enclosure.
- 4.6.7.5 Enclosures shall be designed and located to be visually integrated with the site.
- 4.6.7.6 All Outdoor Storage is prohibited.

4.6.8 Wellhead Protection

- 4.6.8.1 Notwithstanding the regulations and the permitted and discretionary uses of this District, developments located within the Wellhead Protection area shall conform to the regulations and use prohibitions described in Subsection 7.4.2.

4.6.9 Special Variance Considerations

- 4.6.9.1 Notwithstanding the variance regulations set out in 1.14, the following variances may also be considered within this district:
 - a. Where the Development Authority is satisfied that the architectural integrity of a building would be enhanced, variances may be granted to allow 20% of the building to exceed the maximum height by up to 20%. No height variances shall be granted beyond the 20% relaxation.
 - b. The required eave line height of a proposed development may be raised to 9.0 m where the development authority is satisfied that the intent of the “Massing and Scale Guidelines” in Section 11: Community Architectural and Urban Design Standards, are still met.
 - c. The required eave line height of a proposed mixed-use development which includes Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing above the main floor, may be raised to 11.0 m where:

- i. the development includes a full story dedicated to Perpetually Affordable Housing, Employee Housing, or Common Amenity Housing above the main floor;
- ii. Where the Development Authority is satisfied that the intent of the “Massing and Scale Guidelines” in Section 11: Community Architectural and Urban Design Standards are met; and
- iii. Where the Development Authority is satisfied that there is no impact on access to light for neighbouring properties, the protection of views from neighbouring properties and the privacy for neighbouring properties.



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G-2

TO: Council

SUBJECT: Emergency Management Bylaw 2022-04

SUBMITTED BY: Caitlin Miller, Manager of Protective Services

RECOMMENDATION: That Council give first, second, and third reading to Emergency Management Bylaw 2022-07.

EXECUTIVE SUMMARY

The Emergency Management Act and the Local Authority Emergency Management Regulation legislate specific requirements in a municipal emergency management bylaw. This amended bylaw reflects those requirements.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Section 2 of the Local Authority Emergency Management Regulation outlines the bylaw requirements of local authorities regarding the establishment, roles, and responsibilities of an emergency advisory committee.

Section 3 of the Local Authority Emergency Management Regulation outlines the bylaw requirements of local authorities regarding the establishment, roles, and responsibilities of an emergency management agency.

This amended bylaw will repeal Bylaw 2014-19.

DISCUSSION

The Emergency Management Act (EMA) provides the legislative framework for local and provincial management of emergencies and disasters. The EMA provides the authority for the granting of additional powers during a state of local emergency and governs the coming into force, expiration, and termination of these states of emergency.

The Local Authority Emergency Management Regulation (LEMR) provides increased direction to local authorities on their emergency management roles and responsibilities. The Regulation codifies best practices and provides local authorities with the guidance needed to fulfill their requirements under the Emergency Management Act.

The Local Authority Emergency Management Regulation ensures that:

- Municipalities have up-to-date emergency plans and programs that are regularly reviewed and exercised.
- Elected officials and municipal employees are trained for their roles and understand their responsibilities.
- Responsibilities and functions of municipal emergency advisory committees and emergency management agencies are clear.

Proposed amendments to the Emergency Management Bylaw are detailed in the table below.

New or Changed	Wording	Rationale
New	<p>5. The Committee shall (a) review the Municipal Emergency Management Program and related plans annually, and (b) provide guidance and direction to the Agency</p> <p>6. In addition to the purposes set out in section 5, during an emergency or disaster the Committee is authorized to (a) declare, renew, or terminate a state of local emergency in accordance with the Act, and (b) carry out all of the local authority's powers and duties under the Act</p>	<p>LEMUR 2(2)(a) Sets the purposes of the committee, both during an emergency or disaster and when those events are not occurring. LEMUR 2(2)(b) Establishes that the committee provides guidance and direction to the local authority's emergency management agency.</p>
New	<p>8. The Committee shall meet, at a minimum, once per year.</p>	<p>LEMUR 2(2)(e) Sets out a minimum meeting frequency for the committee, which must be at least once per year.</p>
New	<p>10. The committee will conduct its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.</p> <p>11. Minutes shall be prepared for every committee meeting and contain the following: (a) the date, time, and location of the meeting (b) the names of all committee members present, (c) the name of anyone other than a committee member who participated in the meeting, and (d) any motions made at the meeting, along with the results on the vote on the motion</p>	<p>Emergency advisory committee meetings must be held in public as per the Municipal Government Act.</p>

New	13. The Agency is responsible for the administration of the Town's Emergency Management Program.	LEMUR 3(2)(a) Sets out the responsibilities of the agency.
New	14. The Manager of Protective Services is hereby appointed as the Director of Emergency Management	LEMUR 3(2)(b) Appoints a person as the director of emergency management, or states that a person who holds a specified title or position is appointed as the director of emergency management by virtue of holding that title or position.
New	15. The Agency shall, at a minimum, report to the Emergency Advisory Committee once per year to provide updates on agency activities and a review of the Municipal Emergency Plan.	LEMUR 3(2)(d) Identifies the frequency at which the agency must report to the emergency advisory committee and must be at least once per year and include an update on the agency's review of the local authority's emergency management plan
	16. The Agency shall use the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency during response activities.	LEMUR 3(2)(e) States that the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the local authority's emergency management agency
Changed	<p>FROM 5.1. There is hereby established an emergency management agency to act as the agent of Council in exercising Council's powers and duties under the Emergency Management Act, except for those powers and duties delegates by the bylaw to the emergency advisory committee and the local emergency committee, the membership of which shall include: a) the director of the emergency management agency; b) the deputy director(s) of the emergency management agency; c) the fire chief; d) the officer in charge of the local Royal Canadian Mounted Police detachment; e) Members of the town of Canmore administration as required by the director of the emergency management agency</p> <p>TO 12. The Municipal Emergency Management Agency is hereby established.</p>	The requirement to establish the Emergency Management Agency does not include listing the membership.

ANALYSIS OF ALTERNATIVES

N/A

FINANCIAL IMPACTS

None

STAKEHOLDER ENGAGEMENT

No stakeholder engagement was completed as the bylaw amendments are legislated through the Emergency Management Act.

ATTACHMENTS

- 1) Emergency Management Bylaw 2022-07
- 2) Emergency Management Bylaw 2014-19

AUTHORIZATION

Submitted by:	Caitlin Miller Manager of Protective Services	Date: <u>March 11, 2022</u>
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Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>March 15, 2022</u>
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BYLAW 2022-07

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AN EMERGENCY ADVISORY COMMITTEE AND AN EMERGENCY MANAGEMENT AGENCY

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

TITLE

1. This bylaw is known as the “Emergency Management Bylaw.”

INTERPRETATION

2. Words defined in the Act have the same meaning when used in this bylaw.
3. In this bylaw:
 - (a) “Act” means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 as amended,
 - (b) “Committee” means the Municipal Emergency Advisory Committee, and
 - (c) “Agency” means the Municipal Emergency Management Agency.

MUNICIPAL EMERGENCY ADVISORY COMMITTEE

4. The Municipal Emergency Advisory Committee is hereby established.
5. The Committee shall
 - (a) review the Municipal Emergency Management Program and related plans annually, and
 - (b) provide guidance and direction to the Agency.
6. In addition to the purposes set out in section 5, during an emergency or disaster the Committee is authorized to
 - (a) declare, renew, or terminate a state of local emergency in accordance with the Act, and
 - (b) carry out all of the local authority’s powers and duties under the Act.
7. The Committee is comprised of
 - (a) the mayor, who is the chair of the Committee,
 - (b) one member of Council appointed at Council’s annual organizational meeting, and

- (c) in the event a declaration of a state of local emergency is required and neither Committee member is available, the first member of council who is present.
- 8. The Committee shall meet, at a minimum, once per year.
- 9. Committee quorum is one member.
- 10. The committee will conduct its meetings in public except where authorized by the Municipal Government Act to close a meeting to the public.
- 11. Minutes shall be prepared for every committee meeting and contain the following:
 - (a) the date, time and location of the meeting,
 - (b) the names of all committee members present,
 - (c) the name of anyone other than a committee member who participated in the meeting, and
 - (d) any motions made at the meeting, along with the results of the vote on the motion.

MUNICIPAL EMERGENCY MANAGEMENT AGENCY

- 12. The Municipal Emergency Management Agency is hereby established.
- 13. The Agency is responsible for the administration of the Town's Emergency Management Program.
- 14. The Manager of Protective Services is hereby appointed as the Director of Emergency Management.
- 15. The Agency shall, at a minimum, report to the Committee once per year to provide updates on agency activities and a review of the Municipal Emergency Plan.
- 16. The Agency shall use the command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency during response activities

ENACTMENT/TRANSITION

- 17. In 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.
- 18. Bylaw 2014-19 is repealed.
- 19. 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 2014-19****BEING A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF
ALBERTA RESPECTING EMERGENCY MANAGEMENT**

WHEREAS the *Emergency Management Act, RSA 2000 c. E-6.8* provides that the council of a municipality shall appoint an emergency advisory committee and an emergency management agency; and

WHEREAS the *Emergency Management Act, RSA 2000 c. E-6.8* provides that a local authority may make a declaration of a state of local emergency;

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

1: TITLE

1.1. This bylaw shall be known as the “Emergency Management Bylaw”

2: INTERPRETATION

2.1. In this bylaw:

- a) “Emergency” and “state of local emergency” shall have the same meaning ascribed to them by the *Emergency Management Act*, as amended.
- b) Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.

3: STATE OF LOCAL EMERGENCY

3.1. The power to declare, renew, or terminate a state of local emergency in accordance with the *Emergency Management Act* is hereby delegated to the local emergency committee, the membership of which shall be composed of:

- a) the mayor; or
- b) if the mayor and deputy mayor are unavailable, the first member of council who is present and able to do so.

4: EMERGENCY ADVISORY COMMITTEE

4.1. There is hereby established an emergency advisory committee, with the function being to advise on the development of emergency plans and programs. The membership of which shall include:

- a) The mayor, and
- b) One member of council.

5: EMERGENCY MANAGEMENT AGENCY

5.1. There is hereby established an emergency management agency to act as the agent of Council in exercising Council's powers and duties under the *Emergency Management Act*, except for those powers and duties delegates by the bylaw to the emergency advisory committee and the local emergency committee, the membership of which shall include:

- a) the director of the emergency management agency;
- b) the deputy director(s) of the emergency management agency;
- c) the fire chief;
- d) the officer in charge of the local Royal Canadian Mounted Police detachment;
- e) Members of the town of Canmore administration as required by the director of the emergency management agency

5.2. The chief administrative officer shall appoint a director of the emergency management agency.

5.3. The chief administrative officer is appointed as the deputy director of the emergency management agency, and is authorized to appoint other deputy directors of the emergency management agency.

6: ENACTMENT/TRANSITION

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

6.2. Bylaw 12-2010 is repealed.

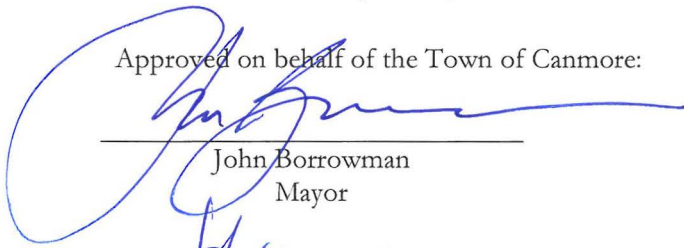
6.3. This bylaw comes into force on the date it is passed.

FIRST READING: June 17, 2014

SECOND READING: June 17, 2014

THIRD READING: June 17, 2014

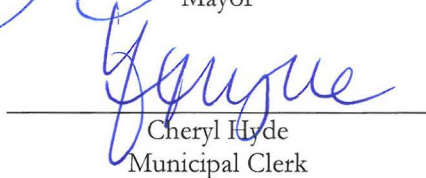
Approved on behalf of the Town of Canmore:



 John Borrowman
 Mayor

June 20, 2014

 Date



 Cheryl Hyde
 Municipal Clerk

June 18, 2014

 Date

Bylaw approved by: CH JB



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G-3

TO: Council

SUBJECT: Traffic and Road Use Bylaw Amendments Bylaw 2022-08

SUBMITTED BY: Caitlin Miller, Manager of Protective Services

RECOMMENDATION: That Council give first, second, and third reading to the Traffic and Road Use Bylaw Amendments Bylaw 2022-08.

EXECUTIVE SUMMARY

Amendments to the Traffic and Road Use Bylaw are required for the implementation of the updated paid parking program and residential permit zones. Additional amendments have been added to further address illegal parking on private property, the removal of the early fine payment option for parking in residential parking without a valid permit, vehicles obstructing traffic, the allowance of e-scooters (and similar devices) on shared multi-use trails, and minor editorial changes.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

On March 21, 2021 Council approved the implementation plan for paid parking at Quarry Lake. On February 23, 2021, Council deferred implementation of paid parking in the Town Centre to 2022, as a result of the ongoing pandemic. (273-2020)

DISCUSSION

Proposed amendments to Bylaw 2020-03 create the required updated legislation for the new paid parking program, including changes to residential permit eligibility and updated language around controlled parking zones, both pay and residential. Clarification on private parking offences has been added to include requirements for clearly identified restrictions on parking. The allowance of e-scooters on shared trails has been added to encourage alternative modes of active transportation.

More detail about the changed sections to the current bylaw are highlighted in the graphs below:

Paid Parking / Parking Permits

New Section	Red Lined	Rationale
	3(b)	Controlled spaces has been updated to pay parking zones
3(b.1)		“Controlled resident parking zone” definition included to provide clarity within the bylaw
49		Updated wording on controlled pay parking zones for greater clarity.
51.1		Creates an offence for parking in a controlled resident parking zone without a permit.
52.1	53	Updates the eligibility criteria for residential parking permits to include valid Alberta vehicle registration showing a physical address in Canmore, ownership

		but not permanent residence in a dwelling unit in Canmore, and any other eligibility requirements set by the chief administrative officer to allow for flexibility and responsiveness of the program.
	Schedule A	Amended to no longer include an early fine payment option for parking in a controlled residential parking zone without a valid parking permit.

Private Property Parking Offences

New Section	Red Lined	Rationale
1.42.a	1.42.1	Privately owned property must be clearly identified as having restrictions on parking for unauthorized parking to be enforced.

E-Scooters and other e-powered devices

New Section	Red Lined	Rationale
3(f.1)		E-scooter definition included. Definition is broad to include other footboard mounted devices that contain one, two, or three wheels and may include a long steering handle.
25.1		Use of e-scooters permitted on multi-use trails to encourage alternative modes of active transportation.
26.1A		A person using an e-scooter must yield the right of way to pedestrians in the same way that bicycles, e-bikes, and other forms of vehicles do.

Other Administrative Changes

New Section	Red Lined	Rationale
3(i.1)		With the introduction of the <i>Provincial Administrative Penalties Act</i> , a definition for a “notice of administrative penalty” has been included.
3(i.2)		A definition for parking permit has been included in the Bylaw.
58.(a)		Clarifies that automated enforcement vehicles are allowed to idle while conducting enforcement.
117 and 118		Addition of the ability for the notice of administrative penalties to be issued by Peace Officers in addition to violation tags and tickets. This update coincides with the recently implemented <i>Provincial Administrative Penalties Act</i> .
	Schedule A 28	The term jaywalking has been replaced with "Cross a highway where prohibited" to better reflect the nature of the offense
	Schedule A 51 (a),(b), (c)	Use of word "space" has been replaced with "zone" to reflect updated definitions
Schedule A 5.1		New penalty to address vehicles impeding traffic included.

ANALYSIS OF ALTERNATIVES

N/A

FINANCIAL IMPACTS

There are no financial impacts of approving the new bylaw.

STAKEHOLDER ENGAGEMENT

Ongoing consultations have occurred throughout the Integrated Parking Management Plan regarding paid parking. No additional stakeholder engagement occurred on the development of the bylaw amendments.

The amendment clarifying private parking offences was discussed at the Canmore BIA at their March 23, 2022 meeting.

E-scooters are currently being used on shared multi-use trails by members of the public.

ATTACHMENTS

- 1) Traffic and Road Use Bylaw Amendment 2022-08 – Parking Amendments and Addition of E-Scooters
- 2) Traffic and Road Use Bylaw 2020-03 Redline

AUTHORIZATION

Submitted by:	Caitlin Miller Manager of Protective Services	Date: <u>March 14, 2022</u>
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Approved by:	Sally Caudill Chief Administrative Officer	Date: <u>March 28, 2022</u>
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BYLAW 2022-08

A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO AMEND TRAFFIC AND ROAD USE BYLAW 2022-03

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

TITLE

1. This bylaw shall be known as the “Traffic and Road Use Bylaw Amendment 2022-08 – Parking Amendments and Addition of E-Scooters.

INTERPRETATION

2. Words defined in Bylaw 2022-03 shall have the same meaning when used in this bylaw.

AMENDS BYLAW 2022-03

3. Traffic and Road Use Bylaw 2022-03 is amended by this bylaw.
4. Section 3(b) is amended by striking out “spaces” and substituting “pay parking zone”.
5. The following is added after section 3(b):
 - (b.1) “controlled resident parking zone” means that portion of a street or parking lot where parking is subject to regulation in accordance with the applicable traffic control device or permitting in accordance with this bylaw.
6. The following is added after section 3(f):
 - (f.1) “e-scooter” means an electric powered vehicle that
 - (i) consists of a footboard mounted on one, two or three wheels and may include a long steering handle,
 - (ii) is designed to be operated from the standing position, and
 - (iii) while capable of being propelled by muscle power, may be propelled by one or more electric motors.
7. The following is added after section 3(h):
 - (h.1) “notice of administrative penalty” specifically refers to a notice of administrative penalty issued in accordance with the *Provincial Administrative Penalties Act*, as amended, and the regulations thereunder.

8. The following is added after section 3(i):

(i.1) “parking permit” means a parking permit issued by the chief administrative officer in accordance with this bylaw.

9. The following is added after section 5:

5.1 No owner of a vehicle or driver shall stop a vehicle or permit a vehicle to be left upon any highway in such a manner that as to obstruct traffic, unless the obstruction is unavoidable due to mechanical failure of a vehicle, provided the owner or driver of the vehicle promptly takes measures to remove the vehicle from the highway.

10. Section 14 is amended by striking out “or e-scooter”.

11. The following is added after section 25:

25.1 Use of e-scooters is permitted on multi-use trails.

12. The following is added after section 26:

26.1 A person using an e-scooter on a multi-use trail shall yield the right of way to pedestrians.

13. Section 27 is amended by striking out “himself” and substituting “themselves” and striking out “his” and substituting “their”.

14. Section 42 is amended by striking out “person” and substituting “owner or driver”, by striking out “private property without” and substituting “privately owned property to which vehicles driven by members of the public generally have access unless” and by striking out “private property” and substituting “privately owned property has been given for such parking.

15. The following is added after section 42:

42.1 Section 42 applies only where the privately owned property has been clearly identified as having restrictions on parking.

16. Before section 49, the header “**CONTROLLED SPACES**” is amended by striking out “**SPACES**” and substituting “**PAY PARKING ZONE**”.

17. Section 49 is amended by striking out “space” and substituting “pay parking zone”, adding “parking space in the” before “controlled” and striking out “space” and substituting “pay parking zone”.

18. Section 50 is amended by striking out “controlled”, by adding “in a controlled pay parking zone” after “both parallel to the curb” and by striking out “for two controlled spaces” and substituting “payment for both the vehicle and the trailer”.

19. Section 51 is amended by striking out “space” and adding “pay parking zone”.

20. Section 51(c) is amended by striking out “space” and adding “pay parking zone”.

21. The following is added after section 51:

CONTROLLED RESIDENT PARKING ZONE

51.1 No owner or driver of a vehicle shall park in a controlled resident parking zone without a valid parking permit.

22. Section 52 is amended by striking out “space” and substituting “pay parking zone”.

23. The following is added after section 52:

52.1 A vehicle for which a valid and subsisting parking permit has been issued may be parked in a controlled resident parking zone and may be exempt from section 51.1. providing the vehicle is parked in accordance with the conditions of the permit and in the zone for which the permit was issued.

24. Section 53 is repealed and the following is substituted:

53. The owner or operator of a vehicle that

- (a) has a valid Alberta vehicle registration showing a physical address in Canmore, or
 - (b) owns, but does not permanently reside in, a dwelling unit in Canmore, or
 - (c) meets the eligibility requirements of any overnight parking or reasonably comparable program established by the Town, or
 - (c.1) meets any other eligibility requirements set by the chief administrative officer
- is eligible to apply to the Town for a parking permit.

25. Section 57 is amended by striking out “he or she was” and substituting “they were”.

26. Section 58(a) is amended by adding “and automated traffic enforcement” before “vehicles”.

27. Section 81 is amended by striking out “him” and substituting “them”.

28. Section 83 is amended by striking out “his” and substituting “their”.

29. Section 91 is amended by striking out “his or her” and substituting “their”.

30. Section 94 is amended by striking out “he is” and substituting “they are”.

- 31. Section 117 is amended by adding “or a notice of administrative penalty” after “as amended”.
- 32. Section 118 is amended by adding “or a notice of administrative penalty” before “to any person who”.
- 33. Section 123 is amended by striking out “his” and substituting “their”.
- 34. Schedule A is amended
 - a) by adding a row for section 5.1, Park obstructing traffic, \$45 if paid within 7 days of offence, and \$90 minimum specified penalty,
 - b) in section 28 by striking out “Jaywalking” and substituting “Cross a highway where prohibited”,
 - c) in section 51(a), 51(b) and 51(c) by striking out "space" and substituting "zone", and
 - d) By adding a row for section 51.1 Parking in a controlled resident parking zone without a valid parking permit, n/a if paid within 7 days of offence, and \$90 minimum specified penalty.

ENACTMENT/TRANSITION

35. 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.

36. 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 2020-03
Office Consolidation Current as of May 8, 2021

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
TO CONTROL AND REGULATE TRAFFIC, PARKING, AND
THE USE OF ROADS AND PUBLIC PLACES**

WHEREAS the *Traffic Safety Act RSA 2000 Chapter T-6* as amended authorizes council to make bylaws that are not inconsistent with that Act; and

WHEREAS the *Municipal Government Act RSA 2000 Chapter M-6* as amended authorizes council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a public place or place that is open to the public; and transport and transportation systems;

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

TITLE

1. This bylaw shall be known as the Traffic and Road Use Bylaw.

INTERPRETATION

2. Words which have been defined in the Traffic Safety Act and its regulations, the Municipal Government Act, and/or the Interpretation Act shall have the same meaning when used in this bylaw unless otherwise defined in section 3. A glossary of these words is attached as Schedule B; where there is a discrepancy between the glossary and a provincial statute, the definition in the statute shall apply.
3. In this bylaw,
 - (a) “bicycle” means:
 - (i) any cycle propelled by human muscular power upon which a person may ride, regardless of the number of wheels that the cycle may have; and
 - (ii) a pedal electric bicycle.
 - (b) “controlled ~~spaces~~pay parking zone” means that portion of a street or parking lot where parking is subject to payment and regulation in accordance with the applicable traffic control device or permitting in accordance with this bylaw.

(b.1) “controlled resident parking zone” mean that portion of a street or pakring lot where parking is subject to regulation in accordance with the applicable traffic control device or permitting in accordance with this bylaw

- (c) “curb” means the concrete or asphalt edge of a roadway or the division point between the roadway and a boulevard or sidewalk.
- (d) “cycle crossing” means a crossing designated exclusively for the use of people riding bicycles or anyone permitted by this bylaw to use an exclusive bicycle lane.
- (e) “dispose” means discharge, dump, place, throw, drop, discard, abandon, spill, leak, pour, emit, or empty.
- (f) “dwelling unit” has the same meaning as set out in the Town of Canmore Land Use Bylaw as amended.

(f.1) “e-scooter” means an electric powered vehicle that

(i) consists of a footboard mounted on one, two or three wheels and may include a long steering handle;

(ii) is designed to be operated from the standing position; and

(iii) while capable of being propelled by muscle power, may be propelled by one or more electric motors.

- (g) “multi-use crossing” means a crossing designated for pedestrians and people riding bicycles.
- (h) “multi-use trail” means:
 - (i) any asphalt pathway or natural trail or pathway under the control of the Town; and
 - (ii) any concrete sidewalk designated as a multi-use trail by a traffic control device.

(h.1) “notice of administrative penalty” specifically refers to a notice of administrative penalty issued in accordance with the *Provincial Administrative Penalties Act*, as amended, and the regulations thereunder.

- (i) “occupant” means the person residing or carrying on business within any premises, as a lessee of the owner or pursuant to a licence of occupation granted by the owner.

(i.2) “parking permit” means a parking permit issued by the chief administrative officer in accordance with this bylaw.

- (j) “pedal electric bicycle” means a bicycle where the rider’s pedaling is assisted by a small electric motor which is activated by a sensor only when the bicycle is pedaled.
- (k) “private property” means land owned in fee simple, held under a lease, sub-lease or license of occupation and is controlled by an individual or business.

- (l) “public place” means any land owned or leased by the municipality, other than a highway, that the public is ordinarily entitled or permitted to use and includes:
 - (i) parks, as defined in the Parks Bylaw, as amended,
 - (ii) parking lots, and
 - (iii) land developed, used or managed by the Town for public utilities.
- (m) “recreational vehicle or recreation trailer” means a motor vehicle or trailer designed or used for travel with temporary living accommodation for vacations or camping purposes.
- (n) “special event” means any activity or event that is open to, or intended to attract, the general public;
- (o) “Town” means the Town of Canmore in the Province of Alberta or the land lying within the corporate limits of the Town, as the context requires.
- (p) “violation tag” means a municipal tag or similar document issued by a peace officer in relation to an offence under this bylaw,
- (q) “violation ticket” means a ticket issued pursuant to the Provincial Offences Procedures Act, as amended, and the regulations thereunder.
- (r) “written permission” means the explicit approval of the chief administrative officer through a written permit or agreement.

PART 1: TRAFFIC

OPERATION OF VEHICLES

- 4. No person shall operate a vehicle on a sidewalk, pathway, or trail, except where:
 - (a) there is a lane or prepared crossing,
 - (b) written permission has been granted from the Town, or
 - (c) operation is permitted elsewhere in this bylaw.
- 5. No person shall drive a vehicle into any intersection or crosswalk unless there is sufficient space to allow the vehicle to clear the intersection or crosswalk.

5.1 No owner of a vehicle or driver shall stop a vehicle or permit a vehicle to be left upon any highway in such a manner that as to obstruct traffic, unless the obstruction is unavoidable due to mechanical failure of a vehicle, provided the owner or driver of the vehicle promptly takes measures to remove the vehicle from the highway.

6. No person shall drive a vehicle on a roadway with more than one vehicle in tow, except for a truck combination consisting of a truck tractor and two trailers, one of which is attached to the other, where the arrangement complies with all the requirements of the *Traffic Safety Act*, as amended.
7. No person shall operate a commercial passenger bus with a capacity to carry more than 24 people on a roadway other than on a roadway designated by the chief administrative officer, unless operated on the most direct and practicable route between the passenger loading location and the nearest approved roadway.
8. Any vehicle in a funeral procession, except the lead vehicle, may during daylight hours enter an intersection without stopping if:
 - (a) The vehicle's headlamps and hazard warning lamps are alight;
 - (b) The vehicle is travelling immediately behind the vehicle in front of it in the funeral procession so as to form a continuous line of traffic;
 - (c) The lead vehicle in the funeral procession is showing a purple flashing light; and
 - (d) The passage into the intersection can be made in safety.

HEAVY AND OVERSIZED VEHICLES

9. Unless issued written permission from the Town, no owner of a vehicle or driver shall:
 - (a) Operate a vehicle, other than a recreational vehicle, with a registered gross vehicle weight rating in excess of 4,500 kilograms on a roadway which is not designated as a truck route by the chief administrative officer, unless operated on the most direct and practicable route between the delivery, pick-up or other location concerned and the nearest truck route;
 - (b) Park a vehicle, other than a recreational vehicle, with a registered gross vehicle weight rating in excess of 4,500 kilograms on a roadway which is not designated as a truck parking zone by the chief administrative officer, unless it is:
 - (i) parked for the purposes of delivering or collecting goods to or from a premises for a duration of less than four hours; or
 - (ii) parked for construction purposes in accordance with the Land Use Bylaw, as amended.
 - (c) Operate a vehicle which exceeds a length of 23 metres, a height of 4.1 metres, or a width of 2.6 metres on a roadway which is not designated as a truck route by the chief administrative officer, unless the vehicle is:
 - (i) operated on the most direct and practicable route between the delivery, pick-up or other location concerned and the nearest truck route; or
 - (ii) operated in accordance with section 43 of this bylaw.

10. No person shall apply or engage engine retarder brakes within the limits of the Town.

BICYCLES

11. No person over the age of 12 shall ride a bicycle on a sidewalk unless:

- (a) A traffic control device indicates otherwise, or
- (b) That person is accompanying a person 12 years of age or younger.

11.1 No person shall ride a bicycle on a sidewalk on Main Street from 8 Avenue to 6 Avenue.

12. Bicycles are permitted on multi-use trails.

13. A person riding a bicycle on a sidewalk, multi-use trail, or in a closure/special event area shall yield the right of way to pedestrians

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14. A person riding a bicycle ~~or e-scooter~~ through a multi-use or cycle crossing shall yield the right-of-way to vehicles unless right-of-way is otherwise indicated by a traffic control device.

15. No person shall operate any electrically powered vehicle on a sidewalk or multi-use trail unless otherwise authorized by this bylaw.

16. No person shall store items other than bicycles and bicycle accessories in bicycle lockers.

17. No person shall store items in a bicycle locker for a period longer than 24 hours.

18. No person shall store a bicycle on a bicycle rack for a period longer than 72 hours.

19. Notwithstanding anything to the contrary contained in this or any bylaw, a Peace Officer may operate a bicycle while on duty on a highway or public place where the use of bicycles by the general public is prohibited or restricted.

EXCLUSIVE BICYCLE LANE

20. Only persons operating bicycles and non-motorized vehicles are permitted in exclusive bicycle lanes with the exception of:

- (a) a pedestrian on foot crossing the exclusive bicycle lane;
- (b) a pedestrian using a mobility aid;
- (c) a person operating an emergency vehicle;
- (d) a person operating a vehicle operated by the Town for Town purposes; or

- (e) a person operating a vehicle which has received authorization from the chief administrative officer to be operated, stopped or parked in an exclusive bicycle lane.
21. Notwithstanding section 20, a person may drive a vehicle across an exclusive bicycle lane:
 - (a) to enter or exit from adjacent driveways or intersecting streets; or
 - (b) to enter or exit from existing parking structures, on-street parking spaces or parking lots adjacent to an exclusive bicycle lane.
 22. A person other than a pedestrian who is about to enter onto a roadway or sidewalk from an exclusive bicycle lane or multi-use trail must yield before entering the roadway or sidewalk, unless the intersection is marked with a stop sign.
 23. A person using an exclusive bicycle lane in accordance with section 20 must yield the right of way to a pedestrian crossing in a designated crosswalk.

OTHER VEHICLES

24. No person over the age of 12 shall roller skate, in-line skate, skateboard or ride a scooter or other non-motorized vehicle on a sidewalk unless:
 - (a) A traffic control device indicates otherwise, or
 - (b) That person is accompanying a person 12 years of age or younger.
25. Use of roller skates, in-line skates, skateboards, scooters and other non-motorized vehicles are permitted on multi-use trails.

25.1 Use of e-scooters is permitted on multi-use trails.

26. A person using roller skates, in-line skates, skateboards, scooters or other non-motorized vehicles on a sidewalk or multi-use trail shall yield the right of way to pedestrians.

26.1 A person using an e-scooter on a multi-use trail shall yield the right of way to pedestrians.

27. No person shall cling to or attach ~~themselves~~ ~~himself~~ or ~~their~~ ~~his~~ conveyance to a vehicle on a highway or within a public place.

PEDESTRIANS

28. No pedestrian shall cross a roadway at a point where a traffic control device prohibits such crossing.
29. A pedestrian who is crossing an exclusive bicycle lane at any point other than in a crosswalk must yield the right of way to bicycles.

30. A pedestrian shall not stand or be in any other position on a highway so as to obstruct the entrance to a building, unless that pedestrian is participating in or assembled to watch a special event for which written permission has been issued pursuant to this bylaw.

PART 2: PARKING

GENERAL PARKING RESTRICTIONS

31. Unless required or permitted by this bylaw, by written permission, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, no owner of a vehicle or driver shall leave a vehicle stopped:
 - (a) where a traffic control device prohibits stopping or parking;
 - (b) for any period longer than is designated and marked by the applicable traffic control device;
 - (c) in the entranceway, ramps, or gated access to any fire hall, ambulance station, emergency vehicle lane, marked fire lane or in any other manner so as to interfere with the proper operation of and access of emergency vehicles;
 - (d) where the vehicle will, in any way, interfere with the use of a doorway intended as a fire or emergency exit, or marked on the exterior as a fire or emergency exit;
 - (e) upon any land owned by the Town which is used as a playground, a recreation area, a public park, a grassed or seeded boulevard, or a multi-use trail;
 - (f) in any parking space upon Town owned property where such space has been reserved for vehicles operated by Town employees;
 - (g) on any Town owned or operated parking lot in contravention of the prohibitions stated on any traffic control devices posted in said parking lots;
 - (h) if the vehicle has a wheelbase greater than 270 centimetres, in a parking space designated for "small cars only;"
 - (i) in front of or within 7 metres of the side of any animal proof waste or recycling container;
 - (j) in any bus stop, taxi stand, passenger loading zone, or in any other place or area where a traffic control devices indicates that parking is restricted to a certain class of vehicles, unless the vehicle is a member of the exempt class
 - (k) in any loading zone marked by a traffic control device, except any commercial vehicle lawfully engaged in loading or unloading merchandise;
 - (l) unless for an emergency, for the purpose of servicing or repairing the vehicle, or

- (m) in excess of 72 consecutive hours on a highway.
32. Unless required or permitted by this bylaw, by written permission, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, no owner of a vehicle or driver shall leave a vehicle stopped:
- (a) on a sidewalk;
 - (b) on a crosswalk or on any part of a crosswalk;
 - (c) within 5 metres from the near side of a marked crosswalk;
 - (d) within 5 metres from any fire hydrant, or when the hydrant is not located at the curb, within 5 metres from the point of the curb nearest the hydrant;
 - (e) at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a parking meter or other traffic control device indicated parking is permitted;
 - (f) within an intersection other than immediately next to the curb in a “T” intersection;
 - (g) within 5 metres on the approach to a stop or yield sign;
 - (h) within 1.5 metres from an access to a garage, private road, or driveway or a vehicle crossway over a sidewalk;
 - (i) on any bridge or in any underpass or on the approaches to either of them; or
 - (j) on the roadway side of a vehicle that is parked or stopped at the curb or edge of roadway.
33. No owner of a vehicle or driver shall leave a vehicle standing in a parking space designated as being for the use of disabled persons without having a placard issued by the Motor Vehicles Branch of the Alberta Government as a vehicle operated or used by the identified disabled person;
34. An owner of a vehicle or driver parking a vehicle in a parking space designated by painted lines shall ensure the vehicle remains wholly within the limits of the parking space designated by the painted lines.
35. A person being in charge or control of a new or used car dealership, garage, service station, radio shop or other premises where repairs or installations are made to vehicles for compensation, shall not leave, cause or suffer or permit to be left on any roadway or public place a vehicle which is left in his possession for carrying out of repairs or making installations or for any other purpose whatsoever.
36. No owner of a vehicle or driver shall park a vehicle in an alley except:

- (a) while engaged in the loading or unloading of goods from a commercial vehicle for a period not exceeding 30 minutes;
 - (b) while engaged in the load or unloading of goods or passengers from a vehicle other than a commercial vehicle, for a period not exceeding 5 minutes, provided that the vehicle concerned does not obstruct the safe passage of other vehicles or persons along the alley; or
 - (c) where authorized by a traffic control device.
37. No owner of a vehicle or driver shall load or unload goods or merchandise across a sidewalk or boulevard into a premise where alternate, non-obstructing loading and unloading facilities for the premise have been provided.
38. No operator or owner of a taxicab shall leave a taxicab unattended in a taxi stand for longer than ten minutes.
39. No owner of a vehicle or driver shall park a passenger bus with a capacity to carry more than 15 people on a highway within the town except at such locations as have been designated by a traffic control device.
40. No owner of a vehicle or driver shall park or leave his vehicle at a standstill with the engine running or idling anywhere within the Town for more than 5 minutes.
41. Where parallel parking is allowed, a person shall park their vehicle with:
- (a) the sides of the vehicle parallel to the curb or edge of the roadway; and
 - (b) the right hand wheels of the vehicle not more than 500 millimetres from the right hand curb or edge of the roadway or;
 - (c) in the case of a one-way highway where parking on either side is permitted, with the vehicle wheels closest to a curb or edge of the roadway not more than 500 millimetres from that curb or edge and with the vehicle facing the direction that travel is authorized for that highway.
42. No ~~person-owner or driver~~ shall park a vehicle or permit a vehicle to be parked on privately owned property to which vehicles driven by members of the public generally have access unless ~~without~~ the permission or authorization of the owner of the private property or a person having lawful possession or control of the privately owned property has been given for such parking.

42.1—Section 42 applies only where the privately owned property has been clearly identified as having restrictions on parking.

RECREATIONAL VEHICLES AND TRAILERS

43. No owner of a vehicle or driver shall park a recreational vehicle or a recreational trailer attached to a motor vehicle between midnight and 8 a.m. on a roadway or public place other than a campground unless:

- (a) it is parked on the area of the street immediately adjoining the owner or operator's place of residence;
 - (b) it is parked for a period no longer than 36 consecutive hours;
 - (c) it has not been parked in an area of the street immediately adjoining the owner or operator's place of residence at any time during the preceding 48 hour period.
44. No owner of a vehicle or driver shall park a recreational vehicle or a recreational trailer attached to a motor vehicle on a roadway in such a manner as to constitute a hazard to other persons.
45. No owner of a vehicle or driver shall extend any projections from a recreational vehicle or recreational trailer while parked on a roadway.
46. No owner of a vehicle or driver shall leave parked on any roadway or public place between midnight and 8 a.m. a trailer, a semi-trailer or mobile equipment attached to a vehicle where the length of the two vehicles combined exceeds 10 metres.
47. No owner of a vehicle or driver shall leave parked on any roadway or public place a trailer, a semi-trailer, mobile equipment or any vehicle which has been detached from the vehicle which is used to draw it.
48. When attached to the vehicle which is used to draw it, the trailer, semi-trailer or mobile equipment shall be deemed to be a part of the vehicle and subject to the regulations and provisions of this bylaw and the *Traffic Safety Act*, as amended.

CONTROLLED SPACEPAY PARKING ZONE

49. When parking in a controlled spacepay parking zone, the owner or driver of a vehicle shall register for the use of the parking space in the controlled space-pay parking zone immediately after parking in accordance with the instructions on the payment terminal or given by the cellular phone payment service or other payment service as may be designated by the Town.
50. Where parallel parking is permitted, a vehicle or combination of a vehicle and attached trailer may be parked in two adjoining ~~controlled~~ spaces, both parallel to the curb in a controlled pay parking zone, if the owner or driver of the vehicle has registered payment for both the vehicle and the trailer for two ~~controlled spaces~~.
51. No owner or driver of a vehicle shall leave the vehicle stopped in a controlled spacepay parking zone:
- (a) without registering or making any required payment,
 - (b) for longer than the period of time for which payment is made; or
 - (c) contrary to the terms and conditions of any permit or pass issued for parking in a controlled spacepay parking zone.

CONTROLLED RESIDENT PARKING ZONE

51.1 No owner or driver of a vehicle shall park in a controlled resident parking zone without a valid parking permit.

PARKING PERMITS

52. A vehicle for which a valid and subsisting parking permit has been issued may be parked in a controlled ~~space pay parking zone~~ and be exempt from sections 49 and 51 provided the vehicle is parked in accordance with the conditions of the permit and in the zone for which the permit was issued.

52.1 A vehicle for which a valid and subsisting parking permit has been issued may be parked in a controlled resident parking zone and may be exempt from section 51.1 providing the vehicle is parked in accordance with the conditions of the permit and in the zone for which the permit was issued.

52.53. A person who: The owner or operator of a vehicle that

- (a) ~~resides in a dwelling unit on a parcel of land or directly adjacent to a parcel of land where controlled spaces have been designated~~ has a valid Alberta vehicle registration showing a physical address in Canmore, or
- (b) owns, but does not permanently reside in, a dwelling unit ~~on a parcel of land or directly adjacent to a parcel of land where controlled spaces have been designated in Canmore,~~ or
- (c) meets the eligibility requirements of any overnight parking or reasonably comparable program established by the Town, or

(c.1) meets any other eligibility requirements set by the chief administrative officer

is eligible to apply to the Town for a parking permit.

53.54. A person applying for a parking permit must submit an application to the chief administrative officer on a form supplied by the Town.

54.55. The chief administrative officer is authorized to create parking permit regulations including but not limited to:

- (a) maximum number of permits per dwelling unit;
- (b) parking permit fees;
- (c) types and sizes of vehicles for which a permit will be granted;
- (d) programs for overnight parking established by the Town;

- (e) locations that permit holders are permitted to park; and
- (f) duration and expiry of permits.

55-56. The chief administrative officer, upon being satisfied that:

- a) either
 - i) a person resides on a parcel of land or directly adjacent to a parcel of land where controlled spaces have been designated, or
 - ii) owns, but does not reside in, a dwelling unit on a parcel of land or directly adjacent to a parcel of land where controlled spaces have been designated, or
 - iii) meets the eligibility requirements of any overnight parking or reasonably comparable program established by the Town, and
- b) that meets the requirements as set out in this Bylaw and the regulations established by the chief administrative officer,

may issue a parking permit for the vehicle owned or operated by that person.

56-57. Any person who relies on a permit has the onus of proving that ~~they were~~ ~~he or she was~~ the holder of valid and subsisting permit.

EXCEPTIONS TO PARKING RESTRICTIONS

57-58. The provisions of this bylaw relating to stopping or parking of vehicles and the restriction of idling vehicles do not apply to any of the following vehicles while being used in work requiring that the vehicle be stopped or parked and idling:

- (a) emergency and automated traffic enforcement vehicles;
- (b) vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cable vision systems;
- (c) municipal and other government public works vehicles; or
- (d) towing service vehicles.

58-59. The provisions of this bylaw relating to stopping or parking vehicles in controlled spaces do not apply to municipal government vehicles.

59-60. Where the operator of a vehicle stops, stands or parks pursuant to section 58, contrary to other provisions of this bylaw, they shall take due precautions to indicate the presence of such vehicle on a highway while so parked or stopped.

~~60-61.~~ The provisions of this bylaw relating to the restriction of idling vehicles do not apply to a refrigeration vehicle, delivery vehicle, or taxi that, while in use for its commercial purpose, complies with the stopping and parking requirements of this bylaw.

PART 3: HIGHWAY USE AND MAINTENANCE

GENERAL HIGHWAY USE

~~61-62.~~ No person shall stop or restrict pedestrians, cyclists or vehicles in the lawful use of a highway or public place, unless written permission has been issued authorizing use of a highway or public place, or a portion of either.

~~62-63.~~ No person shall undertake any of the following activities on any portion of a highway or public place unless authorized by the Land Use Bylaw, as amended, or by written permission:

- (a) placement of any building materials or building tools or machinery or construction device,
- (b) parking, leaving, standing, or stationing a mobile crane or other mobile building construction machine,
- (c) leave standing a portable garbage or recycling container,
- (d) placement of scaffolding,
- (e) excavation/breaking up the surface of a roadway or public place,
- (f) placement of a pole or a guywire, or other means of support for a pole,
- (g) placement of a vending machine,
- (h) placement of a sign,
- (i) commercial filming,
- (j) a special event,
- (k) the sale or offer for sale of any goods or services,
- (l) busking, and
- (m) installation of sidewalk seating/café.

~~63-64.~~ Where an activity requires the partial or complete closure of a highway or public place, the applicant may, at the discretion of the chief administrative officer, be required to:

- (a) pay all costs incurred by the Town in connection with the activity, including advertising, signage, barricading and labour; and
- (b) provide evidence of general liability insurance coverage for a minimum amount of two million (\$2,000,000) dollars to cover any loss, claim, liability, or damage of any kind which is suffered by any person using the roadway or public place by reason of the existence or presence of the activity, under which the Town shall be named an additional insured.

64-65. Notwithstanding section 63, a utility company may proceed with an excavation prior to obtaining written permission in emergency situations where services must be restored to the public.

65-66. No person shall distribute advertising material on any portion of a highway or public place.

SIGNS

66-67. Unless a receptacle or structure has been provided for the express purpose of posting of notices or advertising, as in the case of a kiosk or notice board, no person shall post, exhibit, or cause to be posted or exhibited, any notice, bill, placard, pamphlet, leaflet, notice, or printed matter to or on any highway or public place including:

- (a) a building or structure of any nature that is the property of the Town;
- (b) any traffic control device; or
- (c) a bridge, fence, post, sign post, roadway light pole, electric pole, railing, monument, overpass, or receptacle of any kind that is the property of the Town.

67-68. Subject to any contrary provisions in the Land Use Bylaw, no sign shall:

- (a) obstruct the free and clear vision of vehicular or pedestrian traffic,
- (b) be located or display any colours, where it may interfere with or be confused with a traffic control device,
- (c) be attached to any Town signpost or traffic control device, or
- (d) otherwise create a traffic hazard.

PROTECTION OF SURFACES

68-69. No owner of a vehicle or driver shall drive, operate, or permit any tractor, tracked vehicle or machinery of any kind with cleats, with or without lugs attached to such vehicle, upon a highway unless proper means are taken to protect the highway or prevent any damage to the highway.

69-70. No person shall tamper with or remove a manhole cover or valve cover from a highway.

70:71. A registered owner or operator of a vehicle shall not permit engine or transmission fluids, or vehicle fluids of any type, from being discharged onto a highway or public place. If such a discharge occurs, the registered owner of the vehicle shall remove the fluid from the highway or public place promptly.

74:72. A vehicle found to be leaking engine, transmission or other chemical fluids or fluids of any type shall be deemed to constitute a danger to public safety and may be removed by the Town without notice and taken to a place of storage, and returned to the owner upon payment of any costs for removal and storage.

72:73. No person shall direct a flow of water onto or across any portion of a highway from a private property adjacent to a highway.

73:74. No person shall permit or allow soaps or solvents, petroleum products, mud, dirt, or other construction debris to be tracked or drained onto a roadway from their business premises, or property that they own or lease.

74:75. No person shall wash vehicles so as to result in mud, slush, or any non-biodegradable substance upon any town highway

75:76. No person, in the course of developing private land, shall alter the existing grade of an adjacent highway unless authorized by written permission.

PRIVATE PROPERTY OBSTRUCTIONS

76:77. No person shall place an electrical cord, hose, chain, or other similar obstruction upon or across any portion of a highway.

77:78. No person shall place or dispose of any material on any portion of a highway, unless the material consists of sand, gravel, or de-icer placed only upon an icy portion of a sidewalk to minimize the danger of slippery conditions.

78:79. An owner of a dwelling unit or commercial unit within a structure shall be deemed responsible for any object disposed of from within the premises of such unit onto any portion of a highway adjacent to the premises.

79:80. The owner or occupant of any private property adjacent to a highway shall not allow any hedge, shrub or tree which may overhang from such property to interfere with pedestrians or the sight-line of vehicular traffic lawfully using such highway.

80:81. An owner or occupant of any private property shall be liable for damage to municipal infrastructure caused by the roots of any hedge, shrub, or tree planted on property owned or occupied by them, him.

DRIVEWAYS

84:82. Every owner or occupant of a premises who, for the purpose of entering the premises, is required to drive a vehicle across a sidewalk or boulevard, or both, where no crossing is constructed, shall obtain written permission and cause a crossing to be constructed at the expense of the owner or occupant.

~~82:83.~~ No owner or occupant shall prepare, construct, commence or attempt to prepare or construct a driveway between the roadway and ~~their~~his own property, whether such driveway is merely excavated, built-up, filled or strengthened with rock or gravel, paved with concrete or asphalt, or any other preparation unless written permission is received prior to commencement of the work.

~~83:84.~~ No owner or occupant shall paint, damage, cut away, break or remove any portion of a curb or sidewalk without written permission.

~~84:85.~~ No owner or occupant shall use a boulevard as a driveway without written permission.

SHOPPING CARTS

~~85:86.~~ All retail outlets or stores of any nature that provide shopping carts shall:

- (a) not permit a person to remove such shopping cart from the legal boundaries of the parking lot or the property where such retail outlet or store is located, and
- (b) have the name of such retail outlet or store displayed on each shopping cart for identification purposes, and
- (c) ensure any shopping cart abandoned outside of the retail or store property is returned to the store within twenty-four (24) hours of being notified by the Town to do so.

CLEARING OF SIDEWALKS

~~86:87.~~ For the purposes of sections 88 through 97:

- (a) “sidewalk” includes any area of the sidewalk where the curb is depressed to allow for the passage of mobility aids.

~~87:88.~~ The owner or occupant of any private property adjacent to a sidewalk shall remove, or cause to be removed, any ice or snow from all adjacent sidewalks within forty-eight hours after the ice or snow was formed or deposited.

~~88:89.~~ Whenever snow or ice is deposited or forms on a sidewalk adjacent to a parcel of land that is the subject of a condominium plan, the condominium corporation associated with the parcel of land shall remove, or cause to be removed, the snow or ice from the sidewalk within forty-eight hours after the ice or snow was formed or deposited.

~~89:90.~~ In the event that the owner or occupant of private property or condominium association fails or neglects to remove and clear away all snow or ice from a sidewalk within forty-eight (48) hours, the Town may cause the snow or ice to be removed from such sidewalk and afterwards add the cost of the remedial work plus a 10% administration fee to the tax roll of the said parcel of land.

~~90:91.~~ Any person who has an awning, canopy, marquee, roof drainage controlled by eavestroughing or other encroachment extending from a portion of ~~his or her~~their premises over a sidewalk or other

portion of a roadway shall endeavor to keep the said awning, canopy, marquee, eavestroughing or other encroachment free from snow or ice so that it will not drip upon the sidewalk or roadway below.

91:92. The property owner shall cause to be cleaned up any water from melting snow or ice on any awning, canopy, marquee, roof drainage controlled by eavestroughing or other encroachment of the sidewalk, and take the necessary precautions to ensure that an icy or dangerous situation is not allowed to exist on the roadway or sidewalk.

92:93. No person operating a business premises, to which entry or exit for vehicles is made by a crossing located between the curb and the private property line, shall allow mud, water, slush, ice or icy frozen snow to remain on the public sidewalk or roadway portion of said crossing; but shall keep same clean and clear of all such matters, liquids or substances as may be or become a hazard to pedestrians.

93:94. A person may, in such a way as not to injure or unduly interfere with any other person lawfully using the sidewalk, use a power driven device that is sufficiently light and of such construction that it will not injure the surface of the sidewalk to remove snow or ice from any portion of the sidewalk from which ~~they are~~ they are required to remove it by the provision of this bylaw.

94:95. A person who removes snow or ice from public or private sidewalks and or public or private driveways shall not deposit said snow or ice upon any roadway or public place, unless that person is removing snow and ice from a sidewalk identified by the chief administrative officer.

95:96. A person who removes snow or ice from public or private sidewalks and or public or private driveways shall not deposit said snow or ice in a manner that impedes storm sewer run off or blocks access to any storm sewer grate.

96:97. A person who removes snow or ice from public or private sidewalks and or public or private driveways shall not deposit said snow or ice:

- (a) in the entranceway, ramps, or gated access to any fire hall, ambulance station, emergency vehicle lane, marked fire lane or in any other manner so as to interfere with the proper operation of and access of emergency vehicles;
- (b) in any area of the sidewalk where the curb is depressed to allow for the passage of mobility aids, or;
- (c) on any Town-owned amenity including but not limited to bicycle racks and transit stops.

BOULEVARD MAINTENANCE

97:98. The owner or occupant of any private property adjacent to a boulevard that is sown to grass or where there is grass growing naturally shall cut such grass at such regular intervals as are necessary to keep the boulevard in a tidy and attractive condition and shall control weeds.

98:99. No owner or occupant of private property adjacent to a highway shall plant any trees, plants, or shrubbery of any nature on the boulevard without first obtaining written permission.

PART 4: AUTHORITY AND ENFORCEMENT

DELEGATION OF AUTHORITY

99:100. The chief administrative officer is authorized to:

- (a) prescribe speed limits;
- (b) temporarily close any portion of a highway or public place as deemed necessary;
- (c) locate traffic control devices;
- (d) designate portions of sidewalks as multi-use trails;
- (e) designate multi-use crossings and cycle crossings, and shall mark these crossings with traffic control devices;
- (f) designate any portion of a highway or public place as an exclusive bicycle lane;
- (g) establish time limits for parking;
- (h) establish parking zones for the exclusive use of special classes of vehicles which, without restricting the generality of the foregoing, may include taxis, buses, and disabled persons' vehicles;
- (i) designate parking spaces on any street or in any parking lot as controlled spaces and cause to be installed a payment terminal, or offer cellular phone payment, or any other designated method of payment, for the payment for the use of the space;
- (j) designate fees and any method of payment for the use of controlled spaces;
- (k) designate routes for vehicles or classes of vehicles;
- (l) restrict the weight of vehicles;
- (m) issue written permission for:
 - (i) oversize weight or oversized vehicles;

- (ii) special events and any other use of a roadway or a public place that may temporarily interrupt normal traffic or pedestrian movement;
- (iii) the construction of driveway access; and
- (iv) excavations;
- (n) schedule roadway cleaning, snow removal, line painting, or any other roadway maintenance program as may be necessary;
- (o) remove, impound, or dispose of any signs or any other objects located on Town highways, boulevards, or sidewalks; and
- (p) alter, or cause to be altered, the grade of any roadway at any time; and relocate or relay any poles or utility services of any type.

~~400:101.~~ A peace officer, when enforcing the provisions of the Traffic Safety Act, as amended, or this bylaw, may place an erasable chalk mark on the tread face of a tire on any parked or stopped vehicle without such peace officer or the Town incurring any liability for doing so.

~~404:102.~~ No person shall remove an erasable chalk mark placed under section 101 while the vehicle remains parked in the location where it was marked.

~~402:103.~~ Any vehicle parked in a temporary no parking zone prior to the placement of a traffic control device prohibiting parking may be removed and impounded by the Town 72 hours after the placement of the traffic control device.

~~403:104.~~ A peace officer may remove and impound, or cause to be removed and impounded, any vehicle or trailer parked or left at a standstill in contravention of this bylaw or when emergency conditions may require such removal from a roadway.

~~404:105.~~ Pursuant to sections 103 and 104, any vehicle or trailer may be removed by a towing company contracted by the Town to perform such services to a place designated by the chief administrative officer, where it will remain impounded until claimed by the owner or his authorized agent.

~~405:106.~~ A peace officer may seize and impound for a period not exceeding 30 days a bicycle, roller skates, in-line skates, skateboards, scooters, [e-scooters](#) and other similar vehicles:

- (a) used or operated in contravention of this bylaw or the *Traffic Safety Act*, as amended; or
- (b) deemed by a peace officer to be lost or abandoned.

~~406:107.~~ A peace officer may seize and impound any of the following when displayed on a roadway or public place in contravention of this bylaw or the Traffic Safety Act, as amended:

- (a) any goods or structures related to the sale of goods, and
- (b) any sign, notice, or other object.

~~407:108.~~ Any item seized and impounded in accordance with this bylaw or the Traffic Safety Act, as amended will be returned to the owner upon payment of the fee specified in Schedule A.

~~408:109.~~ The Town will dispose of any item not claimed within 30 days.

~~409:110.~~ Fees charged in accordance with section 108 of this bylaw shall be in addition to any penalty paid in lieu of prosecution.

VIOLATIONS AND ENFORCEMENT

~~440:111.~~ Any person who contravenes the provisions of this bylaw is guilty of an offence and shall be liable for a minimum penalty in accordance with Schedule A of this bylaw, and not exceeding \$10,000.

~~441:112.~~ Any person who contravenes any provision of this bylaw or condition of written permission issued pursuant to this bylaw for which a penalty is not set out in Schedule A of this bylaw is liable to a minimum penalty of \$250.

Section 112 amended May 8, 2021 by Bylaw 2021-11

~~442:113.~~ If a vehicle is involved in an offence referred to in this bylaw, the owner of that vehicle is guilty of an offence.

~~443:114.~~ A peace officer is hereby authorized and empowered to issue a violation tag to any person, who a peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

~~444:115.~~ A violation tag may be issued to such person:

- (a) either personally; or
- (b) attached to the vehicle in respect of which an offence is alleged to have been committed; or
- (c) by mailing a copy to such person at their last known address.

~~445:116.~~ The person to whom a violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the violation tag.

~~446:117.~~ If the penalty specified on a violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized and empowered to issue a violation ticket pursuant to the Provincial Offences Procedures Act, as amended or a notice of administrative penalty.

~~447:118.~~ Notwithstanding Section 114 of this bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the Provincial Offences Procedures Act,

as amended, or a notice of administrative penalty to any person who a peace officer has reasonable grounds to believe has contravened any provision of this bylaw.

~~418:119.~~ In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

~~419:120.~~ Upon the failure by any person to comply with the provisions of this bylaw, the Town may proceed in accordance with the Municipal Government Act, as amended and perform any corrective measures required. All costs incurred may be recovered from the person specified in the violation tag and shall be deemed a debt due to the Town by the person specified in the violation tag. Debts due may be charged against the property concerned as a special lien to be recovered in like manner as property taxes.

~~420:121.~~ If, in the opinion of the chief administrative officer, a contravention of this bylaw requires immediate action, the Town may perform any work necessary to address the contravention of this bylaw without prior notice and all costs incurred by the Town will be payable by the person alleged to have contravened this bylaw.

~~421:122.~~ The imposition of a fine either by issuance of a violation tag or by summary conviction in court shall not relieve any person so fined from any liability to pay to the Town any expenses arising from any damage caused by that person to Town property, including any costs incurred in having work performed by the Town where authorized by this bylaw.

~~422:123.~~ A person other than the owner or operator of a vehicle shall not remove any violation tag or notice placed on or affixed to the vehicle by a peace officer in the course of their duties.

ENACTMENT/TRANSITION

~~423:124.~~ Should any provision of this bylaw be found to be invalid by a court of law it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

~~424:125.~~ Schedule A forms part of this bylaw.

~~425:126.~~ Bylaws 2014-06 and 2017-20 hereby repealed.

~~426:127.~~ This bylaw comes into force on March 9, 2020.

FIRST READING: March 3, 2020

SECOND READING: March 3, 2020

THIRD READING: March 3, 2020

DATE IN FORCE: March 9, 2020

OFFICE CONSOLIDATION

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

Bylaws included in this consolidation:

2020-03 Traffic and Road Use

2021-11 Traffic and Road Use Amendment – Street Closures

~~2022-08~~ [Traffic and Road Use Amendment – Parking Amendments and Addition of E-Scooters](#)

SCHEDULE A – FEES AND SPECIFIED PENALTIES

Seizing and Impoundment Fees

Non-motorized, self-propelled wheeled device	\$50.00
Sign	\$50.00
Other Items	\$50.00
Vehicle: Towing	as specified by Tow Operator
Vehicle: Impoundment	as specified by Impoundment Operator

Specified Penalties

Section	Description	If paid within 7 days of offence	Minimum Specified Penalty
5.1	Park obstructing traffic	\$45	\$90
11	Ride Bicycle on Sidewalk	n/a	\$90
11.1	Ride Bicycle on Main Street	n/a	\$90
16	Store unlawful items in locker	n/a	\$90
17	Use locker longer than 24 hours	n/a	\$90
18	Use a bicycle rack longer than 72 hours	\$45	\$90
20	Stopping, parking or operating in a bicycle lane	\$45	\$90
22	Failing to yield before entering roadway or sidewalk	\$45	\$90
24	Skateboard on Sidewalk	n/a	\$90
28	Jaywalking Cross a highway where prohibited	n/a	\$50
29	Pedestrian fail to yield right of way when crossing exclusive bicycle lane	n/a	\$45
31	General parking	\$45	\$90
32	General parking	\$40	\$78
34	Park outside painted lines	\$45	\$90
36	Park in alley	\$45	\$90
37	Load/unload vehicle unlawfully	n/a	\$90
39	Park bus where not permitted	\$125	\$250
40	Allow vehicle to idle	\$45	\$90
41	Parallel parking	\$40	\$78
42	Parking on private property	\$45	\$90
43	Park RV or a recreational trailer attached to motor vehicle between midnight and 8 a.m.	\$45	\$90
46	Attached trailer exceeding size limit	\$45	\$90
47	Unattached trailer	\$45	\$90
51(a)	Park in controlled paid parking zone space without making payment	\$45	\$90
51(b)	Park in controlled paid parking zone space for longer than payment made	\$45	\$90
51(c)	Park in controlled paid parking zone space contrary to condition of permit	n/a	\$90
51.1	Park in a controlled resident parking zone without a valid parking permit.	n/a	\$90
67	Post illegal notice	n/a	\$90

SCHEDULE B – GLOSSARY

This glossary is provided for information and does not form part of Bylaw 2020-03.

“alley” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;

“boulevard” means that part of a highway in an urban area that

- a) is not a roadway, and
- b) is the part of sidewalk that is not especially adapted to the use or ordinarily used by pedestrians;

“commercial vehicle” means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle.

“crosswalk” means

- a) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the roadway; or
- b) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by line or by other markings on the road surface;

“development” means:

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or buildings.

“emergency vehicle” means

- a) a vehicle operated by a police service or peace officer service as defined in the Police Act or Peace Officer Act,
- b) a fire-fighting or other type of vehicle operated by the fire protection service of a municipality,
- c) an ambulance operated by a person or organization providing ambulance services,
- d) a vehicle operated as a gas disconnection unit of a public utility,
- e) a vehicle designated by regulation as an emergency response unit.

“highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles; and includes:

- a) a sidewalk, including a boulevard adjacent to the sidewalk;
- b) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
- c) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be.

“off-highway vehicle” means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel:

- a) 4-wheel drive vehicles,
- b) low pressure tire vehicles,
- c) motor cycles and related 2-wheel vehicles,
- d) amphibious machines;
- e) all terrain vehicles;
- f) miniature motor vehicles;
- g) snow vehicles;
- h) minibikes, and
- i) any other means of transportation that is propelled by any power other than muscular power or wind,

but does not include

- a) motor boats, or
- b) any other vehicle exempted from being an off-highway vehicle by regulation.

“owner” means

- a) in respect of unpatented land, the Crown,
- b) in respect of other land, the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land,
- c) in respect of any property other than land, the person in lawful possession of it, and
- d) the persons who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days.

“park” when prohibited, means allowing a vehicle to remain stationary in one place, except

- a) while actually engaged in loading or unloading passengers, or
- b) when complying with a direction given by a peace officer or traffic control device.

“peace officer” means a bylaw enforcement officer appointed by the chief administrative officer to do any act or perform any duties under this bylaw and includes a member of the Royal Canadian Mounted Police and, when authorized, a peace officer under the Peace Officer Act.

“pedestrian” means

- a) a person on foot, or
- b) a person in or on a mobility aid,
- c) and includes those persons designated by regulation as pedestrians.

“person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person;

“power bicycle” means a vehicle that is a power-assisted bicycle under the Motor Vehicle Safety Regulations (Canada)(C.R.C., c.1038)

“roadway” means that part of a highway intended for use by vehicular traffic.

“registered gross vehicle weight” means

- a) the total weight in kilograms registered on the certificate ownership for the vehicle, or
- b) combination of vehicles that may or may not include the load.

“sidewalk” means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for the use of pedestrians.

“recreational vehicle” means a motor vehicle designed or used for travel with temporary living accommodation for vacations or camping purposes;

“traffic control device” means any sign, signal, traffic island, marking or device placed, marked or erected, under the authority of the Traffic Safety Act or of this bylaw, for the purpose of regulating, warning or guiding traffic; and includes devices, whether manually, electrically, or mechanically operated, by which traffic is directed to stop and to proceed;

“trailer” means a vehicle so designed that it:

- a) may be attached to or drawn by a motor vehicle or tractor, and
- b) is intended to transport property or persons,

and it includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways;

“vehicle” means a device in, on, or by which a person or thing may be transported or drawn on a highway includes a combination of vehicles but does not include a mobility aid.



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G-4

TO: Council

SUBJECT: Procedural Bylaw Amendment 2022-04 Omnibus

SUBMITTED BY: Cheryl Hyde, Municipal Clerk

RECOMMENDATION: That Council give first, second, and third reading to Procedural Bylaw Amendment 2022-04 Omnibus.

EXECUTIVE SUMMARY

Bylaw 2022-04 proposes amendments to Council’s Procedural Bylaw that include, in general:

- Amendments to the procedures for reconsidering and rescinding motions,
- Addition of procedures for first reading of planning bylaws, and
- Amendments to the public hearing procedure to
 - provide Council with opportunities to ask questions of administration and applicants,
 - allow for electronic participation by the public, and
 - clarify the procedure for handling written submissions.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Section 145(b) of the Municipal Government Act (MGA) authorizes council to pass a bylaw in relation to procedures to be followed by council.

Procedural Bylaw 2018-01 was first approved by council in January 2018. The amendments proposed today in Bylaw 2022-04 are the result of suggestions put forward by this newly elected council during a workshop held in January 2022.

DISCUSSION

Proposed amendments to the Procedural Bylaw are detailed in the table below and provided in a mark-up version of the bylaw in Attachment 1.

From	To	Rationale
3.1d) The appointment of members to council committees and external agencies.	3.1d) The appointment of members <u>and public representatives</u> to council committees and external agencies.	Clarify that both members of council and public representatives are appointed at the annual organizational meeting.

From	To	Rationale
3.2 If a regular meeting or committee of the whole meeting is scheduled to occur on a statutory holiday, that meeting shall be cancelled.	3.2 If a regular meeting or committee of the whole meeting is scheduled to occur on a statutory holiday, that meeting shall be <u>rescheduled or</u> cancelled.	To allow for the rescheduling of meetings scheduled on statutory holidays.
3.4 <u>Regular meetings</u> shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next <u>regular</u> meeting or at a <u>special</u> meeting called to complete the business. <u>All other meetings shall not exceed four hours in length unless the members present unanimously consent to an extension.</u>	3.4 <u>Meetings governed by this bylaw</u> shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next <u>regularly scheduled</u> meeting or at a meeting called <u>especially</u> to complete the business.	Extend the nine-hour time limit to special meetings, public hearings, annual organizational meetings, Committee of the Whole meetings, and Finance Committee meetings to help manage agenda preparation and update the language to refer to all types of meetings, not just regular and special council meetings.
7.2 No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by a majority vote of members present.	7.2 No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by <u>the Agenda Review Committee</u> or a majority vote of members present.	This authorizes the Agenda Review Committee to approve presentations longer than 10 minutes to help manage agenda preparation.
7.4 Notwithstanding section 7.3, council may, by <u>majority</u> vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful,	7.4 Notwithstanding section 7.3, council may, by <u>two-thirds</u> vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful,	To align with section 5.5 which requires a two-thirds vote to add an item of urgent business to the agenda.
9.12 After a motion has been made, no other motion may be made except for: a) a motion to amend the motion on the <u>table</u>	After a motion has been made, no other motion may be made except for: a) a motion to amend the motion on the <u>floor</u>	“Table” is not the correct term to use in this circumstance.
9.12 After a motion has been made, no other motion may be made except for: c) a motion to postpone the main motion to <u>a definite time at a future meeting.</u>	9.12 After a motion has been made, no other motion may be made except for: c) a motion to postpone the main motion to <u>a specific date.</u>	The intent of this section and section 9.15 below is to require council to specify a date that a postponed motion will be considered, not a time.

From	To	Rationale
9.15 A motion to postpone must include the reason for postponement and a specific <u>time</u> when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.	9.15 A motion to postpone must include the reason for postponement and a specific <u>date</u> when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.	As above.
9.17 A motion to reconsider a motion that has already been voted on: b) Must be made the same day the vote was taken on the motion in question or added <u>as a notice of motion at the next regular meeting</u>	A motion to reconsider a motion that has already been voted on: b) Must be made the same day the vote was taken on the motion in question or added <u>to a future agenda in accordance with the provisions related to member submissions in this bylaw;</u>	Align this section with the provisions in the bylaw related to member submissions.
9.17 A motion to reconsider a motion that has already been voted on: d) May be postponed, <u>and</u> e) Must be decided by two thirds vote. e.1) new section recommended	9.17 A motion to reconsider a motion that has already been voted on: d) May be postponed, Must be decided by two thirds vote, <u>and</u> e.1) <u>May not be made if a vote for which the reconsideration is sought has caused an irrevocable action.</u>	If an action cannot be undone then a vote to reconsider the motion directing the action has no effect.
9.18 A motion to rescind a motion which has been passed: a) May be <u>made by any member through a notice of motion at any meeting subsequent to the meeting at which the vote was taken on the motion in question</u>	9.18 A motion to rescind a motion which has been passed: a) May be <u>added to a future agenda in accordance with the provisions related to member submissions in this bylaw</u>	Align this section with the provisions in the bylaw related to member submissions.
New section recommended	9.18.1 A motion to reconsider or rescind a motion for a reading of a bylaw is out of order.	Bylaw readings need to be carried out in accordance with the Municipal Government Act.

From	To	Rationale
<p>PROCEDURE FOR FIRST READING OF A PLANNING BYLAW</p> <p>New section recommended</p>	<p><u>PROCEDURE FOR FIRST READING OF A PLANNING BYLAW</u></p> <p><u>11.4.1 Before giving first reading to</u></p> <p><u>a) A proposed bylaw to adopt or amend a municipal development plan,</u></p> <p><u>b) A proposed bylaw to adopt or amend an area structure plan,</u></p> <p><u>c) A proposed bylaw to adopt or amend an area redevelopment plan, or</u></p> <p><u>d) A proposed bylaw amending the Land Use Bylaw,</u></p> <p><u>Council shall, at a regular or special council meeting,</u></p> <p><u>a) provide the applicant, if any, with the opportunity to present their application,</u></p> <p><u>b) hear a presentation from administration, and</u></p> <p><u>c) hold a question period for Council to ask questions of the applicant, if any, and administration.</u></p>	<p>This sets out a procedure for Council to hear from an applicant and administration plus have an opportunity to ask questions when a planning bylaw is submitted for consideration. Currently the bylaw is silent on this matter.</p>
<p>12.2 <u>The order of business for a public hearing shall include:</u></p>	<p>12.2 A public hearing shall include:</p>	<p>Leave discretion to Council to determine the order in which business will be heard.</p>
<p>12.2 A public hearing shall include:</p> <p>a) A <u>presentation</u> from administration and/or the applicant <u>and questions of clarification from council.</u></p>	<p>12.2 A public hearing shall include:</p> <p>a) A <u>brief summary</u> from administration and/or the applicant <u>to provide context.</u></p>	<p>The summary is intended to provide context to the public hearing and not to repeat the presentation given at first reading. Section c.1) has been added to provide council with an opportunity to ask questions.</p>
<p>12.2 A public hearing shall include:</p> <p>c) Acknowledgment of written submissions received by the municipal clerk <u>during the public hearing and;</u></p>	<p>12.2 A public hearing shall include:</p> <p>c) Acknowledgment of written submissions received by the municipal clerk;</p>	<p>The municipal clerk will acknowledge all written submissions received, not just those received during the public hearing.</p>

From	To	Rationale
12.2 A public hearing shall include: c.1) new section recommended	12.2 A public hearing shall include: c.1) <u>Council questions of the applicant in response to public presentations (if applicable);</u>	Opportunity for Council to clarify with the applicant any new items brought forward by members of the public. Currently the bylaw is silent on this.
12.2 A public hearing shall include: d) Closing comments from administration,	12.2 A public hearing shall include: d) Closing comments from administration, <u>and</u>	Grammatical correction.
12.2 A public hearing shall include: d.1) new section recommended	12.2 A public hearing shall include: d.1) <u>Council questions of administration.</u>	Opportunity for Council to clarify with administration any new items brought forward by members of the public. Currently the bylaw is silent on this.
12.3 No person shall address council at a public hearing: b) more than once or for more than five minutes, exclusive of the time required to answer questions from council;	12.3 No person shall address council at a public hearing: b) <u>Unless the person is speaking in accordance with section 12.2(a),</u> more than once or for more than five minutes, exclusive of the time required to answer questions from council;	Section 12.2(a) provides for a presentation from the applicant and/or administration with no time limit.
12.5 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing shall be physically present.	<u>12.5 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing a) must be present in the council chamber or via electronic attendance, and</u> b) <u>must register with the municipal clerk by noon on the business day preceding the hearing.</u>	To accommodate electronic attendance by members of the public.
12.5.1 New section recommended	<u>12.5.1 Notwithstanding section 12.5(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.</u>	To allow for persons who are present in the council chamber to speak even if they haven't registered.

From	To	Rationale
12.5.2 New section recommended	12.5.2 <u>A person or group may submit their presentation using a pre-recorded video provided that the video is shown by a representative who is present in the council chamber or via electronic attendance.</u>	12.5.2 and 12.5.3 are intended to set parameters for allowing the submission of pre-recorded videos at public hearings.
12.5.3 New section recommended	12.5.3 Notwithstanding section 12.5.2, the presiding officer retains the right to stop a pre-recorded video presentation that does not comply with the public hearing procedures set out in this bylaw.	
13.3 A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and <u>9 a.m. two business days before</u> the hearing.	13.3. A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and <u>before the close of the hearing.</u>	To allow for members of the public to make written submissions until the hearing closes.
13.3.1 The municipal clerk shall compile written submissions received from <u>the applicant and</u> members of the public into a record of public submissions and publish that record by <u>noon</u> two business days before the hearing.	The municipal clerk shall compile written submissions received from members of the public <u>before 9 a.m. two business days before the hearing</u> into a record of public submissions and publish that record by <u>5 p.m.</u> two business days before the hearing.	To set a deadline for the receipt of submissions to be published before the public hearing and allow extra time for administration to compile the record.
13.3.2 The municipal clerk shall <u>accept</u> written submissions from <u>individuals making verbal submissions at the public hearing and add them</u> to the published record of public submissions after the adjournment of the council meeting during which the public hearing was held.	13.3.2 The municipal clerk shall <u>add</u> written submissions <u>received</u> from <u>members of the public between 9 a.m. two business days before the hearing and the close of the hearing</u> to the published record of public submissions <u>by the end of the next business day</u> after the adjournment of the council meeting during which the public hearing was held.	To provide a process for including written submissions received after the deadline of 9 a.m. two business days before the hearing into the record of public submissions.

From	To	Rationale
13.3.3 New section recommended	13.3.3 Anonymous submissions shall not be accepted.	To ensure integrity of written submissions.
13.4 Where a person provides more than one identical or largely identical written submission, only one <u>will</u> be included in the record of public submissions.	13.4. Where a person provides more than one identical or largely identical written submission, only one <u>shall</u> be included in the record of public submissions.	Grammatical correction.

ANALYSIS OF ALTERNATIVES

None

FINANCIAL IMPACTS

None

STAKEHOLDER ENGAGEMENT

The municipal clerk’s office gathered recommendations for procedural amendments in an informal workshop with Council and members of the Corporate Strategic Team held in January 2022.

ATTACHMENTS

- 1) Procedural Bylaw 2018-01 Redline
- 2) Procedural Bylaw Amendment 2022-04 Omnibus

AUTHORIZATION

Submitted by: Cheryl Hyde
Municipal Clerk Date: March 8, 2022

Approved by: Therese Rogers
General Manager of Corporate Services Date: March 8, 2022

Approved by: Sally Caudill
Chief Administrative Officer Date: March 30, 2022

BYLAW 2018-01
Office Consolidation Current as of October 6, 2020

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

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

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

1: TITLE

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

2: INTERPRETATION

2.1. The following words and phrases mean:

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

2.2. The precedence of rules governing council’s procedures is:

- a) *The Municipal Government Act*;
- b) Other provincial legislation;
- c) This bylaw, and
- d) The current edition of *Robert’s Rules of Order and Parliamentary Procedure*.

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

2.4. This bylaw applies to regular meetings, special meetings, annual organizational meetings, Committee of the Whole meetings, and Finance Committee meetings.

3: MEETINGS

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

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

- 3.3. When a special meeting is called, notice of the special meeting is deemed to have been given to the public:
 - a) When the time, date, location, and purpose of the meeting has been advertised at least once in the week preceding the meeting in a local newspaper; or
 - b) Where advertising in a local paper is not possible, when a notice that specifies the time, date, location, and purpose of the meeting has been posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media.

- 3.4. ~~Regular meetings~~ Meetings governed by this bylaw shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next ~~regular~~ regularly scheduled meeting or at a ~~special~~ meeting called especially to complete the business. ~~All other meetings shall not exceed four hours in length unless the members present unanimously consent to an extension.~~

Amended January 9, 2019 by Bylaw 2019-08

Amended January 9, 2019 by Bylaw 2019-08

4: QUORUM

- 4.1. If quorum, as defined in the Municipal Government Act, is not present within fifteen minutes after the time fixed for a meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.

- 4.2. If a meeting is adjourned for failure to constitute a quorum, or for loss of quorum during a meeting, the agenda for that meeting shall be considered at the next regular meeting or at a special meeting called to complete the business.

- 4.3. If quorum is present within fifteen minutes after the time fixed for a meeting, but the mayor and deputy mayor are absent, the CAO shall call the meeting to order and call for a presiding officer to be chosen by resolution of council.

- 4.4. Notwithstanding sections 4.1 and 4.3, if an absent member provides notice within fifteen minutes after the time fixed for a meeting of their expected arrival time, the presiding officer or the CAO may postpone the meeting until the absent member or members arrive.

5: AGENDA

- 5.1. Agendas shall be prepared under the direction of the Agenda Review Committee.
- 5.2. Unless otherwise authorized by this bylaw, submissions for inclusion in an agenda shall be delivered to the CAO no later than 4:30 p.m. on the twenty-second calendar day prior to the meeting.
Amended January 9, 2019 by Bylaw 2019-08
- 5.3. When the twenty-second calendar day prior to a meeting falls on a legislated or general holiday, submissions for the agenda shall be delivered to the CAO no later than 4:30 p.m. on the first business day following the holiday.
Amended January 9, 2019 by Bylaw 2019-08
- 5.4. The Agenda Review Committee may authorize inclusion on the agenda of items received after the submission deadline but before the agenda is published.
- 5.5. Once an agenda is published, it is the property of council. Items may only be removed from the agenda by a unanimous vote or added as urgent business by a two-thirds vote.
- 5.6. The agenda shall be made available to members at least three business days prior to the meeting, and made available to the public not less than twenty-four hours later.
- 5.7. Failure to meet the deadlines imposed in section 5.6 does not invalidate the agenda.
- 5.8. The order of business for a regular meeting shall be decided by a majority vote.

6: MEMBER SUBMISSIONS

- 6.1. A member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the CAO in accordance with section 5.2.
- 6.2. If approved for inclusion in the agenda, a request for decision submitted by a member will be included as new business at the next regular meeting or special meeting called to complete regular business.
- 6.3. If a request for decision submitted by a member is not approved for inclusion in the agenda, the member may submit a notice of motion. The notice of motion will appear on the agenda for the next regular meeting or special meeting called to complete regular business.
- 6.4. A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.

- 6.5. A notice of motion is not debatable, however the member presenting the notice may speak to the notice for a period not to exceed five minutes.
- 6.6. The motion for which notice was given and any supporting documents must be submitted to the CAO in the form of a request for decision by 4:30 p.m. on the fourth day following the meeting at which the notice of motion was made.
- 6.7. The motion on notice shall be added as new business on the agenda for the subsequent regular meeting or special meeting called to complete regular business.
- 6.8. Council may waive the requirement for notice by a two-thirds vote and add the matter to the agenda as urgent business.

7: PUBLIC SUBMISSIONS

- 7.1. A person other than a member may submit a request to the CAO to include written material in the agenda and/or appear as a delegation at a regular council meeting or a committee of the whole meeting and the agenda review committee may, in their unfettered discretion, permit the request provided:
 - a) The person has submitted their request in accordance with section 5.2;
 - b) The person has provided a description of the matter they wish to address;
 - c) The person has not addressed council on the same matter within the previous six months;
 - d) The matter pertains to a community event, new initiative or provides an update on an item of council interest or that the Town has funded;
 - e) The matter does not pertain to any undecided matter that has been the subject of a public hearing or a matter that is on a proposed future agenda for a decision of council; and
 - f) There are no concerns around procedural fairness.
- 7.2. No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by [the Agenda Review Committee](#) or a majority vote of members present.
- 7.3. When a delegation or written submission requires a council decision, council shall not make a decision at the same meeting in which the request is received; rather, the request shall appear on the agenda for the following regular meeting as business arising from the minutes, at which time council shall:
 - a) Refer the request to administration or a committee for further research, review and recommendation,
 - b) Accept the request as information only, or
 - c) Make a decision on the request.
- 7.4. Notwithstanding section 7.3, council may, by ~~majority two-thirds~~ vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful:
 - a) Refer the request to administration or a committee for further research, review and recommendation,
 - b) Accept the request as information only, or

- c) Make a decision on the request
- 7.5. Before a regular meeting is called to order, council will answer questions from the public, without the need to comply with section 7.1 and in accordance with the following:
- a) Questions on the following items will not be permitted:
 - i) Items that are on the current agenda, or
 - ii) Items that are currently being dealt with at a public hearing;
 - b) In order to facilitate meaningful responses to questions, citizens must provide a brief written submission stating their question(s) to the municipal clerk a minimum of one business day before the start of the council meeting; and
 - c) The question(s) provided will be read out, will include the name of the questioner, and will be answered by the presiding officer.
- 7.6. A question asked before a meeting is called to order shall not be recorded in the minutes of the meeting.

8: MEETING CONDUCT

- 8.1. The presiding officer shall:
- a) Maintain order and decorum and may, if necessary, call a member to order;
 - b) Determine who has a right to speak;
 - c) Ensure all members who wish to speak to a motion have spoken, ensure that the members are ready to vote, and subsequently call the vote;
 - d) Rule when a motion is out of order; and
 - e) Ensure persons in the gallery maintain quiet and order and may, if necessary, provide for the removal of those who do not comply.
- 8.2. A member wishing to speak at a meeting shall address the presiding officer and must be recognized by the presiding officer before speaking.
- 8.3. No member shall speak for longer than five consecutive minutes.
- 8.4. Members shall be respectful and attentive, shall avoid distracting themselves and others, and shall not cause disruptions during a meeting.
- 8.5. When a member is speaking at a meeting, that member shall:
- a) Speak respectfully;
 - b) Refrain from using any offensive or disrespectful language when speaking about any member, administration, council as a whole, or any other parties;
 - c) Not shout or use a raised voice; and
 - d) Assume personal responsibility for any stated quote, and at the request of council, give the source of the information.
- 8.6. No person in the public gallery during a meeting shall address council unless invited to do so by the presiding officer.

8.7. No person shall use a video recording device during a meeting unless authorized to do so by this bylaw or by a unanimous vote of members present.

8.8. No member shall engage in use of social media during a meeting.

8.9. When the presiding officer calls a member to order, the member shall immediately cease to speak. After the presiding officer has ruled, the member may explain their action that resulted in the call to order.

8.10. A member may:

- a) Call a point of order, at any time the member believes that a rule pertaining to the conduct of the meeting has been violated;
- b) Call a point of procedure, at any time the member requires more information about the rules of council or parliamentary law; and
- c) Call a question of privilege, at any time the member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake.

8.11. When any point of order, point of procedure, or question of privilege arises, it shall be immediately taken into consideration and ruled upon by the presiding officer.

8.12. Any decision of the presiding officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of members present.

7.1: ELECTRONIC MEETING ATTENDANCE

7.1.1 Members who are participating in council or council committee proceedings by videoconferencing technology must have the audio and video functions enabled with their face clearly visible in order to be counted towards quorum, to participate in debate, and to vote.

Amended October 6, 2020 by Bylaw 2020-22

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

Amended October 6, 2020 by Bylaw 2020-22

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

Amended October 6, 2020 by Bylaw 2020-22

9: MOTIONS

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

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

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

- 9.4. The presiding officer may speak to a motion at any time after it has been moved.
- 9.5. All members speaking to a motion must comply with meeting procedures as stated in this bylaw.
- 9.6. Any motion substantially the same as a motion voted on in the previous six months, with the exception of a motion to reconsider, is out of order.
- 9.7. A motion may be withdrawn by the member that made the motion any time before voting occurs, subject to no objection from any member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 9.8. A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed and adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes.
- 9.9. When a motion contains more than one distinct proposition, council shall vote on each proposition separately if any member so requests or the presiding officer so directs.
- 9.10. After a motion has been made a member may request further information. The presiding officer shall provide the information or direct the request to administration or to the appropriate member.
- 9.11. After a motion for first, second or third reading of a bylaw, members may:
- a) Debate the substance of the bylaw;
 - b) Propose and vote on amendments to the bylaw;
 - c) Make a motion to postpone the vote on the motion for a reading of the bylaw; and
 - d) Vote on the bylaw reading.
- 9.12. After a motion has been made, no other motion may be made except for:
- a) A motion to amend the motion on the ~~table~~floor;
 - b) A motion to table the motion until a time later in the meeting; or
 - c) A motion to postpone the main motion to a ~~definite time at a future meeting~~specific date.
- 9.13. Amending motions shall be made in accordance with the following:
- a) Only one amendment to the main motion and one amendment to that amendment shall be on the floor at any given time.
 - b) A member who moved a motion may not move an amendment to that motion, except the presiding officer who moves a motion recommended by administration.
 - c) The main motion shall not be debated until all amendments to it have been put to the vote.
 - d) Amendments shall be voted on in the reverse order in which they were moved.
 - e) When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.
- 9.14. A member may not move an amendment which:
- a) Does not relate to the subject matter of the main motion; or
 - b) Is contrary to the main motion.

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

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

9.17. A motion to reconsider a motion that has already been voted on:

- a) Must be made by a member who voted on the prevailing side of the motion in question;
- b) Must be made the same day the vote was taken on the motion in question or added ~~as a notice of motion at the next regular meeting to a future agenda in accordance with the provisions related to member submissions in this bylaw;~~
- c) Is debatable;
- d) May be postponed; ~~and~~
- e) Must be decided by a two-thirds vote, and
e.1) May not be made if a vote for which the reconsideration sought has caused an irrevocable action.

9.18. A motion to rescind a motion which has been passed:

- a) May be added to a future agenda in accordance with the provisions related to member submissions in this bylaw;~~made by any member through a notice of motion at any meeting subsequent to the meeting at which the vote was taken on the motion in question;~~
- b) Is debatable;
- c) May be postponed;
- d) Must be decided by a two-thirds vote;
- e) May not be made if a vote for which the rescission is sought has caused an irrevocable action.

9.18.1 A motion to reconsider or rescind a motion for a reading of a bylaw is out of order.

9.19. A motion to adjourn may be made by any member except when:

- a) Another member has the floor;
- b) A call for a vote has been made;
- c) The members are voting;
- d) The meeting is in camera;
- e) A previous motion to adjourn has been defeated, and no other proceedings have taken place.

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

9.21. When considering approval or acceptance of a document:

- a) A motion to approve a document provides direction for administration to implement any actions or direction articulated in the document, subject to council approval of actions or directions with unbudgeted financial implications;
- b) A motion to accept a document for planning purposes provides direction for administration to use the document as a guide, and to gain council approval before taking action or establishing a direction;

- c) A motion to accept as information provides direction for administration to take no action related to the document.

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

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

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

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

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

10: MEETING RECORDS

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

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

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

10.4. Minutes of a meeting other than a committee of the whole meeting shall be adopted by motion at the following regular meeting, regardless of whether or not the same members are present.

10.5. Any member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.

10.6. Approved minutes shall be signed by the presiding officer and the recording secretary who were present at the meeting where the minutes were taken, wherever practicable. Where not practicable, the minutes shall be signed by the current presiding officer and recording secretary.

10.7. The CAO is authorized to provide for streaming video and video recording of any meeting.

10.8. A video recording provided by the CAO may be used to determine the accuracy of a portion of the minutes.

11: COMMITTEE OF THE WHOLE

11.1. The business of a committee of the whole meeting shall include:

- a) Briefings from members, administration, and the public; and
- b) Consideration of policies, bylaws, and plans for recommendation to council.

11.2. The committee of the whole is authorized only to make recommendations, by motion, to council. Such recommendations will be submitted to a council agenda in accordance with section 5.1.

11.3. The following exceptions to this bylaw apply to committee of the whole:

- a) A member may speak for longer than five minutes;
- b) Members must be recognized by the chair before speaking, however members may direct questions and answers to one another and to administration; and
- c) Members may discuss an issue without a motion on the floor.

11.4. Minutes of a committee of the whole meeting shall be adopted by motion at the following committee of the whole meeting, regardless of whether or not the same members are present.

PROCEDURE FOR FIRST READING OF A PLANNING BYLAW

11.4.1 Before giving first reading to

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

Council shall, at a regular or special council meeting,

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

12: PUBLIC HEARINGS PROCEDURE

12.1. Notwithstanding any other section of this bylaw, Sections 12.2 through 12.5 apply to public hearings.

12.2. ~~The order of business for a~~ A public hearing shall include:

- a) A ~~presentation-brief summary~~ from administration and/or the applicant ~~and questions of clarification from council to provide context;~~
- b) Presentations from the public and questions of clarification from council;
- c) Acknowledgment of written submissions received by the municipal clerk ~~during the public hearing; and~~
- c.1) Council questions of the applicant in response to public presentations (if applicable);
- d) Closing comments from administration, and
- d.1) Council questions of administration.

11.2(b) amended August 20, 2020 by Bylaw 2020-28

12.3. No person shall address council at a public hearing:

- a) Without the permission of the presiding officer, and

- b) ~~Unless the person is speaking in accordance with section 12.2(a),~~ more than once or for more than five minutes, exclusive of the time required to answer questions from council.

12.4. Notwithstanding section 12.3, the presiding officer retains the right to limit or extend public presentations in order to ensure the integrity of the public hearing.

~~12.5. Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing shall be physically present.~~

~~12.5 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing~~

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

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

~~12.5.1 Notwithstanding section 12.5(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.~~

~~12.5.2 A person or group may submit their presentation using a pre-recorded video provided that the video is shown by a representative who is present in the council chamber or via electronic attendance.~~

~~12.5.3 Notwithstanding section 12.5.2, the presiding officer retains the right to stop a pre-recorded video presentation that does not comply with the public hearing procedures set out in this bylaw.~~

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

- a) Speak respectfully,
- b) Refrain from using any offensive or disrespectful language,
- c) Directly address the item without repetition or reference to matters irrelevant to the public hearing,
- d) Maintain order and quiet,
- e) Refrain from interrupting any speech or action of members of council or any other member of the public that is addressing council, and
- f) Refrain from displaying placards or signs supporting a particular outcome of the topic under discussion.

12.7. No motions shall be made at a public hearing.

13: PUBLIC HEARING RECORDS

13.1. Repealed by Bylaw 2018-18.

13.2. Repealed by Bylaw 2018-18.

13.3. A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and ~~9 a.m. two business days before the close of~~ the hearing.

Section 12.3 amended August 20, 2020 by Bylaw 2020-18

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

Section 12.3.1 inserted August 20, 2020 by Bylaw 2020-18

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

Section 12.3.2 inserted August 20, 2020 by Bylaw 2020-18

13.3.3 Anonymous submissions shall not be accepted.

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

13.5. The minutes of a public hearing shall record:

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

14: ENACTMENT/TRANSITION

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

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

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

FIRST READING: January 23, 2018

SECOND READING: January 23, 2018

THIRD READING: January 23, 2018

DATE IN FORCE: January 26, 2018

OFFICE CONSOLIDATION

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

Bylaws included in this consolidation:

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

BYLAW 2022-04

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

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

TITLE

1. This bylaw shall be known as the “Procedural Bylaw Amendment – Omnibus.”

INTERPRETATION

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

AMENDS BYLAW 2018-01

3. Procedural Bylaw 2018-01 is amended by this bylaw.
4. Section 3.1(d) is amended by adding “and public representatives” after “members”.
5. Section 3.2 is amended by adding “rescheduled or” before “cancelled”.
6. Section 3.4 is amended by striking out “Regular meetings” and substituting “Meetings governed by this bylaw”, by striking out “special” and adding “especially” before “to complete the business”, and by striking out “All other meetings shall not exceed four hours in length unless the members present unanimously consent to an extension”.
7. Section 7.2 is amended by striking out “a majority vote of members present” and substituting “the Agenda Review Committee”.
8. Section 7.4 is amended by striking out “majority” and substituting “two-thirds”
9. Section 9.12(a) is amended by striking out “table” and substituting “floor”.
10. Section 9.12(c) is amended by striking out “definite time at a future meeting” and substituting “specific date”.
11. Section 9.15 is amended by striking out “time” and substituting “date”.
12. Section 9.17 is amended
 - a) in subsection (b) by striking out “as a notice of motion at the next regular meeting” and substituting “to a future agenda in accordance with the provisions related to member submissions in this bylaw”;
 - b) in subsection (d) by striking out “and”;

c) in subsection (e) by adding “, and” after “vote”; and

d) by adding the following after subsection (e):

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

13. Section 9.18 is amended

a) in subsection (a) by striking out “made by any member through a notice of motion at any meeting subsequent to the meeting at which the vote was taken on the motion in question” and substituting “added to a future agenda in accordance with the provisions related to member submissions in this bylaw”.

14. The following is added after section 9.18:

9.18.1 A motion to reconsider or rescind a motion for a reading of a bylaw is out of order.

15. The following is added after section 11.4:

PROCEDURE FOR FIRST READING OF A PLANNING BYLAW

11.4.1 Before giving first reading to

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

Council shall, at a regular or special council meeting,

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

16. Section 12.2 is amended

a) by striking out “The order of business for a” and substituting “A”;

b) in subsection (a) by striking out “presentation” and substituting “brief summary” and by striking out “and questions of clarification from council” and substituting “to provide context”.

- c) in subsection (c) by striking out “during the public hearing; and”;
- d) by adding the following under subsection (c):
 - (c.1) Council questions of the applicant in response to public presentations (if applicable);”
- e) in subsection (d) by adding “and” after “administration,”.
- f) by adding the following after subsection (d):
 - (d.1) “Council questions of administration.”

17. Section 12.3 is amended

- a) in subsection (b) by adding “Unless the person is speaking in accordance with section 12.2(a),” before “more than once”.

18. Section 12.5 is repealed and replaced with the following:

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

- a) must be present in the council chamber or via electronic attendance, and
- b) must register with the municipal clerk by noon on the business day preceding the hearing.

19. The following is added after section 12.5:

12.5.1 Notwithstanding section 12.5(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.

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

12.5.3 Notwithstanding section 12.5.2, the presiding officer retains the right to stop a pre-recorded video presentation that does not comply with the public hearing procedures set out in this bylaw.

20. Section 13.3 is amended by striking out “9 a.m. two business days before” and substituting “the close of”.

21. Section 13.3.1 is amended by striking out “the applicant and”; by adding “before 9 a.m. two business days before the hearing” after “the public”; and by striking out “noon” and substituting “5 p.m.”.

22. Section 13.3.2 is amended by striking out “accept” and substituting “add”; by inserting “received” between “submissions” and “from”; by striking out “individuals making verbal submissions at the public hearing and add them” and substituting “members of the public between 9 a.m. two business days before the hearing and the close of the hearing”; and by adding “by the end of the next business day” before “after the adjournment”.

23. The following is added after section 13.3.2:

13.3.3 Anonymous submissions shall not be accepted.

24. Section 13.4 is amended by striking out “will” and substituting “shall”.

25. The numbering of the bylaw is amended by removing numbers in the headers and numbering all sections chronologically.

ENACTMENT/TRANSITION

26. 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.

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

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G-5

TO: Council

SUBJECT: Supplementary Assessment Bylaw 2022-05

SUBMITTED BY: Chelsey Richardson, Manager of Finance

RECOMMENDATION: That Council give first, second, and third reading to Supplementary Assessment Bylaw 2022-05.

EXECUTIVE SUMMARY

To impose supplementary taxes in a given year, Council must authorize administration to prepare supplementary assessments for all relevant properties within the Town of Canmore through a bylaw.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Section 313(1) of the Municipal Government Act states:

If a municipality wishes to require the preparation of supplementary assessments for improvements, the council must pass a supplementary assessment bylaw authorizing the assessments to be prepared for the purpose of imposing a tax under Part 10 in the same year.

And Section 313(3) of the Municipal Government Act states:

A supplementary assessment bylaw or any amendment to it applies to the year in which it is passed, only if it is passed before May 1 of that year.

DISCUSSION

Supplementary taxes will be billed to all properties currently under development that have a construction completion date prior to October 1, 2022. The tax levied on the supplementary assessment will be prorated on the incremental value of the improvements based on the month of occupancy.

The combined Supplementary Property Assessment and Tax Notice will be sent to property owners to advise them of an additional property assessment amount that has been placed on their property. The tax on the incremental assessed value will be prorated based on time of occupancy.

ANALYSIS OF ALTERNATIVES

N/A

FINANCIAL IMPACTS

The Town of Canmore 2022 budget for Supplementary Tax revenue is \$25,000. This bylaw will ensure that funds are generated for the Town's 2022 budgeted programs.

STAKEHOLDER ENGAGEMENT

Administration will provide property owners with a combined Supplementary Property Assessment and Tax Notice.

ATTACHMENTS

- 1) Supplementary Assessment Bylaw 2022-05

AUTHORIZATION

Submitted by: Chelsey Richardson
Manager of Finance Date: March 14, 2022

Approved by: Therese Rogers
GM of Corporate Services Date: March 18, 2022

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

BYLAW 2022-05

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
TO AUTHORIZE PREPARTION OF SUPPLEMENTARY ASSESSMENTS FOR 2022**

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 Supplementary Assessment 2022 Bylaw.

SUPPLEMENTAL ASSESSMENT

2. The assessor is authorized to prepare supplementary assessments for all improvements made in 2022 for the purpose of imposing a tax under Part 10 of the *Municipal Government Act*, as amended.

ENACTMENT/TRANSITION

3. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
4. Bylaw 2021-08 is repealed.
5. This bylaw comes into force on the date it is passed.

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** G-6

TO: Council

SUBJECT: Downtown Business Improvement Area (BIA) Tax Rate Bylaw 2022-06

SUBMITTED BY: Chelsey Richardson, Manager of Finance

RECOMMENDATION: That Council:

- 1) approve the Downtown Business Improvement Area (BIA) 2022 budget as presented.
- 2) give first, second, and third reading to Bylaw 2022-06, the Downtown Business Improvement Area (BIA) Tax Rate Bylaw.

EXECUTIVE SUMMARY

If there is a business improvement area within a municipality, the Municipal Government Act requires council to approve the BIA’s budget and pass a business improvement area tax rate bylaw each year.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

The Downtown BIA was established in 2005 by Bylaw 21-2005. Council has subsequently passed a BIA tax rate bylaw annually by May 1st in accordance with subsection 20(1) of Alberta’s Business Improvement Area Regulation 93/2016.

Council is also required to approve the BIA’s annual budget prior to passing the annual tax rate bylaw, in accordance with subsection 11(1) of the Alberta’s Business Improvement Area Regulation 93/2016.

DISCUSSION

The BIA’s 2022 budget includes \$122,720 in tax revenue. The BIA Regulation requires that the taxes collected equal that amount approved in the budget and that the amount collected be done using an assessment method that is consistently applied to all affected properties. The method of assessment employed by the BIA board for 2022 is as follows:

2022 Rate Structure based on Location

	Frontage on Main Street	Frontage on Other Streets	Lower / Rear / Upper Unit
Landlord	\$280	\$280	\$280
0-500 (sq. ft.)	\$448	\$392	\$280
501-1000 (sq. ft.)	\$504	\$448	\$336
1001-1500 (sq. ft.)	\$560	\$504	\$392
1501-2000(sq. ft.)	\$616	\$560	\$448
2001+ (sq. ft.)	\$672	\$616	\$504

Properties in the BIA are assessed based on the following:

- Each property is identified by the Lot, Block, Plan and Tax Roll#
- Each Landowner/Business is a member at the prescribed rate in the membership approved table above (Fee Structure)
- Each Landowner that also owns a Business is only charged once; the fee is applied to the business
- Non-Profits are not charged a fee
- Each space that has been, or is occupied, is assessed a fee
- Un-demised, never occupied, and un-leased space within the same building and landowner's possession where the legal parcels are contiguous is considered in totality
- Vacant Lots are not charged unless business is conducted on it during the year; one fee per location
- Each member has one vote per paid membership (Not for Profit members are entitled to 1 vote)

Based on the methodology, the BIA board has prepared an assessment roll (Schedule A of the attached bylaw) and notified all affected property owners. The assessment roll totals \$122,720, which is consistent with the approved budget.

ANALYSIS OF ALTERNATIVES

Council could amend the budget. If the changes affect the revenue from tax levies, then the bylaw would also need to be amended. This is not recommended as the budget has been approved by the BIA's board.

FINANCIAL IMPACTS

No direct financial implications to the Town. The BIA, however, cannot execute its budget unless the bylaw is approved.

STAKEHOLDER ENGAGEMENT

Affected property owners were notified, by the BIA administration, that Council would consider the 2022 BIA tax rate bylaw at its April 5, 2022 meeting via mail and email. Alberta's Business Improvement Area Regulation 93/2016 does not require advertisement, merely notification to all owners.

The tax department will also distribute the BIA assessments to property owners within the BIA with the annual property tax notices.

ATTACHMENTS

- 1) Downtown BIA 2022 Budget
- 2) Downtown Business Improvement Area 2022 Tax Rate Bylaw 2022-06

AUTHORIZATION

Submitted by:	Chelsey Richardson Manager of Finance	Date:	<u>March 14, 2022</u>
Approved by:	Therese Rogers GM of Corporate Services	Date:	<u>March 18, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>March 28, 2022</u>

**DOWNTOWN CANMORE BIA
BUDGET 2022**

		2021	2022	2022 BUDGET REVISED
REVENUES				
	Landlords/Businesses	\$ 104,600.00	\$ 117,152.00	\$ 122,720.00
	Grants	\$ 20,454.00	\$ 10,000.00	\$ 34,930.00
	Sublease rentals	\$ 32,754.00	\$ 34,236.00	\$ 26,436.00
	Interest	\$ -	\$ 300.00	\$ 300.00
	Total Revenue	\$ 157,808.00	\$ 161,688.00	\$ 184,386.00
EXPENSES				
Accounting and Legal				
	Auditor	\$ 5,000.00	\$ 6,500.00	\$ 7,500.00
Administration				
	Executive Director, Benefits	\$ 50,400.00	\$ 50,400.00	\$ 50,400.00
	Admin Support/Bookkeeping	\$ -	\$ 4,200.00	\$ 5,000.00
	Summer Employment Prog	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00
	Office Supplies	\$ 500.00	\$ 500.00	\$ 500.00
	Memberships/Newsletters	\$ 1,000.00	\$ 1,500.00	\$ 2,000.00
	Postage and Delivery	\$ 200.00	\$ 200.00	\$ 200.00
	Conferences	\$ 1,000.00	\$ 1,500.00	\$ 2,000.00
	Rent			\$ 7,800.00
	Telephone	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
	Insurance	\$ 2,400.00	\$ 2,800.00	\$ 3,200.00
	Bank/service charges	\$ 100.00	\$ 100.00	\$ 100.00
	Lease Expenses	\$ 32,754.00	\$ 34,236.00	\$ 26,436.00
Marketing/Social Media				
	Social Media	\$ 24,000.00	\$ 28,000.00	\$ 28,000.00
	Advertising	\$ 2,500.00	\$ 3,920.00	\$ 3,920.00
	Website/Computer Updates	\$ 1,500.00	\$ 2,000.00	\$ 2,000.00
Board & Member Services				
	Board & Member Meetings	\$ 700.00	\$ 250.00	\$ 500.00
	AGM	\$ 500.00	\$ 500.00	\$ 500.00
	Stakeholder Engagement	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Downtown Enhancement				
	Winter/ Summer Streetscape	\$ 22,554.00	\$ 15,382.00	\$ 34,630.00
Projects & Events				
	Wi-Fi	\$ 6,500.00	\$ 4,500.00	\$ 4,500.00
	other		\$ -	\$ -
	Total Expenses	\$ 157,808.00	\$ 161,688.00	\$ 184,386.00
Excess (deficit) of revenue over expenses		\$ -	\$ -	\$ -
Notes:				
1. Levy - Due to a number of changes in layouts of businesses, square footages have been adjusted accordingly. Expenses have been adjusted to account for the change.				
2. Grants - On recommendation of the auditors, grants received in December have been adjusted to show in 2022 therefore adjusting expenses accordingly.				
3. Rent - The auditor determined the rent the BIA allocated towards its expenses was not being allocated and shown properly, the BIA has adjusted the budget accordingly.				

BYLAW 2022-06

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH A TAX RATE FOR THE
DOWNTOWN BUSINESS IMPROVEMENT AREA IN THE YEAR 2022**

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 Downtown Business Improvement Area 2022 Tax Rate Bylaw.

TAX RATE

2. Council establishes the 2022 tax rate for the Downtown Business Improvement Area in accordance with Schedule A.

ENACTMENT/TRANSITION

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

FIRST READING:

SECOND READING:

THIRD READING:

Approved on behalf of the Town of Canmore:

Sean Krausert
Mayor

Date

Cheryl Hyde
Municipal Clerk

Date

Roll	Lot/Unit	Block	Plan	Tax rate Levy	Property Owner	Unit #	Building #	Street
10193	7	46	1095F	\$ 1,232	NAYLOR, TANNIS JANE / 901047 ALBERTA LTD.		826	10TH STREET
10195	10	46	1095F	\$ 2,072	MD LEBLANC HOLDINGS INC.		838	10TH STREET
10205	1	48	1095F	\$ 2,688	RUNDLE MOUNTAIN TRADING CO. (1987) LTD.		802	MAIN STREET
10206	2	48	1095F	\$ 952	COSE INC.		806	MAIN STREET
10207	3	48	1095F	\$ 672	BOW VALLEY CREDIT UNION (CANMORE)		810	MAIN STREET
10208	4, 5	48	1095F	\$ 4,368	390572 ALBERTA LTD.		820	MAIN STREET
10209	6	48	1095F	\$ 1,400	ARROWAY HOLDINGS LTD.		822	MAIN STREET
10210	7	48	1095F	\$ 2,968	1144508 ALBERTA LTD.		826	MAIN STREET
10211	8, 9	48	1095F	\$ 3,640	RIVERSTONE PROPERTIES LTD.		830	MAIN STREET
10212	9, 10	48	1095F	\$ 1,008	WILD BILL'S SALOON INC. / J. DARROCH ENTERPRISES INC.		836 & 838	MAIN STREET
10221	11, 12	49	1095F	\$ 3,024	KENDAL, LEAGH		837	MAIN STREET
10222	13	49	1095F	\$ 784	L.J.P. DEVELOPMENTS LTD.		829	MAIN STREET
10224	15	49	1095F	\$ 896	KESHVARA, ARSHI		821	MAIN STREET
10225	16	49	1095F	\$ 3,416	NEISH, DAVID / KENDAL, LEAGH		817	MAIN STREET
10226	17-20	49	1095F	\$ 4,984	390572 ALBERTA LTD.		801	MAIN STREET
10395	12	62	1095F	\$ 1,624	SPURLINE INVESTMENTS INC.		733	MAIN STREET
10396	13	62	1095F	\$ 2,072	RIVERSTONE PROPERTIES LTD.		729	MAIN STREET
10397	14, 15	62	1095F	\$ 4,032	NEISH, DAVID / KENDAL, LEAGH		721	MAIN STREET
10398	16	62	1095F	\$ 1,568	1557049 ALBERTA LTD.		717	MAIN STREET
10399	17	62	1095F	\$ 2,968	374814 ALBERTA LTD.		713	MAIN STREET
10401	19, 20	62	1095F	\$ 4,032	CANMORE PROFESSIONAL CENTRE LTD		701 & 705	MAIN STREET
10402	1	63	1095F	\$ 2,800	BIG TIMBER HOLDINGS LTD.		702	MAIN STREET
10403	2, 3, 4	63	1095F	\$ 5,264	GLACIER HOLDINGS LTD.		710	MAIN STREET
10405	5	63	1095F	\$ 952	GLACIER HOLDINGS LTD.		718	MAIN STREET
10406	6	63	1095F	\$ 2,632	KENDAL, LEAGH		722	MAIN STREET
10407	7, 8	63	1095F	\$ 952	HORBAY'S (SPORT SHOP) LTD.		726	MAIN STREET
10408	8 PRT	63	1095F	\$ 952	HORBAY'S (SPORT SHOP) LTD.		730	MAIN STREET
10409	9, 10	63	1095F	\$ 1,568	2005723 ALBERTA LTD.		738	MAIN STREET
10413	3	64	1095F	\$ 1,344	SHORT, CATHERINE JANE / SHORT, LORNE		709	9TH STREET
10415	5	64	1095F	\$ 1,736	RIVERSTONE PROPERTIES LTD.		717	10TH STREET
10416	6	64	1095F	\$ 896	BASECAMP SUITES LTD.		721	10TH STREET
10417	7	64	1095F	\$ 840	SUPER NATURE SOLUTIONS LTD. / 2293987 ALBERTA LTD.		725	9TH STREET
10419	9W, 10	64	1095F	\$ 1,008	CLAD SPRAY LAKE ENTERPRISES LTD.		737	10TH STREET
10420	1	65	1095F	\$ 750	SCHURTENBERGER, FRANZ XAVER / WINZ, MARIANNE		702	10TH STREET
10426	7	65	1095F	\$ 784	TEAGUE CANMORE NS ULC		726	10TH STREET
10427	8	65	1095F	\$ 280	TEAGUE CANMORE NS ULC - VACANT LOT		730	10TH STREET
10451	8	69	1095F	\$ 616	PAINTBOX LODGE LTD.		629	10TH STREET
10452	9	69	1095F	\$ 728	PAINTBOX LODGE LTD.		633	10TH STREET
10453	10	69	1095F	\$ 1,568	JERRY W. VANC PROF. CORP.		1000	6TH AVENUE
10454	3, 4, 5	70	1095F	\$ 1,176	LAMP HOUSE CANMORE LTD.		610	MAIN STREET
10456	6	70	1095F	\$ 952	1004856 ALBERTA LTD		622	MAIN STREET
10457	7	70	1095F	\$ 2,072	1004856 ALBERTA LTD		626	MAIN STREET
10458	8	70	1095F	\$ 1,400	GLACIER HOLDINGS LTD.		630	MAIN STREET
10460	9, 10	70	1095F	\$ 952	511327 ALBERTA LTD.		638	MAIN STREET
10469	11	71	1095F	\$ 1,848	VDERE INVESTMENTS LTD.		637	MAIN STREET
10470	12	71	1095F	\$ 784	GLACIER HOLDINGS LTD.		633	MAIN STREET
10471	13	71	1095F	\$ 672	GAUCHO BRAZILIAN BARBEQUE HOLDINGS LTD.		629	MAIN STREET
10472	14, 15	71	1095F	\$ 952	1259823 ALBERTA LTD.		621	MAIN STREET
11069	11, 12	2	3608GP	\$ 1,512	KANANASKIS HOLDINGS LTD.		901	MAIN STREET
11088	3	3	3608GP	\$ 1,176	GLACIER HOLDINGS LTD.		902	MAIN STREET
11836	11	62	1095F	\$ 3,808	NEIL D. TANNER PROPERTIES LTD.		737	MAIN STREET
13814	1		9311903	\$ 840	M.O.M. INVESTMENTS LTD.	1	718	10TH STREET
13815	2		9311903	\$ 840	M.O.M. INVESTMENTS LTD.	2	718	10TH STREET
14781	1		9512682	\$ 560	624972 ALBERTA LTD.	1	714	10TH STREET
14782	2		9512682	\$ 560	624972 ALBERTA LTD. / MARK A. BOHNET PROFESSIONAL CORP.	2	714	10TH STREET
14783	3		9512682	\$ 450	624972 ALBERTA LTD. / MARK A. BOHNET PROFESSIONAL CORP.	3	714	10TH STREET
16356	1		9811639	\$ 3,920	DEVONIAN PROPERTIES INC.	100A	729	10TH STREET

17727	1		0212378	\$	504	ELEMENTAL SOLUTIONS LTD.	101	1000	7TH AVENUE
17728	2		0212378	\$	448	ELEMENTAL SOLUTIONS LTD.	105	1000	7TH AVENUE
17729	3		0212378	\$	504	ELEMENTAL SOLUTIONS LTD.	109	1000	7TH AVENUE
17730	4		0212378	\$	504	ELEMENTAL SOLUTIONS LTD.	113	1000	7TH AVENUE
17731	5		0212378	\$	504	ELEMENTAL SOLUTIONS LTD.	117	1000	7TH AVENUE
17732	6		0212378	\$	448	ELEMENTAL SOLUTIONS LTD.	121	1000	7TH AVENUE
17775	1		0213573	\$	616	GROVER FROESE PROF. CORP	100	709	MAIN STREET
17776	2		0213573	\$	560	1970577 ALBERTA LTD.	104	709	MAIN STREET
17777	3		0213573	\$	672	P.R.C. MANAGEMENT INC.	108	709	MAIN STREET
17778	4		0213573	\$	672	1704826 ALBERTA LTD.	208	709	MAIN STREET
17779	5		0213573	\$	672	1970577 ALBERTA LTD.	300	709	MAIN STREET
17780	6		0213573	\$	616	KWAN YIN TIEN LIMITEE	308	709	MAIN STREET
19217	1		0514329	\$	896	RIGHT ANGLE HEALTH INC.	105	1001	6TH AVENUE
19218	2		0514329	\$	728	JAYYUDCOVITCH HOLDINGS INC.	109	705	10TH STREET
19219	3		0514329	\$	448	KAMENKA-TAYLOR, CRYSTAL	113	705	10TH STREET
19220	4		0514329	\$	840	2210212 ALBERTA LTD.	117	1001	6TH AVENUE
19221	5		0514329	\$	504	MINISTIK PROPERTIES INC.	101	1001	6TH AVENUE
19222	6		0514329	\$	448	2298341 ALBERTA LTD.	217	1001	6TH AVENUE
19223	7		0514329	\$	392	1334829 ALBERTA LTD.	221	1001	6TH AVENUE
19224	8		0514329	\$	336	SUMMIT RESORT MANAGEMENT INC.	225	1001	6TH AVENUE
19225	9		0514329	\$	728	MORRISON, JACK I. & PHYLLIS J. C/O MARY-ANNE KAMENKA	201	1001	6TH AVENUE
19226	10		0514329	\$	336	2378259 ALBERTA LTD.	205	1001	6TH AVENUE
19227	11		0514329	\$	672	4952 VENTURES INC.	206	1001	6TH AVENUE
19228	12		0514329	\$	560	2331884 ALBERTA LTD	213	1001	6TH AVENUE
19609	1		0710982	\$	336	ISL HOLDINGS INC.	104	621	10TH STREET
19610	2		0710982	\$	392	T1W ENGINEERING LTD.	101	621	10TH STREET
20406	31		0813748	\$	560	PGM HOLDINGS INC.	107	829	10TH STREET
20407	32		0813748	\$	616	WHITE WOLF HOLDINGS INC.	109	829	10TH STREET
20408	33		0813748	\$	560	VRG GEOPHYSICAL	111	829	10TH STREET
20409	34		0813748	\$	616	1970775 ALBERTA LTD	113	829	10TH STREET
20410	35		0813748	\$	784	SALCHI BAY RESOURCES LTD.	101	1002	8TH AVENUE
20411	36		0813748	\$	784	LUDMILA BYRON PROF. CORP. / TIMOTHY J. BYRON PROF. CORP.	103	1002	8TH AVENUE
20726	4		0911653	\$	840	BOW VIEW HOMES LTD.	109	710	10TH STREET
20727	5		0911653	\$	784	1192610 ALBERTA LTD.	101	710	10TH STREET
20728	6		0911653	\$	616	CROWN LINE INVESTMENTS INC	209	710	10TH STREET
20729	7		0911653	\$	-	1192610 ALBERTA LTD.	201	710	10TH STREET
21243	6		1012362	\$	1,680	638070 ALBERTA LTD.	101	901	8TH AVENUE
Total				\$	122,720				



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** H-1

TO: Council

SUBJECT: Master Fee Schedule – Patio Permit Amendments

SUBMITTED BY: Chelsey Richardson, Manager of Finance

RECOMMENDATION: That Council approve the revised 2022 Master Fee Schedule as presented.

EXECUTIVE SUMMARY

Since the Master Fee Schedule was approved in December and amended in January, a change in approach with regards to the fees charged for patio permits has been planned as well as the launch of the food truck pilot program. Council approval will be required to make these changes.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Council approved the 2022 Master Fee Schedule at the December 7, 2021 meeting, and approved amendments at the January 11, 2022 meeting.

DISCUSSION

In planning for the Main Street pedestrianization for this coming summer and the planned launch of the food truck pilot program, amendments to the Master Fee Schedule were identified. These changes have been highlighted in Attachment #1 and are summarized below.

Reference	Change	Explanation
11.52 In Street Patio	Remove these fees	The previously planned in street patio fees will be removed from the Planning and Development portion of the fee schedule, as the fees are changing and will now be administered by Economic Development.
10 Arts and Events	Rename to Economic Development (incl. Arts and Events)	Previously the only fees included in the Master Fee Schedule in the Economic Development area pertained to Arts and Events fees, but with the addition of these additional fees, the section title was changed to be more generic
10.20 In Street Patios and Food Trucks	Add new subsection	This new section is to create the subsection for fees in this area.

10.21 Pedestrian zone In Street Non-Structural Patio (post and cable patio; table and chairs)	New fees added	The new plan for in street patio permit fees differentiates two types of fees, those for non-structural, which require less intensive review, and solid structure patios, which do include additional steps to review. Non-structural patios are restricted to the pedestrian zone.
10.22 In Street Solid Structure Patio (platform with enclosure) – received prior to April 10 th each year*	New fees added	In addition to the distinction between non-structural and solid structure patios, the fees for Solid Structure patios have also been broken into two fees depending on the timeframe of the application.
10.23 In Street Solid Structure Patio (platform with enclosure) – received after April 10 th each year*	New fees added	New fees in accordance with the above.
10.24 License of Occupation	New fees added	As part of the permitting process of solid structure patios a license of occupation is required outlining the conditions and return of the space to the town at the end of the permitted timeframe
10.25 Food Truck Fees	New fees added	New fees relating to the pilot project.
10.26 Main Street Pedestrian Zone Permit (other than patios)	New fees added	Inclusion of the fee structure related all set-ups outside of patios within the pedestrian zone.
* Please note additional fees may apply (ex: building permit fees for tents or gazebos, etc.)	Clarification on solid structure patio fees added above	In addition to the patio permit fee, building permits will be required for any tents or gazebos, in accordance with building permit fees and requirements and would be an additional cost.

As Council approved the detailed fee schedule, Council approval is required in order to make these changes to the schedule.

ANALYSIS OF ALTERNATIVES

Council could choose to not amend the Master Fee Schedule, however that is not recommended, as the amended fee schedule best reflects where the work will be delivered and a fee structure that is believed to be more in alignment with current plans. It also includes the new food truck pilot project.

FINANCIAL IMPACTS

No material changes to the revenues generated are anticipated, except for revenue from the food truck pilot project, which is new. Items 10.20-10.24 were historically coded as revenue in the Planning Department. Because Planning will no longer be processing these applications, the revenues will now be coded to general revenue, instead of a specific department.

STAKEHOLDER ENGAGEMENT

N/A

ATTACHMENTS

1) 2022 Master Fee Schedule – Amended (Red line)

AUTHORIZATION

Submitted by: Chelsey Richardson
Manager of Financial Services Date: March 14, 2022

Submitted by: Eleanor Miclette
Manager of Economic Development Date: March 14, 2022

Approved by: Therese Rogers
GM of Corporate Services Date: March 18, 2022

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

Town of Canmore
2022 Master Fee Schedule

Attachment 1

01 Finance			
Item Code	Description/Title	Unit Measure	2022 Fee
1.00	Finance Fees		
1.01	Finance/Services - Photocopies	per copy	1.00
1.02	Mortgage Report	per roll	20.00
1.03	Tax Certificate - manual	per certificate	50.00
1.04	Tax Certificate - online	per certificate	25.00
1.05	Non Sufficient Funds (cumulative) - TIPP/PUPP (first default at no charge)	per event	25.00
1.06	Non Sufficient Funds (cumulative) - Cheque	per event	50.00
1.07	Foreign Funds Processing Fee	per event	50.00
1.08	Duplicate Payment/ Refund Processing fee - Refund by EFT	per event	25.00
1.09	Duplicate Payment/ Refund Processing fee - Refund by Cheque	per event	50.00
1.10	Non-payment transfer and collection fee (cumulative)	per event	50.00
1.11	Tax notification and discharge fee	per title	50.00 + costs
1.12	Reprint of previous years' documents - no charge for current calendar year documents or those available online	per document	10.00
1.13	Confirmation of Taxes Paid	per document	25.00

02 Fire - Rescue Services			
Item Code	Description/Title	Unit Measure	2022 Fee
2.00	Fire Response, Rescue and Inspection User Fees		
2.01	Document Fee / File Copy	per/copy	162.75
2.02	Search of Records	per/hour	30.00
2.03	Occupant Load Permit Fee	per permit	125.00
2.04	Fire Chief	per hour	150.00
2.05	Deputy Fire Chief	per hour	125.00
2.06	Lock Box Fee	plus gst	100.00
2.07	Additional Firefighter Fee	per hour	45.00
2.08	Fire Permit Fee	per permit	125.00
2.09	Fireworks Permit Fee	per permit	125.00
2.10	Fire Support Unit (Light duty crew cab, pickup truck, or crew cab flatbed with 2 staff members)	per hour	185.00
2.11	Fire Support Unit (Light duty crew cab, pickup truck, or crew cab flatbed with 2 staff members) - AB Infrastructure	per hour	185.00
2.12	Pumper Truck Response	per hour	750.00
2.13	Pumper Truck Response - AB Infrastructure	per hour	615.00
2.14	Rescue Truck Response	per hour	750.00
2.15	Rescue Truck Response - AB Infrastructure	per hour	615.00
2.16	Aerial Response	per hour	850.00
2.17	Aerial Response-AB Infrastructure	per hour	615.00
2.18	Command Trailer - comes with Fire Support Unit	per hour	370.00
2.19	Shoring Trailer plus goods used - comes with Fire Support Unit	per hour	370.00

2.20	Hazmat Trailer plus goods used - comes with Fire Support Unit	per hour	370.00
2.21	Sprinkler Protection Unit - comes with Fire Support Unit	per hour	370.00
2.22	Jet Boat - comes with Fire Support Unit	per hour	370.00
2.23	Fire Inspection-Construction Sites and Plan Review	per hour	125.00
2.24	Fire Investigation	per hour	125.00
2.25	1st & 2nd Fire Inspection upon request (up to 2 hours)	per inspection	125.00
2.26	Fire Inspections, additional hours over the two hour base rate.	per hour	125.00
2.27	1st & 2nd Fire Inspection department initiated (up to 2 hours)	per inspection	-
2.28	3rd and Subsequent Fire Inspections - both requested & department initiated (up to 2 hours)	per inspection	250.00

03 Engineering

Item Code	Description/Title	Unit Measure	2022 Fee
3.00	Site Developments where D.P.'s are Required (as per 2005 Engineering Design Guidelines, Drawings Section 1.2)		
3.01	Project/Small - Layout Plans (Utilities & Surface)	Base Fee	450.00
3.02	Project/Intermediate - Layout Plans (Utilities & Surface)	Base Fee	1,800.00
3.03	Project/Large - Layout Plans (Utilities & Surface)	Base Fee	5,300.00
3.04	Project/Large - Storm water Management Report	Base Fee	250.00
3.05	Project/Large - Traffic Impact Report	Base Fee	375.00
3.06	Project/Medium/Large - Wellhead Protection Area Impact Report	Base Fee	250.00
3.07	Project/Medium/Large - Railway Risk Assessment	Base Fee	250.00
3.08	Project/Medium/Large - Noise Vibration Assessment	Base Fee	150.00
3.09	Project/Medium/Large - Steep Creek Site Specific Risk Assessment	Base Fee	500.00
3.10	Miscellaneous Engineering	per hour	100.00
3.20	Drawing Reviews (in addition to the above)		
3.21	3rd + Review (additional charge)	per/review	650.00
3.22	Record Drawings (additional charge for errors or omissions)	per/review	500.00
3.23	Request for Variance (additional charge for each variance to Subdivisions & Site Developments)	per/review	130.00
3.30	Inspections (in addition to the above), Water Main Pressure Test / Dev Comp Cert / Const Comp Cert / Final Accept Cert		
3.31	CCC, FAC (and DCC as applicable) - no fee for first inspection	per/inspect	750.00
3.32	Non-compliance Notice and Re-inspection (each occurrence)	per/inspect	125.00
3.33	Stop Work Order and Re-inspection (each occurrence)	per/inspect	300.00
3.34	General Engineering site visit and/or inspection	per/inspect	115.00
3.40	Single Family / Duplex - Bldg. Permit Application Review & Servicing Inspection where no D.P. is Required		
3.41	Review and 1st Inspection	per/inspect	350.00
3.42	Each Additional Inspection/Failed Test	per/inspect	200.00
3.50	Miscellaneous Permits		
3.51	Excavation Permit Fee, Completion Inspection & Deposit Release	per/permit	575.00
3.52	Excavation Permit Fee Security Deposit	security fee	5,650.00
3.53	Blasting Permit Fee	per/permit	450.00
3.54	Excavation Permit Fee, Completion Inspection & Deposit Release	per/permit	1,100.00
3.55	Franchise Utilities Excavation Permit Fee, Completion Insp. & Deposit Release	per/permit	575.00
3.56	Excavation Permit Fee Security Deposit	security fee	per agreement
3.57	Demolition Permit, Demolition Permit with Mobile Home Move	per/permit	150.00
3.58	Demolition Permit with Simple House Move (minimal community impacts)	per/permit	500.00
3.59	Demolition Permit with Complex House Move (i.e. impacts to utilities, traffic, ROAM or emergency services)	per/permit	1,000.00
3.60	Utility Line Assignment (base fee)	per application	250.00

3.61	Utility Line Assignment (per length of utility exceeding 10m)	per linear meter	10.00
3.62	Road Use Permit - occupation of parking stall in the Town Centre (in-street patios excluded)	per stall per day	20.00
3.63	Road Use Permit - occupation of parking stall outside the Town Centre (in-street patios excluded)	per stall per day	10.00
3.70	Miscellaneous Publications & Items for Sale (Transportation Plans, Utility Plans, Eng. Guidelines Available Electronically Only)		
3.71	Map Requests 36"X24" Addressing, road network, legal basemap, Land Use Bylaw. Available electronically through open data and online. Paper maps may be purchased.	per sheet	20.00
3.72	Public Tender Documents	per copy	Free
3.80	Digital Products for Sale (Licensing Agreement Required)		
3.81	All digital information is provided free of charge through open data. Visit website for details.	digital copy	Free
3.82	Technician time for support with open data, or other digital information	per hour	75.00
3.90	Mapping & Modelling Services		
3.91	Custom Mapping work - to be quoted (\$75.00 Minimum)	per hour	75.00
04	Public Works		

Item Code	Description/Title	Unit Measure	2022 Fee
4.00	Parks & Cemetery		
4.01	Transfer of Certificate of Easement	per/Cert	69.00
4.02	Locate Fees	per/locate	123.00
4.03	Memorial Erecting Permit	permit	149.00
4.04	Memorial Removal / Engraving Permit	permit	68.00
4.05	Certificate of Easement - Single Plot - Resident	per/plot	2,642.00
4.06	Certificate of Easement - Single Plot - Non Resident	per/plot	5,547.00
4.07	Certificate of Easement - Field of Honour - Approval required from Canmore Legion / First Post	per/plot	Free
4.08	Certificate of Easement - Indigents (w/ Social Services) - Resident	per/plot	2,642.00
4.09	Certificate of Easement - Indigents (w/ Social Services) - Non Resident	per/plot	5,547.00
4.10	Casket/Interment Fees - Summer	per/plot	1,317.00
4.11	Casket/Interment Fees - Winter	per/plot	2,097.00
4.12	Urn /Interment Fees - Single Urn 2ft - Summer	per/urn	980.00
4.13	Urn /Interment Fees - Single Urn 2ft - Winter	per/urn	1,279.00
4.14	Urn /Interment Fees - Single Urn 4ft - Summer	per/urn	1,337.00
4.15	Urn /Interment Fees - Single Urn 4ft - Winter	per/urn	1,844.00
4.16	Urn /Interment Fees - Two Urns 4ft Stacked - Summer (e.g.: stacked position 1&5)	per/permit	1,397.00
4.17	Urn /Interment Fees - Two Urns 4ft Stacked - Winter (e.g.: stacked positions 1&5)	per/permit	1,902.00
4.18	Urn /Interment Fees -Two Urns 4ft side by side- Summer (e.g.: position 5&6)	per/permit	1,588.00
4.19	Urn /Interment Fees - Two Urns 4ft side by side - Winter (e.g.: position 5&6)	per/permit	2,236.00
4.20	Urn /Interment Fees - Two Urns 2ft side by side - Summer (e.g.: position 1&2)	per/permit	1,359.00
4.21	Urn /Interment Fees - Two Urns 2ft side by side - Winter (e.g.: position 1&2)	per/permit	1,956.00
4.22	Certificate of Easement - Columbarium Niche - Resident	per niche	1,712.00
4.23	Certificate of Easement - Columbarium Niche - Non Resident	per niche	3,474.00
4.24	Certificate of Easement - Columbarium Niche - Indigents (Social Services) - Resident	per niche	857.00
4.25	Certificate of Easement - Columbarium Niche - Indigent (Social Services) - Non Resident	per niche	1,135.00
4.26	Columbarium Niche Opening / Closing - Single Urn	per permit	203.00
4.27	Columbarium Niche Opening / Closing - Two Urns (same day in same Niche)	per permit	261.00
4.28	Columbarium Niche Door - New Replacement	per door	320.00
4.29	Gate Access Permit	permit	64.00
4.30	Cross Reserve Permit	permit	160.00
4.31	Niche Cover Erecting / Removal Permit	permit	69.00

4.32	Labour after 4.30pm Weekdays - Full Casket / Urn in ground / Urn Niche	per hour per person	103.00
4.33	Labour Sat/Sun/Stat Holiday - Casket/Urn dig or backfill / niche open and closing	per hour per person/min 3 hr	126.00
4.34	Town Security Lock Key- loss or replacement of town lock key	per lock	50.00
4.35	Town of Canmore Parks Lock- installation of new, loss or replacement lock	per lock	250.00
4.40	Weed Control		
4.41	Weed Inspections (above and beyond the first Local Authority or Inspectors Notice)	per hour per person	132.00
4.42	Weed control - Mechanical removal / hand pulling (includes tools/labour/supplies)	per hour per person	71.00
4.43	Weed Control - Herbicide control application (includes labour/product)	100% invoice cost	invoice cost
4.44	Weed Control - Reclamation / Overseeding (includes labour/tools/supplies)	100% invoice cost	invoice cost
4.45	Weed Control - Appeal	per appeal	500.00
4.50	Memorial Plaque Program		
4.51	Memorial Plaques - Addition of a second plaque (max total 2 plaques per bench or Picnic Table)	per/plaque	500.00
4.52	Memorial Plaque Program - Bench Plaque - 10 Years	Per Bench Plaque	3,050.00
4.53	Memorial Plaque Program - Bench Plaque - 20 Years	Per Bench Plaque	5,500.00
4.54	Memorial Plaque Program - Picnic Table Plaque - 10 Years	Per Picnic Table Plaque	3,650.00
4.55	Memorial Plaque Program - Picnic Table Plaque - 20 Years	Per Picnic Table Plaque	6,750.00
4.60	Public Works Labour Rates		
4.61	* Operator / Labourer (P.W. III)	per/hour	42.63
4.62	* Operator / Labourer Overtime Premium	per/hour	21.32
4.63	Heavy Duty Mechanic III	per/hour	50.75
4.64	Foreman / Supervisor	per/hour	68.51
4.65	Department Manager	per/hour	84.25
* Note non-scheduled and weekend overtime will be billed at a three (3) hour minimum			
5.00	Heavy Fleet Equipment Rates		
5.01	Units # 0114 & 0125 Tandem Truck c/w gravel box, flat deck	per/hour	129.99
5.02	Units # 0114 & 0125 Tandem Truck w/hook/lift or C-Can Spider attachments	per/hour	145.41
5.03	Unit # 017 - 3 ton Flusher	per/hour	145.92
5.04	Unit # 092 John Deere Grader 772	per/hour	209.25
5.05	Unit # 117 5600 Toolcat turbo c/w bucket	per/hour	110.97
5.06	Unit # 117 5600 Toolcat turbo w/ all other powered attachments(sweeper broom, snow blower)	per/hour	127.63
5.07	Unit # 71 JCB 225 c/w bucket/plow	per/hour	115.14
5.08	Unit # 71 JCB 225 w/ all other powered attachments (sweeper broom)	per/hour	132.46
5.09	Unit # 79 Wille 365 with bucket/plow	per/hour	110.97
5.10	Unit # 79 Wille 365 with powered attachments (sweeper broom, snow blower)	per/hour	127.63
5.11	Unit # 79 Wille 465 with bucket/plow	per/hour	120.00
5.12	Unit # 79 Wille 465 with powered attachments (sweeper broom, snow blower)	per/hour	140.00
5.13	Unit # 25 Global Street Sweeper (material left on site)	per/hour	185.04
5.14	Unit # 101 Elgin Street Sweeper (material left on site)	per/hour	169.62
5.15	Unit # 80 420F Cat Backhoe	per/hour	133.64
Rates change when the new Equipment Rental Rates Guide from Alberta Roadbuilders & Heavy Construction Association is published			
5.20	Light Fleet Equipment Rates		
5.21	1/2 ton trucks	per/hour	25.39
5.22	1/2 ton - 3/4 ton trucks 4X4's	per/hour	27.96
5.23	1 ton trucks w/ dump body	per/hour	35.36
5.24	1 ton trucks with snow plow/slide in sander	per/hour	47.55
5.25	Utility Trailer (Bobcat)	per/day	84.55
5.26	Salt/Gravel mix	per/tonne	60.00
5.27	Chain Saw	per/day	17.25
5.28	Small Barricades - wire legged barricades	per/day	6.00
5.29	Large Barricades - 8' long wood, "Road Closed" barricade	per/day	11.00
5.30	Event fencing - black metal market fencing	per/day	11.00

5.31	Signage & A-Frame stand	per/day	7.00
5.32	Traffic Safety Cone	per/day	6.00
5.33	Warning Lights for Barricades, per light	per/day	6.00
5.34	Salt Brine	per/liter	0.15
5.35	Message Boards Trailer Mounted (slide in letters)	per/day	68.72
5.36	Portable Electronic Message sign/trailer - Solar Powered	per/day	174.40
5.37	Portable Generator 2500 watt/Gas included	per/day	105.68
5.38	Animal Proof Waste/Recycling Container (delivery extra, must contract crane)	per/event	60.00
5.39	Recycling Trailer (delivery and pick up included)	per/event	600.00
5.40	Pedestrian Animal Proof Waste Container	per/event	20.00
5.41	Use of Residential Waste Container for Special Events	per/tonne	230.00
5.42	Garbage Bags (50/case)	case	75.00
5.43	Mutt Mitts (Dog waste bags, 2000/case)	case	75.00
6.00	Solid Waste Services - Labour Rates		
6.01	Waste Transfer Fee when delivered to Waste Management Centre	per/tonne	165.00
6.02	Collection - Commercial food waste	per/ cart tip	10.00
6.03	Collection - Commercial Waste	per/tip	76.00
6.04	Collection - Commercial Recycling	per/tip	10.00
6.05	Collection - Event Waste	per/hr	105.00
6.06	Collection - Event Recycling	per/hr	105.00
6.07	Collection - Event Organics	per/hr	105.00
6.08	Organics Transfer Fee	per/tonne	150.00
6.09	Contaminated recycling load delivered to Waste Management Centre - penalty	per/delivery	200.00
6.10	Fibre Processing/Transfer	per/tonne	130.00
6.11	Plastic and Metal Processing/Transfer	per/tonne	700.00
6.12	Glass Transfer Fee	per/tonne	100.00
7.00	Water Utility		
7.01	Water Utility Account Adjustment Administration Fee	per occurrence	150.00
8	Facilities		
Item Code	Description/Title	Unit Measure	2022 Fee
8.00	Labour Rates (Plus GST)		
8.01	*Building Service Base Rate Worker	per/hour	28.00
8.02	*Building Service Worker Rate for Statutory Holidays & Overtime (1.5 x base rate)	per/hour	42.00
8.03	*Facility Operator Base Rate	per hour	30.00
8.04	*Facility Operator Overtime Premium for Statutory Holidays & Overtime (1.5 x base rate)	per hour	45.00
8.05	*Facility Maintenance Technician Base Rate	per/hour	35.00
8.06	*Facility Maintenance Technician Premium for Statutory Holidays & Overtime (1.5 x base rate)	per hour	52.50
*Labour will be billed at a three (3) hour minimum for all weekend, statutory holidays and overtime.			
8.10	Contractor Services (Plus GST)		
8.11	Cleaning Services	per washroom bldg. per cleaning	70.00
	Any other required contractor services will be billed as per their invoice		
8.20	Supplies (Plus GST)		
8.21	Janitorial	per day/washroom bldg.	50.00
8.30	Equipment (Plus GST)		

8.31	Additional Tables**	per/table	8.00
8.32	Additional Chairs**	per/chair	5.00
8.33	Carpet Runners	per/runner	10.00
8.34	Barbeque***	per/day	50.00

**Note: Tables & Chairs are only supplied to Town of Canmore buildings & Seniors Lodge

***Note: Barbeque renters to clean barbeque after use and re-fill propane tank

9 Family & Community Services

Item Code	Description/Title	Unit Measure	2022 Fee
9.00	Community Services		
9.01	Meals on Wheels	per/meal	6.00
9.02	Neighbourhood Block Party (also requires \$50 deposit which is returned to user)	per rental	25.00
9.03	Movie Kit (also requires \$50 deposit which is returned to user)	per rental	25.00
10	Economic Development (incl. Arts and Events)		

Item Code	Description/Title	Unit Measure	2022 Fee
10.00	Film		
10.01	Film Permit - Production Crew 1 - 6	per permit	100.00
10.02	Film Permit - Production Crew 7 - 15	per permit	200.00
10.03	Film Permit - Production Crew 16 - 30	per permit	400.00
10.04	Film Permit - Production Crew 31 - 99	per permit	1,000.00
10.05	Film Permit - Production Crew 100+	per permit	2,000.00
10.06	Location Fee - Production Crew 1 - 6	per day	-
10.07	Location Fee - Production Crew 7 - 15	per day	250.00
10.08	Location Fee - Production Crew 16 - 30	per day	500.00
10.09	Location Fee - Production Crew 31 - 99	per day	1,000.00
10.10	Location Fee - Production Crew 100+	per day	2,000.00
10.11	Annual Film Permit - Production crew 1-6 (only)	per permit	1,200.00
10.12	Annual film permit will be prorated based on monthly increments of	monthly	100.00
10.20	In Street Patios and Food Trucks		
10.21	In Street Non-Structural Patio (post and cable patio; table and chairs)	per permit	400.00
10.22	In Street Solid Structure Patio (platform with enclosure) - received prior to April 10th each year*	per permit	102.00
10.23	In Street Solid Structure Patio (platform with enclosure) - received after April 10th each year*	per permit	305.00
10.24	License of Occupation	per year	1,100.00
10.25	Food Truck Fees	per location per day	25.00
10.26	Main Street Pedestrian Zone Permit (other than patios)	per permit	200.00

*Please note additional fees may apply (ex: building permit fees for tents or gazebos, etc.)

11 Planning and Development

Item Code	Description/Title		Unit Measure	2022 Fee
11.00	Document and Search Requests			
11.01	Property Information Search (plans/documents viewing request)	Residential	Per hour	70.00
11.02	Environmental / General Search		Per hour	76.50
11.10	Professional Advice, Pre-Application Meetings and Appeal Requests			
11.11	Pre-Application Meeting	1 hour multi-discipline meeting	Per application	510.00
11.12	General Planning		Per hour	107.00
11.13	Professional Advice	External expertise required	Per request	At cost
11.14	Appeal	Subdivision and Development Appeal Board	Per appeal	250.00
11.20	Compliance and Agreement Requests^			
11.21	Stamp of Compliance	Residential	Per unit	100.00
		Non-Residential	Per application	120.00
11.22	Certificate of Conformance	Review of District, DP or Use	Per unit	95.00
11.23	Confirmation of Zoning	Copy of District and Use	Per unit	60.00
11.24	Agreements	Development Registration (Residential – max 6 units)	Per request	117.00
		Development Registration (Non-Residential or Residential of 7 units or more)	Per request	235.00
		Development Discharge Preparation	Per request	25.00
		Encroachment / Maintenance / Restrictive Covenant / Right-Of-Way	Per request	345.00
		Amending Encroachment / Right-Of Way	Per request	530.00
11.25	Development Completion Certificate	1st and 2nd Inspection	Per inspection	No charge
		Additional Inspection	Per inspection	1,275.00
^Where no fee is provided within the Fee Schedule for a request, the Manager of Planning & Development shall determine the fee in accordance with the estimated cost recovery and/or a similar fee				
11.30	Residential Development Permits			
11.31	New Construction**	Addition	Per application	210.00 plus 1.35 per m2
		Accessory Dwelling Unit/Building	Per application	158.00
		Detached Dwelling/Duplex/Manufactured (includes one variance request)	Per application	315.00 plus 155.00 per unit
		Townhouse/Apartment	Per application	1,170.00 plus 260.00 per unit
11.32	Change of Use	Tourist Home	Per application	315.00 plus 1.35 per m2
11.33	New Accessory Development	Deck, Balcony, Fence, Retaining Wall	Per application	158.00
11.34	Home Business	Home Occupation	Per application	280.00
		Home Occupation Renewal (max 3 years)	Per application	215.00
		Bed & Breakfast	Per application	815.00
		Bed & Breakfast Renewal (max 3 years)	Per application	305.00
11.35	Variance Request	Discretion limited in LUB	Per variance	370.00
		Discretion unlimited in LUB	Per variance	200.00
11.36	Refund*	Prior to review	Per application	75% to 90% of fee
		After review / circulation (prior to decision)	Per application	10% to 25% of fee
		After decision	Per application	0% of fee

11.37	Construction prior to permit issuance	All residential permits	Per permit	Double the Development Permit fee
11.38	Decision Making Authority	Canmore Planning Commission/Council	Per application, in addition to application fee	315.00
* The refund percentage shall be determined by the Manager of Planning & Development in accordance with cost recovery.				
** Additional fee may be required: See Engineering Fee Schedule.				
11.40	Non-Residential Development Permits			
11.41	New construction**	Accessory building	Per application	315.00
		Commercial/Industrial/Institutional (Including mixed use construction of new residential floor space)	Per application (0 – 49m2)	530.00 plus 1.35 per m2
			Per application (>49 m2– 499m2)	735.00 plus 1.35 per m2
			Per application (>499m2)	1,060.00 plus 1.35 per m2
		Storage/Transportation/Vehicle Display	In Addition to buildings	630.00 per ha
Golf Course	In Addition to buildings	295.00 per ha		
11.42	New Accessory Development**	Deck, Balcony, Fence, Retaining Wall	Per application	315.00
11.43	Internal/External Renovation/Repair	(per m of frontage fee waived where consistent with Community Architectural & Urban Design Standards of LUB or internal)	Per application	430.00 plus 50.00 per m of frontage
11.44	Change of Use	Commercial / Industrial / Institutional	Per application (0–49m2)	315.00 plus 1.35 per m2
			Per application (>49 m2– 499m2)	530.00 plus 1.35 per m2
			Per application (>499m2)	745.00 plus 1.35 per m2
11.45	Grading/Excavation/Logging**	(Professional fees additional)	Per application	1,060.00
11.46	Variance Request***	Discretion limited in LUB	Per variance	370.00
		Discretion unlimited in LUB	Per variance	200.00
11.47	Refund*	Prior to review	Per application	75% to 90% of fee
		After review / circulation (prior to decision)	Per application	10% to 25% of fee
		After decision	Per application	0% of fee
11.48	Construction prior to issue	All non - residential permits	Per permit	Double the Development Permit fee
11.49	Decision Making Authority	Canmore Planning Commission / Council	Per application, in addition to application fee	530.00
* The refund percentage shall be determined by the Manager of Planning & Development in accordance with cost recovery.				
** Additional fee may be required: See Engineering Fee Schedule.				
***At the discretion of the Manager of Planning & Development, where a variance is determined to be directly related to a site constraint or existing non-conforming building, the variance request fee may be reduced by 50%.				
11.50	Temporary and Development Permit Amendment Requests			
11.51	Seasonal Business (Maximum of 6 months)	Town Centre District	Per month	325.00
		Gateway Districts	Per month	275.00
		All other Commercial Districts	Per month	225.00
11.52	In-Street Patio	Application (on or before April 10 each year)	Per application	102.00

		Application (after April 10 each year)	Per application	305.00
		License of Occupation	Per year	1,100.00
11.53	Use	Maximum of 2 years	Per application	50% of DP fee for permanent use (minimum fee 300.00)
11.54	Renewal of issued Development Permit	Max 2 year extension from original DP, received minimum 81 days prior to expiry	Per request	50% of Development Permit fee
11.55	Amendment of issued Development Permit	Minor (generally in accordance with DP)	Per review	86.00
		Major (e.g. height, floor area, façade etc.) (\$20.00 min)	Per application	20%-50% of Development Permit fee
11.60	Signage Requests			
11.61	Permanent	Certificate of Conformance (no variances requested)	Per application	102.00
		Development Permit (1 or more variances requested)	Per application	185.00 plus 20.00 per sign
11.62	Temporary/Event	Certificate of Signage Conformance	Per application	20.00
11.70	Subdivision Requests			
11.71	Subdivision	Full circulation required	Per application	8,000.00 per ha (minimum fee 1,050.00)
		No Engineering circulation required	Per application	4,500.00 per ha (minimum fee 850.00)
		Boundary Adjustment	Per application	630.00
11.72	Endorsement	Condominium	Per application	280.00 plus 30.00 per unit
		Fee Simple/Bareland Condominium	Per application	330.00 plus 780.00 per ha
		Boundary Adjustment	Per application	215.00
11.73	Time Extension		Per application	3,000.00
11.8	Cash-in-Lieu			
11.81	Parking Cash-in-Lieu	Developers portion	Per stall	40,000.00
11.82	Animal Proof Waste Container Cash-in-lieu	1-15 new or additional dwelling units	Per dwelling unit	835.00
11.90	Building Permits			
11.91	Alberta Safety Codes Council	(ALSC) Minimum \$4.50; Maximum \$560.00	Per Building Permit	4% of Building Permit Fee
11.92	New Construction* (Construction cost includes: Labour; Fixtures; Materials)	Residential	Per Building Permt	9.50 per 1,000.00 construction cost; plus ALSC and Review fee (minimum fee 100.00)
		Commercial / Industrial / Institutional	Per Building Permit	9.50 per 1,000.00 construction cost; plus ALSC and Review fee (minimum fee 200.00)

11.93	Review Fee	Short (Interior Renovations; Windows; Demolition)	Per review	40.00
		Standard (DP issued for Detached Dwelling, Duplex, Townhouse, Accessory Dwelling, Accessory Development, Bed & Breakfast, Change of Use, Exterior Renovation, New Construction 499 m2 or less, Minor Building Permit Amendment)	Per review	86.00
		Comprehensive (DP not issued for Detached Dwelling or Duplex, New construction greater than 499 m2)	Per review	120.00
		Post Building Permit Issue (Major amendment)	Per review	15% of Building Permit fee (minimum fee 160.00)
11.94	Construction / Demolition prior to issue	All Building Permits	Per permit	Double Building Permit fee
11.95	Re-Inspection	Deficiencies noted in first inspection not corrected in second or subsequent inspections	Per inspection	200.00
		Unable to obtain entry/access property	Per inspection	100.00
11.96	Renewal of issued Building Permit	6 months	Per application prior to expiry	25% of Building Permit fee
		1 year	Per application prior to expiry	50% of Building Permit fee (minimum fee 200.00)
11.97	Green Building Performance Security	Occupancy prior to meeting energy efficiency requirements	Per request	4.00 per 1,000.00 (max 20,000.00)
11.98	Refund	See Building Permit Bylaw	Per permit	See Building Permit Bylaw
11.99	Demolition		Building Permit Fee (minimum 560.00 and maximum 5,100.00)	2.10 per m2 gross floor area; plus ALSC and review fee*
* Additional fee may be required: See Engineering Fee Schedule.				
12.00	Statutory Document Requests*			
12.01	Area Structure/Redevelopment Plans	New	Per application	10,700.00 plus 1,650.00 per ha
		Amendment	Per application	3,265.00 plus 1,650.00 per ha
12.02	Concept/Outline Plan	New	Per application	5,400.00 plus 1,650.00 per ha
		Amendment	Per application	3,265.00 plus 1,650.00 per ha
12.03	Municipal Development Plan	Amendment	Per application	3,265.00 plus 1,650.00 per ha
12.04	Land Use Bylaw	Text Amendment (Text only)	Per application	620.00
		Land Use Amendment (District, Use, Density)	Per application	3,265.00 plus 620.00 per ha
12.05	Road Closure		Per request	2,750.00

*At the discretion of the Manager of Planning & Development, where multiple statutory documents are proposed or amended concurrently, only one 'per ha' fee may be required.



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** H-2

TO: Council

SUBJECT: Food Truck Pilot Project

SUBMITTED BY: Eleanor Milette, Manager of Economic Development

RECOMMENDATION: That Council approve the Food Truck Pilot Project as presented and direct Administration to report back to Council on learnings and any next steps.

EXECUTIVE SUMMARY

Administration is proposing the development of a Food Truck Pilot Project within the Town of Canmore to assess if a different lens can be applied to food truck operations within town boundaries as current operation is prohibited in most instances.

Administration engaged with food truck owners and businesses who previously have had food trucks at approved Town of Canmore owned locations and reviewed other communities and best practices to understand what might be possible within Canmore.

Administration is proposing to allocate up to five locations on Town of Canmore lands where food trucks can operate within the guidelines of the pilot program. Approved vendors to the program will be allocated specific dates at requested locations. The program will run from May 15 to October 12, 2022 and will then be reviewed to assess impact, vibrancy, community support, and economic impact for 2022.

This program is being brought to Council for approval as it proposes a temporary deviation to the Town's Traffic and Road Use Bylaw to allow administration to assess the impact prior to suggesting any permanent changes which would require updating bylaws.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

Traffic and Road Use Bylaw 2020-03 which outlines operation of a business along town sidewalks can only happen with permission from the Town.

DISCUSSION

In the past several years, we have seen an increase in food truck operations within Canmore. Some have managed to obtain permanent seasonal locations such as PD3, the Ice Cream Bus or Ten Roofs. During Covid we witnessed an increase in noncompliant food truck operations within the town as well as a growing increase in requests for food truck options, especially with the lack of festivals at which they could historically operate.

A food truck pilot project is being proposed by Administration to gather feedback and learnings, to increase compliance with Town bylaws (or decrease the number of noncompliant food truck operations), and to create an opportunity for business diversification for the food and beverage industries in Canmore.

Currently food trucks can operate within town boundaries only in the following ways:

- As part of an approved, Town-permitted Community Event, if the event organizing committee has requested food trucks as part of their event.
- On private property (e.g., on a commercial lot zoned to permit temporary business ventures), with a valid Vendor Business License and Temporary/Seasonal Development Permit, as this is a change of use for that location.

Benefits of a Food Truck Program

- Promotes Business incubation: Allows first-time food entrepreneurs to test branding, menu ideas, and business concepts before making larger-scale investments.
- For women and minority-owned food businesses who often lack the access to capital needed for costly early-stage investments, a Food Truck provides a relatively low-cost opportunity, that allows entrepreneurs a thoughtful way to grow their businesses so they can transition into brick-and-mortar ventures.
- Promotes opportunity for business diversification and reaching other markets for food-preneurs by expanding the market for brick and mortars, and testing new menu ideas or concepts

Pilot Project Overview

The 2022 Project would designate up to four pre-approved Town of Canmore Park locations as part of the Food Truck Pilot Project. Vendors can apply to the program and sign-up for preferred days at the different locations.

A fee of \$25 per day would be charged to the vendors, to offset the program delivery costs, in addition to the vendor licence and fire inspection fees already in place. This fee was set based on comparative fees for similar processes.

There will be a pre-approval process to keep the number of vendors manageable and to assist with issues related to compliance and good working relationships. To ensure the town has capacity to review and administer scheduling of food trucks, we will pre-approve a maximum of 10 food trucks into the pilot program.

Applicants who are not accepted into the pilot program can request to be placed on a waiting list. If a permit becomes available through revocation, surrender, or increase in permitted numbers, the applicant whose name is at the top of the waiting list will have seven (7) days to notify the Town of their intent. Failing that, their name will be removed from the waiting list and the offer will be forfeited.

Food truck vendors will be issued an exclusive license for their allocated location and day(s), and locations will be signed as a food truck location.

Upon request they must be able to provide proof of license.

Only one food truck will be allocated to a location per scheduled day.

Five criteria will be used to evaluate food truck vendor applications to assist with vendor selection and support the Town of Canmore's priorities around environmental impact and sustainable business practices:

1. **Support Local:** Priority consideration will be given to food truck businesses from the Bow Valley.
2. **Commitment to a balanced schedule:** In order to ensure a balanced and varied offering of food service, applicants are encouraged to commit to a mixture of weekdays and weekend dates.
3. **Menu variety:** Menu will be scored based on variety and dietary options, and applicants who offer menu variety that addresses dietary restrictions will receive a higher score.
4. **Product sourcing:** The Town strives to promote sustainable and environmentally friendly business practices. For that reason, the support of regional food growers and producers is strongly recommended.
5. **Commitment to Zero Waste:** Canmore's commitment to environmentally sustainable practices include reducing the amount of waste being sent to the landfill. Vendors are required to use reusable food service or certified fully compostable food service ware, collect, and appropriately dispose of compost as well as participate in recycling programs in support of the Town's 2021 status update of Climate Action Plan and the Environmental Sustainability Action Plan

Not Permitted

- The construction of any buildings, structures, trail works or improvements over or within the licensed areas.
- Outdoor seating areas other than municipal infrastructure.
- Outdoor sound systems or speakers
- Drive-through service
- Signage beyond what is affixed to the vending unit (e.g., a-frames, free standing flags)
- Sale of alcohol, tobacco, cannabis, or any other non-food or beverage items

Locations and Hours of Operation

Food trucks will be permitted to operate at:

- Riverside Park and Cougar Creek Trail Head from 10 a.m. to 7 p.m., daily, including statutory holidays, and
- Elk Run Baseball Diamonds between 4 p.m. – 10 p.m. during the week, and specified daytime use on weekends on the allocated dates
- Elevation Place: between 10 am and 7 pm when the onsite food vendor is not in operation

ANALYSIS OF ALTERNATIVES

A number of different options were considered for the pilot project.

Option 2 (to have run in addition to option 1 – the recommended option):

- A Brick-and-Mortar business can apply to become a food truck location (e.g., Brewery/Distilleries, Canmore Barracks etc.)
- The Business location would apply for DP Permit vs the current process where each food truck has to apply for their own Development Permit.
- Approved business locations would be provided a list of approved Food trucks and/or Food trucks can contact approved business locations to be included on their food truck schedule. (Businesses seem to prefer knowing who has been approved)

This option was removed due to capacity challenges within planning to add new processes. The desire is to keep the pilot manageable and develop a program that we can effectively deliver on.

Option 3:

- Allow food trucks to set-up in town right of ways
- Apply conditions as to distance from food and beverage establishments.

The 3rd option was not considered for Canmore for the following reasons:

- Canmore has limited locations that would effectively facilitate food truck set-up along town sidewalks that are wide enough to not impede pedestrian traffic.
- Limited access to parking in prime locations could increase conflict.
- Lack of understanding of the impact on brick-and-mortar businesses who operate under higher costs.

FINANCIAL IMPACTS

Estimated Financial Impact:

10 Vendor Licence @ \$150	= \$1,500 *Business Registry Fee
10 Fire Inspection @ \$125 per hour	= \$1,250
\$25 x 4 locations x 4 days x 22 weeks	= \$8,800 * To be included in Master Fee Schedule

*May 15 – October 12th = 22 weeks. We estimated bookings of sites would be at 4 days a week per location as not all days of the week are equally busy and operating 7 days a week is not desirable for many vendors. If locations are booked 7 days a week revenue could increase to \$15,400

There is an anticipated impact on Economic Development, Streets and Roads, and Finance staff time related to signage generation and installation, invoicing, and allocation of dates and location. It is expected that, for the size of the program, this can be worked into current workloads and operating budgets. Given the relatively small, anticipated revenue total, Administration recommends coding the revenues to general revenue. If the pilot is successful and becomes a permanent program, Administration will review the fee and revenue process and return to Council with recommendations as required.

As a comparator, if food truck operators were to secure a permanent location for their food truck operation during the summer, the current cost for a development permit would range between \$350 and \$275 per month depending on location in the town centre or gateway districts.

STAKEHOLDER ENGAGEMENT

The town engaged with six Canmore based food truck owners, five property owners who have operated a food truck on site or indicated a strong desire to have food trucks in the future.

Internal stake holders: Recreation, Public Works, Streets and Roads, Parks, Sustainability, Finance, Arts & Events, Economic Development.

Other Communities reviews: Whistler, Chestermere, Calgary, Cambridge and Sylvan Lake.

ATTACHMENTS

1) Food Truck Pilot Project

AUTHORIZATION

Submitted by: Eleanor Miclette
Manager of Economic Development Date: 16 March 2022

Approved by: Chelsey Richardson
Manager of Financial Services Date March 18, 2022

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

Canmore Food Truck Pilot Project 2022

The Town is pleased to announce the launch of our inaugural Food Truck Pilot Project for the summer of 2022.

Food Truck Pilot Project Outline

Food trucks can only operate within town boundaries under the following circumstances:

1. As part of a Town approved Community Event, that includes food trucks;
2. On a non-residentially zoned private property with a valid Vendor Business License and a valid [Temporary/Seasonal Development Permit](#); or
3. At a pre-approved Town of Canmore location as part of the Food Truck Pilot Project with a valid Food Truck Permit and Vendor Business License.

Food Truck Pilot Project

Town of Canmore will approve a maximum of ten (10) food trucks to operate during the pilot program.

Applicants who are not accepted into the pilot program can request to be placed on a waiting list. If a permit becomes available through revocation, surrender, or increase in permit numbers, the applicant whose name is at the top of the waiting list shall be given notice at the provided email address and will have seven (7) days to notify the Town of their intent. Failing that, their name will be removed from the waiting list and the offer will be forfeited.

Food truck vendors will be required to apply for their intended locations and dates, subject to a fee of \$25 per day.

Food truck vendors will be issued an exclusive license for their allocated location and day(s).

Upon request they must be able to provide Municipal Enforcement with proof of license upon request.

Only one food truck will be allocated to a location per scheduled day.

Five criteria will be used to evaluate food truck vendor applications

1. **Support Local:** Maximum five (5) points. Priority consideration will be given to food truck businesses from within the Bow Valley (i.e., Canmore, Lake Louise, Banff, MD of Big Horn),
2. **Commitment to a balanced schedule:** Maximum five (5) points. To ensure a balanced and varied offering of food service, applicants who commit to a mixture of weekdays and weekend dates will receive a higher score in this criterion.
3. **Menu variety:** Maximum five (5) points. Your menu will be scored based on variety and dietary options (e.g., DF, GF, NF, etc.).
4. **Product sourcing:** Maximum five (5) points. The Town strives to promote sustainable and environmentally friendly business practices. For that reason, the support of regional food growers and producers is strongly recommended. Regionally sourced products used in the recipes will score higher points in this criterion.

5. **Commitment to Zero Waste:** Maximum five (5) points. The Town of Canmore's commitment to environmentally sustainable practices include the objective to reduce the amount of waste being sent to the landfill. Vendors must use reusable food service ware to limit the distribution of single-use items (e.g., plastic straws, cutlery, and disposable plates or certified compostable service ware. Additionally, they must participate in food waste diversion (e.g., organics collection and composting), and recycling programs.

*Vendors will be asked to identify their fuel/power sources so that we can track the emission impacts. For those interested in reducing environmental impact consider the use of alternative fuels for example eco-friendly biodiesel made from vegetable oil, animal fat, and other recycled greases, or use of alternative power sources like solar panels and electric power.

How to apply

To participate in the Food Truck pilot project, food truck vendors must submit the following documentation to **economicdevelopment@canmore.ca**:

1. Application form
2. Copy of Town of Canmore vendor business license or completed application
3. Proof of Insurance with a minimum of \$2,000,000 general liability coverage, and \$2,000,000 automotive insurance per occurrence. Town of Canmore must be listed as additionally insured. The Town of Canmore's formal address is: Town of Canmore, 902-7 Avenue, Canmore AB T1L 3K1. *(This will be required once approved dates have been communicated)*
4. Proof of Town of Canmore Fire Inspection
5. Proof of Alberta Health Services Food Handling Permit. [CLICK HERE](#)
6. Proof of Mobile Food Vendor Decal and Identification number from Alberta Health Services. For more information [CLICK HERE](#)
7. Photos, dimensions, and specifications of proposed Mobile Food Truck/Cart.

The Town has approved the following locations for the food truck pilot projects

- a. Cougar Creek Trailhead parking lot
- b. Riverside Park
- c. Elk Run Baseball Diamonds
- d. Elevation Place

The application must include the following information

1. Location Requested
2. Dates Requested at selected location(s)

Please select the dates you are available and would like to request for the season. Successful applicants will be assigned locations and dates that will provide a variety throughout the season in all locations.

Fee Schedule

In addition to the business licensing fees, the Vendor must pay a \$25 food truck location fee per day for the approved number of days.

The fees are due and payable in full by May 15, 2022, or by the date specified on the invoice(s) distributed by the Town of Canmore's finance department, whichever is sooner.

The Vendor shall receive a refund for any dates scheduled that are cancelled by the Town of Canmore. Cancellation by the Town of Canmore's may occur where possible with 24-hour notice, although not a guarantee, of the scheduled date. Cancellation by the municipality could be due to bad air quality higher than 150 Air Quality Index, direction by emergency services, or an area closure due to animal activity. The amount shall be the number of approved cancelled days multiplied by \$25. Refunds will be issued in August for days cancelled in June and July, and in October for days cancelled in August and September.

Business Premises: The Licensee must not use the licensed area for the operation of any other business.

Not Permitted

- The construction of any buildings, structures, trail works or improvements over or within the licensed areas.
- Outdoor seating areas other than municipal infrastructure.
- Outdoor sound systems or speakers
- Drive-through service
- Signage beyond what is affixed to the vending unit (e.g., a-frames, free standing flags)
- Sale of alcohol, tobacco, cannabis, or any other non-food or beverage items

Hours of Operation

Food trucks will be permitted to operate

- Riverside Park, Cougar Creek Trail Head, from 10 a.m. to 7 p.m., daily, including statutory holidays
- Elk Run Baseball Diamonds 4 pm – 10 pm during weekdays and specified daytime use on weekends on allocated dates.
- Elevation Place between 10 am and 7 pm when the onsite food vendor is not in operation.

Parking and Access to Parks: Food trucks vendors will be allocated one designated parking stall or signed area at the permitted location for their food truck, only.

Signs: The Vendor shall not display signs in the license areas that are not in compliance with the Town's sign bylaw and signage standards. [LINK](#)

Employees

The Licensee shall ensure that all their employees are trained and competent to perform their job duties. All employees handling food must be certified.

Pets of any kind are not permitted onsite by neither employees or the Vendor.



Request for Decision

DATE OF MEETING: April 5, 2022 **Agenda #:** H-4

TO: Council

SUBJECT: Development Application Reserve Fund Creation

SUBMITTED BY: Whitney Smithers, General Manager of Municipal Infrastructure

RECOMMENDATION: That Council approve Reserve Policy FIN-007 as presented.

EXECUTIVE SUMMARY

Administration is recommending the creation of a Development Application Reserve fund. This new fund is intended to provide scalable resourcing levels without requiring tax-funded support. It would be used to stabilize the operating budget and fund one-time operating expenditures for processing applications. It would also fund capital expenditures related to businesses enhancements that support the processing of development related applications.

RELEVANT COUNCIL DIRECTION, POLICY, OR BYLAWS

In August 2017, Council approved the Reserves Policy. The Policy was most recently amended in August 2021. The policy establishes guidelines, limits, and conditions applicable to the Town of Canmore's accumulated surplus into reserve funds, ensuring a sustainable financial position while supporting the ability to meet current and future operating and infrastructure requirements.

DISCUSSION

For a number of years now, application revenues in the Planning & Development and Engineering departments have generally exceeded budget estimates, resulting in surplus revenues. This surplus has traditionally been directed to general reserves, and on occasion has been used to secure contract staff resourcing to support Council priorities. This current model requires both departments to be conservative in estimating revenues, as their budgets cannot run at a deficit. Therefore, assumptions about projected application volumes have little tolerance for risk.

As a result, both departments see application revenue surpluses relatively consistently; and are often under-resourced when it comes to processing applications. Additionally, larger applications typically require staff resources for a longer period than the year in which the application was received (for example, large policy applications; or detailed design work related to subdivision applications). Under the current approach, there is limited ability to protect the revenue associated with those applications for the duration of the processing of them – revenues not used in-year are determined to be surplus, regardless of the outstanding resource required to process the remainder of the application.

Administration is proposing the creation of a Development Application Reserve. The reserve is a first step in providing greater transparency between tax-supported and user fee-supported work within the Planning & Development and Engineering departments. It is intended to provide funding for scalable resourcing levels, which are required to accommodate fluctuations in planning and development applications, without requiring tax-funded support. It would be used to stabilize the operating budget, fund one-time operating expenditures, and fund capital expenditures related to businesses enhancements that support the processing of development related applications.

The Development Application Reserve will allow the Planning & Development and Engineering departments to be less conservative in application revenue assumptions, and as a result be able to resource application processing based on expected workload rather than historic conservative estimates. It would also allow for the smoothing out of expenditures over the life of larger applications. It is anticipated that the reserve would eventually be used for:

- Funding of core resources through periods of low application volumes;
- Funding one-time term positions to support the processing of applications; and
- Funding one-time capital and operating expenditures related to process improvements and enhancements of application processing.

The reserve would not be used for ongoing funding of full-time positions. As is currently the case, full-time position requests would require a business case and approval by the senior executive team and would be funded through the operating budget.

Tax-supported and application-supported work

Related to this change in approach to funding, it will be necessary to ensure an appropriate distinction between application supported work, and tax supported work such as Town-led policy or capital projects. Administration is currently reviewing roles and reporting structures within the Planning & Development and Engineering departments to best address this distinction. Currently, staff positions tend to be fully focused on either application processing or Town policy or capital work for the most part. As such, Administration does not anticipate major challenges in this regard.

Overhead

Processing of development applications requires resources from corporate departments to support the work – this includes Public Works, Fire, Finance, Human Resources, IT and Facilities among others. Operating budgets for those departments are generally tax-supported. In recognition of the impact of application volumes on these departments however, it is suggested that 10% of surplus annual development application revenues remain as part of the overall surplus to support incremental resource demands on those departments.

Impacts on Vital Homes Reserve

Currently, the Town's Vital Homes Policy indicates that any year-end surplus may be directed to the Vital Homes Reserve, as directed by Council. In the past, the intent was the sum of the application revenue surplus could be directed to Vital Homes. While surplus application fees will now be directed to the Development Application Reserve, Council still retains the ability to direct surplus to the Vital Homes Reserve.

Lastly, it is recognized by Administration that this model of funding application processing is new and may require some adjustments over time. The establishment of the Development Application Reserve is a first step in bringing more rigour and transparency to the use of development application revenues. Subsequent steps, including a fee review, will be undertaken as resource availability allows.

ANALYSIS OF ALTERNATIVES

Council could choose to continue with the status quo approach of directing application revenue surpluses in the Planning & Development and Engineering departments to other reserves. Administration does not recommend this approach, as it does not allow application revenues to be directly linked to processing of applications.

FINANCIAL IMPACTS

There are often timing differences between when development revenues come in, and when the associated internal work happens. This internal work can even be over the course of several years. This timing difference, especially in recent years of higher than forecasted development, has led to surpluses in both Planning and Engineering, primarily due to the mismatch in timing between when the revenues are received, and when the associated work actually occurs. Historically, this excess of revenues over expenses has contributed to the overall organizational surplus and has been allocated out through that process. In some years, the surplus was used to secure contract resources.

This move to instead have a Development Application Reserve will allow the Planning and Engineering departments to more accurately project their anticipated revenues, and for required resources to be specifically identified and funded directly from those collected revenues, rather than be part of the overall tax-supported budget.

STAKEHOLDER ENGAGEMENT


The Reserves Policy amendment to include a Development Application Reserve was developed in collaboration with the Planning & Development, Engineering, and Finance departments. BOWDA was informed on the purpose and function of the Reserve, and have submitted a letter in support of this initiative (Attachment 2).

ATTACHMENTS

- 1) FIN-007 Reserve Policy – Amended
- 2) BOWDA letter

AUTHORIZATION

Submitted by:	Whitney Smithers GM of Municipal Infrastructure	Date:	<u>March 14, 2022</u>
Approved by:	Chelsey Richardson Manager of Financial Services	Date:	<u>March 14, 2022</u>
Approved by:	Sally Caudill Chief Administrative Officer	Date:	<u>March 25, 2022</u>

	<h1>Council Policy</h1>
Policy Title:	Reserves
Policy Number:	FIN-007
Date in Effect:	August 22, 2017
Current as of:	August 17, 2021

POLICY STATEMENT

1. Canmore is sustainable only if both its capital infrastructure assets and its financial assets can be maintained over the long term. It is the policy of the Town of Canmore to establish reserve funds to ensure the long-term financial stability and flexibility of the Town of Canmore, to position it to respond to varying economic conditions and changes affecting the Town’s financial position, and to ensure the organization has the ability to continuously carry out its responsibilities.

PURPOSE

2. The purpose of this policy is to establish guidelines, limits, and conditions applicable to the segregation of the Town of Canmore’s accumulated surplus, referred to as restricted surpluses in its audited financial statements, into reserves funds. The reserves practices will ensure a favourable and sustainable financial position while supporting the ability to meet current and future operating and infrastructure requirements by maintaining reserves funds sufficient to achieve the following:
 - a) The organization has sufficient working capital so that it is able to sustain operations through delays in receipt of payments of committed funding and to accept reimbursable contracts and grants without jeopardizing ongoing operations;
 - b) The organization has sufficient resources to fund the acquisition or construction of new capital assets and the replacement and rehabilitation of major capital infrastructure assets, as required and as identified in the Town of Canmore Strategic, Capital, and Long-Term Financial Strategy Plans;
 - c) Public confidence in the long-term sustainability of the organization is promoted by preventing cash flow crises that can diminish its reputation and force its leaders to make expensive short-term, crisis-based decisions;
 - d) The organization has sufficient resources to fund budgeted contingency amounts for unpredictable revenues, volatile expenditures, and unanticipated opportunities and/or challenges;
 - e) To contribute favourably to the liquidity position of the organization;

- f) A favourable credit status and financial flexibility is maintained;
- g) The organization complies with the Government Finance Officers Association (GFOA), Alberta Chapter, “Municipal Budgeting Alberta Best Practices”; and
- h) The organization meets the objectives of the Town’s Debt Management Policy, the Property Tax Policy, Long Term Financial Strategy, and the Town of Canmore Strategic Plan.

DEFINITIONS

- 3. “Capital reserves” means the portion of unrestricted net assets that the Town maintains, or that Council has designated (or “restricted”) for use in maintaining an adequate reserve to acquire or construct new capital assets and replace and rehabilitate major capital infrastructure assets as required, and as identified in the Town of Canmore Strategic, Capital, and Long-Term Financial Strategy Plans.
- 4. “Dedicated reserves” means the portion of unrestricted net assets that the Town has collected from developers to fund specific initiatives and/or projects. The funds may not be used for any other purpose than what they were collected for.
- 5. “Depreciation” means the amortization amount of fixed assets, such as buildings and equipment, in order to allocate the cost over its useful life. It is a process of cost allocation and not valuation. Depreciation increases expenses but does not reduce cash.
- 6. “Operating expenses” means the annual expenditures to fund regular operations and for greater certainty, do not include transfers from operating to fund capital expenditures, transfers to reserves, internal transfers between departments, and funds expended on non-tangible capital asset.
- 7. “Operating reserves” means the portion of unrestricted net assets that the Town maintains, or that Council has designated (or “restricted”) for use in:
 - a) emergencies to sustain financial operations for a reasonable period in the event of significant and unanticipated, unbudgeted increases in operating expenses and/or losses in operating revenues, and/or
 - b) funding budgeted contingencies for non-emergent but unpredictable revenues, volatile expenditures, and unanticipated opportunities and/or challenges, and/or
 - c) funding for the mitigation of tax rate increases.
- 8. “Program specific reserves” means the portion of unrestricted net assets that the Town maintains, or that Council has designated (or “restricted”) for use in specific initiatives or programs for which the funds are collected.

GENERAL GUIDELINES

9. All reserve transfers, re-designations, revisions, and new account requests must be approved by Council. Approvals may be in the form of:
 - a) The annual operating or capital budget approval;
 - b) A carryover project that was contained in an approved operating or capital budget; or
 - c) A Council resolution.
10. Draws from reserves must not exceed the fund balance unless it can be demonstrated to Council that future sources of revenue will provide adequate funding to return the fund to a positive balance.
11. All operating and capital reserve funds must be fully described and include a purpose, source of funding, minimum level, optimum or target level, and the rationale used to establish the levels.
12. Before creating a new reserve fund, the option of adding an incremental contribution to an existing fund of a like nature will be considered.
13. The prescribed fund limits will be reviewed by Council at least once each term of office.
14. Interest will be paid to all reserve funds based on the average balance, calculated as the opening plus closing balances divided by two, at the annual average rate of return on long and short-term investments.
15. The Town will maintain reserve funds in accordance with Schedule A.
16. Program specific reserve funds are intended to accumulate the money collected for specific initiatives or programs stipulated at the time of collection.

MANAGEMENT OF THE RESERVE FUNDS

17. Under the direction of Council, the chief administrative officer or their designate will ensure funds are invested according to the guidelines set out in the Town's Investment Policy and in accordance with provincial legislation.
18. Reserve funds will be drawn down only under circumstances specific to the individual reserve fund.
19. For reporting purposes, the reserve funds will be listed separately in the "notes" section of the Town's financial statements.

RESPONSIBILITIES

20. Only Council can approve the drawing down of a fund for operating or capital purposes.
21. The Finance Committee will review the reserves policies at least every term of Council, or sooner if conditions warrant, and provide recommendations for Council approval.

22. Administration will annually provide Council with:
- a) Actual year end reserve fund balances;
 - b) Five-year, projected, uncommitted reserve fund balances;
 - c) Five-year, anticipated reserve contributions and draws;
 - d) Reserve fund statistics as follows:
 - i) capital reserve fund contributions as a ratio to capital asset value,
 - ii) capital reserve fund contributions as a percentage of annual depreciation,
 - iii) the ratio of reserve funds to outstanding debt,
 - iv) the unamortized balance of capital assets relative to historical cost (the asset consumption ratio), and
 - v) total annual budgeted operating expenditures.

VISION ALIGNMENT

23. Canmore’s services and programs respond to the aspirations of its residents and visitors and are delivered in an effective, innovative, and fiscally responsible manner.

POLICY REVIEW

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

RELATED DOCUMENTS

- 25. Municipal Government Act
- 26. Government Finance Officers Association (GFOA), Alberta Chapter, “Municipal Budgeting Alberta Best Practices”
- 27. Debt Management Policy
- 28. Property Tax Policy
- 29. Town of Canmore Strategic Plan
- 30. Town of Canmore Long Term Financial Strategy

ATTACHMENT

31. Reserves Policy – Schedule A

REPEALS POLICY: Reserves Policy 223-2016

AUTHORIZATION

John Borrowman
Mayor

Cheryl Hyde
Municipal Clerk

REVISION HISTORY

Action	Date	Council Motion	Notes
Approved	2017-08-22	62-2017FIN	Approved by the Finance Committee
Amended	2021-02-23	44-2021	Add sustainability reserve and paid parking reserve, amend PAH to Vital Homes
Amended	2021-08-17	197-2021	Amend art trust; update formatting and numbering

Fund	Purpose	Funding Source(s) *	Minimum \$ Level	Target/Optimum \$ Level	Rationale Used to Establish Levels
OPERATING					
General Municipal Operating	For working capital purposes, to provide funding for unanticipated operating expenditures in the course of providing municipal services, and for unforeseen general operating emergency expenditures.	One time transfers and one-time unbudgeted sources of revenue.	5% of annual operating expenditures	10% of annual operating expenditures	GFOA best practices as applied upon assessment of the Town's circumstances and considering any short term operating credit facilities available.
Corporate Operating Contingency	Subject to multi-year budgeting being approved by Council or required by provincial legislation, to fund unexpected or emergent operating demands that arise as a natural consequence of multi-year budgeting.	Original fund established by a transfer from the general operating reserve and then from municipal property taxes as required.	1% of annual budgeted municipal property taxes	1.5% of annual budgeted municipal property taxes	Comparison to amounts set by other municipalities and historical experience with amounts actually utilized each year.
Tax Stabilization	To mitigate tax rate increases in cases of an emergent and/or non-recurring nature.	One time transfers and one-time unbudgeted sources of revenue.	3% of annual operating expenditures	7% of annual operating expenditures	GFOA best practices so that the total of this and the general operating fund equal a minimum of 1 month (8%) and an optimum of 2 months (17%) of annual operating expenditures.
CAPITAL					
General Municipal Capital	To fund new capital projects or for capital expenditures necessary in cases of emergency.	Transfers from property tax revenue, unspent annual contributions to capital from operations, and one time transfers to boost reserve levels.	Adequate to fund new capital projects identified as reserve funded in the long term financial strategy and capital planning summary and unanticipated capital expenditures within the next 5 years.	Adequate to fund new capital projects identified as reserve funded in the long term financial strategy and capital planning summary and unanticipated capital expenditures within the next 10 years.	Best practices call for fund balances based upon an analysis of the needs of the municipality, taking into consideration long term financial strategies, capital project plans, and asset management plans.
PROGRAM SPECIFIC					
Asset Replacement/Rehabilitation	To fund asset rehabilitation and replacement capital projects.	Transfers from annual operating surpluses, franchise fees, budgeted transfers from municipal property tax revenue, and other one-time transfers to boost reserve levels.	Adequate to fund rehabilitation and replacement capital projects identified as reserve funded in the long term financial strategy and capital planning summary and unanticipated capital expenditures within the next 5 years.	Adequate to fund rehabilitation and replacement capital projects identified as reserve funded in the long term financial strategy and capital planning summary and unanticipated capital expenditures within the next 10 years.	Best practices call for fund balances based upon an analysis of the needs of the municipality, taking into consideration long term financial strategies, asset management plans, and annual depreciation amounts.
Flood Mitigation Structure Maintenance	To fund the work required to maintain flood mitigation structures, particularly after an event.	Budgeted transfers from municipal property tax revenue.	\$250,000	\$2,000,000	Estimated cost to maintain flood mitigation structures.
Water Utility	To fund capital projects related to the Water and Utility metering Systems.	(1) special financing initiatives (2) special requisitions (3) grant funding specific to utility programs (4) net surplus from annual operations of the Utility department	\$2,000,000	\$2,500,000	Rate model projections of reserve requirements to fund anticipated water capital projects over the next 10 years.
Wastewater Utility	To fund capital projects related to the Wastewater and Storm Drainage Systems.	(1) special financing initiatives (2) special requisitions (3) grant funding specific to utility programs (4) net surplus from annual operations of the Utility department	\$3,000,000	\$4,000,000	Rate model projections of reserve requirements to fund anticipated wastewater capital projects over the next 10 years.

Reserves Policy - Schedule A

Solid Waste Collection	To fund the lifecycle replacement of capital infrastructure or future capital acquisitions relating to solid waste collection services.	(1) special financing initiatives, (2) special requisitions (3) grant funding (4) net operating surplus of the Solid Waste Collection department	\$250,000	\$300,000	Rate model projections of reserve requirements to fund anticipated solid waste collection capital projects over the next 10 years.
Solid Waste Recycling	To fund the lifecycle replacement of capital infrastructure or future capital acquisitions relating to solid waste recycling services.	(1) special financing initiatives, (2) special requisitions (3) grant funding (4) net operating surplus of the Solid Waste Recycling department	\$250,000	\$350,000	Rate model projections of reserve requirements to fund anticipated solid waste recycling capital projects over the next 10 years.
Vital Homes, formerly Perpetually Affordable Housing	To fund the construction and operation of Vital Homes, formerly Perpetually Affordable Housing, units and acquisition of land as determined in consultation with CCHC.	Mill rate assessment on residential and non-residential sectors, and one-time transfers to boost reserve levels per Council resolution or policy.	TBD	TBD	Best practices call for fund balances based upon an analysis of the needs of the municipality, taking into consideration strategic and capital project plan.
Photo Radar	To fund expenses related to policing or traffic safety initiatives and community safety initiatives and programs.	Net revenues from contracted photo radar speed enforcement	None	None	None
Art Trust Fund	To fund local, invitational, open or commemorative art competitions, community art projects, public art projects, and related maintenance and operations of the public art program	Annual budget allocations equal to \$5 per capita and allocation of 0.5% of the average of the previous five-year period's annual approved budgets' Town contributions to above ground construction projects.	None	None	None
Economic Development	To fund economic development initiatives and/or programs.	Any positive differences between the funding provided economic development initiatives/programs and the amount collected from Business Registry fees, and one time contributions to boost balances.	None	None	None
Sustainability	To fund programs and projects to finance and promote energy efficiency, greenhouse gas reduction measures, and climate adaptation.	Transfers from franchise fees	None	None	None
Paid Parking	To fund improvements in areas where paid parking has been implemented, and/or to fund fare free transit services and/or to fund offsite parking related infrastructure such as intercept parking or shuttle services.	Paid parking revenues, net of program costs	None	None	None

Development Application Reserve	To provide funding for scalable resourcing levels required to accommodate fluctuations in planning and development applications without requiring tax-funded support. The reserve is used to stabilize the operating budget, fund one-time operating expenditures, and fund capital expenditures related to businesses enhancements that support the processing of development related applications.	Annual operating surpluses from fee supported operations in the Planning & Development and Engineering departments.	None	The target balance for the reserve is 50% of annual budgeted fee-based expenditures in Planning & Development and Engineering.	The optimum level is intended to provide sufficient rate-supported stabilization to the fee-supported operations to either scale up to meet higher than anticipated volumes; or to retain a core staff complement in the event of a sustained downturn in application volumes.
DEDICATED - FUNDED BY DEVELOPMENT					
Offsite Levy	To fund the future costs to provide new or expanded infrastructure required for development.	Levies assessed to development in accordance with the Municipal Government Act	None	None	None
Recreation Levy	To fund recreation projects in accordance with the Recreation Contribution Policy.	To accumulate voluntary contributions from development towards new recreation infrastructure	None	None	None
Cash in-lieu of Bear Bins	To fund the purchase and installation of a waste containers within existing neighbourhood required as a result of in-fill development	In-lieu cash payments from developments where the total number of residential units is less than eight (8)	None	None	None
Cash in-lieu of Parking	To fund the purchase of land suitable for future parking developments and to plan, develop and construct parking facilities	Funds are collected as part of the Development Permit process, and payments are outlined in a Development Agreement.	None	None	None
Cash in-lieu of Municipal Reserve	To fund public parks, public recreation areas or school authority developments as are allowed by Section 671(2) of the MGA	Funds are collected as part of the Subdivision approval process, and payments are outlined in a Subdivision Servicing Agreement.	None	None	None

* All funds will also receive a portion of annual interest revenue as a funding source.



March 21, 2022

Whitney Smithers
 General Manager
 Municipal Infrastructure
 Town of Canmore
 902 7 Avenue
 Canmore, Alberta
 T1W 3K1

RE: Development Application Reserve Fund Policy

We would like to take this opportunity to share our support for the creation of a development application reserve fund. In our most recent member survey (Feb/March 2022), permit application timelines/approvals and overall service delivery (capacity) were once again highlighted as a risk to member business operations and future success here in Canmore; this fund should help provide additional resources where and when required.

We are encouraged, should the reserve fund be formed, by the potential for the following:

- Improved predictability and stability for budgeting purposes and operational needs
- More secure funding options for short-medium-long term business planning
- Creation of a more flexible environment to help secure one-time/term-based operational support during periods of high volume or other more immediate efforts
- Responding to industry needs by stabilizing staffing levels to help improve overall capacity in the near and mid-term horizons
- Movement to self-funding departments will ensure the Town of Canmore focuses on efficiency in their service delivery.

We do hope that there is further clarity as to a cap for this potential fund and a strategy on the most effective use of the funds to address resource needs. This aligns well with the Town's continued process improvement work to help provide clarity, transparency and efficiency in their business planning.

Sincerely,

Ian O'Donnell
 Executive Director
 Bow Valley Builders and Developers Association
 cc. BOWDA Board of Directors

Suite 854, 104-753 Railway Avenue Canmore, Alberta T1W 1P2

April XX, 2022

Dear Premier,

We are committed to ensuring Albertans live in safe communities that support their health and well-being. Communities where people have reliable access to critical health, social, public safety, and educational services. Ultimately, Albertans living in a safe and healthy community communicate those needs to the Government of Alberta, who listen and respond.

The Government of Alberta has lost the trust of its constituents in its pursuit of an Alberta Provincial Police Service (APPS) by not undertaking fulsome, open, and transparent consultations with all those affected. Albertans have stated loud and clear that they do not want a costly new police service, with an overwhelming 84% of Albertans wanting to keep and improve the Alberta RCMP.

In addition, the Government of Alberta has not released a detailed funding model explaining who would be paying the costs of this proposed transition. The vague Transition Study noted initial transition costs of \$366 million over six years, and, at minimum, an additional \$139 million each year, increasing with inflation. Municipalities know that most of these costs will be downloaded directly to them, forcing them to significantly increase residents' and businesses' taxes.

Municipalities and engaged Albertans continue to call on the Government of Alberta to improve rural police response times and increase resources available to the justice system. The Province's \$2 million Transition Study did not highlight how a new APPS would address any of these issues.

We, the undersigned, call on the Government of Alberta to stop efforts and investment to advance the creation of an Alberta Provincial Police Service and instead invest in resources needed to:

- *Improve current policing services to reduce response times and address rural crime by increasing the number of RCMP officers within communities*
- *Improve social services to address the root causes of crime (health, mental health, social and economic supports)*
 - *Expand Police and Crisis Teams with police and Alberta Health Services*
 - *Work with communities to provide targeted social supports*
- *Increase resources within the justice system*
 - *Ensure timely trials by prioritizing violent over non-violent crimes*
 - *Hire more Crown prosecutors and appoint more Provincial Court Judges*

From: Colin Buschman <cbuschman@npf-fpn.com>
Date: March 28, 2022 at 10:04:48 AM PDT
To: Sean Krausert <sean.krausert@canmore.ca>
Cc: "Shared.Communications" <Shared.Communications@canmore.ca>
Subject: Proposal to Join Our Call to Action - NPF

Dear Mayor Krausert and Town of Canmore Council,

I am writing to you today, with a proposal to join our Call to Action to the Government of Alberta to halt the idea of a new provincial police service and to invest the proposed new monies into underfunded critical services within Alberta. This injection of funding would have a larger and more immediate impact within our communities to improve community safety and the health and well-being of all Albertans.

As you are aware, the Government of Alberta is reviewing the possibility of transitioning away from the RCMP to a new Alberta Provincial Police Service (APPS). Last year, they released a [Transition Study](#), which outlined potential exorbitant costs, including \$366 million in one-time transition costs over six-years and \$139 million in additional policing costs annually, increasing with inflation. With that said, over just a six-year period costs would total over \$1.2 billion.

Through polling that the NPF has conducted over the past year, it is clear that Albertans feel the same with. An overwhelming 84% of Albertans support retaining the RCMP and believe the Government of Alberta should instead focus on addressing the root causes of crime and improving social services.

As the Government of Alberta continues to consult and push the idea of a new and expensive police service forward, now is the time for all impacted stakeholders to come together to tell the government that the proposed money would be better invested into critical services to address under resourcing, staffing shortages, and the lack of social support programs.

Attached to this email is a draft of the Call to Action to the government for your review.

Our goal is to have stakeholders sign on and to release publicly at the end of April in a joint effort.

If you are interested in signing onto the Call to Action, please reply to this email and include your logo for use which will be added to the Call to Action, before April 15, 2022.

If you have any questions, comments, or concerns, please don't hesitate to contact me.

Colin Buschman

Western Government Relations Advisor | Conseiller, Relations Gouvernementales de l'ouest

National Police Federation | Fédération de la Police Nationale

(236) 233-8100

<https://npf-fpn.com>

The mission of the National Police Federation is to provide strong, professional, fair and progressive representation to promote and enhance the rights of RCMP members. La mission de la Fédération de la police nationale est de fournir une représentation forte, professionnelle, juste et progressive afin de promouvoir et faire avancer les droits des membres de la GRC.
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